Congressional Record

PROCEEDINGS AND DEBATES

OF THE

THIRD SESSION OF THE SIXTY-SIXTH CONGRESS

OF

THE UNITED STATES
OF AMERICA

VOLUME LX—PART 3

JANUARY 29 TO FEBRUARY 17, 1921

(Pages 2181-3358)



48050

WASHINGTON
GOVERNMENT PRINTING OFFICE
1921

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PROCEEDINGS AND DEBATES OF THE SIXTY-SIXTH CONGRESS
THIRD SESSION.

SENATE.

SATURDAY, *January 29, 1921.*

(Legislative day of Wednesday, January 26, 1921.)

The Senate met at 12 o'clock m., on the expiration of the recess.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair has a communication from the Department of State in reference to certain documents which the department have no authority to destroy and which they deem of no value. The Chair will refer it to a Select Committee on the Disposition of Useless Papers in the Executive Departments, to be selected by the Chair. He appoints Mr. WALSH of Montana and Mr. FRANCE members of the committee on the part of the Senate, and directs the Secretary to notify the House of Representatives.

CALL OF THE ROLL.

Mr. PENROSE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Henderson	McCumber	Ransdell
Capper	Hitchcock	McKellar	Sheppard
Colt	Jones, Wash.	McNary	Smith, Ga.
Culberson	Kendrick	Moses	Smoot
Curtis	Kenyon	Myers	Spencer
Dial	Keyes	Nelson	Swanson
Dillingham	King	Overman	Thomas
Gooding	Kirby	Page	Trammell
Gronna	Knox	Penrose	Underwood
Harris	Lenroot	Phipps	Wadsworth
Heflin	Lodge	Poindexter	

Mr. POINDEXTER. I wish to announce that the Senator from Montana [Mr. WALSH] is absent, engaged on official business.

Mr. KENYON. I have been requested to announce that the Senator from Missouri [Mr. REED], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Massachusetts [Mr. WALSH] are detained on official business of the Senate before the Committee on Manufactures.

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. GERRY, Mr. JOHNSON of California, and Mr. STERLING answered to their names when called.

Mr. FRANCE and Mr. WARREN entered the Chamber and answered to their names.

Mr. GERRY. I desire to announce that the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Delaware [Mr. WOLCOTT], and the Senator from South Dakota [Mr. JOHNSON] are absent by reason of illness.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is not a quorum present.

Mr. SMOOT. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. FERNALD, Mr. SMITH of South Carolina, Mr. ROBINSON, Mr. MCLEAN, and Mr. SUTHERLAND entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker, pursuant to the provisions of the concurrent resolution (S. Con. Res. 38) directing the method of counting the electoral votes for President and Vice President of the United States and declaring the result, had appointed Mr. LAMPERT and Mr. RUCKER tellers on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 15546. An act to repeal certain portions of an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved June 5, 1920;

H. R. 15661. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15900. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 15901. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 12502) providing for a report on the cost of improving and maintaining the Government Boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. WADSWORTH. Mr. President, I present a concurrent resolution adopted by the New York Legislature relating to the operation of Government-owned barges upon the New York State Canal system, which I ask may be printed in the RECORD.

There being no objection, the concurrent resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

IN SENATE, STATE OF NEW YORK,
Albany, January 12, 1921.

By Mr. Knight:

Whereas, heretofore and during the year 1918, operation of boats, barges, and other transportation facilities on the canal system of the State was assumed by the Federal Government, with the purpose of effecting the transportation of the greatest possible tonnage thereon in aid of the carrying on of the activities of Government in time of war; and

Whereas the conditions which created the necessity for operation on such system by the Federal Government has ceased and such operation still continues; and

Whereas the canal board of the State has adopted and submitted to the legislature a resolution disapproving and opposing further continuance of such operation by the Federal Government; and

Whereas his excellency the governor of the State has this day transmitted to the legislature a message in writing recommending action by the legislature urging discontinuance of the use of the canal system of the State by the Federal Government; and

Whereas there is pending before the United States Congress a resolution introduced by Hon. JAMES W. WADSWORTH, Jr., United States Senator for the State of New York, to restrain the Federal authorities from the use of the boats, barges, and equipment on the canal system:

Resolved (if the assembly concur), That the Congress of the United States be respectfully requested to adopt the said resolution introduced by the Hon. JAMES W. WADSWORTH, Jr., and that the Federal authorities discontinue operation of barges, boats, and other transportation facilities at the earliest possible moment.

And that copies of this resolution be forthwith transmitted to the Senate and the House of Representatives of the United States.

By order of the senate:

ERNEST A. FAY, *Clerk.*

In assembly January 19, 1921.

Concurred in without amendment by order of the assembly.

FRED W. HAMMOND, *Clerk.*

Mr. PHIPPS. Mr. President, I present a memorial adopted by the Legislature of the State of Colorado, and I ask that it may be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the memorial was ordered to be printed in the RECORD and referred to the Committee on Finance, as follows:

House joint memorial 3, by Mr. Crouse.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the General Assembly of the State of Colorado, respectfully represent:

That the mining industry throughout the United States is at low ebb, production curtailed, and market prices depressed, much of which is attributable to the practically unrestricted importation of metals produced in foreign countries.

Therefore your memorialists respectfully urge the speedy passage of an act of Congress fixing a tariff upon the importation of all ores, metals, and their products which in any manner come into competition with like ore, metals, and their products produced in the United States.

It is directed that copies of this memorial be transmitted to the President of the Senate, the Speaker of the House of Representatives, the chairman of the Committee on Mines and Mining in each of the Houses of Congress, and to the Members representing the State of Colorado in the United States Congress.

Mr. WARREN presented a telegram in the nature of a petition of the joint live-stock committee of the Wyoming State Legislature, of Cheyenne, Wyo., praying that an increased appropriation be made for the destruction of predatory animals, which was referred to the Committee on Agriculture and Forestry.

Mr. ROBINSON presented a petition of the Planters' Cotton & Gin Co., of Alma, Ark., praying for the enactment of legislation to increase the import duty on edible oils, etc., which was ordered to lie on the table.

Mr. CAPPER presented resolutions of Niotaze Grange, No. 1680, of Niotaze, Kans.; of the Oregon Grain Growers' Convention, held at The Dalles, Oreg.; and of Florida Grange, No. 306, Patrons of Husbandry, of Griffith, Colo., favoring the enactment of legislation to stop speculation in grain products, which were referred to the Committee on Agriculture and Forestry.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a petition of the executive board, Michigan Federation of Labor, of Detroit, Mich., favoring the continuance of the $240 bonus to Federal employees during the next fiscal year, which was referred to the Committee on Appropriations.

He also (for Mr. NEWBERRY) presented a resolution of the City Commission of Sault Ste. Marie, Mich., favoring the continuance of the $240 bonus to Federal employees during the next fiscal year, which was referred to the Committee on Appropriations.

He also (for Mr. NEWBERRY) presented a telegram in the nature of a petition of Local No. 17, Federal Employees' Union, of Port Huron, Mich., praying for the enactment of the so-called minimum wage bill, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a petition of the Detroit Federation of Labor, of Detroit, Mich., praying that an appropriation be made for the completion of the Wilson Dam at Muscle Shoals, which was referred to the Committee on Appropriations.

He also (for Mr. NEWBERRY) presented a resolution of Detroit Lodge No. 82, International Association of Machinists, of Detroit, Mich., favoring the establishment of trade relations with soviet Russia, which was referred to the Committee on Foreign Relations.

MAJ. GEN. E. H. CROWDER.

Mr. SPENCER. I ask to have inserted in the RECORD a resolution passed by the General Assembly of the State of Missouri in relation to the services of the Judge Advocate General of the Army in the World War.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

MISSOURI SENATE,
FIFTY-FIRST GENERAL ASSEMBLY,
January 25, 1921.

SECRETARY OF UNITED STATES SENATE,
Washington, D. C.

DEAR SIR: I have the honor to transmit to you the following concurrent resolution which has been offered into and adopted by the Senate of the Fifty-first General Assembly of Missouri, and which the House of Representatives has concurred therein:

Resolution.

Whereas as Provost Marshal General, he formulated and directed the execution of the selective service by means of which an army of about 5,000,000 men were called to the defense of their country in an almost incredibly short time and with a degree of promptness which met every need of the Nation and with comparatively no opposition from the people of this Nation so unused to military service and so devoted to the pursuits of peace; and

Whereas the ability and service of Gen. Crowder contributed in such a large measure to the successful termination of the Great War; and

Whereas there is now pending in the Congress of United States a bill to promote Gen. Crowder to rank of lieutenant general; and

Whereas Gen. Crowder is a native Missourian: Therefore be it

Resolved by the senate (the house concurring therein,) That we record the appreciation and gratitude of the people of Missouri to Gen. Crowder for his distinguished services and express our sincere desire that said bill for his promotion be passed, and that we respectfully urge the Members of Congress from Missouri to support said bill;

Resolved, That upon concurrence of the house herein, the secretary of the senate be directed to send a copy of said resolution to the Secretary of the Senate of the United States and the Chief Clerk of the National House of Representatives.

Respectfully submitted.

A. S. ZELLWEGER, *Secretary of Senate.*

REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Claims, submitted a report (No. 730) to accompany the bill (H. R. 9794) for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias, heretofore reported from that committee.

Mr. PHIPPS. From the Committee on Post Offices and Post Roads, to which was referred the bill (S. 4899) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, I report it back favorably with amendments and submit a report (No. 726) thereon.

At this time I wish to serve notice that at the first opportunity I shall call the bill up and ask that it be considered.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the joint resolution (H. J. Res. 346) extending the time for payment of purchase money on homestead entries in the former Standing Rock Indian Reservation in the States of North and South Dakota, reported it with amendments and submitted a report (No. 727) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment, submitting a report on the first named:

A bill (H. R. 178) authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo. (Rept. No. 728);

A bill (H. R. 397) to authorize a lieu selection by the State of South Dakota for 160 acres on Pine Ridge Indian Reservation, and for other purposes;

A bill (H. R. 5081) for the relief of James E. Adams;

A bill (H. R. 8692) authorizing the exchange of lands within the Montezuma National Forest in Colorado;

A bill (H. R. 9702) granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city; and

A bill (H. R. 13592) to authorize certain homestead settlers or entrymen who entered the military or naval service of the United States during the war with Germany to commute their entries.

Mr. TOWNSEND, from the Committee on Interstate Commerce, to which was referred the bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134), reported it without amendment.

Mr. CAPPER, from the Committee on Military Affairs, to which was referred the bill (H. R. 740) for the relief of John W. Baggott, reported it without amendment, and submitted a report (No. 729) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DILLINGHAM:

A bill (S. 4939) to amend the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and for other purposes; to the Committee on Immigration.

By Mr. SPENCER:

A bill (S. 4940) granting an increase of pension to John M. Herndon (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. McNARY submitted an amendment proposing to appropriate $25,000 for preventing and combating infestations of insects injurious to forest trees on and near the national forests, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, a day or two ago I called the attention of the Senate to the fact that the National Chamber of Commerce had indorsed the bill pending in the House of Representatives and in the Senate to create a department of education, and I presented to the Senate a letter from the president of that organization in which he called attention

to the fact that the lack of education had been largely the cause of many of the worst strikes we have had. I have to-day in my hand a letter from the vice president of the Federation of Trades in which he attributes the "outlaw strikes" to the lack of education. I do not desire to take the time of the Senate to read the letter, but I ask that it may be printed in the RECORD.

There being no objection, the statement was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

[From National Education Association, 1201 Sixteenth Street, Washington, D. C., Thursday, January 20.]

"EDUCATION LACK, CAUSE OF 'OUTLAW STRIKE,'" SAYS MATTHEW WOLL—AMERICAN FEDERATION CHIEF TELLS WHY HIS ORGANIZATION SUPPORTS THE SMITH-TOWNER BILL—DEMANDS EQUAL OPPORTUNITY FOR ALL AT LIFE'S START.

(By Matthew Woll, vice president the American Federation of Labor.)

WASHINGTON.

The issue presented in the Smith-Towner bill, which provides for a Federal department of education with a secretary in the President's Cabinet, is easily understood. There may be a difference of opinion as to whether the President's Cabinet should be enlarged, but, aside from this question, if you believe in public education, universal education, you are in principle for the bill. If you do not believe in education for the masses, or if you believe that just any education is good enough for the average American boy or girl, whose parents can not afford to send him or her to a private school, then, on principle, you are opposed to this bill.

The American Federation of Labor believes that every American boy and girl should have an equal opportunity at the start, and the American Federation has indorsed the Smith-Towner bill.

It is our boys and girls, together with the millions of children from middle-class homes in city and country, who will be its chief beneficaries. There can be no question—our children to-day go out into the world of competition handicapped at the start both in mind and body. This is due to our national neglect of education.

The Army statistics showed this only too plainly. The Nation was amazed when it learned that hundreds of thousands of Americans, unable to read or write, had to be painfully taught the meaning of such simple commands as "halt" and "forward," and that hundreds of thousands more were rejected because of physical disabilities that might easily have been corrected in the schools.

These facts did not surprise us in the labor movement. We had known them all along. Those were "our boys," the soldiers, who in spite of physical and educational handicap that made them unfit for service in France, were yet fit enough to serve in the Army behind the Army, in steel mill and munition plant, in lumber camp and shipyard.

There is a special significance in this for Mr. Hoover's committee is now studying the question of industrial waste in an endeavor to bring about an understanding between capital and labor. Illiteracy has more to do with the so-called "outlaw strike," the question of turnover, and with accidents in industry.

Remember, please, that the rookie you saw at Camp Lee, Upton, or Funston, with his second lieutenant in the rôle of first-grade teacher, in peace time, is the operative in the silk mill, the steel plant, or the coal mine. In the "outlaw strike" he follows some fellow, no matter how irresponsible, who speaks his own language and who, because of that fact alone, naturally has his confidence. Our men, trying to bring about order, are as badly off as the young lieutenant with his awkward squad. If every workman were an educated American the path of the federation would be comparatively smooth.

As to industrial accidents, the report of Mr. Van Manning says that 1,000 miners lose their lives each year and 150,000 more are injured each year. By far the greater proportion of these accidents, he says, are due to inability of the miner to read safety warnings.

"The statistics given by the Immigration Commission," say Mr. Manning "show 620,000 foreign-born miners in this country. It is roughly estimated from the experience in certain States that about 75 per cent of these 620,000 foreign-born miners are non-English-speaking foreigners, or 465,000 immigrants with no knowledge of the English language. The best estimates from a number of the larger mining States show that foreign-born miners suffer twice the fatalities that the English-speaking miners do. This means an excess of 930 non-English-speaking foreigners killed each year, and I may say unnecessarily. If the average State compensation is $3,000, which is a fair figure, the total economic loss each year to the country through the excess of deaths of non-English-speaking miners alone amounts to $2,790,000. On the same basis it is estimated that the excess of non-English-speaking miners injured each year amounts to 69,750 men. This is a loss in wages alone of $1,743,750. Taking the excess of deaths and injuries together due to non-English-speaking foreigners the economic loss each year reaches $4,533,750. This is entirely aside from other costs to the industry in production lost."

The Smith-Towner bill authorizes Congress to appropriate $100,000,000 for the aid to the States to be used in improving the schools, increasing teachers' salaries, promoting physical education, and Americanization and removing illiteracy, all of them national problems which we, as a Nation, can no longer afford to ignore. The enemies of the bill object to what they term this "extravagance," purposely ignoring the fact that this is only a working plan, that any Congress can give as much or as little for the promotion of these various objects. For my own part, considering our national bills for wars, past and future, even if we look at it from the militarist standpoint, that of creating fit soldiers, $100,000,000 seems entirely too modest a sum to ask for the proper training of our children.

To those who fear that the Smith-Towner bill will give the Federal Government control over education, the fact that this bill has been given the indorsement of the American Federation of Labor ought to be sufficient assurance. The last thing that the federation desires to see is bureaucracy enthroned at Washington. As I said at the beginning, the whole thing simmers down to whether you believe in the public school or whether you don't.

Mr. SMITH of Georgia. Mr. President, I also have an editorial from the Scottish Rite Bulletin upon the same general subject. Without taking the time to read it, I ask that it also may be printed in the RECORD.

Mr. SMOOT. Are these communications supposed to be a part of the Senator's remarks?

Mr. SMITH of Georgia. Yes; I present them, and ask that they be printed in the RECORD instead of taking the time of the Senate to read them, as I otherwise would do.

Mr. SMOOT. Very well.

There being no objection, the editorial was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

ANCIENT AND ACCEPTED
SCOTTISH RITE OF FREE MASONRY,
SOUTHERN JURISDICTION OF THE
UNITED STATES, ORIENT OF SOUTH DAKOTA,
Aberdeen, S. Dak.

Since the 19th of May, 1919, there has been sleeping on the calendars of Congress a bill to create a department of education, with a Cabinet officer at its head, designed to systematize, coordinate, and give Federal aid to the educational activities of our country.

The expression "On the calendars of Congress" was used advisedly, for the identical measure was introduced in the Senate by HOKE SMITH, of Georgia, and in the House by HORACE TOWNER, of Iowa. It is known as the Smith-Towner bill; and, if you have not heard of it, just scan most any number of the many periodicals published in this country, but which receive their spiritual and mental (?) pabulum from a foreign country, and you will find mention of it in terms that will not be unreservedly complimentary.

The measure has no present political partisan significance, as one of its authors and sponsors is a Democrat, while the other is a Republican; but it is American to the core.

This bill carries an appropriation of $100,000,000, annually to be apportioned: Seven million five hundred thousand dollars for the elimination of illiteracy, $7,500,000 for Americanization, $20,000,000 for physical education, $15,000,000 for the preparation of teachers, and $50,000,000 for the equalization of opportunities and partial payment of teachers' salaries.

Distribution of this amount is to be made to the several States in accordance with their scholastic and illiterate populations; and it is provided that each State is to appropriate and expend an amount equal to its quota from the Federal Government, and it is further provided that the administration and management of these educational activities shall be left to the duly constituted State authorities.

The only paternalistic features in the bill are:

First. It requires that all educational activities receiving any of the money provided in this bill shall be under the direction of the State authorities, and that the public State schools are to be the exclusive agencies through which these authorities are to work—a boost, in fact, for the American schools of our country.

Second. It requires that English shall be the basic language taught in these schools, and is to supplant all others just as fast as those in need of the instruction can discard other tongues and can absorb the lessons in the language of our country; and

Third. It requires that the State authorities charged with the administration of educational affairs under this bill shall at least annually give an account of their stewardship to the Secretary of Education, who shall compile these reports and submit them to Congress.

That any real American could possibly object to such a measure is beyond conjecture; but it is meeting with an opposition which, owing to the moral pusillanimity of Congress, will prevent its becoming law until after the oncoming election; and, unless there is an American awakening, for an indefinite period.

America needs to be Americanized, to be educated to the point where its citizenry can take an intelligent interest in its civic affairs, and above all it needs a renovation that will result in eliminating from the directorate of its civic affairs—National, State, and local—all those whose Americanism can be called in question, or whose allegiance to its flag and country permits of division with any other overlord, actual or pretended, spiritual or secular.

The Smith-Towner bill is designed to accelerate the accomplishment of this much-desired end and no un-American protestations should be permitted to bluff the membership in the Congress into allowing it to die in the hands of committees. (Scottish Rite Bulletin.)

ADDRESS BY SENATOR CALDER.

Mr. McNARY. Mr. President, on Tuesday evening, January 25, 1921, the junior Senator from New York [Mr. CALDER] delivered a most instructive and interesting address on an important subject before the Marine League in the city of New York at the Commodore Hotel. I think the speech should be preserved, and I ask permission to have it printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR WILLIAM M. CALDER BEFORE THE MARINE LEAGUE OF NEW YORK AT THE COMMODORE HOTEL, TUESDAY EVENING, JANUARY 25, 1921.

"Mr. Toastmaster, ladies, and gentlemen, it is a great pleasure for me to speak on this occasion. I have always advocated the upbuilding of our merchant marine. For several terms I served as a member of the Committee on the Merchant Marine and Fisheries of the House of Representatives, and since my entry into the Senate four years ago I have been a member of the Committee on Commerce, which has to do with matters affecting our ocean traffic.

"There is so much to be said concerning the subject which you have given me to discuss that one might occupy the entire evening, and I wonder where I should begin, so as to say something of interest and at the same time not to occupy too much of your time.

"I entered the Senate right after the enactment of the law which created the Shipping Board but before any appropriation

was authorized to build a merchant fleet. That came as a result of the war and the demand on the part of our allies for the construction of a tonnage sufficient to take care of our own needs and theirs. You will recall the visit here of Mr. Balfour, the British commissioner, in the early days of the war. He urged that the thing most needed to assure success was ships and more ships and still more ships. The American Nation responded to his plea.

"Many people have found fault with the President and the Shipping Board for their program, and undoubtedly both are subject to some criticism, but in the main their error was that they tried to do too much without realizing in what condition the country would be in when the war was over. When I say that we must overlook the mistakes of the war I want to add that there was one mistake which, in my mind, will ever be inexcusable, and that was the building of the wooden ships. On that colossal blunder alone we spent over $300,000,000, nearly all of which is a total loss, and the men responsible for it can not be condemned too severely. It was a willful waste of the people's money. The policy of building wooden ships was argued against by every experienced shipbuilder and every experienced ship operator, and as yet I have never been able to understand why it was undertaken. As it turned out about 400 of the Shipping Board vessels were completed before the signing of the armistice, but if the war had lasted until the 1st of January, 1920, and we had failed to make our plans for carrying it on until that period, we might have succumbed and then all would have been lost.

"So, except for the wooden ships, I do not condemn the Shipping Board for the work which it did during the war. That is passed, but it is since the war that the Shipping Board at times has displayed great lack of business capacity.

"It has been stated many times that the Nation must accept a $2,000,000,000 war loss or amortization on the ships constructed by the Emergency Fleet Corporation. The newspaper headlines have created the impression in the public mind that this loss was due to extravagance and graft as well as amortization, and most of our fellow citizens now have that impression. The figure is arrived at by deducting from the total cost a sum which various people now believe to be the sales value of the ships.

"This conception is not entirely true, because it does not take into consideration the profits which have been earned by the use of these same ships and ignores the extra national wealth which we have derived from our foreign commerce during the last three years and which could not have been obtained had it not been for the existence of these ships.

"The extra cost, therefore, of the Emergency Fleet ships should be charged against peace profits as well as a war loss.

"The net cost of the 1,696 steel ships produced by the Emergency Fleet Corporation, after deducting items which are purely war expenditures, is $2,575,700,000. The tonnage involved is 11,660,000. This figure is arrived at as follows:

The estimated cost of the completion of the whole program is about		$3,300,000,000
Cancellations are estimated to cost	$170,000,000	
Net cost of wood ships about	310,000,000	
Yards, dry docks, and marine railways	148,000,000	
Transportation and housing	76,300,000	
Concrete ships	20,000,000	
		724,300,000
Net cost of 1,696 ships of 11,660,000 dead-weight tonnage about		2,575,700,000

About $220 per dead-weight ton.

"The net cost should be further reduced by an amount at present unascertainable, which has been repaid to the Government through Federal taxation out of the very same money which was used in constructing the ships. Ascertainment of this figure could only be made by examining the returns not only of shipbuilding companies but of boiler, engine, and other supply manufacturers.

"The foreign commerce of the United States for 1918, 1919, and the first 11 months of 1920, as officially reported, is as follows:

EXPORTS.	
1918	$6,149,087,545
1919	7,920,425,990
1920 (11 months)	7,507,323,420
Total	21,576,836,955
IMPORTS.	
1918	$3,031,212,710
1919	3,904,364,932
1920 (11 months)	5,013,117,932
Total	11,948,695,574
Grand total	33,525,532,529

"Comparison of these stupendous figures with the amount of our commerce before the creation of the Emergency Fleet Corporation shows very startling increases. The portion of this commerce moved in Emergency Fleet ships is very great, but no accurate figures are ascertainable, because until the end of the war the Government controlled all shipping to Europe, our greatest market, and operated its own ships and those the use of which it had requisitioned from private owners, as a unit. But the proportion, particularly of the exports, actually moved in Emergency Fleet ships was necessarily large, because all of the ships, as fast as they were created, were kept constantly full of cargo until a few months ago.

"Seeing that we had only a trifling merchant marine before 1918, and seeing that the tonnage of other nations was so continuously occupied in their own commerce as to preclude the possibility of moving any considerable portion of our commerce during most of the period above stated, there can be no question that if we had not had these ships we could not have had the commerce.

"If we had not had these ships, these would have been some of the results:

"First. There would have been an absolute curtailment of production immediately after the armistice and there would have been dumped on our markets the accumulated surpluses of our manufactures and our agriculture.

"Second. The Nation would have lost substantially the gross amount of the sales of our excesses, because they could not have been transported.

"Third. If this curtailment had taken place immediately after the armistice, when 5,000,000 men were coming out of the uniform and trying to get back into civilian life, we should have had unemployment on such a huge scale that social and political crises would have been immediate and serious, and these crises would have come at a time when radical ideas would have been much more difficult to combat than they are at the present time. We have been given a breathing spell and an opportunity to readjust our affairs in an orderly way.

"Fourth. Europe is having a most serious time in working back to normal. Had it not had the very great assistance of our food and manufactures, it is safe to say that several of the great European Governments would no longer be in existence, because in critical times food is an important political factor.

"Fifth. We should have lost trade opportunities which, notwithstanding our almost complete inexperience, have been developed by our aggressive citizens very greatly.

"Sixth. We should have lost the opportunity to instruct thousands of our men in foreign commerce, which is the most intricate of all business.

"In view of these tremendous advantages which we have acquired simply because we had these ships, it is perfectly reasonable to charge at least the difference between war cost and prewar cost against the benefits and profits derived. Indeed, so great have been these benefits—and they are still continuing—that it would be justifiable for Congress to consider the entire cost of the Emergency Fleet as either already offset by the profits or as being in a very fair way to be offset in the next very few years.

"The situation is very analogous to the conditions which confronted some of the large retail dry goods establishments here in New York not so many years ago. Some of the greatest of these did not have their own delivery wagons. They depended on the Merchants' Express, a separate corporation, which owned the wagons and levied a service charge for delivering the materials sold by the department stores. With comparatively little warning, the Merchants' Express went out of business, and it was then necessary for each department store to acquire its own wagons. Obviously, each store had to acquire a fleet of wagons immediately. Otherwise all of its business, with the exception of the portion conducted on the "cash-and-carry" basis, would have ceased.

"Let us assume that a few years later, after the department stores had enjoyed an era of unprecedented sales, some accountant or appraiser had come along and estimated what he considered to be the sales value of the delivery wagons, and, after deducting that value from the original cost, insisted that the difference was an emergency loss and should be considered as a loss without any reference whatever to the profits that had been made possible only by the existence of the fleet of delivery wagons. Certainly the executives would never have taken such a view of the situation.

"The whole question is merely a bookkeeping worry. There is no question that the national wealth has been tremendously increased by the use of these ships. We have a great new national asset just as vital to the continuance of our national life, our industries and our agriculture, and nearly as important for our protection in time of war as the United States Navy. We might just as well say that there is an enormous loss in the Navy because its sales value is less than its cost.

"Therefore, the Emergency Fleet has not merely served the purpose for which it was created—to wit, to assist in winning the war—but has likewise served to develop our foreign commerce as no other instrumentality ever has developed any foreign commerce of any nation in history.

"The people have been looking entirely on the dark side of the picture—the alleged losses—and have not looked on the bright side—the very real and tangible profits.

"I believe the aid necessary to assure the successful operation of American ships in the overseas trade is contained in the shipping act of 1920 provided it is properly interpreted. We can not ask the American ship operator to purchase Shipping Board vessels at $225 per ton and operate them successfully in competition with foreign ships which cost less than $100 per ton. These vessels should be disposed of at a price not exceeding what they can be constructed for to-day.

"They should be sold as speedily as possible to American owners under fair conditions and until disposed of should be chartered under terms that will be fair to the Government and to the operator as well. Many ships have been sold by the Shipping Board at high prices, and to-day the men who purchased them are unable to carry out their countracts. Where these conditions exist ship-sale contracts should be modified. It would be a great deal better to reduce the prices at which these vessels were sold originally if satisfactory security can be obtained to assure their being finally paid for. I am for an American merchant marine owned and operated by Americans in the interest of the American laborer, the American farmer, and the American manufacturer, and I am willing to go a very long way to assure its success. I know too well that if we permit this fleet to be dissipated it will be of incalculable disadvantage to the American who is trying to retain his export business. We can not hope to permanently carry on that business which was created during and since the war unless we can carry it in American vessels, and while the cost of operating American vessels in the foreign trade may be greater than like tonnage under a foreign flag, it must be maintained, and I believe under the shipping act recently passed it can be; but if a fair trial of that law indicates that further legislation must be enacted to assure this being done, then such legislation must be secured.

"I have heard men say that they were exceedingly doubtful as to whether or not it was possible for us to maintain a merchant marine under any circumstances; that during the past 60 years we have directed our attention to other lines of endeavor where profits were more certain. We have passed a seamen's law governing the operation of ships flying the American flag, and we are conducting our shipping business on a scale which makes it difficult for us to cope with England and the other maritime nations of Europe.

"I can not convey much new information to this audience, as shipping has not been my life business, as it has been yours, and I venture the statement that every man in this room knows more about the subject than I do, but with shipping laws and wage conditions as they are to-day we can not operate our merchant fleet without some form of Government aid or encouragement, and unless this encouragement is forthcoming it is only a matter of time when we will be driven off the seas. It seems to me the shipping law of 1920 furnishes the necessary assistance, and when business becomes normal again, then, with the courage and enterprise of the American who is trained in the overseas trade, I am confident we will continue to carry the products of the American farm and factory in American vessels to the uttermost corners of the world. During and since the war the business of building ships and of operating them drifted into the hands of many men without any previous training or experience, who for a few months made abnormal profits, but when business conditions slackened many went into the hands of receivers. These men have done great harm, for they created a bad impression in the minds of the American people, an impression which to remove will take the greatest amount of courage and the very best of cooperation before confidence can be again restored. The American business man has got to understand that if we hope to maintain our foreign trade against the competition of the rest of the world we have got to carry that foreign trade in ships flying the American flag.

"The United States has lacked a definite reconstruction program. When the war was on we gave no thought to the days that were to follow. We had no program for the operation of our ships or railroads, for the supervision and encouragement of our housing industry, or, in fact, for the rehabilitation of business generally.

"Men who made fabulous sums during the war and in the months that followed apparently believed that the golden stream would go on forever. We have concentrated our energy since the armistice in the main in the production of consumables and gave no thought to the construction of railroads, terminals, or housing for the people. During the last governmental fiscal year the credits of our banks were extended $6,000,000,000, and in all probability the entire sum was utilized for trading purposes rather than for the creation of the things that have lasting value.

"I have struggled during the past six months in an effort to bring to the attention of our citizens the problem of providing homes for the people. I regret exceedingly to say that apparently I have failed to make an impression so far on Congress as to the Nation's needs in this regard. All of the European countries are to-day struggling with their housing difficulties, and these countries are spending hundreds of millions of dollars in an effort to secure homes for their citizens. I have tried to bring this situation forcibly to the attention of Congress so that we might forestall a popular demand for governmental construction of homes. Not a single thing has been done, so far as I know, in an effort to remove the handicaps under which the building industry is now struggling. In New York and many other States laws have been passed designed to prevent profiteering by landlords. These laws were undoubtedly necessary, but their enactment, with their many restrictive provisions, have had the effect of discouraging the erection of apartments and tenements which are urgently needed.

"We have been procrastinating in adopting remedies to meet the critical situation in the building industry. Some are inclined to let the whole matter take care of itself, but personally I am much concerned for the future.

"I speak of these things to-night not in the spirit of pessimism but more with the idea of trying to drive home to this audience the great necessity of American business men applying themselves at once to the solution of these most difficult matters. From the men in this room we have a right to expect a solution of our shipping questions. There are times when we need a setback to bring home the need of action, and I am sure that from the present depression we will enter upon a new era in American shipping.

"The very same thing applies to our port facilities in New York. The boroughs of Manhattan and Brooklyn have all to gain by a broad-minded policy with regard to port development. In the expansion of the physical plant to accommodate more commerce, the banking and merchandising center of lower Manhattan will profit greatly through the administration and financing of increased business. To have an adequate physical plant to take care of the demands for transportation made upon the port of New York requires the rational development of all the water front around the bay. If these demands for adequate port and terminal facilities are not provided for, business will be forced to go elsewhere, as has been the case to an alarming degree in recent months.

"It is an interesting fact that before the war 50 per cent of the foreign trade of the United States passed through this port, but during the past year this has been reduced to 38 per cent. The business men of New York have the responsibility of seeing to it that everything possible is done to maintain the city of New York as the great seaport of the country. Recently in a speech in the city of Washington a distinguished Senator intimated that the British interests here were dominant. We know that when the Senator made that statement he was in error. This is an American port and the interests of our country are preeminent here, and in the harbor to-day flies the flag of every maritime nation of the world, and all of them are welcome.

"It is up to us to work out a solution of the port's needs. There is no excuse for the conditions which I have described. We have become not only the metropolis of the western world but the greatest city on the face of the earth and the greatest that ever existed, and here, more than in any other place, ideal shipping conditions should be maintained. It is the business of our chamber of commerce, our merchants' association, and our board of trade, our maritime association, and of your organization to aid in relieving the present deplorable situation. You should not leave it to Gov. Miller or the mayor of your city or even Senator CALDER. Too often we make these matters of harbor development a butt for political manipulation. I do not believe that this city lacks the spirit to take hold of our port and terminal and warehouse situation and improve it.

"But, Mr. Toastmaster, I have talked too long already. I have enjoyed this evening immensely. We have here the very best of the business men of our city, the men who are to solve this difficult problem for us and men who will bring back to our city and our Nation the prosperity which should be theirs. In Washington, most of us are alive to the immediate needs of the people in the matters which I have discussed. We want your help; we want your advice; and we want your counsel in

solving the great matters of the adjustment of our revenue laws which is to be taken up for consideration immediately after the new administration takes office. We are to have a new tariff law and a new revenue law. In passing these laws we must not forget that America is no longer a debtor to Europe, but is now the great creditor Nation of the world. We must not forget either in the enactment of tariff or revenue laws that the country will stand just so much taxes, and that when they exceed the sum that the business of the Nation can bear then indeed the trend must be downward. I am sure that in the enactment of these laws Congress, with its understanding of the Nation's need, will place on the statute books measures which will restore confidence in the minds of the people and assure the future welfare of the country."

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 15546. An act to repeal certain portions of an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved June 5, 1920;

H. R. 15661. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 15900. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 15901. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

CLERICAL ASSISTANCE FOR FEDERAL POWER COMMISSION.

Mr. JONES of Washington. Mr. President, I ask that the unfinished business may be temporarily laid aside for the purpose of having a bill passed, to which I think there will be no objection. If there should be any objection, I will withdraw the request.

The VICE PRESIDENT. The unfinished business has been laid aside; it was laid aside yesterday, and there is nothing now before the Senate.

Mr. JONES of Washington. I will say briefly that under the language of the water power act the Comptroller of the Treasury has held that the commission can not employ clerical help in the District of Columbia, so that all the help that the commission can get to enable them to carry out the provisions of the act is by detail from the various departments. The bill is for the purpose of giving the commission the power to employ clerical help, but it can not employ such help until expressly authorized by Congress to do so. The power is retained in Congress absolutely to fix the number of employees and their salaries. I ask unanimous consent for the present consideration of the bill. It is Senate bill 4640, Order of Business No. 681 on the calendar. The bill is short, and I ask that it may be read.

The VICE PRESIDENT. The Secretary will read the bill.

The reading clerk read the bill, which had been reported from the Committee on Commerce with amendments, as follows:

A bill (S. 4640) to amend section 2 of an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920.

Be it enacted, etc., That section 2 of an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920, is hereby amended by adding thereto an additional paragraph as follows:

"The commission, if it is unable to perform the duties imposed upon it by this act through and by means of employees of the Departments of War, Interior, and Agriculture as provided in the second paragraph of this section, is hereby authorized to employ in the District of Columbia and elsewhere such additional expert, technical, clerical, and other personnel as may be necessary for the purpose of performing the duties imposed by this act and as may be from time to time appropriated for by Congress. The detail of persons for such purpose from the Departments of War, Interior, and Agriculture, or the transfer from such departments of any persons engaged in duties which by this act are conferred upon the commission, is hereby authorized.

Mr. UNDERWOOD. Does that complete the reading of the bill, Mr. President?

The VICE PRESIDENT. It does, except the amendments which have been reported by the committee.

Mr. SMOOT. I shall object to the consideration of the bill at this time.

The VICE PRESIDENT. Objection is made.

Mr. UNDERWOOD. Mr. President, I should like to ask the Senator from Washington what has become of the bill to amend the water power act so that it shall not apply to national parks?

Mr. JONES of Washington. I have been trying to get that bill up several times, but have not yet had an opportunity to do so. I am going to take advantage of the first opportunity which presents itself for bringing the bill up.

Mr. UNDERWOOD. I was going to suggest to the Senator that the unfinished business is not now before the Senate, there is no other business before the Senate, and now might be a very opportune time to ask for the consideration of the bill.

Mr. JONES of Washington. But I know that I can not get unanimous consent to have the bill taken up.

Mr. UNDERWOOD. I do not think it requires unanimous consent just now to have the bill taken up.

Mr. JONES of Washington. I am not disposed to move to take up the bill at this time.

FORCIBLE ENTRY AND DETAINER.

Mr. BORAH. Mr. President, I ask unanimous consent for the present consideration of Senate bill 4746, Order of Business 630.

Mr. PENROSE. What is the bill, Mr. President?

Mr. BORAH. It is a very important bill, relating to the question of the rent law in the District of Columbia.

Mr. SMOOT. I object, Mr. President.

Mr. PENROSE. I must object, Mr. President, to taking up any other bills. It is generally understood in the Senate that we are to-day to proceed with the so-called emergency tariff bill; it is before the Senate, and I hope that we shall now proceed with the consideration of that measure, and that Senators who address the Senate will, so far as possible and reasonable, confine themselves to the measure under consideration.

Mr. BORAH. Mr. President, I had myself supposed that we were going to consider the emergency tariff bill, but I observed, I thought, a disposition to allow the consideration of a few bills. I therefore took advantage of the situation. If there is going to be objection, of course, I have nothing to say, but if bills are going to be permitted to be considered, I naturally feel, in common with other Senators, that the bill in which I am interested should have an opportunity for consideration.

Mr. PENROSE. There were a few Senators with small bills which it was represented to me were of such extraordinary merit that I yielded in order that they might be considered; but I think that time has now elapsed and that I ought to insist on the resumption of the consideration of the emergency tariff bill.

Mr. KNOX. Mr. President, may I inquire of my colleague if at the time of the recess last night there was not an understanding that we should have a reasonable opportunity this morning to present bills that would not provoke discussion?

Mr. PENROSE. I do not know of any such general understanding. If my colleague has some short bill that will not lead to discussion, I will not be unreasonable.

Mr. KNOX. I have a measure, for the consideration of which I asked unanimous consent on yesterday, that I do not think will lead to any discussion. It is designed merely by way of amendment to correct an error in the trading with the enemy act.

Mr. PENROSE. I suggest to the Senator that perhaps next week, when the Post Office appropriation bill or some other appropriation bill is under consideration, he may have a good opportunity to bring his bill up.

Mr. KNOX. Mr. President, the RECORD of the proceedings at the close of last evening reads:

If during the day to-morrow there are Senators who have bills they want passed immediately, I shall not object; but to-day, it seems to me, I have no authority to do anything but move to take a recess.

I was acting on my colleague's representation; otherwise I would not have made the effort again after having failed yesterday.

Mr. PENROSE. Will the bill which my colleague has in mind lead to any discussion?

Mr. KNOX. If it shall, I will withdraw the request.

Mr. PENROSE. If the bill will not lead to any discussion and can be passed immediately, of course, I will not object.

Mr. KNOX. I do not understand that I have the floor as against the Senator from Idaho.

Mr. BORAH. Mr. President, I understand that the senior Senator from Pennsylvania is distributing the time, and as he has distributed it to his colleague, I make no objection.

Mr. PENROSE. I understood that the Senator from Idaho had a measure which would lead to prolonged discussion.

Mr. BORAH. I do not think so; the bill is upon the very verge of being passed; the amendments have been agreed to; the bill has passed from the consideration as in Committee of the

Whole into the Senate; no amendments have been offered in the Senate, and the bill has been read the third time, but at that point some remarks were made upon it by a Senator. However, I shall not interfere with the bill of the Senator from Pennsylvania.

Mr. KNOX. I do not wish to take advantage of the courtesy of the Senator from Idaho.

Mr. PENROSE. I should like to say to the Senator from Idaho that I have been assured by several Senators that his bill will lead to very considerable and prolonged discussion. If it will not lead to such discussion, and he will be willing to withdraw it if it does, I shall not object.

Mr. BORAH. If the Senator has such assurance from Senators who are now upon the floor, of course that ends it.

Mr. PENROSE. I have been informed this morning by Senators now on the floor that the bill will lead to discussion.

Mr. BORAH. Very well; I will accept the Senator's statement.

EMERGENCY TARIFF.

Mr. PENROSE. Mr. President, I understand the emergency tariff bill is before the Senate.

The VICE PRESIDENT. The unfinished business is not before the Senate; it was laid aside yesterday.

Mr. PENROSE. Then I ask that the bill may be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. PENROSE. Now I ask unanimous consent that the unfinished business be laid aside temporarily in order that my colleague may call up the measure which he desires to have considered.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

AMENDMENT OF TRADING WITH THE ENEMY ACT.

Mr. KNOX. I am greatly indebted to my colleague for his kindness. I ask unanimous consent for the present consideration of the bill (S. 4897) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That subdivision (3) of subsection (b) of section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, be, and hereby is, amended so as to read as follows:

"(3) A woman who, at the time of her marriage, was a citizen of the United States (such citizenship having been acquired either by birth in the United States or by birth elsewhere of American parents citizens of the United States), and who, prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria-Hungary, and that the money or other property concerned was not acquired by such woman either directly or indirectly from any subject or citizen of Germany or Austria-Hungary; or."

Mr. KNOX. Mr. President, this proposed amendment of the act of 1917 involves a single and simple point. The act by which we required the Alien Property Custodian to return to American women who had married alien enemies the property seized by the Alien Property Custodian contained the words "American women born in the United States," overlooking the fact that a woman born of American citizens temporarily residing abroad is just as much a citizen of the United States as if she were born within the United States. All that this amendment does is to add to the word "born" the words "or born of American citizens abroad."

Mr. KING. Mr. President, may I inquire of the Senator whether it was not understood, when we passed the act to which the Senator refers, that the word "born" would have a broader meaning than that which has just been attributed to it by the Senator from Pennsylvania. Was it not understood that it would include those persons who were born on foreign soil, but whose parents were temporarily absent from the United States?

Mr. KNOX. That was the obvious purpose of the law; but the Alien Property Custodian has raised the question whether he can go outside of the letter of the law, and he is in favor of the passage of this bill.

I might just state what a remarkably ridiculous situation this law puts American women in. The wife of Count von Bernstorff was an American woman, and under the law as it exists to-day her property is to be returned, and probably has been already returned; but the daughter of Henry White, American ambassador abroad, and who was serving his country at the time of the birth of that daughter, can not have her property returned because she was born outside of the United States. Of course it is hornbook law that the children of American citizens temporarily residing abroad, whether on business or pleasure or in the service of their country, are just as much American citizens as those who are born within our borders.

Mr. KING. Mr. President, I am sure it was the purpose of the Senate and the Judiciary Committee with respect to the other measure that it should include the case to which the Senator has just referred; and it seems to me that the department or the agencies of the Government have placed too narrow an interpretation upon that act.

Mr. KNOX. It can do no harm to correct the law.

Mr. KING. I agree with the Senator. May I not suggest that this might be an appropriate time to consider the question of restoring to German nationals the property which was sequestrated by the United States after we entered the war, and which is in the hands of the Alien Property Custodian.

Mr. KNOX. I am ready to cooperate with the Senator from Utah on that subject.

Mr. KING. I have prepared a bill, but it has not been introduced, which, under certain restrictions and subject to certain limitations and exceptions, would restore to German nationals the property which the Government sequestrated. I think this subject should be considered at an early date, if we are not to ratify the Versailles treaty. However, I shall not discuss that question now or present my views upon the matter.

Mr. UNDERWOOD. Mr. President, I am sorry I can not agree with my friend to the left and my friend to the right about the return of this property, and I do not want to let this occasion go by without entering some protest.

So far as the present bill is concerned, I have no objection to it. I realize that American women who married German husbands had their property here placed in a very unfortunate position. Their homes and their families were here. It was not a condition to which the Government of the United States desired to chain them. I also realize that when we adopted that resolution, by inadvertence or otherwise we did not take care of the particular situation, applicable to a very few persons, which the Senator from Pennsylvania by his amendment now seeks to cure.

As I say, I have no objection to the passage of this bill; but I do seriously object to the statement that we should return to German nationals property taken by the Alien Property Custodian during the war. That was an act of war. It was done by other Governments; but, more than that, I think that any Government should hold its first allegiance to its own people and not to a foreign people. The property of American citizens was ruthlessly destroyed, taken, and confiscated during the war by the German Government.

Mr. JONES of Washington. Mr. President, I desire to make a parliamentary inquiry. Has unanimous consent been given for the consideration of this measure?

The VICE PRESIDENT. It has.

Mr. JONES of Washington. Was it not with the understanding that it would not create discussion?

The VICE PRESIDENT. The Chair knows nothing of any unanimous-consent agreement of that kind.

Mr. JONES of Washington. I understood that the Senator in charge of the tariff bill——

Mr. PENROSE. My understanding was that my colleague would withdraw the bill if it should lead to any discussion.

Mr. UNDERWOOD. Mr. President, I happen to have the floor. I do not often occupy the floor. In connection with the discussion of the tariff bill I do not think I have occupied it for two minutes.

Mr. JONES of Washington. I should like to object to the consideration of the bill, if it is proper to make the objection at this time.

Mr. UNDERWOOD. I am sorry what I am saying does not meet with the approval of the Senators on the other side of the Chamber; but, as I have the floor, I propose to finish what I am saying. The Senator from Pennsylvania will not have an opportunity to withdraw his bill until I take my seat, and then he will have an opportunity to take floor.

Mr. JONES of Washington. Mr. President, will the Senator permit an interruption?

Mr. UNDERWOOD. I yield.

Mr. JONES of Washington. I did not make this inquiry because I was objecting to what the Senator had to say—not at all. That never occurred to me. It was simply with the idea that we should proceed with the tariff bill.

Mr. UNDERWOOD. I am perfectly willing to proceed with the tariff bill, and I have no desire to delay that measure. So far as I am personally concerned, I hope by Monday to be able

to make a speech on the bill myself, and then I shall be ready to vote on it; but what I am saying now is not said for delay.

Mr. JONES of Washington. Mr. President, I hope the Senator did not think I thought anything of that kind. My understanding was, when the suggestion was made a moment ago to lay aside the tariff bill, that the junior Senator from Pennsylvania would ask unanimous consent for the consideration of the bill he called up, and that it would be given on the understanding arrived at that there would be no discussion on that bill. That was the sole reason why I asked the question. I know the Senator stated the other day that he was not going to make any captious opposition to the tariff bill, and I know he meant it.

Mr. UNDERWOOD. I am not going to, and I am not saying this in the way of captious opposition to the tariff bill.

Mr. KNOX. Mr. President——

Mr. UNDERWOOD. I yield.

Mr. KNOX. I do not want to be placed in a false position. I do not know whether I can withdraw this measure from the consideration of the Senate or not, but the Senators are entirely correct when they state that when I asked unanimous consent for the consideration of the bill I said I would withdraw it if it provoked discussion; and I would withdraw it now, if I had the power, if I thought the Senator from Alabama meant to speak very long.

Mr. UNDERWOOD. I can assure the Senator from Pennsylvania that the other Senators who have tried to interpret what I am doing have already taken up more time than I intend to take up in my statement on the subject if I am allowed to proceed.

Mr. SMITH of Georgia. Mr. President, will the Senator from Alabama yield to me for a moment?

Mr. UNDERWOOD. I yield.

Mr. SMITH of Georgia. I desire to say that when the Senator finishes I wish to express a view entirely different from that which seems to be indicated as the position of the Senator from Alabama; and I do not think the bill ought to be withdrawn, after he presents the view that this property might properly be held, without presenting the other view—that the property belongs to these individuals, and can not be fairly and honestly used in any way except to return it to its real owners.

Mr. UNDERWOOD. Of course, that is the Senator's viewpoint; but that viewpoint has been expressed a good many times, and I want to express my viewpoint on this subject as emphatically as I can.

I am as much responsible for the taking over of this property from German citizens, and the proposal to keep it, as any other man in the Senate, because I proposed the amendment to an appropriation bill for the confiscation of the property. I thought then that it was a proper war measure, and I believe so now. I think it was one of the most effective war measures that was adopted by the Congress to enable us to win the war; but here is the point I am coming to, and I only desire to occupy a few moments in saying it:

We have a billion dollars' worth of claims of American citizens filed with the State Department for property taken and confiscated by the German Government; and the only opportunity we have for securing the payment of those claims is out of this property taken by the Alien Property Custodian. It was agreed to in the treaty of Versailles, and the Germans have consented to pay their own nationals for the property we have taken and to allow us to take this property and pay our nationals for the injury done by the German Government and its citizens. Now, it seems to me it would be a rank piece of discrimination against our own people, and in favor of the late enemy, for us to say that we are going to surrender back this property; and, more than that, I do not think the gentlemen who are advocating the surrender of this property back to German citizens have carefully investigated the question before them.

This matter has been worked out and settled in the treaty of Versailles. You may say that we are not a party to the treaty of Versailles, and we are not, and probably never will be now. Nevertheless, the title to this property comes from Germany, and under her agreement in the treaty of Versailles it is settled, and it is settled on the basis that it shall be used to pay our citizens for the property lost and destroyed by German action to the extent of those claims; and in the event that it is not all used up for that purpose it shall go as a reparation claim to England and France for the losses of their property.

That is the German agreement with England and France; and if we are going to surrender our rights to this property I think we will find ourselves with the claim on the part of the English and the French Governments that they have rights involved in this matter, and that we are surrendering the title to property to pay the nationals of some other nation.

I know, of course, that that is not directly involved in this bill. I have no objection to the bill; but I do not think the time has come when, out of a desire to please some of our American citizens who have relatives in Germany, out of a matter of politics, we should start out to surrender the rights of our own citizens. There is not a Senator here, I take it, who has not filed in the State Department the claims of his own constituency, who must go unpaid if we are to pursue the policy of returning to citizens of Germany this property that we took as a war measure, and that has been recognized by the German Government.

Of course, I know it is not involved here, but I just wanted to submit that this can not be done by unanimous consent; that although there may be a large number of Senators who are prepared to surrender, the United States Senate is not unanimous on that subject.

Mr. SMITH of Georgia. Mr. President, I do not regard the return of alien enemy property to its owners as a matter of politics, and it should not be considered from the standpoint of pleasing the people of any State. I regard it as a matter of duty which rests upon our Government.

When a nation invites foreigners to invest their money within its borders, the nation then becomes in a sense trustee for the property, and the obligation rests upon the nation to protect that property. While in the case of war the property can be sequestered for the purpose of guarding against its use by the enemy, yet at the close of the war the obligation rests upon the nation sequestering the property to return it to its owners.

The property in the hands of the Alien Property Custodian belonged, at the time it was sequestered, to certain individuals, and we have no right as a Nation to deprive them of it or to divert it to some other use. It still belongs to those who owned it at the time it was seized by the Alien Property Custodian, and the obligation rests upon our Government, as a matter of good faith, to return it to them. No matter how meritorious may be the claims against the German Government, to use the property of a few individuals because they were Germans, to pay a liability of the German Government, when that property was invested in our country with the consent of our Government would be a breach of good faith.

This principle was announced in an early treaty made with Prussia, prepared, I believe, by Mr. Franklin. It was presented to the Prussian Government by Benjamin Franklin, John Adams, and Thomas Jefferson. It was reasserted in the treaty of 1824 with Prussia, and this last treaty has been treated by the German Government and our Government as extending to the entire German Empire. It amounts to a treaty obligation to these Germans, whose property is now in the hands of the Alien Property Custodian, to return to them as individuals their property at the close of the war.

Our Government has led the nations of the world in seeking to mitigate the horrors of war by preserving to the individual his property against the devastation of war. We have led the world in teaching it. We have gone even further and we have insisted that property of private citizens upon the ocean should be safe from enemy confiscation.

Mr. UNDERWOOD. Will the Senator allow me to ask him a question?

Mr. SMITH of Georgia. Certainly.

Mr. UNDERWOOD. I recognize that the Senator is presenting a humanitarian and a charitable view and I am not one of those who want to crush the man who is down, but I believe first in justice to our own people. How are the American citizens whose property was destroyed by a ruthless German Government during the war to get a settlement of their claims if we are to turn this property back to the German citizens?

Mr. SMITH of Georgia. That is a pertinent question. Our citizens should receive justice from the German Government, but the liability is by the German Government to them, and this liability of the German Government would not excuse the United States from doing injustice to a few German citizens. In our treaty with Germany we should demand and require, right alongside of any other indemnity, compensation to our own citizens from the German Government.

Mr. UNDERWOOD. How are they to get it? We can not get Germany to pay for the keep of the American soldiers on the Rhine, who are there under an armistice agreement as a first charge against the nation.

Mr. SMITH of Georgia. We ought to have taken care of our rights in this respect in the treaty, and we still ought to do so.

Mr. UNDERWOOD. If we had ratified the treaty of Versailles, it would have been taken care of.

Mr. SMITH of Georgia. I do not think so.

Mr. UNDERWOOD. There can not be any question about it.

Mr. SMITH of Georgia. I do not agree with the Senator.

Mr. UNDERWOOD. If the Senator will read the treaty of Versailles——

Mr. SMITH of Georgia. I have read it.

Mr. UNDERWOOD. He will see that it plainly says that this property taken by the Alien Property Custodian shall be used in the payment of claims of American citizens. Is that not true?

Mr. SMITH of Georgia. I do not think the German Government has the right to give away the property of its citizens here.

Mr. UNDERWOOD. I think the Senator will find that that is a new announcement of international law. That a government can not control the rights of its own nationals is a new announcement of international law which I have not heretofore heard advanced.

Mr. SMITH of Georgia. I do not think we could make an agreement with the German Government to subject the property of individuals to a liability for which the German Government is responsible without being guilty of a breach of trust on our own part. When we open our doors for investments by foreign citizens in time of peace, they confide their property to the faith of our Government and laws, and it would be a breach of good faith by our Government to confiscate their property on account of controversies between the two nations, and it would be a violation of trust reposed in us to divert the property from its owners.

The proper way to protect our citizens is to require reparation from all of Germany to meet their losses, and not to simply take the property of a few Germans to meet the responsibility of their Government. The owners of this property trusted this property to us, and invested their money in the United States under our laws, having faith in us as a Nation to protect them in their property rights, and having faith in the treaty which we had made with Germany, by which we had agreed to protect them in their property rights even in case of war. They had a right to believe we would live up to the obligation.

I agree with the view presented by Mr. Hamilton in his celebrated Camillus letter supporting the Jay treaty with Great Britain. The German citizens, whose property is now in the hands of the Alien Property Custodian, have a right to expect us sacredly to protect the trust confided in us. Not only under the treaty with Prussia, which has been extended by our Government and the Government of Germany to all of Germany, but under established rules of international law not disregarded during the past 100 years, the property of an alien enemy upon land can not be confiscated, and for it to be taken to be used for any purpose except to return it to its owners would be confiscation.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. McCUMBER. Mr. President, I have always listened with rapt attention not only to the wonderful range of knowledge of the junior Senator from Utah [Mr. KING], but especially to his facility of expression. That admiration grew into an almost boundless wonder yesterday when that Senator for nearly five long hours discussed the emergency tariff bill without once referring to the bill or to a single item in it. May I hope, Mr. President, that in the discussion of the subject to-day we may hear something about the bill itself, even though it may be in opposition thereto.

Mr. KING. Mr. President, of course I am expected to regard the remarks made by the Senator as complimentary. The Senator is somewhat in error. I did discuss the tariff and certain fundamental principles relating to the subject. I called attention to the fact that our prosperity depends upon our foreign commerce, and also to the fact that the Senator from North Dakota upon a number of occasions had advocated policies which if carried into effect would increase our exports and imports.

I called attention to the comprehensive tariff bill which I understood was to be enacted when the Republicans would control all branches of the Government, and referred to the Payne-Aldrich bill, the Dingley and McKinley bills, and other measures drawn in the interest of protected industries, and in the interest of the few instead of the many, and I predicted that our Republican friends in that bill would resurrect the dead forms of the past and endeavor to revitalize them. I discussed the effect of tariff upon our trade and commerce and upon the prosperity of the country, and ventured to inquire whether the Senator believed that prohibitory tariff laws would tend to promote trade and commerce and enable the United States to maintain her primacy in the financial and economic world and promote the welfare of the American people. I discussed for a considerable portion of the time I had the floor questions pertinent to the measure now before the Senate.

Mr. McCUMBER. Yes; Mr. President, I appreciate that the Senator did talk about the tariff bill that is to be introduced at the next session of Congress; but I was waiting all day in the hope that the Senator would discuss the pending bill, and especially that portion of it relating to the wool item, because I have great confidence in his ability to discuss that feature of it.

Mr. KING. Mr. President, before proceeding to a discussion of the question which I desire to bring before the Senate for consideration this morning, I shall briefly comment upon the statement just made by the able Senator from Colorado [Mr. THOMAS]. He has expressed approval of a cloture rule for the Senate. I respectfully dissent from his position. In my opinion it would be unwise and inimical to the best interest of the States and the Government itself were a cloture rule to be adopted in the Senate of the United States.

The Senator has mentioned a number of so-called filibusters which resulted in either delaying or defeating certain proposed legislation. I think a dispassionate review of the few instances in which unlimited debate defeated measures under consideration will furnish convincing proof that no harm was suffered by the country, and, indeed, good resulted therefrom. The Force bill was defeated because of the freedom of debate permitted in the Senate. Upon a few occasions improvident measures have failed to pass because of the absence of a cloture rule, but I believe that public opinion justified the opposition to such measures.

I feel sanguine that a careful examination of the record of the two Houses of Congress will demonstrate that the Senate passes substantially as many bills as does the House. The previous question, which prevails in the House and which limits debate, has not, in my opinion, resulted in the passage of more important legislation by the House than by the Senate. Some measures are debated in the Senate until the subjects are worn threadbare, and often extraneous questions are considered, and yet the record of legislative achievement on the part of the Senate is remarkable and measures up to the accomplishments of the House.

There is another point, however, to be considered. The value of a legislative body to the country does not depend solely upon the number of bills which it passes. Students of our legislative history and of the activities of the States are practically unanimous in the view that the people suffer from too much rather than from too little legislation. Ponderous volumes of statutes like a perennial stream flow from the printing establishments of our country. Then, in addition to the laws of Congress and the States, there are municipalities and other State political subdivisions constantly passing ordinances, resolutions, and regulatory decrees affecting the lives and property of the people; but that is not all. There are thousands of Federal and State agencies, commissions, boards, bureaus, and departments that fill the land with their orders, regulations, rules, and pronouncements, and all of these ordinances, rules, and regulations are backed by penal provisions, and their infraction is attended by pains and penalties.

Though there is unlimited debate in the Senate, when the time arrives to consider and act upon important measures action is taken, and the record will disclose, as I have stated, that the Senate does not fail in dealing with measures of public interest and which provide legislation imperatively needed by the people.

Mr. President, the Senate is the body in which the sovereign States are represented, and Senators are the ambassadors and representatives of those sovereign States. They are here to speak for them in their sovereign capacity, as well as for the people within the States. In this forum there should be no shackling of the States or their representatives.

Mr. President, a few days ago I obtained the floor for the purpose of submitting a few words concerning the steps which I regarded as necessary to be taken in order that our foreign commerce might be developed. The Senator from Maryland [Mr. FRANCE] interrupted me and discussed at considerable length the economic conditions in Russia. If I correctly understood his position he condemned the Russian policy of the United States and the refusal of the administration to deal with the soviet dictatorship, and expatiated upon the resources of Russia and the advantages which would be derived if the United States would enter into trade relations and agreements with Russia.

He contended that there were obstacles interposed by the United States which prevented Americans from visiting Russia or from entering into commercial relations with the Russian

people, and asserted that other nations, particularly Great Britain, were carrying on extensive trade operations with the Russian people.

His statements were so broad and the matters to which he referred were so numerous that it was impossible for me during the limited time at my disposal to make reply. Weeks ago an agreement had been reached for a vote upon the packers' bill the following day. A number of Senators desired to offer and discuss important amendments to the bill, and were also desirous of presenting their views upon that important measure. It was therefore impossible for me to continue the discussion of Russian questions, and I, therefore, upon yielding the floor announced that as soon as opportunity was afforded, following the disposition of the packers' bill, I would submit to the Senate some observations upon the questions raised by the Senator from Maryland.

Mr. McCUMBER. Mr. President, will the Senator allow me to suggest to him, however, that that joint resolution is not before the Senate; that the matter before the Senate now is the emergency tariff bill? I have so much confidence in the good judgment of the Senator from Utah, as I have listened to him on many occasions in the discussion of matters before the Senate, I hope before he gets through he will discuss the wool proposition in the tariff bill, as he comes from a State in which a great deal of wool is raised.

Mr. KING. Mr. President, I appreciate the kindness of the Senator from North Dakota in reminding me of the fact that we are now considering the so-called emergency tariff bill. I confess that for the moment that fact had escaped me. Let me add, however, that I gave notice of my purpose to reply to the Senator from Maryland before the pending bill was laid before the Senate for consideration. It is not my intention to delay consideration of the measure before us or a final vote upon its passage. But having yielded the floor when I might have retained it, to facilitate action upon an important bill, I feel that I should have opportunity to continue the discussion precipitated by a Senator upon the other side of the Chamber. The Russian question is an important one, and it involves indirectly if not directly the question of trade and commerce.

Mr. ASHURST. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. GOODING in the chair). Does the Senator from Utah yield to the Senator from Arizona?

Mr. KING. I yield.

Mr. ASHURST. I have so much admiration for the high character of the Senator from Utah and my other colleagues on this side that I am emboldened to say they are making a tactical blunder. I try to practice directness——

Mr. KING. I do not yield to the Senator to make a speech. If he wants to ask a question, I shall willingly yield. Time is precious, and I can not yield to the Senator to make a speech in my time.

Mr. ASHURST. I suggest, in the form of a question, that it would become those who are opposed to the emergency tariff bill, manfully, frankly, and firmly to say to its advocates: "You shall not pass it." Then no time would be wasted in trying to pass the bill. I am for this emergency bill. I believe the time has arrived——

Mr. KING. Mr. President, the Senator said he would ask me a question. He has heretofore announced that he is for this measure.

Mr. ASHURST. I have consumed but 10 minutes in this entire session.

Mr. KING. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Utah declines to yield.

Mr. KING. And if the Senator assumes such a militant attitude, I shall decline to yield.

Mr. ASHURST. I hope the Senator will not do that.

Mr. KING. I am disarmed. I yield.

Mr. ASHURST. Mr. President, I believe the time has arrived when some person of directness who says "No" when he means no and "Yes" when he means yes shall rise and with a little courage, just a little courage, say, "Gentlemen of the Republican side, you shall not pass this bill." Then no longer would valuable time be wasted.

My learned friend the Senator from Colorado [Mr. THOMAS] rose this morning and said it has been insinuated that there is a filibuster. Insinuated? I charge it. I do not insinuate.

Mr. THOMAS. Mr. President, will the Senator permit me to correct him? My statement was that when the unanimous-consent agreement was offered there was an insinuation made then.

Mr. ASHURST. Mr. President, I do not insinuate; I charge a filibuster——

Mr. KING. Mr. President, I decline to yield. The Senator has transgressed the proprieties which should have governed him when I courteously yielded to him that he might propound a question.

Mr. ASHURST. I shall observe the proprieties of debate.

Mr. KING. I shall proceed to the consideration of the matter which I was about to discuss.

Mr. ASHURST. And which is not before the Senate.

Mr. KING. Mr. President, the Senator from Arizona, permit me to say, often bursts into the Senate like a fiery and untamed—I shall not say steed—but like a magnificent asteroid from the sky; and may I venture to suggest in all kindness he is not always consistent in addressing himself to the subject under consideration.

Mr. President, the Senator from North Dakota, as I understood him, desires discussion of the pending bill and the tariff question. That has been discussed, and will receive further attention. The general questions of commerce and tariff are related to the matter which I purpose discussing.

Mr. President, the statement of the Senator from North Dakota compels a digression for a moment from the matter which I have just announced I would present. The Senator desires the so-called emergency tariff bill discussed. It is not my intention to consider the various items and features of that measure in the discussion of Russian trade and other questions cognate to it. I had intended at a later date in the debate, and after the members of the Committee on Finance had discussed the pending tariff bill and given the Senate the benefit of their investigations and conclusions, to briefly consider some features of the bill. There are some provisions in the bill that differentiate it from a general tariff measure and are justified by antecedent and present conditions. However, the discussion of the measure involving tariff duties can not be fully considered without reference to world economics and trade conditions.

Any discussion of the tariff must necessarily take into consideration the effect of a change in duties upon our exports and our commercial relations with other nations. It would be a revelation of profound unsophistication to enact a tariff bill without taking into account the effect its operation will have upon our foreign commerce. There are some persons who affect to believe that the passage of a tariff measure is a simple process and does not call for an investigation of national and international relations.

There are others who refuse to perceive that the currents which bear this Nation carry all other nations, and that whatever affects this Nation affects others, and these industrial and economic evils from which they suffer find a reaction in our economic life.

Mr. President, I do not desire to be critical, but I express the thought that the position of some Senators can not be defended as consistent or logical. They have eloquently pleaded for a merchant marine and for the development of our foreign trade. Arguments have been made to demonstrate that new trade routes should be opened up, that facilities for foreign exchange should be devised, that impediments calculated to arrest our trade with other nations should be removed, and that we should signalize our financial primacy in the world by becoming the greatest Nation industrially and the greatest export Nation of the world. And yet Senators who have so argued have given support to policies which would prevent the realization of their expressed desires and condemn the American people to commercial isolation and economic chaos.

The illogical position is taken by many of our Republican friends in their discussion of tariff and foreign trade that we can sell to all the world without buying in return. There are still others who urge that our home market is adequate, or, if not adequate, it can be developed so that we can consume all that we produce, and therefore we need no trade relations with the rest of the world. Of course, this view is so provincial, so archaic, as to be unworthy of serious attention. It would carry humanity back to tribal days and disregard the progress which has advanced the world to its present high state of civilization. There are a few professed economists whose views are reflected in the attitude of those who contend that trade may be unilateral and one sided, that we should be exporters only, and that high-tariff walls should be erected to prohibit imports. It might be a most admirable arrangement if we could induce the world to buy all our surplus products, paying therefor high prices, payments to be made in gold and with a few limited commodities which it is impossible to produce in the United States. In this connection it is well to remember that our exports have grown until they now exceed in value more than $8,000,000,000 per annum. It would require all the gold in the world to pay the American people for their exports during the last calendar year. It is obvious that exports can not be paid for in gold. Payments must be made, by those who purchase from us, in commodities and products of which they have a surplus. Trade and commerce do not rest alone upon gold, but upon the production of the people. The American people must learn that they

can not be a selling nation alone. If they would sell, they must buy; if they would export, they must import; and the lesson must be learned that in erecting barriers against trade the stream may be diverted from our shores and golden argosies pass on to other lands.

Whenever any tariff measure is considered, the broad field of international commerce must be surveyed. Often reasons are urged which not only superficially, but fundamentally, seem to justify the enactment of a measure prohibiting foreign importations of a given commodity, and yet if such reasons prevail and favorable action is taken, experience often proves that reactions with respect to other commodities and products occur, the net result of which is concededly detrimental to the mass of the people.

Nor must it be forgotten that retaliation and reprisals often follow measures aimed against importations. Not only the World War but conditions following the war ought to furnish impressive lessons to the American people that this is a small world and that all nations and all peoples are linked and bound together for weal or woe. The prosperity of one nation brings sunlight into the sky of all other nations.

Our Nation wants the rehabilitation of Europe. European depression and bankruptcy cast darkened clouds over our horizon. The American agriculturist had the lesson vividly portrayed during the last few months that Europe's financial decreptitude reduced to ruinous price levels the agricultural products of the United States. The surplus products from field and farm could find no outlet, though millions were starving in Europe and clamoring for such products. Accordingly a formidable movement was inaugurated for the revival of the War Finance Corporation. It is true that this corporation was a war product and that it was never intended that it should function after the war.

I want to remind Republican Senators that since the armistice the administration has been condemned by Republicans because of its alleged failure to repeal war-time legislation and discontinue activities which were called for by the war. During the recent campaign the administration was denounced by the Republican Party for its alleged interference in the private business affairs of the people and in the assertion of authority which ought to have been surrendered by the Government when the armistice was signed. The War Finance Corporation operated but a short time, and, having served its purpose, became inert. It has now been revived, and the theory of those who secured its resuscitation was that unless something were done to aid the agriculturists in finding foreign markets for their surplus products ruin and disaster would overtake them.

I repeat, an instructive and impressive lesson is brought home to the American farmers, as well as the American people, that our industrial progress and our prosperity depend in a very large degree upon world conditions. Europe to-day needs our surplus products. If she had gold, she would purchase them. She has neither gold nor credit. She is scarcely in a position which would allow capital investments to be made by Americans, and the result is that she must suffer because of her inability to purchase our products, and the American people must suffer because they have surplus products and can find no foreign markets. American business men have loaned to Europe from six to eight billions of dollars. Perhaps the most of this has been utilized to pay for the flour and meat and other commodities which have been carried in our ships to European ports. In other words, in order to make markets for American products, the American business men have been compelled to extend credits to Europe and run the risk and danger of a total or partial loss of the prodigious sums advanced.

There are, as I am advised, manufacturing institutions in the United States, as well as exporting corporations, that are greatly concerned because of the tremendous sums which they have advanced to European peoples, and because it is apparent that it will be a long time before repayment can be made. These vast loans are really capital investments in Europe. They are a withdrawal from the United States of capital which is needed here for investment, and yet the work of those who have extended this credit to Europe is of immense advantage not only to the vendors of products exported to Europe but to the entire business interests of the United States. If there had been no outlet for these products, represented by the six or eight billions loaned to Europe, the financial situation in the United States would have been more serious than it is represented to have been, and the agricultural and manufacturing interests would have encountered more serious difficulties than any to which they have been exposed.

Europe owes the United States Government approximately $10,000,000,000, and in the face of this tremendous indebtedness the business interests of the United States were constrained to extend further credit to Europe, aggregating the amount which I have mentioned, in order that a portion of our surplus products might find a foreign market.

I suggest that the attitude of some of those who demand a special session of Congress to enact a tariff bill that will raise tariff schedules to unprecedented heights can not be reconciled with their feverish anxiety to secure foreign markets for the billions of raw materials and finished products which the American people have to export.

Mr. President, the subject which deals with trade and commerce, while it possesses problems and features not free from controversy, is not a dark and mysterious one. It does not involve an excursion into the realm of occultism or metaphysics. Ricardo and Saye, Bastian and Adam Smith, John Stuart Mills and Herbert Spencer, Henry George and Marshall, as well as other great writers upon political economy and related subjects, have elucidated the questions involved in the commercial relations between nations and pointed out with more or less of precision the path of progress and prosperity. A consideration of the great movements which have made for intellectual and moral progress and political and industrial freedom must lead to the inevitable conclusion that the world's advancement has resulted from a closer union between nations and the development of the thought that the interests of all are closely allied.

As I have indicated, national prosperity depends upon the extent of foreign commerce. It is a fallacy to suppose, as some capitalistic societies do, that a nation is to be regarded as a producing organization alone. That is only one factor in the equation. An industrial society does not indefinitely produce without consumption. The manufacturers of our finished products must draw heavily upon raw materials and the producers of the raw materials become consumers of the finished products. Incidentally, the lesson is taught that production and consumption go hand in hand. The wealth of our Nation depends upon its productivity, and its productivity is based upon the consumption of the commodities produced. If consumption is diminished, production is diminished. If no markets are found for commodities produced, there is a diminution in production, a dislocation of labor, and reduction either in hours of labor or in payment for labor, or both, thus producing economic disaster. So in considering the elements making for industrial prosperity the consuming elements of society—and by that I mean not only the society within a nation but a cosmopolitan society—must be taken into account; and yet when tariff legislation is projected the consuming element of society is too frequently wholly ignored. Indeed, the philosophy of Republican protection disregards that question entirely in framing tariff laws. America seems to be regarded by the disciples of high protection as a producing nation only. But discovering that other nations likewise produce and that a portion of their products are brought to our shores, the faulty philosophy of the high protectionist is thereupon invoked, and enactments are sought to prevent importations. The dominant idea seems to be to devise weapons which are supposed to be beneficial to producing organizations. This philosophy does not prompt the wider vision which seeks to discover what will be for the best interest of all the people. And yet we are now confronted with a most extraordinary situation. The production of raw materials is halted because the domestic market is insufficient to absorb a capacity production of the same. Many of our manufacturing plants have closed and others are materially restricting their output, a policy which reacts unfavorably upon labor.

Thousands of persons are thrown out of employment and business paralysis is threatened. But the peoples of Europe are eager to purchase our raw materials and many of our finished products. In order that they may rise from their prostrate and exhausted position, they must have the commodities and products of which we have a surplus. They also need capital and could absorb billions of dollars in capital investments, in the construction of railroads and mills and plants, and in the development of latent and destroyed industries. But they have no gold with which to purchase our products. They can part with no portable capital in payment for that which they buy. They could produce commodities along certain lines in excess of their own needs and which the American people require. A policy which would permit trade between Europe and America would be profitable to us and vital to the salvation of Europe. We should remember the words of Roscher, "Since one nation can lastingly pay another nation only with its own products, any limitation of imports must, under otherwise equal circumstances, be attended by a corresponding limitation of exports." And Prof. Ashley, in discussing the tariff problem, declares that "the notion that foreign nations can sell everything to us and take nothing in exchange except money is, of course, one of the fallacies of popular protectionism. In the long run, unless the

prosperity of a nation is very rapidly declining, indeed, and when such a time comes there is not likely to be any doubt about it, goods are paid for by goods or services." The World War has disturbed the economic currents of the world. Serious deflections may occur in those currents, and wise statesmanship is required to prevent the adoption of uneconomic policies which will react disastrously upon our country.

It must not be forgotten that the United States declined to enter the League of Nations. That action may be regarded as a challenge by other nations within the league to the commercial and other policies which inevitably will result from a concert or union of most of the nations of the world. All things else being equal, members of the league will be given preference in commercial transactions and in trade relations over those beyond its pale. To protect the league and execute its purposes, policies will necessarily be adopted, conceived by those within the league to be necessary for its proper development and perpetuity.

It is true this Nation has given evidence of its devotion to the principles of liberty and the cause of civilization. It poured its treasure into the World War, which threatened the destruction of the allied nations, and has exhibited in many ways its deep sympathy because of the sorrows and wounds of the world, and its profound interest in the serious problems which demand solution at the hands of civilization. Notwithstanding these facts it is manifest that unless this Nation pursues a wise foreign policy suspicions, indeed, prejudices and deep distrust, will arise, which will produce unfortunate conditions, possibly menacing the peace of the world and threatening our industrial prosperity. We are a part of the world and must play a man's part in solving the problems of the world. Our devotion to our country and its institutions is strongly developed; and let me add, properly developed conceptions of nationality will not be extirpated or destroyed in the assumption of a commanding place in the forward march of the peoples of the world. In political thought this Nation should lead the way. In those fine qualities which are the inheritance of the past and the fruition of the forces of righteousness this Nation is equipped for moral leadership in the world's affairs. In its material resources its primacy can not be questioned. These things may be said not boastfully, but in the interest of precision; and the recitation of the well-known facts respecting this Nation and its strength and force and power and its capacity for world service should awaken within the hearts of all patriotic Americans a desire that America should discharge its full duty to humanity, and pursue that course of honor, of unselfish devotion, and of righteousness, which will extend the sphere of its influence and power and bring to it imperishable glory.

Our policies, whether political or economic, necessarily must take cognizance of a bleeding and suffering world; but even if our course is to be determined by national selfishness, it would be a fatuous policy to erect barriers around this Republic and seek isolation from the world. No nation shines by its own light, nor can any nation live for itself alone. Our prosperity, as I have indicated, depends upon our foreign commerce. A policy must be adopted that will carry our ships to every land and our flag to every port.

The trading nations have always been the advancing, progressive, prosperous nations. China built physical walls and legislative walls—the former to prevent aggressions from enemies to the north, the latter to isolate her from the world. She prevented the streams of progress from flowing to her land, fructifying the soil, liberalizing the thought of the people, and leading them from the barren fields in which they had wandered for centuries.

Trade not only enriches and produces wealth, but it has a broader significance. It liberalizes thought, modifies unfounded and unreasoning racial antipathies, advances science, develops art, promotes education, and knits the peoples of the world into closer union. The powerful forces operating in the world for civilization and world unity, the spiritual and moral forces which, after all, are the enduring and transforming ones, are aided in their beneficent ministrations by those material considerations involved in the international exchange of commodities, products of brain and hand. Chiseled into the granite stones of the magnificent Union Station built in the Capital of the Nation are words which read something like this: He that would bring back the wealth of the Indies must carry the wealth of the Indies with him. If a man would bring back knowledge, he must carry knowledge with him.

And so, Mr. President, if we would send our products—the wealth of our mines and fields and mills—to other lands, we must bring back therefrom the wealth of those lands. There is a striking analogy between the laws governing the diffusion of knowledge and those controlling the operations of trade and commerce. We not only desire to trade with the world, but we desire the best thought and knowledge of the world. The literature and philosophy and the common law developed in England, we seek to assimilate. The remarkable scientific achievements of the Germans are appreciated and accepted by us. The philosophy of Kant, and the poetry of Goethe, and the music of Beethoven and Wagner add to our intellectual stores and enable us to find a common ground of sympathy and union. And so the contributions made by the nations of the world to the cause of freedom and knowledge and righteousness and everything of an educational value become, through trade, through intercourse, the common property of all, and add to the wealth, material and moral, of all peoples of the world.

Artificial barriers are not reared against knowledge and the ethical forces which guide humanity. It were well if, in our political and governmental policies, we were ever to keep in mind the thought that nations are enriched by the dissemination of knowledge and truth, of music, art, literature, and science, and that material wealth does not consist of gold, or, at least, it is of but little value, measured by the wealth of the world, which is the exchangeable value of the annual products of land and labor. Our national wealth, then, depends upon our production, and production will be determined by the opportunities for the exchange of the produced commodities for commodities produced by others.

Adam Smith states that—

> Money, no doubt, always makes part of the national capital, but it has already been shown that it generally makes but a small part, and always the most unprofitable part of it.

There is wisdom in the statement of Adam Smith:

> Man is generally considered by statesmen and projectors as the materials of a sort of political mechanics. Projectors disturb nature in the course of her operations on human affairs, and it requires no more than to leave her alone and give her fair play in the pursuit of her ends that she may establish her own designs. * * * Little else is required to carry a state to the highest degree of affluence from the lowest barbarism but peace, easy taxes, and a tolerable administration of justice; all the rest being brought about by the natural course of things.

It would be well if this thought were more controlling in the political and administrative affairs of nations.

We have most of the world's supply of gold, and yet that is not the basis of our wealth. A few years ago the annual value of all products of the United States was, approximately, $30,000,000,000. Most of this vast sum was consumed by the American people in its production, and a portion consisted of exports. It is this annual production which determines our wealth, and the value of production, measured quantitatively as well as qualitatively, is largely determined by the consumption of such products. If markets are not available for consumption and prices of production fall to ruinous levels, production declines with all its attendant evils. If we would increase production, which is the basis of wealth, we must expand the consuming markets. It is manifest that the resources of this great Nation, together with the energy and genius of the American people, will result in the production of raw materials and finished products greatly in excess of domestic needs. Foreign markets are imperatively needed. Foreign consumers for our surplus products must be found or our industries will be injuriously affected and our material prosperity arrested.

It is evident that the mere possession of gold does not bring prosperity. The economic idea which in the past played so important a part in the consideration of political questions, that wealth and monetary metals are interchangeable terms, is obsolete. The wealth of our Nation is estimated at $300,000,000,000. The entire amount of gold in the world is approximately $9,000,000,000.

The mercantile system was founded upon the conception that wealth and monetary metals were related, and, indeed, were identical things. Prof. MacLeod, in his "Principles of Economic Philosophy," states that this idea was the parent of the mercantile system:

> Midas saw that with treasure in his hand he was wealthy—he could obtain whatever he wanted, and could command the services of others. * * * The very same ideas gradually grew up in Europe. Sovereigns saw that their chief power consisted in the treasure they could accumulate. It then became a cardinal point in their policy to encourage the importation of money as much as possible and to prohibit its export. * * * The Spaniards, dazzled with the brilliant prospect of securing the greatest part of the wealth of the world without labor, imagined that the well-being of the country consisted in amassing enormous heaps of gold and silver.

The soundness of this view was questioned as population increased and intercourse between nations became more general. It may be stated that the value of gold is determined by the existence of consumable wealth, which requires distribution through exchange, and where gold is used to facilitate exchange it has value. I am not referring to its value in the arts, but for monetary purposes. It would seem that the quantity of production at any given period, whether of raw materials or manu-

factured products, bears but slight relation to the quantity of metallic money, but is rather dependent upon the demands for consumption purposes of such products and the facility with which the interchange of commodities may be effectuated.

Mr. Webster, in his speech upon the tariff in the House of Representatives in 1824, states that:

> Commerce is not a gambling among nations for a state to be won by some and lost by others. It has not the tendency to impoverish one of the parties of it while it enriches the other. All parties gain, all parties make profits, all parties grow rich by the operations of just and liberal commerce. * * * We have reciprocal wants and reciprocal means for gratifying one another's wants. This is the true origin of commerce, which is nothing more than the exchange of equivalents, and from the rude barter of its primitive state to the refined and complex conditions in which we see it its principle is uniformly the same, its object being in every stage to produce that exchange of commodities between individuals and between nations which shall conduce to the advantage and to the happiness of both. Commerce between nations has the same essential character as commerce between individuals or between parts of the same nation. Can not two individuals make an interchange of commodities which shall prove beneficial to both or in which the balance of trade shall be in favor of both? If not, the tailor and the shoemaker, the farmer and the smith, have hitherto very much misunderstood their own interest. And with regard to the internal trade of a country, in which the same rule would apply as between nations, do we ever speak of such an intercourse being prejudicial to one side because it is useful to the other? De we ever hear that because the intercourse between New York and Albany is advantageous to one of these places it must therefore be ruinous to the other?

These generalizations in which I have been indulging may not be pertinent to the bill under discussion. Whether that be true or not, they will be germane to the discussion of the tariff situation, which, it is announced, will be presented when, soon after the 4th of March, Congress will be convened for the purpose of enacting what has been denominated "a comprehensive tariff bill." I have no doubt that economic principles demonstrated to be sound and irrefragable will be disregarded by the majority, and the measure enacted will be reactionary and wholly at variance with the progressive and liberalizing influence which should guide the world.

I was speaking a moment ago of the illogical and inconsistent attitude of our Republican friends. They encourage the farmer and the manufacturer to demand of Congress the revival of the War Finance Corporation. The farmer is told that Europe needs his wheat and corn, as well as other products for which there is no domestic market. The manufacturers are told that Europe needs locomotives and cars and agricultural implements and manufactured products, and that if Europe could purchase our surplus products prices would advance, factories would resume, and the sun of prosperity shine upon all the land. But when the farmers and the manufacturers seek for a market the same Republican political teachers advise them that the imports from Europe are wholly inadequate to purchase surplus American products required by European nations, and that credits must be extended to Europe, though the solvency of Europe is in doubt, and those credits will have to be guaranteed by American business men and bankers or by the Government itself. But it was deemed so imperative that European markets be obtained that Congress responded to the demands of the people and revived the War Finance Corporation, which is authorized to issue bonds to the extent of five or six billions of dollars.

Under this policy we are to loan Europe billions of dollars more because of her inability to make payment for American commodities. And having taken that step the next course to be pursued is to prohibit Europe from exporting to the United States the pitifully small quantities of commodities which she can spare to aid in liquidating her indebtedness for commodities which Americans have sold to her at a profit. Of course, this policy means either the extension of more credit or the diminution of our exports. Doubtless Europe would be willing to keep on buying American products if America would continue to extend credits. It must be remembered, however, that the Government of the United States has loaned to the allied nations nearly $10,000,000,000 and that American business men have extended credits to European nations to the amount of between six and eight billions of dollars. It would be interesting to hear the plan proposed by these high protectionists, in which Europe is to repay the sixteen billions owing the United States and the American people. It would be sheer stupidity not to perceive that only by commodity exports and capital investments can this stupendous sum be paid. It is obvious that we can not continue indefinitely to extend credits to Europe. If we continue to sell to Europe, then we must be ready to receive in payment for our commodities European commodities. Senators have exhibited considerable concern regarding our European loans and the failure of European nations to meet the interest charges thereon. I repeat, the period has arrived when it might be regarded as unwise for business men to make further loans to Europe. At any rate, it would, in my judgment, be highly improper for the Government to make further advances. I desire to qualify that statement, however, to this extent: A situation might develop in Europe which would call for financial aid to maintain nations which we helped to erect and which in all honor we are bound to aid in maintaining.

The "comprehensive" tariff bill which we are promised as an act of supreme statesmanship upon the part of the Republican Party will be aimed, I have no doubt, against imports. It will be based upon the proposition that we can sell to an impoverished world which is unable to pay in money and which can only pay through exchange of commodities. How payment is to be made by those to whom we sell is a problem which the statesmanship of the Republican Party is incapable of solving. The theory of our Republican friends might be stated in the form of a resolution as follows:

> *Resolved*, That the prosperity of the American people depends upon production.
>
> *Resolved*, That foreign markets must be obtained for American products.
>
> *Resolved further*, That we will sell our surplus products to the peoples of the world.
>
> *Resolved further and finally*, That no foreign products will be received in exchange for or payment of such products and commodities exported from the United States.

Mr. President, our country is blessed indeed to have political philosophers and exponents of economic thoughts to work out in such a profoundly scientific and felicitous way the problem of our foreign commerce.

When the extraordinary session of Congress convenes in April, we may be assured, Mr. President, that our Republican friends will remove from the mausoleums in which they have been entombed the remains of the Payne-Aldrich tariff bill, the Dingley bill, and the McKinley bill, and supreme efforts will be made to quicken and galvanize those shriveled, misshapen, and hideous forms, in order that they may be the models to be followed in building the "comprehensive, scientific," and truly-Republican tariff which has been promised as a panacea for all the ills that afflict this distracted and disordered world. Mr. President, our Republican friends already give evidence of their retrogressive propensities; backward their gaze is turned. They grope in the shadows of the past and in the graveyards in which are interred issues and policies and passions and prejudices, heresies and fallacies, condemned and destroyed by the militant, vibrant, and inspired forces which have carried forward and will continue to advance our Nation as well as all peoples of the world. Mr. President, the American people will not return to shadow lands. They are watching the eastern star and see the approach of the morning light, and the radiance that will bring prosperity and happiness to the American people, and peace and progress and freedom to the sorrowing nations of the world.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Kentucky?

Mr. KING. I yield.

Mr. STANLEY. The Senator speaks of the promise of a carefully considered and well-digested bill in the future, in which I presume we will have the benefit of the findings and elaborate studies of the Tariff Commission and a thorough knowledge of the schedules considered. This bill, as I understand it, without regard to textiles puts a duty on wool. I am under the impression that hitherto we have been told that the duty upon raw wool, the duty upon tops, the duty upon yarns, and the duty upon textile fabrics were all indissolubly interwoven, and that it would be impossible to put an adequate or a defensible duty upon one item in the wool plan and schedule without materially affecting every other item; that from the back of the sheep to the back of the man the industry was so interwoven that a tariff had to be adjusted to the whole, and that you could not, while you wait, put a duty upon any one of these articles in justice to the public and in justice to the beneficiaries of the duty without adjusting it to the other articles. Does that rule still prevail?

Mr. KING. Mr. President, the Senator, if I understand him, has accurately stated the contention of our friends upon the other side of the aisle. There is one suggestion made by the Senator which leads me for a moment from the line of thought which I was pursuing. He referred to the Tariff Commission. Evidences daily accumulate, indicating that the Republican Party has determined upon the death of the Tariff Commission. I hold no brief for that organization and shall not enter upon a discussion of its merits or demerits. However, for many years there was a demand from students of economic questions, and from broad and liberal statesmen, that an impartial tribunal should be created for the purpose of collecting information and statistics and making recommendations to Congress concerning revenue measures, particularly those dealing with

imports. It was known that too often tariff schedules were written by special interests, by those who sought to obtain benefits and advantages at the expense of the people. Tariff schedules, it was known, were often written or dictated by trusts or great industrial organizations which had become powerful through exploitation permitted behind the ramparts of high tariff measures. Mr. Roosevelt became convinced of the necessity for a Tariff Commission, and he earnestly sought to have one created.

I am advised—and if my advices are incorrect, I hope the chairman of the Committee on Finance will correct me—that in the preparation of the so-called "emergency tariff measure" now before us, the Tariff Commission was given but little if any consideration. Indeed, I doubt if any members of the commission were called, or the data or information collated by them resorted to. I have no doubt that when the extraordinary session of Congress is called, and the committees are considering the beneficent, "scientific and comprehensive" tariff bill promised us, the Tariff Commission will not be consulted, its recommendations will not be accepted, and its data and information will be entirely ignored. That bill, Mr. President, will be dictated by the same influences that secured the passage of the McKinley bill and the Dingley bill and the Payne-Aldrich bill. It will be a measure in the interest of the favored few, of special classes of industries and corporations which have grown rich and powerful through exactions levied upon the American people under the schedules of Republican tariff measures.

Mr. STANLEY. Mr. President——

Mr. KING. I yield to the Senator from Kentucky.

Mr. STANLEY. I have been very much interested in the very able argument the Senator is making upon a most vital subject, but it strikes me that there is no room left for speculation as to the attitude of the majority party toward the tariff measure, if they are consistent. They are not always consistent. The bill is not an emergency tariff bill, if a tariff is any kin or is related even remotely to the process of collecting duties at ports of entry for the purpose of maintaining the expenses of a government economically administered. The old idea was once argued that that was the main purpose of a tariff and that we had incidental benefits.

This is a bold, almost a brazen, announcement of the fact that in a time of peace, without injury to business, we can lay an embargo upon the most prominent of the essentials of the life of the people. A duty of 20 per cent ad valorem on wheat at $1.50 a bushel is not intended to collect money at any Canadian or any other port. It is intended to prevent the importation of that commodity as long as the law is in effect, and it is admitted that that is the purpose. A duty of 25 cents a bushel, of 60 pounds, on potatoes is not intended to collect revenue and would not collect revenue, because the difference in the price of potatoes in one market and another is such that that would be an embargo. A duty of 40 cents a bushel on onions is an embargo. A duty of 1¼ cents per pound upon lemons is an embargo. A duty of 30 per cent ad valorem upon cattle is an embargo, because the difference between the cost of that commodity in the markets of the world and the cost of the commodity in the markets here is such that no importer could pay the difference. So on down the list.

Now, if we can levy not a duty which is intended to adjust itself to world-wide commercial conditions and conditions of itnernational trade, but if we can lay an embargo on these things to the benefit of the whole country, the most vital things to the lives and comforts of the people affecting their raiment, affecting their food, we can certainly levy upon textiles and dyes and paints and perfumes. Why hesitate? If we can handle these things in that way and are handling them sincerely, why not take 15 minutes more and go down the whole schedule and raise the wall to the stars and save such money as we now have to expend for the Tariff Commission? If Senators are consistent, it strikes me there is no reason to defend or to expect the continuance of the Tariff Commission for another day.

Mr. KING. Mr. President, the Senator from Kentucky has supported the view which I expressed that the Tariff Commission has been condemned to an early dissolution. I have no doubt but that our Republican friends have already prepared its grave—the final cerements have been prepared to enwrap the cold and silent figure when the deft thrust which takes its life has been administered by the Republican Party; and soon after the 4th of March the solemn procession will be formed, headed by the gallant leaders of the high protective forces, and it will pass out from this Chamber, and the remains of this short-lived and somewhat immature commission will joyfully and gleefully be laid away by our Republican friends in what they hope will be its final resting place.

Mr. President, I suggested a moment ago that Mr. Roosevelt earnestly supported the creation of a tariff commission. It is somewhat astonishing to behold the mutability of the opinions of our Republican friends in regard to those who at times defied their authority and denounced their policies.

It is only a few years ago when the name of Theodore Roosevelt was anathema to many of the Republican Party. He led a revolt against the reactionary and retrogressive policies of his own party and challenged the powerful forces that controlled it. He believed that the Republican Party was in the grip of sinister influences, that its policies were inimical to the best interests of the American people, and that its leaders were dominated by forces which sought special privileges at the expense of the people. I shall not dwell upon the serious charges which he preferred against his own party and its leaders. When defeated at the Republican convention by methods which I shall not attempt to characterize, but with which the American people are quite familiar, he organized the Progressive Party. He wrote a platform that inspired millions of Americans, and with courage and commanding ability he led his followers through a bitter and unsuccessful campaign. He was denounced by the Republican leaders and by the powerful elements in the Republican Party. Though I did not agree with Mr. Roosevelt and gave my support then, as I always have done, to the Democratic Party, I think it may be said that he sought the welfare of the American people and believed that the Republican Party had been betrayed and was guided by the philosophy of opportunism and directed by predatory interests.

During the campaign which was waged the leaders of the Republican Party and those who supported Mr. Taft denounced Mr. Roosevelt and the Progressive Party. Perhaps no more bitter attacks were ever made upon a candidate for the Presidency than those to which Mr. Roosevelt was subjected by members of the Republican Party. Some of his most savage assailants now carry the flag of the Republican Party and their influence controls its policies. Now that Theodore Roosevelt has passed to the Great Beyond, the Republican Party, particularly those who were most conspicuous in their opposition to him and in their condemnation of his policies, are chanting his praises and attempting to convince the American people that they are the residuary legatees of his political estate, the heirs of his political principles and policies, and that into their hands has been committed the banner of the Progressive Party.

Is not the claim made that they have abandoned the archaic, oppressive, and reactionary policies which Mr. Roosevelt condemned, and which they defended under the leadership of Mr. Taft? Or possibly the contention may be made that Mr. Roosevelt and the Progressives abandoned the principles for which he and they stood and penitently sought readmission into the Republican Party and made due expiation for their transgressions. Senators will recall that in this Chamber some Republican Senators have invoked the spirit of Roosevelt and deplored that his silent lips could not speak for the guidance of the American people. Mr. President, why do not our Republican friends follow some of the policies so vigorously advocated by Mr. Roosevelt? He was deeply interested in the Tariff Commission. He attacked the old methods of writing tariff laws, and pleaded for a tariff commission that would aid in preparing a scientific and proper revenue law—one which would yield revenue, so greatly required to meet the expenses of the Government; one which was not in the interest of a few protected industries, and which could be used as a weapon with which to oppress the masses.

But, as stated, the Tariff Commission is doomed. Our Republican friends have condemned it without trial—without witnesses. It has been denied due process of law and has been sentenced to be executed, and unless some unforeseen power arises to protect it the sentence of execution will be carried into effect.

Mr. President, I was diverted by the statement of the Senator from Kentucky into a brief reference to the Tariff Commission and Mr. Roosevelt.

Our Republican friends, as I have stated, were so anxious to secure a European market for our agricultural products, in order that anticipated catastrophic conditions here might be avoided, that they were willing, notwithstanding Europe's stupendous indebtedness to the United States of between sixteen and eighteen billions of dollars, to arrange for the extension of additional credits, though such a course would involve the Government of the United States morally, if not legally. I believe, Mr. President, that the ability of the War Finance Corporation to dispose of its securities in order to extend credits to Europe will depend upon the Government itself; in other words, the plan to loan billions to Europe will fail unless the Government assumes a direct or indirect obligation with respect to the securities issued. Why are our Republican friends so eager to revive the War Finance Corporation?

The answer is plain. They know that the American farmer and cotton grower and woolgrower and cattleman and the manu-

facturers of finished products must have foreign markets, and that the financial depression which has overtaken us is in part due to the inability of European nations to purchase American commodities.

Mr. President, our Republican friends have indulged in much rhapsody about the merchant marine and the American flag floating in every port. I am led to remark that American ships were upon every sea and the American flag was found in every port prior to the destruction of the American merchant marine by the unwise policies of the Republican Party following the Civil War. Whatever merchant marine we now have has been developed under a Democratic administration. The policy of the Democratic Party, from the days of Jefferson until the time of Lincoln, resulted in the building of American ships and the development of a merchant marine, so that 87 per cent of our foreign commerce was carried by American vessels and under the American flag. When the Democratic Party came into power in 1912 we had no merchant marine. President Wilson and the Democratic Party earnestly endeavored to supply the imperative needs of the American people, and we now have hundreds of ships employed and ready to carry our ocean commerce. Our Republican friends are now eloquent in proclaiming the necessity of a merchant marine. They appreciate how important it is for the expansion of our foreign commerce that Americans shall own and control an adequate merchant marine.

Mr. HARRISON. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield.

Mr. HARRISON. The Senator from Utah will observe the lack of interest on the other side of the Chamber. There are eight times as many Senators on the Democratic side of the Chamber who are present and in their seats as there are Senators on the Republican side of the Chamber.

Mr. KING. Mr. President, I hope the Senator from Mississippi will not ask for a quorum. When the able Senator from North Dakota made his opening argument in favor of the pending measure, but few Senators upon his own side of the Chamber gave attention, and when the Senator from North Carolina, the ranking Democratic member of the Committee on Finance, submitted his argument against the bill there were but few Senators in the Chamber. We can not heal some people who are sick. Diseases become so chronic that medicaments or physicians effect no cures. Many of our Republican friends, like Ephraim of old, are joined to their idols. The Republican Party, controlled by protectionist forces, ignore economic laws and close their eyes to the public welfare. Their blind devotion to the protection fetish hurled them from power eight years ago, and now so intoxicated with victory are many of those whose voices are powerful in the organization that they have determined, in the next session of Congress, to erect tariff barriers so high that the domestic market will become a monopoly in the hands of special interests and the favored few. The Republican Party was not courageous enough to make the tariff an issue in the recent campaign, nor were the issues which they presented uniform in all parts of the land. Perhaps I should apologize for stating that the Republican Party presented issues. In one respect only were they consistent, and that was in abuse and violent criticism of President Wilson. I doubt if any President has been so wantonly and unjustly assailed as he. It is true President Washington was the subject of most bitter attacks and his political opponents ascribed to him designs and purposes which, if he had entertained them, would have warranted his impeachment. President Lincoln was likewise the subject of vituperation, slander, and abuse. Mr. Wilson was charged with having exercised dictatorial power and joined with other nations in the creation of a supernation. The campaign waged by the opposition to the Democratic Party was a most subtle and intriguing one. Attempts were made to fan the flames of discontent, even though the flames might spread until they assumed menacing proportions to the public safety.

The Democrats were denounced for failing to repeal war legislation, but the people were not told by the Republicans that President Wilson had months before the campaign recommended the repeal of such legislation and that his recommendations were ignored by a Republican Congress. The failure to deal with post-war problems was ascribed to the administration, although the Republicans had control of both the House and the Senate and were responsible for such failure. The plain fact is that the Republican Party seemed incapable of meeting the problems which followed the war or of giving legislative approval to measures dealing with our domestic questions or relating to our foreign affairs.

The Democrats were blamed for Republican defaults, and the people did not realize that the failure to deal with questions of readjustment and post-war problems was due to the Republicans and not to the Democratic administration. President Wilson made earnest recommendations to the Republican Congress and called attention to needed legislation, but his suggestions were ignored and the remedies recommended denied. The Democrats were denounced because of high prices, and yet the Republicans having control of both branches of Congress refused to pass legislation to correct conditions. The Attorney General was denounced by some for enforcing the Lever Act against profiteers, and at the same time the Republicans were condemning the President for continuing in peace times war legislation.

Moreover, appeals were made to the prejudices of American citizens of foreign birth. The most subtle and sinister efforts were made to deliver to the Republican Party all foreign-born American citizens. Conditions in Europe were seized upon for the purpose of inflaming the minds of the millions of foreign-born American citizens in order that they might, in group formation, support the Republican Party. The appeals made to race prejudices would lead one to believe that encouragement was given to the thought that these various groups owed to governments beyond the sea an allegiance which would prevent them from bearing true faith and allegiance to this Republic. These appeals and efforts related to all foreign groups. Attempts were made to deliver the Germans as a block, and the Italians and the Slavs and the Irish. The most sordid appeals were made to the American people, and an unfair and disingenuous campaign conducted. The subtle appeals and the methods pursued misled many and blinded their vision to the real issues and the pathway of national safety as well as national honor.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER (Mr. HEFLIN in the chair). Does the Senator from Utah yield to the Senator from Kentucky?

Mr. KING. I yield.

Mr. STANLEY. I hope that my gifted and forceful friend, the Senator from Utah, will not do an injustice to Senators on the other side of the Chamber. Does the Senator from Utah mean to intimate that the wise men of the Republican Party in conducting the campaign were guilty of such a lack of wisdom or cunning that in their efforts to reach the discontented of every race in every city in the East by appeals to prejudice, to everything that partook of envy or hate or discontent or malice toward the President or country or flag, they did not tell those people at that time of their well-concealed design to prevent, as far as they could by hurried, and admittedly hurried legislation, any effort or any condition that would lower the price of bread or meat or raiment?

Mr. KING. Mr. President, I pay tribute to the adroitness and skill of the Republican leadership. Whether the honors are to be accorded to Mr. Hays or to others with whom he was associated, it is not for me to say. If there was an—I was about to say "argument," but I withdraw the word—if there was a prejudice that could be appealed to, a racial antipathy that could be developed, a wound that could be reopened, an evil that could be magnified, an insinuation or suggestion that could possibly influence an individual or a section or a class, there were agencies and instrumentalities and forces immediately available to press for advantage. In many parts of the United States a strong sentiment existed in favor of the Versailles treaty and the League of Nations. Our Republican friends, with an audacity that challenges admiration, were there proclaiming with fervid eloquence that they believed in a league of nations, in a concert of the free peoples of the earth, in a union of all nations to promote peace, to secure disarmament, to stabilize Europe, and to promote the progress of the world.

Theodore Roosevelt and the able Senator from Massachusetts [Mr. LODGE] and other Republicans were quoted as having for years advocated an association of the nations of the world in the interest of world peace; indeed, in the localities to which I have just referred our Republican friends contended that they were the original exponents of a league of nations. And where it was discovered that there was opposition to the covenant of the league, or to any association of nations to secure the avowed purpose of the league, with as much audacity they denounced the League of Nations and any form of association of the nations of the world, or any step by the United States which would bring it into association with other nations.

Mr. President, it might be unparliamentary to say, and therefore I shall not say, that those who conducted the campaign for the Republican Party wore various masks and appeared in

different attires and sought to be all things to all men. I suggest the possibility of the thought arising in the minds of ordinary individuals that the subtleties and contradictions and posings and inconsistencies of our political opponents afforded no convincing proof of their sincerity or high moral purpose. However, victory hides mistakes and errors; it seems, often, to condone wrongs, transform subtleties into virtues and hypocrisies and insincerities into verities.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. KING. I yield.

Mr. BORAH. Mr. President, I take it that the Senator is now explaining how the Republican leaders secured the Republican vote. Will he also explain how they secured several million Democratic votes?

Mr. KING. The explanation is not difficult, and can be easily made; but it may not satisfy the Senator from Idaho. The same artful propaganda conducted by our Republican friends appealed to some Democrats as it appealed to Republicans and to many of the so-called doubtful voters.

The disordered condition of the world and the distractions following the World War influenced the American voter. Fundamentals were obscured and questions of expediency and opportunism assumed large proportions and seductive appearances. The great principles of Jefferson were forgotten by some Democrats and specious arguments and glittering generalities proved too attractive to some who had pledged devotion to those immortal principles given to the world by the greatest political philosopher of all time. Individuals and parties do not always exhibit supreme loyalty to the truth and to the enduring things which should be the base upon which human conduct rests. I am afraid that Democrats have not always been loyal to the principles of its founders.

Mr. BORAH. And particularly, Mr. President, when they have abandoned the great fundamental principle of Jefferson's policy of no entangling alliances with foreign powers.

Mr. KING. Mr. President, I shall not be diverted by my friend into a discussion of what the words "entangling alliances" mean as they were employed by Jefferson. It will be remembered, however, that Mr. Jefferson approved of an understanding or arrangement or alliance, whatever it may be termed, with Great Britain, and announced that the two nations thus united could defy the world. My time is limited or I should be glad to show to the Senator from Idaho that the League of Nations was not an entangling alliance. It rather sought the disentanglement of nations and the development of a concert of the nations of the earth in the interest of peace and world security. Mr. Wilson planned to relieve the world from the evils of secret alliances which were entangling, from the accepted view of the so-called "balance of power," from the burdens of military and naval armament. It was the thought of the proponents of the league that the day had come when international law should receive a new baptism, a new meaning, and become a vital and living force among the nations of the world. The league aimed and sought to bring order to a disordered and sorrowing world and to lay the foundations of international confidence and good will. Washington and Adams and Jefferson spoke against the "political system" which then existed in the world, which was hostile to the principles embodied in the Declaration of Independence and the aims of this Republic. But that system has been shattered and democratic nations have been erected upon the ruins of empires and autocracies. The moral and ethical forces of the world are united to secure international peace, and they recognize a league of nations as an instrumentality to that end.

Returning to the interrogation of my friend as to the reason why Democrats supported the Republican candidate, permit me to say that there were many voters who desired the ratification of the Versailles treaty and who were in favor not only of a league of nations but the covenant of the league as found in the treaty, with perhaps some reservations. But they believed that the ratification of the treaty was impossible, even if a Democratic President were elected, because the large number of Republican Senators would prevent obtaining the required two-thirds majority. They interpreted Mr. Harding's statements as favorable to a league of nations and believed that if he were elected the primary and vital things in the covenant of the league would be realized. The able Senator from Idaho knows that the statements of Mr. Harding were construed by many as an approval of a union or association between the United States and the great powers of the world for the purpose of realizing the very things which the covenant of the League of Nations sought to accomplish. Mr. Hoover, ex-President Taft, and other Republicans of national standing supported Mr. Harding upon the theory that under his administration the principal features of the league would be realized. People knew that President Taft and Mr. Hoover, as well as other prominent Republicans, were earnest supporters of the League of Nations. The nation-wide campaign conducted by these distinguished men in favor of Mr. Harding profoundly affected the view of the people. President Taft, particularly, had been regarded as one of the chief exponents and defenders of the league. When he proclaimed, as he did during the campaign, that the principles and purposes of the league would be realized under Mr. Harding, the people were impressed with his statements and large numbers were influenced to support the Republican nominee who otherwise would have given their support to Gov. Cox.

Of course, there were many who believed that the Republican platform was deceptive and insincere; that it was adroitly phrased in order to deceive the people and to permit the contention, where such contention would be popular, that Mr. Harding and the Republican Party were opposed not only to the League of Nations but to any league or union between the United States and other nations, and to justify the opposite position where it was indorsed by a particular section, that Mr. Harding and the Republican Party were desirous of entering into an agreement or arrangement with the allied and other nations to secure world peace and to accomplish the very purposes for which the league was organized.

Another factor, which I referred to a moment ago, can not be ignored in appraising the causes leading to the Republican victory. Subtle and sinister appeals were made to those of foreign birth residing in the United States. There are millions of American citizens who were born in lands across the sea. A most sinister and intensive propaganda was carried on among our foreign-born citizens for the purpose of forming them into groups, the lines of which were to be racial, and those groups were then to be carried bodily into the Republican Party. It was charged in those sections where there were German-American citizens that the American people were not behind the war, but that it was the result of Mr. Wilson's hatred of Germany and his love of England. The campaign in this regard was most dastardly. The cause of the war was misrepresented and efforts were made to inflame the minds of American citizens of foreign birth against the administration because of the entrance of the United States into the war. Mr. Wilson and the Democratic Party were charged with being the authors of America's participation in the war. This attempt to impugn the honor of the American people was an insult to them and to our country and a wicked slander of the President and the Democratic Party. In these same sections statements were made by Republicans that if Mr. Harding was elected President, not only would the league be "scrapped," but the Versailles treaty would be destroyed. It was argued to German-Americans that when the treaty was repudiated Germany would be free from its obligations to Europe, and it would rise phœnixlike from the ashes of defeat and the United States and Germany would form an alliance or union which would enable them to control the destinies of the world. It is apparent what effect this sinister and insidious propaganda would have upon many American citizens of foreign birth. I have no criticism of those who were born in Germany who are now American citizens for entertaining a feeling of affection for their fatherland. It is natural—indeed it is proper—that they should have a profound admiration for the development and progress and achievements of the German people.

Permit me to state that Germany is great even in defeat; that the German people possess those traits and qualities that will enable them to rise from the ruins which their imperialism precipitated and become a potent force among the nations of the earth; if they will turn from imperialism and from the militaristic policies developed under the Kaiser, if they will reject the philosophy of Nietzsche and Bernhardi and accept the principles of freedom and genuine democracy they will soon take their place with the enlightened and progressive nations of the world and make contribution to the forces which carry humanity forward.

And pleas were made to Irish-Americans and to citizens who were born in Italy and in Poland and other nations of Europe, all calculated to arouse any racial antipathies that might exist, even though such a course might tend to weaken their allegiance to the Government of the United States and their loyalty to the American flag. The Fiume incident was extravagantly amplified and persistently paraded before the citizens of Italian birth in order to arouse animosities against President Wilson and the Democratic Party. It is not too much to say that many votes were cast for Mr. Harding by American citizens of foreign birth whose inclinations and affections would naturally lead them to support the Democratic Party because

of the misrepresentations and appeals to passion and prejudice which so largely characterized the methods of the Republican campaign.

Mr. President, I have hastily referred to some of the reasons which influenced Democrats to support the Republican Party. Others readily suggest themselves to those who are familiar with the recent campaign. I take this opportunity, however, Mr. President, to warn the Republican Party that its conduct since the election has not strengthened it with the American people. Men and women everywhere in the land are examining its record, its two years of legislative record, and are reaching the conclusion that it has exhibited incompetency in dealing with the problems before the country. The preelection promises and the statements made during the campaign are being examined.

The post-election achievements have been scrutinized and throughout the land there is a feeling that perhaps the people were deceived, that false issues were presented and the truth obscured. It is my sincere belief that if the American people were called upon to express themselves to-day many who gave their support in the recent election to the Republican Party would say that it has been weighed in the balance and found wanting. As the days go by the American people, in my opinion, will awaken to the fact that a grave injustice was done the President of the United States and the Democratic administration and that the triumphant victory of the Republicans was the result, not of a fair and dispassionate consideration of vitally important questions but was due in part to the intrusion into the campaign of extraneous issues and the consideration of policies collateral to the supreme issues which are yet to be determined. The hollowness of Republican promises will be realized by the American people; and one does not need prophetic gifts to determine what the result of the next election will be. The American people desire the enthronement of those policies which will establish freedom and justice and which will bring into proper accord and union the free peoples of the world in the interest of international peace and good will.

There was another factor entering into the late campaign that influenced the result; that was the wicked and wanton assault made upon the President of the United States. He was denounced by his enemies and those who sought the success of the Republican Party, as an autocrat, and credited with a design to usurp authority and exercise power in contravention of the Constitution of the United States.

I have been honored with the friendship of Woodrow Wilson. I have not always agreed with him. Some of his views I believed to be economically unsound, and some policies which he advocated met with my disfavor and I expressed disapproval. But I am sanguine that a dispassionate review of his acts as President and the results and accomplishments of his administration, will for all time place him among the world's foremost figures. Even in the hour of defeat his greatness is recognized, and his influence is pervasive.

He reached the high place which history will accord him, because of his intellectual integrity, his exalted ideals, his devotion to human liberty, and his deep sympathy for the sorrows and sufferings of the world. He saw peoples shackled by industrial chains and nations oppressed by despotic power, and he sought their liberation.

This Nation he regarded as the favored child of Providence, an evangel to lead the way along the pathway of international development. The imperialism of nations, the mad ambitions which prompted rulers to seek territorial gain and conquest, filled him with sorrow, indeed with anger; but it was the great inarticulate mass, struggling and groping for light and freedom, to whom he gave the rich outpourings of his heart. He sought to lighten the burdens of labor, to lift up the downtrodden, and to inspire courage in the hearts of those who saw nothing in life but the cold tragic processes of a materialistic universe. He believed that there were moral and spiritual forces operating within this little world of ours, and that beyond the stars there was One whose power was omnipotent and whose love extended to struggling humanity and whose law operated for man's salvation.

Woodrow Wilson is a commanding figure in the world to-day. He will soon leave his high station, but his teachings and his example will not be forgotten, and as the years go by his fame will increase and men will pay homage to his memory. He gave his strength fighting for principles which he believed to be right, for his country and its honor, for the liberation of the world from war, and for the establishment of a union of the nations of the world to promote justice and international peace.

In my opinion, time will vindicate this great man, and the purposes of his heart will be fully comprehended by his countrymen.

We speak of Jefferson as the father of Democracy, the founder of an undying faith, the prophet of liberty, and the foe of tyranny. We speak of Lincoln as the Great Emancipator, the apostle of justice and righteousness. Those who come after us will speak of Woodrow Wilson as one who sought to extend the principles established by Jefferson and to bring emancipation to oppressed people everywhere. It will be said of him that he gathered into his great soul the highest moral and spiritual and liberalizing forces of his time, and gave his strength, if not his life, in order that there might be a new baptism of freedom and a consecration to the ideals which promote justice and international fellowship. And so there will be linked the names of Jefferson and Lincoln and Wilson, and our children and those who come after us will seek his shrine and there pay homage to a great Democrat and to the strongest defender of the weak and oppressed who appeared among men during the greatest crisis in the world's history.

Mr. President, I did not obtain the floor this morning for the purpose of discussing the tariff or the recent election or the policies of President Wilson. I intended to consider, as I stated at the beginning of my remarks, some of the suggestions made by the Senator from Maryland concerning Russia and the policy which our Nation had pursued and should pursue toward the soviet dictatorship; but I have been prevented by inquiries and suggestions made by my Republican friends and the Senator from Kentucky from carrying out my purpose, and have been lead into remote fields; but before recurring to the subject of Russia permit me to further elaborate the thought which was suggested by the Senator from North Dakota.

I have been unable to quite reconcile the attitude of our Republican friends in advocating a policy which would extend further credits to Europe—upon the theory that our prosperity depends upon our trade relations with European nations—and their avowed purpose to enact at the approaching special session of Congress a tariff bill the effect of which will be, if we are to believe current reports, to deny the right of other nations to find markets in the United States for their products.

I call the attention of the country to the fact that we professed a deep interest in the sufferings of the world and an anxious solicitude for the financial and economical regeneration of the nations still suffering from the effects of war. We declare that we are and will continue to be a creditor nation, and must admit that neither interest nor principal now due the United States can be paid with gold, but only with commodities or by capital investments.

Will the Republican Party when it is in supreme control of the executive and legislative branches of the Government proclaim a policy of commercial isolation? Are the people to be satisfied with the fallacies and heresies which found defenders in the ranks of supporters of high protectionism a few decades ago? Are the American people to be adjured to increase production, not only for domestic use, but for export purposes, only to be misled into an acceptance of the view that surplus products can be sold abroad to our advantage, but that imports in payment are to be prohibited? I fancy there will be some difficulty in explaining how we can be an exporting nation but not an importing nation. The proposition is enticing that we will produce and sell abroad and get rich through that process, but not be required to purchase or receive the productions of other peoples. Our books on political economy should be burned and new professors and new philosophers provided for the guidance of the people.

But the workingman knows that if he receives he must give, and that if he gives he will receive. He has labor to sell and receives in return those commodities essential for the sustenance of himself and his family. Employment is based upon the theory of trade or exchange; labor is exchanged for commodities. So it is between nations; the more we can sell abroad the greater will be our production, and as production increases the demand for labor increases. Earth yields her treasures as the result of increased labor, and those treasures, carried by rail and ship, create new markets for labor as well as for raw and finished products. I am interested to know how European nations are to pay the cotton growers of the South for the millions of bales of cotton which result from their energy and labor. They can not pay in gold nor American securities. Great Britain has furnished us our best market. Her purchases have been greater than those of any other nation, and as a result of the exchange between the two nations our production has increased and our prosperity has been added to.

A few years ago we were a pastoral and an agricultural people. The great majority of Americans resided upon their farms and in rural communities. But a change has occurred. We have been transformed from an agricultural people to an

urban population. While the number of our farmers has increased and agricultural productions have multiplied, our cities have likewise increased in number, and their populations have grown in a most remarkable manner, and so we not only have agricultural products to ship abroad, but our great manufacturing centers are producing far in excess of our domestic needs.

Since the Democrats came into power in 1912 we have built a great merchant marine. The United States owns several thousand vessels aside from those used for naval purposes, and there are thousands of crafts flying the American flag owned by corporations and private individuals. Our foreign commerce during the past eight years has increased far beyond the expectations of the most sanguine, so that during the past year the records show that our exports have been approximately $8,000,000,000 and our imports nearly $6,000,000,000. Europe needs more in the future than we have exported in the past. Foreign nations will buy more than eight billions of our products, providing we will accept in payment therefor the only things with which they can pay. Are we to adopt a policy that will compel the withdrawal of our flag from the seas and result in tying our ships to the docks there to rot and decay? These are questions, Mr. President, that are to be answered by the Republican Party in the future.

Of course, it is known that tariff legislation to be enacted at the special session is not designed for revenue purposes. No tariff bill will yield the amount of revenue necessary to meet the annual expenses of the Federal Government. My recollection is that the largest amount of revenue obtained in any one year from customs duties did not greatly exceed $300,000,000. Under the present tariff law our customs receipts are approximately $280,000,000 per year. If the policy of the Republican Party is to be such as announced, the measures which they enact will restrict importations and reduce the amount of revenue derived therefrom.

No, Mr. President, the "scientific" bill which we are to have will not be designed for revenue purposes. Other means must be devised for the purpose of obtaining the necessary revenues to meet current expenses. Our Republican friends have not indicated what plan should be adopted to secure adequate means to meet governmental expenses; but this much is certain, the amount obtained at our ports from customs will be but an inconsiderable fraction of the sum total of the Government's annual expenditures.

The able Senator from North Dakota [Mr. McCUMBER] in an earnest and instructive address invited the attention of the Senate and the country to the great deficit which was imminent. Attention was directed to the enormous sum now collected from the people to meet the annual charges of the Government, but notwithstanding the more than $5,000,000,000 spent during the last fiscal year, and a like amount that will be required to meet the demands of the next fiscal year, the Treasury is confronted with a deficit of $2,000,000,000.

May I say, by way of parenthesis, that the Senator from North Dakota is one of the ablest men in public life and one of the most useful Members of our National Legislature. He has courageously attacked conditions which he regarded as productive of evil, and has advocated policies regardless of the views of his associates. During the recent war his strong and forceful speeches challenged the attention of the country to important problems, and doubtless affected the conduct of officials charged with executive responsibility. His vision is forward and his unquestioned sincerity and superb courage mark him as one of the strong men of this Republic. He has warned us, Mr. President, against extravagance, and has demanded retrenchment and economy in governmental administration. I venture to predict that his party during the next two years will be as deaf to his pleas for economy, as they are now proving to be. But the Senator from North Dakota, notwithstanding his transcendent virtues, is unable to free himself from the spell which the word "protectionism" casts over him. I do not wish to be unparliamentary or hypercritical, but may it not be truthfully suggested, that the highest statesmanship of Republican leaders finds expression in tariff legislation. It would seem that the Republican creed could be stated in two words: Tariff—protection. If an economic evil exists the pharmacopœia to which the wise medicine men of that party resort has only the two words just stated; and if there is a foreign problem or some international complication, the Republican doctors have but the one remedy—tariff.

Mr. President, we are warranted in saying—how many crimes have been committed in the name of protection. The farmers have been fooled and the laboring classes have been deceived by this seductive word "protection."

I have known aliens after becoming naturalized to immediately affiliate with the Republican Party. They had been taught in preparation for their naturalization examination that this was a Republic, and they therefore felt that in order to evince their interest in this Government and to furnish convincing proof of their loyalty to the Republic they were compelled to join the Republican Party. So the Republican Party has received many accretions to its ranks because of its name rather than its principles. The naturalized alien who did not have full opportunity to investigate the principles of the party and whose knowledge of the language was very imperfect was misled, and thus became a member of that organization. So there are many farmers and others who have been misled by the word "protection." It has seemed such an honest word, so suggestive of home and courage and fine qualities, that it has appealed to many voters, and they have followed this euphemistic word and have paid but scant attention to the party which was employing it or the principles upon which it rested. It seems a pity that a word that is so significant and so suggestive of splendid courage and manly things should be so perverted and employed in defense of policies and methods so injurious and harmful.

We shall watch with interest, Mr. President, to see this "scientific" and "comprehensive" protection measure which is to emanate from the next Congress. Doubtless it will be a chef-d'œuvre. But, as I have stated, it will not be for revenue. What then will be its object? In whose interest is it being prepared? Who are to be the beneficiaries?

A suitable reply to these inquiries will be found, in my opinion, in a review of the McKinley, the Dingley, and the Payne-Aldrich tariff bills, and in the discovery of the interests which dictated them and the corporations and individuals who derived the greatest benefit therefrom. Even great Republicans rebelled against the iniquities of the Payne-Aldrich bill. Its schedules were denounced by distinguished Senators, some of whom still have seats upon the other side of the Chamber. It was shown by leading Republicans who desired to save their party from the infamy of such legislation that it favored special interests and permitted the exploitation of the American people.

In the recent campaign the Republican Party declared that there must be a reduction in prices. The Democratic administration was denounced because immediately following the war it had failed to bring prices down. Economic laws were disregarded by these critics, and the Democratic Party was charged with defaults and offenses of which it was not guilty. Every effort was made to conceal from the people the fact that the Republicans had been in control of Congress since March, 1919, and that the failure to enact legislation which would have reduced prices, assuming that such legislation were possible, was attributable to the Republican and not to the Democratic Party.

But now we are met with the demand from the Republicans that prices must be forced up, and they are fastening the responsibility for a decline in prices on some commodities upon the Democratic Party. The facility with which the Republican Party changes its position and performs acrobatic feats excites the wonder and amazement of all inquiring minds. In view of the record of the Republican Party in the past, will we not be justified in looking forward with deep concern as to its administrative policies when it assumes full control of the Government.

Mr. President, if I may be permitted to indulge in prophecy, I shall make bold to declare that when this so-called "scientific and comprehensive" Republican tariff bill is prepared, the interest of the masses of the American people will be disregarded, and the forces which dictated the McKinley and the Dingley and the Payne-Aldrich tariff bills will write its schedules.

The Senator from Colorado [Mr. THOMAS] referred this morning to the pending dye bill. It was introduced during the last session and is now upon the calendar. The effect of this bill, if it becomes a law, would be to grant a monopoly to domestic producers. The interests of the public were not considered, in my opinion, in the drafting of the bill, and the users of domestic dyes were to be entirely at the mercy of the dye monopoly.

We have taken more than 2,800 patents dealing with dyes from Germany and have transferred them to a corporation for use by American dye producers. There is no competition from abroad under existing law, and notwithstanding all these advantages enjoyed by the American dye producers, there is a proposition which, if carried into effect will practically prohibit importations. Germany is prostrate. She lacks raw materials and her production of dyes is limited, indeed. It is possible she would supply a limited amount in order to buy bread to feed her starving children, but this Minotaur of protection, this huge giant which is being armed and equipped with destructive weapons, declares that none shall come to our shores.

Mr. President, protection, as interpreted by the reactionaries in the Republican Party, means restriction of trade and commerce. It means aid to trusts and favored corporations, to special interests, to forces which in the past have been beneficiaries of similar legislation and which are now demanding that their policies shall be adopted.

Mr. President, I now approach the question which I sought to present when interrupted by the Senator from North Dakota.

I presume that the attitude of the Senator from Maryland with respect to the Russian situation is reflected in part at least in a resolution offered by him and now being considered by the Committee on Foreign Relations. I obtained a copy of the resolution after the Senate convened this morning and I have hastily glanced at it during some of the interruptions to which my remarks have been subjected.

There are some things in the resolution from which no one would dissent. Reference is made to the "cordial relations which from time immemorial have existed between the United States and Russia." The resolution states that, because of the devotion of the American people to free institutions, the "citizens of the United States have long looked forward to the time when the people of Russia shall have established such free institutions for themselves." That is a correct statement of the attitude of the American people, and I hope that it was not the intention of the Senator to convey the thought that Russia had, under the bolshevik tyranny, established free institutions such as are enjoyed by the United States. The resolution further recites that the Russian people made "heroic sacrifices during the war and cooperated with the allied nations against Germany." It fails to state, however, that Lenin and Trotski plotted with Germany, treachery to the Allies, and caused the Russian armies to desert the United States and the allied nations at a most critical period in the World War.

Of course, no one can fully appraise the great contribution made by the Russian people to the allied cause, which was their cause, up to the time when the communists by their treason and treachery obtained control of the Russian armies. The Russian people heroically battled with the allied nations against the Central Empires. With the overthrow of Kerensky and the provisional government and the seizure of the reins of government by Lenin and Trotski and their communistic adherents, the Russian military forces fighting against Germany disintegrated and the communistic dictatorship became the ally of the Central Empires.

The Senator declares in his resolution that a separate peace was made with Germany because of the "incompetency and corruption of the autocratic government of Russia and its failure to supply munitions of war."

Mr. President, I think history will acquit the Czar of treachery and perfidy to his country or to the Allies in the Great War. That he was incompetent and lacked those qualities of leadership which so serious a crisis demanded, I think all will concede. He was a pitiful figure in the world; desiring to defeat Germany, he was unable to direct the military and industrial forces essential to a vigorous prosecution of the war. Moreover, he was surrounded by German agents and influences, and treasonable efforts were made by members of his own circle to either withdraw Russia from active participation in the war or reduce her military operations to impotent and inconclusive skirmishes. That his government had been autocratic and oppressive all will admit, nor can it be doubted that Russia was inadequately provided with needed munitions of war, and that hundreds of thousands of brave and suffering Russian soldiers were sent to the battle front without arms and without training. They fought bravely, and are entitled to our gratitude and the admiration of the world.

Russia's sufferings during the war and since call for profound sympathy. Anyone who reads her tragic page can not feel other than the deepest pity for Russia and her people. But when the Senator declares that a "separate peace" was made with Germany because of the lack of munitions or because of the incompetency and corruption of the Czaristic Government I think he can not find support in the record. The facts are that the treaty of Brest-Litovsk was not made for more than a year after the Czar's Government was overthrown, and the action of the bolsheviks in entering into the treaty was not approved by the patriotic leaders of the Russian people or by the great mass of the people themselves.

I have not the time to present the accumulated evidence that establishes beyond question that Lenin and Trotski were the agents of Germany, and were sent by Germany and furnished gold by Germany in order that they might accomplish a coup d'état, and with the power so obtained demobilize the Russian armies and make a separate peace with Germany.

Undoubtedly Lenin believed the situation presented an opportunity to establish a communistic society in Russia. It was not because of any particular friendship for Germany that he sought the defeat of the Allies. He knew that the withdrawal of Russia from the war at that critical period would jeopardize the chances of an allied victory and place Germany and her allies in a situation where they would be free to launch a formidable offensive against the allied forces in France and Belgium. The Russian people, of course, were tired of war. They did not know to whom they could look for leadership. The great mass of the people were still loyal to the Allies and earnestly desired that the cause for which Russia and the Allies had fought should be vindicated. But under the bloody dictatorship of Lenin and Trotski, who had seized the reins of authority, in a helpless and hopeless way they withdrew from the contest. They did not intend to betray the Allies and the sacred cause for which they were fighting; but Lenin and Trotski intended the betrayal of the Allies, and it was they and the communistic dictatorship which they established that made a separate peace with Germany.

The Senator declares that it is the desire of the people of the United States to continue friendly relations and to establish trade and commerce with the Russian people, that they desire to assist in the rehabilitation of the industrial and agricultural agencies of Russia, for the sake of the Russian people as well as for the general welfare of the world. I believe there will be but little controversy over this broad statement contained in the Senator's resolution. We do desire friendly relations with the people of Russia. The American people are anxious for Russia to be rehabilitated and for her distracted people to have the opportunity to return to the ways of peace and to follow those processes which will make for their prosperity, welfare, and liberty. The American people would rejoice if a suitable government were established in Russia and the principles of democracy could be realized in the lives of the people. The cruel, brutal, and merciless administration of the soviet dictatorship fills the American people with horror and excites their commiseration for those who are its victims. They will welcome the hour when the Russian people throw off the cruel militarism which is now oppressing them, and have full opportunity to develop the vast resources of their great State.

If the Senator means, however, by this statement and other statements in his resolution, that the American people desire to accord recognition to the soviet dictatorship, and wish that our Government shall enter into diplomatic relations with Lenin, then I must dissent from his position; and I make bold to declare that he is not supported by the American people.

The Senator's resolution further declares that no "unfriendly" act has been committed by the Russian people against the United States, but "on the contrary, the Russian people have borne with patience our unlawful invasion of their territory and intermeddling with their internal affairs."

Mr. President, I can subscribe to this statement if the Senator means that the great mass of the Russian people have committed no unfriendly act against the United States—unless it be the withdrawal from the war—I agree with him. The information is overwhelming that but a very small fraction of the Russian people belong to the communist party or are in sympathy with the bolshevik dictatorship. Writers who seek to condone the atrocities of the bolsheviks admit that there are not more than six or seven hundred thousand persons in all of Russia who accept the creed of the Communists.

The Baltic Provinces have withdrawn from Russia. In the Ukraine territory, where between thirty and forty millions of people reside, bolshevik authority is denied and revolts and uprisings are of constant occurrence. Siberia with its millions of people is loosely bound to the Mcscow dictatorship, and the great mass of the Russian peasants regard with hatred the military despotism which intermittently plunders and never protects. Heterogeneous elements are united to perpetuate themselves in power, but there is no union born of common purposes and aspirations. Lenin may be sincere in believing that from communism may come a better world and improved economic conditions, but every page of the record of the bolshevik organization records atrocities and brutalities and cruelties that arouse the indignation of decent people everywhere and fill with anguish and sorrow the hearts of all who learn of the agonies and sufferings to which millions of the Russian people have been subjected. If the Senator means that the soviet dictatorship has committed no "unfriendly act against the United States," I most earnestly register my dissent from his position.

At this point I call the Senate's attention to a number of specific acts upon the part of our Government indicative of the friendship of the American people for Russia.

Immediately following the revolution in Russia which culminated in the overthrow of the Czar, a provisional government was organized under Kerensky. That government was recog-

nized by the United States, and our ambassador conferred with it, and the provisional government appointed Boris Bakhmeteff as Russian ambassador to the United States. The Kerensky government sought to continue the war and to carry out the obligations of Russia to the Allies. In a treacherous and cowardly manner the provisional government was overthrown, as I have stated, and the brutal dictatorship of Lenin and Trotski seized political authority in Russia. The President of the United States, in order that convincing proof might be furnished to the Russian people of the friendship entertained for them by the United States, appointed a mission to visit Russia and to convey to her people the expressions of sympathy and friendship in behalf of the American people. Elihu Root, a distinguished Republican leader, was named by President Wilson to head the commission. Mr. Root and the commission visited Russia and conveyed to the Russian people the message of good will and sympathy transmitted by the President of the United States. This commission sought in every honorable way to convince the Russian people of the high regard in which that nation was held by this Republic and of the sincere desire of the American people to aid them in the establishment of a stable government, under which freedom might be enjoyed by all. President Wilson, in a message to Congress, referred to the revolution in Russia and the sending of a delegation or commission to Russia. In the President's message the following appears:

In view of the approaching visit of the American delegation to Russia to express the deep friendship of the American people for the people of Russia and to discuss the best and most practical means of cooperation between the two peoples in carrying the present struggle for the freedom of all peoples to a successful consummation, it seems opportune and appropriate that I should state again, in the light of this new partnership, the objects the United States has had in mind in entering the war. Those objects have been very much beclouded during the past few weeks by mistaken and misleading statements, and the issues at stake are too momentous, too tremendous, too significant for the whole human race to permit any misinterpretations or misunderstandings, however slight, to remain uncorrected for a moment.

I desire to emphasize these words of the President: "In the light of this new partnership." President Wilson not only exhibits his deep interest in Russia but points to the fact that this great Republic regards Russia as a "partner" in the great enterprise of defeating imperial ambitions and furthering the cause of freedom on the earth.

Then the President, in strong and eloquent terms, states the objects which our country sought to attain:

We are fighting for the liberty, the self-government, and the undictated development of all peoples, and every feature of the settlement that concludes this war must be conceived and executed for that purpose. Wrongs must first be righted and then adequate safeguards must be created to prevent their being committed again. We ought not to consider remedies merely because they have a pleasing and sonorous sound. Practical questions can be settled only by practical means. Phrases will not accomplish the result. Effective readjustment will; and whatever readjustments are necessary must be made.

I ask Senators' attention to these noble sentiments:

The brotherhood of mankind must no longer be a fair but empty phrase; it must be given a structure of force and reality. The nations must realize their common life and effect a workable partnership to secure that life against the aggressions of autocratic and self-pleasing powers. For these things we can afford to pour out blood and our treasure.

These eloquent words of the President, defining the aims of this Republic in entering the war, made a profound impression throughout the world, and did much to maintain the morale of the allied forces and to secure the sympathy and support of neutral nations. Indeed, I think it can be safely asserted that the great papers of President Wilson and his presentation of the issues involved in the great conflict secured the adherence of many nations to the cause of the United States and the allied nations. At a later date President Wilson transmitted to the Russian people a most cordial greeting, and expressed the sincere sympathy of the people of the United States for the Russian people. In March, 1918, the following message was transmitted by the President to the American consul general at Moscow for delivery to the Russian Congress then meeting at that place:

May I not take advantage of the meeting of the Congress of the Soviets to express the sincere sympathy which the people of the United States feel for the Russian people at this moment when the German power has been thrust in to interrupt and turn back the whole struggle for freedom and substitute the wishes of Germany for the purposes of the people of Russia.

Although the Government of the United States is unhappily not now in a position to render the direct and effective aid it would wish to render, I beg to assure the people of Russia through the Congress that it will avail itself of every opportunity to secure for Russia once more complete sovereignty and independence in her own affairs, and full restoration to her great rôle in the life of Europe and the modern world.

The whole heart of the people of the United States is with the people of Russia in the attempt to free themselves forever from autocratic government and become the masters of their own life.

This sincere declaration of friendship for the Russian people and the promise to aid them in every possible way in securing their independence, should have left no doubt, if there was any occasion for doubt, of the disinterested friendship entertained by this Republic for the Russian people. But the reply to this message from Lenin and his associates furnishes convincing proof of their deep and deadly enmity toward this Government. The offers of friendship and support were treated with contempt, and the message sent in reply was, in effect, a declaration of war against the United States as well as all other nations. The following is the reply:

The all-Russian congress of soviets expresses its appreciation to the American people, and first of all to the laboring and exploited classes in the United States for the message sent by the President of the United States to the congress of the soviets in this time when the Russian socialistic soviet republic is living through most difficult trials.

The Russian Republic uses the occasion of the message from President Wilson to express to all peoples who are dying and suffering from the horrors of this imperialistic war its warm sympathy and firm conviction that the happy time is near when the laboring masses in all bourgeois countries will throw off the capitalist yoke and establish a socialistic state of society, which is the only one capable of assuring a permanent and just peace as well as the culture and well-being of all who toil.

Senators will observe that the Lenin régime is spoken of as "the Russian Republic." All who are familiar with the proceedings at Moscow and in Russia will recall that a meeting of the Russian congress was held at Moscow.

A majority of the members were not in accord with Lenin's communistic views. They believed in a constitutional government and in the rule of the majority and were opposed to the dictatorship which Lenin sought to impose upon the people in order that he might destroy all forms of government in Russia and force upon the people his communistic dictatorship. His reply was an insult to the President and the American people. His reference to the "happy time when the laboring masses in the bourgeois countries would throw off the capitalistic yoke" was an expression of his purpose and the purpose of his communistic supporters to destroy all governments and bring the peoples of the world under a communistic régime.

Upon other occasions our Government and the American people have manifested their interest in Russia and their desire for the welfare and happiness of the Russian people. Only recently President Wilson, in a paper of great power, appealed to the nations of Europe in behalf of Russia. While some of the Governments of Europe have recognized the newly established Governments erected in the Baltic Provinces and constituting a part of Russian territory, our Government has declined to accord them even a de facto recognition; and the same is true of the Republics of Georgia and Azerbaijan. The President's position is that nothing should be done which indicates a purpose upon the part of this Nation to dismember Russia or to approve a policy which might be opposed to the wishes of the Russian people. Russia has no truer friend than President Wilson, and the Russian people will find no people more sincerely desirous of aiding them than those who have experienced freedom in this Republic.

The Senator from Maryland declares in his resolution that the Russian people "have borne with patience our unlawful invasion of their territory and intermeddling with their internal affairs." Mr. President, I deny that there has been any "invasion" of Russian territory or that our Government has "intermeddled in Russia's internal affairs." Russia was our ally. This Republic and Russia, with the other allied nations, were battling against a common foe.

The United States and the Allies were furnishing Russia resources with which she could aid in the prosecution of the war. Loans to the extent of billions were made to the Russian Government. Military and naval supplies to the extent of hundreds of millions of dollars were delivered by the allied nations at Russian ports, both upon the White Sea and upon the Pacific coast. Most of these supplies had not been paid for at the time the bolsheviks overthrew the provisional government. The treaty of Brest-Litovsk was negotiated by the treacherous dictatorship that assumed to speak for Russia. That treaty did not represent the wishes of the Russian people. It was a wicked betrayal of them, as it was a treacherous betrayal of this Republic and the allied powers. Under that treaty the bolshevik dictatorship became an ally of Germany and a foe to the United States and the nations associated with her in the Great War. German officials as well as German officers were given positions of responsibility in Russia, and Count Von Mirbach was sent to Moscow for the purpose of securing aid from the bolsheviks to be employed against the allied forces. Efforts were made by the bolsheviks to prevent the Czechoslovakian troops, then in Russia, from departing therefrom in order that they might take their place in the fighting line as soldiers in the allied cause. In other words, the bolsheviki made war upon those who were our allies. They delivered to the German Government war vessels in the Black Sea and gave aid and encouragement to the Central Empires. Proof has been adduced that a portion of

the vast military stores upon the Murmansk coast furnished by the United States to the allied Governments were placed at the disposal of Germany and used by her against the allied forces. The Senator, I presume, when he speaks of the "invasion" of their territory, refers to the military expeditions sent to the north of Russia and into Siberia. I have directed attention to the fact that the military supplies at various points upon the White Sea, in the north of Russia, were enormous in quantity and of very great value. Those supplies would have been of incalculable benefit to our enemy, and if Germany had obtained them it would have postponed the termination of the war and resulted in the death of thousands of American soldiers.

The bolshevik régime actively associated itself with the German military authorities for the purpose of delivering to Germany these vast stores and also to enable Germany to establish one or more naval submarine bases upon the Murmansk coast, from which she might send her submarines into the Atlantic Ocean, there to prey upon our commerce and attack the transports convoying our troops to the battle line in France. It was a bold plan upon the part of Germany to obtain these military stores and to transport by rail her submarine boats to the northern coast of Russia, and from thence send them out into the Atlantic Ocean to attack our transports and murder our soldiers. The bolsheviks actively participated in the execution of this design. A railroad was being completed that would connect the Baltic Sea with the northern coast of Russia, and bolshevik troops were being pushed to the north for the purpose of seizing the military stores which I have mentioned, and to construct one or more suitable submarine bases. The situation called for action.

The great mass of the Russian people were unaware of the treachery of the bolshevik government, or the aid which it was rendering to the Central Empires. Gen. Foch was the military commander of the allied forces. President Wilson, perhaps more than any other person, deserves the credit for having brought about that result. Unity of command was imperatively required, and the influence of President Wilson secured that result. Gen. Foch ordered a small military force to the northern coast of Russia for the purpose of protecting the military stores referred to and to prevent Germany from carrying out her design of establishing submarine bases along the coast of the White Sea. In that expedition were a few American troops. Great Britain furnished some and France the remainder. They landed upon the north coast of Russia, not as invaders, not as trespassers, and not to interfere with the Russian people or "intermeddle," as the Senator expresses it, in the internal affairs of Russia. This action prevented Germany and the bolsheviks from carrying out their nefarious designs.

I invite the attention of Senators to this further fact, that at the time when the military expedition was ordered to Russia, there was a government opposed to the bolshevik régime operating in a number of northern provinces of Russia. It was exercising authority and functioning as a government.

There were several millions of people within the territory over which this provisional government exercised authority. This government and the people within it welcomed the allied forces and gave them support; measured by all political standards, it was more entitled to recognition than the bolshevik régime. It more nearly represented the views of the Russian people than did the dictatorship of Lenin and Trotski, and it had a better right to speak for Russia than did the small minority which maintained itself by guerilla warfare and the use of German, Austrian, and Chinese soldiers and wild and savage forces held together by rapine and plunder. It is not sufficient answer to say that later this government was overthrown by the soviet dictatorship. Under every principle of international law the allied forces could not be regarded as invaders or trespassers, or as infringing upon the territory of a neutral power. Indeed, this provisional government, which controlled at that time the northern Provinces of Russia, was an ally. Its forces, limited though they were, were aiding the Allies and desired the success of the cause which had brought Russia into the Great War in August, 1914.

Mr. President, I regret that any American should charge that our Government unlawfully invaded Russian territory. In my opinion, the charge is unfounded. Would the Senator, or others who share his views, have sat quietly by and permitted our German foe and the bolsheviks, who had so treacherously betrayed us, to possess themselves of these vast military stores which would have prolonged the war and led to the death of thousands of American and allied soldiers? Would the Senator have taken no steps to prevent the launching of submarines in Russian ports in order that they might intercept our ships and send our troops to ocean graves? One can scarcely believe that such would have been his course.

There is another view that must also be considered in dealing with this question. Siberia is Russian territory. Millions of Siberian people had not given adhesion to the soviet dictatorship. They had local governments of more or less authority, and these governments still desired the defeat of Germany and the success of the allied cause. They were more entitled to speak for the Russian people than were the few thousand bolsheviks who claimed authority over the Russian people. They welcomed allied troops into Siberia in order that they might protect the Czechoslovakian troops, the destruction of which was sought by Germany and the bolsheviks. They were opposed to seizure by Germany or the bolsheviks of the military supplies then upon the Murmansk coast as well as those which were stored at Vladivostok, and which had been furnished by the United States and the allied Governments for Russia. The stores at Vladivostok were important and they had not been paid for. They belonged to the allied Governments and the Russian people were desirous that such stores should be protected by allied forces in order that they might not fall into the hands of the Germans or the bolsheviks. The allied troops which landed in Siberia were there by the consent of the Russian people. To all intents and purposes, the great mass of the Russian people were our allies, though they were unable to afford military aid. It is a travesty and a mockery to speak of the soviet dictatorship as being the Russian people or the Russian Government.

Nor must the fact be overlooked that there were over a million German and Austrian prisoners of war in Russia east of the Ural Mountains. The bolsheviks and the central empires were attempting to return these prisoners that they might again enter the ranks of the German and Austrian armies. The allied Governments felt, as did the local provisional governments of Russia and the Russian people, that proper efforts should be made by the allied nations to prevent the carrying out of this plan.

And so, Mr. President, Russian provisional governments and the Russian people approved of the course of the United States and the allied nations in sending military expeditions to the north of Russia and to Siberia. The Senator's resolution is a condemnation of the course of our Government, and necessarily that of our allies, in adopting measures in the interest of Russia and the Russian people, as well as in the interest of the nations associated with this Republic in the great struggle for their preservation and the preservation of civilization. In the light of these circumstances, and others which could be mentioned, I insist that there was no "invasion" of Russian territory and no interference with her "internal affairs." I might add in this connection that the instructions given to Gen. Graves, who was in charge of the American forces in Siberia, explicitly forbade his interference in any way in the domestic and internal affairs or government of the Russian people. Similar instructions were given by Gen. Foch to the expeditionary forces that were landed upon the Murmansk coast.

I referred a few moments ago to the fact there were one or more governments in Russian territory east of the Ural Mountains when allied troops reached Siberia; as a matter of fact, there was a functioning government established in Archangel August 1, 1918.

I am utterly unable to comprehend the attitude of those who assume that the United States made war upon Russia because of a landing of a few soldiers at Archangel and Murmansk upon the Arctic coast for the purpose to which I have referred. Those who exhibit so much concern in regard to this matter are not disturbed because of the attacks made by guerilla bolsheviks upon our soldiers, culminating in the death of a number of them. I have called attention to the fact that the Russian people never entertained the thought that war was being made upon them by the United States or the allied nations. The most friendly relations existed between our soldiers and the Russians, and it is historic fact that a number of Russian girls intermarried with American soldiers.

The American forces which arrived at Archangel September 4, 1918, were withdrawn from Russia in June, 1919. During all this period the northern Provinces, those in which the allied troops were temporarily located, were controlled by a Russian provincial government, and it was not until February 20, 1920, more than eight months after the withdrawal of the American troops, that the bolsheviks overthrew such government. It is also a fact that the bolsheviks never declared war on the United States and never recognized the existence of a state of war because of the presence of American soldiers at Archangel or in Siberia.

The attacks made by guerilla bolsheviks did not constitute war between States. The bolsheviks were not an independent State, and the conception of war in international law is confined to such cases; as it is commonly said, the only parties to a war are independent States.

"Contention with pirates is not recognized as war by independent States of the world, because pirates constitute an organization or body of men, which, according to the views of these indepdendent States, is not sufficiently responsible and organized to be allowed to indulge in international violence." A belligerent body is not a party to a war; that is, it is not regarded as engaged in permitted international violences until its belligerency has been recognized. Private armed bodies are not recognized as entitled to engage in violence, and privateers, while formerly extensively employed, are not parties to a war nor agents for the conduct of hostilities. Pirates are not independent States, and have no standing in international law as such, and may be dealt with by any State which seizes them. They have no international standing and can not perform an international act, therefore they can not engage in war. (Fulke, "A Treatise on International Law," vol. 2, p. 129 et seq.)

If there was any government in Russia or any part of Russia at the time allied troops landed in Russia having political capacity to make or declare war or the right under international law to carry on war, it was not the bolsheviks but the provisional governments found in various parts of Russia, including northern Russia as well as in Russian territory east of the Ural Mountains.

As I have stated, these governments regarded the American and allied military forces as friends and allies and not as enemies. Nor must it be forgotten that Lenin and Trotski undertook to repudiate the former debts of the recognized government of Russia, and in March, 1918, they undertook to make a separate peace with Germany, and, indeed, entered into a perfidious and ignominious treaty which attempted to partition Russia and make the bolsheviks a dependency of Germany.

The United States and the Allies have saved Russia from the ignominy to which these bolshevik enemies of the Russian people and the Russian nation attempted to subject her; and yet notwithstanding these great services to Russia and the Russian people, we have some in our midst who regard the presence of a few friendly soldiers upon the frozen Arctic coast of Russia as a greater wrong to Russia and her people than all the impositions and cruelties and atrocities accomplished by the bolsheviks.

I repeat the United States has not undertaken to interfere with the internal affairs of Russia or the Russian people, and it has no purpose so to do. It is against the traditional policy of this Nation to intervene in the domestic policies of European States.

On the 5th of August, 1918, the Government of the United States issued a statement containing the following words:

As the Government of the United States sees the present circumstances, therefore, military action is admissible in Russia now only to render such protection and help as is possible to the Czecho-Slovaks against the armed Austrian and German prisoners who are attacking them and to steady any efforts at self-government or self-defense in which the Russians themselves may be willing to accept assistance. Whether from Vladivostok or from Murmansk and Archangel, the only present object for which American troops will be employed will be to guard military stores which may subsequently be needed by Russian forces and to render such aid as may be acceptable to the Russians in the organization of their own self-defense.

It was further declared that:

In taking this action the Government of the United States wishes to announce to the people of Russia in the most public and solemn manner that it contemplates no interference with the political sovereignty of Russia, no intervention in her internal affairs—not even in the local affairs of the limited areas which her military force may be obliged to occupy—and no impairment of her territorial integrity, either now or hereafter, but that what we are about to do has as its single and only object the rendering of such aid as shall be acceptable to the Russian people themselves in their endeavors to regain control of their own affairs, their own territory, and their own destiny.

Mr. President, I have already shown that upon various occasions the President conveyed messages of sympathy to the Russian people and expressed the desire that cordial relations and friendly intercourse should exist between this Republic and the Russian people. His efforts to bring about such results have been opposed by the bolshevik dictatorship, and it has adopted a policy which has prevented the Russian people from producing in order that they might trade, and from trading in the event that they produced.

On the 10th of August, 1920, the Secretary of State, speaking for this Government in a communication to the Italian ambassador, stated that—

From the beginning of the Russian Revolution in March, 1917, to the present moment, the Government of the people of the United States has watched its development with friendly solicitude and profound sympathy for the efforts of the Russian people to reconstruct their national life upon the broad basis of popular self-government. The Government of the United States, reflecting the spirit of its people, has at all times desired to help the Russian people. In that spirit all its relations with Russia and with other nations in matters affecting the latter's interests have been conceived and governed.

Mr. Colby, the Secretary of State, further declares:

While deeply regretting the withdrawal of Russia from the war at a critical time, and the disastrous surrender at Brest-Litovsk, the United States has fully understood that the people of Russia were in no wise responsible.

The United States maintains unimpaired its faith in the Russian people, in their high character, and their future. That they will overcome the existing anarchy, suffering, and destitution we do not entertain the slightest doubt. The distressing character of Russia's transition has many historical parallels, and the United States is confident that restored, free, and united Russia will again take a leading place in the world, joining with the other free nations in upholding peace and orderly justice.

Relative to the friendship and the feeling of honorable obligation to Russia which guided this Nation in its refusal to recognize as separate nations the Baltic Provinces and the so-called Republics of Georgia and Azerbaijan, carved out of Russian territory, the Secretary states:

These illustrations show with what consistency the Government of the United States has been guided in its foreign policy by a loyal friendship for Russia. We are unwilling that while it is helpless in the grip of a nonrepresentative government, whose only sanction is brutal force, Russia shall be weakened still further by a policy of dismemberment conceived in other than Russian interests.

The Secretary also states that there is no desire on the part of the United States to interfere—

in the internal affairs of the Russian people or to suggest what kind of government they should have.

It is true in this powerful State paper it is made clear that there will be no recognition of the soviet régime, and reasons appealing to patriotic Americans and fair-minded people everywhere are set forth in a masterly manner which justify the refusal of the United States to accord recognition to a régime which is without the pale of international law.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Utah yield to the Senator from Maryland?

Mr. KING. I yield.

Mr. FRANCE. Will the Senator permit me to ask him a question?

Mr. KING. Certainly.

Mr. FRANCE. The question is the same, I may observe, which I asked the Senator from Utah some months ago. Was not Russia a neutral country at that time?

Mr. KING. The great bulk of the Russian people did not desire to make war upon us; they did not desire to see the Central Empire triumph; but the military dictatorship of Russia, the Lenin and Trotski government, as the Senator from Maryland denominates their military dictatorship, did desire to make war upon the United States as well as upon all governments, and were openly aiding the Germans to defeat the allied Governments.

Mr. FRANCE. Does the Senator hold that the desire to make war and the making of war are the same thing?

Mr. KING. Mr. President, I affirm that there was not only the desire on the part of the bolsheviks to make war but their acts, if they were a government, were acts of war; the acts of belligerents and not the acts of neutrals. If the Senator from Maryland can find in the conduct of Lenin and Trotski immediately following their betrayal of the Allies the acts of neutrals or of a neutral government—assuming that they are a government—I confess that his understanding of neutrality is different from mine and will find no support in international law.

Mr. FRANCE. I should be very glad, indeed, if the Senator from Utah would care to do so, to have him state for the RECORD any acts of war on the part of the Russian Government or on the part of the Russian people against us. I was not aware that any state of belligerency had been created by the Russians before we ourselves created it by the invasion of their territory.

Mr KING. Does the Senator deny that Lenin and Trotski cooperated with the Germans and aided them in their war against us and our allies? Is it not war against us when it is waged against our allies and against the line of battle in which our troops are found?

Mr. FRANCE. I am of the opinion, if the Senator from Utah desires to have me answer that question, that there is grave doubt as to whether they did so aid the Germans.

I think there is much evidence to show that the de facto government of Russia did much to persuade the German people to overthrow their militaristic government; and I think there is much to show that there was propaganda going on in Germany, which was carried on by the Russians, which tended to make the German people dissatisfied with their militaristic government and with the policies of that government. I think it is a very debatable question as to whether or not the Russians were belligerents against us.

However, my point was this, if the Senator will allow me to state it: If Russia was neutral territory, then our invasion of Russia was practically a violation of Russian neutrality comparable to the German invasion of Belgium, which was neutral territory. If Russia was not a neutral country, but was a belligerent country, which had acted as a belligerent against us, the proper method for us to have pursued would have been to declare war against Russia. I have been unable to follow the Senator in his defense of the invasion of Russia without a declaration of war, either on the ground that Russia was a neutral or on the ground that Russia had committed acts of belligerency against us. When the Germans acted as belligerents against us, we declared war; if Russia did the same thing, Congress should have taken under consideration those acts; and if Congress had found that those acts were acts of war against us, we should have declared war.

I should be very glad to have the Senator take this occasion, if he will, to explain on what theory we were justified in invading Russian territory. Either on the theory that Russia was neutral or on the theory that Russia was a belligerent—granting either of those premises, either that Russia was a neutral or that she was a belligerent—it seems to me that it was for us to declare war before invading Russian territory.

Mr. KING. Mr. President, the Senator from Maryland is a student and knows that wars have been carried on without declarations of war. It does not need a declaration of war in order that war may be conducted. Acts may bring about war. Germany's acts upon the high seas, when her submarines lurking in the waters sunk American ships and killed hundreds of Americans, were acts of war. When Germany sent her spies into our midst to plot against our industrial peace, when she sought through the Zimmerman note and otherwise to inflame Mexico against the United States and induce her to join with Germany against us, these were acts of war, and it needed no declaration of war upon the part of the United States in order that it might, conformable to international law, make war upon Germany and meet the attacks which for months had been made upon the sovereignty of this Nation and upon the American people.

Mr. McKELLAR. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I will yield first to the Senator from Maryland, and then I will yield to the Senator from Tennessee.

Mr. McKELLAR. I merely wish to ask this question: Was it not also true, in addition to what the Senator from Utah has just said, that immediately previous to that time Germany had entered into relationship with Russia by which Russia had become, under the soviet rule, virtually a part of Germany?

Mr. KING. Mr. President, all Senators know that Count von Mirbach was in Moscow with German troops and was attempting to mobilize Russian troops for the purpose of employing them against the allied forces.

I have pointed out some of the acts of the soviets which would constitute acts of war if they could be considered a government. It was an act of war to turn over to the German Government the Russian fleet that was in the Black Sea, and also to aid Germany to capture the hundreds of millions of dollars' worth of munitions of war on the Murmansk coast. Of course, I am assuming that the bolsheviki possessed such an organization or structure as would under international law entitle them to be called a government. But I have argued that they had no government, but their status was much like that of pirates. Russia proper was an ally and the Russian people were our allies. If the provisional governments to which I have referred were not our allies, then they were friendly neutrals, and we were in Russia as allies or as invitees.

I distinguish between the bolsheviki and Russia and the Russian people. I admit that if the Lenin régime was a government, then there was a declaration of war, so far as acts can constitute a declaration of war, when the soviet government conspired and agreed with Germany that Germany should transport over Russian territory troops and submarines to naval bases that were to be established on the White Sea, in order that the submarines might be used to destroy American commerce and American soldiers upon the Atlantic Ocean. It was a declaration of war against the United States and the allied nations.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER (Mr. HEFLIN in the chair). Does the Senator from Utah yield to the Senator from Maryland?

Mr. KING. I yield.

Mr. FRANCE. I am quite aware of the fact that a state of war can be created without any declaration of war, and that a foreign country can make war upon this country without any formal declaration of war by this country; but I have also been under the impression—an impression gained by a reading of the Constitution of the United States—that the United States can not enter upon a state of war against another country without a declaration of war by the Congress. Do I understand the Senator from Utah to be contending that the United States itself can enter upon a state of war against another nation without a declaration of war by the Congress? If that doctrine is admitted, of course, the sending of troops to Russia was not illegal; but I have certainly been under the impression that this country could not create a state of war against another country without a declaration of war by the Congress. I think it is very important for us to have that point made clear.

Mr. KING. Mr. President, I have stated, and I repeat, that the soviet dictatorship by its acts, by its cooperation with Germany, by its conspiracies with Germany to obtain the military stores owned by the Allies, but situate upon Russian territory, and to use Russian territory and waters as bases for military and naval operations against the Allies, declared war, so far as acts can constitute a declaration of war, against the United States and the allied nations, including Russia itself; and I contend that, in view of the conditions which I have mentioned and in view of the fact that bolsheviki soldiers were in the German Army and under the control of German officers, and the further fact that territory controlled by the soviets was being used for military and naval operations against the United States and the Allies, including Russia, there was no impropriety, but, upon the contrary, the conduct of Foch was justified by international law, in protecting the military supplies referred to and preventing the execution of Germany's military and naval plans. Does my friend from Maryland justify the soviets in entering into a conspiracy with our enemies to turn over to them Russian territory to be used as a naval base?

Does the Senator from Maryland justify the perfidy of Lenin and Trotski and the soviet government in forming an alliance with Germany and agreeing that upon Russian territory submarines should be constructed and that from Russian ports they should depart to prey upon American commerce and murder the boys sent by this Government, some from the Senator's own State, to uphold upon the fields of Flanders and of France the honor of this Nation and the cause of freedom for which this Republic was contending? Does he justify that?

The attitude of the Senator, if I have understood him—and if I do him an injustice I tender sincere apologies—has been that the United States should accord recognition to the soviet power of Russia. He is insisting now in the joint resolution introduced by him that the President is hereby advised:

(1) To instruct the Department of State to raise the embargo against the shipment of goods to Russia.

Of course that is innocuous, for there is no embargo except against munitions. Does the Senator want our Government to send munitions to the bolsheviks? He has declared in his resolution that he wants the President to instruct the Department of State to raise the embargo against the shipment of goods to Russia, but the only embargo against the shipment of goods to Russia is the embargo—and that is only a qualified one—against munitions of war. If the Senator from Maryland is interested in sending munitions of war to the soviet authority for use by their troops in butchering the Russian people or attacking Poland, if he will make application to the Department of State, it is barely possible that the Department of State may give the Senator, because he is a Senator, permission for their shipment.

Mr. FRANCE. Mr. President——

Mr. KING. I yield to the Senator.

Mr. FRANCE. The Senator has been very kind in allowing me to trespass upon his time, and for that reason I venture to trespass upon his time once more to clear up this most important question—the question as to how the United States enters upon a state of war.

The Senator stated that the Russian Government had for months been acting as a belligerent against this country, and that therefore this country was in a state of war against Russia. I cite to him the parallel case of Germany. Germany had been committing acts of war against this country for many months. I may say that other European countries had been committing acts against this country which were hostile to this country, but Germany in particular had been committing acts of war against this Government—acts of war which were condoned for many months, contrary, I think, to the judgment of the Senator from Utah and contrary to my judgment, under a policy with which I did not agree. Those acts of belligerency on the part of Germany, however, did not put us at war with Germany, and it was not until a formal declaration of war by

the Congress that the Commander in Chief of our armies was authorized to invade German territory in retaliation for those acts of war against us.

It seems to me it is very important for us to clear up this doubt which seems to exist as to how the United States should enter upon war. Even though it be granted that the Russian Government had committed acts of war against us—something which I do not grant, it not being material to this discussion, however—does the Senator think that that put this country in a state of war against Russia? And if he thinks that, does he think that the committing of acts of belligerency on the part of the Germans against us put us into war against Germany? And does he think that just as our troops invaded Russia, so, because Germany had committed acts of belligerency against us, our troops might have invaded German territory without our formally declaring a state of war to exist?

Mr. KING. Mr. President, I think I have answered that, but let me say this: Germany's acts did constitute war upon the United States. We could have gone to war without a declaration of war. We preferred to and did declare war. The Senator knows that the war between Russia and Japan in 1904 and 1905 occurred without a declaration of war. Japan attacked the Russians without a declaration of war.

Now, Mr. President, let me give a simple example to illustrate where the Senator's contention would lead us.

Suppose that Mexico and the United States were allies in a war against the Central American powers. Assume that the latter were more powerful than they are, and that we had large military stores in Mexico for the purpose of transshipment to our troops which were then on the borders of Central America, fighting the common foe; and suppose, that some element of the Mexican people attempted to betray their own country and the United States and for that purpose entered into an agreement with the enemy to deliver to them the military stores, and to cooperate in an attack upon our soldiers, and our military commander on the Rio Grande saw that a movement was on foot which, if unchecked, would result in such being captured by the enemy: Does the Senator think it would be the duty of the President of the United States, or Congress, or our military commander to take no action for the protection of such stores, and to meet the threatened attack? Though the common foe entered upon Mexican soil, through the treachery of some of the forces of our ally, it would be the duty, I assert, of our military commander to protect our military supplies, and to take all necessary steps to defeat their attacks. And no declaration of war would be necessary, nor would the acts of our armies be in contravention of the Constitution.

Let me put another illustration. Suppose that the United States and the allied nations had had vessels in the Black Sea prior to and at the time the Kerensky government was overthrown; and that the bolsheviks, cooperating with the Germans, attempted to deliver such ships to Germany, and the latter endeavored to take possession of the same to use them against this Nation and our allies.

Does the Senator say that it would be improper, in violation of the Constitution or of international law, for our military and naval commanders and the military and naval commanders of the allied forces to employ force to prevent the consummation of the treacherous plan even though in so doing they had to land troops upon Russian soil? Mr. President, my good friend from Maryland would have sat idly by, if I understand his position, and permitted the bolsheviks and Germans to complete their railroad line to the Murman coast, seize the military stores there held, transport submarines over the completed road and launch them upon the waters of the Russian Sea that they might destroy our transports and send thousands of our soldiers to their death.

President Wilson and Gen. Foch did not approve of that policy. Troops were sent to prevent the consummation of a plan that would have proven disastrous to the allied cause. They went there for that purpose. The Senator condemns it and says it was an invasion of Russian soil and an intermeddling with Russian affairs.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Maryland?

Mr. KING. I yield.

Mr. FRANCE. I wish to make one observation, if the Senator will permit me, and that is that there is nothing either in my public statements upon this floor or in my statements elsewhere to indicate that I have ever plead for the soviets. While I have learned, particularly since I have been privileged to be in the Senate and since I have been privileged to hear the words of the distinguished author of "The New Freedom," to give a certain amount of consideration to the interests of the people of other countries, in any policy which I may advocate I have been thinking only of our own country. It seemed to me to be my clear duty always to look after the interests of our own country first and foremost, and, I may say, when any question between this Nation and another nation is involved, our own American interests exclusively. So I have never been pleading for Russia; and if the Senator will allow me to make one further observation, I will say that the very purpose of the policy which I have advocated toward Russia has been to prevent the driving of Russia and Germany together, and their interweaving with each other financially, economically, industrially, and politically.

I have thought it was unwise to formulate and to carry forward any policy which might seem to be one which would drive the Germans and the Russians together into political and financial and economic harmony and unity; and I may say that one of my chief arguments against the League of Nations was the argument that it tended to set up a coalition in the west against a coalition which certainly would be invited, if not actually started, between Germany, Russia, China, and perhaps some of the other oriental countries.

I may say to the Senator that I indicated the other day that while I am interested in the material side of this question, while I am interested in the promotion of American trade in competition with British trade, while I deplore the fact that Great Britain has preempted the great Russian markets, the thought of the material considerations is not wholly what has prompted my advocating this policy. It is, however, the thought that we should formulate a policy which will tend to bring into friendly relationships the two great peoples of the United States and of Russia, looking forward, as I do, to the time when there will be a feeling of enmity against us on the part of Japan, if it does not already exist, looking forward to the time when we should have in Europe a natural friend and ally of the most powerful kind. In view of the fact that the great people of Russia are now finding their freedom and seeking to establish a republic, which they soon will establish, I hope, along lines which have been already indicated by us in the establishment of this one, looking forward to their forming a republic, I have eagerly sought to see a policy formulated which would bring these two great republics into friendly relations, feeling that if Russia, the United States, and perhaps China should be in friendly and cordial relationships we would thus offset the enmity of Japan and indeed make it impossible for Japan or another great empire in Europe which might associate itself with Japan to move against us.

Mr. KING. Mr. President, I shall come to the matter which the Senator has just developed a little later in my remarks; namely, the effect of the soviet efforts to secure an alliance with China. I have data here showing the activity of the bolsheviks in China and their efforts to cooperate with China, not for the latter's good but to bring her under communistic rule. I have no doubt, as the Senator says, that the soviets now are attempting to breed discord between Japan and the United States, between Japan and China, and to form a sort of an alliance with China, not, as I said, for China's good but that she might be the base for soviet activity against Japan, Australia, India, and the United States; but I shall come to that a little later.

Recurring to the question of the rightfulness of our troops upon Russian soil, I repeat what I stated a few minutes ago. The soviets occupied the status of pirates in international law; but conceding they were a de facto power, they did not represent the Russian people nor have possession of all of Russia's territory. They made war upon Russia and the provisional government of the Russia people. Our troops were upon Russian soil—not bolshevik territory—and were there as the allies of the Russian people. There was no invasion, and while rightfully on Russian soil they were attacked by guerrilla bands of bolsheviki, who also attacked Russian people and Russian troops.

Mr. President, I do not for a moment question the patriotism or the good motives of my distinguished friend from Maryland. He and I agree upon too many matters for me to do that. We agree, I think, upon the interpretation of the Constitution of the United States. We have deplored the tendencies to drift away from constitutional limitations. There is no man in this Chamber, so far as I know, who is more truly devoted to the preservation of constitutional government than the able Senator from Maryland, and I would not do him an injustice. I would rather do an injustice to myself, because I know his sincerity and patriotism. Yet, I am constrained to differ from him and to say that his resolution and the admirably phrased and eloquent addresses upon Russian questions which he has delivered here from time to time will not be calculated to accomplish with respect to Russia what he designs.

The Senator says he hopes to avert a union between Russia and Germany, for our good. That is wise statesmanship, and I applaud the purpose of the Senator. Yet, Mr. President, he

must know that the triumph of Lenin and Trotski and the soviet government in Russia, and the submission of the 170,000,000 of Russians to their domination, would mean within a short time resuscitation of the Sparticides and the recrudescence of revolutionary forces in Germany, which, cooperating with the soviet forces of Russia, would probably destroy Germany. I fear the Senator's resolution will be misconstrued, and that it will give aid and comfort to the bolsheviks, strengthen their hands, and tend to defeat the purpose which my friend says he has in view.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Maryland?

Mr. KING. I yield.

Mr. FRANCE. May I ask if the Senator from Utah fears that that propaganda might overthrow our Government?

Mr. KING. No.

Mr. FRANCE. I am glad to hear the Senator say that, because some Senators seem to be suffering from a fear that such a propaganda might succeed in overthrowing our Government, and I was about to quote the statement of a British statesman to the effect that he had no fear of that propaganda disturbing the foundations of the British Government. However, I will not read the quotation now, as the Senator and the British statesman seem to be in agreement, both having faith in the stability of free institutions to exist against such an insidious propaganda.

Mr. KING. May I propound a question to my friend?

Mr. FRANCE. Yes.

Mr. KING. I do not believe, nor does he, that the bolshevist propaganda in the United States can overthrow this Republic. With that premise, let me ask the Senator this question: Does the Senator, notwithstanding his conviction of the permanency of our Government, believe that we ought to permit aliens to come into our midst who declare their purpose to work economic disorder, disturb our industrial life, and promote strikes, with the ultimate view of destroying our Government, in order that the so-called working classes may take over the Government itself? Does he think there ought not to be restrictions upon immigration against such persons?

Mr. FRANCE. I do not think so. We have a statute which prevents the coming to our shores of anarchists who come here for the purpose of spreading the doctrines of anarchy. I think it is well within our power to regulate immigration, and I think we should regulate it in such a way that anarchists should not be permitted to come here for the spreading of those doctrines. However, if there be any here who are inclined to teach anarchy, I think it is our privilege and duty to show them the error of their way, something which is very easily done in most instances, anarchy generally originating in ignorance.

Mr. KING. The Senator must know that those who are most active in bringing about industrial disorder and in promoting industrial discontent, and who are seeking to overthrow this Republic, are not the ignorant men he would have us believe; many of them are highly educated. They have pride in being regarded as intellectuals and are familiar with Karl Marx and Bakunin and Lenin, and the communistic and anarchistic literature which now floods the world, and they claim superior knowledge in regard to economic and political questions. The educational work of my good friend upon that class would be as powerless to influence their lives as our debate here to-day is to affect the movements of the stars.

Mr. FRANCE. If the Senator will yield, Mr. President, I will say that when I referred to the ignorance of the anarchists I referred to their ignorance of American institutions. They are learned in the forms of government of Europe, and they are also learned in the remedy which they think it necessary to apply in order to correct the evils of those governments. But they are not familiar with the great machinery of government which we have here, a machinery of government which, if properly utilized, will prevent those very evils which create anarchists and anarchy.

Mr. KING. Mr. President, I am interested in knowing the educational process which the Senator would employ in dealing with Emma Goldman and Berkman, and people of that class, and that is the class at whom the deportation statute is aimed. I fancy the Senator from Maryland would soon give up in despair all efforts to Americanize the class of persons to whom I have referred.

Mr. President, the Senator asked me whether I believed that this propaganda would overthrow our Republic, and I stated that I did not. At the same time I approve of the act of October 16, 1918, to which the Senator referred, which forbids the coming to our shores of anarchists, or those who believe in the use of force and violence for the overthrow of this Republic. The same statute also provides for the deportation of that class. I would deport them if they managed to evade the law and get into the United States.

During our discussion the other day the Senator spoke in a complimentary way, as I understood him, of Secretary Wilson and Mr. Post. I criticized these officials and expressed the view that they were entirely too sympathetic toward those who came within the act of October 11, 1918, and had not been vigilant enough in enforcing its provisions.

In view of our previous discussion, and the present reference to aliens and their activities against our Government, I desire to call attention to Secretary Wilson's vigorous and admirable letter dealing with the deportation statute and Mr. Martens, who claimed to represent the bolshevist organization in the United States. The Senate ordered an investigation to learn why he was not deported, and after an exhaustive consideration of the matter a report was submitted which revealed the purposes of communists and showed the reason of Martens's presence in the United States.

After the Secretary ordered the deportation of Martens, Charles Recht, one of his attorneys, wrote Secretary Wilson and inclosed a communication from the Moscow bolshevists. Under date of December 29 Mr. Wilson replied. I shall only read part of the letter and ask leave to insert such other parts as I may deem pertinent. I read:

> I am glad to know that some one in Russia has at last awakened to a realization of the friendship that has existed between the American people and the Russian people. So far as the American Government and the American people are concerned, that friendship for the Russian people still continues.
>
> In dealing with the question of deportation of aliens the Department of Labor is not concerned with the form of government adopted by or imposed upon the people of Russia, except in so far as our sympathies go out to those who are oppressed.

Let me pause long enough to say that I approve of that expression. We are interested in the governments of all people; it is a friendly interest, one born of our desire to see freedom enjoyed in all lands, but if we had the power we would not interpose it to compel the Russian people to accept our form of government or any form of government. That is for them to determine for themselves. We deplore the tragic conditions prevailing in that unhappy land and regret the temporary subsidence of those strong qualities essential to true progress, and which we know will in the end be revived and asserted to rescue Russia from the chaos and darkness which now engulf her people. The apparent submissiveness of many of the Russian people to the degraded and oppressive rule of communism can be explained and perhaps excused; however, the fate of that mighty people is within their own hands. I have faith in Russia; the long night of her travail will end, and the day will bring liberty and growth to a people who will fill a high place among the world's powers. We can only wait eager to aid Russia and to extend the hand of sympathy and genuine, material relief whenever opportunity affords.

I read further from Secretary Wilson's letter:

> In the evidence presented to me in the Martens case it was clearly shown that a group of men, calling themselves communists, had set up a military dictatorship in Russia; that they had camouflaged it under the name of a dictatorship of the proletariat, seeking to convey the impression that it was a dictatorship by the proletariat; that it had by force of arms introduced compulsory labor, in other words, slavery, into Russia.
>
> They have introduced—
>
> Secretary Wilson says—
>
> slavery.

This statement is not an exaggeration. I have here many articles containing statements from bolshevist newspapers, some of them organs of the communist party and its various branches, which conclusively prove that servitude exists in Russia. The workers in the few plants and factories that are operating are held in military bondage. They are compelled to work under the most frightful conditions, and by means of military force. Labor is being militarized and governed as if it were a military unit.

Mr. MOSES. Mr. President——

Mr. KING. I yield to the Senator from New Hampshire.

Mr. MOSES. Before the Senator leaves that portion of the discussion, namely, that pressure is being brought to bear in the name of great bodies of organized labor for recognition of soviet Russia, I wish to call his attention to the fact that at a hearing before the Committee on Foreign Relations the other day there were statements to the effect that a large percentage of the membership of these bodies of organized labor were shown to have been aliens, and a collateral investigation shows that a large percentage of the alien membership are of Russian origin. In other words, the Russian aliens in the United States, constituting a large percentage of the membership of these organized bodies, are attempting to bring pressure

upon the American Congress for the recognition of the soviet government in Russia.

Mr. KING. I thank the Senator from New Hampshire for his contribution to the discussion.

Mr. FRANCE. Mr. President——

Mr. KING. I yield to the Senator from Maryland.

Mr. FRANCE. I rise merely to correct the impression that might be given by the statement of the Senator from New Hampshire, which I believe to be an erroneous impression. Most of the representatives of the labor organizations were representatives of bodies affiliated with the American Federation of Labor, none of which bodies have any large proportion of foreigners in them. There was, however, one body of organized labor represented there which has a considerable proportion of foreigners in it. That, however, is a body not directly federated with the American Federation of Labor.

I refer to the Amalgamated Clothing Workers of America, some of whom, of course, are Russians; that body, however, not being a part of the American Federation of Labor. I would say, however, of that body of workers that they are most of them loyal Americans who have not as yet had an opportunity of taking out their papers.

The Senator will realize the fact that a great many foreigners come here to enter the clothing trade as tailors, because they were trained in that work in their own country, and that after gaining a competence they work out of that line of endeavor into some other work, becoming merchants or farmers or engaging in some other line of enterprise. It is not because they are unwilling to become American citizens that so many of them are not American citizens. It is because so many in this organization have been here for only a short time.

Mr. KING. The Senator admits, does he not, that there are a large number of Russians, especially Russian Jews, who have come to the United States?

Mr. FRANCE. It is undoubtedly quite true that there are many. I do not know that immigration has been so very great from Russia, however, in late years. I am not able to quote figures, but I wish to call attention to the fact that only one of the organizations referred to was a labor body having any considerable number of foreigners in it.

Mr. MOSES. But, Mr. President, if I may interject, inasmuch as I made the inquiry of the witnesses, I remember very distinctly there were two organizations, one containing 150,000 members, according to the testimony of its spokesman, and the other 200,000. The body containing 150,000 members was said to have about 50 per cent of its membership American citizens and the other was said to have a majority of its members American citizens. Those are the facts according to the record, regardless of any explanation that may be made concerning the reason why those people are not citizens.

In addition to this I may add that another investigation with which I was connected some months ago collateral to the same subject developed the fact that the membership of the Amalgamated Clothing Workers was much more largely alien than the testimony given day before yesterday would indicate.

Mr. FRANCE. If the Senator from Utah will allow me to make an observation apropos of what the Senator from New Hampshire has said——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Maryland?

Mr. KING. I yield, if I do not lose the floor.

Mr. FRANCE. Of course, those workers were only interested in the American phase of the question. I think we have drifted into a very unfortunate habit of assuming that every American who advocates any policy with reference to Europe is advocating it because of some particular or personal interest which he has in that portion of Europe involved in the policy. I think that is very unfortunate, because I think we should assume that every man living upon these shores, every man within America, every man who enjoys the benefits of American institutions, will always advocate a policy which will promote the interests of America, and I believe firmly that the members of the Amalgamated Clothing Workers who came here to advocate the opening of trade with Russia were animated by patriotic motives and that they were considering only the welfare of the people of the United States and that they were considering the matter of unemployment, which we know is a very grave problem confronting us now. They were discussing the problem entirely from that standpoint. They were not interested in the political phase of the question at all, and practically said so before the committee. They were only considering the problem from the standpoint of American interest.

I think we have a right to assume that every American who advocates a policy with reference to Europe is advocating that policy because he is an American and because it would be a policy which, in his judgment, mistaken though his judgment may be, would advance American interests. This thing of charging a man with being disloyal because he advocates the opening up of trade with some other country, with being in sympathy with the soviet government because he wants to open up to the great manufacturing enterprises of America the vast markets of Europe, it seems to me is altogether unjust and unjustifiable.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. KING. If the Senator having the bill in charge [Mr. MCCUMBER] feels that I shall not lose the floor, I shall be glad to answer the Senator's question, but I do not want to jeopardize my right to continue the debate.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. KING. I yield for a question.

Mr. MOSES. Mr. President, I am willing to make my contribution to the efforts of the Senator from Utah [Mr. KING] to expedite the legislation now before the Senate; but not desiring to go too far afield with the collateral branch of the discussion which has arisen between the Senator from Maryland [Mr. FRANCE] and me, I wish merely to make a further quotation from the testimony taken before the Committee on Foreign Relations on day before yesterday, to the effect that the spokesman for one of the organizations which I have mentioned, the one containing the largest estimated percentage of alien membership—that American citizen stated to the committee that he was in favor of having set up in this country whatever form of government the American workingman wished to establish.

Mr. KING. Mr. President, it is manifest that a vigorous propaganda is being waged in this country to compel the United States to recognize the soviet régime. Attempts may be made to camouflage this active movement, and it may be alleged that only trade with Russia is sought, but the fact is that bolshevist agents, here and elsewhere, are by intrigues and bribery attempting to gain recognition for the soviet authority in order that its power may be strengthened and its program of world revolution strengthened. I repeat that there is no trade possible with Russia except through the dictatorship of which Lenin is the head, and that attempts are being made to deceive honest and sympathetic people by pretending that Russia desires trade relations with this Nation as well as with others, and is ready to enter into arrangements which will be mutually satisfactory and advantageous for commercial dealings; but back of it all, and as the paramount purpose, is the recognition of the soviets as a de facto and de jure power, and the multiplication thereby of opportunities for the dissemination of communistic propaganda.

So far as I am concerned, I shall not consent that the bloody hands of Lenin and Trotski and their adherents shall be held in friendly grasp by the Government of the United States. Others may pursue such course as they please, but the patriotic American people are not in favor of validating, by according recognition to the soviet power, its wicked and cruel acts of spoilation, and accepting it into the sisterhood of nations, whose covenants and treaties and principles of international law and moral precepts would be flouted and treacherously betrayed, and which nations it would plot and intrigue to destroy. The United States refused to acknowledge Huerta and his régime in Mexico because he had been a party to the brutal assassination of Madero and the vice president, Suarez. His crimes were as nothing measured by the mountain of iniquity that has been built by the bolsheviks.

As I have stated heretofore, there are some who entertain the sincere belief that the Government of the United States is preventing trade intercourse between the American people and the Russian people, and that the latter are ready to purchase large quantities of American products. There are others, however, who are followers of Lenin and who desire to see communism established in the United States. They are masquerading under the claim of promoting trade in order that the bolshevik dictatorship may be recognized as a de facto and de jure government. They know that such a course would increase Lenin's power and afford greater opportunities to carry on his scheme for the establishment of a world proletarian dictatorship.

I acquit the Senator from Maryland from any design against our Government or its institutions. His devotion to constitutional government is recognized by all who know him, but I believe his efforts will be regarded by some who are hostile to this Republic as helpful to extreme radicalism and bolshevik triumph; and also that recognition of the soviet power is desired by some Americans.

We might just as well know what this proposition is. This is not an attempt to get trade; it is an attempt to force the President of the United States or Congress to recognize the bolsheviks. Of course, Senators know that it is an Executive function and not a legislative function to determine whether or not recognition shall be accorded a Government. The President receives diplomats and consular representatives from other nations and accredits ambassadors and consular agents to foreign Governments.

Ah, Mr. President, this is an effort on the part of some misguided persons and by some alien enemies of our Government who seek its destruction to secure recognition of the bolshevik government.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Maryland?

Mr. KING. I yield.

Mr. FRANCE. May I ask the Senator if he believes that the British statesmen who have consistently advocated the policy of establishing trade relations between Great Britain and Russia are misguided? They have already formulated a policy and, indeed, a treaty which will enable trade with Russia to be carried on. The question has also been a subject of debate in the House of Commons, and I hold in my hand the record of some of the debates and some of the speeches of British statesmen on the subject. Great Britain having opened up the markets of Russia to British trade—and I might say to British merchants who buy American goods to resell in Russia at a profit to themselves, and at a very great profit to themselves—does the Senator think that the policy of those British statesmen was misguided?

Mr. KING. Mr. President, the Senator's question is rather disingenuous. He speaks of trade with Russia, but ignores the question of bolshevik recognition, which must ensue if there are commercial relations of any magnitude between this Republic and Russia, unless the attitude of the bolshevik régime is materially altered. I intended later to refer to the reiterated statements here and elsewhere about Great Britain's trade with Russia, but will briefly discuss it now in view of the Senator's question.

There has been no recognition by Great Britain of the soviet régime. Representatives of the soviet were expelled from Great Britain because of their revolutionary activities after Lloyd-George had admitted them to aid in formulating plans by which trade might possibly be developed in Russia. My opinion is that his attitude was largely influenced by the precarious situation in Persia, India, Egypt, and Asia Minor, as well as in China. The bolshevik régime is actively engaged in revolutionary propaganda in the countries to which I have just referred, and Great Britain's authority in some of its possessions has been greatly weakened by communistic propaganda. Doubtless the British Government has felt the importance of neutralizing, if possible, the bolshevik revolutionary movements within British possessions. Recently a tentative agreement was entered into between Lloyd-George and Krassin, representing the bolsheviks. According to the Associated Press, the London Times denounces the draft and states that it will not make the business community less hostile than it has persistently shown itself toward soviet authority. According to the Associated Press, among the terms of the Russian preliminary agreement which Krassin, the soviet representative, has taken to Moscow for consideration are these:

> Each party agrees to refrain from hostile action or propaganda outside its borders against the other's institutions. The soviet particularly agrees to refrain from encouragement of Asiatic people to action against British interests in Asia Minor, Persia, Afghanistan, and India.

No recognition, I assert, has been given the soviet power, but the British Government was constrained because of the imminence of revolution in some of its possessions to submit to an arrangement that would diminish bolshevik propaganda. However, in my opinion, if the proposed agreement shall be ratified by the soviet government, and it has not yet done so, it will not deter the bolshevik from revolutionary movements in the territories just mentioned, and they will violate its terms, as they have violated every agreement and solemn convenant which they have entered into. I predict, however, that the soviet junta will not approve the proposed agreement principally because it prohibits bolshevist propaganda in Great Britain's possessions.

I noticed in this morning's paper a dispatch from London, one statement of which is as follows:

> Arrangements by which it is proposed to bring about a resumption of trade relations between Great Britain and Russia are attacked editorially by the Morning Post of this city, which declares the decision regarding this step is a dubious transaction and nothing but a pretense for obtaining recognition of the soviet government.
>
> The Post further states "There is no trade with Russia that is worth consideration," and expresses the opinion that the public is entitled to very explicit account of the Government's policy toward the Russian bolshevik régime. It states any form of recognition of soviet Russia is an immoral thing, and then adds, "Neither France nor the United States believe the soviet government to be a permanent institution."

The Post then asks what Great Britain's position will be if loyal Rusians should come into their own.

Mr. President, contrary to the views of the Senator from Maryland, the trade between Great Britain and Russia is inconsequential, and his statements that Great Britain is getting the trade of Russia are not supported, in my opinion, by the facts. Notwithstanding the prolonged negotiations, extending over months, no agreement has been made between Great Britain and the soviet power, and no agreement can be made under Russia's present condition that will bring trade to Great Britain.

The Senator has mentioned the exports of flax. The flax production, as well as that in all industries, has been destroyed. In a report in the January number, entitled "Foreign Affairs—Monthly Review," the statement is made that during the three years of the soviet dictatorship "the flax industry seems to have been destroyed"; and the Russian Cooperation, a soviet organ, in No. 89 for the year 1920, states that the "planting area of flax for 1920 was only 15 or 20 per cent of prewar times. Harvesting likewise has fallen considerably. In 1920 the functionaries of the soviet—there are no others—gathered 1,000,000 poods, which represents only 6 per cent of the normal harvest."

Later I shall refer to the lack of production and to the misery and famine in Russia.

We need not be frightened, Mr. President, by statements made by the Senator or others that Great Britain is securing Russian trade.

I mentioned that one of the reasons inducing this tentative agreement was the activity of the bolsheviks in Asia. Under date of January 14 there appears in the New York Times the text of an order which was published in the Moscow Pravda, from Tashkent, Russian Turkestan, issued by the bolshevik commander to his troops in Turkestan. The statement in the Pravda is as follows:

> Your task is a very responsible one. The soviet republic is sending you to occupy the advanced posts on the frontiers of the friendly countries, Afghanistan and India. The Pamir, at the so-called top of the world, separates revolutionary Russia from the 300,000,000 Indian people who are oppressed by a handful of Englishmen.
>
> On this top of the world you have to raise the red flag of our liberating army. Let the people of India, who are fighting against their British oppressors, know that our friendly help is coming.
>
> Establish communications with the freedom-loving tribes of northern India. Contribute by word and by example to their revolutionary enlightenment. Combat the calumny which the agents of British princes, lords, and bankers are spreading about soviet Russia.
>
> Long live the union of revolutionary peoples of Europe and Asia. Long live the universal liberation of workingmen.

The same issue of the Pravda carried the text of a note by Tchitcherin, the soviet foreign affairs representative, to Lord Curzon, British foreign minister, in which the latter was "assured" of the soviets' "friendly feelings for the British Empire."

This is in line with the treachery of the soviet régime. While seeking a trade agreement with Great Britain and "assuring" her of its "friendship" for the British Empire, it is marching its red army and sending its emissaries to overthrow British authority.

Recently a delegation of business men, including Sir Charles Sykes and Sir William Peterson, visited the Baltic Provinces and other countries for the purpose of investigating trade possibilities with the countries visited, as well as Russia. They returned to London on the 17th instant, and the New York Times the following day contained this statement of their report:

> Questioned as to Russia, Sir Charles Sykes said that the subject had been carefully gone into and he was bound to say that in his view, trade agreement or no trade agreement, no substantial business was possible from that direction for a long time. A certain amount of trade was taking place to-day, but Russia had practically nothing to offer in exchange for goods, for she had been rendered economically dead by her system of government. He further stated that the bolshevist policy was world revolution, and that of the £12,000,000 to £15,000,000 of bolshevist gold which had been sent abroad, not one-third of it had been used for the purchase of supplies, and those that were purchased were for the equipment of the red army necessary to maintain the communist power. Sir Charles Sykes further stated that the soviet clearing house set up in Copenhagen for the purpose of utilizing bolshevist gold as a credit had broken down because "the bulk of the gold had been utilized for propaganda purposes and because of a lack of commodities in Russia which could be exported." Continuing, he stated "We can not look for trade in that direction and must concentrate on the Baltic Provinces and other parts of eastern Europe where, however bad conditions may be, they are infinitely more hopeful than in Russia."

Mr. President, this frank statement from the head of the delegation who had investigated the Russian trade problem furnishes convincing proof of the futility of attempting to trade

with Russia as long as she is dominated by the soviets. Contrary to the statement of the Senator from Maryland, England is not engaging in commercial transactions of any importance with the soviets or with the Russian people. Undoubtedly the English manufacturers and business firms would be glad to export their products to Russia if Russia would or could buy them, but bolshevist warfare has reduced Russia to a condition of economic ruin.

These interruptions have diverted me from the letter which I was reading, written by Secretary Wilson. In view of what the Senator from Maryland and the Senator from New Hampshire have stated regarding the supporters of the Senator's resolution, I would like to add that if there are representatives of the American Federation of Labor supporting the soviet dictatorship, they are giving aid and comfort to their most inveterate enemy. No organization has been more bitterly assailed by Lenin and his communistic adherents than has the Federation of Labor, and indeed all organizations based upon trade-unionism. He has also attacked the Socialists and attempted to crush their organizations, not only in Russia, but in every country. It has been a part of the plan of the communists to destroy organized labor and the Socialist Parties, because the former—that is, trade-unionism—believes in law and order, a recognition of capital, and the right of a majority to establish a government of their own choice. Socialists are opposed because they refuse to follow the revolutionary and destructive policies of bolshevism and to support a communistic dictatorship which aims at world dominion.

The third internationale, called by Lenin, announces the creed of the bolsheviks, and this creed declares an unrelenting war upon all nations and all political and labor organizations. Members of the American Federation of Labor should know that their implacable and deadly foe is not capital, but communism. This destructive, disorganizing, and despotic dictatorship is based upon the negation of every principle of honor and good faith and every usage and convention underlying the whole structure of international law; the negation, in short, of every principle upon which it is possible to base harmonious or truthful relations, whether of nations or individuals.

Communism is opposed to those progressive and civilizing forces upon which society rests and under whose operation civilization has been developed. Communism is a brutal, materialistic, revolutionary force. It seeks the destruction of law and order and government and the overthrow of every foundation upon which society rests. It is the enemy of the church, the foe of religion, the blasphemer of God, and the enemy of everything which stands for sweetness and purity and virtue and righteousness in the lives and activities of men. No more brutal, sensual, corrupt, or monstrous system has ever been projected under which human beings were to exist than that which the soviet dictatorship is attempting to rivet upon the people of Russia and to fasten upon the world. I do not believe that any members of the Federation of Labor countenance bolshevism or desire that the United States shall extend its hand to accept the bloody grasp of the Russian communists.

The able leader of the American Federation of Labor, Mr. Samuel Gompers, has been the object of the most wanton and bitter assaults from the Russian communists. The followers of the third internationale who are in the United States have been equally virulent in their attacks upon Mr. Gompers. The communists realize that Mr. Gompers stands for law and order and the rule of the majority. They know that he believes in the Constitution of the United States and has eloquently pleaded for the maintenance of this Republic and for the extension of democratic principles throughout all lands. The communists realize that the principles of the American Federation of Labor are the antithesis of the communistic creed.

May I add, Mr. President, the American people appreciate their form of government and realize that this Republic provides the safest and wisest plan ever devised for the political and industrial freedom of the people? American labor will not be deceived by bolshevism and it will not seek a partnership with the communistic régime.

Let me return to the letter of Secretary Wilson:

> Naturally, the sympathy of the administration and of the American people, including the workers, goes out to the Russian people under such circumstances, just as our sympathies go out to the oppressed of all lands no matter who or what the oppressor may be. But these things did not bring Martens within the jurisdiction of the Department of Labor. The evidence was cumulative and conclusive that the military dictatorship of Russia, calling itself the soviet government, was appropriating large sums of money to stir up insurrection by force of arms against the United States Government.

I want the full significance of this statement to be understood by Senators and the American people. Martens and the soviet dictatorship of Russia were even "appropriating large sums of money to stir up insurrection by force of arms against the United States." Secretary Wilson can not be charged with prejudice against labor or labor organizations or liberal political or economic movements. He stands at the head of one of the executive arms of the Government and has full opportunity to ascertain what industrial or political movements are abroad in the land. His department is charged with enforcing the emigration laws, and he thus becomes acquainted with aliens among us and their activities, industrially or in groups. We thus have a high official of the Government charging, after full investigation, that the bolshevists of Russia have plotted for the destruction of the United States.

> It is a novel principle in international law, and one that is not likely to be generally accepted, that a newly established military dictatorship in one country may capitalize the traditional friendship of another country for its people by making a pretense of wanting to establish friendly relations with the Government at the same time that it is seeking to destroy it by stirring up insurrection.

I wish I had time to read from the scores of documents which I have here containing statements of Lenin and Trotski and Litvinoff and Krassin and other communists, in which they declare it to be the purpose of the soviet dictatorship to produce a world revolution, and to destroy not only our Government but all other Governments; and while they are making these statements and sending their spies and agents into our midst to carry out their designs by the corrupt use of money and by every possible means some of our misguided friends in the United States are appealing to us to accord these enemies and the soviet dictatorship, which they control, full recognition, and treat with them and their representatives as we would with honorable nations and upright statesmen, to whom international law is sacred, and whose promises and treaties are observed.

I am not willing to take that step and to deal with a dictatorship which rests upon tyranny, bloodshed, and brutality, and which is plotting the overthrow of my country and the social structure existing in the world. The military dictatorship of Lenin and Trotski rests upon the murdered forms of thousands of Russia's sons and daughters and feeds upon the blood and woes of crushed and helpless men and women. It is doubtful whether history records a more cowardly, cruel, and despotic power than that which exists in Russia to-day under the name of soviet government.

Secretary Wilson continues:

> As long as that attitude is maintained by any group in Russia, whether it temporarily dominates that country by force of arms or not, members of its organization residents in but alien to the United States will be subject to the deportation laws administered by the Department of Labor.
>
> Our Government is a people's Government. Its basic law can be changed whenever the people desire it to be changed by peaceful parliamentary processes. Yet this is the Government that the soviet group in Russia seek to overthrow through the fighting force of an aggressive minority which they hope to pit against a passive majority.
>
> But having established a Government with universal suffrage, and consequently the most perfect democracy on earth, we will not permit a military despotism in Russia, reimposed upon a people but recently relieved from bondage, to stir up insurrection amongst our alien residents to whom we have extended hospitality and opened the doors of hope, even though their efforts in that direction are so futile that they cause us but slight annoyance.
>
> The insulting intimation that profitable trade with Russia is so important in the American mind that we would permit our own institutions to be undermined and destroyed and our liberties submerged if we can but have access to that trade only reflects the brutal materialistic conceptions of the dominant group in Russia. We have given several illustrations to the world, among them our entrance into the recent war, that while we love comfort we hate oppression and have a passion for human liberty.
>
> For these reasons Congress has directed that every alien who is a member of an organization that proposes to use force to overthrow the United States shall be expelled. The traditional friendship between the American and Russian peoples will continue, and when a government exists in Russia that seeks to work out Russian destiny in the Russian way and leaves us to work out our destiny in our way there will be no desire on the part of the American Government to deport its officers and members as such.

Mr. President, this letter deserves extended comment, but time forbids. I express the hope that it will be widely read by the American people.

Mr. President, I have received a communication from a labor organization which is printed, and shows upon its face that it is one of a series of printed documents sent out to the Federation of Labor or to other organizations as part of the plan of propaganda so well conceived and executed to secure recognition for the soviets. It is not the spontaneous expression of those who sign, but a printed document sent to these organizations by some one interested in securing the recognition of the soviet government; and this document which has been sent to me states that—

> We demand that the State Department take immediate steps to remove all obstacles to trade with Russia.

Mr. President, see how the people are misled! There are no obstacles to trading with Russia. The men who signed this, the Senator from Maryland, any American to-day, may ship his products, if he has any, to Russia, and if he can find anybody

there that will buy them, and if he is willing to take in return what they may have to pay him with, the barter or the exchange or the sale may take place. There are no restrictions, as I stated a moment ago to the Senator from Maryland, except in regard to munitions of war.

The demand is to restore the right to travel between the United States and soviet Russia. The only restriction of the right to travel is found in Russia. The United States interposes absolutely no obstacle to the freest entrance into Russia. Any person desiring to go to Russia can go, so far as this Government is concerned. The facts before us, though, would seem to indicate that any person going to Russia would be fortunate if he got out alive. Berkman and Emma Goldman are there, and they would be glad to return to America. Why do not some of the men who want to go to Russia go there? I am sure America would be glad to get rid of them. There will be no obstacles interposed here. Whatever obstacles they encounter will be encountered in soviet Russia.

Mr. FRANCE. Mr. President——

Mr. KING. I yield.

Mr. FRANCE. Does the Senator contend that no obstacles have been placed in the way of citizens of America desiring to go to Russia seeking Russian trade? Is he not aware that it is very difficult for an American citizen to secure a passport to go to Russia for business purposes?

Mr. KING. Mr. President, that leads to the consideration of a matter somewhat foreign to the discussion.

But I will reply. What is a passport? It is a piece of pasteboard or beautifully engraved paper which, in effect, introduces the holder to a Government. The Senator could not get a passport to bolshevik Russia, because of the absence of any treaty between the United States and the Lenin junta, and because there are no diplomatic or other relations between this country and the bolshevik authority. Any American citizen can obtain a passport to Finland, or France, or Norway, or Sweden, or Denmark. We have acknowledged Czechoslovakia and the Jugo-Slav nation, and passports are given to those nations. If the Senator complains because there is no letter of introduction to Lenin and Trotski, he is at liberty to do so.

Mr. FRANCE. Mr. President, does not the Senator think that he is giving an entirely new definition to a passport? Of course, I am not prepared to trace the form of a passport, but a passport is simply a statement by this Government in effect that "This man is an American citizen; let him pass; take notice that he is an American citizen; take notice that the American Government is back of him, to protect him, to aid him, and to defend his rights wherever he may go in the world; take notice that he shall be allowed to pass, and that he shall be given the protection due an American citizen." It is not a letter of introduction. It is a passport allowing him to go, and a statement that he is entitled to the protection of this Government wherever he does go.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Pennsylvania?

Mr. KING. I yield.

Mr. KNOX. I am constrained to say that both the Senator from Utah and the Senator from Maryland are wrong in their statements as to what a passport is. It is not a letter of introduction to any individual or Government and it does not purport to allow a man to go anywhere. A passport is merely an identification card, a certificate that the bearer is a citizen of the United States. It does not permit him to go into Russia; it does not permit him to go into England—if the Russian Government or the English Government does not want him there. Before he can go into Russia or into Denmark or into Sweden or any place else the passport would have to be viséed by a representative of that Government in order to allow him to pass.

There is a great deal of popular misunderstanding about passports. We hear about our passports being violated. There is no violation of a passport. There may be a violation of a treaty right which gives our citizens the right to travel in certain countries, if they do not visé the passports and allow our citizens to go. But, to repeat what I started out to say, a passport is a mere identification card, certifying that the bearer is a United States citizen.

Mr. FRANCE. Mr. President, I will say that I am glad that I find myself in agreement with the Senator from Pennsylvania, and I must have conveyed a false impression if I gave the impression that a passport did give an American citizen authority to go to any country.

Mr. KNOX. That was the language the Senator from Maryland used, as I understood him.

Mr. FRANCE. But it serves notice that he is an American citizen, and he is entitled to all the rights of an American citizen, and to the protection with which this Government surrounds its citizens, and it gives notice that he is entitled to all rights which are guaranteed by the various treaties, and that any country disregarding that identification card, if it may be so called—and that is in substance what it is—will be liable for any mistreatment of that citizen. Is not that the idea involved?

Mr. KNOX. Only by implication; not any more so than if he would go without a passport and make his identity known. If his rights were being violated by the officials of any country knowingly, knowing that he was a citizen of the United States, the country violating his rights would take upon themselves just as much peril as if he carried a passport. But there is nothing on the face of the passport which carries, either by language, or in any other way, except by implication, what the Senator from Maryland has just stated.

Mr. KING. Mr. President, perhaps my statement concerning the nature of the effect of a passport was a little inaccurate, but yet it is substantially what is said by the Assistant Secretary of State, Mr. Norman H. Davis, in his letter to Judge Parker. The form of the passport has been changed slightly since the distinguished Senator from Pennsylvania occupied the position of Secretary of State. My understanding is that at that time there was no country named in the passport. At the present time the form is substantially this:

UNITED STATES OF AMERICA PASSPORT,
Department of State.

To all to whom these presents shall come, greeting:

I, the undersigned, Secretary of State of the United States of America, hereby request all to whom it may concern, to permit the name of the person to whom the passport is issued, a citizen of the United States, safely and freely to pass, and in case of need to give him (or her) all lawful aid and protection.

This passport is valid for use only in the following countries herein specified, unless amended. (Here follow the names of certain countries.)

[L. S.]

_____, _____,
Secretary of State.

This form has been employed for several years, and passports now contain the names of one or more countries. If a person desires to visit Sweden, his passport will contain the names of Sweden and a number of other countries in that part of Europe; but none of the passports issued contain the name of Russia or countries with which we sustain no diplomatic relations. In the sense that a country is named in the passport, it bears some analogy to a letter of introduction to that country. The passport, as such, gives no right of entrance of the holder into any country. Those Americans who are now visiting Europe after obtaining passports must have them viséed by representatives of those countries to which they expect to go. Any person, with or without a passport, may present himself at any Russian port or at the boundary line of Russia and seek admission to Russia for trade or for any other purpose. Whether he is permitted to enter Russia will depend upon the Russian people. A passport under the seal of the United States would not move the soviet authorities or induce them to admit the bearer. Perhaps the possession of the passport might be an impediment to his obtaining permission to enter Russia. The bolsheviks have no treaty with the United States; but if they did have, there is no reason to believe that its terms would be respected. So passports would not facilitate trade or give the possessors of them any advantages in Russia.

We know that a number of Americans have gone to Russia. Some doubtless carried passports and some did not. Russia admits whom she pleases. There are Americans now in the Scandinavian Republics and the Baltic Provinces who, if they carried bundles of passports, would be accorded no different reception at the hands of the soviets than if they had none. If passports are required to enter Russia, then Americans to whom I have referred and who are now in Europe have their passports, and they are in the same form, with the exception that the word "Russia" is not printed with the names of the other countries, as if the dictatorship of Lenin had been recognized and the holders were seeking entrance into Russia.

Mr. POMERENE. Mr. President——

Mr. KING. I yield.

Mr. POMERENE. The Senator will permit me to observe that it must be borne in mind that we denounced our treaties with Russia during the reign of the imperial Czar. Since that there has been no treaty, and the only protection Americans have had in Russia was that which they would have under the general principles of international law and not under any treaty rights.

Mr. KING. Following the establishment of the provisional government under Kerensky our Government continued its diplomatic relations with Russia. Gov. Francis, of Missouri, was the American ambassador, and he represented the United States

in its intercourse with the provisional government, and Mr. Bakmeteff was appointed, as I recall, Russian ambassador to the United States by the Kerensky government. Later, when the bolsheviki obtained control of Petrograd and Moscow, it became necessary for our ambassador to leave Russia. The attitude of the bolsheviki was so menacing that not only the American ambassador but consular agents were compelled to flee.

I repeat, if there are any Americans who desire to export commodities to Russia they will encounter no restrictions from our Government, and these persistent efforts to mislead the people and to deceive them as to the attitude of our Government concerning trade are reprehensible in the highest degree.

Mr. McCUMBER. Mr. President, I would like to ask the Senator right here what Russia is producing to-day that we could trade for?

Mr. KING. Nothing.

Mr. McCUMBER. I have heard a great deal about the right to trade with Russia, but I have not heard of one thing Russia has produced since the war which she can export to any country. I had occasion the other day to talk with an individual whose home is in one of the countries bordering on Russia, who is well acquainted with all of Russia, and he informed me that that country had gone back practically into a state of barbarity; that each family was trying to produce just what was necessary to eat and to wear and make it possible to exist; that if they raised any more than that the soldiers took it; that the soldiers had no means of living except as they lived off the people of the country through which they were marching; that they had no commissary department, and the soldiers would have to seize what they could get hold of; that these people were producing nothing; that they could be organized into no kind of society, but lived almost the same as the bushmen of Africa. There may be a time when Russia will produce again, but I do not think any country need bother itself very much about Russian trade at the present time.

Mr. KING. The Senator from North Dakota has graphically stated Russia's industrial situation as it exists to-day. The cities and towns are losing their population, and the starving and suffering people are endeavoring to obtain enough from the soil to preserve life. Industry is dead and production of commodities for export is at an end, as long as the present system prevails.

Mr. FRANCE. Mr. President, if the Senators care to have me do so, I make the statement that both the Senators are entirely misinformed as to the facts. The gentleman with whom the Senator from North Dakota has talked was either misinformed as to the facts or he had some reason for not fully stating the facts. Russia has enormous reserves of materials for export to-day. Great quantities of furs, for example, have accumulated in Russia, which are worth many, many millions of dollars. Russia is to-day exporting to Great Britain large quantities of manganese ore, Russia before the war having supplied, I believe, about 75 per cent of all the manganese ore of the world. She has large stores of platinum ready to turn into the markets of the world. She has great stores of hemp and flax, of which the nations stand very greatly in need, this country in particular. There are large stores of many other materials in Russia, not manufactured, however, I will admit. There is a great dearth of manufactured articles; but there have been great supplies of raw materials in Russia which might be exported if the railways were so rehabilitated that they could carry them.

Mr. McCUMBER. I am afraid those vast stores would go up in vapor the minute we should really investigate them, the same as some of the vast German stores that were supposed to flood the whole world have been found to be nonexistent. I know they have no means of transportation in Russia to-day, that the railroads are practically tied up, that they are not functioning, and, as I suggested, I am certain the political position of my informant was such that he could give me a pretty fair view of the situation and that he was accurate in his statement.

Mr. SIMMONS. Mr. President——

Mr. KING. I yield to the Senator from North Carolina.

Mr. SIMMONS. Following the trend of some of the observations which have been made since the emergency tariff bill has been taken up for consideration, I have rather reached the conclusion that at least a portion of the Senators were not interested in imports coming into this country, that they were not much concerned about them, that on the other hand they were deeply concerned in keeping out the importations. If Russia has nothing to import to this country I do not see why Senators who entertain those views ought to be concerned. The question that I think is important from their standpoint is one that I wish now to propound to the Senator from Maryland, who seems to have given great study to the question.

I have been under the impression that this country was very much interested in its export trade. I have been under the impression that now or in normal times the prosperity of the country and the development and expansion of its industries were dependent very largely upon our export trade. Whether Russia has any imports they want to send to us and that some Senators want to keep out or not from their standpoint is not material, but from my standpoint it is material to find out the opportunity which offers for the purchase of our goods. I should like to ask the Senator if he can give the Senate any information as to Russia's ability to absorb our exportable products.

Mr. FRANCE. I shall be glad to give the Senator the information, with permission of the Senator from Utah.

Mr. KING. I yield to the Senator from Maryland if I do not lose the floor. I hope, however, that the Senator will not consume too much time.

Mr. SIMMONS. I hope the Senator from Utah will allow the Senator from Maryland to have enough time to indicate to the Senate what Russia's abilities are in this direction, because I think it very important as bearing upon the question whether it is desirable to have trade relations with Russia.

Mr. FRANCE. As soon as I am able to arrange the vast amount of material on hand I expect to discuss the question at some length, at not too great length, however, but at sufficient length to indicate particularly to some of the Senators from Southern States the need in Russia for cotton, for example, and the ability of Russia to pay for that cotton which she does need.

I will say this, and it is in reply to an observation made a short time ago by the Senator from Utah to the effect that nothing stood in the way of the trade going on between this country and Russia. I would say that what stands in the way of that trade going on now is the refusal of our mint to mint the Russian gold, which could be brought to this country in payment for articles which they desire to export from this country to Russia.

If the Senator will permit me, I will give a very definite example of a transaction which took place a very short time ago. This was a very small order which a certain agent, representing certain Russian interests, wished to place here, an order of only $400,000. In payment for $400,000 worth of goods this gentleman representing Russian interests—and it is immaterial who those interests were—offered to make payment in gold, the gold being in the shape of gold bars. The representative of the manufacturing firm having the goods for sale at first hesitated to accept the gold bars. He inquired at the mint whether the gold bars would be minted and was informed that they could not be minted. However, desiring very greatly to put through the transaction, he interviewed certain manufacturing firms which manufactured jewelry and finally succeeded in selling to those manufacturers of jewelry the $400,000 worth of gold bars, and it was thus possible to put through the transaction.

I was made aware yesterday of a transaction which negatives the views which several of the Senators seem to entertain that no transactions can go on with private citizens of Russia, a view which can not be maintained when the facts are carefully examined into. There came to my knowledge only on yesterday these facts, facts which I wished to have presented to the Foreign Relations Committee, but which I did not have opportunity to present to that committee on the day of the hearing.

A gentleman representing very responsible firms in the United States has entered into a contract, of which contract I myself have seen a copy, not with the soviets but with the Central Cooperative Union of Russia, for the sale to that union of goods, principally tools and agricultural implements and machinery, this order amounting to $6,000,000, for which he can have laid down in New York $6,000,000 worth of gold. However, he will be unable to have that gold, as laid down in New York, minted at the mint, so that the transaction is held up.

This is not a transaction with the soviet government. It is a contract with the Central Cooperative Union of Russia. Of course, Senators are aware of what that central cooperative society is. It is a great cooperative organization which has been in existence for many years. Perhaps some 15 years ago it became a strong organization. It is a cooperative buying and a cooperative selling organization. It runs cooperative factories and it has cooperative stores. The assets of this cooperative society amount, I believe, to something like $200,000,000. It has gold, which it has accumulated as a reserve, and with this gold it is willing, as I say, to buy $6,000,000 worth of American goods. But the American mint, of course, refuses to mint any gold which may be suspected of being of Russian origin.

I believe the statute—I can not refer to the statute at the moment, because I have not the reference in my mind—

Mr. KING. I have it here and I shall be glad to present what I believe the facts to be concerning Russian gold supply, although it is outside of my present discussion.

Mr. FRANCE. I shall be glad to have the Senator refer to the statute, but I think in substance the statute with reference to the mining of gold provides that any owner of gold may take that gold to the United States mint and for a certain fee may have it minted, of course presumption of ownership going with possession; that is to say, it is presumed that the possessor of the gold is the owner of the gold. I believe the mint has no machinery for looking into the title of gold which is brought to it to be minted. It would of course require most elaborate machinery if the mint was to look into the title to all gold brought to it, as I indicated the other day. A miner from California or from Arizona or from Alaska comes to the mint, for example, with a chamois bag full of gold. Under the old practice the mint would take that gold, assay it, and mint it without attempting to search the title to the gold, assuming that it belongs to the man who brings it. If the mint, however, presumes that the gold is stolen and if it must be assured of the title of that gold before it mints it, of course then it would be necessary for it to trace the origin of the gold. It would have to inquire how that man came into possession of it, how the previous owner came into possession of it, how that man came into the possession of the mine from which it was mined, and how the man preceding him came into possession of it, and it would indeed be necessary for the mint to search the title of that gold exactly as a title company searches the title to land, a procedure which is manifestly impossible.

Mr. McCUMBER. Mr. President, I wish to ask the Senator from Maryland a question for my own information, with the permission of the Senator from Utah.

Mr. KING. Certainly.

Mr. McCUMBER. Suppose it is practically publicly known that a number of bandits have broken into a storehouse where gold has been kept in bars and stolen that gold, and they bring the gold to be minted. The Treasury Department has the information that it has been stolen. Is there any duty incumbent upon the Treasury Department to mint that gold which it believes to have been stolen and to turn the minted product over to the thieves?

Mr. FRANCE. That is all a matter of assumption. Of course, if the operator of the mint can assume that the gold has been stolen and can refuse to mint it on that ground, how could he mint it?

Mr. McCUMBER. In a case where they believe it has been stolen, is there any discretion on the part of the Treasury Department in reference to the minting of the product?

Mr. FRANCE. Of course, this is a very interesting and important question. I personally do not see how the officials of the mint can have it within their power to question the title to the gold unless they have at their command the machinery for searching the title to the gold which is brought to them, because it would manifestly be unjust for the official of the mint to say to this man, "we can not mint your gold because it may be stolen," and to another man, "we will mint your gold."

Mr. McCUMBER. But that is hardly the question. Where the evidence is quite clear to them and the presumption is strong that it has been stolen, then the question is whether the Treasury Department is compelled to close its eyes to what it believes to be the truth and to mint the product and turn it over to the person who presents it.

Mr. KING. If the Senator from Maryland has answered to his satisfaction the question propounded by the Senator from North Dakota, I should like to continue my remarks, as time is precious and I wish to get through.

Mr. McCUMBER. I shall not interrupt the Senator again.

Mr. FRANCE. If the Senator from Utah will allow me to reply to the Senator from North Dakota, I would say that, so far as his question is concerned, I fail to see how it has any bearing on the subject, because the gold to which I refer has not been stolen and no one has ever said that it had been stolen. It merely is of Russian origin and belongs to the Russian Central Cooperative Society. It probably is gold which was earned by the peasants and stored in their stockings until the time arrived when they wished to turn it over to the cooperative buying society to buy what they needed.

Mr. KING. I will say to the Senator that if he will bring to the mint any gold of the character that he has last described, of cooperative origin or owned by individuals, there will be no obstacle to its being minted; but if it is of soviet origin, or suspected of being of soviet origin, then the Government will not mint or purchase it.

Mr. FRANCE. I have evidently not made myself clear. I have been attempting to tell about a transaction where gold of that very character has been refused at the mint because I meant to say this: The actual gold was not brought here, but the proposition was laid before the officials of the mint, and they said that they could not mint it inasmuch as it was Russian gold.

Mr. KING. Mr. President, I have been diverted from the topic I was discussing, but I shall refer to the gold situation, because the Senator from Maryland has brought it into the discussion. In the first place, the amount of gold in Russia does not aggregate what the Senator has contended. The entire amount of gold in Russia to-day—I am speaking of that under the control of the soviets—does not exceed $300,000,000.

I will show the Senator from Maryland just what the Russian Government did have, and the probable amount now controlled by the soviet junta.

Mr. FRANCE. The amount has been drawn down; and I think it is safe to say that the amount of gold now available in Russia does not exceed $500,000,000; that is, gold in the treasury, not taking into consideration the gold which is in private ownership.

Mr. KING. Just one word before coming to the gold situation. The Senator from Maryland has referred to cooperative societies in Russia. He knows that under the old Czaristic régime cooperative societies were established in Russia, but they have been either entirely suppressed or reduced to impotency by the soviets. Where they do exist they are under the surveillance and direction of the soviets, so that it is practically impossible for any trade relations to exist between them and other nations.

Mr. FRANCE. Mr. President, will the Senator yield further for a moment?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Maryland?

Mr. KING. I yield.

Mr. FRANCE. I should like to add that the date of the contract to which I have referred was subsequent to the date which has been considered to be the date upon which the soviet government refused to allow the cooperative societies further to deal on their own account; in other words, the contract was made by the cooperative societies at a date subsequent to that after which, it was said, the cooperative societies would be forbidden to make any contracts.

Mr. KING. I intended, when discussing the industrial condition of Russia, to refer to the cooperative societies mentioned by the Senator. However, in view of what the Senator has said, I shall briefly refer to the subject at this point. I think the Senator will discover, upon investigation, that his information is inaccurate as to the present existence of Russian cooperative societies. Prior to the war, and, indeed, up to the time when the bolsheviki entered upon the destruction of order and government in Russia, these cooperative societies constituted an important part of the economic life of the nation. I have here many references, some from communist newspapers, showing the suppression of these organizations by the bolsheviki. Efforts were made by these societies to continue their constructive and vital work after Lenin's dictatorship was established; the latter saw in these associations a menace to communism, and so they were suppressed. It is quite likely that in some parts of Russia, in which bolshevik troops and bolshevik commissars are not found, some of these societies still exist, and are still functioning, although in a feeble manner. I shall not take the time of the Senate to place before them, or in the RECORD, the incontrovertible evidence of the destruction of these societies by the soviet government, but will offer one piece of strong evidence.

Mr. Spargo in his admirable article found in the New York Times, under date of December 12, 1920, accurately states the facts regarding these societies, and his statement is so complete that I desire to submit it to the Senate:

> The most amazing feature of these articles by Mr. Wells is the manner in which he ignores the biggest fact in the economic life of Russia, and the fact of greatest political importance. Beyond a mere casual reference, he does not deal with the great Russian cooperative movement, notwithstanding its profound importance and its vital relation to the present and future organization of the economic life of Russia. The bolsheviki found a vast network of local cooperative societies, more than 35,000 in number and embracing over 12,000,000 members. Having regard to the fact that most of these members were heads of families, it is safe to say that these organizations represented close upon 60,000,000 persons; that is to say, considerably more than one-third of the total population of the country. Even granting the communist theory, it is quite obvious that such a network of cooperatives must be of the greatest possible value as the nucleus of economic organization competent to carry the nation through a very critical period and directly enlisting the activities of millions of people. It is a well-known fact that during the eight months prior to the bolshevist counter revolution the cooperatives admirably served this purpose.
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> One of the worst crimes of which the bolsheviki have been guilty, and for which no condemnation can be too severe, is their ruthless sup-

pression of these voluntary and autonomous organizations of the people and the consequent wrecking of the most important available instrumentality for maintaining the life of the Russian people and averting famine and disaster. It is not a little strange that H. G. Wells so completely ignored one of the biggest factors responsible for the present deplorable situation in soviet Russia. Incidentally, I may be pardoned, perhaps, if I call attention to the fact that the overwhelming majority of these cooperatives were composed of and organized and maintained by peasants.

The reason is apparent for the bolshevist suppression of these organizations. They were formed by the agriculturists of Russia and were based upon the theory of private property. Their existence was a menace to Lenin's despotism; hence the destructive war waged against them. The Senator states that only yesterday he learned that the Central Cooperative Society of Russia was desirous of purchasing agricultural implements in the United States and was ready to pay therefor $6,000,000 in gold. I of course am not familiar with the facts in regard to this matter, but I feel certain that when the facts are ascertained an entirely different situation will be revealed from that which the Senator understands to exist. He will find, I have no doubt, that this proposed transaction is a part of the bolshevist propaganda. I have read of similar instances occurring in European nations; one or more individuals would approach business men in Norway or Sweden or other European countries, and state that they were the agents of some Russian association which desired to purchase commodities and were prepared to pay for the same in gold. In most instances investigation disclosed that the persons had no gold, and where the transaction was consummated it was discovered that those who represented the purchasers were agents of the bolshevik government. Wherever gold was paid for products sent to Russia, it was found to be gold of bolshevik origin. The Senator will find that a functioning, active, and independent Central Cooperative Society is a myth, or, if such an organization exists, it is on paper or is perpetuated by the communist government to be used as an instrumentality to further the schemes of the bolsheviki. Mr. Martens, when in the United States, pursued the same course that bolshevist representatives have in every country where they have been permitted entrance. It was their plan to inflame the people with the idea that the soviet dictatorship was ready to buy millions, indeed billions, of dollars' worth of commodities, for which payment would immediately be made in gold. But in some European countries where the bolshevik gold would have been received in exchange for products, the transactions were seldom completed, and in the few completed transactions the amount involved was unimportant, the reason being undoubtedly that the gold supply of the bolsheviks is so limited that they are unable to make liberal purchases even of articles imperatively needed by the communist government.

Mr. President, so many interruptions have occurred which compelled digressions and a departure from a logical discussion of the Russian questions that my remarks will appear rather disconnected and matters relating to the same subject will be referred to at different times, and, of course, more or less of repetition will be inevitable.

It was my intention to consider the question of the Russian gold supply at a later period in my remarks and after I had shown the exhausted condition of Russia and her lack of resources, as a result of which no considerable trade, even if the bolshevik régime did not prevent it, would be possible. However, in view of the Senator's reference to the gold supply, I shall now bring that matter to the attention of the Senate. It is persistently claimed by those who are endeavoring to secure recognition for the communistic dictatorship that the United States is losing a great amount of trade with Russia and that other nations, particularly Great Britain, are engaged in extensive commercial transactions with the soviet dictatorship or the Russian people. It is also contended that the bolshevik government has enormous quantities of gold, and that if it were not for the action of the Government of the United States hundreds of millions of dollars of gold would be exported to the United States in payment for our commodities.

We frequently hear the statement made that the soviets have from eight hundred millions to one billion dollars in gold. Some American business men have been deceived by these claims and are misled as to the possibility of extensive trading relations between the United States and Russia. I am in receipt of a letter from the Secretary of the Treasury, written two or three days ago, in which he states:

> It is estimated that the amount of gold in Russia does not now exceed $150,000,000, not including about $200,000,000 reported to have been confiscated from Rumania.

Senators are aware of the fact that the Treasury Department and its agencies collate data showing the quantity of gold in the world. The available supply of gold in each country for monetary purposes and for use in the arts is pretty accurately known, and the statistics gathered by various nations as to the world's supply of gold and silver have pretty generally agreed.

The Secretary refers to the Rumanian gold. After the entrance of Rumania into the war, she sent for safe-keeping to Russia her gold supply, variously estimated from one hundred and twenty-five to two hundred millions of dollars. There is no question in regard to this transaction. When the Czar was overthrown the Rumanian gold was in the Russian treasury, and when the provisional government organized by Kerenski was overthrown the bolsheviks seized the Russian treasury and took possession of the Rumanian gold.

In addition, France had 50,000,000 francs in gold with the Russian Government, which was also taken by Lenin. Rumania has not received her gold, and it is still in the possession of the bolsheviki. The representative of Rumania gave notice to the Allies at the San Remo conference, as well as at various economic councils held under the League of Nations, that her gold supply had not been returned and that she would hold other nations to an accounting if they accepted any gold from the bolshevik dictatorship. It has been stolen by the bolsheviks, and of course they have no title to the same, and no civilized nation would accept from the bolsheviks this stolen gold in payment for commodities or for any other purpose.

France likewise has laid claim to her gold supply seized by the bolsheviks, and has notified Great Britain and all other nations that the bolsheviks have no title to the same and have no right to dispose of it.

For the purpose of showing Russia's gold supply, I read from the Commerce Reports issued by the Department of Commerce under date of August, 1920. There appears a statement from the American consul general, W. Stanley Hollis, who is stationed in London, a portion of which is as follows:

WORLD'S STOCK OF GOLD.

> The following article, compiled by a financial correspondent of the London Times, shows the gold holdings of the world's State banks and treasuries at the close of certain of the past seven years, and also on June 30 last, and therefore gives a measure of the movement of gold money during the war. In this is included one doubtful item—that of the Imperial Bank of Russia, for which no figure later than that of October, 1917 (£129,500,000) is available, and the totals shown since that date are approximations, much open to question. The last two figures of £65,000,000 are based on the statement that the gold reserve transferred to Omsk amounted on August 1, 1919, to 651,532,118 rubles.

From this statement it appears that the Russian gold supply in October, 1917, was approximately $600,000,000, and that on August 1, 1919, it amounted to £65,000,000, or slightly over $300,000,000. That amount includes, as I am advised, the Rumanian gold. Deduct from the total the Rumanian and French gold and the remainder would be from $100,000,000 to $150,000,000. Of course, what amount has been expended since then or what amount has been utilized for propaganda purposes it is impossible to determine. So that in assuming the existence of the above amount all doubts are resolved against the contention that the bolsheviks possess an extensive gold supply.

Mr. Hollis further states:

> On the basis of the latest figures obtainable, the Times correspondent computes the gold holdings of the State banks and treasuries of the countries named at the close of 1913, 1914, 1915, 1918, 1919, and on June 20, 1920, to have been:

RUSSIA.

December, 1913	£151,000,000
December, 1914	155,400,000
December, 1915	161,200,000
December, 1918	80,000,000
December, 1919	65,000,000
June 20, 1920	65,000,000

Mr. Hollis presents a table showing the gold holdings in the various countries for the years mentioned, but I have given only the figures with respect to Russia. Following this statement Mr. Hollis refers to the loss in the gold holdings in several countries, including Russia, in 1919. As I interpret these figures, there were only £65,000,000, or approximately $325,000,000, in all of the Russian banks, including the gold held by the bolsheviks, on June 20, 1920. It is known that since that time there has been a shrinkage in the volume of gold controlled by the soviet dictatorship.

I next call attention to the article appearing in the Journal of Commerce, of New York, under date of November 17, 1920, which is as follows:

RUSSIAN RESERVE WIDELY SCATTERED—KOLCHAK SUPPOSED TO HAVE USED IT—SOVIET ORGAN CLAIMS TO STATE OBJECTS—AMOUNTS SENT TO VLADIVOSTOK—HOW GOLD WAS SHIPPED TO FOREIGN COUNTRIES.

> The last issue of the Ekonomitscheskaja Shisn, the economic organ published by the Russian soviet government, contains a detailed account of what happened to the Russian gold reserve since it was captured by Admiral Kolchak and his adherents at Kazan in 1918. The article says:
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> "In order to provide a more secure place for the treasure it was first taken to Samara and afterwards to Omsk. A large part—1,230 boxes with gold bars—were, beginning March 10, 1919, transferred to Vladivostok and used by Kolchak in his financial transactions with the Entente. Vladivostok was the center of these operations. Later, in

August and September, 1919, minted gold and metal in bars to the value of 197,021,672 rubles followed the first lot.

Another lot, bars worth 10,557,744 rubles and 33,000 rubles coin, was started to Vladivostok in October, 1919; but it never reached there, as the Cossack Ataman (chief) Saemjenow held it up at Tschita and used it for his own purposes. The gold transferred to Vladivostok was used in foreign exchange operations by the credit department of the Government, as the minister of finance had directed. The exact amount so used is not known, but from reliable authority it is learned that up to October, 1919, 1,377 pud—pure gold, 31,815,000 gold in coin, $1,000,000, and 2,720,000 pesetas were disbursed.

ACCOUNTS LACKING.

No account has ever been rendered as to the disposition of these huge sums. The State bank in Omsk reports, however, that the following sums were removed from Kazan and Samara (the coin taken at its nominal value, the unminted gold at 5 rubles and 50 kopeks for the solonitk): Russian coin, 514,820,743 rubles; foreign coin, 40,577,830; bars, 95,078,493; blocks, 529,594, and grains, 525,477 rubles; in all, 651,532,117 rubles, or 30,563 pud. Of this quantity 9,043 pud arrived safely in Vladivostok, 2,000 were taken by Saemjenow, and 19,520 pud were en route when the bolsheviki took them. According to declarations made by the former assistant to the last financial minister of the Tsar, W. T. Nowitzki, the Russian gold reserve was, in the year 1914, larger than that of any other country in the world, aggregating in round figures £150,000,000. This sum decreased during the first year of the war in such a manner that only £82,000,000 remained, £68,000,000 having been sent to England and America, partly for war supplies and partly for interest on the Russian debt. There was also a payment to the Swedish Riks Bank of £500,000 (or $500,000, the exact sum not having been determined). After the treaty of Brest-Litovsk, £32,000,000 were sent to Berlin, which have since been transferred to France. The £66,500,000 taken to Omsk were increased by £25,000,000 from Rumania, representing the gold reserve of the State bank. The soviet government has paid to the banking firm of Niels Juul & Co., in Christiania, Norway, the sum of £36,000,000 in gold; further amounts have been sent to England and America (via Sweden), but these sums have not been given out.

SOVIETS HAVE LITTLE LEFT.

An examination of these figures seems to show that the soviet government can not have much of the yellow metal left, unless, as is very likely, all gold in private possession down to every kind of article of personal adornment has been confiscated. It is also said that the government has despoiled the church of its sacred treasures, and that lately the gold mines of Siberia have again begun to yield considerable quantities of the metal.

I call particular attention to the figures furnished by the soviet paper, which forms the basis of the article from the Journal of Commerce, which I have just presented. It will be observed that this bolshevik organ admits that the gold supply of Russia decreased during the first year of the war, so that but £82,000,000 remained. The article also supports statements made as to a further dissipation of Russia's gold supply, including more than $150,000,000 paid to Germany under the treaty of Brest-Litovsk. It may be safely assumed in the light of this testimony, as well as all other accumulated facts, that the quantity of gold in the possession of the bolsheviks is not great, and is within the limit placed by the Secretary of the Treasury.

I also call attention to the fact that this bolshevik organ refers to Mr. W. T. Novitsky, who was assistant to the last financial minister of the Czar, and apparently indorses his statement as to the gold supply of the Russian Government in 1914.

In the annual report of the Director of the Mint for the fiscal year ending June 30, 1920, there appears an extract from an article entitled "Gold stock and production since 1914 in Russia." This article, written by W. T. Novitsky, former assistant minister of finance of the all-Russian Government, was published in the New York Times on July 4 and reprinted in the Commercial and Financial Chronicle, New York, July 24, 1920. The article is as follows:

The gold reserve in the vaults of the State Bank in 1914 amounted to the record figure of 1,601,000,000 rubles ($823,714,500). The policy of concentrating the gold stock was facilitated by the good crops in 1909 and 1910, as well as the increasing gold production in Siberia from 1910 to 1913.

From the end of 1914 to early in 1917 Russia sold to England gold to the amount of £68,000,000 ($330,000,000). Part of this went to England via Archangel, part to Japan, and part to Canada.

At the end of 1917 Russia delivered to Sweden for supplies gold to the amount of $2,500,000.

In November, 1917, the gold reserve amounted to more than $600,000,000, of which one half was stored in Samara and later in Kazan, the other half in Moscow and Petrograd.

After the treaty of Brest-Litovsk the Bolsheviki delivered from Moscow to Berlin $160,000,000 of gold. This was later surrendered to the Allies and is now at the Bank of France.

In July, 1918, the Bolsheviki were forced to evacuate Kazan, leaving to the Czecho-Slovaks and consequently to the People's Government $330,000,000 of gold. This gold was first removed to Samara and later to Ufa; it was lated moved to Tcheliabinsk, where it was to be stored in the vaults of the State Bank, but the cars containing the gold found their way to Omsk. Admiral Kolchak later absorbed the People's Government. The balance sheet of the Omsk State Bank gives as a basic figure the amount of $332,915,653.

In May, 1919, the Omsk Government shipped to Vladivostok $144,076,719, of which $21,773,722 was seized by Gen. Semenoff and held in Tohita, $22,753,538 was sold to the French Government, French and British firms, $12,432,795 was sold to the Japanese, and deposits were made for operations of an Anglo-American syndicate $46,835,277, for Japanese operations $16,330,291, and for purchase of munitions in America $2,177,372; the remainder, about $21,700,000, was stored in the State Bank at Vladivostok; and when Kolchak evacuated Omsk there was left $210,406,692 of the original $332,915,653 of gold. On January 7, 1920, Admiral Kolchak was taken from Omsk to Irkutsk, where he was handed over to the Bolsheviki. The gold which was to accompany him was taken by the Czecho-Slovaks and later delivered to the Bolsheviki as per terms of armistice. Part of it was lost in transit.

Much of the gold produced in the country is not made a matter of record. Official data give the production for 1910 as $38,855,000; 1913, $40,433,000; and 1914, $44,157,000, of which 80 per cent is Siberia's share and 20 per cent from the Urals. Since then Siberia alone produced $32,660,000 in 1915 and $21,774,000 in 1916; and, according to unofficial data available to the ministry of finance at Omsk, $16,330,000 in 1917 and $10,886,861 yearly in 1918 and 1919. The author estimates the actual production during these years at not less than 3,600 poods (about $40,000,000) per annum, of which much fell into the hands of the Bolsheviki at Irkutsk.

The minister of finance has therefore definitely accounted for approximately $846,900,000 of Russia's 1914 stock and subsequent production to the beginning of 1920, as follows:

Sold to England	$330,000,000
Sold to Sweden	2,500,000
To Germany, by Brest-Litovsk treaty, now held by France	160,000,000
Seized by Gen. Semenoff and held in Tohita	21,773,722
Sold to French Government, French and British firms	22,753,538
Sold for Japanese operations	16,330,291
Sold to Japanese	12,432,795
Sold to Anglo-American syndicate	46,835,277
Sold to America for guns	2,177,372
Held in State Bank of Vladivostok	21,700,000
Held by the bolsheviki	210,406,692
Total	846,909,687

It will be observed that this writer credits the Russian Government with having £150,000,000 in gold in 1914. I have made considerable investigation with a view to ascertaining the quantity of gold owned by the Russian Government in August, 1914, and the amount attributed to her by Mr. Novitsky is somewhat greater than many of the figures that I obtained. However, Mr. Novitsky was in a position to secure accurate information concerning Russia's financial condition not only in 1914 but down to the time when he wrote the article referred to; and he enjoyed opportunities to learn what disposition was made of this gold supply between 1914 and 1920. Senators will observe that $330,000,000 worth of gold was sold to England. The bolsheviks delivered to Germany, after the Brest-Litovsk treaty, gold of the value of $160,000,000. After accounting for the various amounts lost or disposed of by the bolshevik régime, the writer states that the amount held by the bolsheviki at the beginning of 1920 was $210,406,692. Whether this includes the Rumanian gold I am not able to state definitely, but am inclined to believe that the amount stated is exclusive of the amount deposited in the Russian treasury by Rumania.

This factor must also be taken into account. Bolsheviks seized all gold, silver, and jewelry that they could lay their hands upon. They robbed, plundered, and despoiled, and undoubtedly secured a considerable quantity of booty from helpless Russians, some of whom were not only robbed of their possessions but foully murdered. Authentic information has been furnished from time to time of the world-wide propaganda carried on by the communist dictatorship. Their representatives have penetrated into most countries, where they have endeavored to spread discontent, disrupt the industrial life of the people, and prepare revolutionary movements. They have carried on an insidious and persistent propaganda in South America, Europe, Asia, and in the United States; they have attempted to corrupt labor organizations and to precipitate strikes in order that business might be paralyzed and the economic life of the people arrested, so that in the chaotic conditions which it was expected would follow communistic organizations could be effected which would hold communion with the bolsheviks of Russia and be guided by the destructive program of the third internationale. Bolshevist emissaries have been arrested in European countries, and jewels and gold have been found in their possession. Norway, Sweden, Denmark, and Holland have at various times been the centers of bolshevik propaganda and revolutionary conspiracies. It is, of course, impossible to even approximate the amount of gold expended by the bolsheviks in their revolutionary activities. Their agents have been, and now are, in Persia and in China, and they have spies and chosen representatives in India, where they hope to inaugurate a revolutionary movement which will culminate in the expulsion of Great Britain from that land and add India to the ranks of the communistic organizations. In my opinion, it can be stated with absolute certainty that many millions of dollars had been expended by Lenin and Trotski in this conspiracy to destroy the Governments of the world. They have declared that bolshevism would fail in Russia unless other nations were drawn into its vortex, and so with unflagging zeal the campaign to destroy all national lines and bring about world communism has been prosecuted with frenzied energy.

Permit me to digress for a moment to refer to a statement made in the manifesto, adopted by the congress of the communist internationale at Moscow, March, 1919, which was prepared by Lenin. It is there stated that—

It is the task of the communists to gather together all forces of all the true revolutionary proletarian parties in order to further and hasten the complete victory of the communist revolution.

And in one of the closing paragraphs of this document these words appear:

The task of the international communist party is now to overthrow this order (meaning the Governments of the world) denominated bourgeois governments, and to erect in its place the structure of the socialist world order.

In the rules announced to govern the communistic internationale it is declared that—

seizure of political power by the proletariat means destruction of the political power of the bourgeois. * * * Conquest of the political power means not merely a change in the personnel of ministration but the annihilation of the enemy apparatus of government; disarmament of the bourgeoisie, of the counter-revolutionary officers, of the White Guard; arming of the proletariat, the revolutionary soldiers, the Red Guard of Workingmen; displacement of all bourgeois judges and organization of proletarian courts; elimination of control by reactionary Government officials and substitution of new organs of management of the proletariat.

To carry out this program, the bolsheviks have been prodigal in their expenditures. Mr. President, the amount of gold now held by the bolsheviks can not possibly exceed $300,000,000, including the Rumanian and French gold and the millions stolen from the Russian people. I omitted to state another pertinent matter which should be taken into account in determining the propriety of receiving, if it were possible, gold from the hands of the bolsheviki. It is known that they not only robbed and plundered Russians but they seized all plants, business enterprises, and property belonging to aliens. There were hundreds of millions of dollars of investments in Russia made by Americans, Italians, French, Japanese, Englishmen—indeed by nationals from nearly every country of the world. Large quantities of gold and silver were forcibly taken from the representatives of these aliens and confiscated by the bolsheviki dictatorship. It is impossible, of course, to even estimate the value of the property of which they were despoiled. These persons have given notice that the soviet dictatorship has seized their gold and jewelry and other property, and nations and individuals are warned against purchasing or receiving gold or silver or jewelry and other forms of property from the Lenin and Trotski government.

Perhaps no man in the United States has a greater knowledge of conditions in Russia than Mr. John Spargo, the eminent American Socialist writer. Mr. Spargo has written a most instructive work upon Russia and has published many illuminating articles upon Russian trade and the bolshevik régime. Whether one agrees with the political or economic views of Mr. Spargo or not, no one doubts his intellectual honesty or his fidelity to what he understands to be the truth. Mr. Spargo has recently written a most instructive article entitled "The problem of trading with soviet Russia."

I think it is the finest contribution that has been made to this question. In that article he states that after extensive inquiries into the subject of the gold and platinum reserve of soviet Russia, he reached the conclusion some time ago that—

it did not exceed 600,000,000 rubles, or about $300,000,000.

He further states—

When I was in London, in September and October, 1920, I checked up my figures against those compiled by the highest authorities in the service of the British Government and found that these investigators, working quite independently, had arrived at practically identical conclusions. Since that estimate was made there has been some not inconsiderable augmentation from the total, from various sources, including military conquest, confiscations, and mining, but in all probability the expenditure for goods and propaganda abroad has been greater. It is quite safe to say that the total now in the possession of the soviet government does not exceed 500,000,000 rubles or $250,000,000.

Mr. Spargo calls attention to the fact that about $120,000,000 of the gold in the possession of the bolsheviks belongs to Rumania and that France claims 50,000,000 francs, deposited in the Russian State Bank and confiscated by the bolsheviki. If the French and Rumanian gold now in the possession of the bolsheviks were subtracted from the quantity which they hold, the aggregate amount of their possessions, as stated by Mr. Spargo, would be reduced pro tanto. Mr. Spargo calls attention to another very significant fact which supports the contention that the amount of gold now in the possession of the bolsheviks is very much less than is usually asserted. Recently German manufacturers of locomotives attempted to arrange with the bolsheviks to supply them with locomotives. When these manufacturers insisted upon gold being deposited to insure payment for the locomotives, the bolsheviks refused to meet the demands, and upon investigation it was discovered that the reserve of the so-called soviet government was inadequate to meet the 600,000,000 marks which were to be paid for the locomotives.

A most vigorous propaganda has been waged in the United States by the bolsheviks and by others to compel our Government to accord recognition to the bolshevik dictatorship. Fanciful pictures have been drawn about the great resources of Russia and the volume of trade which we could secure if this course were taken. Labor organizations have been appealed to in support of this propaganda, and it has reached an acute stage since there has been a recession in the tide of domestic production and many factories have either closed their doors or reduced their output. There are, doubtless, many individuals who sincerely believe that Russia is in a position to purchase a portion of our surplus products, either by supplying us with commodities which the Russian people produce and which we require or by paying us gold.

Extravagant statements are repeated that Russia has enormous quantities of flax, hides, sugar, timber, and other products which she would be glad to exchange for our manufactured products. Some of our business men have been misled by these representations and the intensity of the campaign waged by Martens, the deported representative of the soviets, as well as others who have echoed his refrain. And there are those in our midst who are clamoring for recognition by the United States of the soviet dictatorship, who are not inspired by any desire to help Russia or the American people and whose knowledge of conditions in Russia is such as to convince them that trade with her is impossible. Their interest is inspired by their hostility to our Government and their devotion to communism. They desire the recognition of the bolsheviks in order to give them strength and to multiply their opportunities to propagandize for the overthrow of this and other nations. I charge that there is a conspiracy, which as to some of the participants is akin to treason, upon the part of bolsheviks in Russia and communists in the United States to compel the recognition of the soviet dictatorship. All means available are employed by these alien enemies in our midst, as well as by some unpatriotic Americans, to deceive the American people and to forward the cause of international communism. Some of those who are evincing so much interest in Lenin and Trotski and bolshevism should leave this Republic. Their malignant influence makes them dangerous to the peace and good order of the Republic. They are exotic growths—perhaps I should say they are deadly parasites—and have no place in a free republic. They are not needed here. They belong in some other land. I have too much sympathy for the suffering Russian people to wish that these poisonous and malignant figures should be forced upon them, but I feel that their departure from the United States would be for the best interests of our country.

The Senator from Maryland has emphasized in his remarks to-day, as well as in his statement a few days ago, the great trade which we could enjoy if we would accept the gold held by the soviet régime. Mr. President, I have shown how insignificant is the gold supply of Russia. Assuming that the soviet dictatorship possesses three or four hundred million dollars in gold, it is obvious to every person who gives the matter a moment's thought that a quantity so limited would not be parted with by a government or a revolutionary junta. Even if it were willing to do so it would be the basis of but a small amount of trade between Russia and the United States or other nations. The exports of our country during the last calendar year were approximately $8,000,000,000. Our imports were about $6,000,000,000. It is certain that the bolsheviks would not part with all their gold; but assuming that we could obtain the entire amount, it is so limited that it would scarcely affect our foreign commerce. Russia needs to-day $30,000,000,000 for capital investment for the development of her resources. Her pressing needs call for commodities of the value of five to eight billions of dollars. The supply of gold controlled by the bolsheviks would scarcely purchase the medicines now so much needed in Russia or the agricultural implements for one of her Provinces.

When it is recalled that last year there were cleared through the banks of a small city in North Carolina nearly $100,000,000 for automobiles and automobile accessories we will obtain some idea of the unimportance of two or three hundred millions of gold as it relates to or affects the needs of the Russian people. The Senator from Maryland has insisted that the attitude of the Treasury of the United States was an obstacle to Russian trade. He criticizes, as I understand him, the action of the Treasury in refusing to mint gold of soviet origin. The Senator referred to the statute concerning the minting of gold, and I stated that I would produce it. Section 3519 of the Revised Statutes provides:

Any owner of gold bullion may deposit the same at any mint, to be formed into coin or bars for his benefit. * * *

It will be observed that the mint is authorized to coin the gold bullion of "any owner." It seems manifest that it would have no authority to coin bullion which was stolen or which was presented by thieves or those into whose possession the

stolen bullion had come. It would be highly immoral for the Government to open its mints to the coinage of stolen bullion. If the Government knows that bullion presented for mintage is stolen property, it has no right to receive it; and if it should purchase it, it should be held liable to the owner. I shall not argue as to whether there would be legal liability, but certainly there would be moral responsibility. Section 3545 of the Revised Statutes declares that—

> For the purpose of enabling the mints and the assay office in New York to make returns to depositors with as little delay as possible, it shall be the duty of the Secretary of the Treasury to keep in such mints and assay office, when the state of the Treasury will admit thereof, such an amount of public money or bullion procured for the purpose as he shall judge convenient and necessary, out of which those who bring bullion to the said mints and assay office may be paid the value thereof in coin or bars as soon as practicable after the value has been ascertained. On payment thereof being made, the bullion so deposited shall become the property of the United States. * * *

It will thus be seen that bullion brought for mintage is purchased by the Government, and payment is made for the same either in coin or bars. Of course, if gold from the bolsheviks were brought to our mints, the purpose would be to sell it to the Government for American money. The Government, in other words, would become the purchaser of this gold.

It is insisted that all restrictions at the mint be removed, and that gold of soviet origin be purchased by the Government and paid for with American dollars. The Treasury of the United States, observing the statute—the letter as well as the spirit—has required that any person tendering gold for mintage shall sign a certificate of ownership in which the person tendering it represents and warrants that said gold is not of bolshevik origin. If the Senator from Maryland or any other person will offer gold at the Treasury and give the requisite certificate of ownership, there will be no difficulty in selling the gold to the Government and receiving in payment therefor coins of the United States.

During the discussion between the Senator from Maryland and myself several days ago I suggested that if the mints of our country were advised that bullion produced from our own mines and offered for mintage had been stolen, or if there was a question as to its ownership, the officials of the Government would refuse to purchase it. The Government of the United States does not intend to be a receiver of stolen goods, whether they are of domestic or of foreign origin, and I am at a loss to comprehend the point of view of those who see nothing improper or immoral in the Government of the United States buying at its mints gold tendered by the soviets—gold which everyone knows belongs to Rumania or France or private individuals or to the Russian people; gold which the brutal, thieving, military dictatorship of Russia by force and murder took from its owners. In the light of all the facts, I think it must be admitted that even if the mints were open to the coinage of this stolen gold, but little, if any, would come to our country, or, if it did, it would be unimportant in developing commercial transactions between the United States and Russia, so pitifully insignificant in amount that no appreciable quantity of commodities could be paid for.

Mr. SIMMONS. The Senator says Russia has some gold, but not sufficient to continue for any considerable time the purchase of American goods.

Mr. KING. Or any other goods.

Mr. SIMMONS. Or any other goods. I will ask the Senator if that is not so with reference to all of our foreign customers?

Mr. KING. Absolutely.

Mr. SIMMONS. If they had to pay in gold for the purchases they make in this country our export trade would soon come to naught.

Mr. KING. Undoubtedly.

Mr. SIMMONS. Therefore, as Russia has but little gold that is available and other countries have but little gold that is available the only possible way of sustaining our foreign export trade is by taking foreign products in exchange.

Mr. KING. I regard the Senator's statement as correct.

Mr. SIMMONS. That situation applies not only to Russia but to all the world.

Mr. KING. Certainly.

Mr. SIMMONS. Now, the Senator from Maryland [Mr. FRANCE] says that while Russia has a large quantity of gold it also has large quantities of raw materials that are very much needed in this country, some of them possibly not produced to any great extent in this country, and that if Russia could be allowed to export to this country her raw materials, supplemented with her gold reserve, whether large or small, it would open up a large opportunity for the sale of our goods to Russia. I wish the Senator to understand that I am not at all discussing the question as to whether we ought, under the existing political conditions, to open trade with Russia in a broad way. I am merely stating the general proposition with reference to the difficulties that Russia would have, and trying to show that the same conditions apply to our trade everywhere else.

Mr. KING. Mr. President, the Senator from North Carolina has a profound knowledge of economic matters and questions of trade and commerce. He has, in effect, stated that our foreign commerce depends upon the commodity production in those nations with which we trade. That must be apparent to all. The nations of Europe which are now so desperately in need of our commodities are unable to purchase because of their limited production. England and France and some other European nations have gold, but it is impossible for them to part with the small amount which they possess. Of course, the gold supply of England and France is considerable, but it is required to maintain gold reserves, though their reserves bear a very small ratio to their paper issues. The available gold supply of the world is approximately eight and one-half billion dollars. The foreign commerce of the United States, as I have already stated, exceeded $13,000,000,000 during the past year. If the people of the United States had possessed the entire world supply of gold it would have been insufficient to pay for our exports. When we examine the average daily balances in the clearing houses of the United States and compare the total with the volume of money in circulation in the United States the impressive lesson is taught that the business of the country is conducted upon credits based on production rather than upon gold and silver. But a very small amount of gold was involved in our foreign commerce during the past year. Even the trade balances were settled not in gold but in obligations, securities, and capital investments. Gold, therefore, plays but a small part in international commerce.

Mr. President, the Senator from Maryland has expressed the fear that Russia's trade might be absorbed by Germany to the permanent disadvantage of our country. The Senator, I have no doubt, sincerely believes that the utmost freedom of trade should be permitted between the Russian people and the people of the United States. As I have indicated heretofore, I sympathize with that view; but if the Senator seeks recognition of the bolshevik dictatorship, then we do not occupy common ground. There are no obstacles interposed by this Government to trade between Americans and Russians. Our American manufacturers are at perfect liberty to ship to Russia commodities in unlimited quantities. Our agriculturists will encounter no impediment from the Government to the sale of their products to the Russian people, or, if they wish, to the soviet government. Ships are lying in our harbors and their owners are anxious for cargo. If the Russian people have gold or commodities available for exchange for American products there is absolutely nothing to interfere with such exchange.

The fact is, Mr. President, that Russia has practically nothing to sell, and so can not buy; and if she did have unlimited products, the soviet dictatorship would prohibit all transactions except such as were dictated and controlled by it. In other words, the soviet régime has suppressed private property and trade and commerce between individuals or communities. Private ownership of property has been abolished and trade is a monopoly—a monopoly controlled by the dictatorship. All this talk about "Russian gold available for the purchase of American commodities" is absurd, and even if our mints were to remove all restrictions and purchase gold of soviet origin but little, if any, would ever be presented. Swedish nationals attempted to trade with Russia and consented to take Russian gold. A small quantity only was forwarded to Sweden, and that was so alloyed—the alloy being 25 per cent—that the transactions could not be completed, so that the efforts to develop trade between Russia and Sweden were unavailing. Later, a representative of an English firm entered into a contract with the bolsheviks for the sale of certain English commodities, but learning of the dishonest attempts to defraud Swedish business men by means of alloyed gold, a demand was made that before the gold was accepted by the English firm it should be assayed to determine its purity. The bolsheviks refused to accede to this demand, and the sale was defeated.

Numerous attempts have been made by the people of various countries of Europe to open up trade with Russia, but thus far failure has attended their efforts. It is true there has been a limited amount of trade between Russia and a few surrounding nations, but the amount is so insignificant as to scarcely be worthy of note. Mr. Simon, the foreign minister of Germany, stated to his Government a few days ago that Germany had endeavored in every possible way to open up trade with Russia, but had failed. He complained of the perfidy and dishonor of the bolshevists, of their lack of moral standards, also of the fact that the exhausted condition of Russia left her nothing for export, and therefore prevented her from engaging in foreign trade.

Mr. POMERENE. Mr. President, if it will not interrupt the Senator——

Mr. KING. I yield.

Mr. POMERENE. A little while ago the Senator made a statement to the effect that our nationals could trade with the nationals of Russia.

Mr. KING. Yes.

Mr. POMERENE. I think the facts, when clearly understood, will indicate that that can not be done with safety.

Mr. KING. Oh, I expressed no opinion as to the safety, but I said so far as our Government is concerned.

Mr. POMERENE. I mean so far as the soviet government is concerned. I have before me a little publication, known as the "Russian Economic Bulletin, Official Organ of the American-Russian Chamber of Commerce," printed in January, 1921, in which this paragraph appears:

FOREIGN TRADE DECREE OF THE SOVIET GOVERNMENT.

Poslednia Novosti, Paris, December 16, 1920, publishes the following decree by the soviet government in regard to foreign trade:

"All merchandise imported into Russia without a permit from the commissariat of foreign trade will be looked upon as a contraband and will be confiscated by the government."

The fact of the matter is that it is only the soviet government that can trade with outside countries or the nationals of outside countries, and the nationals of Russia are not permitted to trade on their own account.

Mr. KING. What the Senator states is true. The bolshevik organization has suppressed the cooperative societies to which the Senator from Maryland referred some time ago and has practically destroyed the business of Russia. There is no industry in Russia. The factories and plants have almost ceased to produce. The mines have either closed or their output is so restricted as to be of but little benefit to the economic life of the State. The transportation system is wrecked, and, indeed, confusion and disorder and chaos and despair reign wherever bolshevism is found. Whatever trade exists is either directed and controlled by the bolsheviks or is secretly carried on, and the bolshevik authorities are alert to prevent any traffic between Russian nationalists and the citizens of other nations, and where conducted and discovery is made, imprisonment or death often follow as punishment.

Recently Mr. H. G. Wells, the noted English socialist, went to Russia, and upon his return to England published a number of articles showing conditions there found and his impressions of the soviet leaders. Mr. Wells, let me add, if not a communist, is an apologist for communism. His articles do not present, in my opinion, a fair and dispassionate view of Russian conditions, and their speciousness if not dishonesty are apparent when he attempts to fasten responsibility for the chaos and ruin which prevail in Russia. In one of his articles appearing in the New York Times this statement is made:

It (bolshevism) has suppressed private ownership and private trade in Russia, not as an act of expediency but as an act of right, and in all Russia there remain now no commercial individuals and bodies with whom we can deal who will respect the conventions and usages of western commercial life. The bolshevik government, we have to understand, has by its nature an invincible prejudice against individual business men; it will not treat them in a manner that they will consider fair and honorable; it will distrust them and as far as it can put them at the completest disadvantage. It is hopeless and impossible, therefore, for individuals and firms to think of going into Russia to trade.

This damning indictment of the Russian communistic system is reluctantly admitted by this great apologist for their crimes and their failures. I hope the Senator from Maryland, as well as those who are agitating in the United States for Russian trade and a recognition of the bolshevik régime, will remember those words of Mr. Wells. I want them to recall again and again that Mr. Wells declares that the bolshevik government has "suppressed private ownership and private trade in Russia," and that this suppression is not an act of "expediency, but an act of right," and that in all of Russia there remain no commercial individuals and bodies with whom we can deal who will respect the conventions and usages of western commercial life.

Let me inquire in what manner do these agitators who are insisting that trade relations be established with Russia expect that their purposes shall be carried out? As I have said, there are no obstacles interposed by the Government. Why do not these men who desire to trade with Russia do so? It has been charged that Mr. Martens, who represented the bolsheviks in the United States for a long period, entered into many contracts with American manufacturing houses for the purchase by Russia of products supplied by these business firms. Of course, it is not true. But, if it were, why do not these American concerns ship the purchased articles to Russia? There will be no objection from this Government. Martens will soon be in Russia. If they desire to trade, I repeat, let them proceed. But they know that there is no chance for trade, that there are no individuals who can or will purchase, and that their dealings, if any be had, must be exclusively with the dictatorship.

Mr. President, there has been a cunningly devised scheme by the bolshevik régime to deceive not only the American people but the people of other countries. It was contended, first, that Russia was ready to buy millions of dollars' worth of foreign products, but the embargo prevented. When the embargo was raised by the allied nations, and Russia was free to trade with whom she pleased, no products important enough to note flowed from or were carried into Russia. It became important that some other pretext be offered for the paucity of trade, and that pretext is found in the charge that the mints of the United States will not permit Russian gold to be coined. The bolshevik government desires recognition, not for trade, but that she may carry on through her ambassadors and representatives a wicked propaganda for the overthrow of nations which accord hospitality to her representatives.

Mr. President, referring to the alleged obstacles interposed by our Government to Russian trade, I direct attention to a letter written by the Acting Secretary of State, Mr. Norman H. Davis, on the 8th instant. It is in reply to a communication addressed to him by Alton B. Parker, president of the National Civil Federation. Judge Parker calls attention to the criticisms of the policy of the State Department in a "widely published declaration" emanating from an organization which hoped to influence the recent election. Mr. Davis, speaking for the Government, contradicts many of the statements contained in the communication of the organization referred to. He denies that it has been the policy of the Government "to refuse to permit relief to be sent to soviet Russia," and repeats what every one knows to be a fact, that the only restriction on export trade with soviet Russia relates to munitions or commodities susceptible of immediate military use, and that with respect to such commodities a special license may be applied for. If the reasons appear to be valid, doubtless such license will be granted. Not only is no license required with respect to other commodities, but no restriction on exports exists. Mr. Davis states—

That relatively little of these commodities have been sent, due to purely commercial considerations. Two different organizations have been carrying on a noisy agitation in this matter, asserting that they have been prevented by this Government from sending medical supplies to Russia. They have been informed that no such obstacles exist in regard to such shipments and apparently they have no funds to send supplies or pay for their transport.

The organizations referred to by Mr. Davis are undoubtedly engaged in bolshevik propaganda either knowingly or ignorantly. Mr. Davis further states that the Department of State has taken an "intense interest" in the possibility of arranging for large-scale relief work for Russia, and calls attention to the difficulties which have been raised by the "soviets who can not find in their theory of communism any excuse for private philanthropy." He further proceeds:

Representatives of the large relief organizations, with the knowledge and approval of the Department of State, have visited the central soviet authorities in Moscow in the hope of establishing a modus vivendi for such work, but were with two exceptions met by rebuffs.

In this matter the experience of this Government has been identical with that of European countries, both those who were associated with us in the war and the northern neutrals. The only relief work which the soviet will tolerate is a direct gift, and all supplies to the soviet government to be distributed by them as their own largess.

If the soviets will refuse to permit supplies, medicines, and gifts raised by charitable organizations to be distributed to the Russian people, it is manifest they will not permit business to be transacted between Russian nationals and other countries.

Mr. Davis continues:

It appears that American citizens who have gone to Russia for relief work among the sick and starving have been and still are held as hostages, and that the government's attitude toward relief workers is that which is assumed toward private business enterprises. Any American citizen is at liberty to enter Russia upon his own responsibility.

Mr. Davis refers to the fact that postal communications with soviet Russia could not be formally established without practical negotiations, and that such communications are based on a commercial contract and implies solvency on both sides. However, as Mr. Davis states, there is no refusal to permit communications, and that, "as a matter of fact, it is well known that letters do pass between the two territories." Any impediment to the fullest exchange of commodities between Russia and other countries depends solely upon the soviet power in Russia.

Mr. Alexander, Secretary of the Department of Commerce, under date of January 14, stated that his department was ready to aid American firms wishing to trade with Russia, and that commercial attachés at Stockholm, Copenhagen, and other

points will furnish such aid as they can, but that goods shipped would be at the peril of the exporter, as the Government could not assume responsibility.

The New York Times, Sunday, December 3, 1920, contains the following editorial, which is very illuminating, upon the question of Russian trade. I desire to submit it as a part of my remarks:

FAITHLESS RUSSIA.

The campaign for recognition of the bolshevist government is going on vigorously all over the world and has, of course, gained strength from the collapse of all the Russian armies opposed to the reds. Russia is at peace for the moment, and the friends, admirers, or would-be creditors of the bolsheviki are doing all they can to get the rest of the world to call bygones bygones. Their favorite complaint is that politics and business are being confused; that it is stupid not to trade with a people because you disapprove of its government.

It is an old argument and one which has again and again been refuted by the declarations of the bolshevist leaders themselves. Yet it is still repeated, so it may be worth while to repeat the refutation. The rest of the world is reluctant to trade with the bolsheviki, not because it disapproves of their government, but because they disapprove of its Governments. They disapprove of those Governments so violently that their creed permits, in theory, no compromise. The bolsheviki have occasionally, when it suited their need, promised that they would make no efforts to foment revolution in the States which might have dealings with them; but in making that promise they are denying their own religion. There has been no evidence that they would keep those promises if it suited their convenience to break them. To-day the bolshevist government is talking peace and trade; but Mr. Zinovieff, of the third international, that government's agency for making trouble abroad, is telling socialists of other countries that "we need real revolutionary fighters, not diplomats."

Trade implies certain standards of dealing. Thousands of years of commerce have created certain traditions and understandings as to what is done and what is not done. It is bad form to accept payment in stolen money, for example; and that is not a mere arbitrary moral judgment; it rests on the fact that long experience has proved that it does not pay to accept payment in stolen money. But much of what the bolsheviki have to offer is precisely that. Their right to the gold of the Russian Government may ultimately be conceded if their government is recognized; but the gold belonging to Rumania must be regarded as stolen by any legal standard. The Russian gold, for that matter, is the security for the Russian debt, held chiefly in France; and until the bolsheviki acknowledge that debt a business man who sells them goods on credit is taking some chances.

There is in Russia, of course, much besides gold that can be used, eventually, in payment for foreign goods. Very little of it can be used now. Much of the natural wealth of the country has been seized by the bolshevist government. The former owners are not compensated. An article in the Weekly Review reports that some British banks have refused to honor checks of certain Russian companies on their balances in those banks, because the bolshevist government has seized their property at home, and if it is recognized will have a claim on their property abroad. This may be the beginning of a new morality, but business men used to dealings under the old morality will find it hard to adjust themselves to it. A government which can confiscate one man's property can confiscate another man's property. Very few, if any, are the persons who oppose trade with Russia because they do not like the politics of the Russian leaders. But there are excellent reasons against trading with Russia in the commercial practice of those leaders, as well as in their determination to make the politics of every nation like their own.

The fact is, as was stated in the editorial of the Times in its issue of December 29, 1920, that "a civilization which recognizes property rights has not yet discovered how to deal with the civilization that does not."

I mentioned a few moments ago the statement of Dr. Walter Simons, the foreign secretary in Germany, read before the Reichstag on the 20th of this month. The Associated Press, in reporting the matter, states that the official declaration resulted from an interpellation by independent Socialists, who demanded to know what steps the Government proposed to take to establish relations with Germany's eastern neighbor, "which are equally profitable and necessary for both countries." In answering the interpellation, Dr. Simons said:

The German Government has not been able to alter the conditions which have complicated political and trade intercourse with Russia throughout the whole world. The reason for this is found primarily in the complete evolution of Russia from her former economic system, her artificial isolation from the sea, her inaccessibility by land, and the total collapse of the Russian transportation facilities. The final obstacle is found in the soviet government's principles governing international trade and its attitude with respect to revolutionary propaganda.

Dr. Simons further stated that an additional reason for the failure to trade with Russia grew out of the persistency with which the soviet régime had attempted to "carry on political agitation in Germany." When Dr. Simons refers to the "final obstacle" preventing international trade being the attitude of the soviets with respect to revolutionary propaganda, it clearly demonstrates why Germany is unable to carry on commercial relations with Russia. Germany is seeking trade, and her revival is quite remarkable in view of all conditions. She would gladly sell to Russia, but finds it impossible because Russia has nothing to export, and the soviet régime is more interested in destroying the Republic of Germany than she is in trade and commerce. There are hundreds of thousands of Germans in Russia, and there are many reasons why Germany would secure exports from Russia in preference to other nations, and yet there is no appreciable trade between the two countries.

In the Ekonomicheskaya Zhizu, a bolshevist paper, September 3, 1920, appears an article by the Communist Economist Bagaiev, in which he says:

At the present moment, when there is a famine in all branches of industrial and personal consumption, there can, as a rule, be no question of the existence of any surplus for export. We shall have to export what we are in great need of ourselves, merely for the purpose of getting something more indispensable in exchange. Every imported locomotive, every plow we get, will have to be paid for literally with strips carved from the body of our national industries. Under these circumstances it would be wrong to spend either our gold or, still more, our precious stocks of exportable commodities.

This is the statement of a communist whose interest is to present in the most favorable light conditions in Russia. He speaks of "famine" and makes clear the sad and wretched plight of Russia when he refers to the "strips carved from the body of national industries."

In an article entitled "Soviet Russia's Foreign Trade," published in the New Russia, a London weekly, this statement appears:

Practically speaking, in 1918 there were no imports except coal, which formed over 90 per cent of the total. It was coal supplied to the government delayed on the way, and which reached Russia after it was no longer needed. But, to make up for that, in 1918 there were animated negotiations between Sweden and Russia—not, indeed, with reference to imports, but to exports from Russia of money, tokens, and valuables—mostly in couriers' bags. Nineteen hundred and nineteen was the year of effective blockade. Foreign trade was resumed in 1920. At first there were merely chance imports, and then on the conclusion of peace with Esthonia imports became steadier.

The statement, which is instructive, further continues; and without reading I ask that it be inserted as a part of my remarks.

The PRESIDING OFFICER. Without objection, the request will be granted.

The portion to be inserted is as follows:

Imports through Esthonian frontier in 1920.

	June.	July.	Apr. 18–July 31.	Included in July.
	Poods.	*Poods.*	*Poods.*	
Foodstuffs	52,630	81,124	904,925	52
Manufactured animal products	3,573	42,805	46,378	1,098
Chemical products	33,843	45,930	797,773	36
Manufactured metals	149,817	89,517	269,228	[1]40
Paper goods	89,887	90,907	194,025	5

[1] Decrease.

Thus rich Russia has to feed at the expense of poor Esthonia. Moreover, correspondents from Reval have repeatedly written that it is apparent that Esthonia is being gradually devastated by the bolsheviki.

Another interesting point is the decrease in the imports of metal manufactures, which fell nearly 40 per cent for July as compared with June. Does not this show that up to July Russia imported Esthonia's reserve stocks, and in July there was not enough to keep up the level of the imports for the preceding month?

The enormous quantity of paper imports is also remarkable. The figures are especially significant when compared with the communique in the Petrograd Pravda for September 8 to the effect that the consumption of paper for printing notes is 800 poods per diem, and that measures have been taken to buy paper of the best quality abroad.

Travelers who have recently returned from Riga have brought word of the great paper shortage in Russia, which recently compelled the soviet government to order that only 10,000-ruble notes be printed, notes which are worth 20 cents in American currency. Notes below this are not equal in value to the paper on which they are printed.

EXPORT DATA MERE BLUFF.

"In connection with this," the writer continues, "the question arises, What is Russia exporting at present? Judging from the bolshevist newspapers, there was a preliminary inventory of goods available for export, of which there were considerable stocks. Practically, however, the only commodities at the disposal of the bolsheviks were gold and jewelry, etc., which were included in the inventory. And, indeed, we see in the statistics of transports through Narva, which by some chance happened to be published in one of the numbers of the Pravda, a mention of railway cars going toward Reval. Logically, this might have been surmised even without bolshevist figures, because, of course, in an utterly ruined country there is at present no surplus, and the data of any so-called 'export stock' can only be a bluff."

The absence of exports will be the chief stumblingblock to the renewal of trade. It is true that in his article Bagaiev sees other obstacles besides this.

"The only exportable commodity in Russia as a whole has been set aside by various commissariats, and, moreover, as the commissariat for foreign trade had no proper machinery of trade, either central or local, the Government departments have been forced willy-nilly to have recourse to a system of petty trading."

It is true that departmental separatism has disappeared, but there is still no common plan of action in the form of a practical business program, this being replaced by separate disconnected schemes. The fact of the importation from abroad of a large number of children's spades, pruning knives, etc., at a time when Russia is suffering from the great want of technical appliances is a good proof that the work of the commissariat of foreign trade has been performed only casually.

Of course, the absence of any plan is an obstacle, but even a proper plan could not do away with the inherent defect. So long as the bolsheviki continue to pay exclusively in gold, the opening of the frontiers can not attain its object, i. e., the renewal of economic life. What is the use of importing thousands of locomotives if the country has nothing to transport except soldiers?

So long as the bolsheviki continue to think of conquering the world, no imports can help them, because it is only the productive forces of the country that are unlimited, and not the gold, which is required to pay for both foreign imports and propaganda abroad.

Mr. KING. The Senator from Maryland stated that Russia has large supplies of flax, platinum, and other commodities which are available for export. Mr. President, the facts disprove the Senator's contention.

I have called attention to the article by Bagaiev showing the impoverished condition of Russia. In the same organ of the bolshevik, Pravda, and in its issue of January 3, 1921, this statement appears:

Hitherto we have been living on the stores and machinery, the means of production we inherited from the bourgeoisie. We have been using the old stores of raw materials, half manufactured and manufactured goods. But these stores are getting exhausted and the machinery is wearing out more and more.

Mr. President, few persons outside of Russia appreciate the tragic and awful conditions there prevailing. I have before me hundreds of excerpts from bolshevist papers which admit the appalling conditions and do not attempt to disguise the woe and famine and starvation which are devastating that unhappy nation. Many of these articles refer to the typhus plague as well as other diseases which are ravaging the country. There is constant reference to the lack of fuel supply and to the failure of the coal mines to produce. In the official bolshevist organ, Pravda, this item recently appeared:

The deliveries of grain in all the Provinces amount to 55,557,000 poods instead of the scheduled 443,500,000 poods. In other words, the deliveries have not exceeded 12.4 per cent of the schedule.

The paper, after stating these facts, declares that serious pressure must be brought to bear upon the food-supply organizations as well as upon the masses of the peasantry, "otherwise an increase of unrest among the population of the starving districts may be expected."

In a report read at the Fifth All-Russian Convention of Trade Unions it was reported that the provisioning, even of the—

first-class privileged factories and plants, does not exceed 30 to 35 per cent of the required norms. In reality, the workers obtain only 6–8 pounds of bread a month instead of the official 30. This makes it necessary to considerably reduce the number of privileged workers from 5,000,000 to two and one-half and to deprive their families of extra rations.

In its issue of December 1, 1920, the Volia Rossii reprints an article from the Vorwaerts, the German Social Democrat organ, Berlin, containing a speech delivered by the Russian menshevik leader, Abramovitch, in which he describes the economic and other conditions of Russia. He states that the output of Russian industry, which was wholly inadequate to supply Russia's demands in peace times, is from 6 to 10 per cent of what it formerly was.

Before the war 1,200 plants were engaged in the manufacture of iron and other metal goods. To-day but 21 factories are working, and they are working mainly for the requirements of the army and the State. From 5 to 15 per cent only of the prewar volume of coal is produced, and even the limited production in Russia can not be made available because of the destruction of the transportation system. The supplies of salt are but 10 per cent of the needs of the people. The speaker declared that Russia is unable to feed herself because of the socialization of the land and the conflicts between the bolsheviks and the peasants:

The latter stubbornly resist the requisitions of the bolshevists, as a result of which there are frequent uprisings and entire villages are destroyed by fire and artillery action.

In the Volia Rossii—which is a daily published in Prague by leaders of the socialist revolutionists and edited by Mr. Zenzinov and others—a number of articles appear in the issues of December 1, 4, 8, 10, 14, and 18, 1920, which set forth Russian conditions. The articles are written by Boras Sokolov, a Russian economist and a member of the party just mentioned. After visiting Russia and carefully examining into conditions, he states that the Russian proletariat has shrunk to one-fifteenth of its former size; that workers have, so far as possible, left the cities and returned to the rural villages, where they are attempting to open small workshops such as might be found in primitive times among widely scattered pastoral communities. Reference is made to the fact that the chemical industry has lost 80 per cent of its workers and that the textile manufacturing industry has similarly suffered. The rubber industry in 1916 had 30,000 workers; in 1920 but 6,000. In 1917 there were 172,000 in the paper industry and in 1920 but 18,000. Engaged in the glass and crockery industry there were, in 1917, 123,000 workers, and in 1920 but 21,000. The record is also conclusive that those who still labor in the manufacturing industries and in plants, factories, and mills are so inefficient that but little is accomplished and that their lack of nourishment prevents, even if the desire existed, the performance of an average day's labor. Bread, which formerly cost 2 kopeks, now brings 350 rubles; and sugar, which before the war sold for 15 kopeks, costs now 4,500 rubles. Notwithstanding the enormous wages in bolshevik degraded currency, the wages actually received are twenty times less than in 1917. The communist Novikov reported to the Moscow Provincial Convention of Chemical Workers, held July 17, 1920, that—

Never before have the chemical workers found themselves in so difficult a situation as now. They are actually starving, having neither a sufficient ration nor money to purchase the necessary foodstuffs. The same condition prevails at the Troitsky works where the working-day exceeds 10 hours.

The report of the convention in August, 1920, states that the workers of the Putilov works are—

literally starving, subsisting only on bread and the soviet soup. "We are completely exhausted from overtime work and poor nourishment and have no money to buy milk for our children."

When it is remembered that the Putilov works are the important steel works of the bolsheviks, necessary for their war purposes, it furnishes convincing proof of the distress and starvation and utter economic collapse in Russia. The conditions of the employees in the factories and plants are so wretched as to be almost unbelievable. A resolution of the Petrograd workers was adopted on September 5, 1920, which states:

We feel as if we were hard-labor convicts, where everything but our feeding has been made subject to iron rules. We have become lost as human beings and have been turned into slaves.

I should have mentioned that labor has been militarized. Compulsory work is enforced, a fact reported by the Ekonomicheskaya Zhizu in its Nos. 147, 164, and 144, recently published.

The disintegration of the proletariat working forces has been so pronounced that in order to prevent its absolute destruction the soviets began to militarize the industries in 1920. The railroads first came under the military orders. Later other industries were included, among them being coal mining, metallurgical, lumber, flour mills, and sugar industries. The employees are compelled to submit to the military orders and are punished for slight infractions of the same. In the Metalist, official organ of the Metal Trades Works, in its issue No. 3, 1920, this statement is made:

The same punishment is meted out for refusal to do compulsory overtime work, and in case of persistent refusal the culprit is haled before the court.

In an editorial in N. Armia No. 7, 1920, it is stated that—

The distinction between soldier and the worker must be wiped out; the same harsh discipline, the same unconditional obedience must exist for both.

The Department of Commerce of our Government has recently published a pamphlet upon the economic conditions in soviet Russia. An examination of this publication confirms the reports to which I referred and conclusively establishes the fact that, for the present, there can be no trade with Russia no matter how desirous we might be to engage in trade. The moral degeneration of workers is referred to, their refusal to meet the demands to increase working hours, and the attempts to increase the productivity of labor.

Reference is made to a large factory in northern Russia, formerly employing ten to fifteen thousand men, and in 1919 employing but 2,000 men. Mention is made of a large machinery construction plant near Moscow, constructed before the war, and which was thoroughly modern. From January, 1919, onward, 1,000 men were at work in the factory. Every effort was made to induce production, but notwithstanding such efforts, up to March, 1920, not a single machine had been delivered, though, during the year 1919, the expenditure upon the works reached 25,000,000 rubles. In another factory, confiscated by the soviets, the cost of manufacturing a motor-car sprocket, in January, 1919, was 25,000 rubles. The same kind of a sprocket produced in prewar times by the owner cost 30 rubles. The cost of railway operation is presented, which reveals the breakdown in the transport system. In one month of 1918 wages exceeded the yearly wages for preceding years, and were six times as great as the receipts. It will be noted that the bulletin to which I am referring is not brought down to include the year 1920. It is known that conditions are much more serious now than they were in 1918 or 1919, covered by the review of the Department of Commerce. Attention is given to the question of Russia's raw materials. The department states that—

The war and then the revolution paralyzed the supply in all industries, because, during the last three years, there has been little production in Russia and consumption has been at the expense of reserves of former years, which are becoming exhausted. It is only the enormous decrease in consumption and the reduction in personal requirements to a minimum, in most cases, indeed, following the minimum, that has disguised the national crisis in the question of supply. Besides, the internal causes of decay inherent in all forms of industrial life in Russia, at the present time the production and supply of raw materials were also affected by the shortage of fuel for industries and by the disorganization of transport.

The report further declares that—

Until Russia's shortage of metal is remedied there can be no hope of any extensive development of industry.

Further speaking of the iron and steel situation, the report states:

It is of no use to reckon on the extension of industry, and still less use to dream of being able to carry out any of the grand schemes which are constantly being brought forward and which produce the impression that in the near future Russia's technical progress will exceed that of other and more cultured and industrially more developed countries. Even on the former modest scale of industrial development, Russia must for some time to come be dependent on foreign capital and influence to a very great extent. In this respect all tempting delusions are a far greater danger to the country than the knowledge of even the most bitter truth.

The Senator from Maryland claimed that Russia was in possession of large quantities of flax. The report says:

For the present moment, when for four years Russia itself has been existing by absorbing its old stores, not by producing new ones, and when the economic life of the country has been destroyed along its whole front, there can be no question in this sphere, either, of the existence of supplies in sufficient quantities to be important to the State.

These words are found in the discussion of the flax situation. There was no production of flax, so that it may be safely assumed there is none for exportation. The report, on page 19, states that in the sphere of fundamental industries, such as "the textile and the animal industries"—referring to raw materials of animal origin, such as hides, tallow, and so forth—"the country will for a considerable period have to struggle to satisfy its home demands, to which end large sums will be required for restoring that which has been destroyed."

Speaking of the attempts to distribute the supplies, whether of raw materials or other products confiscated and controlled by the soviets, the report states that chaos prevails everywhere, that the soviet institutions have an enormous number of employees, who are incompetent and inefficient, and that owing to constant peculations on a large scale the warehouses are closed a portion of the time, ostensibly for "stock taking." The report adds:

In general, after functioning for about a fortnight, the stores have to be closed for some time to ascertain how much has been stolen by the employees.

The results of the soviet industrial policy are presented, and facts demonstrate that there is a return to primitive economic forms, the "village blacksmith gradually replacing the town commission agent and contractor." The villages are being isolated from the towns, thus "intensifying food crises in the latter"; besides this, the constant government requisitions of so-called "surplus grain and other foodstuffs from the peasantry for the purpose of general distribution," leaving a peasant merely an indispensable minimum—in the case of grain, 432 pounds per male per annum—and has resulted in the peasantry's being unable to bring any of their product to town and exchange for such articles as they require. The report declares that Russian "industry is ruined and the country impoverished, and this disaster is so colossal and the contraction of the consuming market so great that caution will be necessary with regard to the forms in which industry may begin its regeneration." It is stated that a necessary condition for economic regeneration of Russia and the restoration of its industry will require millions of dollars of foreign capital.

Mr. President, this report is in harmony with those which we are constantly receiving from Russia, and all demonstrate that any possible trade with Russia for the present is an idle dream. Mr. Jacob H. Rubin, a Milwaukee business man, has recently returned from Russia. I understand that he is testifying to-day before the Foreign Relations Committee. In an interview appearing in this morning's Washington Herald Mr. Rubin states that few Americans realize that there is no Russian Government, that Russian communism is not national but international in scope, that the bolshevik currency bears the legend, translated into English, "United Workingmen of all Countries," and that the aim of the communists is the overthrow of all capitalistic forms of government. His statement envisages Russia so clearly that I ask that it may be inserted in the RECORD as a part of my remarks without reading.

The PRESIDING OFFICER. Without objection, the request is granted.

The interview is as follows:

MILWAUKEE BUSINESS MAN TELLS OF RUSSIAN PLIGHT.

Present chaotic conditions in Russia are eloquent of the failure of communism in that country, according to Jacob H. Rubin, Milwaukee business man, just returned from a visit to Russian cities in the interest of Milwaukee manufacturers.

Rubin, who is registered at the New Willard, had an adventurous career in Russia. Leaving the United States in October, 1919, he reached Russia while Denikine was in power and was arrested as a bolshevist spy December 14, 1919. He was in prison, sentenced to be shot, when the American representative in Bucharest, learning of his plight, notified the State Department, and his release was obtained by Capt. Irvin of the American Red Cross.

OFTEN PUT IN JAIL BY SOVIET LEADERS.

Following the fall of Denikine and under soviet rule, Rubin found traveling in Russia a hazardous undertaking, as he fell into the hands of the soviet authorities several times, but was released after a night or so in jail.

"Russia to-day is absolutely lawless," said Rubin. "In this country and in all countries where liberty is enjoyed under law, existing legislation related to property. Since property rights are not recognized by the soviet government, in Russia there are no laws.

"There is no such thing as a legal contract in Russia," he continued, "no injuries nor liabilities about which to sue or be sued. The only approximation to codified law in Russia to-day is embodied in certain rules of ethics drawn up by the third internationale, the gathering of soviet delegates from all over the world, which convened last July in Odessa."

SAYS NO GOVERNMENT EXISTS IN RUSSIA.

"Few Americans realize," Rubin says, "that at the present time there is no Russian government with which this country may assume diplomatic relations."

"Russian communism is not national; it is not a Russian matter," Rubin explained, "but international in scope. On their currency, for instance, is the legend which translated would read, 'United Workingmen of All Countries.' The aim of the communists in all countries is to unite the workingmen of the world, and their object is the ultimate overthrow of all capitalistic forms of government."

PEOPLE UNCHANGED SINCE DAYS OF CZAR.

"We must not forget," Rubin said, "that the Russian people of to-day are the same people, with a few changes, who made up the Russia of Czar Nicholas. They have not changed, save for the fact that six years of war reduced the morale of the people, and enforced idleness gave way to bolshevism. Bolshevism is the natural product of idleness. It is not confined to Russia but may be found in any country where men want work but can not secure it. Every man has a right to a job and an opportunity to earn a living."

Asked for a sketch of the soviet government, Rubin explained that Lenin is the president of all the commissariats, as the various departments of the Russian Government are called. These include the various ministries charged with the administration of domestic and foreign affairs and having jurisdiction over such matters as education, food products, all textiles, railroads, sanitation, health, propaganda, and newspapers.

Trotski has control of the army. There is also an official who corresponds somewhat to a vice president, acting in Lenin's stead.

SAYS SOVIETS HAVE SPLENDID SPY SYSTEM.

"The bolshevist secret service," said Rubin, "is as complete as the Imperial Russian spy system before the war. Lenin has agents in all countries, who vigilantly note every happening which might have bearing upon Russian affairs. No person suspected of having an interest in Russian affairs is immune from this surveillance."

Rubin said that upon his arrival in Moscow and Odessa he found a complete record of his antecedents and activities on file.

SAYS SOVIETS DEAL ONLY IN PROPAGANDA.

"American Congressmen who urge recognition of the Russian Government are deceived into thinking that there is a distinctive Russian Government," said Rubin. "It must be remembered that the various representations being made by the soviet government to this and other Governments are simply propaganda. The soviet leaders believe that recognition may be secured through the indirect influence of commercial agents who come to the United States and other countries ostensibly to promote trade regulations, but in reality to start influences at work calculated to move Congress toward recognizing a soviet régime."

Rubin firmly believes that Russia will one day reach the stage when all factions will realize that after all the best form of government is one such as enjoyed by the people of the United States.

Rubin is well known in Milwaukee business circles, having been connected for many years with the Union Bank of that city. He has been prominent in the Socialist Party, stumping for that organization. He was instrumental in the passage of a usury law in Wisconsin, serving as chairman of the Remedial Loan Association committee. His son, Jacob H. Rubin, is a member of the literary staff of the Milwaukee Journal.

F. W. G.

Mr. KING. Mr. Hector Boon, an American recently returned from Russia, has written a number of articles concerning the Russian situation, one of which appears in the New York Times in its issue of January 13, 1921. In this article he states that he left Moscow on the 10th of October last and proceeded to London. He refers to Americans being held prisoners in Moscow, thus supporting the statement of Mr. Norman Davis, Assistant Secretary of State, that Americans were being "held as hostages by the soviets." Mr. Boon states that his personal business interests are centered in Russia, and that he has everything to gain by resumption of trade, but notwithstanding the benefits that would result, he is "absolutely and uncompromisingly opposed to any trade relations whatsoever with the soviet power. I shall have nothing whatever to do with Russia in so far as trading is concerned while the bolsheviks remain in power. I regard trading with a gang of marauders who now wield power in that country as unsound in theory and practice. The basis of all business is credit, and the basis of credit is reputation. The bolsheviks are thieves. Their word is worthless, and their stock in trade is principally stolen gold, and I decline to become a receiver of stolen property even . . the instigation of the British Government." His reference to Mr. W. B. Vanderlip, who recently emerged from Siberia with a remarkable story as to his enormous concessions, is exceedingly interesting:

Mr. W. B. Vanderlip told me in Moscow that as soon as Mr. Harding took office the United States would recognize the soviet government, and trading between the States and Russia would be in full swing this coming year.

With all due respect to Mr. Vanderlip and his fantastic contract (which is not worth the paper it is written on), I do not believe that the United States of America will have anything whatever to do with

the soviet government, or that the United States Government will follow the lead of the British Government by entering into an ignoble contract with the biggest bunch of murderers and scoundrels the world has ever seen, or do any act which will tend to increase the power of a gang of marauders whose aim is to smother the truly democratic form of government which obtains in the States, and in the building up and protection of which the sons of America have so gallantly shed their blood in the past.

He refers to Mr. H. G. Wells, the English Socialist, and members of the British Government, and then states:

There are only two classes of people in England who desire that England should trade with the bolsheviks, viz, those manufacturers and merchants who have large stocks of goods on hand which they are unable to dispose of and the direct-action people and their associates. Outside these two classes the people of England are opposed to any dealings with Lenin and company. For those manufacturers and merchants, whether they be English or American, who wish to trade with the bolsheviks, I have nothing but contempt. They are the sort of people who fleeced their respective countries during the war, who lost no opportunity of taking advantage of their country's plight, and to-day they are willing to deal with the enemies of mankind, if by so doing they can fill their own pockets.

Speaking of Mr. Wells, he states that he spent but 2 weeks in Petrograd and 30 hours in Moscow, and that he has shown himself remarkably ignorant in relation to many of the vital factors of the Russian situation. Mr. Boon states that labor is conscripted, and that nowhere in the world is the workingman so badly treated as in Russia. Trade-unions have been abolished and the workingman is denied any voice in the Government of his country or the right to strike or protest against his degraded condition. Speaking of the bolshevist régime, he declares it to be a militant minority, comprised principally of the criminal elements, and that Lenin insists that the country should be governed by a dictatorship of strong men who should decide for the people and then enforce their decisions by means of military power.

Mr. M. Schwartz, a well-known American Socialist, and his wife visited Russia, and the former has returned to America. They were imprisoned by the bolsheviks, and his wife endured such hardships while in prison that she died within a short time after arriving in Reval. Speaking of communism, Mr. Schwartz denounces it as—

Robberism; it tolerates imprisonment, persecution, and execution without trial; it has brought Russia starvation, disease, and death. There is no government. It is a worse autocracy than the Czaristic Government, and I lived there for more than 20 years under the Czar and had the experience necessary to make comparisons.

Albert Boni, a member of the publishing house of Boni & Liveright, of New York, recently returned from bolshevist Russia, where he was imprisoned and suffered indignities at the hands of the bolsheviks. In an article appearing in the New York Globe, on January 15, he analyzes the soviet constitution and reveals the manner in which the influence of the peasant in political matters is eliminated. With reference to the claim of the bolshevists that their government is one controlled by the working classes, Mr. Boni says:

The dictatorship of the workers and peasants, which, according to the communists, is the cornerstone of their whole program, is for Russia a pure myth. Government by the soviets is nonexistent. * * * The Communist Party exercises control over the town, district, and government soviets, controlling such elections as still take place by a system of terror under which only the smallest minority have the courage, under the conditions requiring a public statement of their choice, to vote in opposition. * * * Everyone in Russia who, even though legally and peacefully, does or says anything threatening the party dictatorship of the communists is a counter-revolutionist. Mentally 90 per cent of the Russian people are counter-revolutionary. Only the most stringent suppression of all efforts to lead this common mind to common action holds the Communist Party supreme.

What I have presented should satisfy even the most ardent supporter of bolshevism that there is no possibility of any appreciable commerce between the United States and Russia so long as the present military despotism exists in Russia. Russia has neither gold nor commodities. Commerce between her and other nations is therefore impossible. But, if Americans desire, notwithstanding these conditions, to attempt trade operations, our Government will offer no obstacle. Those desiring to trade may transmit their mail or money through Norway or other countries bordering upon Russia.

The Social Democrat, a newspaper published in Christiania, in its issue of October 29, 1920, states that—

there are no special arrangements with Italy or Czechoslovakia, and yet we trade with those nations—

so Americans may likewise trade with Russia if they can find anything in Russia to buy or any persons to whom they can sell, provided, always, that the soviet will permit. Even if Russia did possess commodities, or the soviet did offer gold or jewelry in exchange for commodities, there would be insuperable objections, at least, to honest men, to Russian trade for the present. A few days ago, in the discussion between the Senator from Maryland and myself, I referred to the recent decision of Judge Roche in Great Britain. It appears that in August, 1920, representatives of the soviets in Great Britain made an agreement with English firms for the sale of Russian timber. They claimed to be agents of the soviet, of the people's commissaries; they did not deal as individuals or represent the owners of the timber. They contended, of course, that the timber belonged to the soviet government, and as its representatives they entered into the agreement. The timber was shipped to England, and there attached by agents of a Russian firm, which had a branch in England. It was alleged that the soviets had confiscated the property in 1918.

The English firms claiming title under the soviet government contended that the presence of the soviet trade commission and its negotiation with the foreign office constituted a practical recognition of the soviet government as a de facto government, and that its title to the property which it pretended to sell could not be attacked. In overruling the defendants' contention Judge Roche held that Great Britain had never recognized the soviet government, and it, therefore, had no legal status. It was held that the confiscatory act of the soviets gave it no title. A perusal of the decision of Judge Roche suggests the inquiry as to what his decision would have been if Great Britain had accorded recognition to the bolshevik dictatorship. Undoubtedly, such recognition would have given those who purchased from the soviet government a stronger position in court.

But, in my opinion, the communist régime is principally interested in securing recognition in order that it may be free to send its emissaries to other nations to conduct communist propaganda for the destruction of society. Doubtless it desires recognition in order that it may find a possible market for limited quantities of property which it has confiscated. I referred to the fact that there were thousands of business men, not Russians, who had large investments in Russia. Their property has been confiscated; and if there were any trade between the United States and Russia it is quite likely that some of this confiscated property would be tendered by the soviets in payment for American commodities. It would be an immoral act for any person to receive such stolen property in exchange for commodities delivered by them to the soviet government. If the soviet government should pretend to deliver to business firms of Great Britain property belonging to Americans which the soviets had seized, I have no doubt but what our Government would protest against the transaction and would aid, through its diplomatic channels, the American owner to recover possession. If the Mexican Government should confiscate all property within its territory, including that of Americans and other foreigners, and should attempt to dispose of property owned by Americans to the nationals of other countries, we would insist that the transaction was invalid, and the purchasers from the Mexican Government would be called upon to defend their title to the property in the courts of civilized nations.

In the spring of 1920 there was a small quantity of flax stored at Reval, which was offered for sale by the bolshevists and purchased by the British Government. Later the bolsheviks attempted to dispose of it to others, and the British representative at the San Remo Economic Council, May 22, 1920, gave notice that the property had been bought and paid for by Great Britain.

I mentioned that efforts had been made by Germany to trade with Russia, but that the results were unsatisfactory. At a meeting of a German business organization—Deutch-Ost-Europaischer Wirtschaftsverband—on June 26, 1920, at Elberfeld, Germany, the possibility of trading with Russia was considered. The manager of the society, Mr. Meyer, stated:

We have negotiated with the representatives of the soviet government in Berlin and Copenhagen since 1919, but they have always tried, and failed, to fool us. They demanded offers of goods, promised a great deal, but as yet have done nothing. They have always found some excuse for not abiding by their word. I do not think it will be possible for private firms to trade with Russia in the near future.

In September, 1920, Mr. Mjelde, a representative of the Norwegian Government, declared that the Lenin régime and its representative, Litvinov, were not sincere in their commercial negotiations but were hiding their political efforts and seeking recognition for propaganda purposes. He further said:

Mr. Litvinov's proposals are considered impossible from a commercial point of view, and in addition he has made them dependent upon conditions that would practically involve political recognition by Norway of soviet Russia.

At a meeting of the supreme economic council of the league, held July 26, 1920, a statement was filed that certain timber offered for sale by the soviet government belonged to a Norwegian firm. Proof of ownership was submitted and notice given that—

All necessary steps would be taken to protect the claim of the Norwegian owner.

An important conclusion was reached by the Government participating in the supreme economic council, namely: The regulations which would be established with respect to goods

hitherto delivered to British merchants and at present seized by the bolsheviks will be extended fully to foreign traders. As I interpret this rule, it means that Great Britain will apply the rule announced by Judge Roche to all controversies, even though the claimants are not British subjects. That would mean that any property confiscated by the bolsheviks and sold by them could be recovered against the title of the soviets in any English court. In other words, the soviets have no title to stolen property, and those who purchase it can not successfully maintain their claim to ownership if the true owner invokes the jurisdiction of the English courts.

On the 11th of October, 1920, the Department of State gave out a statement concerning trade in Russia. It was carefully prepared by agents of the State Department in the Baltic Provinces. It states that of the entire amount of Russia's foreign commerce across the Esthonian border during five months—that is, from April to September, 1920—25,000 tons reached Russia, of which 18,000 tons were foodstuffs and the remainder chemicals, drugs, paper, metal goods, and engine parts.

In the matter of exports, the balance of trade is entirely against the soviet government, the only items of export consisting of small quantities of hemp and veneer wood. However, regret is expressed by the soviets that military necessity deters them from giving more attention to this growing trade.

The State Department further reports that the exports from Russia are practically infinitesimal, the two leading products being flax and timber, and these consist of old stocks existing prior to the bolshevik coup d'état. Let me add that these stocks were owned by Russian business firms and by foreigners who were engaged in business in Russia prior to the bolshevist régime, which confiscated them.

> The amounts of export, however, are so small as to preclude any basis for a barter trade.

I have made as thorough an examination as possible of the available sources of information and find that the greater part of the very small importations by Russia consists of military supplies and potatoes and food products from the Baltic Provinces which were a part of Russia.

Mr. President, any extensive trade between the soviet power and civilized nations is impossible. As I have repeatedly indicated, this Nation and other nations are willing to sell to the people of Russia and would be glad if the latter had any means of paying for the same, but the economic conditions of Russia prevent production, and domestic as well as foreign commerce. The soviet dictatorship desires to be recognized as a government in order that it may, under the protection of treaties and international law, place its ambassadors, ministers, diplomats, consular representatives, and other agents in the important countries of the world, where under the immunity and protection guaranteed them, they might carry on bolshevik propaganda for the destruction of civilization.

A soviet wireless under date of September 10 defines the situation as follows:

> The only thing that the Russian Government demands is that de facto relations be resumed, as it is obvious that otherwise trade relations are impossible; therefore such resumption of de facto relations is inseparable from trade relations.

The meaning of this statement is unmistakable. The soviets are more interested in being accorded recognition than in trade; but they announce that there will be no trade with Russia without recognition of the soviet power.

A world-wide drive is now being conducted by the soviets and their sympathizers and abettors in all parts of the world for recognition. We have been unwilling to treat with this outlaw organization and accord to it a position among the civilized nations of the world. Mr. W. C. Huntington, who was in Russia during a portion of the bolshevik régime as a representative of the Government of the United States, in an article in Scribner's Magazine for July, 1919, states:

> Recently the bolshevik or so-called soviet government has been seeking commercial connections with the world. Immoral in principle and an economic failure in practice, this group, as was stated earlier, has capacity and desire only to propagandize, not to construct. Substantial concerns will scarcely be attracted by the proposals of this group, which denies the ethical principles of commerce and which has ruined the business men of its own country. Such a government can not have commerce.

The Senator from Maryland in his resolution, to which I have frequently referred, asks that the—

> President be, and he is hereby, advised to communicate at once, through the Department of State, with the Government of Russia—

And so forth.

If this resolution were to be adopted it would be construed as a recognition by the Senate of the existence of the soviet government of Russia. Do the American people desire to give recognition, de facto or de jure, to the bolshevik dictatorship?

Recognition is the assurance given to a new State that it will be permitted to hold its place and rank in the character of an independent political organism in the society of nations. If recognition were accorded Lenin's despotism, it would be retroactive and validate its crimes, usurpations, and robbery. Its acts of spoilation, rapine, and murder could not be challenged in our courts. Acts under which it claims title to all Russian property, real and personal, would be free from legalistic attack, although we would know that property which it might seek to export was owned and claimed by private persons or corporations—some of whom are nationals of other countries, including America—the possession of which by force and violence the soviet power had acquired, and title to which it asserts. Our courts could not sit in judgment on the acts of such government, and its hideous wrongs would be approved and its power strengthened.

I should like to discuss the international and legal questions involved in according recognition, de facto or de jure, or both, to new States or powers, but shall not do so at this time. I will only add that though there has been animated discussion for a century as to the rightful authority to accord such recognition, I believe that precedent and practice in our country supports the view that the power to recognize new States rests with the Executive, or possibly with the President in conjunction with the Senate.

Prof. Willoughby declares that recognition is an act to be performed by the President. He adds:

> It is to be presumed, however, that when the recognition of a status of belligerency or of the independence of a revolutionary government is likely to constitute a casus belli with some other foreign power, the President will be guided in large measure by the wishes of the legislative branch. Upon the other hand, it is the proper province of the Executive to refuse to be guided by a resolution on the part of the legislature if, in his judgment, to do so would be unwise. The legislature may express its wishes or opinions, but may not command.

On the 20th of December I offered a resolution, which is now before the Committee on Foreign Relations, in which I stated some reasons against recognizing the soviet dictatorship. There has been nothing in its conduct since then which would lead to a modification of the position there taken.

It will be observed that I do not express disapproval of trade between the nationals of this country and Europe, and I hope I have made it clear that I am offering no objections whatever to Americans entering into agreements with the people of Russia for an exchange of commodities or for any form of purchase and sale between them. Without reading, I ask that the resolution which I offered be inserted in the RECORD as part of my remarks.

The PRESIDING OFFICER. There are no objections. It is so ordered.

> Whereas the so-called soviet socialist dictatorship in Russia pretends to be the successor of the former legal and recognized Government of Russia and is seeking political and diplomatic recognition from the Government of the United States; and
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> Whereas said soviet Russia dictatorship has repudiated the acknowledged and legal obligations of the former Government of Russia to other Governments and to the nationals of other Governments with whom it was in contract relations; and
>
> Whereas said soviet socialist dictatorship has ignored and refuses to recognize the duties and obligations of nations under international law, including the obligation of honor and good faith in the keeping and performance of international treaties; and
>
> Whereas the professions and acts of said soviet socialist dictatorship in Russia are incompatible with the principles of public order and the liberty, rights, and property of individuals as established in the law of all civilized States; and
>
> Whereas said soviet socialist dictatorship has carried on a propaganda in the United States for the destruction of public order and private rights, which propaganda is inimical to the interests of the United States and constitutes an offense against the Government and people of the United States; and
>
> Whereas said soviet socialist dictatorship acknowledges no common ground of international law or honor to sustain political and diplomatic relations between the Government of the United States and said soviet socialist dictatorship pretending to be the Government of Russia: Now, therefore, be it
>
> *Resolved*, That it is the sense of the Senate that the Government of the United States do not recognize the present soviet socialist dictatorship in Russia as either a de facto or de jure government, and that the Government of the United States do not enter into political or diplomatic relations with said dictatorship or with any persons claiming authority under the same.

Mr. KING. I referred to a letter of Secretary Colby addressed to the ambassador of Italy August 10, 1920. Concerning the question of recognizing the communist power, he says:

> With the desire of the allied powers to bring about a peaceful solution of the existing difficulties in Europe, this Government is, of course, in hearty accord and will support any justifiable steps to that end. It is unable to perceive, however, that a recognition of the soviet régime would promote, much less accomplish, this object, and it is, therefore, averse to any dealings with the soviet régime beyond the most narrow boundaries to which a discussion of an armistice can be confined.
>
> That the present rulers of Russia do not rule by the will or the consent of any considerable proportion of the Russian people is an incontestable fact. Although nearly two and a half years have passed since they seized the machinery of government, promising to protect the constituent assembly against alleged conspiracies against it, they have not yet permitted anything in the nature of a popular election.

At the moment when the work of creating a popular representative government based upon universal suffrage was nearing completion the bolsheviki, although in number an inconsiderable minority of the people, by force and cunning seized the powers and machinery of government and have continued to use them with savage oppression to maintain themselves in power.

The Secretary further states:

It is not possible for the Government of the United States to recognize the present rulers of Russia as a government with which the relations common to friendly Governments can be maintained. This conviction has nothing to do with any particular political or social structure which the Russian people themselves may see fit to embrace. It rests upon a wholly different set of facts.

The Secretary in a few striking sentences shows what bolshevism is and why there can be no friendly relations between civilized nations and bolsheviks. He states:

These facts, which none dispute, have convinced the Government of the United States, against its will, that the existing régime in Russia is based upon the negation of every principle of honor or good faith and every usage and convention underlying the whole structure of international law; the negation, in short, of every principle upon which it is possible to base harmonious and trustful relations, whether of nations or of individuals. The responsible leaders of the régime have frequently and openly boasted that they are willing to sign agreements and undertakings with foreign powers while not having the slightest intention of observing such undertakings or carrying out such agreements. This attitude of disregard of obligations voluntarily entered into they base upon the theory that no compact or agreement made with a nonbolshevist government can have any moral force for them. They have not only avowed this as a doctrine, but have exemplified it in practice. Indeed, upon numerous occasions the responsible spokesmen of this power and its official agencies have declared that it is their understanding that the very existence of bolshevism in Russia, the maintenance of their own rule, depends, and must continue to depend, upon the occurrence of revolutions in all other great civilized nations, including the United States, which will overthrow and destroy their Governments and set up bolshevist rule in their stead. They have made it quite plain that they intend to use every means, including, of course, diplomatic agencies, to promote such revolutionary movements in other countries.

Speaking of assurances that might be given not to abuse the privileges and immunities accorded to diplomatic agents, the Secretary states that such can not be seriously regarded:

That it is within the knowledge of the United States that the bolshevik régime is itself subject to the control of a political faction, with extensive international ramifications through the third internationale, and that this body, which is heavily subsidized by the bolshevist government from the public revenues of Russia, has for its openly avowed aim the promotion of bolshevist revolutions throughout the world. The leaders of the bolsheviki have boasted that their promises of noninterference with other nations would in no wise bind the agents of this body. There is no room for reasonable doubt that such agents would receive the support and protection of any diplomatic agencies the bolsheviki might have in other countries. Inevitably, therefore, the diplomatic service of the bolshevist government would become a channel for intrigues and the propaganda of revolt against the institutions and laws of countries with which it was at peace, which would be an abuse of friendship to which enlightened Governments can not subject themselves.

This great State paper then declares that there can be no common ground upon which our Government can stand with a power—

whose conceptions of international relations are so entirely alien to its own, so utterly repugnant to its moral sense. We can not recognize, hold official relations with, or give friendly reception to the agents of a government which is determined and bound to conspire against our institutions; whose diplomats will be the agitators of dangerous revolt, whose spokesmen say that they sign agreements with no intention of keeping them.

Mr. President, no one can controvert this position taken by the able Secretary of State, and I can not comprehend how any American, in the light of all the facts, could desire that our Government should recognize the bolshevik power, so long as it supports the immoral and destructive policies for which it now stands and devotes its efforts to the overthrow of the United States and all other civilized Governments. We are dealing with a concrete matter—with a brutal and barbarous force, not with some theory which may transform it in the future.

It is known that nearly all nations into which bolshevik representatives were admitted were compelled to order their expulsion from their borders. Only yesterday there appeared a dispatch from Copenhagen in the New York Times, to the effect that the arrested terrorists at Kovno planned to murder the officials of the Lithuanian Government. They were closely associated with the Russian soviet representative, Axelrod, who attempted to overthrow this Government which the soviets had recognized. "The expulsion," the dispatch states, "of the soviet representative has been demanded."

After recognizing the Lithuanian Government and agreeing by solemn treaty to respect its integrity, the soviet power attempted to destroy it, and, by assassination, place communists in power.

When we remember the aim of Lenin and his associates—that of destroying all nations—we can readily perceive the cause of their anxiety to secure international recognition. Lenin, in October, 1920, stated that he regarded the Russian revolution not as an end in itself—

but as a first step in a world revolution. The question is, How are we to promote a proletarian revolution in western Europe? France is our greatest enemy, for all her strength is being used to stabilize things in Europe.

He further stated when negotiations were pending concerning the proposed Prinko conference:

I have never hesitated to come to terms with bourgeois governments when by so doing I thought I could weaken the bourgeoise.

Zinoviev, one of the most powerful of the communists, declared that—

We are willing to sign an unfavorable peace with the Allies. It would only mean that we should put no trust whatever in the bit of paper we should sign.

It is known that when the supreme economic council of the League of Nations consented on January 16, 1920, to resume trade with Russia, the soviet power refused to permit trade, insisting upon recognition as a sine qua non.

The bolsheviks on the 27th of August, 1918, covenanted not to indulge in any agitations against the State and military activities of Germany, but this solemn engagement did not deter them from attempting the overthrow of the German Republic. Millions of rubles were expended in propaganda, and bolshevik agents were active in the German States, seeking to precipitate a revolution. This fact was admitted by Tchitcherin in a note to the German Government, as shown by the bolshevik organ, the Izvestia, under date of December 26, 1918.

Germany was compelled to expel the bolshevik minister, Joffe, who after his expulsion confessed that the Russian Government as a whole and its accredited representatives in Berlin "never concealed the fact that they were not observing this article," meaning the covenant to abstain from propaganda, "and did not intend to do so."

The Prussian Government was compelled to expel Zinoviev and his companion, who obtained permission to visit Germany to attend a socialist congress; and, violating the pledges given, they immediately began to intrigue against the German Government. Dr. Simons, the foreign minister of Germany, in ordering the expulsion, stated, "There was no other course open."

Every nation which has admitted representatives of the bolsheviks has been compelled in self-defense to drive them from their borders. Bolshevik representatives went to Great Britain apparently eager to negotiate trade agreements. Litvinoff took advantage of his opportunities and endeavored to precipitate a revolution in England. The British Government later refused, after his expulsion, to receive him, and Kamenef was sent in his stead, and he, in violation of the pledges given to abstain from propaganda and revolutionary activities, attempted to corrupt labor, subsidize newspapers, and overthrow the Government.

Switzerland acknowledged the Kerensky provisional government and, as I remember, received its ambassador. When the bolshevik came to power Switzerland received their representatives, but owing to their revolutionary activities they were within a few months expelled from Switzerland. Norway, Sweden, and Denmark received bolshevik representatives, but there, as elsewhere, their conduct was contrary to all international usage; they engaged in intrigues and plots and revolutionary movements, and each Government was compelled to drive them from its territory.

With an organization believing in no law, recognizing no international obligations, seeking the destruction of nations everywhere, denying the sacredness of covenants and the obligations of treaties, refusing to recognize any of the principles of morality or justice upon which society and human government is founded, it is manifest this nation can have no political relations. The bolshevik régime is our sworn enemy, and no treaty obligation and nothing which we could do would prevent its emissaries from actively engaging in intrigues and revolutionary movements for the dislocation of our economic and industrial life and the final overthrow of the Republic.

The principal effect of recognition, as between States, relates to the status of the recognized State in international law, which affects the relations of States as distinguished from relations between individuals, or relations touching individuals. It is presumed, however, that a State which is recognized by other States as an independent nation has a government which is based upon the principles of morality and justice which are universally recognized. The property of persons within any State is subject to the law and legal process of such State, and the comity of nations requires that the legality of the political and judicial acts of any State, with respect to its own nationals and property within its jurisdiction, shall be recognized by other States. The Government of the United States can therefore have no proper concern as to the property of Russian nationals within the territory of Russia, especially if the United States recognizes the so-called soviet Government. The only

proper and safe course for the United States to take is to declare that when in Russia a government is established which protects the liberty and property of the persons subject to its jurisdiction in harmony with the principles of law and morality obtaining generally in the countries with which the United States has diplomatic and political relations, it will accord recognition to the same, but until then it will refuse to recognize any authority or government which fails to meet those requirements.

As before remarked, the recognition by this Government of the bolshevik authority would be to accord to it on the part of the United States the rights of an independent sovereign government, together with a respect for its dignity and the validity of its legislative and political acts which is generally accorded civilized nations in their international relations. We would be estopped and precluded from denying the soviets the authority and respect accorded other nations, and from denying the title to property which by soviet regulations was declared to be the property of the State. Such property would pass in international commerce, notwithstanding it had been stolen from the Russian people and the nationals of other countries who had investments in Russia. All nations which recognize the soviets would be precluded from bringing any question regarding the legal possession of property of the soviet in such articles of commerce. If our Government should decide to trade with thieves and outlaws, who by assassination and military force asserted temporary authority, on terms of equality and recognition, of course, it could not deny the title to property or commodities it might obtain in such transactions.

It has been said that the soviet régime is built upon the destruction of all social values created by civilization in the domain of religion, morality, and economic integrity. Masquerading under the name of a "government," it is simply a system of plunder and utter disregard of the rights of individuals.

Mr. President, we shall welcome the regeneration of Russia. The Russian people occupy an important place in the economic, as well as in the political life of the world. We recognize how important it is to have world peace, and for the unimpeded flow of the currents of the world's economic life, that Russia should have peace and order and that her teeming millions should have freedom and prosperity. The gains in the Great War will not be finally consolidated until Russia takes her place among the free and enlightened nations of the world. The full liquidation of the war will be postponed until Russia emerges from her long night of darkness. But the days of her travail will end, and she will join the marching forces of liberty and justice in that majestic procession which carries forever forward all that is worthy of survival in life.

Mr. HENDERSON. Mr. President, the Senator from Colorado [Mr. THOMAS] yesterday announced that he would address the Senate on the pending measure to-day. It is not my intention to take any of the time of the Senator from Colorado, but I would like to read a telegram I have just received from the secretary of state of the State of Nevada, addressed to me under date of January 29, and reading as follows:

CARSON, NEV., *January 29, 1921.*

Hon. CHARLES B. HENDERSON,
United States Senate, Washington, D. C.:

Senate joint resolution No. 4, memorializing the Congress of the United States for the passage of the Fordney emergency tariff bill:

Whereas there is now pending in the Senate of the United States a measure known as the Fordney emergency tariff bill; and

Whereas under the terms and provisions of said measure the various industries of Nevada are directly and vitally affected and the passage of the said bill will greatly benefit the people of the State of Nevada; and

Whereas the said emergency bill will directly benefit all the agricultural and live-stock interests of this country and prevent the threatened collapse and demoralization of these industries: Now, therefore, be it

Resolved by the senate (the assembly concurring), The Congress of the United States be, and it is hereby, memorialized and requested to pass the Fordney emergency tariff bill: And be it further

Resolved, That copies of this resolution be forwarded by the secretary of the State of Nevada by telegraph to each of our Senators and to our Representatives in Congress with the request that they secure immediate favorable action upon the said Fordney emergency tariff bill now pending before the Congress of the United States.

GEORGE BRODIGAN,
Secretary of State.

Mr. President, after the Senators who intend to address themselves to the measure have concluded, I sincerely trust that we may secure a vote upon the pending so-called Fordney emergency tariff bill.

Mr. SHEPPARD. Mr. President, may I in this same connection read a telegram, along similar lines, from Mr. J. G. Smith, of Fort Worth, Tex., one of the most prominent citizens and business men of that section of the State, in fact, of the entire State? It reads as follows:

FORT WORTH, TEX., *January 26, 1921.*

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.:

The long delay in passing the emergency tariff bill now before the Senate is giving speculators every opportunity to depress prices of southern and southwestern farm products to such low points as to drive terror into the hearts and minds of the producers, dealers, and bankers. Many are already bankrupt, others are nearing bankruptcy, and many are committing desperate deeds never before contemplated. General situation, Southwest and West, daily grows worse pending action on emergency tariff legislation.

JULE G. SMITH.

Mr. President, in face of such a situation I do not see how the Senate can defer favorable action upon an emergency measure of this kind, which, in my judgment, does not involve any question of a permanent tariff policy or of party alignment.

[Mr. THOMAS addressed the Senate, and after having spoken for nearly three hours yielded the floor for the day.]

Mr. SMITH of South Carolina addressed the Senate. After having spoken for nearly an hour,

Mr. WADSWORTH. Will the Senator from South Carolina yield to me that I may submit a report from the Committee on Military Affairs upon a number of executive nominations?

Mr. SMITH of South Carolina. I yield for that purpose.

CONFIRMATION OF MILITARY NOMINATIONS.

Mr. WADSWORTH. I ask unanimous consent, as in open executive session, to make a favorable report from the Committee on Military Affairs carrying recommendations for the confirmation of some 5,000 original appointments in the Army.

The PRESIDING OFFICER (Mr. HEFLIN in the chair). Is there objection? The Chair hears none.

Mr. LODGE. Mr. President, those appointments are confirmed by that action. I was going to ask unanimous consent that they be confirmed without reading.

The PRESIDING OFFICER. Is there objection?

Mr. UNDERWOOD. The unanimous consent, I understand, embraces the confirmation of the list without reading, and that the President shall be notified.

Mr. LODGE. Yes; certainly.

The PRESIDING OFFICER. Is there objection? If not, the nominations will be confirmed, and the President will be notified.

Mr. WADSWORTH. I have another request of the same nature to make for unanimous consent as in open executive session. It has to do with the names of four appointees whose nominations were sent to the Senate after January 18, which was the day the Senate ordered reference to the committee of the 5,000. These four are in exactly the same category. They are original appointments, and I therefore ask unanimous consent for the immediate consideration of these four nominations without reference to the committee.

Mr. UNDERWOOD. It seems to me that is absolutely fair. The other original appointments were confirmed en bloc.

Mr. WADSWORTH. These are of the same nature.

Mr. UNDERWOOD. These appointments merely came in a day or two later than the reference, and I think they ought to have the same treatment.

The PRESIDING OFFICER. Is there objection?

Mr. JONES of Washington. Mr. President, I assume that all these nominations have the unanimous report of the committee?

Mr. WADSWORTH. No; there was one vote in opposition.

Mr. JONES of Washington. We have very few Senators here. Does the Senator know whether that Senator would be opposed to the consideration of the nominations?

Mr. WADSWORTH. I think not.

The PRESIDING OFFICER. Is there objection? In the absence of objection, the nominations will be confirmed, and the President will be notified.

Mr. WADSWORTH. Again, Mr. President, I ask unanimous consent, as in open executive session, for the present consideration of the nomination of Second Lieut. Edward Hamilton Young to be a first lieutenant. This is not an original appointment; but on June 2, 1920, Edwin H. Young was nominated and was confirmed by the Senate for the office of first lieutenant. This nomination is sent to correct an error in the name only. The name should be Edward Hamilton Young, instead of Edwin Hamilton Young; and I ask unanimous consent for the present consideration of that nomination as in open executive session.

The PRESIDING OFFICER. Is there objection?

Mr. WILLIAMS. Mr. President, does that interfere with the speech of the Senator from South Carolina [Mr. SMITH]?

The PRESIDING OFFICER. It does not. Without objection, the nomination will be confirmed, and the President will be notified. The Senate in legislative session resumes the consideration of the unfinished business.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. SMITH of South Carolina. Mr. President, I have not taken any part in this debate, not because there are not features of the bill which are calculated to give relief to some of the distressed agricultural people of this country, but one reason I deplore the fact that this character of legislation is proposed at this time is that I believe the people of the country at large have an acute realization of the real cause of the present condition.

The Senator from Colorado [Mr. THOMAS], who has just yielded the floor, has on other occasions than the one this afternoon called attention to the fact that the collapse of prices was inevitable. The fact of the matter is, Mr. President, I believe that no such condition as that in which the farmers now find themselves was inevitable.

Prior to the outbreak of the war we had passed certain financial legislation, known as the Federal reserve act, which, it was the proud boast of the Democratic Party of this country, was so constructed and was so elastic as to meet any emergency which might arise in the country calling for financing.

That law went into operation about 1914. Before the country had become accustomed to its operation, and certainly before even those who were instrumental in its passage had become familiar with the practical workings of its provisions, there came a test as to its practicability which forever put it beyond the doubt of anyone that, so far as this country was concerned, we had solved the problem of an adequate, elastic currency to meet any conditions in this country. We had changed the basis of credit and placed the basis of credit upon the production of wealth in this country, so that we hoped that we had reversed the ridiculous procedure that had characterized the production in this country up until the passage of this act, which was that when we made a big agricultural crop the agricultural producers were brought to the verge of starvation, while when we made a small agricultural crop they were comparatively prosperous.

The reason of that was because the amount of currency was fixed and rigid, and therefore the price that was to be paid for any given commodity was not dependent upon the demand for that commodity but was dependent upon how much currency there was available for the movement of that commodity. In the passage of the Federal reserve act we therefore had changed that condition and made it possible that the larger the crop, if the law of supply and demand operated, the greater the volume of currency, without a diminution in price, and the greater the profit to those who produced it.

That was one feature of the measure. The other feature was that we made it possible for the first time in the history of national banking in this country for the agricultural interests of this country to be put on an equal footing with manufacturing business or with ordinary commercial business.

Not only did we do that, but we recognized the peculiar nature of agriculture as contrasted with other business of the country—artificial production, which was manufacturing and commerce. We recognized the difference, and I wrote at my own desk the modification of and the proviso to section 13, which recognized the slow turnover in the capital of the farmer, and provided for six months' discount, as against 90 days in commercial paper, and had it put through this body, in order to meet the very condition which now confronts us, namely, that when the farmer had produced at the end of 12 months an aggregate supply to be used in the next 12 months he should not be forced, by virtue of the obligations incurred during the producing 12 months, to put a 12 months' supply on the market in 30 to 60 days, thereby breaking the market and ruining it. I provided 6 months' time during which he might use the thing he produced as collateral security in order to enable him to distribute that which he had produced over 12 months and not be forced to glut the market with the very thing he had produced. Not only that, but we made special provision that the Federal Reserve Board should grant to him certain privileges, in their discretion, when necessity demanded it, which were not extended to others.

In the winter of 1919 a cry went from one side of this country to the other that the nations of Europe, war ridden, decimated, and impoverished, had to be fed, and that America, on account of the position she occupied during the war, had become the pool into which had flowed the gold of the world, and that, so far as wealth and riches might be measured by dollars and cents, she was the banker of the universe, and that the other nations of the earth, being in a position where they could not produce sufficient to supply themselves, and we being in a position to till every acre and make our fields and forests and mines respond to the needs of the world, we must supply them with what they needed, and the farmers heeded the behest and produced perhaps the greatest crop ever produced in the history of this country. And what was the result?

Every article that he bought in the production of the crop was bought at the beginning of the year, of course, because then is when he assumes his obligations. The part that man plays in producing a natural crop is in preparing the soil, preparing the seed bed, and planting the seed. Nature practically does the balance. He responded to the call, produced this great crop, assumed obligations that he must meet, and then, without rime or reason, between the time that the crop was planted and the harvest time, when the wheat of the West and the cotton of the South were in the process of maturing, there came a cry, taken up and carried by all the newspapers of the country to the four corners of America, that we must deflate, we must contract. What was the result? Prices began to break, continued to break, as a result of two things alone. One was the universality of the propaganda and the other was the Federal reserve law, which placed in the hands of seven men the financial and commercial destiny of America. I challenge any man to read the Federal reserve law and answer successfully to the contrary the statement that every bank in America, State and National, is in the hands of the seven members of the board of governors at the other end of the Avenue. Of course, when we passed the law we had to give certain discretionary powers to those gentlemen, but it was never dreamed that they would use that power to precipitate the very thing that we had passed the law to obviate.

Let me put a proposition to the Senate this afternoon. Every business man has to depend upon credit, I do not care what his capital is. The major part of the business of the country is done upon the basis of credit. In the early spring and summer of 1920 every newspaper was filled with the propaganda that credit must be restricted, currency deflated, and a general contraction had; and, in addition to that, there were weekly and daily utterances from the Secretary of the Treasury and the chairman of the board of governors telling of the fact that credits would be withheld and were going to be withheld, and regardless of whether the gold reserve demanded by the law was sufficient to warrant more extended credit, regardless of the fact that there was a foreign demand based, of course, upon credit for collateral we might take in exchange for the temporary use of our Federal reserve notes. What business man would have dared go on, being dependent upon his member bank for accommodations sufficient to carry on his business, when he knew the policy of those in the hollow of whose hands the wherewithal to do the business was such as to break him overnight? What was the result? The result was that every business man began to cancel contracts, began to refuse to make contracts, and to destroy the American market.

The Senator from Colorado [Mr. THOMAS] said here this afternoon that there was a collapse in Japan. Why should there not have been a collapse in Japan? Why should there not be great distress in the war-ridden zone as well as in those countries which participated in the war, when the sale of certain products depended upon America's power to purchase, and America's power to purchase had been destroyed by America's own officers in charge of her financial affairs?

How could the silk of Japan be bought when the cotton and the wool of America was destroyed? Of course Japan's bank collapsed.

The Senator from Colorado said it was world-wide. A close study of the avenues of trade will show that the distress that is now prevalent comes from two sources—one, those whose actual property was destroyed by war, and the other those who were looking to America for trade in exchange for the kind of collateral that they could give and which trade was ruthlessly destroyed by our own official action.

I had hoped that we would have addressed ourselves to the recognition of the real cause of this collapse and heroically and bravely have met it and placed the responsibility where it belonged and branded for all time the men who, either ignorantly or worse, brought it about. It was our duty to have done that thing.

There is not a man here who would pretend to say that the measure before us is going to give or can give the relief to agriculture that it stands so sorely in need of. I said in a colloquy that I had with the Senator from Colorado this afternoon that doubtless there are some things produced in the country, the volume of which is so inadequate to meet the demands of the country that there may be some measure of relief

to the farmers who produce them, but as to the great mass of agricultural products, those who have made a careful study of the provisions of the bill know that it is practically impossible for any relief whatever to be given.

We might as well face one fact, and that is that the agricultural interests of the country have got to be recognized as the peculiar nature of their business demands that they shall be recognized, and that every provision within the legitimate scope of law shall be made to meet that peculiar condition and prevent the disaster that is sure to come to this country unless such action is taken.

What does the cry for the lowering of the high cost of living mean in its last analysis? Take the last census, and what did it reveal? It showed that the urban population of the country had increased, while the rural or agricultural population had decreased. Therefore the demand for bread and meat in the country was more intensified than before. The people who walk the streets and get a stated salary as a matter of course are interested in increasing the purchasing power of the dollar, while the man who produces the food and clothing of the country is dependent upon the purchasing power of the thing he produces.

The cry for the reduction of the high cost of living means in its basic and fundamental significance the lowering of the prices of raw material. The production of food and raiment are fundamentally and basically important, and the cry is to put down the cost at the source of production, without regard to the effect upon the producer, in order that the urban population might dwell in the white light and enjoy the blessing of a congested but organized community. It was pointed out just a few weeks ago by the staid, old conservative journal, the greatest child paper of America, the Youth's Companion, that unless we provide some means by which the farmer could have carpets on his floor and pictures on his walls, electric lights and waterworks and the modern conveniences that bless the man of the city we would doom American agriculture to the class of serfdom and make the support of the great urban population questionable and the stability and prosperity of our country impossible.

What word is being spoken here now, what legislation is being proposed now to aid the agriculturists of the country who, on the threshold of the new crop, find themselves bankrupt, with credit and capital gone, and the American people and the world waiting on the product of 1921?

What do Senators hear from their own panic-stricken States and from the State banks? What is being done there to insure the farmer any hope? Why should he hope, when under the merciless grip of those who have our financial affairs in hand he was put into the category of those who were in a position to "help themselves," and was stripped of a lifetime's earnings? Many a farmer to-day who by an economy that was absolutely cruel had stored up a pittance against old age and inability to earn has seen his small hoardings swept away forever, because some men thought that we had given them the power to determine prices and to fix the wages of 105,000,000 American people. I repeat, what provision is being made for the farmer now? The spring of 1921 is upon us. What encouragement is there for the farmer to look to the future, after his bitter experience of the present?

Now we come to the pending proposition—the emergency tariff measure. Mr. President, I shall have something to say about what would be the result if the proposed law should be applied as it is intended to be applied, but I desire first to ask, Does not every Senator here know that it is a fact as to every farmer who has produced a bushel of wheat or a pound of cotton, or who has produced beef on the hoof, the cattle raisers of this country, that not one of them ever fixed the price of a bushel of wheat or a pound of cotton or a head of cattle?

If we give the meat packers of this country a monopoly of the purchase, storage, and sale of meat products, we may build our tariff wall to the heavens, but the men who raise the cattle, the producers, will receive no benefit. They are not and can not be organized as are those who buy their products, and so the purchasers will fix the price according to the profits which they desire. If that necessitates the trimming to the bone of those who produce the cattle, the purchasers will trim them. The same thing is especially true as to the wheat and cotton producers.

Suppose we only raised enough cotton in this country to supply the American demand. The producers are now scattered over a vast domain representing every degree of financial circumstances from those who have nothing to those who are in what we may call comparatively easy circumstances. The merchant and the banker in the last analysis are as much producers of cotton as are the men who work in the fields, in that they furnish the money to produce it; but they are only concerned in getting enough money out to repay the loan which they have made to the producer and the interest on it. If there is anything left over the tenant farmer may have it, and if there is not it is no concern of the banker. Therefore there can be no organization amongst them. Then, what is the result? It is that the mill people who have the power to fix the price of the article which is manufactured out of cotton can, as they do now, fix the price of the cotton, barring the speculation on our exchanges. If the proposed tariff law contained some provision to the effect that after its passage, if there were a duty of 20 cents a bushel fixed on wheat, a penalty would be imposed on the man who should offer the farmer any price less than one which would enable him to receive the benefit of tariff there might be some reason for the enactment of the bill; though I do not know whether or not some of us would be willing to accept it even in that form as being the proper kind of legislation.

I have always thought that when Senators and Representatives stood in the Halls of Congress and complained of the competition of foreign labor with American labor and contended that the tariff duty should measure the difference between the cost of foreign production and the cost of domestic production, they recognized, perhaps, what labor was asking for, but made no provision that the man whom we have declared was to be the beneficiary of the legislation should get that difference.

Take cotton manufacturing, woolen manufacturing, and steel manufacturing. We have provided in tariff legislation as to those who engaged in steel manufacture in this country that their employees, their laborers, should be entitled to enjoy an American condition of living as compared to that of the foreigner. We have passed such tariff laws, but we have made no provision that the difference incident to the imposition of the tariff should inure directly and specifically to the benefit of the employees; we have left it to the sweet will of the manufacturer as to what part, if any, of that difference he would give to labor; so that the first beneficiary was the employer, and the second beneficiary was the employee, if he was benefited at all. I think the history of certain strikes in this country has demonstrated the fact that the melon has been cut, not for the benefit of those engaged as laborers in the production of the commodity, but for the benefit of those who owned the plant. So I maintain this afternoon that in considering the pending emergency tariff bill we should go the whole length and provide that whatever duty is imposed upon a commodity shall be reflected in the price of the American article and not be left to the caprice of those who buy and sell the American article as to whether, protected by the duty, they will then attempt to beat down the price to the American producer, and being protected themselves, give no protection to the man who produces.

I hear some clamor from some of my colleagues on this side of the Chamber to the effect that they desire a duty on oil in order to raise the price of cotton seed. What guaranty has anyone that in the market for cottonseed oil the buyers of the cotton seed are going to allow the measure of protection that is granted to them to be enjoyed by those who produce the seed? How does anyone know as to that? What guaranty has anyone from the history of the past that the amount of the duty will be the measure of the difference in price which will be extended to the people who produce the commodity?

Mr. President, I am not going to pretend to say or pretend to deny that perhaps there will be a measure of relief accorded to certain agricultural interests; but the bill can not in the very nature of things benefit the rank and file of those who produce crops of sufficient volume to afford a surplus for export.

The price of the short-staple cotton of the South and of the wheat crop of the West is fixed in the European market where the surplus is sold. The tariff wall may be put as high as the sky, but the surplus sold abroad will measure the price of the domestic product. That is necessarily so; there is no escape from it. If the producers of wheat and the producers of cotton had the power to organize and to fix their own prices, then it would not especially affect the domestic price even if a wall were put around this country high enough to keep out the similar products of any other nation, although I think that if the producers of cotton and wheat could so organize themselves as to fix the price of the commodity which they produce, and then we were to put a tariff on that commodity, they could get an enhanced price in America measured by the tariff, and then do as the steel people did, sell higher to the American and cheaper to the foreigner.

Mr. WILLIAMS. Mr. President, has the Senator from South Carolina thought of this?

The PRESIDING OFFICER (Mr. HEFLIN in the chair). Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. SMITH of South Carolina. I yield.

Mr. WILLIAMS. Suppose that the Congress of the United States were to fix a duty which amounted to an embargo so that there should be no importations of wheat or cotton from abroad, and then the American farmer foolishly raised more wheat and more cotton than the American people needed, would not the result of this legislation be absolutely disastrous, because they could not even get rid of the surplus at a small margin of profit, but would be compelled to sell the entire product to the home market for whatever they could get?

Mr. SMITH of South Carolina. Certainly. The principle involved is this: Had the farmer the power to regulate from day to day his production, as does the artificial producer, if he saw that he was producing more than the market could absorb he could instantly curtail his production, and if, in addition to that, he had the power to control the price of the commodity he was producing, a tariff would necessarily be selfishly beneficial to him, because he could fix the price. Having control of the article, in fact, a monopoly of it, he could fix the domestic price as high as the tariff wall, because none could be imported under that, and sell it to the American consumer at that price, and then whatever surplus he had he could sell in the open market in competition with whatever supplies the world produced. But, having no control over the price now, and it being physically and morally impossible, under the conditions of agriculture the world over, for him to have a control of the price, whatever benefit he gets from a tariff law is at the will of those who control the market.

Mr. GRONNA. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. SMITH of South Carolina. I yield.

Mr. GRONNA. According to the Senator's argument, then, the farmers of this country have reached a stage where it is possible for them to limit the supply. Did I understand the Senator to say that?

Mr. SMITH of South Carolina. No; I have not said anything of the kind. God knows I wish they could from day to day limit the supply. I think this year they are going to limit the supply. Yes; if they have any sense of self-love; if they have any kind of self-respect, this is one year when they are not going to grow a crop to be subject to the caprice of the Federal Reserve Board and the Treasury Department and the speculators of this country, but are going to bring the American people to a realizing sense of their dependence upon the man with the hoe. So I hope this is one year when they will restrict production.

Mr. GRONNA. We will assume that to be true; but how will it help the American producer to limit the supply if the people in America can go right to our next-door neighbor and buy without having to pay any tariff or any tax at all?

Mr. SMITH of South Carolina. I frankly admit, as I said a moment ago, that there are certain circumstances where a tariff would benefit, perhaps, if those who control the market saw fit to let it do so; but I really am seeking light on this subject, and I should like to have the Senator tell me, because he has done me the honor of listening very attentively when I have tried to explain to him certain conditions down in my section, just how he hopes to have this bill help the price of wheat when we produce a surplus, and therefore must necessarily depend upon the foreign price to fix the American price?

Mr. GRONNA. Of course, if the Senator will permit me, I disagree entirely with the Senator's assumption that although we may have a small surplus which we have to export, that small surplus regulates the prices; but it is too long a story to go into, and I shall not do it in the Senator's time. But if the American wheat grower has, we will say, 50,000,000 bushels of surplus wheat that he can spare, I think any Senator can readily see that that small surplus will not regulate the price of the entire crop of the American farmer.

The Senator from North Carolina [Mr. SIMMONS] a day or two ago called attention to the fact that we had exported more than 200,000,000 bushels of wheat. Of course, a great deal of that wheat was Canadian wheat. He also called attention to the fact that wheat was nearly as high or as high in price in Canada as it was in the United States. The Senator must realize that so long as the miller in the United States can go across the Canadian line and buy wheat, if it is only 1 cent a bushel cheaper than he can buy it here in the United States, due not entirely to a tariff, but to conditions which exist to-day, as the Senator knows, in the great depreciation of the Canadian currency, the miller will buy in Canada, and that will depress the price to the American farmer. There is not a Senator here who can successfully contradict that statement.

This is not only a question affecting wheat. On yesterday Mr. Frank Horne—I will mention the name in order to show good faith—who is perhaps the best-posted man in the United States on the question of cold storage, told me that he had in his own warehouses more than 5,000,000 pounds of Danish butter. Does not the Senator agree that that will help to force down the price of butter to the American producer?

I could enumerate many, many articles where a tariff would protect the American farmer, the dairy farmer, the cattle grower, the sheep grower. The Senator knows as well as I do, because he has helped me on many occasions in the Committee on Agriculture and Forestry, that millions and millions of pounds of frozen mutton have been imported from Australia and from Argentina and from other countries, shipped into this country when as a matter of fact there was no market for the American product. Does the Senator mean to say that it would not protect the American grower to impose a tax upon that foreign product?

Mr. President, it is a fallacious argument. It can not be sustained by facts. A tax imposed upon these products will help the American farmer. There is no doubt about it.

Mr. McCUMBER. Mr. President, will the Senator allow me to suggest just one thing in addition to what my colleague has said, and directly bearing upon his question as to whether, if we have a surplus, it is possible to get any benefit from a protection against importations if we must export?

Suppose we have 50,000,000, 75,000,000 or 100,000,000 bushels of wheat to export in the shape of flour. In three months or four months suppose we have exported it, and then suppose we say that we will keep grain from Canada from coming in here, where there are two or three hundred million more bushels. The moment that we have exported that and have gotten down near to the real demand for consumption in the United States, suppose we should export 20,000,000 more than perhaps our surplus. Can not the Senator see that that would immediately drive the prices up, provided we could keep this flood of Canadian wheat from coming into the country?

We are exporting every month, and in the section in which my colleague and myself live we never export that wheat. Not a bushel of it is exported; and the fact that you export some Ohio wheat and Maryland wheat and Oklahoma wheat and California wheat would have but very little effect upon the price of the spring wheat in the country, provided there was a shortage there, and there is a shortage to-day if we can keep the Canadian wheat out.

Mr. SMITH of South Carolina. Mr. President, just a word in reply. I could understand how the situation that these two Senators have named could bring about the result that they say would follow if we could export the surplus before we began to sell the American product, but the two go along pari passu. That might very well happen if we could export the surplus and then shut the door on the balance, but the surplus is not exported in any such manner. It is exported right along with the other. If we could export all the surplus American cotton, and perhaps export more than would leave a supply sufficient to meet the demand at home, and then shut the door, it might have the same result on American cotton; but we do not do anything of that kind, because before we get through exporting the surplus and consuming the amount that is necessary for home consumption we have made another crop, and it is an endless chain.

You never know when you have just what would supply America for the balance of the time until another crop comes in, and how much has been exported.

Mr. McCUMBER. Mr. President, will the Senator allow me to say that I believe there is contracted now in the shape of wheat and flour from the United States more than sufficient to take our entire surplus if we could cut out importations from Canada.

Mr. SMITH of South Carolina. The Senator means that that much has been contracted for by foreign countries?

Mr. McCUMBER. By foreign countries in the case of flour and wheat, both.

Mr. SMITH of South Carolina. And if you could get the wherewithal to finance your operations from other countries.

Mr. McCUMBER. No; but I say it is contracted for by those who can buy, and if we could cut off the Canadian inflow at this time we would soon bring the American product down to a point where there would not be a bushel to export, and then our prices would go skyward.

Mr. LODGE. Will the Senator from South Carolina yield to me to make a motion to adjourn? It is a quarter of 5 and Saturday afternoon.

Mr. SMITH of South Carolina. Yes; I think, being Saturday, the Senate ought to adjourn at this time.

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, January 31, 1921, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 29, 1921.

REAPPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES.

ADJUTANT GENERAL'S DEPARTMENT.

James Taggart Kerr to be colonel.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

To be captains.

Clifford Michael Ollivetti.
Franklin Prague Shaw.

QUARTERMASTER CORPS.

To be majors.

John Henry Mellom.
John Albert Paegelow.
Alfred McCalmont Wilson.

To be second lieutenant.

Charles William Dietz.

FINANCE DEPARTMENT.

Harry F. Wilson to be captain.

ORDNANCE DEPARTMENT.

Charles Macon Wesson to be major.

SIGNAL CORPS.

Consuelo Andrew Seoane to be major.

AIR SERVICE.

To be majors.

Jenner Young Chisum.
Fred Hughes Coleman.
Raymond Sidney Bamberger.

To be captain.

Archie Wright Barry.

To be first lieutenant.

Oliver Grant Brush.

CAVALRY.

To be majors.

Elkin Leland Franklin.
Cuthbert Powell Stearns.

To be captain.

Frederic Waldo Whitney.

To be first lieutenants.

Vance Whiting Batchelor.
Erle Fletcher Cress.
William Tecumseh Haldeman.
Joseph Idus Lambert.
Charlie Campbell McCall.
Woodbury Freeman Pride.
Robert Oney Wright.
Loren Francis Parmley.

To be second lieutenants.

Arthur Burton Clark.
Robert Lowry Freeman.

FIELD ARTILLERY.

To be majors.

Benjamin Lafayette Carroll.
Clifford Mitchell Tuteur.
Edmund Louis Gruber.

To be captains.

Solomon Foote Clark.
George Peterson Winton.

To be first lieutenants.

Dover Bell.
Charles Allen Easterbrook.
Fred Bidwell Lyle.
Ray Locke McDonald.
Earle Starr Neilond.
Calvin Sutton Richards.
Kenneth Smith Wallace.
Irvin Henry Zeliff.
Paul Clarence Boylan.
Stewart Franklin Miller.

To be second lieutenants.

Chester Arthur Horne.
Paul Robert Menzies Miller.

COAST ARTILLERY CORPS.

To be majors.

Raymond Hope Fenner.
Graham Parker.
Robert Ross Welshimer.

To be first lieutenants.

Lloyd William Goeppert.
Charles Sydney Hammond.
George Curtis McFarland.
John Wesley Orcutt.

To be second lieutenant.

Lynn Packard Vane.

INFANTRY.

To be lieutenant colonel.

Wilson Bryant Burtt.

To be majors.

Frederick Martin Armstrong.
Alfred Ballin.
Lloyd Baxter Bennett.
Burton Ebenezer Bowen.
Boltos Elder Brewer.
William Buerkle.
Harry Jackson Castles.
Bernard Chandler.
William Patrick Kelleher.
Frank Theodore McCabe.
Max S. Murray.
Isaac Joshua Nichol.
Frank Leslie Pyle.
Per Ramee.
Chester Cordwell Staples.
Joseph Cumming Thomas.
James Henry Tierney.
Albert Tucker.
Seth Lathrop Weld.
James Madison White.
Charles Lawrence Byrne.
Bradford Grethen Chynoweth.
Frederick Willis Manley.
Albert Tucker.

To be captains.

Marvin Randolph Baer.
Carl Archibald Bishop.
John Lloyd Burg.
Sidney Erickson.
Mahlen Augustus Joyce.
Robert Louis Moseley.
John Harry Neff.
George Washington Price.
George Lamberton Smith.
Benjamin Seymour Stocker.
George Cornelius Charlton.
Charles Harrison Corlett.
Edson Irwin Small.
Norman Paul Williams.

To be first lieutenants.

Lewis Russel Armstrong.
Ernest Clifford Ayer.
Roy Judson Caperton.
Ernst Esser.
Charles Campbell Holliday.
Paul Kellam.
Joseph William McIntyre.
John Francis Pahlke.
Walter Raymond Peck.
Peter Paul Salgado.
Joseph Ware Whitney.
Sterling Clifton Robertson.
Edward Hamilton Young.
George Francis Wooley, jr.
Joseph Bartholomew Conmy.

Eugene Joseph Minarelli FitzGerald.
William Frederick Gent.
Clarence Ronald Peck.
Michael Al Quinn.
Francis Dundas Ross.
Frank Emil Stoner.
Lester Austin Webb.
Norris Adron Wimberly.
William Burbridge Yancey.

To be second lieutenants.

Homer Bobo Battenberg.
Henry William Brandhorst.
William Ernest Donegan.
Hugh Tom Edwards.
Harold Lester Egan.
Frederick Brodie Forbes.
Carley Lawrence Marshall.
William Augustus Weinberger.
Carl Cooley Burgess.
Charles Ream Jackson.
Albert Smith Rice.
Robert Robinson.
Charles Linton Williams.

CORPS OF ENGINEERS.

Edward Hayward Raymond to be first lieutenant.

CHEMICAL WARFARE SERVICE.

Crawford McMann Kellogg to be first lieutenant.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

To be colonels.

Frederick Melvin Brown.
Nathan Dana Ely.
William Oscar Gilbert.
Sherman Moreland.

To be lieutenant colonels.

William Alexander Graham.
Charles Loring.
George Lemuel McKeeby.
William Burton Pistole.
William Cattron Rigby.
Hugh Carnes Smith.
Amos Robert Stallings.
Grant Taylor Trent.

To be majors.

Albert Charles Arnold.
Harry Anton Auer.
Henry Roy Bitzing.
Edward James Boughton.
Russell Henry Brennan.
William Foster Burns.
Walter Dew Cline.
William Mellard Connor, jr.
Myron Cady Cramer.
Charles Clement Cresson.
Jason Fremont Defandorf.
John Putman Dinsmore.
Albert Francis Drake.
Joseph Marcus Dreyer.
Gordon Louis Finley.
Mark Emmet Guerin.
Frank Wade Halliday.
Lawrence Hyskell Hedrick.
George Place Hill.
Lester Seneca Hill, jr.
Elza Charles Johnson.
Archibald King.
Walter Michael Krimbill.
William Walter Lemmond.
Charles Milton McCorkle.
Charles Henry McDonald.
John Marshall Markley.
Frederic Granville Munson.
John Archibald Parker.
LeRoy Reeves.
John Abdiel Smith.
Lucius Meriwether Smith.
James Howard Stansfield.
William Arthur Turnbull.
Rembert Gary Watson.
George Pentzer Whitsett.
Charles Redding Williams.
James Arthur Willis.
Frederic Gilbert Bauer.
Felix Edward Blackburn.
Theodore Hall.
Roland Martin Hollock.
Louis Lehman Korn.

To be captains.

Louis Eugene Appleby.
William Johnston Bacon.
Charles Arthur Barnard.
Humphrey Biddle.
Henry Clyde Clark.
Thurman Alden DeBolt.
George Augustine Frazer.
Arthur Henry Garland.
Perrett Franklin Gault.
William Langley Granbery, jr.
Robert Edwards Hannay, jr.
Henry Harmeling.
Thomas Leo Heffernan.
Burritt Havilah Hinman.
Hurbert Don Hoover.
William Joseph Hughes, jr.
Terry A. Lyon.
Hollie Lee Mason.
Louis Bolduc Montfort.
William Penn Montgomery.
Fannin Adkin Morgan.
James Edward Morrisette.
Homer Cling Parker.
Emanuel Rabin Parnass.
Emil Charles Rawitser.
Logan Norman Rock.
William Aloysius Rounds.
Edward Bernard Schlant.
Frank Eckel Taylor.
Thomas Tidball Trapnell.
John Rowe Wheeler.
Gilbert Sylvester Woolworth.
George Nathaniel Beakley.
Arthur William Beer.
Chester Arthur Bennett.
Rowan Adams Greer.
Philip Henry Marcum.

QUARTERMASTER CORPS.

To be colonel.

James Alfred Moss.

To be majors.

Edgar Wilson Mumford.
John Henry Adams.
Neill Edwards Bailey.
Henry Bailey Barry.
Samuel Roland Dishman.
Reginald Love Foster.
Henry Lincoln Green.
William Wickware Griffin.
James Merrill Hutchinson.
John Douglas Kilpatrick.
George Luberoff.
John McClintock.
Joseph Dennis McKeany.
Drury Kemp Mitchell.
Harry Thornton Moore.
John Milton Ritchie.
Clarence Herbert Tingle.
Rigby Dewoody Valliant.
Henry Lloyd Ward.
Francis Bradford Wheaton.
Louis Clarence Wilson.

To be captains.

George Edwin Adamson.
George Marshall Alden.
Richard Allen.
William James Allen.
James Laban Alverson.
Alston Bertram Ames.
Emile Peter Antonovich.
George Washington Armitage.
John Robert Bailey.
Thomas Otis Baker.
Archibald Lamonte Barber.
Harold Arthur Barnes.
Frank Barr.
Edmund Joseph Barry.
Ralph John Bauereisen.

Charles Isidor Bazire.
Robert Stanley Beard.
Edward Berg.
Elenius Berg.
Fred van Antwerp Berger.
Edward Henry Besse.
John Biggar.
Emil Herbert Block.
Ralph Hibbler Bogle.
Roland Capel Bower.
Richard Pegram Boykin.
Edward Joseph Brady.
Walter Sutherland Bramble.
Albert Jordan Brandon.
Charles Alexander Brinkley.
John Aloysius Broderick.
Abram Vedder Brower.
Charles Conrad Brown.
Egbert Jansen Buckbee.
Lewis Merrill Bullock.
Ora Bundy.
Charles Frederic Burkhardt.
Warren Atherton Butler.
William Daniel Candler.
Daniel Joseph Canty.
Charles Otway Carter.
Noble Carter.
William Edward Cashman.
William Cassidy.
George Moseley Chandler.
Albert Jamerson Chappell.
Charles Leonard Charlebois.
Harry Harrison Cheal.
James Stewart Clarke.
John Matthew Clarke.
James Douglas Cleary.
Elbert Cock.
Lawrence Dennis Collins.
William Thomas Connatser.
Lorenzo Irvin Cooke.
John Wallace Cooper.
John Leland Corbett.
Joseph Spencer Crane.
Chalmers Dale.
Ezra Davis.
John James Denning.
Joseph Henry Dent.
Joseph Wade Denton.
Alexander Forest Dershimer.
Harry Diffenbaugh.
Leonard Smith Doten.
John North Douglas.
Lewis Bradley Douglas.
Alexander Calhoun Doyle.
Edward Peter Doyle.
Harrison Mortimer Duffill.
Wallace Edwin Durst.
Nelson Hammond Duval.
Carroll Edgar.
LeRoy Murray Edwards.
Charles Edward Ehle.
Earl Eikenberry.
Clifford Maul Elwell.
James Benjamin Ettridge.
Henry Spencer Evans.
William Shipp Everts.
Hugh Franklin Ewing.
Reuben Lee Fain.
John Fawcett.
Frederick Felix.
Ocea LeRoy Ferris.
Robert Baxter Field.
James Jacob Firestone.
Romeo Henry Freer.
John Newton Gage.
Harry Franklin Gardner.
Edward Marion George.
Louis Bronson Gerow.
Douglas Arthur Gillespie.
John Alfred Gilman.
Michael Joseph Gilmore.
Harold Ogier Godwin.
Edwin Goodwyn.
Meade Montgomery Goodwyn.
Patrick John Gorman.
Michael Nolan Greeley.
Clarence Henry Greene.
David Grove.
Eugene Edwin Hagan.
Frederick Eugene Hagen.
George Henry Hahn.
Joseph Dixon Hahn.
Cyrus Wilson Haney.
Paul Bronsart Harm.
Harry Keller Harmon.
George Harrison Harrell.
Eugene John Heller.
Fred Charles Henke.
Randolph James Hernandez.
Frederick Louis Herron.
Joseph Howard Hickey.
George Foster Hobson.
Paul August Hodapp.
Thomas Leroy Holland.
Percival Simon Holmes.
Charles Walter Hoover.
Wilson Tyler Howe.
Paul Frederick Huber.
John Anderson Hughes.
Henry John Hunker.
John Van Ness Ingram.
Asa Irwin.
Charles Julius Isley.
Carl Hugo Jabelonsky.
Orville Jackson.
Wallace J. Jaka.
August Christian Jensen.
Hans Christopher Johansen.
Floyd Duren Jones.
Matthew Hall Jones.
Albert Kalb.
John Kasper.
Daniel Kearns.
Charles Garfield Keene.
Francis Joseph Kelly.
Patrick Kelly.
Thomas Kenny.
Edward Allen Keys.
Herbert Lee Kidwell.
Charles Jacob Kindler.
Robert William King.
Herman Christopher Kliber.
Henry Bert Knowles.
Arthur Louis Koch.
Gus Smith Kopple.
William Korst.
Charles Adolph Kraus.
George Eugene Lamb.
Otto James Langtry.
William Mathew Larner.
William Herbert Lee.
Clements William Legge.
Arthur Leslie Lemon.
Alonzo Lincoln Littell.
Frank Ely Locke.
Clarence Longacre.
Daniel William MacCormack.
James Thomas MacDonald.
John Arthur McDonald.
Murdock Allen McFadden.
Graves Barney McGary.
Thomas Bayton McGill.
Thomas Jefferson McGrath.
Bernard Edward McKeever.
John Joseph McManus.
William Cone Mahoney.
William Henry Mallon.
Phillip Henry Mallory.
Samuel Joseph Davis Marshall.
Lincoln Martin.
Francis Irwin Maslin.
Stephen Burdette Massey.
Lewis Bernard Massie.
Theodore Russell Maul.
John William Mayben.
Peter Francis Meade.
Edward Augustus Mechling.
Jack Lester Meyer.
Clarence Lloyd Middleton.
William Henry Moore.

Charles Jerrold Morelle.
Charles A. Morrow.
John Amos Nelson.
Halbert H. Noyes.
Daniel O'Connell.
John Clayton O'Dell.
Charles De Witt O'Neal.
Jacob Herman Osterman.
Oliver Louis Overmyer.
Alexander Mitchell Owens.
Arthur Parker.
Mortlock Stratton Pettit.
Allen William Pollitt.
John Andrew Porter.
Milo Cooper Pratt.
George Hebard Pryor.
Walter Kenneth Quigley.
Charles Alexander Radcliffe.
William Hickman Radcliffe.
George Walker Rees.
Edward Joseph Riordan.
William Fred Riter.
Ethel Alvin Robbins.
Albert Clifford Roberts.
Barton Potter Root.
Earl Harrison Rosemere.
Edmund D. Russ.
Paul Gerhardt Rutten.
William Henry Sadler.
John Thomas Sallee.
Leon Ewart Savage.
John Smith Scally.
Edward Oscar Schairer.
Joseph Edward Schillo.
John Schocklin.
George Herbert Schumacher.
Simeon Jackson Seals.
John Louis Shanley.
Robert Emmett Shannon.
Franklin Denwood Shawn.
French Cameron Simpson.
Eugene Hiram Sleeper.
James Eugene Smith.
Joseph Evan Smith.
William Wolff Smith.
Harvey Monroe Snyder.
David McGoodwin Speed.
Arthur Walter Stanley.
Frank Charles Starr.
George Horton Steel.
John Henning Stern.
Harry Morse Thatcher.
Elmer Gwyn Thomas.
George Ernest Thompson.
Gilbert Livingston Thompson.
John William Thompson.
William Otis Thornton.
Nels Johnson Thorud.
Harry Thurber.
Frank Palmer Tingley.
James Howard Todd.
Gerald Howe Totten.
Ernest Leonard Paul Treuthardt.
Wallace Augustus Trumbull.
John Moody Tuther.
Hiram Edwin Tuttle.
Amos Tyree.
George Frederick Unmacht.
Harry A. Vacquerie.
Charles Van Buren.
Rufus Walter.
Samuel Houston Ware.
William Elliott Ramsden Warner.
David Andrew Watt.
Peter William Wey.
Ira J. Wharton.
John Champlin Whitaker.
Will Rainwater White.
Charles Bertrand Wickins.
Hugh Williams.
Lewis Barksdale Willis.
William Arthur Worley.
George Young.
George Henry Zautner.
Samuel Israel Zeidner.

Lewis Conway Baird.
Thomas Banbury.
J. Leland Bass.
George Albert Bentley.
Carl Louis Bernau.
Walter Board.
William Robert Buckley.
John Thompson Conover.
Edwin Vivian Dunstan.
William Edward Chase Elkington.
Samuel Thomas Griffith.
Thomas Courtenay Locke.
Charles Newton Neal.
Edgar Fries Nickum.
Leroy Henry Palmer.
Edward Raeder.
William McKendree Scott.
Hubert Albert Stecker.
Thayer Dawson Sterling.
Walter Ambrose Swallow.
Malhon Kirkbride Taylor.
Rufus G. Vaughan.
John Moultrie Ward.
William Hammond Waugh.
Charles David Weirbach.
Brom Ridley Whitthorne, jr.
George Watson Womack, jr.
Thomas Washington Woodyard.
Herman Carl C. Zimmermann.

To be first lieutenants.

Mortimer Clark Addoms, jr.
Harry Martin Andrews.
Walter Andrewsen.
Simon David Archer.
John Henry Balmat, jr.
Frank Marion Barrell.
Homer H. Beall.
Paul Lindsay Beard.
Arthur Lewis Benedict.
Hubert Ward Beyette.
Mortimer Buell Birdseye.
Frederick LeRoy Black.
Robert Andrew Blair.
Frank H. Booth.
James Elmer Boush.
Levin Arthur Bowland.
John T. Boyle.
Bruno William Brooks.
Walter Floyd Brown.
Birnie Lee Brunson.
Mark Vinton Brunson.
Charles Thomas Burk.
Richard August Burkle.
Charles Walton Cameron.
Joseph Branson Canfield.
Charles Louis Carpenter.
John Joseph Cassidy.
Francis Saylor Challenger.
Charles Chalice, jr.
John Conrad Christophel.
Charles Matthew Clancy.
William Mathew Cline.
James Hugh Conlin.
Henry James Conner.
Daniel David Coons.
Bert Emory Cooper.
Charles Allen Cotton.
Edgar Gresham Coursen, jr.
Thomas Francis Crahan.
Willis Dodge Cronkhite.
Alexander Hill Cummings.
Raymond Dailey.
Freeman Bozeman Daniel.
Arthur Edwin Danielson.
Fred Ernest Davis.
William Day.
Dorcy Le Roy Decker.
Joseph De Garmo.
Leo Joseph Dillon.
John Thomas Dollard.
Martin Burtis Dunbar.
Frank Dunn.
James William Dye.
Lemuel Edwin Edwards.

Richard Thomas Edwards.
Joseph Lawrence Erickson.
Fred William Fallin.
Howard Farmer.
Frank Strong Ferguson.
George King Ferguson.
Bernard Joseph Finan.
Francis Valentine FitzGerald.
Ralph Eli Fleischer.
John Thomas Fleming.
Charles Franklin Fletter.
Wilmer Micajah Flinn.
Frederick Matthew Fogle.
George Ray Ford.
George Franklin Foss.
Albert Jamison Fox.
John Brandon Franks.
Frank Scott Frickelton.
Harry Samuel Fuller.
Claude Leslie Gamble.
Herbert Allen Gardner.
Lloyd Milton Garner.
George Bury Garrett.
Thomas Simons Garrett.
Charles Hugh Gibbon.
Melvin Reginald Ginn.
Joseph Pemberton Glandon.
Edward Joseph Glynn.
John Dillard Goodrich.
Enoch Graf.
Ray Harrison Green.
William Henry Green.
George Mitchell Grimes.
Malcolm Douglas Grimes.
Ernest August Guillemet.
Irwin Wilson Guth.
Paul Roy Guthrie.
Harry Edgar Hagan.
Herman Goodwin Halverson.
James Morris Hammond.
Dorris Aby Hanes.
Harvey Edward Hanna.
Peter Hanses.
James Joseph Harris.
Augustus Spencer Harrison.
Ellis Wiswell Hartford.
William King Harvey.
Otto Harwood.
John Alfred Hatfield.
Bradford Nelson Headley.
Elisha Kenneth Henson.
Roy William Hern.
Floy Lyle Hester.
Harry Price Higgins.
Chester David Hilton.
Maurice Allen Hockman.
Henry Hockwald.
John Roscoe Holt.
Elmer Hostetter.
John Robert Hubbard.
Arthur Drummond Hughes.
Seward William Hulse.
Lewis Edward Hunt.
Harry Bassett Huston.
John Conrad Hutcheson.
Charles Ferdinand Itzen.
Arthur Alva Jackson.
William Joshua Jackson.
Simon Jacobson.
Irwin Harold Joffee.
Clarence Edward Jones.
Franz Joseph Jonitz.
John Barthell Joseph.
Charles John Kalberer.
Martin Luther Kelley.
Joseph Patrick Kelly.
William Thombs Kilborn, jr.
John Archie King.
Harry Kirsner.
Arthur Theodore Kreh.
Ernest Kuehn.
Edward William Lachmiller.
Leander Larson.
Richard Laird Lawrence.
Franklin B. Lees.
Arthur Shelby Levinsohn.
George Thomas Liles.
Clarence Lineberger.
Albert Lobitz.
Doc Elwood Lowry, jr.
James Henry Lyman.
Frank Joseph McCormack.
Harvey Watson McHenry.
Shirley Wiggins McIlwain.
William Ross Mackinnon.
Arthur Joseph McShane.
Charles Jesse Mabbutt.
George Maginn.
Benedict Leo Maloney.
Justice William Martin.
Eugene Gordon Mathews.
Joseph Mathew Matson.
George Milroy Mayer.
Barney Leland Meeden.
Stanleigh Megargee.
Frank Arthur Mertz.
William Hershel Middleswart.
Robert Lake Miller.
Thomas Henry Mills.
Herbert Cossitt Mitchell.
Frank Edward Monville.
Frank Morell.
Edward John Morris.
Lawrence Benedict Morris.
John Peter Neu.
Francis Norton Neville.
Fred Tenderholm Neville.
Raglan Inkerman Nicoll.
Howard Burdette Nurse.
Philip Joseph O'Brien.
Maurice Paul O'Connor.
Charles Wilshire Older.
Franklin Overheiser.
LeRoy F. Pape.
Joseph Noll Parrott.
Harry Tolman Partridge.
William Henry Payne.
Charles Perfect.
Frank Charles Peters.
Talmage Phillips.
William Minnis Pierce.
Ralph Pollock, jr.
Frank Egerton Powell.
William G. Preston.
Wesley Wright Price.
Arthur Bothwell Proctor.
George Elmer Pruit.
Arnold Melville Reeve.
Leo Aloysius Regan.
Wilbert Vernon Renner.
Ernest Andrew Reynolds.
John Marion Rhodes.
Charles Edward Richardson.
William Hunt Roach.
John Myres Rooks.
Glenn A. Ross.
John Vincent Rowan.
Daniel Augustus Rupp.
John Alexander Russell.
Howard Sallee.
Nels Gustaf Sandelin.
James A. Sanders.
Frank Harry Scheiner.
William Henry Schnackenberg.
Ralph Reynolds Seger.
Turner Ransom Sharp.
Walter Lane Shearman.
Peter Shemonsky.
Garrison Francis Shields.
Earl Francis Shriver.
Kinsley Wilcox Slauson.
Harry Burgie Smith.
Raymond Donaldson Smith.
Robert Stuart Smith.
Harry Coleman Snyder.
George Frederick Spann.
Holden Spear.
Harold Spigelmyre.
Manning Wilfred Spotswood.
Charles Emile Stafford.

Charles Stalsburg.
Gordon Hall Steele.
George Stetekluh.
Arthur Milroy Stork.
Edward Flagg Sweeney.
Laurence Daly Talbot.
George Frederick Robert Taylor.
James Francis Taylor.
Cecil Oliver Temple.
Robert Van Thomas.
Charles Orval Thrasher.
Abraham Bernard Thumel.
John Robert Tighe.
John Paul Tillman.
George Peter Toft.
Edward James Turgeon.
Cyril Wilhelm Van Cortlandt.
Benjamin Franklin Vandervoort.
Isaac Devaus Van Meter.
Hal Tanner Vigor.
John Summerfield Vincent.
Harry Lauman Waggoner.
George Wald.
Elsmere Joe Walters.
Tom Ward.
Harold Jesse Warlick.
Joel Franklin Watson.
Louis Clifford Webster.
Thomas Judson Weed.
James Weir.
John Patrick Welch.
Joseph Rudolph Wessely.
George William West.
Frank Dennison Wheeler.
Ernest Klein White.
Hugh Whitt.
Herbert Foster Wilkinson.
James Wesley Willford.
Hartwell Newton Williams.
Robert Smith Williams.
Robert Trisch Willkie.
Charles Frederick Wilson.
David Ransom Wolverton.
Charles Wesley Wood.
Lawrence Stanley Woods.
Ralph Harry Woolsey.
Leighton Coleman Worthington.
Fred Tobias Yount.
Harry Leo Zeller.
Anton Zeman.
Theodore Tyler Barnett.
William Thomas Doran.
George Darryll Gamble.
Russell William Goodyear.
Letcher Ogle Grice.
Hope McCreery.
William Van Dillen Newbegin.
Thomas Jett Powell.
John Jacob Raezer.
Cecil Claude Ray.
Harry Ray Springer.
Frederic Robert Whippler.
Leslie Shaw Williams.

To be second lieutenants.

John Francis Alcure.
Wallace Marmaduke Allison.
Claude Bertram Avera.
Samuel Howes Baker.
John Augustus Barksdale.
George Thomas Barnes.
Albert Joseph Beale.
Clarence John Blake.
George Cocke Bland.
Leslie Eugene Bowman.
Albin Nace Caldwell.
Harry Lincoln Calvin.
John Fant Carraway.
Charles Simpson Carroll.
Frank Teeter Caulkins.
Gustavus Franzle Chapman.
Thomas Herbert Chapman.
Newman Hall Cherry.
John Fidelis Connell.
Oliver Edward Cound.
Fred Ross Cowan.
John Bigham Crandell.
Samuel Clifton Cratch.
Orville Ervin Davis.
Louis de Jussewicz.
Laurence Delmore.
Arthur Ellis Dewey.
Housan Wayne Duncan.
James Albert Durnford.
Hartwell Matthew Elder.
Harry Van Horn Ellis.
Humphrey Swygart Evans.
James Thomas Falin.
Ora Edward Fately.
Claude Weaver Feagin.
Oscar George Fegan.
Leonard Francis Felio.
Roland Thorpe Fenton.
Edward Vincent Freeman.
Ralph Willerton French.
William Joseph Gainey.
Chester Wright Gates.
John Cyrus Gates.
Will Gillett Gooch.
James Michael Grey.
James Bayard Haley.
Hugh Sydney Harpole.
Howell Harrell.
Oscar Harmon Harris.
George Eitle Hartman.
John Thomas Heins.
Frank Austin Heywood.
John Hancock Holder.
William James Horrigan.
Stanley Hunsicker Hunsicker.
John Augustus Hunt.
Warren Crouse Hurst.
Carroll Ray Hutchins.
William Chauncey Hutt.
Day Jewell.
Homer William Jones.
Luther Earl Keithly.
Gaylord Burnam Kidwell.
Francis Hill Kuhn.
Austin Webb Lee.
Paul Harter Leech.
Arthur John Lodge.
Otto Montrose Low.
John Bicknell Luscombe.
Alva Edison McConnell.
Frazier Earl McIntosh.
John Thomas McKay.
Neal Henry McKay.
Edward Brigham McKinley.
Frank Griffin Marchman.
Albert Earle Matlack.
Clifford James Moore.
Werner Watson Moore.
William Harry Mosby.
Rudolph Bror Nelson.
Halbert Eli Norton.
Carl Herbert Odeen.
Roger Frederic O'Leary.
Mitchell Franklin Orr.
Vere Painter.
Elmer Karl Pettibone.
Wayne McVeigh Pickels.
John Joseph Powers.
Charles Wingate Reed.
Ralph Gordon Richards.
Victor Lafayette Robinson.
Lynn Rogers.
Richard Geter Rogers.
Harry Isaac Rosen.
Edward John Lewis Russell.
Kenneth Howe Sanford.
Lawrence Brownlee Savage.
Louis Bernard Saxe.
Rudolph George Schmidt.
Charles Eugene Schwarz.
Neil Brown Simms.
Lawrence Lee Simpson.
John Lawrence Slade.
Clifford Smith.
McGregor Snodgrass.
Harold DeLancey Stetson.

Laurel Eugene Stone.
Gerard Swarthout.
Samuel De Witt Tallmadge.
Nathan William Thomas.
George Richard Thompson.
Robert Grant Thorp.
Joe Shurlock Underwood.
Robert Johnson Van Epps.
William Edwin Vecqueray.
Leonard Vezina.
Andre Leonard Violante.
Duval Crump Watkins.
Lester Frank Watson.
Edmund Graham West.
Robert Oliver White.
Walter Talcott Wilsey.
Milton Edward Wilson.
Russell Calvert Worthington.
George Cobb Wynne.
James Wellington Younger.
George De Vere Barnes.
Daniel J. Dunn.
Elden Quincy Faust.
Ernest A. Fischer.
William Burl Johnson.
Robert Franklin Jones.
Eugene Walter Lewis.
John Daniel O'Connell.
Charles John Wynne.

FINANCE DEPARTMENT.

To be majors.

Austin Henry Brown.
Frederick William Browne.
Thomas Leroy Clear.
Frank Wright Duryea.
Frank M. Holmes.
Benjamin Lester Jacobson.
Thomas Egbert Jansen.
William Harden Keith.
Arthur Leon Webb.
George Morgan Newell.

To be captains.

Herbert Baldwin.
Biglow Beaver Barbee.
Francis Camillus Beebee.
Ben Batre Boon.
Thomas Harry Chambers.
George Warren Cooke.
Henry Mahoney Denning.
Chester Jerome Dick.
Charles Gilpin Dobbins.
Harry Stockton Farish.
Eugene Martin Foster.
Claude Evan Gray.
Adel Curry Harden.
Remi Paul Hueper.
Royal Granville Jenks.
Melvin Jones.
Frank James Keelty.
Robert Joseph Kennedy.
Thomas Brown Kennedy.
Harry Borden Lovell.
Edmund Waring McLarren.
Jacob Ramser McNiel.
Theodore Ferry Powell.
Louis Hartwell Price.
Arthur Estcourt Sawyer.
Philip Augustin Scholl.
Lyman Leon Simms.
Oliver Tillman Simpson.
William Nycum Skyles.
Francis Paul Sullivan.
Irvin Vorus Todd.
Jacob J. Van Putten, jr.
Voler V. Viles.
Ernest Walter Wilson.
Walter Orr Woods.
Lawrence Peter Worrall.
Walter Harold Sutherland.

To be first lieutenants.

Nicholas Hamner Cobbs.
John May Connor.
Oliver William DeGruchy.
John Henry Doherty.
Chester Russell Fouts.
Frank Fremont Fulton.
Paul Jacob Guinther.
Waldo Sebastian Ickes.
Everett Foster Rea.
John Liggat Tunstall.

To be second lieutenants.

Francis Paul Connelly.
John Harold McFall.
Joseph Felix Routhier.
Cola Edgar Stone.

MEDICAL ADMINISTRATIVE CORPS.

To be captains.

Alexander Berkowitz.
Lonzo Russell Bice.
Theodore Bitterman.
Arthur Elmer Brown.
Clark Leon Brown.
Oscar Burkard.
Jason David Byers.
Harry Alexander Davis.
John Henry Dawson.
Herbert Noble Dean.
Robert Alexander Dickson.
Meyer McCollister Dougherty.
Thomas Marcus England.
Robert Sydney Ferguson.
William John Freebourn.
Harry Nelson Fuller.
Carl Graner.
Earl Francis Greene.
James Faris Hamner.
Samuel Jackson Harris.
Frank Holt.
Robert Burns Irving.
Henry Killikelly.
Kenneth George Kincaid.
Chester Berry Leedom.
James Norris Lothrop.
Edward Albert Lovelly, jr.
William McFarland.
Robert Sheldon McKenzie.
Arthur Morehouse.
Samuel Wetherill Pennington.
Clifford Henry Perry.
Robert Peterson.
Walter Lee Phares.
Albert Arthur Roby.
John Raymond Sands.
James Albert Scull.
Samuel Smelsey.
Clarence Oliver Stimmel.
Otto Arthur Tandrop.
Frederick Thomas.
George Edgar Vass.
Eugene Weber.
Max Weinberg.
Fred Osbourne Wells.
Paul L. Whitmarsh.
Thomas Garfield Williams.
William Clarence Williams.
George Clinton Young.
Francis Joseph Eisenman.
Samuel Marcus.

To be first lieutenants.

Robert Rainy Brooks.
Edmund Burke.
John Werry Cleave.
Charles Frederick Eble.
Harry Greeno.
William Hunter.
Robert Griffey Kennedy.
William Ernest Luse.
Charles Gilpin Manning.
Pinkney Lavater Ogle.
Louis Jeremiah Pollard.
Frederick Samuel Simmons.
Elmer Hill Simons.
Charles Spaulding Sly.
James Sweeney.
Edward Dwight Sykes.
Louis Llewellyn Tanney.

James Anthony Tremblay.
Revello Monroe Walker.
William Henry Williamson.

To be second lieutenants.

Wardlow Monroe Adams.
Richard Melsworth Alley.
Willard Mortimer Barton.
Thomas Pinkney Brittain.
John Henry Butler.
Horace Joseph Caterer.
George Porter Chase.
Jens Christensen.
Stanley Alling Clark.
William Francis Coleman.
Omer Antonio Couture.
Frank Arthur Crawford.
Ralph Palmer Dolby.
Alexander Joseph Doray.
George Doyle.
George Arthur Ekman.
William Downing Evans.
Davidson McGill Fleming.
John Dennis Foley.
Manly Wingate Fort.
William Fredericks.
Bruce Dean Gill.
Frederick Gilmour.
Glen Dison Gorton.
Fred A. Harrison.
Alexander Hepburn.
Thomas Grimsley Hester.
Maurice Hicks.
Henry Holland.
Alfred Thompson Houck.
Berban Huffine.
Richard Ellsworth Humes.
Harry Milton Jennings.
William Harvey Kernan.
Charles Fellows Kimball.
Amos Stanhope Kinzer.
Robert Royal Linden.
Benjamin Ralph Luscomb.
Francis Edward Lynch.
Richard Homer McElwain.
William Thomas McKelvey.
Paul Andrew Mace.
Jesse Harper Mael.
Leo John Miller.
Martin Douglas Mims.
Francis Moore.
John Leo Morgan.
William McAdoo Murphree.
Homer Warrick Paxton.
Nealey Prater.
James Ault Ramsey.
Louis Ransom.
Harvey Israel Rice.
John Dillworth Schaefer.
John Charles Schwieger.
Fritz Jack Sheffler.
William Maxwell Smith.
Clyde Allison Speight.
Leslie Haward Stein.
Frank Steiner.
Everett Roscoe Stevens.
Harrison Lee Stockwell.
Max Verne Talbot.
Irving Eugene Tier.
Walter William Tobin.
John Albert Watfield.
Samuel Alfred Weir.
John Oliver Brown.
William Edmund Whelan.
Robert Newton Wilson.

MEDICAL CORPS.

To be lieutenant colonels.

Fred Herman Bloomhardt.
David Sturges Fairchild, jr.
Fielding Hudson Garrison.
Arthur Sylbert Pendleton.

To be majors.

Edward Johnson Abbott.
Darius Cleveland Absher.
Robert Aurand Allen.
Charles Lincoln Banks.
Edward Percy Beverley.
Allen Jackson Black.
Robert Abe Burns.
Reuben Adolphus Campbell.
Chauncey Leonard Chase.
Thomas Luther Coley.
Jirah Marston Downs.
Albert Gallatin Franklin.
Frank Nichols Green.
Lorin Arthur Greene.
Frank Runcorn Borden.
Daniel Joseph Hayes.
William Herbert Henry.
William Louis Hoffman.
Howard Hume.
George Boyden Jones.
Clyde Watkins Jump.
Edgar Smith Linthicum.
William George McKay.
Walter Fullarton Macklin.
Peter Duncan MacNaughton.
Herbert Clifford Mallory.
Omer Atherton Newhouse.
Henry Fenno Sawtelle.
Guthrie Eugene Scrutchfield.
Thaddeus Sims Troy.
Frederick Arthur Van Buren.
Albert Nicholas Baggs.
Joseph Warren Bauman.
Edmund William Bayley.
Henry Shedd Beckford.
Charles Allen Betts.
William Otis Blanchard.
Jacob Carroll Bowman.
Gouverneur Hammeken Boyer.
Alexander Moultrie Brailsford.
Joseph Cushman Breitling.
Daniel Bradley Brinsmade.
Edgar Hayes Brown.
Roy Alton Brown.
Emil Henry Burgher.
Casper Ralph Byars.
Attilio Mario Caccini.
Douglas Walker Cairns.
William Allen Chapman.
Daniel Robert Chase.
Richard King Cole.
Arthur George Compton.
William Watson Conger.
Homer Leigh Conner.
James Francis Coupal.
Roy Herndon Cox.
Lewis Clyde Covington.
Albert Smith Dabney.
Christian Henry Dewey.
Clarence Eugene Drake.
John Francis Duckworth.
Francis Belmont Dwire.
Daniel Edward Egan.
Humphrey Newton Ervin.
William Knowles Evans.
Frank Doig Francis.
Fletcher Gardner.
Adolphe Mauger Giffin.
Edward Chace Greene.
Samuel Charles Gurney.
Milton Weston Hall.
Herbert Bill Hanson.
Joseph Storer Hart.
Ziba Lindley Henry.
Arthur Parker Hitchens.
Claude DuVall Holmes.
Clinton Luman Hoy.
Baxter Ross Hunter.
Lewis Edward Inman.
Arthur Dudley Jackson.
Ned Overton Lewis.
John Vincent Littig.
William Henry Lloyd.
John Pomfret Long.
Thomas Lee Long.
Raymond Force Longacre.
Charles Hubert Lovewell.
Arthur Lee Ludwick.

James A. Lyon.
John Joseph McCormick.
Alva Dutton Stearns McCoy.
Charles Everett MacDonald.
John Franklin McGill.
John Joseph Madigan.
Irwin Beede March.
Benjamin Joseph Marshall.
Thomas Rollins Marshall.
Charles Patrick Martin.
William Hayes Mitchell.
Herbert Bridger Montgomery.
Roy Thomas Morris.
Starr Abner Moulton.
William Alexander Murphy.
Bonaparte Preston Norvell.
George Albert O'Connell.
Roy Kimbrough Ogilvie.
Harry Reeves Oliver.
Bertram Henry Olmsted.
Elbert Alonzo Palmer.
Sam Fletcher Parker.
Earl Lenwood Parmenter.
Albro L. Parsons, jr.
James Emory Phillips.
Francis Herbert Poole.
James Edwards Poore.
James Frederick Presnell.
Bertrand Dean Ridlon.
Philander Chase Riley.
David Michael Roberts.
Fielding Tecumseh Robeson.
William Fulford Sappington.
Robert Baylor Shackelford.
Walter Stokes Sharpe.
Charles Angell Shepard.
Paul Richard Eddins Sheppard.
Adam Edward Sherman.
Herbert Homer Smith.
Charles Granville Souder.
Henry Newell Stilphen.
Henry Kingsbury Stinson.
Samuel Meredith Strong.
Harrison Warner Stuckey.
Armistead Keais Tayloe.
Elton Lacroix Titus.
Martillus Louis Todd.
William Hitchcock Tukey.
Walter Franz Von Zelinski.
John Wallace.
John Wade Watts.
William Olendorf Wetmore.
Joseph Meade White.
Edward Lancaster Whittemore.
William E. Wilmerding.
Frank Ernest Winter.
Carl Hamlin Witherell.
Harry Gage Wyer.
Albert Henry Eber.

To be captains.

Charles Arthur Bell.
Alfred Morrell Bidwell.
Aubrey Kenna Brown.
James Sutton Brummette.
Charles Beresford Callard.
Daniel Currie Campbell.
William Scott Dow.
Charles Henry Haberer.
Leonard Watson Hassett.
Ralph Emerson Henry.
Fred Earl Hickson.
Daniel Cogdell Hutton.
William Addison Jacques.
Clyde Clifford Johnston.
Henry Edgar Keely.
Robert Carnahan Kirkwood.
William Joseph Leary.
Ottis Like.
Royal Shepherd Loving.
John Ignatius Meagher.
John Leonard Meddaugh.
Fritz Joseph Moennighoff.
Robert Cornelius Murphy.
Oscar Winborne Nettles.
Cyrenius Adelbert Newcomb.
James Bliss Owen.
Arthur Calvin Rhine.
Frank William Romaine.
William Cooper Russell.
George Joseph Schirch.
Frank Noble Stiles.
Dennis William Sullivan.
Samuel L. Thorpe.
Albert Julius Treichler.
Henry Mitchell Van Hook.
Harry Wall.
David Walley.
Silas Walter Williams.
Stephen Hulbert Ackerman.
Reginald Francis Annis.
James Harvey Ashcraft.
George Eliott Atwood.
Cyrus Rexford Baker.
Clyde McKay Beck.
John Pierce Beeson.
James Russell Bibighaus.
Everard Blackshear.
James Hubert Blackwell.
Paul Newkirk Bowman.
Ross Bradley Bretz.
Henry Brooks.
Samuel Elkan Brown.
Charles Teackle Carter Buckner.
Charles Ross Bullock.
William John Burdell.
Robert Morris Butler.
Henry Alphonsus Callahan.
Joseph Edward Campbell.
Paul Gilbert Capps.
Jose Canellas Carballeira.
Thomas Morris Chaney.
Otto Christian.
Harry Ainsworth Clark.
Shores Erastus Clinard.
Ralph Elijah Cloward.
Albion McDowell Coffey.
Henry Samuel Cole.
Clinton Franklin Costenbader.
Thomas Byron Cracroft.
Joseph Sherman Craig.
James Edward Cramond.
Walter Midkiff Crandall.
Arthur Lee Davis.
William Elijah Moore Devers.
Ralph Duffy.
Milo Benjamin Dunning.
John Calvin Dye.
John Fassett Edwards.
Shirley Quincy Elmore.
John Harry Evans.
Merton Almond Farlow.
Daniel Bascom Faust.
Richmond Favour, jr.
Daniel Webster Fetterolf.
Harrison Horton Fisher.
Lindsay Z. Fletcher.
Harry Benjamin Forbes.
Jesse Franklin Gamble.
Charles Core Gans.
Harry Baldwin Gantt.
Claude Vernon Gautier.
Ira James Gibson.
John Shackleford Gibson.
Adolph Thomas Gilhus.
Emory Howard Gist.
Stephen Harry Graham.
Guy Granger.
Joseph Henry Graves.
Guy David Griggs.
Malcolm Cummings Grow.
James Gustin Hall.
Martin Passmore Hamrick.
Oscar Amadeus Hansen.
Glenn Luther Harker.
Virgil Anderson Harl.
Ernest Farris Harrison.
Clinton Harvey.
Lewis Scott Harvey.
Henry Wells Stanley Hayes.
Harry Elton Hearn.

John Rutherford Herrick.
George Earl Hesner.
John Everett Hewitt.
Burt Hibbard.
John Samuel Hickman.
Arthur Alvah Hobbs.
Robert Wynne Horton.
Howard Henry Howlett.
Floyd William Hunter.
Francis Beattie Hutton, jr.
Henry Charles Johannes.
Julius Admas Johnson.
Henry Waters Kennard.
William Bartle Kenworthey.
Luther Holden Kice.
Albert Glenn Kinberger.
Erwin Warner Kleinman.
Lewis Adolphus Lavanture.
Milford Arthur Leach.
Otis Williamson Little.
Seth Anderson McConnell.
Adolphus Alfred McDaniel.
Patrick Joseph McKenzie.
William Frank McLaughlin.
Donald Murdock McRae.
Hugh William Mahon.
Louis Goodman Martin.
Neely Cornelius Mashburn.
Kirk Patrick Mason.
John Archie Matson.
Victor Newcomb Meddis.
Charles Wilbur Metz.
Hubert Livingstone Miller.
Thomas Horace Miller.
Louis Archie Milne.
Pernier Albert Mix.
Francis James Moffatt.
Ernest Mariett Morris.
Percy Daniel Moulton.
William Daniel Mueller.
David Ap Myers.
Julius Girard Newgord.
Richard James Newman.
Danford Oatman.
Sylvester Francis O'Day.
Cleve Carrington Odom.
Earl William O'Donnell.
John Roy Oswalt.
Marvin Chester Pentz.
Earl Hunter Perry.
Lawrence Bell Pilsbury.
Oliver Henry Pinney.
William Clare Porter.
John Brewer Powers.
Carroll Porteous Price.
Herbert Hall Price.
George Richard Randall.
Thomas Harold Reagan.
Frederick Talmage Rice.
Durward Belmont Roach.
Gaston Wilder Rogers.
Philip Edward Rossiter.
Horace Ewing Ruff.
Harold Paine Sawyer.
Carl William Shaffer.
Edwin Forrest Shaffer.
Bartlett Lockwood Shellhorn.
Joseph Richards Shelton.
Ralph Hayward Simmons.
Richard Penn Smith.
Leroy Dilmore Soper.
Charles Booth Spruit.
Donald Ion Stanton.
Hubert Spencer Steenberg.
Fred Oscar Stone.
Edward Jones Strickler.
Frank Paul Strome.
Erick Martin Paulus Sward.
Herbert Wellington Taylor.
Robert Lancelot Tebbitt.
Robert E. Thomas.
Morris Hancock Tindall.
Reeve Turner.
Frank Cady Venn.
John Bachop Warden.
Logan Mitchel Weaver.
John Michael Weiss.
Earl Howard Welcome.
George Dillard Wells.
George Brooks West.
Lyle Charles White.
William Monroe White.
Joseph Hall Whiteley.
Howard Tilghman Wickert.
Daniel Benjamin Williams.
John Mitchell Willis.
Lee Hanville Winemiller.
John Dawson Roswell Woodworth.
Lucius Featherstone Wright.

To be first lieutenants.

Lewis Bradley Bibb.
Wilbur Manson Blackshare.
Henry Stevens Blesse.
George Francis Cooper.
John Paul Degnan.
Martin Fred DuFrenne.
Richard Henry Eanes.
Arthur David Haverstock.
Foster Cannon Howard.
Linwood Melrose Keene.
James Rhea McDowell.
Joseph Ignatius Martin.
Leland Oliver Walter Moore.
Charles Robert Mueller.
Ira Frederick Peak.
Byron Johnson Peters.
George Percy Rawls.
Walter Clifton Royals.
George Paul Sandrock.
Charles Francis Shook.
John Wilson Somerville.
Harrison Morton Stewart.
John Moorhaj Tamraz.
Virgil Blackstone Williams.
James Malone Bryant.
Arthur Alexander Hobbs.
Richard Turberville Arnest.
James Franklin Arthur.
Anthony Avata.
Royal Rohan Baronidas.
David Wade Bedinger.
Lester Eastwood Beringer.
Morgan Clint Berry.
Dalmar Rowley Blakely.
James Frank Brooke.
Eli Edwin Brown.
Hamilton Pope Calmes.
Frank Tenney Chamberlin.
Paul Christopher Christian.
Francis Joseph Clune.
William Shell Crawford.
Clement Anthony Cummings.
Charles Fletcher Davis.
Alberto Garcia de Quevedo.
William Presley Dingle.
William Paul Dodds.
Brooke Dodson.
Arthur Wheeler Drew.
Logan Illk Evans.
Jaime Julian Figueras.
William Thomas Fisher.
James Morris Fontaine.
Daniel Franklin.
William Joseph Froitzheim.
Othel Jefferson Gee.
Anthony Joseph Greco.
Francis William Gustites.
Edward Cleveland Hagler.
Walter Fleming Hamilton.
Charles Vincent Hart.
Adam George Heilman.
William Humes Houston.
Howard Joseph Hutter.
Wilbur Gibson Jenkins.
Barton Willard Johnson.
Maxwell Gordon Keeler.
Alexander Palmer Kelly.
Aubin Tilden King.
Harold Arthur Kirkham.

Claude Cyril Langley.
George Edward Lindow.
Alvin Clay McCall.
Thomas Randolph McCarley.
Bernard Anthony McDermott.
Jesse Cartena McKean.
Robert Malcolm.
Henry William Meisch.
Harry Ripley Melton.
Joseph Aaron Mendelson.
William Harvey Merriam.
William John Miehe.
James Martin Miller.
Alfred Mordecai.
Robert Lee Peyton.
Orlando Jefferson Posey.
Elgen Clayton Pratt.
Fabian Lee Pratt.
Lincoln Frank Putnam.
Samuel Winchester Reeves.
George Edward Rehberger.
Martin Robert Reiber.
William Robert Lewis Reinhardt.
George William Reyer.
David Loren Robeson.
Nathan Rosenberg.
Oswald Felix Schiffli.
Benjamin Tillman Sharpton.
Clarence Ulm Snider.
Carlton Culley Starkes.
David Lloyd Stewart.
Thomas Hill Stewart, jr.
William LeRoy Thompson.
Thomas Franklin Weldon.
Ferdinand William Wiehe.
George Thomas Wilhelm.
Howard Moore Williamson.
Raymond Clyde Wolfe.

DENTAL CORPS.

To be majors.

John M. Evey.
Frederick Henry Saunders.

To be captains.

Waldo Johnson Adams.
Albert Lea Alexander.
Clyde William Allen.
Roy L. Bodine.
Daniel Brattan.
Harold Howard Buehler.
Thomas Joseph Cassidy.
Daniel Joseph Crowley.
Ernest Patton Dameron.
Joseph E. Eden.
James Boyle Harrington.
Richard Curran Hughes.
Victor Paul Klapacs.
Robert Emmett Motley.
Herbert Edward Frank Tiesing.
Edwin St. Clair Wren.
Charles Boothe Amis.

To be first lieutenants.

Emory Chester Bardwell.
Arthur Edmon Brown.
Vivian Z. Brown.
Frank Alf Crane.
Robert Clyde Craven.
William Jay Crydermann.
Milton Julius Damlos.
Thomas Floyd Davis.
Roy Ledbetter Denson.
Albert Fields.
Arthur Clay Foard.
Earl George Gebhardt.
Howard Austin Hale.
Jay Ross Haskin.
Clarence Walter Johnson.
Edward James Kubesh.
Herman James Lambert.
Rufus Wood Leigh.
Ralph Olds Leonard.
Walter Duncan Love.
Rollo Lown.
Arthur Benedict McCormick.
Harry Theodore Ostrum.
Willis Burleigh Parsons.
Earle Robbins.
John Samuel Ross.
Everett Hale Ruggles.
Hugh James Ryan.
Melville Alexander Sanderson.
William Elder Sankey.
Ernest Frank Sharp.
Victor Lee Shepard.
William Swann Shuttleworth.
Frank William Small.
Arne Sorum.
Thomas Luther Spoon.
Roy Albert Stout.
Oscar William Thompson.
Lemuel Paul Woolston.
William Joseph Adlington.
Clarence Roy Benney.
John Charles Burr.
Charles Edward Callery.
Leon Arthur Jones.
James Barrett Mockbee.
Clarence Constantin Olson.
Stanley Rankin Rayman.
Chauncey De Witt Van Alstine.
Henry Allen Winslow.

VETERINARY CORPS.

To be captains.

Jacob Edward Behney.
Edward Isaac Cheely.
Nathan Newell Crawford.
Jesse Daniel Derrick.
Horace Samuel Eakins.
Harold Edward Egan.
Isaac Owen Gladish.
Forrest Rutherford Harsh.
Joseph Ernest Hodge.
Harry Hathaway Howe.
Raymond Alexander Kelser.
James Roberts Mahaffy.
Clell Bricker Perkins.
Jean Rossman Underwood.
Clifford Caswell Whitney.
Christian William Greenlee.
William Henry Houston.

To be first lieutenants.

Francis Michael Austin.
Howard Newell Beeman.
Thomas Alfred Breen.
Burlin Chase Bridges.
Lloyd John Brown.
Kenneth Earl Buffin.
Thomas Edward Carroll.
Chauncey Edmund Cook.
Charles Mansur Cowherd.
Joseph Fenton Crosby.
Seth C. Dildine.
Oness Harry Dixon, jr.
William Elmer Dodsworth.
Joseph Patrick Gerety.
Sawyer Adelbert Grover.
Calvert Thomas Guilfcyle.
Frank Caldwell Hershberger.
Homer Johnson.
Robert Patrick Kunnecke.
Raymond Irvin Lovell.
Martin Daniel Loy.
John Knox McConeghy.
Charles LeRoy Miller.
John Wesley Miner.
Albert John O'Grady.
Clifford Eugene Pickering.
Irby Rheuel Pollard.
Mott Ramsey.
Raymond Randall.
Francois Hue Kari Reynolds.
Philip Henry Riedel.
Howard Mayo Savage.
Harold Frederick Schreck.
George Henry Seaver.
Fred W. Shinn.
Maximilian Siereveld, jr.
Stanley Clifford Smock.

Frank Benjamin Steinkolk.
Ralph Brown Stewart.
Fred Chester Waters.
Charles Sears Williams.
Wallace Le Roy Williamson.
William Roy Wolfe.
Josiah Wistar Worthington.
George Jacob Rife.

To be second lieutenants.

James Lew Barringer.
Peter Thomas Carpenter.
Samuel Weir Clark.
Claude Francis Cox.
Joseph Hiriam Dornblaser.
Gerald Woodward Fitz-Gerald.
Lloyd Manley Friedline.
Patrick Henry Hudgins.
William Orville Hughes.
Lester Wallace Ingram.
Gardiner Bouton Jones.
Samuel George Kielsmeier.
Earl Floyd Long.
John Richard Ludwigs.
Floyd Guy Martin.
Herbert Kelly Moore.
James Earl Noonan.
Walter Richard Pringle.
Edwin K. Rogers.
Oscar Charles Schwalm.
Raymond Thomas Seymour.
Russell Samuel Shannon.
Charles Bailey Skinner.
Harry E. Van Tuyl.
Harry Lawrence Watson.
Nathan Menzo Neate.

SIGNAL CORPS.

To be lieutenant colonel.

Frank Joseph Griffin.

To be major.

William Richards Blair.

To be captains.

Addis Bliss Albro.
James Gilbert Anthony.
Edwin Owen Baker.
Fred Guy Borden.
Thomas Denton Bowman.
Frank Warren Brown.
Albert Sawyer Bullens.
Charles Warren Chadbourne.
Thomas Lawrence Clark.
Murray Benjamin Dilley.
Robert Graham Forsythe.
Edward Frederick French.
Hamilton Hall Treager Glessner.
Ralph Richard Guthrie.
Edwin Chamberlayne Hall.
Raymond Clair Hildreth.
George Everett Hill, jr.
Guy Hill.
John Andrew Malterer.
Fred George Miller.
George Willis Morris.
Will Vermilya Parker.
Leon Henry Richmond.
Bertram John Sherry.
Livingston Swentzel.
Hugh Hartwell Temple.
James Wight Van Osten.
Robert Canada Vickers.
Harold William Webbe.
Alexander Effray Whitworth.
Clifford Debray Cuny.
Clay I. Hoppough.
Tom Christopher Rives.
Alfred Henry Thiessen.
David Emery Washburn.
Charles Robert Welsh.
Robert Burdette Woolverton.

To be first lieutenants.

George Irving Back.
Frank Willard Bullock.
Calvin Halcombe Burkhead.
George Pollock Bush.
John James Downing.
Frank Ernest Eldredge.
Byron Adrian Falk.
Elwin Stewart Ferrand.
John Patrick Ferriter.
John Murphy Heath.
Hjalmar Bernhardt Hovde.
James Lawrence.
Edwin Rudolph Petzing.
Albert Milton Pigg.
Charles Maze Simpson, jr.
Chester Harvey Smith.
Clarence LeRoy Strike.
Ernest Andrew Thompson.
George Lincoln Townsend.
Ira Harry Treest.
Harry Louis Vitzthum.
Everett Roy Wells.
Fred Page Andrews.
Hardy Pate Browning.
Rolland Edward Stafford.

To be second lieutenants.

Carter Weldon Clarke.
Eugene Vincent Elder.
John Thomas Filgate.
Albert Joseph Lubbe.
Herbert Glendonne Messer.
Paul LaRue Neal.
Howard Samuel Paddock.
Reis Joseph Ryland.
Theodore Thomas Teague.
Harold Farnsworth Hubbell.
Don McNeal.

AIR SERVICE.

To be captains.

Elmer Adler.
Truman Wike Allen.
William Alfred Bevan.
Thomas Boland.
Arthur Wellington Brock, jr.
Arthur Raymond Brooks.
Norbert Carolin.
Frederick Foster Christine.
Charles Palmer Clark.
Ernest Clark.
John Graham Colgan.
John Joseph Devery, jr.
Howard Thomas Douglas.
Harry Coleman Drayton.
Aubrey Irl Eagle.
Roscoe Fawcett.
Reuben Hollis Fleet.
Harrison William Flickinger.
Christopher William Ford.
Calvin Earl Giffin.
George Eustace Amyot Hallett.
Harold Evans Hartney.
Horace Nevil Heisen.
Lynwood Benjamin Jacobs.
George Churchill Kenney.
Louis Rodney Knight.
Edward Laughlin.
Eugene Lazar.
Francis Beatty Longley.
Allan Parker McFarland.
Dale Mabry.
William Charles Ocker.
Charles Thomas Phillips.
Edward Joseph Ralph.
Clearton Howard Reynolds.
Charles Merrill Savage.
David Sidney Seaton.
Floyd Newman Shumaker.
Albert Daniel Smith.
Harry Marcy Smith.
Lowell Herbert Smith.
Albert William Stevens.
William Frederick Volandt.
Harold Eastman Weeks.
Chilion Farrar Wheeler.
Henry Capron White.
John Garrett Whitesides.
Burdette Shields Wright.
Frank Wilbur Wright.

Byrne Virchow Bauconi.
Harvey Weir Cook.
James Francis Doherty.
Charles George Eidson.
Oliver Stevenson Ferson.
Melvin Adams Hall.

To be first lieutenants.

Richard Thomas Aldworth.
William Valery Andrews.
Dogan Humphries Arthur.
Charles Bernard Austin.
Fred Austin.
Karl Shaffner Axtater.
Eugene Hoy Barksdale.
Frank Merrill Bartlett.
Eugene Benjamin Bayley.
Walter Bender.
Edward Crews Black.
Thomas Welch Blackburn.
Shiras Alexander Blair.
William Henry Bleakley.
Rowland Charles William Blessley.
Fred Sidney Borum.
Ulric Louis Bouquet.
Robert James Brown, jr.
Wallace Cole Burns.
Byron Turner Burt, jr.
Franklin Otis Carroll.
James Bernard Carroll.
William Henry Carthy.
Claire Lee Chennault.
John Martin Clark.
Ross Franklin Cole.
Carl William Connell.
Benedict Arthur Coyle.
Neal Creighton.
Isaiah Davies.
Raymond Ellis Davis.
Robin Alexander Day.
Charles Burton De Shields.
Harry Arden Dinger.
Benton Arthur Doyle.
Alonzo Maning Drake.
Donald George Duke.
Asa North Duncan.
Claude Edward Duncan.
Frederick Irving Eglin.
Merrick Gay Estabrook, jr.
Asa Jeremiah Etheridge.
Muir Stephen Fairchild.
Karl de Vries Fastenau.
Edward Lewis Fernsten.
Charles Rocheid Forrest.
Arthur Lee Foster.
Samuel Gordon Frierson.
Carl Brewer Fry.
Guy Harrison Gale.
Raynor Garey.
Alfred Clarence George.
Harold Huston George.
William Seymour Gravely.
William Andrew Gray.
Carl Franklin Greene.
Russell Molland Greenslade.
James Lionel Grisham.
Albert Michael Guidera.
Edward Higley Guilford.
Frank Denis Hackett.
Edward Meeker Haight.
Fraser Hale.
Joseph English Hall.
Harold Ross Harris.
Lloyd Leon Harvey.
William Albert Hayward.
James Andrew Healy.
Virgil Hine.
Earl Seeley Hoag.
Harlan Ware Holden.
Harvey Hodges Holland.
Richard Orleans Hunnam.
Leland Charles Hurd.
Don Lee Hutchins.
James Troy Hutchison.
Stephen Joseph Idzorek.
J. Thad Johnson.
Winant Pullis Johnston.
Aaron Edward Jones.
Edward Davis Jones.
Ulysses Grant Jones.
Clarence Peyton Kane.
Robert Kauch.
Frank Kehoe, jr.
John Carroll Kennedy.
Frederick Putnam Kenny.
Horace Simpson Kenyon.
Alvan Cleveland Kincaid.
Alfred Foster King, jr.
Richard James Kirkpatrick.
Leonidas Lee Koontz.
John Tollefson Lanfall.
Lawrence Augustus Lawson.
Walter Ralls Lawson.
Charles Manning Leonard.
Burton Frederick Lewis.
Martin Sidney Lindgrove.
Samuel Milhollen Lunt.
John Edward Lynch.
William Elmer Lynd.
John Michael McDonnell.
George Wilbur McEntire.
Frank Morton McKee.
John Arthur Macready.
Alfred Warrington Marriner.
Bruce North Martin.
Paul Jones Mathis.
Russell Lowell Maughan.
Charles Raymond Melin.
Clarence Lloyd Midcap.
Walter Miller.
Charles Hufford Mills.
John Isham Moore.
Edward Moses Morris.
Corliss Champion Moseley.
Langhorne Waldo Motley.
William Herbert Murphy.
Donald Patrick Muse.
Devereux Maitland Myers.
Clifford Cameron Nutt.
Robert Oldys.
Robert Sanford Olmsted.
Edwin Randolph Page.
George Merrill Palmer.
George Franklin Parris.
John Bellinger Patrick.
George Beatty Patterson.
Albert Brown Pitts.
Fred Place.
Leo Fred Post.
Rudolph William Propst.
Charles Addison Pursley.
Alfred Isaac Puryear.
Marion Gardner Putnam.
Merwyn Calvin Randall.
Walter Jay Reed.
Walter Hey Reid.
John Paul Richter.
Henry Irving Riley.
John Pierre Roullot.
Francis W. Ruggles.
Edwin Andrew Russell.
Philip Schneeberger.
Earl Spiker Schofield.
John W. Shoptaw.
John William Signer.
Louis Charles Simon, jr.
Arthur Emel Simonin.
John William Slattery.
Kellogg Sloan.
Junius Augustus Smith.
Lotha August Smith.
Clifford Erle Smythe.
Martinus Stenseth.
Rex Kirkland Stoner.
Victor Herbert Strahm.
St. Clair Street.
Joseph Leonard Stromme.
Rene Raimond Studler.
Harry Allen Sutton.
Arthur Thomas.
Richard Edwin Thompson.

Julius Conrad Tips, jr.
Otto Gresham Trunk.
William Turnbull.
Paul Roper Turpin.
Frank Benjamin Tyndall.
George Luke Usher.
Arthur William Vanaman.
Solomon Lee Van Meter, jr.
John Parker Van Zandt.
Raymond Edward Vaughan.
Thomas Settle Voss.
Perry Wainer.
Henry Jay Ward.
Harry Weddington.
William Downing Wheeler.
Ennis Clement Whitehead.
Frederic Bernard Wieners.
Donald Wilson.
Walter Drake Williams.
John Y. York, jr.
Harry Herman Young.
Morton Donald Adams.
Max Balfour.
Morris Berman.
Halsey Lyle Bingham.
Clayton Lawrence Bissell.
Edmund Pendleton Gaines.
Armin Ferdinand Herold.
Frank O'Driscoll Hunter.
Ira Robert Koenig.
John McRae.
Harry Gage Montgomery.
Erik Henning Nelson.
Bob Edward Nowland.
Lawrence Irvin Peak.
Laclair Davidson Schulze.
Lorenzo Lamont Snow.
Theose Elwin Tillinghast.
LeRoy Moore Wightman.

To be second lieutenants.

Evers Abbey.
James Ellsworth Adams.
William Tillmon Agee.
Ames Scribner Albro.
Frank Potter Albrook.
Irwin Stuart Amberg.
Stanley Mitchell Ames.
William Noel Amis.
Orvil Arson Anderson.
Leland Stanford Andrews.
James Francis Armstrong.
Leslie Philip Arnold.
Melvin B. Asp.
Raphael Baez, jr.
Joseph Popenjoy Bailey.
Audrey Blaine Ballard.
Gerald Edgar Ballard.
Charles Yawkey Banfill.
John DeForest Barker.
Lloyd Barnett.
Carl Henry Barrett.
Harold Arthur Bartron.
Lowell Whittier Bassett.
Eugene Cooper Batten.
Rosenham Beam.
Harold Webster Beaton.
Lucas Victor Beau, jr.
Levi L. Beery.
Dean Bryan Belt.
John William Benton.
Victor Emile Bertrandias.
Cyrus Betts.
John Beveridge, jr.
George Hendricks Beverley.
Reuben Dallam Biggs.
Roland Birnn.
Hugh Albert Bivins.
Lloyd Chartley Blackburn.
John Blaney.
Edwin Barton Bobzien.
Howard Zabriskie Bogert.
Carlton Foster Bond.
Francis Pat Booker.
Elmer John Bowling.
William Lewis Boyd.
Harold Brand.
Howard Carlton Brandt.
Charles Egbert Branshaw.
Charles Gage Brenneman.
Wendell Holzworth Brookley.
Thomas Brooks.
Norman Delroy Brophy.
Courtland Moshier Brown.
George Harold Brown.
Raymond Rudolph Brown.
Donald Lloyd Bruner.
George Howell Burgess.
Walter Kellsey Burgess.
Paul Edmund Burrows.
Henry Thomson Burtis.
Orin Jay Bushey.
Roy William Camblin.
Dwight Joseph Canfield.
Edwin Forrest Carey.
Hjalmar Frithijof Carlson.
Earle J. Carpenter.
Harold Hibbard Carr.
Samuel Oliver Carter.
Warren Rice Carter.
Benjamin Buckles Cassiday.
Bernard Tobias Castor.
Benjamin Shields Catlin, jr.
Homer Barron Chandler.
Charles Carl Chauncey.
Wilfred Morey Clare.
Harold Lyman Clark.
Willard Shaw Clark.
Laurens Claude.
Ambrose Victor Clinton.
James Culver Cluck.
Gilbert Taylor Collar.
Harry Forrest Colliver.
William DeVoe Coney.
Samuel Martin Connell.
William Edmund Connolly.
Frank Lauderdale Cook.
Russell Hay Cooper.
John D. Corkille.
Carl Anson Cover.
John Sanderson Crawford.
George Good Cressey.
Harrison Gage Crocker.
Robert Theodore Cronau.
Clarence Edgar Crumrine.
Charles Milton Cummings.
Wallace Caldwell Cummings.
James Thomas Curry, jr.
Clarence Meredith Cutler.
Burnie Raymond Dallas.
Joseph Henry Davidson.
Rufus Benjamin Davidson.
John Myrddin Davies.
Everett Sanford Davis.
Lewis Allegeo Dayton.
William Windom Dixon.
James Harold Doolittle.
Charles Douglas.
Charles Hale Dowman.
Hugh Chester Downey.
John Raymond Drumm.
James Edward Duke, jr.
Lionel H. Dunlap.
Ray Aloysious Dunn.
Delmar Hall Dunton.
John McDonough Early.
James Sharp Eldredge.
Carl Grammer Eliason.
Clifford Elleman.
Louis North Eller.
Charles Glendower Ellicott.
Marion Larimore Elliott.
Sam Love Ellis.
Arthur Ignatius Ennis.
Eugene Lowry Eubank.
Charles Reed Evans.
William Cushman Farnum.
Robert Halbert Finley.
Matthew Edward Finn.
Clyde Virginius Finter.
Fred Cleveland Fishback.

Donald David Fitzgerald.
William Stephen Fitzpatrick.
James Flannery.
Wallace Robinson Fletcher.
Angier Hobbs Foster.
Thad Victor Foster.
Albert Carl Foulk.
Russell Ralph Fox.
Elbert Wiley Franklin.
Kenneth Gatiss Fraser.
Wallis Ammi Frederick.
Ezra Rice Frost, jr.
William Carl Gabriel.
Dale Vincent Gaffney.
Grandison Gardner.
John Henry Gardner.
Kenneth Garrett.
Byron Elihu Gates.
Harold Lee George.
Charles Willard Getchell.
Ralph Alfonzo Gibson.
Thomas Lonnie Gilbert.
Barney McKinney Giles.
Benjamin Franklin Giles.
James Douglas Givens.
John Raglan Glascock.
Edgar Eugene Glenn.
George William Goddard.
William Campbell Goldsborough.
Donald Reuben Goodrich.
Wendell Eugene Goodrich.
Oliver Perry Gothlin, jr.
Oliver Allen Gottschalk.
Gilbert Shaw Graves, jr.
Carlyle West Graybeal.
Jack Greer.
Gerald Edward Grimes.
Karl Derby Guenther.
Faye Sherman Gullet.
James Weston Hammond.
John Robert Hall.
Spencer Hall.
Harry Arthur Halverson.
Arthur Girard Hamilton.
Winfield Scott Hamlin.
William Jones Hanlon.
Edward Vincent Harbeck.
Ernest Emery Harmon.
Ray Guy Harris.
John Vernon Hart.
Harrison Jay Hartmen.
George William Haskins.
Thomas Watson Hastey.
Caleb Vance Haynes.
Grissom Edward Haynes.
Robert Storie Heald.
Albert Faitoute Hebbard.
Armor Simpson Heffley.
Albert Francis Hegenberger.
Lawrence Pradere Hickey.
Edward Ernest Hildreth.
Ployer Peter Hill.
Edward Alton Hillery.
Harold Kirkham Hine.
Stacy C. Hinkle.
George Edwin Hodge.
James Pratt Hodges.
Park Holland.
John Benjamin Holmberg.
Frederick Mercer Hopkins, jr.
Bushrod Hoppin.
Charles Adam Horn.
Aubrey Hornsby.
Clarence Frost Horton.
Walter Bernard Hough.
Charles Harold Howard.
Ernest LeRoy Hurst.
Silas Clearman Hyndshaw.
Thomas Vincent Hynes.
Robert Victor Ignico.
Edward Jenkins.
Alfred Liljevalch Jewett.
Arthur Lowell Johnson.
Bayard Johnson.
Cortlandt Spencer Johnson.
Edwin Johnson.
George Pryor Johnson.
Harry Anton Johnson.
Douglas Johnston.
Delbert Emerick Jones.
James Bumer Jordan.
Rupert Julian.
John A. Kase.
Oakley George Kelly.
Emile Tisdale Kennedy.
Cornelius John Kenney.
Emil Charles Kiel.
Everett Listeman Kirkpatrick.
Ross Corbett Kirkpatrick.
Guy Kirksey.
Robert Duane Knapp.
Theodore Joseph Koenig.
Henry William Kunkel.
Clyde Antone Kuntz.
Arthur Kay Ladd.
John Arthur Laird, jr.
William Michael Lanagan.
Sigmund Franklin Landers.
Westside Torkel Larson.
Newman Raiford Laughinghouse.
John Theodore Lawson.
Malcolm Stoney Lawton.
Royal Beard Lea.
Richard Kemp LeBrou.
Edgar Andrew Liebhauser.
Arthur George Liggett.
Alfred Lindeburg.
David Glenn Lingle.
Clarence Beaver Lober.
Newton Longfellow.
George Godfrey Lundberg.
Floyd Albert Lundell.
Frederick Dan Lynch.
Alfred Jefferson Lyon.
Hez McClellan.
John Myers McCulloch.
Roger Shaw McCullough.
Milo McCune.
Corley Perry McDarment.
Cleveland William McDermott.
George Clement McDonald.
Russell Carrigan MacDonald.
Jasper Kemper McDuffie.
Harold Alling McGinnis.
Kenneth Campbell McGregor.
George Allan McHenry, jr.
Michael Everett McHugo.
Clarence Roscoe MacIver.
William John McKiernan, jr.
Ashley Chadbourne McKinley.
Morton Howard McKinnon.
Guy Lewis McNeil.
George Vardeman McPike.
Edwin Ray McReynolds.
Jesse Anthony Madarasz.
Richard Hartnett Magee.
Lester James Maitland.
Louie Clifford Mallory.
Merrill Deitz Mann.
Earle Henry Manzelman.
Austin Walrath Martenstein.
Pardoe Martin.
Harry Joseph Martin.
Thomas Kennedy Matthews.
Warren Arthur Maxwell.
William Riley Maynard.
Arthur John Melanson.
Vincent James Meloy.
Phillips Melville.
Bennett Edward Meyers.
Leland Wilbur Miller.
Harry Hobson Mills.
Pittman Wall Mills.
Samuel Perham Mills.
Raymond Calvin Milyard.
Hugh Cromer Minter.
Reuben Curtis Moffat.
James Alexander Mollison.
John William Monahan.
Charles Norton Monteith.
Oscar Monthan.

Odas Moon.
Robert Dudley Moor.
Harold Amos Moore.
William Grayson Moore.
Ivan Glen Moorman.
William King Moran.
John Ross Morgan.
Louis Philip Moriarty.
Joseph Theodore Morris.
William Colb Morris.
Raymond Morrison.
Charles Lester Morse.
Benjamin Rhoten Morton.
Roy Bradford Mosher.
Max Frederic Moyer.
Carl Hiestand Myers.
James Montrose Graham Thomson Neely.
Fred Cyrus Nelson.
Frederick William Niedermeyer, jr.
Omer Osmer Niergarth.
Erling Schriver Norby.
Howard Dutton Norris.
Jack Joseph O'Connell.
Myron Emmett O'Hanly.
Roderick Norman Ott.
Ray L. Owens.
George William Pardy.
Frederick Irving Patrick.
Frank Martyn Paul.
Alexander Pearson, jr.
John Millan Pennewill.
Elmer Daniel Perrin.
Wendell Kingsley Phillips.
Joseph Allen Physioc, jr.
Younger Arnold Pitts.
Maril James Plumb.
George Washington Polk, jr.
Edward Michael Powers.
Paul Hyde Prentiss.
Walter Emmett Price.
Charles Peter Prime.
Ivan Lewis Proctor.
Harvey William Prosser.
Carl Weston Pyle.
Edward Whiting Raley.
Howard Knox Ramey.
William Millican Randolph.
Mark Henry Redman.
Lewis Rinehart Pfoutz Reese.
Dache McClain Reeves.
Henry Harold Reily.
George Edgar Rice.
Walter Eugene Richards.
Carlyle Howe Ridenour.
William Edward Riley.
Harold Rentsch Rivers.
Oliver Kendall Robbins.
George Oliver Roberson.
Ward Fisk Robinson.
Oscar Leslie Rogers.
Harold Franklyn Rouse.
Dudley Ely Rowland.
Graham Mead St. John.
Glenn Charles Salisbury.
Max Frank Schneider.
Ned Schramm.
Edward Lewis Searl, jr.
Frank Walter Seifert.
Robert Elmer Selff.
Edgar Theodore Selzer.
Henry Few Sessions.
Clayton Charles Shangraw.
Clarence Edward Shankle.
Leon Edgar Sharon.
Hiram Wilson Sheridan.
James Cole Shively.
Hubert Augustine Shovlin.
Peter Emanuel Skanse.
Charles Theodore Skow.
Harold Daniel Smith.
Stanley Smith.
Stanton Thomas Smith.
Talcott Proudman Smith.
Wallace Gordon Smith.
George William Snow.
William Bettencourt Souza.
Harry Leon Speck.
Owen Evans Spruance.
Orville L. Stephens.
Malcolm Nebeker Stewart.
Donald Gardner Stitt.
Charles Wesley Sullivan.
Joseph Ignatius Sullivan.
William Robert Sweeley.
James Gradon Taylor.
Willis Ratcliffe Taylor.
John Parr Temple.
Charles Edwin Thomas, jr.
Bernard Scott Thompson.
Arthur Leslie Thornton.
Earle Hayden Tonkin.
Bernard Joseph Tooher.
Stewart Wellington Torney.
George Platt Tourtellot.
Morris Langdon Tucker.
Stanley Milward Umstead.
John Edwin Upston.
Theodore Shafer Van Veghten.
Joseph Edwin Virgin.
Leigh Wade.
Paul Theodore Wagner.
Kenneth Newton Walker.
Alfred Evans Waller.
LeRoy Allen Walthall.
Charles William Walton.
Thomas Harrison Ward.
Arthur Gillette Watson.
Dayton Dudley Watson.
Charles Leland Webber.
Lewis Selwyn Webster.
Robert Morris Webster.
Leonard Dickson Weddington.
Clarence Herbert Welch.
Harold Ralph Wells.
William Warren Welsh.
Frank Edward White.
William Joseph White.
John Frederick Whiteley.
Courtney Whitney.
Paul California Wilkins.
Isaac Jackman Williams.
John Gordon Williams.
Paul Langdon Williams.
Clarence Chamberlin Wilson.
John Harvey Wilson.
Joseph Alexis Wilson.
Kenneth Bonner Wolfe.
Leroy Marion Wolfe.
Edward Huffner Wood.
Norman Reuben Wood.
Jacob Marcellus Woodard.
James Atwater Woodruff.
Fred Evans Woodward.
Henry Guy Woodward.
Mark Rhey Woodward.
Henry Edward Wooldridge.
Clinton Fisk Woolsey.
Robert Strong Worthington.
John Brandon Wright.
Roscoe Caleb Wriston.
John Albert Wyatt.
Wesley A. Zellner.
Alfred Baxter Baker.
Oscar Norvell Barney.
Joseph Williams Benson.
Oliver Wendell Broberg.
Thomas John Carroll.
Milo Neil Clark.
William Burleigh Clarke.
Howard Arnold Craig.
Samuel Custer Eaton, jr.
Solomon Bernard Ebert.
Welcome Bridges Elston.
Frederick William Evans.
Benjamin Franklin Griffin.
Harold Patrick Hennessy.
Leland Ross Hewitt.
Maurice Shefstad Hill.
Roland Everett Hill.
Fonda Bernard Johnson.

James Joseph Langin.
Adolphus Rankin McConnell.
Wendell Brown McCoy.
Clements McMullen.
Walter Thomas Meyer.
Valentine Stone Miner.
Horace William Mooney.
Francis Warren Nunenmacher.
Edward Morris Robbins.
Charles McKinley Robinson.
Roland Lester Spencer.
Charles William Steinmetz.
David Robert Stinson.
Edwin Sullivan.
William Simmons Sullivan.
Clarence Prescott Talbot.
Willard Spencer Wade.
Myron Ray Wood.
Robert Theodore Zane.
Frederick Andrew Johnson.

CHEMICAL WARFARE SERVICE.

To be majors.

Benjamin Almond Brackenbury.
Arthur Milton Heritage.
Charles Leveque Joly.
Henry Hubert Stickney, jr.

To be captains.

Edward Bates Blanchard.
James Helmus Bogart.
Arthur Cobb.
Lewis Spann Latimer.
Lewis Mitchell McBride.
John Gibbon McCoy.
John Andrews MacLaughlin.
Ovid Eli Roberts, jr.
Edward Cyrus Thompson.
William Ward Wise.
Edward Wolesensky.

To be first lieutenants.

Joseph Franklin Battley.
Hubert Butler Bramlet.
Guy Louis Chamberlin.
Patrick Francis Craig.
Lowell Allison Elliott.
Harry Albert Kuhn.
Harry Ruhl Ledkicher.
George Alfred Mackay.
Charles Samuel Moyer.
Hugh Williamson Rowan.
Howard Stokes.
Murray Charles Wilson.
John Harvey Becque.
Edmund Gerald Steis.
Frederick John Swanson.
Alden Harry Waitt.

To be second lieutenants.

Maurice Edgar Jennings.
Shelby Newton Griffith.
Fred Murdoch Henley.
Harold Albert Pelton.
John George Shannonhouse.
Paul Revere Smith.
Ralph Hamilton Tate.
Matthew Ebbert Webber.

ORDNANCE DEPARTMENT.

To be lieutenant colonel.

George Lloyd Wall.

To be majors.

Keith Frazee Adamson.
John Kay Clement.
Richard Hays Hawkins.
George Wellington Graham.
Albert Emile Guy.
John Herbert Hunter.
George Francis Lemon.
John Quincy MacDonald.
Watson Moses Myers.
Patrick Joe O'Shaughnessy.
Oliver Hyde Presbrey.
Henry Lawson Rice.
Henry Hunter Kimball Sheridan.
Roger Taylor.
Charles Henry Traeger.
Sidney Smith Underwood.
Edwin Hyde Chase, jr.
Mervyn Paul Randolph.
Charles Mason Roberts.

To be captains.

John Edward Brown.
Harold Witter Churchill.
Stuart Cooper.
James Stevenson Crawford.
Lemuel Paul Crim.
Stewart Hancock Elliott.
David St. Pierre Gaillard.
James Anderson Beirne Gibson.
Elmer Conrad Goebert.
Walter Thomas Gorton.
Samuel Gordon Green.
Dale Clarence Hall.
Walter Clarence Hamilton.
James Briggs Haney.
John Palmer Harris.
Guy Russell Hartrick.
William James Henry.
Thomas Wyatt Holmes.
John Lee Hughes.
Joseph Alvis Long.
Fred Anthony McMahon.
Reynold Ferdinand Melin.
Norris Whitlock Osborn.
Dwight Partridge.
William Vincent Randall.
Charles Summer Reed.
Claudius Henry Mastin Roberts.
Asa Herman Skinner.
Newton Harrell Strickland.
John Aubrey Wheeler.
Frank Blakeslee Wallace.
Harold Street Wilkins.
James Brayshaw Arthur.
Clarence Barnard.
Gregory Sumner Lavin.
John Allen Root.
Charles Allen Watkins.

To be first lieutenants.

Joseph Lawrence Aman.
George Raymond Ensminger.
Fred Ivan Gilbert.
David Nathaniel Hauseman.
Charles Edwin Lex, jr.
Royal Barton Libby.
Henry Earl Minton.
Joseph Worthen Proctor.
Charles Earl Whitney.
Heman Bangs Wilson, jr.
Arthur Dana Elliot.
Harold Alfred Willis.

To be second lieutenants.

Marshall Eugene Darby.
Richard Law Hubbell.

CORPS OF ENGINEERS.

To be lieutenant colonel.

William Charles Weeks.

To be majors.

John Soule Butler.
Harry Frank Cameron.
Malcolm Elliott.
William Henry Lanagan.
Leon Elie Lyon.
Paul Reisinger.
Elihu Harrison Ropes.
Harry Montague Trippe.
Frank Russell Weeks.
Herbert Joseph Wild.
James Warren Bagley.
William Burr Harrison.
Wallace Whitney Kirby.
William Caswell Lemen.
Charles Edwards Perry.

To be captains.

Clay Anderson.
James David Andrews, jr.
Fred Thomson Bass.
Edward North Chisolm, jr.
Philip Thayer Coffey.
Robert Morris Copeland.
William Henry Crosson.
Samuel Lyman Damon.
John Gardiner Drinkwater.
Adolphe St. Armant Fairbanks.
Charles Brackett Falley.
George Albert Geib.
Lewis Coleman Gordon.
Schenk Henry Griffin.
William Eldon Harris.
Robert Charles Hunter.
Clarence Sylvester Jarvis.
Samuel Nairn Karrick.
William Sawtelle Kilmer.
John Goulding Little.
Leonard Lundgren.
Harold Chandos Lyons.
Hugh Miller.
Frank Winder Moore.
Everett Bodman Murray.
Hugh Pigott Oram.
Theodore Bissell Parker.
Alva Harold Perkins.
Albert Woodbridge Pioda.
Robert Armstrong Radford.
Harrie Dean W. Riley.
Chester Abhram Rothwell.
David McDougald Shearer.
Roland Henry Stock.
Harry Ogle Tunis.
Elliott Vandevanter.
Harry Briggs Vaughan, jr.
Theodore Wyman, jr.
Howard McClymonds Yost.
John Frank Zajicek.
Alexander Seymour Ackerman.
Leroy Webster Cummings.
Edward Henry Dignowity.
Pier Luigi Focardi.
George William Gillette.
Harold Samuel Gillette.
William Vilas Hill.
Kenneth Swank Jones.
John Edward Langley.
Thomas Harold Messer.
Henry Bolton Post.
Richard Landrum Smith.
Charles Humphrey Swick.
Stephen Carson Whipple.
Herbert Clinton Whitehurst.

To be first lieutenants.

Roy Prentice Bishop.
Charles William Burlin.
Heston Rarick Cole.
Robert Francis Gill.
Roy William Grower.
Ellis Edward Haring.
Bruce Craighill Hill.
Harry Wright Hill.
Ole Gunnar Hoaas.
James Francis Clark Hyde.
Albert Barnett Jones.
Albert Lossen Lane.
Merrifield Graham Martling.
Albertis Montgomery.
Lewis Andrew Pick.
Bernard Smith.
Willson Young Stamper, jr.
Joseph Hemsley Stevenson.
John Canning Wade.
Maybin Homes Wilson.
Walter Alexander Wood, jr.
Clinton William Ball.
Gordon Cushing Day.
Paul Miller Ellman.
Edwin Paull Ketchum.
Robert Harry Tompkins.
William Hamelton Wheeler.
Reading Wilkinson.

To be second lieutenants.

Philip Gilstrap Bruton.
Robert Emmet Coughlin.
Clifton Tredway Hunt.
Horace Leland Porter.
Homer B. Pettit.
James Barlow Cullum, jr.
Francis Hudson Oxx.
Thomas Henry Stanley.
Donald Greeley White.
Henry George Lambert.
William Weston Bessell, jr.
Charles George Holle.
Charles Sheafe Joslyn.
Arthur Martin Andrews.
Edward Crosby Harwood.
John Wylie Moreland.
Wayne Stewart Moore.
Henry Franklin Hannis.
Arthur Lee McCullough.
Arthur Vinton Linwood James.

CHAPLAINS.

To be chaplain with rank of lieutenant colonel.

Charles C. Pierce.

To be chaplains with rank of captain.

Horace Requa Fell.
Orville E. Fisher.
John Victor Axton.
Joel Russel Benjamin.
Edward Larose Branham.
Orville Irtin Clampitt.
Thomas George Conboy.
John Thomas De Bardeleben.
William Loren Fisher.
Clifford Paynter Futcher.
Charles Frederic Graeser.
Frank Hallie Hayes.
Jefferson Fletcher Isbell.
Peter Joseph Kilkenny.
Francis Marion McCoy.
Samuel Johnson Miller.
Louis Henri Phaneuf.
Aristeo Vincent Simoni.
Thomas Edward Swan.
Emerson Etherage Swanson.
Earl Henry Weed.

To be chaplains with the rank of first lieutenants.

Garrett Le Roy Allen.
Harlan Judson Ballentine.
Ivan Loveridge Bennett.
Frederick John Bergs.
Reuben Earl Boyd.
William Roy Bradley.
Berton Frederick Bronson.
John Joseph Byrne.
John Joseph Campbell.
Monroe Starkey Caver.
William Donoghue Cleary.
Philip Francis Coholan.
Cornelius Aloysius Corcoran.
Samuel Eugene Crosby.
John W. Daily.
Ralph Conrad Deibert.
Walter John Donoghue.
James E. Duffy.
Albert Leslie Evans.
William Henry Fowle.
Joseph Gail Garrison.
Joseph Appleton Gray.
Frank Bacon Hart.
Hal Coleman Head.
Willis Timmons Howard.
Elmer Alfred Huset.
Samuel Barcus Knowles.
Edward Erie Lane.
Pierre H. Levesque.
James L. McBride.
Thomas Lawrence McKenna.
Frank Pearson MacKenzie.
C. Arthur MacLeod.
George Jefferson McMurry.
John MacWilliams.
Cornelius Aloysius Maher.
Mylon Dickinson Merchant.

Frank Lewis Miller.
Luther D. Miller.
John F. Monahan.
Faye Arnold Moon.
Roy Hartford Parker.
James Hybert Pollard.
Peter Joseph Quinn.
Charles Snell Rahn.
Oscar Whitefield Reynolds.
Herbert A. Rinard.
Theodore Franklin Rudisill.
Paul Bertram Rupp.
Edmund Charles Sliney.
Harry Dubois Southard.
Edward Lytton Spaulding.
Jodie Gibson Stewart.
Earl Mauritius Stigers.
Benjamin Joseph Tarskey.
Edgar Nathaniel Thorn.
Ralph Howard Tibbals.
Edward Lewis Trett.
Mariano Vassallo.
Albert Floyd Vaughan.
Henry Russell Westcott, jr.
Perry O. Wilcox.
Guy Herold Wilson.
Samuel Otto Wright.
John Knox Bodel.
Frank Burton Bonner.
Edwin Burling.
Charles W. B. Hill.
Archibald Augustus Lancaster.
Ivan Gochnauer Martin.
Maurice William Reynolds.
Ralph Winfred Rogers.
Frederick Christian Sager.
Gynther Storaasli.
Robb White, jr.
Commodore Robert Watkins.

COAST ARTILLERY CORPS.

To be majors.

Samuel Townsend Stewart.
Edward Warden Turner.

To be captains.

Walter Holbrook Adams.
George Walcott Ames.
Victor Reinhold Anderson.
Delbert Ausmus.
Ernest Russ Barrows.
George Blaney.
Harold Borden Bliss.
Louis James Bowler.
William Carrick Braly.
Charles Simonton Brice.
Arthur Wentworth Burton.
William Robert Carlson.
Arthur Kay Chambers.
Howard Foster Clark.
Robert Mason Connell.
Frederic Webster Cook.
Chauncey Loren Cooke.
Richard Ernest Dupuy.
Franklin Eugene Edgecomb.
Walter Carroll Ellis.
Louis Duzzett Farnsworth.
Harold Lancelot Finley.
Ralph Regula Geltz.
Walter James Gilbert.
Vernon Webster Hall.
Philip William Hardie.
Walter Hart.
Albert Adkins Hedge.
James Hunter.
Reginald Johnston Imperatori.
Harold Sidney Johnson.
Rodney Campbell Jones.
Creighton Kerr.
Samuel Robert Kimble.
Claude Lesley Kishler.
Rolla Valentine Ladd.
Norbert Cecil Manley.
John Emerson Matthews.
Michael Joseph Moore.
Albert Mossman.
Harry Womersley Ostrander.
Thomas Raymond Parker.
Marvel Harold Parsons.
Earl Ransom Reynolds.
Dorsey Jay Rutherford.
Joseph Francis Stiley.
Edward Henry Taliaferro, jr.
Philip Dunbar Terry.
Joseph Twyman.
Arthur Wilson Waldron.
Martin Clinton Walton, jr.
Ellis Donald Weigle.
George Walter Whybark.
John Harold Wilson.
Joseph M. Cole.
Gustaf Ericson.
Francis James Fitzpatrick.
Robert Neville Mackin, jr.

To be first lieutenants.

Percy Adams.
Charles Henry Ainsworth.
George Henry Bardsley.
Ben Butler Blair.
Walter Fowler Bonnel.
Kenneth Clarke Bonney.
Harry Innes Borden.
Napoleon Boudreau.
Orley De Forest Bowman.
Clarence Eugene Brand.
William Gregory Brey.
Ellis Warren Butt.
Edwin C. Callicutt.
Frederick Rockwell Chamberlain, jr.
John Richard Clark.
Thomas Leavey Cleaver.
Harrington Willson Cochran.
Morris Easton Conable.
Rene Edward deRussy.
James Gasper Devine.
Elmer Theodore Foss.
Valentine Pearsall Foster.
Harry Joseph Gaffney.
Chauncey Alfred Gillette.
Walter Ray Goodrich.
Donald Buckingham Greenwood.
Alexander Leroy Haggart.
John Henry Harrington.
John Ephriam Harrison.
Norman Earl Hartman.
John Healy, jr.
Roger Sherman Hoar.
Allan Johnson.
John Joseph Johnson.
Allison Ware Jones.
William Camillus Kabrich.
Donald Campbell Kemp.
Frederick Harrison Koerbel.
Fabius Henry Kohloss.
Arthur Leo Lavery.
Merle Clifford Leonard.
Frederick Lofquist.
Regeon Victor Love.
Robert Wilkin McBride.
Samuel Overton McCue.
John James Maher.
William Richard Maris.
William Frederic Marquat.
Alfred Carleton Moeller.
Don Richman Norris.
Joseph James Pire.
John Austin Pixley.
Woodson Rhein.
Frank Richards.
Caesar Rodney Roberts.
Victor Schmidt.
Henry Hardy Slicer.
Adrin Bruno Smith.
Harold W. Smith.
Verne Clair Snell.
Edgar Peter Sorensen.
Lessley Eugene Spencer.
Philip Boswell Taliaferro.
James Richard Townsend.
Joseph Benjamin Vareia.
Fred Brenning Waters.

Edward Barclay Wharton.
Herbert Winterburn.
Arthur Vanderpool Winton.
Volney Winfield Wortman.
Herbert Hatchett Blackwell.
Fred William Crisp.
Frank Adolphus Hollongshead.
Thomas Joseph Johnston.
Otta Marshall.
Everard Franklin Olsen.
James Allen Ryan.
Frederick Philip Schlandt.
Louis Howard Thompson.

To be second lieutenants.

Christian Stephen Andersen.
Roy Thomas Barrett.
James Hiram Bedford.
Clarence Omer Bell.
Philip Frederick Biehl.
Abraham Lincoln Bullard.
Geoffrey Cooke Bunting.
Walter Hannumm Carlisle.
James Lindley Coman.
Louis Ogden Davis.
Charles Stevenson Denny.
Ray Edward Dingeman.
Porter Tate Gregory.
William Ernest Griffin.
Ralph Eldon Harrington.
Linton Yates Hartman.
Raymond Adelbert Knapp.
Donald Dakin Lamson.
Theodore Julius Lindorff.
Richard Cohron Lowry.
Harry Frederick Meyers.
Harold Hopkins Miller.
Charles Mellis Myers.
George Franklin Nichols.
Hewitt Warren Richmond.
James Merrill Robinson.
Cyrus Quinton Shelton.
James Howard Smith.
James Oliver Smithley.
Rupert Edison Starr.
Andrew Paul Sullivan.
James Desmond Summers.
Henry Walter Ulmo.
William Byron Walters.
William Henry Webb.
Walter Leo Weible.
Arthur Edmond Wilson.
Willis Lamar Claxton.
George James Burns Fisher.
Elmer Warren Miller.
Ralph Jacob Mitchell.
Oal Aloysius Nelson.
William H. Papenfoth.
Thomas Patrick Walsh.
Wilson Burnett Higgins.
Frederic Lord Hayden.
Warren Cressman Rutter.
Harold Thomas Miller.
Volney Archer Poulson.
William Chamberlaine Coe.
Robert Henry Vickery Stackhouse.
James Goodrich Renno.
Loper Bailey Lowry.
Lee Armstead Denson, jr.
Ewart Gladstone Plank.
Alexander Romeyn MacMillan.
James Vincent Walsh.
Lathrop Ray Bullene.
Joseph Eugene Harriman.
Coleman Romain.
George Joseph Loupret.
Morrison Page Chitterling.
John Loren Goff.
Robert Barrett Donnelly.
William Gordon Holder.
Halstead Clotworthy Fowler.
Lyman Louis Lemnitzer.
Charles Himmler.
John States Seybold.
Donald Breen Herron.
James Myron McMillin.
Robert Hugh Kreuter.
Laurence Wood Bartlett.
Donald Frank Stace.
Reynolds Johnston Burt, jr.
John Dickerson Mitchell.
Clarence Henry Schabacker.
Ewart Jackson Strickland.
Robert Snyder Trimble, jr.
John Francis Cassidy.
John Foxhall Sturman, jr.
George Leo Doolittle.
Hugh Whitaker Winslow.
Russell Vance Eastman.
Francis Henry Lanahan, jr.
Courtney Parker Young.
John Donald Robertson.

FIELD ARTILLERY.

To be lieutenant colonel.

William C. Webb.

To be majors.

Francis Thompson Colby.
Albert Robert Gardner.
Edward Cornelius Hanford.
William Henry Kennedy.
Chester Benjamin McCormick.
Gordon Handy McCoy.
Harleigh Parkhurst.
Milton Hager Taulbee.
Harold Gerard Fitz.
Robert Menees Milam.
William McCleave.

To be captains.

Stanley Staunton Addis.
Philo Allcott, jr.
Harry Bernard Allen.
William Floyd Armstrong.
Cyril Bassich.
William Pinckney Bledsoe.
Hugh Boone.
Lemuel Evans Boren.
Horace Herbert Braun.
Howard Clay Brenizer.
Alpha Brumage.
Frank W. Bryant.
Douglas Gerald Burrill.
Rumsey Campbell.
William Archibald Campbell.
Frank Gilson Chaddock.
John Carl Cook.
John Gerak Cook.
Malcolm Robert Cox.
James Geiger Coxetter.
Melville Stratton Creusere.
George Louis Danforth.
Mark Albert Dawson.
James Madison De Weese.
Zenas Newton Estes.
Edward Fehlig.
Arthur Cole Fitzhugh.
Joseph Knox Fornance.
Jesse James France.
George Abram Gore.
Frederick Theodore Gundry.
Hamp Hansford Hanks.
Samuel Charles Harrison.
Thomas Castleman Harry.
William Dalton Hays.
Lewis Blaine Hershey.
Albert Edward Higgins.
Walter Hitzfeldt.
William Leonard Hogg.
Chalmers Duke Horne.
James Clark Hughes.
Stewart Jackson.
John C. Johnston.
Daniel Floyd Jones.
Thomas Willis Jones.
John David Key.
Harry W. O. Kinnard.
William Emmett Kneass.
Charles Carroll Knight, jr.
August Arvid Krantz.
Benjamin Bussey Lattimore.

James Campbell Lewis, jr.
William Brooks McCollum.
Schaumburg McGehee.
Stuart McLeod.
Edward Joseph Maloy.
Jewett DeWitt Matthews.
John H. Milam.
Armand Sherman Miller.
Ray Calhoun Montgomery.
Clarence Flagg Murray.
Marshall Joseph Noyes.
Clyde Deans Parmelee.
Leo L. Partlow.
Allen Hemingway Platt.
Audley Maxwell Post.
Harry Lawrence Powell, jr.
Howard Mansfield Randall.
Alston Pringle Rhett.
Stanley Richardson.
Peter Powell Rodes.
Stanley William Root.
Sumner Morris Smith.
Richard James Sothern.
Bernard Sweet.
Helmer Swenholt.
Charles Marion Thirlkeld.
Irvin B. Warner.
William Kean Weaver.
John Daniel White.
Charles Anderson Wickliffe.
Everett Charles Williams.
B. Conn Anderson.
John Henry Ball.
Edward T. Eneboe.
John Miller Fray.
Charles Robert Hall.
Edward Foster Hart.
James Leslie McIlhenny.
John Nash.
Sumner Henry Needham.
Victor Leander Oieson.
Andrew Raymond Reeves.
Channing Rust Toy.
Preston Thompson Vance.
William B. Weston.
Arthur Lee Dasher.

To be first lieutenants.

Robert Lee Allen, jr.
Philip Whalley Allison.
Edgar Theodore Anderson.
Edwin Yancey Argo.
Leonard Sherod Arnold.
John Jeremiah Bachman.
Jesmond Dene Balmer.
Russell Gilbert Barkalow.
John Dean Barrigar.
Paul Gervais Bell.
Ralph Cobb Benner.
Chauncey Aubrey Bennett.
Elmer Royal Block.
Lester Levi Boggs.
Harwood Christian Bowman.
John Glenn Brackinridge.
Clinton Bowen Fisk Brill.
Willis Stanley Bryant.
Tunstall Bryars.
Stephen Eugene Bullock.
Martin Owen Cahill.
Milo Clair Calhoun.
George Morgan Cheney.
Harold Thomas Chittum.
William James Clark.
Albert Joshua Clayton.
Noble Milton Coe.
John Henry Corridon.
Alfred Cooley Croft, jr.
Robert Henry Crosby.
George H. Cushman, jr.
Roy Lawrence Dalferes.
William Eldon Doeller.
Albert Crofut Donovan.
George Head Duff.
Robert William Ehinger.
Eric Alexander Erickson.
William Settle Evans.
Daniel Bern Floyd.
Hugh Joseph Gaffey.
Arthur Vincent Gair.
Albert Charles Gale.
Frederick Harold Gaston.
Clough Farrar Gee.
Royal Leonard Gervais.
Frank Gosnell, jr.
Harold Jackson Guernsey.
Erskine Burt Halley.
John Monroe Hamilton.
Henry Christopher Harrison, jr.
Warren Hayford, 3d.
Loyal Moyer Haynes.
Hugh Bryan Hester.
Doyle Overlton Hickey.
Allen Bonham Hicklin.
Jonathan Hunt.
Richard Grant Hunter.
Shirley Randolph Hurt.
Earl Alva Hyde.
Edward Foster James.
Walter Edward Jenkins.
Keith Kenneth Jones.
Frank Elwin Kauffman.
Thomas Ralph Kerschner.
Arthur Edwin King.
Walter Leui Kluss.
Robert Henry Knapp.
Richard Adams Knight.
Emil Frederick Kollmer.
Lewis Frederick Kosch.
Arthur Hurd Lee.
Charles Benjamin Leinbach.
William Branch Leitch.
Benjamin Haw Lowry.
John McDowell.
Osgood Cook McIntyre.
Pierre Mallett.
Richard Carvel Mallonee.
Robert Grant Mangum.
Owen Meredith Marshburn.
Marcus Henry Meeks, jr.
William Michener.
Thomas North.
Irving Devance Offer.
James Carlisle Patterson.
Earl Martin Peckinpaugh.
William Addison Ray.
Harold Charles Raymond.
Lewis Evans Reigner.
Frank George Rogers.
Otto Runde, jr.
Chester Eugene Sargent.
Oscar Nelson Schjerven.
Maylon Edward Scott.
Hamilton Folts Searight.
Albert Chester Searle.
Henry Mackay Shaw.
Joseph Aloysius Shea.
Fred Ampere Smith.
John Andrew Smith, jr.
Paul Clarence Spears.
Ralph David Sproull.
Moore Alexander Stuart.
George Harrison Stuts.
Joseph Albert Sullivan.
John Joseph Turner.
Josiah Ara Wallace.
Overton Walsh.
Paul Henry Weiland.
Richard Bocock Willis.
Arthur Riehl Wilson.
Thomas Reed Willson.
Peyton Winlock.
Horace McParlin Woodward, jr.
Marion Lyman Young.
Richard Hamlin Bacon.
William Arthur Beiderlinden.
Bennie Caruth Hampton.
Boyce Manly James.
Charles Roderick Mize.
Maurice Vernon Patton.
Edward James Roxbury.
Henry Edward Tisdale.
Grant Heninger.

To be second lieutenants.

Polk Johnson Atkinson.
Herbert Edward Baker.
Herschel David Baker.
Albert Pierpont Barnes.
Leland Hudson Barnes.
Harry Wesley Bauer.
John William Beck.
Guy Clifton Benson.
Clinton Steele Berrien.
Herbert Linus Berry.
Julius Trousdale Berry.
James Patrick Boland.
Henry Beaumont Pennell Boody.
Albert Brill.
David Dick Caldwell.
Charles Deans Calley.
Franklin Harwood Canlett.
Charles Rudolph Carlson.
Lawrence Haley Caruthers.
Phil Cass.
Hugh Cort.
Frederick Eugene Coyne, jr.
Hyman Jackson Crigger.
Ulmont Ogden Cumming.
William James Daw.
Charles Herbert Day.
Tonnes Dennison.
Joseph Cuthbert Dolan.
Joseph Phillip Donnovin.
Norman Joseph Eckert.
Ralph Andrew Eiler.
William A. Enos.
Frederic Cooley Eveleth.
Burdette Mase Fitch.
Henry Chambers Floyd.
Thomas Oscar Foreman.
William Russell Frost.
Nicolas Fosdick Galbraith.
Michael Vincent Gannon.
Lloyd Russell Garrison.
John Carson Grable.
John Gross.
Thomas Standifer Gunby.
Clyde Milton Hallam.
Albert James Hastings.
Charles Walter Hensey.
Lawrence Eugene Heyduck.
Raymond Thomas Joseph Higgins.
Carl Gilbert Holmes.
William Clarkson Huggins.
William Herman Jaeger.
Newton Wesley Jones.
Paul Ruthven Jones.
Wesley Karlson.
Thomas Francis Keefe.
Henry Leonard Kersh.
Isaac Leonard Kitts.
Joseph Horace Landrum.
James Yancey Le Gette.
John Max Lentz.
Hanford Nichols Lockwood, jr.
John Boardman Lord.
Charles Kellogg McAlister.
William Clinton McCarthy.
Otto Lucratus McDaniel.
James Houston McWilliams.
Owen Russell Marriott.
Paul Matson.
Charles William Mays.
Edward Harold Metzger.
Arden Clucas Miller.
Robert Owen Montgomery.
James Ferris Morison.
Emmett Augustus Nibiack.
Crowell Edward Pease.
Marion Milton Pharr.
Oliver Felton Porter.
Russell Dean Powell.
Philip Theodore Quinn.
Hobart Dewey Reed.
Paul Allen Reichle.
Alexander Sinclair Reynolds.
Elmer Clifford Ringer.
Donald Boyer Rogers.
William Robert Schaefer.
John Lee Shea.
Patrick Eugene Shea.
Arthur Lee Shreve.
Richard Hawley Slider.
Henry Elmer Sowell.
Stephen Edward Stancisko.
Robert Taylor Strode.
Clarence Richard Sutherland.
Edward Milan Taylor.
Harvey John Thornton.
Francis Harold Vanderwerker.
Severn Teackle Wallis, jr.
Harry Lee Watts, jr.
William Norris White.
John Hastings Winston.
Richard Royall Baker, jr.
James Emerson Bush.
Lloyd H. Duffin.
Otto Ellis.
Ernest Anthony Elwood.
Lonnie Ottis Field.
Seward Lincoln Mains, jr.
Raymond George Miller.
John Major Reynolds.
Michael Condon Shea.
Norris Peters Walsh.
Edward Albert Routheau.
Theodore Temple Knappen.
Godfrey Douglas Adamson.
Albert Newell Tanner, jr.
William Alter Watson.
Harold Frank Handy.
Richard Clare Partridge.
Edward John McGaw.
John Charles Felli.
Tyree Rivers Horn.
James Woodrow Clark.
Joseph Leo Langevin.
Willard Pierce Larner.
William Hardy Hill.
Louis Jacob Claterbos.
Herbert Ralph Pierce.
Carl Victor Erickson.
Auguste Rhu Taylor.
Frank Andrew Henning.
James Malcolm Lewis.
Donald Eddy Cummings.
Bernard Linn Robinson.
John Robert Culleton.
Charles Steinhart Whitmore.
James Hobson Stratton.
Edward Haviland Lastayo.
George DeGraaf.
James Alexander Samouce.
William Wallace Ford.
George Dewey Vanture.
Charles Barney Harding.
Harry Earl Fisher.
Donald Sylvester Burns.
Donald James Leehey.
Carl Edwin Berg.
William Squires Wood, jr.
Thomas Arnett Roberts, jr.
Francis Henry Morse.
Edward Macon Edmonson.
Ben Miller Campbell.
Leslie Burgess Downing.
William Ignatius Brady.
Eugene Martin Link.
John Simpson Hastings.
Cornelius Garrison.
William Harry Bartlett.
Edward Clinton Gillette, jr.
Russell Owen Smith.
Freeman Grant Cross.
Rex Van Den Corput, jr.
Homer Watson Kiefer.
Joseph Harris.
John George Howard.
Ford Trimble.

CAVALRY.

To be majors.

Warren Adger Fair.
Karl Edward Linderfelt.

Lute P. Stover.
Edward Bowditch, jr.
John Grant MacDonnell.
Paul Root Davison.

To be captains.

Daniel Becker.
Henry Duplessis Beylard.
Jacob Albert Blankenship.
Roy Eugene Blount.
Walter Buford.
Sam Day Carter.
Ira Augustus Correll.
Frank Jaynes Cory.
Charles Hal Dayhuff.
Clyde Delaware Garrison.
Samuel Rivington Goodwin.
Samuel Alexander Greenwell.
William Arthur Haverfield.
Herbert Lee Jackson.
Harry Christian Kaefring.
John Nelson Merrill.
Clarence Humbert Murphy.
Harry Augustus Patterson.
Theodore Maurice Roemer.
Clifford William Sands.
William Francis Saportas.
John Fulton Reynolds Scott.
Sherman I. Strong.
Thomas Dorrington Wadelton, jr.
James Henry Washburn.
Royden Williamson.
Roy Cornelius Woodruff.
Charles Summers Miller.
James Carlyle Ward.

To be first lieutenants.

Henry Tureman Allen, jr.
Frank Watt Arnold.
Clyde Eugene Austin.
Svening Johannes Bang.
Ellis Bashore.
Harrison Sheldon Beecher.
Harry Winchester Benson.
Sexton Berg.
Paul Cassius Berlin.
Howard Alton Boone.
Harry Le Roy Branson.
Frank Ellsworth Brokaw.
Thomas Almeron Bryant.
Claude Onias Burch.
Charles Winston Burkett.
John Bryce Casseday.
Harvey Newton Christman.
David Esmond Cleary.
Fayette Fargo Collins.
George David Condren.
Robert Lee Cox.
Charles Cramer.
Louis Russell Crawford.
Daniel Bernard Cullinane.
George Prentice Cummings.
Willis Robert Dallas.
Edward Harleston DeSaussure.
Frank Osborn Dewey.
Ernest Franklin Dukes.
Fred Fabri.
Herbert Edwin Featherstone.
William Taliaferro Fletcher.
Lawrence Gibson Forsythe.
Richard Mozier Gaw.
Roye Pannebecker Gerfen.
John Newport Greene.
Frank Merritt Harshberger.
Stanton Higgins.
Walter Averill Hill.
Rhey Thoburn Holt.
Winfred Houghton.
Merritt Hyndman.
William Kenahan.
James Alphonse Kilian.
Harry Knight.
Charles Washington Latimer.
Gill McCook.
Oscar Mitchell Massey.
Richard Kidder Meade.
James Truman Menzie.
Tom Barry Miller.
Wilford Reagan Mobley.
Frederick Thomas Murphy.
Shelby Cyrus Newman.
George Aloysius O'Donnell.
Cornelius Francis O'Keefe.
James Bernard Patterson.
Orland Smith Peabody.
Thomas K. Petty.
Clyde Pickett.
Frank Edwin Powers.
Eugene Arthur Regnier.
Hurley Oran Richardson.
Gilbert Rieman.
Paul McDonald Robinett.
Walter Carey Rogers.
Leon Schneider.
George Henry Shea.
Benton Gribble Shoemaker.
Henry Mills Shoemaker.
George Irvin Smith.
James Everett Snider.
Clayton Evans Snyder.
Wallace Chace Steiger.
Perry Edward Taylor.
William Tussey.
Charles Davis Vollers.
Isaac George Walker, jr.
Roy Claire Wells.
Edward Shippen West.
Howard B. K. Willis.
Zachary Taylor Wood.
Herbert Wheeler Worcester.
Joseph Yuditsky.
Clarence Kennedy Aikin.
Charles Rawlings Chase.
Gersum Cronander.
Harold Eugene Eastwood.
William Foelsing.
John Alexander McLoughlin.
Ben Allen Mason.
Alberto Eugene Merrill.
Einar Nelson Schjerven.
John Phillip Scott.
Byron Earle Shirley.
William Yeates.
William J. McChesney, jr.

To be second lieutenants.

Engmann August Andersen.
Charles Vernon Barnum.
Jess Garnett Boykin.
James Courtney Browne.
Henry Herbert Cameron.
Leslie Dillon Carter.
Reuben Castor.
William Stilwell Conrow.
Earle Everette Cox.
Buckner Miller Creel.
Hugh Gibson Culton.
James Brian Edmunds.
Harold Engerud.
Charles W. Fake.
Andrew Edward Forsyth.
Harry Albert Fudge.
James Victor Gagne.
Benjamin Harrison Graban.
William Henry Halstead.
William Robert Hamby.
William Lincoln Hamilton.
John Hilliard Healy.
Clifford Irving Hunn.
Charles Moorman Hurt.
Marcus Ellis Jones.
Morton McDonald Jones.
Haynie McCormick.
George Roland McElroy.
Charles Homer Martin.
Gene Russell Mauger.
William Russell Mears.
Herbert Sherman Nettleton.
Anderson Hassell Norton.
Lewis Abram Pulling.
George Jackson Rawlins.
George Windle Read, jr.

Fraser Richardson.
Clarence Walter Richmond.
Silas Warren Robertson.
Chauncey Whitney Sampsell.
Thomas Francis Sheehan.
Garrett Bruce Shomber.
Leighton Nicol Smith.
Roy Henry Speck.
Curtis Loyd Stafford.
Alphonse Stoeckle.
Leland Fries Strader.
George Ferdinand Stutsman, jr.
Mortimer Francis Sullivan.
Hubert Taylor Sutton.
Benjamin Arthur Thomas.
Fred Charles Thomas.
John Redmond Thornton.
Theodore Ernest Voigt.
Everett Dudley Yerby.
Malcolm Byrne.
Elmer Douglas Campbell.
Vaughan Morris Cannon.
Robert Shirley Clayton.
Preston Wilson Gillette.
Oscar William Koch.
Alexander Garrett Olsen.
Sidney Cushman Page.
Oakley Leigh Sanders.
Bickford Edward Sawyer.
Harry Marten Schwarze.
Otto Rudolph Stillinger.
Benners Brasfield Vail.
Garnett Hamilton Wilson.
Howard Bratton, jr.
Willis McDonald, 3d.
James Kenneth Mitchell.
Lawrence Granger Smith.
Bertram Wright Randles.
Verne Donald Mudge.
Joseph R. Stauffer.
Earl Henry Blaik.
Edgar Allan Gilbert, jr.
Fred Lebbeus Hamilton.
Gainer Brown Jones.
Wilbert Engdahl Shallene.
Clarence Clemens Clendenen.
Eugene Collum Johnston.
James Ludwell Lake, jr.
James Hess Walker.
Lyman Lincoln Judge.
Lawrence Edward Schick.
Henry Chester Hine, jr.
Elias Sanford Gregory.
William Price Withers.
Frederick Robert Pitts.
Arthur Kenley Hammond.
Martin Charles Casey.
William Wallace McMillan.
Kenneth Gilpin Hoge.
James Frederick Wahl.
Robert Edwards.
Lawrence Joseph Carr.
Robert Dickerson Durst.
Clovis Ethelbert Byers.
George Andrew Rehm.
Edward Carl Engelhart.

INFANTRY.

To be colonel.

Hubert Allison Allen.

To be lieutenant colonels.

Edmund Clarence Abbott.
Arthur William Bradbury.

To be majors.

James William Franklin Allen.
Oliver Allen.
George Blair.
Alfred Wainwright Bloor.
Frank Earl Bonney.
Henry August Bootz.
Sidney Glenn Brown.
Bowyer Brockenbrough Browne.
John Doyle Carmody.
Alvin Colburn.
Robert Boyd Cole.
Harry Coope.
William Leon Culberson.
Joseph Hamilton Davidson.
George Clinton Donaldson.
Charles William Dyer.
John Donaldson Easton.
Allen Fletcher.
John William Foos.
Godfrey Rees Fowler.
Robert John Halpin.
Raymond Waite Hardenbergh.
Arthur Brainard Hitchcock.
Josiah Kemp.
Thomas Wilmot King.
Joseph Joachim Koch.
Fred Lee Lemmon.
Fred Warde Llewellyn.
Elbert Johnston Lyman.
Dupont Bayard Lyon.
Sam Inman McCants.
Charles Emmet McCarthy.
Wallach Arthur McCathran.
Arthur Lee McCoy.
Arthur Hamilton MacKie.
Francis Marion Maddox.
Michael Joseph O'Brien.
Laurence Stephen O'Toole.
Joseph Benjamin Pate.
Louis Pearl Patten.
Roy Livingston Piatt.
Woodell Abner Pickering.
Edward Ormonde Power.
Wood Lee Ray.
Laurence Wilfred Redington.
Frank Cornelius Reilly.
Thornton Rogers.
Carl Herndon Seals.
Rafael Angel Segarra.
William Henry Shutan.
William Alexander Smith.
William Andrew Stack.
Charles Albert Stokes.
Lee Sumner.
Charles Wilbur Thomas, jr.
Lee Stephen Tillotson.
Arthur Charles Tipton.
Walter Preston Tyler.
Millard Fillmore Waltz.
Shields Warren.
James Arthur Watson.
Harold Julian Weeks.
Merrill Dole Wheeler.
William Clinton Williams.
Robert Kerr Alcott.
Charles Stephen Buck.
Harry Fouts Hazlett.
William Albert Jones.
Bertram Llewellyn Cadwalader.
Sheppard Blunden Philpot.
Tom Kennan Price Stilwell.
Henry Williams Stiness.
Laurence Woodville Young.

To be captains.

Ward M. Ackley.
Frederick William Adams.
Joseph Clark Addington.
Dana Henry Allen.
Earl Almon.
Curtis DeWitt Alway.
Forrest Edward Ambrose.
Lewis W. Amis.
Kenneth Smith Anderson.
Howard Weldon Angus.
Elmer John Armstrong.
Charles Otis Ashton.
Stanley George Backman.
Henry Dickson Bagnall.
Floyd Herbert Bain.
Russell Baker.
Aubrey Haines Baldwin.
James Horace Barbin.
Thomas Waples Barnard.
Robert Sherley Batman.
Theodore Anton Baumeister.
John Henry Baxter.

Thomas Caffin Beck.
Frank Frederick Becker.
Price Walter Beebe.
William Richard Bent.
Edward Chambers Betts.
Maurice Clenen Bigelow.
Haskell Clark Billings.
Clifford E. Black.
Stanley Gifford Blanton.
Thomas Edwin Blood.
Charles Carroll Bodeker.
Eli Whitney Bonney.
James Arthur Boyers.
Alfred Goodrich Braden, jr.
Don Pedro Branson.
William Thomas Brock.
Horace Joseph Brooks.
Thomas Cole Brown.
Myron Gilbert Browne.
Joseph Henry Burgheim.
Harry Nelson Burkhalter.
Gilbert Burnett.
John Halpin Burnes.
William Giroud Burt.
Rufus Alexander Byers.
Michael James Byrne.
Howard Farlowe Kent Cahill.
Nathaniel Ernest Callen.
Stuart Duncan Campbell.
Lee W. Card.
Charles Dayton Carle.
William Moore Carter.
Paul Hanford Cartter.
James Casey.
Bosier Castle.
Albert Gardner Chase.
Thornton Chase.
John Robin Davis Cleland.
Franklin Miller Cochran.
John Constantine Cody.
Frank Packard Coffin.
Daniel Warwick Colhoun.
Jose Enrique Colom.
Emmett Richard Colpin.
Joseph Hooker Comstock.
Walter Conner.
Joseph Leo Connolly.
Paul Daniel Connor.
Gwynne Conrad.
Raymond Parker Cook.
Elliot Duncan Cooke.
Edgar Garfield Cooper.
Jesse DeWitt Cope.
George Aloysius Corbin.
Charles Sidney Coulter.
Robert Grant Cousley.
Horatio Grant Coykendall.
John Walter Crissy.
James Cave Crockett.
John Hudspeth Crozier.
William Alexander Cunningham.
James Washington Curtis.
Murray Taylor Davenport.
Earl Hamlin DeFord.
Vernon Calhoun DeVotie.
William White Dick.
John Robert Dinsmore.
Wiley Lee Dixon.
Irvin Edward Doane.
Patrick Joseph Dodd.
Philip Doddridge, jr.
Frederick Sidney Doll.
James Sidney Douglas, jr.
Harley Albert Dresback.
William Harvey Dukes.
Edward Eccles.
John Rice Eden.
Henry William Edmonds.
Paul Sutphin Edwards.
Gerald Egan.
Grover B. Egger.
Harold H. Elarth.
John William Elkins, jr.
Arnold Wright Ellis.
Dan Maynard Ellis.
John Harris Elson.
Ernest Ward Ely.
Reyburn Engles.
Charles Thompson Estes.
Davis Hudson Estill.
Clarence Charles Fenn.
Daniel Wallace Finlayson.
Corvan Fisher.
William Fisk.
Rufo Mc-Amis Fitzpatrick.
Arthur Floyd.
Morris Handley Forbes.
Leslie Rudisill Forney.
John Russel Fountain.
Daniel Gould Fowle.
Wilbur Joseph Fox.
Rene Eugene Fraile.
John Robert Francis.
Paul Oscar Franson.
Joseph Jerome Fraser.
Ottmann William Freeborn.
Jesse Knox Freeman.
Alfred George French.
Carroll Morton Gale.
Harold Howard Galliett.
Enrique Garcia.
Herbert William Garrison.
Claude Elmer Gaskins.
Frederick Louis Gerlach.
James Riley Ludlow Gibbons.
Roy Samuel Gibson.
Thomas Robert Gibson.
Julian Hurlburt Gist.
Robert Fulton Glen.
Clifford A. Gray.
Eldridge Arnold Green.
Thomas Edward Guy.
Harry Martel Gwynn.
Roy Franklin Hall.
William Hays Hammond.
Purl LeRoy Harms.
Herbert Langley Harries.
Lester Joslyn Harris.
Thomas Asbuary Harris.
Guy Lafayette Hartman.
John James Harvey.
Irving Harvey.
Chester Price Haycock.
Albert Mearl Head.
George Roscoe Hedge.
Albert Brengle Helsley.
Stephen Garrett Henry.
Thomas Henry.
Edmund Nelson Hébert.
Charles Elmer Hetrick.
Ernest Alexander Higgins.
Pearl Delbert Hill.
George Wheeler Hinman, jr.
John Marshall Hite.
Paul Thomas Hogge.
Nelson Miles Holderman.
Felix Robert Holmes.
John Hopkins.
Edward John Houck.
Constantine Buckley Howard.
Samuel Francis Howard.
Otho Wilder Humphries.
Ira Augustus Hunt.
Burr Polk Irwin.
Edward Charles Jackson.
George Edward Jacobs.
George Augustus Jahant.
Robert Joerg.
Ernest Thomas Jones.
Frank Alfred Jones.
Morgan Ellis Jones.
Oscar Kain.
Charles Herbert Karlstad.
Elmer Kemp.
Henry Thomas Kent.
William Hardy Kent.
Charles Edwin Knickerbocker.
Andrew Thomas Knight.
Butler Lewis Knight.
Frank Bishop Lammons.

Louis James Lampke.
Walter Gilbert Layman.
Bert Marshall Lennon.
Charles Lewis.
Herbert Horton Lewis.
William Evan Lewis.
Frederick Albertis Lind.
Elmer G. Lindroth.
Frank Elijah Linnell.
John Webster Llufrio.
Frank Lockhead.
Paul Parker Logan.
George Anderson Longstreth.
Ralph Brundidge Lovett.
Charles Elliott Lucas.
William Karr Lyda.
John Lynch.
William Arthur McAdam.
John McBride.
Grattan Herbert McCafferty.
John Wade McCormick.
Alexander McGee.
Arthur Pierson McGee.
Earl Garfield McMillen.
Douglass Newman McMillin.
Charles Henry McNair.
Donald Marion McRae.
Earle Howard Malone.
Walter Mulford Mann.
Homer William Mason.
Cylburn Otto Mattfeldt.
Herbert Bryans May.
Evan Kirkpatrick Meredith.
James Metcalf.
Raymond Oscar Miller.
Robert Scott Miller.
William Anderson Patteson Moncure.
Jeffry Gerald Archevrale Montague.
Francis Joseph Montgomery.
Alexander Leggett Morris.
William Pitt Morse.
Charley Muller.
William George Muller.
John Joseph Murphy.
William Aloysius Murphy.
Selim Woodworth Myers.
John Henry Nankivell.
Robert Herman Neely.
Carroll Harper Newell.
George Byron Norris.
Irving Alvan Oppermann.
Ade Orrill.
Herman Edward Osann.
Cuthbert Alexander Osborn.
Ingomar Marcus Oseth.
David Austin Palmer.
Andrew Jackson Patterson.
Milton Humes Patton.
Orsen Everett Paxton.
Samuel Clinton Payne.
Hawthorne Perkins.
Arthur James Perry.
Harry Pforzheimer.
Hugh Morehead Pinkerton.
Willis Arthur Platts.
Robert Osborne Poage.
Frank Glenn Potts.
Andrew Jackson Powell.
Charles Clement Quigley.
Perry Cole Ragan.
George Howard Rarey.
Frederick William Rase.
Senius John Raymond.
Harry Harrison Reeves.
Edward Joseph Rehmann.
George Thomas Rice.
Malcolm Rice.
Neal Willard Richmond.
Grover Cleveland Rippetoe.
Edgar Evans Robinson.
Edwin Severett Ross.
Archie Keefer Rupert.
Clinton Rush.
Robert Grier St. James.
Howard Noah Scales.
Edward Reynolds Schauffler.
Joseph John Schmidt.
Theodore Schoge.
William Phil Schwatel.
Frederick Samuel Scobie.
Walter Earl Seamon.
Charles Waldemar Seifert.
Frank Edwin Sharpless.
Frank Eugene Shaw.
John Albert Shaw.
Thomas Joseph Sheehy.
Arthur Musser Sheets.
Tryon Mason Shepherd.
Clyde Moore Shropshire.
William Arthur Sirmon.
Guy Warren Skinner.
John Charles Skuse.
Theodore James Sledge.
Frank Martin Smith.
George Harry Smith.
LeRoy Foster Smith.
Ridgway Pancoast Smith.
Gottfried Wells Spoerry.
Roscoe Arthur Dean Stanis.
Alexander Newton Stark, jr.
Arthur Jack Stark.
Oscar Glenn Stevens.
William McPhail Stewart.
Harry Melville Stinson.
Paul Dupont Strong.
Owen Summers.
Robert Emory Swab.
Allender Swift.
Robert Lester Tavenner.
Herbert Francis Teate.
Joseph Vincent Thebaud.
Thomas Thomas.
Jesse Lee Thompson.
John Ernest Tiedeman.
Stephen Ralph Tiffany.
Eugene Herbert Tilton.
Austin Triplett.
Donald Hatfield Tripp.
Albert Leon Tuttle.
Jacob Edward Uhrig.
Edwin Meredith VanVoorhees.
William Waite.
Sherman Potter Walker.
William George Walker.
Fred Walters.
Charles Manly Walton.
Harry Griffith Weaver.
Lamar Weaver.
Oscar Thomas Webster.
Richard Morgan Webster.
Earl Wettengel.
James Wheelin.
Arthur Randolph Whitner.
Fred Ordway Wickham.
Robert Wigglesworth.
Roland Wilkins.
Carmi Luzerne Williams.
William Henry Williams.
Fred Charles Winters.
William Vincent Witcher, jr.
Louis Arthur Witney.
Charles Oliver Wolfe.
Robert Lee Wright.
William Huffman Young.
Kenneth George Althaus.
Henry August Andres.
Harry Donnell Ayres.
James Coleman Barnes.
Eugene Edmund Barton.
Arthur Freeman Bowen.
George Caldwell.
John Walter Campbell.
Fred Chase Christy.
William Isaac Cole.
Guy Griswold Cowen.
George Irving Cross.
Odber Merrill Cutler.
William Francis Dalton.
Charles William Dickson.
Thomas William Doyle.
Roy Henri Evans.

Walter Gregory.
Thomas Edwin Griffith.
Earl Newell Hackney.
Judson Hannigan.
William Franklin Harrison.
Theodore Porter Heap.
Charles Sverre Hendricksen.
William Holmes.
Jack Wesley Howard.
James William Howder.
William Judkins.
George Ernest Kelsch.
Paul Rutherford Knight.
Howard John Liston.
James Paul Lloyd.
Frederic Kenneth Long.
John Hume Lucas.
Clyde Arthur Lundy.
William Eugene McClelland.
Lorenzo Dow Macy.
Charles Lawrence Marsh.
Thomas Everett May.
George Arthur Monagon.
George Munteanu.
William Rasor Richey, jr.
Benjamin Jackson Sells.
Marion Fred Shepherd.
Charles Frederick Silvester.
Leland Warren Skaggs.
Thomas Scott Smith.
Newton Withington Speece.
James Sproule.
Charles Samuel Tator.
William Anthony Woodlief.
Grosvenor Liebenau Wotkyns.

To be first lieutenants.

Martin Ackerson.
Zane Irwin Adair.
Harry Kuteman Adams.
John Edward Adamson.
Ernest Clifton Adkins.
Russell Conwell Akins.
Dallas Royce Alfonte.
Virgil Grover Allen.
Clinton James Ancker.
James Norwood Ancrum.
Carl Christian Andersen.
Albert Eugene Andrews.
Waine Archer.
John Graham Ardon.
Edward Avery Austin.
Harry Allen Austin.
Joseph Louis Bachus.
Arthur Richardson Baird.
Paul Gerhardt Balcar.
Perry Lee Baldwin.
Ross Ormall Baldwin.
Walter Albert Ball.
Harold Harrison Barbur.
Ernest Stratton Barker.
Allison Joseph Barnett.
David Eugene Barnett.
David Goodwin Barr.
Aubrey Jefferson Bassett.
George Samuel Beatty.
William Henry Beers.
Eugene Vincent Behan.
Leigh Bell.
Leo Alexander Bessette.
John Jacob Bethurum.
Walter Asbury Bigby.
David Almedus Bissett.
Ira Woodruff Black.
William Jasper Black.
Arthur Clay Blain.
James Palmer Blakeney.
George Fridjhof Bloomquist.
George Lucius Blossom.
John Wilmar Blue.
Lucian Dalton Bogan.
Harry Watson Bolan.
Easom Jackson Bond.
Henry Winter Borntraeger.
Ernest Francis Boruski.
Marcus Butler Boulware.
Jesse Russell Bowles.
Logan Woods Boyd.
Ernest Everett Boyle.
Clifford Henry Boyles.
Sam Miller Brabson.
Grover Cleveland Brandt.
William Wallace Brier, jr.
Eugene Lawrence Brine.
Francis Gerard Brink.
John Farmer Brinson.
Frank Roy Brockschink.
Edgar Kehlor Brockway.
Merl Louis Broderick.
Wilbur Fisk Browder.
Brisbane Hanks Brown.
Cole Brown.
Edmond Hugh Brown.
Leslie Walter Brown.
William Leslie Brown.
Curran Browne.
Raymond William Bryant.
Otho Williams Budd, jr.
Edward William Budy.
Theodore Bundy.
Loyd Daniel Bunting.
Samuel S. Burgey.
Arthur Edwin Burnap.
Donald Charles Burnett.
Robert Matthews Burr.
Braxton De Creves Butler.
Fred Stevens Byerly.
Edwin McCune Byles.
William Henry Shaw Callahan.
Carey Ephriam Campbell, jr.
George Bagby Campbell.
James Kirker Campbell.
Thomas Ernest Campbell.
John Kenneth Cannon.
Thomas Grover Carlin.
Lee Gunnels Carson.
Paul Dillard Carter.
Leslie Johnathan Cartwright.
Harvey Irvin Cassedy.
Fred Warren Caswell.
Arthur S. Champeny.
Clifford Pennington Chapman.
Elbridge Gerry Chapman, jr.
Ben-hur Chastaine.
Charles Wilkes Christenberry.
John Huston Church.
Joseph Church.
John Sutherland Claussen.
Walter Carl Claussen.
Grover Cleveland Cleaver.
John Hamilton Cochran.
Elbridge Colby.
Thomas Francis Coleman.
William Harold Collette.
Forrest Edwin Collins.
Irving Compton.
Leslie Norman Conger.
Thomas Tilson.
William Lawrence Conway.
Charles Francis Frost Cooper.
James Gordon Cooper, jr.
George Mortimer Couper.
Moses Foss Cowley.
Malcolm Everett Craig.
Derby Crandall, jr.
Caspar Ray Crim.
Sterling Manley Crim.
Thomas Joseph Cross.
A. Y. Culton.
Edgar Augustine Cecil Curran.
Edward Joseph Curren, jr.
Millard Stowe Curtis.
Jonas Earl Custer.
James William Darr.
Richard Harrington Darrell.
George Franklin Davis.
Howard Herndon Davis.
Thomas Deweese Davis.
Julian Dayton.
Samuel Rixey Deanes.
Henry Pierson Decker.

Morris Barnett DePass, jr.
John Randolph DeVall.
Irwin Samuel Dierking.
Macey Lillard Dill.
Fred Martin Distelhorst.
Homer Price Dittemore.
Hubbard Errette Dooley.
James Edward Dooley.
John Edward Doyle.
Flag Allen Drewry.
R. T. Walker Duke.
Thomas Arthur Dukes.
Samuel Lynn Dunlop.
Henry DuPree.
Marvin Bruce Durrette.
Andrew Reid Duvall.
Fritz M. Dyer.
Edward Palmer Earle.
Jean Edens.
Alfred Volckman Ednie.
Francis Egan.
Louis William Eggers.
Vivion Eliot.
Stephen Bowen Elkins.
William Alexander Ellis.
Fred Harry Enckhausen.
Charles Ennis.
Alfred Gustav Eritzland.
Horatio Gano Fairbanks.
Richard Fayette Fairchild.
Castle Hobart Farish.
John Leverett Farley.
Clarence Redmond Farmer.
Harry Jefferson Farner.
Henry Hapgood Fay.
Clinton Enos Fenters.
Sydney Clyde Fergason.
Lawrence John Ferguson.
Floyd William Ferree.
Edward Lewis Field.
Basil Vernon Fields.
Norman Doud Finley.
Melvin Ray Finney.
Francis Michael Flanagan.
William Ambrose Flanigan.
Mathias Christopher Forde.
Taylor Worcester Foreman.
George Jacob Forster.
Alonzo Patrick Fox.
Eugene Nelson Frakes.
Philip Theodore Fry.
Harry Dennis Furey.
Jack Roy Gage.
John Joseph Gahan.
Fred E. Gaillard.
Lloyd Henry Gibbons.
George Jacob Giger.
Charles Sherwood Gilbert.
Florain Dennis Giles.
Ernest Coolidge Goding.
Joseph James Goffard.
Randolph Gordon.
John James Gorman.
Grover Cleveland Graham.
John Carl Green.
Frank Upton Greer.
Edmund Mortimer Gregorie.
Cecil John Gridley.
Charles Clinton Griffin.
Harland Clayton Griswold.
Jasper Morris Groves.
Wallace Earle Hackett.
Harry Lee Hagan.
Charles William Hagen.
Frederick Hahn.
Chester Darlington Haisley.
Lloyd Leslie Hamilton.
Raymond Cecil Hamilton.
William Thomas Hammond.
John Francis Hanley.
David Lyddall Hardee.
Earle Gene Harper.
Jerome Grigg Harris.
Lester Abraham Harris.
Robert Van Kleeck Harris.
James Aloysius Hasson.
Axel Hawkenson.
Chauncey Harold Hayden.
William Reuben Hazelrigg.
Willis Aubrey Hedden.
Arnold Emerson Heeter.
Pete Turney Heffner.
Leslie Lancaster Heller.
Dury Lane Helm.
Harry McCorry Henderson.
Harry Lynn Henkle.
Harry Henry.
George Frye Herbert.
Lee Malcolm Hester.
Edgar Baldwin Heylmun.
Walter Hibbard.
John Francis Hill.
Milton Abram Hill.
Eugene Ferguson Hinton.
Chester John Hirschfelder.
Chase Whittier Hoadley.
Lovic Pierce Hodnette.
Gouverneur Hoes.
Raymond Emanuel Hoffman.
James Leonard Hogan.
Thomas Hull Holcombe.
George Cook Hollingsworth.
John James Honan.
Francis Hood.
Hubert Vincent Hopkins.
John Neely Hopkins.
Robert Lee Hostetler.
Ray Milton House.
Robert George Howie.
Lee Huber.
Lee Varnado Hunnicutt.
Victor Goeffrey Huskea.
Joseph Henry Hussing.
Claire Elwood Hutchin.
Charles Hutchings, jr.
Grover Elmer Hutchinson.
Clyde Lloyd Hyssong.
Boyd Inman.
Henry Wyatt Isbell.
Robert Scott Israel.
Francis Herron Jack, jr.
Edward Bethel Jackson.
Thomas Jefferson Jackson.
Walter Allen Jackson.
Richard Clark Jacobs, jr.
John James.
Edgar Ambrose Jarman.
Lawrence Carmel Jaynes.
Thomas Morris Jervey.
Walter Jessee.
Franklin Johnson.
Joseph Saunders Johnson, jr.
Richard Woodhouse Johnson.
Robal Alphonzo Johnson.
Louis Verne Jones.
Ralph Emerson Jones.
Robert Edward Jones.
Thomas Francis Joyce.
Edward Albert Kaech.
John Rudolph Kaiser, jr.
Augustine Aloysius Kane.
Frank Augustus Keating.
Hubert Wiley Keith.
Clyde Kelly.
Henry Eaton Kelly.
James Jarlath Kelly.
Edgar Harland Keltner.
Charles McKinley Kemp.
Blaisdell Cain Kennon.
Clifford Gordon Kershaw.
Robert James Kirk, jr.
Alfred Percy Kitson.
Versalius Lafayette Knadler.
Alfred Steere Knight.
John Herman Knuebel.
Herbert Blend Kraft.
Cortland Knickman Krams.
Philip Henry Kron.
Bradford W. Kunz.
William Jacob Kunzmann.

Emerick Kutschko.
John Pinnix Lake.
Barret DeTuberville Lambert.
Herman Odelle Lane.
Ray Homer Larkins.
Robert Virgil Laughlin.
Herbert Becker Laux.
Clarence Dixon Lavell.
Raymond Peter Lavin.
Jacob Herschel Lawrence.
Carnes Bennett Lee.
William Carey Lee.
Howard Webster Lehr.
Paul Ernest Leiber.
Brooke Wilbert Leman.
Columbus Bierce Lenow.
Harry Leigh Lewis.
Henry Passant Lewis.
James Alvin Lewis.
Charles Clarke Loughlin.
Clarence Earle Lovejoy.
Chauncey McCullough Lyons.
John Virgil Lowe.
Harry Clayton Luck.
Edward Page Lukert.
Richard Francis Lussier.
Harold James Luther.
Charles Peter Lynch.
Earl LeVerne Lyons.
Edward Vanmeter Macatee.
William John McCarthy.
Alexander Doak McClure, jr.
Walter Daugherty McCord.
Frank Unsworth McCoskrie.
Edwin Douglass McCoy.
Frank Lee McCoy.
John Charles MacDonald.
Raymond MacDonald.
James Harold McDonough.
John Leon McElroy.
Bernice Musgrove McFadyen.
Jackson MacFarland.
Joseph Edwin McGill.
LeRoy Edmund McGraw.
Maurice Joseph McGuire.
Thomas Milton McLamore.
Severne Spence MacLaughlin.
Ernest Louis McLendon.
Julian Meredith MacMillan.
Watson Longan McMorris.
Alexander Jesse MacNab.
John Chase McNally.
Francis Joseph McNamara.
Philip Martin McRae.
Harry Martin McSwain.
Harold Burl Marr.
Marvin Wade Marsh.
William Francis Marshall, jr.
Herbert James Martinson.
James Esmond Matthews.
William Lackey Mays.
Kent Clayton Mead.
Frank Curtis Mellon.
James Edward Mendenhall.
Laurence Mickel.
Claude Bayles Mickelwait.
Fred W. Miller.
Verne Miller.
Irwin Walter Minger.
Karl Minnigerode.
Raymond Kipfer Mitchell.
Charles William Moffett.
George Hely Molony.
Miguel Montesinos.
Arthur Penick Moore.
Charles Henry Moore, jr.
Floyd Moore.
Frank M. Moore.
James Patrick Moore.
John Swan Moore.
Richard Earl Moore.
Richard Bartholomew Moran.
Charles Crisp Morgan.
James Monroe Morris.
John Winthrop Mott.
Dewitt Talmage Mullett.
Dennis Patrick Murphy.
Leonard Murphy.
Collin Stafford Myers.
Donald John Myers.
Vernon Leslie Nash.
Ralph C. G. Nemo.
Ira Claude Nicholas.
Arthur Ross Nichols.
William John Niederpruem.
Frank McCormick Nihoof.
John Edward Nolan.
John Peter Nolan.
Lewis Sheppard Norman.
James Notestein.
Maxwell Gordon Oliver.
Glenn C. Oppy.
Earl Wallace Ortell.
Hans Ottzenn.
Floyd Lavinius Parks.
Graeme Gordon Parks.
Edward Perry Passailaigue.
Richard Louis Pemberton.
Adolphus Bernard Pence.
Charles Wilbur Pence.
Jesse William Penn.
Arthur Walter Penrose.
Arthur Charles Perrin.
Albert Gallatin Phillips.
Archie Ellsworth Phinney.
George Truman Phipps.
John George Pickard.
Arthur Pickens.
George Sesco Pierce.
George Corbett Pilkington.
Dennis Coburn Pillsbury.
Clyde Henry Plank.
Thomas Green Poland.
Harold Edward Potter.
Ralph Edmund Powell.
Joshua Dever Powers.
Harold Ragan Priest.
Clifton Augustine Pritchett.
Oliver Hazzard Prizer.
Gilbert Proctor.
John Frederick Quensen.
Edwin Henderson Quigley.
Lawrence Aloysius Quinn.
James Everett Quivey.
John Wilbert Ramsey.
George Nicholl Randolph.
George Rankin.
Walter Cox Rathbone.
John Edwin Ray.
Frank Lenoir Reagan.
Harry Earl Reed.
James Clarence Reed.
Harold Mark Reedall.
Allan Frank Reif.
Thomas Arthur Reiner.
Woodburn Edwin Remington.
Russel Burton Reynolds.
Thomas Boroughs Richardson.
Adam Richmond.
Roy Victor Rickard.
John Orn Roady.
James Mahan Roamer.
Winfield Scott Roberson.
Herbert Randolph Roberts.
William Harold Roberts.
Alvin Keawiula Robinson.
Charles Andrew Robinson.
Roy Minor Robinson.
Lewis Burnham Rock.
John Wesley Rodman.
Arthur Henry Rogers.
Fred Blackburn Rogers.
Pleas Blair Rogers.
Walter Harold Root.
Floyd Holland Rose.
David Marshall Ney Ross.
Frank Seymoure Ross.
Tobin Cornelius Rote.
Douglas Horace Rubinstein.
Carl Austin Russell.

Joseph Howard Rustemeyer.
Ira Edgar Ryder.
Henry Rene St. Cyr.
Ernest Samusson.
Robert Clyde Sanders.
Erle Oden Sandlin.
Charles Richard Sargent.
Myles Douglas Savelle.
Harry Daniels Scheibla.
Rudolph Karl Schlaepfer.
Richard Turner Schlosberg.
Herbert William Schmid.
John Samuel Schwab.
Karl Christian Schwinn.
Harland Fisher Seeley.
Harry Coleman Sessions.
Charles Stricklen Shadle.
George Thomas Shank.
Torrence Theodore Shannon.
Harvey Shelton.
Whitfield Putnam Shepard.
Rolland Frank Sherfy.
Robert Oliver Shoe.
Winfield Orval Shrum.
Arnold Miller Siler.
Harry Richardson Simmons.
David B. Simpson.
Jules Verne Sims.
Leonard Henderson Sims.
John Benning Sinclair.
Eugene Nelson Slappey.
DeWitt Clinton Smith, jr.
Eugene Ferry Smith.
Fay Smith.
Harvey Henry Smith.
Walter Bedell Smith.
Walter Emery Smith.
William Edward Smith.
Nels Louis Soderholm.
John Francis Somers.
Cyril Branston Spicer.
Lloyd Spencer Spooner.
Nels Erick Stadig.
Ben Stafford.
John William Stanley.
John Vincil Stark.
Joseph Wheeler Starkey.
Carl Henry Starrett.
Frederick Wilhelm Tell Sterchi.
Walter Aaron Stetler.
Wilfred Hill Steward.
Elam La Fayette Stewart.
Jefferson Milford Stewart.
Joseph Felix Stoeckel, jr.
Harold Edwards Stow.
Allen Louis Stowell.
James Francis Strain.
Glen Teter Strock.
Joseph Alexander Stuart.
Charles Francis Sullivan.
Jackson Sullivan.
Ernest Edmund Tabscott.
Harold Mays Tague.
Clyde Purcell Taylor.
Llewellyn de Waele Tharp.
Krauth Whitson Thom.
Frank Leslie Thompson.
Hamilton Thorn.
Roy Milton Thoroughman.
Truman Casper Thorson.
Russell Conwell Throckmorton.
Thomas Martin Tiernan.
William McKinley Tonkay.
William Melton Tow.
Glen Ray Townsend.
Leander Niles Trammell.
Prince Edgarton Tripp.
Joseph Leonard Tupper.
Hiram Barricklow Turner.
Roy F. Turrentine.
Andrew Christian Tychsen.
William Lane Tydings.
Carl Marcus Ulsaker.
Walter Julius Unzethuem.
Charlie Anthony Valverde.
Lewis Morrell Van Gieson.
Edward Philip Wadden.
Edward Ebert Walker.
Ralph Bamford Walker.
Dan Walsh, jr.
Welcome Porter Waltz.
Frank Ward.
Ralph Leroy Ware.
Aln Dudley Warnock.
Preston Ballard Waterbury.
Ralph Brittin Watkins.
Clyde Clarkson Way.
Smith Robbins Webb.
John Merle Weir.
George Randall Wells.
Walter Herbert Wells.
Earl Gordon Welsh.
George Bernard Wescott.
Chester Carlton Westfall.
James Pearce Wharton.
William Langley Wharton.
Edwin Todd Wheatley.
Ambrose Franklin White.
Harry Alexander White.
Rice Warren White.
Oscar Julian Brittle Whitehurst.
Robert Quail Whitten.
Samuel Baxter Wiener.
Sherman Edgar Willard.
Laurin Lyman Williams.
Samuel Tankersley Williams.
Thomas Nottingham Williams.
Raymond Jay Williamson.
Herbert Edson Willis.
Raymond Dresden Willis.
Andrew McCorkle Wilson.
Charles Henry Wilson.
John Jay Wilson.
Ralph Wiltamuth.
John Hamilton Wise.
Keith Bolling Wise.
Lloyd Raymond Wolfe.
Peter Thomas Wolfe.
Harold Dean Woolley.
Leighton E. Worthley.
William Mason Wright, jr.
Henry Frederick Wunder.
George Taylor Wyche.
Godfrey Neil Wyke.
John Russell Young.
Luke Donald Zech.
Arnold William Zimmerman.
Frank Thornton Addington.
Rhodes Felton Arnold.
Clark Milton Avery.
Milton Orme Boone.
Rufus Boylan.
William Henry Brady.
Everett Franklin Brooks.
Everett Ernest Brown.
Handy Vernon Brown.
Samuel Lewis Buracker.
Pierce Horton Camp.
Joseph James Canella.
Charles Carlton.
Patrick Henry Cavanaugh.
John Albion Chase.
Louis Leonard Chatkin.
Sidney Lanier Conner.
George Raymond Connor.
Carlos Oscar Cooley.
Ira Dupree Coombs.
Joseph Vincent Coughlin.
Edwin Kenneth Crowley.
Ivan Sanders Curtis.
Frederick DeCaro.
Frank Amedee Deroin.
Howard Kirkbride Dilts.
Arthur Francis Doran.
Harry Grattan Dowdall.
Fred During.
James Douglas Edgar.
George Joseph Engelthaler.
Joseph Kahler Evans.
Will Harley Evans.

Erle Dorr Ferguson.
William Jay French.
Melvin Earl Gillette.
James Austin Gilruth.
Clyde Grady.
James Franklin Greene.
Christian Gross.
John Marvin Hagens.
William Allen Hale.
Bovey Mozart Hall.
Kenneth Frederick Hanst.
Ernest Thomas Hayes.
Thomas Jefferson Heald.
Charles August Hoss.
William Agnew Howland.
Edmund Fitzgerald Hubbard.
William Harris Irvine.
Harvey Turner Jensen.
John Nettleton Johnson, jr.
James Roger Kennedy.
George Leroy King.
Anthony Power Lagorio.
Abraham Max Lawrence.
Charles Cameron Lewis.
William Bernard Lowery.
Thomas Cleveland Lull.
John Cawley MacArthur.
Robert Battey McClure.
Robert Nelson McConnell.
Charles Raymond McKenney.
Irving Marion McLeod.
Thomas Edmund Mahoney.
Frederick Christian Martsolf.
Herbert Block Mayer.
Harry Ernest Menezes.
Thomas Ralph Miller.
Eugene Erwin Morrow.
John Curtis Newton.
Hugh Campbell Parker.
Rufus Arthur Parsons.
Philip Allen Payne.
Eustace Maduro Peixotto.
Joel DeWitt Pomerene.
George Lyman Prindle.
Oscar Ripley Rand.
Thomas Walter Rikeman.
William James Robertson.
Jesse Andrew Rogers.
Fay Ross.
Arthur Dale Rothrock.
Lewis L. Rupert.
Arthur James Russell.
Chambord Henry St. Germain.
Frederic Albert Savage.
William James Schaal.
Carl Bierwirth Searing.
Robert Sharp.
Beverly Allison Shipp.
Rexford Shores.
Willis Earl Simpson.
Willard Lapham Smith.
Charles Seymour Stephens.
Hardy Jackson Story.
Frank Henry Strickland.
James Nelvin Stuart.
Orlen Nelson Thompson.
Elmer Sharpe Van Benschoten.
Bert S. Wampler.
Edwin Uriah Owings Waters.
John Moorman Whayne.
Allan Sheldon Willis.
Albert Theodore Wilson.
Samuel Stafford Wolfe.
Thomas Hugh Young.
Clarence Howard Kells.
Robert Jesse Whatley.
Edward Watson Kelley.
Luther Wesley Dear.

To be second lieutenants.

Claude Mitchell Adams.
Ranald Trevor Adams.
Samuel James Adams.
Felix Marcus Alexander.
Moses Alexander.
Ralph Elmer Alexander.
Alfred Gideon Anderson.
Oscar Lee Ansley.
Walter Scott Arthur.
Edward Clay Atkinson.
Charles Backes.
Clyde Girard Banks.
Ellis Bates.
Harold Albert Baumeister.
Burns Beall.
Charles Andrew Beaucond.
Robert Clay Beckett.
James Dallace Bender.
Victor Emerson Biehn.
Joseph Francis Binford.
Lee Caraway Bizzell.
Henry Joachim Boettcher.
James Leland Bolt.
Donald Van Niman Bonnett.
Marvin Clifton Bradley.
Jasper Ewing Brady, jr.
Pembroke Augustine Brawner, jr.
Rudolph William Broedlow.
Graham Percy Brotherson.
James Ainsworth Brown.
John Joseph Buckley.
William Henry Buechner.
Rex Henry Burger.
Edwin Moore Burnett.
Frank L. Burns.
Hal C. Bush.
Charles Henry Calais.
Albert Edgar Cannon.
James Lebbeus Carman.
Glenn Earl Carothers.
Roy Alphonso Carter.
Paul Duane Casey.
Norman Crawford Caum.
Ray Eric Cavenee.
Holland Spencer Chamness.
Cyril Clifton Chandler.
Francis Emerson Charlton.
Bobb Childs.
Thomas Harold Christian.
Walter Norman Clinton.
Howard Haines Cloud.
Harry Luther Coates.
Lawrence Lofton Cobb.
Walter Bingham Cochran.
Patrick Collins.
Emmett Michael Connor.
Kenton Parkes Cooley.
John Edward Covington.
Joseph Kenneth Creamer.
Benjamin Mills Crenshaw.
Harry Cullins.
Frank Harl Curtis.
Harold Arthur Daly.
Justus Smith Davidson.
Orin Lee Davidson.
Thomas Hayden Davies.
Clarence Turner Davis.
Thomas Jefferson Davis.
Lewis Andrus Day.
George Stainback Dealerick.
Gerald Bradford Devore.
Fred Charles Dierstein.
Harold Douglas Dinsmore.
James Harrison Donahue.
Joseph Saddler Dougherty.
Joseph Addison Dubois.
John Joseph Dunn.
John DeLorme Eason.
Chester Howard Elmes.
Riley Finley Ennis.
Benjamin Kenney Erdman.
Francis Firmin Fainter.
John Markham Ferguson.
David Francis Finnerty.
Harold Herbert Fisher.
William Thrower Fitts, jr.
William Joseph Flood.
Arvid Edward Maurice Fogelberg.
Thomas Jefferson Ford.
Ivan Leon Foster.
Neal Dow Franklin.

Harry Woldren French.
Edward Samuel Garner.
Julian Horace George.
Horace Napoleon Gibson.
Floyd Thomas Gillespie.
Norman Drysdale Gillet.
George Andrew Glover.
Edward Raymond Golden.
Harvey James Golightly.
Allen Agee Goodwyn.
Walter Franklin Graham.
Harold Frederick Greene.
Lester Erasmus Gruber.
Joseph John Gutkowski.
William Thomas Haley.
Laurence Henry Hanley.
Charles Weess Hanna.
Harry Francis Hanson.
Louis Joseph Harant.
Furman Walker Hardee.
Herbert Hunter Harris.
James Willard Harris.
Lee Vyvian Harris.
Sterling Knox Harrod.
Charles Hardy Hart, jr.
John Beall Harvey.
Robert T. Hayes.
William Paul Hayes.
Allen Francis Haynes.
Roland Samuel Henderson.
John Walker Henson.
John Bartlett Hess.
Thomas Francis Hickey.
Joe Arthur Hinton.
Lewis Dabney Hixson.
Jack Clemens Hodgson.
Glenn Clinton Holcomb.
Ulmont William Holly.
Don Norris Holmes.
James Carl Horne.
Thomas Russell Howard.
James Bowcott Howat.
Thomas Aloysius Hoy.
Charles Franklin Hudson.
Ben Robert Jacobs.
Reuben Ellis Jenkins.
Hans Christian Jespersen.
Earle Albie Johnson.
Edward Clay Johnson.
Edwin Hugh Johnson.
Harrison William Johnson.
Lewis Peyton Jordan.
William Francis Joyce.
John Hamilton Judd.
William Lawrence Kay, jr.
Charles Leslie Keerans, jr.
Albert Gillian Kelly.
Maurice Stewart Kerr.
Wade Darragh Killen.
Harry Walter Killpack.
Edward Albert Kimball.
Sylvian Gaston Kindall.
Clarence Lee King.
Guy Malcolm Kinman.
Henry Lee Kinnison, jr.
Kenneth Edgar Kline.
Louis Braswell Knight.
Maurice Eugene Knowles.
Carter Marion Kolb.
Louis Urgel Labine.
Harold Joseph La Croix.
Edward Ames La Francis.
Frank La Rue.
Frank James Lawrence.
Rutledge Maurice Lawson.
Peter Le Toney.
Edwin Charles Lickman.
Leonard Eby Lilley.
Frank Blanton Lindley.
Lyle Sayers Lindsey.
Landon Johnson Lockett.
Russell Raymond Louden.
James Bernays Lowrey.
James Philip Lyons.
William Young McBurney.
John Easton McCammon.
Thomas Florence McCarthy.
Donald Dewey McCaskey.
Herbert Joseph McChrystal.
Arthur Alexander McClaughry.
Earl Thomas McCullough.
Robert Mansfield McCurdy.
Thomas Joseph McDonald.
Winfield Rose McKay.
William Havely McKee.
Alfred Edwin McKenney.
Francis Hugh Antony McKeon.
William Kennett McKittrick.
Roy Travis McLamore.
Frank Thomas Madigan.
Frank Norman Mallory.
James Robert Manees.
Frank Sims Mansfield.
William Alexander Marsh.
Floyd Marshall.
Peter Girardeau Marshall, jr.
William May.
Isaac Brown Mayers.
Vincent Douglas Mee.
Eugene Lemuel Miller.
John Spalding Miller.
Arvel Joshua Monger.
Robert Scurlark Moore.
Daniel Edward Morgan.
Harvey Thomas Morgan.
Evan Jervis Morris.
James Alva Murphey.
William Grove Murphy.
George Arthur Naylor.
John Joseph Nealon.
Mark Christian Neff.
Kent J. Nelson.
Robert LeRoy Nesbit.
James Harry Newberry.
Hyatt Floyd Newell.
Thomas Alfred Northam.
Francis Xavier Oberst.
Walter Patrick O'Brien.
Wiley Hubbard O'Mohundro.
Richard Evans Glasson Opie.
William Thomas O'Reilly.
Victor Otto Overcash.
Clifford Durward Overfelt.
Stanley Noble Partridge.
Andrew Paul Paulsen.
Eggleston Westley Peach.
Edwin Morgan Pendleton.
Clyde Hurschale Phillips.
Gaylord Leon Phipps.
Albert Pierson.
William Prentiss Pittman.
William Otis Poindexter.
Harold David Porter.
George Lawrence Potter.
Stanley Powloski.
Thomas Ewin Prather.
Forbie Hiram Privett.
Howard E. Pulliam.
Lemiel Lafayette Reece.
Charles Murray Rees.
Edward Julius Renth.
Joseph Walter Francis Resing.
James Caviness Rickner.
Don Riley.
Thomas Walter Roane.
Dayton Locke Robinson.
Henry William Robinson.
Frederick Buchanan Rosenbaum.
Albert Edmund Rothermich.
Garland Thomas Rowland.
Dorrance Scott Roysdon.
Jack Edmund Rycroft.
Joseph Aloysius St. Louis.
Augustus Dawson Sanders.
John Calvin Sandlin.
Richard Mathews Sandusky.
Warren Benedict Scanlon.
William Daniel Schas.
Andrew Jackson Schriver, jr.
Percy Waldo Seymour.

Walter Lee Sherfey.
William Irving Sherwood.
Lyle Meredon Shields.
Edmund Rucks Shugart.
Raymond Edward Shum.
Charles Drysdale Simmonds.
William Christopher Sinclair.
Charles Richardson Smith.
Clifford Augustus Smith.
Horace Benjamin Smith.
Leonard Roberts Smith.
Oscar Stanley Smith.
Victor Walter Smith.
William Andrew Smith.
Robert Homer Soule.
William Henry Speidel.
Samuel Wilber Stephens.
Richard Francis Stone.
Frank Wolle Stout.
Auby Casey Strickland.
Oscar Douglas Sugg.
Allan Francis Sullivan.
Grover Adlai Summa.
Stowe Thompson Sutton.
Harold Gaslin Sydenham.
Aloysius Joseph Tagliabue.
Keith Kirkman Tatom.
Alfred Nelson Taylor.
Paul Revere Taylor.
Walter Moody Tenney.
Elliott Raymond Thorpe.
David Marsh Todd.
Edgar Joseph Tulley.
Harold Lewis Turner.
Frederick Reinhold Undritz.
Fred Pierce Van Duzee.
George Van Studdiford.
Frank Joseph Vida.
William James Wagenknight, jr.
Walter Cortland Wagner.
Percival Adams Wakeman.
Robert John Wallace.
William Randolph Watson.
John Weckerling.
Charles Albert Welcker.
Frederick William Wennerberg.
Sidney Frank Wharton.
William Lewis Wheeler.
James Cecilius White.
Archie Bird Whitlow.
Cleon Lyle Williams.
Frank Rate Williams.
Jefferson Buckner Willis.
Richard Randolph Winslow.
Thomas Everett Winstead.
Barlow Winston.
Lloyd Nelson Winters.
Arthur Henry Wolf.
Dudley Hamilton Woodin.
Robert Howard Wylie.
Le Roy William Yarborough.
Ivan Downes Yeaton.
Joe Jones Yeats.
Joseph Thaddeus Zak.
Arthur Nicholas Ziegler.
Wilson Stuart Zimmerman.
William Keifer Behler.
Helmuth Ernest Beine.
Albert Edgar Billing.
George Barnett Bloom.
Clarence Harvey Bragg.
Thomas Butler Burgess.
Robert Wallace Burke.
Jesse Earl Canary.
Thomas James Chrisman.
Leo George Clarke.
Austin Murray Coates.
Lawrence Cornwallis Collins.
Willis Clark Conover.
Eugene Robert Cowles.
Harold Baxter Crowell.
Ernest Arthur DeWitt.
Hugh Carlton Dorrien.
Mark Histand Doty.
Carlisle Clyde Dusenbury.
Henry Bosard Ellison.
Thearl Ward Essig.
Yates Douglas Fetterman.
Thomas Henry Foster.
Howard Nathaniel Frissell.
Harold Almon Gardyne.
Richard Sylvester Gessford.
William John Hardy.
Jessie Thomas Harris.
Fremont Byron Hodson.
Andrew Daniel Hopping.
Cecil E. Inman.
John William Irwin.
Albert Henry Johnson.
William Henry Johnson.
William Thomas Johnson.
Howard Avil Worrell Kates.
William Stanard Keller.
Fredrik Lorentsen Knudsen, jr.
Clyde Harrison Lamb.
Ralph Floyd Love.
Edwin Joseph McAllister.
James Bryan McDavid.
Robert Don McKnight.
Edwin Thomas May.
Earl Monroe Miner.
Joseph Elmer Monhollan.
James Webb Newberry.
David Ray Nimocks.
Fred Harold Norris.
Millard Fillmore Willot Oliver.
Elmer Dane Pangburn.
Edwin Karl Pohlson.
Patrick Francis Powers.
Sam Purswell.
Charles Augustus Reif.
Harry George Rennagel.
Robert Louis Renth.
Philip Wallace Ricamore.
Maurice Rose.
Rafael Louis Salzmann.
William Barmore Sharp.
Robert MacKenzie Shaw.
Raymond Leroy Shoemaker.
Howard Worcester Trefry.
Walter Kendall Wheeler.
Pearne Clark Wilders.
Chester Morse Willingham.
Raymond Carl Zettel.
Harold Patrick Henry.
Roy Winne Barhydt.
Leslie Emmett Mabus.
Joseph Jacob Billo.
Robert Francis Watt.
William Carleton McFadden.
Claude Eugene Haswell.
Frank Needham Roberts.
Charles Frederick Beattie.
Sherman Vitus Hasbrouck.
Crump Garvin.
Hamilton Peyton Ellis.
Thomas Dresser White.
Frederick Mixon Harris.
Dwight Acker Rosebaum.
Donald Robert Van Sickler.
Richard Candler Singer.
John Henry Hoffecker Hall.
Aladin James Hart.
Powell Paxton Applewhite.
Jefferson Denman Box.
William Richter Tomey.
Joseph Honore Rousseau, jr.
Frederick Seymour Dixon.
Maurice Wiley Daniel.
Alexander Hamilton Perwein.
Tracy Enfield Davis.
Oscar Raymond Johnston.
Charles Whitney West.
Park Brown Herrick.
Herbert Carl Reuter.
Helmer William Lystad.
Harold Edward Smyser.
Esher Claflin Burkart.

Thomas Eginton Whitehead.
Alexander George.
Charles Kenon Gailey, jr.
Mortimer Frederick Wakefield.
Francis William Farrell.
Wilmer Brinton Merritt.
Harry Clark Wiselhart.
Harold Julius Chapman.
John Irvin Gregg, jr.
John Russell, jr.
Charles Merton Adams, jr.
Frank Hoben Blodgett.
John Ferral McBlain.
Richard Meade Costigan.
Gustave Harold Vogel.
Basil Girard Thayer.
Edward Joseph Sullivan.
James Perrine Barney, jr.
Wilbur Sturtevant Nye.
Charles Harlan Swartz.
Leland Stuart Smith.
Wayne Latta Barker.
Francis Selwyn Gay.
Carl Frederick Duffner.
Wilburn Vastine Lunn.
Millard Pierson.
Francis Ward Walker.
Harold Oliver Sand.
Cyril Drew Pearson.
Raymond Henry Reece.
Harlan Thurston McCormick.
Henry Peter Burgard, 2d.
Alexander Gilbert Sand.
Ray Olander Welch.
George William Richard Wilson.
John Lamont Davidson.
Julian Erskine Raymond.
Abraham Sheridan Abel.
George Honnen.
Charles Porter Amazeen.
Edward Thomas Williams.
Frank Thweatt Searcy.
George William Bailey, jr.
Henry Kirk Williams, jr.
Alan Lockhart Fulton.
Terrence John Tully.
William McKinley Laumeister.
Paul Clarence Kelly.
Sidney Ginsberg.
James Miller Rudolph.
William Earl Crist.
William Roe Brewster.
Claude Monroe McQuarrie.
Charles William Smith.
William Lemuel Mitchell.
Harrison Guinther Travis.
Escalus Emmert Elliott.
Milton Cogswell Shattuck.
Joseph Vincent de Paul Dillon.
Francis James Starr.
William Edward Ryan.
Hayden Adriance Sears.
Newton Nevada Jacobs.
John Thomas Lynch.
John Black Reybold.
John Raoul Guiteras.
William Dickey Long.
Henry Irving Hodes.
Clifford Augustine Taney, jr.
Paul Earl Tombaugh.
Harvey Kenneth Greenlaw.
William Joel Tudor Yancey.
Leon Eugene Lichtenwalter.
Sidney Rae Hinds.
John Aloysius McNulty.
Halley Grey Maddox.
Snowden Ager.
John English Nelson.
Randolph Burt Wilkinson.
Dean LeRoy Sharrar.
John Talbot Curtis.
George Hasbrouck Krause.
Harold Todd Turnbull.
Hugo Peoples Rush.
John William Woodward.
Wray Bertrand Avera.
Charles Fox Ivins.
Walter Daniel Buie.
John Taylor Ward.
John Elmer Reierson.
Edward Maurice Flexner, jr.
Henry Jackson Hunt, jr.
George Huston Bare.

PHILIPPINE SCOUTS.

Cadet Pastor Martelino y Concepcion to be second lieutenant.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE UNITED STATES ARMY.

To be major general.

John Francis O'Ryan.

To be brigadier general.

Frank Thomas Hines.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 29, 1921.*

The House met at 12 o'clock noon.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, we thank Thee for the wonder of life, but stay with us. Only in Thy mercy can we live. Thy compassion is new every morning. May we be men of the day dawn, living in the inspiration of hope and faith until the shadows flee away, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE PACKERS.

Mr. McCLINTIC. Mr. Speaker, my attention has been called to an article published in a Washington paper that reflects to a certain extent upon this House, and contains statements that I have never made. In fairness to the Ways and Means Committee I think the article ought to be read to the House, and I would like to have a few minutes to comment on the same.

The SPEAKER. How much time does the gentleman want?

Mr. McCLINTIC. Seven minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for seven minutes. Is there objection?

Mr. MADDEN. Reserving the right to object, what is the article about?

Mr. McCLINTIC. It is about the packers having control and causing certain action to be taken, attributing certain statements to me which I did not make, neither do I know anything about.

Mr. MADDEN. Does it amount to a question of privilege?

Mr. McCLINTIC. I do not know that it is exactly a question of privilege, but I thought as it made insinuations against the members of the Ways and Means Committee it ought to be brought to the attention of the House. I want to deal fairly with the House, but if the gentleman from Illinois wants to object, all right.

Mr. MADDEN. I do not want to object.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCLINTIC. Mr. Speaker, I ask that the Clerk read the article referred to.

The Clerk read as follows:

[From the Washington Herald, January 29, 1921.]

McCLINTIC STILL CONTINUES HIS ONE-MAN FILIBUSTER—WON'T ALLOW EXTENSION OF REMARKS IN RECORD AND FORCES ATTENDANCE.

Representative McCLINTIC, of Oklahoma, yesterday continued his filibuster begun the day before in the House, refusing to allow any extension of remarks in the RECORD, and keeping Members running back and forth from their offices to the House Chamber throughout the day with points of no quorum.

Just what McCLINTIC is on the war path about is still a mystery, since he is keeping his own counsel, but that his ire has been aroused there can be no question.

His friends say he was "double-crossed" by the Democratic committee on committees, which promised him an assignment on the Agriculture Committee and then decided to make no committee assignments until next session.

BLANTON HALTS SPEECHES.

While the committee ascribed its action to "policy," McCLINTIC's friends intimate it really was the result of efforts of the packers' lobby to prevent the Oklahoman, who is in favor of regulating the

packing industry, from gaining a place on the Agriculture Committee, where the bill is being considered.

McCLINTIC twice attempted to make a prepared speech on emergency tariff legislation, but was cut off by objection of BLANTON, of Texas. It is understood the speech will contain sharp criticism of Representative GARNER, of Texas, ranking minority member of the Ways and Means Committee, for getting off the Democratic reservation by favoring the emergency tariff measure.

GARNER, who is in line for the House leadership in the next Congress in the event CLAUDE KITCHIN is physically unable to assume the post, also is chairman of the committee on committees which failed to assign McCLINTIC to the Agriculture Committee.

McCLINTIC has resigned from all his committee assignments, including the Joint Senate and House Committee on Printing, the House Committee on Printing, and the Committee on Elections No. 1, and apparently is determined to fight out the issue to the end.

Representative WALSH (Republican), of Massachusetts, charged McCLINTIC with throwing a monkey wrench in the legislative machinery to air a personal grievance, but the Oklahoman replied that he was merely trying to help the Republicans carry out their campaign pledges for a great wave of economy and to keep a quorum present to transact the Nation's business.

McCLINTIC called attention to an extension of remarks made by a "certain Senator" Thursday, taking up 90 pages of the RECORD at a "cost of several thousand dollars," and declared he intended to put a stop to the practice, so far as the House is concerned.

The RECORD disclosed that the remarks were made by Senator SHERMAN, of Illinois, in defense of the packers and in opposition to the Kenyon-Kendrick packer regulation bill which passed the Senate Monday.

Mr. McCLINTIC. Mr. Speaker and gentlemen of the House, the reason that I have brought this to the attention of this body is that I have never in any way connected any Member of this body with the packers or their efforts to control certain legislation. I have been informed, and it is generally known, that there are in and around this Capitol certain agents or certain men who are interested in keeping the packing industry from being regulated. I am of the opinion that years ago the banks, or those who own the banks, objected to Government regulation and control. I am now of the opinion that if anyone should seek to destroy that regulation and control the honest bankers would object, realizing that wildcat banks would soon come in and destroy the industry.

I am likewise of the opinion that that same statement applies to many other kinds of activities in this Nation. I can see no reason why an honest packer would not be willing to have his business honestly regulated in order that his business might receive the protection it is entitled to in the future. [Applause.]

I do not think that statement ought to be made against the members of the Ways and Means Committee. I merely wanted to say to the House that I am not responsible for the statement in that article which refers to the packers. You and I know that where there is a lot of smoke there must be a little fire. I am in favor of the regulation of the packers, and I do not know if they have brought any pressure to bear to keep me off of any committee or not. I do not intend to impede the progress of this House, and the only reason that I have been doing some work here lately is because I want the House run in the regular way and to cut out some of the abuses that I have called to the attention of the House from time to time. I felt that the members of the Ways and Means Committee, against whom this statement is indirectly made, should have the benefit of this statement from me.

ARMY APPROPRIATION BILL.

Mr. ANTHONY, from the Committee on Appropriations, by direction of that committee, reported the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union.

Mr. SISSON reserved all points of order.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. ROGERS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15872, the Diplomatic and Consular appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TOWNER in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. The Clerk will read.

Mr. BLANTON. Mr. Chairman, when we concluded yesterday afternoon the item on page 4, lines 11 and 12, was under consideration. It provided for an interpreter to the legation and consulate general to Persia, at a salary of $2,000 per year. I had made the point of order against the paragraph for the reason that it was legislation unauthorized on an appropriation bill. The gentleman from Massachusetts [Mr. ROGERS] had conceded that there was no law authorizing it, and had asked for a few moments to explain certain other items. The Chair had not yet ruled that the paragraph was out of order, and I think at this time the ruling of the Chair, which was based upon the concession of the gentleman from Massachusetts, should go in the RECORD to show that the point of order was sustained.

Mr. ROGERS. Mr. Chairman, I think the gentleman states the matter correctly.

The CHAIRMAN. The point of order made by the gentleman from Texas is sustained, and the Clerk will read.

The Clerk read as follows:

Interpreter to legation and consulate general to Bangkok, Siam, $2,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph, that there is no law authorizing an interpreter to legation and consulate general to Bangkok, Siam, at a salary of $2,000 per year.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For 10 student interpreters at the embassy to China, who shall be citizens of the United States, and whose duty it shall be to study the Chinese language with a view to supplying interpreters to the embassy and consulates in China, at $1,500 each, $15,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter at the embassy or consulates in China so long as his services may be required within a period of five years.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph, that it is legislation on an appropriation bill unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For the payment of the cost of tuition of student interpreters in China, at the rate of $350 per annum each, $3,500.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph, that it is legislation on an appropriation bill unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede all of the points of order that the gentleman may see fit to make in wrecking this bill.

The CHAIRMAN. The committee must proceed regularly. Does the gentleman concede this point of order is well taken?

Mr. ROGERS. I do.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For six student interpreters at the embassy to Japan, who shall be citizens of the United States, and whose duty it shall be to study the Japanese language with a view to supplying interpreters to the embassy and consulates in Japan, at $1,500 each, $9,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter at the embassy or consulates in Japan so long as his services may be required within a period of five years.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph just read, that it is legislation on an appropriation bill and is unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For the payment of the cost of tuition of student interpreters at the embassy to Japan, at the rate of $200 per annum each, $1,200.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is legislation on an appropriation bill unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For four student interpreters at the legation to Turkey, who shall be citizens of the United States, and whose duty it shall be to study the language of Turkey and any other language that may be necessary to qualify them for service as interpreters to the legation and consulates in Turkey, at $1,500 each, $6,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter to the legation and consulates in Turkey so long as his services may be required within a period of five years.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is legislation on an appropriation bill unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For the payment of the cost of tuition of student interpreters at the legation to Turkey, at the rate of $200 per annum each, $800.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph, that it is legislation on an appropriation bill, unauthorized by law.

Mr. ROGERS. Mr. Chairman, of course this is not legislation on an appropriation bill, as far as this paragraph goes.

Mr. BLANTON. Also that it is not germane. There are no student interpreters at the legation to Turkey, and therefore it would be unauthorized to appropriate the cost of tuition for them.

Mr. ROGERS. Mr. Chairman, the point of order that the gentleman raised was that this is legislation on an appropriation bill, and it is not.

Mr. BLANTON. And that there is no authority of law for it and that it is not germane.

Mr. ROGERS. The gentleman did not make that point of order. If he makes it, I concede it.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

No person drawing the salary of interpreter or student interpreter as above provided shall be allowed any part of the salary appropriated for any secretary of legation or other officer.

Mr. BLANTON. Mr. Chairman, I make the point of order that the paragraph is out of order because it is legislation on an appropriation bill, unauthorized by law, that it is not germane to the bill or to the paragraph, and that there is no authority of law for it.

Mr. ROGERS. Mr. Chairman, that particular paragraph is a limitation. In view of the fact that the gentleman has smashed his way through all of these interpreters up to this point, I do not know whether there is very much utility in retaining the paragraph.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Total, $39,500.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. The totals, I understand, are to be corrected by the Clerk?

The CHAIRMAN. The Clerk is authorized to correct all totals. The Clerk will read.

The Clerk read as follows:

QUARTERS FOR STUDENT INTERPRETERS AT EMBASSIES.

For rent of quarters for the student interpreters attached to the embassy to Japan, $1,200.

Mr. BLANTON. Mr. Chairman, I make the point of order to lines 13, 14, and 15, that it is legislation on an appropriation bill, unauthorized by law, and that it is not germane.

Mr. ROGERS. Mr. Chairman, I combat both points of order. This is not legislation on an appropriation bill, and certainly is germane to the general subject matter of the bill under consideration.

Mr. BLANTON. And that it is unauthorized by law. The gentleman failed to catch that point.

Mr. ROGERS. The gentleman did not make that point of order. I submit that he ought to be confined to a point of order and not be allowed to pop up two or three times trying to think of some additional ones.

Mr. BLANTON. Mr. Chairman, for the benefit of the gentleman from Massachusetts, I would like to have the clerk report the point of order as I made it, so that he would be satisfied that I did make the point of order, that it was without authority of law.

Mr. WILLIAMS. Mr. Chairman, I demand the regular order.

The CHAIRMAN. It appears to the Chair, and he asks the gentleman from Massachusetts for information, that the appropriation seems to be for rent of quarters for the student interpreters attached to the Embassy to Japan. Are those interpreters being used——

Mr. BLANTON. May I make a suggestion to the Chair?

The CHAIRMAN. The Chair had not finished his interrogation. Were these quarters being used and have they been used for the student interpreters at Japan?

Mr. ROGERS. Yes, Mr. Chairman.

The CHAIRMAN. That has been considered as being the continuation of an existing proposition. Does the gentleman from Massachusetts think that it would be justified in the present instance as a continuation of a project?

Mr. ROGERS. I will be entirely frank with the Chair and will say that I had not supposed this item would be in order for the reason the Chair suggests. My contention was that the point of order made by the gentleman from Texas did not attack the item in any vulnerable point.

The CHAIRMAN. If subsequently made the Chair would have entertained it in any event. Now, the Chair is trying to obtain information and whether the objection in its fullest form is well taken. And the Chair is asking the gentleman from Massachusetts what his suggestion is with respect to that proposition?

Mr. ROGERS. Well, in my judgment, this item is not defensible if the point of order is specifically raised against it. There is no authority of law on the basis on which this item is presented. In other words, that there is no continuous obligation upon the United States——

The CHAIRMAN. Sustained, and the Clerk will read.

The Clerk read as follows:

For rent of quarters for the student interpreters attached to the legation to Turkey, $600.

Mr. BLANTON. Mr. Chairman, I make a point of order that there is no authority of law for this item; it is legislation on an appropriation bill and is not germane.

The CHAIRMAN. What does the gentleman from Massachusetts say?

Mr. ROGERS. I concede the point of order.

The CHAIRMAN. Sustained, and the Clerk will read.

The Clerk read as follows:

CONTINGENT EXPENSES, FOREIGN MISSIONS.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, including such loss on bills of exchange to officers of the United States Court for China, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $800,000: *Provided*, That hereafter no part of any sum or sums appropriated for contingent expenses, foreign missions, shall be expended for salaries or wages of persons not American citizens performing clerical services, whether officially designated as clerks or not, in any foreign mission.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, for the following reason: That the following portions of the paragraph are unauthorized by law, is legislation upon an appropriation bill without authority of law, to wit, beginning in line 7, the following language: "including such loss on bills of exchange to officers of the United States Court for China"; and, beginning in line 11, the following: "$800,000," for the reason that it has without authority of law been increased by this committee from the sum of $398,585 to $800,000; and the further language, which is legislation and which has no authority of law, to wit, beginning in line 11: "*Provided*, That hereafter no part of any sum or sums appropriated for contingent expenses, foreign missions, shall be expended for salaries or wages of persons not American citizens performing clerical services, whether officially designated as clerks or not, in any foreign mission."

The CHAIRMAN. Does the gentleman from Texas make the point of order against the entire paragraph because of the parts specified?

Mr. BLANTON. I do, particularly because of the raise by the committee from $398,585 to $800,000.

The CHAIRMAN. The Chair does not think the gentleman understood. Does the gentleman raise the point of order against the particular language to which he called attention, or does he object to the paragraph because it contains that language?

Mr. BLANTON. I object to the whole paragraph because it contains the provisions mentioned, and specially because of the raise in the amount from $395,585 to $800,000.

The CHAIRMAN. Sustained.

Mr. ROGERS. Will the Chair permit me to be heard on this point?

The CHAIRMAN. The first part of the paragraph does contain some legislation——

Mr. MANN of Illinois. Where does it contain legislation?

The CHAIRMAN. The Chair is referring to the language of the proviso in making that ruling, and the Chair has been advised by the adviser to the Chair that certain language contained in lines 6, 7, 8, 9, and 10, on the seventh page, is new legislation, and therefore——

Mr. MANN of Illinois. I heard the Chair state that something in the paragraph was legislation, but I could not hear what it was.

The CHAIRMAN. The Chair was advised by the parliamentary clerk that the language, and the Chair asked the gen-

tleman from Massachusetts in regard to it, commencing with the word "and," at the end of line 5, down to and including the figures "$800,000," in line 11, and also the word "hereafter," in line 12, are all new.

Mr. MANN of Illinois. Well, plainly, Mr. Chairman, that is not legislation. It is an appropriation, but whether authorized by law I do not know, but it is not legislation. It is merely an appropriation. The proviso is merely a limitation.

The CHAIRMAN. The proviso, the Chair thinks—well, he will not pass upon that. The objection is to the entire paragraph because of this matter, and the Chair believes it is the duty of the Chair to sustain the objection.

Mr. ROGERS. Will the Chair hear me briefly on the portions of the paragraph that relate to loss on bills of exchange?

The CHAIRMAN. Does the gentleman from Massachusetts admit that part of the paragraph is subject to a point of order?

Mr. ROGERS. I am inclined to think that the proviso in its present form, because it contains the word "hereafter," is subject to the point of order, but before preparing an amendment to meet that particular objection I should like to learn the mind of the Chair in respect to the language of the substantive part of the paragraph.

The CHAIRMAN. The Chair just called attention, in answer to the question of the gentleman from Illinois, to a part of the paragraph that the Chair is advised is subject to a point of order.

Mr. ROGERS. Will the Chair hear me upon that phase of the question?

The CHAIRMAN. Why, certainly, as to the language commencing with the word "and," in the seventh line, and ending with the amount of $800,000, in line 11, and as to the word "hereafter," on line 12 of the proviso.

Mr. ROGERS. With respect to the matter of loss on bills of exchange, it is necessary every quarter for every foreign agency of the United States, whether an embassy, legation, or consulate, or the United States Court in China, to forward to the seat of government a statement showing the receipts or expenditures which have been involved in the accounts of the particular office for the previous quarter. In the event that the receipts exceed the expenditures in the particular office, it is necessary for that office to send by draft an amount representing the excess.

In the event, on the other hand, that the expenses exceed the receipts, it is necessary for that office to draw a draft on Washington in order to make up the deficiency. That process, even under the normal banking conditions throughout the world, involves a certain loss in exchange. In normal years it has been as low as $8,000. For the current year, because of the abnormal and upset international banking situation, the necessary amount greatly exceeds that sum. But an appropriation of this character is essential for the carrying on of our diplomatic business throughout the world.

Mr. Chairman, there has been recently a line of rulings upon this general type of question, which, it seems to me, makes this item in order on this bill.

The CHAIRMAN. Let the Chair ask the gentleman if this language is entirely new? Has it ever been contained in previous appropriation bills?

Mr. ROGERS. This language has been contained for the past 10 years, at least, in every appropriation bill.

Mr. BLANTON. What about the word "hereafter"?

Mr. ROGERS. I am dealing, if the gentleman will permit, only with the language in the substantive part of the paragraph.

The CHAIRMAN. The Chair did not quite understand the gentleman from Massachusetts. Will he be kind enough to restate it?

Mr. ROGERS. I stated to the Chair that this particular language contained in lines 6 to 11 has been carried yearly in the appropriation bill for many years.

The CHAIRMAN. And the appropriation itself has been carried?

Mr. ROGERS. The appropriation itself has been carried.

Mr. BLANTON. I am sure the gentleman does not want to carry that impression, because upon reflection he will remember that while there has been an appropriation heretofore, it heretofore has been $398,585, and now it is $800,000.

Mr. ROGERS. The amount of the appropriation presents no question of a point of order. There is no statutory limitation of the amount to be carried in this item, although the gentleman, perhaps inadvertently, stated that there was a statutory limitation. This amount varies from year to year. I do not recall that for years it has run twice the same. In other words, this amount necessarily rises and falls with the demands upon the Diplomatic Service.

The CHAIRMAN. Let me say to the gentleman from Massachusetts [Mr. ROGERS] that it seems to the Chair that the explanation made indicates quite clearly that this is a necessary incident of the legations, no matter in what form it may be, and I think the point of order as against that language is not well taken as it was stated. I think I know what the gentleman from Texas is going to say about it. Of course, the word "hereafter" still carries an objection.

Mr. ROGERS. I have an amendment prepared to deal with the point of order against the proviso.

The CHAIRMAN. The record should be kept clear, and the Chair sustains the objection of the gentleman from Texas [Mr. BLANTON].

Mr. ROGERS. Mr. Chairman, I offer an amendment.

Mr. MADDEN. Mr. Chairman, I would like to be heard on this. But if the Chair has already decided——

The CHAIRMAN. The Chair will recognize the gentleman as soon as this amendment is read.

Mr. MADDEN. If the Chair has already decided, of course I do not care to take up the time.

The CHAIRMAN. The Chair did not understand the gentleman's request. He will be glad to hear the gentleman. I did not understand that he desired to be heard on the point of order.

Mr. MADDEN. I do not care to be heard, inasmuch as the Chair has already decided the question.

The CHAIRMAN. The Chair states that he did not understand the gentleman desired to be heard on the point of order.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ROGERS: Insert on page 4, after line 9, the following paragraph:

Mr. ROGERS. It should be page 6, after line 18.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Did not the Chair sustain the point of order to the paragraph?

The CHAIRMAN. Yes, sir.

Mr. BLANTON. The gentleman's amendment seeks to begin in the middle of the paragraph.

The CHAIRMAN. We will hear what the amendment is. The Clerk will read it.

The Clerk read as follows:

CONTINGENT EXPENSES, FOREIGN MISSIONS.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, including such loss on bills of exchange to officers of the United States Court for China, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $800,000: *Provided*, That no part of this sum appropriated for contingent expenses, foreign missions, shall be expended for salaries or wages of persons not American citizens performing clerical services, whether officially designated as clerks or not, in any foreign mission.

Mr. BLANTON. Mr. Chairman, I ask recognition in opposition to the amendment.

Mr. McKEOWN. Mr. Chairman, I wish to be heard in favor of the amendment.

The CHAIRMAN. The Chair will recognize the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, I am not a member of the Committee on Foreign Affairs, but this use of the point of order, of course, can be of great benefit to the people and to the country and can also be used in great damage to the public welfare.

Now, America is in this kind of a position: She is seeking to expand her foreign trade, and the prosperity of this country is going to depend upon what success the United States shall make in the next three or four years in the expansion of its foreign trade.

In order to secure foreign business it is necessary for the United States to have some sort of relations with these people. America must have her representatives there, and unless she does she will find herself outstripped in the race for commerce and trade. If we are to have employment for our people, if we are to secure prosperity in this country, we must have foreign markets.

Constantly striking out important matters in the bill means that there must be more work for the Congress to do. For my-

self I want to go on record in favor of legislation making sufficient appropriations to put America to the forefront in her foreign relations. I repeat I am not a member of this committee; I am not interested in the personnel of the men who make up the State Department. For my part I think a lot of the men in the State Department need to be "worked over," as the expression is—a lot of men in foreign posts upon whom we depend to transact business for the people of this country who do not go to their offices probably until 11 or 12 o'clock; and they will not answer the correspondence of business men promptly. They will be there probably until 2 o'clock in the afternoon, and then they are gone. It is necessary for some men to do the society act because it is necessary for our representatives abroad to conform to the customs of the various peoples of the world, and it would be just as much out of place to put to the task a stern business man to transact diplomatic relations with some of our sister nations as it would be to try to sell silk hats down in Oklahoma or to sell cowboy boots on Broadway, New York.

But here, my friends, is the proposition: America, if she succeeds, if her merchant marine amounts to anything, has got to have friendly relations with the foreign nations of the world, and you can not have those relations in competition with Great Britain unless you have the people who can promote them. For centuries in Great Britain they have gone down to the sea. That has been the business of the British, to go down to the sea to develop commerce and business for the country.

If America is to succeed she must send her best men, her trained men, down to the sea, where they can get into friendly relations with the people of the world. The people of the world will not trade with America unless they like American business men and their methods. You can no more do business with Latin America by the stern business methods which apply in this country than you can fly, because you have got to conform to the habits and the ways of the people of those countries; you have got to have that polite, suave manner that they have.

Gentlemen say, "We will strike out all this legislation because it is subject to a point of order." I have no criticism of that. That is a defense put here as one of the wise rules of the House.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. McKEOWN. It is a wise provision, but the very best provision you may have may be used for the detriment of the welfare of the country, and in this legislation here, if gentlemen want to get the right kind of reform, my idea of it is to separate the diplomatic department from the commercial department. You can take the commercial end of the business. When a business man of America writes a letter for information he wants prompt information; he wants it now. He does not want that letter to lie around for 8 or 10 days while the man who is to answer it plays society. He wants the information, and he wants it at once. You must necessarily have men who will and can do the polite things, men who are trained in doing society in order to maintain the proper respect of foreigners for our country. My idea about this legislation in this appropriation bill is that we ought to be economical in the expenditure of our money; we ought to get our money's worth, and we ought to provide only for necessary service; but at the same time we ought not to cripple this, which I think is one of the most important departments of our Government. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, this House has selected, out of its membership of 435 Congressmen, 35 Members in whom is lodged the sole power of appropriation. That is the greatest power in this Congress. I voted for that proposition in the interest of economy. I believe, if properly exercised, it is going to result in much-needed economy. But we were then given to understand when we were called upon to vote for that proposition that this committee would be limited absolutely to appropriating money that was authorized by legislation passed by other legislative committees of the House. If you give this committee of 35 members legislative authority as well as the power of appropriation, then you might as well disband every other committee. You might as well send home to their respective districts every other of the 400 Members of Congress. They would be no longer necessary.

This committee seeks by this amendment to raise the sum that has always been appropriated in normal times for this particular item from $398,585 to the great sum of $800,000. What are some of the items for which this $800,000 is to be paid? Look at the paragraph: Stationery, books, flags, signs, messenger service—and we know something about the messenger service—compensation of kavasses——

Mr. KING. Will the gentleman explain that word?

Mr. BLANTON. In a moment, please. Compensation of kavasses, guards, dragomans, and porters, and so on, $800,000.

Now I know my good friend from Oklahoma [Mr. McKEOWN] well enough to know that he does not approve of all of the expenses that were brought about by that great retinue of Americans we had over in France at palatial hotels, their expenses amounting to $1,651,191.09. I am one of the Congressmen who believe that Woodrow Wilson is the greatest living man in American to-day [applause], sick though he may be; but yet I do not approve of that expense account that his followers over there caused to be paid out of the Public Exchequer of the people. There have been too many servants over there; there have been too many compensations to kavasses [laughter] and guards and dragomans and porters. This distinguished subcommittee of five that has passed upon this bill has seen fit to increase this appropriation from $398,585 to $800,000. There is too much wine bought there in entertainments. There is too much high society there. As to the committee, I know some of the members are in high society here. They think that because they indulge in high society here our representatives over there should also indulge in high society in the courts of kings. But I want to remind my good friends who are taking the people's money out of a Treasury that is now depleted and facing a deficit of $3,000,000,000 that high society in the United States, in a Republic, is very different to high society in the courts of kings. I want to tell you that the people of the United States will not approve of this item. They will not approve of the action of this committee in raising this amount from $398,000 to $800,000. I get along without indulging in high society. I am one man on the floor of this House who works 8, 10, 12, and 14 hours a day trying to save the people's money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words.

We are appropriating under new conditions. We started in at the last session of the Congress to bring about a great reform, the reform of the budget. So far as the executive portion of that reform was concerned, we were unable to perfect it, owing to a disagreement with regard to one matter as between the Executive and the Congress; but the House of Representatives, by a very large majority, passed a self-denying ordinance—seriously self-denying on the part of some 150 or 160 Members of the House on both sides, who voluntarily deprived themselves of a large part of their authority in the interest of a system which we hope will mark a great improvement in the methods of appropriating. There may be some doubt and question with regard to that, but at least that is our expectation and our hope, and the people of the country expect us to give the new policy a fair trial.

Mr. GARNER. Will the gentleman yield for a question there?

Mr. MONDELL. If the gentleman will let me finish, then I will be glad to yield. When the new session convened there was a question, the executive budget having failed, as to whether or not it was wise and proper that we should go on with our part of the reform, whether, handicapped as we knew we would be, it was the part of wisdom for us to go through with the program that we had adopted, or whether, owing to the failure of the executive portion of the budget, we should rescind the action we had taken. It was not only a matter of practical legislation but it was partly a matter of politics; not partisan politics, but a matter for proper political consideration. What would the country think of us, having adopted what the country believes is a great reform, whether we are all convinced of it or not, an election having passed, if we should rescind the action taken in the direction of reform and go back to the old and what is in the opinion of a majority of the people of the country the discredited practice of appropriations by many committees.

Mr. SNYDER. Will the gentleman yield?

Mr. MONDELL. In just a moment. It did not seem to me that we were justified in doing that. It seemed to me that whatever the handicaps were, whatever the difficulty in the way, having started on the path of a real, far-reaching, and exceedingly important reform, we should not turn our backs upon that part of it which has to do with our activities simply because we have not been able for the time being to complete the reform in all respects.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask unanimous consent that I may have five minutes more.

Mr. JOHNSON of Mississippi. Reserving the right to object, will the gentleman yield for a question?

Mr. MONDELL. My time has not been extended, and I will say frankly to the gentleman that while I would like to go on, I could not yield to the gentleman until after I had yielded to other gentlemen who have requested me to do so.

The CHAIRMAN. The Chair hears no objection to the request that the gentleman's time be extended five minutes.

Mr. MONDELL. Now, will the gentleman from Mississippi excuse me for a moment until I can complete a rather brief statement?

Mr. JOHNSON of Mississippi. Certainly.

Mr. MONDELL. Then I will be glad to answer these questions.

Under these conditions we took up our work. Having some responsibility in the matter, I took the trouble to say to the members of the Committee on Appropriations that I hoped nothing new in the way of an appropriation not clearly authorized by law would go on their bills; second, that nothing in the way of new legislation should be undertaken on the appropriation bills, no matter how much demand there might be for it; and, third, that in reporting their bills they should, so far as it was possible, eliminate items subject to a point of order not absolutely essential, even though they had been carried on bills in times past.

Manifestly it was not possible, and is not possible, for the legislative committees of the House to bring in at this session complete, thoroughgoing, all-embracing legislation covering the activities of the departments for which we appropriate. The very fact that in the past the committees did not guard their appropriation items with legislative authority is an evidence of how difficult it is to cover them all with substantive legislative provisions. I believed, however, that if the new and enlarged Committee on Appropriations brought in its bills stripped of everything unnecessary, extraneous, and new, this committee was entitled to and would, I hope, receive at least as much consideration on the part of the House as the committees formerly reporting these bills have received. This bill last year came from a committee that had legislative authority to protect its items, but the committee had not protected them with appropriate legislation; and gentlemen, as they will remember, allowed that committee to pass its bill with all those items upon it.

Mr. BLANTON. Oh, no; we had a special rule for them.

Mr. MONDELL. A few items went out, but in the main all these bills passed last year as they have passed year after year, subject to many points of order that were not made. The bills have heretofore been reported by committees that have authority to legislate and thus protect their appropriation items, but they have left many of them unprotected, and the House has been good-natured and kindly and considerate, as I think it should have been, and as I think it should be now. I am not going to impugn the motives of gentlemen——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. I shall not impugn anyone's motives, because I realize the importance of protecting the jurisdiction of the legislative committees.

Mr. CARTER. Will the gentleman yield right there?

Mr. MONDELL. In just a moment. I would approve points of order made against items not essential to the business of the department for which we are appropriating, even though it had been carried on the bill in the past.

Now I yield briefly to the gentleman from Oklahoma.

Mr. CARTER. The gentleman speaks of defending the jurisdiction of the committee. Under the old system that question was not involved when legislative items were brought into the House, but is involved under the new system, and that, in my opinion, is the source of the whole trouble.

Mr. MONDELL. The gentleman knows that in the new Congress legislative committees will have abundant opportunity to bring in legislation covering and providing for the activities of the departments over which they have jurisdiction. If in the special session Members of these committees do perform that duty and make provision for the protection of necessary items, then I think gentlemen will be justified in insisting that the appropriation bills shall not carry items that are not provided for and protected by legislation.

Until the time has come when the committees charged with responsibility and armed with authority have the time to carefully prepare and bring in the legislation that will make necessary items in order, I think we ought to be as considerate of the Appropriations Committee as we have been of the other committees in the past and allow the committee to have its items considered on their merits. Now I yield to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. I agree with the gentleman from Wyoming that this Congress should be as considerate of the Appropriations Committee as they have been of the other Appropriation Committees in the past. But it was distinctly understood, and I believe the gentleman from Wyoming will agree with me, that when that committee was created, that when it began to function in the way it was intended to function, that no legislation should be brought in on an appropriation bill.

Mr. MONDELL. No one has brought in any legislation.

Mr. GARNER. I want to call attention to the fact that there was a special rule brought in for the purpose of making legislation in order on the sundry civil bill, which was indefensible under that agreement. [Applause.] You brought in a rule to put legislation on the sundry civil bill, which was directly in violation of the agreement which you say was made.

Mr. MONDELL. That was done not only on the approval but largely at the suggestion of the legislative committee having the matter in charge. There was a complete understanding with regard to it, and a complete approval of it by the committee that had legislative jurisdiction.

Mr. GARNER. Will the gentleman yield? Let us have this understood. If I understand the gentleman, if this system continues in the House, and when the appropriate committee—the Judiciary Committee or the Naval Affairs Committee or the Military Affairs Committee—shall go out and consider propositions and come back and ask the Rules Committee to make it in order to go on an appropriation bill, the gentleman would favor that system.

Mr. MONDELL. Not at all; the gentleman knows as a practical legislator and an excellent one—he knows perfectly well that it would be utterly impossible for these legislative committees in the time we have in this session of Congress to prepare and bring in and for the House and Senate to pass a complete legislative program to cover these items. It could not be done in the time at our command, and therefore we must bear with the situation for the time being, only insisting that the committees shall not bring in new appropriations or legislative items not essential to the transaction of the business of the country.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SNYDER. Mr. Chairman, I ask that the gentleman have one minute more, in order to answer a question.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SNYDER. In the early part of the gentleman's remarks he used the word "reform" several times. I take it that the gentleman had reference to the Appropriation Committee of 35. What I want to ask the gentleman is under the methods now in use by the Appropriation Committee, wherein does it differ from the legislative appropriation committees that have heretofore been bringing in bills? Wherein is the difference between the activity of one and the activity of the other?

Mr. MONDELL. The gentleman knows that I am not one of those who was absolutely convinced that the single Appropriations Committee was an essential part of the budget reform, but it is true that almost every advocate and student of the budget considers a single Appropriations Committee as an essential part of the system, and I accept that judgment. At least I am convinced that we should, and I am quite certain we shall, try out the single committee in the next Congress. Gentlemen may not have faith in it, but the country expects us to try out this feature of a budget system, and we shall not disappoint the country in this regard.

Mr. BANKHEAD. Mr. Chairman, to-day marks the eightieth birthday of our universally beloved colleague, Maj. CHARLES M. STEDMAN, of North Carolina. [Applause.] I voice the combined sentiment of every Member of this body in extending to him on his anniversary our unreserved and spontaneous congratulations and good wishes. [Applause.] He is the only surviving Member in either branch of Congress of that valiant host of men who fought in the Confederate Army. And while he has never and never will surrender his conviction of the justice of the cause for which he and his comrades endured so much, there is no man in this Republic to-day who loves his whole country with a more profound devotion. [Applause.] We not only felicitate our colleague upon his natal day, but we congratulate the great constituency which he represents and the

Commonwealth which gave him birth upon having in him a representative of lofty ideals and splendid attainments, a spokesman whose heart knows no guile, an exemplar of that none too rare type, an upright Christian gentleman. May God graciously give him yet many years to enjoy the universal confidence, respect, and veneration not only of his own people but of the country at large.

Where Maj. STEDMAN walks, there goes a man. [Applause.]

Mr. SMALL rose.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN (Mr. MANN of Illinois). The gentleman from Massachusetts asks unanimous consent that all debate upon the pending paragraph and all amendments thereto close in five minutes. Is there objection?

Mr. BEGG. Mr. Chairman, I would like to have five minutes.

Mr. ROGERS. Then I modify the request to 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I take the privilege of commenting briefly upon this supposed legislative reform to which the distinguished gentleman from Wyoming [Mr. MONDELL] has referred. I think Congress has, without necessity, abnegated its power to a coterie of men who are not entitled to that distinction. [Applause.] I can say this for two reasons. First, I shall not be a Member of the next Congress; and, second, I think I can express the thoughts of a great many of the majority who might feel embarrassed in expressing their views themselves. It will not work. Take, for instance, the distinguished Committee on Military Affairs, some of the members of which have served long in Congress and have made a profound study of the subjects of which that committee has jurisdiction. With the jurisdiction to make appropriations for the War Department transferred to the Committee on Appropriations, the military bill is referred to a subcommittee composed of five. Assume, if you please, that two members on that subcommittee, or even three, are members of the old Committee on Military Affairs, yet at least two are new to the legislation involved. The subcommittee enter upon the consideration of the estimates or budget and finally bring in the bill. We may credit them with diligence and capacity in the discharge of their duties. They report it to the full Committee on Appropriations. The full committee meets some morning at 10 o'clock or 10.30 o'clock and hear from the chairman of the subcommittee some of the leading outstanding facts connected with the appropriation bill. They then have a little table discussion, and then some one moves to authorize the chairman to report the bill to the House. The full Committee on Appropriations, with the possible exception of the chairman and perhaps a few other diligent members, know nothing more about the military appropriation bill than the average intelligent, diligent Member of the House. The result is that the subcommittees frame these appropriation bills, and the query naturally arises, Who is best equipped to formulate these appropriation bills, a subcommittee of five of the Committee on Appropriations or the Committee on Military Affairs or any other of the committees formerly having jurisdiction of these various subjects, most of whom have given many years of study to the questions involved in the maintenance of the various establishments? I have no doubt in the world that Members in the Sixty-seventh Congress will decline longer to surrender their functions both as Members of the House and as members of these important committees to a subcommittee of the Committee on Appropriations. It is not in the interest of wise legislation. We ought to return to the old plan, and there is no substantial reason why they should not return. A single committee making all appropriations is not an essential of a budget system. I know that theoretical writers have said so, but I am expressing this opinion from the standpoint of a Member of the House who has endeavored to observe legislation here and who believes that the best legislation in the way of appropriation bills for these several activities of the Government can be prepared by committees who have given many years of study to the problems.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. SMALL. Mr. Chairman, I ask unanimous consent to proceed for one minute more, that time not to be taken out of the time already agreed upon.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for one minute more, and that the time for debate be extended for one minute. Is there objection?

There was no objection.

Mr. SMALL. Just to supplement this last thought, it is not necessary to a budget system. I am sure that every Member of this House and every student of the subject will agree that we have acted wisely in having passed a budget bill, which unfortunately and for perhaps a good reason was vetoed, but which I hope will pass in the next Congress or even at this session and become a law. Every student of the subject believes in a budget system, but that budget law, or whatever law may be passed, will be entirely workable and be consistent without one single appropriating committee. Let the appropriations for the activities of the Government be made as they have been made in the past by these separate committees who are prepared and equipped to serve Congress and to serve the country more acceptably than under the present plan. [Applause.]

Mr. BEGG. Mr. Chairman, I had not intended to say anything at this time upon this proposition. I was waiting for a later paragraph, but inasmuch as the subject has been opened by our distinguished leader, the gentleman from Wyoming [Mr. MONDELL], I want to call the attention of the Members of the House to a situation that presents itself particularly upon the Diplomatic and Consular appropriation bill. The argument is presented by those in office that there must be a certain amount of elasticity. There are in this bill two or three items that constitute a cesspool of unauthorized expenditures. Last year I had the opportunity to investigate some of those things myself. This year I was distinctly given to understand that it was not any of my business. Last year in the committee I fought an appropriation for $700,000 for the President of the United States to spend as he saw fit. There were members of the committee who wanted to give him $1,000,000. Every single man on that committee, I think, if the records had been kept, would be shown to be in favor of giving him the full $700,000 save myself. I wanted to make it $200,000, and we compromised after three days of endeavor on $400,000, and I say to you that the Department of State was not handicapped one bit by being compelled to work on $400,000.

The chairman of this subcommittee was last year a member of the Committee on Foreign Affairs, a worthy and competent member. He now brings in a report for $200,000. I want to cut that down. The distinguished leader says, of course, any man reserves the right to offer an amendment that will reduce an appropriation. I have not been here very long, but I have learned that it is just like pulling a molar tooth to do so, because the distinguished gentleman from Wyoming [Mr. MONDELL] himself, if the situation gets to be critical, will jump on the floor and appeal to all our loyal and patriotic principles, to the Republican Party, to stand by the committee, and I am one of the fellows who stand with him when he does that.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BEGG. In a minute. Then the only thing left to do is to make the point of order, and after we make the point of order we get publicly spanked. I do not mind that, because I have been spanked so many times. However, I do not want the public to think any such thing as the leader said, that this is a part of the budget. This is simply one of the blunders of the so-called reform of the budget scheme [applause], and if those who proposed it have not the stamina and courage to undo their mistakes, I say to you that we will be in a worse plight.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BEGG. I am glad to yield to the gentleman.

Mr. MONDELL. The remarks I made have no reference to a point of order that is made for the purpose of getting an item out that a Member thinks should not be in a bill or an indirect way of preventing an increase of an item or possibly eventually securing a decrease. What I had in mind was the making of a point of order against an item to which there was no special objection, simply because it was subject to a point of order. One is a legitimate legislative effect to accomplish what the Member believes ought to be done.

Mr. BEGG. I can not yield any more because my five minutes will be over in a minute. The gentleman's explanation is entirely satisfactory to me. I simply want to call the attention of this House or this committee to the fact that the laws that have been carried in the statute annually, not statute law but temporary law, have been rewritten, reworded, and resalaried without any further investigation than three men have given to them and we have to come in here and O. K. everything. Now I maintain that the people who sent me to Congress did not send me down here to be a poll parrot [applause], and I maintain they want me to investigate the expenditures of my Government just as much as they want me to take the word of the gentleman from Massachusetts, whose word I never doubt; I do not always agree with his judgment, but I do not believe this scheme is conducive to good Government in a democracy. [Applause.]

Mr. CONNALLY. Will the gentleman yield?

Mr. BEGG. I will be glad to yield for a question.

Mr. CONNALLY. The gentleman is a member of the majority party and a member of the Committee on Foreign Affairs. Can he state what that committee has done toward bringing in an authorization——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEGG. Mr. Chairman, I ask unanimous consent that I may have two minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the time for debate be extended two minutes and that he be given those two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BEGG. Now, will the gentleman from Texas repeat the question?

Mr. CONNALLY. The gentleman is a member of the Committee on Foreign Affairs and a member of the majority party. Can he state any reason why that committee does not bring in a bill making an authorization for necessary expenses in order that——

Mr. BEGG. The gentleman from Texas, who is a member of the Committee on Foreign Affairs, knows as well as I know that we have not time to do that, and I am not condemning entirely what has been done, but I do think that men who want to take the responsibility of making points of order on legal grounds under this rule should not be censured nor criticized nor publicly spanked, and as far as I personally am concerned I expect to make a point of order or two if my kind friend from Texas does not do it for me.

Mr. BLANTON. Will the gentleman yield?

Mr. BEGG. But I do not think a man necessarily is gaining anything by wrecking the whole bill and ripping it wide open because—I will yield to the gentleman in a minute—it will come back to us. I know that, and the final result will be that instead of the House legislating it is going to be the other side of the Capitol passing an appropriation bill for us.

The CHAIRMAN. The time of the gentleman has again expired. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

TRANSPORTATION OF DIPLOMATIC AND CONSULAR OFFICERS IN GOING TO AND RETURNING FROM THEIR POSTS.

To pay the itemized and verified statements of the actual and necessary expenses of transportation and subsistence, under such regulations as the Secretary of State may prescribe, of diplomatic and consular officers and clerks in embassies, legations, and consulates and their families and effects in going to and returning from their posts, or when traveling under orders of the Secretary of State, but not including any expense incurred in connection with leaves of absence, $300,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph because of the inclusion of the following matter, which constitutes new legislation on an appropriation bill without any authority of law therefor, namely, in line 20 the word "subsistence"; in line 23 the words "and their families and effects," and to that part of the amount of the appropriation to cover these unauthorized items where the committee has increased the normal appropriation from $50,000 to $300,000.

Mr. ROGERS. Mr. Chairman, this item in identically its present form has been carried in prior appropriation bills, but I make no point of that. The amount is not a statutory amount, and, as a matter of fact, the size of the item for the last fiscal year was $270,000. The recommendation asks for an increase to $300,000, because a change of administration always involves a very considerable increase in the amount of travel.

Mr. BLANTON. And prior to last year it was only $50,000?

Mr. ROGERS. No; that is not true.

Mr. BLANTON. Look in 1917; what was it then?

Mr. ROGERS. In 1915 and 1916 it was $50,000.

Mr. BLANTON. And how much in 1917?

Mr. ROGERS. Nineteen hundred and seventeen, $52,000.

Mr. BLANTON. Fifty thousand dollars, was it not?

Mr. ROGERS. Fifty-two thousand dollars. In 1918 it was $125,000; in 1919 it was $145,000; in 1920 it was $270,000.

Mr. BEE. Will the gentleman yield?

Mr. ROGERS. I will.

Mr. BEE. Do I understand the increase is due to the fact that so many Democrats will be going home after the 4th of March next?

Mr. ROGERS. That is partly the reason.

Mr. BEE. I hope the gentleman from Texas will not object to Democrats having their way paid back home.

Mr. BLANTON. Democrats and Republicans all look alike to the gentleman from Texas when it comes to taking money improperly out of the Treasury.

Mr. ROGERS. Dealing with the actual question presented by the point of order, it is contemplated in the law that our officials in the Diplomatic and Consular Service shall be moved from post to post. As the chairman very well knows our appointments to the Diplomatic and Consular Service are not to a specific post, but as members of a specific class. The Secretary of State has authority, and frequently exercises that authority, to move our diplomatic and consular officers from station to station all over the world. But any increase in class or salary involves a new confirmation by the Senate. An earlier item in this very bill makes provision for the payment of salaries of diplomatic and consular officers while in transit to and from their posts.

In other words the payment of the travel expense account of members of the Diplomatic and Consular Service seems to me to be one of the necessary incidents of the proper maintenance of the service. I therefore contend the item is in order under prior decisions of the Chair on this bill and on other recent appropriation bills.

The CHAIRMAN (Mr. MANN of Illinois). May the Chair ask either of the gentlemen if there is any provision of law limiting what subsequent payments may be made by the Government?

Mr. ROGERS. I am not aware of any such limitation.

The CHAIRMAN. The Chair overrules the point of order, and the Clerk will read.

The Clerk read as follows:

STEAM LAUNCH FOR EMBASSY AT CONSTANTINOPLE.

The unexpended balance of the appropriation of $1,800 for hiring of steam launch for use of embassy at Constantinople made in the Diplomatic and Consular appropriation act for the fiscal year 1921 is reappropriated and made available for the same purpose for the official use of the legation at Constantinople for the fiscal year 1922.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph that there is no law authorizing it.

Mr. BEE. Will the gentleman reserve the point of order?

Mr. BLANTON. In just a moment. I make the point of order that there is no law authorizing the appropriation or reappropriation of $1,800 for a steam launch at Constantinople. That was merely an unauthorized provision carried in the appropriation bill of last year. There is no authority of law for it.

Mr. ROGERS. Mr. Chairman, I freely admit that there is no substantive statute upon which this item is based. It has been carried for many years—since 1892, I believe—but I make no point of that. My contention on this item, as on the preceding item and on the contingent-expense item, is that this is a natural and proper instrumentality for carrying on the service of the United States at a particular post. In the case of Constantinople, the summer quarters of the embassy are some distance out in the country.

The climate of that city is such that all the diplomatic representatives of other countries as well as of our own country simply have to get away from the heat and transact their business in the summer at what is called the summer capital of Therapia. The journey to Therapia is necessarily by water. This item would have been in order if carried in the contingent-fund paragraph, and it bears a very close resemblance and analogy to the items which are specifically set forth and held permissible under the contingent fund. I submit to the Chair that there should be no less authority for carrying the item, because we carry it separately, so that the committee may see at once the precise purpose which is contemplated in connection with the use of this $1,800.

The CHAIRMAN. The Chair thinks that is an incident connected with the embassy quite within the power of Congress to appropriate for without specific authorization, the same as for the purchase of pens and ink, or anything else necessary for the conduct of the embassy. The Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I just wanted to suggest to the Chair the line of argument that has been made from time to time with respect to unauthorized provisions for automobiles. Would not an automobile and a steam launch stand almost on the same footing?

The CHAIRMAN. That is a question that is not before the Chair at this time.

Mr. BEE. Mr. Chairman, I am not going to detain the committee, but my understanding of this item is that it is one that has been carried for many, many years; that the conditions at Constantinople are such that a steam yacht, as the gentleman from Massachusetts [Mr. ROGERS] has stated, is absolutely essential to the transaction of the business. We do not pay these men enough, anyway, and therefore a rich man has to be appointed to the office, and this is merely a reduction of the

expense that would fall upon the minister from this country to Turkey unless such provision is made. Because in going back and forth to his duties in the peculiar situation prevailing there it is essential that this steam yacht be used. And I hope there will be no objection to the item.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE.

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States, and to meet the necessary expenses attendant upon the execution of the neutrality act, to be expended pursuant to the requirement of section 291 of the Revised Statutes, $200,000, together with the unexpended balance of the appropriation made for this object for the fiscal year 1921, which is hereby reappropriated and made available for this purpose.

Mr. CONNALLY. Mr. Chairman, I offer an amendment to strike out "together with the unexpended balance of the appropriation made for this object for the fiscal year 1921."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY: Page 9, line 9, strike out the remainder of the paragraph.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, the practice of carrying items in appropriation bills reappropriating unexpended balances is a very reprehensible and unwise practice. It does not convey to the membership of the House the real facts as to how much money a bill is appropriating, and it makes possible a showing of apparent savings which are not, in fact, true. Now, the gentlemen on the majority side of the House have adopted a practice of reappropriating unexpended balances and not carrying those items forward into their footings, and they go before the country with a great blare of trumpets professing to be really retrenching appropriations when, as a matter of fact, in many instances that is not the case.

Now, as to this particular item, I want to call the attention of the committee to the fact that prior to the war, in 1914, this sum was only $50,000 for the President's emergency fund. In 1916 it was only $75,000. Of course, during the existence of the war it was necessary to greatly increase this item, because the President was required in carrying on the diplomatic affairs of the Government during those troublous times to send a great many representatives to most of the countries of Europe. But that necessity is now passed, and there is no reason for appropriating a large sum to the President for what is known as the secret fund. Now, it is true that the incoming President perhaps will need more than the $50,000 or more than $75,000 appropriated before the war for financing an international scheme or plan which he may have in mind for bringing about an association of nations. And that is one reason I have not offered an amendment to cut it down to $75,000, as it was before the war.

Mr. BEGG. Will the gentleman yield?

Mr. CONNALLY. I will yield.

Mr. BEGG. Has not the gentleman somewhat changed his position from that of a year ago, when he was in favor of making it $700,000?

Mr. CONNALLY. I will say to the gentleman from Ohio that I do not recall for what amount I voted in the committee a year ago, but I will say to the gentleman that a year ago the condition of the world's foreign affairs and the foreign affairs of this Nation were in quite a different state from what they are to-day.

At that time this Nation was still negotiating with the other nations of the world for the purpose of bringing about some international agreement in behalf of peace and the settlement of international disputes by some tribunal, and it was necessary to have a fund of this kind in a large proportion, because the war, in addition to that, had left a great many diplomatic questions unsettled. My chief objection is to the habit this House has adopted of appropriating unexpended balances, when nobody on the floor, save perhaps the chairman of the committee, knows how much money is in the unexpended balance. For that reason I believe that $200,000 will be ample during the coming year in the hands of the new President in carrying on any negotiations that he may see fit to pursue in bringing about an association of nations, which he has announced to the world is his purpose during the early days of his tenure of office. Two hundred thousand dollars, gentlemen of the committee, is sufficient for this item.

Mr. ROGERS. Mr. Chairman, I desire to oppose the amendment, and I earnestly hope it will be defeated.

I do not sympathize, on general principles, with the practice of carrying unexpended balances; but during the eight years I have been on the Committee on Foreign Affairs, and I think the gentleman from Texas [Mr. CONNALLY] has been on the committee the same length of time——

Mr. CONNALLY. Four years.

Mr. ROGERS. This particular unexpended balance of appropriation has been carried without exception year after year. The amount of the unexpended balance that will be available on June 30 next is problematical, because you can not predict what emergencies will arise in the Diplomatic and Consular Service between now and the 30th day of June.

Let me suggest the sort of items that this appropriation is intended to care for. There have, within the last few weeks, come reports from many of the important emigration centers of Europe that wholesale passport frauds are being perpetrated by organized gangs of men who seek to counterfeit passports and our visés and our stamps, and so on, in order to enable immigrants who would not otherwise be permitted to come to the United States to get, by fraud, the apparent sanction of law.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Just in one moment. In order to ferret out those frauds and suppress them, as the welfare of this country certainly requires, it is necessary for the department to have a fund on which it can call in order to send forth agents, investigators—detectives, if you like—to go into cases of that kind and try to put a stop to the practice.

That is the sort of thing that is dealt with in this item. There are many others. But it strikes me that it is not at all wise to reduce the item below the figure which the committee recommends.

The gentleman from Texas [Mr. CONNALLY] was not quite accurate in his statement as to the amount which has been available in this particular fund in recent years. Going back to 1912 there was $90,000 appropriated; in 1913, $97,000; in 1914 it got down to $75,000; and in 1915 it was placed at $125,000; in 1916, at $211,000; in 1917, $310,000; in 1918, $230,000; in 1919, $722,000; in 1920, $300,000; and for the current year, $400,000. The Department of State asked for $400,000 for the ensuing fiscal year. We thought they ought not to have that amount of money. At the same time we recognized that the problems which grew out of the administration of the fund have not ended, even though the war has ended, and that we ought to give a sufficient amount to protect the country in these important matters, which can not be segregated or specifically described or even foreseen in an appropriation bill.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. CONNALLY. Does the gentleman from Massachusetts, who is in charge of this bill, admit that he does not know how much the unexpended balance is?

Mr. ROGERS. No one can tell what the unexpended balance will be next June 30.

Mr. CONNALLY. Has the gentleman any idea?

Mr. ROGERS. I have an idea that it may be from $50,000 to $75,000. But the emergencies have not yet arisen for which we may have occasion to utilize this item.

Mr. CONNALLY. I understand that the gentleman, who has prepared this bill, largely himself, brings in here a bill without knowing how much it appropriates.

Mr. ROGERS. The gentleman, I know, does not mean to be unfair. How can an unexpended balance for the fiscal year ending June 30, 1921, be stated, or rather prophesied, with confidence in January, 1921?

Mr. CONNALLY. Does the gentleman know what the present unexpended balance is?

Mr. ROGERS. Yes. The approximate present unexpended balance I can give the gentleman. There was between $300,000 and $400,000 unexpended on January 1. There was available on July 1 $644,000, and $264,000 has been expended since that time.

Mr. CONNALLY. Why does not the gentleman strike out the unexpended balance, and simply make an appropriation of a sum sufficient for this service, without keeping the House and the country in the dark as to how much we are appropriating in this bill?

Mr. ROGERS. I think there is no objection to that. There is much to be said in its favor. But the Committee on Appropriations this year has simply been following the practice which the gentleman from Texas has subscribed to, apparently, during a period of several years.

Mr. CONNALLY. I would say to the gentleman that that is not exactly a fair statement of the facts.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

Mr. BEGG. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

Mr. McCLINTIC. Mr. Chairman, there are only about 50 Members present. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present.

Mr. ROGERS. Mr. Chairman, I move that the committee do now rise, and on that motion I ask for tellers.

The CHAIRMAN. The gentleman from Massachusetts moves that the committee do now rise, and on that motion he demands tellers.

Tellers were ordered; and the Chairman appointed Mr. ROGERS and Mr. McCLINTIC to act as tellers.

The committee divided; and the tellers reported—ayes 3, noes 98.

The CHAIRMAN (Mr. TOWNER). On this vote the ayes are 3 and the noes are 98. A quorum is present. The motion to rise is lost. The Clerk will read.

Mr. BEGG. Mr. Chairman, I would like to say to the House that I think there is no question but that this item is subject to a point of order. But I think there are good reasons why there should be an emergency fund of a certain amount, and hence I have refrained from making a point of order against it. But I want to call the attention of the committee to the fact that this item of $200,000, instead of $75,000 or $90,000 or $100,000, is being appropriated on the sole evidence of the Assistant Secretary of State, Mr. Davis, who said, "No, sir" to a question by the gentleman from Massachusetts when he said, "Of course you could not get along with any less?" Mr. Davis said "No, sir," and of course then they gave him the whole amount. I call the attention of the House to the fact that last year the Department of State said they could not function without $700,000. Finally, because there was a weapon of a point of order that could be used, they received $400,000, and they did function, and the distinguished chairman of this committee, Mr. ROGERS, says that they are liable to have from $75,000 to $100,000 left. Now, I am only offering this amendment to see if it is possible to get an item reduced when the chairman of the committee wants to have it put in, when there is not a single word of evidence in the testimony to justify it.

Mr. ROGERS. Will the gentleman yield?

Mr. BEGG. I will be glad to let the gentleman have an opportunity to reply in his own time.

Mr. ROGERS. Just on a question of fact. Did I understand the gentleman to say that the committee recommended in the bill what the department asked?

Mr. BEGG. No; I did not say that.

Mr. ROGERS. Because we cut it from $400,000 to $200,000.

Mr. BEGG. I did not mean to say you had given them all they asked. In reply to your question they said they could not get along without $400,000, and you arbitrarily gave them $200,000. Last year they said they required $700,000, and they received $400,000, and they got along and will have $100,000 left. Now, what are the emergencies that will arise? Why, no man in this House knows, and I claim it is a temptation for corruption; if it is not actually so and has not been in the past there is a great likelihood of it being developed when $200,000, $300,000, or $400,000 can be spent for which the Members of Congress can not see the vouchers. I say to you that as a member of the Foreign Affairs Committee I asked to see the vouchers and was denied. I do not intend to vote for appropriations that nobody knows anything about.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. BEGG. I will not yield. I know that a subcommittee of the Foreign Affairs Committee was appointed, consisting of three members, and I know they went down there, and I know they can not tell where the money went. They saw only a part of it, and if this country knows that we are appropriating sums of money like this in time of peace they will not approve it. I would not oppose a proposition of this kind in time of war. I would give them $1,000,000 or $1,000,000,000 if they needed it, but in time of peace there are no emergencies arising that can not be handled by this body calling for the expenditure of $200,000 if you are playing fair with the people and with the other countries.

Now, the fact is that Secretary of State Lansing halfway admitted that they used this money to send secret agents over to Europe during the very time that President Wilson was advocating and trying to put across the proposition of open covenants openly arrived at. During that very time he wanted a special fund of $700,000. I know that Mr. Harding does not want any great sum of money for emergencies. He has been in Congress, and he knows that if an emergency threatens this country he can get all the money he wants, and get it without any delay. As far as being swamped with passports is concerned, that is mere talk to get this fund increased; and I want to say to the gentleman that if the next appropriation bill brings in an item like this I will make a point of order against it. I did not do it this time. I had the right and unquestionably could have made it stick, but I did not do it; but I want to see if it is possible to reduce an appropriation that three men asked for on no testimony whatever except the statement of a man in official life. There is not a line of reason, and I defy any man in this body to go to the State Department and justify the expenditure of even $100,000.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the gentleman's amendment. The gentleman from Ohio [Mr. BEGG] admitted that he had been spanked from the floor of the House by his majority leader. Under such whip and spur I am afraid his little protesting flurry that he has made here is going to put him in the position of being guilty of lese majeste. However, I am not in his situation. I am a kind of a free lance, and I am not afraid of being so scolded.

The gentleman said that the purpose of his amendment was to see if there was a chance ever in this House to cut down a committee appropriation. I want to tell him that there is not by vote. I have tried it before. There is only one way to cut, and that is by point of order. Now, if it were to put something in the bill, there would be ample opportunity for him to be successful. If he sought to enlarge it or to put a new item in it he would have a fine chance of success; because he will remember that in the last bill under consideration, the Agriculture appropriation bill, there was an item of $360,000 for garden seeds put back in the bill after we had voted it out by a vote of the House. After sleeping on it overnight and trading around among the Members, after they had made trades, $360,000 garden seeds for $1,000,000 mountain tops, they came in the next morning and defeated the proposition to save that money and voted it back into the bill, and the fellows who got their garden seeds turned around with the mountain-top fellows and voted $1,000,000 for mountain tops back into the bill, which had theretofore been knocked out on my point of order. But I will tell you, I know how the gentleman from Ohio feels. He feels like he is not getting anywhere in trying to save the money for the people, because, whether the committee of five Members that framed the bill are right or wrong, their judgment being based upon just such flimsy testimony as the gentleman has shown here for this item, it is impossible for the other 430 Members of Congress to change the decision of the committee. Not that the committee know any more about it than we do, because they do not, but just because it is the action of the committee you have got to stand by the committee, and that is the way the people's money goes.

Mr. CARTER. Mr. Chairman, I move to strike out the last word.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. CARTER. Mr. Chairman, in my opinion, so long as Congress continues to do business and to do so intelligently, the House and the Committee of the Whole must necessarily rely to a large extent upon the judgment of the gentlemen on both sides of the House having the bill in charge who are members of the committee reporting the bill. Therefore I find no fault with the majority side of the House on that account as I did not when the majority was on the other side of the Chamber for relying on their committees in the absence of some direct information which would lead them to do otherwise.

But I do want to add just a word with reference to the method of appropriating money that is now employed by the House, as compared to that in former days. The gentleman from North Carolina has very aptly said that the mere fact of concentrating appropriations in one committee is no part of a budget system, and in my opinion it is not a necessary part of any plan for economy. There is a plan which I presume practically every Member of the House has given more or less consideration to, therefore I call attention to it, not because it is something new but because I believe it will properly and effectively limit and hold down appropriations. Let us have a real budget committee, with authority to limit the amount any committee may appropriate in any appropriation bill, and that will be a step toward real economy, which while actually limiting appropriations will not limit or curtail the rights and privileges of individual Members.

Mr. CONNALLY. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. CONNALLY. Suppose the committee is allotted $10,000,000 and brings in a bill amounting to $10,000,000, could the Members on the floor add to it?

Mr. CARTER. The Members on the floor can add to it by cutting off other amounts that they think is unnecessary in the bill. But it would make any amount over and above the amount limited by this budget committee subject to a point of order, the same as if it was not authorized by law.

Mr. CONNALLY. Will the gentleman yield again?

Mr. CARTER. Yes.

Mr. CONNALLY. Suppose the amendment should be adopted; then in that legislative bill some item would have to be knocked out.

Mr. CARTER. I was discussing appropriation bills and not the legslative bills.

Mr. CONNALLY. Suppose the committee allotted $10,000,000 and brings in a bill with a total amount of $10,000,000——

Mr. CARTER. It would not necessarily have to do that. If it was doing its duty, the committee would not necessarily come in with the maximum allowed.

Mr. CONNALLY. They generally exceed the maximum.

Mr. CARTER. The gentleman is mistaken about that. Committees have not exceeded maximums in the past for the reason that there has been no limitation whatever. The committees have done fairly well in the past and are doing fairly well now. But what I want to emphasize is that the bills are passed upon by only five men or less, whereas under the past system they had consideration by committees of 21 members. When they come to the Appropriations Committee the bill is now referred to a subcommittee of five. Very often, I am sure, the bill is considered without a majority of the five being in the committee room, and some of them without past experience concerning matters under consideration. So that where in the past we had consideration by 21 men, who at least were supposed to have studied the question and be somewhat expert, you now have consideration by five, or less than five, some of them never having dealt with the items before. So the question that naturally arises is, are five men, some without previous experience, more competent to pass upon these items and recommend them to the House than 21 experienced men; and if so, why not 10 men more competent to run Congress than 435 men?

Mr. ANDERSON. Has it not been the practice under the old system of different committees to refer an appropriation bill to a subcommittee of five?

Mr. CARTER. In some committees it has and some it has not. Some committees have considered these bills by the whole committee only without reference to subcommittees, while others have first utilized the subcommittees, and still others have referred the bills to subcommittees, giving all members of the committees the privilege of serving on the subcommittee, but whatever method may have prevailed with reference to that the bill was always given careful detail consideration by the entire committee of 21 members before presented to the House. The present procedure, as I understand, is that the bill is reported by the subcommittee, an explanation made by the chairman of the subcommittee, whereupon the bill is reported by the Committee on Appropriations without even reading the bill. So it must be conceded that there is no real consideration by the real Appropriations Committee consisting of 35 members, such as was given these matters by former committees of 21 members.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. BEGG) there were 11 ayes and 17 noes.

So the amendment was rejected.

The Clerk read as follows:

ALLOWANCE TO WIDOWS OR HEIRS OF DIPLOMATIC OR CONSULAR OFFICERS WHO DIED ABROAD.

Payment under the provisions of section 1749 of the Revised Statutes of the United States to the widows or heirs at law of diplomatic or consular officers of the United States dying in foreign countries in the discharge of their duties, $2,500

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word. I do so for the purpose of making some observations with reference to the functioning of the great Appropriations Committee of the House, a section of which is presenting this bill to the House. I do this in no partisan spirit. I do not criticize the good purpose of the Appropriations Committee, nor do I question the ability of the gentleman from Massachusetts [Mr. ROGERS], who so ably, from every standpoint, is submitting this bill to the judgment of the House. But the fact is that this bill has not been reported to the House by the Appropriations Committee upon the responsibility of the judgment of the several members of that committee, based upon detailed, mature consideration of its provisions by the membership of that committee. I question no one's motives nor the earnestness of effort on the part of the Appropriations Committee, but I do challenge the wisdom of the plan and assert the unworkableness of the plan. It is not humanly possible for the members of the Appropriations Committee to go into the details of these appropriation bills.

This plan, as the gentleman from South Carolina [Mr. SMALL] has just observed, is not necessary to the operation of the principle of the budget plan. This Appropriations Committee is composed of a larger number than any other committee heretofore exercising jurisdiction over matters of appropriations has ever had, but instead of the present plan of increasing the number of those who inquire into the details of legislative need for the expenditure of public money we have decreased their number.

It is perfectly evident that the members of the general Appropriations Committee can not acquire sufficient personal knowledge as to the details of the needs of all the various departments of the Government to have an independent judgment as to whether or not the particular items of appropriation should be incorporated in the appropriation bills for these departments. Besides, Mr. Chairman, there is such an intimate relationship between the work of the departments, their general legislative needs, and their money requirements that they can not be dealt with by separate committees without duplication of committee work and, in a most definite degree, without duplication of legislative consideration. Whether a given thing should be undertaken so frequently depends upon what it will cost that the venture and the cost of the venture should be considered at the same time by a committee of specialists with regard to that department. And sometimes it is expedient for the Congress to consider them at the same time. I know this suggestion is in conflict with the general idea that legislation should not be on appropriation bills, but there is a definite advantage in preserving the legislative possibility of putting some incidental and emergency legislation upon appropriation bills, reserving, as now, to each Member of the House the right to strike it from the bill upon a point of order. But with the legislative committees and the Appropriations Committee in conflict as to jurisdiction that advantage will be lost.

Now, what has happened? We find here in charge of this bill two or three members of the general Appropriations Committee. As a matter of fact, there is in charge of this bill one member, the gentleman from Massachusetts [Mr. ROGERS], a former member of the Committee on Foreign Affairs, the committee which formerly had jurisdiction over both the general legislation and over appropriations dealing with the Consular and Diplomatic Service. The same situation obtained with reference to the Agricultural appropriation bill recently passed by the House. In that case the gentleman from Minnesota [Mr. ANDERSON], formerly a member of the Agricultural Committee, was in charge.

It is perfectly evident that the Appropriations Committee, in order to function at all, has been compelled to draft Members who acquired the necessary knowledge while they served on these other committees of the House. What will be the situation when this knowledge which they acquired while serving on these other committees shall have become antiquated?

Not only is this bill not in charge of the Appropriations Committee as such, but there is nothing to justify the assumption that it has been reported to the House upon the responsibility of the independent judgment of the members of the Appropriations Committee, based upon detailed, independent knowledge of the several items in this appropriation bill.

I do not say this in criticism either of their purpose or ability. I am criticizing the plan. It is perfectly obvious that it is not humanely possible for these gentlemen, who constitute the general Appropriations Committee, to go into detailed inquiry with regard to the items in the bills which they report. The House must have committees and Members of the House must largely follow these committees and depend upon their knowledge acquired and upon their judgment. As between the two plans, it seems to me judgment should be based upon whether or not it is better to have an investigation conducted and a bill drawn by from three to five Members of the House or to have the investigation conducted by 21 Members of the House; whether it is better to have this little committee, which of necessity is in personal touch with from three to five constituencies in the Nation, possibly all from one section, or a committee in touch with 21 constituencies representing different sections; whether it is better that the committee which reports these appropriation

bills shall, each member of it, have full time and opportunity to familiarize himself with every detail of the legislation, or to have one committee reporting all the bills which, in the very nature of things, can not know as a committee whether or not the details which make up the appropriation items should or should not be incorporated in the bill.

When formerly this appropriation bill came from the Committee on Foreign Affairs it came from a committee that primarily had to do with only one department of the Government. It could specialize and did specialize, and because it could specialize and did specialize, and had full opportunity to know what it was recommending to the House, Members of the House, when they came to vote upon a proposition concerning which they could not themselves have detailed information, had the advantage of the judgment of 21 of their colleagues coming from every section of the country, who, at least, had had the opportunity to go into every phase of the matter touched by the proposed legislation.

The fact that the knowledge acquired by such a Member having to do only with one of the great departments of the Government, a Member who had a chance to specialize, has caused him to be placed in charge of this bill is highly persuasive.

A moment ago the distinguished gentleman from Massachusetts [Mr. ROGERS], in charge of the bill, yielded to the mild imputations of my colleague from Texas [Mr. CONNALLY] that he, the gentleman in charge of the bill, wrote it. I know of no better individual to write this bill than the distinguished gentleman from Massachusetts. I would follow his judgment as quickly as I would follow the judgment of any other gentleman in the House, but when a bill comes in here upon the floor of the House and I am asked to follow the judgment of the committee I want to know that the bill has been submitted to the collective judgment of a considerable group of gentlemen.

This plan has broken down because it is fundamentally impossible from the standpoint of the limitations upon what is humanly possible. There is no use trying to deceive ourselves about the matter. These bills which we are called upon to enact into law represent not the independent and, in detail, advised judgment of the committee which reports them but represents primarily the judgment of from three to five gentlemen of the House, and in the main represents, I believe, the judgment of that member of the Appropriations Committee given charge of the bill, who formerly served upon the committee which heretofore had committee jurisdiction over the legislative matters and many appropriations of the department being appropriated for. If one member formerly of that committee, by reason of his service on that Committee on Foreign Affairs, acquired knowledge which so permanently, as compared with his present committee colleagues, fitted him to draft and present this bill, why should the House not have the benefit of the judgment and the assistance of the other members of the Committee on Foreign Affairs in the drafting and presentation of this appropriation bill?

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY and Mr. MADDEN rose.

Mr. CONNALLY. I rise against the amendment.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes.

Mr. GARD. Mr. Chairman, is it not the procedure of the committee that once the gentleman from Texas [Mr. CONNALLY] has been recognized, he is entitled to the floor?

The CHAIRMAN. That is true. The gentleman from Texas is recognized.

Mr. CONNALLY. Mr. Chairman, we have heard a great deal of criticism of the rule under which the House is now operating with reference to a Committee on Appropriations composed of 35 members. I was a member of an appropriating committee until this rule was adopted, but I am not one of those who are now undertaking to impede legislation by driving tacks in the tires and pouring water into the carbureter. I believe this House ought to give this system of one appropriating committee a trial and a fair chance. I submit that up to this time it has not had a fair opportunity to demonstrate its usefulness. The complaint is made that bills coming from the Appropriations Committee under the present system—and I am not a member of that committee—are not well considered, that they are considered only by a subcommittee; but, gentlemen of the House, whether they are considered by the whole committee or not, the responsibility is upon the whole committee when it approves the findings of the subcommittee and brings the bill before this House.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. In a moment. I remember the remarks of the gentleman from Oklahoma, and I can not forget that he is a member of the important Committee on Indian Affairs, and was lately the chairman of that committee. I do not blame the gentleman from Oklahoma for feeling somewhat displeased at the fact that his committee has been deprived of the appropriating power, but in that connection I want to submit this general observation: In this House, as it is constituted and under its rules, selection to places on committees generally is controlled by the predilections and desires of gentlemen who are selected for the committees. For instance, a gentleman who lives in the West, where the Government has considerable public lands to be disposed of, frequently wants to get on the Committee on Public Lands; a gentleman who lives in Oklahoma, where the Indians are located, wants to get on the Committee on Indian Affairs.

A gentleman is selected on the Committee on Naval Affairs because he has predilection for the Navy. What is the result? The result soon is that they become "bugs" on the particular matter with which their committee deals. The naval committeeman soon grows into the belief that the Navy is the most important arm of the Government, and that we ought to have the greatest Navy in the world. The Member who gets on the Committee on Military Affairs, where he associates with Chiefs of Staff and Secretaries of War, soon gets of the opinion that the Army is the outstanding branch of this Government. I believe that this system of one appropriating committee is entitled to a fair trial, because, after all, the membership of this House in the Committee of the Whole House, which is the chief forum at last, has absolute control over the Appropriations Committee and can strike from the bill or add to the bill items under the rules of this House.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. CARTER. If the gentleman thinks that a responsibility distributed among 21 will make "bugs" of them, how much greater "bugs" will they become if you concentrate that responsibility in a subcommittee of five?

Mr. CONNALLY. I will say to the gentleman that that question is rather artfully put, but it will not bear examination. The fact is that his Committee on Indian Affairs submitted the appropriation bill to a subcommittee of five, and three of that five had the right to control the decision of the subcommittee. The work of that subcommittee was then reported to the Committee on Indian Affairs of 21. Why is the analogy not just the same in respect to the Appropriations Committee submitting the bill to a subcommittee of five and it then being O. K'd not by 21 but by a membership of the Committee on Appropriations of 35?

Mr. CARTER. I would like to answer the gentleman's question.

Mr. CONNALLY. I said that the gentleman's question did not bear examination.

Mr. CARTER. But the gentleman is asking why.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

Mr. CARTER. Mr. Chairman, reserving the right to object, I would like to ask the gentleman a question.

Mr. CONNALLY. I can not yield if I have only two minutes.

Mr. CARTER. The gentleman is not yielding out of the two minutes. I yielded to the gentleman every time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CARTER. The gentleman wants to know the difference between a subcommittee of five on one of the old appropriating committees and a subcommittee of five on the new committee. It is just this: Under the old plan, as I explained a moment ago, the bill was brought in and every item was considered by the whole committee, whereas now the Committee on Appropriations does not consider any particular item in the bill.

Mr. CONNALLY. I will say to the gentleman that that will not bear examination, because if the 35 members of the Committee on Appropriations who are under oath as Members of this body and who are under an obligation to perform a certain duty as members of the committee, fail to examine these bills, then that is simply a breach of duty on the part of the

Appropriations Committee and does not go to the merits of the system at all.

Mr. CARTER. It will not be humanly possible.

Mr. CONNALLY. It does not go to the merits of the system to speak of subcommittees. Under the old system, instead of the subcommittee deciding this matter, very frequently it was the chairman of the particular committee who dominated and controlled the committee and the appropriations from that committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS. Mr. Chairman, I move that debate on this paragraph close in eight minutes.

The CHAIRMAN. The gentleman from Massachusetts moves that all debate on this paragraph close in eight minutes.

The question was taken, and the Chair announced he was in doubt.

The committee again divided; and there were—ayes 38, noes 6.

So the motion was agreed to.

Mr. McCLINTIC. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. ROGERS. Mr. Chairman, I move that the committee do now rise, and on that I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers [Mr. ROGERS and Mr. McCLINTIC] reported that there were—ayes 3, noes 83.

The CHAIRMAN. A quorum of the committee is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Fisher	Linthicum	Riordan
Aswell	Flood	Little	Robinson, N. C.
Babka	Gallagher	Lonergan	Rodenberg
Bacharach	Gallivan	Lufkin	Rose
Baer	Gandy	McCulloch	Rowan
Bell	Ganly	McFadden	Rubey
Benson	Glynn	McGlennon	Rucker
Blackmon	Godwin, N. C.	McKenzie	Sabath
Bland, Ind.	Goldfogle	McKiniry	Sanders, Ind.
Bland, Mo.	Good	McKinley	Sanders, N. Y.
Bowers	Goodall	McLane	Sanford
Brinson	Goodwin, Ark.	McLaughlin, Mich.	Schall
Britten	Goodykoontz	McLaughlin, Nebr.	Scully
Brumbaugh	Gould	MacGregor	Siegel
Butler	Graham, Pa.	Maher	Sims
Byrnes, S. C.	Greene, Vt.	Major	Sisson
Byrns, Tenn.	Griest	Mann, S. C.	Slemp
Caldwell	Griffin	Mead	Smith, Mich.
Campbell, Pa.	Hamill	Merritt	Smith, N. Y.
Candler	Hardy, Colo.	Milligan	Snell
Cantrill	Harreld	Montague	Snyder
Caraway	Harrison	Moon	Steele
Carew	Haugen	Mooney	Steenerson
Casey	Hayden	Moores, Ind.	Stephens, Miss.
Clark, Fla.	Hill	Morin	Stiness
Classon	Hoey	Mott	Sullivan
Cooper	Holland	Mudd	Sweet
Copley	Hulings	Murphy	Tague
Costello	Hull, Tenn.	Neely	Taylor, Ark.
Crowther	Humphreys	Nelson, Wis.	Tincher
Cullen	Hutchinson	Nicholls	Tinkham
Currie, Mich.	Jacoway	Nolan	Treadway
Dempsey	James, Mich.	O'Connell	Upshaw
Dent	James, Va.	Olney	Vaile
Dewalt	Johnson, Ky.	Parker	Vare
Dominick	Johnson, Miss.	Patterson	Voigt
Donovan	Johnston, N. Y.	Pell	Volk
Dooling	Kahn	Perlman	Ward
Drewry	Kelley, Mich.	Purnell	Whaley
Dupré	Kennedy, Iowa	Radcliffe	Wilson, Ill.
Eagle	Kennedy, R. I.	Rainey, Ala.	Wise
Edmonds	Kettner	Rainey, Henry T.	Wood, Ind.
Elliott	Kincheloe	Rainey, John W.	Wright
Emerson	Kitchin	Ramsey	Yates
Evans, Nev.	Kreider	Ramseyer	Young, Tex.
Ferris	Langley	Ransley	
Fess	Lee, Ga.	Reed, W. Va.	
Fish	Lesher	Riddick	

The committee rose; and the Speaker having resumed the chair, Mr. TOWNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15872, finding itself without a quorum, under the rules he directed the roll to be called. Thereupon 233 Members responded to their names, a quorum, and he reported the list of absentees to be entered upon the Journal.

The SPEAKER. The committee will resume its session.

Mr. MADDEN. Mr. Chairman, a few moments ago the gentleman from Texas [Mr. SUMNERS] made the statement that no responsible action on any of these appropriation bills was taken by the full Committee on Appropriations. He also said that the full committee to whom the subcommittee reports was not in possession of any information on the subjects reported to it, and in addition to that he said that the system has broken down. I deny each of those statements categorically. First, the Committee on Appropriations does as a whole act upon its own responsibility on every bill that comes to this House from the committee. Second, every member of the Committee on Appropriations has knowledge of the facts contained in the reports made by the subcommittee.

Mr. WILLIAMS. Will the gentleman yield for a question?

Mr. MADDEN. I can not yield now. I deny that the system has broken down.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. MADDEN. I decline to yield at present. Of course we all realize, Mr. Chairman and gentlemen, that the House is responsible for the final action on every appropriation bill. Nobody denies the right of any Member of the House to offer an amendment or to make points of order. The rules of the House are the same under the present system in respect to the question of legislation on appropriation bills as they were before the system was adopted. There has been no change whatever. I deny that except in a very few instances where it seemed to be essential to the administration of the fund to be appropriated that any legislation has been carried on any of these appropriation bills. I want to call the attention of the committee to the fact that these bills are in the language carried in most instances for years, and that there was no objection whatever to the language until it seemed to some Members of the House that one committee of the House had been given power more than they thought they should have.

Mr. CONNALLY. Will the gentleman yield?

Mr. MADDEN. I will yield in a short time. There is not a member of the Committee on Appropriations, so far as I know, who wants to arrogate to himself any power except the power to function with which he is charged by reason of his appointment. Of course I realize, everybody realizes, that we have not entered upon a budget system complete. Everybody knows that we can not do that until the executive branch of the Government is charged with the responsibility of reporting a budget and, pending that, the Committee on Appropriations has done its best to carry out the will of the House. How well have they done it? On the sundry civil appropriation bill, which was passed a short time ago, we reported $402,000,000 less than the estimates of the department. On the Army bill just reported, we come here with $369,000,000 less——

Mr. WILLIAMS. Will the gentleman yield there?

Mr. MADDEN. I will.

Mr. WILLIAMS. Did not we reduce the estimates more than that on each of the bills a year ago when the other system was working?

Mr. MADDEN. We reduced it because the estimates were larger then than now. To say that the committee is not functioning, that it takes no responsible action, is to state what is not the fact.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. SUMNERS of Texas. If it would not be an impertinent inquiry, I would like to ask the gentleman how much consideration to this particular bill did the whole Committee on Appropriations give?

Mr. MADDEN. This particular bill had the consideration for about two hours by the whole committee, and it, I want to say to the gentleman, struck several items from the bill as it was reported by the subcommittee. Now, I decline to yield further. I will yield to the gentleman from Texas.

Mr. CONNALLY. The gentleman from Illinois knows that I am in sympathy with this plan?

Mr. MADDEN. Certainly.

Mr. CONNALLY. The gentleman from Illinois is a member of the Appropriations Committee of 35, and also a member of the majority steering committee. Will the gentleman give the House any assurance that the various legislative committees are now preparing authorizations for submission to the next Congress, and if they intend to do anything along that line, so that we will not have this unnecessary delay?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. I can only say in respect to the inquiry that in the consideration of the appropriation bill for the Post Office Department by the subcommittee on which I served we developed a great deal of what we thought was necessary legislation that should be enacted. When we completed the preparation of the appropriation bill we prepared a bill which embodied the legislation. We sent that to the Committee on the Post Office and Post Roads. That committee took part of that legislation and put it into a bill of their own and added other legislation to

it, and the bill is now on the Calendar of the House. If every one of these other legislative committees would do the same thing there would be no reason for any complaint. There is no reason now for any complaint. There never has been a time in the history of this House when such progress has been made on appropriation bills. There never has been a session in the history of my long experience here when we have made as rapid progress. There never has been a time when we have been going to the extent to economize that we have recently, and there never was a time when economy was more needed than now.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. I decline to yield just now. I have a few things I desire to say.

We hope in a day or two to report the naval bill, and we hope to be able to say to the House that we have saved $300,000,000 over the estimates. We passed the legislative bill, and we have provided for 12,500 less places in the legislative bill than were estimated for.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I want to know whom the distinguished committee chairman is chastising?

Mr. MADDEN. The gentleman has no right to make a point of order like that.

This bill carries $1,500,000 less than the bill of last year, and gentlemen have been opposed to every line in the bill. If we have no legislative authority for the language in the bill, there never has been legislative authority in the history of the Government for the appropriations sought to be made here, for we carry the exact language in most cases that has been carried for many, many years. It is true that much of this language was never legislated into law, and hence, technically speaking, it may be subject to a point of order, but every gentleman here must realize that the Government must function. Both parties, Democratic and Republican, nationally are pledged to the budget system, and the budget system is demanded by the American people. And the Congress of the United States will not speak the will of the American people unless they adhere to the budget system.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

TRANSPORTING REMAINS OF DIPLOMATIC AND CONSULAR OFFICERS, CONSULAR ASSISTANTS, AND CLERKS TO THEIR HOMES FOR INTERMENT.

For defraying the expenses of transporting the remains of diplomatic and consular officers of the United States, including consular assistants, and clerks, who have died or may die abroad or in transit, while in the discharge of their official duties, to their former homes in this country for interment, and for the ordinary and necessary expenses of such interment, at their post or at home, $5,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the following portion, which is unauthorized by law in legislation on an appropriation bill, to wit: In line 20, the words "and clerks," and in line 24, the words "and clerks," there being no authority of law for it.

Mr. ROGERS. Mr. Chairman, as the point of order pertains to those items only, I am willing to concede it.

The CHAIRMAN. The point of order is sustained.

Mr. ROGERS. Mr. Chairman, I ask for recognition.

We have been engaged in the consideration of this bill for three days. In the past the bill has taken one day. In the last three hours we have read about four or five pages. Most of the three hours has been given up to a discussion of the merits and demerits of the budget system. I have not interposed a point of order to the effect that the discussion was proceeding out of order, because I knew that the matter was of interest to the gentlemen, and as the subject had been broached it seemed to be fair that the advocates and opponents should have liberal opportunity to discuss the question. But I think it is of consequence—and I think the House will agree that it is of consequence—that we make as much progress as we properly can with these appropriation bills. I believe we can without the slightest difficulty, if we adhere to the subject matter of the bill itself, complete the consideration of this bill and pass it this afternoon.

I do not wish to be discourteous to any gentleman. I do not wish to cut off fair discussion. But I desire to state at this time, and when, so far as I know, there is no gentleman that intends to discuss the budget system further, that I shall feel it my duty in the interest of expediting legislation to make a point of order on any further discussion which is not pertinent to the subject matter of the bill before the committee.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

INTERNATIONAL BUREAU OF WEIGHTS AND MEASURES.

Contribution to the maintenance of the International Bureau of Weights and Measures, in conformity with the terms of the convention of May 20, 1875, the same to be paid, under the direction of the Secretary of State, to said bureau on its certificate of apportionment, $2,895.

Mr. BLANTON. Mr. Chairman, I reserve a point of order, in order to get some information.

The CHAIRMAN. The gentleman from Texas reserves a point of order on the paragraph.

Mr. BLANTON. Mr. Chairman, may I ask the gentleman in charge of the bill what authority of law there is for appropriating this $2,895 every year that goes into this bill?

Mr. ROGERS. This is based upon a treaty obligation, and, as the gentleman well knows, treaty authority has the force of law.

Mr. BLANTON. Yes, I know; but does the treaty call for this expenditure?

Mr. ROGERS. The treaty in question is the treaty of May 20, 1875. Article 9 of the treaty reads as follows:

The entire expense of the construction and outfit of the International Bureau of Weights and Measures, together with the annual cost of its maintenance and the expenses of the committee, shall be defrayed by contributions from the contracting States, the amount of which shall be computed in proportion to the actual population of each.

Mr. BLANTON. Yes; I knew it was a treaty provision. But the point I am getting at is this: Is this the computed part that we have to pay every year, and is it so used every year?

Mr. ROGERS. It has been utilized every year, so far as I am advised.

Mr. BLANTON. And the gentleman thinks there is a necessity for still carrying it on?

Mr. ROGERS. As I conceive it, the good faith of the Nation is pledged until the treaty is denounced.

Mr. BLANTON. Yes. It is computed that we owe this each year?

Mr. ROGERS. Yes; it is computed that we owe this each year. This organization is a going concern.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The gentleman from Texas withdraws the reservation.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last two words for the purpose of asking a brief question.

The CHAIRMAN. The gentleman from Texas moves to strike out the last two words.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman in charge of the bill tell us, very briefly, what they are doing with this money? I do not want to take up much time, but can the gentleman just indicate briefly what results are coming from it?

Mr. ROGERS. This international organization was created, as the item itself shows, as the result of a treaty proclaimed in 1875.

Mr. SUMNERS of Texas. I know that. What are they doing with the money, and what are they getting for it?

Mr. ROGERS. The international bureau is maintained at Sevres, France. That international bureau is charged with the duty under the treaty of standardizing and distributing information concerning the weights and measures of the world.

Mr. SUMNERS of Texas. Yes. What are they doing with it? I have been going around here for a good many years, and I have not seen any results from it.

Mr. ROGERS. We pay $2,895 for the maintenance of it, and that is our pro rata share. It standardizes weights and measures, as far as it can, and distributes information concerning them throughout the world.

Mr. SUMNERS of Texas. What standards has it established? I am afraid I am displaying a good deal of ignorance, which other gentlemen would confess if they were frank. [Laughter.]

Mr. ROGERS. I will read for the benefit of the gentleman a statement of explanation which has been prepared by the Department of State.

Mr. SUMNERS of Texas. No; I will read it myself.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

TARIFFS.

To meet the share of the United States in the annual expense for the year ending March 31, 1922, of sustaining the international bureau at Brussels for the translation and publication of customs tariffs, pursuant to the convention proclaimed December 17, 1890, $6,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order in order to ask a question.

The CHAIRMAN. The gentleman from Texas reserves a point of order on the paragraph.

Mr. BLANTON. I would like to ask the chairman why it is necessary to raise this item from $1,500, as it was in 1917, in normal conditions, to $6,000?

Mr. ROGERS. The reason that was given was that the bureau, the office of which is at Brussels, found itself unable to perform the duties that were confided to it by the treaty at the old quota rate, and therefore, in accordance with the terms of the treaty, they quadrupled the contribution of the contributing members. The salaries have very greatly increased, as was quite natural, and rentals have gone up.

Mr. BLANTON. And all other parties to that treaty have had their share quadrupled?

Mr. ROGERS. Yes; all other parties to that treaty have had their share quadrupled.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The reservation is withdrawn. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO.

To enable the President to perform the obligations of the United States under the treaties of 1884, 1889, 1905, and 1906, between the United States and Mexico, including not to exceed $600 for rent, $5,000.

Mr. HICKS, Mr. HUDSPETH, and Mr. BARKLEY rose.

Mr. HUDSPETH. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from New York [Mr. HICKS] is recognized.

Mr. HICKS. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman in charge of the bill a question.

I have looked through this bill and endeavored to ascertain if there is any proviso in here in any place by which we pay under this bill any part of the expense of the ice patrol in the North Atlantic Ocean. As the gentleman probably knows, we entered into an agreement with some of the more important maritime nations of the world some 10 or 12 years ago by which a patrol is maintained in the North Atlantic for protection from icebergs that come down from the Arctic Ocean. That work is now being done by the United States Coast Guard, and, I suppose, inasmuch as we do not make an appropriation in this bill, that the expense of that service must be maintained by the Coast Guard, and that the receipts come into the Treasury and the entire expense is outside of the purview of this bill?

Mr. ROGERS. I can answer the gentleman by saying that in the last eight years, at least, there has never been an item inserted or requested, so far as the Diplomatic and Consular bill is concerned.

Mr. HICKS. Therefore it must be assumed that the entire expense of that service comes from the appropriation for the Coast Guard?

The CHAIRMAN. The Chair will recognize the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. I will yield to the gentleman from Texas [Mr. HUDSPETH] if he desires to offer an amendment.

Mr. HUDSPETH. I do. It is to strike out, on page 10, line 23, "$5,000" and insert "$10,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. HUDSPETH: Page 10, line 23, strike out "$5,000" and insert in lieu thereof "$10,000."

Mr. HUDSPETH. Mr. Chairman, I have not offered this amendment for the purpose of making a speech, but I take it that there is not a member of this committee that wants the Republic of Mexico to gain one foot of territory in the United States unless they get it legally. I had hoped to convince my friend from Massachusetts [Mr. ROGERS] of the necessity of this appropriation being at least $10,000 in order that the Boundary Commission of the United States might continue to function. If you make the appropriation $5,000, it absolutely destroys the work of the Boundary Commission of this Government. I do not believe you gentlemen want to do that.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. HUDSPETH. Certainly.

Mr. BARKLEY. I would like to know, as a matter of information, what function this Boundary Commission performs between Mexico and the United States?

Mr. HUDSPETH. I will tell the gentleman, if he will just bear with me a moment. The Rio Grande changes its course almost every year. It runs in many places through an alluvial valley, where it changes its channel by avulsion sometimes to the north, sometimes to the south.

Now, I will state to my friend from Kentucky that the boundary commission of Mexico is always on the job, and when this river changes its course that commission immediately makes its survey. Then if our commission is not there to make a survey and get the field notes which show where the change has taken place, it may be 8 or 10 years before we make a survey; if you destroy the Boundary Commission, it probably will be that long; and then if a question comes up as to where the boundary line between the United States and Mexico is the Mexicans, with the significant shrug of the shoulders so customary among themselves, would say, "You were not here when the survey was made, otherwise you would probably have agreed to the survey that we made," and then they would proceed to claim the territory of the United States.

Mr. BARKLEY. How much is involved in the changes of boundary in that river?

Mr. HUDSPETH. It might be hundreds of acres. I will say that one-third of the city of El Paso, my home, a city of 100,000 population, is involved to-day in what is known as the Chamizal Zone controversy with Mexico by reason of the change of the river.

Mr. MILLER. How many governments of Mexico are there participating in this service?

Mr. HUDSPETH. They have a boundary commission that officiates for whatever government there may be in operation there. I guess my friend knows that the governments of Mexico sometimes changes overnight.

Mr. MILLER. That is what I was asking about.

Mr. HUDSPETH. Men have gotten hoarse whooping it up for one government one day and awake to find that another government confronts them in the morning.

Mr. MILLER. Does each one of those governments make a survey?

Mr. HUDSPETH. Yes.

Mr. MILLER. Then they must have a new survey every day.

Mr. HUDSPETH. It is not quite as bad as that; but they have acquired territory which properly belonged to the United States, by reason of the fact that the Mexican commission made the survey and our commission was not there to make its survey. Now, I say to you gentlemen, that my colleague [Mr. GARNER] and myself represent the border of Texas, between Texas and Mexico. He is familiar with the changes of this river, and I say to you gentlemen that I am talking to Americans now, not to Republicans or Democrats, and I do not believe there is a man on this floor who wants Mexico to get a foot of this soil that does not belong to her. It may be so poor that you can not raise an umbrella on it, but we are Americans, and we want that soil. We want the territory that belongs to the American Government to remain on this side. Now, many thousands of dollars might be lost if you destroyed this boundary commission.

Mr. WALSH. Do I understand the gentleman from Texas to say that surveys have been made when our commission was not present?

Mr. HUDSPETH. Yes.

Mr. WALSH. What was our commission doing?

Mr. HUDSPETH. Our commission was not doing anything. It did not have enough money to do anything.

Mr. GARNER. I happened to be a member of the Committee on Foreign Affairs when this matter was examined under Secretary Root and Secretary KNOX and Secretary Bryan. If you will examine the hearings before the Foreign Affairs Committee, you will see that committee went into the matter very thoroughly as to the necessity for this Boundary Commission. Secretary Root asked for $40,000 to conduct the affairs of the Boundary Commission. We interrogated him with reference to cutting down the appropriation or eliminating it entirely, and his reply was that if you eliminated the commission it would probably cost the Government $100,000 each year to function and do the duties that are now incumbent upon the Boundary Commission. Secretary KNOX reiterated that. Secretary Bryan did the same thing; and I want to say to the gentleman from Massachusetts [Mr. WALSH] and to my colleague from Texas [Mr. HUDSPETH] that in my judgment $10,000 will not be sufficient.

Mr. HUDSPETH. I do not think so either.

Mr. GARNER. I do not think it will be sufficient to perform the duties of this commission. What they have been doing with the small sum that has been appropriated is a very necessary thing, a thing that will probably redound to the great benefit of this Government when it comes to settle with Mexico, and that is they are measuring the water that is running down the Rio Grande. Half of that water belongs to the United States and half of it belongs to Mexico. We are taking a great deal of it, and I imagine that some of these days, when we come to arrange a treaty with Mexico, Mexico is going to say, "Oh, you owe us these millions of dollars for the use of our water."

Mr. HUSTED. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. HUSTED. On account of the changes in the course of this river, does this commission have just as much work to do now as it had in Secretary Root's time, when he advocated an appropriation of $40,000?

Mr. GARNER. There is not a particle of difference. Now, the surveys that my colleague refers to come about in this way: The Rio Grande River rises once or twice a year. A flood will come down and cut off a hundred acres that was in Texas and put it in Mexico, and vice versa it will cut off 300 acres that was in Mexico and put it in Texas. Now, there is no jurisdiction over the enforcement of law unless there is some official commission that can determine whose property that is. Under the treaty if you cut off more than 640 acres it becomes the property of the other Government.

The CHAIRMAN. The time of the gentleman from Texas [Mr. HUDSPETH] has expired.

Mr. GARNER. I ask unanimous consent that the time of my colleague [Mr. HUDSPETH] be extended five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his colleague's time be extended five minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Will the gentleman yield? How many of these boundary commissioners are there?

Mr. GARNER. One.

Mr. LONGWORTH. At what salary?

Mr. GARNER. Five thousand dollars a year. Let me say to the gentleman from Ohio that Gen. Bliss was the boundary commissioner for a great number of years. After he left the office I am sorry to say that it came to be looked upon more as a political appointment than otherwise, and that has not been to my liking, if you will permit me to say so. But that this commission is necessary there is no doubt, and you will make a very great mistake, in my judgment, if you fail to provide for the proper functioning of this commission.

Mr. WALSH. Has this commission ever made any recommendation about establishing a fixed boundary line irrespective of the river?

Mr. GARNER. The boundary line is fixed in the treaty. The treaty was so drawn that when the boundary line changed by virtue of the change in the river, the commission must make the line.

Mr. WALSH. If they had recommended a boundary line that did not follow the course of the river——

Mr. GARNER. The boundary line is the center of the river, and when the river is here to-day, a week from to-day it is a mile and a half from that point. Who is going to tell whether this is the boundary or that is the boundary? Somebody must survey it and designate it.

Mr. LONGWORTH. Is it incumbent on the commissioners to travel the entire length of the boundary?

Mr. GARNER. Oh, they must travel at times up and down the river.

Mr. LONGWORTH. The reason I ask is that this seems to be a small appropriation.

Mr. GARNER. It is absolutely inefficient. It may be possible that the $5,000 would be sufficient to measure the water. It is absolutely essential that the water should be measured. If we have a controversy with Mexico and we have not the information and they have, you can imagine where the commissioners will be left.

Mr. LONGWORTH. How long is the border?

Mr. GARNER. About 1,200 miles.

Mr. HICKS. How often does the commission report?

Mr. HUDSPETH. It is supposed to make an annual report. I am not going to quarrel with the gentlemen on the other side when they state the boundary commissioner is not doing anything. The engineer is the only man that is doing anything, so I am informed. We will have a chance to get a commissioner pretty soon who will do something, for you will make another appointment after the 4th of March.

Mr. BARKLEY. Who is the commissioner?

Mr. HUDSPETH. Louis D. Hill.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. HUDSPETH. Certainly.

Mr. MANN of Illinois. Is it not a fact that when the Democratic administration came in the first procedure was to cut down the appropriation for this commission and make the appointments as purely a political job?

Mr. HUDSPETH. I do not know; I was not here.

Mr. MANN of Illinois. And they have never functioned since. The gentleman seeks relief because he thinks that the proper party is in possession of the Government and will do the right thing?

Mr. HUDSPETH. I ask that a sufficient appropriation be made to continue the commission in existence so that it will protect the property of the United States against any claim of Mexico. Last year the unexpended balance was $20,522. This year you only appropriate $5,000. No one, I think, who knows the gentleman, and knows what his work is and what he has done will question the fact that Mr. Corbin, consulting engineer, is an efficient man. He comes from Colorado from the district represented by Mr. HARDY.

Mr. MANN of Illinois. Is it not a fact that we had to pass a special bill the other day to pay two engineers who did the work on this commission because the appropriation was diverted by those in charge of it?

Mr. HUDSPETH. I do not recall.

Mr. MANN of Illinois. That is the fact.

Mr. HUDSPETH. I am not defending the commissioner, but after the 4th of March we will have a change.

Mr. MANN of Illinois. We do not need it for political purposes.

Mr. HUDSPETH. No; we do not need it for political purposes, but to protect the rights of this Government against Mexico. Do you want the Mexican Government to have a commission on the ground and make a survey when the river changes and we have no commission there?

Mr. MANN of Illinois. If the Mexican Government has a commission on the job it will be a new thing.

Mr. BEE. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. BEE. Is it not true that the controversy referred to by the gentleman from Illinois arose out of a difficulty with a man named John Wesley Gaines, predecessor to the gentleman from Tennessee [Mr. BYRNS]? He was the man that caused the controversy and led to the political discussion.

Mr. HUDSPETH. Possibly so, but why destroy the commission on account of some political question?

Mr. MANN of Illinois. John Wesley Gaines was a Member of this House, and it was his popularity that kept the appropriation in the bill for a number of years.

Mr. HUDSPETH. Mr. Chairman, I want to state to my friend that in 1857 the river ran right by the courthouse in El Paso. Afterwards it changed its course to the south at least a quarter or half a mile, and to-day one-third of the city of El Paso is involved in a controversy. If we had had a boundary commission on the ground at that time to make a survey that controversy probably would not have happened. I am talking horse sense to-day. I am not talking as a Democrat, but as an American. I do not care if this land was so steep that a billy goat could not climb it without spurs. It is American land and we want to retain it. [Applause.]

Mr. LONGWORTH. Is the commissioner appointed for a stated period?

Mr. HUDSPETH. I think he is subject to removal, at the will of the President.

Mr. ROGERS. Mr. Chairman, I think that, as conditions are to-day along the Mexican boundary, there is less practical justification for this item than for any other item in the bill. The only reason that the committee has recommended even $5,000 this year is because there is a treaty obligation involved. We thought that the House and the Congress would not care to put it outside of the power of the Executive to keep alive the essentials of this organization to the extent required by the treaty.

This is no new viewpoint for the committee making up the Diplomatic and Consular appropriation bill or for the House of Representatives. In the bill reported last year by the gentleman from Pennsylvania [Mr. PORTER] for the Diplomatic and Consular appropriations for 1921 this was the item:

> To enable the President to perform the obligations of the United States under the treaties of 1884, 1889, 1905, and 1906 between the United States and Mexico, $5,000.

That item passed the House precisely as it was presented by the committee. I candidly admit that $5,000 will not enable the commission to go very far, but it will enable the Executive to keep the commission alive so that if at a later date Mexico is able to take part in the boundary work, then we may get upon a really efficient footing again. As a matter of fact, the amendment offered by the gentleman from Texas [Mr. HUDSPETH] to increase the amount from $5,000 to $10,000 would accomplish nothing whatever along the line that he himself is seeking to accomplish. It would simply mean that much more for salaries. The Department of State asked for $50,000 this year. If the House thinks that Mexico and the United States can profitably engage in a boundary settlement during the next fiscal year, the House should accept the $50,000 estimate. A $10,000 item

will be of no avail whatever. It will do no more than the $5,000 will do. We made inquiries from the representative of the Department of State when we had our hearings upon the bill; that representative spoke of the fact that the Congress and the Department of State had lost confidence in this commission, and admitted an inability to discuss the need for the $50,000, which was carried in the estimates. We felt as a committee that we were doing exceedingly well by the great State of Texas and were fully recognizing the obligations growing out of the treaties in relation to boundary disputes to keep the commission alive by appropriating $5,000.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. HUDSPETH. The gentleman will not keep it alive by that amount. The consulting engineer draws $4,800, and he does the work. I would say to the gentleman that my idea in offering this amendment increasing the amount from $5,000 to $10,000 was so that you could cut off the salary of the commissioner who does nothing and let the engineer make the survey and give him some expense money.

Mr. ROGERS. We are obligated by treaty to keep a force of water gaugers. The House thought last year, and I hope it will think this year, that $5,000 is enough to care for the expenses of a few water gaugers.

Mr. GARNER. Then I take it the theory of the committee is that it does not intend to do otherwise than to keep a force of water gaugers there measuring the amount of water in the Rio Grande?

Mr. ROGERS. Our theory is to keep alive the commission only in so far as essential under the treaty.

Mr. GARNER. And you do not propose in 1922 to have any engineer who can survey a change in the river and give the information to your Government?

Mr. ROGERS. My theory is precisely the same as the theory of the House, as reflected in the Diplomatic and Consular appropriation bill of a year ago, which carried $5,000.

Mr. GARNER. I understand that.

Mr. ROGERS. Conditions have not since changed or improved so as to warrant a substantial increase at this time.

Mr. GARNER. But the unexpended balance was appropriated last year.

Mr. ROGERS. Not in the House. It was put on in the Senate, and perhaps it will be put on again. But the House took the position that $5,000 was the proper amount, and the Committee on Appropriations this year simply sought to reflect the view of the House of a year ago.

Mr. GARNER. Mr. Chairman, I want to say that in my humble judgment the gentleman and the House are making a great mistake when they fail to appropriate sufficient money for this Government to get the data upon which we can at any time make a settlement with Mexico as to the division of lands between the two countries.

Mr. ROGERS. If the commission is worth anything, it is worth $50,000; and if it is not we ought not to grant more than the $5,000 necessitated by the treaty obligation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. ROGERS) there were—ayes 45, noes 27.

So the amendment was agreed to.

Mr. McCLINTIC. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eight Members are present, a quorum. The Clerk will read.

The Clerk read as follows:

BOUNDARY LINE, ALASKA AND CANADA, AND THE UNITED STATES AND CANADA.

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary; and for the more effective demarcation and mapping, pursuant to the treaty of April 11, 1908, between the United States and Great Britain, of the land and water boundary line between the United States and the Dominion of Canada, as established under existing treaties, to be expended under the direction of the Secretary of State, including the salaries of the commissioner and the necessary engineers, surveyors, draftsmen, computers, and clerks in the field and at the seat of government, expense of printing and necessary traveling, for payment for timber necessarily cut in determining the boundary line not to exceed $500, and commutation to members of the field force while on field duty or actual expenses not exceeding $5 per day each, to be expended in accordance with regulations from time to time prescribed by the Secretary of State, $36,500, together with the unexpended balances of previous appropriations for these objects: *Provided*, That hereafter advances of money under the appropriation "Boundary line, Alaska and Canada, and the United States and Canada," may be made to the commissioner on the part of the United States and by his authority to chiefs of parties, who shall give bond under such rules and regulations and in such sum as the Secretary of State may direct, and accounts arising under advances shall be rendered through and by the commissioner on the part of the United States to the Treasury Department as under advances heretofore made to chiefs of parties: *Provided*, That when the commissioner is absent from Washington and from his regular place of residence on official business he shall be allowed actual and necessary expenses of subsistence not in excess of $8 per day.

Mr. BLANTON. Mr. Chairman, I make the point of order to the following portion of the paragraph, beginning in line 11, page 12, and reading as follows:

Provided, That when the commissioner is absent from Washington and from his regular place of residence on official business he shall be allowed actual and necessary expenses of subsistence not in excess of $8 per day.

I make the point of order because it is unauthorized by law, and it is new legislation on an appropriation bill.

The CHAIRMAN. What has the gentleman from Massachusetts to say to the point of order?

Mr. ROGERS. Mr. Chairman, I supposed that to be a limitation in form and substance, and I think it is clearly in order.

Mr. BLANTON. May I ask the gentleman a question?

Mr. ROGERS. Yes.

Mr. BLANTON. Is it not a fact that all of the law with respect to allowance for subsistence has always been $5 a day? And I call the Chairman's attention to the preceding page where a similar provision is for $5 per day while on field of duty.

Mr. ROGERS. What may have been prescribed on previous pages has no bearing on the law.

Mr. BLANTON. Subsistence has never been placed over $5 a day in any law.

Mr. CONNALLY. Mr. Chairman, I suggest to the Chair that this item is not subject to the point of order because the expenses of the commission, according to my understanding, are authorized by law. The object of this amendment was really to curtail expenses instead of increasing them. Heretofore this commissioner stayed at his home a great deal of the time, away from Washington, and he was in the habit, as I understand it, of charging up a per diem, and the committee limited this appropriation so that he could only charge those items when away from Washington on official business.

Mr. ROGERS. Mr. Chairman, the amendment concerning the regular place of residence was inserted upon the motion of the gentleman from Texas [Mr. CONNALLY], when this bill was before the House last year, and was held in order as a limitation.

Mr. CONNALLY. It is a limitation because it curtails expenditures.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks this is a limitation, and, as such, is within the Holman rule, and overrules the point of order. The Clerk will read.

Mr. MANN of Illinois. Mr. Chairman, I do not question the decision of the Chair, but just so it will not go without anybody giving attention to it I desire to say that there is a general law forbidding the payment of more than $4 or $5 a day for subsistence unless expressly authorized by the appropriation, passed only a few years ago.

The CHAIRMAN. The effect of that law, the Chair will state to the gentleman from Illinois, is a law which operates when there is no other provision made.

Mr. MANN of Illinois. It is a law which operates unless legislation changes it——

Mr. BLANTON. Mr. Chairman, in view of that——

Mr. BANKHEAD. Mr. Chairman, I ask for the regular order.

Mr. MANN of Illinois. I have no objection——

Mr. BANKHEAD. I ask for the regular order.

Mr. BLANTON. It is a matter that is directed to the attention of the Chair a moment, and I would like to make a suggestion.

Mr. BANKHEAD and several Members. Regular order!

The CHAIRMAN. The Chair believes the decision is right in regard to this case, notwithstanding the suggestion made by the gentleman from Illinois, and the Clerk will read.

The Clerk read as follows:

INTERNATIONAL BUREAU AT BRUSSELS FOR REPRESSION OF THE AFRICAN SLAVE TRADE.

To meet the share of the United States in the expenses of the special bureau created by article 82 of the general act concluded at Brussels July 2, 1890, for the repression of the African slave trade and the restriction of the importation into and sale in a certain defined zone of the African Continent, of firearms, ammunition, and spirituous liquors, for the year 1922, $125.

Mr. BEE. Mr. Chairman, I move to strike out the last word. Will the gentleman from Massachusetts yield?

Mr. ROGERS. Certainly.

Mr. BEE. I would like to ask for some information in regard to the repression of the African slave trade calling for an appro-

priation of $125 and why $125 is appropriated for the repression of the African slave trade? We had some difficulty over $5,000 for the commission for the Rio Grande and here is an appropriation of $125 to help the nations of the world keep down the African slave trade and in shipping munitions and liquor into Africa.

Mr. ROGERS. This is a treaty obligation dating from 1890. The bureau has one office at Zanzibar and one at Brussels. All the civilized countries of the globe cooperate in keeping the bureau alive and the organization in existence.

Mr. BEE. Well, are they still having an African slave trade in Africa?

Mr. ROGERS. There is still slave trading in Africa, I believe. The principal utility of the bureau to-day, however, is in connection with the regulation of the liquor traffic in Africa.

Mr. BEE. Well, it occurred to me that it was an item that either ought to cost something or cost nothing. What would $125 do to keep down these African slave traders?

Mr. ROGERS. That is the amount prescribed by the treaty.

Mr. BEE. Did they all agree to give $125 for that purpose?

Mr. ROGERS. The other nations give the same amount.

Mr. BEE. And, of course, we are carrying our share of the load?

Mr. ROGERS. Yes.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

INTERNATIONAL PRISON COMMISSION.

For subscription of the United States as an adhering member of the International Prison Commission, and the expenses of a commission, including preparation of reports, $2,550.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is unauthorized by law on an appropriation bill and is legislation unauthorized.

The CHAIRMAN. The gentleman from Massachusetts.

Mr. ROGERS. Mr. Chairman, the Diplomatic and Consular act for the fiscal year 1913 contains the following paragraphs:

The United States shall continue as an adhering member of the International Prison Commission and participate in the work of said commission.

We have been appropriating since that time.

Mr. BLANTON. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. BLANTON. That is merely a provision on an appropriation act; it is not substantive law.

Mr. ROGERS. "The United States shall continue as an adhering member." I contend that is permanent law.

The CHAIRMAN. The point of order is not sustained, and the Clerk will read.

The Clerk read as follows:

INTERNATIONAL BUREAU OF THE PERMANENT COURT OF ARBITRATION.

To meet the share of the United States in the expenses for the calendar year 1920 of the International Bureau of the Permanent Court of Arbitration, created under article 22 of the convention concluded at The Hague, July 29, 1899, for the pacific settlement of international disputes, $2,000.

Mr. SMALL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, in the last diplomatic appropriation bill there was an appropriation for the Pan Pacific Union. That is a union which has been organized in the past few years for uniting for their common benefit the countries which border upon the Pacific, including, of course, the countries of the Orient. While the Department of State made no estimate for that organization in this bill, and while I am not insisting that an appropriation shall be made, yet I do wish to say a few words to call attention to what I conceive to be its intrinsic importance. The trade upon the Pacific in the near future will show signs of large increase. The time has arrived when very important pages in the history of the world will be written upon the Pacific. Our relations particularly with China, with Japan, the Philippine Islands, to which we are so closely united, our general commercial interests, the great importance to the people of the United States of increasing our trade, both imports and exports, the differences which exist to-day and which in the course of the future will arise from time to time between some of the important oriental countries and the United States, justify us in emphasizing the importance of binding together the people of this Republic to the people of the Orient. The Pan Pacific Union during the past few years has taken long strides in cementing the United States with the Central and South American Republics. The men who are behind the Pan Pacific Union are men of vision and faith. The Pan Pacific Union ought to be encouraged, and whenever the time shall come in the opinion of the Department of State and of the Congress that it should be assisted by appropriations from the Government of the United States those appropriations ought to be willingly given. I have risen at this time simply to call the attention of the committee to the existence of the Pan Pacific Union and the good work which it is doing and to the importance of sustaining it both by public sentiment as well as by substantial contributions in the future. [Applause.]

The Clerk read as follows:

BUREAU OF INTERPARLIAMENTARY UNION FOR PROMOTION OF INTERNATIONAL ARBITRATION.

For the contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the Promotion of International Arbitration at Brussels, Belgium, $2,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on that. I would like to ask the chairman in charge of the bill what is the use of carrying on this proposition when there are other means under contemplation for the end desired by this work?

Mr. ROGERS. This is an item about which I am not personally especially well informed.

Mr. BLANTON. Then I do not care to ask the gentleman. I make the point of order.

Mr. ROGERS. The point of order is conceded, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

The judge of the said court and the district attorney shall, when the sessions of the court are held at other cities than Shanghai, receive in addition to their salaries their necessary actual expenses during such sessions, not to exceed $8 per day each, and so much as may be necessary for said purposes during the fiscal year ending June 30, 1922, is appropriated.

Mr. BLANTON. Mr. Chairman, I make a point of order to that portion of the paragraph which provides for actual expenses during the sessions, not to exceed $8 per day, for the reason that it is legislation on an appropriation bill, unauthorized by law. And I would like to call the Chairman's attention to the fact that our distinguished ex-colleague, Judge Adamson, who formerly was in this House, but who has now an office in New York, is still forced to live on the maximum for subsistence when away from his home and for traveling expenses to $5 a day, and yet we can provide new legislation in this bill and in direct contravention of the law that the gentleman from Illinois [Mr. MANN] cited the Chair to, which limits the amount for subsistence to $5, and we can permit in this bill several instances for that subsistence to be raised in the appropriation bill to $8. I do not think it ought to be permitted.

Mr. ROGERS. Mr. Chairman, I think as the item is phrased it is probably legislation. I think if it was a limitation it would be in order.

Mr. CONNALLY. Is there not a statute in force allowing the United States judges not exceeding $10 a day when away from home?

Mr. ROGERS. I am not familiar with that.

Mr. CONNALLY. I think there is a statute directing United States judges not to expend to exceed $10 a day when absent from their stations. If that is true, this is in order.

The CHAIRMAN. The Chair is not discussing the limitation.

Mr. BLANTON. The law limits the district attorney to $5, and this is $8.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ROGERS. Just a moment, please. The point of order was directed only to the words "not to exceed $8 per day each." As I understand, the ruling of the Chair allows the remainder of that paragraph to stand.

Mr. BLANTON. I only directed it to that one feature, of $8 per day each.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

ARBITRATION OF OUTSTANDING PECUNIARY CLAIMS BETWEEN THE UNITED STATES AND GREAT BRITAIN.

For the expenses of the arbitration of outstanding pecuniary claims between the United States and Great Britain, in accordance with the special agreement concluded for that purpose August 18, 1910, and the schedules of claims thereunder, to be expended under the direction of the Secretary of State, and to be immediately available, as follows:

Mr. BLANTON. Mr. Chairman, I make a point of order to that part, in line 15, which says "and to be immediately available."

Mr. ROGERS. I concede the point of order.

Mr. MANN of Illinois. What is the point of order?

Mr. BLANTON. That it is unauthorized legislation on an appropriation bill; that it is not authorized by law.

Mr. MANN of Illinois. Mr. Chairman, it is just as much in order to make it immediately available as it is to appropriate it for another year, so far as the authorization by law is concerned.

Mr. BLANTON. It is new legislation, Mr. Chairman.

Mr. MANN of Illinois. It is not new legislation. It is an appropriation. Now, that point of order used to be made on this bill and would have been in order, because the Committee on Foreign Affairs when it reported this bill had no authority to report a deficiency appropriation. But the Committee on Appropriations has authority to report deficiency appropriations, and to the extent that it is made immediately available it is a deficiency appropriation. But the point of order can not be made that the Committee on Appropriations can not report this, because they have the authority to report appropriations.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. BLANTON. This particular subcommittee has nothing in the world to do with deficiencies.

Mr. MANN of Illinois. This feature we are considering has nothing to do with the particular subcommittee. We deal with the Committee on Appropriations. Now, the old rule was—and it was held many times on the sundry civil bill, coming from the Committee on Appropriations—that you could make an item immediately available. Of course, all the deficiency items are made immediately available without anything further. But the Committee on Appropriations is not required to report all of its deficiency items in one bill.

The CHAIRMAN. The point of order is not sustained, and the Clerk will read.

The Clerk read as follows:

For rent of office for joint secretaries, $480.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, that it is new legislation on an appropriation bill and unauthorized by law.

Mr. ROGERS. Mr. Chairman, it is based upon a treaty and is in all respects in harmony with the provisions of that treaty.

Mr. BLANTON. Nowhere in the treaty does it provide for such officers.

The CHAIRMAN. The point of order is not sustained. The Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 14122. An act to authorize the sale of a portion of the Copper Harbor Range Lighthouse Reservation, Mich., to Houghton and Keweenaw Counties, Mich.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Salaries, United States agency: Agent, to be appointed by the President, by and with the advice and consent of the Senate, $7,500 per annum; counsel, $5,000 per annum; counsel and joint secretary, who shall also act as disbursing clerk, $3,000 per annum; two counsel, at $2,750 each per annum; one law clerk, $2,240 per annum; two stenographers, at $1,440 each per annum; and messenger, $840 per annum; in all, $26,960.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, it being legislation on an appropriation bill without any authority of law for it.

Mr. ROGERS. Mr. Chairman, I repeat my comment on the first paragraph, to the effect that we have a treaty with Great Britain on this point, and that the organization here provided for is in accordance with the provisions of that treaty, and has been actually in existence for years.

The CHAIRMAN. The point of order is not sustained. The Clerk will read.

The Clerk read as follows:

UNITED STATES SECTION OF THE INTER-AMERICAN HIGH COMMISSION.

To defray the actual and necessary expenses on the part of the United States Section of the Inter-American High Commission arising in such work and investigations as may be approved by the Secretary of the Treasury, $25,000, to be expended under the direction of the Secretary of State.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph that it is new legislation on an appropriation bill, unauthorized by law.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. ROGERS. Mr. Chairman, the authority of law upon which this item is based is an act approved February 7, 1916, which provides for the appointment of delegates, to be known as the United States Section of the International High Commission. That same law provides that the delegates shall cooperate with the other sections of the commission in taking action upon the recommendations of the first Pan American financial conference. It is further provided that the President shall fill any vacancies which may occur in the said United States Section of the International Commission. This is a substantive law and is not merely part of an appropriation act. It seems to me to be ample authority for the continuance of this commission.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. WALSH. Is there any provision in the act which the gentleman cited requiring the investigations to be approved by the Secretary of the Treasury and the money to be expended under the direction of the Secretary of State?

Mr. ROGERS. Yes. The sum appropriated in this law was specified to be expended under the direction of the Secretary of the Treasury. Last year the appropriation act provided that the actual expenditure should be under the direction of the Secretary of State, but that the investigations and the work should be under the direction of the Secretary of the Treasury.

The CHAIRMAN. Let me ask the gentleman from Massachusetts: As I understand the act that he refers to, it provided only for the payment for the year 1916. Under what authority does the gentleman claim that this would be in continuation of that act?

Mr. ROGERS. The first paragraph of the act to which I have referred is apparently unlimited in point of time. There may be some ground for the contention that the second paragraph is more temporary in its character, although there is a provision to the effect that the sum appropriated should remain available until expended. But, I say again, as far as the first paragraph is concerned, that there is no evidence whatever that this commission was to go out of existence at the end of that fiscal year or at the end of any other fiscal year.

Mr. BLANTON. The whole act is to be construed.

Mr. ROGERS. I want to call the attention of the Chair to the title of the act, which is "An act to provide for the maintenance of the United States Section of the International High Commission," which indicates a certain degree of permanency, at least.

The CHAIRMAN. The Chair can not find any provision of the law making it a continuing provision. The title of an act has nothing to do with the provisions of the act, and it seems to the Chair that the provisions of this act apply only to a particular time. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN.

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State, expense of printing, cost of law books, books of reference, and periodicals, and necessary traveling expenses, and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909, $38,000, to be disbursed under the direction of the Secretary of State: *Provided*, That no part of this appropriation shall be expended for subsistence of the commission or secretary, except for actual and necessary expenses, not in excess of $8 per day each, when absent from Washington and from his regular place of residence on official business.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, because the amount provided for in lieu of subsistence is $8, which is in excess of the amount which the statutory law of the country provides.

Mr. BLACK. Mr. Chairman, will my colleague yield for a question?

Mr. BLANTON. I yield.

Mr. BLACK. The provision as it reads in the bill, without the limitation, authorizes the payment of all necessary expenses. Now, suppose that these commissioners should turn in an expense account amounting to $10 a day. Would they be limited under the law to $5?

Mr. BLANTON. Yes.

Mr. BLACK. Has the gentleman looked that up and ascertained it?

Mr. BLANTON. The gentleman will remember that we had that very point up here when he made a point of order on the provision of the bill which sought to increase the amount for subsistence that would apply, for instance, to our colleague, Judge Adamson, who is filling a position in New York. My colleague then made a point of order, which was sustained by the Chair.

Mr. BLACK. I remember that point of order all right, but I was under the impression that if there was authority under general law authorizing necessary expenses, it would probably go higher than $5.

Mr. BLANTON. No. The act referred to by the gentleman from Illinois [Mr. MANN] fixed the amount to be allowed in lieu of subsistence at not to exceed $5.

Mr. MANN of Illinois. If you put into this act an appropriation to pay actual and necessary expenses, they would be paid without any limit at all unless there is a limitation in the act.

Mr. CONNALLY. Mr. Chairman, if the Chair please, this provision was inserted here at my instance a year ago in order to limit the expenses under the paragraph. The Secretary of State, who has control of these expenses, might allow any sum for expenses. This is peculiarly a limitation.

Mr. BLANTON. Mr. Chairman, my point of order went to the whole paragraph.

The CHAIRMAN. The Chair is ready to rule. The point of order is not sustained. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL RESEARCH COUNCIL.

To pay the annual share of the United States, as an adhering member of the International Research Council and of the Associated Unions, organized at Brussels, July 18–28, 1919, as follows: International Research Council, $129; International Astronomical Union, $772; International Union of Pure and Applied Chemistry, $290; International Union of Geodesy and Geophysics, $1,338; International Union of Mathematics, $129; in all, $2,658, to be expended under the direction of the Secretary of State.

Mr. BLANTON. Mr. Chairman, I reserve a point of order in order to ask a question. I would like to ask the gentleman in charge of the bill whether we have any treaty provision calling for the expenditure of these items?

Mr. ROGERS. There is no treaty. This is subject to a point of order.

Mr. BLANTON. I make the point of order, Mr. Chairman, that there is no law authorizing it.

The CHAIRMAN. To the paragraph?

Mr. BLANTON. To the paragraph.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

LEGATION BUILDING AND GROUNDS AT SAN SALVADOR.

For filling and grading the grounds of the American legation building in the city of San Salvador, the construction on said grounds of driveways, sidewalks, tile court at back of building, fence, drains, water tank, and for such other minor improvements as may be found necessary, $11,000, to be immediately available.

Mr. LONGWORTH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 21, after line 7, insert: "For the acquisition of land and buildings in Paris, France, to be used as the American embassy, under the provisions of the act of February 17, 1911, $150,000, or so much thereof as may be necessary."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is new legislation, unauthorized by law, on an appropriation bill.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. LONGWORTH. Mr. Chairman, I maintain that there is law which authorizes this appropriation—the law referred to in the amendment just offered, the act of February 17, 1911. That act provides—and I will read it, because it is very short:

That the Secretary of State be, and he is hereby, authorized to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the diplomatic and consular establishments of the United States, and to alter, repair, and furnish the said buildings; suitable buildings for this purpose to be either purchased or erected, as to the Secretary of State may seem best, and all buildings so acquired for the Diplomatic Service shall be used both as the residences of diplomatic officials and for the offices of the diplomatic establishment.

The Chair will observe that so far there is absolutely no limitation as to the power of Congress to appropriate for these purposes, to wit, the acquisition of sites and buildings in foreign countries to be used for legation or embassy purposes.

There are two provisos following. The first is—

Provided, however, That not more than the sum of $500,000 shall be expended in any fiscal year under the authorization herein made.

That limits the power of Congress to appropriate in any one year more than $500,000. No one claims that we are attempting to do that now.

The further proviso is as follows:

And provided further, That in submitting estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives, the Secretary of State shall set forth a limit of cost for the acquisition of sites and buildings and for the construction, alteration, repair, and furnishing of buildings at each place in which the expenditure is proposed (which limit of cost shall not exceed the sum of $150,000 at any one place) and which limit shall not thereafter be exceeded in any case, except by new and express authorization of Congress.

Mr. BLANTON. Mr. Chairman, I withdraw the point of order.

Mr. MANN of Illinois. I reserve the point of order. I did not hear the amendment read.

Mr. LONGWORTH. Does the gentleman care to have me debate the merits of it?

Mr. MANN of Illinois. No; the point of order.

Mr. LONGWORTH. I will proceed further with the discussion of the point of order, Mr. Chairman. In the first place, I want to call the attention of the Chair particularly to this point, that there is no provision of this law which requires the Secretary of State or the Secretary of the Treasury to make any estimate. The only use of the word "shall" in this proviso occurs where it is provided that in submitting estimates he shall set forth a limit of cost, but he is not required to make any estimate unless called for by Congress. Now, I am aware of the fact that this question has been ruled on twice before, once within three or four days after the passage of this act, which was known as the Lowden Act, and another time two years later. In one case a similar amendment was held out of order. In the second case it was held in order. I submit that in both cases it should have been held to be in order, regardless of whether estimates had actually been made or not.

On February 22, 1911, Mr. FLOOD, of Virginia, offered this amendment to the Diplomatic bill at a point similar to this:

That the Secretary of State is hereby authorized and directed to secure, by purchase or otherwise, a suitable building for an embassy building in the City of Mexico, and $100,000, or so much thereof as may be necessary, is appropriated for that purpose.

To that Mr. Stafford made the point of order that it was not authorized by existing law. During the argument the gentleman from Illinois [Mr. MANN], for whose parliamentary opinion I, of course, have the very highest admiration and respect, made this statement:

Undoubtedly hereafter the policy will be for the Secretary of State to send in his own estimates, and those estimates will be followed; but I question whether the act requires the Secretary of State to send in an estimate. The act could not require that. What we provide is that the Secretary may acquire the buildings; that the amount in any one year shall not exceed $500,000; and then there is a provision directing the Secretary of State to put in a limit of cost when he does send in his estimates, and when that limit of cost is included in that estimate it can not be exceeded.

A little later, the gentleman from Illinois will recall, the Chairman said:

Will the gentleman from Illinois direct his attention to the Chair for a moment? Does the gentleman argue that the act which directs the Secretary to submit an estimate of cost and which limits that cost, subject to subsequent authorizations of Congress, is a barrier to an amendment on this bill?

The reason I am reading this debate to the Chair is to show the Chair if possible that in my opinion the subsequent decision of the Chair was based upon a wrong point, and upon a point conceded by the gentleman from Illinois to have no weight. In reply to the query of the Chair the gentleman from Illinois [Mr. MANN] said:

I skillfully avoided the subject. I do not wish to express an opinion on the subject, and I hope the Chair will not be called upon to express an opinion on that subject.

But, unfortunately, the Chair did express an opinion on that subject, and ruled that the amendment was out of order because no estimate of cost had been submitted, which was not a matter in issue. The ruling of the Chair is very brief. I will read it:

The existing law, act of February 17, 1911, provides that the Secretary of State shall submit estimates of appropriations to the Secretary of the Treasury for transmission to the House of Representatives—

That is just precisely what it does not do—

and it establishes a limit of cost for those buildings contemplated by the act and provides a method of establishing that limit. In the light of existing law fixing a limitation of cost, and the method of procedure by the Secretary of State, the amendment presented by the gentleman from Virginia is clearly not in order. It is new legislation, and therefore unauthorized by existing law. The Chair sustains the point of order.

In other words, the Chair sustained the point of order on precisely the ground which the gentleman from Illinois suggested ought not to be considered. Of course, at that time it was impossible that an estimate could have been made.

Two years later four or five amendments were offered—one to provide an embassy at Tokyo, another at Mexico City, and a few others. These amendments were held in order at that time, because the matter of whether the Secretary of State was compelled to send an estimate of cost was not the question. There it was admitted an estimate of cost had been sent in, and the point of order was overruled.

I submit that the decision which I have first referred to, which happened to be made by the gentleman from Pennsylvania, Mr. Moore, was incorrect, because he misapprehended the wording of the law. As I say, the law had been passed only a few days before. It was called to his attention suddenly, and the ground of his decision was that the existing act of February, 1911, provides that the Secretary of State shall submit estimates of appropriations.

Now, I want to call the attention of the Chair particularly to the fact that it does no such thing. It simply provides that when the Secretary of State submits estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives he shall set forth a limit of cost.

But that does not prevent Congress from making such appropriation within the limits of either the $500,000 in any one year or $150,000 in any one project when the estimate has not been sent in. The Chairman of the committee in deciding that misplaced the word "shall." He assumed that the Secretary of State was compelled to send in his estimate before the Congress could make an appropriation, whereas it is evident that there is no such provision. In this case, so far as I am aware, no exact estimate of the cost or acquisition of the land or building has been made, although the last three ambassadors have sent strong recommendations to that effect. I do not know, and the chairman of the committee advises me that he is not aware, that the Secretary of State has officially transmitted those estimates here; that he is not required to do so under the law.

The reason I offer the amendment is that it will be effective in providing an embassy in Paris within the limit of cost under the Lowden bill of $150,000. One hundred and fifty thousand dollars in our money to-day is $450,000 in France, and the United States Government will make a profit of 66⅔ per cent on this transaction. I submit that it is in order under the statute under the so-called Lowden Act, and the decision of the Chair in interpreting that act in the first instance was incorrect.

The CHAIRMAN. Does the gentleman from Ohio understand that the limit of the total expenditure in any one year is $500,000?

Mr. LONGWORTH. In any one year, but I do not think that limits the power of Congress to appropriate; it only limits the expenditure to $500,000 in any one year.

The CHAIRMAN. Does the gentleman from Illinois wish to be heard?

Mr. MANN of Illinois. I think not; I drew the language in that law.

The CHAIRMAN. In passing on the point of order, perhaps the Chair should be somewhat specific because the proposition is important, and there is some conflict in the decisions that have been made with regard to it. The contention of the gentleman from Ohio in regard to the interpretation of the statute, it seems to the Chair, is well founded. This first provision of the act is absolutely without limitation. It states:

That the Secretary of State be, and he is hereby, authorized to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the Diplomatic and Consular establishments of the United States, and to alter, repair, and furnish the said buildings; suitable buildings for this purpose to be either purchased or erected, as to the Secretary of State may seem best, and all buildings so acquired for the Diplomatic Service shall be used both as the residences of diplomatic officials and for the offices of the diplomatic establishment.

That is the positive, affirmative, and material part of the statute. Now, unless that is limited in some way or other by the provisos that have been added, certainly there is ample authority for the committee considering the amendment.

The first proviso is:

Provided, however, That not more than the sum of $500,000 shall be expended in any fiscal year under the authorization herein made.

That limitation, it would seem, as a matter of fact has not been exceeded, and there are, so far as has been called to the attention of the Chair, no other authorization for expenditures where the total would exceed the limit of $500,000.

Now we come to the next proviso, which is the difficult proposition involved in this case:

Provided further, That in submitting estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives the Secretary of State shall set forth a limit of cost for the acquisition of sites and buildings and for the construction, alteration, repair, and furnishing of buildings at each place in which the expenditure is proposed (which limit of cost shall not exceed the sum of $150,000 at any one place), and which limit shall not thereafter be exceeded in any case, except by new and express authorization of Congress.

Unless this proviso makes it obligatory before Congress can make the appropriation that the Secretary of State shall submit to the Secretary of the Treasury an estimate, then the limitation does not apply in this case. The language used, as the committee will notice, is "that in submitting estimates of appropriation." That is, if estimates are made, they must be made in the manner prescribed.

Of course, the usual method in which these matters are called to the attention of the committee having the matter in charge for consideration is upon estimates furnished by the department. The provision in this act is, in effect, that if an estimate is made by the Secretary of State and transmitted to the Secretary of the Treasury, it shall be done in the manner prescribed. But there is no requirement that such estimate must be made. It is admitted in argument that no such estimate was submitted, and the question is as to whether it could be inferred that such an estimate would be required. The Chair would not be justified in any such inference; and as the language does not specifically state that it is a prerequisite, and does not specifically state that the appropriation must not be made until such estimate has been made, the Chair thinks it is perfectly within the right of the committee to consider the amendment, and the point of order is overruled.

Mr. MANN of Illinois. I suppose the Chair is not called upon probably to decide, and as far as I could understand he did not decide, that the limit of cost fixed in the proviso where an estimate is made may be exceeded where no estimate is made.

The CHAIRMAN. No; the Chair does not decide that point at all.

Mr. MANN of Illinois. I do not know how the Chair will decide it when that question comes up.

The CHAIRMAN. The Chair would say to the gentleman from Illinois that the Chair does not think that that is directly involved.

Mr. MANN of Illinois. No; I think not, myself.

Mr. ROGERS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. ROGERS offers the following amendment to the amendment: At the end of the amendment add the following: "*Provided,* That the Secretary of State is hereby authorized, in his discretion, and in so far as to him seems practicable and advisable, to conclude negotiations with the Government of France, with a view, in lieu of the amount herein appropriated, to the crediting upon the obligations or debts of such Government then held by or owing to the United States, a part or all of the purchase price thereof."

Mr. MANN of Illinois. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LONGWORTH. Mr. Chairman, I just want only to say a word, and I shall be very brief, indeed, because this is a matter that has been repeatedly called to the attention of the House. There never was a time, in my opinion, when there was so great need for having good men in our Diplomatic Service. It has been a most unfortunate fact in this country that our choice of men to hold high diplomatic positions has been confined to men of great wealth. The salary that we provide, of $17,500 a year, is absolutely inadequate for a man properly to represent this country in any great city of Europe or of the Orient. Of course, we have been fortunate at times in finding men otherwise qualified who were fortunate enough to have a large pocketbook; but it has always seemed to me a blot upon the real democratic theory of our Government that we should find ourselves compelled to appoint to some of the highest and most important offices men of a particular class, a class occupied only by men of great wealth. There never was a time hitherto when we so much needed first-class men to represent this country abroad as now. It is rather the exception to the rule that the first-class American citizen is a man of great personal fortune. The sort of diplomacy represented by gilt tinsel and ceremony and all that sort of thing is a thing of the past. The diplomacy of the next two years is going to be attended to by hard-headed, practical men, and upon the choice of the men whom we send abroad in the next few years may lie the future of this country in great part. It is utterly impossible under our present system, which provides no residences for our representatives abroad, for anyone but a very rich man to accept these positions.

This amendment is offered at a peculiarly opportune time, it seems to me, from the standpoint of economy. The present rates of exchange in foreign countries are variable, and in many countries their money, as compared to ours, has gone almost to the vanishing point. In the case even of France an American dollar which used to buy 5 francs can now buy more than 16 francs. In other words, an American dollar to-day is three times as valuable as it used to be.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. DUNBAR. The gentleman says that the American dollar will now buy 16 francs. What will those 16 francs buy in Paris?

Mr. LONGWORTH. They will buy of some things as many as they used to buy, and of other things they do not, but 150,000 American gold dollars will buy $450,000 worth of land

and buildings in Paris to-day. We will be making a profit of over 66⅔ per cent on the transaction.

Mr. DUNBAR. Does the gentleman mean to say that a building which before the war would have sold for $450,000 in American money can now be gotten for $150,000 of American money?

Mr. LONGWORTH. I do.

Mr. DUNBAR. Has the inflation of the currency in France not caused an inflation in the price of commodities?

Mr. LONGWORTH. I say in some things, yes; in other things, no. To-day the cost of living in France for the average family has not increased since the war, according to the best information.

Mr. DUNBAR. Does the gentleman know it to be a fact, then, that property in France has depreciated two-thirds of its former value?

Mr. LONGWORTH. I do not say that property has; I say that the purchasing power abroad of the franc has.

Mr. DUNBAR. The purchasing power of the franc has decreased and the property decreased or increased?

Mr. LONGWORTH. The purchasing power of the franc at home has not decreased in so far as very many articles are concerned, and as I understand it it has not decreased so far as the purchasing power of land is concerned.

Mr. DUNBAR. Is it not generally understood that with the inflation of the currency there is always an inflation in prices?

I can understand no reason why Paris should be any exception to the rule.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. Two minutes more, Mr. Chairman.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LAYTON. Will the gentleman yield for one question?

Mr. LONGWORTH. I will.

Mr. LAYTON. I agree with the gentleman's remarks very much, but does the gentleman think it would be a good thing at this time to go into all the capitals in the world and——

Mr. LONGWORTH. Eventually, yes; but I would not say go to all the capitals of the world just now, but the fact is we need a first-class man for the American ambassador to France. Our choice is limited under existing conditions to rich men. I call that undemocratic. I call it a blot on the laws of this country.

Mr. BLANTON. Will the gentleman yield?

Mr. LONGWORTH. I would like——

Mr. BLANTON. Just a short question. Does the gentleman think it is any more important to buy this residence there than to buy a house in Washington for our Department of Justice?

Mr. LONGWORTH. I do, because we can always get good men to fill the office of the Attorney General and others at our present salaries who are not rich men——

Mr. BLANTON. But we are renting a building now.

Mr. LONGWORTH. But we can not do so in the case of our representatives abroad, gentlemen. Now, there is one particularly good feature of this Lowden bill, to which I want to call the attention of the committee. It provides that the embassy must be used both as a residence for the ambassador himself and the chancellery, which is the place where all the affairs of the embassy are conducted and where the secretaries and the clerks work. One of the great troubles to-day is that in Paris, for instance, the American Embassy, as such, is a small house on a side street. The embassy, meaning the residence of the ambassador, depends on how rich that man is, and either is a big house in the most fashionable part of all Paris or a small house in a less fashionable part, depending solely on the pocketbook. I do not think that the pocketbook of the American ambassador should be reflected in the size of his house. I think we ought to have a uniform embassy where all men, rich or poor, can live and represent this country as it ought to be represented. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was agreed to.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. WALSH offers an amendment, to follow the Longworth amendment, as follows:

"The Secretary of State is hereby authorized to accept the gift of the residence of J. P. Morgan in London, England, which has been offered to the Government of the United States as a residence for the American ambassador."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SALARIES OF THE CONSULAR SERVICE.

For salaries of consuls general, consuls, and vice consuls, as provided in the act approved February 5, 1915, entitled "An act for the improvement of the foreign service," $1,774,500. Every consul general, consul, vice consul, and, wherever practicable, every consular agent shall be an American citizen.

Mr. BLANTON. Mr. Chairman, I reserve a point of order to ask a question. I would like to ask the gentleman in charge of the bill how much this $1,774,500 for consular salaries is in excess of the amount we paid for salaries for the fiscal year ended June 30, 1917?

Mr. ROGERS. The amount that year was $1,164,000. Now, in explanation of the increase perhaps the gentleman will permit me to suggest——

Mr. BLANTON. I understand then you are increasing this $610,500?

Mr. ROGERS. Yes; for two reasons. Because we have completely Americanized the Consular Service in the last five years. We have weeded out the consular officers, among whom in the past there have been many foreigners. I believe the gentleman will agree with the wisdom of that policy?

Mr. BLANTON. Oh, yes.

Mr. ROGERS. And in the second place, the number of consuls has very much increased in five years. And in the third place, there has been a slight salary readjustment made by Congress.

Mr. BLANTON. Did the chairman's subcommittee of five carefully go over this item of $610,500 increase before they put it in the bill at the request of the State Department?

Mr. ROGERS. They asked for $1,974,500 and, as we thought, produced pretty good evidence that that sum was desirable with world conditions as they are. Nevertheless, we felt that it could be reduced by $200,000 without impairing the service. And in the hearings the gentleman will find an explanation of where every dollar of this fund goes.

The Clerk read as follows:

EXPENSES OF CONSULAR INSPECTORS.

For the actual and necessary traveling and subsistence expenses of consular inspectors while traveling and inspecting under instructions from the Secretary of State, $25,000: *Provided*, That inspectors shall be allowed actual and necessary expenses for subsistence, itemized, not exceeding an average of $8 per day.

Mr. BLANTON. Mr. Chairman, in order to be consistent, I make the point of order against the proviso providing for $8 subsistence in the face of the law limiting it to $5.

The CHAIRMAN. The point of order is not sustained.

The Clerk read as follows:

POST ALLOWANCES TO DIPLOMATIC AND CONSULAR OFFICERS.

To enable the President, in his discretion, and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to diplomatic and consular officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $250,000.

Mr. CONNALLY. Mr. Chairman, I reserve a point of order.

Mr. ROGERS. I do not know that I care to debate the matter when the point of order is reserved.

Mr. CONNALLY. Then I will make the point of order.

Mr. ROGERS. What is the point of order?

Mr. CONNALLY. That there is no authorization of law for this appropriation. I will state to the Chair that this is an item that has been appropriated heretofore for the purpose of supplementing the salaries of consuls and diplomatic officers in foreign countries because of the increased cost of living brought about by war conditions. The testimony before the committee is that now American money in every country in the world, with the possible exception of China and Mexico, is worth more than it has been for a long number of years, and so the consuls' and diplomats' salaries, as was very well explained by the gentleman from Ohio [Mr. LONGWORTH] a moment ago in arguing on the purchase of the site in Paris, are worth much more or have a greater purchasing power than they did before the war. And while this item was perhaps justified during the time the war was continuing, it is not justified now, because we ought to get back to normal conditions.

Mr. ROGERS. Will the gentleman yield just a moment?

Mr. CONNALLY. I yield.

Mr. ROGERS. Will the gentleman reserve the point of order?

Mr. CONNALLY. I reserve it.

Mr. ROGERS. The justification for the item at this time, as it appeared to the committee, is this: First, in the Orient, as the gentleman well knows, the rate of exchange is as adverse to the United States as it is favorable in parts of Europe, and one-half of this sum is recommended in order to prevent

our officers in the Orient from finding the size of their dollar, and their consequent purchasing power, cut in two. On the Continent of Europe, I agree with the gentleman, that on the whole the cost of living has not kept up with the rise in exchange; so that in Poland, for example, or in Italy, I believe our consular officers to-day are better off with the same salary in United States dollars than they were in 1914. In the British Isles the condition is intermediate. In the British Isles the cost of living has increased threefold, according to the evidence before the committee. The rise in exchange has been about 35 per cent on the average. In other words, it costs the American consular officer in Great Britain from two to three times as much to live as it did in 1914.

So the committee, instead of giving $600,000 or $700,000, as has been given in the past three or four years, concluded that our officers in the Orient ought to have $125,000 to equalize the adverse exchange. This seems a matter of fair play so far as the Orient is concerned. Then we added another $125,000 to care for the condition in the British Isles.

Mr. CONNALLY. I would like to ask the gentleman from Massachusetts if it is not a fact, with respect to the Orient, that the same conditions that exist now existed long before the war, and if there is any trouble at all it is the fact that the salaries have not been properly fixed by statute, and does not arise as a war condition? This item has been carried because it was a war item. Now, the war has ceased, and if there is any inequity in the salaries of officers in China, it is a permanent condition that has been in effect for a number of years.

Mr. ROGERS. I think the gentleman will agree that the situation in China did not begin to get troublesome until 1914, and was a reflex of the European war.

Mr. CONNALLY. I would perhaps have no objection if the gentleman would limit the appropriation to China. I object to the State Department having $250,000 to parcel around over various parts of the world wherever it sees fit to distribute it.

Mr. ROGERS. Does the gentleman think that it is fair that a consul in Birmingham, England, for example, or in Liverpool, or in Dublin, or in Glasgow should in practice find his salary cut in two, so far as its purchasing power goes?

Mr. CONNALLY. I do not think that that is the true condition.

Mr. ROGERS. We have an abundance of evidence before the committee based on Federal Reserve Board statistics and on Department of Labor statistics that that fact is true. I will tell the gentleman frankly that he will be bringing about a very considerable and, it seems to me, an unwarranted hardship if he does insist on the point of order. We have tried to keep this amount down to a moderate sum. I think it ought to be larger rather than smaller.

Mr. CONNALLY. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 22, after line 9, insert "to enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances, during pendency of existing war and for six months after its termination, by way of additional compensation to consular and diplomatic officers in belligerent countries and countries contiguous thereto, including China and the officers at Hongkong, Saigon, Tsingtau, Darien, and Vladivostok in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $250,000."

Mr. BLANTON. Mr. Chairman, I reserve a point of order. I wanted to ask the chairman if he does not think that the $610,500 in excess which we have provided for in the paragraph at the bottom of page 21 is sufficient increase for these officers to make unnecessary this additional $250,000 increase?

Mr. ROGERS. Consuls general and consuls have not had their salaries increased. The increase in the other item was mainly in connection with the creation of a group of men called vice consuls.

Mr. BLANTON. This $610,500 is an increase in addition to the increase contained in the $1,200,000 item?

Mr. ROGERS. That represents, as I explained a few moments ago, an increase in personnel, and also the added expense we are put to by Americanizing the service in the lower grades.

Mr. BLANTON. Mr. Chairman, I make the point of order. It is unauthorized and it is new legislation on an appropriation bill.

Mr. ROGERS. That item in the form it is presented was carried in the Diplomatic and Consular act of 1919, and the fact that it is available until a date six months after the termination of the existing war shows that it was not merely legislation for the fiscal year. I therefore contend that the amendment is in order.

Mr. BLANTON. That was merely on an appropriation bill, Mr. Chairman. The gentleman knows it.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

EXPENSES, PASSPORT CONTROL ACT.

For expenses of regulating entry into the United States, in accordance with the provisions of the act approved May 22, 1918, and public act No. 79 of the Sixty-sixth Congress, when the latter act shall have become effective, $600,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against that paragraph.

Mr. CONNALLY. Will the gentleman reserve it?

Mr. BLANTON. I will reserve it. In reserving this point of order I want to ask the chairman how much of this $600,000 is for regulating entry into the United States under this law mentioned herein, which has not yet become a law; in other words, this public act 79.

Mr. ROGERS. Public act 79 never has become a law, and presumably never will become a law, as it goes out of existence on March 4; but in view of the fact that legislatively it may come into existence before March 4, it would seem that the appropriation should be made in this language.

Mr. BLANTON. I withdraw the reservation.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 25, after line 13, insert a new paragraph, as follows:

"For such expenses not otherwise provided for herein as may be necessary to enable the President to conduct and maintain any embassy, legation, or consular offices authorized by law, $41,300."

Mr. BLANTON. I make a point of order that this amendment is unauthorized in the terms in which it is drawn; that it is not authorized to be put on an appropriation bill by the Appropriations Committee. It is a blanket provision.

The CHAIRMAN. The point of order is not sustained. The question is on the amendment offered by the gentleman from Massachusetts, which the Clerk will again report.

Mr. NEWTON of Minnesota. I offer an amendment to the amendment offered by the gentleman from Massachusetts.

The CHAIRMAN. The Clerk will first report again the amendment offered by the gentleman from Massachusetts [Mr. ROGERS].

The amendment was again read.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Massachusetts [Mr. ROGERS].

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. NEWTON of Minnesota offers the following amendment to the amendment: At the end of the paragraph insert the following proviso:

"*Provided*, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Interpreter to legation and consulate general to Persia, $2,000; interpreter to legation and consulate general to Bangkok, Siam, $2,000; for 10 student interpreters at the legation to China, at $1,500 each, $15,000; for the payment of the cost of tuition of 10 student interpreters in China, at the rate of $350 per annum each, $3,500; for 6 interpreters at the embassy to Japan, at $1,500 each, $9,000; for the payment of the cost of tuition of 6 student interpreters at the embassy to Japan, at the rate of $200 per annum each, $1,200; for 4 student interpreters at the embassy to Turkey, at $1,500 each, $6,000; for the payment of the cost of tuition of 4 student interpreters at the embassy to Turkey, at the rate of $200 per annum each, $800; for rent of quarters for the student interpreters attached to the embassy to Japan, $1,200; for rent of quarters for the student interpreters attached to the embassy to Turkey, $600."

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment that it is legislation on an appropriation bill unauthorized by law, and that the Chair has already ruled on that matter.

Mr. NEWTON of Minnesota. Mr. Chairman, the Chair will note that the amendment offered is in the nature of a limitation and a restriction on the Department of State in spending the money that is included in the amendment offered by the gentleman from Massachusetts. It is therefore not in the nature of legislation but a limitation and restriction upon the appropriation that has already been offered and held in order.

Mr. BLANTON. I want to submit that this is merely a conspiracy between the gentleman from Massachusetts [Mr. ROGERS], the chairman of the subcommittee, and the gentleman from Minnesota [Mr. NEWTON], trying to put back into the bill something out of order and something that the Chair has held out of order. It is a subterfuge on the part of two gentlemen acting conjointly. It is a frame-up, as some Member suggests. I submit that my point of order is good and that it should be sustained.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Massachusetts.

The question was considered, and the amendment was agreed to.

Mr. TEMPLE. Mr. Chairman, I offer an amendment, on page 22, line 10, after the words "diplomatic and consular officers," insert "to enable the President to carry out the provisions of the act of April 15, 1918, for post allowances to consular and diplomatic officers, $250,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. TEMPLE: Page 22, line 10, after the words "diplomatic and consular officers," insert "to enable the President to carry out the provisions of the act of April 15, 1918, for post allowances to consular and diplomatic officers, $250,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is not germane to the paragraph. We have passed page 22, and it is legislation on an appropriation bill.

The CHAIRMAN. The point of order is sustained.

Mr. TEMPLE. Mr. Chairman, I now offer the amendment to the page where we now are.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, after line 13, following the amendment just adopted, insert the following:

"To enable the President to carry out the provisions of the act of April 15, 1918, for post allowances to consular and diplomatic officers, $250,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that that is legislation on an appropriation bill unauthorized by law.

Mr. TEMPLE. Mr. Chairman, I should like to be heard on the point of order.

Mr. CONNALLY. Mr. Chairman, I make the point of order that it is not germane to that portion of the bill.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania.

Mr. TEMPLE. Mr. Chairman, two points of order are pending. One is that it is not germane to the paragraph. To that I wish to say that it is offered as a new paragraph, and it does not have to be germane to the paragraph that precedes it or to the paragraph that may follow it. It stands alone as a new paragraph, if it is germane to the bill, and the point has not been made that it is not. That point certainly would not lie. It is germane to the bill and will fit in in any particular place in the bill.

As to the other point of order, that it is an appropriation not provided for in law, I read from the act to which the paragraph itself specifically refers, the act of April 15, 1918. There an appropriation was made—

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances during the pendency of the war and for six months after its termination—

And so forth.

It seems to me that that is legislation which is permanent in the sense that all our war-time legislation was permanent, to last until the termination of the war and for a certain period after the war, and we made appropriation after appropriation under acts that carried exactly that provision. So, although this was carried in an appropriation bill, it is legislation and fixes a certain condition that is to be recognized as law during the pendency of the war and for six months after peace is concluded. Of course, if that is the case, like all of the other legislative bills under which appropriations were made, it is authority in law for future appropriations.

Mr. BLANTON. That was carried in an appropriation act.

Mr. TEMPLE. Yes; it was carried in an appropriation act, but that item of legislation is in it, and it is law, whether it was first adopted in an appropriation act or somewhere else.

Mr. CONNALLY. Mr. Chairman, the act in which the language quoted by the gentleman from Pennsylvania [Mr. TEMPLE] was carried was the Diplomatic appropriation act for the fiscal year 1919. The item is very much like the item which appeared in the committee print of this bill:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances during the pendency of the existing war and for six months after its termination, by way of additional compensation to the consular and diplomatic officers in belligerent countries, and countries contiguous thereto, including China, officers at Hongkong—

And so on.

I call the attention of the Chair to the fact that it does not purport to be permanent law, but was applicable only to the appropriations carried in the act. It really partakes of the nature of a limitation, because if the war had ended prior to the end of the fiscal year of 1919, six months thereafter the authority of the President would have come to an end; the power of the President to expend the $700,000 automatically would have terminated, even though the appropriation year had not expired. Really, the act simply authorizes the expenditure of $700,000 to be used by the President, when? During the year 1919, provided that during that year the state of war continued. It does not purport to be permanent law in any sense, any more than the language appearing in this committee print of the bill now before the House purports to be permanent law. It simply makes it possible for the President during the life of that appropriation bill to make these allowances, and it is clearly in the nature of a limitation on the appropriation.

On the question of germaneness, I submit that this item on its face purports to be an increase of the consular and diplomatic salaries, and if it is germane at all it must be germane to those items in the bill which provide salaries for consuls and diplomatic officers. Those items are to be found on page 21, salaries of consular service; page 22, salaries of consular assistants; and page 22, allowances for clerk hire, United States consuls. It certainly is not germane to that portion of the bill to which it is offered, the matter of regulating the entry of aliens into the United States by the passport-control act.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk resumed and concluded the reading of the bill.

Mr. ROGERS. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TOWNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15872, had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

SPEAKER PRO TEMPORE ON SUNDAY.

The SPEAKER. To-morrow the House meets for memorial exercises for the late Senator BANKHEAD and the Chair would like to designate the gentleman from Alabama, Mr. BLACKMON, to preside.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. ROGERS. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. CONNALLY. Mr. Speaker, I demand a separate vote on the amendment accepting the gift of the Morgan home in London.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. BLANTON. Mr. Speaker, I demand a separate vote on the Longworth amendment.

Mr. McCLINTIC. Mr. Speaker, inasmuch as a number of Members are not acquainted with what is in the bill, I ask that all amendments be read and demand a separate vote upon them.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SWOPE, for five days, on account of sickness.

To Mr. MONTAGUE (on request of Mr. BLAND of Virginia), from the city, on public business.

ADJOURNMENT.

Mr. ROGERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 26 minutes p. m.) the House, under its former order, adjourned to meet to-morrow, Sunday, January 30, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

377. A letter from the Postmaster General, transmitting report of the claim of the postmaster at Bedford, Pa., for reimbursement for funds lost through burglary; to the Committee on Claims.

378. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation for contingent ex-

penses of the War Department during the fiscal year ending June 30, 1920; to the Committee on Expenditures in the War Department.

379. A letter from the Secretary of War, transmitting report from the Chief of Air Service covering publications issued by the Air Service of the Army during the fiscal year 1920; to the Committee on Printing.

380. A letter from the Postmaster General, transmitting list of useless executive papers in that department and requesting their dispositon; to the Committee on Disposition of Useless Executive Papers.

381. A letter from the Acting Secretary of State, transmitting report in connection with useless executive papers in that department and requesting their disposition; to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ANTHONY, from the Committee on Appropriations, to which was referred the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, reported the same without amendment, accompanied by a report (No. 1264), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEBSTER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4825) to extend the time for the construction of a bridge across the Columbia River between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon, reported the same without amendment, accompanied by a report (No. 1265), which said bill and report were referred to the House Calendar.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 15880) to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 20, 1914, reported the same with an amendment, accompanied by a report (No. 1266), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FREAR, from the Committee on Ways and Means, to which was referred the joint resolution (S. J. Res. 146) directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918, reported the same without amendment, accompanied by a report (No. 1267), which said bill and report were referred to the House Calendar.

Mr. SELLS, from the Committee on Roads, to which was referred the bill (H. R. 15873) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes, reported the same without amendment, accompanied by a report (No. 1268), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CHINDBLOM, from the Committee on the Merchant Marine and Fisheries, to which was referred the joint resolution (H. J. Res. 461) to amend section 2 of the joint resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved June 5, 1920, reported the same without amendment, accompanied by a report (No. 1269), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Maine, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 15665) to amend section 6 of the act of Congress entitled "An act for the protection and regulation of the fisheries of Alaska," approved June 26, 1906, reported the same with amendments, accompanied by a report (No. 1270), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15525) to provide for the establishment on the Mississippi River, in the State of Wisconsin, of a fish-rescue station, to be under the direction of the Bureau of Fisheries of the Department of Commerce, reported the same with amendments, accompanied by a report (No. 1271), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. HICKS: A bill (H. R. 15944) to authorize reduced rates of transportation for members of the military and naval forces; to the Committee on Naval Affairs.

By Mr. REED of New York: A bill (H. R. 15945) authorizing an appropriation for the World's Poultry Congress; to the Committee on Agriculture.

By Mr. ZIHLMAN: Joint resolution (H. J. Res. 462) authorizing the installation of water meters in buildings occupied by the executive and municipal departments and governmental institutions in the District of Columbia, and for the establishment of rates for water used therein; to the Committee on the District of Columbia.

By Mr. CARSS: Memorial of the Legislature of the State of New York, requesting that Federal authorities discontinue operations of barges, boats, and other transportation facilities, operating on the canals in New York State, at the earliest possible moment; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LUCE: A bill (H. R. 15946) granting a pension to Elisha R. Kenyon; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 15947) granting a pension to Amanda Riley, formerly Amanda Carter; to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution (H. Res. 656) authorizing the payment of $800 to H. M. Vandervort for extra and expert services to the Committee on Invalid Pensions during the third session of the Sixty-sixth Congress; to the Committee on Accounts.

By Mr. SELLS: Resolution (H. Res. 657) authorizing the payment of $1,200 to Wayne W. Cordell for extra and expert services rendered to the Committee on Pensions during the second and third sessions of the Sixty-sixth Congress; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5348. By Mr. CANNON: Petition of sundry citizens of Kankakee, Ill., requesting the recognition by our Government of the existing republic of Ireland; to the Committee on Foreign Affairs.

5349. By Mr. CURRIE of Michigan: Petition of Samuel Bowser and 24 others, urging favorable consideration of the Fess-Capper bill; to the Committee on Education.

5350. Also, petition of Harvey Stauffer and 14 others, urging favorable consideration of the Fess-Capper bill; to the Committee on Education.

5351. By Mr. FULLER: Petition of Progressive Lodge, No. 440, International Association of Machinists, of Rockford, Ill., favoring resumption of trade with soviet Russia; to the Committee on Foreign Affairs.

5352. By Mr. ESCH: Petition of the Chinese Society of America, urging adequate appropriation for the work of the Department of Commerce in extending trade with China; to the Committee on Appropriations.

5353. By Mr. LINTHICUM: Petition of Albert W. Adt, Harry H. Wilson, William B. Wood, G. W. Houck, William B. McCaddin, Garner W. Denmead, and Louis H. Palmer, all of Baltimore, advocating modification of present tax system; to the Committee on Ways and Means.

5354. Also, petition of Elias Petts, LeRoy T. Felser, Hadassah Chapter, George W. Ebaugh, and Alumnae Association, Eastern High School, all of Baltimore, indorsing Smith-Towner bill; to the Committee on Education.

5355. Also, petition of the Merchants and Manufacturers' Association, Baltimore, protesting against S. 4542; to the Committee on Naval Affairs.

5356. Also, petition of Armstrong, Cator & Co., Baltimore, authorizing the Secretary of the Treasury to make partial payments to railroads of sums certified by the Interstate Commerce

Commission as due them from the Government; to the Committee on Interstate and Foreign Commerce.

5357. Also, petition of Joseph Marsheck, jr., Baltimore, indorsing S. 4606; to the Committee on the Merchant Marine and Fisheries.

5358. Also, petition of the State roads commission, Baltimore, approving the Sells bill, H. R. 15873; to the Committee on Roads.

5359. Also, petition of the Merchants and Manufacturers' Association, Baltimore, protesting against the Calder bill; to the Committee on Interstate and Foreign Commerce.

5360. By Mr. O'CONNELL: Petition of employees of the Steamboat-Inspection Service, favoring the passage of House bill 15746 and Senate bill 4839; to the Committee on Reform in the Civil Service.

5361. By Mr. PETERS: Petition of W. L. Welsh and 410 others, of Belfast, Me., favoring the emergency tariff bill; to the Committee on Ways and Means.

5362. Also, petition of W. M. Kelsey and 89 others, of Brooks, Me., protesting against the importation of potatoes into the United States; to the Committee on Interstate and Foreign Commerce.

5363. By Mr. TEMPLE: Petition of the Outlook Club, of Beaver Falls, Pa., in support of the Sheppard-Towner bills (S. 3259, H. R. 10925); to the Committee on Interstate and Foreign Commerce.

5364. Also, petition of the Outlook Club, of Beaver Falls, Pa., protesting against the Yellowstone Park encroachment bill (H. R. 12466); to the Committee on the Public Lands.

5365. Also, petition of the Outlook Club, of Beaver Falls, Pa., supporting the Smith-Towner bills (S. 1017, H. R. 7); to the Committee on Education.

5366. Also, petition of Ralf Gaston, route No. 7, New Castle, Pa., and others, protesting against a daylight saving law; to the Committee on Interstate and Foreign Commerce.

5367. By Mr. ZIHLMAN: Petition of Principals' Association, of Baltimore city, indorsing the Smith-Towner bill; to the Committee on Education.

HOUSE OF REPRESENTATIVES.

SUNDAY, *January 30, 1921.*

The House met at 12 o'clock noon and was called to order by Mr. BLACKMON as Speaker pro tempore.

Rev. William Couden, of Concord, Mich., offered the following prayer:

Almighty God, we thank Thee for the revelation through Christ's gospel that enables our souls when prostrate to look up into Thy face beyond all shadows and to call Thee "Our Father." This morning we assemble out of reverence for a good man who has passed from us to return no more. We are glad to remember his personal charm and integrity, his rich mentality, and his public loyalty in the service of his town, his county, his State, and his Nation, both as Representative and Senator. Though he will be missed here, we feel that to him can be applied the words that were spoken of ex-President Benjamin Harrison:

Great lives do not go out; they go on.

Bless, we pray Thee, the great and holy matters in which this man was interested; the welfare of our country, the spread of justice, and the establishment of truth and love. Encourage those who were his colleagues in promoting every good cause.

Especially, we beseech Thee, to pour out Thy merciful and gracious healing upon the group of his near friends and kinsfolk. Breathe Thy spirit of comfort upon his very dearest, the members of his family whose hearts are burdened with the heavy load of missing daily his intimate presence. May they find to hand all those Christian powers that enable Thy children to sorrow not as those who are without hope in Jesus. And, finally, through the Redeemer's triumph, bring us all with sins forgiven and in perfect peace to our heavenly home. Amen.

THE JOURNAL.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the reading of the Journal be deferred until to-morrow.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that the reading of the Journal be deferred until to-morrow. Is there objection?

There was no objection.

THE LATE SENATOR BANKHEAD.

The SPEAKER pro tempore. The Clerk will report the special order.

The Clerk read as follows:

On motion of Mr. DENT, by unanimous consent, *Ordered*, That Sunday, January 30, 1921, at 12 o'clock noon, be set apart for addresses on the life, character, and public services of Hon. JOHN H. BANKHEAD, late a Senator from the State of Alabama.

Mr. DENT. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 658.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JOHN HOLLIS BANKHEAD, late a Senator from the State of Alabama.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was agreed to.

Mr. DENT. Mr. Speaker, the late Senator JOHN H. BANKHEAD of Alabama was for 20 years a member of this body before going to the Senate 13 years ago. His long, conspicuous, and honorable service here makes it indeed appropriate that this time should be set apart to pay tribute to his memory. The Senate, of which body he was a member at the time of his death, has already memorialized his life and character. His former colleagues there, particularly the senior Senator from his own State, have given in detail the long public service which he rendered to his native State. It would be useless for me to now repeat the details. Suffice it to say that his record as a Confederate soldier, his service in both branches of the Alabama legislature, and his career as a Representative from that State in both Houses of Congress speak for themselves.

It is seldom given to any man to have such a long, useful, and almost unbroken career in public life, and I am sure no man filled the trusts committed to him with greater faithfulness or more signal ability.

Senator BANKHEAD was indeed a remarkable man. In every undertaking he was accurate, painstaking, and thorough. Though not a lawyer by profession, I heard him make a most splendid legal argument in the Senate relative to the amendment providing for the direct election of Senators when the governor of Alabama made an appointment to fill a vacancy in the Senate from that State.

He had a clear and a broad vision, observing the possibilities for the development of his State and the country at large as few men have been given the faculty to foresee.

Unquestionably he was one of the wisest counselors it has been my privilege to know. When I came to Congress about 12 years ago I acquired his friendship and often sought his advice. I do not recall that in a single instance his judgment was in error. I speak from the heart when I say in his death I lost a real friend.

He was a practical statesman. He did much for Alabama, as much, I may say, without making objectionable comparisons, as any man who ever represented her in the halls of Congress, and his memory will be forever enshrined in the hearts of a grateful people whom he served so faithfully and so well.

Mr. MADDEN. Mr. Speaker, we do not come here to-day to mourn the death of Senator BANKHEAD, for it is just as natural to die as it is to live. We come to pay tribute to his memory, and to his work and his life.

I had the privilege of serving in this House with Senator BANKHEAD before he went to the Senate. I served with him on the Rivers and Harbors Committee and in other activities. After he left the House it was my privilege to serve with him on conferences between the House and the Senate. It was also my privilege to serve with him as a member of the joint commission on postal salaries.

In my judgment Senator BANKHEAD was one of the plainest of the good, common, everyday citizens of this Nation. He never assumed that public place gave him superior rights. He realized that he was one of the people, and he never lost sight of the fact that the people of the Nation are the rulers of the Nation. He lived a life of patriotism. His patriotism was intense, as tender as the affection of son for mother, as strong

as the pillars of death. He shrank from no sacrifice, and sought no reward except his country's triumph.

During the Civil War he fought on the Confederate side with his own people. That he was a brave soldier the records of his service prove. At the close of the war he came into the Union with a firm determination to be for America, to know no north and no south, no east and no west.

No man ever served in the Congress of the United States with more fidelity or a greater determination to do the thing that was best for the people than JOHN HOLLIS BANKHEAD. It was a privilege to know him, to serve with him. No one could do either without loving him. No one could watch him in the performance of his duty without realizing that he had but one object, and that object the public weal. He was a wonderful character. Plain, simple, direct. He was industrious, energetic, forceful, and always attentive to his duties.

He was foremost in advocacy of Federal cooperation in road building, and conspicuous as the result of his work is the name of the Bankhead Highway, reaching from ocean to ocean. He was never ending in his determination to see that his State stood foremost among the States of the Union. But he was for America above all else. He believed that we should do our work in such a way as to make the word "America" mean more than it ever meant before. He has left on the record of American history a work that will live. He believed that the American flag should be respected in every land and on every sea. He conducted himself in such a way that it was easy to cooperate with him. He was strong in his determination to do what he believed to be right. He would not yield unless the facts justified it. He decided questions upon facts, not upon fancy. He was able to distinguish between so-called public opinion produced by propaganda and public opinion which was real. He was never swayed in his actions by propaganda, but no man was more responsive to real public opinion than was JOHN HOLLIS BANKHEAD.

He stood foursquare before every wind that blew. He never trimmed sail to meet the passing breeze. He believed in the wisdom of the people. He knew that in the long run they would understand and reach right conclusions. He acted on the theory that the best interests of the country would be served by a study of the facts and not in action that for the moment might gain popular favor. He qualified himself by research to decide important questions. Once in possession of all the facts he never equivocated, he acted.

It is a great privilege to be here to-day and to express the opinions which I have formed of this good man as the result of my contact with him. I know of no man with whom I have ever served that was more worthy of trust, no man whose life will live in the acts of other men more than that of Mr. BANKHEAD. His life was worthy of emulation. He has passed away from the scenes of activity here but his work will live on.

No day passes that I do not think of things that he has done, that I do not have called to my attention his strong personality. Of all the men with whom I have served in conference Senator BANKHEAD was the one man who could be relied upon to be just. Always insistent on the rights of the State that honored him with membership in the House and the Senate, he nevertheless never forgot that other States had rights, and while he may not always have been willing to yield without considerable argument, he fully realized the rights of others. He recognized that it was only as the result of full, fair, and deliberate conference that results finally shaped into legislation were so shaped because of the concessions made by those who had opinions on either side. He realized, more than any man I ever saw, that legislation in its final analysis was the result of compromise. He realized that legislation enacted on the opinions of those from any given section would not be enforceable, and that no legislation could become effective as the law of the land unless it met with almost universal approval, and that could only be reached by a system of compromise.

He loved the people of his State as no other man I ever knew. He loved the people of his Nation. He accepted the verdict at the close of Civil War without reservation, and coming into the councils of the Nation in the House shortly after that, finally entering the Senate, he made a record of loyalty and devotion and unselfishness as an American tried and true, of which every man, woman, and child in America should be proud. He was an American in the best sense, a simple, straightforward, unassuming, courageous, honest man with an integrity of purpose never questioned anywhere; brilliant, indefatigable in effort for his people, for his State, and for the Nation. He exemplified his loyalty and devotion and personal sacrifice in the enthusiasm with which he supported every measure for the fulfillment of America's obligations during the great war in which this country was engaged with Germany. Foremost in every movement that meant for American supremacy, that meant the preservation of American institutions, and the perpetuation of constitutional rights, JOHN H. BANKHEAD made a record of which his friends have reason to be proud.

We will miss him, we have missed him, but we are proud that he lived, proud that he lived to such a good old age, proud that he was an American, proud of his achievements, proud of his sacrifices, proud that he was a simple, plain American, whom public office could not change into the attitude of autocracy.

We rejoice that God gave him birth, that he was permitted to serve his country, that he devoted himself to the improvement of the human race. His life and his work have made the Nation better, friends dearer, home brighter. He loved the common man, his life was devoted to the improvement of conditions under which he lives. He was proud to have lived in a land where every citizen is a sovereign. He was in every sense a public servant who justified the people's confidence.

Mr. BOWLING took the chair as Speaker pro tempore.

Mr. BELL. Mr. Speaker, permit me as a friend and admirer of Senator BANKHEAD to add my tribute of respect and admiration to his memory.

Having served with him in the Fifty-ninth Congress in the House of Representatives, and during the last days of his life having been associated with him as a member of the Joint Postal Commission, of which he was chairman, I was enabled to have a personal knowledge of his splendid character and fine ability, and felt myself honored to be classed among his friends. His passing away was a distinct loss not only to his immediate section, and the South, but to the Nation at large. He was signally interested in any work or project that looked to the development of the country he loved so well and for the benefit of his fellow man; his work for good roads in this connection being conspicuous. In recognition of a system of highways which, under the leadership of Senator BANKHEAD, was initiated in the legislation he sponsored, Congress has authorized the erection of a suitable monument marking the point from which in future all national highways from Washington will radiate. This monument is gradually to be completed according to designs already approved by the Fine Arts Commission; is to be located immediately south of the White House on the northern line of the Ellipse, inscriptions denoting it as the starting point of two transcontinental motor convoys from Washington to San Francisco, one on July 7, 1919, over the Lincoln Highway, and the other on June 14, 1920, over the Bankhead National Highway through the Southern States, the home city of Senator BANKHEAD, Jasper, Ala., through Texas, New Mexico, and Arizona to San Francisco.

This work for good roads and his many other activities was in keeping with the nature of the man, constantly striving to accomplish something which would be of lasting good to his fellow man. The National Highway and the monument to be erected is a fitting memorial to his life—"Something attempted, something done, has earned a night's repose." I feel sure that the pomp and glory of this world did not appeal to him as would that simple encomium—"Earned a night's repose!"

To Senator BANKHEAD political virtue meant more than merely keeping faith with his party; to him it meant action, ceaseless work to bring to his fellow man the realization of good government. Public office meant only to him the avenue by which he could serve his fellow man. He was in truth a great commoner. No one was too lowly to receive his aid. Indeed, he felt that they were the ones who needed encouragement and sympathy.

When I came to Washington in 1904 one of the first Members of Congress outside of my home State I met was Senator BANKHEAD. We became good friends, and that friendship lasted to the day of his death. I often consulted him about important measures which were to be voted upon by Congress, and his advice was always good and his judgment sound. He was never too busy to confer with me about any matter which seemed to him important to me. I learned to lean upon him almost as though he were my father, and he always appeared gratified when I profited by his kindly advice. He was a very remarkable man; indeed, a very unusual man. He was firm but gentle. He was independent in thought, yet he never spurned the counsel of his friends. He was always to be found on the side of justice and right. He would not quibble over unimportant matters, but always looked for something worth while and that which he believed important to his country and his fellow man.

In his conclusions he was as steadfast and firm as the "Rock of Gibraltar."

I had the privilege and pleasure of serving with him on two important joint commissions of the House and Senate, and I always found him reliable in word and deed. I served on many conference committees with him, and he was always fair and impartial with his coworkers. He was always ready to meet his antagonist without fear, yet at the same time ready and willing to compromise if, indeed, he found himself in error or when the interest of a majority of the people he represented was involved. He was a great man. Great because he was good, as no man can be truly great without being good.

I have been told of the great love and affection he had for his family, his wife, his children, and his grandchildren, and this within itself shows the great soul which possessed our departed friend.

I did not know until the spring of 1920 that his popularity extended from coast to coast. While attending a meeting of the Joint Postal Commission in Kansas City the mere mention of his name, although he was not present, provoked a storm of applause.

In thinking of Senator BANKHEAD's love for his fellow man; of the spirit of brotherhood that dominated his life and left its impress upon the hearts and lives of those with whom he came in contact, I am reminded of the words of the poem—

There are hermit souls that live withdrawn
In the place of their self-content;
There are souls like stars, that dwell apart,
In a fellowless firmament;
There are pioneer souls that blaze their paths
Where highways never ran—
But let me live by the side of the road
And be a friend to man.

Let me live in a house by the side of the road
Where the race of men go by—
The men who are good and the men who are bad,
As good and as bad as I.
I would not sit in the scorner's seat
Or hurl the cynic's ban—
Let me live in a house by the side of the road
And be a friend to man.

I see from my house by the side of the road,
By the side of the highway of life,
The men who press with the ardor of hope,
The men who are faint with the strife;
But I turn not away from their smiles nor their tears,
Both parts of an infinite plan—
Let me live in a house by the side of the road
And be a friend to man.

I know there are brook-gladdened meadows ahead,
And mountains of wearisome height;
That the road passes on through the long afternoon
And stretches away to the night,
And still I rejoice when the travelers rejoice,
And weep with the strangers that moan,
Nor live in my house by the side of the road
Like a man who dwells alone.

Let me live in my house by the side of the road,
It's here the race of men go by—
They are good, they are bad, they are weak, they are strong,
Wise, foolish—so am I.
Then why should I sit in the scorner's seat,
Or hurl the cynic's ban?
Let me live in my house by the side of the road
And be a friend to man.

Mr. GREENE of Massachusetts. Mr. Speaker, the record shows that the late Senator BANKHEAD was a Member of the Fiftieth Congress and he continuously served as a Member of the Sixtieth Congress. He was appointed to the Inland Waterway Commission in 1907, and served with marked ability on that important commission, and was appointed to succeed the late Senator John T. Morgan in June, 1907. He had a majority over all candidates for his selection as the candidate to the United States Senate to fill the vacancy occurring by reason of the death of the late Senator Morgan. It was my privilege to be elected a Member of the Fifty-fifth Congress to fill a vacancy caused by the death of my predecessor.

It was there that I made the acquaintance of the late Senator JOHN HOLLIS BANKHEAD, whose memory we commemorate today. I found him a congenial and experienced legislator, and we remained firm personal friends during his membership of the House of Representatives.

The people of the State of Alabama appreciated his public services, and they called him from his post of honor as a member of the Inland Waterway Commission, to which he had been appointed, to the greater distinction of becoming a Member of the United States Senate. There I met him frequently. Senator BANKHEAD was about 17 months younger than myself.

Senator PAGE of Vermont conceived the idea a few years ago of inviting the Members of the United States Senate and House of Representatives, who had passed the age of 70 years, to join him in a luncheon on the anniversary of the birth of Hon. JOSEPH G. CANNON, former Speaker of the House of Representatives, on June 7, and he will be 85 years of age on June 7, 1921. The late Senator BANKHEAD was one of the group who joined in these festivities, which became a great pleasure to all who participated as the years passed by.

During my entire membership of the House of Representatives I have retained my membership of the Committee on the Merchant Marine and Fisheries, and I have felt very much gratified that Hon. WILLIAM B. BANKHEAD, a son of the late Senator BANKHEAD, was assigned to that committee as a member, and thus the tie of friendship to the family of the late Senator has become very much endeared and strengthened by my association with his distinguished son and faithful public servant. I wish to thank the Alabama delegation for inviting me to pay my memorial tribute to the late Senator BANKHEAD. He had a long and useful life, serving his State with distinction and ability, and had the further distinguished honor of long service in the House of Representatives and the United States Senate.

Mr. ALMON. Mr. Speaker, while I consider it an honor to pay my tribute to the high character and great achievements of Senator BANKHEAD, I at the same time realize that I am altogether unable to express in words a fitting tribute to his memory.

Such a career as his, so long, so full of accomplishments, it is impossible to even touch upon in detail in the limited time which either of us can to-day properly occupy, and I shall not attempt to do so.

When I began to take an interest in public affairs Senator BANKHEAD was one of the leaders in Alabama. I have campaigned with him and we have often spoken from the same platform. We became very warm and close friends, and his death grieved me very greatly. I often went to him for counsel and advice, and always found him a safe and wise counselor. I had the honor as a member of the Alabama Legislature to place him in nomination for his first full term in the United States Senate.

The surroundings of one's youth has a great influence upon the habits and characteristics of life. Senator BANKHEAD was raised in the rural district of north Alabama. He came of a hardy race of pioneers of Scotch-Irish descent. Gifted with a powerful physique, his was a commanding figure with a mental equipment to match, although his educational advantages were very limited.

For almost a half century the people of Alabama honored him with their love and confidence by electing him to State and Federal offices. For 35 years in the two houses of Congress he stood out in bold relief as a national figure, a leader in all that made for the welfare and good of his country and his fellow man.

For 20 years he occupied a prominent and leading position in this House, and for 15 years in the Senate—loved and respected by his colleagues in each body. Never once have I heard his personal integrity questioned.

Alabama has furnished men of renown in the affairs of the Nation, but none more beloved by her people than JOHN HOLLIS BANKHEAD.

In the United States Senate as the successor of John T. Morgan he fulfilled the highest expectations of his friends and his State. He maintained his position on a par with that of his most illustrious predecessors.

The services of Senator BANKHEAD in the House and the Senate is a record of devotion to duty to his State and his Nation. It was faithful, able, and extremely useful.

At the very beginning of the Civil War JOHN HOLLIS BANKHEAD, then a mere youth, enlisted as a private in Company K, Sixteenth Alabama Regiment, Infantry Volunteers, and was in the thick of the conflict to the end. On account of his splendid record as a soldier he was promoted to a lieutenancy, and afterwards to a captaincy. He was wounded while leading the Sixteenth Alabama Regiment in the charge at Chickamauga. He was loved, honored, and respected by his comrades in arms. He was the last Confederate soldier to serve in the United States Senate. Our much beloved and honored colleague, Maj. CHARLES M. STEDMAN, of North Carolina, who celebrated his eightieth birthday on yesterday, is the only one remaining in the House.

The subjects which received Senator BANKHEAD's special attention were development of water power and transportation, especially river and harbor improvement, and national aid to roads. He was one of the first men in public life to fully realize the advantage of the development of our water powers. He took a leading part in all the discussions of this subject

for many years, which resulted in the enactment of our recent water-power law. He devoted years of time and labor to the development of the great water power at Muscle Shoals on the Tennessee River, near my home, and in this district, which I have the honor to represent in this House, and the construction of the great Government air nitrogen plant at that place. He lived to see the nitrate plant, the greatest in the world, completed and to see the great water-power dam in rapid process of construction by the Government. It was largely through his efforts that the Warrior River in Alabama was made navigable from the iron and coal fields of Birmingham district to Mobile Bay. He also rendered most valuable service in the improvement of Mobile Harbor.

In his first race for the United States Senate his platform was national aid to roads. His speeches were confined almost entirely to that subject. Some derided and scoffed at his position on this subject. Some said it was unconstitutional. Others that the Federal Government would never enter the business of aiding the States in building roads. But Senator BANKHEAD went on, and not only was elected but soon afterwards secured an appropriation for experimentation and demonstration. This materially aided in the creation of public sentiment which resulted in an appropriation by Congress in 1916 of $75,000,000 and in 1919 of $200,000,000 to aid the States and counties in the building of roads. Senator BANKHEAD was the author of both of these appropriations. Federal aid to roads is now a fixed policy of the Government. The Committee on Roads of the House, of which I have the honor to be a member, only yesterday unanimously reported a bill authorizing the appropriation of $100,000,000 for the fiscal year beginning July 1, 1921. All of this is very largely the fruits of Senator BANKHEAD's able and effective services.

Through all his years of public service he urged the advantages of good roads, and was often referred to as the "Father of Good Roads." It was indeed appropriate that the Bankhead Highway from Washington, D. C., to San Diego, Calif., should bear his name. It is but a just recognition of his great work for better roads in the Nation he served so well and faithfully.

A sketch of the life work of Senator BANKHEAD would not be complete without some reference to his personal and home life. He was always a loyal friend. His was a helpful, hopeful life. At all times sympathetic and kind. He was free from affectation, a good citizen and neighbor, and an earnest worker for the upbuilding of his church, his town, his State, and his country.

But above all of these, he possessed those still nobler qualities as a family man, a faithful, tender, and devoted husband and father. He was married November 13, 1866, at Wetumka, Ala., to Miss Tallulah Brockman, who still survives him. She was a native of South Carolina, but reared in Alabama. A woman of culture, refinement, and great strength of character. Like many men in public life, called upon to face perplexities and difficulties, he was strengthened by the moral support and sympathy of the wife at home. Her high ideal of what his life and public service should be was a constant inspiration to him. Their surviving children are Louise, the wife of A. G. Lund; Marie, the wife of the late Thomas M. Owen; John H. Bankhead, jr., WILLIAM B. BANKHEAD, and Henry M. Bankhead.

One of his gifted and able sons, Hon. WILLIAM B. BANKHEAD, is serving his second term in this House and has been elected to the next Congress. Father and son serving in the House and Senate at the same time for the first time in the history of the Congress of the United States. I was a member of the committee from the House to accompany the remains to Alabama and attend the funeral ceremonies in the Methodist Church at his home in Jasper, Ala. I was profoundly impressed by the sincere evidences of sorrow, love, and respect manifested by that vast throng of people from every part of Alabama gathered there to honor him on that occasion, representing, as they did, every side of political and every plane of social life. All in all, he was one of nature's great men. The effect of such a life, character, works, and faith will make its impress not only on the present generation but the generations to follow.

Alabama has furnished many eminent statesmen to the service of the country, but none more beloved or respected than our late lamented friend. High upon her rolls of fame posterity will write the name of JOHN HOLLIS BANKHEAD.

Mr. STEENERSON. Mr. Speaker, the salient points in the biography of Senator BANKHEAD are that he was a farmer and made his home on the farm all of his life; that he was self-educated; that he served in the Confederate Army and was three times wounded on the battle field; that he served in both branches of the State legislature; that he served for 20 years in the National House of Representatives, from 1887 to 1907, and for 12 years in the United States Senate.

I came to Congress in 1903, and during the Fifty-eighth and Fifty-ninth Congresses I served with Mr. BANKHEAD. He was a member of the Committee on Rivers and Harbors, and I was a member of the Committee on the Post Office and Post Roads. Our acquaintance during these four years was only a speaking acquaintance. However, no one could be here without being attracted by the commanding appearance and fine presence and wide knowledge and influence of Mr. BANKHEAD as a Member of this House. It was not until about six years ago, after he had served for some time as chairman of the Committee on Post Offices and Post Roads of the Senate, and I had become the ranking Republican member of the House Committee, that I had occasion to become better acquainted with him, because as members of the various conferences to adjust the differences between the two Houses on postal matters we had frequent meetings and discussions, and I then learned to know him and to admire him greatly. I also served with him on two joint commissions, first the Commission on Pneumatic Tubes, from 1917 to 1919, and later the Commission on Postal Salaries, of which latter commission he was a member and chairman when he died.

He was a man of good judgment and very extensive knowledge of the affairs of our Government. He was a man of independence, and although a party man he was not afraid to exercise his own judgment when he thought he had a right to differ with his party. He believed that the legislative branch of the Government was coordinate with the executive, and he would not take orders from the Executive or any others. He maintained with great ability the traditional dignity and independence of Congress and resisted any attempt to make it simply a registering body for the will of another branch of the Government.

He had been brought up in a school of political thought which believed in the strict construction of the Constitution, the chief exponents of which were Jefferson, Jackson, Monroe, and others. One of the main tenets of this school of politics was State rights to the extent of believing, as they did, that this was only a compact of independent sovereign powers, and that the States had a right to secede from the Union. He fought for four years on the Confederate side, but when the war was over he believed that the issue between these two different schools of thought had been finally settled and that there was a new order of things for the future. He was fully reconciled to the new order. He became a strong Union man. This was most eloquently expressed by him in a short speech upon the occasion of the visit of the Confederate soldiers to Washington some two or three years ago, when he appeared in the Senate in his Confederate uniform and moved an adjournment in order that the Senate might join in showing respect to his old comrades in arms. At that time he said:

> A little more than half a century ago Confederate soldiers in arms were hammering at the gates of Washington in an effort to sever their relations with the National Government. Thursday, marching with broken body and faltering steps on a mission of peace and love, not of hatred and bloodshed, but in the spirit of resolute reconciliation and absolute loyalty to our flag, they will voice in vibrant tones to all the world the indissoluble Union of the United States. I am grateful that God has spared me to see this day when my old comrades in arms of the Confederacy are here in the Capital of the Nation, which for four years they struggled desperately to destroy, but which none in all this great Republic are now more anxious to preserve.

That was an indication of the breadth of his views and the soundness of his judgment.

It is a rather singular but noteworthy fact in our history that owing to the struggle between the two different schools of thought, the followers of Hamilton on the one side and of Jefferson on the other, as to the extent of the powers the States delegated to the Union, a great many of the undisputed powers were neglected and not exercised for a long time. The powers to regulate commerce and to establish post offices and post roads were practically neglected, at least the former, for a hundred years after the adoption of the Constitution. It was not until 1887, the first year of Senator BANKHEAD's service in the House of Representatives, that the act to regulate commerce was passed, which was the pioneer law and indicated a new era in the extension of Federal power over the affairs of the people of this Nation. A little later came the antitrust law, upon which a great many subsequent statutes and extension of Federal power have been built.

Mr. BANKHEAD's first activity in Congress was with reference to the improvement of waterways and rivers and harbors generally. He was for several years the chairman of the Committee on Public Buildings and Grounds. He was chairman during the time that the present Library of Congress was erected, and it is in part at least due to the laws passed at that time, although the name of that library is the Library of Congress, that it has actually become a national library, and has had an unseen and unknown influence, but a great

one, upon the development of the national spirit among our people and the obliteration of sectional animosities. Mr. BANKHEAD's greatest service to the country has been in the direction of the extension of the postal powers of Congress. It seems almost ridiculous to reflect that for nearly a hundred years the great statesmen of the country and those who ruled the destinies of the Nation believed that where the Constitution says that Congress shall have power to establish post offices and post roads, it did not confer the power to build or construct a road.

They believed that the Federal Government had no power, except with the consent of the different States, to go into those States and aid in the construction of roads, that the Federal Government had to have the aid of the State to acquire property, that the United States had no right of eminent domain, and the attempt which was several times made to build national highways in those days encountered insuperable difficulties, as will be recalled in connection with the Cumberland Road up here. However, the legislation in regard to the construction of transcontinental lines of railroads following the Civil War, railroad and telegraph lines, brought the question squarely before the Supreme Court of the United States, and in 1877 it was finally determined by the highest judicial authority in the land that the postal power of Congress extended both to building and to authorizing private corporations chartered by it to construct railroads, post roads, and telegraph lines (96 U. S.). The same question came up again in the case of California against the Pacific Railroad (127 U. S.) in 1888 when Mr. BANKHEAD was a Member of the House, and again the Supreme Court declared that there could be no question as to the power of Congress under the postal clause to either directly construct post roads or to authorize their construction. Up to that time there had been very little effort made in the direction of having the Federal Government really aid in building post roads in the country. Senator BANKHEAD was the pioneer in that effort, and as has been stated by the gentleman from Alabama, Mr. ALMON, he labored for many years without being able to bring about the object of his efforts. At first his was a voice in the wilderness, but finally in 1916 the first Federal road aid act was passed very largely through his efforts, and it appropriated $75,000,000 to aid the different States to be allotted to them upon the basis of road mileage and population, for a period of five years.

Later on he introduced in the Senate what was called the Bankhead bill, increasing the appropriation under the Federal road act, of 1916, by $200,000,000. He secured its insertion in the annual appropriation bill of 1919 as a rider. When it came back here the House by unanimous consent disagreed to all the Senate amendments and appointed conferees. I was one of the conferees. It would have been a pleasing experience for anyone to have watched Senator BANKHEAD in that conference, when the conferees on the part of the House came over to the Senate to struggle for the maintenance of the House position; for he knew in his heart that at least three-fourths of the House Members favored the appropriation, but as a matter of form the conferees on the part of the House had to fight for the position taken by the House in disagreeing to the amendments. But in the course of protracted diplomatic negotiations the House conferees finally "yielded," and the provision was included in the annual appropriation act and became a law.

But it was not only in the direction of building good roads and aiding in the extension of country post roads that Mr. BANKHEAD was active. He also aided in the establishment and the extension of the rural delivery and the parcel post and the postal savings bank system. As has been pointed out here he was one of the main advocates of the adoption of the Federal water power act which was pending for so many years and which lately became a law. This is another extension of Federal power.

It may be asked if this championship on the part of this professed follower of Thomas Jefferson was not inconsistent with his political beliefs. The answer is no, because it was now established that there was no constitutional limitation and the extension of Federal power over these matters became an accomplished fact, not only by the decision of the war but by the decisions of the Supreme Court of the United States, and it was not a question whether we had these powers that Mr. BANKHEAD was active in extending, but whether we should exercise them or not, and, if so, to what extent. That was a question of judgment.

During the late war, as a war measure, this Government seized the railroads, telegraphs, and telephones. There were many high in power who seemed to think that this was a golden opportunity to establish Government ownership and operation of these facilities, and they advocated first an extension of five years in order to try out the experiment. But Senator BANKHEAD took the view that there was no question that we had the power to operate railroads and to own them, both under the commerce clause and under the postal clause of the Constitution, and also the telegraph and telephones, if we thought it wise to do so. But, having taken them for war purposes, it was hardly fair to the people to assume a new and radical departure in government without first submitting it to their decision; that whether or not it would be wise so to limit private initiative enterprise by such an enormous extension of governmental activities was a serious matter that might affect the very perpetuity of representative government, and for that reason he thought that when the necessity had passed these utilities should be returned to their owners.

I was an admirer of Senator BANKHEAD. I admired him for the broadness of his vision and the soundness of his views. But so many encomiums upon his personal life and character have been paid him by those who have a right to speak from a greater and more intimate acquaintanceship that it would be almost presumption for me to try to add anything to what they have said.

The life of Senator BANKHEAD will be an inspiration to the young in future ages. He has left a deep impression upon our institutions, and the influence of his legislative work will long be felt and remembered. He is gone, but he leaves a name and a fame that constitute a rich inheritance to his family, his State, and the country.

Mr. SMALL. Mr. Speaker, when we come to speak of the dead there is a natural hesitancy with every man of modesty and simplicity of thought, for fear that he may violate in some degree the proprieties of such an occasion. If Senator BANKHEAD could speak to us to-day his admonition would be, "Characterize me as I was." Fortunately in his case such a characterization, entirely within the limits of truth, not only does justice to his memory, but marks him as one of the distinguished men of his State and country.

When I first entered this body in the Fifty-sixth Congress, at the first legislative session in December, 1899, Mr. BANKHEAD was a Member of the House, and even at that time was regarded as a veteran legislator. I recall quite distinctly our first meeting. It so happened, as is the case with every new Member, I had ambitions and purposes, one of which carried me to the committee of which he was a distinguished member, the Committee on Rivers and Harbors.

There is scarcely a Member of this House who does not recall during his novitiate the differences in the reception which he received from the older Members. Some were in the nature of rebuffs, others of coldness and indifference; and nobody appreciates like the new Member the kindly, gentle, considerate, and encouraging reception from an old Member. It was that sort of a reception which Mr. BANKHEAD gave to me. And during the following 20 years which ensued, while not thrown intimately together, yet I came to admire, to respect, and to love the man, and it is to-day a source of some satisfaction to feel that upon more than one occasion he was gracious enough to consult me in a friendly, intimate fashion about problems of a public nature.

For 33 years Mr. BANKHEAD served in the Congress—20 years, as I recall, in the House of Representatives and 13 years in the Senate. Therefore the mature years of his life were devoted to the service of his country in the Federal Legislature. It seems to me that in this brief moment I could do nothing more appropriate than to refer to the legislative career of Senator BANKHEAD, pointing out some of the outstanding factors which entered into his public life and marked him as a man and as a faithful servant of the people.

There are some essentials necessary to a successful legislator. Of course he must have a strong mentality—a brain not only well endowed, but one which by training and discipline has come to be the servant of the man. Senator BANKHEAD had a strong, virile mind, and by diligence, by the protracted study of public questions to which he gave attention, he had trained that mind in such a way as to make it a potential instrumentality in the public service.

A legislator must have imagination and vision, but he must not permit them to run riot. He must keep them within control. Mr. BANKHEAD had imagination. He could peer into the future, and the visions which he saw were such as made for the public welfare, were practical in every aspect, and he lived to see many of them brought to a successful fruition.

A legislator must have self-control. In fact there is no more essential characteristic which a man should possess in any avenue of life than to be master of himself. Self-control implies will power, the capacity to withstand temptation, to avoid the

aberrations of mind and heart, to walk straight to the object which he has in mind undismayed and unafraid. Mr. BANKHEAD had that self-control and that will power which is an essential concomitant.

The legislator must have courage. Upon how many occasions have Members of this House found it necessary to invoke all the courage which they possess; the courage which withstands the clamor of to-day in order to have an opportunity to stand in the sunlight of truth to-morrow; the courage to avoid the paths of the demagogue and to walk in the highway of righteousness. A man serving the public who does not possess in some degree the courage to look beyond the temptations of to-day in seeking the truth of the future will frequently find himself taking paths which he regrets to-morrow.

A legislator must have integrity. In fact it is absolutely essential. Every intelligent student of government, particularly of a democracy, knows that the courts in the administration of the law are the bulwark of liberty and good government. Every observant citizen, and particularly every lawyer learns soon to recognize the surpassing advantage of integrity on the part of the judge. He, in fact, is willing to minimize intellect if he can substitute for it a large degree of common sense, good judgment, and unbending integrity.

A former Member of this House, now a distinguished Senator, Senator JOHN SHARP WILLIAMS, of Mississippi, while a Member of this House, frequently used the expression in referring to a person, that he possessed "intellectual integrity." He was seeking, as we may assume, to distinguish intellectual from moral integrity.

There is perhaps a distinction. Some of us have seen men whose moral integrity we would scarcely dare impugn and yet we were reluctant to admit that they possessed intellectual integrity. But a combination of the two, thinking straight and clear, with the moral safeguards of a robust integrity, mark such a man who is its possessor as a man peculiarly equipped to serve in a public station. I believe that Senator BANKHEAD possessed not only a strong moral but an equally marked intellectual integrity.

A legislator must have patience and faith. A Member coming into this body stirred by ambitious aims, desiring to accomplish some piece of legislation, will soon encounter handicaps and obstacles which try his patience. It is a test of his self-control, a test of his ability to deal with men, a test of his capacity to work under disappointment. Senator BANKHEAD was connected with many pieces of legislation, now a part of the law of the land, in which he was conspicuous and in many instances the largest factor in their enactment. In bringing to final success those measures in which he was peculiarly and personally interested it may be taken for granted that he had learned in the school of legislative experience the wisdom of patience, of faith, and of endurance.

Every legislator must be practical minded. I had the privilege of saying a moment ago that while he must possess imagination and vision he must not let them run riot. He must apply to his legislative purposes the practical thought of a man of common sense and unerring judgment. Perhaps that virtue of practicality was one which he possessed in a larger degree than others. He did not care to shine, it was not for the glory of the effort, but for the satisfaction of the success for which he lived his legislative life.

I shall only detain you longer to mention the last two pieces of legislation which in a large degree should be credited to the legislative career of Senator BANKHEAD. One of the gentlemen referred to his membership for years, as a Member of the House, of the Committee on Rivers and Harbors. He was a diligent member of that committee and ranked with the chairman in influence. One of the particular projects which he believed was most necessary in the public interest was the improvement of the Warrior River system which involved its canalization by locks and dams at a large cost. Steadily, year after year, he fought for and obtained appropriations for this project. There were many critics, many who sneered, many who doubted the utility of this improvement as a part of our system of transportation, and yet his faith never wavered. Only within the past few years has his work come to be justified, and in the near future the wisdom of the improvement of this great river, linking together the coal fields and the almost inexhaustible mines of ore in upper Alabama with the sea, this river will teem with commerce, carrying this coal and iron down to the sea, and carrying merchandise and other commodities into the interior, and will be a distinct factor in commerce and our system of transportation.

Perhaps his practical vision is best illustrated in the law providing for Federal cooperation with the States in the construction of public roads. One of the peculiar defects in the economic life of the United States has been the backwardness of the States in the construction of adequate highways. The advent of the automobile and the motor truck required especially staple surface construction, which was not so necessary with the old style of vehicles. In the South particularly were our States backward. We had not learned proper construction methods, but more important perhaps, we had not learned the necessity of maintaining these roads.

With this Federal cooperation not only has an impetus been given to road construction throughout the United States, but it has been educational in that the States and communities have learned how to construct hard-surfaced roads and the importance of maintaining them. The cause of good roads has been advanced and the benefits of this Federal cooperation will be permanent.

I have characterized in a simple way what I conceived to be the essential qualifications of a legislator, and I venture to express the opinion, which I believe to be well within the limits of truth, that Senator BANKHEAD possessed such qualifications.

Senator BANKHEAD in addition had fellowship with the humanities of life. A man whose heart can not be stirred by the humane phases of life is indeed unfortunate. You and I, gentlemen, know of men in the past and men who are living to-day whose intellectual capacity is high, who have reached distinction in their respective vocations, and yet who, because they are lacking in a conception of the humanities of life, have failed in some essential particulars to make their impress upon their kind. The stranger would not regard Senator BANKHEAD as a man of sentiment. You must have associated with him to some extent before you became acquainted with this beautiful virtue.

If I may be pardoned a personal allusion, I remember an occasion not many years ago of speaking to him one day in his committee room in the Senate about a beautiful relative, a granddaughter of his, and it was actually inspiring to see the smile and the grateful look of recognition and to hear the words which he uttered in expression of his love. Some great man has said that the man who, under the influence of pathos and sorrow or sympathy, can not shed a tear is indeed unfortunate. I am quite sure that if the occasion arose and the deep well of sentiment of that big man was stirred, an unbidden tear would have coursed down his cheek.

May I for just a moment refer to another phase in the life of this distinguished man. He was a Confederate soldier. I was not permitted, nor perhaps were any who are present on this occasion, old enough to participate in that fratricidal struggle. It is all over now, and we are all citizens of this great Republic of the United States, loyal to its flag and its institutions; but the time should never come when any Southern man, or woman—and I would like to believe that the time will never come—when any man or woman from any other section of the country will stand up before the public eye and disparage in the slightest degree the courage of the brave men who fought under the stars and bars, or the integrity and the honesty of their purpose. Senator BANKHEAD as long as he lived, while loyal to the Federal Government, which he exemplified in thousands of ways, at the same time was loyal to the courage and the integrity of the men who fought under Lee and Jackson for the cause that was lost.

Of Senator BANKHEAD it may well be said that in war and in peace, on the farm and by the fireside, in public life and in private station, that—

> The bravest are the tenderest, the loving are the daring.

Mr. WINGO. Mr. Speaker, I had not expected to participate actively in the ceremonies to-day, but I should feel that I had denied myself a privilege if I do not express, though only by a few words, my appreciation of the life and character of this beloved Alabamian, brave soldier, and distinguished public servant. When one comes to express himself upon an occasion of this kind there are so many different thoughts that struggle with each other for expression that one finds difficulty in determining exactly what to say. So I shall confine myself to one thought which has come to me as I have listened to the remarks of my colleagues.

As one in his mind's eye has passing before him in review the last shattered remnant of the Old Guard of the South, in the forefront standing out is the striking personality and strong character of Senator BANKHEAD, which not only attracts attention but challenges admiration and respect. And the thought I want to express is this: That when the future historians come to write the history of this country, and when all the passions of the hour have passed away, when the prejudices and the

sectional feeling aroused by the Civil War, most of which fortunately have already passed away—when all shall have passed, and historians come to write the history of the last century, I think they will agree that one of the most remarkable performances in that time was the work of men like Senator BANKHEAD and the other great leaders of the South who went back to civil life at the close of the war. They found their industries ruined, their lands laid waste, their homes burned, their stock and other personal property taken or destroyed by the invader. Yet undaunted they, with faith in themselves and faith in their country, went to work, and in the span of their own lives they rebuilt and rehabilitated their beloved Southland, and with many others Senator BANKHEAD lived to see the day when not only was the South rebuilt and put upon its feet again but he found himself and his son playing a prominent part in shaping the industrial life and the political thought and the destinies of the very Nation against which he and his comrades had struggled in arms. This would not be possible anywhere else except in America, and it would not be possible by any other men than those of the heroic mold and character of that illustrious band to which Senator BANKHEAD belonged and of which he was one of the great leaders.

The SPEAKER pro tempore (Mr. BELL). The gentleman from Alabama, Mr. STEAGALL, is recognized.

Mr. STEAGALL. Mr. Speaker, it was not my good fortune to be associated with Senator BANKHEAD in public life, nor otherwise, so long as were others who are spared to pay tribute to his memory. But I knew him intimately and well, and I have the profoundest appreciation both of his personal worth and splendid service. His public life began before I was born. When I was a child he was a Representative in Congress, and when I became a Member of this body he was senior Senator from Alabama, having served continuously after his first election with only a few months' interruption between the termination of his service in the House and the beginning of his first term as Senator. When I took up my duties here I began the practice, which continued till his death, of seeking from time to time the benefit of his counsel and advice; and during all these years he never failed to respond generously to any request made of him. He was not too little for big things and never too big for little things. He seemed always to find pleasure in the opportunity to render service to any citizen of his State, however humble or obscure. He never hesitated to go in person to officials or departments to assist or serve a friend. One of his most striking characteristics was his deep gratitude and unfailing loyalty to his friends. He never hesitated or counted the cost in answering a call from one of them. He was so manly and courageous that even his opponents respected and admired him.

It was common understanding in Alabama that no request reaching him would fail of prompt response. He was loyal to the plain people and they were devoted to him. The struggles and adversities encountered in his own life gave him sympathy for and understanding of the common people which found constant expression in effort to promote their advancement.

Senator BANKHEAD was raised on a farm and educated in the common schools of Lamar County, Ala. The time which would, otherwise, have been devoted to extending his education was spent in the Army. But, this handicap did not discourage him. To him it was only a challenge to harder and more constant endeavor. The loss of a finished education was compensated by his superb courage and great common-sense qualities which he possessed in most remarkable degree. Nature with lavish hand endowed him with physical, mental, and moral gifts seldom seen. These forces he conserved and enlarged at every step from his humble farm to the close of his long and useful career in the United States Senate.

When a beardless boy he offered his life in defense of the institutions of his native land. With credit to himself and his comrades he served throughout the war with the brave band, who, with dauntless devotion and sublime courage, followed the banner of the Southern Confederacy. As a soldier he displayed the same devotion to duty and consummate courage which became the abiding characteristic of his life. Three times he was wounded in battle, and he rose from the rank of private to that of captain. At the close of the tragic and destructive conflict he returned to his home and began the work of restoration as a farmer.

Mr. Speaker, in every conflict in which this Nation has engaged men of the South have added luster to American arms and won honor and renown which have come down as the common heritage of all sections of the Republic. In statesmanship the sons of the South have rendered service inseparably linked with the liberties of mankind and as lasting as the Government itself. I believe, too, Mr. Speaker, that history will yet record the truth that not in any foreign war nor when fighting against an alien foe can be found a truer test of the heroism and courage of the southern soldier.

The real test is to be found in those years of carnage when the dauntless and devoted followers of Lee, half fed, half clad, inadequately armed, fought on for four long years against the matchless resources and overpowering numbers of the North. I believe the records of history justify the statement that, even against such overwhelming odds, they would have conquered, had they been matched against any men or race under the stars, save their own brethren of their own country. I don't believe that in all history there has been another test of statesmanship, the demonstration of the capacity of a great race for the exercise of the inalienable right of self-government, such as was displayed by the men of the South in meeting the problems thrust upon them during the period of reconstruction. Alabama was one of the States in which those problems were present in most difficult form. Senator BANKHEAD was a leader in accomplishing their solution. With their fortunes swept away, their lands devastated, their treasury empty, their government debauched and in control of a horde of strangers and irresponsible negroes, corrupted and taught to hate their former masters, the white men of Alabama went about their stupendous task. But soon orderly government was established, persons and property protected, credit revived and civilization restored. In this trying period Senator BANKHEAD played a part which won for him the undying gratitude of the people of Alabama.

He was called to serve three times in the legislature of his State, twice in the House of Representatives, and four years in the State Senate and for a term as supervisor of the State's convict system. At every step he displayed qualities which endeared him more deeply to the people. Then followed his election as a Member of Congress. Still, as before, he continued to grow, both in the quality and scope of his service, and in popular confidence and esteem. Never did he seek to enlarge his favor with the public by any trick or demagogue or appeal to transient passion and prejudice. By nature and training he was a real democrat—a believer in our system of government with the distribution and limitations of powers established by the wise men who framed it. He believed in the old doctrine that the citizen should support the Government and that the legitimate function of government is to afford protection to life, liberty, and property. He recognized that the maintenance of property rights is essential to human freedom and happiness. He was a man of the masses and devoted to their welfare.

His greatest achievements in Congress were in connection with the improvement of rivers and harbors, the development of water power, and the construction of good roads. At this time, when the problem of distribution is so accentuated, all of us appreciate his wisdom in attaching so much importance to the extension and improvement of transportation. He rendered enduring service in the effort to secure Government aid and arousing the Nation to the importance of utilizing the waterways with which Providence has blessed us. He was a leader in the movement for Government aid for the construction of good roads. He championed the cause when it was unpopular and involved him in ridicule and criticism. But he kept up the fight and lived to see the entire Nation recognize its debt of gratitude for his efforts. Some day we shall cease to mock the blessings of Providence and put an end to the waste of our vast water power now unused. When that time shall come the farmer boy, enabled to read and improve his mind, while, by the touch of machinery he multiplies the labor of his hands, will bless the memory of Senator BANKHEAD for his foresight in pressing the policy of water-power development. In the years to come his memory will be cherished, not because of any polished phrase or studied speech which pleased for a moment, but as a statesman whose common sense and contact with the common people enabled him to render real service to them. Our history shows few men who have rendered service so large and lasting, and few, indeed, are those who have been so richly rewarded. Nearly 33 years he was an honored and useful Member of the American Congress; and there was no honor in the gift of the people of his State which might not easily have been his for the asking.

After all, the story of Senator BANKHEAD's illustrious public career is surpassed in interest by the beauty and happiness of his home life. In early life he was married to Miss Tallulah Brockman to whom he gave unstinted credit for his success, and who still survives him. The happy union was blessed with five children—two daughters and three sons. A daughter, Mrs. Marie Bankhead Owen, was married to the late Dr. Thomas M.

Owen, a man of high character and spendid attainments, and who at the time of his death was State historian of Alabama. Mrs. Owen is one of Alabama's most gifted and beloved women, and succeeded her husband in the position of State historian. Another daughter, Mrs. A. G. Lund, was married to Hon. W. H. Perry, a man highly honored by the people of South Carolina, and who served for a number of years in Congress. A son, Henry M. Bankhead, is now serving as colonel in the United States Army. Another son, John H. Bankhead, jr., is a leading member of the bar and highly influential in the financial and industrial circles of his State. The youngest son, Hon. WILLIAM B. BANKHEAD our brilliant colleague, now serving his third term in this House, amply justifies the confidence of the people of Alabama, who look to him to carry on the work laid down by his father. It was the unusual distinction of Senator BANKHEAD to have served in Congress at one time with a son and at another time with a son-in-law. An affectionate father, a devoted husband, a gallant soldier, a useful statesman, he died rich in honors, ripe in years. His influence will endure through succeeding generations and his memory will long be cherished by a grateful people.

Mr. McDUFFIE. Mr. Speaker, I doubt if I can by my words add anything to the eulogies already heard on this occasion, yet because of my fondness for him and the high esteem in which those I represent held him I can not refrain from adding a few words which I am sure will be too feeble to properly portray the high regard and genuine affection which were entertained by the people of my district, my State, and the Nation for this great statesman.

Few men in the course of their lives have rendered greater service to their fellow man and to their country than the one to whose memory we are met to pay tribute to-day. Few men achieve higher honors and greater glory, and fewer still, when answering the death angel's call, leave the world who have enjoyed a more universal respect and admiration of their fellow men than did Senator JOHN H. BANKHEAD.

Senator BANKHEAD was what might be called a self-made man; that is, he knew and experienced the hardships of life as a young man, but he was one of a rare type who achieved greatness by his superb mentality, his splendid ability, and his purity of purpose. The record he has made as a citizen, a patriot, and a statesman is an inspiration for generations yet to come, and is the pride of all Alabamians.

At the age of 18 years, when the two great sections of this Nation resorted to the arbitrament of the sword to settle their differences, he promptly answered the call of the South and, as a private, joined the ranks of the most gallant army that ever fought for constitutional rights or ever known to the history of modern times. Upon many a battle field during those four terrible years of lurid warfare, though many times wounded, he never flinched or faltered. Under the most critical and trying circumstances he displayed that valor, chivalry, and courage which belonged to the highest and best type of a Confederate soldier.

When the god of battle decided against him and fate decreed that his cause could not prevail, he furled his immortal banner, and as Capt. BANKHEAD sheathed his stainless sword. He returned to build anew his devastated, torn, and bleeding but proud homeland, which he loved so well, honored so highly, and served so faithfully, even unto the last day of his life.

No man loved his reunited country more than he.

Senator NELSON, of Minnesota, that splendid old veteran of the Union Army and his intimate friend, has so well said of Senator BANKHEAD—

> While cherishing the memories of the Civil War and proud of the valor of the Southern soldier, his activity was wholly in favor of the progress and prosperity of our reunited country. And while in his youth he was a true sample of the old South, in his maturer and later years he was the living embodiment of the new South with all of its loyalty, vigor, and prosperity.

About 35 years ago, after serving several terms in both branches of the Alabama Legislature, his people, appreciating his broad vision, his superb intellectuality, and his indomitable energy, commissioned him to serve in this House. Here he soon became a most useful and valuable Member of Congress, and for 20 years devoted his best efforts to the progress and development of the Nation. His work in this House and his identity with great measures of progressive legislation made of him a national figure.

In 1907 the people of Alabama gave him the highest honor within their power by electing him with an overwhelming vote to serve in the Senate of the United States. How well he served his district, his State, and Nation for more than 30 years the records of both branches of Congress will show. But, Mr. Speaker, monuments more enduring than these records bear witness to-day, all over the Union, to his incessant labors for the development, the growth, the onward march of industrial progress and prosperity of this Nation. Every river and harbor of the United States which has been improved by this Government for nearly a half century has felt the effect of his guiding hand and helpful influence.

Many years ago he became interested in having navigable water from the coal fields of Alabama to the Gulf of Mexico by building a system of locks and dams on the Tombigbee and Warrior Rivers. To-day Alabama has the longest canalized river in the world, and I am glad that Senator BANKHEAD lived to see the products of the rich mineral district of Alabama float down that river system to the port of Mobile, there to be exported to all the busy markets of the world. At the headwaters of this river, several hundred feet above sea level, by the construction of a lock and dam, there is a beautiful crystal lake formed by the limpid streams which flow from the hearts of the surrounding mountains. This lake is fittingly named Bankhead Lake.

Senator BANKHEAD might well be called the father of good roads in America. At his suggestion and due to his active interest more than to that of anyone else this Government began to lend its financial aid to the various States for the building of better highways. To-day a national highway, said to be the longest on earth, extending from coast to coast, bears his honored name—beginning at the National Capital, running south through historic old Virginia, the Carolinas, Georgia, through his own beloved State of Alabama, then westward through Tennessee, Mississippi, Arkansas, Oklahoma, and Texas, on across the Rocky Mountains to San Diego, Calif. It is interesting as well as gratifying to every citizen in my State to know that the longest canalized river in the world and the longest road in the world has forever linked with each the name of Alabama's distinguished son, Senator BANKHEAD.

Mr. Speaker, in my judgment had Senator BANKHEAD done nothing else except the one thing of committing this Government to the policy of building better highways that one thing alone entitles him to be known as one of the great public benefactors of this Nation.

One of the outstanding characteristics of his public service was his intensity and his prompt and efficient attention to every duty and every request whether great or small. Whether a call upon him came from the richest man in his State or from the one in the humblest walks of life he always responded cheerfully and gladly.

I do not believe the people of any part of Alabama held him in higher esteem and more universally admired him than those whom I have the honor to represent in this Congress. I remember some years ago when the people of my home city, Mobile, for whose development Senator BANKHEAD always gave his best efforts, presented him with a loving cup as a slight token of their appreciation of him. I was in Mobile when the news of his death came over the wire, and every man I saw was deeply touched. They felt that his death was not only a great loss to his State and Nation but they took it as a personal loss. And I would beg leave to express for them to-day their deepest sorrow and sympathy for his loved ones, and their love for his memory.

Mr. Speaker, I have often thought of Senator BANKHEAD before and since his death. I have contemplated his long life of usefulness, his record as a great statesman, his charity and love for his fellow man. I have thought of the great achievements of his career; of his family of splendid sons and daughters and grandchildren, all of whom he lived to see grow into useful manhood and womanhood, and one of whom he lived to see an honored Member of this House, whom we have all learned to respect and admire. When I recall these things I know that he could but be happy in the later years in the enjoyment of the consummation of a well-spent life, the like of which is so rare amongst men.

His work on earth is done, he ran his course, he kept the faith, he fought the good fight. His deeds will keep his memory alive and continue to call to the minds of coming generations the glory of his name.

> The memory of good deeds will ever stay,
> A lamp to light us on the darkened way;
> A music to the ear on clamoring street,
> A cooling well in the noonday heat;
> A scent of green boughs blown thru narrow walls,
> A field of rest when quiet evening falls.

Mr. BOWLING. Mr. Speaker, it has been a matter of personal satisfaction to me, a citizen of Alabama, to hear these splendid encomiums in honor of a citizen of my State.

It was not my pleasure to have an intimate personal acquaintance with Senator BANKHEAD, and therefore these pleasant rec-

ollections of happy associations in the Capitol at Washington were denied me. I knew him merely as one of the people. My point of view was that of the average man of Alabama. My perspective, I think, is that of the great body of the people who looked upon this great man as one of them. I saw him as one who reflected accurately the average public opinion of his State and his people. The great facts of his life have been related here to-day by the gentlemen who have preceded me. They stand out in fair relief and will ever illustrate his memory. That he was a Confederate soldier brave and true is a part of the heritage of the present generation of Alabama, and the fact that he went into that great conflict as a private soldier and emerged with the commission of a captain and an honorable discharge stamped him in the days of his vigorous young manhood as a leader, and the same force and power that carried him through that great conflict and brought him to a position of leadership sustained him throughout all his life and characterized his work in Congress and out.

In thinking of him and of others who belonged to that great army I have often contemplated the task that met them when they returned to their homes after the destruction of the Southern Confederacy—homes gone, civilization turned upside down, institutions gone, money gone, their very traditions gone. In the face of all these material burdens the fearful task that confronted them was complicated by the presence of a vast mass of recently liberated slaves.

This young man returned from the battle field with honor to take his place in civil life. He was not daunted by the tasks that met him, but he took hold of them with the strength of his young manhood and with the abundance of hope that sustained him, and helped to build up the waste places again, to assist with all his strength of purpose in binding up the Nation's wounds and building over again the civilization of a proud and happy people. This intensity of purpose carried with him always in his future career. As a legislator he stood firm as the pyramids. We have heard his associates this morning, man after man, speak of the strength of his character, the tenacity of his purpose, and the soundness of his judgment. These were the elements of his character that carried him to such great success, and these were they which furnished such an inspiration to his people when they looked upon him as carrying with him the real incentive to effort that would help all men who looked upon his career.

The great high places of his legislative life are all that are known to the people at large. They did not know of the thousand intimate associations that illustrated his life in Washington. They do not know of the everyday burdens of the legislator. They only knew that Senator BANKHEAD was in Washington and at work, and now and then there came forth the news of this or that achievement. I think the high point in his career was that which was so forcibly and so accurately presented by the gentleman from Tennessee [Mr. GARRETT]. The fact that this man, beginning alone, fighting a great battle to achieve a great purpose alone for so long, finally engrafted upon the policy of this great Nation of ours the good-roads movement and finally committed America to that policy, stands out as one of the mountain peaks of achievement in our national history. And I believe that one of the great results of this wonderful Bankhead highway which has been mentioned here, extending from Washington to San Diego, will be to mark in the years to come what the Appian Way was to old Rome, the center of the greatest civilization of the world, and along the sides of that road will yet be builded the monuments to the great names and the great achievements of America; so that the traveler from one State to another can read the history of the Nation in the buildings by the side of the road, and always it will carry the name of BANKHEAD fresh to generations yet unborn as long as men live and travel in America.

There is one other feature of this good man who has gone of which I would like to say one word in conclusion.

His associates have spoken beautifully of the strength of his manhood and the purity of his character. All of this grew out of the fact that he believed in God and committed himself into the hands of our Redeemer. He had a simple, child-like trust in the revelation that came to him at his mother's knee of the great and eternal principles of the Christian religion, and this begat in him a lively hope of a greater and better existence beyond the grave.

And so, when the summons came to him, when the grim reaper appeared, he looked him in the face and did not tremble. He had faced death on the battle field years before, and had escaped; but now, in the consciousness that his hour had come, he was sustained and soothed by that unfaltering trust that made him approach his grave like one who wraps the drapery of his couch about him and lies down to pleasant dreams.

His memory lives with us; but he lives in another and better existence, waiting for us all to meet him again sometime, somewhere.

I know not where His islands lift their fronded palms in air,
I only know we can not drift beyond His love and care.

Mr. OLIVER. Mr. Speaker, my distinguished colleague, Mr. BLACKMON, a warm and devoted friend and admirer of Senator BANKHEAD, was suddenly called from the room, hoping to return before the exercises are concluded. Should he be prevented, I shall later ask that Members be allowed to extend their remarks in the RECORD. My colleague, Mr. RAINEY, is in Alabama on urgent business and prevented from being here to-day. I shall later ask leave for him to extend remarks in the RECORD.

Mr. Speaker, on December 9, 1920, distinguished Senators from North, East, West, and South devoted one entire day in the Senate of the United States to paying beautiful, loving, and well-deserved tribute to their late colleague, the Hon. JOHN H. BANKHEAD, Alabama's illustrious and beloved son, who passed over the river on the evening of March 1, 1920.

None knew his private and official life better than his associates in the Senate, and none were so well qualified to write into the permanent records of the Nation the inspiring and wonderful life story of this great soldier, statesman, and citizen. We come to-day to bear witness to the correctness of that record.

In my early boyhood I came to know, to love, and admire Senator BANKHEAD, and now cherish as a priceless memory the recollection of his worth and friendship.

His work has added luster to the State, and throughout the Nation he is known and honored. He was a man of varied talents, of great activity, of tender heart, strong mind, and one who planned for deeds that live. His life has been an eminently useful and helpful one. He was a tireless, intelligent worker, and a statesman who placed public good above private gain.

He had a depth of human sympathy seldom surpassed, and his unfailing cherfulness made and kept friends through life. Few men in public life had a broader or more comprehensive view of public affairs, and no man ever gave more cheerfully of his strength and time to secure useful legislation.

How fitting then, in recognition of his distinguished national service, that a great public highway, stretching from the Capital to the far West, and a marvelous lock and dam on one of the Nation's busy waterways, should now bear his name for all time.

The Washington Star had watched for more than a quarter of a century the official life of Senator BANKHEAD and his distinguished colleague, the late Senator Martin, of Virginia, and there appears in its March 2, 1920, issue this simple and splendid tribute to their legislative work:

JOHN H. BANKHEAD.

Senator BANKHEAD and the late Senator Martin had as legislators much in common. They were doers rather than talkers. Both talked well and persuasively, but seldom in the Senate Chamber. They reserved their tongues for the committee room. There they talked to the point and with good effect. They helped put many measures into the proper shape, and thus smoothed the way for their enactment into law. Both were industrious, and took the practical side of questions. Both kept their feet on the ground, and made no play for nebulous tributes paid to so-called men of vision. Theirs was the vision that saw things close at hand, saw them whole and in their proper proportions, and attended to them promptly and successfully. The present generation has not seen two more useful men in service on Capitol Hill.

These men were rewarded by their constituents according to their deserts. Having demonstrated their fitness, both became invincible at home, and were kept in office many years. Both died in harness.

I often dined with him in the years gone by in his beautiful yet simple farm home near Fayette, Ala., and his exemplary routine and kindness about his home were so instilled in my mind that I can never forget them. No man ever loved and worshipped his family more than he. He held the sacredness of his home above all else in the world. He was an ideal husband and father—kind, patient, loving, devoted, generous, and true, and there never was a needy one turned from the door of his home empty handed.

His kind advice, the encouragement and counsel he has given his friends at home, the countless deeds of kindness and of love to his neighbors, will rear for him a monument in the memory of his friends higher and more enduring than any marble shaft.

To live in hearts we have left behind is not to die.

How beautiful, then, to remember that he passed away in harness, widely loved and respected, rich in earthly honors and distinctions, leaving to his State and country the legacy of a life of high and honorable endeavor, the record of beneficent principles enacted into law, and a name graven deep in the imperishable granite of a people's gratitude and remembrance.

Of him it can be said—

He so lived that when he died he is missed. He so lived that loved ones may find in him an inspiration to goodness. He so lived that religion may find through him a witness to its great beneficence. He so lived that if his children do evil they can not say "this my father taught me." He so lived that he shall enjoy to its fullest the happiness of the immortality hope. He so lived that now gone he can not be forgotten.

Mr. Speaker, I ask unanimous consent that all Members may have leave to extend their remarks on the late Senator BANKHEAD in the RECORD.

The SPEAKER pro tempore (Mr. STEAGALL). The gentleman from Alabama asks unanimous consent that all Members may have leave to extend their remarks on the late Senator BANKHEAD in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

In accordance with the resolution, at 2 o'clock and 45 minutes p. m. the House adjourned until to-morrow, Monday, January 31, 1921, at 12 o'clock noon.

SENATE.

MONDAY, *January 31, 1921.*

Rev. J. J. Muir, the Chaplain, offered the following prayer:

Our Father, we come to Thee thanking Thee for the mercies vouchsafed, and as the new day opens before us with its responsibilities grant unto us the necessary wisdom and guidance. May we so fulfill our tasks of life that we may have Thy approval continually. Through Jesus Christ, our Lord. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Wednesday, January 26, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

EMERGENCY TARIFF—PROPOSED UNANIMOUS-CONSENT AGREEMENT.

Mr. PENROSE. Mr. President, I ask to have read, and I ask unanimous consent to, the following agreement.

The VICE PRESIDENT. It will be read.

The Assistant Secretary read as follows:

The Senator from Pennsylvania asks unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, February 15, 1921, the Senate will proceed to vote without further debate upon any amendment that may be pending——

Mr. UNDERWOOD. Mr. President, I do not like to interrupt the reading, but I suggest to the Senator from Pennsylvania that we dispose of the morning business first and then we will consider this question.

Mr. PENROSE. I would very much prefer to have the agreement read and considered now.

Mr. UNDERWOOD. I suppose the Senator might want to submit something in reference to it, and as I desire to make a few remarks on the subject before it is disposed of, I prefer that the morning business shall be first concluded.

Mr. PENROSE. I have asked unanimous consent. I certainly have a right to have the agreement read.

Mr. UNDERWOOD. Oh, if that is all the Senator wants——

Mr. PENROSE. No; I want a good deal more. Let it be read.

The VICE PRESIDENT. The Secretary will read.

The Assistant Secretary read as follows:

The Senator from Pennsylvania asks unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, February 15, 1921, the Senate will proceed to vote without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, through the regular parliamentary stages up to and including a vote upon its passage.

Mr. UNDERWOOD. Mr. President, for the present I demand the regular order.

Mr. PENROSE. Do I understand that the Senator from Alabama objects to the unanimous-consent agreement?

Mr. UNDERWOOD. No, I have not yet objected; but I demand the regular order. I shall be very glad to discuss the agreement with the Senator after the regular morning business is disposed of.

VISITORS TO NAVAL ACADEMY.

The VICE PRESIDENT. In accordance with the provision of the act of Congress of August 29, 1916, touching the appointment of the Board of Visitors to the Naval Academy, the Chair appoints the Senator from Vermont [Mr. PAGE] ex officio member of the Board of Visitors on the part of the Senate, and the Senator from Delaware [Mr. BALL], the Senator from New Hampshire [Mr. KEYES], the Senator from Montana [Mr. WALSH], and the Senator from Florida Mr. [TRAMMELL] members.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the governor of Maryland certifying to the election of OVINGTON E. WELLER as a Senator from that State for the term of six years beginning March 4, 1921, which was read and ordered to be filed, as follows:

STATE OF MARYLAND,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1920, OVINGTON E. WELLER, Esq., was duly chosen by the qualified electors of the State of Maryland a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1921.

Witness his excellency our governor, Albert C. Ritchie, and our seal hereto affixed, at Annapolis this 28th day of January, in the year 1921.

ALBERT C. RITCHIE, *Governor.*

By the governor:
[SEAL.]

PHILIP B. PERLMAN,
Secretary of State.

Mr. STERLING. Mr. President, I present the certificate of election of Hon. PETER NORBECK, elected a United States Senator from the State of South Dakota for the term beginning March 4, 1921.

The credentials were read and ordered to be placed on file, as follows:

UNITED STATES OF AMERICA,
State of South Dakota.

CERTIFICATE OF ELECTION.

This is to certify that on the 2d day of November, 1920, at a general election held throughout said State, PETER NORBECK was duly chosen by the qualified electors of the State of South Dakota to the office of United States Senator for the term of six years, beginning on the 4th day of March, 1921.

In witness whereof I have hereunto set my hand and caused the seal of said State to be affixed, at Pierre, the capital, this 9th day of December, 1920.

PETER NORBECK, *Governor.*

By the governor:
Attest:
[SEAL.]

C. A. BURKHART,
Secretary of State.

HOME OF LEPERS (S. DOC. NO. 368).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation in the sum of $72,000 required by the Public Health Service for the maintenance of the Home for Lepers, which was referred to the Committee on Appropriations and ordered to be printed.

INDIAN SCHOOLS (S. DOC. NO. 367).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation in the sum of $375,000 required by the Bureau of Indian Affairs for support of Indian schools, 1921, which was referred to the Committee on Appropriations and ordered to be printed.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD CO.

The VICE PRESIDENT laid before the Senate a communication from the East Washington Heights Traction Railroad Co., transmitting, pursuant to law, the annual report of that company for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

WASHINGTON & OLD DOMINION RAILWAY.

The VICE PRESIDENT laid before the Senate a communication from the Washington & Old Dominion Railway, transmitting, pursuant to law, the annual report of that company for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

RECONDITIONING OF ENEMY-OWNED SHIPS (S. DOC. NO. 369).

The VICE PRESIDENT laid before the Senate a communication from the Chairman of the United States Shipping Board, in response to Senate resolution (S. Res. 421), directing the United States Shipping Board to furnish the Senate information as to the allocation agreements between the United States Shipping Board and the United States Steamship Co. permitting reconditioning of enemy-owned ships, which was referred to the Committee on Commerce and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. JOHN HOLLIS BANKHEAD, late a Senator from the State of Alabama.

The message also announced that the House had passed the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. SHEPPARD. At the request of the Senator from Oregon [Mr. CHAMBERLAIN], I send to the desk a resolution from the Legislature of the State of Oregon and ask that it be incorporated in the RECORD.

There being no objection, the resolution was referred to the Committee on Manufactures and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
Office of the Secretary of State.

I, Sam A. Kozer, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 2 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state January 25, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 25th day of January, A. D. 1921.

[SEAL.]

SAM A. KOZER,
Secretary of State.

Senate joint memorial resolution 2.

Whereas every user of paper-mill products is suffering from what is apparently an unjust and an abnormal price of this commodity; and

Whereas paper-mill products are produced in the State of Oregon and on the Pacific coast in very large quantities: Therefore be it

Resolved by the Senate of the State of Oregon (and the House of Representatives concurring therein), That the Federal Trade Commission be, and it is hereby, memorialized and requested to make a full and complete investigation immediately of all plants and mills producing paper products within the State of Oregon, to the end that the consumer may obtain relief and that products of such mills may be sold at a price netting the mill operators a fair rather than an exorbitant profit; be it further

Resolved, That the secretary of state is hereby instructed to, upon passage of this resolution, transmit copies to each member of the Federal Trade Commission and to each Member of Congress from Oregon. (Note: Adopted at Oregon Newspaper Conference at Eugene, Oreg., Jan. 15, 1921.)

Passed by the senate January 18, 1921.
(Signed) ROY W. RITNER,
President of the Senate.

Passed by the house January 24, 1921.
(Signed) LOUIS E. BEAN,
Speaker of the House.

Indorsed: Senate joint memorial No. 2. Introduced by Senator Bruce Dennis.

JNO P. HUNT, *Chief Clerk.*

Mr. SHEPPARD. At the request of the Senator from Oregon [Mr. CHAMBERLAIN], I also send to the desk a resolution from the Legislature of the State of Oregon and ask that it be inserted in the RECORD.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
Office of the Secretary of State.

I, Sam A. Kozer, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 4 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon, and filed in the office of the secretary of state January 26, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 26th day of January, A. D. 1921.

[SEAL.]

SAM A. KOZER,
Secretary of State.

House joint memorial 4.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives of the State of Oregon, the Senate concurring, respectfully represent this: That—

Whereas the work of the United States Public Health Service and the Federal Board for Vocational Education throughout district No. 13, comprising Oregon, Washington, and Idaho, has been and now is seriously handicapped by the lack of suitable buildings and grounds for use in the hospitalization and retraining of disabled ex-service men of the World War; and

Whereas representatives of the United States Public Health Service and the Federal Board for Vocational Education, cooperating in the name of humanity and the duty we owe these men, have examined the property of the Federal Government located near Walla Walla, Wash., and known as Fort Walla Walla, now unoccupied, and found the same ideally located for their work, and containing buildings which will house approximately 400 men and grounds embracing more than 600 acres of extremely fertile land; and

Whereas these buildings can be made ready for use very quickly at a nominal expense, the necessary funds for which being already available in appropriations made by the Federal Government for the hospitalization and retraining of disabled ex-service men; and

Whereas the United States Public Health Service and the Federal Board for Vocational Education have most heartily indorsed the use of the buildings and grounds at Fort Walla Walla for hospitalization and retraining and desire to secure immediate occupancy of same: Therefore be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Congress of the United States be, and it is hereby, memorialized to take the necessary steps to make the buildings and grounds at Fort Walla Walla available for use by the United States Public Health Service and the Federal Board for Vocational Education for the purpose above mentioned; and be it further

Resolved, That the secretary of state of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the senate January 25, 1921.

ROY W. RITNER,
President of the Senate.

Adopted by the house January 24, 1921.

LOUIS E. BEAN,
Speaker of the House.

Indorsed: House joint memorial No. 4. Introduced by Messrs. Hammond, Korell, Marsh, Johnson, Pierce, and Leonard. W. F. Drager, chief clerk. Filed January 26, 1921.

SAM A. KOZER,
Secretary of State.

Mr. McNARY presented a resolution of the Legislature of Oregon relating to the paper-mill industry, which was referred to the Committee on Manufactures.

[See resolution preceding, presented by Mr. SHEPPARD.]

Mr. NELSON presented a resolution of the Holstein Friesian Breeders' Association, of Freeborn County, Minn., favoring an appropriation to carry on tuberculosis eradication work among cattle, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Kondon Manufacturing Co., of Minneapolis, Minn., remonstrating against the enactment of legislation placing a tariff of 10 cents per pound upon pig tin, which was referred to the Committee on Finance.

Mr. LODGE presented a resolution of the O'Connell District Council of the American Association for the Recognition of the Irish Republic, of Lowell, Mass., protesting against the deportation of the lord mayor of Cork, Ireland, Donal J. O'Callaghan, which was referred to the Committee on Foreign Relations.

Mr. CAPPER presented resolutions of the Rock Farmers' Union, Local No. 1933, of Rock, Kans., and Bache Local No. 225, F. E. & C. U. of America, of Bache, Okla., favoring legislation to prevent gambling in farm products, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition signed by sundry members of the Wilmington Grange No. 1741, of Burlingame, Kans., praying for the enactment of legislation to prevent gambling in farm products, which was referred to the Committee on Agriculture and Forestry.

PLATTE RIVER A NONNAVIGABLE STREAM.

Mr. REED. Mr. President, from the Committee on Commerce I report back favorably without amendment the bill (H. R. 10920) declaring Platte River to be a nonnavigable stream, and I submit a report (Rept. No. 732) thereon. I ask unanimous consent for its present consideration. The bill will bring forth no discussion, I am sure. This is not a river. It is really a creek. It never was navigable and never will be made navigable. The sole purpose of the bill is to place the stream in such shape that the State authorities can control and handle it. The bill is reported by the committee unanimously and has already passed the House. It has been reported on favorably by the department.

Mr. SMOOT. Does the Senator know for what reason the stream was held to be navigable by the department?

Mr. REED. It was originally included in navigable streams under the broad general act.

Mr. SMOOT. I think it is held navigable just the same as many of our little creeks in the West are held navigable. It is because of the fact that the water from that stream flows into a navigable stream, and so the creek or the river itself is held to be a navigable stream. I am perfectly willing that the bill shall be passed.

Mr. MYERS. What stream is it, may I inquire?

Mr. REED. Platte River, in the State of Missouri. It is not a river; it is a creek.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. McCUMBER. Mr. President, I think, inasmuch as there is objection to any unanimous-consent agreement upon an equally important bill, until we can dispose of that during the

morning hour I shall have to object to the consideration of any bill, and I therefore object to this one.

Mr. REED. I hope the Senator will not do that.

Mr. PENROSE. I hope the Senator from Alabama will withdraw his objection to my proposed unanimous-consent agreement. We all are filled with hope.

Mr. MYERS. The Senator from Alabama has not yet objected, I understand, to the proposed unanimous-consent agreement.

Mr. REED. Unanimous consent to vote upon an important bill on which there is a division of opinion is one thing. This bill affects a little stream and is in the interest of the people there. It is purely a local matter, and it comes up on a unanimous report of the committee. The Congressman who introduced the bill, which has been passed in the House, died a few days ago, and I feel especially interested in carrying out this little part of his work. I hope no Senator will object.

Mr. PENROSE. I am compelled to construe the objection of the Senator from Alabama as an objection to the unanimous-consent agreement. I had certainly a right to have it considered when I presented it, or now, or at any time.

Mr. UNDERWOOD. I will be perfectly candid with the Senator from Pennsylvania. I think we should discuss the question as to whether we shall have a unanimous-consent agreement. We can not under the rules discuss it until the morning business is disposed of, because any Senator can object and cut off the discussion. I am willing to discuss the Senator's request when we reach that stage of the business in the Senate when it can be talked about and discussed, but it can not be done now, and therefore I insist that the morning business be transacted before we take up that question.

Mr. PENROSE. As I understand the rules and practice of the Senate, however much the conservatism of the Senate may have been shattered during recent years, I have a right or any Senator has a right to ask for unanimous consent at any time. I am strictly within my right in asking for the unanimous-consent agreement now, just as much as the Senator from Missouri is within his right in asking unanimous consent for the consideration of the bill relative to the little river bill concerning which he has made an appeal.

I can only construe the attitude of the Senator from Alabama as one of direct and deliberate hostility to the consideration of the unanimous-consent agreement at all, but I do not desire to be disagreeable and in view of the fact that the river is a small one and gives no promise of ever becoming larger, I shall not object to the present consideration of the bill reported by the Senator from Missouri.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10920) declaring Platte River to be a nonnavigable stream, and it was read, as follows:

Be it enacted, etc., That the Platte River in the State of Missouri be, and the same is hereby, declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States, and jurisdiction over said river is hereby declared to be vested in the State of Missouri.

SEC. 2. That the right of Congress to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMERGENCY TARIFF—PROPOSED UNANIMOUS-CONSENT AGREEMENT.

Mr. BRANDEGEE. Mr. President, I understood the Senator from Pennsylvania to hold that a unanimous-consent agreement request under the rules of the Senate is in order at any time, and to raise a point of order against the demand of the Senator from Alabama for the regular order. I also understand that a demand for the regular order can not be interposed as against a privileged request under the rule, as the request for unanimous consent is.

The VICE PRESIDENT. The Senator from Connecticut may have so understood it, but the Chair has not that understanding.

Mr. BRANDEGEE. I have discussed the matter with the Senator from Pennsylvania and he said that is his understanding of it. I ask the Senator from Alabama whether he did make that point of order?

Mr. UNDERWOOD. I understand that a demand for the regular order is equivalent to an objection as to anything that is not the regular order taking place. I merely desired to let the Senator from Pennsylvania know that I did not wish arbitrarily to attempt to cut him off at this time, but that I wanted the morning business disposed of, which is the regular order. When morning business is disposed of, if the Senator then desires to renew his request for unanimous consent, I shall discuss it with him.

Mr. BRANDEGEE. Mr. President, I wish to suggest to the Chair that, inasmuch as the fixing of a date for the final vote upon a bill under the rule has to be preceded by a quorum call, the Senator can not object at this time. Upon the suggestion that a time be fixed for a final vote, under the rule, as I understand it, a quorum should be summoned. If then the Senator wishes to object, very well; but I make the point of order that he can not now object, and that he can not now demand the regular order so as to prevent the consideration of the request for unanimous consent, which, under the rules, is privileged to be made at any time.

The VICE PRESIDENT. This is what the Chair thinks: The rule providing that "no request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer, it shall be disclosed that a quorum of the Senate is present," when a proposed unanimous-consent agreement is presented——

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. May the Chair rule?

Mr. PENROSE. I ask for a roll call. In the confusion prevailing in the Senate, and because of the fact that the Chair did not seem to be making any ruling on the question, the matter has drifted a little; but I certainly did not intend to lose my right to the floor nor my right in connection with a privileged motion. I desire to press the request for the unanimous-consent agreement which has just been read, and, in accordance with the rules, I ask for a roll call.

The VICE PRESIDENT. The Chair was about to proceed to rule. The rules of the Senate must be construed as the Sherman antitrust law has been construed by the Supreme Court, according to the rule of reason. So if it is apparent the moment that a request for a unanimous-consent agreement is presented that a Senator objects or is going to object, there is absolutely no sense in having the roll called. From the very inception of the adoption of the rule that has been the uniform action, both of the Senate and of the presiding officer. Accordingly, the Senator from Alabama [Mr. UNDERWOOD] having given notice that he calls for the regular morning order, the Chair construes that as an objection upon the part of the Senator from Alabama to the unanimous-consent agreement. Therefore, the Chair, unless ordered to do so by the Senate, will not have the roll called for the purpose of ascertaining whether or not a quorum is present.

Mr. JONES of Washington. Mr. President, I also wish to suggest that the request for unanimous consent was not formally submitted to the Senate by the Vice President, as is contemplated by the rule.

The VICE PRESIDENT. Always we have proceeded upon the theory that we desire to do business. That has been a violent assumption sometimes, of course, but we have always proceeded upon that theory; and whenever it has appeared that a Senator was going to object to a unanimous-consent agreement, the Chair has not submitted it to the Senate.

Mr. PENROSE. The Chair certainly can not suffer under that delusion in connection with the emergency tariff bill.

The VICE PRESIDENT. The Chair does not know anything about the emergency tariff bill. The Chair has lost interest in emergencies.

Mr. PENROSE. Mr. President, I distinctly understood the Senator from Alabama to state that he did not object to the consideration of the request for unanimous consent.

The VICE PRESIDENT. "At the conclusion of the regular morning business," the Senator from Alabama said.

Mr. SMITH of Georgia. If the Senator from Pennsylvania will yield to me and allow me to say a word, I should like to say that in a little over an hour and a half the tariff bill will come before the Senate as the unfinished business. This is Calendar Monday, and a number of Senators are interested in bills on the calendar which can be disposed of under the five-minute rule. There are also a number of Senators on this side of the Chamber who will join the Senator from Pennsylvania in adopting cloture, if necessary, in order to dispose of the tariff bill. I will do so for one. I think that bill ought to be disposed of, and that there ought to be a vote on it.

Mr. BRANDEGEE. Mr. President——

Mr. SMITH of Georgia. One moment. If the Senator from Pennsylvania will wait until 2 o'clock, he will find substantial support on this side of the Chamber.

Mr. BRANDEGEE. As I understand, the Senator from Pennsylvania, of course, has no objection to the Senator from Alabama objecting to entering into the unanimous-consent agreement at the proper time; that is the privilege of the Senator from Alabama; but it seems to me that the Senator from Alabama can not object to the consideration of the request or to its being submitted to the Senate. When that is done, then he or

any other Senator may object; but he can not object to its being submitted to the Senate, because, under the rule, it is privileged. The rule provides that a unanimous-consent agreement may be submitted to the Senate at any time. The rule does not except the morning hour.

The VICE PRESIDENT. Where is the rule to which the Senator refers to be found?

Mr. BRANDEGEE. I will find it for the Chair in a minute.

The VICE PRESIDENT. The Chair should like to see it.

Mr. BRANDEGEE. I saw it only the other day.

The VICE PRESIDENT. We have been proceeding upon the theory that a request for unanimous consent is a privileged matter, but it is not.

Mr. BRANDEGEE. A request for unanimous consent, being in its nature terminable by an objection, may be made at any time without any serious delay in the business of the Senate, but a Senator can not, while refusing to object, demand the regular order, which demand proceeds upon the theory, of course, that the request is not in order.

Mr. UNDERWOOD. I think the Senator from Connecticut is getting very far afield when he discusses the question as a privileged matter. It is about as far from being privileged as any matter could be. Instead of being a privileged matter, which would entitle it to immediate consideration, it can not be considered at all unless every Senator in the Senate consents to it. So it is far away from being a privileged matter.

Mr. BRANDEGEE. The Senator from Alabama is in error there. An agreement may not be entered into by unanimous consent unless every Senator agrees to it, but if I had time to turn to Gilfry's Precedents and Procedure I am quite sure I saw it stated therein the other day that a request for unanimous consent was in order at any time; that it could not be swept aside so as to prevent the consideration of the request by the demand for the regular order, because it is in order at any time; it is the regular order, just as a conference report is in order at any time, but its consideration, of course, is subject to the control of the Senate. It is, however, a privileged motion, and, in fact, a motion of the highest privilege.

Mr. SIMMONS. Mr. President, I should like to ask the Senator a question.

Mr. BRANDEGEE. I yield.

Mr. SIMMONS. Does the Senator think that it makes for the orderly conduct of the business of the Senate to take up the question of whether unanimous consent shall be given to vote upon a bill which is not at the time of the request before the Senate?

Mr. BRANDEGEE. Mr. President, in many instances unanimous-consent agreements are devices to do away temporarily with the barrier interposed by some rule of the Senate. The unanimous-consent agreement is a device for accelerating and promoting the business of the Senate, and it can not take any time, because the moment it is preferred and a quorum is called and it is before the Senate, if the request be to fix a day for a final vote, the objection of a single Senator to the request insures that the business of the Senate shall be proceeded with.

Mr. SIMMONS. I am not making the point that it is not in order to make the request at this time when we are engaged in the morning business, but I am making the point that it would be much more orderly and much more in conformity with the usual practice of the Senate if such requests were submitted only when the subject to which they relate is under consideration by the Senate.

Mr. FLETCHER. I raise the point of order that all this discussion is out of order, because the Chair has held——

Mr. BRANDEGEE. I am discussing a point of order, which is in order certainly.

Mr. FLETCHER. The Chair has held that this is not a privileged question.

Mr. BRANDEGEE. But the point of order has been raised that the demand for the regular order at this time is not in order as against a request for unanimous consent. Of course, I have a right to discuss that question, if the Chair has a desire to hear me.

The VICE PRESIDENT. The Chair has ruled.

Mr. BRANDEGEE. I beg the Chair's pardon; I did not hear the ruling of the Chair.

The VICE PRESIDENT. The Chair has not ruled upon the question differently from what the Chair has uniformly ruled since the particular rule of the Senate with reference to unanimous-consent agreements has been in force. There may be an appeal now taken from the ruling of the Chair, and the Senate may settle its procedure for itself if it desires so to do. However, it has been the ruling of the present occupant of the chair uniformly that during the morning hour a request for a unanimous-consent agreement is not a privileged question; secondly, that when a request for a unanimous-consent agreement is submitted, if it appears at once from the objection of a Senator that it will not be consented to, the Chair has not ordered the calling of the roll in order to determine the presence of a quorum for the purpose of submitting the request to the Senate. If those rulings do not comply as the sense of the Senate an appeal will settle the question.

Mr. MYERS. Mr. President——

The VICE PRESIDENT. Does the Senator wish to appeal from the ruling of the Chair?

Mr. MYERS. I ask leave out of order to introduce a bill.

Mr. PENROSE. Mr. President, I object.

The VICE PRESIDENT. Objection is made.

Mr. MYERS. Then, when may I introduce the bill?

The VICE PRESIDENT. Now, let us get down to something. We are getting nowhere. The Chair cares nothing about it. Is there going to be an appeal from the ruling of the Chair? [A pause.] There is no appeal. Are there further reports of committees?

UNITED STATES DISTRICT COURT CLERKS.

Mr. REED. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 4891) to amend section 1 of an act approved February 26, 1919, entitled "An act to fix the salaries of the clerks to United States district courts and to provide for their office expenses, and for other purposes," and I submit a report (No. 731) thereon. It is a unanimous report by the committee, and I ask unanimous consent for the present consideration of the bill. I think it will involve no discussion whatever.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Mr. President, I ask that the bill go over. The same question is now before the Appropriations Committee.

Mr. REED. No; the bill does not involve the question of salary. The title of the bill is misleading. Will the Senator allow me to tell him what the bill provides?

Mr. SMOOT. If the title is misleading, I should be very glad to have the Senator do so.

Mr. REED. The title of the bill is misleading, because it refers to a bill that is to be amended. All there is in the bill which has been reported is this: Prior to 1919 the district judges appointed their own clerks. In 1919 somebody slipped in an amendment that contained this language:

> Subject to the approval of the senior circuit judge for the circuit in which the district is situated.

This bill eliminates that language and allows a United States district judge to appoint his own clerk. That is all there is to the bill.

Mr. SMOOT. Then, I have no objection to its consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

> *Be it enacted, etc.*, That section 1 of the act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes," is hereby amended to read as follows:
>
> "SECTION 1. That on and after the 1st day of July, 1918, all clerks of the United States district courts shall be appointed by the judge for the district, or the senior judge if there be more than one judge in the district, and all fees and emoluments authorized by law to be paid to the clerks of the United States district courts, except the clerks of the district courts of Alaska, shall be charged as heretofore and shall be collected, as far as possible, and paid into the Treasury of the United States in such manner and at such times as hereinafter provided; and such clerks shall be paid, in lieu of the fees and emoluments now allowed by law, an annual salary as hereinafter provided: *Provided*, That this section shall not be construed to require or authorize fees to be charged or collected from the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands, to which were referred the following bills, reported them severally without amendment, and submitted reports thereon where indicated:

A bill (S. 4710) to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession (Rept. No. 736);

A bill (S. 4749) to provide for the disposition of boron deposits (Rept. No. 737);

A bill (S. 4865) fixing the taxable status of lands received in exchange for lands formerly embraced in the grants to the Oregon & California Railroad Co. and the Coos Bay Wagon Road Co. (Rept. No. 738);

A bill (H. R. 1430) to authorize the addition of certain lands to the Weiser National Forest, Idaho;

A bill (H. R. 2946) to amend acts to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes;

A bill (H. R. 9028) to authorize the addition of certain lands to the Nez Perce National Forest, Idaho;

A bill (H. R. 10434) to add certain lands to the Targhee National Forest;

A bill (H. R. 11004) to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply; and

A bill (H. R. 13051) to add certain lands to the Lemhi National Forest, Idaho.

Mr. SMOOT also, from the Committee on Public Lands, to which was referred the bill (S. 4864) to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 24, 1914, reported it favorably with an amendment in the nature of a substitute, and submitted a report (No. 735) thereon.

Mr. McNARY, from the Committee on Public Lands, to which was referred the bill (S. 4511) authorizing the Secretary of War to grant a right of way over certain Government lands to the State of Oregon for the Columbia River Highway, reported it favorably with an amendment in the nature of a substitute, and submitted a report (No. 733) thereon.

Mr. TOWNSEND, from the Committee on Interstate Commerce, to which was referred the bill (S. 4898) to amend the transportation act, 1920, reported it favorably without amendment.

Mr. STERLING, from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 233) giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States, reported it favorably without amendment and submitted a report (No. 734) thereon.

NAVAL BASE ON SAN FRANCISCO BAY (S. DOC. NO. 366).

Mr. BALL. From the special joint committee created by the act of Congress making appropriations for the Naval Service for the fiscal year ending June 30, 1921, and for other purposes, approved June 4, 1920, I wish to submit a report. The special committee was directed to investigate the advisability of establishing, developing, and maintaining a naval base on San Francisco Bay. I ask that the report may be printed as a document.

There being no objection, the report was ordered to be printed as a document.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 4941) for the enrollment and allotment of members of the Lac du Flambeau Band of Lake Superior Chippewas, in the State of Wisconsin, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 4942) for the relief of Claude Chandler (with accompanying papers); and

A bill (S. 4943) for the relief of John W. Millar (with an accompanying paper); to the Committee on Claims.

A bill (S. 4944) granting a pension to James W. Murphy (with accompanying papers);

A bill (S. 4945) granting a pension to Sarah M. Brown (with accompanying papers); and

A bill (S. 4946) granting a pension to Ida May Hollister (with accompanying papers); to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 4947) granting a pension to Viola Grover Libby (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 4948) granting a pension to James Duffy; to the Committee on Pensions.

By Mr. DIAL:

A bill (S. 4949) to authorize the building of a bridge across the Santee River in South Carolina;

A bill (S. 4950) to authorize the building of a bridge across the Peedee River in South Carolina; and

A bill (S. 4951) to authorize the building of a bridge across the Wateree River in South Carolina; to the Committee on Commerce.

By Mr. GRONNA:

A bill (S. 4952) to increase the percentage of national forest receipts to be paid to the Territory of Alaska; to the Committee on Territories.

By Mr. CAPPER:

A bill (S. 4953) donating captured cannon and unloaded projectiles to the Fleming-Jackson-Seever Post, No. 6, American Legion, Atchison, Kans.; to the Committee on Military Affairs.

By Mr. OWEN:

A bill (S. 4954) granting a deed of quitclaim and release to J. L. Holmes of certain land in the town of Whitefield, Okla.; to the Committee on Indian Affairs.

A bill (S. 4955) for the relief of the American Alliance Insurance Co.; to the Committee on Claims.

By Mr. WOLCOTT:

A bill (S. 4956) creating the office of United States civil engineer, and providing for the pay and retirement of such officers; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 4957) for the relief of Dr. Demetri Boyoucoglou; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 4958) to regulate the retired pay of certain enlisted men in the Coast Guard; to the Committee on Commerce.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 249) authorizing the retirement as warrant officers of certain Army field clerks and field clerks Quartermaster Corps; to the Committee on Military Affairs.

AMENDMENTS TO AGRICULTURAL APPROPRIATION BILL.

Mr. BORAH submitted an amendment proposing to appropriate $8,000, to be immediately available, for the erection of necessary buildings at the United States sheep experiment station in Clark County, Idaho, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. FLETCHER submitted an amendment proposing to increase the appropriation for collecting, publishing, and distributing information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of live stock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, and seeds, and other agricultural products, etc., from $390,160 to $1,100,000, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AMENDMENTS TO RIVER AND HARBOR APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment proposing to appropriate $200,000 for continuing improvement by construction of sea-wall extension from station 103 to a junction with the souty jetty at Galveston Harbor, Galveston Channel, Port Bolivar Channel, Texas City Channel, and Houston Ship Channel, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment providing for a survey of the Rio Grande River at and near Brownsville, Tex., with a view to bank protection, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

ARTICLES BY ARTHUR MACDONALD.

Mr. JONES of Washington. Mr. President, I send to the desk an order that I ask may be entered.

The VICE PRESIDENT. The order will be read.

The Assistant Secretary read as follows:

Ordered, That the Committee on Printing be discharged from the further consideration of papers referred to it entitled "Scots and Scottish Influence in Congress," and "A Study of the United States Senate," by Arthur MacDonald, and that leave be granted to withdraw the said articles from the files of the Senate.

Mr. UNDERWOOD. Mr. President, I will ask what that order is about?

Mr. JONES of Washington. Two papers, the titles of which are designated in the order, were prepared by Mr. MacDonald. They were presented to the Senate and referred to the Committee on Printing with a view to having them printed. The Committee on Printing, I think, has decided not to report permission to print them, and this order is to enable Mr. MacDonald to get them back.

The VICE PRESIDENT. Is there any reason why a committee of the Senate, prior to the making of a report, may not return the papers? Does it take an order of the Senate to do that?

Mr. SMOOT. I have no objection to the order, because I want to say frankly that the committee on several occasions has voted not to print the documents.

Mr. JONES of Washington. I desire to say that I asked Mr. MacDonald if they could not turn the papers over to him, and he said the clerk said they could not do so without an order.

Mr. SMOOT. That is true.

The VICE PRESIDENT. Let the order be entered, then. It will do no harm.

PRICE OF PRINT PAPER.

Mr. HARRIS. I ask for the consideration of Senate resolution 436.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be stated.

The Assistant Secretary read Senate resolution 436, submitted by Mr. HARRIS on the 26th instant, as follows:

Resolved, That the Federal Trade Commission is hereby directed to inquire into the price of print paper during the last year and ascertain whether or not the newspapers of the United States are being subjected to unfair practices in the sale of print paper.

The VICE PRESIDENT. Is there any objection?

Mr. WADSWORTH. Mr. President, I should like to get a little information as to the real purpose of this resolution. Is it not a fact that the Federal Trade Commission, a comparatively short time ago, completed an investigation of this kind, within at least a year or 18 months? This, of course, as I understand, involves the expenditure of a great deal of money, and I thought the newsprint-paper business had been pretty thoroughly investigated in the last three years.

Mr. HARRIS. Mr. President, the Federal Trade Commission made this investigation between three and four years ago. They have most of this information. At the present time most of the manufacturing enterprises of the United States and Canada are reducing the prices of their products, as the cost of production has decreased, but the manufacturers of newsprint paper are not only holding up the price but they are trying to get agreements from the newspapers to set the price in the future. It would not require any great expense, as the Senator from New York thinks. The commission can get the information by correspondence.

Mr. PENROSE. Mr. President, this question has been exhaustively considered for months, if not for years. The time of the Senate is absolutely taken up with pressing matters; and I move to refer the resolution to the Committee on Printing.

Mr. SMOOT. Mr. President, just a word. I have no objection to the motion, but I want to say that I think the resolution ought to go to the committee for the reason that the committee already have before them volumes of reports made upon that very subject; and I think before we enter into that expense again a committee of this body ought at least to pass upon the question as to whether they think there is any necessity for it.

Mr. POMERENE. Mr. President, I have no objection to this resolution going to the Committee on Printing; but very recently there has come to my knowledge certain information touching the enormous profits of the manufacturers of print paper, and if one tithe of what is said in that behalf is true, certainly the public ought to know it. The profits are such as to make the coal operators mere pikers in comparison.

The VICE PRESIDENT. The question is on the motion of the Senator from Pennsylvania to refer the resolution to the Committee on Printing.

The motion was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, was read twice by its title, and referred to the Committee on Foreign Relations.

ORDER OF BUSINESS.

The VICE PRESIDENT. Is there any further morning business? The morning business is closed.

Mr. PENROSE. Mr. President, may I have an opportunity now to take advantage of the generous offer of the senior Senator from Alabama [Mr. UNDERWOOD] to take up the unanimous-consent agreement, and perhaps hear his views on it?

Mr. UNDERWOOD. Mr. President, I desire to make a parliamentary inquiry. As I understand, the morning business having been closed, business now coming before the Senate is open to debate.

The VICE PRESIDENT. There is no doubt about that.

Mr. UNDERWOOD. If the Senator makes his request, I desire to make a statement about it after his request is preferred.

Mr. PENROSE. I suppose I ought to renew the request for unanimous consent, Mr. President? I ask for information.

The VICE PRESIDENT. It is here on the table, and if there is no objection the Chair will order the roll called to determine the presence of a quorum.

Mr. FLETCHER. I should like to have the proposal stated.

Mr. UNDERWOOD. Mr. President, I think we can obviate the calling of the roll for the present. If the unanimous-consent agreement is before the Senate, I desire to make a statement in reference to it.

Mr. HARRISON. Mr. President, will the Senator yield for one moment until I make a parliamentary inquiry?

Mr. UNDERWOOD. I will.

Mr. HARRISON. This being Calendar Monday, is it not the order now, after the close of the morning business, that the calendar shall be called until 2 o'clock?

The VICE PRESIDENT. That is the regular order.

Mr. HARRISON. I make the point of order then.

Mr. PENROSE. I am asking for unanimous consent.

Mr. HARRISON. And I make the point of order that the request can not be made at this time; that the regular and orderly procedure of the Senate is to call the calendar.

The VICE PRESIDENT. This matter can be taken up by unanimous consent now. Anything can be done by unanimous consent.

Mr. PENROSE. I thought I had the assurance of the Senator from Alabama, the leader of the minority—one of the leaders—that he would help me to get this matter up.

Mr. UNDERWOOD. I stated to the Senator that after the regular order I would discuss the matter with him, which I am preparing to do. I will say to the Senator, though, that we can avoid calling a quorum at this time. We had better discuss the matter first, and then find out whether we will call a quorum.

Mr. JONES of Washington. Mr. President, I demand the regular order.

The VICE PRESIDENT. The calendar under Rule VIII?

Mr. JONES of Washington. Yes; the calendar under Rule VIII.

The VICE PRESIDENT. The Chair has no remedy except to hold that the calendar under Rule VIII on Monday is in order.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRANDEGEE. Is it not permissible for a Senator at this time to prefer a request for unanimous consent?

The VICE PRESIDENT. Under the rule with regard to Calendar Monday there is a specific proviso——

Mr. BRANDEGEE. My theory is that a request for unanimous consent is for the purpose of setting aside the rule. Of course I am aware that the rule in regard to the order of business is that at this time on Monday the calendar shall be taken up; but where a Senator prefers a request for unanimous consent I had supposed that under clause 3 of Rule XII, on page 16, the roll was to be called, and, in the language of the rule—

No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer, it shall be disclosed that a quorum of the Senate is present—

And so forth. Now, the Senator from Pennsylvania has risen and preferred a request for unanimous consent. Under the rule that can not be submitted to the Senate until the roll is called and the presence of a quorum developed. If the roll can not be called, and if the request can not be presented, that is one thing. If the Senator from Pennsylvania can not rise in his place and prefer a request for unanimous consent now, I do not know when he can. There is always some business before the Senate, and the universal practice has been that when a Senator obtained the floor and was recognized by the Chair and preferred a request for unanimous consent, that was in order at any time until it was determined whether or not the Senate would grant his request for unanimous consent. Otherwise, a request for unanimous consent never could be preferred.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. The Chair not 15 minutes ago ruled upon this very question, gave the Senate full opportunity to appeal from the ruling of the Chair, has not the slightest interest whatever in the matter, and announced that if it appeared that a Senator was going to object to a request for unanimous consent the Chair never had so far ordered the roll to be called. The Senator from Washington [Mr. JONES] now objects and calls for Calendar Monday. It is the same as an objection to the present consideration of this matter. There ought to have been an appeal.

Mr. BRANDEGEE. But, Mr. President, if the Chair will excuse me, the Senator from Alabama did not give notice that he would object.

Mr. SMITH of Georgia. Then I will solve the question by saying that I will object to the unanimous-consent agreement until 2 o'clock, so that we can go on with the calendar until that time.

Mr. BRANDEGEE. The Senator from Alabama said he desired to discuss the unanimous-consent agreement.

The VICE PRESIDENT. It is the Senator from Washington [Mr. JONES] who is objecting now and calling for the regular Calendar Monday. What object there will be in calling the roll, if nothing is to be done, the Chair can not see.

Mr. BRANDEGEE. Mr. President, I do not know what the object of enforcing the rule would be, except that I assume that rules are to be enforced until they are set aside; and the rule provides that the request can not be submitted to the Senate until after the roll is called. How can the Senator object to it before it is submitted to the Senate?

The VICE PRESIDENT. The Chair a moment ago made himself perfectly clear, he thinks, to every Senator, as to the reason for the ruling of the Chair, and challenged an appeal from the Chair. The Chair again challenges it, and again rules that where it is perfectly apparent that a Senator is going to object, and he enters an objection, there is no reason under the rule why the Chair should have the roll called to determine whether a quorum is present.

Mr. BRANDEGEE. I do not care to appeal from the ruling of the Chair, but I differ from it; that is all.

Mr. LODGE. Has objection been made?

The VICE PRESIDENT. Yes; by the Senator from Washington [Mr. JONES].

Mr. LODGE. The Senator from Washington did not give notice of an objection.

Mr. JONES of Washington. I called for the regular order, and gave notice that I would object.

Mr. LODGE. I understood that the Senator from Georgia [Mr. SMITH] gave the same notice.

Mr. SMITH of Georgia. I stated that I would object to unanimous consent being given at this time, but would not at 2 o'clock. I object now because I think we ought to consider the calendar under Rule VIII. There are a number of bills on the calendar which can be disposed of in a few minutes; but at 2 o'clock I would be in favor of the unanimous-consent agreement.

Mr. LODGE. The consideration of those bills on the calendar requires unanimous consent.

Mr. SMITH of Georgia. But a great many of them can be disposed of in five minutes.

Mr. LODGE. If Senators can get unanimous consent.

Mr. SMITH of Georgia. There are a great many of them to which there is no objection, and in a little over an hour we can get rid of a number of them; and at 2 o'clock I will be in favor of taking such action as is necessary to insure a vote on the tariff bill, and, if necessary, I will join in voting for a cloture to force a vote on it.

The VICE PRESIDENT. The calendar under Rule VIII is the next order of business.

Mr. SMOOT. Mr. President, on last Monday the Senate reached, under Rule VII, Calendar No. 630.

The VICE PRESIDENT. Is there any objection to commencing at that point? The Chair hears none.

FORCIBLE ENTRY AND DETAINER.

The Senate resumed the consideration of the bill (S. 4746) to amend the act entitled "An act to establish a Code of Law for the District of Columbia, approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, in relation to forcible entry and detainer."

The PRESIDING OFFICER (Mr. CURTIS in the chair). The question is, Shall the bill be passed?

The bill was passed.

Mr. POINDEXTER subsequently said: Mr. President, in the case of Calendar No. 630, Senate bill 4746, I move a reconsideration of the vote by which the bill was passed and ask that it lie over under the rule.

The PRESIDING OFFICER. The motion to reconsider will be entered.

Mr. UNDERWOOD. I do not recognize the bill by number, and I would like to ask the Senator to state what it is about.

Mr. POINDEXTER. It is the District rent bill.

Mr. WALSH of Montana. Mr. President, I ask unanimous consent that we recur to Calendar No. 630 for the purpose of disposing of the motion to reconsider.

The PRESIDING OFFICER. Is there objection?

Mr. POINDEXTER. I object.

VOCATIONAL REHABILITATION.

The bill (S. 4643) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919, be hereby amended to read as follows:

"SEC. 2. That every person enlisted, enrolled, drafted, inducted, or appointed in the military or naval forces of the United States (including members of training camps authorized by law), or in the military or naval forces of any ally of the United States in the late war, if a citizen of the United States immediately prior thereto and having resumed such citizenship if lost by reason of any oath or obligation taken for the purposes of entering such allied service, who, since April 7, 1917, has resigned or has been discharged or furloughed therefrom under honorable conditions, having a disability, in the judgment of the board, constituting a vocational handicap, or of a degree of 10 per cent or more, incurred, increased, or aggravated while a member of such forces, or later developing such a disability traceable, in the opinion of the board, to service with such forces, and the widow or child of any such person whose husband or father has died since April 7, 1917, as a result of an injury or disability incurred, increased, or aggravated while a member of such forces, or traceable, in the opinion of the board, to service therewith, shall be furnished by the said board, where feasible, such course of vocational rehabilitation or vocational and general education as the board shall prescribe and provide: *Provided, however*, That no widow shall be entitled to the benefits of this section in the event of her failure to commence a course as herein provided prior to January 1, 1925, or in the event of her remarriage: *And provided further*, That no course of vocational or general education shall be furnished hereunder to any child under 14 years or over 18 years of age.

"That the board shall have the power, and it shall be its duty, to furnish the persons included in this section suitable courses of vocational rehabilitation or vocational and general education, to be prescribed and provided by it; together with such medical service and treatment during the period of training as in the judgment of the board shall be necessary; and every person electing to follow a course shall, while following the same, be paid monthly by the said board from the appropriations made by the Congress for carrying out the provisions of the vocational rehabilitation act such sum as in the judgment of the said board is necessary for his maintenance and support and for the maintenance and support of persons dependent upon him, if any: *Provided, however*, That in no event shall the sum so paid an adult, without dependents, while pursuing a course, be more than $100 per month, or an adult, with dependents, $120 per month plus the several sums prescribed as family allowances under section 204 of article 2 of the war risk insurance act, nor shall the sum so paid on account of any child pursuing a course be more than $50 per month: *And provided further*, That payments made for the support and maintenance of any child pursuing a course as herein provided shall be made to his legally appointed guardian or curator, or in the event no person shall have been so appointed the board may, in its discretion, make such payments to the parent or other person having the care or custody of such child during his period of training hereunder. The term 'child' as used herein shall include a legitimate child, a child legally adopted prior to November 11, 1918, a stepchild, or an illegitimate child, if the deceased father had been judicially ordered or decreed to contribute to such child's support at any time.

"No compensation under acticle 3 of the act entitled 'An act to amend an act entitled "An act to authorize the establishment of a bureau of War Risk Insurance in the Treasury Department,"' approved October 6, 1917, or any amendment thereof, shall be paid for the period during which any such person is being furnished by said board a course and support as herein authorized: *Provided, however*, That in the event any person pursuing a course is entitled under said article 3 or any amendment thereof to compensation in an amount in excess of the payments made by the said board for his support and the support of his dependents, if any, the Bureau of War Risk Insurance shall pay monthly to such person such additional amount as may be necessary to equal the total compensation due under said article 3 of said act or amendment thereof.

Mr. SMOOT. The same subject matter is now before the Finance Committee, with a view of consolidating a number of bills on the same subject, as they can not be disposed of to-day, so I ask that this bill may go over.

Mr. KENYON. Mr. President, I think the Senator from Utah is mistaken if he is referring to Senate bill 4643. I want to explain the bill, and I do not think there can be any objection to it when it is understood.

It is a bill for the amendment of the vocational training law for the soldiers of the last war; it is reported by the Committee on Education and Labor unanimously, is indorsed by the American Legion, and is one of the measures the soldiers are asking for. It provides changes in the law for their benefit.

It changes the law in only four respects. First, as the law now is if American boys went into other armies, for instance the Canadian Army, and were injured, they can not receive vocational training here. There were many American boys in the other armies. I know that at the charge at Vimy Ridge there were 7,000 American boys who went up that hill and helped to capture Vimy Ridge. If any of those boys were injured so that they would have a vocational handicap, they could not receive vocational training in the United States; they would have to go to Canada for the training.

The second point is that the widows of men who were killed in the war would, under the amendment we are proposing, be entitled to vocational training. I am unable to say how many of them there would be. I think there are some 20,000 receiving compensation from the bureau now.

The third point is that medical attention would be given to the boys who are in training during the time they are in training. That can not be done now.

The fourth point, which is more complicated, and which I have therefore kept until the last, is that under section 2 of the act soldiers who have a vocational handicap can receive vocational training with maintenance. Under section 3 soldiers can receive vocational training without maintenance, if they are entitled to compensation. Under the war-risk insurance act they are entitled to compensation if they have a 10 per cent disability.

Occasions have arisen where men have been injured in exactly the same way, having practically the same injury, and in one instance they would be entitled to vocational training with maintenance, and in the other without maintenance, because it might not amount to a 10 per cent disability.

We have filed a report, which I think is rather interesting, setting forth this situation clearly, and showing where two men having the same injuries, how in one case the man could have vocational training with maintenance, and in the other without maintenance. That leads to irritation. It is one of the things the soldiers do not like.

Those are the four points, Mr. President, which are covered in these amendments, a substitute for section 2 of the old act.

Mr. SMOOT. Mr. President, this bill is another illustration of the fact that Congress must consolidate the Vocational Training, the Public Health Service, and the War Risk Bureau. To-day they are all working at different angles and undertaking to reach, in some cases, the same point, but in different ways and under different control. The House has passed a bill with a number of these provisions in it. That bill is now before the Finance Committee of the Senate. If this bill passes, being a Senate bill, it will go over to the House, and the House will simply say, "We have acted upon the matter already."

I have not any objection to the bill itself, if the Senate wants to pass it and send it over to the House, but I take this occasion to state that sooner or later Congress will have to place these three agencies of the Government under one control.

Mr. KENYON. That is true.

Mr. ROBINSON. Mr. President, even if the statement just made by the Senator from Utah is correct—and I believe it is—that in the course of time these activities will, in the interest of the sick and disabled soldiers, be consolidated under one control, there is no justification for Congress in deferring the benefits of this proposed measure to former service men until Congress chooses to act on the measure the Senator from Utah has in mind. I believe the bill ought to pass, and that it ought to pass now.

Mr. SMITH of Georgia. Mr. President, I think we will all agree with the Senator from Utah that something ought to be done toward consolidating these various agencies, but in the meantime the committee of which the Senator from Iowa [Mr. KENYON] is chairman had this bill before it, studied the subject, believed that it temporarily, at least, simplifies the work, and does justice at certain points which the present legislation does not reach. The committee unanimously approved the bill, and I hope the Senate will pass it pending the accomplishment of a still greater good along the lines suggested by the Senator from Utah.

The PRESIDING OFFICER. The bill was reported with an amendment, which will be stated.

The amendment was to add, at the end of the bill, the following additional proviso:

Provided further, That any person authorized under the provisions of this act to take vocational training must make application therefor within 18 months from the time this present act in the nature of an amendment to section 2 becomes effective.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL DISTRICT JUDGE IN WEST VIRGINIA.

The bill (S. 4516) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia, was announced as next in order, and was read, as follows:

Be it enacted, etc., That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the southern judicial district of the State of West Virginia, who shall possess the same power, perform the same duties, and receive the same compensation and allowances as the present judge of said district.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the southern district of West Virginia, senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in the said district.

Mr. THOMAS. Let the bill go over.

Mr. NELSON. Mr. President, I would like to make a brief statement with reference to the bill. The district judge in the southern judicial district of West Virginia has been paralyzed and incapacitated for more than a year, the docket is congested, and all business in the court is in a state of stagnation. For the last year two circuit judges have been obliged to attend and hold the district court in the southern district of West Virginia. The judge is in a sanitorium, perfectly helpless, with no prospect of his recovery. The bill simply provides for an additional judge, who is to remain on the bench and preside, and when the district judge dies or retires or leaves the bench this man will take his place. It does not increase the number of judges. It is a case of great urgency, and I trust there will be no objection to the consideration of the bill.

Mr. THOMAS. If the Senator is sure that his last statement, that is, that upon the death of the invalid judge this appointee will simply take his place, and that it will not result in the appointment of a second judge, I shall withdraw my objection.

Mr. NELSON. It does not involve a permanent increase. This judge simply is to act while the other judge is disabled. There will not be an additional judge when he retires or dies.

Mr. THOMAS. I withdraw the objection.

There being no objection the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OSAGE CIVILIZATION-FUND CLAIM.

The bill (H. R. 6221) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the Osage civilization-fund claim of the Osage Nation of Indians against the United States, was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the claim of the Osage Tribe of Indians against the United States for moneys due, arising out of the sale of Osage lands under the treaty of September 29, 1865, proclaimed January 21, 1867 (14 Stats. L., 687), shall be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for the amount due or claimed to be due said tribe from the United States for the misappropriation of any of the funds of the said tribe, or for the failure of the United States to pay the tribe any money due under said treaty; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine, as right and justice may require, and as upon a full and fair arbitration, the claim of said tribe against the United States, notwithstanding lapse of time or statutes of limitation, and also any legal or equitable defense, set-off, or counterclaim, including gratuities, which the United States may have against said Osage Tribe, and to enter judgment thereon: *Provided*, That if it be found that the United States Government has wrongfully appropriated any part or parcel of the lands or the funds of said Osage Tribe of Indians, judgment for damages in respect thereto, if any, shall be confined to the value of the land, or the amount of funds, at the time of said appropriation, together with interest at the rate of 5 per cent per annum thereon to the date of the decree of the Court of Claims rendered in respect thereto, less any legal or equitable set-offs or counterclaims, including gratuities, which the United States Government may have against the said Osage Tribe of Indians. The judgment of the Court of Claims in this matter rendered, when satisfied, shall annul and cancel all claims and title of said Osage Tribe in and to said lands and funds, as well as all other matters and things adjudicated and authorized to be adjudicated by the Court of Claims, as herein provided. Such action in the Court of Claims shall be presented by a single petition, to be filed within two years after the passage of this act, making the United States party defendant, and shall set forth all the facts on which the Osage Tribe of Indians bases its claim for recovery; and the said petition may be verified by the authorized attorney or attorneys of the tribe, employed under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law, upon information or belief as to the existence of such facts, and no other statements or verifications shall be necessary. Official letters, papers, reports, and public records, or certified copies thereof, may be used as evidence. Whatever moneys may be found to be due the tribe under the provisions of this act, less attorney's fees, shall be segregated and placed to the credit of the individual Indians: *Provided further*, That the Court of Claims shall decree such fees as the court shall find to be reasonable to be paid to the attorney or attorneys employed by the tribe, and in no case shall such fees exceed the amount stipulated in the approved contract nor amount to more than 10 per cent of the amount and value of the judgment recorded in said cause.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMERICAN NATIONAL RED CROSS.

The bill (S. 4826) to amend section 5 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That section 5 of the act for the incorporation of the American National Red Cross, approved January 5, 1905, be, and the same hereby is, amended so that the executive committee of the central committee shall consist of nine instead of seven persons, five of whom shall be a quorum.

SEC. 2. That this act shall take effect immediately.

Mr. NEW. Mr. President, I would like to state with reference to this bill that its purpose is to increase the number of directors of the American Red Cross from seven to nine in order to make it possible for them to more easily secure a quorum. It is a very difficult matter for them always to secure a quorum of five out of a total directorate of seven. The bill simply adds two in order to make it easier to obtain a quorum.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DRAINAGE OF INDIAN ALLOTMENTS, FIVE CIVILIZED TRIBES.

The bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stats., 310, Public, No. 77), was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That public act No. 77 (38 Stats., 310), approved March 27, 1914, an act to provide for drainage of Indian allotments of the Five Civilized Tribes, be, and is hereby, amended so as to read as follows:

"That whenever a drainage district is organized in any county in the Five Civilized Tribes of the State of Oklahoma, under the laws of that State, for the purpose of draining the lands within such district, the Secretary of the Interior is authorized, in his discretion, to pay from the funds or moneys arising from any source under his control or under the control of the United States, and which would be prorated to such allottee, the assessment for drainage purposes against any Indian allottee or upon the lands of any allottee who is not subject to taxation, or whose lands are exempt from taxation or from assessment for taxation under the treaties or agreements with the tribes to which such allottee may belong, or under any act of Congress and such amount so paid out shall be charged against such allottee's pro rata share of any funds to his credit under the control of the Secretary of the Interior or the United States: *Provided*, That the Secretary of the Interior, before paying out such funds shall designate some person with a knowledge of the subject of drainage to review the schedules of assessment against each tract of land and to review the land assessed to ascertain whether such Indian allottee, or his lands not subject to taxation, have been assessed more than their pro rata share as compared with other lands located in said district similarly situated and deriving like benefits. And if such Indian lands have been assessed justly when compared with other assessments, then in that event said funds shall be paid to the proper county in which said drainage district may be organized, or, in the option of the Secretary of the Interior, to the construction company or bondholder shown to be entitled to the funds arising from such assessment: *Provided further*, That in any event such assessment on any Indian allotment shall not exceed $25 per acre, and no such assessment shall be made unless the Indian allottee affected, or his legal guardian, shall consent thereto: *And provided further*, That nothing in this act shall be so construed as to deprive any allottee of any right which he might otherwise have individually to apply to the courts for the purpose of having his rights adjudicated."

Mr. SMOOT. Mr. President, I call attention to line 10, on page 2 of the bill. It does not seem to me to be a proper provision. It provides that—

Such amount so paid out shall be charged against such allottee's pro rata share of any funds to his credit under the control of the Secretary of the Interior or the United States.

That is rather an ambiguous provision. I have never seen words like that used before. I think we ought to strike out the words "or the United States." I move, in line 10, on page 2, to strike out the words "or the United States."

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The proposed amendment will be stated.

The ASSISTANT SECRETARY. The Senator from Utah moves to strike out, in line 10, the words "or the United States," so as to read:

Such amount so paid out shall be charged against such allottee's pro rata share of any funds to his credit under the control of the Secretary of the Interior.

The amendment was agreed to.

Mr. GRONNA. Mr. President, may I invite the attention of the Senator from Oklahoma [Mr. OWEN] to a provision in the bill which I believe in effect would, if adopted in the form in which it now is, accept the statement of any person as to the value or the cost of drainage. Does not the Senator think it would be better that this particular work should be done by the Reclamation Service or by some agency of the United States?

Mr. OWEN. Whatever arrangement is made is made so that the landholders, who are intermingled with these other lands, must consent, and it must be along lines that would safeguard their interests. Besides that, it must meet with the approval of the Secretary of the Interior, who safeguards particularly by his representatives on the ground the interests of all.

Mr. GRONNA. If I heard correctly the reading of the provision, it recites that it can be done by any person having some knowledge of the particular work.

Mr. SMOOT. It does not even go that far. The proviso reads:

That in any event such assessment on any Indian allotments shall not exceed $25 per acre, and no such assessment shall be made unless the Indian allottee affected or his legal guardian shall consent thereto.

In other words, the bill does not provide any means of finding out beforehand whether the assessment would show that the drainage would be less than $25 per acre. I think the Senator from North Dakota is right in pointing out that feature.

In other words, if the Indian allottee affected or his legal guardian shall consent thereto, it may afterwards be found through an investigation by some agency that it will cost more than $25; it may cost $100; and then the Indian allottee will be against a proposition of it costing not $25 but it may cost $100, and it would be impossible for him to pay it. The Senator from Oklahoma [Mr. OWEN] suggests to me that we strike out the provision beginning on line 25, page 2, down to and including the word "thereto" in line 3, on page 3. I move that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. The Senator from Utah moves to strike out, beginning in line 25, on page 2, the words:

Provided further, That in any event such assessment on any Indian allotment shall not exceed $25 per acre, and no such assessment shall be made unless the Indian allottee affected, or his legal guardian, shall consent thereto: *And*.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ALBERT H. RAYNOLDS.

The bill (S. 684) for the payment of certain money to Albert H. Raynolds was announced as next in order and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Albert H. Raynolds, or his personal representatives, out of any money in the Treasury not otherwise appropriated, the sum of $2,290.49, for and on account of two United States Indian vouchers in the amounts, respectively, of $907.98 and $1,382.51, with interest thereon at the rate of 6 per cent per annum in the sum of $5,634.58, which vouchers were issued on the 26th day of March, 1877, to Dwight J. McCann, an Indian freight contractor, and cashed by the said Albert H. Raynolds, and which said vouchers were allowed for payment by the Commissioner of Indian Affairs on the 2d day of May, 1877, and afterwards refused.

The bill had been reported from the Committee on Indian Affairs with an amendment to strike out, in lines 8, 9, and 10, the words "with interest thereon at the rate of 6 per cent per annum in the sum of $5,634.58."

Mr. SMOOT. I would like to have the Senator reporting the bill or the Senator introducing it make an explanation of it a little more in detail than the report shows. Neither one of the Senators is on the floor at this time, and therefore I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

ADDIE MAY AULD AND ARCHIE WILLIAM AULD.

The bill (S. 3737) to carry out the provisions of an act approved July 1, 1902, known as the act entitled "An act to accept, ratify, and confirm a proposed agreement submitted by the Kansas or Kaw Indians of Oklahoma, and for other purposes," and to provide for a settlement to Addie May Auld and Archie William Auld, who were enrolled as members of the said tribe after the lands and money of said tribe had been divided, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with amendments.

The amendments were, on page 2, line 4, before the word "acres," to strike out "five" and insert "ten"; in line 10, before "acres," to strike out "five" and insert "ten"; and after the word "mentioned," in line 10, to insert "in full settlement of all allotment rights and back annuities that may be due them," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to ascertain the reasonable and fair value of the 160 acres of land reserved by article 7 of the act entitled "An act to accept, ratify, and confirm a proposed agreement submitted by the Kansas or Kaw Indians of Oklahoma, and for other purposes," and known as the school farm, exclusive of the three buildings known as the office building, mission building, and school building, and such an amount of land not exceeding 10 acres as he deems necessary for school purposes; and he is further authorized and empowered to make a settlement with Addie May Auld and Archie William Auld and to convey to both or either of them said school farm above referred to, exclusive of the three buildings and the tract of land not exceeding 10 acres above mentioned, in full settlement of all allotment rights and back annuities that may be due them. The land conveyed and money found due shall be subject to the same restrictions as were provided in said allotment act. That in order for the Secretary of the Interior to carry out the provisions of this act he be, and is hereby, authorized to use any money now standing to the credit of the Kansas or Kaw Tribe of Indians as a tribe.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FIRST NATIONAL BANK OF NEW CARLISLE, IND.

The bill (H. R. 8881) for the relief of the First National Bank of New Carlisle, Ind., was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the First National Bank of New Carlisle, Ind., agents of the Treasury Department, for the sale of war savings stamps and thrift stamps, the sum of $923.25, to reimburse said bank for war savings stamps and thrift stamps lost on account of burglary during the month of April, 1918.

Mr. SMOOT. Mr. President, there is nothing in the bill to provide that a bond shall be given to the Government of the United States in twice the amount of the stamps stolen. It seems to me the Government of the United States ought to have some kind of protection by the bank giving a bond for the amount of money paid, so that in case the bonds are turned in or are found in the hands of an innocent purchaser, the Government would be held harmless. I move to insert at the end of the bill the following proviso:

Provided, That a bond be given to the United States in twice the amount of the sum named as security for the money paid by the Government of the United States.

The amendment was agreed to.

The PRESIDING OFFICER. Let the Chair understand whether or not an amendment should be proposed inserting the words "out of any money in the Treasury not otherwise appropriated." It is suggested by the clerks at the desk that the bill should contain those words.

Mr. SMOOT. That amendment ought to be made, and I offer it.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. The Senator from Utah moves to amend, in line 4, after the word "paid," by inserting the words "out of any money in the Treasury not otherwise appropriated."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JOSE RAMON CORDOVA.

The bill (H. R. 1034) for the relief of José Ramon Cordova was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Jose Ramon Cordova, of Cortez, Colo., $1,095 for injuries by gunshot while serving as deputy marshal in the arrest of renegade Indians at Bluff City, Utah, February 21, 1915.

Mr. SMOOT. Mr. President, I wish to ask the chairman of the Committee on Claims if the department recommends the payment of the amount carried in this bill?

Mr. SPENCER. No; the department does not.

Mr. SMOOT. I have been trying to find such a statement in the report on the bill, but I do not see it.

Mr. SPENCER. The department has made no recommendation on the bill.

Mr. PHIPPS. Mr. President, I think the Senator from Utah will find in the report a letter of Secretary of the Treasury, Mr. McAdoo. It seems to me this is a very meritorious claim, and I trust there will be no objection to its approval by the passage of the bill.

Mr. SMOOT. Will the Senator from Missouri call my attention to the place at which Secretary McAdoo makes such a recommendation?

Mr. PHIPPS. The Senator will find the Secretary's letter on the last page of the report.

Mr. SPENCER. It is on page 4 of the report. The letter of the Secretary sets out the facts, but makes no recommendation one way or the other.

Mr. SMOOT. I will ask the Secretary to read the letter of W. G. McAdoo, Secretary of the Treasury, which is found on page 4 of the report.

The PRESIDING OFFICER. The Secretary will read as requested.

The Assistant Secretary read as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 22, 1917.

Hon. E. W. POU,
Chairman Committee on Claims, House of Representatives.

MY DEAR CONGRESSMAN: In reply to your communication of the 6th instant, inclosing, for report thereon, copy of H. R. 18809, Sixty-fourth Congress, second session, "A bill for the relief of Jose Ramon Cordova," proposing an appropriation of $5,000 to Jose Ramon Cordova for injuries received while serving as deputy marshal at Bluff City, Utah, I have the honor to transmit herewith copy of a report of the Auditor for the State and Other Departments of the 10th instant, stating that said Cordova was employed from February 17 to March 9, 1915, and that the account of Aquila Nebeker, United States marshal, district of Utah, for the quarter ended June 30, 1915, shows that Jose Ramon Cordova was employed as one of a number of posse men engaged in assisting to arrest an Indian named Tse-ne-gat, alias Everett Hatch, indicted for murder by a Federal grand jury in the district of Colorado.

The auditor calls attention to House Report No. 137, Sixty-fourth Congress, first session, on H. R. 5729, for the relief of Dr. E. E. Johnson, in which it is stated that Jose Ramon Cordova was seriously wounded February 21, 1915, while in the discharge of his duty and was under the constant care of Dr. Johnson for 26 days thereafter.

It is suggested that the Department of Justice may have information relating to the case.

Very truly, yours,

W. G. MCADOO, *Secretary.*

Mr. OVERMAN. Let that bill go over until I may examine into it.

Mr. PHIPPS. I trust the Senator from North Carolina will not press the objection. It is only a small bill.

Mr. OVERMAN. I wish to look into the question which is involved. There are many people being injured or killed now while performing such duty, and I should like to examine the matter.

Mr. PHIPPS. I trust the Senator from North Carolina will give the matter his attention during the ensuing week, in order that action may be had on the bill before the end of the Congress.

Mr. OVERMAN. I will take the matter up immediately.

The PRESIDING OFFICER. Being objected to, the bill goes over.

ANNIE M. LEPLEY.

The bill (H. R. 1321) for the relief of Mrs. Annie M. Lepley was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). The bill will be passed over.

JOHN K. ASHLEY, JR.

The bill (H. R. 1790) for the relief of John K. Ashley, jr., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay, out of any money heretofore appropriated for the purchase of a site and construction of a building to be used by the Government as a post office and for other purposes at Sandpoint, Idaho, $40, in full compensation of claim of John K. Ashley, jr., for services rendered and money expended in connection with the preliminary survey and examination of a site that is being considered as the site of such building.

Mr. SPENCER. Mr. President, I desire to suggest to the Senator from Utah that the bill involves only the sum of $40.

Mr. SMOOT. No objection has been made to the bill.

Mr. SPENCER. I thought the Senator from Utah had objected to its consideration.

Mr. SMOOT. No.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAUDE H. MOSHER.

The bill (H. R. 2740) for the relief of Maude H. Mosher was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

TRANSPORTATION OF EXPLOSIVES.

Mr. TOWNSEND. Mr. President, if it will not inconvenience any Senator, I should like to ask unanimous consent that the Senate consider at this time the next to the last bill on the calendar. It is a bill which has passed the other House unanimously, and has been unanimously reported by the committee of the Senate. The bill proposes to amend the existing explosives act by including within its provisions certain high explosives which are now omitted from that act, and which by their use on passenger trains have resulted in many serious accidents. The proposed amendment is simply to expand the present act by a broader definition and a more clear separation of the different classes of explosives which may be carried by passenger trains. It is important that the bill be enacted, and I ask unanimous consent that it may be now considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill named by the Senator?

Mr. LENROOT. While the bill may be on the calendar, I do not find it on my file. Probably it was only reported to-day.

Mr. TOWNSEND. No; it was reported several days ago. It was reported last Saturday. If there is objection to its consideration, however, I will withdraw the request.

Mr. LENROOT. I think the bill had better go over.

Mr. BORAH. The bill is on the calendar and is Order of Business No. 692.

Mr. LENROOT. It is on the calendar, but it has not been placed in our files.

The PRESIDING OFFICER. Does the Senator from Wisconsin object to the present consideration of the bill?

Mr. LENROOT. I object to its consideration for the present.

JOSEPH A. PRAT.

The bill (H. R. 3210) for the relief of Joseph A. Prat was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Joseph A. Prat, of New Orleans, La., $445.89, being the amount of stamps, stamp books, and stamp rolls stolen from him while chief stamp clerk at the New Orleans post office in the month of February, 1915, and thus lost by him without fault on his part, and which amount

was thereafter by him paid to the Government out of his own funds.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEMUEL STOKES.

The bill (H. R. 3522) for the relief of Lemuel Stokes was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to Lemuel Stokes, late of Company C, Forty-fifth Regiment United States Colored Infantry, $300, being commutation money received from him, he having afterwards enlisted.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FIRST STATE BANK OF KERRVILLE, TEX.

The bill (H. R. 7050) for the relief of the First State Bank of Kerrville, Kerr County, State of Texas, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $494.91, which, upon an investigation and reasonable proof to the Secretary of the Treasury, shall be paid by the Secretary of the Treasury to the First State Bank of Kerrville, county of Kerr, State of Texas, this being the amount of damages sustained by said bank growing out of the loss of war savings stamps or certificates which were mailed by the said Kerrville bank to the Federal reserve bank at Dallas, Tex., and which were lost in transit or in some other manner not known to claimant, but which amount, $494.91, upon loss of the same, was deducted from the Kerrville bank's certificate of indebtedness by the Federal reserve bank at Dallas.

Mr. SMOOT. Mr. President, I have no objection to the bill if there be added to it an amendment similar to the one added to the bill passed a few moments ago, requiring that bond in double the amount be given as security to the Government of the United States. Therefore, at the end of the bill I move to add the following proviso:

Provided, That a bond be given to the United States for double the sum named as security for the money paid by the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER.

The bill (H. R. 9843) to carry into effect the findings of the Court of Claims in favor of Myron C. Bond, Guy M. Claflin, and Edwin A. Wells was announced as next in order, and was read.

Mr. SMOOT. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SHIPOWNERS & MERCHANTS TUGBOAT CO.

The bill (H. R. 11066) for the relief of the Shipowners & Merchants Tugboat Co. was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the Shipowners & Merchants Tugboat Co. $2,233.14 for damages to their tug, the *Sea Rover*, when she was run into by the quartermaster steamer *General McDowell*, of the United States Army, on the night of November 21, 1917, off Black Point and between Black Point and Alcatraz Island, in San Francisco Bay, Calif.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN E. MOORE CO.

The bill (H. R. 11572) for the relief of the John E. Moore Co. was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the claim of the John E. Moore Co., a corporation organized and existing under the laws of the State of New York, and doing business in the city and State of New York, owner of the tug *E. M. Millard*, against the United States for damages alleged to have been caused by collision between the said tug and the United States Navy scow *No. 58* in Wallabout Basin, in the navy yard, Brooklyn, N. Y., on the 8th day of August, 1919, may be sued for by the said John E. Moore Co. in the district court of the United States for the eastern district of New York, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the John E. Moore Co., or against the John E. Moore Co. in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

Mr. SMOOT. Mr. President, the provision in regard to entering judgment ought to go out of the bill. In all of the others we have stricken it out, and I ask that it be stricken out of this bill.

The PRESIDING OFFICER. The amendment proposed by the Senator from Utah will be stated.

The READING CLERK. It is proposed to strike out the following words:

And said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the John E. Moore Co., or against the John E. Moore Co. in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal.

Mr. WADSWORTH. Mr. President, may I ask the Senator a question? I have not a copy of the bill before me; but what would then be left for the court to do?

Mr. SMOOT. To find the facts in the case. All of the bills are drawn in the same way.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ALBERT T. HUSO.

The bill (H. R. 12333) for the relief of Albert T. Huso was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to Albert T. Huso, of Joice, Worth County, Iowa, $759.39, in full compensation for his claim for loss by burglary March 12, 1913, and October 2, 1913, from the post office at Joice, Iowa.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT H. RAYNOLDS.

Mr. JONES of New Mexico. Mr. President, I was necessarily detained from the Chamber for a while this morning. I ask unanimous consent to revert to Order of Business 640, which is a bill for the payment of certain money to Albert H. Raynolds. There is quite a concise report from the committee, and I think the bill will not lead to any discussion at all.

The PRESIDING OFFICER. The Chair will say to the Senator from New Mexico that that bill was passed over on objection.

Mr. JONES of New Mexico. It was passed over, I understand, owing to my absence.

The PRESIDING OFFICER. Objection was made to the bill, and on that account it was passed over.

Mr. SMOOT. I objected to the consideration of the bill, as I wanted to ask the Senator certain questions. I have no objection to the consideration of the bill, if the Senator desires it, at this time.

The PRESIDING OFFICER. Is there objection to returning to Order of Business 640? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 684) for the payment of certain money to Albert H. Raynolds, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Albert H. Raynolds, or his personal representatives, out of any money in the Treasury not otherwise appropriated, the sum of $2,290.49, for and account of two United States Indian vouchers in the amounts, respectively, of $907.98 and $1,382.51, with interest thereon at the rate of 6 per cent per annum in the sum of $5,634.58, which vouchers were issued on the 26th day of March, 1877, to Dwight J. McCann, an Indian freight contractor, and cashed by the said Albert H. Raynolds, and which said vouchers were allowed for payment by the Commissioner of Indian Affairs on the 2d day of May, 1877, and afterwards refused.

Mr. JONES of New Mexico. Mr. President, the facts of the case are very few and very plain.

Back in 1877 Mr. Raynolds was engaged in the banking business out West, and in the regular course of business he cashed a couple of vouchers for some contractors who were furnishing supplies to an Indian agency. Those vouchers in the regular course of business were sent on to the department and were approved by the Indian Office, but were held in that office for two years, and then the vouchers were afterwards sent over to the auditor's office and held in his office for a period of three years longer, making a period of five years that the vouchers were held under approval by the Indian Office, but unpaid. At the end of five years it seems that the person to whom the vouchers had been given in the first place defaulted in a subsequent contract, and the Indian Office then requested the return of the vouchers, and credited the amount of those vouchers upon the default occurring five years after the vouchers were originally issued. Clearly, that was the fault of the department. If the vouchers had been paid in the regular course of business,

Mr. Raynolds would have had his money five years before there was any default whatever on the part of the contractor.

Mr. SMOOT. Mr. President, is it not a fact that Mr. Raynolds acted in violation of section 3477 of the Revised Statutes?

Mr. JONES of New Mexico. I may say to the Senator that that probably is technically true; but the business of that section of the country at that time could not have been transacted in any other way than it was, and although Mr. Raynolds might not have been entitled as a matter of law to consider the vouchers as transferred to him, yet he paid them in the due course of banking business, and as many, many other vouchers were handled at that time. The report of the committee finds all of these facts, and I think Mr. Raynolds ought not only to receive the principal of those vouchers, but he ought to receive interest upon them as well; but it seems to be the practice here in the Senate not to allow interest upon these payments, and at the suggestion of the chairman of the Committee on Indian Affairs we have waived any interest upon the vouchers, and simply ask for payment of the principal.

Mr. SMOOT. Can the Senator tell me why the vouchers were not presented for payment until five years after Mr. Raynolds had purchased them?

Mr. JONES of New Mexico. They were presented for payment immediately.

Mr. SMOOT. This is what the Secretary of the Interior states:

> It has heretofore been suggested that Mr. Raynolds might have some equitable rights in the matter, this suggestion doubtless arising from the fact that though the vouchers were presented within a reasonable time after they were purchased, they were not delivered until December 9, 1881, or nearly five years after they were approved in the Indian Office.

Mr. JONES of New Mexico. Oh, they were in the department.

Mr. SMOOT. Let me finish reading it, and then perhaps the Senator will see what I mean. He says:

> They were not delivered until December 9, 1881, or nearly five years after they were approved in the Indian Office. * * * However, had the vouchers been paid promptly he would have received his money without question, as Mr. McCann did not default under his contract until several years after he sold the vouchers to Mr. Raynolds.

Mr. JONES of New Mexico. I do not understand how they use the term "delivered" there.

Mr. CURTIS. Mr. President, may I interrupt the Senator?

Mr. JONES of New Mexico. Yes.

Mr. CURTIS. The facts of this case were that the Indian Office had neglected to deliver the vouchers to the proper parties. They had been lost or mislaid in the Indian Office, and stayed there all that time.

Mr. SMOOT. Then the language ought to have been a little more explicit.

Mr. JONES of New Mexico. Yes; the language is unfortunate.

Mr. SMOOT. If the bank had advanced this amount of money in 1877, and had failed for five years to deliver the vouchers to the Government of the United States, I thought the bank ought to go without the money.

Mr. JONES of New Mexico. But the failure to deliver them was the fault of the Government.

Mr. SMOOT. If that is the case, then I have no objection to the passage of the bill.

Mr. JONES of New Mexico. I can assure the Senator that that is the case.

The PRESIDING OFFICER. The amendment of the committee will be stated.

The amendment was, on page 1, line 8, after "$1,382.51," to strike out "with interest thereon at the rate of 6 per cent per annum in the sum of $5,634.58."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DULUTH, WINNIPEG & PACIFIC RAILWAY.

The bill (H. R. 12441) for the relief of the Duluth, Winnipeg & Pacific Railway was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay to the Duluth, Winnipeg & Pacific Railway, out of any money in the Treasury not otherwise appropriated, the sum of $25, and appropriates such sum to reimburse the Duluth, Winnipeg & Pacific Railway for custom fine No. 368 erroneously imposed by the collector of customs at Duluth, Minn.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILHELM ALEXANDERSON.

The bill (H. R. 12634) for the relief of Wilhelm Alexanderson was considered as in Committee of the Whole and was read, as follows:

> *Be it enacted, etc.*, That the claim of Wilhelm Alexanderson, of Atlantic City, N. J., owner of the motor boat *Spray*, against the United States, for damages alleged to have been caused by collision between the said motor boat *Spray* and the United States ship *Grebe*, a mine sweeper, which is owned by the Government of the United States and operated by the Navy of the United States, on the 30th day of May, 1919, may be sued for by the said Wilhelm Alexanderson, in the district court of the United States for the district of New Jersey, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of Wilhelm Alexanderson, or against Wilhelm Alexanderson in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

Mr. SMOOT. Mr. President, beginning on page 1, in line 13, I move to strike out the words "and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of Wilhelm Alexanderson, or against Wilhelm Alexanderson in favor of the United States."

Mr. THOMAS. Mr. President, I shall not oppose the amendment; but I should like to inquire of what utility a court can be which is deprived of the power of rendering judgment after inquiring into and determining the facts? It seems to me we would relieve ourselves of an enormous burden of work here if we would transfer to the courts the power not only to take jurisdiction of these matters but to dispose of them.

Mr. SMOOT. All of those are disposed of every year in an appropriation bill. As the judgments are rendered, they come here and are reported, and an estimate is made for them each year to meet those obligations upon a finding of facts.

Mr. THOMAS. Of course, if a judgment is rendered upon the facts, they ought to be paid.

Mr. SMOOT. But we always want to provide an estimate for them, so that we will know whether or not we have the money to pay them.

Mr. THOMAS. I do not object, but it seems to me like a queer practice.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SPENCER. Mr. President, does that leave the matter with authority in the court to make a finding of facts? It is not so stated in the bill. I suggest that the Senator add as a substitute for the words he strikes out the words "to hear said suit and to make a finding of facts therein." Otherwise the bill does not provide anything for the court to do.

Mr. SMOOT. This is a little different from the other bills which have been reported. I have no objection to that amendment being made.

The PRESIDING OFFICER. Will the Senator from Missouri state the amendment in full for the benefit of the Secretary?

Mr. SPENCER. I suggest that, on page 1, line 13, after the word "court" where it first appears, there be added the words "to hear said cause and to make a finding of facts therein."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Missouri.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MRS. WILLIAM B. RYAN.

The bill (H. R. 13600) for the relief of Mrs. William B. Ryan was considered as in Committee of the Whole and was read, as follows:

> *Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to Mrs. William B. Ryan, the sum of $50, the amount lost by her by the theft of same from registered mails sent to her son, Pvt. William E. Ryan, Battery D, Sixteenth Field Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BLANCHE WINTERS.

The bill (S. 2682) for the relief of Blanche Winters was announced as next in order and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay to Blanche Winters, widow of Charles F. Winters, of Kansas City, State of Missouri, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of $25,000 as compensation and relief for the loss, by death, on January 11, 1918, at Camp Funston, in the State of Kansas, of her husband, Charles F. Winters, who, while engaged in the discharge of his duty, in conducting the camp bank at Camp Funston, in the State of Kansas, and in protecting the money and funds of the Government of the United States of America and of the soldiers of the United States Army, was killed by Louis R. Whistler, a commissioned officer and captain of Company E, Three hundred and fifty-fourth Infantry Regiment, Eighty-ninth Division, of the Army of the United States.

Mr. SMOOT. Let the bill go over.

Mr. CURTIS. A similar bill has passed the Senate twice for the same amount, and I hope the Senator will not object.

Mr. SMOOT. A bill has passed the Senate twice appropriating $25,000?

Mr. CURTIS. Yes.

Mr. SPENCER. It has passed the Senate twice.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah withhold his objection?

Mr. SMOOT. I withhold it for the present.

Mr. ROBINSON. This bill was considered at some length by the Senate on a former occasion. The facts are that Mr. Winters was giving his time in the control of a bank for the benefit of the soldiers at Camp Funston. While attempting to defend the funds of the bank he was murdered by an officer with a rank of captain, who procured admission to the bank at the time by virtue of his uniform and insignia. The evidence in the case shows that Mr. Winters acted valiantly and lost his life in an effort to save this fund.

The Senate considered the matter on two occasions, one time incorporating in an appropriation bill a provision to pay the widow the sum of $25,000, and at another time passing a separate bill for that purpose. The item in the appropriation bill, however, went out in conference, and the separate bill, which passed the Senate on another occasion, did not pass the House of Representatives. It passed the Senate near the end of the session, and, as far as I know, received no consideration in that body.

This bill is a meritorious measure, and it ought to be passed as an act of justice to the memory of a man who lost his life while rendering a valuable and voluntary service to the Government of the United States, and as an act of justice to the widow of a man who fell while defending the funds of the United States. The measure ought to be passed by the Senate.

Mr. SPENCER. Will the Senator from Arkansas state whether it is not true that this man, in the few hours while he lived, was able to give to the Government information which resulted in the Government's recovering from the thief more than $50,000 of Government money which had been stolen?

Mr. ROBINSON. That is true.

The bill was considered as in Committee of the Whole.

Mr. SMOOT. I have not any objection to a relief bill being passed, but I thought it was rather strange that we should pass a bill for the payment of $25,000, when the widow of a soldier who goes upon the battle field and loses his life is never given more than $10,000. I think the man who offers his life for his country and is shot in battle is just as much entitled to recognition by our Government, and in the same amount, as the man who acts as cashier of a bank and is robbed and killed in the robbery. I can not see very much difference between the two.

Mr. ROBINSON. Mr. President, in reply to that suggestion of the Senator from Utah, it is true that in the war risk insurance act we have placed a limitation of $10,000 on the recovery for the death of a soldier. There is no such limitation respecting the death of civilians, and it is within the province of Congress, in the consideration of a measure of this sort, to pay a reasonable sum as compensation for the death of a man. The evidence before the committee showed that he was exceedingly proficient, that he rendered a voluntary service in the bank, and that he displayed great courage and resolution in his effort not only to protect the fund but to recover it, and I believe that we should put a premium on that sort of conduct.

Mr. SMOOT. Mr. President, I am perfectly willing to give the widow a lump sum of $10,000, the same that we give to widows of soldiers who are shot to death, but I do not think we ought to pay more than that sum, and I move to strike out "$25,000" and insert "$10,000."

Mr. REED. Mr. President, just a word, because if we do not pass this bill in a few minutes, it will not be passed to-day.

This young man lived in my city. He at one time had been a bank examiner and was regarded as one of the most promising young men of that city. His earning capacity for his family was such that $25,000 is no compensation, viewed from that cold standpoint. I hope the Senator from Utah will not insist upon this amendment, and I call his attention to the fact that the case stands here alone. It is the only instance I know of in the history of our country where a man wearing the uniform of an officer of the United States, because he did wear that uniform, was admitted into a financial institution being run for the benefit of the Government and of the soldiers, and, wearing that uniform, committed a most atrocious assault and murder. As has been said, this young man stood at his post of duty and lost his life, and his life was taken by this Government through its uniformed officer. It is not the case of a man losing his life as a result of one of the casualties of war. It is in a class by itself. No such limit of $10,000 would be fixed if it were a civil action in the courts against a corporation, except in those States where they fix an arbitrary limit by law. But if in those States where the measure of damages is the loss to the estate, the amount would run far above $25,000.

I beg the Senator to take into consideration the way this crime was committed. It is not establishing a dangerous precedent, because this case will not be followed by others of a similar character.

Mr. SMOOT. Mr. President, I do not know whether it will be followed by others or not.

Mr. REED. I hope there will be no other such case.

Mr. SMOOT. I hope there never will be another case like it. But it does seem to me that we ought to be fair both to the soldier boys and to private individuals, and I do not see how we could justify paying $25,000 for the death of this man while we pay only $10,000 for the death of the soldier who was killed in battle. That is why I offered the amendment, and it is for the Senate to say whether they want to pay more or not. I think it is my duty as a Senator of the United States to keep these things equal, if possible, and it is for that reason that I offered the amendment, and in justice to all concerned I think the amendment should be agreed to.

Mr. WADSWORTH. Mr. President, I do not rise to express an opinion as to whether or not the $25,000 should be paid, but if the Senate decides to pass the bill, and does pass it, appropriating $25,000, I give notice that when the calendar is taken up again and Senate bill 4692 is reached, I shall urge against the adoption of the committee amendment to the bill.

In that case a poor old woman in Hot Springs, Ark., was run down by an Army motor truck driven by a soldier in uniform. The motor truck had been condemned as to its brakes, and the experts had advised the Army officer in charge of the motor trucks there not to send that truck out. He nevertheless sent the truck out, and it resulted in the death of a poor old lady. A bill was introduced giving to her heirs the sum of $25,000, and the Committee on Claims has amended the bill to give her heirs only $5,000. I shall urge the rejection of that committee amendment.

Mr. REED. Mr. President, consider the difference. The financial loss to the estate in that case was probably a very small sum. Here the breadwinner, the head of the family, a young man of very fine attainments, is gone. In any court a different rule of damages would obtain. I call the Senator's attention to the difference between an act of carelessness and an act of cold, willful, and deliberate robbery and murder, and I call attention to the fact that this man, talking out of the very shadows of dissolution, gave an intelligent description of the murderer, by reason of which over $50,000 of the money was recovered.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATHAN MANZER.

The bill (H. R. 6301) for the relief of Nathan Manzer, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Nathan Manzer, who was a private in Company G, One hundred and twenty-first Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 26th day of September, 1864: *Provided*, That no bounty, pay, or allowances shall be held as accrued prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS P. DARR.

Mr. BORAH. Mr. President, when we were on the calendar last week there was an objection made to the consideration of H. R. 1789 by a Senator who has since withdrawn his objection. I ask unanimous consent to recur to that bill, as it is a matter which has been here a long time, and as there is no objection to it now, it will take only a short time to pass it.

The PRESIDING OFFICER. Is there any objection to returning to Calendar No. 548, House bill 1789?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1789) for the relief of Thomas P. Darr, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas P. Darr the sum of $830.37 on account of service rendered as mail carrier from Gooding, Idaho, to Corral, Idaho, during the spring and summer of 1907, this amount to be accepted by said Thomas P. Darr as full compensation for service rendered.

Mr. SMOOT. Have the Post Office Department reported favorably on the bill?

Mr. BORAH. Yes; the department have reported upon it favorably. The report states that the closing paragraph of the department's letter is as follows:

This case has been handled in the same manner as other cases of failure to perform service, differing from them only by the failure of the bidder to execute a contract, and the resulting necessity for the refusal of the department to pay for service actually performed. Under the law no other course could have been followed, but in view of the faithful performance of the service by Mr. Darr, under the unfavorable circumstances, as long as he was able to do so, and the unfortunate circumstances of the case which appear to have worked a hardship upon him, the department has no objection to the payment by Congress for the service performed from February 1 to August 12, 1907, which at the rate of pay under the bid would amount to $830.37.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EMERGENCY TARIFF.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 15275.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. PENROSE. Mr. President, I understand from the ruling of the Vice President that my unanimous-consent agreement proposition is before the Senate. Am I correct in that statement? I asked some time ago to have it read and agreed to.

The PRESIDING OFFICER. The Chair understood that at 2 o'clock the request for unanimous consent would be taken up for consideration.

Mr. PENROSE. Then I ask that we proceed with the call of the roll.

The PRESIDING OFFICER. The Secretary will call the roll to ascertain if a quorum is present.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Nelson	Smith, Md.
Borah	Johnson, Calif.	New	Smith, S. C.
Brandegee	Johnson, S. Dak.	Overman	Smoot
Calder	Jones, Wash.	Owen	Spencer
Capper	Kellogg	Page	Stanley
Colt	Kendrick	Penrose	Sutherland
Culberson	Kenyon	Phelan	Swanson
Curtis	King	Phipps	Thomas
Dial	Kirby	Pittman	Townsend
Dillingham	La Follette	Pomerene	Trammell
Fletcher	Lenroot	Ransdell	Underwood
Gerry	Lodge	Reed	Wadsworth
Glass	McCumber	Robinson	Walsh, Mass.
Gooding	McKellar	Sheppard	Willis
Gronna	McLean	Shields	Wolcott
Hale	McNary	Simmons	
Harris	Moses	Smith, Ariz.	
Harrison	Myers	Smith, Ga.	

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Sixty-nine Senators having answered to their names, a quorum of the Senate is present.

Mr. PENROSE. I ask that the unanimous-consent agreement be placed before the Senate.

Mr. UNDERWOOD. I think it had better be read again.

Mr. PENROSE. Yes; let it be read.

The PRESIDING OFFICER. The Secretary will read the unanimous-consent agreement submitted by the Senator from Pennsylvania.

The reading clerk read as follows:

It is agreed by unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, February 15, 1921, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 15275, an act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, through the regular parliamentary stages up to and including a vote upon its passage.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement?

Mr. UNDERWOOD. I desire to make some inquiries on the subject.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. UNDERWOOD. I did not see the Senator from North Carolina [Mr. SIMMONS] rise. He represents this side on the measure. I did not see that he had risen when I rose in front of him, and I yield the floor to him.

Mr. SIMMONS. Mr. President, I do not desire to interfere with the Senator from Alabama. He is certainly as much responsible as I am for the attitude of this side of the Chamber toward the measure, although I am the ranking minority member of the Committee on Finance.

I wish to say, in connection with the proposition—and it is not my purpose to oppose the request of the Senator from Pennsylvania—that, so far as I am concerned, as ranking minority member of the Finance Committee, and I think I speak for some others on that committee representing the minority, that I have never intentionally offered to the bill any resistance in the nature of obstruction. That has never been my purpose and that is not my purpose now. If a majority of the Senate desire to enact the legislation, I think it ought to have the opportunity to do so. I myself shall do nothing to prevent an expression of the sentiment of a majority of the Chamber upon the question. My only purpose in opposing suggestions that have heretofore been made of imposing a cloture and fixing a day certain for a vote has been in order that there might be secured an opportunity for fair and legitimate discussion of the important questions raised by the different items in the bill.

This is not a small bill. This is a very important bill. It does not deal with two or three subjects. It deals with about 30 different subjects. The report of the committee does not undertake at all to discuss the provisions of the bill. It contents itself with a mere statement of the amendments made to the bill by the Finance Committee. The bill as it came from the House embraced, I believe, either 18 or 19 commodities. The Committee on Finance, without eliminating any of those items, added by way of amendment 11 other items. The 11 items, in my judgment, now constitute the most important provisions in the bill. They are items that will more largely increase the public burden than the other items of the bill. Some of them are items which impose taxes that will have to be paid, while most of the items as contained in the bill as it passed the House, impose taxes that will never be paid, because they are prohibitive and which will operate as an embargo upon the articles involved.

Now, we have not up to this time had any discussion whatsoever, either in the report of the committee or in the speeches that have been delivered, of any of the 31 articles or items except the first item mentioned in the bill, namely, wheat.

Mr. PENROSE. Will the Senator permit me at that point?

Mr. SIMMONS. Certainly.

Mr. PENROSE. The hearings are most voluminous on the different items in the bill.

Mr. SIMMONS. It would not make any difference if the hearings were much more voluminous than they are. That is not the fact which I am discussing nor has that any pertinence to the matter at all. The fact that I am discussing is the absence of any discussion in the Senate of any of the important items, except one, upon which we are imposing tariff duties. We have discussed wheat, and there the discussion has stopped. The 11 amendments of the committee have not been even taken up for consideration. Ordinarily, in the usual course of such bills, the first thing that we do is to take up the committee amendments, which in this case involve 11 important items, and discuss them. But we have had no discussion of the amendments, and no discussion of the items contained in the bill as it passed the House, except the one.

We have been confronted here with repeated requests for a unanimous-consent agreement to vote in a few days. Now, the Senator from Pennsylvania offers a proposition to fix the time for voting on the 15th day of February. Mr. President, I am not prepared to say that if during that time the Senate should devote itself largely to the consideration of this measure it would not afford opportunity for sufficient discussion. I am very much afraid, however, that as soon as the proposed agreement is entered into we shall find that at once requests will be

made that we consider certain measures which are entitled to preference and that we shall enter upon their discussion to the exclusion of the discussion of this tariff measure. I am not sure that under the proposed agreement we are going to have a fair and full opportunity to discuss the bill. I repeat, if we were to devote our time to it, to the exclusion of other matters, I think we should have; but the probabilities are that we are not going to do that; the probabilities are that all sorts of obstacles will be thrown in the way of discussion.

I regard the bill of such importance, I think it so necessary that its different items shall, each and every one of them practically, be thoroughly discussed and thoroughly considered before we take a vote that I wish now to say that while it is not my purpose to oppose the request of the Senator from Pennsylvania, it is my purpose, whatever bill may be before the Senate, be it an appropriation bill or any other sort of bill, if I can get recognition, to proceed with the discussion of the items of the pending measure; for I think that I, as former chairman of the committee, and other Senators here on this side of the Chamber, representatives of their people, would be derelict in our duty to the country if we were to sit here and permit a vote upon this measure, this important measure, without first seeing that its items are fully discussed and considered.

One of the items of the bill about which we have heard very little upon the floor, there only having been some general statements relative to it, is that of sugar. I undertake to say that the minute this bill is passed the price of sugar, duty paid, at the ports of the United States will at once be 8 cents a pound.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Pennsylvania?

Mr. PENROSE. I should like to ask the Senator from North Carolina a question.

Mr. SIMMONS. Will the Senator let me finish my remarks on sugar?

Mr. PENROSE. Yes.

Mr. SIMMONS. Eight cents a pound will fix the price of raw sugar in this country. The difference between the price of raw sugar and granulated sugar, especially at retail, in this country is, per pound, at wholesale about 4 cents, at retail at least 5 cents. The pending bill is in practical effect intended to operate as a guaranty by the Government of the United States that the price of sugar, while the proposed law continues in effect, shall not be less than 12 or 13 cents in the retail markets of the country. It is just as surely a guaranty as that which we made as to the minimum price of wheat.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. SIMMONS. I yield.

Mr. THOMAS. Does not that mean an increase to the consumer of between $350,000,000 and $400,000,000 per annum?

Mr. SIMMONS. Undoubtedly; and yet, Mr. President, we have been seriously asked to foreclose discussion—to vote upon a proposition of that kind without any opportunity to expose its iniquities and to point out the burden which it will place upon the consumers of the country.

I could go further and show that the effect of the bill will be enormously to increase the tax which the people pay upon the finished product of the woolen and the cotton goods. In one case the bill probably would nearly double the Payne-Aldrich rates; in the other case it would add between 25 and 33⅓ per cent to the rates imposed by the Payne-Aldrich law. If this bill shall pass, those duties will undoubtedly become effective and the additional rates of tariff will be passed on to the people, involving one of the chief articles of food in this country, one of the necessities of life, and involving articles of clothing, which are equally necessary to life.

There are other duties, such as the duty on wheat. If the bill would do what its proponents declare it will do—what some of the farmers of the country have been led to believe it will do—it would add something over $3 a barrel to every barrel of flour that is sold in the American market from the day the bill passes until it ceases to operate. The protection, however, the people have in that case is that the bill will never become operative upon imports, as to the proposed duty of 40 cents a bushel on wheat, because that rate will be prohibitive. No wheat will be imported into this country from Canada or anywhere else if this bill passes. When Canadian wheat costs as much to produce as does American wheat, and when Canadian wheat is now selling in the Canadian markets as high as the American wheat is selling in the American markets after eliminating all questions of exchange, nobody believes under those circumstances that Americans would buy Canadian wheat and pay 40 cents a bushel more for it than they would have to pay for American wheat. The wheat provision of the bill will not tax any imports, but the duties upon other commodities will do so.

Mr. President, those I have named are only two or three of the items of the bill. If the other side of the Chamber were fair in this matter, if they were presenting the bill here in a bona fide manner, if they were not playing politics, if they were not seeking to rush the bill through the Senate without consideration; indeed, if they were not afraid of argument, not afraid to meet the opponents of the bill in the forum of reason and conscience, there would be no disposition to cut off debate; there would not have been any from the beginning; there would not be any such disposition now.

I wish to say, therefore, in agreeing, as I am going to agree, so far as I am concerned, to the proposition of the Senator from Pennsylvania, that I do not intend to be foreclosed in the discussion of the matter by the fact that some other measure may become the unfinished business and may come before the Senate. I intend, and I think other Senators here intend, to continue the discussion, day in and day out, from now until the time of voting, in order that we may give our views in regard to the iniquities of the bill, expose the horrible effect it will have in increasing the cost of living in this country, and we shall call attention to the tremendous burdens it is going to place upon the backs of the people already too heavily burdened. If we shall not have had sufficient time to discuss the bill up to the day of the vote, we shall go on, Mr. President, discussing its items after the bill shall have passed until we shall have placed before the people our views as to the iniquities and the pernicious effect of the measure.

Mr. McCUMBER. Mr. President, I should like to ask the Senator from North Carolina if he thinks this bill ought to be voted on during this session? If so, would he be willing to consent to any day on which to vote that will allow sufficient time to enable the bill to get through the House after it shall have passed the Senate, if it shall pass the Senate?

Mr. SIMMONS. I have just said to the Senate in as plain language as I could command that I am not going to oppose the proposition of the Senator from Pennsylvania to vote upon the bill on the 15th day of February.

Mr. McCUMBER. I hope that no other Senator will oppose it. We have now, including to-day, 16 days before the 15th day of February, and, deducting 2 Sundays, leaves 14 days, if we see fit to discuss the bill after 2 o'clock on each day. Of course, we have the supply bills, which we must dispose of, or at least, which we ought to dispose of. I wish to see the supply bills passed and I wish to see the pending bill passed as well. All that Senators on this side are asking is that there may be action by the Senate upon this bill a sufficient time before the 4th day of March, if both Houses of Congress desire to enact it into law, to insure that it may become a law.

I listened with a great deal of interest, of course, to the Senator's discussion of the wheat schedule. I think I understand that question as well as the free-trade Tariff Board understand it. I have listened to their argument and saw the fallacy of it immediately; and if the Senator would not be prejudiced, he could not help but see through the thin veil by which they attempt to cloak their free-trade proclivities. I can give the Senator an illustration. They seem to attempt to show that Canadian wheat could not be sold to advantage in the United States because the Canadian price, after deducting the difference in exchange, would be about the same as the Minneapolis price if the wheat were sent to Minneapolis, or the same as the Duluth price if it were sent to Duluth. In Heaven's name can not the Senator understand that what we are complaining of is that American wheat is forced down to the Canadian price? Does any sane human being suppose for a single moment that if the wheat were worth $1.50 a bushel in Minneapolis and $1.50 a bushel in Canadian currency on the other side of the line, and there were a difference of 17½ cents in our favor in the matter of exchange, anyone would buy the North Dakota or the South Dakota or Minnesota wheat and pay 17½ cents a bushel more than he would have to pay for the Canadian wheat? Certainly not. The moment that Canadian wheat can be brought into the United States under a rate of exchange representing a difference of from 17 to 27 cents a bushel in our favor, of course our price will be driven down as low as the Canadian price. No one would buy Minnesota or North Dakota or South Dakota if he had to pay for it a greater price than he would have to pay for the Canadian wheat. That is just what we are complaining of—that the American and the Canadian prices are the same; that they are brought down to the same level by the law of supply and demand plus the difference of exchange. It would seem that

even the free-trade Tariff Board would be able to see that distinction.

We are able to meet any argument upon the wheat situation. The Senator complains that we have not discussed each feature of the bill. Why? Because it became apparent that if we opened the argument on our side on each one of the items it would probably take, with the delay that would be sought, longer than the 4th of March before we could get the bill through. There is before every Senator the record of the testimony upon which the report of the bill is based. That record is full, complete, and adequate, and justifies, in our opinion at least, the action of the committee.

Mr. SIMMONS. Mr. President, does the Senator mean to say that because the committee held hearings and those hearings have been voluminous the Senate should resort to those hearings and forego any discussion on the floor of the Senate?

Mr. McCUMBER. They are not so voluminous but what each Senator can read them.

Mr. SIMMONS. Suppose——

Mr. McCUMBER. Just a moment—and he will get more information out of them, in my opinion, than he will out of any discussion in the Senate Chamber.

Mr. SIMMONS. Then I will ask the Senator if there is any necessity, upon that theory, for discussion upon any matter upon which a committee of the Senate may have had hearings?

Mr. McCUMBER. Oh, yes; there may be some things that require a long investigation and a great deal of expert testimony; but the testimony in this case is boiled down. It is direct. It is only on a few items, and any Senator can take it and in a very short time arrive at a conclusion as to what the testimony means upon each feature of the case. In addition to that, the House made a report upon each of the items contained in the bill as it passed the House. If we thought on this side that it would not delay the bill to such an extent that we would not be able to put it through, undoubtedly we would ask those Senators best able to discuss each item to discuss it before the Senate.

Mr. SIMMONS. So far as the argument of the Senator is concerned, it seems to me to resolve itself into this—that wherever any committee charged with the consideration of a bill which has been referred to it has held extensive hearings, that eliminates all necessity for debate upon that question when it comes before the Senate; that Senators should address themselves to reading the hearings to become informed about the subject, and should not give the country the benefit of the conclusions which they reach after reading the testimony. Of course, in tariff bills the hearings are always very voluminous. The hearings are going on over in the House now, preparatory to the framing of general legislation. They will go on for weeks, and, I understand, for months longer. Probably that body will not begin to frame the proposed legislation until early in the days of the extra session next April. The Members over there in the House will devote their time between now and then to hearings. Then, when the bill comes over here, it will be referred to the Finance Committee, and the Finance Committee will duplicate those hearings. If we shall follow the precedents in that respect, we shall probably spend five or six weeks in the hearings. Now, if the Senator's position is logical and correct, with all of those hearings in the archives of the Congress, we should not have any discussion in the Senate, but should proceed to vote without discussing the voluminous evidence that has been taken, without giving the people of the country the benefit of our views with respect to those questions.

Mr. McCUMBER. Of course, that is what the Senator assumes that I am advocating. As a matter of fact, I am advocating nothing of the kind.

Mr. SIMMONS. The Senator says the House committee has made a report upon the House bill. It was a report, but not much of a report, Mr. President. It was "a very little baby," to say the most of it. But the Senate committee added 11 different subjects of taxation to it, in the aggregate much more important than the items in the aggregate in the House bill, in my judgment, and did not utter one word in defense of any one of those items; and up to this time the proponents of this bill have not undertaken to really defend in open debate a single item out of the 30 in this bill except the item of wheat.

Mr. McCUMBER. Mr. President, I might complain with a great deal more justification that Senators took all day last Saturday in discussing several subjects entirely outside of this bill, and never once alluded to a single item that was in the bill, or to the bill itself. I should have been very much pleased if they have objections to these items on which the Finance Committee has recorded its conclusion, at least, if its conclusion is thought to be erroneous, if those who think it is erroneous would explain to the Senate wherein the error lies. The Senators on the other side have discussed only one feature of the bill, and yet they have taken most of the time in the discussion.

Mr. OWEN and Mr. SIMMONS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I will yield first to the Senator from North Carolina, and then I will yield to the Senator from Oklahoma.

Mr. SIMMONS. Mr. President, I want to say that the burden of sustaining legislation, as in the case with the burden of sustaining an action in the courts, rests upon the proponents of the measure. It is not sufficient for a committee to come in here and present us a written bill, and say, "Because we have put these provisions in this bill you ought to accept them. That was the judgment of a majority of the committee, and you ought to accept these provisions. We are under no obligations to defend them. We are under no obligation to show that they make for the welfare of this country and do not make for its injury."

Mr. McCUMBER. The Senator says that they do not make for the welfare, but make for the injury of the people. Let the Senator go on and show wherein they are injurious to the people. I simply want a discussion of the matter. I simply want a final vote upon the question—nothing more.

Mr. SIMMONS. The Senator is evading and dodging the issue. The issue that I present to the Senate is this: The proponents of this bill propose this legislation, radically changing the tariff policy and the tariff rates, measured either by the present law or by the Payne-Aldrich law, and it is incumbent upon them to assume the burden of showing that the legislation which they propose and have brought out of the committee is justified and warranted in the public interest. They have not done that. They have not attempted to do it, except as to one item; and, of course, after waiting a reasonable time for them to enter upon a discussion and defense of the other items of the bill, we on this side, believing the legislation unwarranted and unjustified by the conditions, and harmful, even destructive in some cases, of the inherent rights of the people of this country, have naturally undertaken here to expose the defects of this measure, and to show that it is not in the public interest, but that it is against the public interest.

The Senator says that in the course of our efforts to do that we have taken up some time, and that other matters have been injected into the discussion. Mr. President, I undertake to say that while other matters have been injected while this matter of the unfinished business was before the Senate, not more extraneous matter than is usual under such circumstances has been injected. Every Senator here knows that when we are discussing tariff measures, financial measures, economic measures, however important, Senators are in the habit of exercising their right under the rules of the Senate of constantly interrupting and discussing extraneous matters. That is no new thing. It has not occurred in this case to a greater extent than usual.

Mr. McCUMBER. No, Mr. President; it is not any new thing. I admit that it is not a new thing; but I wish the Senators would stop indulging in it, even if it is an old thing, and discuss this bill.

Mr. SIMMONS. That practice, so far as it applies to this bill, is not confied to Members on this side, to the opponents of the legislation. Senators on the other side, advocating and supporting the legislation, have injected extraneous matters into the discussion. They had a right to do it in conformity to the well-known practice of the Senate. We have discussed on this side more than the wheat proposition, but on the other side they have not discussed more than the wheat proposition. We have, however, just entered upon the threshold of this discussion, Mr. President. As I said, there are embraced in this bill 30 items, each of them deserving discussion. Each one of them must have discussion. If we do not get through with the discussion of the items by the 15th, when, under this agreement, we are to vote—and I hope the agreement will be concurred in—then we shall have to go on discussing them afterwards. But I want to ask the Senator a question. I will ask it of the Senator from Pennsylvania; probably that would be proper.

Mr. McCUMBER. The Senator from Pennsylvania has charge of the bill.

Mr. SIMMONS. Is it the understanding that if the unanimous-consent agreement which the Senator asks shall be entered into, this tariff measure will remain the unfinished business, subject, of course, to be temporarily laid aside by unanimous consent?

Mr. PENROSE. That would be my thought and my understanding with my colleagues on the Finance Committee.

Mr. SIMMONS. That is my understanding of it, and I wanted to know that that is the understanding upon which we act, if we adopt this agreement.

Mr. PENROSE. Most positively.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator? Does the Senator understand by that that it would be contrary to the spirit of this unanimous-consent agreement if, for instance, I should move to take up the Post Office appropriation bill?

Mr. SIMMONS. That would displace this bill as the unfinished business. It would lose its place. It would not be against the spirit of it if the Senator should ask unanimous consent to lay aside temporarily the unfinished business.

Mr. PENROSE. My thought would be that I should ask unanimous consent to lay aside temporarily the unfinished business.

Mr. OWEN. Mr. President——

Mr. McCUMBER. I yield to the Senator from Oklahoma.

Mr. OWEN. I only wanted to say this in regard to the request of the Senator from Pennsylvania for unanimous consent to vote on the emergency tariff bill on February 15:

In my judgment, the people of the United States have given a mandate to the Republican Party to pass the legislation which the Republican Representatives and Senators deem necessary for the welfare of the country. I do not think the Democratic minority has a moral right, nor do I think it ought to have a legal right or the parliamentary power by filibuster, to obstruct the right of the American people to legislate through the majority of their chosen representatives. As far as I am concerned, I shall support the Republican leaders in their right to pass such legislation as they think proper, although I may not and do not approve the legislation itself. I shall not indulge in any participation in delaying the matter, and I think the unanimous consent requested by the Senator from Pennsylvania ought to be given. If those Senators who want to express their opposition views do so within a moderate length of time, they can present every possible objection; but I have observed when long speeches are made in the Senate that the Senate chairs are uniformly vacant. Long speeches do not serve to impress the minds of Senators and either enlighten or persuade them. Long speeches only serve to delay the wheels of government and prevent legislation. If it should become necessary to do so, I shall support cloture.

I do not discuss now the merits of the measure. I believe the measure, if passed, will be disappointing to its authors and sponsors, but they are authorized by the American people to legislate, and I think a proper loyalty to majority rule forbids me to support minority rule, which a filibuster involves.

Mr. McCUMBER. I wish to say to the Senator from Oklahoma and to the Senator from Louisiana that this is not a partisan question; it is not a sectional question in any respect whatever. The great Southern Tariff Congress, the names of whose vice presidents I read the other day—every vice president the governor of one of the Southern States—meeting at Atlanta the other day, holding their convention, passed a strong resolution favoring this particular bill. I read from a clipping from the Washington Post of yesterday showing some of the action of this southern congress. The article is headed, "Southerners ask full protection," and reads in part as follows:

Congress was asked to enact a permanent tariff law with protection for the industries mentioned, and southern and western Senators were urged to join in aiding in the passage of the Fordney emergency tariff measure.

I think the Senator from Mississippi [Mr. HARRISON] has the resolution, so far as it relates to this particular bill. I tried to get a copy of the resolution, but possibly the Senator from Louisiana [Mr. RANSDELL] has it, and if so I hope he will read it to the Senate.

Mr. RANSDELL. I was going to ask the Senator to yield so that I might read the resolution, and if he will yield I will be glad to read it.

Mr. McCUMBER. I yield to the Senator from Louisiana.

Mr. RANSDELL. This is a telegram from Mr. John H. Kirby, president of the Southern Tariff Association, dated Atlanta, Ga., January 29, 1921, addressed to me in response to a telegram sent him asking him to wire me what resolution had been passed. His telegram reads:

Resolution was as follows: "This convention called by 16 southern governors and composed of delegates from 18 Southern States believes that the prompt adoption of the emergency tariff bill with the Senate amendments will be of very great advantage to southern agriculture and industry, and the president of this convention is hereby instructed to telegraph this resolution to Senators UNDERWOOD, HARRISON, SIMMONS, and others."

The resolution passed unanimously and with applause.

I have another telegram from the same gentleman dated Atlanta, January 29, addressed to me, which reads as follows:

ATLANTA, GA., *January 29, 1921.*

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.:

The Southern Tariff Congress, attended by delegates representing 40 southern agricultural, manufacturing, and mineral industries, to-day unanimously adopted the following resolution:

"Whereas it has come to the attention of the Southern Tariff Association in convention assembled that it has been charged by Senator ASHURST, Democrat of Arizona, that certain southern Senators are seeking to defeat the Fordney emergency tariff bill by dilatory tactics; and

"Whereas we regard the passage of this measure of vital necessity to save the producers of the South and West from financial distress and ruin: Now therefore be it

"*Resolved by this convention*, That we most earnestly beg and implore the Senators from the South and West to permit this bill to come to an immediate vote in the Senate; be it further

"*Resolved*, That we here now express our most solemn protest against any filibuster by either individual Senators or any party on this measure; be it further

"*Resolved*, That this association at once wire this resolution to all southern and western Senators."

JOHN H. KIRBY,
President Southern Tariff Association.

If the Senator will yield for just one moment further——

Mr. McCUMBER. I yield the floor.

Mr. RANSDELL. I would like to say that personally I am in favor of the passage of this bill, and shall vote for it if I get a chance, and the sooner it comes to a vote the better, in my judgment.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. The Chair understands that this debate on the proposed unanimous-consent agreement to limit debate on the bill is proceeding by unanimous consent. The Senator from Ohio is recognized.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. POMERENE. I yield.

Mr. FLETCHER. I want to interrupt the Senator a moment to suggest, in connection with the telegram which was read, that the bill now before the Senate, as it is proposed to be amended by the Senate Finance Committee, is not the Fordney tariff bill at all, but quite a different proposition.

Mr. POMERENE. Mr. President, I hope the request for unanimous consent will not be entertained at this time. I agree with the Senator from North Carolina that this bill has not been discussed as it ought to be discussed. I myself have never believed in a filibuster, but if this request is put to a vote now I shall vote against fixing a day for the final disposition of this bill.

This bill, if passed, is not only a reversal of Democratic policy, as the Senators on this side have understood it, but it is a reversal of Republican policy, as the Senators on the other side of the Chamber have understood it. I referred the other day to the great protectionist of Ohio, McKinley, and I remember that when he was championing a tariff bill through the House he boasted that one of its merits was that it meant the free breakfast table for the workingmen of the country. Now we have the spectacle of a Republican majority trying to tax everything that goes on the table of the workingman.

My good friend the distinguished Senator from North Dakota [Mr. McCUMBER] tells the Senate how perfectly simple this question of the tariff upon wheat is. He understands it thoroughly, but I think he is the only Senator who understands his own argument. I shall not discuss that question with him now; I may at some later time.

Mr. President, when I pick up this bill I find a duty on wheat of 40 cents a bushel, on corn of 15 cents a bushel, on beans of 2 cents a pound, on peanuts of 3 cents a pound, on potatoes of 25 cents a bushel, on onions of 40 cents a bushel, on rice of 2 cents a pound, on lemons of 1½ cents per pound, on oils of 20 cents per gallon, on cattle of 30 per cent ad valorem, on sheep of $2 a head, on fresh mutton and lamb of 2½ cents a pound, on fresh beef of 2 cents a pound; and so I might go on to enumerate other articles that go on the breakfast table. Let me refer to a few more of them. I find a duty on butter of 8 cents a pound, on cheese of 8 cents a pound, on fresh milk of 2 cents a gallon, on cream of 5 cents a gallon, and so on.

Mr. President, what means all this? I have the honor, in part, to represent a State that is both industrial and agricultural. I know there are some farmers who are asking for these duties, but most of them are silent on the subject, if they have any view whatsoever upon it. I recall the prices which have been obtained for all of these articles which go on the breakfast table. I know that as a rule during the last four or five years the farmers and everybody else have been prosperous. I realize that there is a depression now, seriously

affecting the agricultural interests of the country; but it is not affecting them any more seriously than it is affecting the miner or the manufacturer——

Mr. THOMAS. Or the laborer.

Mr. POMERENE. Yes; and, as the Senator from Colorado suggests, the laborer. That reminds me, Mr. President, that I have been trying to collect some data myself with respect to the labor conditions in Ohio. I sent out a questionnaire to every chamber of commerce and to every central labor union in the cities of 10,000 and over in my State, and word comes back from nearly every one of these industrial centers that about 40 per cent of the workingmen of the country are out of employment; and now, with that situation confronting us, the Congress of the United States seeks to place a heavy tax upon everything which goes on the workingman's breakfast table.

The newspapers last week carried the information that in the industrial city of Toledo there was a bread line of 2,000 men, and the civic authorities not only gave them their breakfast but gave them baskets to carry home to the famished ones there. Yet the Congress seeks to put a duty upon milk, butter, bread, meat, and eggs.

Mr. President, at the proper time I will not oppose a vote on this bill, but I warn Republicans that if you fasten this bill upon the American people it will be "the handwriting on the wall" for you.

Oh, Mr. President, I think almost everyone recognizes the fact that this country has become so large that we can not live unto ourselves alone. The great McKinley in his last speech at Buffalo said that we were a world power, and he spoke then in favor of a policy of reciprocity. I do not recall the exact words at this moment, but now, when we have become the great creditor nation of the world, when we are seeking markets for our surplus products everywhere, when we have an international commerce never before known in the history of this country or any other country, are we to adopt a policy which is going to estrange every one of our neighbors?

I have in my hand here a letter which came to me the other day from a distinguished Canadian, a newspaper man, whom I do not know personally, but who some years ago began to write me an occasional letter, and I have answered. The other day I received this letter. I do not feel free to give his name, but I am going to read a part of the letter to the Senate. Referring to the Fordney emergency tariff bill, he said:

> The bill, if passed, would fan into a furious flame the always smoldering embers of mistrust and dislike of the United States which prevails in this country.
>
> Why this dislike, amounting almost to hatred, does exist it would take a long time to explain. The subconscious reason, I think, is that Canada's anomalous position, neither a colony nor an independent nation, a New World country in fact, but from an international standpoint the possession of a European power, causes many people to believe, and a still greater number to pretend to believe, that she is in danger of annexation by the United States, and that the United States Government is constantly plotting to that end. The Laurier government was defeated in 1911 on the "Under which flag" cry. The discount of the Canadian dollar in the United States and the overwhelming balance of trade in favor of the United States have caused more or less uneasiness. The present bill is interpreted by the papers and politicians here as an unfriendly act, designed to prohibit Canada exporting products to the United States. A member of Parliament in my hearing the other night declared its purpose to be the crippling of Canada financially, so as to force her into annexation. The result of the bill's passage will be a demand in this country for retaliatory legislation.
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> I lived for nearly 40 years in the United States without knowing, except as a geographical fact, that Canada existed. I knew there was such a country, just as I knew another part of the map was marked "Patagonia." I can therefore realize that it would awaken only a languid interest among many Congressmen and millions of people in the United States to learn that Canada or the Canadian people had resolved upon any course of action. But having lived here for a good many years, I am utterly amazed that American statesmen should so minimize or overlook the growing importance of this country, a country that may within a reasonable time attain to a population of 50,000,000 people, and will ultimately have as big a population as the United States has to-day.
>
> I could elaborate this a good deal, for the situation here in Canada has to be considered from many standpoints. That the United States has been an unfriendly neighbor is beyond question, but not to the extent or with the malevolent design that so many Canadians have been led to believe. This present bill is interpreted here as a cruel and wanton attempt to pick a quarrel at a time when Canada is trying to pick herself up after the terrible losses in men and money occasioned by the war. Parliament opens on the 14th, and I look for immediate reprisals if by that time Congress has passed what may be fairly interpreted as unfriendly legislation. The United States, of course, has a legal right to blacklist Canada, but Canada has the legal right to start a retaliatory boycott.

Mr. President, knowing my friend the Senator from North Dakota as well as I do, of course I acquit him of entertaining at any time a feeling of bitterness toward Canada. I recognize that from his standpoint he is looking at it from what he feels to be the American interest, and that alone. I could not if I would, and would not if I could, attribute any other motive to him, but it must be borne in mind that there are reciprocal relations between Canada and the United States, and in my humble judgment we have more to lose by this kind of legislation than we will gain.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Ohio yield to the Senator from North Dakota?

Mr. POMERENE. I yield.

Mr. McCUMBER. If, as is contended on the other side of the Chamber by a great many who are discussing the subject, the Canadian gets no better prices in the United States and no advantage by shipping his grain to the United States than he would get by shipping it to Liverpool, then why is this measure going to hurt Canada in the slightest degree? Of course, I think the Canadian will not agree with that. I think the Canadian will get a better price if he can ship it here.

Mr. POMERENE. I have heard my good friend from North Dakota discuss the question so often, and I know with such sincerity on his part, and at the same time, I think, with such gross error on his part, that I am afraid he and I can not get together at all.

Mr. McCUMBER. I do not wish to get together on the argument; I simply wish to know why, if there is no advantage to the Canadian in sending his wheat into the United States, he would suffer by the bill.

Mr. POMERENE. I have no doubt he has some advantage, but so has the United States some advantage. It is a benefit to our mills; it is a benefit to our railroads; it is a benefit to our transportation system; it increases our commerce with Great Britain. That is all. But so far as the ultimate price of the wheat is concerned, it does not benefit the farmer of the United States to keep it out. That is my position.

Mr. McCUMBER. Then how does it hurt the Canadian?

Mr. POMERENE. It benefits the Canadian perhaps because he has a closer market, because we have better milling facilities, and because he can convert his wheat into money perhaps more quickly than he could if he were to send it direct to Liverpool.

Mr. McCUMBER. But if it does not increase the price of grain to the American farmer, then how is it adding a tax to the workingman?

Mr. POMERENE. It adds to the price to the workingman because the tariff is always used by the retailer as an excuse to boost the price, as everyone knows who has looked into the subject.

But I did not intend to discuss the matter at this length when I took the floor. I shall oppose the fixing of this date for a vote now. The vote may be had later if desired, and I shall simply be content to record my vote against it.

Mr. PENROSE. Mr. President, every moment it is becoming more obvious to me that there is no intention on the part of a certain group on the other side of the Chamber to permit the so-called emergency tariff bill to become a law. I feel that I have made every effort this afternoon and on the other days to secure the consent of Senators to agree on a day fixed for voting on the bill. Clearly a majority, in fact a nearly two-third vote in the Chamber, is entitled to have an opportunity to vote on a measure of this great general importance, which has already passed the House of Representatives with a large vote from the Democratic Party as well as the Republican Party.

Feeling that unnecessary delay will be incurred by any further effort on my part or that of the majority to secure any unanimous-consent agreement, I offer the following motion, signed by most of the Republican Senators.

The PRESIDING OFFICER. The Senator from Pennsylvania offers the following motion, which the Secretary will read.

The Assistant Secretary read as follows:

> We, the undersigned Members of the United States Senate, move to close the debate on the bill H. R. 15275, Calendar No. 639, "An act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes," in accordance with the provisions of Rule XXII of the Standing Rules of the Senate.
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> | BOIES PENROSE. | LAWRENCE C. PHIPPS. |
> | P. J. MCCUMBER. | THOMAS STERLING. |
> | REED SMOOT. | WILLIAM P. DILLINGHAM. |
> | CHARLES CURTIS. | BERT M. FERNALD. |
> | FRANK B. KELLOGG. | CARROLL S. PAGE. |
> | SELDEN P. SPENCER. | JAMES W. WADSWORTH, Jr. |
> | CHAS. L. MCNARY. | WILLIAM M. CALDER. |
> | F. R. GOODING. | CHARLES E. TOWNSEND. |
> | W. L. JONES. | FRANK B. BRANDEGEE. |
> | HOWARD SUTHERLAND. | H. C. LODGE. |
> | ARTHUR CAPPER. | KNUTE NELSON. |
> | FREDERICK HALE. | PHILANDER C. KNOX. |
> | DAVIS ELKINS. | LAWRENCE Y. SHERMAN. |
> | FRANK B. WILLIS. | JOSEPH I. FRANCE. |
> | F. E. WARREN. | WILLIAM S. KENYON. |
> | MILES POINDEXTER. | GEORGE P. MCLEAN. |
> | L. HEISLER BALL. | HARRY S. NEW. |

Mr. UNDERWOOD. Mr. President, I assume that the paper which has just been read is the announcement of the Senator from Pennsylvania, in accordance with the rule, that on Wednesday next he will insist on a vote on cloture upon the pending bill.

Mr. PENROSE. That is the purpose.

Mr. UNDERWOOD. I shall detain the Senate but a short time with what I have to say. I am one of those who believe that a legislative body should allow the majority to exercise its judgment. I am not opposed to cloture. I shall vote against this cloture proposal because I think the present issue is one on which the Senate had better divide on the merits of the proposition.

The bill called an emergency tariff bill was introduced in the House merely to meet conditions presented by some people in the country who were actually suffering on account of falling prices due to the antewar conditions and who thought that they were entitled to be selected out from all the other people of the United States and granted a special privilege of the Government standing between them and their losses.

The condition grew, however, and to a few a great many have been added to the bill, and now it presents a fundamental question that goes to the very economic foundation of the Nation. As has been stated here to-day, the bill is not only absolutely contradictory of every principle that has ever been advocated by the followers of the Democratic Party, but it is contrary to the policy and the tradition of the Republican Party. The Republican Party may have stood, as the result of their legislation in the past, in favor of prohibitive tariff laws, and they did on many items, but this is the first time in the history of the Government that I know of that the leadership of the Republican Party has faced the country with a direct proposal that we should erect tariff walls not for the purpose of incidental or direct protection, not for the purpose of raising any revenue, but through a tariff act to establish an embargo on imports coming into the country in times of peace and not in times of war.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Pennsylvania?

Mr. UNDERWOOD. I do.

Mr. PENROSE. I suppose the Senator from Alabama realizes that nearly one-half the Democrats in the House of Representatives voted for the bill?

Mr. UNDERWOOD. Of course, men are not parties. The actions of men do not affect principles. Many a time a vote is cast in either branch of Congress without the man who casts it at the time realizing where the vote is leading. Under the guise of a temporary measure and assistance to the needy, men may be swept from their feet on questions of principle and the economic principles that must stand for the good or evil of the people of the United States.

No one denies that the bill as a whole is intended to prohibit, not to tax, at the customhouse. I know that any prohibition at the customhouse increases the prices within the walls of the United States and thereby indirectly taxes the consumer, but the proponents of the bill do not seriously contend that this is a revenue measure, that this is a bill intended to levy taxes at the customhouse for the benefit of the Treasury, but they recognize that it is a bill to prohibit importations in order that some special interests may reap the benefit of it. Of course, we recognize that there are some items in the bill which will produce revenue. The tax on sugar will produce a very large revenue, and the burden of that revenue will be taken out of the pockets of the toiling masses of the American people.

Mr. THOMAS. May I ask the Senator what proportion of that revenue so taken out of the pockets of the people will find its way into the Treasury of the United States?

Mr. UNDERWOOD. Certainly not over half.

Mr. POMERENE. May I ask a further question?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Ohio?

Mr. UNDERWOOD. I yield.

Mr. POMERENE. Where will the other half of it go?

Mr. UNDERWOOD. The other half will go into the pockets of the producers of sugar in the United States; it can not go anywhere else.

The question as to the tax on sugar is easily demonstrable. About one half of the sugar that is consumed by the American people is taxed sugar which comes through the customhouse, and the other half is either produced in continental United States or in our island possessions and comes in untaxed. The portion that comes through the customhouse from foreign countries, of course, will pay the tax to the Federal Government, but as we ourselves produce only one half the sugar which the American people consume, when we increase the price of the other half at the customhouse necessarily the law of supply and demand raises the price of the domestic product. That is not subject to argument; it has been demonstrated year in and year out by tariff bill after tariff bill, so that it is a statement that is not subject to contradiction.

It has been roughly estimated that the tax which it is proposed by the bill to place on sugar is going to make its price 8 cents a pound at the customhouse. That is what the framers of this legislation are seeking to do. I do not know who wrote this clause, though I know who introduced it; but, so far as I can read it, the tax on sugar has been apparently written to standardize the price of sugar at the customhouse at 8 cents a pound. If that is true, that means that when the sugar gets to the consumer it will get there 4 or 5 cents a pound higher in price in all probability. The Senator from Utah [Mr. SMOOT] says it should not be that much higher; but suppose the spread in price between the customhouse and the consumer instead of being 4 or 5 cents is only 3 cents a pound—I am sure the Senator from Utah will admit that is reasonable. That will put the price of sugar to the American people permanently at 11 cents a pound at least, when, not under war conditions but now that war conditions are over, and Europe is resuming the manufacture of beet sugar and promising a return to normal conditions, which will produce a normal market, sugar ought to go down to at least 4 or 5 cents a pound, and is rapidly going to that point to-day. So the framers of the pending bill are proposing to place an additional burden of taxation on the consumption of the masses of the American people of over $400,000,000 annually, and are graciously proposing to give one half to the Government of the United States and the other half to the people who are engaged in the sugar business.

But that is not all. Sugar is one of the few commodities which the bill allows to be imported. The bill is intended to prohibit, not to tax. The condition of my throat is such that I am unable to discuss the bill fully to-day, but I hope to-morrow that I shall have an opportunity and shall be able to say something more on the subject. At this time I wish merely to pick out one item which demonstrates the character of the bill. I refer to beans. Beans form a very simple article of diet. The bean may not be on the table of the multimillionaire very often, but it is a common article of food of the toiling masses of the American people.

I have here a document which is published by the House of Representatives, entitled "Summary of Tariff Information for 1920," which is now being used by the Republican Ways and Means Committee for the information of that committee in preparing the tariff bill for next summer, so I presume its statements will be accepted by Senators of a different political faith from mine. The statement is made that the production of beans in 1918 was 20,819,000 bushels, of a value of $100,000,000; that the imports amounted only to 1,000,000 bushels, valued at about $1,500,000; and that the exports for 1918 amounted to 4,489,078 bushels. In other words, we exported from this country nearly five times as much of beans as we imported, showing that the pressure at the customhouse was not very great. More than that, in a product valued at $100,000,000 the importations amounted only to something over $1,000,000; in other words, under the present Democratic tariff law in 1918 only about 1 per cent of this food commodity was imported into the United States.

Mr. McCUMBER. That was during war times.

The PRESIDING OFFICER. Does the Senator from Alabama yield? Senators desiring to interrupt will please address the Chair.

Mr. UNDERWOOD. I am glad to answer the Senator. Of course, it was partially during war times; the war ended in that year, but practically the same condition will be found to exist as to importations in preceding years in times of peace, and the same condition will be found to exist next year, when conditions shall be normal.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. UNDERWOOD. I yield.

Mr. STANLEY. The comparison of imports and exports now would no more be indicative of normal conditions than during the war. During the war there was a tendency to export, while at present, on account of the conditions in the rate of exchange, there is an abnormal tendency to export.

Mr. UNDERWOOD. The importations to-day are not very great or they would be found in the book I have before me.

Mr. STANLEY. Present conditions are temporary, and there is no use providing against them by fixed laws.

Mr. UNDERWOOD. Certainly not. I am just taking one item by way of illustration—practically the same statement

would apply to all of the other items—to show the basis of this bill. From the last report containing official Government figures, which are being used by the Republican Party, it is shown that the importation of beans amounted to only about 1 per cent of the domestic production, which represented a value of $100,000,000. Yet, in answer to a demand coming from the producers of beans in this country, the Republican Party, without investigation and without consideration—and I say that because I do not believe that any Republican Ways and Means Committee or Finance Committee would take that item and do what they have done with it if they had given it the consideration to which it was entitled—drew this measure in the form in which we now have it.

The item of beans is carried in paragraph 197 of the present tariff law, and the duty at the customhouse on beans under that law is 25 cents a bushel of 60 pounds. Under the law of 1909, known as the Payne-Aldrich law, there was placed as high a tax on beans as the Republican Party ever placed on them. That tax amounted to 45 cents a bushel. That is the extreme limit to which the Republican Party ever went in imposing a tax on beans.

Now what do we find in this bill? The Republican side of the Chamber have raised the tax on beans to 2 cents a pound, and, as a bushel of beans as fixed by the tariff bill is 60 pounds, the rate provided by the pending bill is equivalent to an increase in the tax to $1.20 a bushel, or nearly five times as much as the duty provided by the present law, and nearly three times greater than any tax the Republican Party have heretofore levied on beans. Beans, I repeat, are common articles of food; they go on the table of the poor people of America; but the beans, to be bought by people who can not, perhaps, buy bread and can not buy meat, must go to their tables taxed by the Republican Party at 2 cents a pound. That is what we find the Republican majority have done in this bill under the pretense of a war necessity or of an emergency. Because they wish to please somebody for political purposes, they are proposing to levy this class of tax on the American people.

What is going to be the result? The Government will reap no benefit from it, because the tax has been placed so high that no beans will come in; but the consumer behind the tariff wall will pay a tax of $1.20 a bushel on a commodity which is used to sustain his daily life. That is the kind of bill which you bring here under whip and spur, and say that you are going to throttle opposition to it with a cloture rule on next Wednesday!

I am glad the Senator from Pennsylvania has offered this cloture rule. I do not intend to object to his request for unanimous consent to vote, because if you are going to do this abhorrent thing you had better do it and be rid of it, and let us attend to the business of the Senate. I think the country is entitled to have an understanding of this question, as it will before the vote is taken; but it goes further than that. It is the first step toward taxing the raw material of the Nation—not levying a tax for revenue, which might be justifiable on any article, but levying a prohibitive tax upon most of the raw material that is covered by this bill, for the purpose of putting up the price to the home producer. Talk about class legislation! The Senator says there is no class or section in this. There may be no class or section, so far as individuals are concerned, but the class or section is written in the terms of this bill.

I see before me one of the Senators from Connecticut and another from Rhode Island. Tell me how long the industries of New England can survive a policy of taxation that proposes to put a tax on raw material so high that it can not be brought into this country, a prohibitive tax on raw material; and it is in this bill, though not on it all.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Connecticut?

Mr. UNDERWOOD. I do.

Mr. McLEAN. The Senator has mentioned my name.

Mr. UNDERWOOD. I did not refer to the Senator by name, but——

Mr. McLEAN. Inasmuch as the Senator did not mention me by name, I think it ought to be understood that he refers to the junior Senator from Connecticut and not to the senior Senator from Connecticut.

I should like to suggest to the Senator from Alabama that if the statements made to the Committee on Finance are true—and I think they are—understanding that this bill is a temporary measure, enduring for but 10 months, I think the Senator from Alabama will agree with me that the woolen manufacturers of my State will have no trouble in getting their raw material, notwithstanding this tariff tax, because there is already more wool in this country than the mills can use in two years.

Mr. BORAH. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. UNDERWOOD. I do.

Mr. BORAH. I am interested a little in those who have wool to sell. What benefit is this tariff bill going to be to us if there is wool enough to supply the mills for two years?

Mr. McLEAN. It will help us all. I hope it will benefit us to the extent of the tariff.

Mr. BORAH. If there is wool enough in this country to satisfy your people for the next year, and this bill only lasts for 10 months, what possible benefit is it going to be to the man who has wool to sell?

Mr. McLEAN. I will tell the Senator.

Mr. BORAH. It has been a mystery to me ever since this bill was proposed.

Mr. McLEAN. As I understand from the testimony before the committee, the wool industry is pretty much out of business. I understand that they are selling their sheep now on the Chicago market for from 3 to 4 cents a pound. Some of the farmers are feeding their sheep to the hogs, because they are worth more for hog food than they are for mutton. My belief is that if you destroy the sheep industry in this country it will take from 5 to 10 years to revive it, and long before the industry is revived the foreign producers of wool will absolutely control the market, fix the price as high as the trade will bear, and then is the time when the consumers of woolens in this country will realize the benefit of the tariff.

Mr. BORAH. Mr. President, I am not concerned about the man of the future.

Mr. McLEAN. Well, we are.

Mr. BORAH. I am interested in the man who now has his flock of sheep, his wool, and who can not survive another year unless he gets relief, although I have never thought he would get much relief from this bill; but your argument and the argument of our eastern friends, to the effect that it will not raise the price to the man who buys woolen goods in the East because of the fact that we have plenty of wool in this country to run us for a year, cuts out any hope of our people at all.

Mr. McLEAN. The Senator from Idaho is the first Senator I have heard suggest that it was not the hope and purpose of this bill to raise the price of wool to the producers of wool in this country. That is the object of the tariff. It is to sustain, if possible, the price of wool in this country so that the present supply can find some kind of a market and the sheep industry can be saved from ruin. That is the only object of this bill.

Mr. BORAH. Candidly, I am not a tariff expert, but there are a few principles of common sense which seem to me to apply to this situation the same as to others. Now, we are told over and over again that there is enough wool in this country to meet all demands for the next two years. I think the Senator from Utah said two years.

Mr. THOMAS. Two years.

Mr. BORAH. And you are fixing a tariff wall for 10 months. Now, no one cares anything about that for the next 10 months, if there is enough wool here to last for two years.

Mr. McLEAN. If it does not affect the price to the producer of the wool, it certainly will not hurt the consumer of wool.

Mr. BORAH. I know; but that is not a thing that I can take home to my people—"it has not hurt anybody, but it has not helped you." That is not what they are concerned about. The difficulty is, if I may say so to my friend, that this bill has been advertised throughout the West as redeeming a deplorable situation in the West, to wit, not only the producer of grain, but the live-stock man. Now, then, if it does not in fact relieve it, upon what theory should we be called upon to pass the bill at all? What we want is not a bill, but relief.

Mr. McLEAN. The position which the Senator takes is the position which is taken by the opponents of the bill on the other side of the Chamber.

Mr. BORAH. I do not care where it comes from, if it is common sense.

Mr. McLEAN. Some of them insist that it will not raise the price of wool to the consumer; others of them insist that it will.

Mr. BORAH. When my colleagues on this side of the Chamber get up and say to the country that we have enough wool in this country to supply the demand for two years, then I am not taking the argument of the opposite side of the Chamber; I am taking the argument of both sides of the Chamber.

Mr. McLEAN. If it does not have an effect on the price of wool now held in this country, it certainly will not do any harm. The hope of those who support the bill is that it will

help sustain the price of wool and so help preserve the sheep industry.

Mr. BORAH. Well, we know what the Apostle Paul said about hope.

Mr. McLEAN. And if we are to assume that the gentlemen on the other side are honest in the position they take, they insist that this bill must not pass because it raises the price of wool to the producer, the sheep raiser.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Utah?

Mr. UNDERWOOD. I yield.

Mr. SMOOT. I want to assure the Senator from Idaho that the passage of this bill will increase the price of wool to the manufacturer, and I want to say why, if the Senator will yield just a moment.

It is true that when the wool crop of this country is clipped and goes into the market, with the exportations of wool that it meets there, and the amount of wool that we have in the United States, there will be nearly enough wool in the United States to furnish the people of the United States with woolen cloth for nearly two years; and, by the way, in passing I may say that that is the condition in the world. To-day there are 2,400,000,000 pounds of wool in the world—almost enough wool to last the world two years. I am not going to stand here and say that if we impose this duty upon wool it is not going to raise the price of wool to the American people. It will; but as far as the effect upon the manufactured article is concerned, it is so small that it is almost unworthy of mention; but this is how it is going to affect the wool market in the United States:

With the price of wool in the world, there will be very little wool—in fact, there will be scarcely any outside of the long-staple fine wools—imported into the United States if this bill passes.

Mr. UNDERWOOD. Then, as I understand the Senator, he agrees with what I have said—that the tax levied in this bill is practically prohibitive for the present.

Mr. SMOOT. On some articles; not on all.

Mr. UNDERWOOD. I am talking about wool.

Mr. SMOOT. Yes; but the Senator was altogether wrong about the number of dollars that would be imposed upon the American people by this amendment as to sugar. That, however, is another matter.

Mr. UNDERWOOD. But the Senator agrees with me that the tax on wool will be practically prohibitive?

Mr. SMOOT. It will as far as all wools are concerned with the exception of the long-staple wools that come in here and are made into fine worsted goods. It will be nearly prohibitive.

Mr. UNDERWOOD. It will be prohibitive on the class of wools that the mass of the people use—that is what I am talking about—because they do not use this high-grade wool.

Mr. SMOOT. Yes; I will say that it will. I want to be perfectly frank with the Senator, as I always try to be with the Senate.

Mr. UNDERWOOD. To be sure.

Mr. SMOOT. Now, the woolen manufacturer has to purchase his wool at least one year before he receives pay for his goods. He has to buy his wool six months ahead for his spring goods; he has to buy his wool six months ahead for his fall goods; and those goods are not delivered to the clothing manufacturer for at least eight months after he has purchased the wool. Therefore, if wool importations into this country are stopped, there is not any question but that the price of local wool will advance, and I have not any doubt but that it will; and that is the object of this bill, I will say to the Senator. I say now that with this bill the producer of wool in the United States can not get what the wool cost him, and I do not know how many it will save. It will save some, but, I care not whether this bill is passed or not, about half of the western sheepmen to-day are bankrupt, and I think the Senator will acknowledge that.

Mr. UNDERWOOD. I agree that the agricultural interests are in a very bad condition, and I also agree that the man who raised cotton and the man who raised corn are about as badly off as the man that raised wool.

Mr. SMOOT. No; I will say to the Senator that I do not think he can substantiate that statement. If the man who has been raising wool had not money enough to go on feeding his sheep, and carry them on for a year, there is only one thing for him to do, and that is to send them to the slaughterhouse, and that is what is being done all over the United States to-day; whereas, in the case of the man who raises cotton, his land is there for the next year.

Mr. UNDERWOOD. Provided the sheriff does not take it away from him under a red-flag sale. The same condition exists there that exists as to wool.

Mr. SMOOT. I say to the Senator that after the sheep are killed and after the cattle are killed it will take a quarter of a century to bring that industry back.

Mr. McKELLAR. How much of the wool clip for the present year is in the hands of the woolgrower now?

Mr. SMOOT. About 80 per cent of it. There was 85 per cent the other day, and there have been quite a number of sales since this bill was brought into the Senate; and I want to say to the Senator that I do not think there would have been the sales that have taken place in the last 10 days if it had not been for this legislation.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Montana?

Mr. UNDERWOOD. I yield.

Mr. WALSH of Montana. I wish to say a word before the Senator passes from the consideration of the subject to which his attention has just been directed. I submitted to the Senate some time ago some figures which were supplied by various witnesses who appeared before the Committee on Agriculture, including some representatives of the Federal Trade Commission, and from those figures I reached the conclusion that a rather alarming state exists with respect to the wool supply. I expressed quite freely my conviction that the condition called for governmental intervention.

The Government of the United States during the war bought wool everywhere throughout the world and at any price it was obliged to pay. All that was entirely proper and altogether judicious. When the armistice was signed it found itself with the enormous accumulation of 600,000,000 pounds on hand. That has been disposed of from time to time in various lots, so that it has all now passed into the hands of either dealers or manufacturers, except about 60,000,000 pounds.

The testimony referred to disclosed a condition such as has just been suggested by the Senator from Utah [Mr. SMOOT], namely, that as a result of that condition, as well as by reason of the fact that Great Britain was unloading upon the markets of the world the accumulated supplies from the Australasian countries, accumulated during the war, and which had not reached the markets by reason of the shipping conditions, there was in the United States at the present time a supply of wool adequate to meet all needs for a period of a year at least, and according to some estimates almost, if not quite, two years.

It occurred to me, Mr. President, that inasmuch as that condition was very largely due to governmental action upon the part of our Government, as well as on the part of the Government of Great Britain, the Government might very properly step in and impose something in the nature of an embargo until these extra supplies were absorbed.

But, Mr. President, I have before me a report made by the Tariff Commission since that testimony was thus adduced, which, if I understand it aright, shows that that condition of affairs simply does not exist. I have asked for some more specific information concerning it, but according to the report which I have in my hand now, issued under date of January 10, it appears that we are carrying over in the United States only 20 per cent more than the ordinary carry over, and no more than we were carrying over a year ago. I read:

> The stock on December 1 is about 20 per cent above the prewar normal for that time of year, when usually not more than a year's supply is in the hands of dealers and mills. A year's supply, or the annual consumption, averaged 517,322,000 pounds in the condition reported, or the equivalent, about 535,000,000 pounds in the grease, during the five years ending July 1, 1914.

The stock on hand on December 1, therefore, is by no means alarming in itself, and varies little from that of a year ago. But there has been a marked decrease in the rate of consumption. The mills from July 1 to December 1 were only using three-fifths as much wool per month as during the 12 preceding months.

In view of that fact, and also considering that there may be an appreciable interval before the mills accelerate present consumption, any surplus at all is disquieting.

Accordingly, Mr. President, it would appear as though the condition which confronts us here arises rather from the consumer's strike, as it is called, than by reason of what we suppose to be extraordinary accumulations, and particularly extraordinary importations. If it be the fact, Mr. President, that we have on hand in the United States at the present time only the ordinary amount of wool that we would have under ordinary circumstances and conditions, or no more than 20 per cent over that amount, and we absolutely shut off all importations, as this bill would do, for a period of even 10 months, I submit that a condition of affairs we could not tolerate would ensue, because it is conceded that we do not produce in this country

more than one-half of the wool annually consumed, our production being in the neighborhood of 300,000,000 pounds and our importations being practically the same. If this report is correct, it has entirely upset my own ideas about the matter, and will certainly very seriously affect my vote on this measure.

Mr. UNDERWOOD. I should like to suggest to the Senator what I am sure he is aware of, that in the handling of raw wool by the mills it is necessary to store it and treat it for many months; so that a large portion of the wool clip of each season is carried over by the mills themselves before they use it, in the ordinary course of their trade.

Mr. WALSH of Montana. Before I conclude, if the Senator will permit, I would like to read further from the report, as follows, on pages 8 and 9:

In the United States the stock of wool on hand on December 1 amounted to 646,666,000 pounds, consisting of wool in the grease and its equivalent in pulled and scoured fiber and in tops and noils. This amount included 521,000,000 pounds reported on hand September 30, as well as 175,000,000 pounds estimated at country points, 11,666,000 pounds of wool pulled in October and November (grease equivalent) and imports during October and November of 17,000,000 pounds, with the deduction of 78,000,000 pounds for October and November consumption.

By that process of reasoning, on the basis of these facts, the conclusion is arrived at that we are carrying over in the United States just a normal quantity of wool.

Mr. SMOOT. I wish to ask the Senator if there is anything in the report to show just where that wool is located? It may be that the wool is in the hands of the miller, or in the manufacturer's hands, and that does not take into consideration the wools that are held this year in the hands of the producers. The Senator knows that not more than 20 per cent of it is left in the hands of the producers.

Mr. WALSH of Montana. They give 521,000,000 pounds reported on hand September 30, which I take it is in the hands of the dealers and manufacturers, and then the report continues, "as well as 175,000,000 pounds estimated at country points," making the total amount.

Mr. SMOOT. What was the last figure?

Mr. WALSH of Montana. One hundred and seventy-five million pounds at country points. Of course, if it be the fact that we have only a year's supply on hand, and we shut off importations altogether, we can very readily conceive that it would be pretty profitable to those who own wool in this country. But even though it is a great industry in my State—indeed, we lead in the production of wool—I could hardly justify myself in putting an embargo upon the importation of wool if, indeed, we have only the ordinary supply in this country, because we have to import at least 250,000,000 more in order to meet the demands of our people for clothing.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Colorado?

Mr. UNDERWOOD. I yield.

Mr. THOMAS. I presume the Senator from Montana has noted that the real surplus of wool in the world is 917,000,000 pounds, between which and the statement of the Senator from Utah placing it at 2,500,000,000 pounds there is quite a difference.

Mr. WALSH of Montana. Mr. President, I am not quite sure that the Senator from Colorado is correct about that. This is a little obscure also, and I want some further information about it.

Mr. SMOOT. The Senator will find, when he gets his information, that this report on page 8, showing that the wool surplus December 1 is 917,000,000 pounds, refers to the surplus here.

Mr. THOMAS. The world surplus, it says.

Mr. WALSH of Montana. I am perfectly satisfied about that. The point about which I am in doubt is as to whether that means the total amount of wool now in the world, or whether it is the total amount in excess of what would ordinarily be on hand at this time. If that is the case, then the figures given by the Senator from Utah are perhaps correct. But I read it, in the first place, as signifying that that is the total amount of wool on hand now.

Mr. SMOOT. It says the total surplus wool:

Table I, World surplus of old wool, December 1, 1920 (approximate)—

And there the surplus of wool is stated at 917,000,000 pounds.

Mr. WALSH of Montana. The word "surplus" has a technical significance there.

Mr. SMOOT. I do not know what the technical significance is.

Mr. WALSH of Montana. I will tell the Senator what the significance is, as I understand it. It signifies the amount carried over.

Mr. SMOOT. No; it is the surplus over what will be required ordinarily by the manufacturers of woolen goods throughout the world.

Mr. WALSH of Montana. I have a different idea about it, based on information from various sources. My understanding of the word "surplus," as used in the wool trade, is that it signifies that amount of wool which is carried over from one season to the next season.

Mr. SMOOT. If it is necessary to be carried over, it is not surplus, and this says "surplus wool in the world." There is no question but that in the testimony before the committee it was stated time and time again, even when the members of the Tariff Commission were there, that the production of wool in the world is 2,400,000,000 pounds a year. There is no question about that at all.

Mr. WALSH of Montana. There is not any question in my mind, if the total production is something over 2,000,000,000, that very naturally the 917,000,000 would signify that all the rest had been manufactured, and they were carrying over 917,000,000 pounds.

Mr. SMOOT. That does not necessarily follow, because we have a wool clip on hand now. There will be an American clip of wool of 240,000,000 pounds within a very few months to add to what we already have.

Mr. WALSH of Montana. The Senator says "a very few months." I myself know something about that industry. It will not be on the market, as a matter of course, until the 1st of July at least.

Mr. SMOOT. That is not very many months off.

Mr. WALSH of Montana. No; only five months; and undoubtedly there will be the ordinary consumption meanwhile.

Mr. SMOOT. In Montana they shear in June, in Utah in April. So it will not be five months before that clip will be on the market.

Mr. UNDERWOOD. Of course, we will have another clip a year from that time, and another in a year from that time. So if we are going to carry in our surplus the production of wool on the sheep's backs for the years to come we will have an indefinite amount.

Mr. THOMAS. And the consumer is to be shorn 12 months in every year.

Mr. UNDERWOOD. Surely. I am taking more time of the Senate than I had intended; but I have been much interested in the colloquies between my brother Senators. However, the proposition I came to was a matter of principle, a principle in levying taxation. When I referred to the effect this class of legislation would have on New England, my friend, the Senator from Connecticut [Mr. McLEAN], sidestepped the question by saying, "No; it will not hurt New England this year because the amount of surplus wool in this country is so great that New England does not have to go to foreign fields to buy"; and the Senator from Utah parried that blow by saying the Senator from Connecticut was mistaken, that the surplus did not exist; that the levying of this prohibitive tax——

Mr. SMOOT. I did not say it did not exist, I will say to the Senator. I said it did exist, and notwithstanding it does exist, if we pass this bill, the price of American wools will advance because of the fact that it will stop the importation of wools that are now on their way here, if the bill passes before they arrive.

Mr. UNDERWOOD. I am merely reviewing what the Senator said. I thank him for stating what he said, because it makes my position clear. The Senator from Utah from his viewpoint says that except on certain classes of very high-grade wools, little of which is imported into this country, and none of which practically comes into competition with the wools that are produced in America, the tax is prohibitive as to all other wool, and therefore all prices will be raised to the mills. Did anyone ever hear of the price being raised to the mills when it was not raised to the retail trade and raised to the consumers?

It may be that the New England manufacturer is not objecting to temporarily laying aside the principles he has espoused, because he may have a large amount of manufactured goods on which he wishes to raise the price and, by raising the price of the wool for 10 months to come, he may create a monopoly for the sale of the manufactured goods on his shelves. That is not the question which governs me and I do not think it should govern any man in this Chamber.

If we are going to use the great taxing power of the Government, as it is openly admitted here the advocates of the bill are doing, to serve private interest—the Sugar Trust, the wool combine, and other producers of necessities of life—why should we not repeal the Sherman antitrust law? Why should we pass legislation that is intended to protect the American people against exactions? Why not just repeal all the laws and let

the wolves of commerce go to it? Why should we pass a law one day and say that it is in the interest of reducing prices to the American consumer, and the next day pass a tariff law to collect duties at the customhouse, deliberately intended not to raise a tax for the Government but to boost the prices for certain special interests, and on that character of legislation demand the gag rule so that the American people shall not hear the truth, that independent thought and independent judgment on the subject must be throttled because the debts of a political party must be paid?

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Alabama yield to the Senator from Minnesota?

Mr. UNDERWOOD. I yield.

Mr. KELLOGG. Does the Senator consider a cloture rule which at the end of three days permits 96 hours of debate, or about 12 or 15 days of debate on the tariff bill, a gag rule?

Mr. UNDERWOOD. It is intended for that. I do not think it is so severe as a gag rule. If you were gagging the American Senate in legislation in the interest of the American people I would not object, if you took the responsibility, but when you attempt to pass a gag rule for the purpose of voting dollars out of the pockets of the toiling masses of American people and putting them into the pockets of monopoly, I do object.

I admit that all of this money is not going into the pockets of monopoly. You have rung the farmer in here incidentally on two or three things so you could get the farmer's support and make the farmer believe that he has an interest in the bill and that this is a bill in the interest of the farmer, the independent producer. But behind it all, if we trace the snake to its hole, we find it putting the increased price of sugar into the pockets of the great sugar manufacturers of America. Trace it on, not to the pockets of the western ranchman, and you find the New England mills for the first time voicing a sentiment on the floor of the Senate that they are in favor of a prohibitive tariff on their raw material, and they expect me to believe that the New England mill is not going to get dollars out of this legislation. That is the character of bill you have brought here, a bill to make the American people pay your debts.

Mr. President, I am not going to weary the Senate longer this afternoon in discussing the bill. I would not have objected to the unanimous request, as far as I am concerned, nor do I object to a vote on the cloture rule, because I think it is well enough to draw the line. We all know perfectly well that a Democratic President is in the White House and that in all human probability he would veto the bill if it were sent down there. To make this effective legislation you must command a two-thirds vote in the two Houses of Congress, because you must pass it over the President's veto.

If you mean what you are doing, if you really have the nerve to put this oppressive piece of legislation on the backs of the American people, on Wednesday next you will have an opportunity to go on record, because I assume, if you can command a two-thirds vote on the cloture rule in this Chamber, when the veto message comes back you will take that two-thirds and pass the bill over the President's veto and enact it into law. If you have not the two-thirds, then why take up the time of the country and the time of the Senate with the further consideration of the bill at this time? Within a little over 30 days your party will be in power in every branch of the Government. In a little over 30 days you can bring the bill in and pass it by a majority vote and take the entire responsibility, with a Republican President signing the bill. So why further delay necessary legislation at this session if you can not get a two-thirds vote in the Senate?

I am perfectly willing that the issue may come, and I hope every Senator in the Chamber will face the issues that exist. If he believes in the new theory of using the taxing power of the Government at the customhouse to legislate in favor of special interests by prohibitive taxation, let him vote to put on the gag and apply the rule; but if he is opposed to the legislation, if he recognizes that the industrial and productive conditions which confront the country to-day are the result of a post-war climax, that they are going to adjust themselves, that we must all carry a share of the burden and all pay our price and sustain our own losses, and that he does not stand for the use of the taxing power of this great Government to make the toiling masses of the American people carry this great financial burden to relieve special interests in the United States, then I think he should vote against your cloture rule and give you notice that if you are going to put the bill over you must bring it here after the 4th of March as a party measure.

Mr. BORAH. Mr. President, I wish to say a word in regard to procedure. Notice under the rule for cloture has been given by the Senator from Pennsylvania [Mr. PENROSE], and on Wednesday next under the rule we will vote upon the question of whether or not we shall close debate. Of course, if there are sufficient votes to close debate they can then pass the bill, but what I am interested in knowing from those who have charge of the bill is, in case they do not have sufficient votes to close debate, whether they then propose to abandon the bill?

Mr. McCUMBER. I can only say as one that it will not be abandoned during this session, so far as I can help.

Mr. BORAH. Mr. President, I am glad to hear the Senator say that. I think the Senator from North Dakota is sincerely in favor of the bill. A great many Senators who are not really in favor of it will vote for it as a mere matter of expediency, hoping possibly that some good may come from it.

Mr. President, I wish to call the attention of those who are in favor of the bill to the fact that the cloture proposition is not a fair test of the strength of the bill in the Senate. In the first place, there may be Senators who are opposed to cloture on principle, but who are willing to vote for the bill. Those in charge of the bill can not command for cloture as many votes as they can for the bill; in other words, if they undertake to put on cloture, and fail to do so, and abandon the bill, they will be applying a test of a two-thirds vote to the passage of the bill, while, as a matter of fact, a majority is in favor of the bill. It takes a two-thirds vote in the Senate to adopt the rule upon which we shall be called upon to vote on Wednesday next. It would be manifestly insincere and manifestly unjust and unfair, I think, for those who are interested in the bill if they should erect a standard which required a two-thirds vote, and then failing to get the two-thirds vote abandon the bill. As I understand, the Senator from North Dakota does not propose to abandon the bill.

Mr. McCUMBER. Mr. President, if the Senator will allow me, I will state my position with reference to the cloture. I am very desirous of having the bill voted on and enacted into law, if possible. I appreciate the fact that the supply bills are coming along at the same time; the chairman of each committee having an appropriation bill in charge will be clamoring for a hearing, and that Senators who desire to consume more time than is necessary in order to prevent the pending bill from becoming a law may consume it upon appropriation bills or upon any other kind of bill.

I hope we can utilize the cloture rule. I agree entirely with the Senator from Idaho that there are some, quite a number in the Senate, probably, who would vote for the bill who would not vote for cloture. I favor the cloture as a test as to whether or not we can get the two-thirds in the Senate that will assure the passage of the bill. If we can get that two-thirds, then there will be no question that the bill will pass and will stand a chance of becoming a law. If we fail to get the two-thirds, all that is left us to do is to do the very best we can to keep the bill before the Senate at all times, interfering no more than is possible with the supply bills. However, we hope that we shall get an agreement to vote on the bill or shall vote upon it without such agreement for a final vote.

Mr. BORAH. Mr. President, with reference to the supply bills, I desire to say that there is no necessity of passing the supply bills by the 4th of March next. The Republican Party is now in charge of the legislative department of the Government, and after the 4th of March it will be in charge of both the executive and legislative departments. There is no need of the supply bills being passed until the 1st of June next. If the pending bill means what it has been said to mean to the people of the country who are engaged in agriculture and in the live-stock industry, we can very well afford to put aside the supply bills until we can get a vote upon the pending measure. There are undoubtedly in the Chamber a majority of Senators who are in favor of the bill; a majority of Senators can keep the bill before the Senate from now until it shall be voted upon, and I have no doubt that if we undertake to do that we shall get a vote before the end of this week.

Mr. McCUMBER. Mr. President, if the Senator will allow me, I desire to say that I wish I were as optimistic as he is with reference to having a majority that would vote to keep the bill constantly before the Senate to the exclusion of the supply bills. I hope the Senator's view may be justified.

Mr. BORAH. I did not say "to the exclusion of the supply bills." I say that the Senate has a majority who have stated that they are in favor of the bill. I do not think that they are so enthusiastically in favor of it as is the Senator from North Dakota; I am frank to say that; but there is a majority in the Senate who have signified their willingness to vote for the bill. If the Republican majority here, with the support it gets from the other side of the Chamber, is sincerely in favor of the bill, and wish to assume the responsibility of passing it as a party

measure, there is no doubt that they can get a vote upon the bill within a reasonable length of time.

Mr. President, as I said a moment ago, it would be an act of bad faith if, having lost cloture by a two-thirds vote, we should abandon the bill which can be passed by a majority vote; and I want to say that at this time, for the reasons I have stated, I shall not expect to see the bill abandoned if cloture fails. The majority should insist on sessions from morning until night and keep this bill before the Senate. If this is done, you will get a vote in less than a week.

Mr. THOMAS obtained the floor.

Mr. JOHNSON of California. Will the Senator yield for merely an instant? I have three very brief amendments to the pending bill, which, under the rule, are required to be read. It will take but an instant to do so. May I have the amendments read at the desk?

Mr. THOMAS. I yield to the Senator for that purpose.

The PRESIDING OFFICER. The Secretary will read as requested.

The READING CLERK. Amendments intended to be proposed by Mr. JOHNSON of California to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, are as follows:

On page 2, line 21, strike out "1¼" and in lieu thereof insert "2."

On page 2, line 23, after the word "gallon," strike out the period and insert a semicolon and the following: "Olives, 60 cents per gallon in bulk, 70 cents per gallon in containers of less than 5 gallons."

On page 6, after line 24, insert the following: "(29) Olives, in solution, 25 cents per gallon; olives, not in solution, 5 cents per pound."

[Mr. THOMAS resumed the speech begun by him on Saturday last. After having spoken for 40 minutes he yielded the floor for the day.]

Mr. LODGE. I ask leave to submit an amendment to the pending bill, which I ask may lie on the table and be printed.

Mr. PENROSE. Let the amendment be read.

The PRESIDING OFFICER. The Secretary will read the proposed amendment.

The amendment was read and ordered to be printed and to lie on the table, as follows:

26–A. Upon hides of the kind provided for in paragraph 26, when advanced in any manner or by any process of manufacture, and manufactures of which hides of any kind provided for in paragraph 26 are a component material, the rate of duty imposed shall be 10 per cent ad valorem.

Mr. MOSES. I wish to offer an amendment to the bill, and ask that it may be printed and lie on the table.

The amendment was read and ordered to be printed and to lie on the table, as follows:

On page 6, following line 24, insert:

"29. Needles for knitting or sewing machines, $1 per thousand and 25 per cent ad valorem; latch needles, $1.15 per thousand and 35 per cent ad valorem."

RECESS.

Mr. PENROSE. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Tuesday, February 1, 1921, at 12 o'clock nreridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 31, 1921.*

The House met at 12 o'clock noon.

The SPEAKER. The House will be in order.

Mr. McCLINTIC. Mr. Speaker, I raise the point of order that there is no quorum present. I think that Members would be benefited by hearing the prayer.

The SPEAKER. The gentleman must not make any remarks. The gentleman from Oklahoma makes the point of no quorum. Obviously there is no quorum present.

Mr. ROGERS. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The roll was called, and the following Members failed to answer to their names:

Andrews, Md.	Brooks, Pa.	Crago	Edmonds
Ayres	Brumbaugh	Crowther	Ellsworth
Babka	Burke	Cullen	Emerson
Bacharach	Burroughs	Currie, Mich.	Ferris
Baer	Caldwell	Davey	Focht
Bell	Campbell, Pa.	Dent	Gallagher
Benson	Candler	Dewalt	Gandy
Blackmon	Carew	Donovan	Ganly
Bland, Mo.	Classon	Dooling	Goldfogle
Bowers	Copley	Eagan	Goodwin, Ark.
Britten	Costello	Eagle	Gould
Graham, Ill.	McGlennon	Patterson	Scully
Graham, Pa.	McKeown	Pell	Smith, Mich.
Griest	McKinlry	Perlman	Steagall
Hamill	McKinley	Purnell	Steele
Harrison	McLane	Rainey, Ala.	Stiness
Haugen	McLaughlin, Mich.	Rainey, Henry T.	Strong, Pa.
Hill	Maher	Rainey, John W.	Sullivan
Hutchinson	Mann, S. C.	Ramsey	Tague
James, Mich.	Mead	Reed, W. Va.	Tincher
James, Va.	Milligan	Riddick	Tinkham
Johnston, N. Y.	Montague	Riordan	Upshaw
Kelley, Mich.	Moon	Robinson, N. C.	Vare
Kennedy, Iowa	Mooney	Rodenberg	Venable
Kennedy, R. I.	Moores, Ind	Rose	Vestal
Kettner	Morin	Rowan	Voigt
Kincheloe	Mott	Rowe	Ward
Kitchin	Mudd	Rubey	White, Me.
Kleczka	Murphy	Rucker	Wilson, Ill.
Kreider	Neely	Sabath	Wise
Lesher	Nelson, Wis.	Sanders, Ind.	Yates
Lonergan	O'Connell	Sanders, La.	Young, Tex.
Lufkin	Olney	Sanders, N. Y.	
McCulloch	Padgett	Sanford	

The SPEAKER. On this vote 293 Members have answered to their names, a quorum.

Mr. ROGERS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Chaplain will offer prayer.

PRAYER.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, our times be in Thy hands. Mercy and goodness have been around about us. Therefore we acknowledge Thee to be our Lord.

May the words of our mouths and the meditations of our hearts be acceptable in Thy sight, until the close of life's little day. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Saturday, January 29, 1921, and the Journal of Sunday, January 30, 1921, were read and approved.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The SPEAKER. The unfinished business before the House is the Diplomatic and Consular appropriation bill, on which the previous question has been ordered. The Clerk will report the first amendment.

The Clerk read as follows:

Page 2, line 5, at the end of the line, strike out the amount "$227,500" and insert in lieu thereof "$210,600."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 6, at the end of the line, after the word "to" insert the word "China."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 10, after the word "Bulgaria," insert "Czechoslovakia."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 13, after the word "Paraguay," insert the word "Colon."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 16, at the end of the line, insert a new paragraph as follows:

"For ambassador extraordinary and plenipotentiary to Turkey. $10,000."

The amendment was agreed to.

The Clerk read as follows:

Page 3, after line 12, insert:

"Chinese assistant secretary of legation to China, $4,000."

The amendment was agreed to.

The Clerk read as follows:

Page 3, after the amendment just adopted, insert:

"Japanese assistant secretary of embassy to Japan, $4,000."

The amendment was agreed to.

The Clerk read as follows:

Page 3, after the amendment just adopted, insert:

"Turkish assistant secretary of embassy to Turkey, $2,000."

The amendment was agreed to.

The Clerk read as follows:

Page 4, after line 9, insert:

"CONTINGENT EXPENSES, FOREIGN MISSIONS.

"To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation

of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations including such loss on bills of exchange to officers of the United States Court for China, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $800,000: *Provided*, That no part of this sum appropriated for contingent expenses, foreign missions, shall be expended for salaries or wages of persons not American citizens performing clerical services, whether officially designated as clerks or not, in any foreign mission."

The amendment was agreed to.

The Clerk read as follows:

Amend, page 10, line 23, by striking out "$5,000" and inserting in lieu thereof "$10,000."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 21, after line 7, insert: "For the acquisition of land and buildings in Paris, France, to be used as the American Embassy, under the provisions of the act of February 17, 1911, $150,000, or so much thereof as may be necessary."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 179, noes 22.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

Mr. McCLINTIC. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] The Chair has counted 220, and there are a number uncounted. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment to follow the amendment just adopted: "The Secretary of State is hereby authorized to accept the gift of the residence of J. P. Morgan in London, England, which has been offered to the Government of the United States as a residence for the American ambassador."

The SPEAKER. The question is on agreeing to the amendment.

Mr. CONNALLY. Mr. Speaker, I demand the yeas and nays on that amendment.

The SPEAKER. The yeas and nays are demanded. As many as favor taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Forty gentlemen have risen—not a sufficient number. The yeas and nays are refused. The question is on agreeing to the amendment.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BEE. Mr. Speaker, I demand a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 167, noes 52.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 25, after line 13, insert a new paragraph, as follows:
"For such expenses not otherwise provided for herein as may be necessary to enable the President to conduct and maintain any embassy, legation, or consular office authorized by law, $41,300."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ROGERS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

TRANSIT SITUATION OF THE CITY OF NEW YORK.

Mr. VOLK. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for five minutes. Is there objection?

Mr. McCLINTIC. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from New York on what subject?

Mr. VOLK. On the subject of the relation of the Federal Government to the transit situation of the city of New York.

Mr. McCLINTIC. I have no objection.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. VOLK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, I hope the gentleman will not ask that permission of the House, because I have objected heretofore to such requests. I have no objection to his revising his remarks. Otherwise I shall have to object.

The SPEAKER. Is there objection to the gentleman's request to extend his remarks in the RECORD?

Mr. McCLINTIC. I object.

The SPEAKER. The gentleman from Oklahoma objects.

Mr. VOLK. Mr. Speaker and gentlemen of the House, I introduced a resolution this morning calling for a committee of five Members of the House, appointed by the Speaker, to inquire into and report to the House, on or before the 1st day of March, 1921, with reference to the action of the District Court of the United States for the Southern District of New York in continuing the receivership, and the reason therefor and the necessity thereof, in the matter of the Westinghouse Electric Manufacturing Co. against the Brooklyn Rapid Transit Co. and others, now pending in said court.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. VOLK. My time is limited.

All things connected with the administration of said receivership and in other and further actions now pending in the said court or any other court affecting the defendants above named or said receivership.

There exists at the present time in the Borough of Brooklyn, city of New York, a state of affairs which has shocked the public sensibilities and conscience to such an extent and feeling is raised to such a pitch that the people demand that steps be taken to bring about a speedy determination in the matter. That the public as a whole—the economic, social, and financial structure of the community—are vitally involved is in and of itself sufficient cause for interference, but there is a higher and more important phase to this unusual happening. The honor and integrity of our United States courts are involved; well-calculated and well-planned litigation has created a state of affairs without precedent in the annals of legal jurisprudence.

The Federal Government is vitally interested in this receivership. If all else were wanting, this interest in and of itself should demand a thorough investigation into the receivership and its conduct.

During the war this transportation company received from the War Finance Board $17,000,000 under the guise of emergency war-time aid. This money has not been repaid, and, unless all signs are misleading, the legal machinery of the receivership may frustrate the return of this money to the United States.

What has been done with the money is a vital concern of the Federal Government. No subterfuge or concealment should prevent an immediate inquiry on this ground alone.

The action is brought by the Westinghouse Co. as party plaintiff under a claimed indebtedness of over $40,000. This company appears to be a handy instrument in actions of this sort, since it was also a party plaintiff in the action against the Midland Railroad, wherein another receiver in an action in equity was appointed, and that it was a collusive suit will not be a shock to the people of the city and State of New York, who will recall the developments brought to public notice by an investigation two years ago.

The Thompson committee, a committee appointed by the Legislature of the State of New York, which upon inquiry into the transit systems of the city of New York, brought to light the fact that a suit begun seemingly to test the validity of what is known as the "dual system" was found to be then financed by the defendant transportation company itself, whose books revealed the facts that it had paid to the attorneys for the plaintiff in the action of the Admiral Realty Co. *v.* the Interborough of the City of New York the sum of $35,000. In other words, the transportation company or the transportation companies paid for the commencement of an action against itself, secretly suppressing this fact until it was forced to the surface through the medium of the Thompson investigation.

There is a well-founded suspicion, amounting almost to a conviction, that the present action is a collusive one, instituted by the Westinghouse Co., since it is rumored in important quarters that the Westinghouse Co. had been absolutely indemnified against loss for the amount of its indebtedness against the Brooklyn Transportation Co.

Now, I realize that my time is short. There is over $100,000,000 of the money of the city of New York involved in this

action. The city of New York applied for the appointment of a coreceiver. That was denied, and the comptroller of the city of New York, when he criticized the action of the court, was held in contempt, and these proceedings are still pending in the city of New York and have never been brought to a termination. The Federal Government is involved to the extent of $17,000,000. The public is unable to get at the facts of this receivership, except to the extent——

The SPEAKER. The time of the gentleman from New York has expired.

Mr. VOLK. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection to the gentleman's request?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, I do not think that the House has anything whatever to do with the decision of a court, and we have no right to have a judge tell us why he acts, and I object.

The SPEAKER. The gentleman from Texas objects.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. DEMPSEY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15935, being a bill making appropriations for the improvement of rivers and harbors.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15935) making appropriations for the improvement of rivers and harbors.

Mr. DEMPSEY. Pending that I ask that we agree upon a limitation of time for general debate, and I suggest to the gentleman from North Carolina that we have half an hour on a side.

Mr. SMALL. Mr. Chairman, I have requests for one hour and a half, and I do not see how we could discuss the bill properly in general debate in less time than that. I would have to cut down some of the time I expected to use in order to limit the time even to an hour and a half. I hope the gentleman will agree on an hour and a half on a side—three hours altogether.

Mr. DEMPSEY. Can not the gentleman get along with an hour and a quarter if I yield to him an additional 15 minutes? We will give the gentleman 15 minutes from this side.

Mr. SMALL. That seems to provide for an hour and a half. The gentleman says he will yield 15 minutes.

The SPEAKER. Will the gentleman state his request again?

Mr. DEMPSEY. Two hours and a half, one hour and a quarter to be controlled by the gentleman from North Carolina and one hour and a quarter by myself, and I will agree to yield to the gentleman 15 minutes.

Mr. SNYDER. I should like to ask if the purpose is to use this time to discuss the bill itself?

Mr. DEMPSEY. Yes.

Mr. SNYDER. With no extraneous discussion?

Mr. SEARS. Reserving the right to object, I should like to ask the gentleman on the majority side if the time asked for will take care of members of the committee only?

Mr. DEMPSEY. The gentleman will have to ask the gentleman in charge of the time on his side.

Mr. SMALL. I have one or two requests which are not from members of the committee.

Mr. SEARS. All of the time is taken up?

Mr. SMALL. Substantially.

Mr. SEARS. Then I object.

The SPEAKER. Objection is made. The question is on the motion of the gentleman from New York that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, with Mr. HUSTED in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, as follows:

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation, $15,000,000: *Provided*, That allotments from this sum shall be made by the Secretary of War upon the recommendation of the Chief of Engineers: *Provided further*, That at the beginning of the second session of the Sixty-seventh Congress a special report shall be made to Congress by the Secretary of War showing the amount allotted under this appropriation for each work of improvement or maintenance.

For examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, $250,000: *Provided*, That no part of this sum shall be expended for any preliminary examination, survey, project, or estimate not authorized by law.

Mr. DEMPSEY. Mr. Chairman and gentlemen of the committee, the subcommittee having charge of the matter of appropriations for rivers and harbors realized full well that water transportation is a more important question at this particular time than it has been perhaps at any previous time in the history of the country. This is due to two circumstances: First, for a number of years last past the railroads have not kept up their improvements. They have not increased their mileage of tracks; they have not increased their rolling stock; they have not improved their terminals. The business of the country has continued to grow while the railroads have remained stationary. The result has been a congestion, and we have realized full well that that congestion can not be met by improvement of the railroads alone, but that it must be solved by the united efforts of the railways and water transportation in the country.

There has been added to these circumstances another condition growing out of economic conditions. The railroads found that in order to maintain themselves at all it was necessary to have their rates increased; and they have been increased to a point far beyond the amount which any of us estimated would be necessary a few years ago. The result is that the cost of production, the initial cost to the producer of the article transported, has grown by leaps and bounds by reason of the cost of transportation alone. Take, for instance, coal. To many points the cost of transportation is greater than the cost of the coal at the mine. So, as I say, we have realized full well that at this time water transportation is of special importance. We have realized, too, that during the period of the war it has been impossible for water transportation to receive the attention which it would receive in normal times. This has been owing to two circumstances: First, to the fact that the resources of the country have been employed in war, and, second, that the man power of the country and the machinery of the country have been devoted to the same purpose.

And yet, having all these things in mind, we have been faced by the fact that taxes are unprecedentedly high, and that the Treasury is at a loss how to raise the means with which to meet the steadily increasing burdens of the Government's expenses. So we have been facing these two situations—the condition of the Treasury and the need for water transportation. First, there faced us this fact, that there is in hand at the present time, ready to be used by the engineers on the various water transportation projects of the country, the sum of $47,000,000, distributed in this way: Eighteen million dollars of the amount on hand is pledged to the performance of existing contracts. The work has not been done. In many cases it has not been started. The work will be done during the period covered by this bill; but, as I say, the amount is available, because while it is pledged the work has not been performed and remains yet to be done.

There is also on hand the sum of $25,000,000 in cash of appropriations previous to last year, and of last year's appropriation $1,800,000 yet remains to be allotted to the various projects in the country.

Mr. DUNBAR. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. DUNBAR. Have any allotments been made of the $25,000,000 which is on hand?

Mr. DEMPSEY. That $25,000,000 is not in a position to be allotted. The only money that is to be allotted is the $1,800,000 remaining from last year.

The $25,000,000 is money which has been appropriated to special projects. It is for the improvements and maintenance of these projects.

Mr. DUNBAR. Can the gentleman name the projects?

Mr. DEMPSEY. Of course these are projects throughout the United States; the larger part are the great projects; for instance, the gentleman is interested in the Ohio River. There are five and a half million dollars, approximately, appropriated for the maintenance and improvement of that river. As to the city of New York, there is on hand for projects in and about the metropolis perhaps $5,000,000; Philadelphia and Delaware River, approximately $3,000,000; Norfolk, approximately $2,000,000 for improvement of that harbor. And so you could go on with the enumeration of all the great ports in the country, each of which has from $100,000 to $3,000,000 or $5,000,000 on hand, ready to be used in the improvement of the port during the period to be covered by the bill.

Mr. JUUL. Will the gentleman yield?
Mr. DEMPSEY. Yes.
Mr. JUUL. What does the Mississippi River and tributaries—St. Paul and the Great Lakes—get out of the appropriations available for this fund?
Mr. DEMPSEY. The Mississippi River has a fund on hand of something over $300,000 in one part of the river and something considerably larger in the lower part. As far as the current bill is concerned, it is a lump-sum bill and will be allotted by the engineers to the work as necessity requires, between the time of the passage of the bill and the 30th of June, 1922.
Mr. JUUL. But the gentleman has inside information and would know how much of the $15,000,000 it is contemplated to give to connecting up St. Paul and the Mississippi River.
Mr. DEMPSEY. I am coming to a discussion of that later in my remarks.
Mr. DUNBAR. Will the gentleman yield further?
Mr. DEMPSEY. Yes.
Mr. DUNBAR. The five and a half million dollars available for the Ohio River, will that be spent if the conditions of the river will permit in the coming year?
Mr. DEMPSEY. I can see no reason why the Government should not spend every dollar it has on hand, so long as it does not create a deficiency. They do not have the right to create a deficiency in this department.
Mr. DUNBAR. But the five and a half million dollars is already available.
Mr. DEMPSEY. It will be available, and there is no reason why it should not be spent or why the Ohio should not have allotted to it half a million dollars at least from the lump sum now to be appropriated during the period to be covered by the bill.
Mr. McDUFFIE. Will the gentleman yield?
Mr. DEMPSEY. Yes.
Mr. McDUFFIE. Will the gentleman tell us what the engineers have to say about the amount actually necessary to maintain the projects already adopted?.
Mr. DEMPSEY. I intend to cover that later.
Mr. McDUFFIE. Does the gentleman think that the amount carried in this bill will be sufficient to maintain the projects already adopted?
Mr. DEMPSEY. I think it will be possible to maintain the projects. There are certain new improvements which can not be made under the bill, but I think the maintenance of all projects will be fully met and some improvements can be made.
Mr. HUMPHREYS. Will the gentleman yield?
Mr. DEMPSEY. I will.
Mr. HUMPHREYS. When is it expected that the 9-foot improvement on the Ohio River from Pittsburgh down to the mouth of the river will be completed?
Mr. DEMPSEY. The Ohio River has in this project 53 locks and dams. Of that 53 locks and dams 29 have been completed. It is my recollection that 15 more have had a substantial start. The 29 which have been completed have been given a 9-foot depth for about 220 miles. Of course, the work has been delayed owing to other circumstances. First, it always takes longer than is estimated to complete a work of that kind; and, second, it was impossible, both mechanically and physically, to get the work done during the war, and there was a delay during that period on that account.
There is another reason why the work can not now be prosecuted to a speedy conclusion and why it is a work that will involve some years at the very best. One condition that prevails on the Ohio River is somewhat peculiar to the Ohio alone. You can not induce contractors who have large plants in the United States, operating in the construction of locks and dams, to move their plants there unless they get a large contract.
That has resulted substantially in this, that there are a number of contractors who have been at work on the Ohio River from the time it was started to the present time. The work has been rather limited to this manner of procedure. Contracts are let, and the contractors will not bid on additional projects until they see the completion of the work they have in hand, until the work they have is nearly accomplished. And the bidding, in a practical way, is restricted on account of the expense of moving in new plants. The progress has been limited in that way.
Mr. HUMPHREYS. When the 9-foot project was adopted some 10 or 12 years ago it was estimated that it would cost $60,000,000, and the project would be completed in 12 years. I suppose the gentleman has no hope now that it will be completed in the next 12 years.
Mr. DEMPSEY. I should think from the fact that there have been completed 29 out of the 53 locks and dams, with 15 additional, making 44, and leaving only 9, that it would.
Mr. HUMPHREYS. It occurs to me that if we have 3,000,000 idle men in the country there would be no trouble in getting men to work, and it would be a very desirable thing if we could see the Ohio River completed in the lifetime of this generation. I do not believe, though, that it will be done.
Mr. DEMPSEY. Does not the gentleman think that if, counting in the war period, during which operations were largely suspended, we have in 12 years completed about two-thirds of the project, have 220 miles of the project in use, with five and a half million dollars on hand, and a reasonably generous amount of the current appropriation which is to be used for the Ohio, that we can reasonably expect the Ohio River will be completed in 7 or 8 years instead of 12?
Mr. HUMPHREYS. I hope so.
Mr. DEMPSEY. That would be my judgment and the result of my observation.
Mr. HUMPHREYS. The farther down they go I imagine the longer it takes to build the dams.
Mr. DEMPSEY. Perhaps that is true.
Mr. HUMPHREYS. I hope they will get through in seven or eight years. I think we ought to make provision here for the very expeditious completion of that work, whatever it may cost.
Mr. NEWTON of Missouri. Mr. Chairman, will the gentleman yield?
Mr. DEMPSEY. Yes.
Mr. NEWTON of Missouri. Does the gentleman know of any part of the $12,000,000 appropriated during the last session being allotted to the upper Mississippi and its tributaries?
Mr. DEMPSEY. I am not sure of that, but I shall have the information in a few minutes. We were called upon unexpectedly and I have no papers or documents here at present. I was told that we were not going to take up the bill for consideration until to-morrow morning. I am not sure about that.
Mr. NEWTON of Missouri. Does the gentleman think that with $15,000,000 appropriated in this bill, with the urgency of other appropriations, that the engineers can fairly have any money available for the upper Mississippi and its tributaries?
Mr. DEMPSEY. I should think so. I am going to speak before I finish on the upper Mississippi and state my views, both in respect to what can be done and what should be done in the future, and what I think should be done with regard to the sum appropriated by this bill.
Mr. BARKLEY. Mr. Chairman, will the gentleman yield?
Mr. DEMPSEY. Yes.
Mr. BARKLEY. I am very much interested in the completion of the project on the Ohio River, which by an act of Congress was supposed to be completed by 1922, by the construction of 54 locks and dams between Pittsburgh and Cairo, Ill.
Mr. DEMPSEY. Fifty-three, I think.
Mr. BARKLEY. Originally it was 54, but one was eliminated below the Cumberland River.
Mr. DEMPSEY. Yes.
Mr. BARKLEY. Fifty-three at present?
Mr. DEMPSEY. Yes.
Mr. BARKLEY. This appropriation is for the fiscal year 1922, which was the date of the completion of this entire project when it was originally authorized by Congress. This finds 15 of these locks and dams unprovided for even at the beginning of the work.
Mr. DEMPSEY. Yes.
Mr. BARKLEY. The farther down the engineers go on the Ohio River the wider it becomes, and therefore the more difficult it is to build the locks and dams and the longer time it takes. If I understood the gentleman, he estimated a moment ago, in reply to the gentleman from Indiana [Mr. DUNBAR], that there would be about $500,000 allotted under this sum to the Ohio River. Is that correct?
Mr. DEMPSEY. I shall know in a few minutes just what was allotted from the $12,000,000 last year. I should think there could be more allotted this year than there was from the $12,000,000 last year. However, I call the gentleman's attention to this. It is my recollection that we expended on the Ohio River, with something like $7,000,000 in the Treasury, only from a million to a million and a half last year.
Mr. DUNBAR. Mr. Chairman, will the gentleman yield?
Mr. DEMPSEY. Yes.
Mr. DUNBAR. The reason we expended only a million or a million and a half last year was because for the greater part of the year there was a natural stage of more than 9 feet of water in the Ohio River. It overflowed the coffer dams, and as a result they could not work on the dams for more than about two months of the whole period. If the river had been in its usual stage, they would have been able to work on the dams about six months. If they could have put six months work on the dams, they would have spent four or five million dollars.

Mr. DEMPSEY. How long does the gentleman say they were at work on the dams?

Mr. DUNBAR. Only about six weeks.

Mr. DEMPSEY. And how long do they ordinarily work?

Mr. DUNBAR. About six months.

Mr. DEMPSEY. And they spent about one-fourth of the time then at work.

Mr. DUNBAR. Yes.

Mr. DEMPSEY. And how much money?

Mr. DUNBAR. I understood the gentleman to say about a million and a half.

Mr. DEMPSEY. I am not sure that it was that much. That would be an extreme estimate.

Mr. DUNBAR. But if they spent a million and a half in six weeks' time, in six months they could have expended $6,000,000, and the work could be advanced just that much more. The money that we have put into the Ohio River dam construction is almost useless and valueless unless the Ohio River project be completed, and it should be completed as soon as possible.

Mr. DEMPSEY. Let me say in answer to both gentlemen that I am proceeding on my recollection entirely in this matter, except as to the amount in the Treasury. I am sure that there are five million and a half dollars on hand, and I think both gentlemen will find, if they examine the record, that five million and a half dollars is more money than has been spent at any time since this project was started, up to the present time, during the period covered by the bill. I think the gentleman will find that on considering the plants that can be secured, the services that can be had, the work that you can get done, that, so far as the Ohio River is concerned, this bill will provide amply during the period covered by it.

Mr. BARKLEY. Last year the Chief of Engineers reported that only about a million dollars in addition to the amount available was needed on the Ohio River, and only that amount was provided for. This year, taking into consideration the changed conditions, the availability of labor, the shortage of transportation throughout the country, the Chief of Engineers is asking Congress to appropriate in addition to the amounts available something like $5,000,000. Why did the committee not accept the views of the Chief of Engineers this year, as they did last year, and provide for the larger amount that he says might be used?

Mr. DEMPSEY. Last year we did not accept the estimate of the Chief of Engineers. He came in last year with an estimate of $42,000,000, and after an examination lasting nearly a month the Chief of Engineers agreed with the committee that the whole amount needed was $19,000,000 instead of $42,000,000, considerably less than one-half. That was the concession of the engineer. The committee, however, was convinced from the proof that we did not need $19,000,000 and that all that we did need was the sum of $12,000,000, and how did it turn out? At the end of the year, instead of finding a deficit, when we appropriated less than one-third of the amount estimated by the engineer, we found in the Treasury, so far as the Ohio River was concerned, the enormous sum of $5,500,000. I am quite sure that neither the gentleman from Kentucky [Mr. BARKLEY] nor any other Member of this House in these times, when it is so difficult to raise money, wants to tie up in the Treasury vast sums of money to simply lie there without being used, without the possibility of making any improvement or even using it for maintenance.

It is simply lying there without any earthly reason for it whatever. What the committee has endeavored to do this year is this: We have endeavored to provide for all the great projects of the country such sums as we deem could be used to advantage to the commerce of the country, and this we believe we have done in the sum suggested in this bill, $15,000,000.

Mr. BARKLEY. The 9-foot stage of the Ohio River will not be accomplished until this entire project is completed except at little spots along the Ohio River?

Mr. DEMPSEY. Yes.

Mr. BARKLEY. What that section of the country needs is a continuation of the 9-foot stage all along the Ohio River. Now, why would it not be wise for the committee to report and the Congress to appropriate a sufficient amount to complete this project and not have to come in here every year and dole out a little sum for the engineers which is insufficient to accomplish the purpose for which the Congress enacted this project 10 years ago.

Mr. DEMPSEY. I will answer the gentleman's two questions first. The river is available for use to the extent that it has been improved already, because it connects substantially the two great centers of population, the city of Pittsburgh and the city of Cincinnati. It is available for 220 miles. Now, I quite agree with the gentleman, after all, that in spite of that great usefulness this river is designed not alone for local advantage but in a large proportion and in a large way for through transportation, and that you should have transportation from all points on the Ohio River and down the Mississippi River to the sea and the Great Lakes, and this committee is thoroughly in favor of doing that thing. Now, as to the second question suggested by the gentleman, every appropriating committee in this House is laboring at the present time under this difficulty: We are facing a tremendous debt, a debt which we did not any of us believe we would ever face is weighing down upon us. We are facing taxation to pay the interest and current expenses and to pay off that debt as rapidly as we can, and the state of the Treasury enters into every appropriation bill, and we can not do just as we would do under normal conditions. We must limit ourselves to the situation with which we are confronted, and that situation calls for economy even as to useful and necessary expenditures, such as those involved in a river and harbor appropriation bill.

Mr. LINTHICUM. Will the gentleman yield?

Mr. DEMPSEY. I will.

Mr. LINTHICUM. I want to know what sum the gentleman had under contemplation with respect to Baltimore Harbor out of the $15,000,000?

Mr. DEMPSEY. Of course, the question as to the amount that shall be allotted to Baltimore Harbor will be one that will be exclusively for the engineers to determine, because by passing a lump-sum appropriation we intrust them with discretion in all harbors. Baltimore Harbor has a fair amount of money on hand——

Mr. LINTHICUM. Would the gentleman call $250,000 a fair amount of money for Baltimore Harbor?

Mr. DEMPSEY. Well, Baltimore Harbor is a very good harbor. We recognize its importance, and at the same time Baltimore Harbor is one of the harbors which, compared with the other harbors in the country, is in fairly good condition. There are improvements to be made there. There are additional depths to be gained as you reach the city proper, but you have a good approach, you have a good harbor, and, considering the amount you have on hand and the amount you are likely to obtain, I do not believe that Baltimore Harbor is going to suffer to any extent by this bill.

Mr. LINTHICUM. That southwest channel, which is about 20 per cent completed, has held us back very materially in that section of the city and we are unable to make use of that part of the harbor.

Mr. DEMPSEY. What about the new bridge? Has the new bridge been constructed? Is the channel ready for dredging?

Mr. LINTHICUM. Yes; a $1,500,000 bridge has been built, splendid accommodations and everything have been provided, a great draw, and there is no trouble at all. The new channel has been surveyed and is all ready for dredging, but we can not get the money to do it.

Mr. DEMPSEY. As I have said already, I think Baltimore Harbor and Norfolk Harbor are both in very fair condition, and I think it is more important, if the gentleman will permit me to say so, to have the work fairly and expeditiously done on the canal which we have just acquired, the Delaware & Chesapeake Canal. That, I think, is a more pressing project than anything in Norfolk or Baltimore Harbors. But I recognize the fact that they are both great ports, and they should be dealt with generously, not alone with regard to the enormous traffic which they have at the present time, but with the certainty that it is going to grow and increase in days to come.

Mr. LINTHICUM. I notice the expenditures for the past five years were $22,000, $42,000, and so on, which is an extremely low amount to care for a harbor.

Mr. DEMPSEY. You have on hand at the present time $250,000, and——

Mr. LINTHICUM. Two hundred and fifty thousand dollars on hand, and then $158,000 in contracts. Those contracts were let some months ago, and the work has never been completed.

Mr. DEMPSEY. No; you will find that you have on hand as of the 31st December, $250,000.

Mr. McDUFFIE. It is December the 1st.

Mr. DEMPSEY. Thirty-first.

Mr. McDUFFIE. Of course, I realize that under this form of caring for rivers and harbors that no port knows what amount it will receive at the hands of the engineers——

Mr. DEMPSEY. No.

Mr. McDUFFIE. And Congress does not know?

Mr. DEMPSEY. And Congress does not know.

Mr. McDUFFIE. The gentleman was speaking of harbors that were in fairly good condition. I want to call his attention to the harbor of Mobile, one of the greatest ports of this country.

I think the gentleman will agree with me that it needs aid at this particular time. But I want simply to say to the gentlemen that there are practically no funds available now to continue even the maintenance work. There was a project three years ago which was adopted. They had about 26½ feet of water, and at this good day the controlling depth is 26½ feet.

Mr. DEMPSEY. Mr. Chairman, I reserve the balance of my time. I will answer the gentleman as to that later.

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] is recognized.

Mr. SMALL. Mr. Chairman, I desire to be notified when I have consumed 30 minutes.

Mr. Chairman, the river and harbor bill submitted by the majority of the Committee on Appropriations is indefensible from every viewpoint. No Member of this House who understands the needs of the rivers and harbors of the country, and the methods which have been followed in Congress in appropriating for them, can make any intelligent defense of this bill. I shall have the privilege of offering, perhaps by way of motion to recommit, a substitute for the committee bill, one which follows the form long adopted for river and harbor appropriation bills, which makes specific appropriations for the maintenance and further improvement of specific rivers and harbors, a substitute bill which meets to the very limit the policy of this Congress for economy, both on the part of the majority and the minority, as illustrated by the fact that the estimate submitted by the Chief of Engineers amounted to over $57,000,000, while the aggregate of the items of appropriation in this proposed substitute bill aggregate only about $28,000,000, a little less than one-half, a record certainly which has not been made in other appropriation bills which have been heretofore reported for the support of the various activities of the Government.

This substitute bill also is one which has been considered after prolonged hearings at which either the Chief of Engineers or his chief assistant in river and harbor matters, Gen. Harry Taylor, was present. Every item in this proposed substitute bill represents the very least sum which can and ought to be appropriated without injury to the transportation system of the country.

Now, Mr. Chairman, while I have made the statement that the bill of the majority was indefensible, I will accompany it by another modest statement, that I believe in my humble way I could so convince the House if I had the privilege of addressing the entire membership, that this majority bill is indefensible.

Mr. LINTHICUM. Mr. Chairman, I think the address of the gentleman is of sufficient importance to call for a larger membership here. I do not usually make the point of no quorum, but I think the Members ought to be in the Hall at this time. Therefore I make the point of no quorum.

The CHAIRMAN. The gentleman from Maryland makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and eight gentlemen are present, a quorum. The gentleman from North Carolina will proceed.

Mr. SMALL. I can with due modesty make the further statement that any Member of the House is invited to pick out any item of appropriation in this proposed substitute bill and point out, if he can, any feature of it which is not in the public interest; and at the proper time, after I have concluded a brief general statement regarding water transportation, I will invite any critic of that bill to do so.

Now, Mr. Chairman, just a brief discussion as to the public interest involved in this bill for the maintenance and further improvement of our rivers and harbors. It is superfluous to emphasize the importance of transportation to the industrial and commercial interests of the country. Without adequate transportation our economic interests will suffer. The country needs additional facilities for transportation. In every period of prosperity, when there is a large demand for distribution, the railroads are unable to move products with sufficient dispatch, and the country suffers. Where can the country turn for these additional facilities? There are only two other instrumentalities—the highways and the waterways.

Fortunately a movement is in progress throughout the country for lengthening hard-surfaced highways, highways that shall answer the traffic demands of motor trucks, and this, within limited distances for local transportation, will, to a certain extent, answer the demands of the country. But the highways, even when they shall all be improved, will only meet a local and not a general necessity.

We must turn to the waterways. Traffic can not be carried upon these waterways, and I refer particularly to our interior waterways, unless there are adequate channels provided and maintained. Primarily, it is the function of Congress to improve and maintain these channels, and if Congress does not meet that demand and necessity it is recreant to a public duty.

But channels alone do not insure water traffic. Channels must be used, and I would like to bring to the attention of the House some of the conditions necessary for their full use. There has been complaint in the past as to some of our interior rivers that the commerce which is carried upon them did not justify appropriations for their improvement. In some instances that criticism was justified. And the committee certainly during recent years, in cooperation with the engineers, have endeavored to eliminate all of these projects which did not show sufficient commerce to justify appropriations for their improvement. And in this substitute bill I think any gentleman will find it difficult to locate any appropriation for any interior river where the commerce does not justify it.

But there are some essentials which are necessary for the development of water-borne commerce. May I mention the most important? Of course, there must be boat lines, with boats of a type suitable to the river to be navigated. The companies operating such lines must have ample capital, served by traffic officials trained and equipped to manage the business.

In addition, there must be interchange of traffic between the boat lines and the rail lines. Everyone familiar with the development of our magnificent system of railway transportation, which we have to-day, knows that it would have been impossible except for the fact that the tracks and the cars were standardized; that provision was made for interchange of traffic between every railroad line in the country, so that a through bill of lading could be obtained from any point on a railroad to any other point on a railroad, at the most distant locality in the United States. We can not develop a full volume of commerce upon our interior waterways until the same facilities for interchange of traffic shall exist between the boat lines and rail lines as now exist between the different lines of railroad.

We have made some progress in that respect. The Panama Canal act contained provisions authorizing the Interstate Commerce Commission to grant interchange of traffic between boat lines and railroads, and to establish proportional and joint rates of freight. And that provision was strengthened in the transportation act of 1920. So it is fair to say to-day that the managers of boat lines and the communities have a right to appeal to the Interstate Commerce Commission and to have full interchange of traffic arranged between their boat lines and connecting lines of railroads.

Another essential is the construction of water terminals. Everyone knows the relation of rail terminals to the transportation service by railroads. They are equally, if not more, important to the building up of water transportation. These water terminals must, of course, be located upon the water front. They must have spacious warehouses. They must be physically connected with every line of railroad serving the community, and they must be equipped with facilities for the transfer of freight between the boat line and the warehouse or the boat line and the rail car, provision being made for railroad tracks along the edge of the bulkhead, so that this transfer shall be easy and convenient. It appears to-day on the lower Mississippi River, where they are operating boat lines, that it frequently costs as much to transfer traffic from the boat or the wharf as it does to carry it on the boat, after it has once been transferred, for 50 or 100 miles. We need water terminals in order to cheapen and expedite this transfer between the boat lines and rail cars and the warehouse. With the construction of these terminals and provisions made for the interchange of traffic not only will the water traffic upon the boat lines be enlarged, but we will transfer to the interior points the benefits of cheap water transportation which the sections contiguous to the interior waterways now enjoy.

Mr. OLIVER. Mr. Chairman, will the gentleman suffer a question right there?

Mr. SMALL. Certainly.

Mr. OLIVER. I have been very much interested in the gentleman's remarks. It is of great importance that the Interstate Commerce Commission, however, shall give a fair division between the rail and water carrier of the joint rate. This has occurred. A water-and-rail rate has been established, say, for a distance of 500 miles. The water haul is 480 miles of that distance, and yet the railroad is given 60 per cent of that joint rate for hauling 20 miles and the waterway is given only 40 per cent for hauling 480 miles.

Mr. SMALL. There will certainly occur, as the gentleman from Alabama [Mr. OLIVER] has well said, inequalities and injustices in this matter of interchange of traffic, and the injustice ordinarily will be practiced against the boat line. The old

prejudice will exist for years before it will have been entirely removed. But when it is so manifest that the public interests require that we shall utilize our interior waterways, will not public sentiment, will not this Congress by legislation, take the proper steps to provide the country with this additional facility?

Mr. Chairman, your River and Harbor Committee have initiated legislation which the Congress has heretofore passed, which in large degree has not only brought to the attention of the country the necessity of providing these terminals and interchange of traffic, but considerable progress has been made in their construction. A new era has begun in the United States in the matter of water transportation, and Congress should give it encouragement by appropriate legislation for the improvement and maintenance of channels upon our waterways.

Now, I have given a hurried résumé of some of the outstanding essentials necessary in order to develop water transportation and the necessity of improving our waterways. I now come briefly to make some comments upon the pending bill.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield before leaving that question?

Mr. SMALL. Certainly.

Mr. HARDY of Texas. Does not the gentleman agree with me that the greatest essential to the development of waterways is a legal prohibition against the railroads using cutthroat methods by reducing their charge at water competitive points and making up the aggregate of their income by excessive rates at interior points? In other words, can we ever have a system of water transportation in our inland rivers as long as the railroads are permitted by reducing their rates at water competitive points to drive boats off of the rivers?

Mr. SMALL. The gentleman from Texas has asked a very pertinent and interesting question. For many years, as everyone knows, railroads which parallel waterways reduced their rates competitive with the water to such an extent as to drive out the water competition. Congress some years ago, in 1912, endeavored to meet that situation in the Panama Canal act by providing that where railroads reduced their rates competitive with water, they should not thereafter advance them without the consent of the Interstate Commerce Commission. There has never been an application to advance the rates, and there never will be, because those low rates suit the purposes of the railroads.

If I may be permitted to give the result of my studies upon that question, it is simply this: I do not believe that there is any economic justification in a railroad reducing its rate competitive with water. I believe that the railroad rate competitive with water should equal those which prevail in the interior. When God gave these sections these rivers contiguous to them the advantage that they are entitled to enjoy is the use of those rivers with a cheap method of transportation. They have no right to demand in addition reduced rail rates competitive with the water. Out of that very condition has arisen a degree of prejudice from the interior sections, which has been reflected by Members of Congress representing the interior, against appropriations for the improvement of rivers and harbors, because, they said, forsooth: "We are appropriating the public moneys to improve these waterways, to which we do not object; but when that improvement is coupled with the result that you are given cheaper competitive rail rates, and we are given higher rates, the improvement of those rivers really results to our disadvantage."

I believe the time has come when Congress by appropriate legislation should direct the Interstate Commerce Commission to readjust all the competitive water-rail rates of the country so as to equalize them with the interior rates, and when that shall be done we will find a public sentiment demanding the improvement of our waterways. We will find sections contiguous to those waterways using them.

We will then find interior sections favorable to appropriations for the improvement of these waterways, because they will derive benefits from their improvement and use arising out of an interchange of traffic between the water line and the rail line.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. SMALL. In a moment. Because they will get the benefit of the cheap haul by that water line as far as it extends, and the rail line for the shorter haul. In other words, they will enjoy rates which will be appreciably lower than they enjoy today, by reason of the joint use of the water line and the rail line. Now I yield to the gentleman from Wisconsin.

Mr. FREAR. I think the gentleman from Texas [Mr. HARDY] and the gentleman from North Carolina [Mr. SMALL] and myself are all in agreement about that, and we have discussed this matter quite frequently in the past. I will ask the gentleman if there would be a possibility of ever securing that Utopia of which the gentleman speaks, in view of the fact that every large city in the country that to-day enjoys this competitive water rate would be opposed, and would be here with a large body of its citizens to protest against any change in the rates which would raise them to the same comparative level as the rates to the interior points?

Mr. SMALL. I am very glad to be able to state that the gentleman from Wisconsin and myself have been in entire accord in that matter. We have not always agreed upon other phases of legislation for rivers and harbors, and yet as long as the light burns the sinner may return, and I look for the gentleman yet to be thoroughly and completely regenerated. [Laughter.]

Now, proceeding to this bill, it makes a lump-sum appropriation of $15,000,000. Why $15,000,000? Whose prescience suggested the sum of $15,000,000? Where is the wise Member of this House who will stand up and give an intelligent reason for $15,000,000? I challenge him to do it. Why not have made it $14,000,000? Why not $18,000,000? Or, if we are going to be absolutely economical and yet go through the pretense and the farce of appropriating at all, why not have brought in a bill for $1,000,000? There is not a Member of this House who can give a substantial, intelligent reason why $15,000,000 was named.

Mr. WILSON of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes.

Mr. WILSON of Louisiana. The gentleman is on the subcommittee that framed this bill, and the record seems to indicate that hearings were had to make up a general river and harbor bill. Can the gentleman himself account for that change?

Mr. SMALL. That is a matter which I do not care to discuss. And that reminds me, gentlemen, that I am not presenting this matter as a Democrat. I am not appealing to this side of the House because I happen to belong to the minority. I am not appealing to Republicans because they are Republicans. I am appealing to the membership of the House because they represent the American people, and I am asking them to do scant justice to one of the most important activities of the Federal Government. I am not going to say anything—even if I were inclined to do so, and I am not—that would embarrass any member of the committee or Member of the House. I am simply trying to present this question upon its merits.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. SMALL. I will.

Mr. McKENZIE. Are we to understand from the statement of the gentleman from North Carolina that this amount is simply a guess, and that the members of the Committee on Appropriations representing rivers and harbors did not base this allowance of $15,000,000 on the carrying on of the projects now in course of construction in the United States?

Mr. SMALL. That is the proposition that I lay down, and to which I invite discussion.

It is said in the report of the committee that we have $47,000,000 available for rivers and harbors. May I for a moment endeavor to dispel for all time that delusion which seems to have taken possession of the minds of some Members of the House?

The estimates submitted by the Chief of Engineers were made after due consideration of all the available balances.

This bill which I shall have the privilege of offering as a substitute for the committee bill takes into consideration every available balance; and having reduced the estimate from $57,000,000 to $28,000,000, I say to the House, and I challenge contradiction from any Member of the House, that that $47,000,000 has nothing whatever to do with the appropriation which you now make at this session for the maintenance and further improvement of rivers and harbors. Knowing it full well, I wrote a letter to the Chief of Engineers last Friday stating what I considered to be the truth about the matter and asked his opinion, and I am going to read to you his reply:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 29, 1921.

Hon. JOHN H. SMALL,
House of Representatives.

Subject: Estimates for river and harbor work.

MY DEAR MR. SMALL:

1. Receipt is acknowledged of your letter of January 28, quoting certain statements made by you relative to the estimates for river and harbor work and asking that I give you a statement as to the correctness of your position.

2. In reply I beg to say that the statements made by you that the estimates submitted to Congress are made after taking into consideration balances on hand, and that the available balances, with certain

minor exceptions, are to the credit of certain specific projects and can not be diverted to other projects except by authority of Congress, are perfectly correct. In the paragraph "Proposed operations," which forms a part of the annual report for each improvement, will be found a statement of the use which it is proposed to make of the funds on hand and the funds for which estimates are submitted. An examination of these paragraphs will plainly show upon what the estimate is based in each case, and the reasonableness of such estimate can be arrived at by a reading of the report.

I call special attention to this—

3. The statement that there was on hand an unexpended balance of $47,149,006 on the 1st of December, 1920, is correct. Information regarding the balances was given in a letter addressed to Senator JONES under date of December 27, 1920, a copy of which is herewith.

4. As further corroboration of the reasonableness of the estimate submitted in my annual report, it may be stated that the actual expenditures for the six months July to December, 1920, inclusive, amounted to $22,199,581.77, or an average of almost exactly $3,700,000 per month. It may be safely assumed that the river and harbor bill following the pending bill will not become a law prior to the 1st of July, 1922. There is therefore a period of 19 months to be provided for from the 1st of December, 1920, to the 1st of July, 1922. At the same rate of expenditures as have prevailed in the last six months, $70,300,000 will be required for the work until the 1st of July, 1922.

Listen—

If every dollar appropriated could be expended at that time, a further appropriation at this time of $23,000,000 would be sufficient, but, for various reasons, it is impossible to expend every dollar. Among these reasons may be mentioned the fact that the work under contract could not all be completed at an exact date. There was, for example, on the 1st of December, 1920, outstanding contracts and liabilities of $19,548,080. This is probably about an average amount outstanding on any given date and would not likely be much reduced the 1st of July, 1922, if work proceeds at a reasonable rate. If this is added to the $23,000,000, it brings the amount which must be appropriated to continue work even at the present rate to $42,700,000. There is also necessarily more or less money which can not be expended on account of local conditions precedent to the commencement of the work not being fulfilled, impracticability of making contracts, or doing work at certain times on account of shortage of plant and other reasons.

I call your attention to the fact that the substitute bill which I propose to offer carries only $28,000,000 and not $42,000,000.

5. In the foregoing it has been assumed that work would be continued only at the rate which it has been in the past six months, but unfortunately even in the past six months the funds have not been sufficient to carry on all work as rapidly as it ought to have been carried on, and in a number of cases work of maintenance which has been actually needed has not been done for lack of funds or other reasons, and some much needed improvement work has not been undertaken.

Very truly yours,

LANSING H. BEACH,
Major General, Chief of Engineers.

So again I repeat that the argument that because $47,000,000 of available balances remain on hand, these appropriations are not necessary, can not be justified, because that argument is founded on error, and I hope we shall hear no more of justification of this $15,000,000 bill by talk of the amount of the available appropriation on hand.

Mr. LINTHICUM. Will the gentleman answer the question?

Mr. SMALL. If I may.

Mr. LINTHICUM. I should like to know upon what basis the bill which the gentleman contemplates substituting was made up? Was that made up from the testimony taken in this hearing?

Mr. SMALL. Absolutely from the hearing and the testimony taken. In other words, we have endeavored to arrive at the very least sum which ought to be appropriated without injury to the several projects.

Mr. LINTHICUM. Was that bill practically agreed upon by the majority of the committee or just by the minority, who proposed to introduce it as a substitute?

Mr. SMALL. Mr. Chairman, I had rather not go into that.

Mr. LINTHICUM. I think the House is entitled to know something about it.

Mr. SMALL. The gentleman sees the report of the committee here. The majority of the committee report this bill.

Mr. Chairman, I now come to the last feature in the discussion of this bill, the necessity for economy.

Mr. DENISON. Will the gentleman yield?

Mr. SMALL. I will.

Mr. DENISON. The letter from the Chief of Engineers states, if I remember correctly, that there are $47,000,000 balance on hand unexpended, but I do not remember his statement as to why that would not be available for expenditures, and I wish the gentleman would explain.

Mr. SMALL. The Chief of Engineers did not say that it would not be available for expenditure. He said that it was available for specific projects for which it was appropriated, and that his estimates for the next fiscal year were considered in view of the available balance, and his annual report shows how he proposed to expend the available balance and the additional amount estimated for.

Mr. McCLINTIC. Mr. Chairman, I make the point that no quorum is present.

The CHAIRMAN. The gentleman from Oklahoma makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and six Members present, a quorum.

Mr. SMALL. Mr. Chairman, if I may have the attention of the committee a few moments longer, the suggestion is made in the majority report that all the appropriation bills at this session must be reduced. All of us realize the necessity of economy. This proposed substitute bill which I shall have the privilege of offering was made up with a sincere desire to economize to the utmost without injuring this activity of the Federal Government. Gentlemen who have examined the items in the proposed substitute will recognize to what extent reductions have been made. The total represents, as I have said, less than half of the estimates originally submitted. I submit that the river and harbor appropriation bill ought to receive just as fair and just treatment as other appropriation bills. I submit that our rivers and harbors in connection with the transportation system of our country ought to be maintained as liberally as any department of the Government.

No appropriation bill which has been reported at this session, so far as I can recall, has reduced the estimates more than one-half, and no appropriation bill which has been submitted has been converted into a lump-sum appropriation. I submit that on the Diplomatic and Consular appropriation bill, for instance, when it was reported to the full committee carrying so many million dollars, the full committee might just as well have said, "we will convert this into a lump sum, carrying so many million dollars, to be allotted at the discretion of the Secretary of State or the President." When the Agricultural appropriation bill was reported to the full committee that committee might have said to them, "Oh, let us convert this into a lump-sum appropriation, to be allotted and expended in the discretion and wisdom of the Secretary of Agriculture." No; you have to select the river and harbor bill and leave it to the discretion of the Chief of Engineers to allot and divide this sum of money to the several rivers and harbors of the country in accordance with his discretion.

Mr. DUNBAR. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. DUNBAR. I agree with the gentleman in the position he takes on this bill. We have had before us at the previous session appropriations for reclamation projects of which I am in favor and for which I voted, but I want to ask the gentleman if he believes an appropriation proposed for the improvement of rivers and harbors is not equally as beneficial to the American people as an appropriation for the reclamation purposes?

Mr. SMALL. I have not the slightest doubt about it; in fact, the benefits are even more susbtantial.

Mr. MADDEN. Will the gentleman yield?

Mr. SMALL. I will.

Mr. MADDEN. The gentleman stated that it might just as well have happened that a lump-sum appropriation be made for several other activities—the Diplomatic and Agricultural bills—the gentleman forgot to state that each one of those bills deals with administrative activities, whereas this bill deals only with the improvement of rivers and harbors, the wisdom of which may well be left to the engineer department, which must pass on these things anyway.

Mr. SMALL. I would not disparage the judgment of the gentleman from Illinois, except to say most modestly that I can not agree with him.

Mr. LAZARO. Will the gentleman yield?

Mr. SMALL. I will yield to the gentleman.

Mr. LAZARO. Does not the gentleman think that when there is this great cry of economy in a bill cut as low as this that it is safer to have a lump sum and leave the constituents at home under the impression that they may get some of it?

Mr. SMALL. I would prefer that my constituents should appeal to me rather than to the chief engineers.

Mr. BARKLEY. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. BARKLEY. Following the question of the gentleman from Illinois [Mr. MADDEN], let me suggest that if the committee reporting this bill had accepted the advice of the engineers there would have been a larger appropriation and it would have been itemized.

Mr. SMALL. The gentleman from Kentucky is correct. As a matter of fact, the work of the War Department, acting through its chief engineers and the Corps of Engineers in the improvement of rivers and harbors, requires not only an administrative capacity of a very high order but technical engineering skill.

Now, in conclusion, Mr. Chairman, no one has responded to my invitation to criticize any item in the proposed substitute bill. I repeat that every item is in the public interest.

This is the last time which I shall have an opportunity of appearing before the House in advocacy of adequate appropriations for the rivers and harbors of the country and fair treatment to our system of water transportation. As I said before this is a nonpartisan, nonsectional measure. I can understand why gentlemen on my side and gentlemen on your side, if your leader should appeal to you on a party matter—I can understand how you would yield your judgment to his, but here is a great public utility into which neither politics nor sectionalism can have any part, and I would say to any leader upon my side that no man can be the keeper of my conscience when it comes to the discharge of my duty for one of the great public activities of the country. [Applause.]

Mr. DEMPSEY. Mr. Chairman, I would ask the gentleman from North Carolina [Mr. SMALL] if the situation is so cleared up now that we can agree upon time to limit general debate?

Mr. SMALL. I believe that we can not do that in Committee of the Whole. As I stated in the beginning, we will endeavor to get along with an hour and 30 minutes. I hope the gentleman can arrange for that much time. I intended to consume only 30 minutes, but I find that I have consumed—how much?

The CHAIRMAN. The gentleman has consumed 48 minutes.

Mr. SMALL. It will be very embarrassing to me to disappoint gentlemen who have asked for time.

Mr. DEMPSEY. How much more time does the gentleman need?

Mr. SMALL. Thirty minutes plus the hour. That is, an hour and a half altogether.

Mr. DEMPSEY. Then suppose we agree to close debate at half-past 3 o'clock, which would mean 45 minutes on this side.

Mr. SMALL. I suggest that the gentleman do not name any particular hour.

Mr. DEMPSEY. We probably will not use all of our time. Mr. Chairman, I devoted practically all of my time when I was on the floor——

Mr. LINTHICUM. Mr. Chairman, do I understand that there has been any agreement in respect to time? The matter was not put to the committee.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent that all general debate end in an hour and a half from this time.

Mr. BARKLEY. Mr. Chairman, can that be done in Committee of the Whole?

The CHAIRMAN. The Chair thinks it has been done in Committee of the Whole, except on Calendar Wednesday, by unanimous consent.

Mr. LINTHICUM. Has the gentleman from North Carolina allowed me five minutes?

Mr. SMALL. I have the gentleman down, if he can be reached.

Mr. DEMPSEY. I will give the gentleman five minutes if the gentleman from North Carolina does not.

Mr. SMALL. I hope no gentleman will make the point that we can not do this in Committee of the Whole.

Mr. DEMPSEY. I think we can do it by unanimous consent.

Mr. SMALL. I hope the gentleman will make his request an hour and a half from now, which will give us 45 minutes more.

Mr. MONDELL. That was the gentleman's request.

Mr. DEMPSEY. I say an hour and a half of general debate.

Mr. McCLINTIC. Mr. Chairman, reserving the right to object, does the gentleman want to incorporate in his request that all remarks be made on the bill?

Mr. DEMPSEY. Yes.

Mr. McCLINTIC. Under those conditions I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York that all general debate——

Mr. GARRETT. Mr. Chairman, of course I am reluctant to make objection, but really that agreement ought to be made in the House.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. Certainly.

Mr. MANN of Illinois. It has frequently been done in Committee of the Whole by unanimous consent.

Mr. GARRETT. I do not object.

The CHAIRMAN. Is there objection to the request of the gentleman from New York that all general debate upon the bill close after an hour and a half of additional time has been consumed?

Mr. McCLINTIC. And that the remarks be confined to the bill.

The CHAIRMAN. And that remarks be confined to the bill.

Mr. MONDELL. Mr. Chairman, I hope the gentleman will not insist upon that last provision. Some gentleman may want to talk for five minutes on some other subject. This is the only time when gentlemen have an opportunity to talk on subjects except those under consideration.

The CHAIRMAN. Is there objection?

Mr. HUMPHREYS. Mr. Chairman, reserving the right to object, I do not understand whether the gentleman from New York yielded to the suggestion of the gentleman from Oklahoma that all debate be confined to the bill.

The CHAIRMAN. That is the form of the unanimous-consent request.

Mr. MONDELL. Mr. Chairman, the request was not made in that form, was it?

The CHAIRMAN. The Chair understood the gentleman from New York to accede to that suggestion.

Mr. DEMPSEY. The gentleman from Oklahoma will not object to the remarks which are not confined to the bill if they are consumed on this side, will he?

Mr. SMALL. We do not object to a discussion of any subject.

Mr. FREAR. I would state to the gentleman from Oklahoma that I desire to talk about taxation, a matter of great importance at this time, and I hope the gentleman will not object to that.

Mr. McCLINTIC. Mr. Chairman, I hope the gentleman will get some time a little later when he may talk on taxation. I shall not object to his asking additional time, but at the present time, in order to expedite business, I think remarks ought to be confined to the subject under consideration, and if the gentleman wants to couple that with his request, I shall not object.

Mr. FREAR. Then, Mr. Chairman, I object to the request.

Mr. DEMPSEY. Mr. Chairman, I intend now to speak only for about 10 minutes. I devoted a large part of my time when I had the floor before to answering questions, and I would like now to proceed for six or seven minutes on the bill without interruption.

The gentleman from North Carolina [Mr. SMALL], as it seems to me, is in rather an embarrassing situation in respect to the engineers. He says in one breath that we should take the say so of the engineers as to the amounts to be appropriated, and then, when a Member asks him what he would do in regard to his own projects in case of a lump-sum appropriation, he says that he would very much rather have his constituents come to him than to get down on their knees to the engineers. All I say in answer to the gentleman is that the position of the majority of the committee is that the committee and the House should control the legislation. Then, the gentleman from North Carolina says that the amount of this bill is not safe; that it is not based on any reason, logic, or evidence. Let us answer those assertions. The gentleman first reads a letter from the engineers in which they say that they have expended in the last six months the sum of $22,000,000, and he makes that the basis of a charge that the amount proposed to be expended here is inadequate. Let us follow him and see. They had on hand when the last bill was passed $62,000,000. They have on hand now $47,000,000. If they expend at the same rate that they have expended for the last six months, they will expend practically the amount they have on hand to-day, and no more, and they will not even expend that, because twice 22 is 44, and they have $47,000,000 on hand. If they continue to expend for the coming year at that rate they will not expend the amount they have on hand without a cent additional being appropriated. So I say in answer to the gentleman that in the light of experience, in the light of what they have expended in the past, the amount on hand to-day, without the addition of one cent, is sufficient. Then we turn back the leaves of history and examine previous years, and we find that we never have expended, except in one year, as high as $40,000,000. Add the $15,000,000 carried in this bill to the $47,000,000, and it makes $62,000,000 which they will have on hand, a larger amount than has ever been expended at any like period in the history of the country. We have based this bill on the best of all reasons, because we have based it on experience, and what safer guide can you have for your footsteps than the light of experience?

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield for one question?

Mr. DEMPSEY. Just one moment until I finish this and then I will yield. Then we say to the gentleman another thing. We say that last year the engineers came to us with a statement they needed $42,000,000, and the gentlemen will agree with me that before the engineers left our committee they conceded that $19,000,000 was ample and every cent that they needed, and it had been demonstrated beyond question, so well demonstrated, that the committee voted 16 to 1, that they needed $12,000,000, and the report came here in that form with a vote of 16 to 1. In like manner they came before us this year with a request for $57,000,000, and I am going to give

you one illustration of what I am endeavoring to point out. I have the highest respect for the engineers. I am happy to say my relations with them are exceedingly friendly. They are men of ability and character. They make mistakes, are fallible, just the same as others, and I want to show you just how fallible they are and just how much examination is needed in order to come in here with a bill that is adequate and with a bill at the same time that is not extravagant. The Houston Ship Canal in Texas, one of the most worthy projects, was under discussion, and the engineer suggested an appropriation of $530,000 for maintenance. I personally examined the engineer at the time. It developed that the Houston Ship Canal is something over 50 miles long; that 25 miles, half the distance, was under contract for deepening it from 24 to 30 feet; and that the Houston Ship Canal had shoaled as follows: For 3 miles it had shoaled 3 feet and for 20 miles 1 foot. So the problem was a very simple one. The problem was not to obtain maintenance for 50 miles, but to obtain maintenance for 20 miles by deepening 1 foot and deepening 3 feet for 3 miles—there were altogether 29 miles to deepen 1 foot. I said to the engineer, "Now, your problem is a mathematical one. How much is it going to cost you to deepen these shoals for 29 miles?" "Oh," he said, "it shoals very rapidly." "Oh, yes," I said "but it does not shoal 6 feet in one year, and you are getting a 30-foot channel for these 25 miles." "Yes," he said, "we are getting 30 feet for 25 miles, and that is the most expensive part to maintain." So upon the suggestion of the engineer himself, following that examination, the $530,000 was reduced, as the result of a mathematical solution and nothing else, to $150,000.

So I say to the gentleman from North Carolina [Mr. SMALL], who is in doubt what his position is toward the engineers and says he does not want to go down upon his knees, cap in hand, to the engineers in one breath and in the succeeding breath says that we should depend wholly upon the engineers and follow their estimates exactly. I say to the gentleman from North Carolina that this is but one of many instances which he heard throughout the examination showing that Congress itself, which is charged with the duty of appropriating money, which has to obtain it from taxes laid, is the body to determine what shall be spent, and has not the right to delegate to some other body the determination as to how much shall be spent.

Mr. CARAWAY. Will the gentleman yield? Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has used nine minutes.

Mr. CARAWAY. Does it not strike the gentleman as being unwise to make a lump-sum appropriation and leave it to engineers who can not come within $400,000 of telling the exact cost of improving one ship canal? [Laughter.]

Mr. DEMPSEY. I quite agree with the gentleman that these gentlemen may be wrong in their estimates of what a given project needs, but I believe on the other hand that they can look at the relative commerce of the different ports, can see as well as we can the relative importance and the question of allocation is a simple question which logically, fairly, and justly should be determined by the importance of the port. That importance is very largely, if not wholly, determined by the amount of tonnage. So, while we examine each question narrowly and scrutinize every item of expense proposed to us, we can, on the other hand, when the question is one of economizing, say to those gentlemen that, although we do not feel justified in leaving to them the questions which we ought to determine, although we will not abrogate our functions and confer it upon them, we realize that when it comes to the question of economizing in distribution, as there may be emergencies, such as storms, which will make it necessary to use in some few ports greater sums than we could anticipate, we will give them a lump sum, which, with the right to shift it about as emergency requires, will be sufficient for every expenditure and to meet all of the needs of commerce, but might not be sufficient if they did not have this right to transfer and to shift.

Mr. BOX. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. BOX. The gentleman spoke of an estimate of $150,000 for the Houston Ship Canal?

Mr. DEMPSEY. No; I did not speak of the estimate of $150,000 at all.

Mr. BOX. I mean the amount which the committee computed for allotment to that work.

Mr. DEMPSEY. The estimate was $530,000, and as a result of the examination which I have described the estimate was made $150,000.

Mr. BOX. Is it contemplated by the committee that that amount will be used for that purpose?

Mr. DEMPSEY. It is contemplated by the committee that this $15,000,000 will supply the Board of Engineers with an abundance with which to meet every need. And I will say to the gentleman that the committee is very much impressed with the value to the commerce of the country of the Houston Ship Canal.

Mr. BOX. I am interested in that only as I am in many others, but I am concerned specially about another item, the Sabine-Natchez-Port Arthur Canal. I want to know what the committee estimated or computed for probable use on that work. I understand that the bill makes no allotment.

Mr. DEMPSEY. I have not those figures at hand. I will answer the gentleman at a later point in the debate, under the five-minute rule. I have not the information at hand now.

Mr. SMALL. Will the gentleman permit me to answer the gentleman from Texas?

Mr. DEMPSEY. I will be glad to have you answer him.

Mr. SMALL. For the Houston Ship Canal they had an estimate of $175,000. This proposed substitute bill gives it $125,000. As to the Sabine-Natchez Canal, the estimate was $135,000 and they were allowed $90,000.

Mr. DEMPSEY. Now, if the gentleman will permit me a moment or two more——

Mr. LINTHICUM. I want to get the gentleman's views on this: You lead the House to believe that we have about $45,000,000 that can be used in addition to the $15,000,000 which you are appropriating.

Mr. DEMPSEY. Yes; because it is a fact. I am not leading you to believe anything except what the figures show.

Mr. LINTHICUM. I know that the figures show that; but the real facts are that you have $15,000,000 actually appropriated, but $47,000,000 is tied up to specific projects.

Mr. DEMPSEY. The $47,000,000 is tied to the projects throughout the Nation, but this $13,000,000 will be spent on the different projects throughout the United States, and you can not differentiate at all.

Let me say, in conclusion, that you are faced with this situation: Last year we came in here with the engineers having suggested $42,000,000, and we suggested to the committee $12,000,000. This year we come in with the engineers having suggested $57,000,000, and we suggest $15,000,000. All we ask is that you look at the history since the passage of the last bill. They have spent in the last six months $22,000,000. They have on hand to-day of that $12,000,000 nearly $2,000,000 in cash, besides contracts which have been entered into on the faith of this $12,000,000. You have found that the committee's estimate was correct. You have found that the commerce of the country has not suffered. You have found that the work has been prosecuted as rapidly as it was possible to prosecute it. Now, I will say to the committee that we have examined this question with care and with the matter upon our consciences, and we believe honestly and thoroughly that the great work involved in the transportation problem of the United States can be carried on and prosecuted with the amount on hand and that now to be appropriated.

And I will say to you another thing, that I understand that the organization of the House is prepared, if there should be any shortage of funds, if it should be discovered that we need more than we have estimated, to give the right of way at the December session to the committee and enable it to present for passage a river and harbor bill just as soon as it is needed.

And let me say further to this committee that in these times, when the Nation is bowed under a burden of taxation, the thing which this committee should fight, the thing which this committee should shun, the thing which this committee should fear is the tying up of vast sums of money, millions of dollars, the difference between $15,000,000 and $28,000,000—$13,000,000—uselessly. And that is what will result if the substitute is adopted instead of the bill proposed by the committee.

Mr. MADDEN. Will the gentleman yield?

Mr. DEMPSEY. I will.

Mr. MADDEN. It is a fact, is it not, that for 25 years the average expenditure for river and harbor improvements during the whole period amounts to only $22,600,000 a year, and that this $15,000,000 in addition to the $47,000,000 that is on hand gives us $62,000,000?

Mr. DEMPSEY. Three times what we annually use.

Mr. MONTAGUE. May I ask the gentleman a question?

Mr. DEMPSEY. I do not want to use all of my time.

Mr. MONTAGUE. I wish to ask the gentleman that if the Government now has on hand more than it has been accustomed annually to expend by several million, what is the need of any river and harbor bill at all? Why carry $15,000,000 when according to the gentleman's figures only about $22,000,000 can be expended out of the sum of $47,000,000 now on hand?

Mr. DEMPSEY. I will say to the gentleman from Virginia this: That the commerce of the country has grown, that the needs of water transportation have developed and multiplied; that

railroads are unable to carry the commerce of the country; that railroad transportation has become more expensive; and that we have realized and recognized all these things, and we believe that rivers and harbors should be liberally and generously dealt with, and we believe we have done it.

Mr. Chairman, I reserve the balance of my time.

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. LEA].

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that the time of the gentleman from North Carolina [Mr. SMALL] be extended 30 minutes and the time of the gentleman from New York [Mr. DEMPSEY] 15 minutes.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that the time of the gentleman from North Carolina [Mr. SMALL] be extended 30 minutes and the time of the gentleman from New York [Mr. DEMPSEY] 15 minutes. Is there objection?

Mr. McCLINTIC. Reserving the right to object, I would like to ask if the remarks are to be confined to the bill?

Mr. MONDELL. The remarks of the gentleman from Wisconsin [Mr. FREAR] are partly on the general subject of taxation. I will say to my friend that I had no question but what the debate would go on in the usual way, and I had promised the gentleman from Wisconsin that we would try to get 15 minutes for him.

Mr. McCLINTIC. I made the statement to the gentleman from Wisconsin that I would not object when he asked unanimous consent to address the House on that side.

Mr. MONDELL. The unanimous-consent request that I am making will give him that 15 minutes.

Mr. McCLINTIC. But the gentleman ought to address the committee on the subject of the bill.

The CHAIRMAN. Is there objection?

Mr. McCLINTIC. I object.

The CHAIRMAN. Objection is heard.

Mr. SMALL. If the gentleman from Oklahoma will withhold his objection a moment——

Mr. McCLINTIC. I will withhold.

Mr. SMALL. If it will help in the discussion we will agree on our side to confine our remarks to the bill.

Mr. MONDELL. The gentleman will realize that it would not be fair to give the other side 30 minutes and this side 15 minutes unless——

Mr. SMALL. No; your 15 minutes will be used as the gentleman from New York [Mr. DEMPSEY] pleases.

Mr. MONDELL. The gentleman referred to on this side wants to use his time on the general subject of taxation.

Mr. McCLINTIC. I have not objected except when the bill was under consideration. I think when we are considering a piece of legislation the remarks ought to be confined to that subject. I have no objection, after the bill has been considered, to the gentleman receiving permission to address the House on the subject of general taxation, or in the morning.

Mr. MONDELL. Then I ask unanimous consent that the gentleman from Wisconsin [Mr. FREAR] be given 15 minutes on the subject of general taxation after the consideration of this bill.

Mr. MANN of Illinois. You can not do that in committee.

Mr. LINTHICUM. Mr. Chairman, a few minutes ago I asked for five minutes, and the gentleman from New York [Mr. DEMPSEY] said I might have it out of his time. Now you are eliminating that.

Mr. MONDELL. No; I am not eliminating that. The gentleman from New York has some time remaining.

Mr. LINTHICUM. All right. I will depend on that.

Mr. SMALL. Will the gentleman proffer his request again on behalf of the gentleman from Wisconsin?

Mr. MONDELL. The gentleman from Illinois [Mr. MANN] reminds the gentleman from Wyoming of something that he already knew—that in Committee of the Whole it is a little irregular to ask for 15 minutes not in Committee of the Whole—but inasmuch as the gentleman from Oklahoma is willing for the gentleman from Wisconsin to speak, why not let him speak now?

Mr. FREAR. I will remind the gentleman from Oklahoma that there are 400 Members of this House, and that they can all object. He is only one. He is not the only one who can object.

Mr. McCLINTIC. I have no objection to the gentleman speaking on any subject of general legislation after this bill is considered.

The CHAIRMAN. Is there objection to the unanimous-consent request of the gentleman from Wyoming?

Mr. McCLINTIC. I object.

The CHAIRMAN. Objection is heard.

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. LEA].

Mr. MANN of Illinois. Mr. Chairman, I ask unanimous consent that the time of the gentleman from North Carolina [Mr. SMALL] be extended 30 minutes beyond his hour, and that the time of the gentleman from New York [Mr. DEMPSEY] be extended 20 minutes beyond his hour. That is not limiting debate. That is a matter of convenience in yielding time.

Mr. McCLINTIC. And that the remarks shall be confined to the bill?

Mr. MANN of Illinois. No; I can not do that.

Mr. McCLINTIC. Then I object.

Mr. MANN of Illinois. It is a mere matter of convenience to the Democratic side of the House, but I do not suppose the gentleman cares for that.

Mr. LEA of California. Mr. Chairman, I ask the privilege of revising and extending my remarks.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. McCLINTIC. I object.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. McCLINTIC. Reserving the right to object, Mr. Chairman, I hope the gentleman will not extend his remarks.

Mr. MANN of Illinois. I ask for the regular order.

The CHAIRMAN. The regular order is, is there objection?

Mr. McCLINTIC. I object.

The CHAIRMAN. The gentleman from Oklahoma objects. The gentleman from Illinois [Mr. MANN] is recognized for one hour.

Mr. MANN of Illinois. Mr. Chairman, I yield 25 minutes of that time to the gentleman from New York [Mr. DEMPSEY] and 35 minutes of that time to the gentleman from North Carolina [Mr. SMALL].

Mr. DEMPSEY. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. FREAR].

The CHAIRMAN. The gentleman from Wisconsin is recognized for 15 minutes.

Mr. FREAR. Mr. Chairman, I desire to discuss a subject that is of vital importance to the people of this country, as well as to the Congress, through whom they must act—the subject of taxation—but before doing so I wish to say a word to the gentleman from North Carolina [Mr. SMALL]. For many years I have served with him on the Rivers and Harbors Committee, and I believe I bespeak for him the unanimous feeling of this House, a feeling of regret that he is to leave us, in view of the work that he has done for rivers and harbors in the past. I have differed from him very strongly in the past. I differ from him to-day. But that means nothing so far as the uniform courtesy with which he has treated us, and I say for him, speaking, I think, the sentiment of the very large majority of our membership, we regret very much that he leaves the position which he has had in the past. [Applause.] I say this, Mr. Chairman, particularly because at the next session, if I had remained on the committee, I believe in the ordinary course of affairs I might have held the position that he has filled in the past.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of taxation.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD on the subject of taxation. Is there objection?

There was no objection.

Mr. FREAR. I desire to express the embarrassment of trying to discuss a question that ordinarily would take an hour and a half or two hours in the time allotted to me, which must be apparent to every Member of the House. We have a peculiar legislative situation in the House, that men can get recognition to speak only on general supply bills except by unanimous consent. When the supply bill is under discussion objection is often made that we can not speak at that time on matters that are of the most vital importance to the Government but must confine our remarks to the bill. Think of the absurdity of this position of an intelligent body of men acting here on behalf of their constituents and for the country under such circumstances. [Applause.]

Mr. Chairman, the proposition that I desire to discuss is one which proposes to repeal the present tax involving $800,000,000 under the excess-profits tax, and imposing in lieu thereof a tax of $1,000,000,000 by what is known as a sales tax known as the turnover sales tax. Every man in this House should be informed on that subject before he votes, and there is no way under heaven in which you can learn the facts except by some one digging into them and ascertaining what laws are in effect in other countries, and whether those laws have been effective or not.

I will say this briefly, that there have been several men before the Ways and Means Committee, intelligent men, very

able men, advocating the enactment of a general turnover sales tax, which, as you know, is imposed in Germany and in the Philippine Islands and in Mexico, the only three countries that impose it effectually. There they tax the sugar and tea, and everything that they eat and drink, on every turnover that may be had. The ablest body of men that has met in this country to consider this subject, known as the National Industrial Conference Board, has brought in a report showing how objectionable that system would be for this country. The United States Chamber of Commerce, through its tax board, acting intelligently and weighing all the arguments, has brought in practically a similar report.

Mr. MADDEN. Will the gentleman tell how many turnovers there are?

Mr. FREAR. There are practically nine turnovers in the case of cotton goods and woolen goods, eight turnovers in the case of leather goods, and seven or eight in the case of steel—that is, from the original ore up to the time of the finished article. What applies to these articles applies with equal force to almost everything we use. In other words, this proposed tax of 1 cent on each turnover has to be applied from five, six, and seven to nine times.

But that is not the worst. You will find that in many cases where the present tax on luxuries is imposed they have raised the price of the goods sometimes 100 per cent during the different turnovers.

Mr. Chairman, our Government is facing an annual tax burden five times the size of its prewar expenditures. During the recent war large receipts were had from excess-profits taxes on corporations and on personal income taxes due largely to the surtax. Congress now is facing a well-organized propaganda, based on assumed economic arguments for the repeal of the excess-profits tax and for a reduction on income surtaxes. Another extensive, well-organized propaganda exists which demands the passage of a turnover consumption tax law with a sweeping tax on all necessaries of life, which bill is pressed for passage by Otto Kahn, Jules Bache, Meyer Rothschild, and others who have appeared before the Ways and Means Committee urging a turnover sales tax. Practically no opposition arguments have been presented to the committee.

Only limited study has been or can be given this vastly important subject by the average Representative in Congress, and I am not assuming to speak against a sales tax from the standpoint of a tax student or tax authority, but from the viewpoint of a layman and legislator whose responsibilities are equally due to the banker, broker, and bricklayer, the capitalist and cobbler, the financier and farmer, the manufacturer and machinist, the teacher and day laborer, all of whom to a greater or less degree will help pay the $5,000,000,000 annual tax hereafter to be collected.

I desire to place before you the views of recognized tax students and authorities and shall intrude my own observations only briefly and for the purpose of calling attention to matters that have seemed to me worthy of consideration; but first as to the problems before us.

From the report of the Secretary of the Treasury I quote figures that briefly set forth the situation confronting Congress:

The gross public debt on Oct. 31, 1920, was	$24,062,509,672
Short-term debt in certificates of indebtedness Dec. 1	2,767,000,000
War savings securities maturing January, 1923	800,000,000
Victory notes due May, 1923	4,237,000,000

In round numbers we must provide for $7,500,000,000 by May, 1923. Whether by refunding or payment is a matter of policy to be determined. It is estimated that $1,250,000,000 must be raised by tax and set apart annually for interest and sinking fund.

Of expenditures by the Government for the fiscal year 1920, reaching $6,403,000,000, the following items composing 90 per cent are significant:

[Secretary of Treasury Report, 1920, p. 48.]

Purchase of obligations of foreign Government	$421,000,000
War Department	1,611,000,000
Navy Department	736,000,000
Shipping Board	531,000,000
Railroads	1,037,000,000
Interest on public debt	1,020,000,000
Pensions	213,000,000
War-risk insurance	117,000,000
Purchase Federal farm-loan bonds	30,000,000
	5,716,000,000

During the second session of the Sixty-sixth Congress total appropriations and authorizations reached $5,874,438,788.

An offset of an uncertain amount may be considered in war loans due this Government from various European Governments under the several acts of Congress beginning April 24, 1917, and ending July 9, 1918, for a total authorization of $10,000,000,000. Credits to an amount of $9,710,525,310 have been given and cash advanced by our Government of $9,580,823,677, as follows:

Belgium	$349,214,467
Czechoslovakia	61,256,206
Great Britain	4,277,000,000
Italy	1,631,338,986
Rumania	25,000,000
Serbia	26,780,465
Cuba	10,000,000
France	2,997,477,800
Greece	15,000,000
Liberia	26,000
Russia	187,729,750

Advances repaid to November 15, 1920, reached $114,000,000, in round numbers. All interest payments on the above have been extended since the war at the request of the different Governments that are seeking to become rehabilitated. Another uncertain element of lower tax levy comes from a reduction in running expenses of the Government due to greater economy. We have then to consider probable appropriations by Congress based on the 1920 record of between $3,000,000,000 and $4,000,000,000 and payment of so much of the floating debt as can be cared for in addition to an annual interest and sinking fund charge of $1,250,000,000 as stated. That is our problem.

In the Secretary of the Treasury's Report, 1920 (p. 779), appears receipts for 1920 fiscal year as follows:

Customs, $323,536,559; income and excess profits, $3,957,701,342; miscellaneous internal revenue, $1,441,447,870; other miscellaneous items and sales of public lands making total receipts for 1920 of $6,695,374,766.

It is conceded that these receipts will materially fall off in the future because of reduced excess profits and smaller individual incomes. In a letter from the Commissioner of Internal Revenue dated November 20, 1920, he says the actuary estimated Treasury receipts as follows:

1919:	
Individual taxes	$901,000,000
Corporation taxes	400,000,000
War and excess profits	1,300,000,000
	2,601,000,000
1920:	
Individual taxes	1,400,000,000
Corporation taxes	650,000,000
War and excess profits	1,700,000,000
	3,750,000,000

It is now proposed in some quarters to repeal the excess-profits tax and reduce the surtaxes on individual incomes so that a large part of the above income will be lost. Even the Secretary of the Treasury advises a repeal of the excess-profits tax, although he asks that it be replaced by some other form of corporation tax.

Mr. WILSON of Louisiana. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Louisiana.

Mr. WILSON of Louisiana. Does the gentleman discuss also the final sales tax?

Mr. FREAR. I will say that the final sales tax has not been pressed upon the attention of the Ways and Means Committee, for the reason that it brings in a small income comparatively. We have what is called a final sales tax, of course, with the luxury tax to-day, but it is only a small producer of revenue. We need to raise a billion dollars or thereabouts by taxation to meet not only the repeal of the excess-profits tax, if we repeal that tax, but also to lower the surtaxes on personal incomes. That has been urged strongly, and it is something that may really have to be brought about, because to-day those who are paying high surtaxes are investing in tax-exempt securities.

Mr. WILSON of Louisiana. If you raised the same amount of money by a final sales tax, would not the final sales tax be just as objectionable?

Mr. FREAR. They pyramid each time a turnover sale is made, and it reaches an enormous amount of money.

Mr. McCLINTIC. Mr. Chairman, I raise the point of order that the gentleman is not speaking to the question.

The CHAIRMAN. The point of order is overruled.

Mr. FREAR. Of course any Member can block the wheels in this House unless we pass a resolution to stop it. This is a most important proposition affecting the rivers and harbors bill. It deals with the raising of funds to provide for the rivers and harbors, to provide for the railroads to function, and to run every department of Government, a question which every one of us is interested in, and the gentleman ought to know that it is directly in point, and not subject to his point of order.

CONSUMPTION SALES TAX AND SOLDIERS' BONUS BILL.

Mr. Chairman, constant assaults on the excess-profits tax law from all directions indicate it is a friendless waif, not popular with those whose profits it has heretofore divided for the support of Government and it also seems probable, judging from opposition expressed against any new form of tax that no substitute will meet with general approval. One tax is insistently urged upon Congress in case the excess profits tax law is

repealed. It is known as a consumption turnover sales tax and was vigorously pressed on the Ways and Means Committee last session in an effort to make it part of the revenue plan that was to provide for financing the soldiers' bonus bill, which bill finally passed the House.

At that time, after a short but sharp contest, a Republican caucus rejected a sales-tax plan which in effect proposed to compel ex-service men to contribute through such tax to their own use. The measure was rejected as stated and other means of raising revenues were then adopted. The head of the same consumption sales-tax plan has again been raised and it is now financed by large interests that seek to escape their full share of taxation. Ex-service men and women and every other man and woman in the country are to be called upon to contribute to this sales tax, although no return is now offered them directly or indirectly.

For cold-blooded treatment of those who gave all and left all to serve their country while profiteers remained home and accumulated profits, protected by these service men, no chapter in our history can compare. At the same time we have delayed and dallied with a soldiers' service compensation bill until finally it has been pushed into the discard by Congress. We are now further asked to exempt the profits of those who stayed home and accumulated money and place their tax burdens equally in part on the shoulders of the soldiers of the last war, of the men and women who scraped up their savings to buy Liberty and Victory bonds with the assurance that this Government would remember them. It seems like adding insult to injury. The war is over, the powerful interests behind a sales-tax propaganda are pushing hard for a repeal of the excess-profits tax and enactment of a general consumption tax, the Liberty and Victory bonds bought by those who "gave till it hurt" have depreciated in value, the service men's bonus bill, that has been juggled along for over a year, is now laid aside and we are asked to look for the beauties of nature in springtime and breathe deep the air of the new democracy of 1921.

WHAT IS A TURNOVER CONSUMPTION TAX?

It is a reminder of the small boy's description of a toothache, "an abomination in the eyes of the Lord that does no man good." However, a consumption turnover tax will do everybody—good and plenty. It is a tax levied on every pound of sugar, salt, and starch that goes into family use from the growing of the sugar beets to its purchase at the store, on every pound of flour and other food, on every pound of meat from the farm to the packer and back again, on every pound of tea or coal, on every garment from the hat down to shoes and stockings, or, like an old-time description of a tariff bill, it is a tax from the cradle to the coffin. Every sale of wood from the owner to the logger, to the mill man, to the cradle or coffin factory, to the wholesaler, to the retailer, and finally to the customer pays the tax on every turnover with several times added for good measure, until the actual cost and actual tax join in a free-for-all price raising for the 105,000,000 consumers who will pay an equal share of the increase. The wealthiest and poorest will pay the same tax, because a turnover sales tax plays no favorites from Vanderbilt to the humblest begger when both must eat or starve.

During 1918, 1 person in this country paid on an annual income of over $5,000,000, 2 on between $4,000,000 and $5,000,000, 11 on between $2,000,000 and $3,000,000, 49 on between $1,000,000 and $2,000,000, and 179 others on incomes between $500,000 and $1,000,000. Under a turnover tax these people would turn over the same amount of tax for the same food, drink, and wear as the poorest in the land. Fraud in omitting to report sales, which will be general, would penalize only the consumer. Administration by the Government would become a hopeless task, judging from past experience when every seller levies the tax with a generous margin on the goods sold whether the tax is reported or not. It is neither a just, equitable, nor enforceable tax, and I desire to present proof of these charges against the criminal at the bar—a turnover consumption tax.

BUSINESS MEN, TAX EXPERTS, AND CONSUMERS OPPOSE SALES TAX.

Let me place before you the best thought of the country that unqualifiedly condemns and convicts a turnover sales tax and present some facts which are not based on theories but come from men whose judgment we may well respect.

First. I will give the conclusions of the leading economic-tax investigation that has taken place since the war. The body making this report is not composed of farmers, laboring men, or others who would unanimously condemn a sales tax if given opportunity to do so. The National Industrial Conference Board is composed of 25 affiliated industrial organizations representing cotton, woolen, metal, boot and shoe, pig iron, and others that have a capital invested of several billions of dollars, in the aggregate, and employ several million men. No organization can speak with more force from the standpoint of national industry or aided by better expert advice. Other high authorities will be found to sustain the industrial board's findings.

Second. The arguments and influences now urging a consumption turnover tax will be presented.

Third. Testimony of individual tax experts opposed to a sales tax will be offered, men whose judgment is of great value in solving the greatest tax problem that ever confronted this Government in time of peace.

REPORT OF TAX COMMITTEE, NATIONAL INDUSTRIAL BOARD.

Mr. Chairman, I quote first from a report of the tax committee of the National Industrial Conference Board on the Federal tax problem, December, 1920. The report says:

Various advocates of a general turnover tax estimate that a 1 per cent tax on all turnovers would produce from $1,500,000,000 to $5,000,000,000. If the tax is limited to 1 per cent on the turnover of goods, wares, and merchandise alone, the estimates go down as low as $750,000,000. * * * It has been suggested that bankers, brokers, and commission men should be taxed not on their sales, but on their commissions or gross profits.

If a 1 per cent turnover tax were imposed upon each step in the cotton, leather, and steel business, it would carry separate tax on each of the following turnovers, according to the report:

Cotton:
1. Raw cotton to gin.
2. Gin to spinner.
3. Spinner to mercerizer.
4. Mercerizer to dyer.
5. Dyer to weaver.
6. Weaver to finisher.
7. Finished cloth to wholesaler.
8. Wholesaler to retailer.
9. Retailer to customer.

Leather:
1. Farmer to cattle buyer.
2. Buyer to hide dealer.
3. Hides to tanner.
4. Tanner to leather merchant.
5. Leather merchant to shoe manufacturer.
6. Shoe manufacturer to jobber.
7. Jobber to retailer.
8. Retailer to customer.

Steel:
1. Iron ore to smelter.
2. Smelter to manufacturer of ingots.
3. Manufacturer of ingots to manufacturer at rolling mill.
4. Steel manufacturer to tool manufacturer.
5. Tool manufacturer to wholesaler.
6. Wholesaler to retailer.
7. Retailer to customer.

These steps may be enlarged and the 1 per cent tax on each tax may be doubled and quadrupled, as illustrations later quoted will disclose.

A TURNOVER SALES TAX IS AGAINST THE LIVING WAGE.

[From report of tax committee of the National Industrial Conference Board.]

1. The advocates of such a tax claim that it will in nearly every instance be shifted. If so, the tax could not be defended upon the grounds of social justice, because it would then fall with a force unequal to their ability to pay upon those least able to bear the burden. It would, in fact, be "a tax against the living wage."

2. It is claimed by the proponents of such a tax that not only will it generally be shifted but that the exact amount of the tax would be passed on to the consumer. What ground is there for the assertion that a turnover tax imposed on each of many transactions all the way to the raw material will not be loaded just as often as a specific tax of a fixed and known amount? If $1,500,000,000 or $3,000,000,000 should be collected from a sales tax levied on each turnover, would not this amount be loaded heavily?

3. From the business point of view the uncertainty as to whether the (sales) tax would be shifted is most serious. The committee can not accept as conclusive the assertion that this tax would be passed on or that in the cases in which it was not passed on the tax is so small that the effect would be slight. A 1 per cent tax on sales would in many cases be more than a tax of 30 per cent, or even 50 per cent, of net income. If any great proportion of the billion or more dollars which is to be raised by such a tax would have to be paid by business which could not pass it on, the result would be widespread ruin and disaster.

4. Whether or not the tax could be shifted it would tend to encourage changes in business practices which are not in accordance with the economic development of the country. Many classes of so-called middlemen who perform a service which is well worth what it costs would be driven out of business. Devices to get around the tax through the avoidance of technical sales would be multiplied.

5. In cases where it is not shifted in its entirety, a tax imposed upon all sales or upon the turnover of a business becomes to that extent a tax on gross income.

The inequity of a tax or turnover or gross income as between a business which turns its capital once in several years and another which turns its capital several times a year, provided the tax can not be shifted, is too great to be borne.

6. The advantage which a business enterprise carrying on several consecutive processes in the manufacture or distribution of a commodity would have over other enterprises which were not so self-contained, due to the pyramiding effect of a sales tax at each turnover, is little realized until concrete cases are examined and compared, as has been done by the committee.

After illustrating seven turnover taxes from iron ore to the finished steel tool the committee's conclusion is reached: "In cases in which the taxes could not be shifted a pyramided tax might often prove ruinous."

7. No dependable calculations have been submitted by its proponents as to the amount of revenue which such a tax would produce. Estimates by different parties range from $5,000,000,000 down to $1,500,000,000 for a 1 per cent tax on all turnovers and down to $750,000,000 for a 1 per cent tax on the turnover of goods, wares, and merchandise

alone. It is suggested that bankers and brokers should be taxed not on their sales but on their commissions or gross profits. If this is so, why should a wholesaler whose gross profit on each individual sale may not be larger than the banker's pay a tax on his entire sales? (Who suggested?)

8. The administrative difficulties involved in a turnover sales tax are but little appreciated by those who have not had close practical experience with the administration of a tax national in its scope. The administration of such a tax would raise serious problems, and the number of taxpayers would be so greatly increased that it would probably be difficult to prevent wholesale evasions.

9. It would be economically unsound.

10. While the committee has not allowed political expediency to influence its conclusions, political opposition to a sales tax must be given serious consideration.

The foregoing are brief extracts from findings of a committee of experts representing the greatest industrial organization in the country. It is notable that eight reasons are given why a sales tax would injure or destroy different manufacturing interests and two reasons are given as to its unsoundness economically and politically.

REPORT OF THE SPECIAL COMMITTEE ON TAXATION OF THE CHAMBER OF COMMERCE OF THE UNITED STATES.

It would seem that no careful legislator will be deluded by the arguments of a handful of financially interested advocates of a turnover sales tax, and the objections already presented are unanswerable; but another organization, the Chamber of Commerce of the United States, has aimed to give the same service to Congress on the same vitally important tax problem, and through its committee of nine tax authorities has also announced its findings on a turnover sales tax. The report of its committee against this tax is unanimous. I quote at some length because of the recognized high standing of this country-wide commercial organization:

A CONSUMPTION TAX—DIFFICULTY OF ADMINISTRATION.

Various arguments have been brought forward in support of a sales tax, but in the opinion of the committee these arguments are overcome by important objections to any attempt to use such a source for Federal revenues. In the first place, the application of any of these taxes and its successful administration would not be so simple as is often supposed. In declining markets and under conditions of close competition turnover taxes would frequently have to be borne by the seller, and in many instances might for him be an added cause of loss. Even if passed on through addition to the price paid by the buyer, it would almost inevitably be pyramided, causing material increases in many prices paid by consumers.

RUINOUS EFFECT OF PRICE PYRAMIDING.

There are still more fundamental considerations weighing against such a tax. One of the objections to the excess-profits tax would apply with added force; this is uncertainty in yield of revenues, for gross sales fluctuate more widely than net income. If any form of turnover tax were imposed, it would result in advantages for large industrial undertakings which begin their processes with raw materials and carry them through to the finished product; such "integrated" industries would be subject to the tax but once, whereas their smaller competitors, acquiring materials from independent sources, would have the tax in their prices several times and probably increased in effect through pyramiding. Finished articles imported from abroad would have a similar advantage over domestic manufactures.

REPUDIATES PRINCIPLE OF TAXING ACCORDING TO ABILITY TO PAY.

Perhaps the greatest inequity, however, would appear in the proportionate results of any of the taxes here under consideration upon the person with small income as compared with the person of large income. At the bottom of the economic scale are persons whose income barely suffices to provide them with necessities of the poorest quality and in the smallest amount, and at the other end of the scale are persons whose expenditures for necessities, no matter how large, represent but a fraction of their income. Any tax falling upon general expenditures is consequently disproportionately heavier for persons of smaller incomes as compared with persons of larger incomes. To the extent sales taxes of the sorts that have been suggested were used as a general source of revenue there would be a departure from the principle that taxes should be levied in accordance with ability to pay.

OF DOUBTFUL LEGALITY.

Finally, there would seem to be legal difficulties in the way of a general sales tax. Opinions handed down by the Supreme Court in March and June of this year make it clear that such a tax is not authorized by the income-tax amendment to the Constitution. Whether or not it would be held by the courts to be an indirect tax is uncertain; if it were held to be a direct tax, it would, under the Constitution, have to be apportioned among the States in accordance with their population, an obviously impracticable procedure. Reliance for revenues in large amount should not in any event be placed upon a tax regarding the legality of which there is doubt.

MEN WHOSE OPINIONS CARRY WEIGHT.

The character of the National Industrial Board tax committee, that prepared a long, comprehensive report, may be ascertained from the following personnel:

F. R. Plumb, chairman, Philadelphia.
C. A. Andrews, Gloucester, Mass.
J. A. Emory, Washington.
R. C. Allen, Cleveland.
Wilson Compton, secretary N. L. M. Association.
F. W. Lehmann, Kansas City.
H. C. McKenzie, Walton, N. Y.
M. W. Alexander, New York City.
A. G. Duncan, Boston.
R. P. Hazzard, Gardiner, Me.
Paul Armitage, New York City.
J. J. Forstall, Chicago.
L. F. Loree, New York City.
H. H. Smith, Tulsa, Okla.

The committee that signs the tax report for the Chamber of Commerce of the United States is—

R. G. Rhett, chairman, Charleston, S. C.
Arthur Anderson, Chicago.
J. H. Gray, Northfield, Minn.
J. L. Laughlin, Boston.
T. B. Stearns, Denver.
R. G. Elliott, Chicago.
F. R. Fairchild, New Haven.
J. I. Straus, New York City.
E. W. Stix, St. Louis.

The importance of interests represented and ability of these men will not be questioned by anyone who examines their respective reports.

Mr. Chairman, it must be kept in mind that these business interests are acting for their own protection because of the uncertain character of a turnover consumption tax. When it does not shift it threatens the industry compelled to pay it, and when it shifts to the consumer he is unjustly compelled to pay a tax now paid out of corporations' excess profits.

The authorities quoted will carry weight to most minds of the absolute danger attending a turnover consumption tax.

EXPERTS WHO CAN BEST TESTIFY.

Another list of authorities can be quoted whose names are legion. They consist of the farmers, clerks, skilled and common labor, housewives, and others not enumerated, who are glad to earn enough to get food and clothes and to give their children a common-school education. They are the ones who will be called upon to pay 90 per cent and over of the proposed consumption taxes now paid by corporation excess profits and high supertaxes on personal incomes.

Any advocate of average intelligence can safely take his case to this class of experts and secure a verdict against a turnover consumption tax nine times out of ten, either in a judicial, legislative, or political forum, and the tax if passed, will be tried out without doubt by the last-named court and the one of last resort—the people at the first opportunity given to register their disapproval at the polls.

WHOM DOES CONGRESS CONSULT IN REVENUE LEGISLATION?

Presumably no more reliable adviser for Congress on revenues exists than the Secretary of the Treasury whose duty it is to properly and economically collect revenues and carry on the fiscal policy of the Government. He has for his advisers Government tax experts and men of nation-wide reputation without private or personal ends to protect or advance. He is concerned in both revenue to be obtained and method of administration. In his 1920 annual report Secretary Houston condemns a proposed sales tax, as follows (p. 28):

In the Treasurer's opinion there are many grave objections to a sales tax. Further consideration of the subject has convinced me that a general sales or turnover tax is altogether inexpedient. It would apply not only to the necessities of life—the food and clothing of the very poor—but it would similarly raise the prices of the materials and equipment used in agriculture and manufactures. It would confer in effect, a substantial bounty upon large corporate combinations and place at corresponding disadvantage the smaller or disassociated industries which carry on separately the business operations that in many combinations and trusts are united under one ownership. The group of independent producers would pay several taxes, the combinations would pay only one tax. Finally, it would add a heavy administrative load to the Bureau of Internal Revenue which * * * is already near the limit of its capacity. Simplification of the tax laws and restriction rather than extension of its scope are as important from the standpoint of successful administration as from that of the taxpayers' interests.

ADMINISTRATION OF A GENERAL SALES TAX.

Mr. Adams, a Treasury income-tax expert, says on this point in the Ways and Means Committee hearings:

If you have the income tax with all the necessary difficulties and you have the corporation tax with all its necessary difficulties and you have the principal present consumption taxes it is going to be a dangerous thing from an administrative standpoint to add a general sales tax which will bring in possibly a million new taxpayers to take care of, together with all the added complications of a new and nation-wide tax * * * (p. 28).

His replies to questions of administration are illuminating:

Mr. FREAR. How many employees does the Treasury Department have engaged in this particular work (collecting taxes)?

Dr. ADAMS. I shall have to ask you to let me put that figure in the record (these figures, p. 36, show 18,440 employees).

Mr. FREAR. What would be the number of employees required in addition to cover the final sales tax in checking up?

Dr. ADAMS. That depends entirely upon the accuracy with which these reports were checked. You can simply put a sales tax on the statute books and leave it to enforce itself and it doesn't require very much force to handle it.

Mr. FREAR. But you spoke yesterday of the different forms and that is my reason for going back to it.

Dr. ADAMS. And that ought not be done. We are experiencing a perfectly enormous amount of evasion with respect to some sales taxes, such as are imposed by section 630, the soda fountain drinks and taxes of that kind, because we haven't got an adequate force to check them up and supervise them.

A 100 PER CENT INCREASED PRICE FOR SOFT DRINKS.

It is certain that a 1 per cent turnover sales tax would be pyramided so that in a half dozen or ten turnovers the padded price in each turnover sale would make a ballooning of prices as wild in character and as burdensome in effect as were war-time prices. Two or three illustrations are readily available.

During a hearing before the Ways and Means Committee December 21, Senator Hardwick, now governor of Georgia, was discussing the effect of a luxury tax on soft drinks when the following facts were developed:

Mr. HARDWICK. Bottled goods that has a standard and uniform price throughout the country of 5 cents were immediately increased to the consumer (after levying of a 1 per cent luxury tax or ½ cent tax on 5-cent sale) until the article that formerly sold at 5 cents cost the consumer 7 to 10 cents * * *.

Mr. FREAR. Wouldn't that apply, Senator, to the sales tax ordinarily; that is, without relation to the exact tax which the seller will be obliged to pay? He will place upon goods a price that will make even change.

Mr. HARDWICK. I have no doubt in my own mind, speaking personally, that that is true, and I understand that the gentleman who presented the matter to your committee yesterday admitted that when that is passed on, ultimately, it always gains a little, like the snowball going downhill in wintertime * * * (p. 135).

Mr. FREAR. You say that these soft drinks were formerly sold for 5 cents?

Mr. HARDWICK. Yes, sir.

Mr. FREAR. Then what tax was added by Congress?

Mr. HARDWICK. Ten per cent.

Mr. FREAR. Then the same soft drinks were sold for 10 cents?

Mr. HARDWICK. They were sold at from 6 and 7 to 10 cents.

Mr. FREAR. In that case they added ten times the tax, did they not, if sold for 10 cents?

Mr. HARDWICK. Undoubtedly.

This increase of 100 per cent in price or 950 per cent tax increase is submitted as a fair example of the workings of a sales tax, with increased price added for every turnover.

HOW IT WORKS NOW WITH CIGARS, 400 PER CENT TAX INCREASE.

Equally to the point and almost as greatly padded is the proposed price of a cigar from 8 cents to 9 cents, because of a suggested increase in duty of $2 a thousand, or one-fifth of a cent for each cigar. The following from the hearings of January 21 before the Ways and Means Committee illustrates the same evil:

Mr. LONGWORTH. How much would you add to cover that fifth of a cent ($2 a thousand additional duty)?

Mr. KRAUSS. We have no medium of exchange for selling goods at fifths of cents.

Mr. LONGWORTH. How much would it add per cigar? As a matter of fact, you would add 2 cents, would you not, or would you add a cent? How much would that add to the retail price? It would probably add 1 cent, so that there would be a profit of four-fifths of a cent to the cigar?

Mr. KRAUSS. Not to the manufacturer; probably to the dealer.

Mr. LONGWORTH. If the duty was added, that would be one-fifth of a cent for each cigar. According to you that would add 1 cent to the selling price to the consumer, or make a net additional profit of four-fifths of a cent?

Mr. KRAUSS. Yes; provided you have those units to work with.

Mr. LONGWORTH. * * * And you say that would add 2 cents to the cost of a cigar?

Mr. KRAUSS. I did not say 2 cents, I said probably 1 cent, because there is not any intermediate method of exchange (p. 1363).

Mr. Chairman, that principle could be and undoubtedly would be applied to every turnover sales tax where the amount of tax was too small to have any other "intermediate method of exchange."

It must be remembered that the soft-drink and cigar tax was not levied until the sale was made by the wholesaler or retailer to the customer, and these sales did not involve more than two turnovers with only one tax, whereas the proposed turnover sales tax sought to be enacted into law would mean a tax levied and collected on from eight to ten turnovers in some instances as have been heretofore disclosed.

Nothing need be added by way of argument to show how vicious and mischievous a turnover sales tax is certain to be when nothing prevents the cupidity of the seller, on the one hand, from taking advantage of the necessity or ignorance of the consumer, on the other, with a well-founded possibility that wholesale evasions of the tax or neglect to report will ensue, as stated in findings of the National Industrial Board's committee.

TAXING AND PADDING FROM PRODUCER TO CONSUMER, 400 PER CENT INCREASE.

Only one further illustration will be offered. When the railway bill was before Congress last session Director General Hines stated that an increase of $875,000,000 in freight rates would mean an increase to the consumer of $4,375,000,000, or 400 per cent increase, because, as stated by Chairman Woolley, of the Interstate Commerce Commission, "The shipper passes this along to the consumer and on back to the producer of the raw material, who has to stand the cost of transportation."

The effect of increased freight rates that has served to prevent any reduction of ordinary commodities to prewar prices from a riot of padding and ballooning of prices is also made possible in a sales tax under the beneficent consumption turnover tax plan.

SALES TAX LAWS, WHERE AND HOW ENFORCED TO-DAY.

Without attempting to set forth specific terms or scope of existing sales tax laws it is noted that—

Canada's sales tax law of 1915 (assented to July 1, 1920) provides for a tax on banking and negotiable instruments. The tax is laid on final sales of various luxuries and on high-priced wearing apparel not ordinarily worn by 10 per cent of the people with a minimum price fixed by law above which the tax applies. A tax also is collected on goods sold by wholesalers and jobbers, but not on plain foodstuffs.

The French turnover tax (1920) applies to luxuries set forth in schedules A and B of the law as distinguished from necessities and is much like the Canadian law, in that it does not reach necessary foodstuffs. The French law was passed by a Government with less than one-third the estimated wealth of our own and with a national debt of $46,000,000,000, or double our own after crediting foreign loans. Its sales tax law, enacted to meet a critical national financial emergency, has been in force less than one year, but actual receipts have only reached about 47 per cent of those estimated by its advocates when the law was passed. Due to many exemptions and presumable difficulty in administration, Canadian receipts from the sales tax in that country are in like manner disappointing.

The Philippine, 1917, Mexican, 1906, and German, 1920, turnover taxes should each and all delight the hearts of Messrs. Kahn, Bache, and Rothschild, leading exponents of the tax here, although the gentlemen named have not found any of these countries sufficiently attractive to renounce citizenship or residence in the United States because of more agreeable tax laws to be found elsewhere.

The Philippine tax has been pointed to as a model for the United States. Industries in the Philippines are largely found in or around its one large city—Manila—and due to isolation of the islands the law is not difficult to administer. This turnover-sales tax is a relic of the old Spanish régime, and the tax was also laid by Spain on Mexico. It is a legacy from a Government that notably failed in its cruel administration in both these countries, and curiously enough no law of the kind is in effect in Spain. I quote hereafter as to the Philippine and Mexican methods of administration, if to be applied here, based on statement of H. B. Fernald, of New York City, before the industrial tax board—page 66, hearings.

It is also noteworthy that a statement from Martin R. Bourne, of New York, urging the Philippine sales tax on Congress, claims the same rate of tax which raises $7,000,000, or $1 per capita in the Philippines, will raise $2,000,000,000, or $20 per capita, in the United States. In view of the further argument that a sales tax is practically a poll tax based on consumption of each taxpayer, the effect of the argument is clear that the American citizen will pay twenty times as much as the Filipino under the same kind of tax.

Germany's turnover tax law approaches the ideal tax pictured by advocates of the system. Its name there, "umsatzsteuergesetz," comprehends several turnovers at the outset. The law levies turnover taxes on sales, both wholesale and retail, but its exemptions thoughtfully cover a number of banking transactions, including exchanges of bank notes, paper money, and so forth, which exceptions would presumably be urged by "experts" for any law enacted here.

A tax of 1½ per cent on necessaries, 15 per cent on sales classed as luxuries, and 10 per cent on all advertisements not connected with public elections in Germany contribute toward the $57,000,000,000 indemnity burden recently levied by Great Britain, France, and Belgium on a defeated foe, but why should Messrs. Kahn, Bache, Rothschild, or Goldsmith, its advocates here, collect their pound of flesh from the American laborer, whose needs are to be substituted for excess-profits taxes just because that tax is yielded up in Germany through force of arms?

England has repudiated any turnover-tax sales law, root or branch. Canada and France are conducting very limited experiments with luxury taxes that are disappointing and irritating in administration and revenue.

The only turnover-sales tax laws in Governments of comparative importance are found in Mexico and Germany, where the iron hand of revolution has turned over Governments and ruthlessly imposed turnover taxes as one of the chief fruits of revolution.

Do we want such laws for the United States? If so, why?

WHO IS PUSHING A TURNOVER SALES TAX?

Let us now examine the "experts" and authorities (?) who are pressing a turnover sales tax on Congress. Singularly enough, none of the 20 members of the tax committees representing two of the largest commercial organizations in the

country were called before the Ways and Means Committee to give us the benefit of their study and investigations, nor do these important reports appear anywhere in the hearings, nor has any reference been made to them to my knowledge.

Practically the only witnesses who have appeared before the Ways and Means Committee, aside from Dr. Adams, of the Treasury Department, are Julius Bache, a banker and broker, New York City; Otto Kahn, a banker and broker, New York City; and Meyer Rothschild, also from New York City; although Mr. Klein and Mr. Goldsmith, "accountants," also appear on different phases of the income-tax law as it affects their clients.

Few men realize the amount of money that is involved in the propaganda to enact a turnover sales tax that is being sent out. One of the letters that I have says that 300,000 copies of the pamphlet of Mr. Bache's is being printed, as stated. Mr. Bache and Mr. Rothschild are taking part in the propaganda advocating a turnover sales tax. Why? To relieve themselves and their associates from the excess-profits tax which they are paying and from the surtax on their personal incomes.

Mr. LINTHICUM. Will the gentleman yield?

Mr. FREAR. I will.

Mr. LINTHICUM. Where does the gentleman get the information that Mr. Bache is advocating the turnover tax in order to get rid of the excess-profits tax?

Mr. FREAR. If the gentleman will do me the honor to read my remarks in the RECORD, he will find that he specifically says so. I have a number of documents on my desk to that effect.

Mr. LINTHICUM. I think the gentleman is making a rash statement.

Mr. FREAR. Not so rash as the gentleman may believe. Mr. Bache, when asked by the Industrial National Board Committee on Taxation, "How can you lower the consumption tax?" said, in effect, "By not consuming." The people of the United States are to be invited not to eat, not to wear clothes, in order not to pay the taxes he would have levied. He says, in effect, that 11 months of the year the average taxpayer is spending his time trying to dodge taxes. He says of Congress that we are subject to the influences of those who confuse the issue for us. Only Bache and a few others of that type are able to determine difficult taxation questions, according to his views. Let me read briefly from his "review," of which 300,000 copies were printed by an ardent admirer. He says:

> To continue to raise this amount (four to five billion dollars per year) by excess-profits taxes and heavy income taxes means the complete elimination, in our opinion, of the resources of the investors upon whom this country and its enterprises have been dependent. * * * Yet merchants have had to pay out of either income taxes or excess-profits taxes practically all that they have earned over their living expenses. * * * An economic tax should be substituted. There is only one way to escape this and that is through a tax on sales, in which every citizen of the United States as well as any foreigner who may live within our shores will pay equally toward the expenses of the Government.

I could quote many other equally happy thoughts suggested by Mr. Bache.

Another peculiar circumstance lies in the enormous propaganda for a turnover consumption tax, which has been testified to before our committee by Bache and Rothschild and is evidenced by a constant deluge of addresses and pamphlets from Bache, Kahn, and Rothschild in favor of this tax.

For illustration, a letter from the International Tag Co., Chicago, dated January 6, 1921, says of a pamphlet issued by Bache: "We—the International Tag Co.—have reprinted and distributed more than 300,000 of them among business men all over the United States." As I am personally compelled to pay for these remarks, I do not feel able to print over 1 per cent of the number of Bache's pamphlet sent out by the tag company alone. With their great financial connections and well-known methods of propaganda it may be assumed that the costs of financing this consumption-tax propaganda is upward of $1,000,000, the estimate of an older member of the Ways and Means Committee. Such an investment will give a hundredfold return to wealthy interests concerned if a turnover consumption tax can be substituted for the present excess-profits tax.

DISCREDITED "EXPERTS" FAVOR A SALES TAX.

Another peculiar fact is that Bache, Kahn, and Rothschild all urged their proposed turnover consumption tax before the National Industrial Conference held in New York City last October, and they were practically the only advocates of that tax there, and they were emphatically turned down, as shown by the committee report heretofore quoted.

In view of the fact that this is the most important revenue measure ever presented to Congress in times of peace, I repeat that it is strange that the discredited "experts," who may not be experts, who were repudiated by the New York conference of 25 industrial associations, have been practically the only men called before our committee to advise Congress on this vastly important revenue measure.

Where were Plum, Andrews, Zoller, Wilson, Rhett, Fairchild, Gray, McKenzie, Howard, and Seligman, the last named a tax expert of international reputation, whereas Bache and Kahn are only New York bankers and stockbrokers who desire to shift their taxes to the shoulders of the multitude? They are not even business men in the broad sense of employing labor.

These New York bankers, brokers, and accountants have appeared before the Ways and Means Committee for the purpose of preventing our feet from going astray. Likewise they have circularized the country repeatedly with their views on excess-profits taxes, which they declare must be repealed, and for a consumption turnover sales tax enacted as a substitute. Due to the air of finality with which they pass upon the duties of Congress and on the "atmospheric" conditions at Washington, a few words are proper to determine the qualifications of these New York "experts" who assume to speak for the best interests of 105,000,000 people whom Congress represents. Criticisms of capabilities, motives, and influences in Congress have been freely indulged in by some of these self-appointed legislative experts and critics, according to propaganda at hand, so that it may be wise to inquire into the surrounding influences and expert knowledge of guides who would direct the feet of Congress in the tax wilderness.

UNIQUE TRAINING OF SALES TAX EXPERTS.

First and foremost is Mr. Otto Kahn, banker and broker, a close second is Mr. Jules Semon Bache, same business, while Messrs. Kline, Rothschild, and Goldsmith, all from New York City, speak in general harmony and all work to the same end—to urge upon Congress the necessity of protecting New York bankers who have been vamped by the excess-profits tax, and who see their regeneration only through a consumption sale tax law—consumption, because if enacted into law it will consume a large part of the scanty means of the 100,000,000 people who have no excess profits but whom Congress also represents.

First, Mr. Kahn writes his own biography in Who's Who, 1916–17, page 1336, as follows:

> Banker. Born, Mannheim, Germany, 1867. Served one year in German Army. Learned banking in Germany and afterwards was in London branch Deutsche Bank. * * * Member banking firm Kuhn, Loeb & Co. since 1897. Director Royal Opera, Covent Garden, London. Chairman Metropolitan Opera Co. Chairman Century Opera Co. Vice president Chicago Grand Opera Co. Director Boston Opera Co.—

And so forth. All of which tends to show that Mr. Kahn is surrounded by an international tuneful atmosphere and holds the center of the stage when not engaged with his other duties of banker and broker in New York. Mr. Kahn has been in the public eye so frequently when instructing the people of America as to their duties on many subjects that in order to set at rest reports stating he is now a subject of Germany or a citizen of Great Britain, I quote from an authentic statement given last fall—November 6—to the press by his attorney, P. H. Cravath, as follows:

> The naturalization proceedings taken by Mr. Kahn (who was a naturalized British subject in 1893) were in charge of a New Jersey lawyer. Mr. Kahn received his final papers in March, 1917, from the court of common pleas at Morristown.

The statement at length sets forth why Mr. Kahn, once a German soldier and German citizen and afterwards a British subject, has now renounced all allegiance to Kaiser Wilhelm and King George. He now seeks to direct tax legislation for America.

Singularly enough, Germany has a tax system comparable to Mr. Kahn's consumption-tax plan, although Great Britain, which he says has "a wise financial system," holds onto its excess-profits tax. This tax Mr. Kahn wants repealed here, and yet England rejects a turnover sales tax, which Mr. Kahn would saddle onto America, the country of his adoption in 1917.

A second tax authority appearing before the Ways and Means Committee, Mr. Jules Semon Bache, banker, began business many years ago with Leopold Cohen, another New York banker. Mr. Bache's disinterested judgment on tax matters will be appreciated from the fact that he is reported in the same "Who's Who" to be a director in the Cuba Distilling Co.; United States Industrial Alcohol Co.; Anniston City Land Co.; American Indemnity Co.; Empire Trust Co.; First Mortgage Guarantee Co.; International Banking Co.; St. Louis & Western Railroad Co., and so forth. In other words, Mr. Jules Semon Bache, banker, is a very busy man, but finds a few spare minutes to tell Congress how to legislate, as I shall hereafter submit. The effect of repealing the excess-profits law ought to save enormous profits to the various concerns Mr. Bache represents.

Messrs. Rothschild, Goldsmith, and Kline, from New York, are of the same tax "atmosphere" with Mr. Otto Kahn and Mr. Jules Semon Bache, and their efforts to direct Congress in

their spare moments from business duties are entitled to weight proportionate to their disinterestedness and general knowledge of the subject.

SEVERAL HUNDRED BUSINESS MEN VERSUS THESE SALES-TAX "EXPERTS."

Several hundred large business men have been before the Ways and Means Committee urging modification of the tariff during the past month. The number of men who have addressed us reaches over 500. These men represent hundreds of millions of dollars of business investments and employ hundreds of thousands of men. Every business man before us urged upon the committee the fact that he could compete with all other business men here or abroad if given reasonable tariff protection and could make reasonable profits. Not one complaint came from the hundreds of business men so testifying that they were prevented from doing business or unfairly affected by the excess-profits tax. Not one of these men suggested to the committee that a sales tax of any kind should be substituted for an excess-profits tax. The only men who have pressed these arguments on the committee were Kahn and Bache and Rothschild and Goldsmith, bankers and brokers and accountants of New York City, who toil not and neither do they spin, compared with the hundreds of manufacturers and other employers of hundreds of thousands of day laborers mentioned.

Keeping in mind that these last-named New York bankers and brokers are directly interested in shouldering the present excess-profits tax they pay from their own vaults over on the backs of the "people who pay the freight," let me quote their own arguments from the record.

Jules Semon Bache publishes the Bache Review, a weekly pamphlet, which on December 18, 1920, contained this statement sent broadcast throughout the country:

> The atmosphere of Washington is so thick with political misconceptions of things as they really are that it has become a matter of the greatest doubt whether anything sound or sensible can be put through Congress on its merits.

Bache says of his proposals to solve Treasury difficulties by refunding $2,350,000,000 of certificates and Victory notes:

> So sane and sound a proposition as this was met immediately with befogging objections of politically saturated Congressmen who pleaded the old slogan about breaking faith with the people. * * * It never seemed to have occurred to anyone that it would be easy to fund the whole debt in long-term higher-rate bonds.

Mr. Bache's funding scheme contemplated putting higher-rate Government bonds on the market.

Speaking of different hearings before the Ways and Means Committee, Bache says:

> The most practical and workable advice should go out * * * from the best informed, soundest, and ablest men, especially business men, who will look at the whole subject from the practical side.

He continues:

> Mr. FORDNEY is the only one who has given out intelligence of this character.

Which tribute to the chairman members of the committee do not resent, but Bache says further of Dr. Thomas S. Adams, Treasury expert:

> He calls himself a tax expert * * *. His one object besides throwing dust in the eyes of the people on the question of a turnover tax is to find some complicated, difficult, and illogical substitute for the excess-profits tax.

This was written and circulated by Mr. Bache many weeks after he and his sales-tax proposal had been repudiated by the National Industrial Board Tax Committee. But banker and broker Bache finds a ray of hope notwithstanding Adams's attitude, because in his pamphlet he says:

> We understand that although Mr. FORDNEY stated openly that they would always have Prof. Adams present in formulating the new bill, the members of the Ways and Means Committee state on the side that they are not going to pay any attention to him.

Having bombarded Dr. Adams with this 10-inch shell, fired in the name of the Ways and Means Committee, Herr Bache keeps up a machine-gun fire at the committee with other equally unreliable testimony.

"Expert" communications forwarded to Members of Congress from Mr. Bache are supplemented by his statement before the Ways and Means Committee December 17, 1920, from which I briefly quote regarding his proposed sales tax. He says:

BACHE "IS ONLY A STUDENT," "NOBODY KNOWS THE TAX."

> The purchaser does not pay it (the tax) in so much money, but it comes out of the purchase price. You can add it to your price or your bill, but unless the ultimate consumer pays the tax, it is not a sales tax * * * (p. 86).
>
> It is not a perfect tax. Now, I am only a student. I do not know the tax. Nobody knows that has not seen it working. * * * It will be paid every month, with the least amount of difficulty in raising the money and making the least amount of trouble in a banking community.

Mr. Bache, however, disclaims protecting the New York banking community by loading their taxes on the farmers, laborers, and public generally, who would pay a consumption tax. He believes the consumers pay this tax to-day, because he says he shifts it through his business methods. A few words from the hearings are illuminating.

> Mr. GREEN. You spoke of making additions on account of the excess-profits tax. When the excess-profits tax is reduced would you make any corresponding reduction?
>
> Mr. BACHE. Frankly, we did not. I would like to explain that in justice to my company. We found that our estimates had been too low before.
>
> Mr. GREEN. Well, do you know of any company that did?
>
> Mr. BACHE. I can only speak of those on whose boards I sit (p. 90).
>
> * * * * * * *
>
> Mr. RAINEY. Taxation has been defined to be a method of getting the most feathers with the least squawking of the goose.
>
> Mr. BACHE. I agree with that. The sales tax will do that. There is no tax in the world that will ever get so much money (p. 87). If you gentlemen decide that a turnover tax should be tried, and you initiate it at 1 per cent, and you raise $4,000,000,000, you can simply redeem $2,000,000,000 of our debt, and nobody will be very much prejudiced (p. 91).
>
> * * * * * * *
>
> Mr. HULL. Your idea, then, is to base this tax and to base all taxes, as nearly as possible, on consumption?
>
> Mr. BACHE. Yes, sir.
>
> Mr. HULL. So that if a ranchman or a herdsman out in the West should consume more than Mr. Rockefeller, he would pay more taxes.
>
> Mr. BACHE. Yes; if he is foolish enough to do it.
>
> Mr. HULL. You think that the theory to tax according to ability is unsound?
>
> Mr. BACHE. It is unsound in this country, because you can not * * * (p. 93).
>
> Mr. HULL. The corporations made $10,700,000,000 net for one year (the last three and one-half years).
>
> Mr. BACHE. Yes; and you had war to make it for them.
>
> Mr. HULL. Do you know to what extent organizations are being developed to propagandize its movement and secure the enactment of the (sales) tax?
>
> Mr. BACHE. I can not say that I do. I have come in contact with a number of gentlemen in New York who are engaged with retail organizations who have committees. I know that the American Bankers' Association have appointed a special tax committee in connection with this tax.
>
> Mr. BACHARACH. You have spent a great deal of money yourself? (P. 95.)
>
> Mr. BACHE. I have spent more than I can afford in view of my taxes, because I am getting out of business and putting my money into municipal bonds as fast as I can (p. 96).

Mr. Bache is not a philanthropist; he is living in America to enjoy its privileges, its schools, its laws, and its armies that saved his money from German indemnity. He does not intend to pay for them himself. He lives in luxury, makes money protected by our laws—a wealthy banker and broker—and he tells Congress he is placing all his money in tax-exempt bonds as fast as he can, so others may pay his just tax burdens. If ever a capital tax was justified it appears to be found in the case of Jules Semon Bache, who wants a sales tax placed on the 100,000,000 people that make up the great mass of our population in order to save him the inconvenience of making out an excess-profits tax report and paying his share of taxes.

Mr. Bache has no sentiment or false pretenses to offer. He knows what he wants, and is not backward in saying so. Although he stood practically alone among many tax experts and business men at the national industrial session in his extreme demands, he now lays down the law he wants enacted with a "me and Gott" emphasis that speaks highly for his confidence in himself, as once did another gentleman now residing in Holland. Bache wants to escape all taxes, excepting on what he eats, drinks, and wears. With his wealth snugly tucked away in safe-keeping, he says, in effect, he will put every dollar in tax-exempt bonds unless we pass his sales tax and cut the surtax in two. This is his ultimatum, and, as stated one admirer, a "tag" company writes Congress it is so captivated by Bache's arguments that it has caused to be printed 300,000 copies of his pamphlet for circulation.

Mr. LAZARO. Will the gentleman yield?

Mr. FREAR. I will.

Mr. LAZARO. How much property is there not being taxed in the United States?

Mr. FREAR. If you accept the statement of Kahn, Rothschild, and Bache, they say the ultimate consumer eventually pays every dollar of the tax himself.

Mr. LAZARO. I am talking about the property that does not bear taxation, property that is exempt from taxation.

Mr. FREAR. The gentleman means exempt securities?

Mr. LAZARO. Yes.

Mr. FREAR. I can not give the gentleman the exact amount, but it runs into the billions of dollars, four or five billion, and it may be more than that. Some figures were given us by Mr. Leffingwell, and I will embody them in my remarks. Those are securities that gentlemen are investing in to-day who object to paying taxes, and by that investment they desire to avoid their fair share of the taxes.

Mr. LINTHICUM. The purchase by investors of tax-exempt securities is gradually reducing the returns of excess profits.

Mr. FREAR. Unquestionably, and that is one of the problems the committee will have to contend with. We have got to

raise taxes in some way, and the question whether you are to impose it on every man, woman, and child, which would mean a head tax, or secure it from profits is an important question.

I offer the following data from committee hearings of March 11, 1920 (p. 491):

Assistant Secretary of the Treasury Leffingwell was questioned regarding outstanding stocks and bonds subject to investment. The purpose of the question was to ascertain what amount of securities were tax exempt and open to investment by those seeking to avoid personal-income taxes.

The data was confined by Mr. Leffingwell to United States securities and the data submitted, as of 1905, affords little information of conditions to-day. As evidence of its inaccuracy I submit a statement of railway securities in 1917, according to the 1920 World Almanac, as follows:

Common stock, $7,454,610,000; preferred stock, $1,847,920,981.

Mortgage bonds, $9,227,374,055, amounting to approximately eighteen and one-half billion dollars. If other securities have increased proportionately the amount of State, county, and municipal bonds have reached over four billions of dollars, apart from Government bonds that are exempt from taxation. If any accurate data has been compiled on the subject it has not come to my notice.

I quote from Mr. Leffingwell's statement:

Mr. FREAR. One other thing: Is there any place where an estimate can be found of general securities in addition to Government securities? Here are outside commercial securities representing $100,000,000,000, possibly, and I ask whether there is any basis at all for estimating their amount or any authority to indicate the extent of such securities?

Mr. LEFFINGWELL. I imagine that the statisticians must have some figures as to the whole bulk of securities.

Mr. FREAR. Do you have anything on that which you would be willing to give? If so, just mention the authority, because it seems to me that is very material along this line—the estimated value of all securities on the market.

Mr. LEFFINGWELL. I will see if I can get that data. I would not be able to give you anything that I can vouch for, because when statisticians take to making figures of that sort without a census they are bound to use figures that are not precisely accurate.

Mr. FREAR. But, anyway, give us some information, if you can.

Mr. LEFFINGWELL. Yes.

(The matter referred to follows:)

Par value of stock and bonds outstanding in the United States, 1905.

	Stock.		Bonds.	
	Amount.	Per cent of total.	Amount.	Per cent of total.
United States bonds			$895,158,340	6.64
State bonds			227,542,863	1.69
County and municipal bonds			2,141,437,283	15.87
Steam railways	$6,554,557,051	31.18	6,024,449,023	44.66
Street railways	1,761,571,812	8.38	1,455,520,159	10.79
National banks	791,567,231	3.76		
Banks other than national	649,080,956	3.09		
Manufactures	5,522,774,073	26.27	1,274,347,290	9.45
Mining, quarries, and oil	2,982,835,544	14.19	314,883,914	2.33
Electric light and power	421,343,602	2.00	305,428,923	2.26
Gas plant	495,859,803	2.36	271,628,581	2.01
Water and miscellaneous transportation	370,933,893	1.76	235,188,850	1.74
Telegraph and telephone companies	559,084,526	2.66	195,575,666	1.45
Water supply companies	144,611,346	.69	114,932,525	.85
Realty companies	411,159,555	1.96	12,534,000	.09
Insurance companies	104,685,963	.50		
Mercantile distributing companies	253,327,600	1.20	22,331,010	.17
Total	21,023,392,955	100.00	13,490,958,427	100.00

Taken from Charles A. Conant's The world's wealth in negotiable securities (Atlantic Monthly, January, 1908, p. 102).

On this point Mr. Bache says:

You may amend your Constitution to make future municipal bonds tax-bearing, but you can not make past ones—I am not a lawyer—but you can not make the $16,000,000,000, or whatever amount there is outstanding, to be taxed; and that is quite large enough to cover our large fortunes.

(Page 97, Ways and Means Committee hearings.)

Mr. Bache has estimates of $16,000,000,000, and he may be nearer the correct figures than those based on Leffingwell's data. In any event, Mr. Bache says, "It is quite large enough to cover our large fortunes," and that is the important question involved. In England they have even suggested a capital tax, and it has been contended for very strongly. That is one of the things that we wish to avoid here.

Mr. LINTHICUM. Had we not better remove some of these securities from taxation?

Mr. FREAR. The only way that we can remove them would be by refunding all Government bonds in the form of tax bonds, but beyond that we can only act by amendment to the Constitution, in view of the opinion of the Supreme Court. It will take a long period to secure an amendment to the Constitution that will make all bonds subject to Federal taxation.

"WHEN IS A TAX SHIFTED?" BY MR. ROTHSCHILD.

Mr. Rothschild ran Kahn and Bache a close race in his testimony before the committee, as will appear from the record:

Mr. TREADWAY. Where would the turnover tax go?

Mr. ROTHSCHILD. On the consumer. * * * (p. 108).

Mr. FREAR. Let us suppose competition is keen, then what happens?

Mr. ROTHSCHILD. Then it is a question of price cutting and that would be regardless of tax.

Mr. FREAR. And if there is no competition whatever, does it (excess-profits tax) form any element in price fixing?

Mr. ROTHSCHILD. If there is no competition and its profits are large, it is very largely a question of the policy of the man. I understand lately there was a coal man who had not raised his prices during the war (Mr. Rothschild could not name this white blackbird). * * *

Mr. FREAR. Suppose that prices are falling, do merchants continue to add excess profits?

Mr. ROTHSCHILD. When prices are falling men save themselves and the excess profits do not cut any more ice than the rent or other expenses. * * *

Mr. FREAR. The question of efficiency and of expenditures in every corporation differs?

Mr. ROTHSCHILD. Yes, sir.

* * * * * * *

COMPETITORS WILL DETERMINE ADDED PRICE.

Mr. FREAR. Now, do you insist that the excess-profits tax during recent times has been an element in fixing the final cost in various lines of business?

Mr. ROTHSCHILD. Yes, sir.

Mr. FREAR. Is it not a fact that many of these companies have been giving out stock dividends reaching 50 per cent and more, and have they not been charging all the public will pay?

Mr. ROTHSCHILD. Most of them (p. 112).

Mr. FREAR. Mr. Rothschild, your theory is that the seller is going to add the sales tax when he charges the consumer?

Mr. ROTHSCHILD. The wholesaler; the retailer will put it into his overhead.

Mr. FREAR. If there are 10 turnovers there will be 10 people to sell, and they will add the tax in each instance?

Mr. ROTHSCHILD. We will admit that because it is the worst case that could be made against us. It very often will not happen. But we will admit it.

Mr. FREAR. Now, on each one of these turnovers, do you believe that the seller is going to add only the tax in making his sale? Is he going to add the 1 per cent tax, or will he add 4 or 5 per cent additional?

Mr. ROTHSCHILD. That would depend upon his competitors.

ROTHSCHILD'S BIG PROPAGANDA.

Mr. GARNER. Now be honest with us. In your heart you would do it if you could? (repeal the income tax).

Mr. ROTHSCHILD. In my heart I believe nearly every dollar of income tax is somehow or other paid through business operations. * * * We are going out to the people of the United States and there is going to be a very big campaign to hold up our hands. We are going to have the chambers of commerce and the boards of trade of the United States discuss this question. Now, wherever I have been—and I have had the pleasure recently of talking to the Chambers of Commerce of Boston, Providence, and other places—the merchants almost unanimously favor this tax.

In a 31-page pamphlet furnished the Ways and Means Committee by Meyer Rothschild he says:

My own personal view is that business through the medium of a small turnover tax could well pay the entire cost of economically running the Government, take care of the great national debt, and permit the dropping of all other kinds of Federal taxation. Such an exclusive tax would naturally eliminate the personal income tax and relieve business from the burden of providing the additional interest dividends or profits which it must now furnish to pay the income tax.

Quoting the effect of an indirect sales tax he says, page 12:

It is safe to assume that in the past, for every dollar the Government has collected either as duty or imports or excise tax on liquor and tobacco, the consumer paid at least $2 on 100 per cent profit on the duty or excise tax, which additional dollar the Government did not get.

According to Senator Hardwick, heretofore quoted, the increase was ten times the Government tax on a single sale.

MR. KAHN'S CONTRIBUTION TO THE TURNOVER TAX.

Mr. Kahn also speaks from the standpoint of a banker and broker, whose annual income doubtlessly reaches far beyond the $100,000 mark, possibly double that amount. He speaks from the viewpoint of Kuhn, Loeb & Co., of New York, his business house, who are charged in a recent pamphlet received by all Congressmen with having milked the Baltimore & Ohio Railroad out of $27,586,650. Letter dated Baltimore, December, 1920, from Isaac M. Cote.

Mr. Kahn indulges in constant declamations as to his disinterestedness and advises his business associates to use a small stick rather than a bludgeon in driving Congress to drink at the turnover sales trough. Representing Kuhn, Loeb & Co., J. P. Morgan & Co., and other great financial interests, doubtless he voices their views to an amount reaching many millions of dollars in annual taxes, so it is well to quote from his utterances.

Mr. Kahn is a frequent public speaker—"speech for release," and so forth.

In a public address, New York, January 12, 1921, printed on heavy calendered paper—"released for publication at 1 p. m.

Wednesday, January 12, 1921"—sent to every Member of Congress, including Ways and Means Committee, he says:

It is a matter for congratulation that the House Committee on Ways and Means * * * is a very competent, well-informed, right-meaning, and level-headed body of men whose standard of ability and devotion to duty would rank high in any assembly, whether of politicians, business men, or men of any other calling.

This is not the judgment as heretofore quoted of his colaborer Bache by several hundred miles. After passing on the qualifications of a committee for whose benefit this broad flattery was offered, Mr. Kahn says ingenuously:

Many men whose judgment I respect are almost passionately in favor of a turnover tax (almost passionately) and see in it the solution of the taxation problem. Others whose opinion I value equally highly are violently opposed to it * * *. I distinctly dissent from the extravagant arguments and excessive claims put forward by some of its advocates. * * *

I favor a turnover tax * * * as against a (single) tax on retail sales * * * because I doubt whether a retail sales tax, even at a rate four or five times as high as the one-third per cent which I suggest for a turnover tax, would be adequately productive.

He now puts the camel's nose under the tent at one-third of 1 per cent, which will produce five times the amount of a retail tax, according to his contention. If one-fifth of a cent on cigars is increased five times to 1 cent and 5 cents on soft drinks to 10 cents in present sales, then the total turnover tax at a modest estimate would gain from 50 to 100 per cent in increased price.

In a New York address—"released for publication Monday, December 20, 1920"—Mr. Kahn says:

As to the sales tax, I admit I have wabbled and wavered on this subject. Indeed, it has taken me a long time to bring myself into a state of assured equilibrium concerning it.

After describing his mental gymnastics, that would do credit to a Blondin of old, he says to the New York business men he is addressing:

There is one further recommendation which I venture to make, namely, that the business community go slow in sponsoring any methods of taxation which may be calculated to create the impression upon the great body of public opinion that in their contribution to the thought on tax revision the representatives of business are mainly concerned with conserving their own interests and aiming to curtail their due share of the fiscal burden which the country must bear as a legacy of war.

Robbed of its verbinge, Mr. Kahn says, in effect:

Do not announce you are tax dodgers seeking to shift your tax load to the multitude, but when you demand a repeal of the excess-profits law and the enactment instead of a turnover consumption tax, just use a strong anesthetic and a sharp knife for the surgical and grafting operation.

In a 41-page pamphlet (January, 1920) demanding the repeal of the excess-profits tax and enactment this time of a 1 per cent sales tax (p. 34), Mr. Kahn says (p. 22):

Extravagance, logrolling, the unwise and inefficient expenditure of money by governmental bodies, count among the acknowledged foibles of democracy. The structure of our income-tax schedule encourages these foibles. * * *

By the opiate of such taxation, which apparently touches them but very little or not at all, the masses of the people are apt to be lulled into a sense of relative indifference to governmental wastefulness.

Then he proceeds to administer his own chloroform to prove that if these taxes are placed on the people direct, sometimes by a 1 per cent sales tax, sometimes by a one-third of 1 per cent tax, over which he wabbles and wavers, then the effect on the "masses of the people" who will pay the bills will be easier. In a tribute to big business and big business men Mr. Kahn says (p. 25):

No doubt the prevailing apportionment of monetary reward is not free from defects, but there has been a steady and pronounced tendency and movement, especially within this generation, toward mending such defects and remodeling inequitable conditions. Evolution and the irresistible powers which make for progress, enlightenment, and justice may be depended upon to continue and advance that process. There can be no turning back.

In the words of one Patrick Flarity, who yet remains unremodeled:

Them's beautiful words.

EXPERIMENTING IN BRITISH AND AMERICAN TAXES.

In his testimony before the Ways and Means Committee, December 21, 1920, Mr. Kahn further elucidates:

Mr. FREAR. Do they have the excess-profits tax (in Great Britain) now?

Mr. KAHN. Yes.

Mr. FREAR. And according to the statement before me it reaches 80 per cent?

Mr. KAHN. Yes.

* * * * * * *

Mr. FREAR. You speak of Great Britain as a "wise financial country." ("In England, which has shown itself in finance a very wise country and has had in that field the largest experience of any country," p. 15). Do you think it would be well for us to adopt their plan, or, if not, do you think they should repeal their excess-profits tax?

Mr. KAHN. I do not think it would be wise for us to adopt their plan * * *. The leaders of the English business communities, rather unwisely, in my opinion, said they would rather get along with the evils of the excess profits than have a high, flat, corporate tax imposed (p. 164).

* * * * * * *

Mr. FREAR. Can you explain, Mr. Kahn, why Great Britain has no sales tax?

Mr. KAHN. * * * They do not like novelties and experiment, especially in the field of finance and economics.

* * * * * * *

Mr. FREAR. You would wipe out the excess-profits tax, that would bring $800,000,000 (for 1922), and substitute a sales tax?

Mr. KAHN. I would substitute for part the sales tax, and in part I would increase the corporation net-profit tax (p. 178).

* * * * * * *

Mr. KAHN. On the sales tax I have wabbled and wavered (p. 166).

When asked to make a radical departure in our methods of taxation and inaugurate a system nowhere in effect, on the scale proposed, in any country in the world, Congress and the country have a right to the unqualified approval of some recognized tax expert. That has not been given by any such expert to the Ways and Means Committee, but Messrs. Kahn, Bache, Rothschild, and Goldsmith have contented themselves as special pleaders for the bankers and big business interests that have hundreds of millions of dollars in taxes at stake.

True, Mr. Kahn has been before our committee and flits around from one chamber of commerce to another throughout the country, expressing his carefully prepared views, but when before our committee he confessed with an apparent effort at frankness and ingenuousness that he (Kahn) had "wabbled and wavered" on the sales tax (p. 166).

Before the industrial conference at New York he admitted he still "wabbled and wavered" on a sales tax (p. 90, industrial committee hearings).

"Indeed, I am not yet in a state of assured equilibrium," he adds in a communication to Congress (p. 25), and he continues that he, Kahn, a leader in the movement, has long "wabbled and wavered" on a sales tax.

In the most important act of his own career, choosing of citizenship, Mr. Kahn also "wabbled and wavered" from German to English, and finally in 1917 to declaring allegiance to America, and his first important act as a wabbling citizen is to try and lay on the backs of 100,000,000 American citizens a vicious sales tax, that represents upward of $800,000,000 annual excess-profits taxes which he asks to have shifted off frour the annual profits of his clients and associates.

THE SALES TAX VERSUS A HEAD TAX.

Mr. Chairman, a short expeditious tax collection has been suggested by other authorities, that may yet be urged by Messrs. Kahn, Bache, Rothschild, and Goldsmith on Congress. It is much simpler than the excess profits tax law, which causes these income authorities to spend sleepless nights in preparing tax reports. It will save them the necessity of investing their large incomes in tax-exempt securities in order to avoid the higher surtaxes. In fact, while it resembles a turnover sales tax, so ably defended by these gentlemen, in that it would reach every man, woman, and child through their food and clothing individually worn, yet it would save the objection of profiting and tax pyramiding, which is a conceded evil of the turnover sales tax. It also reaches to the very base of fundamental taxation.

It is urged Congress could reach the same result advocated by Messrs. Kahn, Bache, Rothschild, and Goldsmith and at the same time avoid a needless pyramiding turnover tax by enacting a poll or head tax. By transferring the $1,000,000,000 of excess profits and surtaxes that now worries those obliged to pay such taxes over to a poll or head tax the tax could not be avoided by the taxpayer and collection annually would then be as easy as taking the census.

Messrs. Kahn and Bache might urge it be provided by law that the head of the house would pay a tax levy of $10 per head for each member of his family, based on the per capita share of each inhabitant who is now asked to shoulder the $1,000,000,000 tax burden of the rich. If any tax was not promptly paid, it might hamper the Government to put the wage earner in jail; so, like the good old distress-for-debt practices in Germany and England, from which some of our modern sales-tax authorities spring, the law might seize a member of the family, say one of the children, who Bache says will not pay anyhow if it does not consume, and the wage earner would then be left free to earn the tax.

Take the case of Mr. Bland, a constituent of Congressman SMALL, with 26 children; his head tax of $10 each would reach $280, which would include himself and his wife. In the case of a constituent of my own, with 17 living children, he would only have to raise $190, which would include himself and wife. Of course, these farmers are also paying local taxes on their farms for the support of their schools, local improvements, and State institutions, but they might put in a few extra hours daily in earning the extra tax that Messrs. Kahn, Bache, Rothschild, and Goldsmith would then have taken from their

own shoulders, and thus we would avoid the need of a general pyramiding sales tax.

The system suggested would possess the additional virtue of having direct action, and that is what these New York bankers are seeking. True, Bland the farmer is probably working 14 hours a day already, while Kahn, Bache, and Rothschild have a minimum unwritten law of nearer four hours, and there may be other matters of detail that would arise, but, as Mr. Kahn well says, "No law is absolutely perfect." However, such a law would solve the mental struggles of excess-profits taxpayers and is well for them to consider as an alternative for the sales tax.

Of course, Congress would take an extended leave of absence after passing any such measure, and probably the next Congress, of different Members, might enact an extreme capital tax which would get more quick profits than under the present excess profits tax system; but as a temporary relief it is submitted that the kind of a tax for these distinguished gentlemen to advocate is a head tax, or poll tax, although the latter term would have a singularly unpleasant sound to those who had to submit their candidacies at the polls after enacting the law.

PREJUDICED TAX EXPERTS.

Speaking personally, I believe Messrs. Kahn, Bache, Rothschild, and those they represent should be made to pay every dollar of taxes due from them under existing laws, and they should pay taxes according to their ability. Any attempt to avoid payment of taxes by investing in tax-exempt securities ought to be met, so far as possible, by drastic legislation until a constitutional amendment can be passed.

The tax dodger of to-day is not the poor man whose home and farm is immediately sold for taxes, with stiff penalties when it is redeemed. He can not avoid payment of his taxes by investment in tax-free securities or other means, and every dollar spent by him for taxes is ordinarily taken from some need of the family.

The tax dodgers and prejudiced tax experts are not found among this class of people, but the man who unblushingly tells the Ways and Means Committee he is investing his surplus cash in tax-exempt bonds; who publicly says he spends 11 months of the year studying how to evade our tax laws; who says if the poor do not want to pay a sales tax they need not consume; who unblushingly declares in one breath that he shifts all his taxes over onto the ultimate consumer, while in the next breath he demands a repeal of the excess-profits tax, because it is a heavy burden on the rich; the wealthy banker who pompously says to the country in his 6 by 9 pamphlet that only one man on the Ways and Means Committee understands the revenue question, and, therefore, he—Bache—must come to Washington in order to instruct the committee regarding the tax he wants—this kind of tax expert will find few apologists, even among his own fellows, and he is out of touch with 99 per cent of the 100,000,000 people for whom he asks Congress to pass a sales tax law.

Mr. DENISON. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. DENISON. Does this proposed plan of a sales tax cover the sales of real estate?

Mr. FREAR. That is one tax that has been proposed. It would all depend upon what was embodied in the bill. That has been done in some countries and in others not.

WHO WILL PAY THE SALES TAX?

Mr. Chairman, let us for a moment study a picture of human existence and the proposed taxation scheme.

Of the 106,000,000 people in this country it is doubtful if 1 per cent are making $5,000 annually, mentioned in one discussion by Mr. Kahn, nor do they pay any appreciable income tax. Ninety-five per cent certainly are among those who grub along for less, and half of the total presumably are living on net incomes of $1,000 or less received by the family breadwinner. This amount has not much more than one-half the purchasing power of 10 years ago. In other words, the astounding report that a large part of labor received $700 or less annually 10 years ago was no more serious than conditions of to-day—particularly when over 2,000,000 breadwinners are out of employment. Immaculately dressed Messrs. Kahn, Bache, Rothschild, and Goldsmith do not represent these people.

Those they represent who clipped bonds or interest coupons during the war then took no chances. Their living expenses, luxuries, and limousines never occasion them worry now. Yet they protest against turning over to the Government part of their "excess" profits, not of their reasonable profits but a part of their "excess profits." They declare that individual enterprise, ambition, and initiative will be hampered by parting with any excess profits.

Of the 100,000,000 people whom Congress represents, I believe statistics would show 90 per cent are no better off to-day financially than before the war, although the great demand for labor during the war is so recent that the country has not yet recovered from its financial orgy to take an accounting of stock. That is the situation confronting the country and Congress when Messrs. Kahn, Bache, Rothschild, and Goldsmith demand that "the burden now upon the rich," to use Kahn's words, must be shifted to the 100,000,000. In other words, that an income of over a billion dollars, counting the excess profits, collections, and higher surtax now paid by less than 5 per cent of our people, must be shifted over to the backs of the remaining 95 per cent by a consumption tax. Under that beneficent proposal every turnover tax will be paid as stated from the time sugar beets are first sold to the last sale of refined sugar by retailer; from the sale of wheat at the elevator to the final sale of bread or breakfast food by the grocer; from the sale of the steer or hog by the farmer to the sale of shoes by the retailer or wienerwursts by the lunch stand—and for every eater of porterhouse a score patronize the wienerwursts.

PYRAMIDING FROM PRODUCER TO CONSUMER—WHERE DOES THE RETAILER COME IN?

From 5 tax levies to 10 tax levies are made between the first sale and the last of the completed article, depending upon the "turnovers." The tax may be insignificant, but after witnessing the cupidity, greed, and profiteering of the past three years in America the public must pay, irrespective of cost or reasonable profits, and no sensible man believes that the tax added to the article by the different middlemen from first producer to final consumer will be that fixed by law. If it is 1 per cent with five turnovers it is more likely to be 25 per cent by the time the many turnovers occur, and before the finished article is received the turnover tax and much more is pyramided each time and is added to the cost of the article on which the next turnover tax is levied, as had been disclosed by Senator Hardwick. In many cases it is fair to suppose that where the Government would receive a total of 5 per cent in taxes on the different values for which sold, the consumer will pay from 25 per cent to 50 per cent or even 100 per cent additional, 90 per cent of which additional charge will go into the tills of the different turnover dealers. That is one reason retail merchants and other dealers have no fault to find with the turnover sales tax plan and are easily caught by the argument.

That is a reason why Mr. Lew Hahn, managing director of the National Retail Dry Goods Association, is said to be in conference with "members of the Senate Finance Committee and of the Ways and Means Committee of the House" (Washington Times, January 25).

These retailers do not pay the sales tax which Mr. Hahn and Mr. Kahn and Mr. Bache and Mr. Rothschild and Mr. Goldsmith favor. The retailers are the ones who will pyramid prices and collect from the consumers large margins even as they try to do to-day.

Notwithstanding manufacturers and wholesalers have slashed prices to retailers according to published statements, the large retailer still charges his heavy profit without yet having learned that the war ended more than two years ago. The retailer has nothing to fear from the turnover sales tax because he does not pay it—he passes it on to the consumer—and his advocacy of the sales tax is entitled to close scrutiny, particularly if he is now seeking to escape paying an excess profits tax through the shift.

EVERYBODY TO PAY THE SAME TAX.

Mr. Chairman, a sales tax hits the ultimate consumer who generally pays the final bill, including freight bills, taxes, and every charge that goes to make up the last selling price. All people will pay the same and thereby can learn the blessings of taxpaying in real earnest. The molder in the foundry will pay the same as Otto Kahn, banker, for his sugar, with the same profits and tax added in both cases; the miner digging coal will pay the same as Jules Bache, New York banker, for the meat, flour, and potatoes with the same tax added; the farmer will pay the same as Rothschild and Goldsmith for the same grade of shoes, shirts, or clothes, with the same tax added, although neither Kahn nor Bache nor Rothschild will draw heavily on the kind of goods the farmer or laborer wears. The workman with his flivver will pay the same tax on his gasoline that Rockefeller himself pays, in order to pile up excess profits for Standard Oil that are no longer to be taxed according to Messrs. Bache, Kahn, Goldsmith, and Rothschild.

The farmer will pay the new price for his ax and other tools that Carnegie exacts through the Steel Trust, and the excess-

profits tax formerly paid by the trust is now to be shifted to the final purchaser—in order not to destroy initiative in business. The soldiers whom we sent to war to protect the property of Kahn, Bache et al. from German tribute—these men who saved the day—will now pay the same turnover tax as Kahn et al. This is the beneficent scheme known as a consumption tax, or a turnover-sales tax, that these bankers and financiers ask Congress to place on the backs of the 100,000,000 people whom we represent.

In a hope of escaping excess-profits taxes the proponents of the repeal paint in somber colors the terrible distress of business occasioned by the excess-profits tax and the beautiful picture of every man bearing his own share of the burden under a consumption sales tax.

Every business reverse, every annoyance, is laid to the excess-profits tax. When prices were high Kahn et al. claimed prices were high because the excess profits were always added. When the balloon burst and prices dropped Kahn et al. pointed to the drop as a business distress caused by the drain of an excess-profits tax. Notwithstanding the tax only reaches a part of the excess profits over reasonable profits of 8 per cent, the tax is protested by many men who pay it in the same breath that they confidently declare they pass the tax on to the other fellow.

One ounce of fact is worth a ton of theory, and a few unprejudiced witnesses are worth all the Kahns, Baches, Rothschilds, and Goldsmiths in the universe who are special pleaders for special interests.

As heretofore stated, several hundred witnesses appeared before the Ways and Means Committee on tariff schedules. They employ hundreds of thousands of men in the aggregate and have paid many millions of dollars in excess-profits taxes on their factory earnings in the aggregate, yet not one of these men complained of the excess-profits law as a hindrance to his business nor as a bar to incentive. Search the hearings of these hundreds of witnesses and not one seconds the demand of Messrs. Otto Kahn, Jules Bache, Rothschilds, and Goldsmith, bankers, brokers, and special pleaders. What more significant illustration of the difference in attitude between the coupon-clipping and stock-market juggling business compared to actual producers, employers of labor, and contributers to the country's prosperity. It is the difference between the broker and the producer, whether he be farmer, factory hand, or manufacturer.

OUR GENEROUS CROP OF MILLIONAIRES SHOULD GENEROUSLY PAY PROPORTIONATELY THEIR TAX.

According to the collector of internal revenue this epidemic of profiteering and legalized robbery of the helpless public resulted in the following increase in annual incomes:

	1914	1917
Incomes over $25,000		49,794
Incomes over $50,000	7,509	19,103
Incomes over $100,000	2,348	6,664

Based on 10 per cent of $1,000,000, the millionaires in number jumped from 2,348 in 1914 to 6,664 in 1917.

Based on 5 per cent of $1,000,000, used by other authorities, the millionaires jumped from 7,509 in 1914 to 19,103 in 1917, while 50,000 people, in round numbers, now possess a half million dollars or over in this country, according to the same basis of estimates.

RECENT STOCK DIVIDENDS—NAMES AND EARNINGS PRESENTED.

Continental Oil, 200 per cent; United Fuel Gas, 200 per cent; Ohio Fuel Supply, 100 per cent; Nonquit Spinning Co., 100 per cent; Amoskeag Cotton Manufacturing Co., 100 per cent; Stutz Motors, 100 per cent; Nashua Manufacturing Co., 100 per cent; American Tobacco Securities Co., 75 per cent; Manomet Mills, 66⅔ per cent; Hood Rubber, 66⅔ per cent; Crucible Steel, 50 per cent; Cleveland-Akron Bag, 50 per cent; Union Bag & Paper, 50 per cent; Auto Car Co., 40 per cent; John R. Thompson Co., 33⅓ per cent; St. Maurice Paper Co., 30 per cent; F. W. Woolworth, 30 per cent; Electric Welding of Boston, 25 per cent; Delaware & Cleveland, 25 per cent; Hawaiian Pineapple Co., 25 per cent; Electric Welding Co., 25 per cent; General Chemical, 20 per cent; American Multigraph, 20 per cent; Truscon Steel, 20 per cent.

The Standard Oil Co. of Indiana has recently increased its capital from $1,000,000 to $30,000,000, giving its stockholders a stock dividend of 2,900 per cent.

NAMES GAIN IN PROFITS.

Other upholders of Government and befrienders of the poor are the American Hide & Leather Co., whose profits for 1919 were more than three and one-half times larger than those it gained in 1914; the Central Leather Co., whose 1919 profits more than double those of the same months in 1918; and the Endicott-Johnson Shoe Manufacturing Corporation, whose profits rose from $2,174,430, in 1915, to $9,791,580, in 1919.

In terms of dividends on its common stock, last year's profits of the American Hide & Leather Co. increased from 44 cents a share, in 1915, to $15.52 a share, in 1919, or thirty-five times the earnings it distributed in 1915.

MORE PROFITS THAT WANT THE EXCESS-PROFITS TAX REPEALED.

An illustration of where we are tending and the reign of profiteering that recently controlled every avenue of industry and to which the humble consumer contributed is afforded by the following clipping:

FIFTEEN MILLION FIVE HUNDRED AND THIRTEEN THOUSAND FOUR HUNDRED AND FIFTEEN DOLLARS NET PROFITS FOR AMERICAN WOOLEN—REPORT FOR 1919 SHOWS SURPLUS OF $12,029,804 AND TOTAL WITH THAT OF 1918 OF $31,754,426.

Net profits of the American Woolen Co. for 1919 amounted to $15,513,415, less reserves for taxes and contingencies, according to the annual report issued to-day.

Payment of dividends of $2,800,000 of preferred stock and $3,200,000 of common and depreciation of $3,733,611 left a balance of profit for the year of $5,779,850.

Surplus for 1919 amounted to $12,029,804, which, added to that of 1918, brings the total surplus to $31,754,426.

These earnings by the company show that for the year ending December 31, 1919, the surplus, after all charges and the Federal tax of $10,779,804 has been paid, was equal to a dividend of $38.89 a share on the $20,000,000 of outstanding common stock against the earnings of $5,572,527, or $13.86 on the common stock in 1918.

Reviewing the activities of the company for 1919, President William M. Wood said, in part:

"One of the features of the year has been the great demand for fine wool and cloth made of fine stock. This unprecedented demand for fine wools has resulted in tremendous increase in prices of fine stock. Since February, 1919, prices of these wools have risen 30 per cent to 40 per cent, and at the close of the year were still advancing."

I respectfully submit that it is the height of folly to remove the excess-profits tax now paid by industries named and to place it on the backs of consumers as proposed by Kahn, Bache, Rothschild, and others before the Ways and Means Committee.

REAL TAX AUTHORITIES VERSUS "WABBLERS AND WAVERERS."

Thus far I have presented to you the findings of two important tax committees, representing thousands of manufacturers and hundreds of chambers of commerce throughout the country. These findings in both cases specifically repudiate a consumption tax and point out dangers which would not occur to novices or superficial students of the subject. I have also quoted from the Secretary of the Treasury's report specifically rejecting a consumption tax both in principle and as an administrative proposition.

Quotations have also been furnished showing conclusively that taxes are loaded and this heavy load in addition to the tax will be passed on to the consumer under a turnover consumption tax.

These high authorities are opposed by several New York bankers, brokers, and accountants, one of whom, Mr. Kahn, has "wobbled and wavered" for many months and has not yet found his equilibrium. Mr. Bache goes Mr. Kahn one better, as I have shown, and says all income taxes and all corporation taxes should be wiped out and a turnover consumption tax substituted. He adds that he is placing his own funds in tax-exempt securities as rapidly as possible. Mr. Rothschild believes like Mr. Bache, but does not advocate going the limit at this time. These three experts were before the National Industrial Board tax committee and their untested theories were there rejected. However, they are persistent; they have millions of dollars in annual taxes at stake among those they represent; they have a vigorous, expensive propaganda and are well organized.

They were practically the only witnesses, by a curious circumstance, on the subject before the Ways and Means Committee, except Dr. Adams, who opposes a turnover tax, and Bache informs the country in his pamphlet that he has grapevine intelligence that Adams does not count with the Ways and Means Committee when it comes to preparing a bill. These are the financially interested witnesses who are seeking to have Congress relieve them of their taxes and to saddle their tax burdens on the general public.

They point to Canada, Philippines, and France to prove that a turnover sales tax is desirable for the United States. At the risk of appearing to give undue weight to their arguments, I will quote from the opinions of men who have given the tax subject here and abroad profound and exhaustive study. If the conclusions of the tax committee, already quoted, were convincing, the reasons advanced by the following witnesses are conclusive:

TESTIMONY OF TAX EXPERTS AGAINST A SALES TAX.

Arthur A. Ballantine, attorney at law, New York City, formerly Solicitor of Internal Revenue, says, page 32, hearings National Industrial tax committee:

I believe that this idea of a sales tax, a tax collected everywhere, falling on no one, is a will-o'-the-wisp which has floated over this field of taxation and which is in danger of luring business men who approach Congress in an effort to get really beneficial changes into futile action instead of constructive action.

I believe that this committee, by the very careful and exhaustive consideration which it has given to the advocates of this plan and its

careful thought as to conclusions, has done much to dissipate this myth and to direct the efforts of business men into practical channels instead of down a pathway which leads to futility.

For the second witness I quote from Charles A. Andrews, whose frank, clear analysis of the sales tax is illuminating. He says (p. 38):

There was on the committee no vociferous objector to the sales tax. There was on the committee nobody who was loaded to kill it. We started in upon the assumption that we were going to work out something in the form of a sale tax. We invited various well-informed people to come before us. We reached out and got printed matter and manuscripts; we made investigations; and slowly but steadily the committee was driven to the inevitable conclusion that it, representing a large body of business men, could not bring before this conference a recommendation for any form of sales tax, except as the same related to a few specific articles, suggestions as to which we have made, and which have been referred to by Mr. Armitage.

We haven't the nerve, as good citizens of the country—which we believe we are, and are trying to be—to say to a body of business men in this country, who are suggesting that business be relieved from a billion dollars of excess-profits tax, that we propose a tax which will cause the billion to be paid by the ultimate consumer. That is such a violent divergence from the principle of payment upon the basis of ability to pay that we can not ask this body of business men to get behind that sort of a tax.

We do not believe, in this day and generation—and following the World War, instead of following the Napoleonic wars—that we have any business to propose seriously to the Congress of the United States a tax of a billion dollars, or two, or three (I don't know how much it would produce—all those figures are given), to be paid by the ultimate consumer, and organized business excused from its billion dollars of excess-profits tax.

We *don't think* that is good citizenship; and we don't think that is good economics. That is the real reason that we disposed of or rejected the sales tax, upon the assumption that the tax is paid by the ultimate consumer.

* * * * * * *

Well, let us assume that the tax all remained with the original payer of it, and that it is not passed on to the consumer. Does it then become a tax which we can justify ourselves in recommending to Congress? Your committee says "No." * * * Why? If the tax remains with the individual or concern which originally pays it, and he is not able to pass it on, it becomes a tax measured in terms, although not so stated, of his gross receipts; and as such, in the opinion of your committee, it is open to such serious objections that we can not ask Congress to pass it. * * * A tax on gross receipts which leaves out of the equation all the difference in cost of the conduct of your business as compared to mine—perhaps it takes 90 per cent of my gross receipts to conduct my business and pay my expenses; perhaps it takes 50 per cent, or 70 per cent, or 95 per cent of yours—is an unjustifiable tax. * * * The establishment of a tax like that would, in the opinion of your committee, produce such inequalities that our dissatisfaction with the excess-profits tax would be as nothing, and we would find ourselves in the face of inequalities vastly greater than heretofore. * * * It is uneconomic in its nature; it is indefensible, in our opinion, in the twentieth century, if it is a general tax on all consumptions; and for other reasons it is equally indefensible if it becomes a tax in terms of gross receipts, which term means nothing so far as it relates to the ability to pay taxes.

Mr. Jules Bache, called as a hostile witness before that committee, gives his own concept of human nature and a cold-blooded alternative for the ultimate consumer who can not pay the tax. He says, "Quit consuming." I quote from his statement before the industrial committee (p. 58):

Prof. Adams this morning showed the greatest optimism that I have ever heard voiced from the tribune. He states that he believed the taxpayer was a cheerful, voluntary honest man. That is not my opinion. The taxpayer—and I am not attacking his honesty when I say so—spends 11 months a year devising schemes by which, during the 1 month that he tries to make up his tax statement he can avoid as many of the taxes as is legally possible, and he generally succeeds in avoiding many of them.

The idea of putting a thrift tax into our taxes, which the 20 per cent limitation would be, is an excellent one, but the greatest thrift tax would be the turnover tax, since if anybody didn't want to pay any taxes he could merely refrain from consuming.

THE CANADIAN TAX IS NOT A SALES TAX.

W. C. Cornwell, an employee of Mr. Bache, read a statement of the Canadian sales tax at that same meeting—page 60—to which Robert G. Wilson, chief of the tax division, American Mining Congress, immediately replied, as follows:

I don't know how many gentlemen present are familiar with the Canadian law, but it has been my fortune within the last three or four years to spend some time in Canada, and, for business reasons, make some intensive study of the Canadian law. To my mind the Canadian law is not a sales tax.

In the first place, the law of July 1, known in the United States as a sales tax, is an amendment to the special war revenue act of 1915, which is an excise tax law.

What Mr. Cornwell has had to say regarding the premier's statement is true. The statement, however, is misleading in that it refers to a sales tax which, in its effect, exempts all the prime essentials of life from such taxes; it is only an addition at the rate of 1 per cent and 2 per cent to excise taxes—luxury taxes, if you please—which rise sometimes 50 per cent upon many commodities—luxuries, essentials, and nonessentials. It is not, as the business men's tax committee has termed the proposition, a sales tax.

The next witness, Mr. J. F. Zoller, tax attorney of the General Electric Co., says at the same committee hearings, page 62:

I want to talk just a minute on the sales tax. Now, we have reached the parting of the ways here in regard to the sales tax. Personally, I am opposed to it for the reasons stated by Mr. Andrews. I can't state those objections any better or as well as he did. But the situation as I see it is this: The people who are favoring the sales tax are those who are already required to pay a sales tax under section 900 of the present law, and their position is that if the Government can select this industry and impose a sales tax upon us, why not spread it to other taxpayers?

THE PHILIPPINE TAX DISCUSSED.

Replying to a statement filed by a Mr. Hord, formerly collector of internal revenue of the Philippines, the next tax authority, Mr. H. B. Fernald, of Loomis, Suffern & Fernald, New York, says, page 66:

The sales tax has been spoken of as if it were a new thing of very recent years. From my experience with the sales tax I go back to two things—one is the matter of the Philippine tax, the other the matter of the Mexican tax. * * * Do you want to place in your business a proposition where every purchaser is to get a receipt on which you are to affix serially numbered stamps, and where you have to account for all your stamps purchased and issued, subject to examination from time to time, to check up as to the number you have left and when you purchase them, and where you have to put down the last serial number you purchased and the serial number you are acquiring now?

My objection to the sales tax is particularly from this standpoint, and it is the same thing which will apply to almost any tax, namely, when a tax gets large in amount and it becomes worth while the taxpayer will look for a means to avoid it. * * * It can be eliminated; it can be gotten around. The experience in Mexico has shown that conclusively, and therefore it is a tax which will be paid by the small man, while the large man, who is able to change his business organization, can avoid it.

WHY ENGLAND REJECTS A SALES TAX.

The next witness is James J. Forstall, of Chicago, attorney at law and member of the tax committee, who speaks of efforts to pass a sales tax in Great Britain, the former home of Mr. Kahn. He says (p. 67):

Comment has been made on Canada and Mexico. I would like to say that two weeks ago yesterday, through the courtesy of Prof. Haig, I had an opportunity to discuss with one of the members of the British income-tax commission and with one of the high tax officials of the British Government the question of the British taxation situation. As you probably all know, they have about as little love for the excess-profits duty as the Americans have for the excess-profits tax, and have been spending two years in trying to find a substitute, but they haven't yet found it. I asked each of those gentlemen whether the general sales tax has been considered as a substitute, and they both said the same thing: That it had been taken up and considered very seriously, but that now they were no longer considering it, because they were convinced that it was neither an equitable tax nor feasible from an administrative standpoint, nor one which could possibly be passed through Parliament.

For the next witness I quote from A. E. Holcombe, New York, secretary and treasurer of the National Tax Association. He says:

I happen to have with me a copy of a bulletin which is just about to come out, and in view of the references to other countries I thought I might read a couple of sentences from the report on the Mexican situation. It seems that early in the Carranza régime he established a committee to look into the entire financial system in Mexico. That committee made an elaborate report, and it has been reviewed by Prof. Chandler, of Columbia, who spent some time himself as adviser.

It is perhaps not too much to say that the most important proposal to be found in the entire model plan (and that was the name given to this report) is that recommending the suppression of the sales tax throughout the States of Mexico. * * * It has always been a costly tax to collect, and according to the opinion of Mexican officials, who are in a position to know, it has constituted one of the most cumbersome impediments to industry and commerce.

HOW FARMERS REGARD A SALES TAX.

The next witness, J. R. Howard, of Chicago, speaks for a million and a half farmers in the American Farm Bureau Federation. He speaks the sentiments of several million other farmers not connected with the organization, of which he is president. He says (p. 68):

The farmer is interested in paying his just and fair proportion of taxation. He believes every man, every citizen, should pay some tax, because it makes him a better citizen, but he believes that that taxation should be so distributed as to be fair and equtiable, and in proportion to each man's ability to pay.

With regard to the sales tax, let me say that the farmer occupies a unique position. I think it has generally been conceded in this discussion that the tax is passed down to the ultimate consumer. The farmer can pass nothing to the ultimate consumer, because he buys at the other man's price and sells at the other man's price, and l ing at that disadvantage and not able to pass it on, he bears an unjust burden and is in a place where I am sure he, as a farmer, will object to the broad extension of the sales-tax principle.

Mr. H. C. McKenzie, of Walton, N. Y., a member of the tax committee, seconded Mr. Howard's testimony in vigorous language, as follows:

I want to take the opportunity to emphasize the farmer's objections to a general sales tax, which have been voiced by our president, Mr. Howard, and to call your attention to just two or three things briefly. * * * The chief proponent of the sales tax has told you that the excess-profits tax is not only paid by the ultimate consumer, but that the ultimate consumer pays the tax two or three times in amount. Now, if that is right, the corporations and people who are doing this business are receiving a benefit from the excess-profits tax, and the corporations and business people are the people who are asking for its repeal; they are asking for something that is diametrically opposed to their own interests. According to the chief proponents of the sales tax, the sales tax is paid by the ultimate consumer in its entirety; that is his proposition, as I understand it.

Now, your proposition, as developed by the advocates of the sales tax, is this: To take an approximate $1,000,000,000 off the excess-profits tax, which is now paid, as I contend, largely by the corporations, and put it over, according to the proponents of the sales tax, on the ultimate consumer. It seems to me that nothing could be more short-sighted, and tend in the end to be a boomerang, and to be a disadvantage not only to business but to capital than to strive to shift the burden of a billion dollars from the business people who now pay it to the living wage—which is what it amounts to—the ultimate consumer. Ninety per cent or 95 per cent of that tax will be paid out of the living wage, if the contention of the proponents of the sales tax is correct; and I want to say that the farmers who are represented in the American Farm Bureau Federation will never in the world stand for that proposition.

"FARMERS WILL FIGHT TO THE END."

Let me interject a witness at this point whose tenderness for wealth and capital has no conspicuous place in his published statement, from which I quote. I offer an extract from an article given to the press a few days ago by George P. Hampton, managing director of the Farmers National Council, an organization representing an enormous constituency. No one will doubt that equally forceful demands are voiced by the millions of organized and unorganized labor who are to be placed in the new class of turnover sales taxpayers. Mr. Hampton says:

In 1918 [Mr. Hampton states] 22,696 millionaires were estimated by the eminent publicist, Mr. Richard Spillane, to own 27.2 per cent of the national wealth, or over $68,000,000,000, while the 33 richest Americans owned property worth about $4,837,000,000, or, roughly, 2 per cent of the national wealth. In 1918 the national wealth was estimated to be $250,000,000,000. It is now estimated to be $500,000,000,000. Our 23,000 millionaires are probably worth now about $130,000,000,000, and the 33 richest Americans about $9,675,000,000.

If we estimate the net return on this property at only 5 per cent, the average income of these 23,000 millionaires is nearly $300,000. Of course, many of them have invested largely in tax-exempt bonds and own a considerable proportion of the $40,000,000,000 of such tax-exempt bonds. While a constitutional amendment would enable the Government to tax the income of these individuals, it will take some time to adopt such an amendment. A direct tax, however, could be levied upon capital values, and should be promptly levied by Congress instead of seeking some method of placing additional burdens of taxation through a retail sales tax, a general sales tax, and other consumption taxes upon the hundreds of thousands of families who to-day are receiving several hundreds of dollars less than they need to maintain the American standard of living. * * * A retail sales tax and other sales taxes and all similar taxes on food, clothing, and shelter, called consumption taxes, must be paid chiefly by the workers on the farms, in factories, mines, and transportation, millions of whom are getting less than the minimum wage necessary to maintain a family on a decent American standard.

Mr. Hampton concludes:

The full money cost of the war must be paid by taxes on incomes, corporation profits, estates, and privileges. Such taxes will yield $7,000,000,000 to $8,000,000,000 a year for many years without imposing any hardship upon anyone. American farmers, who this year have lost billions through the slump in farm prices, will fight to the end the plan for the selfish privileged interests to saddle the huge war debt upon our people for years, and insist upon prompt payment of that debt by those who profited so hugely by the war and by the monopolies built up in this country before and during the war.

A RECOGNIZED GREAT TAX AUTHORITY ON THE SALES TAX.

I could quote from many other witnesses who have not "wabbled and wavered" for months, but the witnesses I have cited against the sales tax are tax students and authorities, men who have given the question thorough consideration in most cases, are apparently unprejudiced, and whose views are of great value in determining matters of taxation. One of the greatest international tax authorities, whose textbooks are known to every student of taxation, has expressed himself on the subject of a turnover sales tax as late as October 22 last. His contribution on the sales tax here and abroad is concise, fair, and positive. I quote from the statement of Dr. E. R. A. Seligman, of Columbia University (national industrial tax committee hearings, p. 72):

The sales tax is not a novel tax, as the Premier of Canada said. If he has followed an academic course in taxation he could have learned of many examples, dating back as far as thousands of years ago. The Romans had it, not to speak of the Egyptians and the Babylonians. I do not want to give a lecture on taxation; I am simply trying to call attention to the fact that the sales tax has existed in one form or another for a great many years. With only two exceptions, it has been abolished everywhere and has not been reintroduced in any first-class country, and those two exceptions are Germany, which reintroduced it in 1919, and France, which, as has been said, introduced it in 1920. Now, before we consider the experiences with this tax, it must be remembered that we can learn little one way or another, either for or against it, from Mexico, or Cuba, or the Philippines, or Canada, all of which are countries of insignificant economic proportions, where we do not find the real kind of sales tax that we have been discussing to-day.

DEMOCRACIES OPPOSE SALE-TAX LAWS.

Again (p. 74):

The proposition now is to take off one of those three chief categories—the tax on excess profits—and remove the burden from profits on wealth or income, and put it on the other or consumption side. This would, in my opinion, unduly shift the balance and bring us too near the position formerly occupied by all the aristocracies of old, and still reflected in some of the European countries. * * * (P. 75:) Why is it that England and America show their democracy, their real democracy, so much more than countries in the difficult position of Italy, or France, or Germany? There you will find throughout the war, and even now, the great mass of taxes imposed upon the consumption of the common man; whereas in England and in the United States during the Great War, as over against our experiences in the Civil War, the great majority of taxes are raised from wealth; that is, from those who can afford to pay, rather than from the consumption of the necessaries and comforts of life. * * * After the United States, the two countries of the world which are making the most progress in fiscal reform are England and Italy—for Italy is doing better than France. When these two countries came to consider this problem they went into the question of a sales tax thoroughly and finally rejected it. On the other hand, the two big countries of the world that have adopted the sales tax, Germany and France, did so only as a last resort, after exhausting every other available source of taxation. * * * Germany was forced to this sales tax in the last extremity, and in France the same is true. * * * I have been in California for eight months, and had the pleasure some time ago of addressing a large body of business men in San Francisco assembled to discuss this question. I found that the situation was precisely that which was presented by our committee. Everyone was anxious to get rid of the profits tax, everyone had heard that here was a way out, and it captivated them all; every man in that room was in favor of a general sales tax. But after I had talked with them, not so much in opposition as trying to show that there was another side of the question which they must begin to study, it was marvelous to see what a change came over them; not because I spoke—because everyone would have done just as well—but simply because attention was now called to some of the less obvious aspects of the case.

A sales tax on the sales of capital would ruin New York City as the financial center of the country. A sales tax on the necessaries of life would evoke a political struggle the like of which we have never seen in this country (p. 77).

The sales tax represents an attempt to put an undue, an extravagant burden upon the consumer, instead of on the producer or the possessor of wealth (p. 79).

Dr. Seligman discloses why Messrs. Kahn, Bache, Rothschild, and others of like antecedents from the "aristocracies of old" favor a sales tax.

I will willingly leave my colleagues in Congress to say whose advice is to be considered. Shall it be that of a man whose judgment is not warped by personal or pecuniary interests, who handles the subject with the mind of a master, Seligman, whose opinion is supported by two great tax-investigating committees, by the experts of the Treasury, who have spoken through Secretary Houston, and by a dozen reputable witnesses quoted? Whom shall we follow in placing a billion-dollar tax on the backs of the people? Shall we accept these authorities or shall it be the wobbler and waverer banker and broker with his New York colleague, who spends 11 months a year, according to his own admission, in trying to dodge taxes? There can be but one answer.

LEST WE FORGET.

Mr. Chairman, a terrible war has swept over the world, leaving sorrow and misery strewn everywhere along the trail. The struggle with arms registered over a score of million men dead, wounded, or missing, but this was only one item of the losses. Social, industrial, and governmental upheavals have spread like a prairie fire from the war conflagration.

In our own land innumerable battles have been fought, as bitter and lasting in effect as those occurring over 3,000 miles away. No statistics will ever record the broken homes, sicknesses, sacrifices, and deaths that have no place in history's battles nor of secret struggles when giving away millions of their best treasures—their boys. Nor will history ever properly record the taking of everything not nailed down during that war by profiteers who robbed the Government and robbed the public without limit or conscience. Scars are not yet healed, for the people have long memories.

Fortunes have been amassed and laid away that were wrung from the necessities of our Nation and of the people. That is only one chapter from the record, but that is a chapter with which we are now concerned because profiteering and pilfering of the public has been a continuous performance whenever opportunity exists, and it is brought forcibly to mind by the proposal and powerful propaganda to repeal the excess-profits law and enact a general sales tax.

In a report from the Department of Labor of January 26, just issued, the statement is made that 3,473,466 jobs have been lost within the past year and industry has been reduced approximately 40 per cent. In the face of this record Congress is now asked to exempt from taxation those who accumulated enormous profits in great corporate business and also to slash deep the surtaxes of those whose individual incomes reach high levels. According to Bache, who heads the sales-tax propagandists, these taxes now paid out of large profits and high incomes should be shifted on to the three and a half million jobless, who with their dependents must buy food, heat, and clothes, with an alternative, according to Bache, expressed with grim humor, "to merely refrain from consuming" (p. 58).

That advice is more cruel than Marie Antoinette's, "If they can't get bread, why not eat cake?" Bache has many disciples in this country and in the world to-day, but only the blind fail to see that an autocracy of wealth may become the handmaid

of a military autocracy which the world has temporarily destroyed.

Those who try to view conditions without bitterness or prejudice find the greatest danger to our body politic to-day lies in the ruthless crushing of the individual, the cupidity and selfishness of men, and a modern-day arrogance of wealth, that in turn demands its protection from those whom it crushes.

In this day of world-wide commercial struggles, when the individual becomes swallowed up in the maelstrom, it is well to remember that under our form of government the humblest and poorest is entitled to equal rights of life, liberty, and the pursuit of happiness, unless it is to become a lost paragraph from our Constitution, and that next to liberty the most frequent cause for historic struggles has come from unjust taxation, with its accompanying oppression.

OTHER TAX ISSUES NOT DISCUSSED.

I have presented what I believe to be facts and authorities that effectually discredit the present effort to saddle a turnover sales tax on the people of this country. One of the greatest campaigns for the tax is now being waged in Washington and throughout the country. The stakes are higher than with any legislative program in recent years because the plan proposes to shift the $800,000,000 to $1,000,000,000 in annual excess-profits taxes over onto the under fellow.

Money is plentifully supplied to press this propaganda upon Congress. Every man who pays excess-profits taxes in Congress will be pressed to join the movement, irrespective of economic, governmental, or political results. I have not sought to discuss the repeal of excess-profits taxes nor the proper limit to place on personal income surtaxes. Nor have I assumed to discuss a constitutional amendment that will reach the hoarded wealth of Jules Semon Bache and others who invest their wealth in tax-exempt securities.

I have not presented the alternative of taxing capital now being pressed in other countries, notably England, and by large farming organizations and some labor organizations in our own country, nor have I dwelt on the fact that while England refuses to give up her excess-profits tax and rejects a sales tax without any consideration, special interests most concerned here, following the example of the railway bill propaganda of last year, are straining every nerve to do here what England dare not do across the water, and I use the term "dare not" advisedly when referring to a turnover sales tax.

THE PRICE IS TOO GREAT TO PAY.

I have not discussed the political liability of a turnover consumption tax, nor have I indulged in useless predictions of what reward will be measured out to Representatives who listen to the siren song of the propagandists and fail to represent those back home who will be called on to pay the bill—a billion-dollar tax bill—in addition to other taxes, local and Federal. These are all fruitful fields for discussion and may be covered before any turnover consumption tax is passed by Congress. I have tried to place before you the judgment of recognized experts, expressed both individually and through united action, all of whom condemn the passage of a general sales tax in this country in time of peace. Their views have not been given to Congress in any public hearings to my knowledge, although sales-tax advocates led by an amateur expert who wobbles and wavers have been given full hearings by our committee with accompanying wide publicity through the press.

To my own mind the time is one of great concern. The future does not rest alone on the resumption of business but also on the willingness of men of large means to shoulder their full share of governmental and tax burdens. Temporary success of any sales-tax measure will occasion loss of respect for property and of those who succeed.

The price is too great and one that even those drunk with power may well hesitate to pay.

Mr. LEA of California. Mr. Chairman, on behalf of the gentleman from North Carolina [Mr. SMALL] I yield five minutes to the gentleman from Texas [Mr. JONES].

Mr. SEARS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SEARS. I make this in order that I may learn the parliamentary rule. As I understand it, when a gentleman is recognized, he has the floor for an hour. Can he then yield that hour to another Member who does not use the time?

The CHAIRMAN. The gentleman is informed that that has been, in the opinion of the Chair, the practice of the House, that it has been done repeatedly without objection, and has become the practice of the House.

Mr. SEARS. Then, as I understand it, if I secure an hour of time in general debate I can yield it to another gentleman who has not been recognized and let him in turn yield it to some one else.

The CHAIRMAN. Under the practice of the House that has been done, with the consent of the person originally controlling the time.

Mr. SEARS. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Florida makes the point of order that there is no quorum present. The Chair will count.

Mr. DEMPSEY (interrupting the count). Mr. Chairman, I move that the committee do now rise, and on that I demand tellers.

Tellers were ordered; and Mr. DEMPSEY and Mr. SEARS were appointed to take their places as tellers.

The committee divided; and there were—ayes 6, noes 96.

So the motion to rise was rejected.

Mr. McCLINTIC. Mr. Chairman, I desire to raise a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. McCLINTIC. I make the point of order that the proceeding under which we are now conducting business is clearly out of order, and the reason I make the point of order is because I want the Chair to establish a ruling so that we will know in the future whether or not Members can be recognized in Committee of the Whole promiscuously and have the right to yield their time to those to whom they see fit. I would like to have a ruling upon that.

The CHAIRMAN. The Chair is ready to rule.

Mr. CHINDBLOM. Mr. Chairman, what is before the Chair upon which he is ruling?

The CHAIRMAN. The gentleman from Oklahoma has made the point of order.

Mr. CHINDBLOM. But nobody has the floor.

The CHAIRMAN. It is really in the nature of a parliamentary inquiry.

Mr. MANN of Illinois. Mr. Chairman, I have been in the House now for nearly 24 years. This has been the practice of the House ever since I have been a Member of it. In general debate the man who gets time in his own right can yield it as he pleases, for debate. He can yield it for amendment if he chooses when we are in the House, but if he yields for amendment, he loses the floor.

Mr. McCLINTIC. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. No; I do not yield. I am making a statement to the Chair on what I understood was a point of order. That is the fact. That has been the practice always in the House. I have just as much right when I am recognized for an hour to yield it as I please as any other Member, and I have frequently seen the case where a Member's time was exhausted when he was on the floor, and on more than one occasion have myself been recognized and have yielded to that gentleman the hour that I have obtained, against protest of Members who objected to his continuing.

The CHAIRMAN. The Chair thinks that the gentleman from Illinois has stated the practice of the House correctly and the Chair overrules the point of order. The gentleman from Texas is recognized for five minutes.

Mr. JONES of Texas. Mr. Chairman and gentlemen of the House, I want to call the attention of the House to a curious anomaly. For years the United States Government has been appropriating millions of dollars annually for rivers and harbors, and then that same Government has turned right around and licensed the railroads to destroy the river traffic. It seems to me that one or the other should be abandoned. We should either quit appropriating for rivers and harbors or we should quit granting the railroads the right to give lower rates to water points and thus destroy the commerce on the waterways. The Mississippi River is navigable for a thousand miles into the country and the Ohio for another thousand miles. There are other navigable streams in the United States, and there are practically no boats on those rivers. Even on the Mississippi there is no traffic and no boats operating save on the lower portion of it, and very few of them. Why is that true? It is because to all of the water points the railroads are given the privilege of charging a less rate than they charge to points not on the water.

Under the present rail rates you can ship a barrel of potatoes from Chicago through Jackson, Miss., to New Orleans cheaper than you can ship them to Jackson. You can ship steel from Pittsburgh through Boise City, Idaho, to the Pacific coast and back to Boise City, cheaper than you can ship direct to Boise City. You can ship steel from Pittsburgh through Phoenix, Ariz., to the Pacific coast and back to Phoenix cheaper than you

can ship it direct to Phoenix. Through the means of granting cheaper rates to these water points, the railroads of the country have destroyed the river transportation. Why should the United States Government appropriate money to dig out these shallow places and widen these rivers and spend millions of dollars after that fashion and then license these railway transportation companies to destroy the service on navigable streams? We ought to abandon one or the other practice.

I believe we ought to have the river transportation. I believe the water points ought to have the natural advantage that water transportation will give them, but they ought to have it by virtue of water transportation and not by virtue of special privileges. The slower traffic and the substantial freight could be shipped by water. Then the railroads should charge the same rates to the river points that they charge to the intervening points. As a matter of fact, when you grant railroads the right to charge a cheaper rate to water points than to intervening points, you either permit the people inland to be overcharged or the people on the water points to be undercharged. I would like to see great water-transportation companies organized in this country doing business on the rivers.

The navigable streams form natural roadbeds, which you do not have to build, except to clear away a few places, and we ought to have the advantage of that, and that would enable us to have cars in the country. Inland points will frequently have trouble in securing enough cars to ship the commodities that are to be transported from one section of the country to the other. If we do away with water competition rates and let it be uniform all over the country, it would release more of these cars and these transportation facilities for use inland, and at the same time we would have a better system of transportation. I submit that you are doing the people who live inland a wrong when you grant water cities these cheaper rates. As I stated in the beginning, we should either stop river appropriations or water competition rates, one of the two. [Applause.]

Mr. DEMPSEY. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. DUNBAR].

Mr. DUNBAR. Mr. Chairman, I agree with the gentleman from Texas [Mr. JONES] with what he said in regard to the importance of our inland waterways, and then I believe that after river improvement has been completed the companies engaged in transportation of river freight should be protected against unfair railroad competition. But the thing for us to do is to improve our inland waterways and then take care of unfair competition. I am particularly interested in the Ohio River. I do not know that the other streams in the country are as much dependent upon the improvement, which the moneys appropriated will make, as the Ohio River, but if there are as many virtues in the appropriations which are being made for the improvement of the other rivers in the country, then all of them have indeed great merit. In the Ohio River some years ago there was authorized the construction of, I believe, 53 dams. Twenty-nine of them to-day have been completed, 15 are in process of construction, and 9 remain to be completed.

There has been spent on those 29 dams $37,000,000, and until the other dams in the Ohio River are completed that $37,000,000 is an idle investment, and in order to make that $37,000,000 investment of benefit to the people who reside in the Ohio Valley, as well as the commerce throughout the United States, it should be the policy of this Government to appropriate sufficient money to complete the building of the dams in the Ohio River. Now, the gentleman from Texas has said that railroad competition comes along and destroys the profit of transportation on the river. That may be so in some parts of the United States, but it was not so on the Ohio River. When I was in the utility business it was my province every year to buy a great amount of fuel. The railroad freight rate on coal from Pittsburgh to New Albany, where I live, was $1.40 a ton. River transportation costs but 40 cents a ton, or, in other words, there was a saving of $1 per ton in the transportation of coal from Pittsburgh to New Albany, both located on the Ohio River.

Mr. SNYDER. Will the gentleman yield?

Mr. DUNBAR. I do.

Mr. SNYDER. I would like to ask the gentleman right at that point what was the difference in the handling of the coal that came by boat as against that which came by rail?

Mr. DUNBAR. Coal could be unloaded from barges by steam shovels, elevated, loaded on wagons, and hauled a distance of three-quarters of a mile for 39 cents a ton, whereas it cost 40 cents to unload from the railroad cars and haul the coal the same distance. Now, a great many of you will say, why did the river transportation fail? I will tell you why it failed, because there were but 60 days in the year——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEMPSEY. I will yield the gentleman an additional minute.

Mr. DUNBAR. I am sorry, gentlemen, that I can not be recognized for longer than a minute. I can not say what I wish to say in a minute, but I will say this: If you will appropriate enough money to build the locks in the Ohio River it will afford the greatest avenue of transportation down into the Mississippi River and for inland commerce of anything that I know of that can be done with any appropriation made by this Congress. [Applause.]

Mr. SMALL. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Chairman, I appreciate the desire of those who are in charge of the majority in the conduct of the business of this House to bring about economy in the expenditures of public money, but I can not join with them when that economy, or so-called economy, means a stifling of the commerce of the United States which is in such great need now of stimulation, more than ever before in the history of the Nation. When we passed the transportation act of 1920 Congress went on record in this language, in section 500 of the act:

> It is hereby declared to be the policy of Congress to promote, encourage, and develop water transportation, services and facilities in connection with the commerce of the United States, and to foster and to preserve in full vigor both rail and water transportation.

When Congress enacted the transportation act last year and under that act gave unprecedented aid and privileges to the railroads of the United States, in order that it might pacify what might be considered an imaginary opposition in some quarters and real opposition in others, in order that the country might not understand that Congress intended to favor the railroads of the United States out of the Public Treasury and let waterways become unoccupied by commerce, put that section in as an assurance and guaranty to the people of the United States that Congress intended to preserve water transportation with all its vigor and strength. Either that section of the transportation act ought to be repealed or the bill we have before us ought to be defeated.

Mr. DEMPSEY. Will the gentleman yield for a question?

Mr. BARKLEY. For just a short question.

Mr. DEMPSEY. Does the gentleman realize that of all the projects under the control of the Committee on Rivers and Harbors more money had been spent upon the Ohio River than upon any other project in the United States?

Mr. BARKLEY. I appreciate that, and the reason for that is very plain. The Ohio River commercially is the most important stream in the United States, with the possible exception of the Mississippi potentially, and the Mississippi by reason of its peculiar construction of channel does not need the expenditure of money upon it for locks and dams that is required by the Ohio. In 1910 Congress enacted a law providing for the canalization of the Ohio River. It provided that that canalization should be completed in 12 years and that it should be finished in the year 1922. It provided, as I remember, originally for 54 locks and dams. The gentleman says 53, but that is not important. Twenty-nine of those locks and dams have been completed, 9 are now under construction, and 15 have never been started, and the engineering department under that appropriation of a lump sum as carried in this bill can not begin another lock or dam on the Ohio River in the next fiscal year.

Now, the gentleman in charge of the bill urges that there are now $47,000,000 available in the Treasury for rivers and harbors. We are now in the middle of the fiscal year 1921. The provisions of this bill do not become effective until the 1st of next July, and who can tell how much money there will be available at the end of this fiscal year and the beginning of the next fiscal year. Furthermore, in order that we may carry out the intention of Congress as declared in the act we passed last year, we are compelled to appropriate more money than $15,000,000 in order that we may even continue the canalization of the Ohio River, for Gen. Taylor testified before the subcommittee that if they do not get the $5,000,000 which they asked for in the appropriation bill and which was, at least in part, cared for by the bill which the subcommittee itself prepared and submitted to the full Appropriations Committee, they can not begin another lock or dam upon the Ohio River, and his testimony shows it will take from three to five years to complete each of these locks and dams in the lower river, and it may take longer than that.

The Ohio River will not be a channel of commerce for through traffic until the last lock and dam is completed, and that is necessary in order that the resources of the Tennessee Valley, of the Cumberland Valley, and of the Wabash, and all the tribu-

taries of the Ohio River may be made available to the transportation and commerce of that great section of the country. Therefore it is my belief that a sufficient amount of money ought to be appropriated to begin some of these 15 locks and dams that have not been started, so that the commerce of the Ohio Valley and its tributaries will not be indefinitely held up and suspended because the last lock and dam will not be completed for five years or seven years.

Mr. DEMPSEY. Will the gentleman yield for a short question?

Mr. BARKLEY. I yield to the gentleman.

Mr. DEMPSEY. I stated, if the gentleman will remember, that I was speaking entirely from memory, and I find that I was in error. Fifteen of the locks and dams have been started and only nine of the locks and dams remain to be started.

Mr. BARKLEY. That does not change the force of the argument that the rest of them ought to be begun.

In a few days we will be called upon to pass a bill to provide $346,000,000 for the benefit of the railroads. We guaranteed for the first six months' period, beginning last March, that they should receive as much income as they received during the corresponding period of the test period. That guaranty amounts to over $600,000,000 and $254,000,000 has been paid in the form of advancements, and a bill has been reported here requiring the Secretary of the Treasury to pay the rest of it, or part of it, as it may be certified by the Interstate Commerce Commission to the Secretary of the Treasury. I do not intend to discuss the merits of that proposition now. I do not raise any question of the wisdom of it at this time, but I do think that the people of this country will not be satisfied if Congress shall hasten to appropriate nearly a billion dollars out of the Treasury for the benefit of one form of transportation while at the same time, by a measly form of economy, in a lump-sum appropriation, it throttles transportation upon the great rivers of the United States.

I think it is incumbent on this Congress to carry out the declared purpose which was enthusiastically enacted last year by giving the engineers enough money so that they will not only be able to work on projects already begun, but where they involve the completion of great systems of rivers and canals and great systems of harbors and improvements of all kinds we ought to give them enough money, even if we have to cut off somewhere else, in order that they may guarantee the rivers and harbors of the country to the growing commerce, which can not be cared for by the present railroad facilities.

And for that reason I shall vote for the substitute which will be offered by the gentleman from North Carolina [Mr. SMALL], not only because I believe in the projects in which I am interested, including the Cumberland, Tennessee, Ohio, and Mississippi Rivers, but all that great stretch of mid-continent which is supplying and which needs now the commerce of the rivers, and on which we have placed boats at Government expense, and are operating them at the Government expense, in order to demonstrate that river transportation is possible to be run at a profit in the United States. We ought to give the engineers the money required, in order that they may be able to facilitate the transportation of commerce upon the bosom of our rivers as cheaply and conveniently as possible.

Mr. DEMPSEY. If the gentleman will yield, I wish to say that there was on hand to the credit of the Ohio River on the 20th of June, 1920, $8,353,329. The average expenditure for the past five years has been $4,001,182. So without one cent being allotted from the $15,000,000, we have on hand more than enough to pay the average expenditure during the past five years, and we have made splendid progress during that time. In addition, last year you were allotted out of $12,000,000, $1,173,000, so that you can reasonably expect $1,500,000, and you will have $1,000,000 to your credit after you have spent every dollar you can spend on the Ohio in the ensuing year.

Mr. BARKLEY. The testimony of Gen. Taylor before the subcommittee——

Mr. DEMPSEY. His testimony does not stand against facts.

Mr. BARKLEY. Well, Gen. Taylor's testimony—and he is the engineer in charge of the river and harbor work—shows that there is at present to the credit of the Ohio River $2,100,000 for locks and dams. That will not be enough to carry them through the present fiscal year.

Mr. DEMPSEY. Five millions altogether, in contracts and otherwise.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent to revise my remarks.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to revise his remarks. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, will the gentleman from North Carolina use some more of his time now? I have only a few minutes left.

Mr. SMALL. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 27 minutes remaining.

Mr. SMALL. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

The CHAIRMAN. The gentleman from Mississippi is recognized for 10 minutes.

Mr. HUMPHREYS. Mr. Chairman, I just wanted to call attention to some facts touching the matter that was discussed a few moments ago by the gentleman from Texas [Mr. JONES]—that is, river and railroad competition. This is a question which has engaged the attention of Congress for the past 50 years, and the facts as they exist to-day testify most eloquently to the utter failure of all our efforts to solve the problem.

Fifty years ago the Mississippi River was one of the greatest highways of commerce in all the world, and it should be to-day. It extends from the Gulf a thousand miles into the very heart of our country, and counting all of its tributaries it furnishes some 12,000 or 15,000 miles of navigable waterways.

The Mississippi Valley is possibly the richest valley in the world—rich in all of the products which are necessary to the welfare and happiness of mankind.

A few years ago Mr. J. O. Austin, of the Bureau of Statistics, said that the Mississippi Valley produced 85 per cent of the corn, 75 per cent of the wheat, 70 per cent of the live stock, 70 per cent of the cotton, 70 per cent of the iron ore, 70 per cent of the petroleum, 50 per cent of the wool, 50 per cent of the copper, 50 per cent of the lumber, 50 per cent of the coal, and 40 per cent of the manufactures of the United States.

These figures would probably represent approximately the situation to-day. He estimated the total value of all the products of the valley as $15,000,000,000 annually.

To state these facts is sufficient to show the vital need of every available transportation facility not only for the exchange of these products in our own country but for their transportation to the seaboard for export. This need has always been recognized by the statesmen of this country.

Soon after the great railroads had reach the valley, traversing it from the Lakes to the Gulf and to the seaports along the Atlantic, the struggle between the boats and railroads for mastery began. This was before the days of Government regulation, and the only rule prescribed for either of the contestants was such as the exigency of the occasion commended to their judgment; the only limitation was "what the traffic will bear." The public were interested in developing every transportation facility and earnestly wished for the prosperity and further development of both railroads and river navigation.

In 1873 a committee was appointed by the United States Senate, with Senator Wyndom as its chairman, to investigate the general subject and make recommendations to Congress. This committee held elaborate hearings, which filled about 1,000 printed pages, and finally made a report of some 250 pages, all of which is both interesting and illuminating.

As showing the character of the fight which was being waged, I will quote the following from the testimony of Mr. Abraham Murdock, president of the Mobile & Ohio Railroad:

Q. Are you not in competition with river lines?
A. All the time.
Q. Which do you find the most active and difficult competition?
A. The river line is the hardest thing to fight. The Mississippi is the hardest thing to fight that was ever struck yet, I reckon.

* * * * * * *

Q. You find that a much more active and dangerous competitor than the other routes?
A. Yes, sir. In good weather when the river is up; but when we catch them with low water or an ice gorge we turn the tables on them.

The same methods were employed by the railroads which ran from the upper valley across to the North Atlantic ports. The fight there was between the railroads and the Erie Canal, and the following figures demonstrate that the railroad magnates were not ignorant of the processes of nature. They could tell as accurately as the bargeman could when ice might be expected to clog the canal and so hamper transportation on it, and so the railroad freight rate on a bushel of wheat from Chicago to New York during the years from 1868 to 1872, the time of the investigation by the Wyndom committee, had been adjusted upon a sliding scale which ran up and ran down again with the thermometer. The rate, for instance, was: October, 42 cents; November, 45 cents; January, 51 cents; February, 51 cents; March, 48 cents; April, 42 cents; May, 36 cents; June, 30 cents.

The gentleman from Texas referred to the long-and-short-haul clause. The evil which the long-and-short-haul clause was intended to correct is the practice of the railroads of charging

a less rate to a water competitive point than is charged to a noncompetitive point on the same road and over a shorter distance. When the fight first began between the railroads and steamboat lines the tactics of the railroads were exactly the opposite to this. That is to say, they charged more then to a point having water competition than to another point without such competition, though the latter distance was greater. For instance, a merchant at Jackson, Miss., in order to get a cheap freight rate, would order goods from New Orleans shipped to Vicksburg by boat, thence from Vicksburg to Jackson by rail. In order to prevent this and secure the freight from New Orleans to Jackson exclusively by rail the railroad would charge more to haul the freight from Vicksburg to Jackson, 40 miles, by rail than it would from New Orleans to Jackson by an all-rail route, about 200 miles.

One of the recommendations of the Wyndom report was for legislation that would prevent this, and is as follows:

4. That all railway companies and freight organizations receiving freight in one State to be delivered in another and whose lines touch at any river or lake port be prohibited from charging more to or from such port than for any greater distance on the same line.

The Wyndom committee desired then just what we desire to-day—that the railroads and the river lines should both continue in the service of the people, and they were trying to prevent either from destroying the other.

The steamboat lines in those days were stronger than the railroads and were able to force the railroads to submit to their terms.

The following interesting statement, illustrating what I have just said, was made by Mr. E. K. Bryan, jr., assistant general freight agent of the Illinois Central and Yazoo & Mississippi Valley Railroads, in the case of the Helena freight bureau against the Missouri Pacific Railway, tried before the Interstate Commerce Commission a few years ago:

Mr. BRYAN. As further confirming our contention that the rates were fixed by the river lines I call attention to the fact that as far back as 1877 we find that owing to the competition of boat lines the rail carriers were forced into an agreement whereby the water lines were conceded differentials under the railroads plying from the Ohio River crossings and St. Louis to the lower Mississippi River crossings and Gulf ports. At a meeting held at Cincinnati October 25 and 26, 1877, between the rail carriers and the water lines the rail lines were compelled to agree to carry their rates higher than the all-water rates by differentials ranging from 35 cents per 100 pounds on first class to 5 cents per 100 pounds on fifth class, there being only five classes at that time. This agreement not only fixed the differentials above the all-water rates which the rail lines would charge but the agreement stated it to be the intention of the two parties thereto so to adjust the rates as to give 60 per cent of the business from Cincinnati, Louisville, etc., to the steamboat companies, and further provided that if the all-rail differentials above the all-water rates did not result in throwing 60 per cent of the business to the steamboats the all-rail differentials would be so increased as to insure the steamers 60 per cent of the total tonnage.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Indiana?

Mr. HUMPHREYS. I regret I have not the time.

The CHAIRMAN. The gentleman declines to yield.

Mr. HUMPHREYS. As time went on, however, the railroads changed their tactics. As long as they charged a higher rate on the railroad from New Orleans to Vicksburg, as above explained, than they did from New Orleans to Jackson, although a longer haul, the steamboats continued to carry the freight from New Orleans to Vicksburg and to all other river points and there was enough to guarantee their prosperity. The railroads thereupon determined to reverse their former tactics and to charge a lower rate to river points than to points without river competition, and they reduced these charges so low that the boats could not compete with them. This sealed the doom of river transportation.

The Mississippi River, as I have stated, was at one time the greatest highway of commerce in all the world. Since the railroads have traversed the valley, reaching all of the principal points on the river from St. Louis to the Gulf, they have by juggling their rates driven the steamboats off the river. In 1880, 30,000,000 tons of freight, much of it through freight, was carried on the Mississippi River and its tributaries, and nearly 3,000,000 passengers.

The only through freight from St. Louis now is that which is carried on the Government barge lines which we are appropriating for in the hope that we can again revive river traffic. Freight rates from St. Louis by rail were reduced to all the river competing points—Memphis, Greenville, Vicksburg, Natchez, Baton Rouge, and so forth—below the point at which the steamboats could survive, but intermediate points and all inland points which had no river transportation were required to pay a rate sufficiently high to enable the roads to recoup whatever loss they sustained by reason of these reductions at river competing points.

When Congress created the Interstate Commerce Commission in 1887, it undertook to correct this evil practice and enacted the so-called long-and-short-haul clause, which is as follows:

That it shall be unlawful for any common carrier subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers, or of like kind of property, for a shorter than for a longer distance over the same line or route in the same direction, the shorter being included within the longer distance, or to charge any greater compensation as a through rate than the aggregate of the intermediate rates subject to the provisions of this act, but this shall not be construed as authorizing any common carrier within the terms of this act to charge or receive as great compensation for a shorter as for a longer distance: *Provided*, That upon application to the commission such common carrier may in special cases, after investigation, be authorized by the commission to charge less for longer than for shorter distances for the transportation of passengers or property; and the commission may from time to time prescribe the extent to which such designated common carrier may be relieved from the operation of this section.

Unfortunately this proviso, which was intended by Congress to enable the commission to meet exceptional cases, became the rule, and under it the railroads continued their process of strangulation. The purpose of this exception was to enable, for instance, the Mobile & Ohio Railroad, running out of St. Louis and through various connections reaching New Orleans by a more or less circuitous route, to compete with the Illinois Central Road between the same points, but by a more direct and therefore shorter route, and this possibly should be permitted to-day; otherwise, there would be great congestion of traffic on the more direct route with all of its incidental and inevitably detrimental results to commerce generally.

I do not believe, I can not bring myself to believe, that it was the intention of Congress to have this exception so construed and so applied as to enable the railroads absolutely to run the steamboats out of business, but this has been done. However, the lower freight rates permitted to the railroads to river competing points gave those points the benefit of what we call "potential river competition," although steamboats had disappeared.

In justifying appropriations for the improvement and maintenance of navigable channels in our rivers after the steamboats had practically disappeared, the fact that the public were thereby securing lower railroad freight rates has frequently been cited. For instance, railroad rates to the West from the Atlantic seaboard were made up of two elements: First, the rate from the seaboard to St. Paul, St. Louis, and Kansas City; second, the rate from those points on west. These points having potential river competition were granted this differential in railroad rates and in this way the benefit of this lower rate was felt as far west as Denver, Colo., and to points down in Oklahoma. Naturally intervening points on the railroad which had no river competition, not even potential competition, complained of the discriminatory rates under which the shippers at a given town would pay a larger freight than would be charged at another point one hundred and odd miles farther along on the same road. It frequently happened, and still does happen, that the railroads would carry a car through one town on 100 or more miles to another town for less than they would stop the car at the first town.

When the transportation act was being considered in the House in 1919, a number of us here attempted to have this practice forbidden by an amendment to the act, but we were unsuccessful. The Senate, however, amended that act by adding the following to section 4, which I have quoted above:

But in exercising the authority conferred upon it in this proviso the commission shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed; and if a circuitous rail line or route is, because of such circuity, granted authority to meet the charges of a more direct line or route to or from competitive points and to maintain higher charges to or from intermediate points on its line, the authority shall not include intermediate points as to which the haul of the petitioning line or route is not longer than that of the direct line or route between the competitive points; and no such authorization shall be granted on account of merely potential water competition not actually in existence.

The purpose, of course, was a good one but its operation has been most disappointing. So far as restoring river competition is concerned, it has failed utterly. No river points can now be given any preferential rate "on account of merely potential water competition not actually in existence," and what is the result?

River points which formerly enjoyed this differential are denied it, but instead of lowering the rates to intermediate points, the railroads have simply raised the rates to river points, and nobody is helped in this process except the railroads. It is suggested, however, that the river is still there and that the shippers along the river can, if they have the enterprise, put steamboats on the river and thereby get the

benefit of cheap river rates. If they do this, however, as soon as their boats begin to haul freight from St. Louis to New Orleans, or from Memphis to New Orleans, or from Vicksburg to New Orleans, the competition is no longer "merely potential" but is actual, and the limitation of the act which I have just quoted no longer applies. The railroads can then petition the Interstate Commerce Commission for permission to restore the old differential, the only limitation being that the rate must be "reasonably compensatory for the services performed." Now, what is reasonably compensatory? The Interstate Commerce Commission is not supposed, under any circumstances, to permit a railroad to charge a rate that is higher than a reasonably compensatory rate, and when the commission fixes or approves a rate which the Mobile & Ohio, for instance, can charge for freight from St. Louis, through Meridian, to Vicksburg, they are supposed to have fixed the minimum rate which is reasonably compensatory.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. I ask unanimous consent to proceed for 10 minutes, the time not to be taken from the time of either side.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for 10 minutes, the time not to be taken from either side.

Mr. DEMPSEY. I will reserve the right to object, to see if the gentleman on the other side [Mr. SMALL] can not grant some time to the gentleman from Mississippi.

Mr. SMALL. Unfortunately the time is all allotted.

Mr. DEMPSEY. Does not the gentleman think he can finish in five minutes?

Mr. HUMPHREYS. Of course, the gentleman knows that the country is waiting very impatiently to hear what I have to say on this subject. [Laughter.]

Mr. DEMPSEY. If the gentleman can conclude in five minutes, I will not object.

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Mississippi?

Mr. DEMPSEY. I ask unanimous consent that the gentleman may have five minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Mississippi have five minutes, not to be taken out of the time under the former unanimous-consent agreement. Is there objection?

There was no objection.

Mr. HUMPHREYS. If steamboats were put on the Mississippi River and to meet this competition the Mobile & Ohio is permitted to lower its rate to Vicksburg, then it should in all conscience be required to make a proportionate reduction to all points along that road between Vicksburg and St. Louis, because it is perfectly patent that if the rate from St. Louis, through Meridian, to Vicksburg is reasonably compensatory, certainly a higher rate from St. Louis to Meridian would be unreasonably compensatory and therefore excessive and unjustifiable. But we know that the Interstate Commerce Commission has permitted this very practice, and permitted the railroads thereby deliberately and in full view of everybody to strangle all river competition. Now, what happens? There being no actual competition, the railroad is denied the right to give the river points the lower rate. It is then in order, we are told, for the shippers to put in a line of steamboats. Who will invest his money in a steamboat line when the power is left in the hands of the Interstate Commerce Commission to permit the railroads to renew their piratical practice as soon as the steamboat lines begin to do business?

Let me cite an instance that has come under my own observation. An old steamboat man, a good business man, who understands the steamboat business and has prospered in it on the Yazoo River, doing a local business, told me that he could and would be glad to put in a line of boats and barges to run from Greenwood down the Yazoo River to Vicksburg and thence on the Mississippi to St. Louis. He said he could make the round trip easily in 21 days and operate his boats at an expense of $100 a day. He could carry 1,000 tons of freight, and from his experience and knowledge of the facts he was satisfied he could safely count on 1,000 tons to the trip. This would be $2.10 per ton; adding to this 90 cents to cover any possible accident or unfortuitous happening, he could haul the freight for $3. The railroad rate on the same character of stuff, after this differential is disallowed, would be $7 per ton, so that the margin of difference would enable him to do a very profitable business and still deliver freight at Greenwood far below the railroad rate. "But," he says, "if I do this, I will then have established actual competition, and the Interstate Commerce Commission has the power then to reestablish the old special rate for the railroad. This would spell bankruptcy for my enterprise, and, therefore, I am unwilling to attempt it."

This is the condition that confronts us, and it is no longer a theory. It is suggested that the second paragraph in section 4 of the transportation act would cure this trouble. That paragraph is as follows:

> Wherever a carrier by railroad shall in competition with a water route or routes reduce the rates on the carriage of any species of freight to or from competitive points it shall not be permitted to increase such rates unless after hearing by the commission it shall be found that such proposed increase rests upon changed conditions other than the elimination of water competition.

I submit that this paragraph is a matter of no interest whatever to the man who would invest his money in the barge line. The fact that the railroads would not without some showing be permitted to reestablish a higher rate would no doubt be helpful to the merchant at Greenwood; it would be helpful to him at any rate temporarily until the railroad could make the necessary showing, and personally I think that would not be greatly delayed.

Mr. STEVENSON. As a matter of fact now they do not need to have the consent of the Interstate Commerce Commission. They can put their rates up and put them into effect at once. I got a ruling to that effect just the other day on the last transportation act.

Mr. HUMPHREYS. Well, whether the railroads be required to make a proper showing to the commission or allowed, as the gentleman from South Carolina suggests, to restore the former high rate upon their own motion, how could it interest the steamboat man whose enterprise had become bankrupt? The postmortem proceedings might be very interesting to the merchant and the barge-line obsequies might be more or less elaborate, but that is not a picture that is particularly attractive to the barge-line man himself.

I believe in improving our waterways, and I am going to vote for this bill, but I do it in the hope that some day some man will appear here whose words are more persuasive than mine have been and who will be able to convince Congress of the error of its way. If we do not do this, if we permit the law to stand as it is, the time is not far distant when the people of this country will refuse to sanction further public expenditures upon rivers of our country, because with this sword of Damocles hanging over his head no business man is going to invest his money in a steamboat line, and there will, therefore, never be any actual river competition, and until there is such competition no reduction in railroad rates can come from the expenditure of money for the improvement of our rivers, because the law says, "No such authorization shall be granted on account of merely potential water competition not actually in existence."

Now, gentlemen, if we are going to preserve the rivers of the country, you can not do it by merely making appropriations for them. It is all right to improve the channels, but we must make it possible for the boats to float upon the river after the improvement has been made. That can not be done so long as the Interstate Commerce Commission has the power to grant the privilege to the railroads of strangling competition.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. WILSON].

Mr. WILSON of Louisiana. Mr. Chairman, in one of his very interesting speeches a few days ago the majority leader, the gentleman from Wyoming [Mr. MONDELL], stated to the House that we ought to reduce our appropriations for military and naval purposes and devote our energies and means to internal improvements. That is good doctrine, if carried into effect.

There is not a Member here I believe, irrespective of party, that is not for internal improvements, such as improvements for our waterways, development and construction of public roads, and those improvements that the citizens can see and feel and enjoy immediate benefit from. If we follow that policy we certainly would adopt the substitute bill that is going to be offered by the gentleman from North Carolina [Mr. SMALL]. If either or both of the political parties carry out the pledges made to the people in the recent campaign we would be very liberal in our appropriations for the development of waterways and water transportation. The Democratic Party at San Francisco went on record, as follows:

> Transportation remains an increasingly vital problem in the continued development and prosperity of the Nation.
>
> Our present facilities for distribution by rail are inadequate and promotion of transportation by water is imperative.
>
> We therefore favor a liberal and comprehensive policy for the development and utilization of our harbors and interior waterways.

The Republican platform which was adopted at Chicago, the very center of needed development of water transportation, declared as follows:

We declare it to be our policy to develop and encourage water transportation service and facilities in connection with the commerce of the United States.

Now, Mr. Chairman, both parties are on record for the development of transportation by water, and if there is any method by which we can relieve the people who are oppressed by exorbitant railway rates to-day it would be by making it possible to utilize the waterways for transportation.

The amount carried in this bill will not provide one dollar for any new enterprise or for any new improvement whatever. The $15,000,000 can not be expended in any way except on existing projects and merely for their maintenance. The $47,000,000 must be devoted to projects that are under way and provided for in the bills that have been passed heretofore, and no part of the amount can be used for any other purpose.

Mr. DEMPSEY. Will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. DEMPSEY. Is the gentleman aware that the Rivers and Harbors Committee has met and voted not to report any new projects, so that there can not by any possibility be a cent expended on any new project?

Mr. WILSON of Louisiana. The passage of this bill will stop development on many projects that are now being improved.

Mr. DEMPSEY. The gentleman is mistaken.

Mr. WILSON of Louisiana. In my State, on the Ouachita River, the value of the tonnage transported has increased from two to five million dollars in the last two or three years. Recently in the State of Arkansas, at Eldorado, they have developed one of the greatest oil fields in the country, and the people of that vicinity, which is adjacent to the Ouachita, are appealing for relief and for the development of this waterway to meet increased demands for transportation facilities.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. VOLK. Continuing my remarks of this morning, on the 31st of December, 1918, in the United States Court for the Southern District of New York there was filed a complaint and answer in the case of Westinghouse Electric Manufacturing Co. against the Brooklyn Rapid Transit Co. and others, and a receiver was appointed.

The vice of the situation is not alone in the fact that an ordinary action in equity has been brought but it arises from this, that about a month prior to the institution of this action, in which the receivership and controversy was inaugurated, 90 people had their lives snuffed out in an instant, not by an act of God or a cataclysm of nature, but without any negligence upon their part and solely as the result of the culpable negligence of this company, this dire happening occurred. Wives were left without husbands, children without fathers. Entire households were bereft of their means of support by this calamity. Nothing that has transpired in recent years in the city of New York shocked this community as much as the Malbone Street disaster. Public indignation ran so high that it was responsible for the election of Alfred E. Smith, the Democratic candidate for governor of the State. The Borough of Brooklyn, reversing all its previous political conduct, gave him an almost unprecedented majority.

The conduct of the company which brought about this occurrence was not open to question. Its cruel and brutal negligence was established beyond a doubt. It had no defense to the multitude of actions that it knew would inevitably be brought against it, because it was established, and not denied by the company, that the train on which the 90 lives were sacrificed was operated by a green motorman, unfamiliar with the road over which he was driving the train. But they had one resort, and only one, and that was the district court of the United States, which in this obviously manufactured litigation enjoined all proceedings upon the part of the grief-stricken victims of this calamity through the medium of this receivership.

The situation disclosed is without a precedent in the jurisprudence of the United States. First, we have the obviously concocted litigation, planned and plainly designed to forestall recovery in the great number of actions which would and have grown out of the Malbone Street disaster. Then, we have the prolongation of this receivership for over two years, since the action was brought in the latter part of the month of December, 1918, and so far as proceeding to trial and hearing and determination of the issues therein, no steps have been taken to bring about a finality to the litigation which would or might terminate the receivership. It is evidently certain that the whole scheme was resorted to in order to stave off recovery by the Malbone Street victims, and in this despicable scheme the instrument which was selected by the actors in the transaction was the United States Court for the Southern District of New York.

In justice and in mercy to those who have suffered as the result of the negligence of the Brooklyn system of transportation, no reason exists why this action should not be tried and why it should not be disposed of. For two long years not a step has been taken, except those incidental to fastening the receivership upon everything, to the end that any attempt to collect just debts will be frustrated and thwarted by the courts. In fact, a reign of terror was inaugurated at the very outset to prevent criticism or interference with the high-handed methods which have attended this litigation.

The city of New York, which is to-day a creditor of the transportation company, in protection of its rights, sought to intervene in the action. It had a perfect right to do this. In fact, in the eyes of every unprejudiced observer it must have been regarded as its plain duty. The city had advanced millions of dollars toward the improvement of this system. Its rights were plainly prejudiced by the action in question. The municipality sold millions of dollars' worth of bonds, upon which it was charged with the payment of large sums of interest annually. In the protection of its rights it was plainly entitled to intervene. As deeply concerned in the welfare of millions of users of this system daily, it had even a greater right of intervention, but its appeal to the court was brushed ruthlessly aside and the selected agent of the officers and directors of the transportation company was appointed as the sole receiver, not because of any qualifications which he possessed; not because of any intimacy with local conditions that he had, since he was a resident of an adjoining State and without any experience or knowledge of transportation conditions in the borough of Brooklyn. When a duly elected officer of the city of New York—its comptroller—having in charge its fiscal affairs, criticized the court for its conduct in connection with this litigation, he was promptly haled into court and charged with contempt, to the accompaniment of covert and sinister intimations that the same fate awaited any other critic of the court or the receivership, and the court has not to this day rendered a decision, but the charge still hangs over the comptroller's head as a deterrent to further criticism and a warning to all.

Mr. BLANTON. Will the gentleman yield?

Mr. VOLK. I will.

Mr. BLANTON. Would the gentleman be willing to make the remarks that he is making now in some newspaper in New York?

Mr. VOLK. I can not understand the motive of the gentleman's question, but I will answer in this way: That 2,000,000 people in the city of Brooklyn, a part of the city of New York, are interested in this litigation.

Mr. BLANTON. And they could intervene to-morrow.

Mr. VOLK. They have tried to intervene by having a co-receiver appointed. This was denied them. I will say, further, that a month prior to the appointment of Lindley M. Garrison as receiver in a matter then pending between the Brooklyn Rapid Transit Co. and the city of New York he was accepted as arbitrator of the defendant company, and now as receiver was called upon to name his successor, and then pass upon the result of this arbitration. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I object.

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. McDUFFIE].

Mr. McDUFFIE. Mr. Chairman, there are so many things I would like to say about this bill, there are so many things which can be said and should be said, and so many thoughts crowd themselves upon me, I realize it will be difficult within the time I have to follow any one line of argument properly or hardly to its logical conclusion. I do not flatter myself, gentlemen, into a feeling that anything I might say will have any effect upon or change the minds of those who have control of this piece of legislation, but I can not refrain from offering some suggestions as to the policy of the majority party in carrying on improvements for our rivers and harbors by this sort of legislation.

I realize this bill has been "cut and dried," so to speak, by those high up in the councils of the party across the aisle, sometimes referred to as a steering committee. I realize that under their "order" the Republican Party will pass this bill in its present form regardless of what I may say or what other gentlemen may say who are opposed to this method of dealing with the great problem of river and harbor development for the Nation.

I have an amendment prepared which I propose to offer, seeking to strike out the words "fifteen millions," in line 4, page 2, and to insert in lieu thereof "$28,271,850," an amount, if you please, which the engineers state is necessary and absolutely essential for maintaining the channels and allowing a small amount for continuing operations on those projects already adopted by the Congress. The original estimate by the Chief of Engineers called for $57,000,000, an amount which the experts deemed essential to properly continue river and harbor work for the next fiscal year.

A subcommittee of the Committee on Appropriations held hearings on this bill, having before them Gen. Taylor, of the Engineers' office, and as a result of these hearings that committee was convinced of the absolute necessity to appropriate in this bill the $28,271,850. Many of us appreciating the necessity of rigid economy in the matter of appropriations became reconciled and hopeful that a bill would be presented to the House which carried that amount. The people of the country, the taxpayers, from whose pockets this money went into the Treasury, began to hope that their rivers and harbors, the great avenues of transportation, would, after all, be properly provided for with due regard for economy. But, Mr. Chairman, when the bill is finally brought out for the consideration of the House we find that the engineers' estimate has been cut 70 per cent, and even the estimate of the subcommittee has been cut almost 50 per cent, and we are now presented with another one of these "lump-sum" appropriations for only $15,000,000 to take care of all of the river and harbor work of the whole Nation. Why, gentlemen, the city of Berlin spent almost twice this amount during the war for waterway improvement, to say nothing of what the German Empire expended.

If my information is correct the Republic of France has expended many times more than we have within the last decade, and even little Belgium in proportion to her area, population, and wealth has expended more than we have for river and harbor development. In 1908 James J. Hill said, "Our neighbor on the north has put us to shame. Canada has spent in proportion to her population and wealth dollars on her waterway system where we have spent dimes. Because she has worked on an intelligent plan she has more to show for her dimes than we have for our dollars." Those countries have adopted the policy of appropriating the money and immediately completing the development in order to derive immediate benefit, which they did derive, while this great Nation by piece-meal appropriation is leaving unfinished year after year many projects of great merit, and in some instances failing to even maintain work which has already been done under the guise of economy. It is no wonder that some people call this "pork-barrel" legislation. It is worse than that, it is a wasteful legislation. It is not real economy, but a stinting economy. It is a "penny-wise and pound-foolish" economy, unworthy of the American people.

This bill is, I think, almost if not quite a reflection upon the intelligence of the American Congress. I can scarcely believe that it represents the views of a majority of the membership, even on the Republican side of the House, but I know the word has been passed down the line and many of you gentlemen, you along the upper Mississippi and the Ohio, many of you Republicans from the Mississippi Valley, are going to have to "stand up to the rack, hay or no hay." You are being given this dose whether it agrees with you or not.

In the event any of you are accused on account of this parsimonious piece of legislation I hope you will be able to plead "in bar" to the indictment, the fact that it is the handiwork of a very few members of your party to whom you have delegated so much authority and responsibility. In other words, lay it all on the steering committee, who did not hold the hearings, and who seemingly do not understand the pressing need for this development. Let me warn you that even with this you are liable to have a "hung jury," if not get convicted.

I appreciate, Mr. Chairman, the serious problems confronting the majority side of this House in the matter of curtailing the expense of government and saving the people's money, in which no one is more willing to cooperate than I. Every Member of Congress, I am sure, knows something of the burdens of our people as a result of the aftermath of the World War. Conditions in my section are nothing short of distressing. Especially has the farmer suffered more than the man in almost any other industry. This condition, while in the main it is due to the financial bankrupt status of our purchaser nations, yet it was intensified by stopping the operation of the War Finance Corporation and the almost cruel attitude or policy of the Federal Reserve Board. It matters not so much now how the distress came, it is upon us, and I fear the legislation reinstating the War Finance Corporation came too late to overcome the great evil that was done, and which came on us overnight. Distress is upon my people, and I know they want this Government run at the least possible expense. They desire economy above all else, but they desire an economy which is real.

Any expenditure of public money which does not accomplish the purpose for which it is expended is a waste. I think all of the real economists of this House will agree that the amount carried in this bill can not accomplish anything, and therefore I claim that it is a waste. The gentleman from North Carolina [Mr. SMALL] challenged the membership on that side to point out any single item in the substitute he will propose for this bill that was not a wise, just, and essential expenditure. I have not heard a single man raise his voice to justify in reason a vote against the substitute and for this act of legislative abortion.

The gentleman from New York, my friend Mr. DEMPSEY, stated in one breath that the engineers were competent to pass upon the amount necessary for each project, and therefore it was unnecessary for the Congress to specify how much and where any amount should be expended. In the very next breath, in justification of cutting the engineers' estimate, he proceeded to say, in substance, that they are greatly mistaken, citing the fact that a mistake was made in the estimate for the Houston Canal. He blows hot and cold. If the engineers are mistaken or if they are liable to commit serious errors, which theory I do not at all subscribe to, then they are not the proper parties to say when, where, and how much of any given sum should be expended. I believe they know more about this business than Mr. DEMPSEY or any of the rest of us—decidedly more than the steering committee—and I have no doubt that the Chief Engineer and his assistants, who are able and splendid gentlemen, will fairly, equitably, and properly allot whatever funds in their charge for the work. They are handicapped, however, when you refuse to give them sufficient funds, as you are about to do here to-day.

I believe, gentlemen, that this Congress should go back to the sound policy of saying what amount and for what specific river, channel, or harbor project that amount shall be expended and not delegate its authority in this particular or have the engineers legislating, as it were, for each port. This is not their mission or function, but it is the right and prerogative of the people's Representatives in Congress.

When the gentleman from New York stated that commerce was not hurt under this policy of legislating for river and harbor improvement, surely he did not understand conditions in some of the great ports of the country. The port of Mobile has been seriously handicapped, and the large ship operators there to-day have suffered and are suffering because of the depth of the channel. The United States Steel Corporation is building steamers from 8,000 to 10,000 tons dead-weight capacity. None of these steamers have been able to load to their capacity and get down the channel without inconvenience or even with safety. Hundreds of voyages out of the port have been affected. Mobile is a great port, with five trunk lines of railroads, which connect it with all of the Mississippi Valley. It is the nearest port on the Gulf to the west coast of South America; it is the nearest great port, by a few miles, to St. Louis and Chicago; it is a natural gateway to the south from the Mississippi Valley. The United States Government is building a great coal terminal at Mobile, to which will be brought down the Warrior River system millions of tons of coal. The Government is operating upon this river system equipment valued at about $2,000,000. Steel and iron are towed from the rich mineral districts of Alabama to Mobile, for which the larger type of ocean-going vessels would come if the channel permitted. While it is true the commerce of the port has grown, yet it has not been developed to its possibilities and can not be until the channel depth is obtained.

In August, 1917, this Congress adopted a 30-foot channel project for the port of Mobile. To-day the controlling depth in the channel is the same as it was then. As a matter of fact, the engineer is practically out of funds to-day with which to continue operation, even for maintenance, until more money is available. Every large ship operator in Mobile will tell you to-day that they have been seriously handicapped. Thousands and thousands of tons have not been handled through this port solely because of the depth of the channel, and yet gentlemen stand upon this floor and tell this Congress that commerce has not been hurt.

It is stated that there are $47,000,000 now available unexpended for river and harbor improvement. Every Member here knows that this money is available in accordance with the dictates of the Congress for certain specified projects and none of it can be legally used elsewhere. Gen. Taylor says that he

took this into consideration in making up his estimates. How can any man say after this bill is passed what amount any particular port will have allotted to it?

I have requested the Chief of Engineers to allot more money immediately for the port of Mobile, but he informs me that it is absolutely necessary to keep on hand an emergency fund, and that he can not spare any more out of this fund to Mobile. Is it not probable that this same state of affairs will prevail hereafter?

The shipbuilders of to-day are building ships of deeper draft. It is said the average draft of the ocean-going vessels is 29½ feet, and yet here we have a great port on the Gulf which is a great avenue to all the busy markets of the world, a port so much needed in the development of a greater commerce for the Nation at a time when we are trying to develop a great merchant marine; a port with marvelous resources and wonderful possibilities, which can not be entered by a ship drawing 29 feet 6 inches because of a niggardly and inexcusable policy of a so-called economy. A policy, if you please, which is mad, false, and outrageous. A policy under which this House votes millions upon millions to care for railroad transportation yet a mere pittance in comparison for water transportation and harbor development. I have no desire to deal other than fairly with the railroads, the great arteries of the Nation's commerce, yet I do object to your policy of making "flesh" of one form of transportation and "fowl" of the other.

A few weeks ago your President elect stated that he was sure the incoming administration wished to see every southern port whitened with the sails of commerce. Surely you do not agree with Mr. Harding, and if you pursue the policy of this legislation very long you will stagnate if not kill the commerce, not only of the Gulf ports but in all the ports of the Nation. I hope the Republican leadership of this House will soon see the error of its way and provide properly for river and harbor work at the proposed extra session of Congress.

Mr. SMALL. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. CLEARY]. [Applause.]

Mr. CLEARY. Mr. Chairman, I suppose that I have had more experience in water transportation than any man in the House. I actually worked as a boy at the business, and have done so up to the present moment. I know that where you have water enough and barges large enough you can beat the railroads, and that they can not compete with you. All you need is plenty of water and plenty of barges. It is nature's way of transportation improved by man. Take a special case, such as is well known by the gentleman from New York [Mr. DEMPSEY], the Great Lakes. Think of the ore that is carried down the Great Lakes, where the boats may carry full cargoes of one kind of material. The gentleman will tell you what the rates are up there, and no rates under the sun are as low as where they load from the ore mines up in Minnesota and transport the ore to the lake ports. Why is that so? Because they have big boats and lots of water. That is what you need. All the way down your Mississippi River that is what you need, and that is what you need everywhere. But if you dig a little now and say that you have spent a lot of money on some place, and then put it off for seven or eight years and give them a little more in the meantime and allow the bed of the stream to fill up again, you will never get anywhere, and we will be subject to the criticism which was made to-day by the gentleman from Wisconsin [Mr. FREAR], who indirectly attacked the whole water proposition by talking about taxation. In his final remarks he said that the bill carried $50,000,000 when he first came here, and that it now carries only $15,000,000, and he said it with a very pleasant smile. The Congress of the United States can not do anything more profitable for the people of the country than to dig their waterways as quick as they can and every place they can. The day is past when the railroads can put waterways out of business. They thought they could many years ago, and I remember it very well, but of late years they know that they can not. If the waterways can get the water they will get the business, where there is freight in great bulk, such as grain, on the Great Lakes, and ore on the Great Lakes, and coal. Take New York Harbor. I have carried coal from South Amboy, N. J., up to New Haven, a distance of over a hundred miles for 29 cents a ton, and made contracts to do that year after year. We have carried it 25 or 30 miles from New Jersey to New York for 15 cents a ton. What railroad could do that? Take Long Island Sound, and the same is true of that; and of the Hudson River, where millions of tons come down every year, of brick, and broken stone, and ice, and all that sort of thing—large commodities. The railroads never attempt to bid on it. There is not a chance for them. Wherever you have plenty of water and big boats you can carry the stuff all right. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SMALL. Mr. Chairman, I yield three minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. DEMPSEY. Mr. Chairman, I yield two minutes to the gentleman from Maryland.

Mr. LINTHICUM. Mr. Chairman, I realize that whatever I may say on this bill and appropriation will have very little effect, but I can not see the bill pass without some protest on the part of the city of Baltimore on account of the parsimony of the amount allowed. Baltimore has increased largely in population and wonderfully in commerce and in industrial enterprises in the last few years. Our harbor is absolutely inadequate for the business that we are doing, and yet I find that the committee considers that the sum of $250,000, balance at hand, as sufficient to continue the work which is now under contemplation, with the addition of $158,000, which has already been contracted for, the contracts being practically complete.

Under our authorization we are entited to a new channel into Spring Gardens, which has been rendered necessary by virtue of the crooked channel which once existed and the building of a magnificent bridge at that point, making the old and limited channel impractical. That channel has only been partially completed. Then we are entitled to a channel into Curtis Bay, that new section of Baltimore which has sprung up in the last few years, where the great storehouses of the United States Government are located and many new industries abound, and that is only completed about 20 per cent. The additional anchorage basin, also authorized, has not been started and boats are in danger of colliding with one another by virtue of being anchored too closely. For the last few years we have had very little work done by the Government at Baltimore Harbor, in spite of the fact that Baltimore has expended nearly $13,000,000 on dredging and harbor improvements, and has just voted some $50,000,000 additional for such work. Now, I notice that a question was asked by the gentleman from New York [Mr. DEMPSEY] of Col. Taylor as to what was the largest amount expended at Baltimore during any one year in normal days, and the reply was, $229,739 was expended in 1915. Upon that the committee seems to have based its estimate for Baltimore Harbor for the next few years, whereas we know that when $229,000 was spent in 1915 that the contract was let at the rate of about 14 cents a cubic yard, while contracts which are now let are let on the basis of from 23 to 27 cents a cubic yard, so that even under that small amount that would only accomplish about half the work done in 1915.

It is not only Baltimore that is affected by this little amount of work that is to be done, but it is the Central West which is likewise affected. We handle freight there cheaper than almost anywhere else, and we are closer to the Central West than any city along the Atlantic seaboard, so when you affect the harbor of Baltimore you not only affect the people of Baltimore but the people of the Central West and the South. So I say that the amount is extremely small and our allotment will not be sufficient to effectively carry forward the work. The gentleman from New York [Mr. DEMPSEY] tells us that $47,000,000 are unexpended of original appropriations. That is very true, but that $47,000,000, every dollar of it, has a string tied to it, and it must be expended in certain particular ports. New York has something like $5,000,000, the Ohio River has something like $4,000,000, other projects have good sums, and nearly all the projects of the country have very substantial amounts remaining to be expended, and yet the city of Baltimore, a city of 733,000 people, has but $250,000 remaining to be expended for the next 19 months. While I may not have any effect upon this committee, I think that the committee is making a very grave mistake in holding up the work on projects of this nature. It is cities like Baltimore, like New York, like Philadelphia, and Norfolk, which have commerce to the ports of the world from which we seek our taxation, and when we deal with those cities and those projects in a parsimonious manner we affect the whole country in respect to taxation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINTHICUM. I ask unanimous consent to revise my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DEMPSEY. Mr. Chairman, I yield two minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, the gentleman from New York [Mr. VOLK] has spoken twice to-day on a resolution seeking to force a United States district court of our country to tell a committee of the House why he has done so-and-so in respect to a decision and case pending in his court. The court in New York may be guilty of the very things the gentleman

intimates. If it is, it is a question of impeachment; it is not a problem of making the court answer our questions, and I take it that the House has no authority to call upon the court to answer its questions concerning matters of litigation in his court. It is beyond our duty and our province, and that is the only reason I objected to the matter. Every time a case is tried in a court there is a successful party and an unsuccessful party, and the unsuccessful party is always out of humor concerning the court's ruling; and if the House of Representatives is called upon, every time a party gets out of humor because of ill success in a courthouse, to investigate the court's action you might as well stop holding court. The judge is not here; he can not answer for or defend himself——

Mr. SIEGEL. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. SIEGEL. Is not the question which is before the House and before the Congress as to how $17,000,000 were obtained from the War Finance Board without any security being taken for it, and is not that of interest to the people of the country?

Mr. BLANTON. Yes; if $17,000,000 was taken out of the exchequer of the United States wrongfully, the Attorney General has the right, the inherent right, and it would be his duty, to intervene in that suit in behalf of the United States Government and see that the rights of this Government are upheld in the court. I want to add that anything I say upon the floor of this House I am willing to say anywhere in the country. It occurred to me that the gentleman from New York [Mr. VOLK] was attempting to say things here on the House floor he would not say in New York.

The CHAIRMAN. The time of the gentleman has expired, and the Clerk will read.

The Clerk read as follows:

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation, $15,000,000: *Provided*, That allotments from this sum shall be made by the Secretary of War upon the recommendation of the Chief of Engineers: *Provided further*, That at the beginning of the second session of the Sixty-seventh Congress a special report shall be made to Congress by the Secretary of War showing the amount allotted under this appropriation for each work of improvement or maintenance.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. DEMPSEY. What is the point of order that the gentleman reserves?

Mr. BLANTON. I will make it if the gentleman prefers for me to make it.

Mr. DEMPSEY. Yes; make the point of order.

Mr. BLANTON. Mr. Chairman, I make the point of order that the provisos are legislation unauthorized on an appropriation bill.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] makes the point of order that the provisos carried in paragraph No. 1 of the bill are new legislation and unauthorized in a general appropriation bill. The Chair will hear the gentleman if he desires to be heard.

Mr. BLANTON. I think the Chair had better hear the other gentlemen.

Mr. GOOD. Mr. Chairman, this matter is purely a limitation. While the language of the limitation is in the affirmative, after all it is a limitation upon an appropriation bill and simply a direction with regard to its allotment. It does not increase the appropriation; it does not increase the amount, but is a limitation upon it.

Mr. GARRETT. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. GARRETT. With regard to the second proviso, a thought occurs to me in that connection. Even if it be construed to be a limitation, it does not necessarily follow it would be a limitation upon this appropriation, because it provides for the report to be made to the second session of the Sixty-seventh Congress. And although it is a matter of common knowledge, I presume, that that session will be in December, 1921, yet, so far as the law stands, it would not be until December, 1922.

Mr. GOOD. While that is true, I did not suppose that was a thing that the gentleman from Tennessee was even driving at. I thought it was the first proviso. While it is true the report would come in after the beginning of the Sixty-seventh Congress, does the gentleman think that would make any difference?

Mr. GARRETT. I doubt myself whether it is a limitation, but even upon the theory that the second proviso—I have not the first one before me just now, but I have just looked at the second—even if the second proviso could be considered as a limitation, which I gravely doubt, it is not a limitation on this appropriation necessarily, because this appropriation is for the next fiscal year of 1921–22.

Mr. GOOD. I call the gentleman's attention to the fact that the express language is:

That at the beginning of the second session of the Sixty-seventh Congress a special report shall be made to Congress by the Secretary of War, showing the amount allotted under this appropriation for each work of improvement or maintenance.

So it is clearly dealing with this appropriation and with no other appropriation.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. MANN of Illinois. If it does not make law, what does it do?

Mr. GOOD. It limits the expenditure and simply provides for a report on the expenditure.

Mr. MANN of Illinois. It requires the Secretary of War to do something that he is not now required to do. Is not that the fact?

Mr. GOOD. I will say to the gentleman I am not familiar with the provision of the law requiring the Secretary of War to make reports with regard to matters of this kind. But each member of the President's Cabinet is required under the law to make a report and submit it to Congress on or before the beginning of each regular session, as the gentleman knows.

Mr. MANN of Illinois. If that law were applicable to this, it would not be in the bill. Here is a requirement that a special report be made upon this bill. That is something not now required by law, and this endeavors to require by law something which is not now required by law. That certainly is legislation.

Mr. BLANTON. Mr. Chairman, in addition to the suggestions made by the gentleman from Tennessee [Mr. GARRETT] and the gentleman from Illinois [Mr. MANN], I want to call the Chair's attention to the second proviso also, which requires something to be done which has never before been required of the Secretary of War, and is therefore new legislation. I was in hopes that possibly the subcommittee having in charge the bill, having put two new paragraphs in an appropriation bill, would be prepared to show the Chair some substantive law authorizing their action. But they have wholly failed to do that or to make any attempt to do it.

In the second paragraph it is provided that all the allotments from this sum shall be made by the Secretary of War upon recommendation, and so on. There are certain projects that are authorized by law. They are existing projects. Certainly the Congress has the right to appropriate money to carry on those projects. That is not denied. I am not making any contention as to the amount. But the Secretary is left here a discretion, where under the law concerning those projects he now has no such discretion, and it is only by an attempt to pass new legislation that that discretion is lodged in him. And for the other two reasons, mentioned by the gentleman from Illinois and the gentleman from Tennessee, these paragraphs are legislation and out of order.

Mr. SEARS. Mr. Chairman, as I read the first paragraph in the bill, this money shall be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers. The first proviso in the second paragraph of the bill specifically provides that the Secretary of War has no discretion in the matter. In other words, as contained in this proviso, the Secretary of War shall spend the money as recommended by the Chief of Engineers, not even the Board of Engineers; and whatever the Chief of Engineers may recommend, the Secretary of War is compelled, it having been made mandatory, to spend the money accordingly.

In the second proviso, as stated by the gentleman from Illinois [Mr. MANN], it is certainly legislation and no limitation. In other words, the $15,000,000 will be spent whether the report is made or not, and no more can be spent. The Government is simply put to the extra expense of paying for a special report to Congress. As stated by the gentleman from Illinois, the law already provides for a report, and a provision calling for a special report is new legislation pure and simple and therefore subject to a point of order. I therefore have no doubt but that the Chair will sustain the point of order.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Texas [Mr. BLANTON] makes the point of order against both of the provisos carried in paragraph 1 of the bill that these provisos contain new legislation, which is not proper within the rule on a general appropriation bill. The first proviso is in form a limitation, but there is a rule that limitations must not interfere with the executive discretion, and this limitation, which provides that allotments from this sum shall be made by the Secretary of War upon the recommendation of the Chief of Engineers, seems to the Chair to be a clear interference with the discretion of the Secretary of War in that it compels him to obtain the recommendation of one of his officers.

The second proviso is to the effect that the Secretary of War shall submit to Congress a special report covering these matters. There is no provision of law which has been called to the Chair's attention or which the Chair can find which authorizes the making of these special reports. It seems to the Chair, therefore, that this is clearly new legislation carried on a general appropriation bill, and the Chair sustains the point of order as to the two provisos.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph because of the provisos. I ask that the paragraph go out by reason of the two provisos going out on a point of order sustained by the Chair.

The CHAIRMAN. The Chair understood the gentleman to make the point of order only against the two provisos.

Mr. GOOD. Mr. Chairman, the point of order comes too late now, the Chair having ruled on the two provisos. It is too late now to make the point of order on the paragraph.

Mr. BLANTON. I make the point of order on the whole paragraph. Because a part of it fails it all fails under the rules of the House, and there has been no debate on the paragraph by reason of the fact that the only debate that was had was on the point of order.

The CHAIRMAN. The Chair understands, and the Clerk understands, that the gentleman made the point of order against the provisos only, but now the provisos are not in the paragraph. They were stricken out on the point of order.

Mr. BLANTON. I make the point of order on the paragraph. The Chair having held a point of order good against that part of it, it all goes out.

Mr. MANN of Illinois. The gentleman might have made a point of order against the whole paragraph. The gentleman did make a point of order against the two provisos. Before the Chair ruled upon that he might have made a point of order against the whole paragraph, but he did not attempt to make a point of order against the whole paragraph until the Chair had ruled out the two provisos. Now, the gentleman is entitled to make a point of order against the balance of the paragraph, but the provisos are out of it, and he can not sustain the point of order now on the ground that it has the provisos in it, because they are already out.

The CHAIRMAN. That is exactly the position taken by the Chair, as the Chair already stated. The paragraph is not now subject to a point of order for the reason stated by the gentleman from Illinois.

Mr. SMALL. Mr. Chairman, I offer as a substitute for the two paragraphs on pages 1 and 2—I offer an amendment by way of a substitute—and if the amendment by way of a substitute is adopted, I give notice that I shall move to strike out the last paragraph as it is reached.

The CHAIRMAN. The gentleman offers an amendment by way of a substitute, with notice. The Clerk will report the amendment.

The Clerk read as follows:

Mr. SMALL offers the following substitute for paragraphs 1 and 2 of the bill:

That the following sums of money be, and are hereby, appropriated out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named:

Newburyport Harbor, Mass.: For maintenance, $2,000.

Boston Harbor, Mass.: For maintenance, $40,000.

Pollock Rip Shoals, harbor of refuge at Nantucket, New Bedford, and Fairhaven Harbors, Fall River Harbor, and Taunton River, Mass.: For maintenance, $35,000; continuing improvement and for maintenance of Pollock Rip Channel, $150,000; continuing improvement and for maintenance of harbor of refuge at Nantucket, $15,000; in all, $200,000.

Stonington and New London Harbors, Conn.; Pawcatuk River, R. I. and Conn.; and Mystic and Thames Rivers, Conn.: For maintenance, $5,000.

Connecticut River above and below Hartford, Conn.: Continuing improvements and for maintenance below Hartford, $65,000.

Mr. BLANTON. Mr. Chairman, I desire to make a point of order against the gentleman's amendment and against each paragraph of it. I would like the Chair, if he would, to indicate whether it is necessary to make points of order after reaching each paragraph of the amendment, or whether it would be better to wait until all of them have been read. I ask that before the amendment is read.

Mr. MANN of Illinois. It is all one amendment.

The CHAIRMAN. It is only one amendment, and the Chair thinks that the amendment should be read before a point of order is made against it. The Clerk will resume the reading of the amendment.

The Clerk read as follows:

Duck Island, Branford, New Haven, Milford, Bridgeport, Southport, Norwalk, Five Mile River, Stamford, and Greenwich Harbors, Westport Harbor and Saugatuck River, breakwaters at New Haven, and Housatonic River, Conn.: For maintenance, $105,000; completing improvement of Stamford Harbor, $100,000; in all, $205,000.

New York Harbor, N. Y.: For maintenance of entrance channels and for continuing improvement of Ambrose Channel, Craven Shoal Channel, and Anchorage Channel, $550,000.

Channel in Gowanus Bay, N. Y.: Continuing improvement of Red Hook Channel, $150,000.

East River, N. Y.: Continuing improvement, $3,000,000.

Newtown Creek, N. Y.: Continuing improvement, $100,000.

Hudson River Channel, New York Harbor, N. Y.: Continuing improvement, $750,000.

Burlington Harbor, Vt.; Plattsburg and Port Henry Harbors, N. Y.; and Narrows of Lake Champlain, N. Y. and Vt.: For maintenance, $20,000.

Newark Bay and Passaic River, N. J.: For maintenance, $10,000.

Keyport and Shoal Harbors, Woodbridge, Cheesequake, Matawan, and Compton Creeks, Elizabeth, Raritan, South, and Shrewsbury Rivers, and Raritan Bay, N. J.: For maintenance, $32,500; continuing improvement of Raritan River, $25,000; in all, $57,500.

Delaware River, between Philadelphia, Pa., and Trenton, N. J.: For maintenance, $12,500.

Delaware River, Pa., N. J., and Del.: For maintenance from Allegheny Avenue, Philadelphia, to the sea, $2,000,000.

Cooper, Salem, Cohansey, and Maurice Rivers, Woodbury, Mantua, Raccoon, Oldmans, and Alloway Creeks, N. J.: For maintenance, $20,000.

Cold Spring and Absecon Inlets, Absecon and Tuckerton Creeks, and Toms River, N. J.: For maintenance, $9,200: *Provided*, That no part of the funds herein appropriated shall be expended on Absecon Inlet.

Wilmington Harbor, Del.: For maintenance, $60,000.

Inland waterway from Delaware River to Chesapeake Bay, Del. and Md.: Continuing improvement, $1,000,000.

Appoquinimink, Smyrna, Leipsic, Little, St. Jones, Murderkill, Mispillion, and Broadkill Rivers, Del.: For maintenance, $25,000.

Waterway from Chincoteague Bay, Va., to Delaware Bay at or near Lewes, Del.: For maintenance, $1,500.

Waterway on the coast of Virginia: For maintenance, $2,000.

Baltimore Harbor and Channels, Md.: Continuing improvement and for maintenance, $125,000.

Rockhall, Queenstown, Claiborne, Tilghman Island, Cambridge, and Crisfield Harbors, Elk and Little Elk, Chester, Corsica, Choptank, Tuckahoe, Warwick, La Trappe, Tred Avon, Wicomico, and Pocomoke Rivers, Slaughter, Tyaskin, and Broad Creeks, Twitch Cove and Big Thoroughfare River, and Lower Thoroughfare, Deal Island, Md.; Nanticoke River (including Northwest Fork), Del. and Md.; Broad Creek River, Del.; and Tangier Channel, Va.: For maintenance, $20,000.

Potomac River, at Washington, D. C., at Alexandria, Va., and at Lower Cedar Point, Md.; Occoquan and Aquia Creeks, Va.: For maintenance, $20,000.

Rappahannock, Mattaponi, and Pamunkey Rivers, and Urbana Creek, Va.: For maintenance, $10,000.

James, Nansemond, Pagan, and Appomattox Rivers, Va.: For maintenance, $5,000.

Norfolk Harbor and Channels, Va.: Continuing improvement and for maintenance, including channel to Newport News, $700,000.

Onancock River, Va.: For maintenance, $5,000.

Waterway from Norfolk, Va., to Beaufort Inlet, N. C.: For maintenance, $50,000.

Manteo Bay, Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers, Fishing, Contentnea, Swift, and Smiths Creeks, and waterway connecting Swan Quarter Bay with Deep Bay, N. C.: For maintenance, $25,000.

Beaufort and Morehead City Harbors, Beaufort Inlet, waterway from Pamlico Sound to Beaufort Inlet, waterway connecting Core Sound and Beaufort Harbor, channel connecting Thoroughfare Bay and Cedar Bay, and inland waterway Beaufort to Jacksonville, N. C.: For maintenance, $2,500.

Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance, $100,000.

Winyah Bay, Waccamaw, Little Peedee, and Great Peedee Rivers, S. C.: For maintenance, $10,000.

Santee and Congaree Rivers, S. C.: For maintenance, including the Estherville-Minim Creek Canal and the Congaree River as far up as the Gervais Street Bridge, Columbia, $5,000.

Waterway between Charleston and Winyah Bay, S. C.: Continuing improvement and for maintenance, $15,500.

Charleston Harbor and Channel, S. C.: Continuing improvement to provide a channel 40 feet deep and 1,000 feet wide, extending from the sea to the Charleston Navy Yard, $500,000.

Wappoo Cut, S. C.: For maintenance, $4,000.

Savannah Harbor and Savannah River, below, at, and above Augusta, Ga.: For maintenance, $366,000; continuing improvement of Savannah Harbor, $300,000; in all, $666,000.

Waterway between Beaufort, S. C., and St. Johns River, Fla.: For maintenance, $40,000.

Sapelo and Darien Harbors, Cowhead and Satilla Rivers, and Fancy Bluff Creek, Ga.; and St. Marys River, Ga. and Fla.: For maintenance, $20,000.

Altamaha, Oconee, and Ocmulgee Rivers, Ga.: Continuing improvement and for maintenance, $40,000.

Brunswick Harbor, Ga.: Continuing improvement and for maintenance, $100,000.

St. Johns River, Fla.: Jacksonville to the ocean, Jacksonville to Palatka, and Palatka to Lake Harney, Lake Cresent, and Dunns Creek, and Oklawaha River, Fla.: For maintenance, $422,000.

Indian River, St. Lucie Inlet, Miami Harbor (Biscayne Bay), and harbor at Key West, Fla.: For maintenance, $60,500.

Kissimmee, Caloosahatchee, Orange, Anclote, Crystal, Withlacoochee, and Suwanee Rivers, Charlotte Harbor, Sarasota Bay, and Clearwater Harbor and Boca Ceiga Bay, Fla.: for maintenance, $13,500.

Tampa and Hillsboro Bays, St. Petersburg Harbor, Hillsboro and Mantee Rivers, Fla.: Continuing improvement of Hillsboro Bay, $300,000.

Carrabelle Bar and Harbor, Apalachicola, St. Joseph and St. Andrews Bays, Apalachicola and Chipola Rivers, and channel from Apalachicola River to St. Andrews Bay, Fla.; Flint River, Ga.; and Chattahoochee River, Ga. and Ala.: For maintenance, including the cut-off, Lee Slough, lower Chipola River, and upper Chipola River from Marianna to its mouth, $126,500; completing improvement of Flint River, $10,000; in all, $136,500.

Holmes and Blackwater Rivers, Fla.: Choctawhatchee, Escambia, and Conecuh Rivers, Fla. and Ala.; the narrows in Santa Rosa Sound, and Pensacola Harbor, Fla.: For maintenance, $50,000.

Alabama River, Ala., and Coosa River, Ala. and Ga.: Continuing improvement and for maintenance of the Alabama River, including the Alabama and Coosa Rivers between Montgomery and Wetumpka $42,000.

Mobile Harbor and Bar, and channel connecting Mobile Bay and Mississippi Sound, Ala.: For maintenance of channel connecting Mobile Bay and Mississippi Sound, $10,000; continuing improvement and for maintenance of Mobile Harbor and Bar, $316,000; in all, $326,000.

Gulfport Harbor, Miss.: For maintenance of anchorage basin at Gulfport and channel therefrom to the anchorage or roadstead at Ship Island, and for maintenance of channel at Ship Island Pass, $100,000.

Pascagoula, Wolf, Jordan, Pearl, and East Pearl Rivers, and Biloxi Harbor, Miss.: For maintenance, $10,000.

. Passes at the mouth of the Mississippi River: Continuing improvement and for maintenance, $2,000,000.

Lake Pontchartrain, Pass Manchac, Bogue Falia, Chefuncte, Ponchatoula, Natalbany, Blood, Tickfaw, and Amite Rivers, and Bayou Manchac, La.: For maintenance, $9,700.

Barataria Bay and Bayous Lafourche, Terrebonne, Grossetete, Plaquemine, and Teche, La.: For maintenance, including Grand River and Pigeon Bayou, $20,000; continuing improvement of Bayou Teche, $50,000; in all, $70,000.

Atchafalaya River, La.: For maintenance, $30,000.

Waterway, from the Mississippi River to the Sabine River, La.: For improvement from Mississippi River to Bayou Teche, $50,000; continuing improvement from Franklin to Mermentau, $200,000; continuing improvement from Mermentau River to Sabine River, $168,000; in all, $418,000.

Bayous Vermilion, Nezpique, des Cannes, Plaquemine Brule, and Queue de Tortue, Mermentau River, and Calcasieu River and Pass, La.: For maintenance, including channel, bay, and passes of Bayou Vermilion, and tributaries of Mermentau River, $15,000.

Removing the water hyacinths, Alabama, Mississippi, Louisiana, and Texas: For the removal of the water hyacinth from the navigable waters in the States named in so far as it is or may become an obstruction to navigation, $17,500.

Galveston Harbor, Galveston Channel, Port Bolivar Channel, Texas City Channel, and Houston Ship Channel, Tex.: For maintenance, $705,000; continuing improvement by construction of sea-wall extension to protect Galveston Channel, $100,000: *Provided*, That no expenditures from the appropriation made herein shall be made for placing the fill back of the sea-wall extension until the city of Galveston shall make provision for placing the fill back of its section of the sea-wall extension; continuing improvement of Houston Ship Channel, $250,000; in all, $1,055,000.

Anahuac Channel, mouth of Trinity River, Oyster and Clear Creeks, and Cedar, Chocolate, Turtle, Bastrop, Dickinson, Double, and East Bay Bayous, Tex.: For maintenance, $10,000.

Waterway from Galveston to Corpus Christi and channel from Pass Cavallo to Port Lavaca, Tex.: For maintenance, $50,000.

Freeport Harbor, Tex.: Continuing improvement, $160,000.

Port Aransas, Tex.: For maintenance, $150,000.

Harbor at Sabine Pass and Port Arthur Canal, Sabine-Neches Canal, and Johnsons Bayou, La. and Tex.: For maintenance, $217,000.

Red, Black, Ouachita, Tensas, Boeuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, $55,000; continuing improvement of Ouachita River in accordance with the report submitted in Rivers and Harbors Committee Document No. 7, Sixty-fifth Congress, second session, $175,000; in all, $230,000.

Yazoo River and tributaries, Miss.: For maintenance, including Yazoo, Tallahatchie, Coldwater, and Big Sunflower Rivers, Tchula Lake, Steele and Washington Bayous, Lake Washington, and Bear Creek, $25,000.

Arkansas River, Ark. and Okla.: For maintenance, $20,000.

Black and Current Rivers, Ark. and Mo.; and White, St. Francis, and L'Anguille Rivers, and Blackfish Bayou, Ark.: For maintenance, $50,000.

Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: Continuing improvement and for maintenance, $500,000: *Provided*, That the Secretary of War may, in his discretion, withhold the expenditure of the whole or any part of the appropriations herein made until he receives satisfactory assurances that the cities and towns along the river will provide suitable and satisfactory water terminals, including physical connection between such terminals and the railways serving such communities, and will endeavor to effect interchange of traffic between the railways and the terminals.

Mississippi River: For the removal of snags and wrecks from the Mississippi River below the mouth of the Missouri River, and from Old and Atchafalaya Rivers, in accordance with the recommendation of the Chief of Engineers in his annual report for 1920, $25,000, in addition to amounts otherwise appropriated.

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $1,070,000: *Provided*, That the Secretary of War may, in his discretion, withhold the expenditure of the whole or any part of the appropriations herein made until he receives satisfactory assurances that the cities and towns along the river will provide suitable and satisfactory water terminals, including physical connections between such terminals and the railways serving such communities, and will endeavor to effect interchange of traffic between the railways and the terminals.

St. Croix River, Wis. and Minn.: Minnesota River, Minn.; Lake Traverse, Minn. and S. Dak.; and Red River of the North, Minn. and N. Dak.: For maintenance, $2,500.

Missouri River: For maintenance between Kansas City, Kans., from the upper end of Quindaro Bend and the mouth of the river, $225,000.

Osage and Gasconda Rivers, Mo., and Kansas River, Kans.: For maintenance, $10,000.

Cumberland River, Tenn. and Ky.: For maintenance above Nashville, $5,000; continuing improvement below Nashville, $150,000; in all, $155,000.

Tennessee River, Tenn., Ala., and Ky.: For maintenance and continuing improvement, $505,000: *Provided*, That the Secretary of War may, in his discretion, withhold the expenditure of the whole or any part of the appropriation herein made until he receives satisfactory assurances that the cities and towns along the river will provide suitable and satisfactory water terminals, including physical connection between such terminals and the railways serving such communities, and will endeavor to affect interchange of traffic between the railways and the terminals.

Ohio River: Continuing improvement and for maintenance by open-channel work, $300,000.

Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, $2,500,000: *Provided*, That the Secretary of War may, in his discretion, withhold the expenditure of the whole or any part of the appropriation herein made until he receives satisfactory assurances that the cities and towns along the river will provide suitable and satisfactory water terminals, including physical connection between such terminals and the railways serving such communities, and will endeavor to affect interchange of traffic between the railways and the terminals.

Allegheny River, Pa.: For maintenance by open-channel work, $10,000; continuing improvement by construction of locks and dams, $250,000: *Provided*, That no expenditure shall be made from the funds herein appropriated until actual work toward raising the bridges forming an obstruction to the free navigation of the river at Pittsburgh shall have been commenced in accordance with the existing order of the Secretary of War; in all, $260,000.

Pittsburgh Harbor, Pa.: For maintenance, $6,000.

Grand Marais, Marquette, Marquette Bay, and Ontonagon Harbors, and Keweenaw Waterway, Mich.; Ashland and Port Wing Harbors, Wis.; Duluth-Superior Harbor, Minn. and Wis.; Agate Bay and Grand Marais Harbors, Minn.: For maintenance, $190,000; continuing improvements of Keweenaw Waterway, $10,000; in all, $200,000.

Warroad Harbor and River, Baudette Harbor and River, Zippel Bay and Lake of the Woods, Minn.: For maintenance, $3,800.

Manistique Harbor, Mich.; Menominee, Oconto, Green Bay, Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha, and Waukegan Harbors, Sturgeon Bay and Lake Michigan Ship Canal, and Fox River, Wis.: For maintenance, $300,000; completing improvement of Racine Harbor, $165,000; in all $465,000.

St. Joseph Harbor and River, Saugatuck Harbor and Kalamazoo River, South Haven, Holland, Grand Haven, Muskegon, White Lake, Pentwater, Ludington, Manistee, Portage Lake, Arcadia, Frankfort, Charlevoix, and Petoskey Harbors, and Grand River, Mich.: For maintenance, $350,000; completing improvement of Ludington Harbor, $55,000; in all, $405,000.

Chicago and Calumet Harbors, Chicago and Illinois Rivers, Ill.: Calumet River, Ill. and Ind.; and Indiana and Michigan City Harbors, Ind.: For maintenance, $390,000; continuing improvement of Calumet River, $160,000; continuing improvement of Illinois River below Copperas Creek, $46,000; continuing improvement of Indiana Harbor, $200,000; in all, $796,000.

Ship channel connecting waters of the Great Lakes between Chicago, Duluth, and Buffalo, including St. Marys River, St. Clair River, channels in Lake St. Clair and Detroit River, Mich.: For maintenance, $119,000; continuing improvement of Livingstone Channel, Detroit River, $750,000: *Provided*, That from the moneys herein or heretofore appropriated for this improvement, not to exceed $45,000 may be expended by the Secretary of the Treasury for remodeling and flooring over the light well of the Federal building at Detroit, Mich., to better accommodate the demands for space and to enable the Engineer Department to remain in its present quarters; in all, $869,000.

The unexpended balance of appropriations heretofore made for the construction of the fourth lock in St. Marys River, Mich., is hereby made available for maintenance work in said St. Marys River.

Mackinac, Cheboygan, Rogers City, Alpena, Harbor Beach, and Monroe Harbors, Saginaw, Black, Clinton, and Rogue Rivers, Mich.: For maintenance, $60,000; continuing improvement of Rogue River, $75,000; in all, $135,000.

Toledo, Port Clinton, Sandusky, Huron, Vermilion, Lorain, Cleveland, Fairport, Ashtabula, and Conneaut Harbors, Ohio: For maintenance, $89,000.

Erie Harbor, Pa.; Dunkirk and Buffalo Harbors, Black Rock Channel and Tonawanda Harbor, and Niagara River, N. Y.: For maintenance, $541,000; completing improvement of Black Rock Channel and Tonawanda Harbor, $170,000; in all, $711,000.

Olcott, Charlotte, Great Sodus Bay, Little Sodus Bay, Oswego, Cape Vincent, and Ogdensburg Harbors, N. Y.: For maintenance, $49,000; completing improvement of Oswego Harbor, $50,000; in all, $99,000.

San Francisco, Oakland, Richmond, Monterey, Humboldt, and Crescent City Harbors, Redwood, Petaluma, and San Rafael Creeks, Napa River, San Pablo Bay, and Suisun and Suisun Bay Channels, Calif.: For maintenance, $145,000; continuing improvement of Richmond Harbor, $160,000; completing improvement of Petaluma Creek, $50,300; continuing improvement of Humboldt Harbor and Bay, $250,000; for improvement of Crescent City Harbor in accordance with the report submitted in House Document No. 434, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $100,000; in all, $705,300.

Sacramento, Feather, San Joaquin, and Mokelumne Rivers, and Stockton and Mormon Channels (diverting canal), Calif.: For maintenance, $121,800.

Coquille, Coos, Siuslaw, and Yaquina Rivers, and Coos, Yaquina, Tillamook, and Nehalem Bays, Oreg.: For maintenance, $151,000; continuing improvement of Yaquina Bay and Harbor, $175,000; in all, $326,000.

Cascades and Dalles-Celilo Canals, Oreg., Columbia River and tributaries above Celilo Falls to the mouth of Snake River, Oreg. and Wash., and Snake River, Oreg., Wash., and Idaho: For maintenance, $5,000.

Columbia and lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg., and mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, $500,000.

Willamette River above Portland and at Willamette Falls, Yamhill and Clatskanie Rivers, Oreg.; Cowlitz, Lewis, and Grays Rivers, and Skamokawa Creek, Wash.: For maintenance, $50,000.

Willapa River and Harbor, Grays Harbor, Chehalis and Hoquiam Rivers, Wash.: Continuing improvement of Willapa River and Harbor, $52,050.

Puget Sound and its tributary waters, Olympia, Seattle, Anacortes, Port Gamble, Tacoma, and Bellingham Harbors, Lake Washington Ship Canal, Snohomish and Skagit Rivers, Swinomish Slough, waterway connecting Port Townsend Bay and Oak Bay, Columbia River between Wenatchee and Kettle Falls, Wash.: For maintenance, $25,000; continuing improvement of Lake Washington Ship Canal, $65,000; in all, $90,000.

Nome Harbor, Alaska: Continuing improvement and for maintenance of Nome Harbor, $20,000.

San Juan Harbor, P. R.: Continuing improvement and for maintenance, $400,000.

For examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, $250,000: *Provided*, That no part of this sum shall be expended for any preliminary examination, survey, project, or estimate not authorized by law.

Continuing improvement and for maintenance of authorized projects on the Atlantic and Gulf coasts, $3,000,000, which sum is to be applied to the construction of four seagoing hopper dredges.

Readjustment of contracts: The sum of $194,742.65 is hereby appropriated to pay amounts found to be due various contractors under the provisions of section 10 of the river and harbor act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into, but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, as set forth in detail in the report submitted in House Document No. 986, Sixty-sixth Congress, third session.

Total of bill, $28,271,850.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 10920. An act declaring Platte River to be a nonnavigable stream;

H. R. 1789. An act for the relief of Thomas P. Darr;

H. R. 1790. An act for the relief of John K. Ashley, jr.;

H. R. 3210. An act for the relief of Joseph A. Prat;

H. R. 3522. An act for the relief of Lemuel Stokes;

H. R. 6221. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the Osage civilization fund claim of the Osage Nation of Indians against the United States;

H. R. 6301. An act for the relief of Nathan Manzer;

H. R. 11066. An act for the relief of the Shipowners & Merchants Tugboat Co.;

H. R. 12333. An act for the relief of Albert T. Huso;

H. R. 12441. An act for the relief of the Duluth, Winnipeg & Pacific Railroad; and

H. R. 13600. An act for the relief of Mrs. William B. Ryan.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4434. An act for the relief of contributors of the Ellen M. Stone ransom fund; and

S. 4897. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

Mr. SMALL and Mr. JOHNSON of Mississippi rose.

Mr. BLANTON. Mr. Chairman, I make the point of order against the entire amendment and against each separate item and paragraph in it, because of new legislation in an appropriation bill, unauthorized by law.

The CHAIRMAN. Will the gentleman point to some particular objectionable language in the amendment?

Mr. BLANTON. There are various provisos in there which seek to take away from the official who has charge of the disbursement of these funds the discretion allowed by law, and various other paragraphs, too numerous to mention, which are legislation.

The CHAIRMAN. Can the gentleman indicate some?

Mr. BLANTON. Each and every one of them.

The CHAIRMAN. If the gentleman fails——

Mr. BLANTON. I can call the specific attention of the Chair to certain ones if the Chair will give me a copy of the amendment, but it is impossible to remember so many.

The CHAIRMAN. The gentleman can look it over.

Mr. SMALL. Mr. Chairman, I ask unanimous consent to modify the amendment I have offered in the following particulars, in the items for the Mississippi River. I have not the same print as the Clerk has.

The CHAIRMAN. Will the gentleman give the number of the page?

Mr. SMALL. I have not the same print of the bill as the Clerk. The Clerk can find it.

The CHAIRMAN. Will the gentleman give the page on his copy, please?

Mr. SMALL. Yes. I am reading from the minority report, on page 8. I desire to modify the amendment making an appropriation for the Mississippi River from the mouth of the Ohio to the mouth of the Missouri by striking out the proviso. I suppose it is not necessary to read the proviso.

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendments in the respects indicated.

Mr. SMALL. I have another request, if the Chair would prefer to put them all together.

The CHAIRMAN. The gentleman has several requests to make?

Mr. SMALL. Yes.

The CHAIRMAN. Then the Chair will put them all together.

Mr. SMALL. In the fourth paragraph, on page 8, of the committee report—

The Mississippi River from the mouth of the Missouri to Minneapolis—

I ask leave to strike out the proviso.

On the same page, in the appropriation for the Tennessee River in Tennessee, Alabama, and Kentucky—

Maintenance of continuing improvement, $505,000—

I ask to strike out the proviso there.

In the appropriation for the Ohio River, on the same page—

Continuing improvement, for construction of locks and dams, with a view to securing a navigable depth of 9 feet, $2,500—

I ask unanimous consent to strike out the proviso in that paragraph.

In the next paragraph—

Allegheny River, Pa., for maintenance by open-channel work, $10,000; continuing improvement by construction of locks and dams, $250,000—

I ask leave to strike out the proviso in that paragraph.

The CHAIRMAN. Does that complete the gentleman's request?

Mr. SMALL. That completes it.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to modify his amendments in the several respects which he has indicated.

Mr. BLANTON. I object.

Mr. GARRETT. Mr. Chairman, a parliamentary inquiry. Does it require unanimous consent at this stage of the proceedings? The amendment has not been debated.

The CHAIRMAN. In the opinion of the Chair, it requires unanimous consent to modify an amendment in Committee of the Whole, whether debate has proceeded or not.

Mr. BLANTON. Mr. Chairman, I renew my point of order.

Mr. DEMPSEY. I make a point of order against the amendment as it now stands, with the modifications made by the gentleman from North Carolina.

Mr. BANKHEAD. A parliamentary inquiry. As I understood it, objection was made to the request of the gentleman from North Carolina.

The CHAIRMAN. Objection was made, and the amendment of the gentleman from North Carolina by way of substitute stands now as it was originally, and to that amendment the gentleman from Texas has made a point of order.

Mr. BLANTON. I will point out some specific paragraphs among the numerous ones that are subject to a point of order, but I lodged my point of order against the whole amendment because of them. For instance, the last paragraph of the amendment provides—

Readjustment of contracts: The sum of $194,742.65 is hereby appropriated to pay amounts found to be due various contractors under the provisions of section 10 of the river and harbor act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, as set forth in detail in the report submitted in House Document No. 986, Sixty-sixth Congress, third session.

That embraces new legislation not authorized by law; also the preceding paragraph which ends with the words—

which sum is to be applied to the construction of four seagoing hopper dredges.

There is no law authorizing the construction of four seagoing hopper dredges, and that is new legislation on an appropriation bill not authorized by law.

Then on the Ohio River project the proviso is clearly new legislation not authorized by law.

Also the proviso following the appropriation with respect to the Allegheny River, Pa., is very clearly new legislation on an appropriation bill unauthorized by law.

The proviso on the Mississippi River project, from the mouth of the Mississippi River to Minneapolis, Minn.—that proviso in the paragraph is clearly new legislation on an appropriation bill unauthorized by law.

I could point out others, but I take it that these are sufficient to make the whole amendment subject to the point of order.

The CHAIRMAN. Does the gentleman from North Carolina concede that any one of the provisos mentioned by the gentleman from Texas is new legislation?

Mr. SMALL. Mr. Chairman, on the merits I do not think any of the items in this substitute contains new legislation. Take, for illustration——

The CHAIRMAN. Are they, as a matter of fact, new legislation?

Mr. SMALL. I am making the statement in good faith and will give my reasons for it. I will say frankly that, in order to remove any doubt, I asked leave to modify the amendment, but I really do not think any item is subject to a point of order. Take, as an illustration, the appropriation for the Mississippi River from the mouth of the Ohio to and including the mouth of

the Missouri River, "continuing improvement and maintenance, $500,000."

The CHAIRMAN. If the gentleman will permit the Chair, in order to save the time of the House, the Chair will ask the gentleman as to the last section of his amendment, providing for an investigation.

Mr. SMALL. Is the Chair referring to the readjustment of contracts for which the sum of $194,000 is appropriated?

The CHAIRMAN. Yes.

Mr. SMALL. I do not think that is legislation. In the previous river and harbor bill there was carried a provision authorizing the Secretary of War, through the Chief of Engineers, to investigate the claims of certain contractors who were making claims for increased compensation caused by the increase in cost of materials and labor—contractors who had performed their contracts and had met with serious losses—the law authorized an investigation and subsequent report to Congress for payment.

So that this is simply an appropriation for the payment of a liability which has been heretofore authorized. That is to say authorization has heretofore been given by law to the Chief of Engineers to investigate and find the amounts due and report to Congress. This appropriation is only to meet the amount found to be due in accordance with that report.

I submit that is not new legislation; it is simply a liability which the Government heretofore authorized.

Now, Mr. Chairman, the only other provisions which could at all be interpreted as new legislation are the several provisos which I cited a few minutes ago and asked to eliminate, and of which this is typical if not in the exact language:

Provided, That the Secretary of War may, in his discretion, withhold the expenditure of the whole or any part of the appropriations herein made until he receives satisfactory assurances that the cities and towns along the river will provide suitable and satisfactory water terminals, including physical connection between such terminals and the railways serving such communities, and will endeavor to effect interchange of traffic between the railways and the terminals.

Mr. Chairman, I think it is a fair assumption that the language constitutes a limitation on the appropriation and sets up a condition upon which the appropriation may never be expended. That is not new legislation. We have a general law requiring the engineer to make investigation as to the status of water terminals. We have a law which requires the Chief of Engineers to make plans for terminals, and the purpose of this proviso is to set up a condition which might prevent the expenditures altogether of the appropriation which was made. Being a limitation it seems to me that the Chair might well in a fair interpretation declare that it is a limitation and not a matter of legislation, and therefore within the rule.

I understand, of course, that these provisions have been very familiar heretofore in river and harbor bills, because the River and Harbor Committee had legislative as well as appropriating jurisdiction, but I am not putting it on that ground. I am submitting that the limited jurisdiction of the Committee on Appropriations has not been exceeded by inserting a proviso which not only limits but may possibly prevent the expenditure of the entire sum appropriated. That is typical of the other proviso in the several appropriations to which I have called the attention of the Chair. It seems to me, as I say, that the Chair might well hold that they do not constitute legislation.

The CHAIRMAN. The Chair is ready to rule. The last paragraph of the amendment offered by the gentleman from North Carolina [Mr. SMALL] provides for readjustment of contracts, and it appropriates the sum of one hundred and ninety-four thousand and odd dollars to pay the amounts found to be due to various contractors under the provisions of section 10 of the river and harbor act of March 2, 1919.

Mr. SMALL. Mr. Chairman, will the Chair permit me to correct what I think is a misinterpretation on the part of the Chair? The readjustment of contracts is simply the title. That is not intended to be affirmative. It is simply the title.

The CHAIRMAN. The Chair read the language of the section without intending to stress particularly those words, but the paragraph does provide for the payment of a large sum of money for amounts found to be due under section 10 of the river and harbor act of March 2, 1919. Section 10 of the river and harbor act of March 2, 1919, simply provides that the Secretary of War may investigate and report to Congress the amounts which he thinks should be paid to the several contractors, but it does not provide for any audit, and is insufficient authorization, in the opinion of the Chair, to support an appropriation for payment in general appropriation bills. The Chair would call the attention of the gentleman to a decision in Hinds' Precedents, volume 4, section 3639. In that ruling the Chairman of the Committee of the Whole held that the fact that a department officer had reported on a claim in accordance with a direction of law did not thereby make an audited claim, for which provision might be made on appropriation bills. The present occupant of the Chair is inclined to think that that ruling is sound and based on correct reasoning, and the Chair, therefore, sustains the point of order made by the gentleman from Texas [Mr. BLANTON].

Mr. SMALL. Does the Chair hold in ruling the paragraph out of order that it vitiates the entire amendment?

The CHAIRMAN. It vitiates the entire amendment. It is all one amendment, and if it is objectionable in any particular it is bad in its entirety.

Mr. SMALL. Then I offer the amendment by way of substitute, with this paragraph stricken out and also the paragraph to which I last called attention, the several provisos.

Mr. DEMPSEY. Mr. Chairman, I think the gentleman should designate what paragraphs he refers to and what parts of paragraphs.

Mr. SMALL. I have already done that in detail.

Mr. DEMPSEY. I think it should be done again in offering the amendment.

Mr. SMALL. Then I offer the amendment by way of substitute with the delimitations.

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment to be in proper form should be so that it can be read in order that the Members may understand it. As it is, it is such a voluminous document that we could not tell what was left in the amendment after the gentleman states it, and I make the point of order that it should be reduced to writing and submitted to the Clerk in regular form.

The CHAIRMAN. The gentleman from Texas makes the point of order that the amendment offered by the gentleman from North Carolina is not in proper form in that it has not been reduced to writing in all respects.

Mr. SMALL. Mr. Chairman, it has been reduced to writing.

The CHAIRMAN. The gentleman from Texas makes the point of order and the Chair will request the Clerk to advise him if the amendment has been reduced to writing in all respects. The Clerk informs the Chair that it is not in due form as now offered.

Mr. SMALL. I can offer it in just a moment.

Mr. JOHNSON of Mississippi. Mr. Chairman, I offer an amendment to the bill, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Mississippi: Page 2, line 4, strike out "$15,000,000" and insert in lieu thereof "$25,000,000."

Mr. JOHNSON of Mississippi. Mr. Chairman, I offer this amendment to increase the appropriation for the rivers and harbors of this country from $15,000,000 to $25,000,000, realizing how difficult it will be for me to have the House override the committee which reported the bill.

But, Mr. Chairman, the sum recommended by the committee is inadequate, and unless this House increases the appropriation the rivers and harbors must suffer. It has been the custom for many years for the Rivers and Harbors Legislative Committee to summon the Army engineers before it, and from the testimony given by these engineers to agree upon the amount to be appropriated for the rivers and harbors. In this case, the Rivers and Harbors Legislative Committee had Col. Taylor, of the Army Engineers, before it for a number of days, during which time they considered every river and harbor for which an appropriation was necessary. Col. Taylor went fully into the question of providing for improvement and maintenance of the rivers and harbors and recommended that the sum of $57,000,000 be appropriated.

Could there be a more intelligent way of reaching a conclusion as to the amount necessary for this work than by taking the word of Col. Taylor, whose business it is to learn the true conditions of the rivers and harbors? What selfish motive could prompt this man in making such recommendations, if they were not necessary? Col. Taylor is a man of the highest order of integrity.

The Rivers and Harbors Legislative Committee made its recommendation to the Appropriations Committee, and the Appropriations Committee arbitrarily reported a bill reducing the sum to be appropriated from $57,000,000 to $15,000,000. Such hypocritical policy of economy will never be approved by the American people. The people who pay the taxes will not indorse the action of this committee, because they know it is foolish economy to cripple the means of transportation. It is admitted by all who try to keep posted on conditions in the country that the harbors of the United States have deteriorated during the war from lack of attention.

One of the crying needs of the country to-day is adequate transportation. The railroads have during the last few years broken down, and there has been congestion on many of the railroad lines entailing losses that extended into the millions of dollars upon the people.

There has been congestion in the harbor at New York, and at this time it is inadequate to handle the commerce that the shippers are undertaking to send through it. The exports of the United States last year amounted to $8,000,000,000; the imports amounted to more than five billion, a large majority of which passed through the port of New York. Millions of dollars' worth of goods, wares, and merchandise were shipped from New York to the South and West by way of rail after it had come into the city of New York by water transportation.

Under the iniquitous railroad bill, known as the Cummins-Esch bill, the charges for transporting those goods, wares, and merchandise to the ultimate consumer make the cost to the consumer almost prohibitive.

Why ship this property through the New York Harbor, to the detriment of the people South and West? Why not improve the southern harbors, so that the greatest ocean-going steamers can come into the ports of Gulfport, Pascagoula, Mobile, and other important southern ports, thereby saving to the shipper and the consumer millions of dollars in transportation charges? The rates for shipping by way of railroad have increased 75 per cent, in some cases more, and just at this time the railroad companies are on the eve of breaking down again.

Who must pay the price for the inadequate transportation facilities? Who will suffer from this foolish economy of the Republican Party in refusing to improve the rivers and harbors of this country?

It is a well-known fact that the railroad companies have been guilty of opposing rivers and harbors legislation. They have put out of commission many boat and steamship lines, because they competed with the railroads. They have conducted a campaign against river and harbor improvement and are to-day opposing this legislation.

The cost of living in this country can never be reduced until the cost of transportation between the consumer and the producer is reduced.

Why should the people living near Gulfport, Pascagoula, and other southern ports be required to ship through other ports? It is largely due to the fact that the largest ocean-going steamers, according to Col. Taylor, of the Army Engineers, can not come into the ports just mentioned. If these ships could come into the ports it would save to the shipper and to the consumer hundreds of millions of dollars in transportation charges.

By the expenditure of a reasonable sum at these ports they could be made adequate for the handling of the largest ocean-going steamers. The sum necessary for this improvement has been shown by the Army Engineers and recommended to the committee, but this committee, dominated by Republicans, has seen fit to ignore the recommendations of these engineers.

We are at this time undertaking to expand our foreign trade. Only last week we voted many thousands of dollars while we had under consideration the Diplomatic and Consular bill for the purpose of establishing better trade relations with Europe.

We are bidding for the Central and South American trade and at the same time are refusing to improve our harbors in the South and West so that the steamers can come into them.

Such inconsistency will not be approved by the people. Such business judgment will not be indorsed by the business men of the country. I call the attention of the House to the hearings before the rivers and harbors legislative committee and the Rivers and Harbors Appropriations Committee, and from those hearings I call upon the Republican committee reporting this bill to reconcile their bill with the hearings.

It has been necessary to do considerable lighterage business at Gulfport, Pascagoula, and Mobile. Thousands of ships are anxious to come into those ports, but for the lack of the expenditure on the part of the Government of a small sum of money the largest vessels can not load in these harbors.

The progress and prosperity of the country depend to a very large extent upon the improvement of the rivers and harbors and the maintenance of those that are already improved.

No one who is posted will deny that the appropriation recommended by the majority of the Appropriations Committee is inadequate. Why should this House permit two or three men to arbitrarily deny the necessary relief to many of the harbors and rivers of the country?

It is time for this House to quit playing politics. The people are tired of it. You are voting away millions of dollars here every day. Why not take some of the many millions you are expending on your great standing army and improve the rivers and harbors? You know there is no danger of war. Every day there is some one coming to this Capitol with their hands out begging alms for starving Europe, and yet you say that it is necessary to have a great standing army to keep Europe off us. We need have no fear of a bankrupt country. Europe needs our cotton, wheat, corn, and steel.

Our commerce is increasing daily. The demands for our products are growing, and as soon as peace is declared by the United States with Germany our commerce will grew by leaps and bounds. Let us prepare our harbors to take care of this business.

Mr. Chairman and gentlemen, unless my amendment is adopted and the sum to be appropriated is increased, we can not properly maintain and improve our rivers and harbors. I sincerely trust the amendment will be adopted. [Applause.]

Mr. DEMPSEY. Mr. Chairman and gentlemen, the gentleman who has last been heard said that we carried a large amount of traffic last year, and he gives that as a special reason why this appropriation should be increased from $15,000,000 to $25,000,000. Why, there is nothing the matter with the ports along the Atlantic coast or along the Gulf coast or along the Pacific coast. The difficulty in the city of New York and the difficulty in other harbors, so far as congestion is concerned, was that they had insufficient terminals—they did not have the wharfage.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. DEMPSEY. And we do not build either the terminals or the wharfage. Not a dollar of the $10,000,000 which the gentleman proposes to put into this bill, not one penny of it would go to remedying, in the slightest degree, the trouble to which the gentleman refers. It would not help at all. The trouble in the city of New York is that we have not anything like the terminals to receive the cars that come in there from the west and inland, nor have we the terminals to discharge the freight that comes from abroad.

Mr. JOHNSON of Mississippi. Will the gentleman yield right there?

Mr. DEMPSEY. That is being rapidly remedied by private capital. It will be remedied as rapidly as can be, but we might just as well say we will increase this appropriation, not $10,000,000, but $100,000,000 or $500,000,000, so far as this reasoning applies.

On the other hand, it has been shown here, and shown conclusively, that we have spent only $22,000,000 in the past six months in river and harbor improvements, and, spending the money as rapidly as we could spend it, we have on hand now $47,000,000. Now, we propose to add $15,000,000 to it, making $62,000,000, which is three times what you have expended in the last six months. That is ample; that is based on reason; that is based on arithmetic; that is based on logic; and there is not a single reason given for increasing it in any sum, much less is there any reason given for increasing it in the particular sum advocated by the gentleman from Mississippi [Mr. JOHNSON].

Mr. JOHNSON of Mississippi. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Mississippi?

Mr. DEMPSEY. No; I regret that my time does not permit me to yield.

So I think we ought to meet it on the basis that, so far as necessary, we will appropriate for rivers and harbors, but we will not tie up in the Treasury one dollar of money which must be produced by taxation to lie idle there. And that is all that the proposition of the gentleman from Mississippi would amount to, and that is all that it would accomplish; that is all that would result from its adoption. If there is any reason at any time to appropriate additional money for rivers and harbors, then long before it is needed this Congress will be again in session. It can respond, and it will respond, to any legitimate demand. Why, then, appropriate long in advance when it is not necessary? I do not believe that is the sentiment of a Congress that is anxious to save money; that wants to economize; that in times like these ought to save money and ought to economize. And I ask Members to vote down this appropriation and to appropriate only what is needed at this time.

Mr. Chairman, I move that all debate on this amendment be now closed.

Mr. SEARS. Mr. Chairman, if it was in my power I would increase the appropriation. I have listened to the learned gentleman from New York [Mr. DEMPSEY], for whom I have the highest respect, but I somehow failed to catch the logic of his argument. If I understand it, he was on the committee which authorized the reporting of a bill making an appropriation of about $28,000,000, and therefore I was somewhat surprised to

find that a bill of only $15,000,000 was reported to this House for consideration, and that he was so earnestly urging the passage of said bill. In my limited way I am unable to find out how the Appropriations Committee arrived at the sum of $15,000,000. They might just as well have reported the sum of $10,000,000.

Mr. DEMPSEY. Will the gentleman yield?

Mr. SEARS. And I feel that if New York had been involved, that, instead of cutting it from $28,000,000 to $15,000,000, my genial friend would have been urging us to support $38,000,000 in order that the work at the city of New York might not be hampered or delayed. I have listened to the many earnest appeals of the gentleman from New York in the past when the question of securing an appropriation for that great city was involved, and I am glad, Mr. Chairman, that each and every time I voted for the improvements because he convinced me they were necessary, and I shall continue to vote for them when, by his eloquence and logic, he convinces me. But there are other sections of this country that are growing, and that will continue to grow, and some time the people of this great country of ours are going to wake up to the fact that Congress, when it is wasting hundreds of thousands of dollars on other appropriations, is not using economy when it cuts down the great river and harbor bill. As far as I am concerned, Mr. Chairman, I delight in being called a pork-barrel follower, if the improvement of a river or the improvement of a harbor, where the improvement is necessary, gives me that designation.

The gentleman says there is no harbor in the country but can now take care of conditions. He loses sight of the fact that the railroads are calling for thousands of cars with which to move the freight. He loses sight of the fact that in my own State, the State of Florida, thousands of boxes of oranges and other fruit and vegetables are now there and can not be moved because of the exorbitant freight rates that are being charged. He loses sight of the fact that the railroads say they can not furnish the cars with which to move them even if the price justified the shipment. And he further loses sight of the fact that a company in his own city, I believe, is now building a ship that will cost more than $1,000,000, which expects to run between Key West and New York, but until the harbor is improved that ship can not go into Key West.

Mr. DEMPSEY. Will the gentleman yield?

Mr. SEARS. The gentleman has studied rivers and harbors, but sometimes while I have listened to the gentleman dwelling upon the great city of New York I have feared that the gentleman has become warped and knows but one section of the country.

I want to predict that some day, when the people of this country wake up to the fact that the southern harbors, and the middle harbors of the country, and the northern harbors of the country, are all of equal importance, they will give to us that to which we are entitled. I tried, Mr. Chairman, to-day to get time to speak, in my humble way, upon one harbor, but I could not get it. There are too many orators here, and I am not an orator. There are too many deep thinkers here when New York is involved, and I am not a deep thinker, because I can see something besides New York. But just in a few moments let me call your attention to one fact. If I can get the time which the majority leader has stated to me that I can get on the Army bill, I will be permitted to take up the question of rivers and harbors.

I thank him, because I think remarks on the river and harbor bill will be quite appropriate under the Army bill. But some day the Miami Harbor is coming to the front, and the Members of Congress, either of this or some subsequent Congress, are going to give those people 25 feet of water, and a direct boat line from the city of New York, the city of Baltimore, and the city of Philadelphia will be established between Miami and those places, and more than 4,000,000 acres of land that are not now in cultivation and the nearly a million acres of land now in cultivation will be given transportation. They will be permitted to ship their fruit and their vegetables at a cost which they can stand, and then help to feed the great cities of this country.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. DEMPSEY. Mr. Chairman, I move that all debate on this amendment and all amendments to this paragraph be now closed.

The CHAIRMAN. The gentleman from New York moves that all debate on this amendment and all amendments to this paragraph be now closed. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. SEARS. Mr. Chairman, I call for a division.

Mr. SMALL rose.

The CHAIRMAN. A division is demanded.

Mr. MONDELL. Mr. Chairman, if the Chair will allow me, I think the gentleman from North Carolina [Mr. SMALL] is on his feet, and I understand he has an amendment to offer.

Mr. SMALL. Will the gentleman confine his motion to this amendment, because the gentleman knows I have an amendment to offer?

Mr. GOOD. Mr. Chairman, a division was demanded.

The CHAIRMAN. Those in favor of the motion of the gentleman from New York [Mr. DEMPSEY] will rise and stand until they are counted.

Mr. GARRETT. Mr. Chairman, pending that, I ask unanimous consent to make a statement.

Mr. DEMPSEY. Mr. Chairman, in view of the statement of the gentleman from North Carolina [Mr. SMALL], I will consent, if I can do so at this stage, to modify my motion in this way: That all debate upon all amendments to this paragraph close in 10 minutes, 5 minutes to go to the gentleman from North Carolina and 5 minutes to myself.

The CHAIRMAN. The gentleman from New York asks unanimous consent to modify his motion by providing that all debate on this amendment and all amendments to the paragraph close in 10 minutes, one-half to be controlled by the gentleman from North Carolina and one-half by himself. Is there objection?

There was no objection.

The CHAIRMAN. The question is on agreeing to the motion as modified.

The motion as modified was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. JOHNSON].

The question was taken, and the amendment was rejected.

Mr. SMALL. Mr. Chairman, I now offer an amendment by way of a substitute for the third section, which I send to the Clerk's desk, and I give notice if the amendment is adopted I will move to strike out the remainder of the paragraph.

The CHAIRMAN. The gentleman from North Carolina offers an amendment by way of substitute with notice. The Clerk will report the amendment.

Mr. WALSH. Mr. Chairman, let it be reported.

Mr. SMALL. I ask unanimous consent, Mr. Chairman, that the reading of the amendment be dispensed with.

Mr. LONGWORTH. Mr. Chairman, if this amendment which the gentleman is about to offer is his last amendment, I ask unanimous consent that the reading of it be dispensed with.

Mr. BLANTON. We do not know what is in it. We do not know what has been eliminated.

Mr. DEMPSEY. I ask that the gentleman from North Carolina may state how his new amendment differs from his previous amendment.

Mr. BLANTON. I object.

The CHAIRMAN. Objection is made.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The regular order is, Is there objection to the request of the gentleman from North Carolina [Mr. SMALL] that the reading of the amendment be dispensed with?

Mr. BLANTON. I object.

The CHAIRMAN. The gentleman from Texas objects. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Mr. SMALL offers the following amendment by way of substitute for the first two paragraphs of the bill:

That the following sums of money be, and are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named:

Newburyport Harbor, Mass.: For maintenance, $2,000.

Boston Harbor, Mass.: For maintenance, $40,000.

Pollock Rip Shoals, harbor of refuge at Nantucket, New Bedford, and Fairhaven Harbors, Fall River Harbor, and Taunton River, Mass.: For maintenance, $35,000; continuing improvement and for maintenance of Pollock Rip Channel, $150,000; continuing improvement and for maintenance of harbor of refuge at Nantucket, $15,000; in all $200,000.

Stonington and New London Harbors, Conn.; Pawcatuck River, R. I. and Conn.; and Mystic and Thames Rivers, Conn.: For maintenance, $5,000.

Connecticut River above and below Hartford, Conn.: Continuing improvement and for maintenance below Hartford, $65,000.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that instead of reading all of this amendment, the Clerk may be directed to read all those paragraphs which the gentleman leaves out of his original motion. Then the House will understand exactly.

Mr. BLANTON. How can we do that?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that in lieu of reading the entire amendment, the Clerk read those portions of the amendment previously offered by the gentleman from North Carolina [Mr. SMALL] which are not incorporated in the present amendment. Is there objection?

Mr. BLANTON. I object, Mr. Chairman, because the Clerk could not know.

The CHAIRMAN. The gentleman from Texas objects, and the Clerk will read.

The Clerk completed the reading of the amendment, as follows:

Duck Island, Branford, New Haven, Milford, Bridgeport, Southport, Norwalk, Five Mile River, Stamford, and Greenwich Harbors, Westport Harbor, and Saugatuck River, breakwaters at New Haven, and Housatonic River, Conn.: For maintenance, $105,000; continuing improvement of Stamford Harbor, $100,000; in all, $205,000.

New York Harbor, N. Y.: For maintenance of entrance channels and for continuing improvement of Ambrose Channel, Craven Shoal Channel, and Anchorage Channel, $550,000.

Channel in Gowanus Bay, N. Y.: Continuing improvement of Red Hook Channel, $150,000.

East River, N. Y.: Continuing improvement, $3,000,000.

Newtown Creek, N. Y.: Continuing improvement, $100,000.

Hudson River Channel, New York Harbor, N. Y.: Continuing improvement, $750,000.

Burlington Harbor, Vt.: Plattsburg and Port Henry Harbors, N. Y.; and Narrows of Lake Champlain, N. Y. and Vt.: For maintenance, $20,000.

Newark Bay and Passaic River, N. J.: For maintenance, $10,000.

Keyport and Shoal Harbors, Woodbridge, Cheesequake, Matawan, and Compton Creeks, Elizabeth, Raritan, South, and Shrewsbury Rivers, and Raritan Bay, N. J.: For maintenance, $32,500; continuing improvement of Raritan River, $25,000; in all, $57,500.

Delaware River, between Philadelphia, Pa., and Trenton, N. J.: For maintenance, $12,500.

Delaware River, Pa., N. J., and Del.: For maintenance from Allegheny Avenue, Philadelphia, to the sea, $2,000,000.

Cooper, Salem, Cohansey, and Maurice Rivers, Woodbury, Mantua, Raccoon, Oldmans, and Alloway Creeks, N. J.: For maintenance, $20,000.

Cold Spring and Absecon Inlets, Absecon and Tuckerton Creeks, and Toms River, N. J.: For maintenance $9,200: *Provided*, That no part of the funds herein appropriated shall be expended on Absecon Inlet.

Wilmington Harbor, Del.: For maintenance, $60,000.

Inland waterway from Delaware River to Chesapeake Bay, Del. and Md.: Continuing improvement, $1,000,000.

Appoquinimink, Smyrna, Leipsic, Little, St. Jones, Murderkill, Mispillion, and Broadkill Rivers, Del.: For maintenance, $25,000.

Waterway from Chincoteague Bay, Va., to Delaware Bay at or near Lewes, Del.: For maintenance $1,500.

Waterway on the coast of Virginia: For maintenance, $2,000.

Baltimore Harbor and Channels, Md.: Continuing improvement and for maintenance, $125,000.

Rockhall, Queenstown, Claiborne, Tilghman Island, Cambridge, and Crisfield Harbors, Elk and Little Elk, Chester, Corsica, Choptank, Tuckahoe, Warwick, La Trappe, Tred Avon, Wicomico, and Pocomoke Rivers, Slaughter, Tyaskin, and Broad Creeks, Twitch Cove and Big Thoroughfare River, and Lower Thoroughfare, Deal Island, Md.; Nanticoke River (including Northwest Fork), Del. and Md.; Broad Creek River, Del.; and Tangier Channel, Va.: For maintenance, $20,000.

Potomac River, at Washington, D. C., at Alexandria, Va., and at Lower Cedar Point, Md.; Occoquan and Aquia Creeks, Va.: For maintenance, $20,000.

Rappahannock, Mattaponi, and Pamunkey Rivers, and Urbana Creek, Va.: For maintenance, $10,000.

James, Nansemond, Pagan, and Appomattox Rivers, Va.: For maintenance, $5,000.

Norfolk Harbor and Channels, Va.: Continuing improvement and for maintenance, including channel to Newport News, $700,000.

Onancock River, Va.: For maintenance, $5,000.

Waterway from Norfolk, Va., to Beaufort Inlet, N. C.: For maintenance, $50,000.

Manteo Bay, Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers, Fishing, Contentnea, Swift, and Smiths Creeks, and waterway connecting Swan Quarter Bay with Deep Bay, N. C.: For maintenance, $25,000.

Beaufort and Morehead City Harbors, Beaufort Inlet, waterway from Pamlico Sound to Beaufort Inlet, waterway connecting Core Sound and Beaufort Harbor, channel connecting Thoroughfare Bay and Cedar Bay, and inland waterway Beaufort to Jacksonville, N. C.: For maintenance, $2,500.

Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance, $100,000.

Winyah Bay, Waccamaw, Little Peedee, and Great Peedee Rivers, S. C.: For maintenance, $10,000.

Santee and Congaree Rivers, S. C.: For maintenance, including the Estherville-Minim Creek Canal and the Congaree River as far up as the Gervais Street Bridge, Columbia, $5,000.

Waterway between Charleston and Winyah Bay, S C.: Continuing improvement and for maintenance, $15,500.

Charleston Harbor and Channels, S. C.: Continuing improvement to provide a channel 40 feet deep and 1,000 feet wide, extending from the sea to the Charleston Navy Yard, $500,000.

Wappoo Cut, S. C.: For maintenance, $4,000.

Savannah Harbor and Savannah River, below, at, and above Augusta, Ga.: For maintenance, $366,000; continuing improvement of Savannah Harbor, $300,000; in all, $666,000.

Waterway between Beaufort, S. C., and St. Johns River, Fla.: For maintenance, $40,000.

Sapelo and Darien Harbors, Cowhead and Satilla Rivers, and Fancy Bluff Creeks, Ga., and St. Marys River, Ga. and Fla.: For maintenance, $20,000.

Altamaha, Oconee, and Ocmulgee Rivers, Ga.: Continuing improvement and for maintenance, $40,000.

Brunswick Harbor, Ga.: Continuing improvement and for maintenance, $100,000.

St. Johns River, Fla., Jacksonville to the ocean, Jacksonville to Palatka, and Palatka to Lake Harney, Lake Crescent, and Dunns Creek, and Oklawaha River, Fla.: For maintenance, $422,000.

Indian River, St. Lucie Inlet, Miami Harbor (Biscayne Bay), and harbor at Key West, Fla.: For maintenance, $60,500.

Kissimmee, Caloosahatchee, Orange, Anclote, Crystal, Withlacoochee, and Suwannee Rivers, Charlotte Harbor, Sarasota Bay, and Clearwater Harbor and Boca Ceiga Bay, Fla.: For maintenance, $13,500.

Tampa and Hillsboro Bays, St. Petersburg Harbor, Hillsboro and Mantee Rivers, Fla.: Continuing improvement of Hillsboro Bay, $300,000.

Carrabelle Bar and Harbor, Apalachicola, St. Joseph and St. Andrews Bays, Apalachicola and Chipola Rivers, and channel from Apalachicola River to St. Andrews Bay, Fla.; Flint River, Ga.; and Chattahoochee River, Ga. and Ala.: For maintenance, including the cut-off, Lee Slough, lower Chipola River, and upper Chipola River from Marianna to its mouth, $126,500; completing improvement of Flint River, $10,000; in all, $136,500.

Holmes and Blackwater Rivers, Fla.: Choctawhatchee, Escambia, and Conecuh Rivers, Fla. and Ala.; the narrows in Santa Rosa Sound, and Pensacola Harbor, Fla.: For maintenance, $50,000.

Alabama River, Ala., and Coosa River, Ala. and Ga.: Continuing improvement and for maintenance of the Alabama River, including the Alabama and Coosa Rivers between Montgomery and Wetumpka, $42,000.

Mobile Harbor and Bar, and channel connecting Mobile Bay and Mississippi Sound, Ala.: For maintenance of channel connecting Mobile Bay and Mississippi Sound, $10,000; continuing improvement and for maintenance of Mobile Harbor and Bar, $316,000; in all, $326,000.

Gulfport Harbor, Miss.: For maintenance of anchorage basin at Gulfport and channel therefrom to the anchorage or roadstead at Ship Island, and for maintenance of channel at Ship Island Pass, $100,000.

Pascagoula, Wolf, Jordan, Pearl, and East Pearl Rivers, and Biloxi Harbor, Miss.: For maintenance, $10,000.

Passes at the mouth of the Mississippi River: Continuing improvement and for maintenance, $2,000,000.

Lake Pontchartrain, Pass Manchac, Bogue Falla, Chefuncte, Ponchatoula, Natalbany, Blood, Tickfaw, and Amite Rivers, and Bayou Manchac, La.: For maintenance, $9,700.

Barataria Bay and Bayous Lafourche, Terrebonne, Grossetete, Plaquemine, and Teche, La.: For maintenance, including Grand River and Pigeon Bayou, $20,000; continuing improvement of Bayou Teche, $50,000; in all, $70,000.

Atchafalaya River, La: For maintenance, $30,000.

Waterway, from the Mississippi River to the Sabine River, La.: For improvement from Mississippi River to Bayou Teche, $50,000; continuing improvement from Franklin to Mermentau, $200,000; continuing improvement from Mermentau River to Sabine River, $168,000; in all, $418,000.

Bayous Vermilion, Nezpique, des Cannes, Plaquemine Brule, and Queue de Tortue, Mermentau River, and Calcasieu River and Pass, La.: For maintenance, including channel, bay, and passes of Bayou Vermilion, and tributaries of Mermentau River, $15,000.

Removing the water hyacinths, Alabama, Mississippi, Louisiana, and Texas: For the removal of the water hyacinth from the navigable waters in the States named in so far as it is or may become an obstruction to navigation, $17,500.

Galveston Harbor, Galveston Channel, Port Bolivar Channel, Texas City Channel, and Houston Ship Channel, Tex.: For maintenance, $705,000; continuing improvement by construction of sea-wall extension to protect Galveston Channel, $100,000.

Anahuac Channel, mouth of Trinity River, Oyster and Clear Creeks, and Cedar, Chocolate, Turtle Bastrop, Dickinson, Double, and East Bay Bayous, Tex.: For maintenance, $10,000.

Waterway from Galveston to Corpus Christi and channel from Pass Cavallo to Port Lavaca, Tex.: For maintenance, $50,000.

Freeport Harbor, Tex.: Continuing improvement, $160,000.

Port Aransas, Tex.: For maintenance, $150,000.

Harbor at Sabine Pass and Port Arthur Canal, Sabine-Neches Canal, and Johnsons Bayou, La. and Tex.: For maintenance, $217,000.

Red, Black, Ouachita, Tensas, Boeuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, $55,000, continuing improvement of Ouachita River in accordance with the report submitted in Rivers and Harbors Committee Document No. 7, Sixty-fifth Congress, second session, $175,000; in all, $230,000.

Yazoo River and tributaries, Miss.: For maintenance, including Yazoo, Tallahatchie, Coldwater, and Big Sunflower Rivers, Tchula Lake, Steele and Washington Bayous, Lake Washington, and Bear Creek, $25,000.

Arkansas River, Ark. and Okla.: For maintenance, $20,000.

Black and Current Rivers, Ark. and Mo.; and White, St. Francis, and L'Anguille Rivers, and Blackfish Bayou, Ark.: For maintenance, $50,000.

Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: Continuing improvement and for maintenance, $500,000.

Mississippi River: For the removal of snags and wrecks from the Mississippi River below the mouth of the Missouri River, and from Old and Atchafalaya Rivers, in accordance with the recommendation of the Chief of Engineers in his annual report for 1920, $25,000, in addition to amounts otherwise appropriated.

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $1,070,000.

Missouri River: For maintenance between Kansas City, Kans., from the upper end of Quindaro Bend, and the mouth of the river, $225,000.

Osage and Gasconade Rivers, Mo., and Kansas River, Kans.: For maintenance, $10,000.

Cumberland River, Tenn. and Ky.: For maintenance above Nashville, $5,000; continuing improvement below Nashville, $150,000; in all, $155,000.

Tennessee River, Tenn., Ala., and Ky.: For maintenance and continuing improvement, $505,000.

Ohio River: Continuing improvement and for maintenance by open-channel work, $300,000.

Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, $2,500,000.

Allegheny River, Pa.: For maintenance by open-channel work, $10,000; continuing improvement by construction of locks and dams, $250,000; in all, $260,000.

Pittsburgh Harbor, Pa.: For maintenance, $6,000.

Grand Marais, Marquette, Marquette Bay, and Ontonagon Harbors, and Keweenaw Waterway, Mich.; Ashland and Port Wing Harbors, Wis.; Duluth-Superior Harbor, Minn. and Wis.; Agate Bay and Grand Marais Harbors, Minn.: For maintenance, $190,000; continuing improvements of Keweenaw Waterway, $10,000; in all, $200,000.

Warroad Harbor and River, Baudette Harbor and River, Zippel Bay, and Lake of the Woods, Minn.: For maintenance, $8,800.

Manistique Harbor, Mich.; Menominee, Oconto, Green Bay, Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Fort Washington, Milwaukee, Racine, Kenosha, and Waukegan Harbors, Sturgeon Bay and Lake Michigan Ship Canal, and Fox River, Wis.: For maintenance, $300,000; completing improvement of Racine Harbor, $165,000; in all, $465,000.

St. Joseph Harbor and River, Saugatuck Harbor and Kalamazoo River, South Haven, Holland, Grand Haven, Muskegon, White Lake, Pentwater, Ludington, Manistee, Portage Lake, Arcadia, Frankfort, Charlevoix, and Petoskey Harbors, and Grand River, Mich.: For maintenance, $350,000; completing improvement of Ludington Harbor, $55,000; in all, $405,000.

Chicago and Calumet Harbors, Chicago and Illinois Rivers, Ill.: Calumet River, Ill. and Ind.; and Indiana and Michigan City Harbors, Ind.: For maintenance, $390,000; continuing improvement of Calumet River, $160,000; continuing improvement of Illinois River below Copperas Creek, $46,000; continuing improvement of Indiana Harbor, $200,000; in all, $796,000.

Ship channel connecting waters of the Great Lakes between Chicago, Duluth, and Buffalo, including St. Marys River, St. Clair River, channels in Lake St. Clair and Detroit River, Mich.: For maintenance, $119,000; continuing improvement of Livingstone Channel, Detroit River, $750,000; in all, $869,000.

The unexpended balance of appropriations heretofore made for the construction of the fourth lock in St. Marys River, Mich., is hereby made available for maintenance work in said St. Marys River.

Mackinac, Cheboygan, Rogers City, Alpena, Harbor Beach, and Monroe Harbors, Saginaw, Black, Clinton, and Rogue Rivers, Mich.: For maintenance, $60,000; continuing improvement of Rogue River, $75,000; in all, $135,000.

Toledo, Port Clinton, Sandusky, Huron, Vermilion, Lorain, Cleveland, Fairport, Ashtabula, and Conneaut Harbors, Ohio: For maintenance, $89,000.

Erie Harbor, Pa.; Dunkirk and Buffalo Harbors, Black Rock Channel and Tonawanda Harbor, and Niagara River, N. Y.: For maintenance, $541,000; completing improvement of Black Rock Channel and Tonawanda Harbor, $170,000; in all, $711,000.

Olcott, Charlotte, Great Sodus Bay, Little Sodus Bay, Oswego, Cape Vincent, and Ogdensburg Harbors, N. Y.: For maintenance, $49,000; completing improvement of Oswego Harbor, $50,000; in all, $99,000.

San Francisco, Oakland, Richmond, Monterey, Humboldt, and Crescent City Harbors, Redwood, Petaluma, and San Rafael Creeks, Napa River, San Pablo Bay, and Suisun and Suisun Bay Channels, Calif.; For maintenance, $145,000; continuing improvement of Richmond Harbor, $160,000; completing improvement of Petaluma Creek, $50,300; continuing improvement of Humboldt Harbor and Bay, $250,000; for improvement of Crescent City Harbor in accordance with the report submitted in House Document No. 434, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $100,000; in all, $705,300.

Sacramento, Feather, San Joaquin, and Mokelumne Rivers, and Stockton and Mormon Channels (diverting canal), Calif.: For maintenance, $121,800.

Coquille, Coos, Siuslaw, and Yaquina Rivers, and Coos, Yaquina, Tillamook, and Nehalem Bays, Oreg.: For maintenance, $151,000; continuing improvement of Yaquina Bay and Harbor, $175,000; in all, $326,000.

Cascades and Dalles-Celilo Canals, Oreg.; Columbia River and tributaries above Celilo Falls to the mouth of Snake River, Oreg. and Wash.; and Snake River, Oreg., Wash., and Idaho: For maintenance, $5,000.

Columbia and lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg., and mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, $500,000.

Willamette River above Portland and at Willamette Falls, Yamhill and Clatskanie Rivers, Oreg.; Cowlitz, Lewis, and Grays Rivers, and Skamokawa Creek, Wash.: For maintenance, $50,000.

Willapa River and Harbor, Grays Harbor, Chehalis and Hoquiam Rivers, Wash.: Continuing improvement of Willapa River and Harbor, $52,050.

Puget Sound and its tributary waters, Olympia, Seattle, Anacortes, Port Gamble, Tacoma, and Bellingham Harbors, Lake Washington Ship Canal, Snohomish and Skagit Rivers, Swinomish Slough, waterway connecting Port Townsend Bay and Oak Bay, Columbia River between Wenatchee and Kettle Falls, Wash.: For maintenance, $25,000; continuing improvement of Lake Washington Ship Canal, $65,000; in all, $90,000.

Nome Harbor, Alaska: Continuing improvement and for maintenance of Nome Harbor, $20,000.

San Juan Harbor, P. R.: Continuing improvement and for maintenance, $400,000.

For examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, $250,000: *Provided*, That no part of this sum shall be expended for any preliminary examination, survey, project, or estimate not authorized by law.

Continuing improvement and for maintenance of authorized projects on the Atlantic and Gulf coasts, $3,000,000, which sum is to be applied to the construction of four seagoing hopper dredges.

Mr. BLANTON. I make a point of order against the entire amendment, and against each and every paragraph and item therein contained, for the following reasons:

That it contains new projects not authorized by law.

It provides for additional work on projects for which there is no authorization of law.

It provides for carrying on work already completed, for which there is no authorization of law.

It provides for removing snags from the Mississippi River according to certain recommendations mentioned therein, for which there is no authority in law.

It provides for constructing certain locks and dams for which there is no authorization by law, and it provides for the expenditure of $3,000,000 to be applied to the construction of four seagoing hopper dredges, which is new legislation on an appropriation bill, not provided for by law, and that all of these matters which I have called to the attention of the Chair constitute new legislation on an appropriation bill, without authority of law.

The CHAIRMAN. The gentleman makes the point of order that the amendment offered by the gentleman from North Carolina contains in several instances appropriations for purposes unauthorized by existing law. The Chair would request the gentleman from North Carolina to direct the attention of the Chair to the authorization, for example, for the hopper dredges appropriation carried on the last page of the amendment.

Mr. SMALL. Mr. Chairman, is not that stricken out? It was my intention to do so, and it was an inadvertence if it was not. I intended to strike out the last two paragraphs.

Mr. BLANTON. It is not stricken out.

Mr. SMALL. That is mere inadvertence.

The CHAIRMAN. Apparently it is not stricken out.

Mr. SMALL. I will ask the Chair to strike it out. It is a mere inadvertence.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to strike out the paragraph indicated. Is there objection?

Mr. GARRETT. Mr. Chairman, that presents a somewhat different question. The gentleman from North Carolina states that it was his purpose to strike that out. If he states that on his responsibility, it seems to me that it takes it out of the category that would usually apply to an amendment, even where after an amendment has been considered it takes unanimous consent to withdraw it. The gentleman from North Carolina makes the statement that it was his intention to strike that out, but by inadvertence did not. The gentleman from Texas, of course, ought not to take advantage of that.

Mr. BLANTON. I would not, only that I put the gentleman on notice.

The CHAIRMAN. The Chair will state to the gentleman from Tennessee that he would be most willing to make this correction if it could be made within the rules of the House, because of the statement which has been made by the gentleman from North Carolina [Mr. SMALL] that he did not intend to include it in his motion.

Mr. SMALL. Of course, that is a matter which rests entirely with me, and I know that I did intend to strike out the last two paragraphs.

The CHAIRMAN. As a matter of fact, the paper itself shows that the gentleman did not strike it out.

Mr. ASWELL. Can not the gentleman from North Carolina now reintroduce his amendment with that paragraph stricken out?

Mr. SMALL. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The amendment can be withdrawn only by unanimous consent. The gentleman from North Carolina asks unanimous consent to modify his amendment by striking out the provision for the appropriation of $3,000,000 for certain hopper dredges, which he states he supposed was not carried in the amendment. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, I would not be contentious with my friend from North Carolina; but I do not think he can ask very many favors, in view of the fact that under the two hours for general debate he promised me two minutes, and then denied me those two minutes under general debate. But I will not be contentious, and I make no objection.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. I insist on the point of order as against the entire amendment, and each and every paragraph thereof, by reason of the new legislation that I have already pointed out to the Chair, and which is unauthorized on an appropriation bill.

Mr. SMALL. Mr. Chairman, as the amendment now stands, in my opinion it is not subject to a point of order as new legislation. The gentleman from Texas [Mr. BLANTON] made certain general statements or characterizations about the amendment, but the Chair can not act upon such generalities. If the gentleman from Texas has any particular paragraph which he says is new legislation, I think in justice to the Chair he ought to point it out. I know of none, and I express my candid belief that as the amendment now stands, and in view of the past ruling of the Chair, there are no items of new legislation.

The CHAIRMAN. The Chair will ask the gentleman from North Carolina if there are any new projects carried in his amendment?

Mr. SMALL. There are none.

The CHAIRMAN. Are there any items of appropriation for enlarging projects which have been completed?

Mr. SMALL. There are some for maintenance.

The CHAIRMAN. Not any for the enlargement of a completed project?

Mr. SMALL. None; there is no appropriation for a project that has not been fully authorized.

The CHAIRMAN. All appropriations are for existing public work?

Mr. SMALL. Yes; which have already been authorized by law.

Mr. MADDEN. May I ask the gentleman from North Carolina if there is any item in his amendment for a new project on which no work has heretofore been done?

Mr. SMALL. To my best recollection there are none, and the clerk of the Committee on Rivers and Harbors says that there are none.

The CHAIRMAN. On the statement of the gentleman from North Carolina, the Chair will overrule the point of order.

Mr. BLANTON. I make the point of order on the other provisions to which I have alluded.

The CHAIRMAN. The Chair holds that the gentleman must point out some specific language.

Mr. BLANTON. On the fourth page of the amendment which provides for the Mississippi River, for the removal of snags and wrecks from the Mississippi River below the mouth of the Missouri River, in accordance with the recommendation of the Chief Engineer in his annual report, $25,000 in addition to the amount already appropriated.

Mr. SMALL. That is authorized by law.

Mr. HUMPHREYS. That is authorized by law.

The CHAIRMAN. The Chair overrules the point of order, and the question is on the substitute offered by the gentleman from North Carolina to the first paragraph of the bill.

Mr. SMALL. Mr. Chairman, I shall only detain the committee for a moment. The Committee of the Whole have heard the substitute read. It makes specific appropriations for specific projects, which appropriations, in the opinion of the Chief Engineer and his assistant, Gen. Harry Taylor, represent the very least amount which can be appropriated without doing injustice to these improvements. There is no item in the bill or substitute which is not meritorious. I have extended an invitation to anyone to point out a single appropriation that is not of public interest, and no one has done so. It is entirely a meritorious substitute; it is along the lines of former river and harbor appropriation bills, and I hope it will be adopted.

The CHAIRMAN. The question is on agreeing to the substitute.

The question was taken; and on a division (demanded by Mr. SMALL) there were 49 ayes and 75 noes.

So the amendment was rejected.

The Clerk read as follows:

For examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, $250,000: *Provided*, That no part of this sum shall be expended for any preliminary examination, survey, project, or estimate not authorized by law.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, because it contains new legislation on an appropriation bill not authorized by law.

The CHAIRMAN. By the very terms of the provision no part of this sum shall be expended for any preliminary examination, survey, project, or estimate not authorized by law. The Chair overrules the point of order.

Mr. DEMPSEY. Mr. Chairman, I move that the committee do now rise and report the bill to the House without amendment, with the recommendation that the bill do pass.

Mr. GOOD. Mr. Chairman, the bill was amended. The point of order was sustained to a portion of the bill.

The CHAIRMAN. That does not amend the bill. It is true some matters went out on a point of order.

The motion of Mr. DEMPSEY was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HUSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had directed him to report the same back without amendment with the recommendation that the bill do pass.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 14122. An act to authorize the sale of a portion of the Copper Harbor Range Lighthouse Reservation, Mich., to Houghton and Keweenaw Counties, Mich.

BOARD OF VISITORS, NAVAL ACADEMY.

The Speaker announced the appointment of Mr. MCARTHUR, Mr. DENISON, Mr. SCOTT, Mr. OLIVER, and Mr. HUMPHREYS as members of the Board of Visitors to the Naval Academy, in accordance with the provision of the act of Congress of August 29, 1916.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BLANTON. Mr. Speaker, I rise to make a point of order.

Mr. DEMPSEY. Mr. Speaker, I move the previous question on the bill to final passage.

The SPEAKER. The gentleman from Texas will state his point of order.

Mr. BLANTON. I make the point of order that the recommendation of the Chairman of the Committee of the Whole House on the state of the Union is incorrect in that he stated that the bill was adopted without amendments. Two paragraphs of the bill were stricken out on a point of order.

The SPEAKER. The Chair must be governed by the report made by the Chairman of the Committee of the Whole House on the state of the Union, and overrules the point of order. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. SMALL. Mr. Speaker, I offer the following motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SMALL. I am.

Mr. BLANTON. Mr. Speaker, I think we should have a quorum here, and I make the point of order that there is no quorum present.

ADJOURNMENT.

Mr. DEMPSEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 1, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

382. A letter from the Secretary of Labor, transmitting report of claims arising through theft by employees of the Immigration Service; to the Committee on Claims.

383. A letter from the Secretary of the Navy, transmitting report in response to House resolution 648, in connection with the purchase of German airplanes; to the Committee on Military Affairs.

384. A letter from the president of the Capital Traction Co., transmitting annual report of that corporation for the year ending December 31, 1920; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BRITTEN, from the special joint committee of the Senate and House of Representatives appointed to investigate the establishment of naval bases on the Pacific coast, submitted a report (No. 1272), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. BROWNE, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 459) authorizing the President to extend invitations to foreign Governments to participate in a world's dairy congress, reported the same with an amendment, accompanied by a report (No. 1273), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MAYS: A bill (H. R. 15948) to provide for the disposition of gilsonite deposits; to the Committee on the Public Lands.

By Mr. ESCH: A bill (H. R. 15949) to revive and reenact the act entitled "An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson

River, in the State of New York," approved March 13, 1914; to the Committee on Interstate and Foreign Commerce.

By Mr. WALTERS: A bill (H. R. 15950) for the establishment and maintenance of a forest experiment station in the State of Pennsylvania; to the Committee on Agriculture.

By Mr. MERRITT: A bill (H. R. 15951) to regulate the retired pay of certain enlisted men in the Coast Guard; to the Committee on Interstate and Foreign Commerce.

By Mr. DICKINSON of Iowa: A bill (H. R. 15952) to amend sections 2, 10, 11, 12, 13, and 32 of the Federal farm loan act, approved July 17, 1916, as amended; to the Committee on Banking and Currency.

By Mr. NEWTON of Minnesota: A bill (H. R. 15953) further regulating the granting of visés by diplomatic and consular officers of the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BUTLER: A bill (H. R. 15954) providing for sundry matters affecting the Naval Establishment; to the Committee on Naval Affairs.

By Mr. SNYDER: A bill (H. R. 15955) to reorganize the Indian Service, to expedite the settlement of Indian affairs, and for other purposes; to the Committee on Indian Affairs.

By Mr. McKEOWN: A bill (H. R. 15956) to grant the military target range in Lincoln County, Okla., to the city of Chandler, Okla.; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 15957) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes"; to the Committee on Mines and Mining.

By Mr. KAHN: Joint resolution (H. J. Res. 463) authorizing the retirement as warrant officers of certain Army field clerks and field clerks, Quartermaster Corps; to the Committee on Military Affairs.

By Mr. BAER: Resolution (H. Res. 659) authorizing the Committee on Banking and Currency of the House of Representatives to investigate and report on the charge that money and credit is controlled in the United States by a small group of individuals and financial interests; to the Committee on Rules.

By Mr. SELLS: Resolution (H. Res. 660) to pay to Wayne W. Cordell $1,200 for extra services rendered to the Committee on Pensions; to the Committee on Accounts.

By Mr. VOLK: Resolution (H. Res. 661) to investigate the action of the District Court of the United States for the Southern District of New York, and for other purposes; to the Committee on Rules.

By Mr. FULLER: Resolution (H. Res. 662) authorizing the payment of $1,200 to H. M. Vandervort for extra and expert services to the Committee on Invalid Pensions; to the Committee on Accounts.

By Mr. ESCH: Resolution (H. Res. 663) providing for the consideration of H. R. 15836; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the State of Utah, favoring the passage of the Fordney emergency tariff bill; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Minnesota, urging the passage of the adjusted compensation for ex-service men; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Oregon, urging Congress to take such steps as will make the buildings and grounds at Fort Walla Walla available for use by the United States Public Health Service and the Federal Board for Vocational Education; to the Committee on Public Buildings and Grounds.

By Mr. CULLEN: Memorial of the Legislature of the State of New York, favoring the passage of the Wadsworth resolution discontinuing Federal operation of barges, boats, and other transportation facilities on the canal system of the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. GOULD: Memorial of the Legislature of the State of New York, favoring the passage of the Wadsworth resolution discontinuing Federal operation of barges, boats, and other transportation facilities on the canal system of the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon regarding paper-mill products; to the Committee on Interstate and Foreign Commerce.

By Mr. NEWTON of Minnesota: Memorial of the Legislature of the State of Minnesota, favoring adjusted compensation for ex-service men; to the Committee on Ways and Means.

Also, Memorial of the Legislature of the State of Minnesota, urging Congress to appropriate money in aid of the construction of public roads; to the Committee on Roads.

By Mr. REED of New York: Memorial of the Legislature of the State of New York, favoring the passage of the Wadsworth resolution discontinuing Federal operation of barges, boats, and other transportation facilities on the canal system of the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. TIMBERLAKE: Memorial of the Legislature of the State of Colorado, urging a tariff on all ores, metals, and their products; to the Committee on Ways and Means.

By Mr. WINGO: Memorial of the Legislature of the State of Arkansas, favoring the passage of the Robinson bill, authorizing the Secretary of War to turn over to the Secretary of the Treasury the reservation of Fort Logan H. Roots, to be used by the Public Health Service for ex-service men; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 15958) providing for the retirement of Letitia Tyler; to the Committee on Reform in the Civil Service.

By Mr. LANGLEY: A bill (H. R. 15959) granting an increase of pension to Biram Smith; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 15960) granting a pension to Mary T. Bailey; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 15961) granting an increase of pension to Helen M. Dannat; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5368. By Mr. BRIGGS: Petition of executive committee of the Texas Chamber of Commerce, of Dallas, Tex., urging the protection of the national parks; to the Committee on the Public Lands.

5369. By Mr. CLASSON: Petition of citizens of Green Bay, Wis., protesting against the so-called Sunday "blue laws" and requesting amendment to the Volstead enforcement act permitting the manufacture and sale of beer and light wines; to the Committee on the Judiciary.

5370. By Mr. CURRY of California: Petition of Sacramento Church Federation against House bill 14658; to the Committee on the Post Office and Post Roads.

5371. Also, petition of Elk Grove (Calif.) Grange, No. 86, against legislation pertaining to farm loan act; to the Committee on Banking and Currency.

5372. By Mr. ESCH: Petition of The American Fruit & Vegetable Shippers' Association, in convention at Chicago, against present methods governing railroad employees; to the Committee on Interstate and Foreign Commerce.

5373. By Mr. EVANS of Nebraska: Petition of citizens of third district of Nebraska against passage of House bill 12652; to the Committee on Education.

5374. By Mr. LAMPERT: Petition of citizens of Mount Calvary, Wis., protesting against the Smith-Towner educational bill; to the Committee on Education.

5375. Also, petition of citizens of Chilton, Wis., protesting against the giving away of any of the people's money loaned by our Government to other nations; also asking that the payment of all interest be made by those nations promptly when due, in order to reduce the burden of taxation; to the Committee on Ways and Means.

5376. Also, petition of voters of Neenah and Menasha, Wis., protesting against the so-called Sunday "blue laws," and desiring an amendment to the Volstead enforcement law permitting the manufacture and sale of beer and light wines; to the Committee on the Judiciary.

5377. By Mr. MADDEN: Petition of citizens of Chicago, favoring amendment to the Volstead Act, etc.; to the Committee on the Judiciary.

5378. By Mr. McCULLOCH: Petition of Local No. 390, National Federation of Post Office Clerks, relating to the demotion of certain special clerks in the Post Office Department; to the Committee on the Post Office and Post Roads.

5379. By Mr. O'CONNELL: Petition of D. Nusbaum & Co., Union Course, Long Island, N. Y., favoring metric standard bill; to the Committee on Coinage, Weights, and Measures.

5380. Also, petition of John C. Cuereling, Brooklyn, N. Y., protesting against Calder bill (S. 4828); to the Committee on Interstate and Foreign Commerce.

5381. By Mr. RAKER: Petition of National Employees' Union No. 1, of the National Federation of Federal Employees, of San Francisco, Calif., urging that all civil positions be placed under the regulations of the classified civil service; to the Committee on Reform in the Civil Service.

5382. Also, petition of California Federation of Post Office Clerks regarding salaries of post-office employees; to the Committee on Reform in the Civil Service.

5383. Also, petition of Los Angeles (Calif.) Farm Bureau, urging a protecting tariff on the walnut industry of California; to the Committee on Ways and Means.

5384. Also, petition of Birdsall Olive Co., of East Auburn, Calif., urging a protective tariff on olives; to the Committee on Ways and Means.

5385. Also, petition of Mount Lassen Post, No. 167, American Legion, Department of California, Red Bluff, Calif., outlining the program of the American Legion and asking support of the same; to the Committee on Ways and Means.

5386. By Mr. WOODYARD: Petition of Chamber of Commerce of Huntington, W. Va., protesting against the adoption of the metric system; to the Committee on Coinage, Weights, and Measures.

5387. Also, petition of West Virginia State League, relative to representation in Congress from Southern States; to the Committee on the Census.

5388. Also, petition of sundry citizens of Huntington, W. Va., favoring the passage of the Rogers-Capper bills, House bill 14961 and Senate bill 4613; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *February 1, 1921.*

(Legislative day of Monday, January 31, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, I have a letter from the presidents of the General Federation of Women's Clubs, the National League of Women Voters, the National Women's Trade-Union League, the National Society of the Daughters of the American Revolution, and the Congress of Mothers' and Parent-Teacher Associations, sending to me a brief analysis and argument prepared by them in favor of national aid to education and in favor of the Smith-Towner bill. As a part of my remarks I ask to print the letter and their memoranda.

Mr. SMOOT. This is not the morning hour?

Mr. SMITH of Georgia. No. I think, however, as I have the floor in my own right, I could read it.

Mr. SMOOT. I will say to the Senator that every one of us has received the same matter.

Mr. SMITH of Georgia. But I am anxious to have it go in the RECORD, in order that the Senate may be reminded of the contents of the statement. I will read it if the Senator prefers, but I do not desire to occupy the time of the Senate in that way.

Mr. SMOOT. Of course, as it is to be printed as a part of the Senator's remarks, I shall not object. If it was the morning hour, I certainly would object.

Mr. SMITH of Georgia. I am not using the morning hour, because I know at that time I could not present it in this way. I ask leave to print the letter to which I have referred and the memoranda accompanying it.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

OCTOBER 5, 1921.

Senator HOKE SMITH,
Atlanta, Ga.

MY DEAR SENATOR: The women of the United States, who have the chief responsibility for the training of our future citizens, are keenly interested in legislation which will make for the development and increased efficiency of our public schools. For this reason the great national organizations of women, whose names are signed below, having branch organizations in all the States and congressional districts, have indorsed the Smith-Towner bill now pending in Congress and are anxious that it be passed.

A copy of the bill and a brief analysis of its chief features are inclosed in order that you may give the measure your careful consideration. We are relying on you to assure us that if elected you will support this measure. Please send your reply in the inclosed stamped envelope, which will be forwarded to the headquarters of our several organizations.

Thanking you in advance for the courtesy of a reply at your earliest convenience, we are,

Very truly, yours,

MRS. THOMAS G. WINTER,
President, for the General Federation of Women's Clubs.
MRS. MAUD WOOD PARK,
President, for the National League of Women Voters.
MRS. RAYMOND ROBINS,
President, for the National Women's Trade-Union League.
MRS. GEORGE MAYNARD MINOR,
President General, for the National Society Daughters of the American Revolution.
MRS. MILTON P. HIGGINS,
President, for Congress of Mothers and Parent-Teacher Associations.

[Issued by National League of Women Voters and General Federation of Women's Clubs.]

SMITH-TOWNER BILL, H. R. 7 AND S. 1017, SIXTY-SIXTH CONGRESS.

"Do you know that one out of four of our soldiers in the late war could not read a newspaper intelligently or write a letter home?

"That one out of three examined in the first draft was physically unfit for service?

"That more than 5,000,000 boys and girls in America have no free school advantages or are taught by untrained teachers?

"This is why we want the Smith-Towner bill.

"The women of the country are particularly interested in the passage of the Smith-Towner bill. They feel that the promotion of education and the proper training of the childhood of America is a matter of the highest importance.

"It must be conceded that whatever tends to elevate and strengthen the citizenship of any State promotes the welfare of the entire country, and that any disorder or weakness in a State or community subtracts from the general health and security of the Nation.

"This bill creates a department of education and provides Federal aid for encouraging the States in the promotion of education. It makes for efficiency in administration by consolidating the various educational agencies of the Government into one department under a responsible head, equal in rank to the heads of other executive departments. Every other great nation in the world has a department devoted to education.

"The bill provides that the National Government shall conduct research in the field of education. The people of any State should know what is being done educationally in all the States. A comparative study of educational conditions in the several States would undoubtedly have a most stimulating effect.

"We have a Department of Agriculture to promote the agricultural interests of the country. Why not a department of education to promote our educational interests? Are crops and live stock of more importance to the Nation than the training of her future citizens? We ask that no less attention be given to agriculture but that more be given to education.

"The bill also provides Federal aid to the States for the removal of illiteracy; for the Americanization of foreigners; for physical education, health, and sanitation; for the better training of teachers, and for the partial payment of teachers' salaries, and better educational opportunities for all the children of the Nation, particularly in rural districts.

"The precedent for Federal aid has become thoroughly established. The National Government appropriates money for the support of good roads, of colleges of agriculture and mechanic arts, and also for vocational education, household arts, and other forms of special education. Aid should undoubtedly be extended for the other purposes provided in this bill.

"The bill is carefully drawn to prevent centralization and to preserve to the States and local communities the management of the public schools. It provides—

"First. That its provisions shall not become operative until accepted by a State, and until at least an equal amount of money has been provided by the State or local authorities. (P. 10, lines 9–11, and p. 11, lines 16–20.)

"Second. That the money appropriated to a State shall be distributed and administered by the State in accordance with State laws. (P. 12, lines 8–11.)

"Third. That education in all its phases 'shall be organized, supervised, and administered exclusively by the legally constituted State and local education authorities of the State.' (P. 13, lines 1–10.)

"Thousands of children in America have no free school advantages and other thousands attend school in insanitary build-

ings, taught by uneducated teachers. Has our National Government no responsibility for the promotion of better conditions?

"The Smith-Towner bill rests on the assumption that in order to insure national prosperity and preserve our American institutions there must be developed through education a citizenship physically, intellectually, and morally sound, and that because of this fact the National Government is vitally interested in the promotion of public education in all the States."

Mr. SMITH of Georgia. I also have two resolutions passed by the Sons of Veterans Auxiliary, the Ladies of the Grand Army of the Republic, and the Women's Relief Corps, upon the same subject, which I ask leave to print.

Mr. SMOOT. As a part of the Senator's remarks?

Mr. SMITH of Georgia. As a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

NATIONAL HEADQUARTERS,
SONS OF VETERANS AUXILIARY, U. S. A.,
Paterson, N. J., January 21, 1920.

Mr. J. KIRKWOOD CRAIG,
National Counselor.

DEAR BROTHER CRAIG: Resolution passed at the national encampment at Indianapolis was as follows:

"We, as the national organization of the sons of Veterans Auxiliary, want to go on record as favoring the passage of the Smith-Towner bill."

MARY L. TREDO,
National President.
STELLA E. BROOKS,
National Secretary.

—

EDUCATION AND AMERICANIZATION.

Inasmuch as the Grand Army of the Republic and allied orders are organized for the purpose of perpetuating the memory of the services and sacrifices of the veterans of 1861 to 1865, and for the purpose of inculcating love of country, patriotism, and Americanism; and

Whereas any Republic is safe and enduring only as its citizens are physically and intellectually sound and imbued with the true national spirit, knowing its history and loving its ideals; and

Whereas our national system of education has not reached its maximum efficiency and a real emergency exists as seen in the following facts:

1. Illiterates are numbered by the millions;

2. Many immigrants, now under the control of radicals, would make and become good American citizens if properly instructed in the Nation's history, advantages, and ideals;

3. More than half the pupils of grammar school are to be found in small village and rural schools under the instruction of immature, inexperienced teachers, many of whom have had only one or two years training beyond the eighth grade. This is due to economic conditions. Many teachers unable to exist on the salary received from teaching have accepted other positions; and

Whereas unrest, crime, anarchy, and bolshevism thrive on ignorance and misconceptions, governmental and otherwise: Therefore be it

Resolved, That we, the Sons of Veterans, United States of America, in national encampment assembled, representing over 50,000 members, hereby go on record as favoring the passage of the Smith-Towner bill now before Congress, which has among its worthy objects the following:

I. The establishment of a department of education with a secretary on the President's Cabinet.

II. An appropriation to be expended among the several States, according to their needs, for the following purposes:

1. Removal of illiteracy.
2. Americanization of foreign born.
3. Equalizing of educational opportunities.
4. Physical education and sanitation.
5. Preparation of public-school teachers.

Be it further resolved, That a copy of these resolutions be sent the secretary of the National Educational Association, through the national chaplain, signed by the commander in chief and national secretary.

Passed at Indianapolis, Ind., this 24th day of September, 1920.

[SEAL.]

H. D. SISSON,
Commander in Chief.
H. H. HAMMER,
National Secretary.

NATIONAL HEADQUARTERS,
LADIES OF THE GRAND ARMY OF THE REPUBLIC,
OFFICE OF NATIONAL PRESIDENT,
Indianapolis, Ind., September 22, 1920.

Dr. J. KIRKWOOD CRAIG,
New York City.

DEAR COWORKER: The following resolution was unanimously adopted at the national convention, Wednesday, September 22, 1920:

"*Be it resolved*, That the National Order of the Ladies of the Grand Army of the Republic in national convention assembled, hereby indorse the Smith-Towner bill. That this order of patriotic women, deeply interested in the matters involved in that bill, heartily recommend said bill to all of our Senators and Representatives: *Be it further resolved*, That a copy of these resolutions be sent to the incoming national president to take the measures she deems advisable to interest the members of our order in said bill those members not in attendance at this national convention."

Respectfully submitted.

LILLIAN CLARK CARY,
National President.
GRACE A. SEEBERS,
National Secretary.

—

Resolution No. 54.

Inasmuch as the Grand Army of the Republic and allied orders are organized for the purpose of perpetuating the memory of the services and sacrifices of the veterans of 1861 to 1865, and for the purpose of inculcating love of country, patriotism, and Americanism:

Whereas our national system of education has not reached the maximum of efficiency and a real emergency exists, as seen in the following facts:

1. Illiterates are numbered by the millions.

2. Many immigrants, now under the control of radicals, would become good American citizens if properly instructed in the Nation's history and ideals.

3. More than half of the pupils of grammar schools are in small village and rural schools under the instruction of immature, inexperienced teachers, many of whom have had only one or two years' training beyond the eighth grade. Thus, due largely to economic conditions, many teachers, unable to exist on the salary received from teaching, have accepted other more remunerative positions; and

Whereas unrest, crime, anarchy, and bolshevism thrive on ignorance and misconceptions, governmental and otherwise: Therefore, be it

Resolved, That we, the Woman's Relief Corps, in national encampment assembled, hereby go on record as favoring the passage of the Smith-Towner bill, which has among its worthy objects the following:

I. The establishment of a department of education with a secretary in the President's Cabinet.

II. An appropriation, to be expended among the several States according to their needs, for the following purposes:

1. Removal of illiteracy.
2. Americanization of foreign born.
3. Equalizing of educational opportunities.
4. Physical education and sanitation.
5. Preparation of public-school teachers.

Be it further resolved, That we send a copy of these resolutions, signed by the national president and national secretary, to the National Educational Association, Washington, D. C.

Approved by committee.

The above was unanimously adopted by the convention.

ABBIE LYNCH,
Past National President.
ELIZA BROWN DAGGETT,
Past National Secretary.

Mr. SMITH of Georgia. I also have a short article from the Scottish Rite Masons Magazine and a short analysis of the bill from the New York Evening Post, which I ask to have printed as part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"NOTES AND COMMENTS.

"EDUCATION FIRST.

"The Smith-Towner bill, before Congress, has received the hearty indorsement of the great majority of the American people and is opposed by not more than one or two kinds of people. It is now before Congress, and does not need to be reintroduced, which it will have to be if it is not passed at this session of Congress. A determined effort, the source of which

is palpable, is now being made to defeat this bill, and more than one way is being used for that purpose. It is now proposed to create a department of public welfare, and include all matters of education under that department. This is putting the cart before the horse, for education is the prime factor in any welfare movement. Establish a department of education and let all welfare work come under that department. The object of the enemies of the Smith-Towner bill and of the establishment of a department of education is to submerge the whole scheme of education so that it may be conveniently lost in the shuffle. It is most important that our legislators be not deceived and led astray by casuistic argument. Education is the prime need in this country to-day, and the Smith-Towner bill and the creation of a department of education are the most important items before Congress and the country at this time. The object of the opposition is by any and all means to bring about delay in this matter, to put the business off until a more convenient season. No time is so convenient as now. Now is the time to attend to so vital a matter. Delay will be the first step toward the defeat of this most necessary legislation. Do it now!

* * * * * * *

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[From the New York Evening Post, Jan. 15, 1921.]

FEDERAL SCHOOL BILL NOW BEFORE CONGRESS—FAVORABLE REPORT BY HOUSE COMMITTEE GIVES BILL UNUSUAL STATUS—AMENDED TO AVOID CHARGE OF CENTRALIZATION.

(By W. Carson Ryan, jr., educational editor.)

"The plan for a Federal secretary of education and national aid for education is now squarely before Congress and the Nation. With the Smith-Towner bill reported favorably in the House this week, the outlook for prompt and vigorous Federal action in education is more promising than ever before in American history.

"NO CENTRALIZATION.

"In reporting the bill the House committee showed a determination to remove the last possibility of any centralized educational administration at Washington. The bill as reported says explicitly: 'Courses of study, plans, and methods of carrying out the purposes and provisions of this act shall be determined by the State and local educational authorities of each State, and this act shall not be construed to require uniformity of courses of study, plans, and methods in the several States.'

"It is further provided that 'all the educational facilities encouraged by the provisions of this act and accepted by a State shall be organized, supervised, and administered exclusively by the legally constituted State and local educational authorities of said State.'

"TIES IN WITH REORGANIZATION.

"Another amendment adopted by the committee makes the plan for a department of education tie in closely with proposed reorganization of the Government departments. Whereas the old bill provided only for the transfer to the new department of the existing Bureau of Education in the Interior Department, the amended measure includes in the Department of Education whatever bureaus Congress, through the new congressional commission, may assign to it.

"WHAT THE BILL PROPOSES.

"In its main outlines the bill remains unchanged. It creates a department of education, with a secretary of education in the President's Cabinet, and appropriates $100,000,000 a year to be distributed to the States on the familiar half-and-half basis, the States being required to provide dollar for dollar as much as the National Government gives. Of this amount $7,500,000 is to go for the instruction of illiterates, a similar sum for the education of immigrants, $50,000,000 for equalization of educational opportunity as between city and country, $20,000,000 for physical and health education, and $15,000,000 for teacher training.

"The States, besides matching the appropriations dollar for dollar, are required to maintain compulsory education of at least 24 weeks' duration every year, private and parochial schools satisfying this requirement, provided only that the language of instruction is English.

"The department is allowed for its own expenses the modest appropriation of $500,000, and must undertake researches in illiteracy, immigrant education, rural education, physical education, teacher training, higher education, and other fields.

"A NONPARTISAN MEASURE.

"The bill has been throughout a nonpartisan measure. Its sponsor in the House is Judge HORACE M. TOWNER, of Iowa, a veteran among the Republicans. In the Senate it has been championed by HOKE SMITH, of Georgia. Originally drafted by the emergency commission set up by the National Education Association during the war, the bill has undergone a number of modifications since its introduction. Forces actively behind the bill—aside from the educational forces, which are all but unanimously for it—include the powerful group of women's organizations now united in legislative effort at Washington, hundreds of chambers of commerce, Rotary Clubs, and Kiwanis Clubs, and the American Federation of Labor, to say nothing of a host of influential organizations like the Daughters of the American Revolution, the General Federation of Women's Clubs, and other bodies of representative character.

"OPPOSITION TO THE BILL.

"So far opposition to the bill has been entirely of a scattering nature. At the time of the hearings before Congress the members of the joint committee of the two Houses sought to bring out any opposition that there might be, holding at least one special hearing for this purpose, but no one appeared in opposition. A number of Catholic journals have carried on a discussion hostile to the bill, and one or two pamphlets have appeared designed to present that part of the opinion of the Catholic group that professes to see in the measure danger of centralization. The most notable document of this type is the very able one by William D. Guthrie, of the New York bar.

"BILL SHOULD BE ANALYZED.

"Whatever merit such an objection as that of Mr. Guthrie may have, it is important that it and every objection like it should be brought out into the light and discussed openly. Now is the time to make any changes if they are to be made. There are indications that the American people has about made up its mind on the essentials of this question. We are to have, beyond question, national action shortly in education. That it will take the form of a Federal department of education is almost certain, and that Federal aid in substantial amounts is to be forthcoming seems only a justifiable inference from the awakened understanding of education as a national concern."

RELIEF OF DISTRESS ABROAD.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and with the accompanying papers referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

To the Senate:

Supplementing my message of January 13, 1921, I transmit herewith a report from the Secretary of State accompanied by additional papers pertinent to the Senate resolution of January 3, 1921, requesting the Secretary of State to obtain and report to the Senate certain information with respect to the distressful conditions of women and children in foreign lands.

WOODROW WILSON.

THE WHITE HOUSE,
1 February, 1921.

—

JANUARY 31, 1921.

The PRESIDENT:

In further response to the Senate's resolution of January 3, 1921, requesting the Secretary of State "to obtain through consular officers or other official representatives of the United States in foreign lands accurate information as to the actual conditions and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies, and transmit the same to the Senate at the earliest possible moment," and further "to ascertain, if possible, and report to the Senate what the various Governments in which such suffering exists are doing looking toward the alleviation of such distressful conditions," the undersigned, the Secretary of State, has the honor to lay before the President, with a view to their transmission to the Senate, if his judgment approve thereof, papers pertinent to the resolution additional to those accompanying the report of the Acting Secretary of State dated January 11, 1921, and transmitted to the Senate by the President on January 13. These consist of a memorandum prepared at the request of the Acting Secretary of State by an official of the Department of State who investigated conditions in central Europe last summer, and telegrams from the American minister at Belgrade, the American commissioner at Budapest, and the American representatives at Bucharest, dated, respectively, January 13, 18, and 22, 1921.

Respectfully submitted.

BAINBRIDGE COLBY.

(Inclosures: As stated above.)

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"JANUARY 15, 1921.

"The ACTING SECRETARY OF STATE:

"You asked me to draw up a memorandum as to what I saw last summer in central Europe of the need of relief and of the work of American organizations administering relief. This statement is drawn from my official reports on the various coun-

tries to the Secretary of State and from notes which I took at the time as to what I saw. My comments on what has happened since are taken either from official reports to the department or from personal letters received from members of the missions or other Americans in the countries concerned.

"AUSTRIA.

"I was in Vienna in the early part of July and again toward the middle of August. There was widespread unemployment, practically no factories were working, and food in adequate quantities was unobtainable except from dealers who sold contrary to the law and at prices which Austrians were unable to pay. I was told by various officers of the Government that food importations were being made sufficient to keep the population alive, but that the resources of the country were so limited that there seemed no possibility of buying, in addition to food, the coal and raw materials necessary to keep people at work and to enable Austria to get on its feet again economically.

"The American Red Cross had a few representatives in Vienna who were devoting themselves largely to medical work, although this organization was also distributing some food supplies to the hospitals. I had the impression that the work was being well done and that the distribution was efficient and economic.

"The important relief work being done in Vienna was, however, that of the American Relief Administration at its various child-feeding stations. Some 300,000 children were being fed at the time, but this number was to be reduced, temporarily at least, when the harvest became available. The men in charge of the American relief work were the best kind of Americans, devoted workers, often on the job from early morning until late at night. They took me to the warehouses where food delivered on food drafts was being distributed and to some of the stations where children were being fed. The children looked hungry and puny, and it was almost invariably the case that children who looked, for example, 5 years old, were actually 8 years old. In most cases the American Relief Administration food was practically all the children had, their parents being unable to feed them because of the excessive expense of food and the fact that such large numbers were out of work, receiving only the inadequate Government unemployment allowance. The Austrian Government, I was told, covered all the expense incident to this feeding except the actual cost of the food. The Government transported the food from the European port where it was landed, furnished the warehouses in which it was stored, and much of the personnel used in packing and distribution. This is true, in fact, of all the American Relief Administration child-feeding work in Europe. It is assisted in every way by the Governments concerned.

"HUNGARY.

"In Hungary, where I spent two weeks at the end of July, the situation as to food was not as serious as in Austria. This was partly due to the international labor blockade, which prevented the exportation of any food from Hungary. The Hungarian Government would not have permitted extensive exportation, because it was determined to conserve at least a minimum for the population of the country, but it probably would have let some food go out, because the economic situation was very serious, unemployment increasing, and the need of coal and raw materials imperative. There was some child feeding being done for the children of the very poorest classes, these often being the intellectual classes. Professors in the university, for example, who formerly received 15,000 crowns a year, now receive 25,000 crowns, whereas food prices had increased from 500 to 2,000 per cent. The situation was, furthermore, complicated by the enormous numbers of refugees, in most cases Jews from Galicia, who fled to Budapest during the war and were unwilling to return to their homes. These people were in many instances absolutely without resources. In Budapest, as in Vienna, the work of the American Relief Administration appeared to me excellent owing to an admirable personnel and the minimum of expense. The Hungarian Government had gone even further than the Austrian Government and had donated to the relief administration large sums of money monthly to enable it to make its work more effective and far-reaching. The children fed were of all classes, a very large proportion being Jews. I mention this fact only because allegations have been made that the Hungarian Government interfered with the relief to Jewish children. This was emphatically denied by American relief workers.

"SERBIA.

"The only place in Jugoslavia where I stayed any length of time was Belgrade. Here there was plenty of food; indeed, more food than was needed, as Serbia is essentially an agricultural country, and great difficulties were experienced in exporting the surplus. There was in Belgrade a plethora of foreign relief organizations which, it seemed to me, were competing with each other and were in many cases extravagant. The American Relief Administration was at that time withdrawing and has since, I am told, got out of the country altogether on the ground that its purpose is to feed hungry children, and that in Jugoslavia there is plenty of food. I had a long talk with the prince regent, who is in close touch with all that is going on in the country, and he said quite frankly that what the country needed as assistance from America was the services of experts who would teach sanitation and medicine and who would assist in reorganization of the transport system, so that all parts of the country could be efficiently served. The American Relief Administration is now buying a certain amount of food from Jugoslavia for use in its work in Austria. This being the case, it was obviously unnecessary to continue its feeding stations in Jugoslavia, since the principle of the work is that assistance will not be given where the fault lies not in lack of food but in lack of decent administration of the food resources. Only in Montenegro, which is now part of the Kingdom of the Serbs, Croats, and Slovenes, is the American Relief Administration doing any work. This mountainous bit of country can not be reached by railroads from the interior but must get its food from the Adriatic ports.

"CZECHOSLOVAKIA.

"In Czechoslovakia there was in many places real hunger, and even in villages in an agricultural country the American Relief Administration was doing some child feeding. I asked various people why this was necessary, and was told that the reason for lack of food was the unwillingness of the farmers to plant grain or to sell milk when the Government prices were too low to make it profitable; that as a result large areas normally planted in grain were not used and that the cattle were being used as draft animals. In connection with this I suggested that it seemed contrary to the policy of the American Relief Administration to give assistance in food supplies when the fault apparently lay in the local administration. The answer was that no American money given as charity was being used in this child feeding. The American Relief Administration sells food drafts to people who wish to send food to specific individuals. There is a certain profit on these drafts, and the American Relief Administration had agreed to use the profit in the country to which the drafts were sent. The flow of food drafts to Czechoslovakia had been and I believe still is large, and it is the surplus so acquired on these drafts which is being used for the not very extensive child feeding in the country.

"GERMANY.

"The situation as I saw it in Germany was in a very mild way similar to that in Austria. There was not sufficient food in the country to go around, and this lack affected first of all the children. Various members of the Government told me that they believed the stringency would be very severe during the coming winter, as the crops had not all been as successful as was expected, owing to the continuous rains. The food supplies from America, in accordance with the demonstrated need, are distributed to the children at the various stations in the different cities under the most careful supervision by the Friends Society. I was particularly interested in these stations to see how strictly the regulations were enforced. The children had to be fed actually at the station. Children were not allowed to take any food home, nor was, for example, an older child permitted to come to the station to take food home to a younger brother or sister said to be unable to come himself. The organization appeared to be taking every possible precautionary measure to prevent food from reaching those for whom it was not intended. I had very strongly the feeling in Berlin that from a purely humanitarian point of view this assistance might be needed through the winter, but that this will not be a long-continued appeal as the German economic conditions improve and the people are put to work.

"POLAND.

"The need of relief in Warsaw in September appeared to me quite as imperative as in Vienna. Poland is an agricultural country and should eventually be self-supporting so far as food supplies are concerned. At the moment, however, gradually recovering from repeated invasion, a large number of its agricultural workers killed or driven from the country, its situation is desperate. The bolshevist invasion in July and August, which came to the gates of Warsaw, meant the destruction or the carrying off of a very large proportion of the crops in the territory east and north of the city. Thus at the very time the crops were reaching maturity Poland saw them lost. There appeared to be every wish to get to work, to maintain a state of peace, and to devote all the national energies to retrieving the

disastrous economic condition of the country. The Polish mark was even in September very low. It has since fallen disastrously, and as a result very few people are able to purchase the food necessary to supply a family.

"The work of the American Relief Administration in Poland was being carried on very effectively and economically. It is true to say that in Poland the American Relief Administration alone is saving the lives of the oncoming generation. Any diminution of this work at the time would mean disaster.

"BALTIC PROVINCES.

"I was unable to go to Riga and Reval, but in Danzig had a long conversation with Dr. Ryan, the efficient chief of the American Red Cross work in the Baltic Provinces. The American Relief Administration at that time was, I understand, not operating in the Baltic Provinces, and is only now planning to extend its operations to that part of the world. The picture of starvation and disease among the people of Latvia, Lithuania, and Esthonia that Dr. Ryan gave was appalling, and I believe that this extension of the child feeding is at the moment almost as important, from the life-saving point of view, as is the continuance of the work in unimpaired efficiency in Austria and Poland.

"GENERAL.

"My impression in all these countries was that the work of the relief administration was carried out in a fine American spirit by men well representative of this country in a manner as efficient and economic as it possibly could be. The attitude of all the people toward the work was one of the greatest gratitude and appreciation. It more than anything else held high the good name of the United States. The only objection that I found to the various charitable organizations working was that they somewhat overlapped and were therefore not always economic. This has been remedied by the fact that all the important organizations have joined with the American Relief Administration and that the feeding will be done by one organization."

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[Copy. Telegram from American minister, Belgrade, Jan. 13, 1921.]

SECRETARY OF STATE,

Washington, D. C.:

Your circular of January 7, with instructions to reply by telegraph. General conditions have greatly improved in Serbia since the armistice, rendering unnecessary the need for general relief. There is, however, still a need of specific relief along the lines of caring for orphans and the repair and equipment of schools and hospitals and dispensaries.

The number of orphans in Serbia and Montenegro, according to official figures, is 200,000; 95,000 of whom live with relatives, 40,000 residing with families with Government aid, 10,000 in institutions supported by private funds or foreign missions, a number of which are being closed due to lack of funds; 5,000 are pensioned in families by the American Child Welfare Associations; and approximately 50,000 are not provided for but are living in extreme poverty and neglect with poor peasants who have taken them in.

A large number of schools need repairs and equipment. According to a preliminary official survey there are 130 ordinary schools totally unequipped and 75 trade schools and various agricultural schools to a large extent or wholly unequipped.

Much has been done by the Government and relief societies to replace hospital and dispensary equipment destroyed during the war, but there is still great need of equipment. Am unable to give figures.

My duties in Belgrade have prevented a personal inspection of the administration of American funds for relief work, most of which has been expended in southern and central Serbia and Montenegro, where there are also no consular representatives. From my limited observation and through information received from disinterested Americans and Serbians, it is my belief that these funds are being expended in an efficient and economical manner.

Apparently the Government is doing all in its power at the present time to meet above needs. Its ability to do this should increase considerably in the near future. Eventually it could probably without foreign aid take care of material needs, but the delay in this case would doubtless cause great injury to thousands of children and others.

(Signed) DODGE.

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[Copy. Telegram from American commissioner, Budapest, Jan. 18, 1921.]

SECRETARY OF STATE,

Washington, D. C.:

Department's circular telegram January 7. So far as Hungary is concerned, it is my opinion that the temporary need for child feeding is urgent only in the largest towns, not only because it will save the lives and preserve the health of the coming generation, but also because it exercises an important stabilizing influence upon the social unrest.

(Signed) GRANT-SMITH.

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[Telegram from American representative, Bucharest, Jan. 22, 1921.]

SECRETARY OF STATE,

Washington:

Your circular telegram of January 7 regarding relief situation: I learn from impartial and reliable sources that there is no starvation among children and women in Rumania. The American Relief Administration discontinued its child-feeding work in September, 1919, as such relief was found to be no longer necessary. Representatives of the Junior Red Cross have spent approximately $14,000 within past six months for various items, mostly in connection with treatment of tuberculosis cases among children. Present governmental situation, together with financial and transportation difficulties, seriously hinder any relief work.

1. Upon investigation I have concluded that any relief funds supplied from the United States should be administered through the local organizations known as the Prince Mircea Society and the Child Welfare Society, under the direction of the Queen. The Child Welfare Society feeds and provides for 76,000 orphans.

2. The two societies named are the only organizations which can satisfactorily reach the needy and administer relief efficiently.

3. That the local representatives of American organizations here can not effectively reach the most deserving.

In conclusion, it seems apparent that the 76,000 war orphans now being cared for by the Child Welfare Society are the only really needy cases, and that they may best be assisted through turning available funds over to the Queen, who would be able to account for such work as was accomplished by the use of the funds so applied.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a resolution adopted by Ashley Grange, No. 1211, of Ashley, Mich., favoring legislation making all United States war bonds and certificates legal tender within the United States, which was referred to the Committee on Finance.

He also presented a resolution of the Michigan Beekeepers' Association, of Lansing, Mich., favoring a tariff duty on honey, which was referred to the Committee on Finance.

He also presented a resolution of the Law Enforcement Conference, adopted at Lansing, Mich., favoring legislation appropriating $7,500,000 for the enforcement of the prohibition law and also in favor of an appropriation to enable attorneys of the Department of Justice to enforce prohibition, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a resolution of the Federal Farm Loan Association, of Otero County, N. Mex., favoring the strengthening of the Federal farm loan act, which was referred to the Committee on Banking and Currency.

He also presented a resolution adopted by the Farmers' Equity Union, at St. Louis, Mo., favoring adequate appropriations for the Department of Agriculture for the fullest study of domestic and foreign conditions of both production and consumption, etc., which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Burlingame Farmers' Club, of Burlingame, Kans., favoring legislation to prohibit gambling in farm products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Kansas State Horticultural Society, of Topeka, Kans., favoring legislation adopting a national standardized system of weights and measures, which was referred to the Committee on Standards, Weights and Measures.

Mr. JONES of Washington presented a resolution of the Legislature of the State of Washington, favoring the development of a naval aviation base at Sand Point, near Seattle, Wash., which was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

Senate joint memorial 3.

To the honorable Congress of the United States of America:

Your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully memorialize the Congress of the United States to consider and favorably act upon the following representations:

The north Pacific coast of the United States, including Alaska and the navy yard, Puget Sound, is without any adequate naval defense whatsoever. Adjoining the State of Washington on the north, at Esquimalt, on Vancouver Island, British Columbia, Dominion of Canada, the British Government has powerful naval defenses. The Territory of Alaska and the entire Puget Sound country, embracing the north Pacific coast, are without any naval defense whatsoever. The navy yard, Puget Sound, has already become one of the great naval stations of the

United States. To leave it without adequate defense would be a national disaster.

Realizing this condition of affairs, King County, the wealthiest and most populous county in the State, has, at an expenditure of over $300,000, purchased for the Federal Government, free of charge to the Federal Government, a tract of land of about 400 acres at a point on Lake Washington, which naval experts, aviation experts, Army experts, and other men of highly intelligent and experienced judgment have declared to be the ideal site for an aviation field on the north Pacific coast. These experts and gentlemen have reached this conclusion after careful examination of all prospective and favorable situations on the north Pacific coast. A committee of the Congress of the United States has visited the Puget Sound country and examined the situation thus represented, and which is called Sand Point. One and all, they have declared it to be the one ideal site for an aviation field.

Before the close of the late World War the Navy Department of the United States had already determined that it was necessary to have a great aviation field at that point; but the close of the war left the question undecided.

In view of these circumstances, and of the heavy outlay made by said county of King in procuring for the Federal Government, without expense to it, a great site for an aviation field, the Legislature of the State of Washington respectfully asks the Congress to make the necessary appropriation for the establishment of a great aviation field at Sand Point, on Lake Washington, State of Washington.

Adopted by the senate, January 13, 1921.

W. J. COYLE,
President of the Senate.

Adopted by the house, January 17, 1921.

E. H. GUIE,
Speaker of the House.

REPORTS OF COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. JONES of Washington, from the Committee on the District of Columbia, to which was referred the bill (H. R. 8535) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein, reported it without amendment and submitted a report (No. 739) thereon.

He also, from the same committee, to which was referred the bill (H. R. 12045) to provide for the conveyance of lots on the low grounds of Washington, District of Columbia, reported it with an amendment and submitted a report (No. 740) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 4959) for the relief of Pettus H. Hemphill; to the Committee on Military Affairs.

By Mr. GORE (by request):

A bill (S. 4960) to amend section 101 of the Judicial Code; to the Committee on the Judiciary.

By Mr. SUTHERLAND:

A bill (S. 4961) to provide for advancement in grade of certain officers retired for disability incurred in active service; to the Committee on Military Affairs.

By Mr. SMITH of Maryland:

A joint resolution (S. J. Res. 250) to grant American citizenship to John George Waller; to the Committee on Immigration.

By Mr. SUTHERLAND:

A joint resolution (S. J. Res. 251) to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy; to the Committee on the Census.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. RANSDELL submitted an amendment proposing to increase the appropriation for clerk hire in the offices of the Shipping Commissioners, etc., from $70,000 to $83,200, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. OVERMAN submitted an amendment proposing to appropriate $45,000 to establish and maintain a forest experiment station at Asheville, N. C., for the purpose of conducting in the Appalachian hardwood adjacent forest regions silvicultural and other forestry experiments and investigations, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. SHEPPARD submitted an amendment proposing to appropriate $25,000 for the importation of karakul sheep under the supervision of the Secretary of Agriculture, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for collecting, publishing, and distributing information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of live stock, agricultural products, etc., from $390,160 to $430,160, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AMENDMENT OF WAR RISK INSURANCE ACT.

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (H. R. 13558) for the purpose of improving the facilities and service of the Bureau of War Risk Insurance, and of further amending and modifying the war-risk insurance act, as amended, which was referred to the Committee on Finance and ordered to be printed.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. THOMAS. Mr. President, I desire to ask whether amendments introduced prior to the presentation of the cloture application must be read to the Senate in order to be considered. Some weeks ago I introduced a couple of amendments to the bill.

The VICE PRESIDENT. If the cloture rule shall be invoked by the Senate, "except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time."

Mr. THOMAS. Then I shall read the amendments to which I have referred.

Mr. BORAH. I could not understand the ruling of the Chair, and I am interested in the question of amendments.

The VICE PRESIDENT. The rule is very plain. After the Senate votes to bring the debate to a close, the rule then provides that—

No Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks.

That is the first time the Presiding Officer has had any duty conferred upon him.

Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

So it is quite clear that if the effort to invoke the cloture rule shall be successful, no amendment, except by unanimous consent, shall be in order unless the same has been presented and read prior to the adoption of the rule.

Mr. BORAH. I offer two amendments which I ask to have read.

Mr. SMOOT. Mr. President——

Mr. ROBINSON. Mr. President, I desire to make a parliamentary inquiry.

Mr. SMOOT. That is also what I rose to do.

Mr. ROBINSON. Under the rule, as I understand it, no privilege attaches to the stating or reading of an amendment. A Senator must procure the floor in his own right in order to have an amendment stated or read. The rule does not give him that privilege.

The VICE PRESIDENT. The Chair has not ruled on that question. The Chair stated the rule, that an amendment must be presented and read before the cloture rule goes into effect.

Mr. ROBINSON. The Senator from Arkansas understands that the Chair has not ruled on that question, but I am making a parliamentary inquiry.

The VICE PRESIDENT. The Chair does not believe that a Senator can take the floor as a matter of right.

Mr. ROBINSON. Or that any privilege attaches to the statement of an amendment?

The VICE PRESIDENT. None whatever.

Mr. SMOOT. Mr. President, a parliamentary inquiry. In my opinion the Chair has stated the rule exactly as it was intended, but I wish to ask this question: Is it necessary actually to read the amendment or shall it be taken, the same as every other amendment that has been offered, as having been read, there being no objection?

The VICE PRESIDENT. The Chair thinks that it must be read. There is no use of putting that in the rule unless it be adhered to.

Mr. LODGE. Mr. President, in connection with what the Senator from Arkansas stated, I merely wish to say that as the cloture rule is now before the Senate to be voted on to-morrow, if one objection could prevent a Senator from offering an amendment, the right and the opportunity to present the amendment would be taken from him. It seems to me that the right to offer an amendment under the rule must be preserved.

The VICE PRESIDENT. The Chair did not so rule.

Mr. LODGE. I did not suggest that the Chair did so rule.

The VICE PRESIDENT. Oh, no. The Chair did not so rule.

Mr. LODGE. I did not suggest that he did.

The VICE PRESIDENT. The Chair does not so rule. The Chair rules that if the Chair recognizes a Senator on the bill he can put in his time presenting and reading his amendment, but he can not take another Senator off the floor for the purpose of presenting an amendment.

Mr. LODGE. Oh, certainly not; but if a Senator holding the floor offers an amendment one objection can not stop him. He has a right to offer it because the bill is pending for that purpose.

The VICE PRESIDENT. Of course.

Mr. THOMAS and Mr. McCUMBER addressed the Chair.

The VICE PRESIDENT. The Senator from Colorado is recognized.

Mr. McCUMBER. Mr. President——

Mr. THOMAS. I yield to the Senator from North Dakota, if I can do so without yielding the floor.

Mr. McCUMBER. I wish to offer a mere suggestion, first, to those who desire to offer amendments. Those in charge of the bill do not wish to deprive any Senator of full opportunity to present his amendments. I think the proper method is for us to adjourn this evening until to-morrow at 12 o'clock, and then, under the head of morning business, every amendment can be presented and read during the first hour. That would give full opportunity. If any Senator feels that he will not have that opportunity in the morning, I suggest that any Senator would feel disposed to yield for the purpose of having an amendment read into the record.

I wish the opportunity at this time, not to exceed five minutes, to reply to a statement made by the Senator from Ohio yesterday concerning my argument upon the tariff bill.

Mr. THOMAS. I yield to the Senator, if I do not lose the floor, and I will then yield to the Senator from Idaho for his amendment.

The VICE PRESIDENT. This is going a little too far. The Chair can not permit the floor to be farmed out.

Mr. THOMAS. I do not propose to farm out the floor, but I desire to accommodate my friend the Senator from North Dakota. The Senator from Idaho [Mr. BORAH] certainly has a right to introduce his amendment if he wants to do so.

The VICE PRESIDENT. Oh, there is no objection to plowing a couple of furrows.

Mr. McCUMBER. I think there will be no trouble on this matter. Yesterday in discussing the pending emergency tariff bill the Senator from Ohio [Mr. POMERENE] stated:

> Now, we have the spectacle of a Republican majority trying to tax everything that goes on the table of the workingman.
>
> My good friend the distinguished Senator from North Dakota [Mr. McCUMBER] tells the Senate how perfectly simple this question of the tariff upon wheat is. He understands it thoroughly, but I think he is the only Senator who understands his own argument.

Mr. President, I take occasion to thank the Senator from Ohio for his compliment, and to regret my inability, through a lack of proper expression, to convince either the Senator from Ohio or any other Senator that 5 added to 7 makes 12. I thought the declaration was so self-evident that it did not need a great deal of elucidation. But the Senator from Ohio evidently thought I did not make the matter as clear as I should.

I wish to call the attention of the Senator from Ohio to his own argument upon the same bill and to put up to him the question whether or not he understands even his own argument upon the bill. The Senator from Ohio said:

> Mr. President, when I pick up this bill I find a duty on wheat of 40 cents a bushel, on corn of 15 cents a bushel, etc.
>
> * * * * * * *
>
> I find a duty on butter of 8 cents a pound, on cheese of 8 cents a pound, on fresh milk of 2 cents a gallon, on cream of 5 cents a gallon, and so on.

I suppose the Senator means by that that a duty of 2 cents on a gallon, one-half of 1 cent per quart, of milk is a terrible imposition upon those who use milk for breakfast.

I wish the Senator could have heard for a moment the testimony taken before the Committee on Finance in which it was stated that the man who drives the milk wagon in New York City receives from $185 to $200 and more in some instances for seven hours of labor for delivering milk; and I wonder if the Senator has compared the earnings of the farmer who gets 6 or 8 cents for a quart of milk with the earnings of the man who drives the milk wagon for from $185 to $200 per month.

Now, I wish to quote from the RECORD. After the Senator from Ohio had discussed the matter, and declared again and again that he did not wish to impose a tax upon the breakfast table, a little colloquy occurred between the Senator from Ohio and myself. I read from the RECORD, as follows:

> Mr. McCUMBER. If, as is contended on the other side of the Chamber by a great many who are discussing the subject, the Canadian gets no better prices in the United States and no advantage by shipping his grain to the United States than he would get by shipping it to Liverpool, then why is this measure going to hurt Canada in the slightest degree? Of course, I think the Canadian will not agree with that. I think the Canadian will get a better price if he can ship it here.
>
> Mr. POMERENE. I have heard my good friend from North Dakota discuss the question so often, and I know with such sincerity on his part, and at the same time, I think, with such gross error on his part, that I am afraid he and I can not get together at all.
>
> Mr. McCUMBER. I do not wish to get together on the argument; I simply wish to know why, if there is no advantage to the Canadian in sending his wheat into the United States, he would suffer by the bill.
>
> Mr. POMERENE I have no doubt he has some advantage, but so has the United States some advantage.

Further on the Senator from Ohio said:

> It benefits the Canadian perhaps because he has a closer market.

Again referring to the same proposition, that the American farmer would get no benefit, I then asked the Senator from Ohio:

> But if it does not increase the price of grain to the American farmer, then how is it adding a tax to the workingman's breakfast?
>
> Mr. POMERENE. It adds to the price to the workingman because the tariff is always used by the retailer as an excuse to boost the price, as everyone knows who has looked into the subject.

I wish to suggest to the Senator from Ohio that I really think he underrates the weakness of his own argument. I know that he is not satisfied with that poor answer. Again I put the simple question directly to those who claim that we are pulling the wool over the farmers' eyes and ask them to answer it: If the bill will not add one cent to the price of the farmers' product, then how on earth is it going to add to the cost of the breakfast table?

Several Senators on the other side of the Chamber have again and again asserted that we are pulling the wool over the farmers' eyes. Mr. President, along in September and October and up until November last the farmers of my State were asking not for a mere tariff but they were appealing to the President of the United States to put an embargo upon Canadian grain. I advised them that there was no law, as I understood the law, that would allow the President to do so, unless the exercise of such power might come under the antidumping law, which would not apply where the imported product was sold in the Canadian market for home consumption for the same price for which it was sold for export, and that the only remedy, therefore, would be the application of a tariff. If the farmers are pulling the wool over their own eyes, or if we are pulling the wool over their eyes, and they do not understand the situation, then why not give them an opportunity to try it and let them determine who is being fooled in the matter. You say they will receive no benefit. If they receive no benefit, then the consumer can not possibly suffer an injury. Again I put the question to any Senator who can answer it: If the proposed law would not raise the price of wheat one penny to the American farmer, then how on earth could it raise the price of flour to the ultimate consumer?

Mr. THOMAS. Mr. President——

Mr. HARRISON. Will the Senator from Colorado yield for a moment, in order that I may propound an inquiry to the Senator from North Dakota?

Mr. THOMAS. Mr. President, I promised the Senator from Idaho [Mr. BORAH] that I would, if the Chair permitted, yield the floor long enough for him to offer an amendment, which he has several times attempted to submit. I now yield to him.

Mr. BORAH. I offer two amendments to the pending bill and ask that they be read. It will not take over two minutes to do so.

The VICE PRESIDENT. The Secretary will read as requested.

The ASSISTANT SECRETARY. On page 5 of the bill it is proposed to strike out lines 21, 22, and 23, which read as follows:

> 24. Milk, preserved or condensed, or sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; sugar of milk, 5 cents per pound.

Also, on page 5, to strike out lines 19 and 20, as follows:

> 23. Milk, fresh, 2 cents per gallon; cream, 5 cents per gallon.

The VICE PRESIDENT. The proposed amendments will lie on the table.

Mr. THOMAS. Mr. President——

Mr. MOSES. Will the Senator from Colorado yield to me for the purpose of offering an amendment to the pending bill?

Mr. THOMAS. I yield.

Mr. MOSES. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from New Hampshire will be read.

The ASSISTANT SECRETARY. It is proposed to strike out all of the bill after line 4, on page 1, and to insert the following:

And paid upon articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duty prescribed by the act of Congress approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes."

The VICE PRESIDENT. The proposed amendment will lie on the table.

Mr. THOMAS. Mr. President, I send to the desk and ask the Secretary to read an amendment which I offered some days ago.

The VICE PRESIDENT. The amendment proposed by the Senator from Colorado will be read.

The ASSISTANT SECRETARY. It is proposed to insert as a new section at the end of the bill the following:

SEC. —. The revenues derived from the duties herein provided shall constitute a fund and the same is hereby appropriated for the relief of employees who through no fault of their own have become idle because of the emergency which this act is designed to overcome. The moneys here appropriated shall be distributed by the Commissioner of Internal Revenue under such rules and regulations as he, with the approval of the Secretary of the Treasury, shall provide.

The relief herein provided for shall not be extended to any person after his or her reemployment, whether by former employer or in other vocations.

The VICE PRESIDENT. The proposed amendment will lie on the table.

Mr. THOMAS resumed the speech begun by him on Saturday last. After having spoken for some time,

Mr. TRAMMELL. Mr. President, will the Senator yield to me for the purpose of sending an amendment to the desk to be read in conformity with the rule?

Mr. THOMAS. I yield.

The VICE PRESIDENT. The Chair desires to make an inquiry of the Senate of the United States. Does it want to act under any rules, or does it want to do just as it pleases? There is an unqualified rule here to the effect that no Senator shall be interrupted for the purpose of introducing a bill or an amendment, and that the Chair himself shall enforce the rule.

Mr. THOMAS. Mr. President, I do not want to violate the rule, as far as I am concerned; but speakers in this Chamber ever since I have been here have yielded the floor from time to time for that identical purpose.

The VICE PRESIDENT. Exactly; and the Chair does not care anything about it, except that the rule puts the responsibility upon the Chair. If the Chair enforces the rule, Senators become irritated. If the Chair does not enforce it, they see him in his chamber and inquire why he does not do it. The Chair does not care about it one way or the other, but that is what the rule provides.

Mr. TRAMMELL. Mr. President, if the Senator will yield for a moment, I merely presented the amendment at this time because, under the cloture rule, it has to be sent to the desk and read prior to the vote to bring debate to a close.

Mr. THOMAS. I do not think a rule of that kind should be observed when an application for cloture is pending. However, I shall conform myself to it.

The VICE PRESIDENT. The Secretary will read the amendment. The Chair only desired to call attention to the rule. The Chair does not care anything about it.

The Assistant Secretary read as follows:

On page 2, line 21, after the word "lemons," insert the following: "Limes, oranges, grapefruit, and shaddocks."

The VICE PRESIDENT. The amendment will lie on the table.

Mr. THOMAS resumed his speech. After having spoken for some time,

Mr. PHIPPS. Will the Senator from Colorado yield to me, that I may submit an amendment and have it read?

Mr. THOMAS. I yield for that purpose.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The amendment will be read:

The Assistant Secretary read as follows:

On page 6, after line 24, insert the following:

"29. Tungsten-bearing ores and concentrates, $9 per unit of tungstic trioxide therein contained, a unit being herein defined as 1 per cent of a short ton of 2,000 pounds, namely, 20 pounds of tungstic trioxide; metallic tungsten, tungsten powder, ferrotungsten, ferrotungsten powder, scrap steel containing tungsten fit only to be remanufactured, commercial tungstic acid, calcium tungstate, sodium tungstate, and all other salts of tungsten (except high-speed tungsten steel, tools, and other manufactured articles made of or containing tungsten, and all alloy steels containing tungsten), and all other compounds containing tungsten not specifically provided for in this section, nine-tenths of 1 cent per pound of each of said substances or materials for each per cent or fraction thereof of tungsten contained therein; high-speed tungsten steel, tools, and other manufactured articles made of or containing tungsten, and all alloy steels containing tungsten, 35 per cent ad valorem: *Provided*, That the provisions of this paragraph shall not be deemed to repeal any tariff now existing upon any substances or materials mentioned therein."

On page 7, line 2, strike out the following: "and 20)," and insert in place thereof: "20 and 29)."

The PRESIDING OFFICER. The amendment will lie on the table.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Carolina?

Mr. THOMAS. I yield.

Mr. SIMMONS. It is quite apparent that with these amendments coming in as they are to-day, when we get to a vote we shall have a very, very large tariff bill. In view of the fact that all the amendments have to be presented and read before we vote on the cloture question—and we have to vote to-morrow at 1 o'clock—I wish to ask unanimous consent that all the amendments, including amendments coming in to-day and those that have been offered heretofore, be printed together, so that we may know exactly what is the size of the bill and the amendments we shall have to vote on. Let them be printed together and placed on the desks of Senators.

Mr. McCUMBER. Does the Senator wish to include in that request the amendment proposing a codification of the Statutes of the United States?

Mr. SIMMONS. No; I will agree to eliminate that.

Mr. McCUMBER. Amendments that have been offered with no objection are to be presumed to have been read?

Mr. THOMAS. The Vice President did not so rule this morning.

Mr. SIMMONS. I mean that they will actually have the right, in the eventuality of cloture, to be considered.

Mr. McCUMBER. If the Senator will exclude the proposed revised code from his request, I shall have no objection.

Mr. SIMMONS. I think we will be able to dispose of that amendment more easily than we will some of the amendments which double and probably more than double the protective duties now imposed upon manufactured as well as upon agricultural products.

Mr. McCUMBER. The point I am making is one in good faith, the Senator must understand.

Mr. SIMMONS. If the amendments are adopted, those which have been offered, there will be no longer an emergency agricultural bill, but an emergency manufacturers' bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. HARRISON. I ask that the unanimous-consent request may be stated?

The PRESIDING OFFICER. It will be stated by the Secretary.

The ASSISTANT SECRETARY. The Senator from North Carolina asks unanimous consent for the adoption of the following order: That all amendments presented and read to the Senate upon the pending emergency tariff bill be printed in one copy and placed upon Senators' desks.

Mr. HARRISON. May I ask if the Senator from North Carolina will consent and will the Senate consent that amendments which are intended to be proposed to the emergency tariff bill, instead of being read under the rule touching the matter, be presented and not go through the formality of being read?

Mr. THOMAS. The Vice President, occupying the chair this morning, ruled, and I think correctly, that under our cloture rule all amendments to be voted upon, in the event the Senate decides for cloture, must have been read to the Senate.

Mr. HARRISON. I thought, perhaps, the Senate itself, by unanimous consent, could change that proposition so that they may be presented whether read or not.

Mr. SIMMONS. I do not understand that to be the rule. I understand that only those amendments offered between now and the time when cloture is ordered, if at all, must be read.

Mr. THOMAS. The Senator is mistaken, because I asked the question, having introduced two amendments some time ago, and the ruling was as I have stated.

Mr. SIMMONS. Does the Senator mean to say an amendment that has been pending for a week has to be read before it is competent to be offered?

Mr. THOMAS. Yes; under the rule.

Mr. SIMMONS. I must express my astonishment at that ruling.

Mr. SMOOT. I asked particularly of the Presiding Officer, when the Vice President was in the chair, whether that was the construction of the rule, and he replied that it was.

Mr. THOMAS. I asked it because of my pending amendment.

Mr. SIMMONS. The language of the rule may justify that construction, but, in my judgment, no such purpose was in the mind of the Senate when the rule was adopted.

Mr. THOMAS. That is a different proposition.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina? The Chair hears none, and it is so ordered.

Mr. HARRISON. Will the Senator from Colorado allow me to propose a unanimous-consent request?

Mr. THOMAS. I yield for that purpose.

Mr. HARRISON. I ask unanimous consent that all amendments which are proposed to the pending bill to be voted on after 1 o'clock upon the adoption of the cloture rule, should it be adopted, shall be presented before the time of voting on that rule, but that they need not be read.

Mr. SMOOT. I did not quite understand the request. Will the Senator repeat it?

Mr. HARRISON. I am asking unanimous consent to change the rule to this extent, that the amendments may not be read, but must be presented before the time of voting on the cloture rule to-morrow.

Mr. SMOOT. I object, because the ruling has already been made by the Vice President that that can not be done under the rule.

Mr. THOMAS resumed his speech. After having spoken for some time,

Mr. SMOOT. May I interrupt the Senator for a moment to offer an amendment?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield with pleasure.

Mr. SMOOT. I offer an amendment to House bill 15275, which I ask may be read.

The PRESIDING OFFICER. The Secretary will read as requested.

The ASSISTANT SECRETARY. In lieu of the amendment proposed by the committee relating to sugar, sirups of cane juice, and so forth, embraced in lines 13, page 4, down to and including line 16, page 5, insert the following:

Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 degrees, seventy-one one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, twenty-six one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40 degrees, 15 per cent ad valorem; testing above 40 degrees and not above 56 degrees, 2½ cents per gallon; testing above 56 degrees, 4½ cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test. That the duties in this paragraph herein imposed are in addition to the rates of duty imposed on such sugar by existing laws, and shall in no manner affect or impair such existing laws.

The PRESIDING OFFICER. The proposed amendment will lie on the table.

Mr. SMOOT. Mr. President, just a word. I suppose there are very few Senators who will know just what the amendment means without going into the figures. The present law imposes a duty of 1 cent per pound after the 20 per cent Cuban differential is deducted; and this simply means that it will be 2 cents instead of 1, or 1 cent additional.

Mr. SIMMONS. Mr. President, will the Senator from Colorado permit me to ask a question of the Senator from Utah?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Carolina?

Mr. THOMAS. I yield.

Mr. SIMMONS. I understand the Senator to say that the additional tax which he proposes is only 1 cent.

Mr. SMOOT. Just 1 cent a pound.

Mr. SIMMONS. That would make the tax a little over 1 cent.

Mr. SMOOT. It would make it 2 cents and a fraction. I think it is three one-thousandths of a cent above 1 cent.

Mr. SIMMONS. That would raise the Cuban sugar, duty paid, to a little over 6 cents.

Mr. SMOOT. On to-day's market.

Mr. SIMMONS. At to-day's price?

Mr. SMOOT. No; it would only raise it to 5⅝ cents.

Mr. SIMMONS. The Senator, of course, must include, in addition to the Cuban farmer's price, the cost of hauling to the ports, which brings it up to about 4 cents, as I am advised.

Mr. SMOOT. The market price was 4⅝ cents the other day. I did not notice what it was this morning, but this would add a cent to it.

Mr. SIMMONS. Let me ask the Senator—I am asking him because he is very well posted about these matters—what is the differential now in favor of refined sugar?

Mr. SMOOT. I think it is 1.53 cents.

Mr. SIMMONS. That would be 7.53, or 7½ cents. Now, if you add the jobber's profit, and the retailer's profit, I suppose that would bring the sugar in this country up to from 10 to 11 cents a pound?

Mr. SMOOT. I will say to the Senator that it should not do that. I notice from an advertisement in the paper that the retail price in the District of Columbia is 8 cents.

Mr. SIMMONS. I know it is, now.

Mr. SMOOT. So that if we only add 1 cent more, it should not add more than 1 cent to that price, which is 9 cents. It simply means an addition of 1 cent a pound.

Mr. THOMAS resumed his speech, which will be published hereafter. Upon the conclusion of his remarks Mr. THOMAS said:

I ask, Mr. President, in view of the ruling of the Chair, that the amendment I have offered may now be read, and I will then yield the floor.

The PRESIDING OFFICER (Mr. MCLEAN in the chair). The Secretary will read the amendment.

Mr. HARRISON. I have several amendments to offer that are of some length and which it will take some time to read. There are several speeches to be made this afternoon. I understand two or three Senators want to discuss the bill, and I want to say something about it. I was wondering if we could present these amendments now and have them read a little later.

The PRESIDING OFFICER. Does the Senator from Colorado insist upon the reading of his amendment?

Mr. THOMAS. I do not want to take chances. I am perfectly willing, of course, if it can be done, that an hour shall be set apart for the reading of the amendments; but, inasmuch as I announced when I began this morning that during my discussion I would present this amendment, as required by the rule, I would like to have it read.

Mr. ASHURST. Mr. President, will the Senator yield to me? I have a very short amendment, consisting of only two lines, and I would like to have it read.

Mr. HARRISON. Can we not agree that between 5 and 6 o'clock all amendments presented shall be read, the one offered by the Senator from Colorado to be given the preference?

Mr. MCCUMBER. I was going to suggest, Mr. President, that on an amendment like this—a very long amendment—we might have unanimous consent that the reading of it by the title be full compliance with the rule with reference to the reading of amendments under the cloture rule.

Mr. POMERENE. Then I suggest that we have the amendments printed in the RECORD as if they had been read in full.

Mr. MCCUMBER. The reason why I do not wish to include that is because an amendment like the one offered by the Senator from Colorado is already printed, and there are some amendments which have been offered that are so long that, of course, it would be impossible to get them printed in a week.

Mr. HARRISON. When I offered the recodification of laws proposition I did not ask to have it printed. I can make it the subject of a separate request before the hour set to-morrow.

Mr. RANSDELL. Will the Senator from North Dakota repeat his request? I did not happen to be in the Chamber, and I have two or three amendments in which I am interested. So I would like to know what the request is.

Mr. MCCUMBER. The Senator from Colorado [Mr. THOMAS] requested, as a part of his remarks, that the amendment which he had just presented, which I believe is the immigration bill, should be read. To avoid the necessity of consuming time in reading it, I suggested a unanimous-consent agreement that the bill which has just now been offered as an amendment should be read by its title only, and that that should be considered a sufficient compliance with the rule to entitle the same to be offered as an amendment to the tariff bill, if a cloture rule should be adopted.

Mr. RANSDELL. The Senator's request applies simply to that one particular amendment, but not to all amendments?

Mr. MCCUMBER. Not to all amendments, because it will take only a few moments to read those which are very short.

Mr. HARRISON. Mr. President——

Mr. ASHURST. Will the Senator yield to me?

Mr. HARRISON. I yield to the Senator from Arizona.

Mr. ASHURST. I offer a very short amendment, which I ask to have read and printed and lie on the table.

The PRESIDING OFFICER. The Secretary will read the amendment.

The READING CLERK. In the item relating to cotton, on page 3, line 11, strike out the numeral "7" and insert in lieu thereof the numeral "30," so as to read "30 cents per pound."

The PRESIDING OFFICER. The amendment will lie on the table. The Senator from North Dakota asks unanimous con-

sent that the amendment offered by the Senator from Colorado be read by its title. Without objection, the Secretary will read.

The reading clerk read the caption of the amendment, and it was ordered to lie on the table and to be printed, as follows:

On page 4, after section 4, add the following:

"SEC. 5. The term 'United States' means the United States and any waters, territory, or other place subject to the jurisdiction thereof except the Isthmian Canal Zone and the Philippine Islands; but if any alien, or any alien seaman, leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens, or to all alien seamen, respectively;

"The term 'immigration act' means the act of February 5, 1917, entitled 'An act to regulate the immigration of aliens to, and the residence of aliens in, the United States'; and the term 'immigration laws' includes such act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens; and

"The word 'alien' includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

"SEC. 6. Except as otherwise provided in this act, from 60 days after the passage of this act, and until the expiration of 14 months next after its passage, the immigration of aliens to the United States is prohibited, and during such time it shall not be lawful for any alien to enter the United States from any foreign port or place, or, having so entered, to remain within the United States.

"SEC. 7. (a) Section 2 shall not apply to otherwise admissible aliens lawfully resident in the United States, nor to otherwise admissible aliens of the following status or occupations, when complying with the requirements of this section and with all other provisions of the immigration laws:

"(1) Government officials, their families, attendants, servants, and employees.

"(2) Travelers or temporary sojourners for pleasure or business who may enter the United States during the time of suspension of immigration for a period not exceeding six months each, which period may be extended in individual cases by the Secretary of State.

"(3) Bona fide students who may enter the United States solely for the purpose of study at educational institutions particularly designated by them; and upon graduation, completion, or discontinuance of studies they shall not be entitled to remain in the United States.

"(4) Ministers of any religious denomination.

"(b) An alien belonging to one of the classes or persons enumerated in subdivision (a) shall be permitted to enter the United States only upon presentation of a valid passport or other official document in the nature of a passport (hereinafter referred to as a passport) satisfactorily establishing his identity, nationality, and to which of the classes so enumerated he belongs, together with a signed and certified photograph of the bearer attached. A wife, or a female child under 21 years of age, or a male child under 16 years of age, may be included in the passport of a husband or parent, but a photograph of each must be attached to the passport. Each male child 16 years of age or over must carry a separate passport.

"(c) Each such passport must be viséed by an American consulate, or a diplomatic mission if specially authorized, in the country from which the holder starts on his trip to the United States, and if such country is not the country to which he owes allegiance the passport must also be viséed by a diplomatic or consular officer therein of his own country. In all cases the passport must also be viséed by an American consulate, or the diplomatic mission if specially authorized, in the country from which the alien embarks for the United States, or if he comes by land, the country by which he enters the United States.

"(d) Each alien coming within the provisions of this section, except a duly accredited Government official, must furnish to the American diplomatic or consular officer who visés the passport in the foreign country from which he starts on his trip to the United States, and to the American authorities at the port of entry or elsewhere in the United States, a written declaration setting forth: (1) The date and place of the bearer's birth; (2) the nationality and race of his father and mother; (3) the place of the bearer's last foreign residence and the other places, if any, where he has resided within the past five years, and what has been his occupation during that period; (4) if he has ever been in this country, the dates and objects of his visits and the places and addresses where he resided or sojourned; (5) the date set for his departure for the United States, the port of embarkation, and the name of the ship on which he is to sail, if he goes by water; (6) names and addresses of persons acquainted with the applicant in the country from which he starts and in the United States, if any; (7) the expected duration and object of his proposed visit to this country, the documentary or other proofs of such objects submitted, and the place or places in the United States where he expects to sojourn or reside; (8) that the bearer knows and understands the provisions of the immigration laws, excluding certain classes of aliens from the United States, and is certain that he does not fall within any of such classes; (9) that the bearer understands that if, on arrival at a port of the United States, he is found to be a member of a class excluded by the immigration laws, he will be deported if practicable, or, if for any reason deportation should be found to be impracticable, will be held in detention in an immigration station or other place of confinement, and that he is, with full understanding thereof, assuming all risks involved in a possible return trip in consequence of being rejected under such law.

"(e) A wife or minor child who does not expect to reside with the husband or father in the United States must carry a separate declaration.

"(f) Each declaration must be affirmed or sworn to before a consular officer, or a diplomatic officer of the United States if specially authorized, and signed in triplicate, and a photograph of the declarant must be attached to each copy with an impression of the official seal. The declaration must be made at least two weeks before the date of intended departure, except in cases of extraordinary emergency. One copy of the declaration must be filed in the embassy, legation, or consulate by which the passport is first viséed, one copy forwarded immediately to the Commissioner of Immigration or inspector in charge at the port of entry by which the declarant expects to enter the United States, and one copy fastened to the passport of the declarant in such a way that it may be removed upon his departure from the United States. The copy last mentioned must be presented with the passport to the official at the port of entry into this country who examines passports, and to the immigration official who inspects the holder, and to such other officials in the United States as may be authorized to inspect such documents.

"SEC. 8. (a) A citizen of the United States 21 years of age or over, who is a resident of the United States, may, under regulations prescribed by the Secretary of Labor, apply to him for permission to bring into the United States or send for an otherwise admissible wife, parent, grandparent, unmarried son or brother under 21 years of age, unmarried or widowed daughter, or sister, grandson under 16 years of age whose father is dead, or unmarried or widowed granddaughter whose father is dead; and any alien who has declared, in the manner provided by law, his intention to become a citizen of the United States, and who is a resident of the United States, may make like application in reference to an otherwise admissible husband or wife, unmarried son under 21 years of age, or unmarried or widowed daughter; but no application may be made under this paragraph in the case of any relative by adoption.

"(b) If the Secretary of Labor is satisfied that the entry into the United States of such relative would not be in violation of the immigration laws, and that such relative is likely to prove a desirable resident of the United States, he may issue a permit to the applicant, under such regulations as he may prescribe, which shall authorize the immigration officers at the port of entry to examine such relative upon arrival at such port. Thereafter the right of such relative to admission shall be as provided by the immigration laws, except that it shall not be subject to the act entitled 'An act to prevent in time of war departure from and entry into the United States, contrary to the public safety, approved May 22, 1918,' or to the provisions of any proclamation, order, rule, or regulation made thereunder, and except that the literacy test may, in the discretion of the Secretary of Labor, be waived in the case of such relative.

"SEC. 9. Nothing in section 2 shall be held to prevent the importation of skilled labor under the conditions prescribed in the fourth proviso to section 3 of the immigration act, nor to the importation of persons employed as domestic servants.

"SEC. 10. The joint resolution approved October 19, 1918, entitled 'Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or who have volunteered for service with the military forces of the United States or cobelligerent forces' is hereby amended by adding thereto a proviso reading as follows: '*Provided*, That if any such alien shall on arrival at a port of the United States be found to be afflicted with a loathsome or contagious disease, such alien shall not be readmitted until he shall have been treated in hospital and the disease reduced to a noncontagious stage.'

"SEC. 11. During the period of suspension provided for in section 2 otherwise admissible aliens who have resided continuously in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico for at least one year may be temporarily admitted, for a period not exceeding six months, from such countries, under such rules governing entry, inspection, temporary stay, and departure as may be prescribed by the Commissioner General of Immigration, with the approval of the Secretary of Labor.

"SEC. 12. Any alien who at any time after entering the United States is found to have been at the time of entry not entitled under this act to enter the United States, or to have remained therein for a longer time than permitted under section 3 or section 7, shall be taken into custody and deported in the manner provided for in sections 19 and 20 of the immigration act.

"SEC. 13. The provisions of sections 18 and 20 of the immigration act, assessing a penalty for failure or refusal to accept, to detain, or guard safely, to return, and to transport to foreign destination aliens excluded or expelled from the United States, or to pay maintenance and deportation expenses of aliens, or for making any charge for the return of excluded or expelled aliens, or for taking any security for the payment of such charge, or for taking any consideration from aliens to be returned in case of landing, or for bringing to the United States any deported aliens within a year from date of deportation without the consent of the Secretary of Labor, shall apply to and be enforced in connection with the provisions of this act relating to the exclusion or expulsion of aliens.

"SEC. 14. Willfully to give false evidence or swear to any false statement in connection with the enforcement of this act shall constitute perjury as such offense is defined in section 16 of the immigration act; and the provisions of sections 16 and 17 of the immigration act, prescribing methods of procuring evidence concerning aliens, and defining offenses and prescribing punishments therefor, shall apply to and be enforced in connection with the provisions of this act.

"SEC. 15. Any person who substitutes any name for the name written in any document herein required, or any photograph for the photograph attached to any such document, or forges or in any manner alters any such document, or falsely personates any person named in any such document, or issues or utters any forged or fraudulent document, or presents to an immigrant inspector or other Government official any forged or fraudulent document, and any person other than the one to whom there has been duly issued any document prescribed by this act who presents to an immigrant inspector or other Government official any such document, shall be guilty of a felony and upon conviction thereof shall in cases where no other penalty is required by law be fined in a sum not exceeding $1,000 or be imprisoned for a term of not more than five years, or both.

"SEC. 16. The Commissioner General of Immigration shall, with the approval of the Secretary of Labor, issue such regulations, not inconsistent with law, as may be deemed necessary and appropriate to place this act in full force and operation (except that regulations for the viséing of passports under section 3 shall be made by the Secretary of State). Such regulations shall include special rules for the application of this act to the cases of aliens coming to the United States from or through contiguous foreign territory, and to the cases of aliens entering across the land boundaries for temporary stay or at frequent intervals; also special rules to insure that the provisions of this act, of the immigration act, or of any law, convention, or treaty relating to immigration shall not be violated by aliens arriving at ports of the United States employed on vessels as seamen, and that, at the same time, the enforcement of such laws shall not interfere with the operation of the act approved March 4, 1915, entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.'

"SEC. 17. The provisions of this act are in addition to and not in substitution for the provisions of the immigration laws."

Mr. McCUMBER. I further ask unanimuos consent that this reading shall be held to be a full compliance with the cloture rule requiring an amendment to be read when it is presented.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. THOMAS. Then, of course, this amendment of mine is pending without having been read in full.

Mr. RANSDELL. Mr. President——

Mr. HARRISON. I yield to the Senator from Louisiana.

Mr. RANSDELL. I merely wish to present a brief amendment, which I will ask to have read. I would like, if the Senator will yield a moment longer, to present to have read two other amendments, one offered by my colleague, the Senator from Louisiana [Mr. GAY], and the other by myself, so that they may be considered under the cloture rule.

The PRESIDING OFFICER. The Secretary will report the amendments.

The READING CLERK. On page 2, between lines 23 and 24, insert:

Camphor, crude natural, refined, and synthetic, 50 per cent ad valorem.

Mr. RANSDELL. I ask that the other two amendments may be read, so that they will comply with the rule. They are very short.

The PRESIDING OFFICER. The Secretary will read.

The READING CLERK. Amendment intended to be proposed by Mr. GAY:

On page 4, after line 3, insert the following:

"18. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, 2$\frac{7}{100}$ cents per pound, and for every additional degree shown by the polariscope test seventy-eight one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40°, 45 per cent ad valorem; testing above 40° and not above 56°, 6$\frac{3}{4}$ cents per gallon; testing above 56°, 13$\frac{1}{2}$ cents per gallon. Sugar draining and sugar sweeping shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

"That the duties in this paragraph herein imposed are in addition to the rates of duty imposed on such sugars by existing laws, and shall in no manner affect or impair such existing laws: *Provided*, That if the imposition of the duties herein shall have the effect of increasing the price in the ports of the United States of duty-paid 96° centrifugal sugar produced in and imported from Cuba beyond 8 cents per pound, or shall increase the price in the ports of the United States of similar sugars paying full duty beyond 8$\frac{44}{100}$ cents per pound, or shall increase the price in the ports of the United States of sugars that have gone through a process of refining, or sugars fit for direct human consumption, beyond 10 cents per pound, then the emergency duty herein named shall be automatically decreased so as to prevent the prices of such sugars advancing beyond the respective prices herein named."

In section 2, page 4, line 5, insert a comma after the figure 15, strike out "and" and insert after figure 17 "and 18."

Amendment intended to be proposed by Mr. RANSDELL:

On page 3, line 1, strike out "three-eighths" and insert "one-eighth," so as to read:

"Cotton having a staple of 1$\frac{1}{8}$ inches or more in length, 7 cents per pound."

The PRESIDING OFFICER. These amendments will lie on the table.

Mr. HARRISON and Mr. TOWNSEND addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi has the floor. Does he yield to the Senator from Michigan?

Mr. TOWNSEND. Did the Senator rise to make a speech?

Mr. HARRISON. I was going to endeavor to make a short speech. Does the Senator desire to make a speech?

Mr. TOWNSEND. I desire to take a very few minutes of the time of the Senate. I never make a long speech. I wish to occupy only a few minutes.

Mr. HARRISON. I should like to accommodate the Senator. How long will the Senator take?

Mr. TOWNSEND. Ten or fifteen minutes.

Mr. HARRISON. If I can get recognition afterwards, I yield.

Mr. TOWNSEND. Mr. President, it is going to be very difficult for me to express in proper langunge the feelings that I have in reference to the present parliamentary situation. I have, however, felt that we were not only doing a vain thing, and one that is admitted to be such to begin with, but that we are wasting very precious time of the Senate which ought to be devoted to something else.

It is said that many of the measures which are now before the Congress can go over until the next session, which, of course, is true, and which probably will be the result, but I had assumed that the country and the Senate were impressed with the fact that the next Congress had some special duties to perform, to which its almost undivided attention would be directed. The tariff bill, part of which is now before us, it is admitted will have to be considered at the special session, as will be the case with all other fiscal legislation. The question of our foreign relations is to come up at that time. These are important matters. The new Congress should not be diverted to matters of appropriations at that time.

The pending bill, however, is introduced as emergency legislation and with the absolute certainty that if we shall pass it, it will be vetoed. It is admitted here, however, that so long as the bill is before the Senate our Democratic friends are going to talk against it or for it, and if it shall be passed, they are still going to continue to talk about it until the end of the session. Our Republican friends say that if the cloture fails to-morrow, they are still going to hold the bill before the Senate, which means, if Senators are correct, that nothing else can be considered at this session of Congress.

Mr. President, I have very little sympathy with the proposition to amend the tariff piecemeal. Almost from the beginning of legislation this session we have been ostensibly legislating for the farmer. The farmer has come to know that he is being fooled. He knows that much of the legislation enacted in his name or interest is in reality for the supposed political benefit of many of its advocates. For days we held before the Senate the nitrate bill, in the interest of the farmer. We all know now that it was not in the interest of the farmer, and he knows it, too.

We are now holding a bill here in the interest of the farmer, and we see the spectacle of Senator after Senator rising to ask that it be amended with a proposition to secure protection for his particular locality. If it is politics that is prompting this side of the Senate to bring up the measure and force it at this time under existing circumstances, then I must submit that it is mighty poor politics.

I desire to have the tariff bill considered on its merits. I am a protectionist. I believe that that policy, properly applied, is in the interest of all the people of the United States. It is now proposed by the amendments offered to make a general revision of the tariff out of an emergency tariff bill. I think everyone must concede that proper attention can not be given to it now and that the result is going to be most disappointing and, I repeat, a vain thing in the end, because it can not become a law.

Mr. President, I realize that Senators are introducing amendments here, knowing that it is a political thing that we are discussing, for the purpose of embarrassing other Senators when it comes to a vote on those amendments; and yet they do not want to lose the opportunity of getting into the RECORD a showing to their constituents that they have been faithful to the interests of those constituents. The business of the country is disturbed at present and in no condition for time here to be wasted in vain effort to get some little political advantage on one side or the other. I recognize the fact that if the original emergency bill as passed by the House had been enacted into law immediately it might possibly have brought some relief. I have some doubt even about that. I think it is unscientific legislation, and usually the temporary measures that are passed in an emergency result in detriment rather than benefit to the very people whom it is sought to benefit.

So, Mr. President, I am greatly disturbed. I am in charge of an appropriation bill which can, of course, go over until the next session, when the same work will have to be taken up again and the time of the Congress occupied when it ought to be devoted to the special matters that will be brought before Congress at that time. I had hoped that when it was discovered or disclosed beyond peradventure of doubt that the bill could not become a law at this time, that fact might be recognized and the matter laid aside and the regular business of the Senate proceeded with. I have been urged not to bring up the appropriation bill to which I have referred, and I have recognized the force of the argument, because I am told that the same filibuster which is maintaining now would be exerted on that bill if I should bring it up.

Other appropriation bills are awaiting the action of the Congress and especially of the Senate at this time. I hope if cloture should be defeated to-morrow that we may at least proceed with the business of the Senate, in order that action may be obtained upon measures which should become laws at this session.

I have said this much because I have felt very deeply the waste of time. No one is getting any benefit from the debate. It is not debate of the high character which is beneficial to the country, but it is more or less tainted by selfishness. I said I am a protectionist because I believe in the principle of it, and I believe a properly made tariff takes into consideration all those industries of the country which should be maintained here and which cost more to maintain due to labor than it does to maintain them in competing countries. I want the whole country considered as a unit and its relations established and recognized. That kind of a tariff is what the country wants.

That is what the country expects and what it ought to get. But how we are confusing things now by considering these various special matters. Consider the spectacle of these amendments coming in here, offered by men who have no sympathy with a protective tariff, but who feel that it is for their interest to be protectionists in their locality, to recognize the tariff as a local issue instead of a great national policy which, if properly carried out, means, in my judgment, the welfare of the whole country and of all of its people. I know we are injuring the very thing that we are seeking to accomplish or that we ought at least to seek to accomplish.

To-morrow if the vote for cloture is defeated, because I recognize it will be futile to do so before, I am, if opportunity presents, going to move to take up the Post Office appropriation bill. If Senators on the other side or on this side desire to filibuster against legitimate legislation of that kind, they can do so and they must assume the responsibility for their action, but I am going to attempt at least to give the Senate an opportunity to proceed with some of the business of the Senate, with the possible hope of accomplishing something before we adjourn.

Mr. HARRISON. Mr. President, the Senator from Michigan [Mr. TOWNSEND] before he closed proceeded to build up a straw man and strike him down. He, like other Senators on the other side of the aisle, has been trying to create the impression that there was a filibuster in the Senate against the pending emergency tariff bill. If Senators on that side had utilized their time in a free and candid and open discussion of the provisions of the bill, the country would be better off.

Filibuster? There has been only 1 hour and 45 minutes of discussion of the bill by any Senator on the other side of the aisle in its favor, and that time was taken up by the Senator from North Dakota [Mr. MCCUMBER], who has been faithful to the responsibilities that have been imposed upon him in having charge of the bill. He made a speech of 1 hour and 45 minutes on wheat. No other Senator on that side of the aisle, since the bill has been reported by the committee, has attempted to justify any of the provisions in the bill. When we who are opposed to the measure attempt a free discussion of it, attempt to point out the iniquities in it and the dangers that lurk within its provisions, then we are charged with conducting a filibuster.

I dare say that there has been less time consumed in the discussion of the pending bill up to the present moment than has been the case with any other important measure which was ever submitted to the Senate; and yet, for the second time in the history of the Senate of the United States, it is now proposed to gag the minority, to hamstring them, and so restrict them that a free discussion of the merits of the bill can not be entered into and the defects of the bill and the burdens which it would place upon the backs of the people exposed. Previous to the present occasion only once has the cloture rule been invoked in the Senate of the United States, and that was after an important question had been discussed not only for weeks, not only for months, but almost for a year. That question was as to the ratification of the treaty of Versailles.

In reference to the time devoted to other tariff bills, I note that the Payne-Aldrich tariff bill was taken up for consideration in the Senate on April 19, 1909. It passed the Senate on July 8, 1909. There were practically three months of discussion on that important tariff bill in the Senate of the United States, while on the pending tariff bill we have had but an hour and forty-five minutes' discussion by any Senator on the other side in behalf of any provision of the bill.

I note that the Underwood tariff bill was taken up by the Senate on July 19, 1913, and passed the Senate on September 9, 1913. So there were practically two months of discussion of the Underwood tariff bill. There was no cloture. It was proper that there should have been, and there was, a free discussion of the merits of the bill; but here, with less than an hour and forty-five minutes of discussion by one Senator on the other side of the aisle on one provision of the bill, it is proposed to invoke a cloture rule in order to gag us and prevent our exposing its iniquities.

The nitrate bill, to which the Senator from Michigan [Mr. TOWNSEND] referred a few moments ago, was discussed here for four or five weeks before it was passed. There was constant discussion of the bill by Senators on both sides of the aisle. The bill providing reciprocity with Canada was reported to the Senate on June 13, 1911, and passed the Senate July 22, 1911. There was practically a month and a half of discussion in the Senate, but cloture was not resorted to in that case.

Oh, Senators of the majority, you are going pretty far when you even ask us to vote on such a measure as this, but certainly you should allow those who oppose it opportunity for free discussion in order that the people of the country may be enlightened in reference to its provisions. The bill as reported contains 18 or more items, all of which are important. Among them are found some of the most important items included in the Payne-Aldrich tariff law or in the Underwood law, and yet only one Senator, of all the Senators on the other side of the aisle, has attempted to give his reasons for supporting any of its provisions, and those reasons were confined only to the provision touching wheat. Neither the senior Senator from Utah [Mr. SMOOT] nor the senior Senator from Wyoming [Mr. WARREN], who are well versed in the wool schedule, who stood here in 1909 and had to withstand the attacks not only of Democratic Senators but of Republican-Progressive Senators in their defense of Schedule K of that bill, has attempted to justify what is proposed to be done in the wool schedule which is contained in the pending measure.

In my brief discussion of the bill some days ago, I pointed out a "joker" in the phraseology of the provision touching wool, which makes the duty imposed on the raw wool not 15 cents but 30 cents, and yet the Senator from Utah has not as yet attempted to defend the proposition or to explain the provision relative to wool. So I might follow down the line until the sugar provisions are reached. The Senator from Louisiana [Mr. RANSDELL] attempted to defend the duty proposed on sugar; but as to the other provisions of the bill, of which we have a right to a full explanation, we have not had any character of explanation up to the present time.

Senators on the other side of the aisle know that if cloture should to-morrow be adopted by a two-thirds vote amendments will be restricted and limited; that debate will be limited; and no Senator can speak over 60 minutes on any amendment which may be proposed to the bill or on any provision which it now contains or on the bill itself.

There may be method in your madness; I do not know. I know that certain proposed legislation in which the country is deeply interested, and which passed the other House months ago and was referred to committees of the Senate, has been allowed to sleep there up until this good day. Senators can not fool the men who are interested in that legislation. When they vote for the rule of cloture they prevent such proposed legislation being offered as amendments to the bill.

Senators on the other side, who are now supporting the bill, told the soldiers who fought in the late war that they desired to help them; they have written letters to them and advised them that if the opportunity presented itself on the floor of the Senate they would vote for a bonus bill; on the hustings in their campaign they told the soldier boys that they wanted to help them; and yet, although back in May or June of last year the House of Representatives passed a soldiers' bonus bill, which when it came here was referred to the great Committee on Finance of the Senate, the committee which so quickly reported out the so-called emergency tariff bill in a week's time after it came to the Senate from the other House, that bill has been allowed apparently to sleep the sleep of the just, for it still remains before that committee. Having the bonus bill in charge, the Committee on Finance could have added it as an amendment to the pending bill. I signified my intention of offering it as an amendment to this bill, and asked the Committee on Finance in considering the emergency tariff legislation to consider the amendment; to add it as an amendment to the bill; but the Finance Committee voted it down. Ordinarily that would not defeat the measure; it could be offered as an amendment on the floor of the Senate, though it might take a two-thirds vote in order to suspend the rules for that purpose, but we should have had the opportunity of doing it. However, if the cloture rule shall be adopted, no amendment which is not germane can be offered, and we shall probably be estopped from offering the bonus measure as an amendment to the bill.

So there may be method in the madness of the leaders on the other side of the aisle in proposing cloture and trying to cram it down our throats; it may be that they are afraid to face the American soldier or to vote as to whether or not they are in favor of granting him a bonus. Senators on the other side of the aisle who have signed the motion for cloture and who propose to put it over to-morrow will have to answer to the soldiers for their action.

There are other amendments which are also important and which, if cloture shall be adopted, will be excluded from consideration in connection with this measure. I refer, for instance, to the immigration amendment which has been offered by the Senator from Colorado [Mr. THOMAS], who has just made his able speech criticizing the so-called emergency tariff bill. Senators on the other side of the aisle know as well as I do that unless we can get the immigration bill reported out

of the committee or otherwise bring that question before the Senate for discussion and have a vote on it at a very early date, it will be impossible to pass any legislation on that important question at this session. The so-called Johnson bill passed the House some weeks, in fact, I might say months, ago; it came to the Senate, and the Senate Committee on Immigration have been having prolonged hearings on the question. There are some members of the committee who are in favor of reporting out that bill as it was passed by the House and who have been in favor of voting it out ever since it was referred to the committee, but a majority of the committee are opposed to the Johnson bill, in my opinion. So it appears to me that little opportunity will be offered to the majority of the Senate who at this time are favorable to proposed legislation restricting immigration into this country to vote their convictions, and, unless we can consider it in connection with the emergency tariff bill, perhaps we shall be estopped during this Congress from its consideration.

It has been stated that 15,000,000 foreigners are clamoring for steerage accommodations in order that they may come to America. Eastern Europe, it is said, is swarming with people seeking passports and desirous of coming to this country. Their coming, of course, can only result in battering down the present prices of wages and adding to the burdens which now confront the American people. Of course, I do not believe any such number as that can possibly come to the United States, but I believe that the desire is there, and in far too many cases undesirable elements from other countries desirous of coming to our shores are only prevented from doing so because of the lack of steamship facilities. It is an important question, particularly in view of the fact that men are out of employment from one end of this country to the other, that bread lines have been formed, and that trucks beneath the railroad cars, which have not for a long time been used by the blind-baggage fraternity, by those who beat their way, are now filled with tramps going from one place to another. And so it is as much incumbent upon the Senate of the United States to consider that question as it is to consider the question now pending before the Senate.

There is another amendment that I have proposed which, if this cloture should be adopted, will in all probability be excluded from the consideration of the Senate. That is an amendment that really proposes to do something for the American farmer; yet that amendment carries nothing in its lines that tries to deceive him, that would hoodwink him, that would play hypocritically upon his credulity, but it would really render some service, give some substantial benefit to him. That amendment which I propose, and which I have been extremely desirous of having the Senate vote upon and pass, is to create in this country some rural credit banks, and to have the Government take over enough of their bonds to lend money to the farmers at this time, so they can tide themselves over until better times come.

I know the deplorable conditions that the farmers of America in practically every locality throughout the country are now facing, and I do not believe that the farmers of any part of the country are in worse straits and have to face greater burdens than the farmers of my State are now confronting; but I am not willing, Senators, to go against a principle which I have always held dear or to give my sanction to a measure under which in order to help one person you have to rob ninety-nine other persons. I am not willing to indorse by my vote the specious argument that some of you have made to the farmers since the beginning of your political careers in the effort to make them believe that a tax on foodstuffs produced in this country, where we are shipping abroad to the markets of the world and have a surplus to ship, will protect them.

In my opinion the bill is all wrong from every standpoint; and yet, with the small amount of explanation that you have already given us, with the slight explanation you have made of only one item in the bill, you propose now under this rule to invoke cloture in the United States Senate. I am in favor of a revision of the rules. I have tried as a member of the Rules Committee of the Senate to revise the rules. I shall cooperate with every Senator here in a revision of the rules, but I do not propose at this time to lend my voice and my vote to a coterie of Senators who would try to invoke a rule to pass a bill that would add to the burdens of the consumers of the country.

Let me read what some of the Senators of the Republican Party have said about this tariff on food products, a surplus of which is produced in this country and is sold in the markets of the world.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. KELLOGG. I wish to offer a very short amendment and have it read, if the Senator will permit me.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The amendment will be read.

The Journal Clerk read as follows:

On page 2, line 11, insert after the word "pound" the following: "Starch made from potatoes, 3 cents per pound; natural potato flour, 2½ cents per pound."

Mr. HARRISON. Here is what the senior Senator from Iowa [Mr. CUMMINS], on the 22d of June, 1909, said in answer to a question as to whether he believed that the duty on wheat affected the price of wheat:

I do not. * * * I want Senators to remember that I come from a State which probably puts more in value into the channels of trade every year than any State in the Union in agricultural products. We will this year supply the people of the United States and the people of the world with a product that will surpass the value of $700,000,000, and it is idle for even an enthusiast to assert that the price of these products is directly affected by the protective tariff.

That is quite different from the views entertained by the Senator from North Dakota; but I find here quotations from a speech that was made by the Senator from North Dakota himself on June 22, 1909. Here is what the Senator from North Dakota then said:

The wheat acreage to-day is producing a surplus of wheat which must be thrown into the world's market, thereby keeping down the price of the home product, tariff or no tariff.

I know not what has come over the spirit of the dreams of the distinguished Senator from North Dakota; but back in the better days of 1909, when he was an expert on the wheat tariff, he employs the language that—

The wheat acreage to-day is producing a surplus of wheat which must be thrown into the world's market, thereby keeping down the price of the home product, tariff or no tariff.

Here is what the senior Senator from Minnesota [Mr. NELSON] said on this subject on the 10th of May, 1909. This is good reading, because it answers the argument that has been made by the Senator from North Dakota much better than anything that I might say or that the Senator from North Carolina might say. Here is what the Senator's colleague, the able Senator from Minnesota, says:

I do not recall the millions of bushels produced in the State of Minnesota, but I desire to tell the Senator that the tariff on wheat which is on the statute books has not done us a particle of good. It would be like a tariff on cotton, because up to this time we have been exporting from 150,000,000 to 250,000,000 bushels of wheat a year. The price of our wheat is fixed by the Liverpool price—the export price—and no duty up to this time has helped us.

Those were the views of Republican Senators who have studied this question.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from North Dakota?

Mr. HARRISON. I yield to the Senator. I think I should.

Mr. McCUMBER. I presume what the Senator means, and what the Senator from Minnesota also meant, is that the American price is fixed by the Liverpool price, of course; but the Liverpool price would be the American price plus the cost of transportation, would it not?

Mr. HARRISON. I am glad that that explanation suits the Senator.

Mr. McCUMBER. I am asking the Senator a question. If he thinks that the Liverpool price fixes the American price, the American price must necessarily be the Liverpool price, less the cost of transportation, must it not?

Mr. HARRISON. Yes; and the same thing applies to Canada.

Mr. McCUMBER. Very well. At the very time that the Senator was making that speech, the price at Liverpool and at Minneapolis was nearly the same, and had remained practically the same, irrespective of the matter of transportation, for nearly a year. Now, if that was true, how did it happen then that the Liverpool price should govern, if, as a matter of fact, the Minneapolis price of wheat, as it was, was quoted here for a long time exactly the same as the Liverpool price?

I can tell the Senator why that was so, and what I can tell the Senator will be in full accordance with my quoted statement which he has just given.

Mr. HARRISON. The Senator has already attempted to tell the Senate.

Mr. McCUMBER. Oh, but I can tell the Senator. It is not an attempt to tell, but I can tell him why it was so.

Mr. HARRISON. I will let the Senator tell in his own time.

Mr. McCUMBER. Very well.

Mr. HARRISON. I am reading from what he said in 1909.

Mr. McCUMBER. That is absolutely correct.

Mr. HARRISON. It is quite different from the position the Senator is taking in this debate.

Mr. McCUMBER. It is not one whit different from the position that the Senator has taken to-day.

Mr. HARRISON. Then we are together.

Mr. McCUMBER. The Senator has taken a little portion of what was said. He has not followed the argument that was made at that time. There is no question but that when we have a large surplus that large surplus necessarily affects the price of wheat; but the Senator has never heard me say at any time that a tariff did not benefit us at all. Of course, a big surplus will depress the market, tariff or no tariff. That is true.

Mr. HARRISON. Why, of course, a big surplus affects the market.

Mr. McCUMBER. No one has ever denied that.

Mr. HARRISON. And it affects it just as much in Canada as it affects it in the United States; and the only reason why there is any difference between the Winnipeg market and the Minneapolis market is about the same reason that there is a difference between the Minneapolis market and the Chicago market. I remember when I was a boy down in southern Mississippi that the great market for long-staple cotton was Vicksburg. Long trains of cotton went from distant points to Vicksburg, because that was a place where the farmers could find a better market. It is true everywhere that one place may be a better market for certain products than another place, and Minneapolis may be a better market than Winnipeg; but the price of wheat is fixed in the markets of the world, and Liverpool fixes the price of wheat.

Mr. McCUMBER. Why should Duluth, which is on one side of the lake, quote for years a price above Port Arthur, on the other side of the lake, when wheat on both sides can be shipped to Liverpool for exactly the same price?

Mr. HARRISON. It may be for the same reason that you can get a better price by carrying some chickens to Chicago than you can get for them at some place a few miles away.

Mr. McCUMBER. That does not answer the question.

Mr. HARRISON. No; I can not answer the Senator's question.

Mr. McCUMBER. Certainly, the Senator can not answer it.

Mr. HARRISON. But if the Senator has his way, and this bill protects the wheat farmers of the Northwest and gives them some benefit, then he is bound to admit that the consumers of the country have to pay that benefit to those farmers?

Mr. McCUMBER. Certainly.

Mr. HARRISON. The Senator just the other day stated that this proposed protection of 40 cents a bushel on wheat would not affect the consumers of flour very much. That is what I understood the Senator to say.

Mr. McCUMBER. I stated exactly what it would amount to at 50 cents a bushel. I did not compute it at 40 cents a bushel; but if every cent was carried into the barrel of flour it would be four and a half times 40 cents.

Mr. HARRISON. Yes.

Mr. McCUMBER. And inasmuch as the consumer consumes one barrel of flour per year per capita, it would cost him that much additional for a whole year, and I stated that that would be equivalent to the carpenter having to work a quarter of a day longer during the whole year in order to pay the farmer 40 cents more a bushel for his grain.

Mr. HARRISON. That is what I understood the Senator to say, that the provision on wheat in this bill alone would compel the laboring man in America to work a quarter of a day more a year. There are approximately about 30,000,000 people who have to work for a living in this country. In other words, the tax that is imposed on wheat alone in this bill, just one of the items, will require 30,000,000 laboring people in this country to work a quarter of a day longer in a year. In other words, on that basis, it would compel seven and a half million laboring people in this country to work a day a year longer.

Mr. McCUMBER. Mr. President, will the Senator look on the other side of the picture for a moment?

Mr. HARRISON. I am looking on this side of the picture now.

Mr. McCUMBER. Will the Senator look on the other side for a moment? The Senator seems to forget that there are two sides to this question. When we protect the American laborer from Chinese immigration and Japanese immigration and from the labor-contract system; when we protect him by a tariff—and I will admit that the tariff does help him get better wages; when we give him protection from every side and he can earn from 6 to 10 dollars a day, is there an injustice in protecting the farmer so that he can increase his earnings about 50 cents a day? That is about all there is in it.

Mr. HARRISON. There is a great deal of injustice.

Mr. McCUMBER. There are 30,000,000 people on the farms, too, who have just as much interest in this matter, and in having their wages raised to a living standard, as those who live in the cities. I want to equalize the two classes. I want to help out the farmer so that he can receive compensation for his labor that will, to a certain extent, or at least as nearly as possible, measure up to the compensation that is paid to the laborers and the earners in every city in the Union.

Mr. HARRISON. Did the Senator know, as I was about to say when he interrupted me, that according to the figures the Senator has himself given, the increased price of wheat alone, as provided for in this bill, would cause the laboring man to work a quarter of a day a year more, or that it would cause seven and a half million laboring men to work a whole day more, or that 21,310 laboring men would have to work a whole year in order to pay this tax you would impose upon the consumers of the country?

But that is not all. That is only one of the provisions of this bill, and every one of the other 18 provisions is intended likewise to burden the consumers of the country.

The Senator gave his estimate on sugar, and I believe it was adhered to by the Senator from Utah [Mr. SMOOT], or it may be the Senator from Utah said it; at any rate, we all agree that the tax on sugar proposed in this bill will be anywhere from one hundred and sixty to three hundred million dollars on the American consumer. There is a difference there, but the difference is only between one hundred and sixty and three hundred million dollars, and the iniquity of the bill has revealed itself so strongly that even it has melted the heart of the Senator from Utah, and to-day he proposes to cut down the tariff which the Senator from North Dakota [Mr. MCCUMBER], and the Senator from Pennsylvania [Mr. PENROSE], and other Senators on the other side of the aisle who are members of the Finance Committee, voted to bring out of the committee. I am glad your hearts are melting, and if this debate has done nothing more than it has done in that one instance, it will save the American consumer over a hundred million dollars.

Mr. McCUMBER. I do not want to disturb the Senator——

Mr. HARRISON. The Senator does not disturb me.

Mr. McCUMBER. Does the Senator understand the difference of viewpoint, and the reason for it, between the Senator from Louisiana and the Senator from Utah?

Mr. HARRISON. I understand the difference.

Mr. McCUMBER. Does the Senator understand——

Mr. HARRISON. The Senator has asked me a question, if he will permit me to answer it. I am more familiar with the difference in the viewpoints of the Senator from North Dakota, the Senator from Utah, and my own.

Mr. McCUMBER. I have not expressed myself——

Mr. HARRISON. And if I understand the viewpoint of the Senator from Louisiana and the Senator from Utah, both are trying to place a tariff on sugar which will help the producers of the country and at the same time place a burden of over a hundred million dollars on the American consumer. I am opposed to that.

Mr. McCUMBER. The Senator does not express at all the difference in their views on this subject. There has already been a contract made, and was made before the beets were ever planted in Utah, that the sugar manufacturer would pay a certain price for the beets. So the farmer in Utah is protected. He is getting his price, whether the manufacturer loses or not. I think the Senator from Utah claims that the manufacturer of beet sugar in Utah will lose about $4 a hundred in the manufacture. Therefore he may not feel as deeply impressed with the dire necessity for the protection of the Utah farmer as the Senator from Louisiana feels the necessity of protecting the Louisiana cane growers. He represents a constituency which has not had the benefit of a protection. While I admit freely that it will cost the American people very much more, probably, for their sugar than they would pay if no such bill were enacted, the question often comes back to my mind, What will the American consumer pay for his sugar when you have destroyed the beet raising in this country and the cane-sugar production in this country and leave the country subject entirely to combinations made outside of the United States, over which we have no control?

Mr. McKELLAR. Will the Senator from Mississippi allow me to ask the Senator from North Dakota a question?

Mr. HARRISON. Certainly.

Mr. McKELLAR. I want to ask the Senator from North Dakota if it is not true that the beet-sugar crop is entirely out of the hands of the farmer. That is correct, is it not?

Mr. McCUMBER. No; I understand not.

Mr. McKELLAR. I have that information from the Bureau of Markets of the Department of Agriculture. They have advised me that the beet sugar, in line with what the Senator said

just a few moments ago, was bought in advance, that it has already been sold, and if this bill passes it will not benefit the sugar grower at all, but will benefit only the manufacturer or the middleman, in whose hands the crop is now.

Mr. McCUMBER. Let us see, if the Senator wants an answer to that.

Mr. McKELLAR. I would be very glad to have one.

Mr. McCUMBER. At the start, I understand that about 20 per cent is still in the hands of the producer. But be that as it may, we are coming to the spring of the year. The farmer of Utah must determine whether or not he will plant his beet seed. If he could get the assurance or the guaranty from the manufacturer of sugar that he has this year, of course he would plant the seed again. But he will get no such guaranty from them this year, because on that guaranty they have lost about $4 on every 100 pounds. Unless they get an assurance of a price which would justify them in planting the seed, they will not plant them this spring, and if we have no tariff bill at the present time, nothing to indicate that there will be any protection, I for one doubt whether the beet-sugar industry will survive another year in Utah. However, I am willing to abide to a considerable extent by the judgment of the Senators from Utah, who undoubtedly understand the beet-sugar situation there much better than I do.

Mr. McKELLAR. Then, as I understand the Senator, if the Senator from Mississippi will yield to me just a moment more, the purpose of this bill is not to help the sugar grower directly, but is for the purpose of putting into the pockets of the Sugar Trust, out of the pockets of the American people, a fund sufficient to enable the Sugar Trust to bid a little higher price on next year's crop of sugar beets.

Mr. McCUMBER. The Senator knows, because it has been stated here again and again, that the purpose of this bill, so far as it affects the sugar duties, is to maintain sugar production in the United States. Whether it will fail to do that is another question. I believe that the interests of the American people will be better subserved if we keep alive that industry in the United States. I know there are those who take a different view; but that is my protection idea of the subject.

Mr. McKELLAR. Then, as I understand the Senator, it is not proposed by this bill to help the beet-sugar farmer, but it is proposed simply to raise a fund out of the American people and put it into the pockets of the Sugar Trust——

Mr. McCUMBER. Mr. President, that is demagogy. The Senator understands, just as well as I do, that if we are going to protect the American farmer for next year in the production of beets in Utah, and if we can pass this for 10 months, he will be justified in planting his crop, and he will raise a crop in less than 10 months and can sell it in less than 10 months, and he will be benefited to that extent. The Senator has no right to say to me that the only object of this bill, and that I concede the only object of this bill, is to put money into the hands of the beet-sugar manufacturer.

Mr. McKELLAR. The Senator has said that it would do the sugar grower no good.

Mr. McCUMBER. I have said nothing of the kind. I have just now explained wherein it will help out the farmer in Utah. I have explained wherein it will help out the farmer in Louisiana, who depends entirely upon the cane-sugar industry for his livelihood.

Mr. McKELLAR. Well, let us take that horn of the dilemma. Let us take what the Senator says about that. This tax is imposed now. It benefits directly the Sugar Trust now. The Senator says it will benefit next year's crop. Why would the Sugar Trust be willing to pay more or contract to pay more now for next year's crop of sugar when they know of a certainty that in 10 months there will be no tariff? Will the Senator from North Dakota answer that question?

Mr. McCUMBER. If by the defeat of the bill they will know to a certainty that there will be no tariff, of course, then they will decline to pay any more for the beets than they would pay under absolute free trade.

Mr. McKELLAR. Oh, no. The Senator admits that at present the benefits of the bill will go to those who now own the beet-sugar crop or who have bought the beet-sugar crop. During 10 months by the provisions of the bill there will be an increased tariff. Why should they offer any advanced or bigger price when they know there will be no tariff on it 10 months from now?

Mr. McCUMBER. Is the Senator such a prophet that he can say that in 10 months from now there will be no tariff on sugar?

Mr. McKELLAR. By the very terms of the bill it ends in 10 months.

Mr. McCUMBER. That does not mean that there will be no tariff in 10 months. It ends in 10 months simply because we will have a general tariff bill before the expiration of that time, and the Senator from Tennessee can rest absolutely assured, and need have no dream even to the contrary, that there will be a tariff on sugar.

Mr. HARRISON. Mr. President, this debate is quite interesting, but we have heard so much about sugar that I am tiring of it. I do not agree with the Senator from Tennessee that the tariff is not going to last 10 months, even if it should be incorporated in the present bill.

Mr. McKELLAR. The bill provides on its face that it is to last for only 10 months.

Mr. HARRISON. That is quite true.

Mr. McKELLAR. We are considering the pending bill. We are not considering a bill that may be introduced at the next session of Congress. I believe, of course, that there will be a tariff bill brought in, and probably it will include a tariff on sugar. They may double the rate now on sugar.

Mr. HARRISON. I say I think the Senator is mistaken, and I make that assertion because we know what the plan of the opposition is on the proposition. Every provision of taxation that they impose as carried in this bill will be carried into permanent bills that they will put forth. The Senator from Tennessee says the bill lasts only 10 months, but when we come to consider the next tariff bill in the extra session the farmers of the country will write letters to every Senator and say, "For goodness sake, do not let them reduce the tariff on wool, on wheat, on flour, on butter, on milk, on live stock," and on every other article that is incorporated in this bill.

That is where I differ with the Senator from Tennessee, in that the provisions of the bill will expire in 10 months. The bill will expire, but with the Republican Party in control of both branches of Congress and a Republican President in the White House, and with that party revising the tariff, it would take a crazy man to presume that they would revise it downward. The most that the people can hope for if the bill should become a law is that the Republican Party will not increase the rates when they tamper with it during the extra session of Congress.

But as the Senator from North Dakota and the Senator from Tennessee were discussing sugar, and there is some question arising as to the position of the Senator from Utah [Mr. SMOOT] and the Senator from Louisiana [Mr. RANSDELL] on the question of sugar, the thought that came to me was that the Senator from Louisiana and the Senator from Utah and the Senator from North Dakota are all striving to show, whether they intend to put a 1-cent tariff on sugar or a 2-cent tariff on sugar, as it is in the bill, that it will necessarily increase the cost of sugar. Whether it goes into the refiners' pockets or into the pockets of the producers of cane or the producers of beets or the contractors or what not, the burden must be borne by the American consumer of sugar. The burden will be lessened if the amendment proposed by the Senator from Utah should be adopted reducing the tax proposed by the Committee on Finance of the Senate. But no matter which amendment is adopted, what you are going to do is to lay a greater burden upon the consumers of sugar in the country. In one instance it will be over $100,000,000 and in the other instance it will be practically $300,000,000.

When I think of that I can not forget this pamphlet to which I referred the other day and to which the attention of the Senate has been called, the pamphlet that was distributed by the Republican Party in the last campaign, with great headlines, "Why 25-Cent Sugar," sent to every remote section of the United States and placed on the table in the sitting room of every laboring man in the country. Reprint after reprint was made by the Republican national committee and mailed by the Republican managers, "Why 25-Cent Sugar?"

They said in it:

> Those who hold in the hollow of their hands the supply of sugar know that the American people will buy it, no matter at what price it may be sold.

They were appealing for votes at that time. They were criticizing the administration in power because sugar had gone up in price to the American consumer. They were attempting to create prejudice there, trying to make people believe that if they were elected they would reduce the price of sugar; that the general high cost of living would come down; and that they would be interested in the man who had to purchase food and clothing.

> The results of this policy are painful in the extreme. Having in mind the total consumption of sugar in the United States, every time sugar is raised 1 cent per pound the American people are forced to take out of their pockets $90,000,000.

That is what they said in their campaign. That is what they said to the American voter, endeavoring to make him believe that they had some interest in him, and that they would consider his wants when they got into power. They closed the pamphlet by saying:

> The poor plundered citizen, struggling to feed and clothe his family, naturally complains of the high cost of living. But it is better to think than to complain. Consider.

They believed, when the wage earner who was making just about enough to make ends meet sat around his hearthstone at night in the later days of October and was handed that pamphlet and read it, that it would make a deep impression on him, and that it would move him to vote the Republican ticket in November.

So after they had distributed such literature as that I am amazed at the audacity they display in coming here so soon after the people rendered the verdict in their favor and proposing this tariff on sugar that will cost the consumers from $150,000,000 to $300,000,000.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. HARRISON. I yield.

Mr. WALSH of Massachusetts. I am sure the Senator will be interested in having some concrete facts stated showing to just what extent the proposed tariff legislation will affect the cost of living to the consumers of the country.

I have had prepared an estimate of the number of barrels of flour consumed per annum in my State—Massachusetts—and the increase in cost of each barrel of flour. I have been startled at the tremendous burden that these figures indicate will be imposed upon the people of America. I do not think we have any conception of how much the already increased cost of living may be advanced as the result of this legislation.

Mr. SIMMONS. Does not the Senator mean, always provided the tariff raises the price of wheat, as its proponents contend it will?

Mr. WALSH of Massachusetts. Exactly; and, of course, there is no other purpose for this tariff legislation except to increase the income of the producer, which can only result in increasing the price the consumer must pay for wheat and the other products named in this bill.

Mr. McCUMBER. Do I understand the Senator to say that he has figures showing an increase in the price of wheat?

Mr. WALSH of Massachusetts. I have figures prepared upon the assumption that the cost of wheat will increase to the amount of the tariff rate named in the proposed legislation.

Mr. McCUMBER. Does the Senator believe the assumption? That is what I am trying to get at.

Mr. WALSH of Massachusetts. It is possible for it to be increased to the amount named, and therefore I must believe it may happen.

Mr. McCUMBER. Then the Senator does believe that the bill will raise the price of wheat 40 cents a bushel?

Mr. WALSH of Massachusetts. I do not know whether it will or not, but I say it is possible for it to be increased 40 cents per bushel. No one can dispute that possibility. This bill, indeed, tends to make it possible for the producer to demand 40 cents more for wheat.

Mr. McCUMBER. I was trying to get the Senator's candid opinion as to whether it would raise the price 40 cents a bushel, or any number of cents a bushel.

Mr. WALSH of Massachusetts. Can anyone tell?

Mr. McCUMBER. Then, if the Senator can not tell, of course, he can not tell whether the figures he produces are at all correct.

Mr. WALSH of Massachusetts. That is true; but I do know that this legislation is framed for the purpose of adding 40 cents a bushel to that price which the producer might expect to get without this tariff rate. Therefore, I have a right to assume that conditions may arise which will cause the cost to the consumer to be increased 40 cents per bushel. Otherwise why not fix the rate at 20 cents or 10 cents or 5 cents? Because the advocates of this measure want to make it possible for the producer to get 40 cents more, and that is why they have fixed the rate at 40 cents.

The figures I have had compiled show that there is consumed in Massachusetts in a given year approximately 22,500,000 bushels of wheat. On the assumption that the cost will increase 40 cents per bushel, the consumers must pay $9,000,000 more per annum. Reducing this to flour, I find that the increased cost to the consumer would be about $2.25 per barrel.

Mr. McCUMBER. Will the Senator yield to me right there?

Mr. WALSH of Massachusetts. Yes, sir.

Mr. McCUMBER. Did the Senator give the increased cost per barrel of flour as being $2.25 as the result of the imposition of a tax of 40 cents a bushel on wheat?

Mr. WALSH of Massachusetts. For flour; yes, sir.

Mr. McCUMBER. How does the Senator arrive at those figures? It takes 4½ bushels of wheat to make a barrel of flour. Four and a half times 40 cents is not $2.25.

Mr. WALSH of Massachusetts. The figures have been prepared for me by an expert and have been calculated very accurately, in answer to an inquiry by me as to just what the increased cost per barrel of flour would be to the consumers of Massachusetts.

Mr. McCUMBER. The expert is probably off on his arithmetic.

Mr. WALSH of Massachusetts. The increased cost of the price of bread per loaf is estimated as being about 1 cent—to be accurate, six-tenths of a cent.

Now, assuming a family of six—a workingman, his wife, and four children—and having in mind the average consumption of each individual, I find that a family using wheat, beans, potatoes, onions, rice, fresh meat, butter, cheese, milk, and sugar will be obliged to pay—assuming the increased cost which this tariff rate provides—over $50 per year more for the commodities named, and which we all will agree are most essential to the life of the working people of this country. On a basis of 750,000 families—and that is the estimate for the State of Massachusetts—and estimating this increased cost for 10 months, the term named in this bill, the amount taken from the consuming public of this one State for the few articles named is estimated as being about $37,000,000. I thought the Senator from Mississippi would be interested in having those figures presented and I read for his information as well as for the consuming public a carefully prepared table of what may be expected in increased cost of living if this bill is enacted into law. This table is presented for the purpose of showing a family weekly budget for certain necessary articles used by American families, the price of which will be increased by these tariff rates.

Family (6) weekly budget for certain articles.

Articles.	Estimated consumption.	Additional duty.	Added cost.
Wheat	14 loaves	$0.14	$0.14
Beans	4 pounds	.24	.08
Potatoes	1½ packages	.06½	.11
Onions	½ package	.05	.01
Rice	2 pounds	.01	.02
Fresh meat	12 pounds	.02	.24
Butter	2 pounds	.05½	.11
Cheese	1 pound	.01	.01
Milk	10 quarts	.00½	.05
Sugar	11 pounds	.03½	.39
Total			1.16

750,000 families in Massachusetts. Weekly increase in cost of these foods $870,000, or about $37,500,000 for 10 months.

Mr. HARRISON. I am very much interested in having them presented. They merely show how the Republicans keep their promises.

Mr. SIMMONS. Mr. President, it is very easy to extend the calculation which the Senator from Massachusetts [Mr. WALSH] has furnished so as to make the figures apply, so far as wheat is concerned, to the whole country. It is estimated that we consume in this country 1½ barrels of flour per annum per capita. There are over 100,000,000 people in this country. That would mean an annual consumption of over 150,000,000 barrels of flour. Undoubtedly, if the proposed rate should be effective in raising the prices to the extent of the duty, the increase in the price of flour would be at least $2 per barrel. It would be more than that, probably, but it would be at least that much. So that an increase of $2 a barrel, 150,000,000 barrels of flour being consumed, would impose a tax upon the users of flour in this country amounting to $300,000,000.

Mr. HARRISON. But, Mr. President, not only would the proponents of this bill impose an unreasonable and stupendous burden on those who use flour, if the position of the Senator from North Dakota [Mr. McCUMBER] is correct touching the tariff on wheat, not only would a tremendous and unreasonable amount be imposed upon the users of sugar, but equally tremendous and unreasonable charges would be imposed in connection with many other articles which the people must use.

Take corn. A tariff of 15 cents a bushel on corn is proposed, when there is not as much corn imported into the United States as is raised in one county in the State of Ohio or Illinois. There is no need in the world for a tariff on corn. If the

theory of the Senator from North Dakota is correct that the tariff on food products helps the farmer in his price, then we should increase the burden of those who even choose to eat corn bread in the United States.

Mr. McKELLAR. Will the Senator from Mississippi yield to me?

Mr. HARRISON. I yield.

Mr. McKELLAR. The Senator might also cite the tax of 2 cents a pound on meat. Assuming that that tax will raise the price of meat 2 cents a pound, and basing the calculation on the amount of meat consumed by each person in the United States as being 193 pounds a year to each person, it will mean between $3.80 and $4 each, or an additional tax upon the meat consumers of the country of about $400,000,000.

Mr. HARRISON. Yes; paragraph 14 provides:

14. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per cent ad valorem.

Everything that a man must eat in order to live is taxed in this so-called emergency tariff bill. Not only will greater burdens be imposed on those who eat wheat bread, corn bread, biscuits, and sugar, but the friends of this measure propose a tax on meat.

Whom will that help? In the discussion on the packer bill it was revealed whom that would help. The fact is, as shown by the report of the Federal Trade Commission that 75 per cent of the meat supply of the country is controlled by the five big packers; that 60 per cent of the dressed poultry and eggs shipped in the United States is controlled by the five big packers; that 82 per cent of the cattle slaughtered in interstate commerce is controlled by the five big packers; that 61 per cent of the hogs which are butchered in interstate commerce is controlled by the five big packers; that 80 per cent of the sheep that are butchered in interstate commerce is controlled by the five big packers; that 49½ per cent of all the poultry that is killed and enters interstate commerce is controlled by the five big packers; and yet, with the five big packers having a stranglehold on the fresh-meat supply and on the cattle, the sheep, and the hogs which are butchered in this country and enter interstate commerce, it is proposed by this bill to levy a tax of 2 cents a pound on fresh meats and an additional tax on live stock imported into this country. To whom do you wish to give the benefit? I will not say it is peculiar; but it is merely a coincidence that some of the Senators who upon this floor fought the packers' bill are those who are championing most earnestly the pending measure. This is the way it is proposed by the Republican majority to tax the consumers of the country.

Even eggs and butter have not been left out of the provisions of the bill. If there is any consumer in Washington who has been able to buy eggs at any reasonable price in a long time I should like to see the color of his eyes. Eggs soared from 75 cents a dozen up to over $1 a dozen——

Mr. POMERENE. To $1.05.

Mr. HARRISON. To $1.05, I am told by the Senator from Ohio; and yet by this bill it is proposed to levy a tariff on eggs which enter the United States.

On milk the bill imposes a tax of 2 cents a gallon. Emissaries have gone forth; organizations have been perfected; appeals have been made; great pictures and posters have been printed in order to appeal to the people of the United States for funds with which to relieve hunger and distress amongst the Armenians, the Belgians, and other nations of Europe, and in order that the little children in countries devastated by the war might have milk; yet in this country it is proposed by this bill to impose a tariff of 2 cents a gallon on milk and 5 cents a gallon on cream.

Hardly a commodity which is used on the table of the average American citizen has been left out of the bill. As was pointed out yesterday by the Senator from Alabama [Mr. UNDERWOOD], a greatly increased tax is proposed to be levied on beans, which the poor people of the country eat, which are practically indispensable, and which are especially popular in the city from which the junior Senator from Massachusetts [Mr. WALSH] comes. On beans on which in the Underwood tariff law a duty of 25 cents a bushel is levied and in the Payne-Aldrich law a duty of 45 cents a bushel, by this bill it is proposed to levy a tax of $1.20 a bushel for the purpose of protection. That is the way the consumer of the country is being treated by a Republican Congress so soon after they promised the people that they would reduce the high cost of living.

On hides of cattle, which the packers control, there is a tariff of 15 per cent ad valorem levied. The provision reads:

On hides of cattle, raw or uncured, whether dry, salted, or pickled, 15 per cent ad valorem.

Yet I find from the report of the Federal Trade Commission and the hearings before the Committee on Agriculture and Forestry of the Senate that of the hides stored in the United States, 89.2 per cent is held by the five big packers. So you want further to protect the five big packers, who control 89.2 per cent, by levying this 15 per cent duty on hides that enter the United States.

Let me read you what a distinguished Republican wrote to another distinguished Republican about the tariff on hides. I read from the CONGRESSIONAL RECORD of April 6, 1909, a letter from James G. Blaine, one of the ablest and most influential men of his day. He was writing this letter to a martyred former President of your own party. It reads:

WASHINGTON, *April 10, 1890.*

DEAR MR. MCKINLEY: It is a great mistake to take hides from the free list, where they have been for so many years. It is a slap in the face of the South Americans, with whom we are trying to enlarge our trade. It will benefit the farmer by adding 5 to 8 per cent to the price of his children's shoes.

It will yield a profit to the butcher only, the last man that needs it. The movement is injudicious from beginning to end, in every form and phase.

Please stop it before it sees light. Such movements as this for protection will protect the Republican Party only into speedy retirement.

Very hastily,

JAMES G. BLAINE.

And so the Finance Committee, controlled by the party that controls this Chamber, has gone back on some of the teachings of its great men, as some Senators on this side, it seems, would go back on the traditions of their party.

Hides? Whom does this tariff help? Why, the five big packers, as I have pointed out, control 89.2 per cent of the hides that are stored in the United States to-day, and the Senators who have investigated the question know that the whole leather business is controlled by about three big corporations in this country. And so you propose, if the views of the Senator from North Dakota are correct, not only to make the bread of the wage earner cost more, to make his butter cost more, to make his milk cost more, to make his sugar cost more, to make his oils cost more, to make his beans and innumerable other articles cost more, but you have gone to the matter of shoes and may compel him to pay more for shoes than he has been paying in the past; and goodness knows shoes have cost enough already. I quoted the other day a price list of shoes ranging up to $15 a pair. Why, for the last two years you could hardly buy a pair of child's shoes that would last three weeks for less than $6 or $7 a pair, and as soon as they begin to go down a little we find that you propose to pass a bill that will lift the price up again!

What did you mean when you told the American people less than three months ago that you were going to remedy the situation touching the high cost of living? Are you admitting now by this bill that you did not mean one iota of what you said? Those who vote for cloture to-morrow, those who vote for this bill upon its final passage, will repudiate every promise that they made to the American people. They are not easily fooled. The people from one end of this country to another know what lurks in this bill. They know what it means to the American wheat producer along the Canadian border. They know what it means to the beet producer and the sugar refiner and the sugar-cane producer. They know what it means to the man who grows wool or who has wool stored, and the man knows, too, who is working all day to support his family in the employ of a corporation that is threatening to reduce his wages. He is reading about the burdens that you are attempting to impose on him. He is sitting around his hearthstone figuring with his wife, perhaps, just how much more it will take to live after this bill has become a law; and these streams of people throughout the country who are standing ready and waiting for their chance to go into the offices of the employment bureaus seeking a job know about this bill and what greater burdens will be placed upon them should it become a law.

Those men by the thousands in Detroit and Toledo and Akron and New York City, and in every city throughout the country, who, because plants have been closed, sit around morning and noon and night expressing doubt as to the factory opening up at a certain time, hoping that it will not be long before they can be employed again, know that this bill is pending, and that to-morrow, at 1 o'clock, you who so lately promised the American people relief, you who less than three months ago said that you would reduce the high cost of living, will try to pass through the Senate a cloture rule that will gag Senators in debate, and restrict them in the freedom of their actions; and they know what the passage of that cloture rule will mean—that it will mean that this bill will perhaps become a law, and with it everything that goes upon the breakfast table, almost everything

that they wear, from clothes made out of wool and cotton down to shoes and boots upon their feet, will be increased in price to them.

Yes; you have thrown in long-staple cotton here, and that provision has caught some fellows. They raise 28,000 bales of long-staple cotton in the State of Arizona, and they want some protection on it. Why, God bless you, there is one county in the State of Mississippi that raises nearly four times as much long-staple cotton as that. Bolivar County, Miss., has raised as many as 96,000 bales of long-staple cotton in a year. The Delta of Mississippi raises more long-staple cotton than almost all the other States in the United States combined. We raise 49 per cent of the long-staple cotton that is raised in the United States, and yet you can not catch my vote by an iniquitous protective tariff upon that article simply because it is raised in my State. I would not have the hardihood to vote against protection on any other article if I stood here for protection on the articles that are produced in my State. You have got to stand for the principle of a thing. The Democratic Party has always stood for that. It has never believed in bleeding the many in order to aid the few. It has never stood for protection on live stock at the expense of the consuming masses, or protection on meat and sugar and butter and eggs and cheese and fresh meats and a lot of other things that you propose to protect in this bill.

It has stood for a revenue tariff, and will always stand for a revenue tariff.

I have had Democratic Senators and Congressmen, who have tried to excuse their position and justify their action, say to me: "Oh, any revenue tariff carries with it protection." That argument does not go. A Democrat can not justify his position in voting for this bill if he wants to follow the principles of his party and the teachings of the fathers of the party. And I do not see how a Republican, I do not care how wicked he may have become, can vote for the provisions of this bill.

Why, take wool, for instance. A tariff of 11 cents on wool is carried in the Payne-Aldrich bill, Schedule K, which was condemned from one end of this country to the other. It was the cornerstone upon which the Payne-Aldrich bill was written. It was repudiated by your own party's leader as well as by the American people in the first election after it was incorporated into law. It did not have a sponsor in an open discussion in this country. Its friends were few and far between. It placed a tariff of 11 cents a pound on wool, and yet in this bill you propose 15 cents, and put a joker in it that on the wool which comes from New Zealand and Australia there will be imposed on the raw article 30 cents a pound.

Mr. POMERENE. Does the Senator have in mind that President Taft said that Schedule K, the wool schedule, was indefensible?

Mr. HARRISON. Yes; and no greater truth was ever uttered by the distinguished ex-President. Yet the Republican majority in the Senate not only ask Republican Senators to line up and vote for a bill which carries such a high and exorbitant tariff rate as 30 cents a pound on raw wool, nearly three times as much as was provided in the Payne-Andrich tariff law, but they come to this side of the Chamber and appeal for votes of Democrats to help them place this legislation upon the statute books.

The Senator from North Dakota [Mr. MCCUMBER], for whom I have great respect, and who is the only Senator on the other side of the aisle who has been faithful to this measure when others have deserted him, has sat in his seat many times the only Republican Senator in the Chamber during this debate. He has been faithful and courageous in his action. He placed in the RECORD the other day the names of distinguished Southerners who belong to that tariff association which met a few days ago at Atlanta, and the Senator from Louisiana [Mr. RANSDELL] placed in the RECORD some resolutions which indorsed the so-called emergency tariff legislation, and I took umbrage and offense at the suggestion that certain governors of the South were vice presidents of that tariff association. I said then, and I say now, that I can not believe, because I know some of those governors, that they knew what that association was doing and for what purpose it was organized or they would never have allowed their names to be used. I am quite sure that the governor of my State would not, because I believe he is a Democrat on the tariff question and would not stand for such a bill as this; and I believe the same thing can be said of the other governors who are vice presidents of that association.

I got a telegram from the president of that so-called association, and I am going to have it incorporated in the RECORD. I have not answered it. I did not think it was necessary for me to answer it, because I can not believe that that convention knew what is in this bill. I do not know who composed that convention, but I know that it did not express the sentiment of the South on the question of the tariff. I know that no member of that convention from my State expressed the sentiment of the people of Mississippi when they sent me that telegram indorsing this emergency tariff legislation.

I do know the president of the organization, John H. Kirby, a distinguished citizen of Texas, a man whom I like very much and respect a great deal, but whose views on the tariff I have never respected, particularly as a Democrat, because he has differed always on that great question from the views I have entertained. He is the president of the association, and sent me a telegram which reads as follows:

ATLANTA, GA., *January 27, 1921.*

Hon. PAT HARRISON,
United States Senate, Washington, D. C.:

The Southern Tariff Congress in session here, representing all Southern States and industries, believes that the prompt adoption of the emergency tariff bill, with the Senate amendments, will be of very great advantage to southern agriculture and industry. The convention has approved this measure by unanimous vote, and directs me, as president of the congress, to request your support of the measure.

JOHN H. KIRBY, *President.*

It was suggested in a telegram put in the RECORD by the Senator from Louisiana [Mr. RANSDELL] that Gov. John M. Parker was one of the presiding officers of that convention. Gov. Parker is one of the best executives in the United States. He is a man of high character and splendid ability. He was born and raised in my State. But every Louisianan, and everyone who knows his record and his political beliefs, knows that Gov. Parker has always been a protectionist on the tariff question. So I care nothing about this message or the resolutions that have been passed there. I know that this bill is wrong in principle. I know that it will mean the placing of a great burden on American consumers and I am opposed to it.

Mr. POMERENE. Mr. President, may I ask the Senator to explain how the delegates to that convention got authority from the people of the South to express their views on the tariff question?

Mr. HARRISON. I can not. I do not know who promoted this organization. I do not think I ever heard of it until just a few weeks ago. I do not know who the delegates were. I saw the name of ex-Senator McLaurin, of South Carolina, mentioned; Gov. Parker's name was mentioned; and John H. Kirby's name was mentioned. Then I heard the list of distinguished governors of States in the South who are vice presidents of it. I do not know that a single one of those men attended that convention except Gov. Parker.

I do not care to delay the Senate any longer, although I wanted to speak on several other phases of this important question. I wanted to take up the question of our foreign trade and show that the thing we need to-day for the farmer is markets in foreign countries. I wanted to discuss the question of retaliation upon the part of South American countries and Canada in the event we should pass this legislation, passing it at a time, may I say, when we have spent millions on millions of dollars sending our commercial attachés and consular and commercial agents to South American countries and abroad trying to build up a trade in those countries, by legislative enactment amending the Federal reserve law so that our banks can go into foreign countries and establish banks that our trade might be enlarged, that the great manufacturing interests of Pennsylvania, of Massachusetts, and of the South, and all sections might find a market wherein their products might be sold, and I know that the passage of this legislation will be resented in those countries in which we have been trying to obtain trade and with which now we are on the friendliest relations.

I wish I had time to read resolutions passed by the chambers of commerce in Argentina, resolutions which have been passed in mass meetings there resenting the action of the United States Congress in placing an embargo against them, closing our markets to them, and at the same time asking of them that we be allowed to send our products and our foodstuffs there for sale.

I wish I could go through the resolutions I have, passed by the chambers of commerce in Canada, asking us not to close the doors against them, because they say they have extended to us a warm welcome in their own markets, which we have taken advantage of.

To pass this kind of legislation will be the forerunner of a retarding of our growing export trade, which has mounted so high for the past few years that now it is $3,000,000,000 more than our imports.

I wish I had the time to discuss the indemnity that has now been placed on Germany and the 12½ per cent export tariff that has been charged on the products which are exported from

Germany to the United States, giving to us that much protection.

I am sure the American people will understand what you are driving at. And they will understand the position we have taken here, trying to make you live up to your campaign promises, and trying to defeat this iniquitous bill that will add to the burdens of the great number of unemployed in this country, of the great numbers whose wages have been decreased in the last few months, and will increase the burden of the consumers of the country.

So to-morrow I shall vote against the cloture, and I can not for the life of me see how anyone on this side of the aisle, when the question of a cloture is voted on, can follow the leadership of the Senator from Pennsylvania [Mr. PENROSE] and the Senator from North Dakota [Mr. MCCUMBER] and the Senator from Utah [Mr. SMOOT].

The American people will never be able to differentiate between a vote for the cloture, which would restrict a free discussion of every provision of this bill, and a vote afterwards against the bill. Let the issue be drawn. If you have your two-thirds vote to pass this piece of legislation, then go to it. But I do not think you have them, and I do not believe you are very hopeful that you have them. Furthermore, I do not believe that you really want them.

Mr. McCUMBER. Mr. President——

Mr. HARRISON. Before the Senate adjourns I want to offer some amendments to the bill. Was the Senator about to make a motion to adjourn?

Mr. McCUMBER. In a very short time. I wish first to make a statement.

Mr. President, more than two-thirds of the Senate of the United States, if they could vote this minute upon the pending measure, would vote, in my belief, in favor of it. This is a country ruled by majorities. I have every reason to believe that the majority of the Senate, consisting of Senators on both sides of the Chamber, are just as honest, just as conscientious, just as intelligent, as the less than one-third of the Senate, and as much as I dislike a cloture rule, I dislike to a greater extent the exercise of the power of one-third of the Senate in strangling the voice and the expression of the other two-thirds. Whenever it comes to the position where less than one-third of the Members of the United States Senate set about to defeat a measure that is supported by more than two-thirds, I am ready to stand for the cloture rule.

Many of the Senators on the other side of the Chamber say that they want time to discuss the bill. Time will be given. If the Senators do not want a cloture, let them agree upon some time at which we can vote. They do not intend to do anything of the kind. They do not intend to allow us to secure a vote upon the measure if they can talk it to death. I intend to do everything in my power to reach a vote, and I have therefore supported the cloture rule. I know that there are Senators on the other side who are opposed to the bill, and yet who are not opposed to fixing a day, a reasonable length ahead, in order to secure that vote. But, unhappily, those Senators have not sufficient influence over those who would forestall any action upon the measure whatsoever. If Senators wish to escape the cloture rule, if they think it is wrong and if they are honest in their convictions and in their statements that they want a vote at some time during the present session, they will have no difficulty in arriving at an agreement with this side of the Chamber with reference to a time when the vote may be had.

Mr. President, the Senator from Michigan [Mr. TOWNSEND] suggested that there would be no use of opposing the measure; that even if we succeeded in passing it, it was a foregone conclusion that the President of the United States would veto it; and that we would not have the two-thirds majority to pass it over his veto. I do not claim to know what is in the mind of the President of the United States. I know nothing either of his physical or his mental condition. I do not know whether he would veto the bill or not. My own belief is that he would not veto it. But suppose he would—suppose I were convinced that he would veto it—would that vary my duty in the premises?

It is the function of this body to determine what legislation it sees fit to present to the President, and his function to either approve or disapprove it. I should not be influenced in the slightest degree if I believed, as I do, that this measure is for the benefit of the American people, to deviate from my course in attempting to press it to a vote because I might think that the President of the United States would veto it.

Again, the Senator from Michigan suggests that the bill will be so loaded down with amendments that it will become a general tariff bill. I do not think the Senator is correct. When anyone wants to kill a bill, of course, he will offer all kinds of amendments, and just as many as he can. Undoubtedly those who wish to prevent the bill from becoming a law will attempt to load it with as many amendments as they possibly can; but we have this protection against it, the vote of the Senate, and that will be sufficient to vote down any amendment that is considered unimportant. This started out as a measure for the benefit of the agricultural class in the United States. I propose, so far as my vote is concerned, to limit it to that purpose by voting against every amendment that would extend the measure beyond that purpose.

I can not agree with the Senator from Mississippi [Mr. HARRISON]. He talks very learnedly and very earnestly in favor of what he calls the consumer and the wage earner. I have heard the term "wage earner" used often in this debate. Is not the farmer a wage earner? Are not the farmers, comprising 33,000,000 of the population, entitled to as much consideration as any other wage earners? Is it not God's truth that the farmer is not getting one-quarter of the remuneration for his labor that any other labor in the city is receiving to-day? Why should we not consider his interest a little while? I know that he has been ground down to the earth so long and we have purchased his products so cheaply for such a length of time that we have begun to consider that he has no purpose in our industrial life except for the mere privilege of existing, to produce food for the rest of the people to eat. I refuse to accept that position for the farmer of the United States. So long as I am in this Chamber my vote and my voice will always be in favor of any measure which I honestly believe will bring his earning capacity up nearer to the equal of the earning capacity of the rest of the population of the United States, so that he may be able to spend as much upon his wife and daughters and sons as do the people in the great cities, so that he may have some of the comforts, aye, some of the luxuries of life, as well as those who live in the cities.

I know that the provisions of the pending bill will increase the price of these products if it is going to be any benefit to us, but the man who is earning $8 a day can afford to pay a little better price than the man who labors all day for 50 cents. I think our first consideration should be for the man who is receiving but little compensation for his labor. I know how the people in my State are suffering. I know how the banks are going to the wall; and while the wage earner in the city, about whom the Senator from Mississippi speaks, is talking over with his wife how he can make two ends meet with his wages and the expenses, the farmer in my State is to-day talking over with the mortgagee how on earth he can save his farm, the only means that he has of livelihood. Give him a show in the world equal to the others and consider his interest as you would consider the interest of the others.

The Senator from Mississippi stated that he is getting tired of discussing the sugar matter. Ah, Mr. President, I am getting tired of an argument on the other side of the Chamber which first declares that we will not increase the price of wheat one cent to the farmer and then, before the Senator gets two sentences away from that declaration, he begins to figure up how much more it is going to cost the people of Massachusetts and other places for the flour that they will have to buy made from the wheat that is increased 40 or 50 cents a bushel by this bill. Either drop one of the arguments or the other, because the two are absolutely inconsistent with each other.

Mr. President, I believe the bill will help the farmer; I believe it will raise the price of wheat; and I believe that the consumer will pay $1.60 to $1.80, perhaps more, per barrel for his flour. Certainly he will, but if he earns five times as much as the farmer who produces that barrel of flour he can afford to pay that much extra. If we can increase the earning capacity of the farmer so he can buy more of the clothes and other things that the city labor produces, he will be better off, because he can continue in his work.

I note what the Senator from Mississippi says about the governors. I think the Senator from Mississippi gives scant credit to the intelligence of those several governors of the South when he declares that they did not know that their names were upon the roll as vice presidents of an association which stands for protection and tariff protection. If some company or association, declaring itself to be the free trade association of the United States, would ask me to become a vice president, I think I would know enough to keep out of it if I did not believe in it.

I think the Senator gave scant credit to the resolution of this great association that met the other day at Atlanta when he said that probably not one of them had ever read the bill and that they passed the resolution without knowing the slightest thing of what was contained in the bill concerning which they were making their resolves.

If it comes to a question between appropriation bills and the pending measure, I shall favor allowing the appropriation bills to go over, but I wish to say to the Senator from Michigan that the best way out of the dilemma is to force the cloture, and then we shall get a vote in three days at least, in my opinion, and when we get the vote the field will be clear for the appropriation bills. If we do not force the cloture, of course, we shall have to fight each for his own bill before the Senate, and it may endanger the passage of a good many appropriation bills.

To my mind, the emergency tariff bill can not wait; it will be 10 months before we shall be able to get through both branches of Congress a general tariff bill. We could put through every one of the appropriation bills at the next session before the 1st of July if we were compelled to do so. I hope we will not be compelled to do so, but if we will work together, and if those Senators who want to vote for the bill but have scruples against the voting for cloture will in this situation join us and vote for cloture, we will have, in my opinion, both the appropriation bills and the pending bill off the calendar before the end of the present session.

Mr. LODGE. Mr. President, I submit three amendments intended to be proposed by me to the emergency tariff bill now pending, and I ask that they be read so that they may be in order.

The VICE PRESIDENT. The Secretary will read the amendments intended to be proposed by the Senator from Massachusetts.

The Assistant Secretary read as follows:

Paragraph 18, page 4, line 5, after the words "per pound," insert the following: "*Provided*, That skirted wools as imported in 1890 and prior thereto are hereby exempted."

Paragraph 18, page 3, line 16, strike out the words "wool, commonly known as clothing wool," and in place thereof insert the words "all wools."

On page 4, strike out all after the words "scoured condition," line 8, and insert the following: "and put through any or all of those processes of manufacture necessary to the production of tops and not through any subsequent processes, 50 cents per pound; advanced through any or all of those processes necessary for the production of yarns but not through any subsequent processes, 52½ cents per pound; advanced beyond yarns through any or all of the processes necessary for the production of cloth, woven fabrics, or knitted fabrics, 60 cents per pound."

The VICE PRESIDENT. The amendments will lie on the table.

Mr. SIMMONS obtained the floor.

Mr. PENROSE. Mr. President, if the Senator will permit me to interrupt him for a moment, I was about to make a motion either for a recess or an adjournment, but I will not make it until the Senator from North Carolina has had an opportunity to address the Senate.

Mr. SIMMONS. I desire to occupy only a moment, Mr. President. The Senator from North Dakota, pointing his finger at the membership on this side of the aisle, has made the declaration that the minority of this body desired to prevent a vote upon the pending bill. I wish to say that while there may be several Members on this side of the Chamber who do not desire to vote upon the bill, the charge which the Senator makes against this side as a whole is not warranted by the facts or by anything that has transpired during the course of the debate.

Mr. McCUMBER. Mr. President, if the Senator will allow me, I specifically stated that it was not a charge as to the whole Democratic side; I stated that only a few Senators desired to prevent a vote on the bill.

Mr. SIMMONS. I understood the Senator to say that this side of the Chamber was attempting to defeat a vote upon the pending measure, and I think that is what the Senator did say.

Mr. McCUMBER. If the Senator will allow me again, seeing the Senator from North Carolina in his seat and knowing that he was perfectly willing to agree upon a day to vote upon this bill, as he had previously stated, I specifically said that there were a few Senators on the other side of the Chamber who were determined not to allow this measure to come to a vote, and that those who were willing to have a time fixed, I feared, would not have control over those few and be able to get them to agree upon a time for a vote.

Mr. SIMMONS. I am glad the Senator has qualified his statement, as I understood it, or, if I was in error, I am glad that he has corrected me; but I wish to say to the Senator before he shakes his gory locks at this side of the Chamber with reference to their attitude as to a vote on the pending bill——

Mr. McCUMBER. May I suggest to the Senator that my locks are not gory, although they are a little inclined to be red. [Laughter.]

Mr. SIMMONS. If the Senator will—and I advise him to do so—take a confidential poll of his side of the Chamber, with a view to ascertaining how many of his colleagues on his side of the Chamber desire to prevent a vote upon this bill, I think a situation will be disclosed which will be rather startling to the Senator from North Dakota.

Mr. McCUMBER. I wish to say that I have taken a poll, and I do not think there is a single Senator in the category referred to by the Senator from North Carolina.

Mr. SIMMONS. Then it was not a confidential poll.

Mr. McNARY. I submit an amendment intended to be proposed by me to the pending emergency tariff bill and ask that it may be read.

The VICE PRESIDENT. The proposed amendment will be read.

The Assistant Secretary read as follows:

On page 2, at the end of line 19, insert the following: "cherries in barrel brine, 5 cents per pound."

On page 4, at the end of line 9, insert the following: "walnuts and filberts, 5 cents per pound."

The VICE PRESIDENT. The amendment will lie on the table.

Mr. HARRISON. Mr. President, I present an amendment which I desire at the proper time to offer to the pending bill. I may say that unanimous consent was granted a while ago, before the present occupant of the chair was in the chair, that proposed amendments need not be read, but could be presented and stated by caption, as I understood.

Mr. PENROSE. Let them be printed. I now move that the Senate take a recess——

The VICE PRESIDENT. Just a moment. The Chair is not going to be bound by unanimous consent against the rule of the Senate.

Mr. HARRISON. The unanimous-consent agreement to which I have referred does not apply, of course, to the amendment that I am now offering, but there were some amendments proposed as to which such an agreement was made.

Mr. SMOOT. Was that agreement reached this afternoon?

Mr. HARRISON. It was made this afternoon.

Mr. SMOOT. I wish to say that I have been out of the Chamber in attendance upon the Committee on Appropriations and so could not be here, but if I had been here I would have objected to such an agreement, because it is contrary to the position taken by the Vice President in his ruling this morning.

Mr. PENROSE. It was so agreed.

Mr. UNDERWOOD. I do not think the Senator from Utah need worry; I think he will have plenty of chance to offer his amendments. I am sure of that.

Mr. SMOOT. I think so, too.

Mr. McCUMBER. Without going into an argument on this question, I think it fair to say that the amendment which was offered, and which it was agreed need not be read, was the immigration bill.

Mr. HARRISON. Yes.

Mr. McCUMBER. The unanimous consent for which I asked was that the reading of the caption might, by unanimous consent, be considered as fulfilling the requirements of the rule for a full reading of an amendment before it could be presented to be voted upon. There was no objection to that.

Now, I wish to ask the Senator from Pennsylvania if he will not, instead of moving that the Senate take a recess, consent to move that the Senate adjourn. I understand that we shall vote upon the adoption of the cloture rule at 1 o'clock to-morrow, which will give time in the forenoon for those Senators who desire to offer any amendments which they may not have offered up to the present time to present them and have them read. I do not want any Senator to feel that he has not had an opportunity to present amendments which he may desire to offer, even if we should vote for cloture, so that they could be voted upon.

Mr. HARRISON. As to the amendment which I have presented, let it lie over and be read to-morrow in order that the rule may be complied with; and the same action may be taken with reference to the immigration amendment proposed by the Senator from Colorado.

Mr. McCUMBER. Very well, if there shall be any question about it; but I do not think there will be.

The amendment intended to be proposed by Mr. HARRISON is as follows:

In line 25, page 3, strike out the word "On" after the period following the word "wool," and also strike out lines 1, 2, 3, 4, and 5 on page 4.

Mr. PENROSE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 2, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 1, 1921.*

The House met at 12 o'clock noon.

The SPEAKER. The House will be in order.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present, and obviously there is none.

Mr. MANN of Illinois. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Focht	Lufkin	Riordan
Ayres	Fordney	Luhring	Robinson, N. C.
Babka	Frear	McAndrews	Rowan
Beer	Gandy	McCulloch	Rowe
Blackmon	Ganly	McFadden	Rucker
Bland, Mo.	Goldfogle	McGlennon	Sabath
Bowers	Good	McKinley	Sanders, Ind.
Brinson	Goodall	McLane	Sanders, La.
Britten	Goodwin, Ark.	MacGregor	Sanford
Brooks, Pa.	Goodykoontz	Magee	Scully
Brumbaugh	Gould	Maher	Sells
Butler	Graham, Ill.	Mann, S. C.	Smithwick
Campbell, Pa.	Graham, Pa.	Mead	Steenerson
Candler	Hamill	Milligan	Stiness
Cantrill	Hamilton	Moon	Strong, Pa.
Carew	Harrison	Mooney	Sullivan
Carss	Haugen	Moore, Va.	Tague
Casey	Hays	Moores, Ind.	Tinkham
Clark, Fla.	Hudspeth	Morin	Upshaw
Classon	Ireland	Mudd	Vare
Copley	James, Mich.	Murphy	Venable
Costello	Jefferis	Nelson, Wis.	Walters
Crowther	Johnston, N. Y.	Nolan	Watkins
Currie, Mich.	Kennedy, Iowa	Olney	Weaver
Davis, Tenn.	Kennedy, R. I.	Padgett	Whaley
Dent	Kettner	Pell	White, Me.
Donovan	Kitchin	Perlman	Williams
Dooling	Kreider	Rainey, Ala.	Wilson, Pa.
Eagan	Lampert	Ransley	Wise
Ellsworth	Langley	Reavis	Woods, Va.
Emerson	Lehlbach	Reed, W. Va.	
Ferris	Lonergan	Riddick	

The SPEAKER. Two hundred and ninety Members have answered to their names, a quorum is present.

Mr. WALSH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Rev. George L. Mackintosh, D. D., president of Wabash College, Crawfordsville, Ind., offered the following prayer:

Lord, Thou hast been our dwelling place in all the generations. We thank Thee for those who have gone before us in the way of human progress and enlightenment, for the prophets and the statesmen and the sages and the heroes. We pray that we may be enlightened and strengthened by their words and their example to high thoughts and true and noble endeavor. In this day of world debate and uncertainty, we pray Thy blessing upon all those who have in their hands temporarily the destinies of nations and the world. Bless the President of the United States and the Vice President and the coming President of the United States and the Vice President and all Members of our Houses of Congress, that they may be so inspired and so enlightened that they may put the good of the country, its prosperity, and its perpetuity before all private considerations whatsoever. We pray for our beloved country, that there may be peace and prosperity and happiness here, and happy and peaceful relations with all the countries of the world. We especially pray Thy blessing and guidance upon the business of the day, and that out of its deliberations may come some way of righteousness and truth and honor for us all and for our beloved country. We ask in the name of the great Master and Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

REQUEST TO ADDRESS THE HOUSE.

Mr. SNELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. SNELL. I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for three minutes. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, on what subject does the gentleman wish to address the House?

Mr. SNELL. I ask unanimous consent to proceed for three minutes. If the gentleman wants to object, he can.

Mr. McCLINTIC. Mr. Speaker, I object.

RIVER AND HARBOR BILL.

The SPEAKER. Objection is made. The unfinished business is the river and harbor bill, and there was pending a motion of the gentleman from North Carolina to recommit the bill with instructions, which the Clerk will report.

The Clerk read as follows:

Mr. SMALL moves to recommit the bill to the committee with instructions to report the same back forthwith with the following amendment: Strike out all after the enacting clause and insert the following——

Mr. BEE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BEE. Is it necessary for the Clerk, under the rules, to read that entire substitute?

The SPEAKER. It is, unless it is omitted by unanimous consent.

Mr. BEE. Mr. Speaker, I ask unanimous consent that the reading may be dispensed with. Everybody has a copy before him.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object——

Mr. McCLINTIC. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. BLANTON. Mr. Speaker, I did not object.

The SPEAKER. Objection is made.

The Clerk read as follows:

Be it enacted, etc., That the following sums of money be, and are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named:

Newburyport Harbor, Mass.: For maintenance, $2,000.

Boston Harbor, Mass.: For maintenance, $40,000.

Pollock Rip Shoals, harbor of refuge at Nantucket, New Bedford, and Fairhaven Harbors, Fall River Harbor, and Taunton River, Mass.: For maintenance, $35,000; continuing improvement and for maintenance of Pollock Rip Channel, $150,000; in all, $185,000.

Stonington and New London Harbors, Conn.; Pawcatuck River, R. I. and Conn.; and Mystic and Thames Rivers, Conn.: For maintenance, $5,000.

Connecticut River above and below Hartford, Conn.: Continuing improvement and for maintenance below Hartford, $65,000.

Duck Island, Branford, New Haven, Milford, Bridgeport, Southport, Norwalk, Five Mile River, Stamford, and Greenwich Harbors, Westport Harbor and Saugatuck River, breakwaters at New Haven, and Housatonic River, Conn.: For maintenance, $105,000; continuing improvement of Stamford Harbor, $100,000; in all, $205,000.

New York Harbor, N. Y.: For maintenance of entrance channels and for continuing improvement of Ambrose Channel, Craven Shoal Channel, and Anchorage Channel, $550,000.

Channel in Gowanus Bay, N. Y.: Continuing improvement of Red Hook Channel, $150,000.

East River, N. Y.: Continuing improvement, $3,000,000.

Newtown Creek, N. Y.: Continuing improvement, $100,000.

Hudson River Channel, New York Harbor, N. Y.: Continuing improvement, $750,000.

Burlington Harbor, Vt.; Plattsburg and Fort Henry Harbors, N. Y.; and Narrows of Lake Champlain, N. Y. and Vt.: For maintenance, $20,000.

Newark Bay and Passaic River, N. J.: For maintenance, $10,000.

Keyport and Shoal Harbors, Woodbridge, Cheesequake, Matawan, and Compton Creeks, Elizabeth, Raritan, South, and Shrewsbury Rivers, and Raritan Bay, N. J.: For maintenance, $32,500; continuing improvement of Raritan River, $25,000; in all, $57,500.

Delaware River, between Philadelphia, Pa., and Trenton, N. J.: For maintenance, $12,500.

Delaware River, Pa., N. J., and Del.: For maintenance from Allegheny Avenue, Philadelphia, to the sea, $2,000,000.

Cooper, Salem, Cohansey, and Maurice Rivers, Woodbury, Mantua, Raccoon, Oldmans, and Alloway Creeks, N. J.: For maintenance, $20,000.

Cold Spring and Absecon Inlets, Absecon and Tuckerton Creeks, and Toms River, N. J.: For maintenance, $9,200: *Provided*, That no part of the funds herein appropriated shall be expended on Absecon Inlet.

Wilmington Harbor, Del.: For maintenance, $60,000.

Inland waterway from Delaware River to Chesapeake Bay, Del. and Md.: Continuing improvement, $1,000,000.

Appoquinimink, Smyrna, Leipsic, Little, St. Jones, Murderkill, Mispillon, and Broadkill Rivers, Del.: For maintenance, $25,000.

Waterway from Chincoteague Bay, Va., to Delaware Bay at or near Lewes, Del.: For maintenance, $1,500.

Waterway on the coast of Virginia: For maintenance, $2,000.

Baltimore Harbor and Channels, Md.: Continuing improvement and for maintenance, $125,000.

Rockhall, Queenstown, Claiborne, Tilghman Island, Cambridge, and Crisfield Harbors, Elk and Little Elk, Chester, Corsica, Choptank, Tuckahoe, Warwick, La Trappe, Tred Avon, Wicomico, and Pocomoke Rivers, Slaughter, Tyaskin, and Broad Creeks, Twitch Cove and Big Thoroughfare River, and Lower Thoroughfare, Deal Island, Md.: Nanticoke River (including Northwest Fork), Del. and Md.; Broad Creek River, Del.; and Tangier Channel, Va.: For maintenance, $20,000.

Potomac River, at Washington, D. C., at Alexandria, Va., and at Lower Cedar Point, Md.; Occoquan and Aquia Creeks, Va.: For maintenance, $20,000.

Rappahannock, Mattaponi, and Pamunkey Rivers, and Urbana Creek, Va.: For maintenance, $10,000.

James, Nansemond, Pagan, and Appomattox Rivers, Va.: For maintenance, $5,000.

Norfolk Harbor and Channels, Va.: Continuing improvement and for maintenance, including channel to Newport News, $700,000.

Onancock River, Va.: For maintenance, $5,000.

Waterway from Norfolk, Va., to Beaufort Inlet, N. C.: For maintenance, $50,000.

Manteo Bay, Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers, Fishing, Contentnea, Swift, and Smiths Creeks, and waterway connecting Swan Quarter Bay with Deep Bay, N. C.: For maintenance, $25,000.

Beaufort and Morehead City Harbors, Beaufort Inlet, waterway from Pamlico Sound to Beaufort Inlet, waterway connecting Core Sound and Beaufort Harbor, channel connecting Thoroughfare Bay and Cedar Bay, and inland waterway Beaufort to Jacksonville, N. C.: For maintenance, $2,500.

Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance, $100,000.

Winyah Bay, Waccamaw, Little Peedee, and Great Peedee Rivers, S. C.: For maintenance, $10,000.

Santee and Congaree Rivers, S. C.: For maintenance, including the Estherville-Minim Creek Canal and the Congaree River as far up as the Gervais Street Bridge, Columbia, $5,000.

Waterway between Charleston and Winyah Bay, S. C.: Continuing improvement and for maintenance, $15,500.

Charleston Harbor and Channels, S. C.: Continuing improvement to provide a channel 40 feet deep and 1,000 feet wide, extending from the sea to the Charleston Navy Yard, $500,000.

Wappoo Cut, S. C.: For maintenance, $4,000.

Savannah Harbor and Savannah River, below, at, and above Augusta, Ga.: For maintenance, $366,000; continuing improvement of Savannah Harbor, $300,000; in all, $666,000.

Waterway between Beaufort, S. C., and St. Johns River, Fla.: For maintenance, $40,000.

Sapelo and Darien Harbors, Cowhead and Satilla Rivers, and Fancy Bluff Creeks, Ga., and St. Marys River, Ga. and Fla.: For maintenance, $20,000.

Altamaha, Oconee, and Ocmulgee Rivers, Ga.: Continuing improvement and for maintenance, $40,000.

Brunswick Harbor, Ga.: Continuing improvement and for maintenance, $100,000.

St. Johns River, Fla., Jacksonville to the ocean, Jacksonville to Palatka, and Palatka to Lake Harney, Lake Crescent, and Dunns Creek, and Oklawaha River, Fla.: For maintenance, $422,000.

Indian River, St. Lucie Inlet, Miami Harbor (Biscayne Bay), and harbor at Key West, Fla.: For maintenance, $60,500.

Kissimmee, Caloosahatchee, Orange, Anclote, Crystal, Withlacoochee, and Suwannee Rivers, Charlotte Harbor, Sarasota Bay, and Clearwater Harbor and Boca Ceiga Bay, Fla.: For maintenance, $13,500.

Tampa and Hillsboro Bays, St. Petersburg Harbor, Hillsboro and Manatee Rivers, Fla.: Continuing improvement of Hillsboro Bay, $300,000.

Carrabelle Bar and Harbor, Apalachicola, St. Joseph and St. Andrews Bays, Apalachicola and Chipola Rivers, and channel from Apalachicola River to St. Andrews Bay, Fla.; Flint River, Ga.; and Chattahoochee River, Ga. and Ala.: For maintenance, including the cut-off, Lee Slough, lower Chipola River, and upper Chipola River from Marianna to its mouth, $126,500; completing improvement of Flint River, $10,000; in all, $136,500.

Holmes and Blackwater Rivers, Fla.: Choctawhatchee, Escambia, and Conecuh Rivers, Fla. and Ala.; the narrows in Santa Rosa Sound, and Pensacola Harbor, Fla.: For maintenance, $50,000.

Alabama River, Ala., and Coosa River, Ala. and Ga.: Continuing improvement and for maintenance of the Alabama River, including the Alabama and Coosa Rivers between Montgomery and Wetumpka, $42,000.

Mobile Harbor and Bar, and channel connecting Mobile Bay and Mississippi Sound, Ala.: For maintenance of channel connecting Mobile Bay and Mississippi Sound, $10,000; continuing improvement and for maintenance of Mobile Harbor and Bar, $316,000; in all, $326,000.

Gulfport Harbor, Miss.: For maintenance of anchorage basin at Gulfport and channel therefrom to the anchorage or roadstead at Ship Island, and for maintenance of channel at Ship Island Pass, $100,000.

Pascagoula, Wolf, Jordan, Pearl, and East Pearl Rivers, and Biloxi Harbor, Miss.: For maintenance, $10,000.

Passes at the mouth of the Mississippi River: Continuing improvement and for maintenance, $2,000,000.

Lake Pontchartrain, Pass Manchac, Bogue Falia, Chefuncte, Ponchatoula, Natalbany, Blood, Tickfaw, and Amite Rivers, and Bayou Manchac, La.: For maintenance, $9,700.

Barataria Bay and Bayous Lafourche, Terrebonne, Grossetete, Plaquemine, and Teche, La.: For maintenance, including Grand River and Pigeon Bayou, $20,000; continuing improvement of Bayou Teche, $50,000; in all, $70,000.

Atchafalaya River, La.: For maintenance, $30,000.

Waterway, from the Mississippi River to the Sabine River, La.: For improvement from Mississippi River to Bayou Teche, $50,000; continuing improvement from Franklin to Mermentau, $200,000; continuing improvement from Mermentau River to Sabine River, $168,000; in all, $418,000.

Bayous Vermilion, Nezpique, des Cannes, Plaquemine Brule, and Queue de Tortue, Mermentau River, and Calcasieu River and Pass, La.: For maintenance, including channel, bay, and passes of Bayou Vermilion, and tributaries of Mermentau River, $15,000.

Removing the water hyacinths, Alabama, Mississippi, Louisiana, and Texas: For the removal of the water hyacinth from the navigable waters in the States named in so far as it is or may become an obstruction to navigation, $17,500.

Galveston Harbor, Galveston Channel, Port Bolivar Channel, Texas City Channel, and Houston Ship Channel, Tex.: For maintenance, $705,000; continuing improvement by construction of sea-wall extension to protect Galveston Channel, $100,000.

Anahuac Channel, mouth of Trinity River, Oyster and Clear Creeks, and Cedar, Chocolate, Turtle, Bastrop, Dickinson, Double, and East Bay Bayous, Tex.: For maintenance, $10,000.

Waterway from Galveston to Corpus Christi and channel from Pass Cavallo to Port Lavaca, Tex.: For maintenance, $50,000.

Freeport Harbor, Tex.: Continuing improvement, $160,000.

Port Aransas, Tex.: For maintenance, $150,000.

Harbor at Sabine Pass and Port Arthur Canal, Sabine-Neches Canal, and Johnsons Bayou, La. and Tex.: For maintenance, $217,000.

Red, Black, Ouachita, Tensas, Bocuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, $55,000, continuing improvement of Ouachita River in accordance with the report submitted in Rivers and Harbors Committee Document No. 7, Sixty-fifth Congress, second session, $175,000; in all, $230,000.

Yazoo River and tributaries, Mississippi: For maintenance, including Yazoo, Tallahatchie, Coldwater, and Big Sunflower Rivers, Tchula Lake, Steele and Washington Bayous, Lake Washington, and Bear Creek, $25,000.

Arkansas River, Ark. and Okla.: For maintenance, $20,000.

Black and Current Rivers, Ark. and Mo.; and White, St. Francis, and L'Anguille Rivers, and Blackfish Bayou, Ark.: For maintenance, $50,000.

Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: Continuing improvement and for maintenance, $500,000.

Mississippi River: For the removal of snags and wrecks from the Mississippi River below the mouth of the Missouri River, and from Old and Atchafalaya Rivers, in accordance with the recommendation of the Chief of Engineers in his annual report for 1920, $25,000, in addition to amounts otherwise appropriated.

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $1,070,000.

St. Croix River, Wis. and Minn.; Minnesota River, Minn.; Lake Traverse, Minn. and S. Dak.; and Red River of the North, Minn. and N. Dak.: For maintenance, $2,500.

Missouri River: For maintenance between Kansas City, Kans., from the upper end of Quindaro Bend, and the mouth of the river, $225,000.

Osage and Gasconade Rivers, Mo., and Kansas River, Kans.: For maintenance, $10,000.

Cumberland River, Tenn. and Ky.: For maintenance above Nashville, $5,000; continuing improvement below Nashville, $150,000; in all, $155,000.

Tennessee River, Tenn., Ala., and Ky.: For maintenance and continuing improvement, $505,000.

Ohio River: Continuing improvement and for maintenance by open-channel work, $300,000.

Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, $2,500,000.

Allegheny River, Pa.: For maintenance by open-channel work, $10,000; continuing improvement by construction of locks and dams, $250,000; in all, $260,000.

Pittsburgh Harbor, Pa.: For maintenance, $6,000.

Grand Marais, Marquette Bay, and Ontonagon Harbors, and Keweenaw Waterway, Mich.; Ashland and Port Wing Harbors, Wis.; Duluth-Superior Harbor, Minn. and Wis.: Agate Bay and Grand Marais Harbors, Minn.: For maintenance, $190,000; continuing improvements of Keweenaw Waterway, $10,000; in all, $200,000.

Warroad Harbor and River, Baudette Harbor and River, Zippel Bay, and Lake of the Woods, Minn.: For maintenance, $3,800.

Manistique Harbor, Mich.; Menominee, Oconto, Green Bay, Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha, and Waukegan Harbors, Sturgeon Bay and Lake Michigan Ship Canal, and Fox River, Wis.: For maintenance, $300,000; completing improvement of Racine Harbor, $165,000; in all, $465,000.

St. Joseph Harbor and River, Saugatuck Harbor and Kalamazoo River, South Haven, Holland, Grand Haven, Muskegon, White Lake, Pentwater, Ludington, Manistee, Portage Lake, Arcadia, Frankfort, Charlevoix, and Petoskey Harbors, and Grand River, Mich.: For maintenance, $350,000; completing improvement of Ludington Harbor, $55,000; in all, $405,000.

Chicago and Calumet Harbors, Chicago and Illinois Rivers, Ill.; Calumet River, Ill. and Ind.; and Indiana and Michigan City Harbors, Ind.: For maintenance, $390,000; continuing improvement of Calumet River, $160,000; continuing improvement of Illinois River below Copperas Creek, $46,000; continuing improvement of Indiana Harbor, $200,000; in all, $796,000.

Ship channel connecting waters of the Great Lakes between Chicago, Duluth, and Buffalo, including St. Marys River, St. Clair River, channels in Lake St. Clair and Detroit River, Mich.: For maintenance, $119,000; continuing improvement of Livingstone Channel, Detroit River, $750,000; in all, $869,000.

The unexpended balance of appropriations heretofore made for the construction of the fourth lock in St. Marys River, Mich., is hereby made available for maintenance work in said St. Marys River.

Mackinac, Cheboygan, Rogers City, Alpena, Harbor Beach, and Monroe Harbors, Saginaw, Black, Clinton, and Rogue Rivers, Mich.: For maintenance, $60,000; continuing improvement of Rogue River, $75,000; in all, $135,000.

Toledo, Port Clinton, Sandusky, Huron, Vermilion, Lorain, Cleveland, Fairport, Ashtabula, and Conneaut Harbors, Ohio: For maintenance, $89,000.

Erie Harbor, Pa.; Dunkirk and Buffalo Harbors, Black Rock Channel and Tonawanda Harbor, and Niagara River, N. Y.: For maintenance, $541,000; completing improvement of Black Rock Channel and Tonawanda Harbor, $170,000; in all, $711,000.

Olcott, Charlotte, Great Sodus Bay, Little Sodus Bay, Oswego, Cape Vincent, and Ogdensburg Harbors, N. Y.: For maintenance, $49,000; completing improvement of Oswego Harbor, $50,000; in all, $99,000.

San Francisco, Oakland, Richmond, Monterey, Humboldt, and Crescent City Harbors, Redwood, Petaluma, and San Rafael Creeks, Napa River, San Pablo Bay, and Suisun and Suisun Bay Channels, Calif.: For maintenance, $145,000; continuing improvement of Richmond Harbor, $160,000; completing improvement of Petaluma Creek, $50,300; continuing improvement of Humboldt Harbor and Bay, $250,000; for improvement of Crescent City Harbor in accordance with the report submitted in House Document No. 434, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $100,000; in all, $705,300.

Sacramento, Feather, San Joaquin, and Mokelumne Rivers, and Stockton and Mormon Channels (diverting canal), Calif.: For maintenance, $121,800.

Coquille, Coos, Siuslaw, and Yaquina Rivers, and Coos, Yaquina, Tillamook, and Nehalem Bays, Oreg.: For maintenance, $151,000; continuing improvement of Yaquina Bay and Harbor, $175,000; in all, $326,000.

Cascades and Dalles-Celilo Canals, Oreg.; Columbia River and tributaries above Celilo Falls to the mouth of Snake River, Oreg. and Wash., and Snake River, Oreg., Wash., and Idaho: For maintenance, $5,000.

Columbia and lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg., and mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, $500,000.

Willamette River above Portland and at Willamette Falls, Yamhill and Clatskanie Rivers, Oreg.; Cowlitz, Lewis, and Grays Rivers, and Skamokawa Creek, Wash.: For maintenance, $50,000.

Willapa River and Harbor, Grays Harbor, Chehalis and Hoquiam Rivers, Wash.: Continuing improvement of Willapa River and Harbor, $52,050.

Puget Sound and its tributary waters, Olympia, Seattle, Anacortes, Port Gamble, Tacoma, and Bellingham Harbors, Lake Washington Ship Canal, Snohomish and Skagit Rivers, Swinomish Slough, waterway connecting Port Townsend Bay and Oak Bay, Columbia River between Wenatchee and Kettle Falls, Wash.: For maintenance, $25,000; continuing improvement of Lake Washington Ship Canal, $65,000; in all, $90,000.

Nome Harbor, Alaska: Continuing improvement and for maintenance of Nome Harbor, $20,000.

San Juan Harbor, Porto Rico: Continuing improvement and for maintenance, $400,000.

For examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation, $250,000: *Provided*, That no part of this sum shall be expended for any preliminary examination, survey, project, or estimate not authorized by law.

Mr. BLANTON. Mr. Speaker, I make a point of order against the motion to recommit, for the reason that there is a provision in the motion making the funds immediately available, which is unauthorized by law, and it is new legislation on an appropriation bill. That clause will be found in the early part of the motion.

The SPEAKER. The Chair overrules the point of order. The question is on the motion to recommit.

Mr. DEMPSEY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from North Carolina to recommit.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. SMALL and Mr. SEARS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 121, nays 205, answered "present" 1, not voting 102, as follows:

YEAS—121.

Almon	Dupré	Lazaro	Rodenberg
Aswell	Dyer	Lea, Calif	Romjue
Bankhead	Eagle	Lee, Ga.	Rouse
Barkley	Evans, Mont.	Lesher	Rubey
Bell	Fields	Linthicum	Sears
Benson	Fisher	Luhring	Sherwood
Bland, Va.	Flood	McDuffie	Sims
Bowling	Gard	Major	Sinclair
Box	Garrett	Mansfield	Small
Brand	Godwin, N. C.	Martin	Smith, N. Y.
Briggs	Griffin	Mason	Smithwick
Byrns, Tenn.	Hardy, Tex.	Mays	Steagall
Caldwell	Hayden	Minahan, N. J.	Stedman
Cantrill	Hoey	Monahan, Wis.	Steele
Caraway	Holland	Montague	Stephens, Ohio
Clark, Mo.	Howard	Moore, Va.	Stoll
Cleary	Huddleston	Nelson, Mo.	Taylor, Ark.
Coady	Hudspeth	O'Connell	Thomas
Collier	Hull, Iowa	O'Connor	Tillman
Cullen	Hull, Tenn.	Ogden	Venable
Curry, Calif.	Humphreys	Oldfield	Vinson
Davey	Igoe	Oliver	Welty
Davis, Tenn.	Jacoway	Overstreet	Wilson, La.
Denison	James, Va.	Padgett	Wilson, Pa.
Dewalt	Johnson, Ky.	Park	Wingo
Dickinson, Mo.	Johnson, Miss.	Pou	Woods, Va.
Doremus	Keller	Rainey, H. T.	Wright
Doughton	Kincheloe	Raker	Young, Tex.
Drane	King	Randall, Wis.	
Drewry	Lankford	Rhodes	
Dunbar	Larsen	Robsion, Ky.	

NAYS—205.

Ackerman	Chindblom	Fess	Hawley
Andrews, Nebr.	Christopherson	Fish	Hays
Anthony	Cole	Fordney	Hernandez
Ashbrook	Connally	Foster	Hersey
Bacharach	Cooper	Frear	Hickey
Barbour	Crago	Freeman	Hicks
Bee	Cramton	French	Hill
Begg	Crisp	Fuller	Hoch
Benham	Dale	Gallagher	Houghton
Black	Dallinger	Gallivan	Hulings
Bland, Ind.	Darrow	Garner	Husted
Blanton	Davis, Minn.	Glynn	Hutchinson
Boies	Dempsey	Good	Jefferis
Britten	Dickinson, Iowa	Goodykoontz	Johnson, S. Dak.
Brooks, Ill.	Dominick	Graham, Ill.	Johnson, Wash.
Browne	Dowell	Green, Iowa	Jones, Pa.
Buchanan	Dunn	Greene, Mass.	Jones, Tex.
Burdick	Echols	Greene, Vt.	Juul
Burke	Edmonds	Griest	Kearns
Burroughs	Elliott	Hadley	Kelley, Mich.
Butler	Elston	Hamilton	Kelly, Pa.
Byrnes, S. C.	Esch	Hardy, Colo.	Kendall
Campbell, Kans.	Evans, Nebr.	Harreld	Kiess
Cannon	Evans, Nev.	Hastings	Kinkaid
Carter	Fairfield	Haugen	Kleczka
Knutson	Moore, Ohio	Schall	Towner
Kraus	Mott	Scott	Treadway
Lampert	Newton, Minn.	Sells	Vaile
Lanham	Nolan	Shreve	Vestal
Layton	Osborne	Siegel	Voigt
Longworth	Paige	Sinnott	Volk
Luce	Parker	Sisson	Volstead
McAndrews	Parrish	Slemp	Walsh
McArthur	Patterson	Smith, Idaho	Walters
McClintic	Peters	Smith, Ill.	Ward
McFadden	Phelan	Smith, Mich.	Wason
McKenzie	Porter	Snell	Watson
McKeown	Purnell	Snyder	Webster
McKinley	Quin	Stevenson	Welling
McLaughlin, Mich.	Radcliffe	Strong, Kans.	Wheeler
McLaughlin, Nebr.	Rainey, J. W.	Summers, Wash.	White, Kans.
McLeod	Ramseyer	Sumners, Tex.	Williams
McPherson	Randall, Calif.	Sweet	Wilson, Ill.
MacGregor	Ransley	Swindall	Winslow
Madden	Rayburn	Swope	Wood, Ind.
Magee	Reavis	Taylor, Colo.	Woodyard
Mann, Ill.	Reber	Taylor, Tenn.	Yates
Mapes	Reed, N. Y.	Temple	Young, N. Dak.
Merritt	Ricketts	Thompson	Zihlman
Michener	Rogers	Tilson	
Miller	Rose	Timberlake	
Mondell	Sanders, N. Y.	Tincher	

ANSWERED "PRESENT"—1.

Newton, Mo.

NOT VOTING—102.

Anderson	Ellsworth	Lonergan	Riordan
Andrews, Md.	Emerson	Lufkin	Robinson, N. C.
Ayres	Ferris	McCulloch	Rowan
Babka	Focht	McGlennon	Rowe
Baer	Gandy	McKiniry	Rucker
Blackmon	Ganly	McLane	Sabath
Bland, Mo.	Goldfogle	Maher	Sanders, Ind.
Bowers	Goodall	Mann, S. C.	Sanders, La.
Brinson	Goodwin, Ark.	Mead	Sanford
Brooks, Pa.	Gould	Milligan	Scully
Brumbaugh	Graham, Pa.	Moon	Steenerson
Campbell, Pa.	Hamill	Mooney	Stephens, Miss.
Candler	Harrison	Moores, Ind.	Stiness
Carew	Hersman	Morin	Strong, Pa.
Carss	Ireland	Mudd	Sullivan
Casey	James, Mich.	Murphy	Tague
Clark, Fla.	Johnston, N. Y.	Neely	Tinkham
Classon	Kahn	Nelson, Wis.	Upshaw
Copley	Kennedy, Iowa	Nicholls	Vare
Costello	Kennedy, R. I.	Olney	Watkins
Crowther	Kettner	Pell	Weaver
Currie, Mich.	Kitchin	Perlman	Whaley
Dent	Kreider	Rainey, Ala.	White, Me.
Donovan	Langley	Ramsey	Wise
Dooling	Lehlbach	Reed, W. Va.	
Eagan	Little	Riddick	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. KAHN with Mr. DENT.

Mr. BOWERS with Mr. NEELY.

Mr. REED of West Virginia with Mr. MOON.

Mr. SANDERS of Indiana with Mr. GOODWIN of Arkansas.

Mr. TINKHAM with Mr. TAGUE.

Mr. STRONG of Pennsylvania with Mr. RIORDAN.

Mr. CROWTHER with Mr. FERRIS.

Mr. FOCHT with Mr. CAMPBELL of Pennsylvania.

Mr. WHITE of Maine with Mr. OLNEY.

Mr. ANDREWS of Maryland with Mr. WHALEY.

Mr. ELLSWORTH with Mr. CAREW.

Mr. LEHLBACH with Mr. BLAND of Missouri.

Mr. COSTELLO with Mr. WISE.

Mr. VARE with Mr. AYRES.

Mr. GOULD with Mr. WEAVER.

Mr. ANDERSON with Mr. UPSHAW.

Mr. LANGLEY with Mr. BLACKMON.

Mr. STEENERSON with Mr. HARRISON.

Mr. KENNEDY of Iowa with Mr. EAGAN.

Mr. ROWE with Mr. BRUMBAUGH.

Mr. CLASSON with Mr. DOOLING.

Mr. MUDD with Mr. SANDERS of Louisiana.

Mr. MOORES of Indiana with Mr. WATKINS.

Mr. JAMES of Michigan with Mr. CANDLER.

Mr. BAER with Mr. STEPHENS of Mississippi.

Mr. MORIN with Mr. MCLANE.

Mr. EMERSON with Mr. ROWAN.

Mr. IRELAND with Mr. RUCKER.

Mr. GRAHAM of Pennsylvania with Mr. KITCHIN.

Mr. BROOKS of Pennsylvania with Mr. NICHOLLS.

Mr. SANFORD with Mr. DONOVAN.

Mr. GOODALL with Mr. MOONEY.

Mr. NELSON of Wisconsin with Mr. BRINSON.

Mr. CURRIE of Michigan with Mr. SULLIVAN.

Mr. RIDDICK with Mr. SABATH.

Mr. MCCULLOCH with Mr. CASEY.

Mr. LITTLE with Mr. CLARK of Florida.

Mr. KENNEDY of Rhode Island with Mr. MEAD.
Mr. PERLMAN with Mr. GOLDFOGLE.
Mr. COPLEY with Mr. GANDY.
Mr. KREIDER with Mr. MCGLENNON.
Mr. MURPHY with Mr. ROBINSON of North Carolina.
Mr. LUFKIN with Mr. MCKINLEY.
Mr. RAMSEY with Mr. GANLY.
Mr. STINESS with Mr. MAHER.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. DEMPSEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 517. An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914;

H. R. 8881. An act for the relief of the First National Bank of New Carlisle, Ind.;

H. R. 7050. An act for the relief of the First State Bank of Kerrville, Kerr County, State of Texas;

H. R. 11572. An act for the relief of the John E. Moore Co.; and

H. R. 12634. An act for the relief of Wilhelm Alexanderson.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3737. An act to carry out the provisions of an act approved July 1, 1902, known as the act entitled "An act to accept, ratify, and confirm a proposed agreement submitted by the Kansas or Kaw Indians of Oklahoma, and for other purposes," and to provide for a settlement to Addie May Auld and Archie William Auld, who were enrolled as members of the said tribe after the lands and money of said tribe had been divided;

S. 684. An act for the payment of certain money to Albert H. Raynolds;

S. 2682. An act for the relief of Blanche Winters;

S. 4516. An act providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia;

S. 4826. An act to amend section 5 of the act to incorporate the American Red Cross, approved January 5, 1905;

S. 4643. An act to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919; and

S. 4891. An act to amend section 1 of an act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes."

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4434. An act for the relief of contributors of the Ellen M. Stone ransom fund; to the Committee on Claims.

S. 4897. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended; to the Committee on Interstate and Foreign Commerce.

S. 684. An act for the payment of certain money to Albert H. Raynolds; to the Committee on Claims.

S. 4516. An act providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia; to the Committee on the Judiciary.

S. 3737. An act to carry out the provisions of an act approved July 1, 1902, known as the act entitled "An act to accept, ratify, and confirm a proposed agreement submitted by the Kansas or Kaw Indians of Oklahoma, and for other purposes," and to provide for a settlement to Addie May Auld and Archie William Auld, who were enrolled as members of the said tribe after the lands and money of said tribe had been divided; to the Committee on Indian Affairs.

S. 4643. An act to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919; to the Committee on Education.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that January 20 they had presented to the President of the United States for his approval the following bill:

H. R. 12502. An act providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park.

DEFICIENCY APPROPRIATION BILL.

Mr. GOOD, by direction of the Committee on Appropriations, reported the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, which was read a first and second time and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. EVANS of Montana. Mr. Speaker, I desire to reserve all points of order on the bill.

The SPEAKER. The gentleman from Montana reserves all points of order on the bill.

EXTENSION OF REMARKS.

Mr. GREENE of Vermont. Mr. Speaker, I ask unanimous consent to extend my remarks on the Agricultural appropriation bill.

The SPEAKER. The gentleman from Vermont asks unanimous consent to extend his remarks on the Agricultural appropriation bill. Is there objection?

Mr. MCCLINTIC. Mr. Speaker, reserving the right to object, I have objected to the other unanimous-consent requests, and I regret I shall have to object to this one.

The SPEAKER. The gentleman from Oklahoma objects.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill; and, pending that motion, I would like to ask the gentleman from Mississippi [Mr. SISSON] if we can agree upon the time for general debate. How much time does the gentleman desire to use?

Mr. SISSON. Mr. Speaker, I have requests for about three hours. I should think we could finish the general debate in the afternoon; we could perhaps cut down the time a little.

Mr. ANTHONY. Would it be satisfactory to the gentleman to consume this afternoon in general debate, the time to be divided equally between myself and the gentleman from Mississippi, with the understanding that we take up the bill under the five-minute rule to-morrow?

Mr. SISSON. I would be very glad to do that, Mr. Speaker, if I were certain we could have a quorum; but I would not like to agree to that and then have some Members cut out when all the time was taken up by calling the roll.

Mr. ANTHONY. Would it be satisfactory to limit debate to four hours if the time is equally divided?

Mr. SISSON. That would necessitate my cutting down the time of gentlemen who have requested 20 minutes and 30 minutes, and so on. I would rather agree to make it four hours, two hours on each side, rather than take up the whole afternoon.

Mr. ANTHONY. That is agreeable to me if agreeable to the gentleman.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the general debate be limited to four hours, the time to be equally divided, two hours to a side. Is there objection?

Mr. MCCLINTIC. Reserving the right to object, would the gentleman be willing to incorporate in his unanimous request the condition that all remarks be confined to the bill?

Mr. ANTHONY. I think not.

Mr. MCCLINTIC. Then I object.

The SPEAKER. The gentleman objects. The question is on agreeing to the motion of the gentleman from Kansas that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Connecticut [Mr. TILSON] will please take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15943, the Army appropriation bill, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

Mr. ANTHONY. Mr. Chairman, I ask that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. McCLINTIC. I object.

The CHAIRMAN. Objection is heard. The Clerk will report the bill.

The Clerk read the bill.

During the reading of the bill the following colloquies occurred:

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the further reading of the bill for the first time be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the further reading of the bill be dispensed with. Is there objection?

Mr. McCLINTIC. I object.

The CHAIRMAN. The gentleman from Oklahoma objects. The Clerk will read.

The Clerk proceeded with the reading.

Mr. BLANTON. Mr. Chairman, I rise to prefer a unanimous-consent request. None of us is listening to the bill, and it is a waste of time to have it read. I prefer the unanimous-consent request that the further reading of the bill be dispensed with. It will take an hour and a half to read it.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the further reading of the bill be dispensed with.

Mr. McCLINTIC. Reserving the right to object, Mr. Chairman, I am keeping up with the reading of the Clerk, and I object.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. MONAHAN of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MONAHAN of Wisconsin. Would it be in order to ask that the reading clerk and the gentleman from Oklahoma [Mr. McCLINTIC] should retire and go out to lunch? [Laughter.]

The CHAIRMAN. That is not a parliamentary inquiry. The Clerk will read.

The Clerk proceeded with the reading.

Mr. BLANTON. Mr. Chairman, I rise to prefer a unanimous-consent request.

The CHAIRMAN (Mr. FESS). The gentleman will state his unanimous-consent request.

Mr. BLANTON. As a preface to my unanimous-consent request——

Mr. WILLIAMS. Mr. Chairman, I object to any preface. [Laughter.]

Mr. BLANTON. I say, as a preface to my request——

SEVERAL MEMBERS. Regular order!

Mr. BLANTON. I ask unanimous consent that the time of the House be conserved by dispensing with the further reading of the bill.

The CHAIRMAN. The gentleman from Texas asks that the further reading of the bill be dispensed with.

Mr. McCLINTIC. Mr. Chairman, this is an important bill. I have not had the opportunity heretofore to read it, and I object.

The CHAIRMAN. The gentleman from Oklahoma objects. The Clerk will read.

The Clerk proceeded with the reading.

Mr. McCLINTIC. Mr. Chairman, I raise the point of order that a whole paragraph was skipped. I have been keeping up with the reading of the bill, and I think the RECORD ought to show that all of the bill has been read.

The CHAIRMAN. The Clerk will read.

The Clerk proceeded with the reading.

Mr. BLANTON. Mr. Chairman, I rise to prefer a unanimous-consent request that in lieu of the useless reading of the present bill, to which no one is paying any attention, the Clerk read the very interesting story by Mr. William Shakespeare entitled "Much Ado About Nothing." [Laughter.]

The CHAIRMAN (Mr. TILSON). The Chair will not recognize the gentleman for that purpose. The Clerk will read.

The Clerk proceeded with the reading.

Mr. BLANTON. Mr. Chairman, will the Chair permit a parliamentary inquiry?

Mr. McCLINTIC. Mr. Chairman, I raise the point of no quorum. That is a preferential point.

Mr. BLANTON. I ask whether the bill is being read for the benefit of the Members or for the benefit of the visitors in the galleries?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. McCLINTIC. I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and one Members present, a quorum. The Clerk will continue the reading.

The Clerk completed the reading of the bill.

Mr. ANTHONY. Mr. Chairman, this bill makes appropriations for the Army for the fiscal year 1922. The committee that has had it under consideration has sought to provide sufficient funds for a Regular Army of 150,000 men.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15943, the Army appropriation bill, and had come to no resolution thereon.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, and I move that general debate thereon be limited to four hours, to be divided equally between the gentleman from Mississippi [Mr. SISSON] and myself.

Mr. McCLINTIC. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. McCLINTIC. Is the gentleman willing to ask that the debate shall be limited to the bill?

Mr. ANTHONY. I think in view of the fact that gentlemen have already been promised time, I can not do that.

The SPEAKER. The gentleman from Kansas moves that general debate be limited to four hours, and the question is on the motion of the gentleman from Kansas.

The question was taken; and there were on a division (demanded by Mr. McCLINTIC)—ayes 89, no 1.

Mr. McCLINTIC. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Oklahoma makes the point that no quorum is present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. All those in favor of the motion of the gentleman from Kansas will, when their names are called, answer "aye," and those opposed will answer "no."

The question was taken; and there were—yeas 279, nays 2, answered "present" 2, not voting 146, as follows:

YEAS—279.

Ackerman	Chindblom	Fish	Johnson, Miss.
Almon	Christopherson	Fisher	Jones, Pa.
Anderson	Clark, Mo.	Flood	Jones, Tex.
Andrews, Md.	Cleary	Fordney	Juul
Andrews, Nebr.	Coady	Foster	Kahn
Anthony	Cole	Frear	Kearns
Ashbrook	Collier	Freeman	Keller
Aswell	Cooper	French	Kelley, Mich.
Ayres	Crago	Fuller	Kelly, Pa.
Bacharach	Cramton	Garner	Kendall
Bankhead	Crisp	Garrett	Kiess
Barbour	Cullen	Glynn	King
Barkley	Curry, Calif.	Good	Kinkaid
Bee	Dale	Goodykoontz	Knutson
Begg	Dallinger	Graham, Ill.	Kraus
Bell	Darrow	Green, Iowa	Lanham
Benham	Davey	Greene, Mass.	Lankford
Black	Davis, Minn.	Greene, Vt.	Larsen
Bland, Va.	Davis, Tenn.	Griest	Layton
Blanton	Dempsey	Griffin	Lazaro
Boies	Dickinson, Iowa	Hadley	Lehlbach
Bowling	Dickinson, Mo.	Hamilton	Lesher
Box	Dominick	Hardy, Colo.	Linthicum
Brand	Doremus	Hardy, Tex.	Little
Briggs	Doughton	Hastings	Longworth
Brinson	Dowell	Hayden	Luce
Brooks, Ill.	Drane	Hernandez	Luhring
Browne	Drewry	Hersey	McAndrews
Buchanan	Dunbar	Hickey	McArthur
Burdick	Dunn	Hicks	McFadden
Burke	Dupré	Hill	McKenzie
Burroughs	Dyer	Hoch	McKeown
Butler	Echols	Hoey	McLeod
Byrnes, S. C.	Edmonds	Houghton	McPherson
Byrns, Tenn.	Elliott	Howard	MacGregor
Caldwell	Elston	Hudspeth	Madden
Campbell, Kans.	Esch	Hull, Iowa	Magee
Cannon	Evans, Mont.	Humphreys	Major
Cantrill	Evans, Nebr.	Igoe	Mann, Ill.
Caraway	Fairfield	James, Va.	Mansfield
Carss	Fess	Jefferis	Mapes
Carter	Fields	Johnson, Ky.	Mason

Merritt	Raker	Small	Timberlake
Michener	Ramseyer	Smith, Idaho	Towner
Miller	Randall, Calif.	Smith, Ill.	Treadway
Minahan, N. J.	Randall, Wis.	Smith, Mich.	Vaile
Mondell	Ransley	Smith, N. Y.	Vestal
Moore, Ohio	Rayburn	Smithwick	Vinson
Moore, Va.	Reavis	Snell	Volk
Mott	Reber	Snyder	Volstead
Neely	Reed, N. Y.	Steagall	Walsh
Newton, Minn.	Rhodes	Stedman	Walters
Newton, Mo.	Ricketts	Stephens, Ohio	Wason
O'Connell	Robinson, N. C.	Stevenson	Watson
O'Connor	Robsion, Ky.	Stiness	Webster
Ogden	Rodenberg	Stull	Welling
Oldfield	Rogers	Strong, Kans.	Welty
Oliver	Romjue	Summers, Wash.	Wheeler
Osborne	Rose	Sumners, Tex.	Williams
Overstreet	Rouse	Sweet	Wilson, Ill.
Padgett	Sanders, La.	Swindall	Wilson, La.
Paige	Sanders, N. Y.	Swope	Wingo
Park	Schall	Taylor, Ark.	Winslow
Parrish	Scott	Taylor, Colo.	Wood, Ind.
Patterson	Sherwood	Taylor, Tenn.	Woods, Va.
Peters	Shreve	Temple	Woodyard
Phelan	Siegel	Thomas	Wright
Pou	Sinclair	Thompson	Young, N. Dak.
Quin	Sisson	Tillman	Zihlman
Radcliffe	Slemp	Tilson	

NAYS—2.

McClintic	Sears

ANSWERED "PRESENT"—2.

Huddleston	Stephens, Miss.

NOT VOTING—146.

Babka	Gard	Lufkin	Reed, W. Va.
Baer	Godwin, N. C.	McCulloch	Riddick
Benson	Goldfogle	McDuffie	Riordan
Blackmon	Goodall	McGlennon	Rowan
Bland, Ind.	Goodwin, Ark.	McKiniry	Rowe
Bland, Mo.	Gould	McKinley	Rubey
Bowers	Graham, Pa.	McLane	Rucker
Britten	Hamill	McLaughlin, Mich.	Sabath
Brooks, Pa.	Harreld	McLaughlin, Nebr.	Sanders, Ind.
Brumbaugh	Harrison	Maher	Sanford
Campbell, Pa.	Haugen	Mann, S. C.	Scully
Candler	Hawley	Martin	Sells
Carew	Hays	Mays	Sims
Casey	Hersman	Mead	Sinnott
Clark, Fla.	Holland	Milligan	Steele
Classon	Hulings	Monahan, Wis.	Steenerson
Connally	Hull, Tenn.	Montague	Strong, Pa.
Copley	Husted	Moon	Sullivan
Costello	Hutchinson	Mooney	Tague
Crowther	Ireland	Moores, Ind.	Tincher
Currie, Mich.	Jacoway	Morin	Tinkham
Denison	James, Mich.	Mudd	Upshaw
Dent	Johnson, S. Dak.	Murphy	Vare
Dewalt	Johnson, Wash.	Nelson, Mo.	Venable
Donovan	Johnston, N. Y.	Nelson, Wis.	Voigt
Dooling	Kennedy, Iowa	Nicholls	Ward
Eagan	Kennedy, R. I.	Nolan	Watkins
Eagle	Kettner	Olney	Weaver
Ellsworth	Kincheloe	Parker	Whaley
Emerson	Kitchin	Pell	White, Kans.
Evans, Nev.	Kleczka	Perlman	White, Me.
Ferris	Kreider	Porter	Wilson, Pa.
Focht	Lampert	Purnell	Wise
Gallagher	Langley	Rainey, Ala.	Yates
Gallivan	Lea, Calif.	Rainey, Henry T.	Young, Tex.
Gandy	Lee, Ga.	Rainey, John W.	
Ganly	Lonergan	Ramsey	

So the motion was agreed to.

The Clerk announced the following additional pairs:

Mr. VARE with Mr. STEELE.

Mr. HUSTED with Mr. GALLAGHER.

Mr. HAUGEN with Mr. CONNALLY.

Mr. LAMPERT with Mr. CLARK of Florida.

Mr. MCKINLEY with Mr. HENRY T. RAINEY.

Mr. WHITE of Kansas with Mr. VENABLE.

Mr. YATES with Mr. MONTAGUE.

Mr. HAWLEY with Mr. GALLIVAN.

Mr. MCLAUGHLIN of Michigan with Mr. JOHN W. RAINEY.

Mr. PURNELL with Mr. JACOWAY.

Mr. HUTCHINSON with Mr. BENSON.

Mr. BLAND of Indiana with Mr. GARD.

Mr. KLECZKA with Mr. GODWIN of North Carolina.

Mr. SINNOTT with Mr. RUBEY.

Mr. PARKER with Mr. YOUNG of Texas.

Mr. VOIGT with Mr. SIMS.

Mr. MONAHAN of Wisconsin with Mr. HOLLAND.

Mr. BAER with Mr. WHALEY.

Mr. BOWERS with Mr. BABKA.

Mr. HULINGS with Mr. KINCHELOE.

Mr. JOHNSON of South Dakota with Mr. LEA of California.

Mr. BRITTEN with Mr. EAGLE.

Mr. WARD with Mr. JOHNSTON of New York.

Mr. TINCHER with Mr. MAYS.

Mr. RAMSEY with Mr. LEE of Georgia.

Mr. NELSON of Missouri with Mr. MCDUFFIE.

Mr. NOLAN with Mr. RAKER.

Mr. PORTER with Mr. MARTIN.

Mr. SELLS with Mr. WILSON of Pennsylvania.

Mr. MURPHY with Mr. HAMILL.

Mr. JOHNSON of Washington with Mr. HULL of Tennessee.

Mr. MCLAUGHLIN of Nebraska with Mr. DENT.

Mr. DENISON with Mr. EVANS of Nevada.

Mr. HAYS with Mr. GANLY.

Mr. MUDD with Mr. PELL.

Mr. HARRELD with Mr. UPSHAW.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. ANTHONY, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill (H. R. 15943) with Mr. TILSON in the chair.

Mr. ANTHONY. Mr. Chairman, in response to the demand of the people of this country, and in accord with the sentiment of the membership of this House, the Committee on Appropriations in reporting this bill have materially reduced the amount which has heretofore been appropriated for the maintenance of the Army. We are going to try to put an end to some of the waste and extravagance which has characterized the conduct of the Military Establishment in recent years. In reducing to the sum which is appropriated for the maintenance of the Military Establishment, I do not believe we will impair to any serious degree any of the many activities of that great organization.

The War Department in their estimates asked for the appropriation of $694,000,000. This committee has reported to the House a bill which will give the War Department approximately $328,000,000 for the conduct of the Army for the next fiscal year. For the current year there was appropriated the sum of $390,000,000 for the Military Establishment. It was the intention of this House, then, to appropriate for an Army of 175,000 men. We are advised by the Chief of Finance that there will be a deficit in the pay of the Army in the amount appropriated for that purpose the current year, for an Army of 175,000 men, of about $25,000,000, and that there will be a total deficiency this year of over $100,000,000, so that the total cost of the Military Establishment for the current year will be about $494,000,000. We propose to conduct it the next year at a total cost of about $331,000,000, including both the Army and the West Point Military Academy, which has heretofore been carried as a separate appropriation bill, but which this year has been included in the Army appropriation bill.

Now, Mr. Chairman, we are providing for an Army of 150,000 enlisted men in the Regular Establishment. This is really an Army of 160,000, because we also provide for about 6,500 Philippine Scouts, and there are authorized in the reorganization bill 2,500 flying cadets, for whom provision is made, so that we are practically providing for an Army of 160,000.

Now, the criticism has been made that it will be impossible to get the Regular Establishment down to a basis of 150,000 men during the next fiscal year. The committee have carefully investigated the facts again, and we do not believe there is the slightest doubt that the Army can be easily reduced from its present total of about 234,000 men to 150,000 men during the next fiscal year and that 150,000 men will be ample to provide properly for all the military requirements of the Nation.

It is contended that 234,000 men are now enlisted in the Army and that we can not get rid of them in time to cut down our force to 150,000 men during the next fiscal year. Now, this number of enlisted men is made up of about 60 per cent three-year enlistments and about 40 per cent one-year enlistments. Investigations made so far by the General Staff develop the fact that there will be no trouble in bringing the Army down by July next to the 175,000 men required by the resolution which the House passed the other day demanding that the War Department reduce to that number. But if we simply cease enlisting, and permit the one-year men at the expiration of their enlistment to go out of the Army, and if we further liberalize the regulations, which are now very drastic, and prevent any man from getting out of the Army of his own free will after he has enlisted, except by reason of death or dependency—if we liberalize those regulations, there will be enough men who will want to go out of the Army so that the number can be reduced easily to the 150,000 men for whom we provide.

Mr. BLANTON. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Texas.

Mr. BLANTON. Of this 150,000 or 160,000 men whom the gentleman speaks of I would like to ask, will any appreciable number of them be privates?

Mr. ANTHONY. Quite a large number of them, of course, will be privates. But I will say to the gentleman that we are

appropriating in this bill for 14,000 commissioned officers, not that we have any desire to limit the number of commissioned officers provided in the reorganization bill, which was 17,000, but because we think 14,000 is the number that there will be of commissioned officers in the next fiscal year, and included in that number are a large body of men who were emergency officers during the war, practically all of whom have had training in actual warfare under modern battle conditions, and their retention in the military service is one of the greatest and one of the most reasonable assets along the line of military preparedness that we can provide for at this time.

We are taking into the Regular service over 5,000 emergency officers, men trained in the late war and now given commissions in the Regular service, and they, with the officers already commissioned, make up this total of 14,000.

We must not lose sight of the fact that, in addition to these 150,000 men of the Regular Establishment, liberal provision is being made for the growth of the National Guard. It now numbers nearly 100,000 men. We figure that it will expand to 125,000 or 140,000 during the next fiscal year; and if the National Guard can have sympathetic treatment at the hands of the War Department, and be permitted to grow and expand under the provisions of the law, it will easily reach the maximum for which that law provides and make a very efficient and strong second line of military defense in this country.

We must also not lose sight of the fact that back of the Regular Army and back of this National Guard are the millions of trained men, the veteran soldiers who come to us as a result of the Great War, who also form a tremendous asset along the line of military preparedness.

Mr. BANKHEAD. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Alabama.

Mr. BANKHEAD. Upon what theory of consistency does the Committee on Appropriations provide for an Army of 150,000 men, when only a few days ago both branches of Congress passed a resolution fixing the minimum Army at 175,000 enlisted men?

Mr. ANTHONY. Along the lines of economy and reducing the public expenditures at this time.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. SISSON. If the gentleman will permit, the House did not have an opportunity to vote on an Army of 150,000 men. We were left to the one proposition of voting for 175,000 or voting to leave the Army where it is now, because that resolution was brought up under a suspension of the rules.

Mr. ANTHONY. That is correct.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. MADDEN. And we did not fix a minimum of 175,000. We fixed a maximum of 175,000.

Mr. BANKHEAD. That is equivalent to a minimum.

Mr. ANTHONY. I will say that there is no attempt in this bill to arbitrarily fix a maximum, except that we are appropriating an amount that will pay 150,000 men and 14,000 officers.

Mr. HULL of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. How many men does the gentleman expect to be in the Army the 1st day of July of this year?

Mr. ANTHONY. I think there will be about 175,000, if the War Department will go to work whole-heartedly toward reducing the number of men.

Mr. HULL of Iowa. They are not going to work at it at present. I understand that they are still recruiting and that you are paying $90 bonus for every man that you can reenlist.

Mr. ANTHONY. Does the gentleman mean that we are paying it or that the War Department is paying it?

Mr. HULL of Iowa. The War Department; and you are appropriating the money and paying $90 to-day for a man to reenlist, and yet the gentleman admits that he is going to reduce the Army when the Army is increasing all of the time.

Mr. ANTHONY. After March 4 I guarantee to the gentleman that the Army will be reduced, and rapidly reduced. [Applause.]

Mr. HULL of Iowa. Would it not be a good plan to pass some provision by which we could stop enlistments and reenlistments?

Mr. ANTHONY. I think that was the intention of the House when it passed the resolution introduced by the gentleman from California [Mr. KAHN].

Mr. HULL of Iowa. It might have been the intention, but the resolution did not stop it. The gentleman understands that.

Mr. ANTHONY. Yes; but I have a report in my pocket from the General Staff that says that the Army can be reduced to 175,000 men by July, and I take it that it is the intention of the department to so reduce it.

Mr. HULL of Iowa. The Adjutant General says that the most that they can do is to cut it down to 199,000 by the 1st of July.

Mr. ANTHONY. Let me say to the gentleman that even though the department does not act fully in accordance with the resolution passed by the House and the Senate, even though they do not arbitrarily refuse to reenlist men whose enlistments expire and who are asking for it, yet I say the next administration has the power under the articles of enlistment that are signed by every enlisted man to discharge any enlisted man or as many enlisted men as it may please at any time.

Mr. HULL of Iowa. Would the gentleman advocate such a step?

Mr. ANTHONY. I certainly would, if necessary.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HUSTED. Does this bill provide for the retention of all of these emergency officers who have been commissioned in the Regular Army, but whose appointments have not yet been confirmed?

Mr. ANTHONY. It does take care of all appointments to the commissioned grades which are now pending in the Senate.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. TOWNER. I was much interested in the statement of the gentleman from Kansas [Mr. ANTHONY] that he thought the National Guard would be increased materially if it could receive the sympathetic attitude of the War Department. Will the gentleman be kind enough to inform us whether the matter under existing law is dependent upon the sympathetic attitude of the War Department? I think we would like to know just exactly what the situation is in regard to that.

Mr. ANTHONY. I am sorry to say that that has been the case heretofore. I do not think it is any secret; it is known to anyone who has kept tab on military matters in this country, that ever since the armistice it has been the determined policy of the War Department to try to kill off the National Guard. The National Guard were discharged wholesale when they returned from France with the idea that they would go completely out of existence as individuals and as organizations, and it has only been due to the fact that the returning soldiers who came back from France, who were members of the National Guard organizations which distinguished themselves over there, made up their minds that they would perpetuate their organizations and continue them in the National Guard of the United States, and the War Department has been compelled to permit a certain number of them to qualify as national guardsmen.

The War Department has imposed in my opinion serious handicaps to the reorganization of the guard, handicaps because they are insisting that each State must organize the guard along the same lines as the Regular Army, insisting that each State shall establish technical units of the National Guard which are expensive and difficult to organize, instead of permitting them to organize along natural lines of infantry organization, which is not only the most popular and most effective but costs much less money to maintain.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Will the gentleman yield?

Mr. ANTHONY. I yield first to the gentleman from Illinois.

Mr. McKENZIE. Mr. Chairman, I wish to ask the gentleman from Kansas if it is not only fair to say of the War Department that in discharging the National Guard from the Federal service there was no law in existence at the time whereby the National Guard of the various States could be returned to their former status as national guardsmen, but that defect has since been cured by legislation. Is not that true?

Mr. ANTHONY. I think they could have avoided that step, because, if the gentleman will remember, it was the gentleman from Illinois, himself, who offered an amendment to one of the war bills enacted by this Congress to the effect that the organizations which went into the Federal service during the war from the various States should be maintained in their entirety as such organizations. That amendment and that law were absolutely ignored by the War Department, and they had the idea then in mind of disorganizing the guard by refusing to obey the law. I yield now to the gentleman from Kentucky.

Mr. FIELDS. Has there not been a feeling on the part of the National Guard for many years that they did not have the sympathetic cooperation of the War Department?

Mr. ANTHONY. There is no question about that.

Mr. FIELDS. I submit this observation in order to correct an impression which the gentleman made a while ago that this

has been just since the armistice. Is it not a fact that it dates back many years?

Mr. ANTHONY. As the gentleman will recall, a great many years before the war, when we sat on the Committee on Military Affairs, many officers of the Regular Establishment were wont to come before us and belittle the National Guard——

Mr. FIELDS. And under former administrations——

Mr. ANTHONY (continuing). But the Congress has always stood by the guard, and the guard has vindicated upon the battle fields of France the good opinion we had of them as they have invariably done when called upon to perform service. [Applause.]

Mr. FIELDS. And this has existed under former administrations as well as under the present administration?

Mr. ANTHONY. That is quite true.

Mr. SUMNERS of Texas. Will the gentleman yield for a question?

Mr. ANTHONY. I will yield.

Mr. SUMNERS of Texas. Does the gentleman have in mind any legislative policy that can be established after the 4th of March to change the sympathy of the War Department toward the National Guard?

Mr. ANTHONY. Yes. We have already made such provision. The Committee on Military Affairs last year in its reorganization act provided that the Chief of the Militia Bureau should be a National Guard officer selected by the governors of the States. The War Department has made such appointment of a National Guard officer, but I am very sorry to say they did not listen to the recommendations of the governors of the States.

Mr. CHINDBLOM. Will the gentleman yield for a question on another point?

Mr. ANTHONY. I will.

Mr. CHINDBLOM. Can the gentleman state, approximately, how many emergency officers of the war are retained in the Army now and come within the numbers of those who were confirmed last Saturday by the Senate?

Mr. ANTHONY. About 5,200, as I remember.

Mr. CHINDBLOM. That is the total number of confirmations.

Mr. ANTHONY. That is the total number of emergency officers appointed to the Regular Army.

Mr. CHINDBLOM. If the gentleman will yield further, that is about the total number of confirmations made by the Senate; I figured they averaged about that, but I understood many of those appointments confirmed by the Senate were men already in the Regular Army line.

Mr. ANTHONY. I am not familiar with that.

Mr. FISHER. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. FISHER. I would like to ask the gentleman whether the committee in drafting the bill made an investigation as to what effect the varying policies of the Government as to the number of enlisted men will have on the efficiency of the War Department? For instance, we first passed a bill fixing 280,000 as the number of enlisted men of the Army. Then the appropriation bill appropriated, as it was claimed, for an Army of 175,000, or 10 per cent under 175,000, and it was claimed on the floor of the House that the Secretary violated the instructions of the Congress in enlisting over 175,000. Now we come with 150,000, all within a few months' time, and I would like to know whether or not the committee has investigated that and whether it would not have a serious effect on the efficiency of the Army?

Mr. ANTHONY. I will say that one of the members of the committee which framed this bill has investigated and has reason to believe that the number of men that this Congress appropriates for to compose the Army of the United States during the next fiscal year will be faithfully adhered to and observed by the Government after the 4th of March.

Mr. SUMNERS of Texas. Will the gentleman yield for another question?

Mr. ANTHONY. I will.

Mr. SUMNERS of Texas. I do not know whether the gentleman desires to discuss it at this time or not, but I am interested in the matter of the return home of the soldiers in Germany. If the gentleman does not desire to discuss that now I will take it up later, but I would like to have some information about that.

Mr. ANTHONY. I do not think our committee has official information in regard to when the men who compose the army of occupation on the Rhine will be returned, but the Secretary of War tells us that he has initiated the policy of no longer sending any replacements over there with the idea that ultimately they would return. And the committee has assumed that the army that is now in Germany will be returned at an early date.

Mr. MILLER. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. MILLER. For a question. What was the basis for fixing the number at 150,000 men? Why not 125,000 or 175,000? How did the committee come to arrive at the number of 150,000?

Mr. ANTHONY. The number was fixed after a careful study of the actual requirements of the country. We took into consideration the number of men who would be required to garrison our outlying possessions and the number of men necessary to be maintained in garrisons in this country, including the Coast Artillery for our fortifications, a force on the border, and for the various military posts in this country——

Mr. MILLER. Will the gentleman yield for another short question?

Mr. ANTHONY. And we concluded that 150,000 was about the right number.

Mr. MILLER. Did the gentleman's committee take into consideration the world's condition, or did it fix it entirely upon conditions within the United States?

Mr. ANTHONY. Yes; we took into consideration every condition, I will say to the gentleman.

Mr. MILLER. How did the gentleman arrive at the world's condition, through what sources of information, as to form a basis of the United States Army?

Mr. ANTHONY. We made up our minds that the probability was very small that this country would be called upon to participate in any foreign war, and we figured on the size of an Army that would be most proper for the purposes of the defense of this country and for the maintenance of domestic peace and order.

Mr. MILLER. Minimizing the chances of any increase of the Army because of the world's condition, you probably allowed the Army sufficient to meet the demand within the United States?

Mr. ANTHONY. I think so. And let me go further in answer to the gentleman and say if we should be called upon to participate in any great world's war that to-day this country is better prepared, from a military standpoint, than any other nation on the face of the earth. We have more guns, cannon, artillery of all kinds, and of the most modern kind, built and in storage, than any other nation in the world, and we have more ammunition than those 10,000 or 12,000 big field guns can fire off in about 20 years.

Mr. BLANTON. If the gentleman will permit me, in answer to the gentleman I would like to state that my idea as to the committee fixing this Army at 150,000 men or 160,000 men was to fix at least 10 men to each officer, that they had already provided for, and which personnel they could not change.

Mr. MILLER. I did not seek information from the gentleman from Texas.

Mr. BLANTON. I wanted to get some definite information.

Mr. ANTHONY. I think the gentleman from Texas needs a course of instruction at the hands of the Military Committee. The duties of the commissioned officers in our Army for the next few years will not be entirely confined to officering the different regiments and organizations. We find that it is going to take for the purposes of military training in this country at schools and colleges 1,000 officers. It will take another 1,000 to train the National Guard. It will take another thousand for vocational-training purposes, and hundreds of them will be required in many other activities away from their regiments, to say nothing of the work of educating the officers themselves. The commissioned force of the Army will be very busy during the next few years.

Mr. BLANTON. I knew the gentleman would find something for them to do, because they are already here.

Mr. KAHN. If the gentleman will permit, I wish to say that quite a number of the bureaus in the War Department have nothing but officers. There are no privates in those departments at all—such as the Judge Advocate General and the Inspector General Departments—and perhaps that would make the average of officers to the enlisted personnel much larger.

Mr. HULL of Iowa. On the basis of 150,000 men for your Army, what will the strength of the Infantry be?

Mr. ANTHONY. I do not think the committee has figured out the strength of the different organizations. That is a matter which we would leave to the War Department.

Mr. HULL of Iowa. You do not mean to say that you have come before Congress and have not figured on the strength of the different branches of the Army?

Mr. ANTHONY. I suppose it will be based on the strength of the branches as fixed in the reorganization act. The gentle-

man knows that. Now, if we reduce the Army, I presume it will keep it in the same relative proportion.

Mr. HULL of Iowa. And what is that relative proportion?

Mr. ANTHONY. I will refer the gentleman to his committee's bill, which the gentleman helped to prepare.

Mr. FIELDS. The committee by limiting the appropriation has reduced the enlisted personnel about 47 per cent. What per cent of decrease has it made in the commissioned personnel?

Mr. ANTHONY. It has made no attempt to decrease the commissioned personnel.

Mr. FIELDS. So it will be as great for an Army of 150,000 men as was provided for an Army of 280,000 men? Are we to so understand?

Mr. ANTHONY. No. The War Department has authority to commission seventeen thousand and some hundred of officers, if it is desired.

Mr. FIELDS. That is not impaired?

Mr. ANTHONY. It is not impaired by anything in this bill.

Mr. McKENZIE. Will the gentleman yield?

Mr. ANTHONY. I yield.

Mr. McKENZIE. Is it not a fact, I will ask the gentleman from Kansas, in speaking of the number of commissioned officers of the Army it is very apt to mislead almost anyone not thoroughly familiar with the Military Establishment, for the reason that the preachers and the doctors and the veterinarians and the dentists are all classed as commissioned officers? And when you think of the number as a whole it is confusing in taking into consideration men commissioned to lead the fighting?

Mr. FIELDS. Will it require as many doctors and preachers for 150,000 men as for 280,000?

Mr. McKENZIE. I will say to the gentleman, if the gentleman from Kansas will permit, that the Surgeon General of the Army contends that he ought to have his full quota of 6½ per cent of officers for the entire authorized enlisted strength of the Army, regardless of how many enlisted men there are.

Mr. FIELDS. Will the gentleman yield for another suggestion?

Mr. ANTHONY. I will.

Mr. FIELDS. Is it not a fact that under your Army reorganiaztion bill passed last fall, followed by the legislation that you are now adopting with limitation, you have got an Army that is top-heavy with its commissioned personnel?

Mr. ANTHONY. I think not.

Mr. DUNBAR. Will the gentleman yield?

Mr. ANTHONY. I yield.

Mr. DUNBAR. Can the gentleman tell the House the cost in the present year of maintaining an army of occupation on the Rhine?

Mr. ANTHONY. I can not give the cost for the present year, but it was developed before the committee that the total cost of maintaining the army on the Rhine up to December 4, as I remember it, was $277,000,000, and of that amount the German Government has paid about $34,000,000 on account.

Mr. DUNBAR. Did that include the calendar year or the fiscal year?

Mr. ANTHONY. It was the total amount from the time that our Army moved into Germany down to last month.

Mr. DUNBAR. Another question, please. If the next administration declares the war with Germany to be at an end, those soldiers will be withdrawn and there will be that much money saved?

Mr. ANTHONY. There will.

Mr. GARRETT. Will the gentleman permit? That will depend upon the terms of the resolution in which peace is declared, will it not? This is a rather interesting question. If peace is declared, the provisions of the treaty will still be in effect. I do not know whether the soldiers would be withdrawn or not.

If peace is declared by resolution, I should suppose that the resolution would fix whether or not the troops are going to be withdrawn. The gentleman would not want to commit himself on that?

Mr. ANTHONY. I will say to the gentleman that the committee has gone on the assumption that the army of occupation in Germany will be entirely withdrawn at a very early date.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. QUIN. The cost of $270,000,000 for the army that we have in Germany up to the 1st of January was for how long a period of time? Was it from the time we put them there up to that date?

Mr. ANTHONY. Wait a minute and I will give it to the gentleman.

Mr. QUIN. And therefore I would like to know the number of men we have there now, and what the average has been which has aggregated that enormous sum of $270,000,000.

Mr. ANTHONY. I will say to the gentleman that the first charge was for the month of December, 1918, when the cost was $34,344,000. The German Government paid $6,770,000 that month. Then during the year 1919 the bills were made in three periods—one of $113,000,000, one of $16,000,000, and one of $25,000,000. The German Government made two payments on that, one of $8,000,000 and one of $14,000,000. In 1920 there were two charges, one of $7,000,000 on March 31 and one of $7,000,000 on June 30. The German Government made two payments, one of $1,300,000 and one of $1,000,000, making the total charges of $257,000,000 and total payments $32,000,000, leaving a balance in favor of the United States on June 30 of $225,000,000. Of course, that has increased very considerably since.

Mr. QUIN. At the close of the session of Congress last year I read a letter from the Secretary of War to the chairman of the Committee on Military Affairs, which did not get into the RECORD, which showed that it cost $25,000 a year for each one of those soldiers that we have over there. I want to know whether that is correct, and whether it is still costing that much, and why such an enormous charge as that should be charged for the maintenance of those soldiers?

Mr. ANTHONY. Under the terms of the armistice the German Government is supposed to pay the expense of the American army of occupation.

Mr. QUIN. Admitting that to be true, how can this Government charge such outrageous sums for the maintenance of a soldier in Germany as compared with the cost of maintaining him in the United States?

Mr. ANTHONY. We have not the exact figures, but I will say that all of the cost of the maintenance of the army of occupation in Germany is included in the appropriation bills that Congress has passed from year to year for the support of the Regular Army, and there were items included in the estimates for this bill for that purpose, but we eliminated them entirely from the estimates when we framed this bill.

Mr. DUNBAR. Mr. Chairman, will the gentleman permit me to make a suggestion to the gentleman from Mississippi?

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes; I will yield first to the gentleman from New York.

Mr. SNYDER. Mr. Chairman, before we get entirely away from the 150,000 Army, I would like to ask this question: I think most people visualize an army from the number of men who carry guns. How many of the 150,000 men would be actually field men, carrying guns?

Mr. ANTHONY. There are a very large number in the different special corps of the Army. I will try to give the gentleman the figures here. I will try to hunt that up later, but I would say that there would be 40,000, anyway, in the different special corps.

Mr. SNYDER. Then there would be 40,000 out of the 150,000 that would be actually mobile troops?

Mr. ANTHONY. No. There would be about 110,000 or 120,000.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes; I yield.

Mr. KAHN. The testimony before the Committee on Military Affairs covering a period of years was that of the enlisted personnel of every 10 men 6 were in the combat service and 4 in the auxiliary.

Mr. ANTHONY. Yes. I am obliged to the gentleman.

Mr. HULL of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HULL of Iowa. Is it not true that if you put your Army at 150,000, you will not have quite 60,000 in the Infantry?

Mr. ANTHONY. I will tell the gentleman that I know nothing in regard to the details upon which any sized Army would be made up during the next fiscal year.

Mr. HULL of Iowa. I think the answer to the question is that you would have less than 60,000 actual Infantry carrying arms.

Mr. SNYDER. That is exactly what I wanted to bring out.

Mr. SISSON. Oh, Mr. Chairman, that is not exactly a fair statement.

Mr. ANTHONY. You have Field Artillery, and you have Coast Artillery, Cavalry, Engineers, Signal Corps, tank, chemical, and other fighting units, which would run the number of fighting men up to 110,000 or 115,000 men out of the total of 150,000.

Mr. HULL of Iowa. I would like to ask another question. I am somewhat mystified myself in trying to get at the exact

figures that the War Department is putting out. Since the gentleman has informed me I am still more mystified. The gentleman spoke of having 175,000 in the Army on the 1st of July. I have before me in the hearings on the deficiency bill, page 232, the testimony of Gen. Lord, estimating the strength of the Army and putting it at the 1st of August at 200,411. I do not understand these different sets of figures. I had one the other day which was corrected in a very short time by the War Department, so that I think most of them are guessing.

Mr. ANTHONY. I advise the gentleman not to base any of his theories upon figures that come from the War Department. [Laughter.]

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. FISHER. I was very much interested in the gentleman's statement as to the policy of the incoming administration concerning the disposition of the army of occupation. Can the gentleman give us any information as to when they will be brought home?

Mr. ANTHONY. We have no knowledge as to when.

Mr. FISHER. And I will ask the gentleman under what conditions they will be brought home? Will they be summarily brought home?

Mr. ANTHONY. I can not answer that.

Mr. FISHER. Can we anticipate a further reduction in the number of enlisted men in the Army when the army of occupation is brought home?

Mr. ANTHONY. I think so. After March 4 you can rest assured all these things will happen.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. JUUL. I would like to ask the gentleman if the soldiers now in Germany may be looked upon as voluntarily there?

Mr. ANTHONY. I think most of them have enlisted for foreign service. In fact, I understand that the service in Germany is very popular, because the American dollar is worth a vastly larger sum when computed in German marks.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. ANTHONY. I yield.

Mr. MADDEN. While we were considering the Army reorganization bill last summer I asked the gentleman from California [Mr. KAHN] how many men we had in Germany and how much it cost per day to maintain that army abroad. In response to the question I asked him to read a letter from the Secretary of War indicating that the cost since the armistice was signed would average $1,220,000 a day. That being carried to its logical conclusion would result in about $1,000,000,000 of expense since the armistice was signed, for the army over there, as against the figures now given by the War Department to the subcommittee having charge of this bill.

Mr. DUNBAR. Will the gentleman yield?

Mr. MADDEN. No; let me finish my question. Now, I should like to know whether or not the information in possession of the gentleman's subcommittee covers the questions that were involved in the colloquy that took place between the gentleman from California [Mr. KAHN] and myself at that time.

Mr. CRAMTON. Will my colleague yield?

Mr. KAHN. Will the gentleman yield?

Mr. ANTHONY. First I will yield to the gentleman from Michigan and then to the gentleman from California.

Mr. CRAMTON. Let me call attention to these figures that were before the committee, that in the month of December, 1918, the cost was $34,000,000, which would be a little over a million dollars a day; whereas in the three months from April to June of this year it was $7,000,000, a much smaller figure per day, due probably to the reduction of the force.

Mr. ANTHONY. Now I yield to the gentleman from California.

Mr. KAHN. The gentleman will recall that immediately after that first letter of the Secretary of War was read to the House he followed it with another letter saying that it was that amount while the great number of soldiers were in the occupied territory, and I think he referred to the fact that we had as many as 250,000 soldiers in the occupied territory then, but that the cost had fallen as the men were brought home, and I think he gave the exact cost that was being paid by Germany at that time.

Mr. MADDEN. So that as a matter of fact the figures that are now reported by the department to the Appropriations Committee do not tell the exact story, and it amounts to a good deal more money than what it seems to amount to on its face.

Mr. ANTHONY. I might say for the gentleman's information that we were assured by the War Department at the beginning of our hearings on this bill that the amount of the expense of the maintenance of our Army in Germany had been paid in full, and it was only after further questions that we found that such was not the case.

Mr. MADDEN. I think if the matter were more thoroughly investigated it would be found that we have gone to an expense of $1,000,000,000 to maintain the American Army in occupied German territory since the armistice was signed.

Mr. CRAMTON. If my colleague will yield in that connection, as illustrating the force of the chairman's statement a moment ago as to the reliability of the information derived from the War Department, in the beginning of the hearings, when Gen. March, Chief of Staff, was before the subcommittee and asked about the payment for maintenance of the army of occupation in Germany, he used this language in response to a question:

> I went into it with Gen. Allen, and he said he had on hand enough marks daily to pay the current expenses of the American troops there. Of course, the transportation problem is still on us. Germany will perhaps pay for it in the long run, but the running expenses day by day have been paid for some time and the marks have always been forthcoming.
>
> Mr. ANTHONY. Have the marks been figured at their present market value?
>
> Gen. MARCH. I do not know about that. But there is no trouble about payment; the American troops are paid right along.
>
> Mr. CRAMTON. You mean that at Coblenz the local bills are rendered in marks and paid in marks?
>
> Gen. MARCH. Exactly so.

Then, later in the hearing, the fact developed that only one-seventh at the most had been paid.

Mr. KAHN. The American soldiers have been paid, as I understand it, but this country has paid them, and Germany has not paid them, although Germany agreed to pay them at the time of the signing of the armistice.

Mr. ANTHONY. Yes.

Mr. MOORE of Virginia. May I ask the gentleman a question?

Mr. ANTHONY. I yield to the gentleman from Virginia.

Mr. MOORE of Virginia. I see from the hearings that we have about 16,000 soldiers in Germany now. Can the gentleman state how definite our obligation is to maintain an army there? I notice the Secretary says he expects to reduce the force to about 8,000 by December, so it would seem that we are under no exact contract and have incurred no very well-defined obligation. If that is true, why should not Congress enact legislation that will dispose of that situation by providing for a return of the troops, if it will be in violation of no agreement? [Applause.]

Mr. ANTHONY. I will say to the gentleman that the committee does not know definitely just how many troops we agreed to maintain in Germany, but we did get the impression that more troops had been sent to Germany than our original agreement provided for.

Mr. MOORE of Virginia. Does not the gentleman think that somebody ought to ascertain what the facts are in order that we may enact such legislation as may be proper and desirable?

Mr. ANTHONY. There will be no necessity for enacting it, because the troops will probably be back by the time Congress could act.

Mr. MOORE of Virginia. We have waited for a statement from the department and have done nothing when we might have acted if action was admissible.

Mr. MADDEN. The President vetoed the resolution that was passed that would have enabled these troops to be brought back.

Mr. MOORE of Virginia. By no means, if the provisions of the armistice fix our obligation, and not the treaty.

Mr. MACGREGOR. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from New York.

Mr. MACGREGOR. I have been endeavoring to ascertain the number of civilian employees in the Army. Has the chairman determined that question?

Mr. ANTHONY. That has been a mooted question. The statement has been made frequently that with the Army as now constituted for every two enlisted men there is a civilian employee. The gentleman from Michigan [Mr. CRAMTON], a member of the committee, went into that question very thoroughly and developed that there are now in the Army 102,000 civilian employees.

Mr. CRAMTON. As illustrating a further fact, the statement of the chairman is correct from information we received two days ago, but to-day it has been reduced about 10,000.

Mr. HARDY of Colorado. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. HARDY of Colorado. Will the gentleman tell us something about the policy which this bill provides for training in colleges?

Mr. ANTHONY. This bill provides for the continuation of training in schools and colleges and appropriates $3,000,000 for

that purpose. There are now 100,000 young men receiving military training in schools and colleges under what are called the Reserve Officers Training Corps provisions of the bill. We propose to give them enough money so that they can keep up this activity to the fullest extent.

Mr. KNUTSON. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. KNUTSON. The question was brought up about occupation—there are two brigades in Germany at the present time, are there not?

Mr. ANTHONY. There is supposed to be a division, possibly made up of three brigades.

Mr. KNUTSON. There is a second brigade, known as the Silesian brigade, supposed to police that country while the plebiscite was held, but it has never been called into action. Why has not this Silesian brigade been called home?

Mr. ANTHONY. The troops for Silesia were dispatched from this country. When they reached the other side there was some objection to their going into Silesia.

Mr. KNUTSON. Why were they not brought back to this country?

Mr. ANTHONY. They were not brought back under the policy of the War Department.

Mr. KNUTSON. The Silesian brigade is in excess of the number that we agreed to maintain in Germany under the armistice.

Mr. ANTHONY. That probably is true.

Mr. WILLIAMS. Will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman.

Mr. WILLIAMS. I want to get a little light on this matter in regard to how this bill was constructed. It was framed by a subcommittee of five members, of which the gentleman was chairman. Was it afterwards submitted to the full committee?

Mr. ANTHONY. It was submitted to the full committee and debated and discussed considerably.

Mr. WILLIAMS. Does the gentleman care to state whether any changes were made?

Mr. ANTHONY. There were several changes made in the bill, minor changes.

Mr. WILLIAMS. How long was the bill discussed by the full committee?

Mr. ANTHONY. About two hours, and it was considered about two months in the subcommittee.

Mr. WILLIAMS. I understand that, but what I wanted to find out was how much the whole committee considered it.

Mr. ANTHONY. The subcommittee felt highly complimented when it was found that except for three amendments made in the bill its work was approved by the whole committee.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. HULL of Iowa. Do I understand that this committee is willing to defend the policy of discharging a man who has a written contract with the Government to serve for three years? I understood him to say that they were going to discharge some.

Mr. ANTHONY. I will say that if it is necessary to make public expenditures come down within the limits of the receipts of the Treasury, such a step is fully justified.

Mr. HULL of Iowa. Does not the gentleman think that it would have been a better plan for the committee to have first stopped the enlistments and stopped paying $90 for a man that you are now going to discharge?

Mr. ANTHONY. Undoubtedly this House should have taken action in December and put a stop to further enlistments. I want to give due credit to the gentleman from Iowa, as I understand he introduced a bill calling for such action, and I am sorry he did not get action on it sooner.

Mr. HULL of Iowa. I would like to inquire why the gentleman's committee did not act. He will remember that about the 1st of December I called his attention to the fact that this ought to be done, and he said that his committee was going to attend to it.

Mr. ANTHONY. I consulted with the chairman of the Committee on Military Affairs, and we found that, it being a legislative matter, it very properly belonged to the gentleman's committee. [Laughter.]

Mr. HULL of Iowa. You may have talked with the chairman of the committee, but you told me it could be quickly accomplished by putting it on a deficiency bill.

The CHAIRMAN. The gentleman from Iowa will observe the rules of the House.

Mr. ANTHONY. The gentleman from Iowa seems to question the right and authority of the War Department to discharge a man before his term of enlistment expires. That seems to be running through his questions. I will ask him if he ever read the articles of enlistment. If he has he will find that the language says the man is enlisted for a specific term of years unless sooner discharged by the Secretary of War. So there is no contract that binds us to keep a man for a term of three years.

Mr. HULL of Iowa. I understand that, but we have never done that.

Mr. DOWELL. Will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman.

Mr. DOWELL. The gentleman has intimated that 14,000 officers are more than is necessary for 150,000 men.

Mr. ANTHONY. For the purpose of line officers.

Mr. DOWELL. What will the officers do who are not needed as officers of the Army?

Mr. ANTHONY. I will say that nearly every one of them will be put to some useful work. A large proportion of them will be occupied for the next few years in the development of their own military education.

Mr. DOWELL. How many officers are there in the service at the present time?

Mr. ANTHONY. Thirteen thousand one hundred.

Mr. DOWELL. Are they all in the city of Washington? [Laughter.]

Mr. ANTHONY. Oh, no; I think there are about 1,000 here.

Mr. DOWELL. The reason I make the inquiry is because they are disposing of millions of dollars' worth of property in some of the camps, and in one I know of the highest officer there is a lieutenant, and I assume that the most of them are here in Washington and that they have no one of special rank to attend to this special service.

Mr. ANTHONY. If the gentleman will read some of the paragraphs of this bill before the House, he will see that this committee intends to put many of these officers to work.

Mr. DOWELL. If that is possible, I hope the gentleman will succeed.

Mr. KNUTSON. What kind of work?

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BLANTON. Answering the problem raised by the gentleman from Iowa [Mr. HULL], I want to say that if the War Department now would discharge all of the men in the Army who want to be discharged they could reduce the personnel down to at least 75,000 men.

Mr. ANTHONY. The gentleman is quite right about that.

Mr. BLANTON. The point is that the Secretary is holding them when he has no right to do it.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. I yield, although I want to conclude my remarks in about five minutes.

Mr. MACGREGOR. On this proposition of motor vehicles does not the committee think they could have gone to a greater extent in stopping the Army from rolling around on wheels? Practically $5,000,000 are provided for gasoline in this bill.

Mr. ANTHONY. Is the gentleman referring to the appropriation for gasoline?

Mr. MACGREGOR. Yes; about $5,000,000.

Mr. ANTHONY. About $3,000,000 of that is provided for the Air Service. The Air Service used about three and a half million dollars' worth of gasoline in the past year.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. KNUTSON. Did not the Congress pass a resolution prohibiting officers from joy riding around in these cars?

Mr. ANTHONY. Yes; and I think that has been largely done away with.

Mr. KNUTSON. I passed seven or eight of them in Rock Creek Park on Sunday.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CHINDBLOM. Is it not a fact that this provision for 14,000 officers is also made because in the event of an emergency the officers are the desirable contingents in the Army?

Mr. ANTHONY. Yes; because these officers are already trained. They have actual war experience, and it has been demonstrated during the late war that we can raise an effective enlisted force within a very few months' time.

Mr. BROOKS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BROOKS of Illinois. How many men are to be in the Air Service?

Mr. ANTHONY. The number has not been arbitrarily fixed. There are now 9,000 enlisted men in the Air Service. That number will have to be reduced, if we reduce the total of enlisted men.

Mr. BROOKS of Illinois. How many civilians will there be in the Air Service?

Mr. ANTHONY. We do not know. There are now 8,000 civilians, but we have materially reduced the appropriation for civilian employees, and they will be cut about 40 per cent.

Mr. BROOKS of Illinois. That will make about 17,000. How many men will actually fly?

Mr. ANTHONY. The law provides that 90 per cent of the commissioned strength must fly.

Mr. BROOKS of Illinois. About how many men will that be?

Mr. ANTHONY. There are about 1,000 officers now.

Mr. BROOKS of Illinois. That is about 17 helpers to 1 flyer?

Mr. ANTHONY. Not quite in that proportion, but I would say to the gentleman that we did find that the Air Service was encumbered with a tremendous number of civilian employees, and in framing our appropriations we did so with the idea that we were going to try to compel the Air Service to fly itself instead of depending upon civilians to get them in the air.

Mr. SNYDER. I would like to know what occupation these civilians follow in the Air Service?

Mr. ANTHONY. In the Air Service they are nearly all mechanics. There are a good many laborers, but 2,000 of those civilians are employed at the engineering development plant at Dayton, Ohio, where experiments in aircraft are carried on.

Mr. DOWELL. How many civilian employees have been disposed of in this bill?

Mr. ANTHONY. I would say that if Congress enacts this bill into law the War Department will be compelled to perform a surgical operation on itself and get rid of about 40 per cent of its civilian employees.

Mr. DOWELL. Does that mean that the appropriation is such that it will be impossible for the department to employ these civilians?

Mr. ANTHONY. It will have to cut down its force to come within the money appropriated.

Mr. DOWELL. Or will they employ them and then come in with a deficiency?

Mr. ANTHONY. I will be frank with the gentleman. The committee has not appropriated enough money in this bill for the carrying on of an organization of the present size that the War Department now is, but if these appropriations are enacted into law the War Department will have to cut down the size of every one of the separate bureaus and organizations that compose its activities to bring it within the limitations imposed in this bill. If the gentleman will read the bill, he will find that we have made some changes in the language of the bill, because we have hedged in nearly every paragraph where there used to be lump-sum appropriations with limitations providing that not to exceed certain sums shall be expended for this or that activity. If you enact this bill into law, protected with the language that is carried in the bill, the War Department can not exceed that sum of money, and they must cut down their force to comply with it.

Mr. DOWELL. Then it will be impossible for them to employ these men?

Mr. ANTHONY. It will be, to continue to carry all its present force.

Mr. DOWELL. And then come in with a deficiency?

Mr. ANTHONY. The War Department can only come in for a deficiency for pay of the Army and for subsistence. We must feed and clothe and pay the Army. If they should enlist 280,000 men, Congress would have to provide for that, but in these other activities all through the bill they are limited to the exact sums appropriated.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. I yield to my colleague from Kentucky.

Mr. FIELDS. I believe the Secretary of War has already directed that the civilian personnel be reduced by at least 40 per cent, has he not?

Mr. ANTHONY. Yes. I might tell the gentleman a very interesting story there, but I want my colleague, Mr. CRAMTON, to do that.

Mr. FIELDS. I saw a notice of it in the newspaper.

Mr. ANTHONY. It is very evident that the War Department has profited by the hearings held by this subcommittee, because nearly all of the points brought out along the lines of economy in the War Department have in the last day or two been put into effect under orders by the Secretary of War.

Mr. BLANTON. Now, will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman.

Mr. BLANTON. The gentleman is providing $5,000,000 for gas in the bill, $3,000,000 of which——

Mr. ANTHONY. Three million dollars.

Mr. BLANTON. Three million dollars for the Air Service. I want to ask the gentleman——

Mr. ANTHONY. There is not $5,000,000 for gasoline in the bill.

Mr. BLANTON. Approximately that.

Mr. ANTHONY. No.

Mr. BLANTON. There is $3,000,000 for the Air Service.

Mr. ANTHONY. Possibly $3,500,000 altogether.

Mr. BLANTON. Well, in Texas last week gasoline was selling at 28 cents, and gasoline made a drop of 3 cents in one day, coming down to 25 cents for gasoline. We are paying 30 cents in Washington at this time without any drop. Has the gentleman made any provision with regard to buying its Government gasoline at places where they are able to sell it at 5 cents a gallon cheaper than they do in the Nation's Capital?

Mr. ANTHONY. It is estimated that gasoline will be considerably cheaper in the next fiscal year.

Mr. BANKHEAD. Will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman from Alabama.

Mr. BANKHEAD. The appropriation in the current bill for the present fiscal year for vocational education in the Army is about $3,500,000. I notice that the item in this bill carries $1,000,000, only a little more than one-fourth of the amount carried in the existing law, and also there are some rather stringent provisos in here as to the use of that money. Is it the policy of the committee in so greatly reducing that to undertake to destroy, in effect, the system of vocational training in the Army?

Mr. ANTHONY. I will say to the gentleman we did not intend to destroy real vocational training, but we do intend to cut out, if we possibly can, this idea of a large Army university. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. Mr. Chairman and gentlemen of the committee, before I shall address myself to the matters in which I am interested in this Army bill I want to take this opportunity to express to the House the appreciation of the subcommittee and the appreciation of the full Committee on Appropriations for the magnificent services rendered to the committee, to this House, and to the country by the distinguished chairman who has just spoken to you. [Applause.] This gentleman has given a great deal of very patient attention and hard work to the preparation of this bill. Prior to my going on the committee with him my acquaintance had been a pleasant one, but I have learned to have the very highest regard for his ability, his honesty, and his integrity, and that is the most essential element of a good Congressman in this House. I do not believe that anyone would imagine that this comes from me, a partisan Democrat, in speaking of a partisan Republican, unless I meant every word that I say. He is a man full of the highest aims and purposes and has rendered the country great service in his work and influence on this bill.

Now, something was said a moment ago in reference to the plan adopted by this committee in cutting down the Army bill to 150,000, when the number fixed by legislation of this House a few days ago was 175,000 men. As a matter of fact that legislation was not fixed and did not fix and ought not to fix the size of the Army. I think a majority of the membership of this House were opposed to that measure. Every fair legislator knows that a matter of that much importance ought not to have been brought up under a suspension of the rules, because under the rule you could not vote for a less Army, you could not amend it, and if you voted against the resolution you put yourself in the attitude of voting for the present Army of 282,000 men. Therefore, those of us who believe in a less Army than 175,000 were taken by the throat and compelled to vote for the resolution or be placed in the attitude of voting for a larger Army than 175,000. I do not think that the chairman of the Committee on Military Affairs [Mr. KAHN] ought to have brought a matter of that much importance up under suspension of rules, where the debate is limited to 20 minutes on the side, and let the country believe that this House has fixed the Army at 175,000 men when he knows that there is a majority of the Members on this side of the House who would have been glad to have voted for 150,000 or even less. That was the most unfair and most unprecedented method of legislating since I have been a Member of the House. That was for the purpose of throttling the will of the House, and no one knew it better than the gentleman from California. I think it comes with poor grace for any man to now say that that legislation committed the Committee on Appropriations to appropriate money for 175,000 men.

I want to ask some gentleman who does not believe that we have appropriated for a sufficient army what enemy are we

afraid of to-day? Germany lies bankrupt; France is practically bankrupt; England is weighted down with debt; Europe is in no condition to fight a war. In other words, as was stated to you by the chairman of the committee a moment ago, the United States Government is in better condition to fight a war now than it ever was in the history of the country. She has over 4,000,000 well-trained young men who have just come out of the Army. She has material which is estimated by one man to be worth four or five billion dollars besides that which they are actually using. I do not know whether that statement is true or not, but we do know that there is a vast store of material which they have declined to declare a surplus. At any rate, with all of this material, with all of the guns, with all of the small arms, all of the rifles, all of the ammunition, with the magnificently trained officers we have, we are in better shape to fight a war to-day than any nation on the face of the earth. We may thank God that this war only lasted after we got into it for a little over a year, because another year would have made a terrible toll upon the young men of the country and a terrible drain upon the Treasury, because we all know that the war ended just 12 months earlier than we expected. In fact, the peak of resistance was expected to come just about a year from the date the armistice was signed. So I am at a loss to understand how a man could want a larger army than 150,000 men. The truth of the business is that so far as I am individually concerned, unless you can get something for these soldiers to do, I feel that 150,000 are too many. Our own people are now staggering under a load of taxation. When this war broke out the Army was only costing $100,000,000 a year. The war is over more than a year, and this bill reported by this committee carries the stupendous sum of $328,000,000, or an increase of over 328 per cent more than when the war with Germany began. Does not this satisfy, gentlemen? What consideration have gentlemen for the overburdened people that they represent? If I could have my way, there would be a more radical reduction of expenses all along the line. The Army produces nothing and the evil is not limited to the number of soldiers taken from the producing class. This is enough, but there is more than this.

That great evil is the enormous number of civilian employees that they have around these camps and cantonments. We were first given to understand it was 106,000 of those people, but a revision in the estimates shows something like 98,000 and odd. But, at any rate, if their last estimate is the true estimate, you will have more men waiting on the Army and the Navy than there will be of fighting men in the 150,000—that is, actual fighting men. If you take those men around the various offices, camps, and training fields that do the work, you will wonder why thousands of useful things might not be done by the soldiers and save millions on top of millions of dollars. These officers and soldiers have too many civilians waiting on them. I believe the Army can be made useful to themselves and made independent, red-blooded men by permitting them to do things for themselves. I do not believe men are improved as soldiers or as men by lying around the camps without having something to do besides drilling and acting soldiers.

They endeavor to make the Army life attractive by moving pictures and all sorts of recreation. I do not know how it is with other people, but I tell you that about the best recreation a man can have is to perform some good, honest toil. It will bring more contentment and satisfaction than drilling a few hours a day and having the recreation furnished at such an expense. I am going to make every Army man angry when he sees this statement, but I would like to hold up to them as a model the United States Marine Corps. The Marine Corps down here at Quantico are not waiting for Congress to appropriate money to improve their homes. They are taking that old camp, those old tumble-down buildings, unsightly affairs, and are taking off their uniforms and are pulling the buildings up on the hills, onto good lots, and are painting them and putting new foundations under them and making attractive homes of them. In the corps there are brick masons, carpenters, paper hangers, and so forth. Those boys are beautifying Quantico. If the Marine Corps stays there a little while they will have beautiful homes. They do this for a very small sum of money. Not over eight or nine hundred dollars. If you were to see those buildings when they get through with them you would think that they cost $8,000 to $10,000. But the Marine Corps is willing to go and "take hold of the smutty end of the chunk" themselves. And you ask why the Marine Corps is a favorite among so many Congressmen and so many people of the United States. The answer is that it is because of the spirit displayed by it.

Down at Panama, when the Appropriation Committee was making its annual visits for the purpose of ascertaining the amount of money to be appropriated for the canal, Gen. Goethals, who is himself of the Army, told us that he had been guilty of misappropriating some funds. He declined to make any explanation until he showed a beautiful place, with fountains playing, with walks laid out, and the barracks all fixed up, and everything clean. Here was the explanation. He said that a committee of marines had come to him and asked him for a little lumber, paint, and cement in order to fix up the barracks, and he gave it to them. He said that he had no authority to do it, but did it. It cost only a few dollars. The result was one of the most beautiful places you ever saw.

Then he took us down to another place, where there were squalid old buildings. The walks were overgrown with vegetation. It was a horrible looking affair. "Now," he said, "I offered to do the same thing for the Army, but when they found out how it was to be done, their expression was, 'To hell with that, if the Government can not fix it up.'" The committee without a dissenting vote indorsed what he had done.

Going back to the Army, I do not believe we are justified in keeping so many civilian employees in performing service that these soldiers could perform, and would be better soldiers by performing. [Applause.] Your subcommittee agrees with that. Mr. Chairman, this Army reorganization bill is the most marvelous piece of legislation ever put together. There was never anything on earth like it. It is so constructed that when you appropriate money it all becomes one appropriation, and is so considered by the Army. It is difficult to put limitations upon it so as to control the items of appropriation, although we have made an effort to do it by limitations on this bill. You may appropriate money for one purpose, and they will take and use it for another.

You might just as well not try to limit the amount of money you are going to appropriate for the Army under this bill, because they will take the money and transfer it from the pay of the Army and for food and clothing of the Army, in which items they are permitted to create a deficiency by law, and use that money for those purposes for which they desire to use it, and then come back to Congress and ask you to give them millions of dollars of deficiencies in the pay of the Army and for food and clothing for the Army. Now, the only thing you have done heretofore, when you make this appropriation, as you have done, is just to write the figures at so many dollars for the Army, for they can convert it into a lump sum. That ought not to be. Congress ought to have control not only of the amount, but we ought to have absolute control of the items for which this money should be expended.

Mr. SUMNERS of Texas. The gentleman suggests that Congress should do it. How would you do it?

Mr. SISSON. It is easy. You have got to rewrite your Army bill or allow your Committee on Appropriations to do some legislating. Of course, you are not going to do the latter.

Mr. BLANTON. The committee could have arranged it themselves by placing proper limitations on the appropriation of this money.

Mr. SISSON. Of course, we do not have such distinguished parliamentarians as my friend from Texas on our committee. If we had men like my friend from Texas, we could do all these things, but unfortunately we have no one on the committee, except such men as "JIM" GOOD, the chairman of the Appropriations Committee, and Mr. ANTHONY, the chairman of this subcommittee, and a few men of that caliber, and no one can tell how this thing can be done without legislating in violation of the rules of the House.

Mr. FISHER. The gentleman has had wide experience in drafting different appropriation bills for the different departments of the Government. Do we understand that it is only the Army that causes deficiencies or the transfer of items for different purposes?

Mr. SISSON. I do not know. I have not helped to make up the naval bill.

Mr. FISHER. Is it true of all the departments of the Government and not one peculiar to the Army?

Mr. SISSON. It is peculiar certainly to the Army. The Army bill is fearfully and wonderfully made. During the war it was absolutely necessary to have large lump sums, virtually given to the President of the United States as Commander in Chief of the Army, and you are going to do that always when you have war; but in time of peace this bill ought to be sufficiently itemized so that a Congressman when voting can know exactly what he is voting for; else you can not control the appropriations.

Mr. HUSTED. If you cut down the Army from 175,000 to 150,000 men is not there some danger, and is not the opinion of the men who fought our battles for us that you would skele-

tonize the Army down to a point where it would cease to be an effective fighting unit as a whole? In other words, if you had a balanced Army, you would not have enough men in the various services which would be necessary to the Army as a whole?

Mr. SISSON. I must decline to yield further, because I have not the time at my disposal. Further, if my distinguished friend will follow off after experts, he will soon be out in a wilderness and will wander and wander. There is one thing that I am always afraid of, and that is the expert on Army matters, because the expert comes to you and tells you about a skeleton Army, which, of course, means nothing. You may have a big skeleton or you may have a little skeleton. Who is going to determine the size of the skeleton? Is it the man at the head of the Army or the General Staff or the people's Representatives who constitute the legislative department, whose duty it is to assume that responsibility? I am not willing that an Army officer shall determine for me the size of the Army that I think we ought to have. I will listen to him, and I will always say to my friend the Army officer, "I am glad you love a big Army, because you love the service you are in, and if you do not believe in a big Army, you ought not to be in it." But I insist that this Government ought not to be made simply an institution for the support of soldiers. I want it to have something else left for the support of other lines of endeavor. In the past the revenues of this Government have been largely absorbed by the Army and Navy.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. FISHER. I want to ask another question in regard to the diverting of the funds. The gentleman stated that the Army did not hesitate to divert funds from the purpose for which the Committee on Appropriations had written them in the bill to some other purpose. I would like to ask the gentleman whether or not the Comptroller of the Treasury has not something to say about that?

Mr. SISSON. He has a great deal to say about that.

But the Comptroller of the Treasury has got to be controlled by what we write in the bill. You write it in the law and they will show the comptroller that Congress says "we may spend this money." That is what I am criticizing. I did say the Army officer did not hesitate to divert funds in violation of law. I am not criticizing the Army at all. Congress made that law, and that law permits it. The trouble is not with the Army officer but is with Congress, who permits it to be done with so much ease. [Laughter.] I want him to understand, however, that he is not putting it over me. I want him to understand that I at least know what is going on, and I protest against it. It may be that other men may want the Army officer to spend the money as he sees fit and proper, but I want to have something to say as to how I spend my own money, and I think as public officials we should be more particular in spending public funds which are put into our hands than in spending our own money.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. JONES of Texas. I would like to know what functions are performed by the General Staff that could not be just as well performed by others in the Army?

Mr. SISSON. I am glad the gentleman asked that question. I am a somewhat prejudiced witness. My observation while on the Committee on Appropriations during the war was that the General Staff served the very magnificent purpose of being the principal "buck passer" of all the Army. [Laughter.] Now, if you try to find out what is done anywhere in the Army you trace it around from the Secretary of War to the General Staff, and when you trace it into the General Staff, there you have lost it. [Laughter.] I have never been able to get any concrete information out of the General Staff at all.

When you ask them about something they will say, "That is under Gen. So-and-so's department." You go to Gen. So-and-so's department, and he will tell you, "I am acting under the General Staff." I do not see that General Staff. It is the hardest thing on earth to locate. If anyone can find that General Staff, I will give him a nice little chromo. [Laughter.]

Mr. MADDEN. Mr. Chairman, will the gentleman yield right there?

Mr. SISSON. Certainly.

Mr. MADDEN. I had occasion to call up an officer the other day for certain information, and he said that matter was under Col. So-and-so. I hunted up that Col. So-and-so, and he said it was under the jurisdiction of another colonel. I hunted up that other colonel, and he said it was under the jurisdiction of still another colonel, and altogether I called up six colonels, and the last colonel said it was under Col. So-and-so, and——

Mr. SISSON. And then you got discouraged and got on a street car and gave up the chase? [Laughter.]

Mr. MADDEN. No. Finally the last colonel told me that that matter was under the control of the first colonel whom I had seen, and I called him up again, and he said, "I made a mistake when I first told you it was under Col. So-and-so. I find it is under me." [Laughter.]

Mr. SISSON. Yes. I believe that the Army officers are as honorable men as you and I ever knew. I believe that so far as peculation or dishonesty is concerned, it is the farthest thing from their souls. The training they go through at West Point and their training as Army officers cause them to despise peculation in the Army. But I never saw a bunch of men who were more careless and reckless about the expenditure of money which they think is for a proper purpose than are the Army officers.

Mr. MADDEN. That is because they do not know what money is.

Mr. SISSON. It may be that that is because they are educated at the expense of the Government. As Gen. Goethals once told me in conversation, the civil engineer in private employment has to look after economical methods in order to get contracts, but the Army engineer does not have to look after funds but simply after results, and the consequence is that they never have been trained along economical lines.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. GREENE of Vermont. The gentleman was kind enough to speak of the existing fact that under the forms of the Army appropriation bill Army items can be juggled from one purpose to another, so that the purpose of Congress is often defeated. I wish to say that it was the expectation of the Committee on Military Affairs when it was still an appropriating committee to follow the Army reorganization act with a new draft of the Army appropriation bill, which would accomplish the very things that the gentleman regrets can not be accomplished by a bill reported from the general Appropriations Committee.

Mr. SISSON. You would have to change your Army reorganization bill to do it. But I can not enter into that discussion now.

Mr. GREENE of Vermont. I only wanted to make it clear that——

Mr. SISSON. I will remind the gentleman that my time is limited.

Mr. GREENE of Vermont. At that time we had appropriating power, and now we have legislative power, which the gentleman's committee does not have. Now, you have taken away our appropriating power and lost your power to legislate.

Mr. SISSON. This Congress did it. Men are talking about that matter and criticizing people. Both the Republican and Democratic platforms demanded something like this. But, more than that, a man ought not to get angry solely because it may affect, as he thinks, his standing in the House. Members here ought to be willing to serve the country generally. A man now, if he thinks he loses a little prestige or influence on the floor of the House, becomes angry because the House saw fit to place all appropriations in one committee. But all this evil grew up under the old system. We have done all that you could have done on an appropriation bill. Your committee can legislate now as it could when you made the appropriations. You could not legislate on this bill when you had it. This change was made by the House for the good of the country and not to give a man or a committee prominence in this House.

I do not care personally what you do with it. It is immaterial to me whether you leave the appropriating power here or whether you take it back to your own committee. But while I am on that subject I want to tell you about an unholy alliance that caused it all to be taken away. When the Committee on Appropriations was created in 1866 it had all the appropriations, but when Mr. John G. Carlisle, of Kentucky, was elected Speaker, Sam Randall, of Pennsylvania, was chairman of the Appropriations Committee, and there was a faction in the Democratic Party. Mr. Carlisle and Mr. William R. Morrison, of Illinois, chairman of the Ways and Means Commitee, and Mr. Thomas B. Reed, then a distinguished Member of the House from Maine, and the Republicans joined hands with that faction, and voted with Mr. Carlisle and Mr. Morrison and their crowd to curb Sam Randall's power, and to take the power away from the Committee on Appropriations and divide it up among the Committee on Military Affairs, the Committee on Naval Affairs, the Committee on the Post Office and Post Roads, and so on.

But there was one man on the floor at that time, a distinguished Member of Congress, and if you want to read a great debate turn to the CONGRESSIONAL RECORD and see what was said there. He was the one Republican who had the courage to stand up and make the fight on the floor of the House, and he prophesied what would happen. He said, "This is no time to play politics, and you ought not to play politics with this matter." He told the House then what would be the result. He told them they were going to enter upon an era of extravagance the like of which this country never had seen. That gentleman is still a Member of the House, and he has remained here long enough to see his prophecy literally fulfilled.

He was the one man who was not swept off his feet by partisan politics, but kept his mind constantly open; and knowing human nature, and knowing how men will make a pet of their particular line of legislation that they have charge of, he opposed the change which was made at that time. Go back and read his speech. No man can improve on it to-day. Read his statement as to why there should be one appropriating committee. That speech was made by Uncle JOE CANNON, of Illinois, who is still a Member of this House. [Applause.]

Mr. CHINDBLOM. When was that?

Mr. SISSON. It was shortly after Mr. Carlisle was elected Speaker, and Mr. Randall was chairman of the Committee on Appropriations. You can look it up.

Mr. McKENZIE. I am sure my friend from Mississippi does not want to be misunderstood.

Mr. SISSON. No; I do not.

Mr. McKENZIE. I listened to the gentleman's strictures on the General Staff. I want to ask the gentleman, if he had it in his power to write the military legislation of our country, whether he would omit therefrom the provision creating the General Staff?

Mr. SISSON. I would, and I would put the responsibility on the Secretary of War and let him choose his own advisers. That is what I would do, and then I would have him in the shape that the Secretary of the Navy is in. They tried to put the General Staff over on the Secretary of the Navy and he was able to defeat it here in this House.

No; when you begin to divide authority it is too much like the German general staff. I do not like militarism. By the way, before I forget it I am going to discuss something else now, but I want to say that I do not want to reflect upon the personnel of the General Staff. They are very estimable gentlemen. I do not know whether I know many of them or not, because I do not know who are on the General Staff. I do know the Chief of Staff, and one or two more, but I do not know the others when I meet them, and I do not know that anybody else knows them when he meets them. I do not know whether there are 25 of them of 2,500 of them, and nobody else seems to know.

Mr. McKENZIE. The gentleman is willing to admit the fact that the German general staff was a very great military staff?

Mr. SISSON. I am, indeed, willing to admit that, and that Germany was a great military power, but I am still unwilling to convert this Republic into a Germanized, militarized Government, where the soldiery shall control the Government instead of the people controlling it. [Applause.]

Now, I wish to say that in my judgment in this educational movement I see a great deal of danger for Congressmen in the future. The War Department were advertising in the newspapers, but they say they have quit that. They were advertising in papers. They still have the propaganda, and have people out spreading the propaganda, "If you want to get an education, join the Army," that in the Army you may be educated, and that it is the principal thing. Very little is said about military training. I am getting letters, and no doubt you are; and when John Jones, from your neighborhood, enlists in the Army he goes to school, and he writes back to Bill. Bill's mother and father discuss it. They are not able to educate Bill, and they say, "We would like very much to have Bill go to that school."

What is the result? The people back home begin to demand bigger appropriations to enlarge these military schools, and the result is that you enlarge the schools and enlarge the demand for them, the demand for schools supported by State appropriations will cease and State legislatures will be delighted to relieve themselves of that burden, and the result will be that you will gradually have this thing grow so that it will be just as it was in Prussia. That was not a day's growth, and Prussianism was never able to grow until it made the German people realize that the boy was being educated at the expense of the Government. When that was done, first he was trained for seven years, then he got five years, and later they reduced it to three years; and what I fear is, that the people without knowing it are going to begin to demand more money for these schools. I do not object to the rehabilitation of the boys who were injured in the war. I do not object to spending all the money that is necessary to try to help these boys along the highway of life after they have been wounded and maimed in the war, but I am unwilling that this Government, under the guise of military training, should build up an educational system that will appeal to the people throughout the United States, so that the voters will compel Members of Congress to vote for these great national schools or else they will defeat you. I think there is great danger that in a few years that Prussianism that we fought to destroy will be the system here.

The CHAIRMAN. The gentleman has consumed 30 minutes.

Mr. SISSON. I will take 10 minutes more.

Mr. BANKHEAD. Will the gentleman yield for a question in that connection?

Mr. SISSON. Yes.

Mr. BANKHEAD. The gentleman well knows that for the last year or two the Army has been holding out the inducement under authority of law for young men to enter the Army upon the specific promise that while in the service they will be given the opportunity to secure vocational training.

Does the gentleman think it is right under these circumstances, after they have persuaded the young men to enlist under these promises, for the committee to practically destroy the whole vocational system?

Mr. SISSON. Oh, no; we have not done that in this bill. That is the only reason I did not reserve the right to be against this appropriation, because I want to carry out the contract obligations we are under. But I do not want it to be the permanent policy of the Federal Government. Here is going to be the trouble, under the guise of educating the boy if they keep him three years, as the Pope said about children, "You give me the training of the child until he is 10 years of age and I do not care who has the child after that, I will make him a Catholic." Nothing was ever said truer than that. Nobody knows better than my distinguished friend that if you take a young man and put him in the Army for three years and let him associate with other soldiers, give him their sort of an education, you will find when he leaves he will have a tender heart for the Army, and he becomes a voter in the country for its enlargement and its interest as he was taught to.

Mr. BROOKS of Illinois. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. BROOKS of Illinois. This bill provides $1,000,000 for vocational training?

Mr. SISSON. It does.

Mr. BROOKS of Illinois. Can the gentleman give us some information regarding some of the witnesses who appeared before your committee? I remember one from Finland and one from Mississippi that had been connected with vocational training.

Mr. SISSON. Oh, yes; I know him very well. He is a fine gentleman. Ah, but I tell you that when you get one of these fellows in this work he is never satisfied. He ought to be engaged in the work enthusiastically or he is not worth anything; but I am not willing to appropriate more money than we are appropriating in this bill for this purpose at this time.

Mr. McKENZIE. Will the gentleman yield?

Mr. SISSON. I will.

Mr. McKENZIE. I desire to ask the gentleman from Mississippi if he does not believe—for instance, at Camp Lee—that the boys of our country could be given better instruction along agricultural lines than at an agricultural school?

Mr. SISSON. Oh, I never saw any evidence of that. I never saw a boy that wanted to go back to the plow. Our trouble is to induce the boys who were in the late war to go back to the plow. I tell you the Army life does not tend to fit a man so that he desires to go back to the plow. It is all very well to talk about the poetry of the smell of the upturned sod and of the dogwood blossoms, the singing of the birds, the tinkle of the babbling brook, the rattling of the chains, and the whistling of the boy on his mule in the early morn on his way to the field; it is all very nice, but you just try to take hold of plowhandles, get up at daylight, feed the horse or the mule, and by the time the sun gets up take hold of the plow and plow until 12 o'clock; go back and feed your horse, get something to eat, and then get back to work by 1 o'clock, and work until sundown, and it takes all the poetry out of that boy forever. [Applause.]

There is one thing you get that you like and that is by night you have a magnificent appetite and you have a magnificent desire to sleep. But where you get a fellow into the Army camp with the moving pictures and pretty girls coming around to see you, good music, Uncle Sam furnishing the clothes and the meals, you are going to give that fellow a good time, and he will not go back to the plow.

There is no trouble in getting a man to go around over the plantation riding around under an umbrella astride of a horse and seeing the other fellow do it.

But that is not bothering me. What is bothering me in the future is the millions of acres of untilled land, and the boys deserting the farms and agriculture. The man that can solve that problem to-day, the man that can devise some scheme to induce these boys to go back to the farm, so that the boys of the cities may wear high collars, ride in the street cars, see the magnificent business houses, so that the great factories may continue to run—that is all right, but let me tell you the man that can devise a scheme that will bring these boys back to the plow will be one of the greatest statesmen that this country has seen.

Buckle, in his History of Civilization, says that any nation whose agriculture begins to wane is in a dying condition, and he makes this marvelous statement, that no great nation in the past whose agriculture has commenced to wane has ever been able to rehabilitate it and induce the people to go back. Whether that is true I don't know, but if it is true we are in a lamentable condition in America. I believe if you can get some training in the Army to make a man love to plow he will be glad to try it. But if you want to hear a revolutionary cry you put private soldiers to a plow with some captain looking after ten or a dozen and teaching them how to plow. No; they do not want to join the Army to get an education and devote themselves to physical toil and physical work. That is the trouble with the educational system throughout the United States.

We are teaching our boys that the thing to do is to go to school so as to avoid work. They are not willing to do as old Cato did, who resigned his seat in the Senate after he had led the armies of Rome to glorious victory, in order that he might go back and take hold of the plowhandles again.

Mr. CALDWELL. Do I understand the gentleman's argument to tend to the proposition that we should keep the boys in ignorance in order that they might stay on the farm?

Mr. SISSON. I did not say anything of that sort.

Mr. CALDWELL. That is what I gathered from the gentleman's statement.

Mr. SISSON. Oh, the gentleman gathers a great many things that are not true.

Mr. CALDWELL. The gentleman gave me that impression.

Mr. SISSON. I did not give the gentleman anything of the kind. He did not get it from me, and nobody in this House thought that I even hinted at anything like that.

Mr. NEELY. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. NEELY. In behalf of historical accuracy, I want to ask my friend if he does not mean Cincinnatus instead of Cato?

Mr. SISSON. As a matter of fact, if the gentleman will read Plutarch's Life of Cato he will find that Cato also was a man given much to plowing; and not only that, but I do not know but that the Cincinnatus story of going to the plow is something of a myth. However, there is no doubt about old Cato.

Mr. NEELY. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. NEELY. I wish to say that Plutarch is my authority for the statement that it was Cincinnatus who also left his place to go to the plow.

Mr. SISSON. Well, Plutarch is mighty good authority. I may be wrong in my supposition.

Mr. CARAWAY. Will the gentleman not admit that both Cincinnatus and Cato were planters—they lived in town?

Mr. SISSON. The story goes that Cincinnatus was called from the plow, and if you will go down here and look at the picture that Brumidi made, you will see Cincinnatus at the plow on one side with Israel Putnam on the other, and Israel Putnam is known to-day more by the fact that he plowed than he is by the fact that he fought in the Revolution, but the fact that he was a plowman made the world understand that a man who plows can fight, and I wish the Army could get that.

Mr. CARAWAY. Oh, Israel Putnam's fame rests upon the fact that he rode down some stone steps on horseback, and not that he plowed. I know it because I have seen the picture of it.

The CHAIRMAN. The gentleman from Mississippi has consumed 10 additional minutes.

Mr. SISSON. Then I shall talk for five minutes longer. I want to show to you gentlemen a very interesting document. Here is the most interesting document that I have seen in some time. Will you gentlemen imagine that in longhand this book which I hold in my hand contains the entire appropriations for the great Federal Government in 1802? I want to read just a few of the items for the sake of Members and especially of those who are complaining about salaries. The total amount appropriated during that year was $3,448,147.18. This is not enough now to keep one battleship afloat for one year. I want to read here a most delightful bill of fare for the soldiers on our ships, and I am sure that my friend CALDWELL will not object at all, and if you will keep this bill of fare posted you will not have to use posters costing millions to get men to enlist. The estimate submitted for one ship of war of 44 guns and 312 men for 12 months is as follows:

284 barrels of beef, at $13	$3,692.00
244 barrels of pork, at $18	4,392.00
83 barrels of flour, at $10	830.00
8,112 pounds of suet, at 8 cents	648.96
99,645 pounds of bread, at $4	3,985.80
6,084 pounds of cheese, at 12½ cents	760.50
2,028 pounds of butter, at 20 cents	405.60
254 bushels of peas, at 87½ cents	222.25
16,224 pounds of rice, at $3.33⅓	540.80
1,014 gallons of molasses at 75 cents	760.50
1,014 gallons of vinegar, at 30 cents	304.20
7,118 gallons of spirits, at $1.12½	8,007.75
Total	24,550.36

The amount carried for the entire support of that ship was $24,550.36. There are many others here, and you may find them omitting some of their bill of fare, but I have never yet run upon any of these ships that left the spirits out. They seem to have had some fighting spirit along with other kinds of spirit in those days. I want my Republican friends to recall that Thomas Jefferson was then President.

In 1802 the salary of a district Federal judge was $1,000, and the largest salaries were paid in the States of North Carolina, Virginia, and New York, which were pretty big States in those days, and the salary there was $1,800 a year. If I had not taken up so much time answering questions, I would have been able to put a good deal more of this historic document into the RECORD.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SISSON. In one moment. As I look over this document and these estimates, I find the activities of the Federal Government were squarely limited at that time to the constitutional powers of the Federal Government. Our activities have now grown so that it is extremely doubtful whether one-half of what we are doing, when tried by the rule of the Constitution, would be held to be constitutional.

In conclusion, let me state that if the appropriations continue in the Federal Government as they have, and the expenditures of our State, county, and municipal governments continue as they have, I believe the total Covernment expense will be something like $15,000,000,000 a year in time of peace. I do not know what it costs to keep up the church establishments, but I will presume it costs $2,500,000,000.

I do not know, nor can the Bureau of Statistics tell you, what the net earnings of the American people are after paying all of their necessary expenses during one current fiscal year. They can tell you how many bushels of corn are produced, and they can tell you how many bushels of corn have been sold, but they can not tell you accurately how much of what a man produces he consumes in his own livelihood. I do not know whether the American people produce net every year more than $15,000,000,000, but Montesquieu tells you that when the time is reached that the nonproductive or salaried, governmental, or church establishments take more from the people than their net earnings amount to, that nation is doomed to destruction unless you shall reduce expenditures, because it will soon reduce your people to a condition of dire poverty. If $15,000,000,000 is what will be expended, if you will add the fixed indebtedness of this Government in the shape of interest on our bonds, all of it will amount to something like that.

Therefore, gentlemen of the committee, it is well enough for us to practice some real, genuine, and rigid economy until we can take an inventory of what we have.

The CHAIRMAN. The gentleman has consumed five additional minutes.

Mr. SISSON. One minute more. Think of the enormous amount of the farms and homes, unimproved real estate, undeveloped mines that are assessed as a part of the wealth of America which produce nothing. If you take the net earnings of the American people I doubt extremely whether it amounts to more than $15,000,000,000. Now, if it is true any man is not only not a patriot, but he is not a friend of the Army, he is not a friend of the future Army if he will raise this bill one dollar, because the American people are bearing enough burdens at this time to support this enormous Army Establishment even under the appropriations which this committee has granted. [Applause.]

The CHAIRMAN. The gentleman has consumed 46 minutes.

Mr. SISSON. Mr. Chairman, I reserve the remainder of my time.

Mr. ANTHONY. Mr. Chairman, will the gentleman from Mississippi yield some of his time?

Mr. SISSON. Yes; I will yield 20 minutes to the gentleman from Texas [Mr. LANHAM].

The CHAIRMAN. The gentleman has only 14 minutes remaining.

Mr. SISSON. I have two hours.

The CHAIRMAN. The Chair has no knowledge of any order by which the gentleman has more than one hour.

Mr. SISSON. Well, I understood we agreed on four hours—two hours to a side.

Mr. ANTHONY. Yes; the motion was agreed to.

Mr. SISSON. We agreed to four hours.

Mr. ANTHONY. And the gentleman was to have half of the time.

The CHAIRMAN. The Chair does not recollect that order.

Mr. SISSON. I know the gentleman from Kansas made the motion for four hours.

The CHAIRMAN. The Chair is clear as to the amount of time fixed at four hours, but the control——

Mr. ANTHONY. The gentleman from Mississippi was to have half the time.

Mr. SISSON. That was in the motion.

The CHAIRMAN. Is there objection to the gentleman from Mississippi controlling half the time?

Mr. CAMPBELL of Kansas. That was agreed to in the House.

The CHAIRMAN. The Chair hears no objection.

Mr. SISSON. Now, I yield 20 minutes to the gentleman from Texas [Mr. LANHAM]. [Applause.]

Mr. LANHAM. Mr. Chairman, I wish to use this time in discussing a feature of this bill which I think of the utmost importance, namely, the conservation and extraction of helium. At the top of page 14 of the bill appears this language, "Experimentation, conservation, and production of helium, $100,000." Strictly speaking, perhaps, the term "production" is a misnomer. It is contemplated that the helium will be extracted from natural gas rather than produced. But the term "$100,000," in my judgment, is even more out of keeping with the purpose of the appropriation. It is entirely inadequate.

A few years ago we heard much of the advocacy of preparedness. The necessity for it seemed generally recognized throughout our land. In the two years which are just drawing to a close in our legislative history, we have heard on this floor much debate upon the subject of whether or not we were sufficiently prepared for the great World War. Under these circumstances I feel justified in assuming that I am altogether entitled to uniform bipartisan approval in the sermon of preparedness which I come now to preach, and naturally I expect supporting demonstrations from each amen corner by those who have professed this faith.

I trust that our country may always enjoy the blessings of peace, but history has proven for us conclusively that some nations begin wars and others have wars thrust upon them. What the future may hold in store in this regard is entirely beyond our ken. But it seems that the necessity for a proper preparedness for any contingency which is likely to arise has ever been recognized in the United States. It is this constant policy which makes the conservation of helium a matter of prime importance.

Concerning helium there is much popular misunderstanding. I do not pose as an authority on the subject and have little or no technical knowledge of it, but there are certain practical considerations which a study of it will impress upon the layman at once as of sufficient importance to make its proper conservation imperative. It is from this intensely practical viewpoint that I wish to speak to you. This country has made helium available as a national asset. This Nation has practically a monopoly of the supply. The question is, now that we have determined somewhat the extent of this valuable possession and have established at considerable expense plants for its extraction, shall we surrender these advantages by a policy of legislative indifference?

It is my purpose to endeavor to anticipate your questions and answer them as briefly as I may. The first natural inquiry concerns the discovery of helium and what helium is. It seems that it was discovered by the French astronomer Janssen in 1868 in the surrounding envelope of the sun, and hence was called helium, derived from the Greek word helios, meaning the sun. It was found on the earth by Sir William Ramsay, an English chemist, in 1894 in a gas evolved from certain minerals. Dr. H. P. Cady, of the University of Kansas, in 1907, discovered that a certain natural gas in Kansas contained more than 1 per cent of helium. Further research has been principally governmental, and I shall acquaint you later with the outlines of its development. Helium is the only known noninflammable, noncombustible gas which can be used satisfactorily in the operation of balloons. Chemically it is very inert. It can not be ignited and can not be exploded. It is the lightest gas next to hydrogen, with which our balloons and dirigibles heretofore have been filled. Of course, hydrogen is highly inflammable, and the danger due to its use on this account is a source of constant dread. It thus affords a very vulnerable spot for attack. The slightest spark or the penetration of an incendiary bullet would collapse a hydrogen-filled balloon like the bursting of a soap bubble. The helium-filled bag, on the contrary, may be pierced time and again with red-hot bullets without peril either to the balloon or those operating it. Its use thus eliminates that severe strain and tension of the crew, which is naturally incidental to the use of hydrogen, and thereby promotes much greater efficiency. Furthermore, helium, though twice as heavy as hydrogen, has, by reason of its buoyancy, a little more than 92 per cent of its lifting power. The difference in this respect, therefore, is relatively insignificant. For instance, 1,000 cubic feet of pure hydrogen will lift a weight of 75.14 pounds; a similar quantity of pure helium will lift 69.58 pounds. It is now thought that there will probably be absolute safety for aeronautical purposes in a mixture of about 85 per cent of helium and 15 per cent of hydrogen. Such a mixture would have about 93½ per cent of the lifting power of hydrogen, which means that a thousand cubic feet of it would lift 70.18 pounds.

In aeronautics, therefore, the use of helium in times of war is of the utmost importance for the following reasons: First, its wastage through fabrics is but one-half that of hydrogen. And it may be said in passing that this leakage percentage may be greatly reduced by lining the cloth covering of a helium dirigible with what is known as goldbeater's skin, which is made from the intestines of cows. Experiments are being made also to perfect a self-healing fabric. Second, it affords safety for the crew from the ordinary attack against dirigibles. Third, despite this safety, there is no material reduction in the lifting power of a balloon filled with helium. Fourth, it affords mental and physical calmness and corresponding efficiency for the crew by reason of the practical invulnerability of a helium-filled dirigible.

The next pertinent questions concerning helium are, Where is it found and in what quantities? In a very small proportion it is in the air, the estimate being one part of helium to something between 160,000 to 250,000 parts of air. That fact is at present of no practical importance. It has been found also emanating from certain hot springs and from volcanoes, but its principal appearance for practical purposes is in the natural gas of several of the gas fields of the United States. There is a small quantity of helium in Canada, where probably eight or ten million cubic feet a year might be obtained, and a smaller quantity in Tuscany, Italy, but this country has twenty-five or thirty times as much as the remainder of the world. No very considerable quantity has been found in any other land.

It seems that Dr. Cady, to whom I have referred, and one of his associates were the first to find helium in natural gas. That discovery was made in Kansas in 1907. The gas in Kansas bore more than 1 per cent of helium, but the volume of the gas was not sufficient for any very extensive operation. The Bureau of Mines then began to make a diligent survey in an effort to locate available sources of supply. Upon the success of this undertaking has been predicated the whole program of the Government for the conservation and extraction and use of helium. Helium has been found in reasonable quantities in Texas in the Petrolia gas fields; in Oklahoma, all through the Osage and running northeast to the Kansas border; in the southeast part of Kansas, in the Dexter and Sedan fields in particular; in Vinton County, Ohio; in Ontario and Genesee Counties, N. Y.; in Potter and McKean Counties, Pa.; in Randolph County, W. Va.; in Shelby and Hancock Counties, Ind.; and in a few other places. And it is worthy of mention that in these various fields in this country a million cubic feet of helium daily is the estimated wastage into the air.

Now, the Government naturally felt it a duty, in view of the possible uses of helium and our practical monopoly of it, to conserve this supply. In this connection let me call to your attention the fact that a 3,000,000 cubic feet helium-filled dirigible can carry from 70 to 80 tons. Imagine what this would mean in times of war in an invulnerable ship with a cargo of T. N. T. These dirigibles, by the way, are further fortified against attack by being divided into compartments. The engine may be raised near the framework, inasmuch as there is no danger of ignition from the exhausts, as in the case

of hydrogen, and a direct drive is thus afforded. The adaptability of helium to the purposes of observation balloons is also readily apparent.

Feeling this responsibility, the War and Navy Departments and the Bureau of Mines began to think on the best method and most feasible place for beginning the work. I shall recite but very briefly the history of its development. In the gas field at Petrolia, Tex., helium was discovered in a quantity of almost 1 per cent of the natural gas, and because of the volume of gas in that field it was thought a most desirable one for extraction purposes. Two temporary plants for experimentation by two different processes were established at Fort Worth and a third for still another process at Petrolia. This was during the latter part of 1917 and the early part of 1918. These plants were first known as argon plants in order to preserve secrecy of their value as a war agency. Contracts were closed for a supply of the gas with the company in charge of the Petrolia field. The experimentation at Petrolia was by the so-called Norton process. The plants at Fort Worth employed the Linde Co. process and the Air Reduction Co. process, respectively, and were located in that city because of the necessity for more water and more power than was available at Petrolia. From the experimentation at these temporary plants there was extracted about 150,000 cubic feet of helium, and this gas, stored in steel cylinders, was on the dock at New Orleans awaiting shipment to France at the time of the signing of the armistice. Because of the success of this preliminary experimentation the War and Navy Departments, realizing the great importance of a proper supply of helium for military purposes, decided in August, 1918, to build a large extraction plant at Fort Worth to supersede the two temporary ones which had been constructed there. This plant has been completed and arrangements for a supply of the gas from the pipe line have been made, and active operation is to begin March 1, 1921. This plant at Fort Worth has a capacity of from 40,000 to 50,000 cubic feet per day, and I doubt if there is a more complete establishment of any kind in the Government service. The process of extraction of helium in use at this plant—the Linde process—has been established as an absolutely successful one, and helium of 95 per cent purity is obtained thereby. The other 5 per cent is nitrogen, also noninflammable; but I am informed that by reason of improvements in the process the likelihood is that 100 per cent pure helium is an early probability. The plant at Petrolia, with a capacity of from 18,000 to 20,000 cubic feet per day, is due to start extraction June 1, 1921.

Let me assure you that this program is in no sense a matter of sectional pride but, rather, a proposition of national defense. The helium now available from the Petrolia field will likely be exhausted in a few years and these plants moved and established elsewhere. The natural gas of Petrolia is being used constantly for fuel and light in a large city. The necessity is urgent that the helium be extracted from it while it may be had. If we delay our operation the prize of our quest may be gone. The supply must be developed or wasted-or shipped out of the country, and the hearings show that an effort has been made by a company to get control of our helium that it may be sent abroad. Let us be alive to this situation and let us not wait to lock our barn after our horse has departed.

The next question is an important and intensely practical one, and that is, What is the cost of extracting helium? Until April, 1918, it is probable that not more than 100 cubic feet of helium had been separated, and that was due largely to scientific curiosity in various laboratories. That separation was at the absolutely prohibitive price of from $1,700 to $2,000 a cubic foot. The temporary governmental plants reduced the cost to 40 cents per cubic foot. The Bureau of Mines by its investigations began to blaze a trail toward still cheaper extraction. The report accompanying the Army appropriation bill last year recommended an inquiry into the practicability of securing helium at a reasonable price and in large quantities. Accordingly that investigation has continued, and it is now estimated that the cost of extraction at the Fort Worth plant will be $56 per thousand cubic feet, 5.6 cents per cubic foot, or about one-seventh of the cost of separation at the earlier experimental plants. This is a little more than five times the cost of hydrogen during the war. If the process being used at Petrolia, which is yet an experimental one, should prove a success, helium may be extracted thereby at twice the cost paid for hydrogen during the war. And in this connection we should not fail to contemplate the cost in lives and the cost in dirigibles from explosions due to the use of hydrogen. Probably you still remember the serious mishaps at Baltimore and Chicago. Everything considered, the elimination of loss of life and property by the use of helium will likely make its use less expensive than that of hydrogen even if the present cost of extraction should not be reduced.

Another natural question is how much would it cost to fill with helium a large dirigible, like the *R-34*, for instance, which came over from England? The capacity of the *R-34* is between two and three million cubic feet; I think, about two and one-half million. To fill it with helium would cost about $125,000; but the helium may be kept indefinitely and purified when necessary at a nominal cost. This is not true of hydrogen. Compare the utility in war of such a machine filled with helium with the utility of a battleship, and you will see very readily that, for the results that may be obtained, this is comparatively a small expenditure as war costs go. The price of a dirigible, according to my best information, is about $1 per cubic foot of capacity; the price of the helium to fill it is now a little more than 5 cents per cubic foot. A sufficient number of metal tanks is already on hand at the Fort Worth plant for the storing of eighteen or twenty million cubic feet.

The cost of the development of helium extraction has been borne equally by the Army and Navy. The engineers estimate the annual cost of operation at Fort Worth at $885,000, and at Petrolia at from $270,000 to $300,000. In the estimates an additional sum was asked for leasing certain fields in the United States where helium occurs in order that the supply might be properly conserved. To operate the plants we have established will cost a total of about $1,200,000, and, as I have intimated, necessary appropriations have heretofore been made on the basis of one-half in the Army appropriation bill and one-half in the Navy appropriation bill. The question is, Shall we now dismantle the plants we have constructed at such expense just when we have finished preparing them for the preservation of this greatest military asset? We have expended about $7,000,000 in this project—a large sum, but only a fractional part of the cost of a battleship. We experimented long enough to see the feasibility of it, and then we authorized the expenditure of a sufficient sum for the necessary plants and equipment. They are just ready to begin full-capacity operation. Under these circumstances what shall our policy be?

A reduction of the necessary appropriation to run the plants we have established and which are just now completed for operation will mean the shutting down of these plants for a corresponding length of time. Neither the time nor the helium thus wasted can be recovered. The output of wells now in operation is, of course, daily decreasing, and we are gradually being deprived of the greatest known element of air supremacy. It is a national and not a local situation which confronts us. To discourage further development would be a disastrous policy. In the proper preservation of this great asset may rest the surest hope of economy in reducing the great expense necessary to the maintenance of the armed forces of our country. Let us not squander a wealth which seems peculiar to this Nation, but let us properly foster this God-given source of preparedness, which seems to offer a cheaper and more satisfactory solution of many problems of our national defense. [Applause.]

Now I want to call attention briefly, gentlemen, to a few of the items of expense that have already been incurred in order to make it possible to extract helium in the quantities desired. As I have said, we have first satisfied ourselves by experimentation of the possibility and feasibility of the separation of helium from natural gas. Then came the matter of the construction of plants——

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. LANHAM. Yes.

Mr. McKEOWN. Does the gentleman favor the movement that has been on foot to prevent private persons or private organizations from manufacturing helium gas in this country?

Mr. LANHAM. I will say to the gentleman that in a sense it is a misnomer to speak of manufacturing helium gas. It is not possible to manufacture helium gas except at really a prohibitive expense. It is the extraction of helium gas——

Mr. McKEOWN. I mean its extraction from natural gas.

Mr. LANHAM. The helium board, consisting of an officer from the Army, one from the Navy, and one from the Bureau of Mines, as well as the gentlemen in charge of the Air Service, are very much opposed to any private commercialization of the helium extraction that may contemplate export.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANHAM. One minute.

Mr. SISSON. I yield the gentleman one additional minute.

Mr. LANHAM. I wish to cite these items of cost which we have already expended:

Cost of Fort Worth plant	$2,123,194
Cost of pipe line from Petrolia to Forth Worth (length of pipe line, 104 miles)	1,617,952
Cost of contract for conservation of helium	1,250,000
Cost of Petrolia plant, about	400,000

These plants are just ready to operate, and the question is, gentlemen, now that these outlays have been made and this extraction shown to be feasible, shall we not at least for a period of one year see if this most important proposition is a proper and paying one? [Applause.]

Mr. McCLINTIC. Mr. Chairman, I think we ought to have a quorum here.

The CHAIRMAN. The gentleman from Oklahoma [Mr. McCLINTIC] makes the point of no quorum. The Chair will count. [After counting.] Seventy-five gentlemen are present, not a quorum.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise, and on that I demand tellers.

Tellers were ordered, and Mr. ANTHONY and Mr. McCLINTIC took their places as tellers.

The committee divided; and there were—ayes 2, noes 64.

The CHAIRMAN. A quorum is not present. The Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ayres	Ferris	Lufkin	Riordan
Babka	Focht	Luhring	Robinson, N. C.
Baer	Fordney	McCulloch	Rowan
Bell	Freeman	McGlennon	Rowe
Benson	Gallagher	McKiniry	Rucker
Blackmon	Gallivan	McKinley	Sabath
Bland, Mo.	Gandy	McLane	Sanders, Ind.
Britten	Ganly	McLaughlin, Mich.	Sanford
Browne	Glynn	McLeod	Schall
Brumbaugh	Godwin, N. C.	Madden	Scott
Burke	Goldfogle	Maher	Scully
Burroughs	Goodall	Mann, Ill.	Sells
Campbell, Pa.	Goodwin, Ark.	Mann, S. C.	Sherwood
Candler	Gould	Mansfield	Sims
Cantrill	Graham, Pa.	Mason	Small
Caraway	Hamill	Mead	Smith, Mich.
Carew	Hamilton	Milligan	Smithwick
Casey	Harreld	Montague	Stedman
Clark, Fla.	Harrison	Moon	Steele
Clark, Mo.	Hawley	Mooney	Stiness
Classon	Hays	Moore, Va.	Strong, Pa.
Connally	Hersman	Moores, Ind.	Sullivan
Cooper	Hill	Morin	Summers, Wash.
Copley	Hulings	Mudd	Tague
Costello	Hull, Tenn.	Murphy	Taylor, Colo.
Crowther	Humphreys	Nelson, Mo.	Tincher
Currie, Mich.	Husted	Nelson, Wis.	Tinkham
Davey	Ireland	Newton, Minn.	Towner
Davis, Minn.	James, Mich.	Nicholls	Treadway
Denison	Johnson, Miss.	Nolan	Upshaw
Dent	Johnson, S. Dak.	Olney	Vare
Dewalt	Johnson, Wash.	Pell	Vinson
Donovan	Johnston, N. Y.	Perlman	Voigt
Dooling	Kennedy, Iowa	Peters	Walters
Doremus	Kennedy, R. I.	Phelan	Ward
Dunn	Kincheloe	Porter	Watson
Eagan	Kitchin	Pou	Whaley
Eagle	Kleczka	Rainey, Ala.	White, Me.
Edmonds	Kreider	Rainey, Henry T.	Wilson, Pa.
Elston	Lazaro	Reavis	Wise
Emerson	Lonergan	Reed, W. Va.	Wood, Ind.
Fairfield	Longworth	Riddick	Wright

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 15943, the Army appropriation bill, and finding itself without a quorum, he had directed the roll to be called, whereupon 250 Members answered to their names, and he submitted a list of the absentees for printing in the RECORD and the Journal.

The SPEAKER. The committee will resume its sitting.

The committee resumed its sitting.

The CHAIRMAN. The gentleman from Kansas [Mr. ANTHONY] is recognized.

Mr. ANTHONY. Is the gentleman from Mississippi [Mr. SISSON] prepared to use any more of his time?

Mr. SISSON. Yes.

Mr. ANTHONY. I would like to use 1 minute, and then the gentleman can use 10 minutes. I yield one minute to the gentleman from West Virginia [Mr. NEELY].

The CHAIRMAN. The gentleman from West Virginia is recognized for one minute.

Mr NEELY. Mr. Chairman, the RECORD of to-day will show that in the course of a colloquy between the distinguished gentleman from Mississippi [Mr. QUIN] and the illustrious gentleman from Kansas [Mr. ANTHONY], chairman of the subcommittee that drafted the pending bill, it was stated by the former that Secretary of War Baker was reported to have written a letter in which he alleged that the average cost of maintaining an American soldier in our service in Europe is $25,000 a year. Of course, the report is not only false but utterly absurd. In order that the statement might not go out to the country unchallenged—and it was not challenged or corrected—I have just called the office of the Secretary, and found the facts in the case to be as follows: The Secretary wrote a letter to Senator BORAH on January 24, 1921, in which he stated that on September 30, 1920, we had 711 commissioned officers on duty in Europe, and that it was costing the Government, on the average, $10.76 per day to maintain each of them; and that we had 14,547 enlisted men on duty in Europe, at an average cost of $3.89 per day for each man.

I make this statement as a matter of simple justice to the head of a great department, that seems, judging from the tone of the debate, without cause to have lost its last friend and for the further purpose of depriving some radical yellow journal of an excuse for printing a preposterous and damaging report as gospel truth.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. BANKHEAD].

The CHAIRMAN. The gentleman from Alabama is recognized for 10 minutes.

Mr. BANKHEAD. Mr. Chairman, the appropriation carried in this pending bill for the purpose of vocational training in the Army of the United States for the next fiscal year has been fixed at $1,000,000. I want to say that while I have been very much interested in this question of vocational education as a general proposition, I am in no way responsible for the existing law with reference to vocational training in the Army, because it was incorporated first in the national defense act of 1916, before I began my service, and it was carried into the reorganization bill passed at the last session of Congress, against which I voted.

But I simply desire to take a little of the time of the committee this afternoon in calling attention to this proposition. If we are going to attempt to carry out the law of the land as passed by the Congress of the United States providing for a system of vocational training in the Army, it seems to me that it is the duty of Congress to make a sufficient appropriation to carry out that law efficiently, and not restrict it to an appropriation of $1,000,000, as is provided in this bill.

I say that, gentlemen, largely upon this assumption: Since the creation of this system of vocational education in the Army, the War Department has conducted under authority of law a very elaborate system, seeking the enlistment of the young men of the country in the Army, and in practically every one of the posters with which they have placarded the whole country and the whole countryside it emphasizes the opportunity that young men enlisting in the Army will have of securing vocational training in the arts and professions. "Earn while you learn," for instance. I have a number of such placards here that I obtained this morning by request from the War Department.

You will see that every one of these circulars [exhibiting them] offers inducements to young men—in the Veterinary Corps, for instance, to learn the science of veterinary surgery—vocational training at the service stations; and they have made education, travel, and adventure a feature. You will see in every one of these recruiting placards the statement that this proposition of the advantage that the young men will derive from the educational standpoint by an enlistment in the Army is carried out by the War Department under authority of law. They have made a tremendous appeal to recruits. And I dare say, gentlemen, that on that basis more of the young men of the country—and the average age, I am informed, to-day of the recruits in the Army under the reorganization bill is 19 years—I dare say that a great majority of these young men enlisted not under an implied but a specific promise and pledge of the Government of the United States that during the period of their enlistment they would have the benefits of this vocational training.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. I will yield for a question.

Mr. CRAMTON. I notice the gentleman's statement that the majority of the young men in the service entered in order to get this training. There are now in the service something like 220,000 men, so that a majority would be well up to 110,000.

Mr. BANKHEAD. I said of those who enlisted since the enactment of the reorganization bill.

Mr. CRAMTON. Has the gentleman any figures on that?

Mr. BANKHEAD. No; but I know it from my own personal experience and from the inquiries that I have had from my district with reference to this proposition.

Mr. CRAMTON. The total that are getting this training is less that 50,000.

Mr. BANKHEAD. Suppose it is less than 50,000. I think the actual figures are 48,000, as given in the hearings, in the testi-

mony of Gen. Haan. I believe the gentleman is a member of the subcommittee that prepared this bill, and he can not justify this appropriation on any testimony that was offered in the hearings. It can only be justified on the arbitrary decision of the members of the subcommittee that $1,000,000 is sufficient to carry out this entire system of vocational training in the Army, and that arbitrary decision was made in the face of all the testimony offered by the gentlemen who appeared before the committee at the instance of the committee.

Mr. CRAMTON. If the gentleman will yield further; I do not want to take too much of his time, but in view of the suggestion that the gentleman has made as to the testimony before us, it shows, for instance, without going into other matters, an item of $3,000,000 for civilian instructors. They want civilian instructors even to teach the boys who want to learn to read and write.

Mr. BANKHEAD. The gentleman is talking about estimates, and I am talking about the current appropriation, which provides $3,500,000.

Mr. CRAMTON. And if you subtract $3,000,000 even from the estimates, you cut down the estimates close to the million recommended.

Mr. BANKHEAD. The gentleman knows that the original estimates of the War Department were for approximately $11,000,000 on the basis of an Army of 275,000 men. That was later reduced to an estimate of $5,750,000 plus for the entire work; but I am informed that the testimony of those who were in charge of this work—a work that was placed on them, not by their desire but by the expressed will of Congress a number of years ago when we passed the national defense act—that testimony is that $3,500,000 is the irreducible minimum with which they can carry on this work decently for the next fiscal year.

Mr. MONDELL rose.

Mr. BANKHEAD. I will yield to the gentleman from Wyoming in a moment, if I have the time. I do not know what policy Congress is finally going to decide to follow in reference to this vocational training for the Army. It may be a mistake to have inaugurated it at all. I think it is a mistake to enlist illiterates in the Army of the United States and then assume the burden of educating them after they have been enlisted. I think that is a mistake, and I think the members of the Military Committee ought to bring in legislation here that would absolutely prohibit the enlistment of any illiterate in the Army of the United States, because to-day they have got at least 10,000 men enlisted in the Army who are absolutely illiterate, and I do not think we ought to assume the burden of giving those men a primary education, but I think that burden ought to rest on the local State authorities. But the point I am making, I will say to the gentleman from Wyoming, is that we have entered upon this policy. These young men have been induced to go into the Army on the strength of the assurance that they would be given this character of training, a high standard of vocational training, while they are serving out their enlistment; and it seems to me that the committee have unduly and arbitrarily reduced the amount below what it ought to be to put into effect the real purposes of the existing law on this subject. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. I am sorry I did not have time to yield to the gentleman from Wyoming.

Mr. SISSON. I yield 10 minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, this appropriation of about $328,000,000 for the Army and about $6,000,000 for the Military Academy is the most reasonable one we have had in several years. Still this amount is too high.

An Army cut to 150,000 men is certainly, in my judgment, a necessity of the times. The resolution that the House and Senate passed making it 175,000 men might have been put through for reasons best known to the steering committee and to the War Department, but this House is coming up now with an appropriation for an Army of only 150,000 men, and that is a little paradoxical.

If the gentleman from Kansas can carry out his guaranty that after the 4th of March the Army will be reduced and by July it will be 175,000 and by next January it will be 150,000, we still will be bound to come forward at some later period with a deficiency appropriation. All this camouflage about what we are saving when it is manifest deficiency bills must be passed at the next Congress can not deceive the public pocketbook. The people of the United States call upon every public servant they have for economy in government. No longer than this morning, with already $47,000,000 available, there was a motion made to recommit the river and harbor bill and add to the $15,000,000 which it carried $13,000,000 more. Some pork-barrel statesmen said, "Let us vote for it." I believe, gentlemen, when we talk here for economy we ought to vote economy, and I am one Democrat who is going to join with you Republicans if you will stand for economy so soon as President Harding comes into the White House. [Applause.]

Already the people of the United States are groaning under heavy taxation. With the State and county assessments, the city government added to it, it makes the local taxation nearly one-sixteenth of the real value of the property. Six or six and a half per cent every year is not uncommon in this country for taxation. You add on to that the high expense of the Federal Government, reaching out with all its activities and additional calls upon Congress to put some new grabbing scheme on the statute books. What can the people of the country expect? It is time for the American Congress to measure up to the standard and call a halt, and say we will make the tax legislation of this country commensurate with the public ability to pay.

Who believes that the United States is in danger and is in need of a great standing Army now? Local papers in every county in the United States contain the statement that boys are still being enlisted in the Army of the United States when Congress, by positive resolution, has called attention of the department to the fact that 175,000 is all that the Government will stand for. Yet they are going into the Army, and the bills must be paid. I do not know if the Secretary of War has official knowledge of what this Congress intends to do. We say we will have 150,000 soldiers and a resolution stated that it should be 175,000. What will the new Secretary of War understand by it? Will the gentleman from Kansas be able to carry out the guaranty that 150,000 will be the maximum? Is he in a position to say what the new Secretary of War will stand for? Congress must decide on what this shall be. Reaching out with all this vocational education endeavoring to make a primary school out of the Army is a very costly attraction to the youth of the country.

Mr. KNUTSON. Will the gentleman yield?

Mr. QUIN. Yes.

Mr. KNUTSON. Does the gentleman want the House to understand that he thinks the bill does not carry sufficient appropriation?

Mr. QUIN. I know that Congress will be called on at the next session to bring forth a deficiency for the Army. [Applause.] And the gentleman standing there knows it just as well as he knows that the stars are fixed in the heavens. We know that it is impossible for an army of 232,000 men to be reduced by the 1st of July, 1921, to 150,000 men. With all this great crowd of officers, with this expensive grabhook reaching out, with this very bill carrying these activities, with a large number of civilian employees to carry on certain work that the soldiers ought to do in the cantonments or camps all over the United States, how do you expect to get along on $328,000,000? So far as I am concerned, I am going to tell gentlemen the truth. I know that $328,000,000 is not going to be sufficient when you have on the books a resolution for 175,000 men.

Mr. KNUTSON. Who employs these civilian employees that the gentleman complains of?

Mr. QUIN. The General Staff directs the policy. You have not cut them out; you can not cut them out right away. They are laborers, professors, and such like; they are going to stay, and as one gentleman said he was afraid that we were going to have too much of a skeleton army. He was afraid that we would not have a great organization, he was afraid that we were not going to have enough Infantry to go out and kill people. That is what he is scared of. The skeleton army seems to be the want of the General Staff; they want a chemical division; they want a division for everything, even the supervision of all the little vocational gardens in the country. We have reached out, we have got out of the general purpose of the Army of the United States when established to create different potentialities that were never contemplated and that are costing the taxpayers of this Government huge sums of money.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. QUIN. I can not yield further. The trouble is that every department of the Government is costing in the same relative proportion, and as my colleague from Mississippi [Mr. SISSON] stated on this floor, the people are bearing the burden. The cost of Government expenses and all the corollaries equals the net earnings of all the people of the United States, according to the best estimates we can make. Where are we going to end? Some folks say that we are going to take off taxes. Who believes that you will ever be able to take off taxes with the present high cost of Government and with all of these bonds that we have issued requiring a sinking fund to be laid aside, and the interest to be paid upon them? Who believes, with your

maternity bill and the Smith-Towner and every other bill that is going to cost millions of dollars, that you are going to reduce taxes? Who believes that you can reduce the taxation when you keep adding on activities which will be bound to reach up into the billions of dollars? [Applause].

Mr. SISSON. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, the gentleman from Mississippi [Mr. SISSON] would have the country believe that the great Military Affairs Committee, notwithstanding the fact that its appropriating power has been lodged in some other committee, is impotent; that it does not know how to draw matters of legislation of the simplest kind. He admits that the War Department is constantly using the funds appropriated for one purpose by Congress for other purposes and that it continues to transfer those funds at will and against the wish of Congress and against the will of the Military Affairs Committee. I do not agree with him in his insinuation that the Military Affairs Committee can not stop it. I know, and he knows, that if the Committee on Military Affairs wants to stop that it has the power of legislation now to bring in a measure to-morrow and to get a rule from the Committee on Rules——

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. ANTHONY. Right there I want to say——

Mr. BLANTON. Oh, let me first finish my sentence. I do not want the gentleman to stop me in the middle of a sentence—the Military Affairs Committee could bring in a measure to-morrow if it wanted to, and if it had enough influence with the steering committee it could get a rule from the Committee on Rules making it in order and could pass it here in 30 minutes stopping the War Department from doing these very things that the gentleman from Mississippi says it does; but the committee does not want to do that. I yield.

Mr. ANTHONY. The evil that the gentleman speaks of came from the practice of Congress permitting in the old appropriation bills what are called lump-sum clauses, where three or four different items are combined into one sum for the purpose of accounting. If he will read over the bill——

Mr. BLANTON. Oh, the gentleman has had an hour and I have just five minutes.

Mr. ANTHONY. Will the gentleman let me finish?

Mr. BLANTON. I am sorry, but I can not afford to give my little five minutes up to a gentleman who has spoken for an hour. I am not talking about what has been in the past, but I am talking about what is in front of us now. If this committee wants to stop this practice, why does it not do it?

Mr. ANTHONY. It has done it.

Mr. BLANTON. I can draw a provision in 15 minutes, if they will bring it in and get a rule and make it a law, that will stop the War Department and the Chief of Staff from transferring these funds at will, stop them from spending money for purposes Congress does not design. It is all with Congress. The trouble is with Congress and this great Military Affairs Committee. The members in authority have too many pets among the high Army officers. The Chief of "Stawf" and his various lieutenants can come in here before the prominent members of the Military Affairs, Appropriation, and steering committees and get what they want, usually. They can bring influence to bear upon each one of them and make them do something they do not want to do. If that is not the case, why do they not stop it? The gentleman from Wyoming [Mr. MONDELL] knows how to stop it if he wants to, and the gentleman from Illinois [Mr. MADDEN] knows how to stop it, if he wants to.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, the War Department has charge of a service of public defense. Upon the War Department rests the duty of guarding and protecting the Republic, and a department charged with obligations, duties, and responsibilities of that kind can not be absolutely circumscribed and held to close and definite bounds in its expenditures. There is no one here, not even the gentleman from Texas who has just taken his seat, who would vote for a provision of law under which just so much and no more could be expended for the pay of the Army, no matter what happened.

Mr. BLANTON. I would, and stop there.

Mr. MONDELL. Of course, the gentleman from Texas is not utterly regardless of the welfare of the Nation, and in case of invasion, in case of an emergency which required the enlistment of an additional number of men, he would not be willing to take a chance. I am certain he is not unmindful of the public welfare.

Mr. BLANTON. No; I am not.

Mr. MONDELL. Then the gentleman would not vote for that kind of a provision, in my opinion; he would not vote for a provision which allocated every item of expenditure for any department of national defense and left it absolutely without any option or opportunity to use a certain portion of funds other than those appropriated for a definite purpose for that purpose if the emergency required it. We can not bind these services down as we do a civil service to the expenditure of just so many dollars and no more. The nature of the service is such that Congress can not take the responsibility of saying to a dollar what the War Department shall have for Army pay, what it shall use for transportation, what shall be the outlay for food. There must be some leeway and discretion. [Applause.] There must be opportunity for expansion in case of emergency, and because that is so, because the Congress can not and should not too closely bind and circumscribe and limit the expenditures of such a department, the responsibility resting upon those at the head of those departments is all the greater not to expend beyond the amount allotted and provided by the Congress for any particular purpose unless there is a national emergency demanding it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. May I have five additional minutes?

Mr. ANTHONY. I yield the gentleman five additional minutes.

The CHAIRMAN. The gentleman from Wyoming is recognized for five additional minutes.

Mr. MONDELL. And that, Mr. Chairman, is what makes the action of the Secretary of War in enlisting at great cost many thousands of men far beyond the number contemplated by Congress when it passed the appropriation bill so reprehensible. We can not put the Secretary of War in jail for having done that, because we can not, in view of a possible emergency, bind him absolutely as to his expenditures, but, knowing what the Congress contemplated, knowing as he did know just how many men the appropriations he had would pay, knowing, as he himself stated, that there was nothing in the way of an emergency either at home or abroad compelling or suggesting an increase above the number of men which Congress appropriated for, the Secretary is subject to the severest condemnation for having pursued the course he did. Now, in this bill the committee has gone further than committees have gone in the recent past in attempting to segregate items and in attempting to allot and allocate them so as to avoid the temptation to using them for purposes other than those contemplated by the Congress. It has made a distinct advance in that regard; some may think that the committee is subject to some slight criticism for having gone further in that regard than we have in the past, and possibly so far as to involve the danger of hampering the department in case of emergency. I do not think they have, but, as far as the committee has gone, there are still opportunities under an appropriation for the Army for abuse. But, great heavens, have we reached that point in the affairs of the Republic that we can not trust an executive officer in the slightest degree?

Mr. GARRETT. The gentleman just reached that point a few moments ago in his statement that he could not trust the Secretary of War.

Mr. MONDELL. Could not what? My query is, Have we reached the point where we can not trust an executive officer to exercise a discretion that is essential for the welfare and safety of the Republic?

Have we reached the point where we must so bind down the Secretaries of War and Navy that in case of emergency the welfare and safety of the Republic might be threatened? I deny that we have reached that condition. Unfortunately we have had woeful abuse of executive discretion under this administration, but I decline to charge it to the Democrats of the country, because I do not believe they approve it, and I do hope that under a new administration we will have men in charge of these affairs that will realize their responsibility to the people of the Republic. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. VOLK].

Mr. McCLINTIC. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Oklahoma makes the point of no quorum. The Chair will count. [After counting.] One hundred and thirteen gentlemen are present, a quorum.

The gentleman from New York [Mr. VOLK] is recognized for five minutes.

Mr. VOLK. Mr. Chairman, in fact the whole program seemed to be one of suppression and oppression, to silence the wrath

and indignation of every branch of the community. Newspapers were even warned that their utterances might produce dire results, all for the purpose of preventing just and proper criticism of the extraordinary action of the court and the receiver in the litigation.

Two years have elapsed and not a thing, save what will be hereinafter referred to, has been accomplished through this receivership. To-day the matter is practically where it was two years ago. In the meantime the disintegration of this system was begun—transfers have been abolished, cars have been withdrawn, lines have been discontinued, to the end that by suspension of branches of the service an extra fare is being charged for transit through this borough. The city of New York, in desperation of the breakdown of the transportation system, introduced the operation of busses. These busses gave extraordinary service and were a source of great satisfaction to the people. The receiver made application for and obtained an injunction stopping the operation of busses, and the people of Brooklyn must be satisfied with only such services as the receiver of the Brooklyn Rapid Transit system is willing to accord them.

There should be no misunderstanding of the transit situation in the city of New York. This company, with others, is under a contract obligation with the city to transport passengers within the city for a 5-cent fare. This contract and its validity have been established by the courts. To circumvent this contract and deviate from its plain terms and provisions has been the work of this receivership, and it is not transcending a truthful statement of the situation to say that that was in the minds of the actors when the litigation was begun.

Branches of this system, which have been in existence for years, and which have been and now are indispensable to the welfare of citizens of this center of population, are being suspended upon the pretext that they do not pay and must be discontinued because the operation of them represents a losing venture. This can not be true. For years the lines which have been suspended have been actively and intensively used by the people. They traverse the most populous part of the borough. Their suspension is a mere club designed to aid in the propaganda now being conducted for a higher rate of fare in the city. No one can gainsay the claim advanced by the receiver that these roads do not pay, since no one would have the courage to demand the truth in the matter, in view of the previous attitude of the United States court in its treatment of those who questioned its action.

The result is that to-day numerous branches of the system have been suspended and the threat is now made that a large number of other branches will be suspended from operation in the very near future. All this is done under the guise and pretense of economy, the claim being made that the branches do not pay and that a discontinuance is made necessary by reason of the loss incurred in operation. Upon that point permit me to direct attention to something that has just come to the notice of the public in connection with the administration of the system.

The receiver of the corporation, Lindley M. Garrison, is shown to have had paid to him and his assistant $125,000 as partial payment for his services for one year. In addition, and in order further to bolster up this claim that the transportation system represents a losing venture, it paid $133,000 to so-called experts for a valuation of the system. In other words, so far as the public have been able to get at the records of this receivership for one year, it has shown that $258,000 or more had been expended for a purely nominal service of a receiver. Think of it, $125,000 as partial payment for one year's services of a receiver who is a resident of another State, who possibly seldom, if ever, visited Brooklyn before his appointment, who is not a traction man, and who is not familiar with traction matters, particularly those of the Borough of Brooklyn. In addition, a payment of $133,000 for an appraisal that never was needed and should never have been undertaken as an incident to the receivership. In fact, these items are clearly illegal and without sanction or authority in law, yet both items were sanctioned by direct orders of the court under circumstances that certainly ought to be questioned by anyone interested in an economical administration of the affairs of this company, which is filling the air with cries and lamentations that it is not making money.

It must be borne in mind that the receiver, Mr. Garrison, is in no sense devoting his time and attention exclusively to the work of the receivership. If reports are to be credited, he is conducting his law business in the usual manner, and the management and administration of the transportation system is in the hands of precisely the same force, including its president, as has administered it for years past. There is no change in the personnel of the real managing and administering force of the company. From this it will be perceived that the receivership is a mere nominal one. The payment of $125,000 to him and to his assistant must shock anyone who understands the situation in connection with this company. With the aid of the court, on one hand it holds in check the people who have had disaster brought to their fireside by its negligence, while with the other hand it bestows largess and bounty upon those who have done nothing and have added positively nothing of value to it. And in this, the aid and agency is the district court of the United States, which under the mantle of equity, the maxim of which is "conscience, good faith, and reasonable diligence," has sanctioned this practical looting of the treasury of this company, and yet this may be only a detail of what has been disposed of through this equitable receivership, so called. The real amount which has been abstracted from this company under the forms of law and the orders of the court can not be learned until some agency of investigation undertakes the work of ascertaining it. The attitude of the public of the city of New York can not be misunderstood. In the city of New York, certainly in the Borough of Brooklyn, with its 2,000,000 of people, since the day war was declared, nothing has aroused the public so much as this shocking state of affairs and the maladministration which it indicates. There is no division of sentiment in regard to what should be done. Everything connected with the inception and progress of this litigation has branded it as opposed to public interest and a scheme to throw a mantle of legal protection around the conduct of the affairs of the company, and thus the acts of the receiver are kept screened from public scrutiny. The public demand that it should be exposed. Recently the Brooklyn Rapid Transit system, in unison with other transportation lines in the city, made application to the Board of Estimate and Apportionment for an increased fare.

The board began public hearings to determine the justice of the company's demand. These public hearings resolved themselves into an investigation which proceeded only far enough to show the demoralization of the company due to the receivership when the application was suddenly withdrawn and forced a discontinuance of the investigation. The experience of the comptroller of the city of New York shows that exposure can not come through any agency except the Congress of the United States. A committee of the New York State Legislature, composed of senators and assemblymen of the affected borough, made a formal and written application for an appointment with the court for a conference on the question of the termination of the receivership, which was diplomatically declined on the ground that the occasion did not warrant it.

No legislative—State or municipal—agency can undertake this inquiry and investigation, in view of what has transpired and in view of the attitude of the United States court. The sole means by which the public can be enlightened upon this all-important matter is the privileged investigation which a committee of Congress alone can conduct. The honor of the courts of the United States appears to be involved in this matter.

The litigation, collusive in its inception, has been imposed upon the courts of the United States. It has been termed by the parties themselves "a friendly receivership." It has been prolonged for two years, to the end that this receivership might continue and the people of the Borough of Brooklyn harassed and oppressed thereby. If the courts of the United States are not to be a hissing and a byword, this species of maladministration must be exposed and summarily dealt with. The means at hand should be availed of at once if the honor and dignity of our courts are to be upheld and the respect to which they are entitled perpetuated in the minds of the people. [Applause.]

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15943, the Army appropriation bill, and had come to no resolution thereon.

FIRST STATE BANK OF KERRVILLE, TEX.

Mr. HUDSPETH. Mr. Speaker, I call from the Speaker's table the bill H. R. 7050, and I move that the House concur in the Senate amendment.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

An act (H. R. 7050) for the relief of the First State Bank of Kerrville, Kerr County, State of Texas.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The question being on concurring in the Senate amendment, the amendment was agreed to.

CALENDAR WEDNESDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House dispense with Calendar Wednesday business to-morrow.

The SPEAKER. Is there objection?

Mr. SEARS. Mr. Speaker, reserving the right to object, will the majority leader give us some idea of when we may reach private bills and other bills on the Private Calendar?

Mr. MONDELL. I hope very soon after we dispose of the appropriation bills. There are only two more.

Mr. SEARS. Then you think we will have some chance to reach those bills?

Mr. MONDELL. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

WITHDRAWAL OF PAPERS.

Mr. FRENCH, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of John W. Reddington (H. R. 8832), first session, Sixty-sixth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Messrs. GOODALL, WHITE of Maine, PETERS, and HERSEY, for three days, for the purpose of attending the funeral of the governor of Maine.

To Mr. CANDLER, for last Saturday and this week, on account of serious illness in his family.

To Mr. FOCHT, indefinitely, on account of death in family.

To Mr. ASHBROOK, for two weeks, on account of important business.

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 2 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 2, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

385. A letter from the president of the Georgetown Gas Light Co., transmitting annual report of that corporation for the year ending December 31, 1920; to the Committee on the District of Columbia.

386. A letter from the Secretary of War, transmitting report of information in response to House resolution 648 in connection with the purchase of German airplanes; to the Committee on Military Affairs.

387. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of Plymouth Harbor, Mass. (H. Doc. No. 996); to the Committee on Rivers and Harbors and ordered to be printed with map.

388. A letter from the president of the Washington Railway & Electric Co., transmitting annual reports for the year ending December 31, 1920, for that corporation and the Washington Interurban Railway Co., the City & Suburban Railway Co., the Georgetown & Tennallytown Railway Co., and the Potomac Electric Power Co.; to the Committee on the District of Columbia.

389. A letter from the president of the Washington Gas Light Co., transmitting annual report of the corporation for the year ending December 31, 1920; to the Committee on the District of Columbia.

390. A letter from the chief clerk of the Patent Office, transmitting annual report of the Commissioner of Patents for the year ending December 31, 1920; to the Committee on Patents.

391. A letter from the Secretary of Labor, transmitting requested item for consideration in the deficiency appropriation bill, in connection with the case of Kristina Furjack; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GOOD, from the Committee on Appropriations, to which was referred the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, reported the same without amendment, accompanied by a report (No. 1274); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PARKER, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (S. J. Res. 161) to exempt the New York State Barge Canal from the provisions of section 201 of House bill 10453, reported the same with amendments, accompanied by a report (No. 1275), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WARD, from the Committee on Agriculture, to which was referred the joint resolution (H. J. Res. 444), authorizing the President to require the United States Sugar Equalization Board to take over and dispose of 13,902 tons of sugar imported from the Argentine Republic, reported the same without amendment, accompanied by a report (No. 1276), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. IGOE, from the Committee on the Judiciary, to which was referred the bill (H. R. 15916) to amend section 101 of the Judicial Code, reported the same without amendment, accompanied by a report (No. 1277), which said bill and report were referred to the House Calendar.

Mr. SNYDER, from the Committee on Indian Affairs, to which was referred the bill (S. 4039) to amend section 3 of the act of Congress of June 28, 1906, entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," reported the same with amendments, accompanied by a report (No. 1278), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NEWTON of Minnesota, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 15953) further regulating the granting of visés by diplomatic and consular officers of the United States, and for other purposes, reported the same without amendment, accompanied by a report (No. 1280), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KEARNS, from the Committee on Military Affairs, to which was referred the bill (H. R. 13756) for the relief of William Thomas Matingley, reported the same with an amendment, accompanied by a report (No. 1279), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOOD: A bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. COADY: A bill (H. R. 15963) to amend and reenact the first paragraph of subdivision (a) of section 209 of the transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL: A bill (H. R. 15964) to authorize deduction of war-risk insurance premiums from the war-service bonus payable under the act approved February 24, 1919, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SANDERS of Louisiana: A bill (H. R. 15965) to extend the time for the construction of a bridge across Pearl River, between Pearl River County, Miss., and Washington Parish, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. SUMMERS of Washington: A bill (H. R. 15966) authorizing an appropriation for continuing irrigation and drainage on the Yakima Indian Reservation; to the Committee on Indian Affairs.

By Mr. PARK: Joint resolution (H. J. Res. 464) providing for the monetization of the bonds issued by the United States of America during the World War; to the Committee on Ways and Means.

By Mr. KAHN: Joint resolution (H. J. Res. 465) for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers; to the Committee on Military Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Washington, urging naval defense for the Puget Sound country; to the Committee on Naval Affairs.

Also, memorial of the Legislature of the State of Washington, favoring a tariff on all flower, vegetable, and other agricultural seeds; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Missouri, favoring a bill for the promotion of Gen. Crowder; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Washington, urging the passage of House bill 15372, regarding the leasing of certain oil lands in Washington; to the Committee on the Public Lands.

By Mr. JACOWAY: Memorial of the Legislature of the State of Arkansas, favoring the passage of a bill authorizing the Secretary of War to turn over to the Secretary of the Treasury for the use of the Public Health Service the military reservation at Fort Logan H. Roots, Ark.; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Arkansas, requesting an appropriation to provide for the prompt and complete construction of locks and dams in the Ouachita River, according to the War Department plans, to insure permanent navigation from Camden, Ark., and New Orleans to the Gulf; to the Committee on Rivers and Harbors.

By Mr. MACGREGOR: Memorial of the Legislature of the State of New York, urging adoption of the Wadsworth resolution to discontinue Federal operations on the canal system of that State; to the Committee on Interstate and Foreign Commerce.

By Mr. MCARTHUR: Memorial of the Oregon State Legislature relative to the hospitalization and retraining of disabled ex-service men; to the Committee on Public Buildings and Grounds.

By Mr. DOMINICK: Memorial of the Legislature of the State of South Carolina, urging Federal aid for post roads in South Carolina; to the Committee on Roads.

By Mr. STEENERSON: Memorial of the Legislature of the State of Minnesota, favoring legislation for ex-soldiers; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DUNBAR: A bill (H. R. 15967) granting an increase of pension to Loudica Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15968) granting a pension to William H. Grimes; to the Committee on Pensions.

Also, a bill (H. R. 15969) granting an increase of pension to Mary E. Lofton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15970) granting an increase of pension to Angie E. Leslie; to the Committee on Invalid Pensions.

By Mr. GALLAGHER: A bill (H. R. 15971) for the relief of Joseph A. Willens; to the Committee on Claims.

By Mr. HENRY T. RAINEY: A bill (H. R. 15972) granting a pension to Mattie J. Clark; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5389. By Mr. BARBOUR: Petition of Bakersfield (Calif.) Branch of the National Association for the Advancement of Colored People, relating to the Curtis-Dyer antilynching bill, etc.; to the Committee on Interstate and Foreign Commerce.

5390. By Mr. BURROUGHS: Petition of Miss E. M. Newell, corresponding secretary of Woman's Club of Hanover, N. H., indorsing the Smith-Towner bill; to the Committee on Education.

5391. Also, petition of B. M. Stovall, secretary Midcity Citizens' Association, indorsing House joint resolution 11; to the Committee on the Judiciary.

5392. By Mr. EMERSON: Petition of St. James Parish, Cleveland, Ohio, favoring recognition of the Irish republic by our Government; to the Committee on Foreign Affairs.

5393. By Mr. ESCH: Petition of the Rotary Club of Key West, Fla., favoring the enactment of House bill 14899; to the Committee on Interstate and Foreign Commerce.

5394. By Mr. FULLER: Petition of Illinois Manufacturers' Association, opposing blanket appropriations for rivers and harbors; to the Committee on Rivers and Harbors.

5395. By Mr. GALLIVAN: Resolutions of American Association for the Recognition of the Irish Republic, of Massachusetts, John F. Harrigan, president, protesting against deportation of Lord Mayor Donal O'Callaghan, of Cork, Ireland; to the Committee on Foreign Affairs.

5396. Also, resolutions of Roger Casement Council, American Association for the Recognition of the Irish Republic, Jeremiah Carroll, chairman, appealing to Congress to demand payment of loan to England; also send home the British ambassador, Sir Eric Geddes, as a protest against the crimes of the British Government in Ireland; also to recognize the republic of Ireland; to the Committee on Foreign Affairs.

5397. Also, resolutions of Roger Casement Council, American Association for the Recognition of the Irish Republic, Jeremiah Carroll, chairman, protesting against deportation of Lord Mayor Donal O'Callaghan, of Cork, Ireland; to the Committee on Foreign Affairs.

5398. By Mr. LINTHICUM: Petition of Export and Import Board of Trade, Baltimore, Md., opposing Senate bill 4542; to the Committee on Naval Affairs.

5399. Also, petition of the National City Bank of Baltimore and the Jacob C. Shafer Co., both of Baltimore, Md., opposing the Gronna bill; to the Committee on Agriculture.

5400. Also, petition of the Canton Lumber Co., Baltimore, Md., relating to appropriation for rivers and harbors; to the Committee on Appropriations.

5401. Also, petition of Robert S. Hart, Baltimore, Md., favoring turnover tax; to the Committee on Ways and Means.

5402. By Mr. MCARTHUR: Petition of the University of Oregon, School of Journalism, asking a Federal investigation of the paper industry of Oregon; to the Committee on Interstate and Foreign Commerce.

5403. By Mr. MACGREGOR: Petition of Local No. 390, National Federation of Post Office Clerks, of New York, protesting against the order which abolished special clerks in the Post Office Department; to the Committee on the Post Office and Post Roads.

5404. By Mr. MCLAUGHLIN of Michigan: Petition of residents of Suttons Bay, Mich., protesting against the occupation of Germany by French Negro troops; to the Committee on Military Affairs.

5405. By Mr. MOONEY: Petition of the United Commercial Travelers of America, Euclid Council, No. 421, Cleveland, Ohio, favoring 1-cent letter drop postage; to the Committee on the Post Office and Post Roads.

5406. By Mr. MORIN: Petition of prominent citizens of Pittsburgh, Pa., protesting against bill which provides for severe restrictions regarding work and enjoyment of innocent pastimes on Sunday; to the Committee on the Judiciary.

5407. By Mr. REBER: Petition of the Pennsylvania Branch of the Women's International League for Peace and Freedom, favoring a reduction of the Navy building program; to the Committee on Naval Affairs.

5408. Also, petition of the Pennsylvania branch of the Women's International League for Peace and Freedom, relating to military expenses; to the Committee on Military Affairs.

5409. By Mr. SINCLAIR: Petition of about 150 farmers in western North Dakota, favoring the immediate passage of House bill 15453, guaranteeing a price of $2.26 per bushel for wheat; to the Committee on Agriculture.

5410. By Mr. STEENERSON: Petition of Minnesota Farm Bureau Federation, opposing any tariff on lumber; to the Committee on Ways and Means.

5411. By Mr. STINESS: Petition of Queen's Daughters, of Providence, R. I., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5412. By Mr. YATES: Petition of parent-teachers' associations of Decatur, Ill., urging an appropriation for the continuation of work against venereal diseases, by Mrs. Mary T. Starr; to the Committee on Appropriations.

5413. Also, petition of the National Board of Marine Underwriters, New York City, urging the passage of House bill 13591; to the Committee on the Merchant Marine and Fisheries.

5414. Also, petition of W. S. McKee, president American Manganese Steel Co., Chicago, Ill., favoring the passage of the McFadden bill (H. R. 13201); to the Committee on Mines and Mining.

5415. Also, petition of Tanners' Products Co., Chicago, Ill., strongly in favor of an appropriation by the Government to help

defray the cost of transporting food to be sent to the starving people of Europe; to the Committee on Appropriations.

5416. Also, petition of W. B. Taylor, Chicago, Ill., urging legislation protecting the lemon and citrus growers of this country; to the Committee on Ways and Means.

5417. Also, petition of Bay & River Boat Owners' Association, San Francisco, Calif., urging the passage of House bill 13591; to the Committee on the Merchant Marine and Fisheries.

5418. Also, petition of A. F. Wine, of the American Cooperative Publishing Co., Chicago, Ill., urging the passage of the Fess-Capper bill (H. R. 12652); to the Committee on Education.

5419. Also, petition of the Chicago Clearing House, by Mr. Thomas C. Stibbs, favoring Senate bill 3374, relative to a 2-cent piece; to the Committee on Coinage, Weights, and Measures.

5420. Also, petition of Kendall County Farm Bureau, Yorkville, Ill., favoring the French-Capper truth-in-fabric bill (H. R. 11641); to the Committee on Interstate and Foreign Commerce.

5421. Also, petition of F. R. Warner, Sault Ste. Marie, Mich., urging the passage of House bill 13591; to the Committee on the Merchant Marine and Fisheries.

5422. Also, petition of the Licensed Tugmen's Protective Association of America, Chicago, Ill., urging the passage of House bill 15746; to the Committee on the Merchant Marine and Fisheries.

5423. Also, petition of Elgin Church of the Brethren, Elgin, Ill., urging the passage of the Jones-Randall bill; to the Committee on the Judiciary.

5424. Also, petition of Will County Women's Christian Temperance Union, Joliet, Ill., urging the passage of the Smith-Towner bill; to the Committee on Education.

5425. Also, petition of C. H. Perkins, Decatur, Ill., favoring the passage of the Elkins bill (S. 4596); to the Committee on Pensions.

5426. Also, petition of Ottawa (Ill.) Rotary Club, urging speedy justice to disabled soldiers now subject to delay; to the Committee on Interstate and Foreign Commerce.

5427. By Mr. YOUNG of North Dakota: Petition of James A. Kelland Post, No. 111, of Binford, and William Whalen Post, No. 101, of Leeds, both in the State of North Dakota, of the American Legion, regarding legislation for disabled soldiers; to the Committee on Ways and Means.

5428. By Mr. ZIHLMAN: Petition of the Wednesday Club, Sandy Spring, Md., and the A. Y. L. I. Club, Germantown, Md., favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5429. Also, petition of Current Comment Club, Forest Glen, Md., favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5430. Also, petition of Golden Rule Council, No. 6, Junior Order United American Mechanics, relating to the Johnson immigration bill; to the Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, *February 2, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, we thank Thee that our times are in Thy hands; and with such custodianship and direction we would ask Thee to help us to conform our lives to Thy good pleasure. As we live and labor may we honor Thee, seek the best interests of our beloved land, and the furtherance of Thy kingdom through the earth. For Jesus' sake. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, January 31, 1921, when, on request of Mr. MCCUMBER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LINCOLN MEMORIAL (S. DOC. NO. 372).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the chairman of the Lincoln Memorial Commission, submitting a supplemental estimate of appropriation in the sum of $363,000, required for the completion of the Lincoln Memorial in West Potomac Park, which was referred to the Committee on Appropriations and ordered to be printed.

INLAND TRANSPORTATION BY STAR ROUTES (S. DOC. NO. 371).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Postmaster General, submitting a supplemental estimate of appropriation in the sum of $1,363,000, required by the Post Office Department for inland transportation by star routes, payable from postal revenues, for the fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

TRANSPORTATION OF MAILS (S. DOC. NO. 373).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Postmaster General, submitting a deficiency estimate of appropriation in the sum of $65,575,832.03, required by the Post Office Department for transportation of the mails by the United States Railroad Administration during the 26 months of Federal control of railroads, which was referred to the Committee on Appropriations and ordered to be printed.

REPORT OF COMMISSIONER OF PATENTS.

The VICE PRESIDENT laid before the Senate a communication from the Commissioner of Patents, transmitting, pursuant to law, the annual report of the commissioner for the year ended December 31, 1920, which was referred to the Committee on Patents.

CAPITAL TRACTION CO.

The VICE PRESIDENT laid before the Senate a communication from the Capital Traction Co., transmitting, pursuant to law, the annual report of that company for the year 1920, which was referred to the Committee on the District of Columbia.

REPORT OF WASHINGTON RAILWAY & ELECTRIC CO.

The VICE PRESIDENT laid before the Senate a communication from the Washington Railway & Electric Co., transmitting, pursuant to law, the annual report of that company for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

REPORT OF POTOMAC ELECTRIC POWER CO.

The VICE PRESIDENT laid before the Senate a communication from the Potomac Electric Power Co., transmitting, pursuant to law, the annual report of that company for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

CITY & SUBURBAN RAILWAY OF WASHINGTON.

The VICE PRESIDENT laid before the Senate a communication from the Washington Railway & Electric Co., transmitting, pursuant to law, the annual report of the City & Suburban Railway of Washington for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

GEORGETOWN & TENNALLYTOWN RAILWAY CO.

The VICE PRESIDENT laid before the Senate a communication from the Washington Railway & Electric Co., transmitting, pursuant to law, the annual report of the Georgetown & Tennallytown Railway Co. for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

WASHINGTON INTERURBAN RAILROAD CO.

The VICE PRESIDENT laid before the Senate a communication from the Washington Railway & Electric Co., transmitting, pursuant to law, the annual report of the Washington Interurban Railroad Co. for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

WASHINGTON GAS LIGHT CO.

The VICE PRESIDENT laid before the Senate a communication from the Washington Gas Light Co., transmitting, pursuant to law, the annual report of that company for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

GEORGETOWN GAS LIGHT CO.

The VICE PRESIDENT laid before the Senate a communication from the Georgetown Gas Light Co., transmitting, pursuant to law, the annual report of that company for the year ended December 31, 1920, which was referred to the Committee on the District of Columbia.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 7050) for the relief of the First State Bank of Kerrville, Kerr County, State of Texas.

The message also announced that the House had passed a bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 14122) to authorize the sale of a portion of the Copper Harbor Range Lighthouse Reservation, Mich., to Houghton and Keweenaw Counties, Mich., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. McCUMBER. Mr. President, I present a memorial from the Legislature of the State of North Dakota and ask that it may be read. I desire to state, while on my feet, that I have prepared a bill in conformity with the resolution and I shall introduce it to-day for reference.

The VICE PRESIDENT. The Secretary will read as requested.

The memorial was read and referred to the Committee on Agriculture and Forestry, as follows:

BISMARCK, N. DAK., *February 2, 1921.*

P. J. McCUMBER.
Washington, D. C.:

Senate concurrent resolution (introduced by Messrs. Baker and Bond).

Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring)—

Whereas a critical situation exists in much of that territory between the western boundary of Minnesota and the Rocky Mountains in that within this territory there are large numbers of farmers who in the aggregate have millions of acres under cultivation, but who have not sufficient seed and feed for the spring planting of 1921; and

Whereas the farmers of this region demonstrated their loyalty to the Government during the late war by producing food products to the limit of their strength and ability at less than cost owing to drought, grasshopper damage, and high cost of labor; and

Whereas in order to insure the best results from the forthcoming harvest seed corn, seed potatoes, and seed wheat should be provided with the provision that in order to secure seed grain and feed a reasonable acreage of corn and potatoes must also be planted; and

Whereas owing to the present financial depression existing throughout the entire country, it will not be possible for the banks, the counties, or the State to arrange for furnishing the necessary seed and feed; and

Whereas unless Federal aid is forthcoming, millions of these productive acres will not be cropped at this time when the production of agricultural products is recognized as a factor of vital importance to the welfare of the Nation and the world: Now, therefore, be it

Resolved by the Senate of the Seventeenth Legislative Assembly of the State of North Dakota (the House of Representatives concurring), That we do hereby memorialize the Congress of the United States and respectfully urge that Congress take immediate action toward furnishing the means whereby the farmers in this section may be provided with Federal aid to the end that they may receive sufficient seed and feed to plant a normal acreage for the season of 1921; be it further

Resolved, that the secretary of the senate wire a copy of this resolution to the president of the Senate and the speaker of the House of the Montana and South Dakota Legislatures, respectively; also to our Members in Congress.

W. J. PRATER,
Secretary of Senate.

Mr. GRONNA. Mr. President, I merely wish to state that I have received a similar telegram from the same persons, and that I have prepared and shall introduce a bill providing for an appropriation of $5,000,000 for the purchase of seed grain and seed vegetables for that purpose.

Mr. NELSON presented a memorial of the Legislature of Minnesota, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Memorializing the Senate of the United States to pass the adjusted compensation bill now pending in the Senate.

Be it enacted by the Legislature of the State of Minnesota:

Whereas the State of Minnesota was among the first to recognize, in a practical manner, the obligation of the Government to award adjusted compensation to those who served honorably in the armed forces of the United States at some time during the war with the Imperial German Government; and

Whereas the House of Representatives of the United States also recognized the principle of awarding adjusted compensation to those who served as aforesaid by its passage, on May 29, 1920, of House bill No. 14157, commonly known as the fourfold optional plan of adjusted compensation, which bill is now pending in the Senate of the United States: Be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That we do approve and indorse the action thus taken by the House of Representatives of the United States, and that we do earnestly urge the Senate of the United States to pass this bill with the utmost dispatch; be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the Speaker of the House of Representatives of the United States; that another be transmitted to the President of the Senate and Congress of the United States; and also that copies be sent to each Representative of the State of Minnesota in the United States Senate and House of Representatives.

W. I. NOLAN,
Speaker House of Representatives.

Passed the house of representatives January 17, 1921.

OSCAR ARNESON,
Chief Clerk House of Representatives.

LOUIS L. COLLINS,
Lieutenant Governor.

Passed the senate January 27, 1921.

GEO. W. PEACHEY,
Secretary of the Senate.

Approved January 28, 1921.

J. A. O. PREUS, *Governor.*

Filed January 28, 1921.

MIKE HOLM,
Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of house file No. 180, as shown by the records in my office.

[SEAL.]

MIKE HOLM,
Secretary of State.

Mr. ROBINSON. Mr. President, I present a petition signed by P. J. Arnold and more than 200 other citizens of Little Rock, Ark., representing themselves as being connected with efforts to raise funds for the relief of conditions in central Europe and asking the Government to prevail upon the Governments of the Entente powers to redress grievances referred to in the petition. The grievances mentioned are the result of the military occupation of Germany by the armies of the Entente powers and alleged offenses against innocent German citizens, which are said to be of a very serious nature. I have no knowledge as to the truthfulness or accuracy of the statements. I present the petition and move that it be referred to the Committee on Foreign Relations for such consideration and action as that committee may deem appropriate.

The motion was agreed to.

Mr. WARREN presented a telegram in the nature of a petition from the Denver Live Stock Exchange, of Denver, Colo., praying for the enactment of the emergency tariff bill, which was ordered to lie on the table and to be printed in the RECORD, as follows:

DENVER, COLO., *February 1, 1921.*

Hon. FRANCIS E. WARREN,
Washington, D. C.:

Since the emergency tariff bill has been introduced several hundred thousand frozen carcasses of New Zealand mutton have been landed in this country and disposed of to your constituents, with no decline in retail price. On the other hand, this heavy importation has demoralized the market on fat sheep and lambs, entailing a further loss of $2,000,000 to Colorado sheep feeders alone, to say nothing of other sheep feeding sections. Unless something is done it will force this country out of the sheep business. If the consumer in whom you are interested is not benefited by this heavy importation of foreign mutton, we ask, in all fairness, is it just and right to insist that the American producer be asked to compete with cheap foreign production of a commodity that is Government owned? We appeal to you to lend your support to the bill now pending and assist in having it passed immediately if possible.

DENVER LIVE STOCK EXCHANGE,
By A. G. PREY, *President.*

Mr. McNARY presented a resolution of the Legislature of Oregon, relative to buildings and grounds at Fort Walla Walla being available for use by the United States Public Health Service and the Federal Board for Vocational Education, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON.
Office of the Secretary of State.

I, Sam A. Kozer, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 4 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state January 26, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon:

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 26th day of January, A. D. 1921.

[SEAL.]

SAM A. KOZER, *Secretary of State.*

House joint memorial 4.

To the Honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives of the State of Oregon, the Senate concurring, respectfully represent this: That—

Whereas the work of the United States Public Health Service and the Federal Board for Vocational Education throughout district No. 18, comprising Oregon, Washington, and Idaho, has been and now is seriously handicapped by the lack of suitable buildings and grounds for use in the hospitalization and retraining of disabled ex-service men of the World War; and

Whereas representatives of the United States Public Health Service and the Federal Board for Vocational Education, cooperating in the name of humanity and the duty we owe these men, have examined the property of the Federal Government located near Walla Walla, Wash., and known as Fort Walla Walla, now unoccupied, and found the same ideally located for their work and containing buildings which will house approximately 400 men and grounds embracing more than 600 acres of extremely fertile land; and

Whereas these buildings can be made ready for use very quickly at a nominal expense, the necessary funds for which being already available in appropriations made by the Federal Government for the hospitalization and retraining of disabled ex-service men; and

Whereas the United States Public Health Service and the Federal Board for Vocational Education have most heartily indorsed the use of the buildings and grounds at Fort Walla Walla for hospitalization and retraining and desire to secure immediate occupancy of same: Therefore be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Congress of the United States be, and it is hereby, memorialized to take the necessary steps to make the buildings and grounds at Fort Walla Walla available for use by the United States Public Health Service and the Federal Board for Vocational Education for the purpose above mentioned; and be it further

Resolved, That the secretary of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the senate January 25, 1921.
(Signed) ROY W. RITNER,
President of the Senate.

Adopted by the house January 24, 1921.
(Signed) LOUIS E. BEAN,
Speaker of the House.

Indorsed: House joint memorial No. 4. Introduced by Messrs. Hammond, Korell, Marsh, Johnson, Pierce, and Leonard. W. F. Drager, chief clerk. Filed January 26, 1921.

SAM A. KOZER, *Secretary of State.*

Mr. CAPPER presented a petition of sundry citizens of Abilene, Kans., praying for the enactment of legislation to prohibit gambling in farm products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of Farmers' Union, Local No. 202, of Gotebo, Okla., favoring legislation to prohibit gambling in farm products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Porter Precinct Farm Loan Association, of Cheyenne County, Kans., praying for the enactment of legislation extending the Federal farm loan act, which was referred to the Committee on Banking and Currency.

He also presented a resolution of the Southern Tariff Congress, of Atlanta, Ga., favoring a protective tariff on zinc ore, which was referred to the Committee on Finance.

Mr. NELSON presented a memorial of sundry citizens of Richmond, Minn., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a memorial of the Agricultural Cooperative Society of Minnesota, of St. Cloud, Minn., remonstrating against the enactment of legislation imposing a duty on importation of lumber, which was referred to the Committee on Finance.

Mr. McCUMBER presented a memorial of sundry citizens of New Salem, N. Dak., protesting against present conditions in the occupied zone of the Rhine in respect to the presence and action of French colonial troops, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented a resolution of the Michael J. Perkins Post, No. 67, American Legion, of South Boston, Mass., favoring the payment of interest due the United States on loans to foreign Governments, which was referred to the Committee on Foreign Relations.

He also presented a resolution of Division No. 12, Ancient Order of Hibernians, of New Bedford, Mass., favoring the recognition of the Republic of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a telegram in the nature of a memorial signed by D. W. Occahan, Colonel John Barrett Council, Arlington Heights, Mass., transmitting a resolution adopted by the American Association for the Recognition of the Irish Republic, protesting against deporting the lord mayor of Cork, Ireland, Donal J. O'Callaghan, which was referred to the Committee on Foreign Relations.

He also presented resolutions of the Oliver Plunkett Council, American Association for the Recognition of the Irish Republic, of Lowell; the County Leitrim Association, of Boston; and the Roger Casement Council, American Association for the Recognition of the Irish Republic, of Boston; all in the State of Massachusetts, protesting against deporting the lord mayor of Cork, Ireland, Donal J. O'Callaghan, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Bolton, Mass., praying for the enactment of legislation for the limitation of naval armaments, which was referred to the Committee on Naval Affairs.

Mr. SMITH of Maryland presented a telegram in the nature of a memorial from the Export and Import Board of Trade, of Baltimore, Md., remonstrating against the enactment of legislation reducing appropriations for Government export-trade promotion work of the Bureau of Foreign and Domestic Commerce, which was referred to the Committee on Appropriations.

Mr. HARRIS presented a resolution of the Chamber of Commerce of Athens, Ga., favoring the disarmament of the five great powers, which was referred to the Committee on Naval Affairs.

TARIFF ON ZINC ORES.

Mr. SPENCER. I ask to have printed in the RECORD a resolution adopted by the Southern Tariff Congress in regard to the tariff on zinc.

Mr. SMOOT. I object to printing it in the RECORD.

The VICE PRESIDENT. Objection is made. The resolution will be noted in the RECORD, and referred to the Committee on Finance.

Mr. SPENCER subsequently said: Mr. President, my attention has just been called to the fact that the resolution adopted by the Southern Tariff Congress presented by me a few moments ago was not ordered printed in the RECORD, but was merely ordered to be noted in the RECORD. It is but one page in length, and I think the Senate will probably want to have it in its entirety. With that object in view, therefore, I shall read the resolution, and desire to call the attention of the Senate to it. It is as follows:

Whereas it has been forcefully directed to the attention of the Southern Tariff Congress that the zinc ore mining industry of the United States, which for the most part is located in the States of Missouri, Arkansas, and Oklahoma, has practically been wiped out by reason of the immense importations of zinc ore from 16 different countries of both hemispheres from the year 1916 to the present time; and

Whereas there is now pending in the Senate of the United States an emergency zinc ore tariff bill providing for an adequate protective tariff on zinc ore which will fairly measure the difference between the cost of producing zinc ores at home and abroad, to wit: Two cents per pound upon the metallic content of such imported zinc ores, and compensatory tariff on spelter provided by amended bill: Now, therefore, be it

Resolved by the Southern Tariff Congress now assembled at Atlanta, Ga., that the Senators from the respective Southern States that are members of the Southern Tariff Association be requested to vote for the passage of said zinc ore tariff bill and to urge that such remedial legislation be enacted at the earliest possible date; be it further

Resolved, That copies of this resolution be at once transmitted by the secretary of this association to each of the Senators from the States represented in this Southern Tariff Congress.

SOUTHERN TARIFF CONGRESS,
By JOHN H. KIRBY, *President.*

LOANS TO FOREIGN GOVERNMENTS.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably Senate resolution 422, a resolution of inquiry, and I ask for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution, as follows:

Resolved, That the Secretary of the Treasury and the Secretary of State be, and they hereby are, directed to transmit, as soon as practicable, to the Senate copies of all official correspondence and other documents relating to the negotiations for the payment of interest on and refunding of the obligations of foreign Governments acquired by the United States under the provisions of section 2 of the first Liberty loan act, approved April 24, 1917; section 3 of the second Liberty loan act, approved September 24, 1917; section 2 of the third Liberty loan act, approved April 4, 1918; section 2 of the fourth Liberty loan act, approved July 9, 1918; and section 8 of the Victory loan act, approved March 3, 1919.

Resolved further, That the Secretary of State and the Secretary of the Treasury be, and they hereby are, directed to advise the Senate whether any negotiations touching the matters referred to have been conducted by oral exchange in whole or in part, and, if so, to communicate to the Senate in substance the proposals submitted during the course of such exchanges on behalf of the Government of the United States and such foreign Governments, respectively.

Mr. JONES of Washington. May I ask the Senator if he has any idea what will be the expense of a response to this inquiry? It may require the making of copies of a great many documents, some of them pretty long.

Mr. LODGE. I do not think it will be serious at all. It is merely to get information as to what has been done in regard to refunding the loans referred to.

Mr. JONES of Washington. It calls for copies of various papers, and I should like to know whether the committee made any inquiry to ascertain what the probable expense would be.

Mr. LODGE. The committee were satisfied that it would be a very trifling matter to ascertain the information, and it is information to which the Senate is entitled.

Mr. JONES of Washington. I ask that it may go over.

The VICE PRESIDENT. Is there objection to the consideration of the resolution?

Mr. LODGE. The Senator from Washington objects.

Mr. JONES of Washington. Yes; I object.

The VICE PRESIDENT. The resolution will be placed on the calendar.

CONDITIONS IN SIBERIA.

Mr. JOHNSON of California. From the Committee on Foreign Relations I report back favorably Senate resolution 427, and I ask for its present consideration.

Mr. HITCHCOCK. Let it be read.

The VICE PRESIDENT. The Secretary will read.

The reading clerk read the resolution, as follows:

Resolved, That the Foreign Relations Committee, or a subcommittee thereof, be, and it is hereby, authorized to investigate the sending of United States soldiers to Siberia, the purposes of their presence there, their activities and accomplishments, if any, and also the condition and situation of citizens of the United States and the interests of citizens of the United States in Siberia.

Mr. HITCHCOCK. I should like to have the resolution go to the calendar. I object to its present consideration.

The VICE PRESIDENT. The resolution will be placed on the calendar.

REPUBLICS OF HAITI AND SANTO DOMINGO.

Mr. JOHNSON of California. From the Committee on Foreign Relations I report back favorably with an amendment Senate resolution 428, and I ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution, as follows:

Resolved, That the Committee on Foreign Relations be, and it is hereby, authorized to investigate all the circumstances attending the participation of Americans, either civilians or members of the Military or Naval Establishments, in the governmental affairs of the Republics of Haiti and Santo Domingo.

The amendment is to insert the word "Nicaragua" before the word "Haiti."

Mr. JONES of Washington. This is a report from a committee?

Mr. LODGE. It is a unanimous report from the Committee on Foreign Relations.

Mr. JONES of Washington. I ask that the resolution may go over.

The VICE PRESIDENT. The resolution will be placed on the calendar.

REPORTS OF COMMITTEES.

Mr. LODGE, from the Committee on Foreign Relations, to which was referred the joint resolution (S. J. Res. 245) prohibiting the exercise, without the consent of Congress, of the authority conferred upon the Secretary of the Treasury relative to obligations of foreign Governments acquired by the United States, reported it favorably without amendment.

Mr. CALDER. From the Committee on Commerce I report back favorably with amendments the bill (S. 4949) to authorize the building of a bridge across the Santee River in South Carolina, and I submit a report (No. 750) thereon. I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JOHNSON of California. I object.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. CALDER. From the Committee on Commerce I report back favorably with amendments the bill (S. 4950) to authorize the building of a bridge across the Peedee River in South Carolina, and I submit a report (No. 751) thereon. I ask unanimous consent for its present consideration.

Mr. McCUMBER. I reserve the right to object if there is going to be any discussion.

Mr. JOHNSON of California. Is unanimous consent asked for the present consideration of the bill?

The VICE PRESIDENT. It is.

Mr. JOHNSON of California. I object.

The VICE PRESIDENT. Objection is made. The bill will be placed on the calendar.

Mr. CALDER. From the same committee, the Committee on Commerce, I report back favorably with amendments the bill (S. 4951) to authorize the building of a bridge across the Wateree River in South Carolina, and I submit a report (No. 752) thereon. I ask for its present consideration.

The VICE PRESIDENT. Is there objection?

Mr. JOHNSON of California. I object.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. McCUMBER, from the Committee on Pensions, to which was referred the bill (H. R. 13944) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it favorably with amendments and submitted a report (No. 741) thereon.

He also, from the same committee, to which was referred the bill (H. R. 15344) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes, reported it favorably without amendment, and submitted a report (No. 742) thereon.

Mr. KEYES, from the Committee on Naval Affairs, to which was referred the bill (S. 4478) to create a bureau of aeronautics in the Department of the Navy, reported it favorably without amendment, and submitted a report (No. 743) thereon.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922, reported it favorably with amendments, and submitted a report (No. 744) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3246. A bill for the relief of Hugo Stamm (Rept. No. 745);

S. 4159. A bill for the relief of dispossessed allotted Indians of the Nisqually Reservation, Wash. (Rept. No. 746); and

S. 4352. A bill authorizing the Indians residing on or belonging to the Turtle Mountain Reservation, N. Dak., to submit claims to the Court of Claims, and for other purposes (Rept. No. 747).

Mr. DILLINGHAM, from the Committee on the District of Columbia, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 4645. A bill to authorize the Commissioners of the District of Columbia to close upper Water Street, between Twenty-first and Twenty-second Streets NW. (Rept. No. 748); and

H. R. 5416. A bill to authorize corporations organized in the District of Columbia to change their names (Rept. No. 749).

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 4962) to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Madame Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones; to the Committee on Foreign Relations.

By Mr. McCUMBER:

A bill (S. 4963) to appropriate $50,000,000 for the purchase of seed grain and feed for live stock, to be supplied to farmers in the crop-failure areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. KENYON:

A bill (S. 4964) to amend sections 2, 10, 11, 12, 13, and 32 of the Federal farm loan act, approved July 17, 1916, as amended; to the Committee on Banking and Currency.

By Mr. SPENCER:

A bill (S. 4965) for the relief of Dr. O. H. Tittmann, former superintendent of the United States Coast and Geodetic Survey; to the Committee on Commerce.

By Mr. SMITH of Georgia:

A bill (S. 4966) for the relief of Grover C. Freeman; to the Committee on Naval Affairs.

By Mr. SPENCER:

A bill (S. 4967) granting a pension to Catherine Hartman; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 4968) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920; to the Committee on Civil Service and Retrenchment.

A bill (S. 4969) for the relief of Martin A. Hayes (with accompanying papers); to the Committee on Military Affairs.

By Mr. HARRIS:

A joint resolution (S. J. Res. 252) authorizing use of Library of Congress by members and secretary of the Federal Trade Commission; to the Committee on the Library.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to appropriate $115,767.67, for payment to Stevens and Ferry Counties, in the State of Washington, of their claims under section 2 of the act of July 1, 1892, relating to the payment of local taxes on allotted Colville Indian lands, etc., intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to appropriate $85,000 for payment of 25 heads of families of the Nisqually Reservation in Washington, or expended for their benefit, in the discretion of the Secretary of the Interior, as compensation for the difference between the appraised value and the compromise price paid for approximately 3,300 acres of alloted land taken for military purposes, for surrender of treaty fishing rights, for immunity from taxes, etc., intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to appropriate $50,000 for beginning the construction of diversion dams and distributing systems for irrigating 40,000 acres of land adjacent to Satus Creek on the Yakima Indian Reservation, Washing-

ton, etc., intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and be printed.

Mr. SMITH of Maryland submitted an amendment providing that an examination and survey be made of Baltimore Harbor, Md., and channels leading thereto with the view of properly providing for anchorage grounds and the government thereof, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. OWEN submitted an amendment proposing to appropriate $10,000 for field station (Woodward, Okla.) for maintenance of live-stock department through which experiments and demonstrations in live-stock breeding, growing, and feeding may be made, etc., intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

HOUSE BILL REFERRED.

The bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

COMMITTEE SERVICE.

Mr. GRONNA, on his own request and by unanimous consent, was excused from further service as a member of the Committee on Conservation of National Resources.

Mr. CURTIS, on his own request and by unanimous consent, was excused from further service as a member of the Committee on Public Buildings and Grounds.

Mr. BORAH, on his own request and by unanimous consent, was excused from further service as a member of the Committee on Irrigation and Reclamation of Arid Lands.

On motion by Mr. LODGE, and by unanimous consent, it was—

Ordered, That the Senator from Ohio [Mr. WILLIS] be assigned to service on the following standing committees of the Senate: Commerce; Territories; Public Health and National Quarantine; Standards, Weights, and Measures; and Conservation of National Resources.

On motion of Mr. LODGE, and by unanimous consent, it was—

Ordered, That the Senator from Idaho [Mr. GOODING] be assigned to service on the following standing committees of the Senate: Irrigation and Reclamation of Arid Lands; Philippines; Expenditures in the Treasury Department; Pacific Islands, Porto Rico, and the Virgin Islands; and Public Buildings and Grounds.

BRIDGES OVER WATEREE, PEEDEE, AND SANTEE RIVERS.

Mr. SMITH of South Carolina. Mr. President, I ask that unanimous consent be given for the consideration and passage of three bills which were reported this morning authorizing the construction of bridges over certain rivers in my State. I think the objection which was then made to their consideration will not be renewed.

The VICE PRESIDENT. Is there objection? The Chair hears none.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4951) to authorize the building of a bridge across the Wateree River in the State of South Carolina, which had been reported from the Committee on Commerce with amendments in section 1, lines 3 and 4, to strike out the words "in cooperation with" and insert the word "and"; in line 5, after the name "Richland," insert the word "and"; in the same line, after the name "Sumter," to strike out the comma and the words "and other"; in line 7, before the word "bridge," to strike out the word "highway"; and in the same line, after the name "Wateree," to insert "River at a point suitable to the interests of navigation," so as to make the section read:

That the State highway department of South Carolina and the properly constituted authorities of Richland and Sumter Counties of that State be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Wateree River at a point suitable to the interests of navigation and at or near a point known as Gerners Ferry, between the counties of Sumter and Richland, in the State of South Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4950) to authorize the building of a bridge across the Peedee River in South Carolina, which had been reported from the Committee on Commerce with amendments in section 1, lines 3 and 4, to strike out the words "in cooperation with" and insert the word "and"; in line 6, before the word "and," to strike out the word "drawbridge" and insert the word "bridge"; in line 7, after the word "River," to insert "at a point suitable to the interests of navigation and"; so as to make the section read:

That the State highway department of South Carolina and the Peedee Bridge Commission be, and they are hereby, authorized to construct, maintain, and operate a drawbridge and approaches thereto across the Peedee River at a point suitable to the interests of navigation and at or near a point known as Mars Bluff Ferry, between the counties of Florence and Marion, in the State of South Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4949) to authorize the building of a bridge across the Santee River in South Carolina, which had been reported from the Committee on Commerce with amendments in section 1, lines 3 and 4, to strike out the words "in cooperation with," and to insert the word "and"; in line 6, before the word "and" to strike out the word "drawbridge" and to insert the word "bridge"; and in line 7, after the word "River," to insert the words "at a point suitable to the interests of navigation and"; so as to make the section read:

That the State Highway Department of South Carolina and the Santee River Bridge Commission be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Santee River at a point suitable to the interests of navigation and at or near a point known as Murrays Ferry, between the counties of Berkeley and Williamsburg, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HOUSING CORPORATION PROJECT AT CRADOCK, VA.

Mr. SWANSON. From the Committee on Public Buildings and Grounds I report back favorably with an amendment the bill (S. 4924) to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation Project 150A, located in Norfolk County, State of Virginia, and called Cradock. I ask unanimous consent for immediate consideration of the bill.

In explanation of my request I will state what the bill provides, and at the outset I desire to call attention to the fact that there is no appropriation of money involved. During the late war the Housing Corporation built a little town to house about 2,000 Government employees. That town was known as Cradock. The State of Virginia ceded to the Federal Government the exclusive jurisdiction over the site on which the town was located. The Housing Corporation has entered into contracts to sell and convey all of the houses, numbering several hundred renting units, together with all the land and vacant lots, and has remaining undisposed of only the utilities and buildings of a public character. It is necessary now that the property be retroceded to the State of Virginia in order that that State may exercise political power, so that taxes may be levied and the town may be incorporated. As it is now about 2,000 people are without the protection of any civil government, as the National Government is no longer in charge there. That is all the bill does. It has been unanimously reported by the Committee on Public Buildings and Grounds; the Housing Corporation favor it, and it is important that it be acted on as quickly as possible.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment was, on page 2, line 7, to strike out the remainder of the bill, as follows:

and from and after the passage of this act the State of Virginia shall have the same jurisdiction over this property and over this territory and the persons resident thereon as other parts of the said State of Virginia.

So as to make the bill read:

Be it enacted, etc., That the exclusive jurisdiction heretofore acquired over the said town site or territory known as United States Housing Corporation Project 150A and called Cradock, and located in the county of Norfolk, State of Virginia, be, and the same is hereby, retroceded to the State of Virginia.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was rejected.

EMERGENCY TARIFF.

Mr. KELLOGG. By request, I offer two amendments intended to be proposed to the tariff bill.

The VICE PRESIDENT. The Senator from Minnesota refers to the measure which comes up at 1 o'clock?

Mr. KELLOGG. I do.

The VICE PRESIDENT. The amendments proposed by the Senator from Minnesota will be read.

The amendments were read, as follows:

On page 2, lines 2 and 3, strike out the following words: "2. Wheat flour and semolina, 20 per cent ad valorem," and in lieu thereof insert the following:

"2. Wheat flour and semolina, four and one-half times the amount of specific duty imposed on wheat by this act:

"*Provided*, That the rates of duty herein imposed on wheat, wheat flour, and semolina shall not apply to shipments of these commodities from any foreign country to the United States which are actually in transit the day upon which this act becomes effective."

After line 3, page 2, add the following words:

"3. Wheat feeds, two-thirds of 1 cent per pound."

The VICE PRESIDENT. The amendments will lie on the table.

Mr. HARRIS. I offer certain amendments to the pending tariff bill, which I send to the desk.

The VICE PRESIDENT. The amendments proposed by the Senator from Georgia will be read.

The amendments were read, as follows:

On page 2, line 22, strike out "26" and insert "30," so as to read: "10. Oils: Peanut, 30 cents per gallon, etc."

On page 2, line 23, strike out "20" and insert "25," so as to read: "cottonseed, coconut, and soya bean, 25 cents per gallon."

On page 2, line 10, strike out "3" and insert "5," so as to read: "5. Peanuts or ground beans, 5 cents per pound."

The VICE PRESIDENT. The amendments will lie on the table.

Mr. McCUMBER. I present an amendment to the emergency tariff bill and ask that it be read.

The VICE PRESIDENT. The Secretary will read the amendment intended to be proposed by the Senator from North Dakota.

The ASSISTANT SECRETARY. On page 2, after line 3, it is proposed to insert:

Flaxseed, 30 cents per bushel of 56 pounds.

The VICE PRESIDENT. The amendment will lie on the table.

Mr. McCUMBER. I present and ask to have read the request for unanimous consent which I send to the desk.

The VICE PRESIDENT. The Secretary will read the proposed agreement.

The ASSISTANT SECRETARY. The Senator from North Dakota asks unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, February 15, 1921, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 15275, "An act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes," through the regular parliamentary stages up to and including a vote upon its passage, and that after the hour of 2 o'clock p. m. on said day no Senator shall speak more than once nor longer than five minutes upon the said bill or any amendment offered thereto.

Mr. UNDERWOOD. Mr. President, I will say to the Senator that the proposal has been made on the other side of the Chamber for the adoption of cloture on the so-called emergency tariff bill. We want a vote on cloture. If you have two-thirds majority on the other side to close the debate on the bill, that will end it. If you have not, immediately after the vote on cloture we will consider with the Senator from North Dakota the proposition of fixing a date to vote on the bill.

I will also say to the Senator that it is not the desire on this side of the Chamber to prevent an ultimate vote on this bill; there never has been such a desire; but we will not make an agreement in the face of a proposal to invoke cloture; we will have to have a vote on that first.

Mr. McCUMBER. Mr. President, the very purpose of the request for unanimous consent was to avoid resort to the cloture rule or even an attempt to invoke it. None of us want cloture if there is any possible way of securing a vote upon the pending measure within a reasonable time.

Mr. UNDERWOOD. Then, I hope the Senator will vote with us against cloture. I can assure the Senator, however, after the disposition of the vote on cloture that an earnest effort will be made by this side of the Chamber to come to an agreement with the Senator for a vote on the bill.

Mr. McCUMBER. I wish to say to the Senator in response that if I thought we could get a unanimous-consent agreement without cloture, I would vote against cloture.

Mr. UNDERWOOD. I think the Senator will get very reasonable proposals from this side of the Chamber.

The VICE PRESIDENT. Objection is made.

Mr. THOMAS resumed and concluded the speech begun by him on Saturday last. The entire speech is as follows:

Saturday, January 29, 1921.

Mr. THOMAS. Mr. President, the suggestion of the senior Senator from North Dakota [Mr. McCUMBER] that discussion of the bill to-day be directed to the merits of the measure itself is one to which I shall adhere. The bill and the conditions which are said to require its summary enactment furnish abundant material for as long and appropriate discussion as any Member of this body desires to make.

I shall digress for a moment from the general course of my proposed discussion, however, because of the introduction of the Nevada memorial and the Texas petition, to present another which I have received from my own State, because if what my correspondent says is true then the bill should be further amended, as he ardently desires. I shall omit names and localities in the reading of the letter:

DEAR SENATOR: I desire to call your attention to the fact that the honey industry of this country is being ruined by imports from foreign countries. I have spent several years in building up the bee industry here and now own 200 hives, from which I derive my living. If foreign countries are allowed to supply the demand for honey in this country it simply means that my investment, along with the many other bee keepers, will come to nothing, and each will have to seek other lines of employment. We feel that this is an unjust condition and can be relieved through tariff measure, and to this end we appeal to you for relief. We are not in a position to suggest just the measure that is needed, but we are sure that you can work this out on a fair and equitable basis.

Trusting that you will see that some action is taken in behalf of the bee keepers, and thanking you for any interest you may show.

Yours, truly,

_____ _____.

This letter was written by a man who has evidently been taught to believe that his industry is threatened by the importation of a competitive product, which, unless prevented, will overturn his hives, liberate his bees, and compel him to devote his time and attention to other pursuits. It is quite as true, in fact, and demands quite as much emergency attention as do those pursuits which are covered by the bill, protection of which is said to be essential to their salvation.

I have no doubt that the American bee has, during the war and since, enjoyed a degree of prosperity and an enhanced compensation which has naturally driven him to the general policy of organizing and demanding more pay and diminished hours of work, and that as a consequence, now that hard times have come he doubts his ability to continue the competitive struggle against the pauper bees of foreign countries.

Their lines have been cast in less pleasant places. Here we protect the bee martin, in consequence of which he multiplies, and as he multiplies the chances of the bee's longevity diminish. In the other countries the bee martin is a legitimate subject of the sportsman's gun; hence his numbers are kept down to a legitimate standard, thereby promoting the increase of the foreign bee. Naturally also the foreign bees, having sweeter flowers and a more favorable domain for operation and having been for generations exposed to the grinding competition of their fellows, have through a process of evolution developed a sharper and longer and keener proboscis for extracting honey and a far more perfect instinct for locating it.

I submit that in order to make the bill perfect an embargo should be laid upon the foreign bee and he should be required to keep his honey to himself. I shall not offer an amendment, however, to that effect, because I am satisfied that if I did its authorship would strangle it, and if it were attached to the bill and the bill should then fail to pass I would be held responsible for the failure of a piece of legislation that is said to be absolutely essential to the existence of some of our basic industries.

Mr. SIMMONS. Does not the Senator think that we ought to have some legislation to suppress the bee martin in this country?

Mr. THOMAS. Well, I would think so were it not for the fact that the bee martin is the subject of treaty conventions. The bee martin is protected here by a law which we were required to pass in order to enforce a provision of the bird treaty with other countries. Unfortunately they have not all done so. In these days when treaty conventions lie lightly upon us, perhaps we might ignore it or by repealing the act indirectly repeal or render innocuous the treaty provision. We

may come to that before we complete and round out our all-embracing protection system.

Mr. FLETCHER. May I ask the Senator if he does not think it might be well to sweeten the bill a little by adding honey to it?

Mr. THOMAS. It has been sweetened by a prohibitory duty upon sugar, or what would be a prohibitory duty if we raised sufficient for our consumption, to such a degree that I doubt very much whether the addition of a little honey would make much difference.

Mr. President, I do not, by what I have just said, wish to be understood as ridiculing or even minimizing the very serious economic condition confronting the country. I know that it is tremendously serious. I know that suffering and want and bankruptcy are the prevailing conditions, and I can readily understand how a people which has been fed for two generations with the idea that the Government of the United States is capable by legislation of rectifying all the ills and misfortunes of man should be here clamoring for a tariff duty so enormous in its amount as to constitute an embargo upon imports coming into competition with their products. If it were possible to give substantial relief by an emergency tariff bill, so great is my sympathy for this condition that I would be almost tempted to suspend my convictions upon that important subject and cast a vote in favor of the measure.

But one can no more obstruct the tides of nature than he can suspend the operation of universal economic laws. The power of human legislation is limited. We are burdening it in every direction, with the consequent result of a continued and widespread and increasing dissatisfaction and discontent. Nothing that we have attempted to regulate is quite as satisfactory as it was before the attempt was made. Nothing that we propose to regulate by bringing it within the dominion and jurisdiction of a Federal bureau will be improved by that process. But we have reached that situation in our constantly expanded jurisdiction and we have yielded so long and so consistently to the demands of any interest sufficiently strong politically to influence our action that it is the most natural thing in the world, when a man's business becomes bad and untoward conditions confront him, he should run to the Government of the United States for relief. It has become to the popular conception a paternal, all-wise, all-powerful, all-resourceful institution, possessing omniscient authority and unlimited wealth, both of which to be used for the correction of all the mistakes and the reparation of all the misfortunes of its people.

The Republican Party, as the great advocate of the protective principle in its application to the business interests of the country, has been compelled time after time to extend that principle to so many interests and to such a vast variety of industries that it knows not where to stop; in fact, it can not stop, since to do so would compel reaction, resulting in possible disaster to itself.

Not to be outdone in this paternalistic policy, Senators on this side of the Chamber, representing the Democratic Party, have been equally prone to yield during the last eight years to that sentiment. To-day they are caught in the same overwhelming torrent of public demand, and many of them announce their intention to support this bill, which in detail and in general is a stark negation of Democratic conviction and of Democratic policy. If it would be productive of the end desired and the end effectuated in no other way, that fact might extenuate such action. If, on the contrary, it neither will nor can do so, then we shall have surrendered our convictions, abandoned our policy, and by our conduct indorsed the wisdom of Republican protectionism.

Let me admonish the few Democratic Senators present that there is no room in the United States for two Republican Parties; no room for two parties, whatever their names, which represent or advocate substantially the same thing. Theodore Roosevelt demonstrated that to the satisfaction of the people of the United States. He seems to have been the only individual benefited by his experiment. Execrated for making it, he is now canonized because he is dead. The so-called Progressive Party, for which he stood was, generally speaking, in such complete harmony with Democratic principles and Democratic purposes that its powerful organization proved to be as transient as the shadows of a summer day. It rapidly resolved itself into the elements of the Republican and the Democratic Parties, and now exists only as a memory. I warn my Democratic brethren who propose to support the pending bill that they must not be surprised if in the campaigns of the future they are charged by their Republican opponents that by their conduct they have admitted the integrity of the Republican principle of protection, and the unwisdom, if not the ignorance, of their great political forebears in ever opposing it. For I do affirm that economic conditions, both present and prospective, and the social problems to which they will give birth must constitute the field of demarcation between the two great parties of the future, and these involve the fundamentals of taxation.

A protective tariff is but another name for taxation; misdirected taxation; taxation diverting money from the pockets of a part of the people, not to the common Treasury, but to the pockets of another part of the people. That may be good policy; honest men differ upon it all over the country and have done so for generations; but no man can contend that it can be harmonized with the fundamentals of the Democratic Party. If this be true, no exigency sufficiently grave confronts us to justify any departure by Democratic Senators from the traditional principles and the traditional policy of the great organization whose followers have honored them with seats in this Chamber.

Mr. POMERENE. Mr. President, will it interrupt the Senator from Colorado if I interject an observation?

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Senator from Colorado yield to the Senator from Ohio?

Mr. THOMAS. I yield.

Mr. POMERENE. I remember very distinctly that when the great William McKinley was in the other House—and if there ever was an advocate of protection, it was he—he made one of his campaigns for Representative in Congress with the battle cry, "A free breakfast table." Now, in this modern-day protection bill we have everything taxed that goes on the breakfast table.

Mr. THOMAS. Yes; and upon the theory that it is absolutely essential, not for the protection, but for the salvation of certain basic industries of the country. If they are infant industries, then civilization is an infant, for many of them go back to the very twilight of history.

Mr. POMERENE. And while the campaign to which the Senator from Colorado has just referred is proceeding, in my own State, in the city of Toledo, there is a bread line.

Mr. THOMAS. I shall refer to that, for I have an amendment to this bill seeking to apply its revenues for its relief.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

Mr. THOMAS. Certainly.

Mr. FLETCHER. Of course, the Senator's argument is unanswerable from the Democratic standpoint, and in view of the fact that for a quarter of a century or more the platforms of the Democratic Party have protested against the principle of protection and have pledged the party to a tariff for revenue; but I will draw the Senator's attention to the fact, as possibly the only sort of excuse or justification that Democrats might offer as a reason for supporting the pending bill, that its operation is limited to 10 months. It bears on its face the name of the farmers' relief bill, and the claim might be made, and, perhaps, is made, that there is no commitment to the principle of protection by favoring the bill, which is intended to meet what is, in effect, a sort of war condition, the operation of the bill to expire 10 months after its enactment.

Mr. THOMAS. Oh, I know, Mr. President, that the bill, upon its face, is a 10-months bill; it is emergency legislation. I intended to refer to that feature later on; but I might as well do so now.

Mr. President, we have never since I have been here enacted any emergency legislation without establishing precedents for other emergencies, and all such legislation has eventually become permanent.

Before we entered the war, and solely because of the emergency due to the rise in prices, we provided a bonus for certain lines of the civil service. I said at the time—and it was perfectly true—that it would give them no relief, because prices would at once rise so as to absorb the difference between what the employees were receiving and what they would receive; but the bill passed, and we have repeated that legislation by increasing the benefit, and will continue to do so until the bonus is crystallized into a permanent part of the employees' compensation. The House eliminated the bonus provision the other day, but I understand the Senate committee has put it back; and when we consider the lobby—and I shall speak of that before I am through—of the civil-service employees, using the power of their affiliation with the American Federation of Labor to force the hand of every Member of this and of the other body, and our unwillingness to offend any political interest or influence, I may safely predict that it will be granted as before, notwithstanding that prices are falling and the consequent necessity for it is no longer apparent. It had precisely the effect that I suggested; it merely served to swell the incom-

ing tide of prices, and benefited the hotel keeper, the landlord, and the supply man, and those only. The same is true of our pension legislation.

Before the 10 months' limitation of the pending bill shall have expired the same influence, the same interest, the same political power now behind this bill will thunder at the gates of the Capitol for another extension. It will be equipped with abundant reasons, convincing reasons to those who can be convinced, for making it the permanent tariff policy of the United States. This prophecy is emphasized by the conviction that the bill will produce none of the benefits which are predicated upon its passage; hence it will be contended that it has not had time to function; that if given 10 years instead of 10 months it will be a boon, indeed.

Mr. FLETCHER. Mr. President, may I interrupt the Senator for a moment in that connection?

Mr. THOMAS. Yes.

Mr. FLETCHER. I should like to suggest that the Senator's argument is borne out also by the fact, as I see it, that, whereas the bill originated as an emergency farmers' relief bill, it comes to the Senate now with amendments which are intended to protect certain interests purely along high-protection lines; so that it has lost its original feature simply as an emergency bill and has become a high protective tariff bill, particularly as to the items added by the Senate committee.

Mr. THOMAS. That is true. Even so, however, the committee rejected the appeals of other afflicted interests clamoring for relief with just as much reason as did those whose prayers were heard.

In that connection I will refer to an extract from a letter written by the secretary of the American Tariff League—I do not pretend to give its name literally—which I copied at the time, thinking it might possibly be useful on some occasion. The letter was written, as I remember, during the pendency of the Canadian reciprocity treaty, but was not designed for public consumption. The writer said:

> Once the American farmer finds that protection is not for him, the end of protection will quickly come. Ten million votes are cast by American farmers. Kindly write or wire your Representative or Senator in Congress in opposition to the treaty.

No tariff expert ever lived but knows that the imposition of a protective duty upon farm products, a surplus of which we always produce, is as utterly innocuous and ineffectual as though it had never been written. It can not produce any benefit. Logic, history, experience, common sense, are all against it; but the farmer has been converted to the idea by a pernicious propaganda which has taught him to believe, first, that he has been unduly discriminated against by tariff makers; and, second, that a system depending upon its success by taking the money from the pockets of the consumer and transferring it into his pocket will be as beneficial to him as it has been to the manufacturers. It is as false as it is attractive.

If this bill or any similar bill is enacted, the present generation of farmers will live to realize the truth of my assertion. It can not be done. We may so legislate to that effect to our dying day, but we shall do so in vain. You might just as well expect absolute prohibition, with alcohol one of the commonest elements in nature and so easily attainable by those determined to possess it.

Mr. President, we have been living for some time under the operation of an absolutely prohibitive tariff imposed upon American industries by the war.

The manufacturers and the material men have both enjoyed it, but they have been able to enjoy it, however, in conjunction with another factor. In 1861 William H. Seward, then Secretary of State, reassured the merchants of the city of New York, who feared the economic consequences to them of the Civil War, by the assertion—and it is true—that there is no customer in the world like a great Government engaged in an offensive war. Our material men, our merchants, our manufacturers, enjoyed the benefit of half a dozen customers of that character and took advantage of it. Everybody took advantage of it who could, and everybody could take advantage of it until we went into the war ourselves, when the Government interfered, to some degree in certain lines of industry. From the laborer in the field and in the factory to the greatest manufacturing corporation, the opportunity for making money was presented, and human nature can not resist that opportunity for long. We may damn the profiteer all we please, but if we have his same opportunity we will follow his example; and "profiteering" is a relative term. It is not confined to the man who makes untold millions. It applies just as much to him who, seeing the need for his services, takes advantage of it to demand all the compensation the traffic will bear.

What was the result? Why, Mr. President, prices for commodities soared to the very empyrean. The man of small salary, the man of any salary, the man living upon fixed income from investments, the man unable to secure an increase of emolument, the universal consumer was robbed by the operation of the economic forces thus aroused. It was impossible for him to meet his ordinary expenses. Ministers, schoolteachers, salaried men everywhere, not only faced but frequently encountered ruin, while both employers and employees engaged in production thrived apace. Our currency was increased, our gold supply doubled, due to the needs of the Allies, who were obliged to exchange their gold for our supplies. We enjoyed a saturnalia of profligacy, of prodigality, of idleness, all because the demand for materials, for labor, for the fruits of all our activities were unlimited. Those who then clamored for relief were the Nation's consumers. We sympathized with and endeavored to moderate their hardships. We enacted some legislation to help them; but we found then, as now, that legislation is of little avail under such conditions. We denounced and penalized the profiteer; we demanded his relentless prosecution and punishment. The machinery of criminal justice was directed against him, albeit some of us believed that these world conditions could not be greatly affected by our procedure, and that was the fact.

Then the war ended, and ended suddenly. Untold millions of unfinished contracts were terminated by the Government, but demand still continued, and prices rose higher than ever. The plight of the consumer became as desperate as that of the woolgrower and the farmer at this time. Men who are supporting this bill denounced the present administration and the Democratic Party for these untoward conditions. Both were charged with responsibility for them, notwithstanding their world-wide prevalence. You of the other side demanded that the people effectuate a change of government, to the end that prices could be reduced and the people relieved. You assured them that they would be reduced under an opposing administration, if equipped with a friendly majority in the Congress.

Is not that so? Who will deny it? The people were evidently impressed by your accusations or your pledges or both. As a consequence they gave your candidates the largest majority a party ever received in our political history. They swept the country clean, largely because they were dissatisfied with conditions which they attributed in whole or in part to the existing administration. They could not endure the enormous the burdensome, the extortionate, the confiscatory prices to the consumers for the essential needs of life; and yet the first measure of importance prepared by the Republican majority—no, it was not prepared; thrown together—rushed through the House, and sent to the Senate is a bill designed to continue these conditions, to compel the consumer to continue a burden he has himself cast aside, the virtual imposition of an embargo on foreign imports, upon the prime needs of existence.

Suppose the Republican Party at Chicago had inserted this plank in its platform:

> We deplore the revolt of the consuming public against the high cost of living as a menace to the solvency of the agricultural producers of America, and we pledge to the latter the enactment of such legislation as may be necessary to continue the demand for their wares at rates insuring them a fair profit over cost of production.

How many votes would they have polled? Yet that is precisely what they propose to do by this bill, and such should have been its platform if this piece of legislation is to be squared with its real purposes.

I stood here with others in the summer of 1920 and, with the evident approval of our audiences, urged upon the people of this country—for everybody is a consumer—two policies: One, increase of production; the other, decrease of consumption. We said to them: "Do without everything you can; refuse to pay these tremendous, these infamous, prices, whatever the degree of your self-denial, and they will go down."

The people did so. Metaphorically speaking, they went upon a consumers' strike, and now the Congress of the United States proposes not only to punish that strike but to break it by legislation which compels the consumer to meet the demands of the producer or starve; and that is called popular legislation!

Again I say that if such legislation be essential to the salvation of basic industry in the United States, we should submit to it. But the contention is a monstrous absurdity.

The Republican platform declares that the high prices are largely due to the depreciated dollar, the 50-cent dollar. It pledged itself to—

> earnest and consistent attack upon the high cost of living by rigorous avoidance of further inflation in our Government borrowing, by courageous and intelligent deflation of overexpanded credit and currency, by encouragement of heightened production of goods and services, by

prevention of unreasonable profits, by exercise of public economy and stimulation of private thrift, and by revision of war-imposed taxes unsuited to peace-time economy.

That is a good program; but I see no evidences whatever of respecting it. If it has made any effort here toward economy I have not observed it. The Senator from Idaho [Mr. BORAH] some days ago urged that we abandon, in part, our military and naval program. I say to the Senator that his resolution stands about as much show of passing this Congress as I do of going to heaven.

Mr. BORAH. I think it has a good show, then.

Mr. THOMAS. It has no show at all. The Navy is against it. Of course the Army is against it. The material man is against it, and the professional patriot. All of them invoke the horrid specter of an impending war. "In God's name," they cry, "where will this country be should another great war arise and find us unprepared?"

We are spending 93 per cent of all our enormous revenue, wrung by inordinate taxation from the people, upon wars we have fought and wars we are afraid we may have to fight, leaving 7 per cent of it for the real, actual needs of the people; and other nations are doing the same thing.

Mr. President, I said a few moments ago that this country had enjoyed a prohibitive tariff resulting from the war, but was patronized by customers whose demands were inexhaustible, insistent, and immediate; that was true of our allies and of our enemies. Such was the hectic and artificial condition of the world. Like causes produce like effects. Hence this decline in prices is equally universal.

I do not know of a country, big or little, that is any better off than we. They are in the grip of the same economic laws from whose operation we are suffering; laws inexorably and inevitably the result of our past four or five years' experiences. You can not name an industry in the United States that is not paralyzed to-day, unless it be that of the bootlegger, possibly the manufacturer of gasoline, or the movie shows. The records show that there is just as much money in the country as ever. There is no deflation yet, except as deflation may be deduced from the reduction of our increasing issues of currency from about 40 per cent to 2 or 3. Money goes only for the things absolutely needed, and that is also true in other countries.

That being the condition, Mr. President, we propose to relieve certain suffering industries in this country by enactment of a law requiring everybody to continue paying high prices for commodities needed to sustain life—the prices they have been paying through this hectic period of war and of inflation. You can lead a horse to water, but you can not make him drink. My prediction is that the people, the great mass of consumers, for whom I speak to-day, will not only ignore but defy this congressional mandate requiring them to give of their substance that industries may not suffer loss. It is not only wrong, but we have no more power to enact such legislation than I have to hold up my friend the Senator from Louisiana [Mr. RANSDELL] on the street and rob him of his pocketbook. But we should not do it if we could, because the great mass of our men and women have already been plundered of their substance by the operation of economic conditions for which they were no more responsible than those who profited by them.

A few days ago the New York Evening Post published a chart showing the curves of prices during the last five or six years in Great Britain, the United States, Italy, and Japan, and their harmony was very striking. The prices seemed to rise and fall in these great powers in obedience to unseen but inevitable conditions. They began to decline in other countries just about the time they began to fall here, and with just about as much rapidity. Japan preceded the others by a comparatively brief period.

Do you suppose, Mr. President, that if emergency legislation like this could effectuate a benefit, the statesmen of other countries would not be quite as alive to it as we are? Would they not long ago have resorted to it when confronted by the situation now said to demand it here?

I might draw a parallel between existing conditions and those which followed our own Civil War; not world wide, of course, because that war affected the people of only one country. They culminated in the panic of 1873, at which time agricultural products were not only a drug in the market, but the farmer and the cotton raiser and the live-stock raiser were not only faced with but involved in what seemed irretrievable ruin. If the statesmen of that time had only known that a sovereign remedy was within their grasp, consisting of a temporary emergency prohibitive tariff law, how much suffering and loss our fathers and mothers might have avoided.

The same condition in 1893, resulting largely from other causes, presented an opportunity for emergency legislation. Why did we not then resort to it? Our fathers, I think, were quite as capable as we, had quite as much experience in legislation as we have had. In those days men who served and served well were generally continued indefinitely in public life. In these days a man has to "scratch gravel" to stay here at all. In all probability he will find it more difficult as time passes. Men in former days were not perhaps subjected to the same influences; there were not 125 lobbies in the city of Washington then. But the fact is that with all their wisdom and with all their experience it never occurred to them that the way to restore good times was to place an embargo upon imports.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. THOMAS. I yield.

Mr. McKELLAR. It seems to me that within the last year we have been decrying in this Chamber the high prices of the following articles, which are necessities in every household—flour, meal, beans, oils of all kinds, potatoes, onions, rice, beef, pork, mutton, cotton goods, woolen goods, sugar, butter, cheese, milk, and shoes. That is correct, is it not, within the Senator's knowledge?

Mr. THOMAS. Yes; I think more articles than the Senator has mentioned could be put in that list.

Mr. McKELLAR. We have been passing laws designed, if possible, to curb the profiteers in the sale of these articles, and we have been abusing the profiteers. We have demanded not only in this Chamber but on the hustings that the prices of these articles of necessity be reduced; and yet, as I understand this bill, and I ask the Senator if I am not correct, the object and purpose of the bill is to increase the cost to the consumer of every one of these articles.

Mr. THOMAS. If that is not the purpose of it, the bill can accomplish nothing.

Mr. McKELLAR. Of course.

Mr. THOMAS. If it does not accomplish that purpose, it is a waste of legislation.

Mr. McKELLAR. The only two articles I have heard nothing about, which are included in this bill, are cherries and tobacco. I do not know to what extent cherries and tobacco are articles of necessity. Neither one is an article of necessity with me. I do not believe cherries are quite as much an article of necessity as they used to be. So far as tobacco is concerned, I do not use it.

Mr. SIMMONS. That applies only to a few pounds of tobacco raised up in Connecticut.

Mr. McKELLAR. This small amount of tobacco, and the cherries, are the only two articles in this bill that are not necessities in every household, and the purpose of this bill, and it can have no other purpose, is to increase the cost of these various articles, all of which are included in this bill.

Mr. THOMAS. Mr. President, there was a time when the cherry was a great necessity. Floating upon the top of an old-fashioned cocktail it was both soothing and inviting. I am not advised as to the extent to which the destruction of the cocktail industry has affected the cherry industry, but I can not conceive that the cherry industry, whatever it may be, is so essential to the welfare of 105,000,000 people that we should be obliged by law to pay an extra price for cherries or do without them. I am satisfied that most of my acquaintances will prefer to go without them.

This is called emergency legislation. Mr. President, this emergency has been foreseen, it has been predicted, we have been forewarned against it month after month. In the beginning of last summer the economic system of the Empire of Japan collapsed. Banks, merchants, and manufacturers were wiped out almost overnight. Her people had undergone our identical experiences, except that Japan was scarcely within the boundaries of the activities of actual war. They had made millions upon millions of dollars out of the needs of their allies and of the enemy. Their great silk industry, domestic and foreign, had reached dimensions both in amount and in price far beyond their wildest expectations. The $18 shirt had become an article of necessity to the average man in the United States, and silk had to be obtained regardless of the price. Then the climax was reached. The commercial law of gravity was outraged, and down came the entire structure.

Every discerning business man in the United States of any influence, practically every banker, and certainly every economist of note, pointed out the situation and warned the American people to prepare for the storm because it is coming. But we went on in our easy, indifferent, good-natured way, wholly oblivious to the inevitable approach of a commercial depression which had repeated itself throughout history, laughed at

the signs and portents, took our chances, and now call upon Congress to save us from their consequences.

A great many of our producers thought a Republican victory would change conditions. A Member of this body told the Finance Committee that in his State large quantities of live stock were held out of the market until the election. Immediately the election was determined and the Republican victory had been scored, they were turned loose upon the market, and to the horror and disappointment of the owners of the live stock the market did not react. Now, they want us to pass laws to recoup them for their losses——

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from South Carolina?

Mr. THOMAS. In just a moment. What is true of live stock I know to be true in large measure both of wool and cotton. I now yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. I am glad the Senator made that last observation. Is the Senator prepared to explain to this body how the warning of the economists and business men could be taken advantage of last February and March a year ago by the farmer who had to plant his crop? Prices of all the essential elements that entered into the making of those crops were then higher than they were during the war period. He assumed the obligation of the liabilities incurred, as everyone familiar with farming knows that they are incurred in those months preparatory to planting. Would the Senator have had the agriculturists of the country, foreseeing the storm, to have desisted from planting, to have curtailed their wheat crop, their wool crop, their cotton crop, in order to not incur the expense of the high prices in its production, and hence escape the fall in the price of things that they had to meet those obligations with? What condition would the country have found itself in had the agriculturists been as foresighted as those business men who warned them, and had curtailed their crops or desisted from planting cotton and raising wool and raising wheat? What condition then would the country have been in as to the supply of those necessary ingredients?

Mr. THOMAS. The question which the Senator asks indicates the tendency, no matter what my opinion of it may be. This situation will be inevitably followed by restricted production of cotton and of agricultural crops. Manufactures will be restricted and are being restricted. That is the way in which economic conditions, if not too greatly interfered with by human legislation, regulate themselves. The Senator knows there will not be as much cotton planted this year as there was last year. Supply and demand are automatic if legislators only had the good sense to cease trying to tamper with them.

Mr. SMITH of South Carolina. I know.

Mr. THOMAS. Very naturally; and that is true with wool and all other products, manufactured or natural.

Mr. SMITH of South Carolina. Will the Senator allow another observation?

Mr. THOMAS. Certainly.

Mr. SMITH of South Carolina. I am not pretending to advocate the passage of the bill or to be here defending it. I am free to say that there are some things which, by their smallness of volume as compared with the needs of the country, are going to be benefited by the bill; that is, those who produce are going to get a better price, naturally, through the law of supply and demand. There are rice and sugar and some forms of oil production in the country that are going to be benefited. But that is neither here nor there, because I think the majority of those who produce in the country produce a surplus.

What I wished to ask the Senator was this: One would infer from his speech that he believes the present distressing condition that is upon the country, far more distressing than the Members of this body seem to realize, is the natural result of the inevitable law of trade, of which the Senator speaks.

Mr. THOMAS. I did not say that.

Mr. SMITH of South Carolina. I so understood the Senator.

Mr. THOMAS. No. I said it was the inevitable reaction consequent upon our wild period of speculation and overproduction during the war.

Mr. SMITH of South Carolina. That is tantamount to the same thing, that this is the natural reaction from extraordinary prices.

Mr. THOMAS. The inevitable reaction.

Mr. SMITH of South Carolina. Yes; the inevitable reaction. The Senator certainly must be aware of the fact that the bill we passed governing our finances here had, perhaps, as much to do with this precipitous collapse, this ruinous and disastrous collapse, as the inevitability of which he speaks. It is for that reason that I somewhat deplore the injection of this measure as a panacea now, when we ought, as legislators here for the people, to have pointed out what was unquestionably the maladministration of our financial affairs; and if emergency legislation were to come, it was a demand that certain relief be given along the proper lines.

Mr. THOMAS. I do not wish to get into a controversy over the Federal Reserve Board, but if that board is responsible for our present conditions, it is also responsible for those prevailing in Japan, in Italy, in Great Britain, and in other parts of the world. I merely desire to record my conviction that but for our present banking law the depression would have come more quickly and would have resulted in a panic far more disastrous than any from which we have heretofore suffered.

The pending bill received no consideration whatever in a committee of the House. Not a hearing was had upon it. If newspaper report is to be credited, lemons were inserted in it as a result of a jocular remark concerning the subject by a Member of the House from California. Debate upon the bill was restricted. It was merely assumed that unless something of the kind was done the country was going to the demnition bow-wows, and that what was to be done should be done quickly.

All hasty legislation is bad. Legislation thus passed because confronted by an emergency condition, nation-wide in its effect, is about the most dangerous pastime we can indulge in. Two years ago we enacted a measure called the Adamson bill to meet an emergency. I voted for it because my party had agreed to support a series of bills recommended by the President of which that was one. We passed that and then ran away from the others. Our Republican opponents during the campaign of 1916 asserted, and I have seen it since repeated, that the great brotherhoods of trainmen had their representatives here, who sat in the galleries and held stop watches upon the Democratic majority, giving them the smallest possible margin of time to enact legislation they demanded or they would by striking paralyze our lines of transportation. That is not literally true. There was, of course, an emergency, but the brotherhood representatives had left the city.

But it is true that the pending bill was rushed through the House and made the unfinished business in the Senate for the same purpose is entirely due to the tremendous pressure of the agencies demanding it. Their political guns are and have been trained upon the Congress of the United States. We are required by the collective power of the producers' organizations to stand and deliver or take the consequences. We are acting under a pressure which we dare not resist and can not reason with. We are virtually ordered to stand and deliver or take the consequences. I know, because I am subject to the same pressure, which is a persistent one. If it be true, as is said by the Senator having charge of the bill, that two-thirds of the Members of this body are for it, then it is equally true that most of them are for it because they dare not be against it. The Senator himself seems to have been most reluctantly brought to its support. I want no legislation thus enacted, whether good, bad, or indifferent, whether for 10 months or for 10 years. It is we who must take the responsibility for its consequences; not those who are clamoring for or interested in it, but we, delegated by the people to represent them in this and the other body, presumably because of our supposed competency to legislate wisely, cautiously, and effectively in all matters of public concern.

They are both protection measures—the Adamson law and this bill. They are protection measures, for protection in America is not now confined to the levying of tariff duties.

The virus of governmental protection has permeated and poisoned almost every element of human activity in America. It is depriving the citizen of this country of his powers of initiation, of his independence of character, of his virtue of self-reliance, and of all those virile qualities which characterize our race and inspired our fathers, unsupported and alone, to lay the structure and develop the resources of the greatest republic the world ever saw. They did not spurn protection; they never dreamed of needing it; but the vice early planted in our system, like rabbits in Australia, has spread its infection everywhere. Let the mere suspicion of foreign competition with any line of effort now arise and we shrink and cower with apprehension of its possible consequences.

The Adamson bill was designed to protect the transportation interests of the country and the public from threatened embarrassment by giving to the employees of transportation lines the compensation which they demanded by a Federal statute. It did not effectuate much except to postpone a strike; but it established a precedent of questionable value. It raised a dispute between employer and employee to the dignity of a Federal problem. The pending bill will not effectuate much except to satisfy for the time being those who really believe that it

will be a benefit. It will prompt men in every walk of life hereafter to demand emergency legislation for their relief, whatever the cause of their misfortunes may be.

What are our battleships for if not for protection? The modern doctrine is advanced that a great navy is essential to the protection of international commerce, but that proposition will not bear the slightest investigation. We had no great Navy when the sails of our merchant marine whitened every sea. The Dutch and the Norwegians are among the nations engaged in international commerce. England had a merchant marine before she had a great navy, and so had Germany. No; they are needed for no such purpose and never were; but upon the principle of protection to our international commerce we have embarked upon a naval program that will bankrupt the people of the United States if it continues. The other great powers are doing the same thing. The race is on more intensively than before the war. Of course, the old apology for a huge navy is still active. But are we expecting war with Great Britain? Let me say here, no matter what may be believed to the contrary, that the American citizen is not yet born who will live to witness such a calamity to civilization. Is it Japan? We now have a far greater navy than she. Is it Germany? Her navy is gone, and I trust forever. What other nation anywhere upon the face of the globe occupies a position justifying this huge program? None; and so it is said that we need a great navy for the protection of our American merchant marine.

But the principle of protection is unlimited. It finds expression in legislation and resolutions concerning pensions, drought, flood. Whenever such calamities occur the Government is at once appealed to. It is asked to provide against nonemployment; to establish old-age pensions and a minimum wage; to afford protection against improvidence, speculations, and incompetence; to aid maternity; to help the unfortunate. All these vicissitudes which poor human kind may confront in this world are demanding in these days and receiving legislation, preventive or protective. The senior Senator from Georgia, unfavorable to this bill, nevertheless demands the enactment of a law which shall place the important subject of education under the protective wing of Federal bureaucracy. And virtually all protective legislation absorbs the money of the people, either directly by appropriation or indirectly by the operation of a tariff.

The Nation is now protection mad. Because of it we have to-day in the city of Washington, according to a recent writer, 120 lobbies, each charged with some particular mission, interested in some specific subject, and all aimed either at congressional legislation without an appropriation or with one, generally the latter. They are becoming as numerous as the lice of Egypt. A stone casually thrown in the streets of the city would probably hit half a dozen of them. They are the inevitable successors of the lobby which we thought we had dispersed in the good year of our Lord 1913.

Mr. President, I have here an article from the Literary Digest of October 20, 1920, entitled "Watchful lobbies and lobbyists camp in Washington." I shall not read it, but I shall ask leave to insert it in the RECORD as a part of my remarks. I shall read from it, however, a list of some of these institutions. They are divided into several classes. First come manufacturers' associations, and in that category I find the National Association of Manufacturers, the American Manufacturers' Export Association, the Institute of American Meat Packers, American Automobile Association, National Canners' Association, Council of American Cotton Manufacturers, Founders' Association, Lumber Manufacturers' Association, Manufacturing Chemists' Association of America, Highway Industries Association, Interstate Cottonseed Crushers' Association, Merchants and Manufacturers' Association, Southern Industrial Education Society, United States Sugar Manufacturers' Association, Western Petroleum Refiners' Association.

Then follow bureaus closely related to the latter. I shall not weary the Senate by reading them.

Then we come to utilities associations which are already established in Washington; then to certain farm bureaus, such as the American Agricultural Association, the Eastern Agricultural Bureau, the Farmers' National Council, the Grange, the Cane Growers' Association, the National Board of Farm Organizations, the Texas Cotton Association.

Then we have the labor organizations, including the National Federation of Federal Employees, the National Federation of Post Office Clerks, National Association of Letter Carriers, Brotherhood of Railway Clerks, Brotherhood of Railway Signalmen, Maintenance of Way Employees, Plumb Plan League, National Women's Trade Union League.

Then we come to certain women's organizations, such as the League of Women Voters, Gentlewomen's League, Congress of Mothers, the National Woman's Christian Temperance Union, Women's Section of the Navy League, Child Welfare Society.

Then we come to racial organizations—the Irish National Bureau, the Poland Information Bureau, the Lithuanian National Council, the Lithuanian Information Bureau, Bureau of Jewish Statistics, National Association of Colored Races, Jewish Press Service of America, National Committee for Armenian and Syrian Relief, British-Canadian Society, Friends of Ukrainia, Ukrainian Relief Society League.

Then we have associations of a semipolitical and some of a political character, such as the National Association for Protection of American Rights in Mexico, National Association for Constitutional Government, National Committee on Prisons and Prison Labor, and so on ad infinitum.

I ask that the article to which I have referred may be printed in the RECORD at this point.

The PRESIDING OFFICER. It is so ordered, without objection.

The article referred to is as follows:

[From the Literary Digest, Oct. 30, 1920.]

WATCHFUL LOBBIES AND LOBBYISTS THAT CAMP IN WASHINGTON.

"Remember that the eye of this country is onto you," wrote Bill Nye in a letter of advice and warning to Grover Cleveland when the latter became President the first time. To write such a thing to a President to-day would only fractionally state the case. The country at present not only has its composite eye "onto" the President but a good part of it is right in the midst of things at Washington with both composite feet, so to speak. This is accomplished by the maintenance at the National Capital of more than a hundred lobbies, whose duty it is to watch not only the Chief Executive but the whole works of the Government, and particularly Congress, so that nothing is slipped over that might imperil the real or fancied interests of the aggregations who pay the salaries of these lobby watchdogs. There is nowhere a complete list of the organizations that are represented in Washington lobbies, but we are told that practically every sort of American business is so represented, to say nothing of social, racial, religious, and educational groups. In a recent article in the Detroit News Jay G. Hayden gives a list of 120 such lobbies, compiled from Washington directories and the examination of the tenant lists of a number of the best-known office buildings in the city. The list is headed by the National Chamber of Commerce, which leads the business organizations. Manufacturers' associations are given first, as follows:

National Association of Manufacturers.
American Manufacturers' Export Association.
Institute of American Meat Packers.
American Automobile Association.
National Canners' Association.
Council of American Cotton Manufacturers.
Founders' Association.
Lumber Manufacturers' Association.
Manufacturing Chemists' Association of America.
Highway Industries Association.
Interstate Cottonseed Crushers' Association.
Merchants and Manufacturers' Association.
Southern Industrial Education Society.
United States Sugar Manufacturers' Association.
Western Petroleum Refiners' Association.

Attached to nearly all these bureaus are experts on tax laws, the tariff, labor conditions, and every other thing that may have an immediate or a remote bearing on the interests they represent. Other bureaus, closely related to the foregoing, are the following:

American Association of Engineers.
American Bankers' Association.
American Beet Sugar Association.
American Bureau of Trade Extension.
American Chemical Society.
American Mining Congress.
American Realty Exchange.
American Association of Real Estate Boards.
American Automobile Chamber of Commerce.
National Bureau of Wholesale Lumber Distributors.
National Industries Conference Board.
National Merchant Marine Association.
League of Commission Merchants of the United States.
National Oil Bureau.
National Petroleum Association.
American Patent Law Association.

The various farmers' associations that have come into being during the last few years are powerfully represented, but perhaps the most thoroughly looked-after industry is railroading.

As we read:

Chief of the bureaus under this heading is the American Railway Association, which operates the car-service bureau in close cooperation with the Interstate Commerce Commission and which also conducts a vigorous and constant propaganda in behalf of private ownership of the railways.

Attached to this bureau are several of the most capable statisticians and lawyers in the country, who are ever ready to supply information from the railway point of view to any congressional committee or elsewhere as it may be required. The railway association is, in fact, a close rival for the Interstate Commerce Commission in the scope of its public operations.

In the past, local public utilities, such as street railways, electric lighting and gas plants, were little in touch with the Federal Government. During the war, however, these companies were brought before the War Finance Corporation in the matter of security issues and before the War Labor Board for settlement of their disputes with employees.

More recently the passage of the new water-power law, which places the development of new hydroelectric enterprises under direction of a board composed of the Secretaries of the Interior, Agriculture, and War

has given these companies another reason for keen interest in the doings of the Government.

Among the utilities organizations already established in Washington are the following:

American Electric Railway War Board.
National Association of Railway and Public Utilities Commissions.
National Committee on Gas and Electric Service.
National Committee on Public Utilities Conditions.
Dixie Freight Traffic Association.

There is a growing activity of farm organizations looking to legislation in addition to the Farm Bureau, which, with 1,250 members, is now the leading farm organization in America. The societies of farmers with offices in Washington are as follows:

American Agricultural Association.
Eastern Agricultural Bureau.
Farmers' National Council.
The Grange.
Cane Growers' Association.
National Board of Farm Organizations.
Texas Cotton Association.

The labor organizations maintain a strong lobby, as do also those interested in the welfare of women. During and since the war a number of organizations were created in the interest of various racial groups. Then there is a large group of miscellaneous organizations ready to do battle for all kinds of things, from Christian Science to the promotion of smokeless coal. Even old John Barleycorn, ostensibly defunct, has a body of watchers at the Capital, ready to apply restoratives in case any symptoms of the revival of their favorite reveal themselves. Mr. Hayden continues:

Chief of the labor organizations in addition to the American Federation of Labor, which occupies an entire building of its own, are the organizations of Federal employees and the railroad brotherhoods.

Labor organizations, in addition to the very large number affiliated with the Federation of Labor, which maintain offices in the Capital, are as follows:

National Federation of Federal Employees.
National Federation of Post Office Clerks.
National Association of Letter Carriers.
Brotherhood of Railway Clerks.
Brotherhood of Railway Signalmen.
Maintenance of Way Employees.
Plumb Plan League.
National Women's Trade Union League.
American Train Dispatchers' Association.

Women's organizations, which are active in promoting legislation before Congress, are by no means confined to the two leading suffrage associations, the National Women's Suffrage Association and the National Woman's Party. Others are as follows:

League of Women Voters.
Gentlewomen's League.
Congress of Mothers.
National Woman's Christian Temperance Union.
Women's Section of the Navy League.
Child Welfare Society.

One of the most conspicuous organizations in Washington is the National Coal Association, which came into being to direct the fight of the coal operators against restrictive legislation, and to represent the industry in its relations with the Federal Coal Administration during the war. This association has been continued in Washington, and it employs a large staff of experts in looking after its special interests in the Government and in propaganda distribution.

The representatives of racial groups and embryo governments seeking favors from the American Government are very much in evidence in the offices of Members of Congress and in the lobbies of the Capitol. Some of these racial organizations are as follows:

Irish National Bureau.
Poland Information Bureau.
Lithuanian National Council.
Lithuanian Information Bureau.
Bureau of Jewish Statistics.
National Association of Colored Races.
Jewish Press Service of America.
National Committee for Armenian and Syrian Relief.
British-Canadian Society.
Friends of Ukraine.
Korean Relief Society League.

Associations specially devoted to the suppression of the liquor traffic, in addition to the Anti-Saloon League, are the Board of Temperance of the Methodist Episcopal Church and the National Temperance Bureau.

Organizations of liquor dealers no longer appear as such among the Washington lobbyists. Through paid press agents, however, propaganda in favor of modification of the alcoholic content, as prescribed in the Volstead law, has been recently circulated. There is little doubt that the liquor lobby will make its appearance with the convening of the new Congress.

The number of organizations designed to promote armament and the counter organizations against militarism are the one group which appears to have dwindled as a result of the war. There are several of these organizations still active, however, and most conspicuous among them is the Navy League, which still maintains a large staff in Washington. Others in this classification are as follows:

Peace League of the World.
American Peace Society.
American Union *v.* Militarism.

The American Legion and the Private Soldiers' and Sailors' Legion are the two organizations of war veterans which maintain headquarters in the Capital.

Other organizations, the purpose of which is in some instances disclosed by their title, are as follows:

National Association for Protection of American Rights in Mexico.
National Association for Constitutional Government.
National Civil Service Reference League.
National Committee on Prisons and Prison Labor.
National Committee to Secure Rank for Army Nurses.
National Educational Association.
National Industrial Council.
National Committee for Soldiers' and Sailors' Relief.
National Negro Business League.
National Popular Government League.
National Committee for District of Columbia Suffrage.
National Patriotic Press.
Rivers and Harbors Congress.
National Voters' League.
National Forestry Association.
American Medical Society.
Christian Science Association.
Consumers' League.
Cooperative League of America.
Free Press Defense League.
League for Preservation of American Independence.
Osteopathic Association.
Physicians' Protective Association.
Prisoners' Relief Society.
Smokeless Coal Operators' Association.
Tuberculosis Association.

In addition to the formally organized bureaus there are numerous legislative agents who represent more than one special interest.

Mr. THOMAS. Of course, Mr. President, the establishment of some of these institutions here necessarily leads to the establishment of others. The policy becomes infectious, and it is nearly all prompted by interested purposes. Few, if any, of them have given thought to or are greatly concerned about the general interests of the people of the United States or to the needs and welfare of the Republic as a whole.

Here is a letter I received from a gentleman the other day saying that he had been appointed national legislative representative of a recent organization, with headquarters at Washington. He tells me "it will be his duty while here to keep his membership informed on all legislation which may in any way affect the interests of his brotherhood and desires to offer his cooperation," and so forth, and so forth. He evidently labored under the impression that I would be here after next March, but fortunately, perhaps for both of us, I shall not be.

Mr. President, apart from the sinister effect of these bureaus upon legislators and legislation is the more serious effect which national organizations for the promotion or prevention of legislation peculiar to themselves have upon the element of national unity. These multitudinous organizations spreading all over the country and represented here by their duly appointed delegates are necessarily selfish; they are largely self-contained. They repel mutuality of purpose, unless logrolling, as it is called, becomes necessary and the policy of "I pat your back if you will pat my back" obtains. What we need above all things else to-day for the commonweal is unity, oneness of national sentiment and purpose. We are divided racially, industrially, economically; the cement which binds the people of the States is disintegrating and disappearing in the jarring contention of conflicting interests—economic, political, and social. The process will continue unless the Congress of the United States, recognizing this sinister situation, shall taboo all systems and species of Washington lobbyism. Left to itself, the evil will grow and the disintegration continue, with deplorable consequences to the country.

The junior Senator from Iowa [Mr. KENYON] has introduced a measure upon this subject, and I sincerely hope that he will press it to an early and favorable consideration.

A man can not be a Senator or Representative and be true to himself and serve the people of the United States to the best of his ability if he yields his judgment or conforms his action to the persuasive efforts of organized interest, political or otherwise; we must either be representatives or delegates. If we are here merely to record the will or the demand, if you please, of those interested in national legislation, because seemingly formidable, we serve neither the country nor ourselves. We cease to be Representatives. Our places may be important to us; they cease to be important to anyone when their functions are performed with an eye single to their continued enjoyment. These methods of legislative approach are all, in my judgment, due to the development of the pernicious principle of protection, beginning with our tariff laws and spreading its poisonous atmosphere over every activity of the people.

Mr. President, an important item of the pending bill is designed to place a very high duty upon imports of wheat. These come, of course, principally from Canada. If I understand the contention in behalf of this feature of the bill, it is that imports of wheat from Canada to the United States have increased alarmingly of late, in consequence of which the price of American wheat has fallen below the cost of production. The argument is that by placing a high duty upon wheat—Canada being the only country which will be at all affected—it will cut off the import, stimulate or increase the market for American wheat, enhance its price, and restore to the American wheat grower the prosperity of which he has thus been deprived.

I repeat that, much as I abhor the whole system of protection, much as I believe it to be absolutely inconsistent with the principles of free government, if I believed that Canadian imports have caused and their cessation would effect that much-desired result, I would be tempted to hold my nose, and vote for the bill, but I am unable to perceive how that result would follow this legislation. I am convinced that the cause assigned for the decline in the price of wheat is wholly wrong. We produce more wheat than we consume, and so does Canada; and

the Canadian importations to this country, at the present time quite large, and heretofore much less, are in my judgment entirely traceable to and dependent upon the condition of Canadian exchange. So long as that exchange is sufficiently below the par value of the American dollar as to justify it, Canadian wheat will come to our markets. Of course it may undersell the home product to some small degree, perhaps—how much I do not know—but it will not be excluded by a tariff which does not operate as an embargo. By the way, I was told that a Member of the House declared this bill to be an embargo, although its sponsors did not want to call it that. It will not prove to be one as to wheat unless power is given to some authority to so change the amount of the duty as to be always a little higher than the difference in exchange.

Suppose, for instance, the tariff is 30 cents a bushel, and the difference in exchange should become so great as to enable the Canadian wheat grower to pay that duty and still, because of the difference in exchange, make a profit. His wheat will come just the same; we will be face to face with another emergency of similar character; and what is true of wheat is true of practically everything that is covered in this bill.

In my judgment, the only effect this measure will have will be to drive Canada to retaliation, to the enactment of corresponding prohibitive duties upon such material as wood pulp, pulp paper, and other commodities for which there is a demand here, and which, of course, the American consumer will pay.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Montana?

Mr. THOMAS. I yield.

Mr. WALSH of Montana. I wish to inquire from the Senator why he thinks Canada would retaliate? I am entirely convinced, as the Senator seems to be, that this duty upon Canadian wheat will not damage Canada to any appreciable extent whatever and will not benefit the American farmer at all. I have just examined the report recently made by the Tariff Commission upon the subject——

Mr. THOMAS. Yes; I shall refer to it.

Mr. WALSH of Montana. And it confirms my general idea about the matter that, tariff or no tariff, the price of wheat to the Montana farmer is under all circumstances the Liverpool price less the cost of transportation to Liverpool. I never could understand why it should be anything else. Now, if that is the case, if the Canadian farmer can not sell his wheat in this country, he will naturally sell it to Liverpool and thus depress the price in Liverpool, and the Montana price will be the Liverpool price less the cost of transportation to Liverpool. If that is the case, is it not scarcely more than forbidding the Canadian farmer the ordinary conveniences of milling in this country and of transportation through this country without putting the wheat in bond? In other words, is it not in the nature of a pin prick rather than a substantial injury to Canada?

Mr. THOMAS. I say that Canada will retaliate, because Canada is a nation composed of human beings, just as we are, and it is the natural tendency of human beings to strike back. It is only in the Bible that the other cheek is turned.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I yield.

Mr. McCUMBER. Will the Senator allow me to correct, I think, a wrong impression on the part of both the Senator from Colorado and the Senator from Montana?

Mr. THOMAS. With pleasure.

Mr. McCUMBER. There is not a bushel of that Montana wheat exported. There is not a bushel of North Dakota wheat exported. There is not a bushel of hard No. 1 northern or the northern kind of grain that is raised in that country exported, unless you can say that it is exported in the form of flour; but it is not exported as wheat.

Mr. WALSH of Montana. Well, what is the difference?

Mr. McCUMBER. The amount of wheat that is raised in that northwestern section seldom reaches above the home demand; and whether there is sufficient for the American miller to make a profit by reason of his greater ability to manufacture in a large quantity and cheaper than the Canadian, and still come in competition with him in the European market, is another proposition entirely. I assume that he would be able to do that; but, nevertheless, speaking of the wheat itself, it is not exported from that section of the country.

Mr. WALSH of Montana. That does not vary the situation at all. Suppose every bushel of wheat raised in the State of Montana is consumed in the United States. It just releases so much wheat from somewhere else to go abroad.

Mr. McCUMBER. No, Mr. President.

Mr. WALSH of Montana. But the fact about the matter is that whether it goes abroad in the form of wheat or not, it does go abroad in the form of flour.

Mr. McCUMBER. That is on the assumption that wheat is wheat, wherever it may be raised, and that it is all of the same kind and quality, if the Senator will allow me, which is not true. They raise, in the spring-wheat section, a certain character of wheat which makes a certain kind of flour; and Canada is the only country that raises the same kind of wheat that makes that same standard of flour. If Canada is kept out of the market, there will be a greater demand created for wheat that is in the United States; and the fact is undisputed that during the time that we had a partially protective tariff, while the duty was 25 cents a bushel, the average price on the American side as opposed to the Canadian side of the Lake was about from 10 to 12 cents in favor of the American product. That was only half of what our tariff was, I am willing to admit, but that half very often measured the difference between a profit and a loss.

Mr. THOMAS. Mr. President, I heard the Senator make that argument the other day, and I listened to it very attentively, as I do to everything he says, especially upon a subject with which he is familiar; but I fail to see how that affects, or can affect, the current price of wheat. We produce more wheat than we consume, and no matter whether it comes from Maine, or California, or North Dakota, or Nevada, or Mississippi, the surplus must find an outside market somewhere; and while the Senator vigorously disputes the proposition, I am unable to perceive how it is possible for any other result to follow than that the surplus and the price paid for it fixes the price of the whole sooner or later. If we are to credit some of the comments in Canadian newspapers, Canada is already preparing or considering the propriety of retaliatory legislation; and, as far as that is concerned, I think that will be true of other countries to be affected by this bill.

Mr. WALSH of Montana. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. WALSH of Montana. I merely want to say that the report to which I adverted a moment ago and which the Senator has on his desk from the Tariff Commission confirms that view. In fact they so state.

Mr. THOMAS. Yes.

Now, Mr. President, whatever else may be said of the Tariff Commission—and I believe it to be a most useful institution—it has been supplying the committee and the Congress with some extremely valuable statistical and other information regarding matters directly connected with this and other proposed tariff legislation. Among other things, it informs us that during the last eight fiscal years the agricultural products exported from the United States to Canada aggregate $845,032,655. The imports of agricultural products from Canada during the same period aggregate $627,064,828. The balance in favor of the United States is $217,967,827. Deducting from this balance in favor of the United States the following American nominal exports to Canada, which were for the most part reexported—wheat and wheat flour, $110,213,112; oats, $29,871,985; a total of $140,085,097, leaves a net balance in favor of the United States of $77,882,730.

In addition to that statement, let me call attention to another significant circumstance.

I now have reference to the imports and exports of wheat and wheat products—that is, wheat and wheat flour—to and from Canada for the year 1919. In that year our exports to Canada were $63,535,907, while our imports from Canada were only $9,913,333. In other words, our exports to Canada of wheat and of wheat flour in 1919 were seven times as great as the imports of wheat and wheat flour from Canada to the United States.

Did our farmers complain of that balance in their favor in 1919? Are they very sure that they will not have the same balance in 1921? Are we to be disturbed and rushed into emergency legislation simply because there now seems to be a surplus of wheat importations from Canada? Is that either statesmanship or good business? When the balance is in our favor, we are delighted. When it is against us, ruin, stark and stare, confronts the agriculturists of the United States, and they clamor for emergency legislation of the most drastic nature.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I yield.

Mr. McCUMBER. May I ask the Senator whether he has carefully analyzed the items that go into what is called in that document exports of agricultural products into Canada?

Mr. THOMAS. I have not analyzed them as closely as the Senator undoubtedly has.

Mr. McCUMBER. Does the Senator know what proportion of those exports is tobacco?

Mr. THOMAS. The figure which I gave is confined to wheat and wheat flour.

Mr. McCUMBER. I am speaking now of this big balance of which the Senator speaks, something like $240,000,000 in our favor.

Mr. THOMAS. No; I do not know.

Mr. McCUMBER. Has the Senator looked into the question of what proportion of that amount, say, of wheat, and so forth, which went into Canada, was shipped merely for the purpose of going through Canada and through the Welland Canal?

Mr. THOMAS. Oh, yes; that is true of a very considerable part of it. I gave the figures.

Mr. McCUMBER. For instance, we might send a hundred million bushels of wheat from Chicago through the Welland Canal. It would pass through Canada; it would be an export into Canada; but, after all, it would not figure in any way in the question of a balance of trade between the exports of this country and the imports of this country any more than a shipment in bond from Canada through an American railway would go into the balance of trade.

Mr. THOMAS. I have no doubt, Mr. President, that a good part of it consists of commodities which are designed for a market beyond Canada. Nevertheless, a good deal of it stops in Canada. And all of it is export.

The Senator has asked me if I know what proportion of agricultural exports from the United States to Canada consists of tobacco. I do not know. I do not think it material to the discussion. We are just as much concerned in having a good market for our tobacco as for our wheat. It is one of our great basic industries, and anything that interferes with our trade relations with a great country like Canada, which by the way, next to Great Britain, since the war, has been the greatest customer we have, must necessarily find its reaction in tobacco as well as in manufactured goods.

Let me call attention for a moment to another little piece of statistical information bearing on the subject. Our exports to Canada in 1920 were $910,122,217. Our imports were only $552,244,139. In other words, our exports to Canada for the year 1920 were almost twice as great as our imports from Canada. Now we propose to strike this neighboring country in the face by placing an embargo upon some of her products coming into this country and take the consequence, which must necessarily be retaliatory legislation. Can we afford to thus offend our second best world customer? Can we afford to so legislate that she can justly accuse us of discriminating against her products and her trade? Can we, in other words, embargo the imports from another country here without embargoing our exports from this country there? The thing is inconceivable. International trade consists of the exchange of commodities, and only the balances are paid in cash or its equivalent.

To meet what is called a desperate situation we propose, without due consideration, without hearings, without determining the effect of an isolated piece of tariff legislation upon the entire trade system between the two nations, to rush this bill through. It will react, Mr. President, upon the whole international market and bring further depression, just as certainly, in my judgement, as that it finds its place upon our statute books.

Moreover, it is argued for this bill that if enacted it will increase the home demand for our products; in other words, that the home market will be stimulated by embargoing certain imports. Again I say, if that could be done, notwithstanding it might reflect upon the consumer, there might be some wisdom in enacting the measure. But since the people are not buying, but are waiting, and justly so, for lower prices, since the consumers' strike is practically universal, since money is hiding and seeking no new forms of investment, since a universal pall of depression rests upon the entire commercial world, what reason have we for supposing that the consumer will change his attitude and rush in because of an embargo—for that is virtually what it is—and stimulate the whole market by increasing his consumption to the standards of a year ago? It may be true. Men quite as well informed and as capable and sincere as I am believe it will be true. But I am unable, Mr. President, doubtless because I am too obtuse, to bring my mind to any such conclusion. A consumers' strike never was, never can be, and never will be broken either by a prohibitive tariff or by an embargo.

A farmer before the Agricultural Committee upon another measure, whose name I forget, but who was from Nebraska, advocated the enactment of a bill like this, because he said he wanted to increase the demand in foreign markets for his wares. I can understand, Mr. President, how a man entertaining such a conviction would want this sort of legislation, because he perceives that it is some other than his own market he must depend upon for relief. He has to increase a demand from outside his general run of customers or his goods will remain upon his hands, or he must sell them at a loss. And he does not want to do that. Indeed, the real object of this bill is to shift impending losses upon the overburdened shoulders of the American public.

Our foreign market, Mr. President, has been supplied beyond its ability to pay either in money or in commodities. That is one of the fundamental troubles in our economic situation. We have not overproduced; there is an insatiable demand, and particularly in Europe, for all the surplus we have in whatever line of business you may mention. They not only want it, they absolutely and sorely need it; but their purchasing power has been exhausted.

Great Britain, the much-abused Great Britain, next to us the greatest commercial nation, since the war, at least, has been supplying her credits as well as her products to a number of countries which otherwise could buy nothing from us at all, thus enabling them to supply themselves from the American markets, and she has reached the limit of her resources in that particular. As a consequence, Mr. President, our foreign market lags, simply because those who would trade with us if they could are impoverished. I may want to sell my products very badly to John Smith, and John Smith may want to buy them much more badly, but there can be no trade between us unless John Smith can pay for what he wants, and which I possess. I might sympathize with him; I do sympathize with him, but I do not perceive how I may help John Smith, or myself, either, as regards John Smith, by turning to Richard Jones, another consumer, who is responsible, and saying to him, "I shall compel you by law to buy from me and from nobody else, notwithstanding the fact that your capacity for purchase is limited and your needs are at present satisfied."

In other words, how are we to increase our markets in Germany, in France, in Great Britain, and in other countries of the world by penalizing Canada and Argentina and Australia and by preventing other nations who want to trade with us from importing their commodities to our shores?

With all due respect, Mr. President, I must say that it is the most preposterous proposition conceivable. It is neither logical nor reasonable. But we are yielding to a hysterical, excited condition in the country, and propose to give the people something which they think they want, something which they demand and declare they will have or know the reason why, and something which we know, or ought to know, had much better be withheld. You can not cure rheumatism in a man's arm by cutting off his leg, or brain fever by employing a chiropodist. Yet such remedies are equally logical and equally effective when compared with the character of this bill and the purpose it is designed to accomplish.

Let me instance, Mr. President, our trade with Germany last year. Many are under the impression that because a technical state of war exists between this country and Germany that we have no trade relations with her. That is a mistake. Our export trade with Germany last year was $450,000,000. Our imports from Germany were $8,042,000, less than 2 per cent of our exports, leaving a balance in our favor as an indebtedness against Germany of $441,600,000. That is a part of the credit advanced by Great Britain to which I referred. But that credit is exhausted. Germany can buy no more, notwithstanding her needs, which I suppose are as great as those of any other nation in the world. How will we enlarge our German market by the enactment of a so-called emergency tariff law?

Argentina is not quite so badly off, but the merchants of Argentina are unable to receive and pay for our exports because of the difference in exchange. We have millions upon millions of American merchandise to-day rotting upon the wharves of Buenos Aires, consigned to South American merchants, who refuse to receive them because they can not pay for them, who have had the temerity, driven by the necessitous conditions under which they live, of deliberately canceling their contracts and preferring to take the consequences to the reception of goods consigned to them under contract. Will we improve that condition by placing a ban upon the only commodities Argentina can sell to us and which she must export to us if she is to continue to trade with us?

Mr. President, in my judgment—and I have given some attention to this subject—there can be no new or enlarged market with Europe or any of the low-exchange countries in the world until they become producers of the commodities for which we will exchange American commodities they badly need.

Such money as some of them possess is utterly worthless. All that they have left is their power or capacity for production, and to stimulate that power we must advance them our credits,

then receive goods in exchange for our own, and by that means restore as largely as we can the trade which we had with them before the war. Prohibitive tariff or protective tariff never did and never can supply this tremendous want. Sooner or later we must in some way aid in restoring the prewar economic status of Europe. I said some weeks ago on this floor, Mr. President, that the prime condition to the improvement of the European situation is the fixing of a definite German indemnity. I repeat it.

Of all the blunders committed by the Versailles peace conference, and there were many, the most stupendous, in my judgment, was the imposition upon the German people of an indefinite, unknown, and undetermined indemnity accompanied by the creation of a reparations commission to investigate German resources and German business to determine from time to time and year after year what the amount of her indemnity should be. We can no more impose a vast indeterminate and unknown obligation of that sort upon a nation and expect it to prosper than we can impose it upon an individual without crushing his enterprise and his energy and rendering him indifferent to all the material elements of his nature. Neither man nor country will use energy, capital, opportunity, or effort when confronted with the certainty that any profit acquired thereby will be taken from him and devoted to the benefit of another. Such a condition undermines the very springs and forces of all incentive, national and individual; hence Germany has not been and will not be responsive to the great rôle she must play in the economic affairs of the world until that condition is relieved.

The morning press announces that a tentative agreement has been reached among the allied representatives now in session upon that and kindred subjects, and I sincerely hope that it is true. The tentative agreement provides in substance for the payment by Germany of between two and three thousand millions of gold marks per annum for 42 years, guaranteed in some degree by the imposition of a 12½ per cent ad valorem tax upon her exports. If that is accepted, the amount of the indemnity is comparatively unimportant. It becomes definite, and Germany will for the first time know precisely what her liabilities are, her energies will be revived, and she will hasten to put herself into position where she can discharge them. I trust that is true; if it is, then our prohibitive tariffs of a prohibitory character become more senseless than ever. They will only prove a hindrance to the reestablishment of that mighty traffic which we need so much and which we enjoyed with Germany prior to the war.

I am not defending the German people nor the German Empire for their offenses against the world, but I recognize the fact that 70,000,000 people, and especially conquered people, manufacturing people, intelligent people, civilized people, can not be kept in a state of continual penury and want if we are to have a return of international prosperity. So long as they are pauperized they are a burden to the world. They can not enjoy returning prosperity without contributing to that of all other nations.

The imposition of a similar indemnity upon Austria has caused that unfortunate nation to collapse utterly. Her Government has notified the Allies to take the country and do what they will with it. They have struggled and starved and suffered until the limit of human endurance has been reached, and the Allies, instead of obtaining a substantial indemnity from that country, as they might have done, will realize nothing whatever. Austria is now on their hands as a derelict, a liability of tremendous proportion, a warning to be heeded by future treaty makers intent upon political revenge and heedless of the economic problems involving the fate alike of victors and vanquished. We had a great trade with that country before the war. Her needs are now so insistent and so pathetic that Austria's worst enemy can not but sympathize with the plight of her unfortunate people. If ever a nation was punished for its sins against God and man, it is the former great empire of the Hapsburgs. To-day she is a Lazarus among the nations, and we must bear our part toward her resuscitation, not only as a duty to humanity but as our contribution to a restored prosperity in southern Europe. We shall find no market there, whatever our fortune may be in other lands.

I might mention other countries, but these are sufficient for my purpose. I wish to press home the fact that until we have extended markets all over the world and until we are ready to conduct both an export and an import trade with them, all emergency bills which the mind of man can conceive may be placed upon the statute books, and they will prove nothing beyond the fatuous unwisdom of hasty and ill-considered legislation.

I think that every man who has given any attention to the economics of the situation, whether he will acknowledge it or not, will be mentally in substantial agreement with me. I believe that the insistent demands of a great and worthy portion of our national community, pressed home upon the attention of Congress by those who actually believe that they are facing ruin, is prompting us to reject our better judgment, to forget our convictions, and to take a chance upon legislation which upon reflection we would wholly disavow.

There is another reflection in this connection to which I wish to refer for a moment, and which in my judgment is of far-reaching importance, not only as regards this bill, but all measures which are designed to limit or restrict commerce with the United States by other nations.

We occupy, as a result of the war and since the beginning of that great struggle, a position which we never occupied before, a position enjoyed by the British Empire for centuries, a position which nothing but a World War could have wrested from her, a postion to which Germany commercially aspired and then sought to reach by plunging the world into conflict.

I refer to the fact that we are not only a creditor Nation but the great creditor Nation of the times. There is no country of respectable dimensions, outside of the few neutrals in the war, with the exception of Japan, which is not directly indebted to the United States. Scarcely any country, whether involved in the war or not, is free from indebtedness to the United States or to her people. Practically two-thirds of all the available gold in the world is ours, an amount so far in excess of what we ever hoped to have that, in my judgment, it is more of a menace than a blessing.

Occupying that position we, as a creditor Nation, acting upon the most common sense business principles, should always consider how we are to collect our money from our debtors. Our ability to collect depends, as a matter of course, upon the responsibility of the debtor. His responsibility is in turn dependent upon the amount of his property and the character and extent of his business. Great Britain owes us billions of dollars. She can not very well pay interest upon that amount. Frances owes us billions of dollars. It is impossible for her at this time to consider even the payment of the interest. Italy is similarly indebted to us, and Belgium and Serbia and Greece and all the countries, including Russia, recently engaged in the struggle against Germany. They have no money with which to pay us. What they call money, with the exception of Great Britain, France, China, Japan, Canada, and South American countries, is utterly worthless in international trade. The more of it they have the worse off they become and improvement must lag behind the revival of their foreign commerce.

This brings us to the proposition that virtually all international obligations are liquidated out of the surplus business of the people; in other words, out of international trade. How, then, will these moneys be collected? How will it be possible for them to be paid if we place the ban of an embargo or a practically prohibitory tariff upon their commerce? That question has never before confronted the American people.

It has been a familiar one, as I have said, with Great Britain for years, and she has met it with the wisdom and statesmanship which has always characterized the administration of her commercial empire. She has promoted trade among them, she has advanced her credit to them, she has aided in the development of their resources, she has received their products, both manufactured and otherwise, and has given her own in exchange for them; and she has thus built the great empire over which her Government to-day exercises dominion, and at the same time benefited all people indebted either to her or to her merchants. Shall we reverse that policy, and, by a system such as is outlined in the emergency tariff bill, deny to these nations the right to trade with us, the richest Nation in the world, because, forsooth, we may otherwise in some degree interfere with the development of local manufactures and local production? If so, then farewell to our loans and balances; for they will be as utterly lost as though they reposed in the bottom of the Atlantic.

If we may credit rumor, a tariff bill, compared to which the Payne-Aldrich bill will be regarded as a free-trade measure, is to be enacted next summer and will become the settled economic policy of the country until another political change in administration. Mr. President, I wish to see the next administration a success—a great success. It is my administration and yours, just as much as it is that of the Republican Party. It should be an American administration having behind it the greatest popular vote ever cast at a general election. It must and will represent this mighty Nation in all its domestic and foreign affairs.

It will be confronted with problems more stupendous and far-reaching than any that have ever menaced a previous administration. It will require courage, statesmanship, and intelligent consideration of all and every interest, economic, social, political. It must settle domestic problems, some of which are at present a menace to the future of our Government. The people expect much from it and will hold it responsible for all its errors and blunders, but refrain from giving it credit for its accomplishments. I do not envy it. If I felt at all resentful toward it, I would earnestly hope that it would begin its career by the enactment of such a tariff law as the press forecasts; for I do affirm that if it does, before two years shall have passed the reaction against the iniquities of such a measure will be universal and inevitably bring about its undoing, whether the results be beneficial or otherwise. I hope, therefore, Mr. President, for the welfare of the country and for the future of the Harding administration that in this particular, involving as it does the economic prosperity of the entire world, its legislation will be characterized by moderation, by wisdom, and statesmanship. Such a consummation will justly place the new President upon a level with the greatest of his predecessors.

Another penalty confronting a creditor nation which depresses or restricts its trade with debtor nations is the hatred and resentment which is very naturally inspired by that policy. Ours is the richest country in the world; we are the only solvent great nation to-day, with the possible exception of Great Britain. We emerged from the war not only triumphant but unscathed. Our manufactured and agricultural products outrival and outstrip those of every other country; a fact difficult to appreciate when confronted with appeals for tariff duties attended by lugubrious prophecies of impending ruin. We have more to give and less to receive than has any other nation. The countries which have been desolated by the war and slowly staggering to their feet in a welter of misery and destruction without parallel in history, naturally look across the sea to the great Republic of the West with hope and confidence that, true to its mission and its principles, it will extend the hand of its commerce to them in their time of dire distress. If we withhold it, aye, if we withhold it not only, but by our legislation, say, erect a wall around our country which they may not penetrate upon terms of mutual benefit, we shall provoke, as we shall deserve, the hatred and antagonism of all the nations. We are powerful and we may not feel the weight of international enmities, but the time may nevertheless come when their friendship and amity may become an indispensable asset to our own prosperity.

Smarting under the injustice of such a policy these nations will resort, as far as they can, to retaliatory measures of which our hated rivals will eagerly take advantage.

Human nature is a static quantity. Its fundamental attributes and faculties are as unchanging as the hills. Refine them; veneer them; suppress them; subject them to the benign influences of modern civilization; yet they endure forever and reveal themselves unchanged whenever great exigencies and supreme occasions confront human destiny. Avarice and greed, selfishness and ambition, are its dominating elements whatever our form of government or the class affiliations of rulers may be. Burke said that no people could long endure whose government and polity were founded upon the heroic virtues only. For he well knew that such a people inspired by such lofty idealism could not continue against those more ignoble forces which from time immemorial have directed the energies and shaped the destiny of all the nations.

Selfishness, greed, ambition, and revenge dominated the peace congress at Versailles, as they dominated all its predecessors. The idealists—and there were many—who assumed that the suffering and sacrifice of the great World War had purified and exalted and spiritualized the masses of Europe encountered and were overcome by the same ambitions, the same resentments, the same suspicions, the same greed, the same self-centered forces which have characterized and dominated mankind since the days of the Garden of Eden. Hence this proposed legislation must breed a crop of retaliation sooner or later, must defeat its purpose and destroy its efficacy.

We are spending billions of dollars, Mr. President, in the creation of a merchant marine. What for? We are ambitious that American bottoms shall carry American commerce and that our merchant marine shall be restored to the proud position which it occupied among the nations in the good old pre-Civil War days. It is a noble ambition, one whose realization is the fondest wish of every true American. Even the prodigal waste of the Shipping Board and its satellites can be excused provided the object for which it was created shall have been realized. We now claim, I think, a tonnage second only to that of Great Britain. Why have we built if we propose to penalize the trade of other nations? Do you suppose, Mr. President, that the people of Germany or of Spain or of Japan or of South America will patronize American bottoms to carry the little commerce we permit them to enjoy with us if we are to penalize their exports? Do we expect to support and develop our merchant marine solely upon outward-bound cargoes? No merchant marine ever survived upon such sustenance. I doubt if vessels operating under that policy would carry more than one outward-bound cargo. They might carry two or three, and then, appealing to the great American god of protection, appeal for subsidies, which, no doubt, would be extended. The success of our merchant marine, once we have established it, is entirely dependent, in my judgment, upon the commercial policy which we establish for our foreign trade. And we are beginning that policy with a bill which penalizes, if, indeed, it does not prohibit, the only trade that some of those countries can transact with us. Take Denmark, for example, to which our exports are in excess of our imports. This bill is designed to protect American butter and milk, and so forth, against Danish importations. And we profess to be doing this for the protection of the home industry, now imperilled by Danish competition.

Mr. FLETCHER. And potatoes?

Mr. THOMAS. And potatoes, yes. Think of it. One hundred and five million people trembling in their shoes because Danish butter is coming to the United States to pay for American commodities needed there. One advocate of this measure called the committee's attention to the sinister fact that in Denmark women milk the cows and make the butter, and he trembled lest American women were brought to that situation. It would be a terrible thing, would it not? When I was a boy on a farm the women, uncomplainingly and voluntarily, attended to that part of the farm duties. They suffered neither injury nor loss of social caste, so far as I could judge. I know of many women who might better be engaged in that sort of work than in the pursuits or lack of pursuits which feature their lives. I think it is to Denmark's credit that her women are so industrious and contribute to the production of the country.

Only a negligible per cent of all the butter consumed in this country ever could come from Denmark. That reminds me that the dairymen of New England are frightened also lest Canada shall control the milk supply for Boston, and one of them informed the committee that even now Canada furnishes one-half of 1 per cent of the total supply. Before this milk invasion of the north, sturdy New England stands aghast, and will not be silent until the white tide is stayed by a veritable wall of prohibition. Yet New England has for 50 years been most complacent while the Canadian working men and women have deserted their habitat to monopolize the labor of her mills and factories. Such a menace must be met by an emergency bill, lest the heavens fall. We are the greatest people in the world. We fear nobody. We stand on our hind legs and defy the universe; yet when imports, however insignificant, invade our borders and compete with a given pursuit, its beneficiaries and advocates tremble in their shoes and their knees shake with the palsy of fear lest they be compelled to meet the competition.

Mr. President, the fundamental evil of the American tariff system is that it has undermined that sturdy spirit of independence and of enterprise without which no nation can prosper. It has converted our business men and producers into children, who seek the paternal and fostering care of Uncle Sam, who run to cover at the first intimation of foreign competition, who are prone to leave their ship at the first sign of storm and stress, who wring their hands and cry aloud to Congress to "help us, lest we perish."

If it be true that this bill is essential to the salvation of agriculture, American wool, American cotton, American cows, American hens, American peanuts, American soya beans, American lemons, American cherries, that all are threatened with dire disaster and ruin because of foreign importations, if it be true that without its enactment this disaster and ruin is inevitable, then I am compelled to say with becoming modesty and earnestness, that these industries are not worth preserving; but I do not believe it. I do not mean to say that those who assert it are not sincere, because a frightened or stampeded individual is apt to say and believe anything. I know from experience, for I am getting along in years, Mr. President, and I have been the contemporary of a great many similar fancies, that these apprehensions are groundless. I have been confronted with specters of impending ruin, of disaster and misfortune, the threatened wiping out of enterprise after enterprise so often and outlived them that I am not greatly perturbed by their seasonable reappearances.

In 1914, just after the German war began and before we entered it, cotton fell to 5 or 6 cents a pound, perhaps lower than that. The cotton industry became hysterical, and very

naturally so. It was face to face then with ruin, and we were warned by southern Senators upon this floor that unless we enacted their emergency measure providing for an issue of two hundred and fifty millions of bonds, the proceeds to be used in purchasing cotton at the existing price and holding it until 10 cents a pound could be realized for it, the cotton industry would be wiped out in the United States, since no more cotton would be planted, and they believed it. Well, we did not pass the bill, and the cotton industry still goes on. Oh, I know somebody will say, "But the war saved it." That may be; but, somehow or other something always comes along to serve as a reason for the salvation of a basic industry.

It was declared, and I believed it, that if the Volstead Act were passed it would ruin every grape producer in the United States. The hop growers did not amount to so much, but they would be ruined, too, and the brewers as well. It did look that way; but, mirabile dictu! That immortal bill had scarcely been crystallized into a statute before the price of grapes rose and the price of hops reached the sky. I read a story of some disgruntled constituent of my friend the Senator from California, who in his wrath over the enactment of the law plowed up some four or five thousand acres of good vineyards. He has been "cussing" himself for it ever since. I do not blame him. The grape industry was never so prosperous. The crop commands and receives two or three hundred per cent over the prevailing price of 1919. And so of hops.

Was the brewer ruined? His occupation was gone, but he has found ample opportunity to convert his plants into other and probably into equally profitable lines of industry. I have heard it asserted that the grape growers of New York and California are now enthusiastic advocates of prohibition, just as the purveyors of illicit whisky have always been.

Some time ago the peanut growers in Coffee County, Ala., erected a monument to the boll weevil in gratitude to that pestiferous insect for compelling them, through its destructive propensities, to go to the raising of peanuts. With equal appreciation the California grape grower should erect a monument to Mr. VOLSTEAD as the patron saint of his industry.

As to hops, of course, we drink no beer now; none of us, at least in this Chamber, would think of violating the requirements of the Volstead Act; but, somehow or other, hops are still hops. They were almost universally used for making beer before that bill became a law. They are still used for something, and the industry is a brisk one. The point is that the passage of the law ruined no one. It did not even ruin those who carried big stocks of liquors. Strange to say they have been able to meet their notes, or at least the banks have not distressed them. I have heard no complaint; and while we are not consuming whisky for pleasure, we certainly must be consuming a whole lot of it for business. At any rate, ruin, stark ruin, has not yet overtaken the holders of these millions of gallons of whisky who complained with perfect sincerity that their fortunes would be dissipated and they would become bankrupt upon the enactment and enforcement of this measure.

Mr. President, I had that delirium once myself, when the Congress in 1893 repealed the purchasing clause of the Sherman Act. I sat in that corner of the gallery during the whole special session, eagerly taking in the debates upon that vastly important measure. I involuntarily nodded in approval of every dire prediction of the consequences of the repeal of that act upon the industries of my section of the country. I believed it; they believed it; but, unfortunately, the obstinate and obdurate majority in Congress repealed the act nevertheless, and we went home to take the consequences, and we are still waiting for them. We suffered; adversity struck us pretty hard; but we made the best of the situation, used our good old Anglo-Saxon grit and self-reliance, went into other methods of mine production, made considerable money out of silver as a by-product, and are to-day one of the prosperous sections of the United States, if any portion of it can be said to be prosperous.

I might mention other instances, particularly that of the South after the war. It is unnecessary. Impending ruin is simply a result of the fear that a man confronts when he sees his profits dwindling, his markets disappearing, and his future correspondingly dark.

Something was said about the revenue that this bill will produce. I think the estimate is $38,000,000. How a bill which is virtually an embargo can produce a revenue is beyond me. It is not a revenue measure. If I correctly understood the Senator from Texas [Mr. SHEPPARD] this morning, it is not a tariff measure. I confess that between the two assertions that the bill is neither one of embargo nor of protection, that I am somewhat confused, at least to the extent of trying to make any classification of the bill myself, but if it is to produce this revenue, then it must be that imports will not be affected by it. If that is the case, it will certainly fail to accomplish the object for which it was introduced. If Canadian wheat is to continue to come into the American market, if we have a supply of wool, as is stated, for the next two years, if the mutton and beeves of New Zealand and of the Argentine are to be excluded, then the revenue which it is estimated will come from this bill fails. The only source of revenue from it that I can perceive must come through the sugar amendment of the Senator from Louisiana. But there is no question about its effect upon the pocketbooks of the American consumers, whether revenue is to be derived or not—that is, public revenue—because the purpose of the bill, as I have stated, is—it must be, to be effective—to restore in part, at least, the prices which prevailed when the slump began; and if it does that, then it levies tribute upon every man and woman in the United States, not for the Government, but for the owners of these industries. It means that the consumer must through national legislation make good the loss now confronting the producer. It can mean nothing else. It means, to put it baldly, that the farmer and the woolgrower, the stockman, the cattle raiser, will be given lawful authority to recoup the losses confronting them by compelling the people of the United States to bear them.

What that loss will aggregate, I can not say. I have seen it estimated in millions, and I have seen it estimated in billions. Some of these gentlemen before our committee very candidly declared that they expected loss. They wanted to hold the situation, so to speak. That can not be done without an increase in the market. Unless prices are enhanced the stimulated market will amount to nothing, and with the enhancement of the prices come the additional burden upon the consumer. So, look at it as you will, there can be but one conclusion, in my judgment, regarding the revenue aspects of this measure: First, that there will be none save as to sugar; second, that the tax burdens upon the consumers will amount to hundreds of millions of dollars for the benefit of the producers, and for their benefit only if the measure is to be effective at all.

Mr. McCUMBER. Mr. President, I wanted to ask the Senator a question that he might develop in his answer to it and see whether I am wrong in my conclusions as to the consumer paying for these losses.

Let us take a case of this kind: We will say—charge it up to tariffs, if you will, heretofore, or the principle of protection, if you will—that the city laborer can earn from $5 to $10 a day. Let us suppose that under present conditions he is earning $8 a day. That $8 per day wages is impressed upon the thing which he produces, and which the farmer must purchase. We will now assume that the farmer, of equal intelligence, certainly, and equal inclination to labor, is earning but 50 cents a day when he sells his product to this laboring man in the city, who has impressed his labor at the rate of $8 a day upon the product which the farmer must buy.

Let me go a little further. To protect this labor against any competition, we keep the Chinaman out, because the Chinaman is a good worker, he is very industrious, and we do not want him to compete with white American labor. We keep the Japanese out, and we not only keep them out, but, through a tariff program, we keep their products out of the country.

Would it be an injustice, then, against this labor and the producer of manufactured goods produced with $8 per day labor, if we should so protect the farmer that he could get $2 or $3 a day for his labor, and that the consuming public, those who receive a wage four or five times as great as the farmer gets, should pay a little more for what they consume of the farm products, to put his labor nearer the value of their own? That is the way the matter appeals to me in this case, and that is why I want to protect the farmer if I can do so, even though the ultimate consumer will pay a greater price for the farm product which he purchases, on the assumption all the time that there is no danger that he will ever pay an amount for the farm product, within the lifetime of the Senator and myself, at least, sufficient to equalize the difference between the labor of the farmer and labor in the city.

[At this point Mr. THOMAS yielded the floor for the day.]

Monday, January 31, 1921.

Mr. THOMAS. Mr. President, it was my purpose to support the request for unanimous consent in the event it had been submitted to the Senate. I thought that between now and the 15th of February sufficient opportunity would be afforded for a fairly full discussion of every item in the bill, particularly if the Senate recessed from day to day instead of adjourning.

I said some days ago, and I now reiterate, that I have no intention whatever to prevent a final vote upon this measure,

much as I desire to see it defeated. I agree with the sentiment expressed here regarding the unwisdom of preventing majority action upon measures for which it must become responsible. I do not regard the pending bill, however, as being a majority measure, because the Republican Party is not yet in full charge of Government, although it has control of the Congress.

I shall vote against the cloture rule because it has been invoked prematurely. If adopted, it will so limit the time for debate upon the merits of the bill as to make full consideration impossible.

Heretofore cloture has been pressed after a fair opportunity for full debate has been given. The application in this instance comes almost on the threshold of the debate; and, as pointed out by the Senator from North Carolina [Mr. SIMMONS], it follows discussion of practically one item alone. Although the Senator from North Dakota regards that as the chief item in the bill, many others are, in my opinion, of equal importance.

I devoted myself last Saturday, as I thought, to the merits of the bill. Hence, and I am very sorry, my comments were so far afield as to invoke the censure of the Senator from North Dakota. He propounded a question to me as I yielded the floor——

Mr. McCUMBER. Mr. President, will the Senator allow me to interrupt him?

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. Certainly.

Mr. McCUMBER. I wish to assure the Senator that nothing he has ever said in the Senate has received censure from me. I always know that he speaks to the point, forcefully and logically, and I am always delighted to hear him.

Mr. THOMAS. My expression was an unhappy one, Mr. President. I referred, of course, to the comment of the Senator two or three hours ago, the substance of which was that the discussion on Saturday was not directed to the merits of the bill. I can assure the Senator——

Mr. McCUMBER. I am sure that I did not have reference to the discussion of the Senator from Colorado, because he confined himself exclusively to the bill.

Mr. THOMAS. The Senator from Colorado was about the only Senator who discussed the bill on Saturday.

I wish to say to the Senator that I take his criticism in the most perfect good nature, and my reference to the matter now is not due to the slightest feeling about it, but because I was a little surprised that I had evidently made such a dismal failure of my effort to confine myself to the bill.

Mr. McCUMBER. My error, I will say to the Senator, was in stating the date as having been Saturday when I should have said Friday.

Mr. THOMAS. It is all right in any event. The Senator propounded a question before I yielded the floor on Saturday, and if its premises are sound, it would admit of an affirmative answer only; but I can not admit, because I do not think it is true, that the high wages of American labor are due either positively or negatively to tariff conditions. I think, however, that the 50 cents a day which the Senator used as a basis of his question to represent the profits of the farmer may not be outside the mark; but that is largely due to the prevalence of high wage conditions, which in turn have been due to the shortage of labor, plus its organization and its resulting power practically to fix its own wages. If the enactment of this bill would adjust that situation and by its adjustment bring to the farmers of the country a profit in excess of 50 cents a day, it would possess much more merit than I am able to give it, and would justify my vote as well as that of its advocates for the wheat provision of the bill.

The farmer's difficulty, however, is precisely the manufacturer's difficulty and the merchant's difficulty, because it is the result of the reaction from the enormously high prices of all commodities, which, having reached a point which the consumers of the country could not meet, the fall began. It was not confined to the farmer nor the manufacturer nor the merchant, but involved them all. Nay, more, Mr. President, it has caught the $8 a day man, who is either out of employment, on the one hand, or he is compelled to accept a much lower wage if he retains his job.

I do not see that the question is apposite, except upon the assumption that the unfortunate condition of the farmer may be predicated upon the high cost of labor in this country. If that were true, the remedy would be to reduce that cost instead of penalizing the consumer.

Mr. President, something has been said to-day, and I presume much more can be said, about the sugar item of this bill. I am unable to perceive how it can be defended, even by the proponents of the measure, except upon the theory that it is the duty of the Government by the imposition of a drastic duty to enable that industry to continue in the State of Louisiana. The amendment was introduced and fathered by a Senator from that State. The only arguments in favor of it before the committee proceeded from gentlemen interested in the business in that State, and they could only inform us of the unfortunate condition of the industry at this time.

Mr. President, the sugar industry of Louisiana has been the chronic invalid of the industrial system of the United States for more than half a century. So far as I can remember, there has been no time during that period when it has not been begging protective alms from the Congress of the United States, basing its appeal upon its ruinous condition; and I think I am entirely within bounds when I affirm that the people of the United States during that period have been taxed millions upon millions of dollars for a prime necessity of life, for no other purpose than to foster an industry which is destined to ultimate extinction, no matter what the protective forces of national legislation may be.

When it has not been protected by tariff duties it has been the recipient of bounties from the Treasury. It is alien to the soil of Louisiana, it has had the advantage of cheap domestic labor, it has had every possible stimulation. Yet it languishes and must die unless the people be perpetually taxed to support it.

Of course, I realize that a duty sufficiently high might promote the establishment of the most unnatural industry in the United States, and therefore it might be a duty that, like the one demanded by this bill, would give Louisiana sugar a new lease of life. But, Mr. President, the great sugar industry in the United States is, and as time passes it will continue, more and more to be, the sugar-beet industry—an industry which needs little if any protection; an industry which has found its habitat in a congenial soil and climate; an industry which has grown by leaps and bounds since the beginning of this century; an industry which must inevitably crowd the Louisiana cane-sugar man off the map of the United States unless we shall confine our tariff duties to the product of that State alone.

Mr. President, something more than a year ago, and, as I understand, solely because of the critical condition of the Louisiana cane-sugar industry, the governmental authorities fixed the price of sugar at 17 cents a pound to the consumer. One of the bases of that procedure was the shortness of the Louisiana crop. It is contended now that but half the crop has been realized for 1920. I consider the edict fixing 17 cents for sugar the most unjust and indefensible order made by any of the departments of the Government during or since the Great War with Germany. As a result of it, speculation in sugar became rife, not only in the United States but the world over. The price advanced by leaps and bounds until consumers in different parts of the United States were paying as high as 30 to 35 cents a pound for that necessity of life. I do not know what amount of profit was realized by those interested in Louisiana sugar culture, but I feel very sure that the profits must have been enormous. I know that the added tax upon the consumers of the United States, to be conservative, aggregated not less than $250,000,000, wrung from their pockets by a governmental order justified or attempted to justify itself upon the assertion that it was essential to the welfare of the Louisiana sugar industry, which languished because the crops were meager. These sugar interests come now with a demand—for it is nothing short of that—for a duty upon sugar which, as stated by the Senator from Alabama to-day, is designed to fix the basic price of wholesale sugar at the ports of entry at 8 cents a pound, which, of course, means from 11 to 12 cents a pound to the consumer, and all because it is said to be essential to preserve and promote an industry which has been protected and promoted in vain for 50 years.

Mr. SIMMONS. Mr. President, not only is it designed to do that, but it will do that immediately upon the passage of this bill, because the duties prescribed in this bill, added to the present selling price of Cuban sugar on the farm and to the importer, will make 8-cents-a-pound sugar at the ports of this country at once, not only as to Cuba, but it will make it more than that as to other parts of the world.

Mr. THOMAS. Of course, having been so designed, it will effectuate its purpose, I have no doubt.

Mr. SIMMONS. Naturally.

Mr. THOMAS. Some days ago I received a clipping from a sugar journal published in New York, called the Federal Reporter, making this comment upon the sugar item in the pending bill:

> Under such a bill full-duty sugars would pay 5.414 cents per pound, basis 96 degrees polarization, or 4.158 cents per pound over the present rate for similar sugars. What will the consumer have to say when he realizes that the price of all sugar, both domestic and imported, is raised over 4 cents per pound, or $350,000,000 to $400,000,000 per

annum, of which only half would go into the Treasury of the United States? Why not a sale or consumption tax of only 2 cents per pound, which would save the consumer about $200,000,000 per year, and raise the same amount for the Government's expense?

The present tariff was arranged to fully protect the domestic sugar growers, and why any higher rates are now required is difficult to understand. To protect Louisiana sugar growers is most extravagant, and it would certainly be more economical for the country in general to pay them very handsome pensions rather than even have the present rates of duty continued.

This writer might have gone further and declared with truth that it would be economy to the people of the United States did Congress provide for the payment in full to the sugar growers of Louisiana for their mills, for all their structures connected with the industry, and for the industry itself, and then destroy it. If 50 or 60 years of tariffs and bounties for an industry prove that it is so highly artificial that it can not compete without more and yet more protection, which means unusual and enormous expense to the consumers of the country, then surely it would be better, that we may avoid all charge of confiscation, to pay for the business, put it aside, and let the good people of Louisiana devote their soil to the production of such crops as nature designed it for.

The soil is fertile, the climate is genial, everything exists which makes it easy and natural to produce crops that are congenial to that section of the country. Why, then, continue to foster and to promote a hothouse industry at the cost of $350,000,000 to $400,000,000 a year to the people of the United States; and why, Mr. President, in particular, should we respond to an emergency, so called, and inflict this tremendous burden, this added burden, upon the shoulders of the taxpaying consumers of the United States merely to tide it over a crisis? It is one of the most monstrous propositions, one of the most unjust and indefensible propositions, in my judgment, that ever found its way into a bill designed to become a law either in this or in any other legislative body.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. THOMAS. I do.

Mr. WALSH of Massachusetts. I have been interested in what the Senator has said about the burden that will be placed upon the consumer if this proposed legislation is enacted into law. I have also been interested in hearing what he and the Senator from Alabama [Mr. UNDERWOOD] have said about the class that would profit or benefit by this legislation. I note that the bill provides a tariff of 2 cents a pound upon fresh and frozen meats. In the New York Times of to-day I have read something of the profits in recent years of one of the large concerns that sells fresh meats. While it is perhaps possible, but I believe doubtful, that the producer of cattle will benefit by this legislation, no one may dispute the fact that the small group of men and corporations that control the marketing of fresh meats are certain to be very greatly protected and their profits greatly increased.

It may be interesting to read just a paragraph from the New York Times of to-day:

1,233 PER CENT DIVIDEND IN PACKERS' STOCK—MORRIS & CO.'S REPORT SHOWS UNANNOUNCED CAPITALIZING OF $37,000,000 SURPLUS.

CHICAGO, *January 30.*

The declaration of a stock dividend of 1,233 per cent is revealed in the annual report of Morris & Co., packers, made public to-day. The company has increased its capital stock from $3,000,000 to $40,000,000 by capitalizing $37,000,000 of surplus. The new stock consists of $27,000,000 common and $10,000,000 preferred, which is to pay 7 per cent annually and on which an initial dividend is expected to be paid within a few months.

The distribution of the new stock took place some time ago, but no announcement was made. The stockholders received nine shares of new common and three and one-third shares of preferred. The company is a closed corporation, all the stock except a few shares held by officers being owned by the heirs of Nelson Morris, founder of the business, and the estate of Edward Morris.

Is there any doubt in the mind of the Senator from Colorado that the enactment of this law is certain to lead to the protection of corporations like this, which do not need protection, and to enhance further their profits at the hands of the unprotected consumers?

Mr. THOMAS. I do not think there can be any doubt about it, and the Senator's reference to that corporation reminds me of an article which I encountered yesterday in the February number of World's Work. Some Senators here may remember that I had the temerity last summer to oppose what was called the dye bill, notwithstanding the fact that I was assured day by day that the industry was rapidly disintegrating, that the menace of German competition was frightening capital away from it, and that unless that bill was enacted, and enacted at once, enacted quickly, the tides of German dye imports, already upon the shores of the Atlantic Ocean, would make their swift journey overseas and overwhelm the American market and destroy the infant industry forever. I did not think so. I am greatly interested, therefore, in the picture of Dr. William Henry Nichols, accompanied by this inscription:

William Henry Nichols, who in the formation of the Allied Chemical and Dye Corporation, an amalgamation of five companies, with assets of about $300,000,000, has created the largest chemical manufacturing concern in the world.

Those Senators who are interested in the subject may read the article accompanying this photograph—and he is a very handsome gentleman—and learn that his giant company is prepared to defy the competition of the world, that it virtually controls the dye industry of America, whose annual exports now exceed $30,000,000, as against imports of less than $9,000,000. This is the industry which was ruined last summer in the estimation of the gentlemen giving us information about it, which confronted bankruptcy and dissolution then, but which now has consolidated and under existing duties has formed the largest corporation of the kind in the world and is prepared to do business in defiance of competition from any direction. It is hardly necessary to add that the capitalization of this huge concern is greatly in excess of the combined capitalization of its constituent companies.

I promised to yield to the Senator from Florida, and I hope he will pardon me for not doing so before.

Mr. FLETCHER. Mr. President, the Senator has gotten somewhat away from the subject he was considering when speaking with the Senator from Massachusetts [Mr. WALSH].

Mr. THOMAS. I was talking about sugar.

Mr. FLETCHER. I do not know that it is quite proper to go into that further. But I was going to suggest, somewhat in justification of the argument with reference to the duty on sugar, that it does produce a large revenue for the Government.

Mr. THOMAS. There is no doubt about that, Mr. President.

Mr. FLETCHER. As a revenue-producing article I presume there is no article on the list that equals it.

Mr. THOMAS. There is no doubt about that; but an excise tax of 2 cents a pound upon all the sugar consumed in the United States would yield a revenue to the Government far greater than the amount which the Treasury will receive under the operation of this bill, which requires 8 cents a pound wholesale for the article, with a very liberal profit added to that, of course for the consumer to pay.

Mr. President, we have been confronted with resolutions unanimously adopted by a southern tariff association called under the auspices of southern Democratic governors, and evidently presided over by Mr. John H. Kirby, of Texas, who, I am told, although I do not know the gentleman, is and has been a lifelong high protectionist, has amassed an enormous fortune as a dealer in lumber, and who has always been conspicuous in his advocacy of a high duty upon lumber, another necessity of life.

I confess that this action in the so-called southern tariff convention is somewhat unusual, but I am not to be deterred from my advocacy or opposition to a bill simply because a convocation assembled under the auspices of honorable governors, representing a great section of the Union, has seen fit to instruct me, as well as my associates here, to follow them into the protectionist camp. I am for a tariff for revenue only, and I do not propose to surrender my convictions upon that subject either to such a convention or even to the mandate of the party to which I belong.

Mr. ROBINSON. I do not say that the circular letter which was read to the Senate the other day, purporting to be signed by practically all the southern governors——

Mr. THOMAS. The Senator from Louisiana [Mr. RANSDELL] read two dispatches to-day.

Mr. ROBINSON. I do not say it was not authorized by them, because I have no knowledge on the subject, but I think if all the facts were known it would be found that perhaps not exceeding one-fifth of the governors whose names were read in connection with the communication put into the RECORD by the Senator from North Dakota were present at that convention.

Mr. McCUMBER. I presume the Senator misunderstood what I read into the RECORD. It was the stationery, and all the gentlemen whose names I read appear as vice presidents of this association.

Mr. ROBINSON. And from that fact the Senator deduces that those governors are in favor of this bill.

Mr. THOMAS. I deduced that fact from the communications read into the RECORD by the Senator from Louisiana [Mr. RANSDELL] a few moments ago.

Mr. ROBINSON. I have not made clear what I intended to state, that at the convention which adopted these resolutions perhaps not exceeding one-fifth of the governors whose names were read were present, and I have some information which leads me to believe that at least one of them has not authorized

the use of his name in connection with the association at all. The names of two governors from one State were read, and, of course, there could be only one governor at a time.

Mr. THOMAS. Mr. President, I am obliged to the Senator from Arkansas for the statement which he has just made.

Mr. ROBINSON. May I interrupt the Senator just a little further?

Mr. THOMAS. I yield.

Mr. ROBINSON. Invitations were sent out by the president of that association to a large number of public men, including the governors of the various States. Doubtless permission was requested for the use of their names on the stationery, but I undertake to say that not one-half of the governors, and probably not exceeding one-fifth of the governors of the States mentioned, desired or intended to commit themselves to the provisions of this bill, or any similar bill. It is propaganda.

Mr. THOMAS. Mr. President, I am more than gratified by that statement. I have no doubt the Senator speaks by authority. I am aware, however, that the connection of the executives of the Southern States with that congress has very naturally given rise to the impression that they are in sympathy with the apparent change of front among southern people upon the great question of protection.

Mr. SIMMONS. Immediately following the list of vice presidents, which includes practically all the governors of the South, most of whom I believe have no sympathy with this kind of legislation—I am sure the governor of North Carolina has none—is a list of the board of governors of this association. There are about a half dozen names on that list, I believe, of North Carolinians. The first is that of S. W. Kramer, of Charlotte; Mr. Kramer has always been a protectionist.

The next is the name of J. M. Morehead, national Republican committeeman from that State, an avowed protectionist.

The next is the name of Mr. A. J. Draper, of Charlotte, who really, I believe, resides in Massachusetts, or is from Massachusetts, and who has always been a pronounced protectionist.

The next is the name of O. B. Carpenter, of Gastonia, who I think likewise has always been a pronounced protectionist.

Mr. McCUMBER. The Senator is not reading from the list of governors?

Mr. SIMMONS. No; I was reading from the list of the board of governors, the North Carolina names. There are the names of one or two gentlemen from North Carolina on that list whom I do not know.

[At this point Mr. THOMAS yielded the floor for the day.]

Tuesday, February 1, 1921.

Mr. THOMAS. Inasmuch as the query of the Senator from North Dakota is addressed generally to this side of the Chamber I shall attempt to answer it.

I have always found it easier to understand what a tariff duty is than to understand protectionist explanations of it. A tariff duty is designed to levy a tax upon all consumers of a given article for the benefit of the producers of that article. When the advocates of the doctrine assume to refine or enlarge or limit that proposition, then I confess that their pronouncements become incomprehensible. I am willing to accept the proposition of the Senator from Ohio that the duty upon wheat will not advance the price in the United States; I think that is true very largely, perhaps wholly so. Because of that fact this legislation should not be enacted, since it will give the domestic grower no relief.

The Senator from North Dakota insists that it will increase the price, while the farmers not only expect it, but assert it not only to the Finance Committee but to the country through the columns of the press.

Assuming that he and they are right, I ask why every man, woman, and child in the United States, the consumers of bread, who have for years been protesting against the enormous price of that necessity of life, and to whom each of the great parties pledged relief in their platforms and during their campaigns, should now be penalized, that wheat should be enhanced in price, for that is what this proposal amounts to. The price of wheat has not yet reached $3 a bushel; the farmers say their stocks shall not be sold till that figure is reached. We propose to force the consumers to aid in hastening that objective.

If that be within the purview of the purposes and objects of free government, well and good; if that be the method by which we are to recognize and enforce our pledges to the public during the campaign in our platforms, well and good; but if it be true—and I contend there is no room for controversy upon the subject—that the purpose of the bill is to recoup the losses of the producers of wheat by the levy of a tax upon an absolute necessity of life, I deny that we either have the power or the right to inflict such a legislative imposition upon the great mass of our population. But independently of the question of the operation of the act upon the subject matter is the other and fundamental proposition that it will react upon our foreign trade, embitter and estrange one of our best customers, and provoke reprisals which must reflect upon and diminish our export trade with that customer.

[At this point Mr. THOMAS yielded to Mr. TRAMMELL, who offered an amendment to the emergency tariff bill.]

Mr. THOMAS. Let me again refer to sugar for a moment.

I know of no commodity the producers of which have enjoyed more profit and greater activity in the manufacture and sale of their products than the growers of sugar beets and cane, and the refiners and manufacturers of sugar, since the late fall of 1914. Why, Mr. President, we were able to secure the entry into a German port in the late fall of 1914 of a vessel chartered especially by the sugar-beet growers of the country in order to secure a needed supply of sugar-beet seed. The British and the German Governments mutually consented to the dispatch of that vessel and to its safe conduct into a German harbor. Why? Because the immediate effect of the war upon the sugar market was so stimulating, the need for the commodity was so insistent, the opportunity to produce it in superabundance was so immediate, that the power of the Government was exercised upon the belligerents, with the result that we secured the needed supply. The market for shares of stock in beet-sugar companies then jumped from $25 or $35 a share to $200, $300, or $400 a share. I refer now to the common stock; and, of course, the same conditions existed as regards cane sugar in the Hawaiian Islands and in Louisiana and in Cuba. The dividends which these companies were enabled to pay during this golden period were so large as to exhaust cupidity. They followed each other in rapid succession. I venture the prediction that if the secrets of the Internal Revenue Commissioner's office could be revealed to the public they would disclose as high a ratio of profit to the sugar manufacturers of the United States as were realized by any other industry in the country. I therefore contend that if the sugar industry finds itself to-day in distress, it is due to the fact that the prodigious profits which it has realized, instead of being conserved for a rainy day and used to carry the industry over just such a period as this, have been expended upon other subjects—wasted in the sense that they are not available—and doubtless upon the assumption that the good times would continue virtually forever. But behold!

With the universal fall in prices, this necessary commodity is affected. The growers of the cane and the owners of the refineries, face to face with a heavy loss instead of continued fat dividends, perceiving an opportunity to shift that loss upon the shoulders of the consumers, cry aloud that their business is facing ruin. To avoid that impending calamity they ask the Congress of the United States to save them by taxing the people $400,000,000, more than one-half of which will go into their pockets. The consumer should be inured to it by this time. Let him enjoy the consequences.

Mr. President, I have no doubt that the sugar industry is suffering. I know that the industry in my State and in Utah is languishing; but I can say in their behalf that it and as a matter of justice to the Senator from Utah, that he is not responsible for this amendment. He says he proposes to offer an amendment to it. The Senator from Utah has been consistent in his policy regarding this bill. From its inception he took the position that no amendment, however insistent the proponents of it might be, should be added to the House bill, and he has stood squarely and constantly by that proposition. It was announced either at or about the time the bill reached the Senate—it was certainly stated when it reached the committee—that the fate of the bill depended upon its integrity as it came from the House, and that any addition to it, either by increasing the duties fixed upon articles already incorporated in the bill or by imposing tariff duties upon other articles, owing to the shortness of the session, would inevitably result in causing the bill to fail of enactment. I think, Mr. President, the sugar amendment will have much to do with the result, because I am unable to perceive how Senators, whatever the emergency, can deliberately enact into law a bill whose only effect, if it is to be operative at all, is to prolong the high cost of living at the standards hitherto prevailing. It is a monstrous proposition and, with all due respect to those who differ with me upon the subject, I am unable to square any emergency that may arise, to say nothing of the one that is claimed to exist, with the remedy here proposed. Somebody must bear these losses. Somebody must always bear the losses consequent upon unfortunate conditions in business and in production. This is a game to saddle the losses upon those who are not responsible,

unless it be said that because men and women refuse to buy any longer at high prices they have forced a crisis and should be penalized accordingly.

Some reasons for the enactment of this bill were outlined before the Finance Committee. Of course, the principal one was the crisis confronting these various pursuits, and I have no doubt that they are suffering. I have no doubt that men honestly believe not only that the proposed remedy will be effectual, but also that Congress will be derelict in its duty if it does not act, and act speedily, under the circumstances.

One gentleman said:

The basic productive industries must be protected or we starve.

I know of no basic industry in this country, Mr. President, which has not been here since the early settlement of the Colonies. Practically every industry covered by this bill is basic. Has the time come when, in free America, our basic industries must receive the benefit of prohibitive tariffs in order to exist?

Has that time ever been reached in any country on the face of the earth since the dawn of civilization? The extreme protectionists of the Republican Party in all the days of its history, unless my reading has all been wrong, never advocated such a principle or policy of protection, and I can only account for it now, Mr. President, upon the theory that, having enjoyed absolute prohibition through the operation of the war, coupled with an enormous governmental demand for all the products of man, our business and productive interests can not now reconcile themselves to a return of peace conditions. I think this theory is largely borne out by the contention made before the committee that these interests must be preserved because every one of them will be essential in the event of another war.

We hear much, Mr. President, about the return of permanent peace, and the majority of this body has received unmeasured censure and condemnation from a great proportion of the public because it was unable to accept the so-called peace treaty; yet many of those indulging in those criticisms are clamorous for almost prohibitive protection to industries upon the ground that they will be indispensable in the event of another war.

Mr. President, if it be true that we must shape our revenue legislation so as to keep in existence industries which otherwise would perish to the end that we may be prepared for war when it comes, then let us confess ourselves to be a military nation and be done with it. Why the pretense to the contrary? There may be some, but I doubt if a single item in this bill which received consideration by the Finance Committee escaped the contention that we should be a self-contained nation, lest we suffer in the event of another great war. Evidently we are expecting such a calamity, else we would not be spending 93 per cent of our national income for military purposes.

I deny, Mr. President, that after a great war a country like this should shape its peace legislation solely with regard to anticipated conflicts unless they are impending. I do not believe we are face to face, presently or prospectively, with the menace of a future war, unless it be a civil war. If the discontent, the disorders, the class distinctions, and the discriminatory legislation which have characterized us for some years continue, they may smolder into bloodshed and insurrection; but surely we should not frame our revenue legislation, and particularly that part of it having reference to protection, upon the theory that civil war must be so provided against, since it would prove wholly ineffective. We can avert that awful calamity only be recognizing the conditions which threaten to produce it and by modifying or avoiding them.

I want to see no basic industry in America destroyed. Such a thing is inherently impossible, and an appeal for legislation like this to prevent it indicates, to my mind at least, the absence of any real, pressing, convincing reason therefor. One gentleman said that if farms are not protected, the young men will go to the cities. Of course, by parity of reasoning, if manufacturing industries are not protected, the young men will go to the country; and also by parity of reasoning, if depression comes in manufacturing centers, those engaged in manufacturing will go to the country. But such is not our experience. The drift to the cities will continue, impelled by the same causes which set it in motion two generations ago. The drift back to the country will never come because of protective legislation.

Farm products have long been protected. The rates both in the Dingley bill and in the Aldrich bill, and, as I remember, some of them in the McKinley bill, embraced farm as well as manufactured products. But the desertion of the farms and the crowding of the cities continued, and I have not the slightest idea that any person changing from the country to the city ever had the remotest idea he was so impelled because of the absence of a prohibitive tariff upon corn and wheat and wool.

It was also said that but for the Aldrich bill wool would have been lower than it was. My recollection is that at one time it was selling for precisely the duty under the Aldrich bill—11 cents a pound—indicating, of course, that the absolute need for foreign wools, both to supply our deficiency and for mixing purposes, will have its effect upon the industry, regardless of the rate of duty.

I remember very shortly after the Underwood bill went into effect that wool began to advance in price. I had a pleasant discussion upon the subject at the time with my friend the distinguished Senator from Wyoming [Mr. WARREN], who was once dubbed the greatest shepherd since Abraham, by a Senator in this Chamber. I think he was pleased, and he certainly was surprised that wool, instead of going down, had gone up, and I want the Senate to remember that the increase in the price of wool was noticeable before the Germans declared war upon France and Russia. The immediate effect of that declaration was to depress it, as it depressed everything else. Then it continued to rise, and I grant you that the war probably had everything to do with it from that time forward.

But what has become of the profits which were made by woolgrowers during those fat years of prosperity, and why has not some part of the profits been held in reserve to cover just such conditions as we now confront? The merchant who fails to reserve some of his profits will encounter bankruptcy sooner or later, for such a thing as universal prosperity in commerce is an unknown quantity. Wool raising is an industry, just as the manufacture of automobiles might be said to be an industry, subject to the application of the same economic laws, bound to have its periods of elevation and of depression. I do not mean to say that these profits have been dissipated, but I do say that when an industry has enjoyed tremendous prosperity, we have a right to know what has become of the substance of that prosperity, when adversity comes and the Government is implored to use its powerful authority to enable it to shift its losses upon other shoulders.

It is also said, Mr. President, that the wool industry will disappear if this bill does not pass; that the woolgrowers are now slaughtering their sheep, and at the same time getting nothing for the carcasses in the market. Gentlemen have said to me, and they are perfectly honest about it, "Our industry differs from that of the farmer, because we are now compelled to kill our sheep, and if we kill all our sheep, then, of course, the industry is gone." Of course, if you grant the premise, there is no escape from the conclusion.

But men have been raising and killing sheep ever since the rude barbarians gathered and pastured their flocks and herds upon the steppes of Asia. Yet there are plenty of sheep in the world. It is a fact, established by our statistical records, that the numbers of sheep in the United States are constantly diminishing at a ratio that is virtually the same when wool is protected and when wool is free.

During the good old days of the Dingley bill and of the Aldrich bill, that decrease continued, and it will progress whether we pass emergency legislation for the salvation of wool or not. It is due to causes entirely separate and apart from commercial legislation. I do not mean to say that the industry will become extinct; by no means; but our sheep will certainly diminish continuously, unless there comes a stay in the tide and progress of occupation of the public lands by our citizens.

The sheepman on occasions has had a pretty hard time in the West, Mr. President, during the last 30 or 40 years. There has been irrepressible conflict on the public domain between the "nester," or the locator, the sheepman, and the cattleman. Generally, in the early days, the sheepman either deported the "nester" or shot him, and the cattleman either deported the sheepman or shot him. I once saw some 2,000 to 2,500 head of sheep over on the Pacific slope in my State which cattlemen during the night had surrounded and driven over the cliffs, serving notice upon their owners to get out of the country or they would be served the same way.

That was one of the incidents in the irrepressible conflict formerly waged on the public domain between the cattlemen and the sheepmen, the cattlemen very properly contending that lands grazed by sheep became unfit for cattle, and consequently the sheepman was regarded as an enemy of the cattleman. The one thing which has largely terminated those conditions has been the constantly increasing tide of homesteaders, men locating on the public domain, and by that means interfering with and necessarily limiting the pasturage of these enormous flocks. Hence their decrease. They must decrease.

That is not the case in Argentina or Australia, nor yet in New Zealand, where vast domains of arid land, yielding but little in the way of pasturage or vegetation, upon which sheep can make a living, but upon which no other animal can possibly exist,

afford cheap and abundant feeding grounds for wool-bearing animals.

[At this point Mr. THOMAS yielded to Mr. PHIPPS, who submitted an amendment, which was read.]

Mr. THOMAS. Mr. President, the amendment just offered by my colleague reminds me of a subject which I will refer to, because it might hereafter escape my attention. If I remember correctly a bill is now on the calendar which has passed the House and which is designed to put a very heavy duty upon fertilizer material—potash, phosphates, and so forth—that industry having been developed in some parts of the country during the war, and which must be continued as a war measure lest we suffer otherwise in the event of some further conflict between the nations of the world. I sincerely hope that some of by Democratic friends who propose to vote for the emergency tariff bill will offer that fertilizer bill as an amendment here, because that industry is an infant one. It was born in the throes of the war. Moreover, the Government encouraged the investigation and discovery of phosphorus, phosphate, nitrates, and all of the other elements, including potash, that are essential to agricultural fertilization. I appeal to my friends who believe in the protective principle not to overlook this infant industry. They should be preserved by a prohibitory duty upon German potash and all outside fertilizers lest we perish in the next great holocaust of war.

I shudder to contemplate the consequences to my country should we be involved in war with Japan or France or Great Britain or Russia or China while bereft of agricultural fertilizer. Patriotism, the spirit of nationality, all those impulses which appeal to the American on the 4th of July, come unbidden to my mind and prompt me to urge you not to overlook the supreme importance, in this hour of emergency legislation, of protecting fertilizer to the end that we may secure for the consumer cheaper bread, cheaper wheat, cheaper beans, cheaper peanuts, cheaper lemons, cheaper olives, cheaper grape fruit, cheaper oranges, cheaper cherries, and all the vast range of agricultural and horticultural products embraced in the preservative recitals of this benignant measure.

Mr. POMERENE. That would be contrary to the theory of the bill. They want higher priced wheat and higher priced bread.

Mr. THOMAS. I am astonished to hear the Senator say so, because it is generally assumed, and particularly in the discussion of a universal tariff bill, that the effect of the imposition of duties will, by inspiring competition on the one hand and increasing wages upon the other, produce a cheaper product for the consumer.

Mr. POMERENE. I think I am a little surprised at my own observation, because as I understand it the foreigner will pay all the taxes anyway.

Mr. THOMAS. As usual. A gentleman from Philadelphia, Mr. Wood, representing some of the woolen manufacturers of the country, upon being asked what he thought were the causes of the prevailing depression, mentioned two. One was the cancellation by the Government of its contracts after the armistice, and the other was the indiscriminate prosecution of profiteers by the Department of Justice. He felt that if the Government at the end of the war, instead of canceling its enormous contracts, had continued them, that business would not have suffered; and I suppose that is true. He also felt that the Attorney General of the United States was to blame for a sort of indiscriminate crusade against the profiteers, in consequence of which people got frightened, with the result referred to. We may take our choice of the various reasons for the slump. My impression is that none of them answer the question satisfactorily, because if they did the depression of which we complain would be confined in its operations to the United States and would not be of universal operation.

I am anticipating, however, that some one may, because of this emergency and in the interest of the manufacturer, offer an amendment to the bill providing for the revival of all war Government contracts hitherto and prohibiting the Department of Justice from further interfering with profiteers, for truly if those are the causes of our suffering, and they have been presented with the utmost good faith by honorable gentlemen, then both logic and sound statesmanship require that they with the other causes should be removed.

Such methods of relief would certainly bring joy to the hearts of many contractors and restore peace of mind to many profiteers now threatened with conviction.

Peanuts, which are grown in this country, desire a prohibitory tariff because they are said to be subject to the killing competition of other lands, chiefly those of the Orient. In 1919 the entire peanut crop was consumed by the candy business, and a great portion of it, perhaps the larger portion of it, for 1920 was used for the same purpose. I had supposed that the peanut industry was profitable, requiring no great amount of cost in production and that the southern planter could largely rely upon it as a sort of by-product. I know in Alabama it is a great industry in those sections which have been hitherto devastated by the boll weevil, because some of the planters there found it in consequence so much more profitable to raise peanuts than cotton that they contributed the sum of fifteen or twenty thousand dollars to erect a monument to the boll weevil down there.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Colorado yield to the Senator from South Carolina?

Mr. THOMAS. I yield.

Mr. SMITH of South Carolina. The spirit of those patriots seems to have changed since the price of peanuts has dropped from about 12 cents to 4 cents, and they are now petitioning for the passage of the pending measure.

Mr. THOMAS. There is no doubt about it.

Mr. SMITH of South Carolina. They ought to raise another monument now.

Mr. THOMAS. No; I think they will demolish the monument which they have raised. They built it too quickly.

Mr. President, the importation of bean oil, and particularly of soy-bean oil, and the importation of coconut oil into this country, have liberated from the soap business a large quantity of fatty substances that make excellent food, and have enabled us to build up a large export trade by their refinement.

These foodstuffs are in great demand in countries such as Belgium, Denmark, and the other Scandinavian countries, and much of them go into domestic consumption. That importation has also enabled our soap makers to develop an enormous export trade in soap, a necessary article for civilized people, at least. That export trade finds its outlet in Belgium, in Denmark, in France, in Sweden, in Norway, and in Switzerland. It is possible only because of the cheap oils, which are imported almost exclusively from China and Japan, except the palm oils and the coconut oils.

The industry, it is claimed, will be virtually wiped out by the pending bill, and good reasons are given for that claim. First, it is said there is no compensatory duty upon the manufactured product, in consequence of which the industry will take itself from this to other shores and the title of exportation will be shifted from this country to others, because it will be impossible to continue the business if those now conducting it are compelled to acquire their supply of oils here, not only because of the price but because of the deficient quantity. One witness told us of the construction, at Seattle, I think, of very expensive harbor facilities for the receipt and discharge of cargoes, involving an expenditure of hundreds of thousands of dollars. Another witness declared that such oil importations constituted the principal import trade to-day from the Orient and were doing more to establish a parity of exchange between China and Japan with the United States than anything else.

Mr. President, it is the parity of exchange which ultimately must relieve the present financial situation; indeed nothing else will do it. So long as the money of the countries with which we trade is depreciated so long will they have the advantage, tariff or no tariff, in international trade, for, however much we may dispute over other problems, there can be but one conclusion as to the effect of low exchange upon international commerce. A nation having it has a bounty upon its exports, and having that bounty will be foolish if it does not avail itself thereof. On the other hand, it is largely handicapped with regard to its imports. Hence the dislocation. If we have a business amounting to millions of dollars, which is an infant industry in the United States in the sense that it was only begun a few years ago, and if in consequence of that industry we are aiding over one-third of the population of the globe to maintain a parity of exchange with us, thereby making them our customers, thereby becoming good customers of theirs, can any more supreme act of folly be conceived than legislation which will seriously impair, if not destroy, that industry with all of its attendant consequences?

Mr. President, the teeming millions of China regard the people of the United States as their only friend. They have been exploited by every other great people in the world; the United States has never done so. We want neither their territory nor their money. We voluntarily returned to them millions of dollars of our Boxer indemnity to be used for the education of young Chinese. It was upon our account that they declared war against Germany. Travelers from that country tell me that of all foreigners coming within the borders of China the real hand of fellowship is extended to Americans and to Americans only. Do we want the trade of that people? Chinese trade, Mr. President, has been the darling object of every commercial nation for the last hundred years. The Chi-

nese are not a manufacturing people. The Republic contains 400,000,000 human beings, practically all of whose clothing, with the exception of silks, all of whose machinery, all of whose luxuries, and a great proportion of whose foodstuffs are imported. So the possibilities, the potentialities, of that trade are practically beyond human limitation if properly cultivated. Millions of Chinese are to-day starving, and are largely dependent for their very lives upon what they can receive in exchange for their commodities; yet we, the Congress of the United States, representing a Nation of 105,000,000 people, devoted to the great principle of human equality, are, without due consideration, in a moment of hysteria, spurred to action by the excitements of people who think they are suffering, who are suffering, and who blindly assert this kind of legislation will bring them relief, about to impose a prohibitive ban upon their principal source of exportation.

O judgment! thou art fled to brutish beasts,
And men have lost their reason.

[At this point Mr. THOMAS yielded to Mr. SMOOT to offer an amendment to the emergency tariff bill.]

Mr. THOMAS. Mr. President, the practice of dumping is not a new one. It is unquestionably a pernicious one, but its evil character largely depends upon the victim of the practice. We decry and we justly fear the wholesale dumping of foreign commodities upon our shores. The evil is one of undoubtedly large proportions, and it is one which, in my judgment, should be regulated by international law. I regard it as a subject of treaty, for we have indulged in the practice quite as constantly and, with the exception of Germany, perhaps, quite as extensively as any other nation in the world. For a great many years we have been sending much of our surplus merchandise to European markets, consisting of a great many important lines of manufacture, and placing it upon these markets at such prices as it could realize, always below the price charged the American consumer. This bill, among other things, is based upon the assumption that certain lines of agricultural commodities are being dumped upon our markets, and that they must be prohibited or our farmers will suffer.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Carolina?

Mr. THOMAS. I do.

Mr. SIMMONS. I want to call the attention of the Senator from Colorado, if he is not already advised as to the matter, to the fact that China—from whence these peanuts that it is said are being dumped on this market come, largely through Japan, but such as come here are really of Chinese origin—imports very many more peanuts than she exports. China does not produce sufficient peanuts to supply her own requirements. I find that while north China produces more than are necessary to supply that territory and exports about 70,000,000 bushels of peanuts, south China does not produce as many peanuts as she requires and imports, chiefly from north China and elsewhere, 93,000,000 bushels. In other words, she takes the total exports of north China and then has, in addition to that, to get 23,000,000 bushels from elsewhere. She ordinarily gets them from India.

When China exports any peanuts to this country it is because her necessities are so great that she is bound to stint her own self in the use of this vital article of food in order to enable her to pay for her necessary purchases from this country. Not only China, but both China and India, find a ready market at high prices in Great Britain and in Europe generally for all the surplus peanuts that they produce, at prices as high as and higher than those which ordinarily range here. The world demand for peanuts is in excess of the world supply, and I see no reason to apprehend that the price of peanuts in this country in normal times is going to be below the level of profitable production. This last year it was below the level of profitable production because of the extremely abnormal cost of production. If production prices had been at all normal in this last year, the prices that are now being received for peanuts would be remunerative.

Mr. THOMAS. Mr. President, I had not intended to go into statistics in my discussion of this subject. The Senator from North Carolina and others who have given it exhaustive and detailed study are more competent to discuss that feature of the bill than am I.

Mr. SIMMONS. I interrupted the Senator simply for the purpose of showing that certainly there was no such inundation as has been urged with reference to many other articles, and is being urged with reference to this article, as a justification for the imposition of high protective tariffs to protect the people of this country from the cheap products of other countries.

Mr. THOMAS. Mr. President, if we are to-day menaced by the specter of universal dumping, what shall we say of the conduct of our people which imposes a similar menace upon other countries? Every nation seems to be similarly affected, or at least to be laboring under a similar apprehension. I call attention to an extract from the London Globe of December 30, containing scare heads of some magnitude for a British paper:

American boots by millions. British market flooded by cheap goods. A secret deal.

How natural that sounds! One might imagine I was reading an extract from the New York Globe, sounding the alarm against the invasion of American markets by the overplus of British manufacturers.

This is a somewhat lengthy article. I shall not assume to read it all.

Despite the fact that boot and shoe manufacturers in this country are absolutely at a standstill and thousands of operatives are walking the streets of our great boot-manufacturing centers workless and nearly starving the English market is being flooded with millions of pairs of American boots.

These boots are being offered at a price far below the cost of production in America and still further below the price at which English manufacturers can make boots of a similar quality.

AT 12S. 6D. A PAIR.

In one deal recently concluded by a London firm 2,000,000 pairs of these boots were involved, and the purchasers are now quietly unloading them onto the market at an average price of 12s. 6d. per pair.

They are all high-grade boots, and could not be sold for less than three times that amount by an English manufacturer.

The boots have come from two of the largest boot manufacturers in the world—Peters' Shoe Co. and Brown Bros., both of St. Louis, United States.

DEAL KEPT SECRET.

The deal has been kept secret up to the present, the purchasers apparently feeling that publicity would be inadvisable in view of the condition of the English boot and shoe factories. The Globe, however, is able for the first time to reveal the facts of the case.

The principal in the deal, seen by a Globe representative to-day, declined to say anything more than that it was a business proposition, and that he was confident that he would be able to unload the 2,000,000 pairs.

A representative of the Globe was able to examine samples of the 2,000,000 pairs. They are all well-made boots and shoes, in all sizes and styles—men's, women's, and children's—and are undoubtedly superior to those now being sold in the majority of London shops at prices between 30s. and £3 a pair.

The importer is desirous of selling them in consignments of 10,000 pairs.

A GLASGOW LETTER.

Several large factors are trying to dispose of these boots without committing themselves to purchasing. The following is contained in a letter sent by one Glasgow firm to another firm in the same city:

"We have 2,000,000 pairs of high-grade boots and shoes for sale. They are divided up into consignments of approximately 10,000 pairs, and these consignments can not be split.

"The boots are in all sizes and all styles, and each case contains mixed styles and sizes.

"There are approximately two-thirds women's boots and shoes and one-third men's boots and shoes, and a lot of 10,000 pairs can be purchased at 12s. 6d. per pair, but purchasers would have to take the run just as they come; one would not be able to pick.

"These are all high-grade boots and shoes, and actually cost to make very much more than this.

"We think this an excellent opportunity to make reasonable profit quickly, and we shall be glad to take the matter up further with you if you are interested."

WHAT IT MEANS.

What the above deal means to the British manufacturer will be readily appreciated when it is stated that the total number of pairs of boots imported into this country in 1913 was only two and a half million pairs.

The British tanners are also much perturbed at the growing tendency on the part of America to regard this country as a sort of "happy dumping ground." Enormous quantities of tanned leather are being imported here from the United States and sold by public auction—an unusual course, and one which is viewed with great alarm.

The tanning industry of this country is practically at a standstill and it is computed that 21 men out of every 100 engaged in it have been squeezed out already.

SALE BY AUCTION FEARS.

Leather merchants take a serious view of the present state of affairs. They are particularly interested in the antidumping bill. They fear that the forced selling of American leather may defeat the bill, arguing that it is difficult to see what measures will protect the home industry against sale by auction without reserve, no price being fixed when the leather comes into the country.

In the issue of the same paper of the next day appears the following:

"If the dumping of American boots and shoes in the English market is to continue, only one course of action remains for the boot industry of this country.

"That is suicide. All factories will have to close down."

Thus spoke Mr. Duncan Campbell, manager of Messrs. Horne Bros., the well-known tailors, outfitters, and boot dealers, to a representative of the Globe to-day.

"The Americans are apparently intent on making England their happy dumping ground," continued Mr. Campbell.

MOST HANDICAPPED INDUSTRY.

"An example of this is to be found in the 2,000,000 pairs of boots and shoes that have just been sold to this country [exclusively announced in the Globe yesterday], and unfortunately the boot trade is the most handicapped of all the British industries in the fight against this kind of thing.

"Unemployment to-day is worse in the boot trade than in any other industry in the country.

"Several things are to blame. The price of a boot manufactured to-day is necessarily high, and with everybody practicing strict economy many people only buy one pair to-day where formerly they bought three."

I will not read the rest of this article, but I have read enough to demonstrate, I think, that at least in one line of industry we are guilty of the same practice with regard to the consuming public of a friendly nation, and consequently depriving its workmen of the opportunity to live, against which we protest as being practiced against us, and which we expect or propose to meet by a piece of emergency legislation. I ask that the rest of this article be inserted as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"LARGE STOCKS.

"Then there have been for a long time past—and still are—huge stocks of surplus Government boots. There is no encouragement to manufacturers to produce boots in large quantities when the existing stocks are so heavy.

"The difficulties of finance and taxes also play an important part.

"One of the largest manufacturers in Northamptonshire came to me a little while ago," Mr. Campbell continued. "He was faced with a complete stoppage in his factories. Over a thousand men and women stood in danger of being thrown out of work. 'Could a scheme be devised to prevent this?' was his problem.

"As a result it was decided that he should supply my firm with as many boots as we wanted at practically cost price.

"A GUINEA A PAIR.

"To induce the public to buy and at the same time to supply them with a reasonably cheap article of good quality, we were to sell these boots at a price which only included the cost of advertising and the cost of manufacture.

"At the beginning of September the factories started to turn out these boots. By the middle of the month they were being retailed at a guinea a pair. Since that time—three and a half months—we have sold over 50,000 pairs.

"Those 50,000 pairs of boots meant £25,000 in wages alone. Only a drop in the ocean, maybe, when the number of unemployed is considered, but at any rate a little help.

"Now, just as other firms are beginning to follow our example, the boot industry is beginning to find its feet again, comes this crushing blow of dumping. It should never be allowed.

"TO CAPTURE WORLD'S TRADE.

"Two things strike me as being the probable reasons for the dumping of these boots here:

"Firstly, the American manufacturers have been caught with large stocks on their hands by styles that have gone out of fashion.

"The greater part of the male section of the 'two million' have toes of the high, bulb type. Hardly anybody in America wears this style nowadays, so they are being sent over here.

"The second reason, which is much more serious, is that the Americans are out to capture the world's markets, and in the boot trade England should be the easiest prey under the present conditions.

"If they can dump boots and shoes over here at a price that will force our factories to close down, they will do so. Will they keep the prices low if they succeed in this object, though?

"THE ARM OF COINCIDENCE.

"Should this be allowed? It is a disgrace to the country that manufacturers who are doing their best to prevent further unemployment should have this further worry of dumping competition thrust on their shoulders without being able to make an adequate protest.

"This will not help to decrease unemployment."

By a strange coincidence, as Mr. Campbell ended with the word unemployment, he looked out of the window of his office in Oxford Street just in time to see the tail end of a procession of the unemployed ex-service men of Finsbury.

"Not just a few hundreds like that, but thousands upon thousands," he remarked, "will be the result of this dumping if it continues."

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. THOMAS. I yield.

Mr. McKELLAR. Speaking of the question of dumping foreign goods upon us, as I understand the situation now, we export a great many more goods than we import. Of course, it is necessary that we should find a market for our exports. We know financial conditions abroad, and unless we get paid for our goods in the goods of foreign countries, how can we keep up our foreign trade?

Mr. THOMAS. Mr. President, we can not do it, of course. But the incident to which I have referred clearly indicates that American manufacturers of boots and shoes are sending enormous quantities of their product to be sold in Great Britain at prices far less than those for which they charge the American consumer. We see the beam in the foreign eye, but we refuse to cast out the mote in our own. I contend, Mr. President, that it is not the business of the Congress of the United States to enact legislation of a prohibitive character for the prevention of a practice as against us which we are ourselves practicing against others.

An amendment to this bill provides for a practically prohibitive duty on hides, and, of course, that will carry its compensating duty to the manufacturer of boots and shoes. Yet, in the face of these conditions, no relief is intended for the consumer. He must continue to pay, if he gets them at all, as far as present indications go, a higher price for such a necessity as shoes than he paid even during the progress of the war.

Mr. McKELLAR. Mr. President, I call the Senator's attention also to an amendment offered yesterday by the Senator from Massachusetts [Mr. LODGE] putting a 10 per cent duty upon manufactures from hides. The amendment is as follows:

Upon hides of the kind provided for in paragraph 26, when advanced in any manner or by any process of manufacture, and manufactures of which hides of any kind provided for in paragraph 26 are a component material, the rate of duty imposed shall be 10 per cent ad valorem.

Mr. THOMAS. Yes; that was designed to meet the amendment of the Senator from New Mexico imposing practically the same duty upon hides. Of course, if you put it upon the raw material, if you are to protect the competitive prices at all, you must impose a compensatory duty upon the manufactured article.

I remember a great many years ago when a modest manufactory was inaugurated in my home city, that we had a meeting of the public-spirited for the purpose of pledging ourselves to the sole patronage of that concern as to the goods it proposed to make. When I suggested that it should refuse to sell its goods to anybody save ourselves I came very near provoking a riot.

We are anxious, of course, to sell, but we hate awfully to buy, particularly if we fear that the purchaser may get the better of the bargain.

Now, Mr. President, a word regarding lemons.

Mr. McCUMBER. Mr. President, before the Senator reaches that point, may I ask him a question on the matter of the leather item? I necessarily was absent from the Chamber, and possibly the Senator has already covered that.

Mr. THOMAS. No; I read some extracts from a London paper about the dumping of 2,000,000 pairs of American shoes upon the London market.

Mr. McCUMBER. I was about to suggest to the Senator that it was argued here the other day that this tariff duty upon hides will be a great burden upon the people who wear shoes, and I suggested to a Senator who was then discussing it that it would amount probably to 4 or 5 cents on a pair of shoes. I was not certain of my statement at that time, and so I inquired of a western Senator who knows the price of hides, and ascertained that at that time, according to his judgment, hides were selling at from 6 to 8 cents a pound, that that was the market price, and 15 per cent ad valorem, taking the average price at 7 cents, would be 1 cent and a half mill per pound. A pair of shoes weighs ordinarily about 2½ pounds. But even suppose they weigh 3 pounds. That would be three times 1 cent, or 3 cents, as the tariff on a pair of shoes if that tariff were carried from the raw hide into the shoe itself.

Mr. THOMAS. That is a very little thing, Mr. President.

Mr. McCUMBER. Very small, indeed.

Mr. THOMAS. Very small; but you multiply the 3 by 105,000,000 people and you get $3,150,000. A French economist years ago, Bastiat by name, emphasized the advantage which the protectionist has over his opponent in that he can call attention to the extreme smallness of the imposition upon the individual, and therefore appeal to the public that such a price is not inordinate when the protection of a great industry may be essential. But we know, Mr. President, that these things are magnified. The retailer unquestionably takes advantage, and sometimes the wholesaler, of the imposition of the duties by adding to them, just as the man who pays an excess-profits tax, when he passes it on, adds something to it for good measure. That is the universal practice. It may be wrong, but it is human nature, common to all countries and to all classes and conditions of men. If we in this bill add one cent to the necessary expenses of the consumer of the United States, and then multiply that one cent by the number of items which the bill comprises, we will say 30, that will make 30 cents, and thirty times 105,000,000 makes a good deal of money—something over $30,000,000.

Mr. President, it is this small, universal tribute, levied upon the just and the unjust, the black and the white, the rich and the poor, which finally unites in an overwhelming torrent emptying into the purses of the producers, conveying to them not only a pleasing consciousness of money earned but the intensified conviction of the necessity of the impost for the continuation of the business.

I do not know whether it is true or not, but the morning Washington papers declared, at the time of the occurrence, that lemons were included in this bill because of a jocular remark made upon the subject by a Member of the House from California. But whatever the fact may be, the lemon is there. A gentleman appeared before us and asked for an increase in the House rate of duty which would amount virtually to 50 per cent ad valorem, and an amendment to that effect was offered yesterday by the junior Senator from California [Mr. JOHNSON]. The argument before the committee in favor of this tax was the destructive results of lemon importations from Italy; that they

were increasing in such magnitude that the entire industry was threatened, and unless this increase of duty was granted the industry, with others, would be wiped out. Upon examining this witness at some length, however, we discovered that the competition between the California and the Italian lemon is limited to the territory east of Pittsburgh.

All the rest of the United States constitutes the peculiar and the exclusive stamping ground of the California lemon grower. An occasional consignment of Italian lemons, this gentleman said, reaches as far west as Chicago. The statistics show that the importations of lemons last year from Italy were less than the importations of lemons in 1913 or 1914, and, of course, after the Underwood bill was enacted and went into operation, while between the commencement of the war and last year the importations of Italian lemons were very small.

Now, it seems, from a further examination of this gentleman, that the railroad tariff upon lemons is $1.67 per hundred pounds from California to Salt Lake, the same rate to Denver, the same rate to Kansas City, the same rate to Chicago, the same rate to Pittsburgh, the same rate to Washington, and the same rate to New York; in other words, a blanket rate of $1.67 per hundred pounds for lemons is exacted by the railroads whether the haul is to Salt Lake or to Portland, Me. That is a monstrous thing, and it illustrates the iniquity of railway tariffs as applied to helpless countries like that which I have the honor in part to represent in this body. But while that is given as a reason, among others, for this proposed duty of 50 per cent ad valorem, it does appear that the prices which are exacted from my constituency have been virtually all the traffic would bear. If the lemon grower has not profited, therefore, the fault is not the consumer's, for he has paid through the nose.

I at once telegraphed to the city of Denver requesting quotations of prices of lemons from July 3, 1920, to January 22, 1921. Those prices ranged all the way from $7 a box down to $3.75, the latter price obtaining upon a certain grade of lemons for the first time on December 25, 1920. This gentleman declared that the cost of a box of lemons, as I remember—I do not want to misquote him and hope if I do my friend will correct me—plus the freight required a price of about $5 a box in order to make any profit at all. Yet the lemon grower, taking advantage of the absence of competition, has recouped himself upon the people of the interior. I have no doubt that I could state with perfect impunity that the Denver prices characterize the prices of California lemons all over the United States, except where the Italian comes in competition; yet these people demand of the Congress that a 50-cent tax be placed upon the Italian lemon, to the end that 50 cents a box may be added to the consumers of the United States. I ask leave to print these Denver quotations as a part of my remarks.

DENVER, COLO., *January 27, 1921.*

UNITED STATES CUSTOMHOUSE,
Customhouse Building, Denver, Colo.

GENTLEMEN: As per your request to-day we are giving you below our weekly quotation on different grades of lemons for the days July 3, 1920, to January 22, 1921, which we trust will fulfill your requirements.

Week of—	Extra fancy.	Fancy.	Extra choice.
July 3	$7.00	$6.25	$5.50-$6.00
10	6.75	6.00	5.50- 5.75
17	6.75	6.00	5.50- 5.75
24	6.50	5.75	5.00- 5.50
31	6.50	5.75	5.00- 5.50
Aug. 7	6.50	5.75	5.00- 5.50
14	6.50	5.75	5.00- 5.50
21	6.00	5.75	5.00- 5.50
28	6.00	5.75	5.00- 5.50
Sept. 4	6.00	5.75	5.00- 5.50
11	6.00	5.75	5.00- 5.50
18	6.00	5.75	5.00- 5.50
25	6.00	5.75	5.00- 5.50
Oct. 2	6.00	5.75	5.00- 5.50
9	6.00	5.75	5.00- 5.50
16	6.50	6.25	5.50- 6.00
23	6.50	6.25	5.50- 6.00
30	6.75	6.50	5.50- 6.25
Nov. 6	6.75	6.50	5.50- 6.25
13	6.50	6.25	5.00- 6.00
20	6.50	5.25	5.00- 5.25
27	5.00	4.75	4.50
Dec. 4	5.00	4.75	4.50
11	4.75	4.50	4.50
18	4.75	.....	4.25
25	4.75	.....	3.75- 4.25
Jan. 1	$4.25- 4.75	$3.75- 4.50	3.75- 4.00
8	4.25- 4.75	3.75- 4.50	3.75- 4.00
15	4.25- 4.75	3.75- 4.50	3.75- 4.00
22	4.25- 4.75	3.75- 4.50	3.75- 4.00

Respectfully, yours,

BOURK, DONALDSON-TAYLOR (INC.),
L. A. LEEBRICK,
Traffic Department.

Swift upon the heels of this proposal, and to further mulct consumers, come similar amendments providing for the same or similar duties upon other citrus fruits, thus giving Florida, as well as California and Arizona, the right by legislation to increase the prices that have been far too high for many weary months.

The bill, whatever its purpose may be, however sincerely it may be advocated, should be entitled a bill "To perpetuate the high cost of living to the consumer," or a bill "To punish the consumer for refusing longer to pay exorbitant prices for the privilege of living." Some one has characterized the bill as infamous. Were it not for the respect I have for its authors I would indorse that sentiment. I know, however, that many gentlemen in this and the other body are sincerely of the belief and entertain the profound conviction that without it some of our basic industries will suffer inordinately. I wish I could respect their opinions as highly as I respect them.

While speaking about railroad tariffs, let me say that, in my judgment, a very great part of the suffering complained of is due to the enormous increase in rates of transportation. I am not criticizing the increase at the present time. It may be, and it is said by those who know more about it than I do, that these increases are absolutely necessary if we are to have any transportation system at all. But we can not avoid the conclusion that if 50 per cent be added to the cost of transportation, 50 per cent will be added to the price to the consumer, and that increased price will tend to reduce consumption, with the inevitable result that the producer is injured through a restriction of his market. The bill proposes to transfer that burden to the consumer. We may say that the producer is not to blame for this rate, and that is true; but neither is the consumer. Hence we should do as our ancestors have done, and as we must do ultimately whether we will or not—allow experience and adversity to regulate these conditions, through which channels, and through which channels only, must come that prosperity which we once possessed and for which we yearn.

Some gentlemen before the committee also attributed their misfortunes to the high cost of labor and stated that because of this they were obliged to have added protection; but the advocate of the protective principle has always contended that high wages was one of its virtues. In order to give the American workman a chance for his life the high protective duty is necessary to equalize the difference between what he ought to have or what he gets and what his fellow workmen in other countries actually receive.

That is not the basis of the present bill, however. Nobody pretends that it is gauged or measured by any such standard. I wish to emphasize that if it be true that the main purpose of the protective system is to increase wages, then the increase when it comes should not be used as an argument for still further advancing the duties. If a measure of legislation is designed to produce a result, that result when realized should not be made the excuse for enhancing the burden imposed to secure it. Yet no one appeared before us representing any industry whatever who did not sooner or later predicate his demands upon the increase in the cost of production, due very largely to increase in wages.

Mr. SIMMONS. Mr. President——

Mr. THOMAS. I yield to the Senator from North Carolina.

Mr. SIMMONS. If I understand the theory of the bill, the basis of proposed protection is not only the difference in the cost of labor here and abroad and production here and abroad, a thing about which I think no one knows much under these conditions, but it is to add, in addition to this difference in that cost of production here and abroad, the difference in the rates of transportation to any given point in the United States between the ocean rate and the rail rate at that point. That would mean, in the case of New York, the difference between transportation from Italy to New York by water and transportation from San Francisco to New York by rail. In addition to that, it proposes to add enough to equalize exchange rates.

So that we have a tariff to protect against the lower prices abroad in production the difference in freight rates by water and by rail, known to be very great, and any difference that may be created by reason of the high rate of exchange. The Senator probably did not advert to the fact that the Senator from California [Mr. JOHNSON] has introduced an amendment to the bill to raise the rate on lemons from 1¼ to 2 cents.

Mr. THOMAS. He did that yesterday.

Mr. SIMMONS. Yes; that is true.

Mr. THOMAS. I referred to it. One gentleman came before the committee asking nothing on his own account and giving his reasons for disposing of the proposed method of legislation. His name is Delapenha. He is the proprietor of a large preserving establishment in New York State south of the city of Poughkeepsie. I ask the indulgence of the Senate while I read

one or two extracts from his statement, which seem to me to be well worthy the consideration of the Senate. He said:

Gentlemen, my own judgment of the matter is that we are treating the patient from the wrong end. This is an international question, not a local one. If a remedy can be found for the international question the local question will get well of itself.

Let us assume that we put an emergency tariff on; and let us assume that we follow up with another tariff in March, where is it going to land? Aren't we really at the parting of the ways? Confidence has been disturbed; how are we going to renew confidence? It can only be done in one of two ways, applying the proper remedy. The first thing, in my judgment, that we should seek to do is to stabilize exchange. Until we do that we are producing goods, because of our tremendous value of the dollar, not at any real measure of values but at sacrifice prices which, no matter what tariff you may put on, will not counterbalance.

He then said, in answer to a question by the Senator from North Dakota, that he has no remedy himself to propose, but wished that he had. He then proceeds:

We are manufacturers, for example, and packers of preserves, tomatoes, corn, beans, citron peels, and lemon and orange peels. The business is flat on its back; there is no market. We can not dispose of our merchandise. If that be true of any article of food, how much truer is it going to be of any article that one can not do without?

I am also an importer. The conditions in Europe have changed. I was over this year—in France and England. Labor is getting over there more than it did before the war. I had occasion to examine the labor bills of some very large manufacturers in England in kindred lines, and there is very little difference in the price of labor. We could get along excellently if the pound sterling was worth $4.86 without increasing our tariff in any way. We could continue to compete with them. So that it seems to me that any measure of increase in duty would in no way benefit us as a Nation, for the reason that what we must do is to find a market for our surplus production. At the present time it is impossible for the older countries of the world to purchase from us because they have suffered to a far greater extent than we have through the holocaust of war. There is no doubt but that those countries need our merchandise. There is no doubt but that those countries will take our overproduction. But no means has yet been proposed; neither has any means been found to permit them to do so.

Again he said:

Now, gentlemen, there has been profiteering. Everybody has profiteered; and, what is worse, every child who has passed through the period of the last few years, say, who was 14 years of age in 1915 and to-day is 19 years of age, has got some ideas in its mind that will have to be expunged by suffering. The whole country has gone mad on the subject of making wealth. No other consideration has counted: get it, no matter how you get it. Speculation has been rife. The greatest crime in history was created with that sugar deal.

Also this:

Our extreme situation to-day, outside of the international question, was brought about, in my judgment, by the injudicious action of manufacturers and merchants in continuing this vast inflation after the armistice was signed. I am in business. I am a large operator. I have to go to my banks. In January, 1920—and we visit our banks at least once a year—we were in excellent shape and owed no money, and had large balances. We went to our bankers and they told us: Now, slow up. We have heard from the Federal reserve system that we must be most careful to prevent speculation of any kind.

He then informs us that immediately after this visit he went to Europe and there he found there was no restriction upon purchasers or manufacturers; that countries there seemed to be as enterprising and as extravagant as they had been during the war. He came back and made that report to his bankers. His bankers changed their minds with regard to conditions here, and as a result our own methods were unchanged. We thus defied economic laws and we are paying the penalty.

He speaks in another place of the large stock of imported olives which he has on hand costing something like $4.20, I think, a gallon. "Now," he says, "the question with me is not what shall I sell the olives for, because I can not sell them at all." If he should put them upon the market at $2 nobody would buy them. The olive is not a necessity of life. The purchasing power of the people has either been exhausted or they have determined to confine their trade to the things they must have, and will submit no longer to the extravagant conditions which have characterized not only our people but those of all the world since the armistice.

I think this gentleman's suggestions to the committee were wise; I think that they are unanswerable. I think he has placed his finger upon the sore spot of the whole situation, and I believe experience will justify the wisdom of his counsel, whether this bill be enacted into law or not.

Mr. President, I have used more time than I intended to occupy. I have yet to refer to my amendments, but before doing so I shall direct myself for a moment to my brethren upon this side of the Chamber. Many of them were members of the San Francisco national convention; they participated in its deliberations; and they had, in all probability, much to do with the drafting of the platform upon which their candidates were nominated and upon which their campaign was made. Among the other declarations in that document I find this:

We reaffirm the traditional policy of the Democratic Party in favor of a tariff for revenue only, and we confirm the policy of basing tariff revisions upon the intelligent research of a nonpartisan commission rather than upon the demands of selfish interests temporarily held in abeyance.

I know it is said that platforms are not made to be observed, but to get in on. I am painfully conscious of the fact that the party with which I have affiliated all my life has been as oblivious of many of its pledges to the people as has the other. I know, too, that conditions frequently arise which make a declaration inapplicable to them, but if there be one principle, fundamental in its character, Democratic in conception and in observance since the days of Jefferson, it has been the principle of taxation for public purposes only, with protection as incident thereto. I can not conceive of a Democrat who does not believe in that proposition, although I know that there are many Democrats known as "spotted protectionists," who are ready to surrender or, at least, to put aside their convictions when local interests appealing to them for tariff duties may be concerned. I am not criticizing this conduct; it has been too general. Perhaps, I may say, it has never been honored in the breach but always in the observance. I deplore it, but I can understand local pressure, especially when brought to bear upon a man who thinks more of his office than he does of his principles. Here, however, is our last declaration, notwithstanding which honorable Senators of the Democratic Party have risen from time to time and announced their purpose to support the pending bill.

It is based upon the researches, intelligent or otherwise, of no nonpartisan or other commission, or upon any researches at all; it is neither for revenue nor for revenue only. But it is emphatically based upon the demands of selfish interests which are not held in abeyance. It violates the letter and the spirit of your last declaration, yet you will vote for it.

I do not sit in judgment upon my colleagues, Mr. President; neither do I question their strange conception of duty, but let me say to these gentlemen that, in my judgment, at the time when the Democratic Party is at the lowest ebb in its history, they are violating its fundamental principles and proclaiming by their action that the usefulness of the Democratic Party has ended and its existence is no longer necessary. They are leading our great organization to execution, and will justify the Republican taunt, soon to be heard, that, having abandoned the last stronghold of Democratic principle, we virtually concede its fundamental error. How will you answer the charge?

The future of the Democratic Party is very dear to me. I have reached the time when my activities and my ambitions are behind me. Within the next 30 days my public career will come to a close. I never expect to hold or to be a candidate for a public office again. I have devoted over a half century of my life and my activities in behalf of the Democratic Party. It is the only party in history which defeat has never destroyed. It will die only when its leaders abandon it. It is the only organization which can survive what seems to be irretrievable disaster, because of its devotion to principle; because of its conviction of duty; because of its adherence to great fundamentals without which republican institutions can not endure.

I therefore warn my brethren that in yielding to public clamor from their several constituencies and in casting their votes in support of a measure of this kind they run counter to one of the greatest of Democratic principles; they fail the party at the very time of all times when it should command the disinterested devotion of every follower; when to desert or to betray it is to invite disaster and to menace its disintegration; but theirs and not mine is the responsibility. My friends may retort that I have not been a consistent supporter of the Democratic Party. That may be true; but I have ever supported Democratic principles. Because Democrats like myself have done so, the party lives; and I regret that any such step will be taken while I am still a militant member of the party.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER (Mr. McLEAN in the chair). Does the Senator from Colorado yield to the Senator from Montana?

Mr. THOMAS. I yield to the Senator from Montana.

Mr. MYERS. Does the Senator think that any calamity or defeat could befall the Democratic Party much greater than that which befell it in November last, when, according to my recollection, it carried 11 States and came very near carrying Tennessee?

Mr. THOMAS. Mr. President, if the Senator from Montana had been here, he would have heard me refer to the recent election. I have said, and I repeat, that the Democratic Party is at the ebb of tide of its fortunes. I do not know that it can get much lower; but for that very reason, if for no other, it behooves those of us who are left to stand by its guns and to hold all ground that is yet its own. Thus and only thus will the party regain its prestige and return to power.

I offered an amendment some time since, and which was read to-day. It devotes the application of whatever revenues may be realized by the pending bill to the support of those who are involuntarily idle because of the existing depression. The morning after this amendment was offered the Washington Post called it a facetious one. It may be so, yet I offered it in perfect good faith. If it is the duty of the Government to care for all of those of its citizens who are in distress, then that is a universal duty. If the purpose for which the Government was created is but partially outlined in the preamble of the Constitution, and its broader mission is to succor the weak, to aid the unfortunate, to insure its producing classes against loss, misery, and suffering, then a fortiori its duty to care for those who through no fault of their own are without employment.

A paternalistic government can have no favorites among its clamoring children. All are equal before the law, and organization for gain is infectious. The contagion has been spreading ominously of late. Those in the saddle to-day may be unhorsed and on foot to-morrow. To extend public alms to all our needy population once we embark upon that fatuous policy is to be both generous and forehanded.

According to the Senator from Ohio [Mr. POMERENE], two or three millions of men—many of them, of course, with families—are out of employment, due to the complete or partial closing down of the great manufacturing establishments of the country. He says a bread line was formed recently in Toledo, and I have no doubt they will be formed in other great cities. The purpose of this bill is to shift the loss which basic and other industries are confronting upon the consumers of the country, and by no word, by no construction of any of its terms, can any benefit redound to the unemployed masses which this amendment is designed to relieve.

What Senator will challenge my assertion that it is our duty to protect the woolgrowers from loss, but that we have no concern with the man who guards the flock or shears the sheep, whose occupation is suspended because his employer has been forced to discharge him? Who will contend that we must rescue the Oregon cherry grower, the California olive and lemon grower, the miner of tungsten, and all the other beneficiaries of this bill and dare to deny that we should turn our backs upon those dependent upon these industries for a living wage?

Mr. President, the rich and the powerful can take care of themselves; the poor and the dependent can not. The Government should always be jealous of the rights and solicitous of the condition of the latter. And its duties to them become paramount if a paternalism is our duty and our destiny.

No man can support this bill consistently and then vote against my amendment. He who does so commits himself to the proposition that ours is a Government for the producer and the manufacturer and for them alone.

You ask me if I favor this legislation. I do not. I am opposed to the entire theory which underlies it, and I repudiate the arguments which its advocates advance to sustain it; but if we are to interfere in an emergency like this let us be just as well as generous. Let us extend our legislation to all the victims of the emergency, without regard to their status or character. If we are to impose an additional tax of hundreds of millions of dollars upon the already overburdened people of the United States for the benefit of a few so-called basic industries, then, in God's name, let us apply the slender revenues reaching the Treasury from such a source to the sustenance and support of the indigent and the suffering whose plight is due to the conditions which have inspired and which alone can justify the enactment of this law.

Mr. President, the American people are, and since the armistice have been, contributing millions of dollars from the Congress from the National Treasury, millions of dollars supplemented by private subscriptions, to relieve starvation and suffering in Europe. I know of no work in which our people have ever engaged that is more praiseworthy, more desirable, or more inspiring; but I want those who are advocating the passage of this bill to tell me, if they can, why we should confine such charities to the people of foreign countries, and the producers of the United States, and lend no ear to the cry for help that now fills the atmosphere of the Republic and rising from nearly every center of industry in the United States?

Mr. President, we can not defend the application of the principle of governmental aid to the citizen and limit its operation, particularly when an emergency is said to require it.

But, Mr. President, I offered another amendment on the 5th day of January, and which consists of the immigration bill which passed the House. I shall ask to have it read when I take my seat. I believe that we can enact some legislation which may relieve or ameliorate the conditions composing this so-called emergency. Among them is the restriction of immigration.

Foreigners of all kinds, classes, and conditions, Chinese and Japanese excepted, are pouring into this country from practically every nation in the world. The Commissioner of Immigration tells us that 15,000,000 will come just as soon as transportation facilities will permit.

The great steamship companies are, of course, as they always have done, encouraging this migration to America. One of them closed a contract with Hungary the other day for all the emigrants from that nation during the next five years. The only limitation to the present flood is the lack of tonnage upon the seas; although the tonnage available is sufficient to transport something like 100,000 a month to our shores, who distribute themselves in the great cities of the country, and become either an added burden to the producing energies of the Nation, a further menace to our civilization, or—as is frequently the case—a desirable addition of hard-working, honest men and women. No man can say how many, for we neither have the machinery nor the inclination to sift the wheat from the tares. Hence we make but little discrimination between these classes. They all come—the fairly well-to-do and the poor, the lame and the blind and the halt, the Slav and the Pole, the Austrian, the German, the Irishman, the Englishman, the Frenchman, eager to enjoy the opportunities and advantages of the one surviving commercial productive world power. Naturally, when one reflects even casually upon the results of the war upon Europe, this impulse for immigration becomes irresistible when it can be gratified.

Mr. President, I firmly believe that the immigration laws of the United States should be completely suspended for at least a year, and that the Congress should utilize that interval in framing and enacting a logical immigration law. I believe that our social and economic and moral degeneration is largely due to our system of indiscriminate, uncontrolled, and highly stimulated immigration.

We are concerned about the exclusion of Japanese from California, and I am in hearty sympathy with the policy, not because they are Japanese but because of racial conditions which are too obvious for discussion; but the average Japanese immigrant to this country is infinitely superior mentally, morally, and nationally to an enormous percentage of the immigration which comes here from Europe without any question at all and which, indeed, is encouraged by American beneficiaries of protection. I am glad that the Chinese are excluded, and for racial reasons; but I infinitely prefer Chinamen to the mass of immigration now coming from Russia, from the Near East, and from other sections of the world. They not only increase our present financial and material burdens but they infinitely increase the menace to our institutions and supply the most fertile of all ground for the propagation of ideas and antagonisms to American institutions which are the prime cause of that terrible wave of crime and lawlessness that has swept over the country for the past two years. With all due respect to the Committee on Immigration of the Senate, I am astonished that the House bill has not been reported for passage long ago, and much more surprised that some members of that committee, if the papers are to be credited, have expressed themselves as inimical to further immigration legislation at this time.

Mr. HARRISON. Mr. President, I am a member of that committee, and I am very much in favor of the legislation which was passed by the House and embodied in that bill.

Mr. THOMAS. Yes; I know the Senator is.

Mr. HARRISON. There is a minority in favor of that proposition, but we have been unable to get anything out of the committee. I think it is extremely doubtful if any bill will be reported by the committee, and I hope it can be so arranged that in the course of the discussion here, and in any action of the Senate, we can vote on the amendment the Senator has offered.

Mr. THOMAS. Mr. President, it is because I have despaired of any favorable action from the committee that I offered this amendment. I know why we can not get it; it is politics. The various races which have come here long ago formed themselves into organizations, and while there can be no question about the Americanism of many of them, doubtless of a majority of them, the fact remains that these organizations are designed to promote policies that are un-American, or only indirectly American, and when their representatives appear before the Committee on Immigration, sustained by the organized potentialities of the voting power of men and women, and protest against legislation of this sort, political considerations suggest that their views be accepted. Not until this question becomes,

as it must become, a great economic and moral issue, not until the Americanism of the Nation arouses itself and realizes the danger, not until such a movement becomes sufficiently powerful to command the attention and respect of the congressional politician, may we hope for a check upon that tide of immigration which is even now an overwhelming flood. Within the next 25 years, if the present immigration law remains upon the statute books and is applied as it is now applied, the chances are that the English language will be an exception upon the streets and in the workshops of every great manufacturing city in the United States, and when that time comes the political power of the Nation will be wielded not by the native-born citizen nor yet by the naturalized citizen who believes in America first, who even now is too indifferent to his political duties to vote unless anxious candidates bring him to the polls by automobile, mark his ticket for him, return him to his fireside with many and effusive thanks, but by the organized hyphenated hordes of unassimilated foreigners.

This indifference, coupled with political considerations, I again affirm, constitutes the dry rot in American institutions. Yet there should be no politics whatever in the matter of immigration. Republicans and Democrats alike are first of all American citizens, wedded to the institutions of their country, and anxious to maintain and operate them upon lines of policy which meet with their approval. Democrats and Republicans alike, therefore, when confronted by such a situation, should forget politics and political differences and strive alike for the enactment of wise, well-thought-out statutes under which immigration to America may become a blessing instead of the menace it now is to American customs, American institutions, and American destiny.

Of course I recall, Mr. President, our ancient boast that this country is the refuge and asylum for the oppressed of all nations, and I want it to continue so. But these hordes now and hereafter coming are not impelled by domestic oppression; they are not seeking political asylum. They are coming because of our attractive economic situation. It is the lure of work to be secured in competition with our American citizenship. They have been brought here in the past, sometimes by the connivance and sometimes by the actual assistance of the great employing agencies of the country, which even now have much to do with the inability of the Congress to legislate upon the subject.

So, Mr. President, I trust the Senate will consider my amendment and support it by their votes, since it is the only opportunity that will be afforded this Congress, and probably the next, to crystallize into the legislation of the country some provisions regarding immigration that are not only sorely needed but are indispensably essential and without which we must suffer materially, morally, politically, and economically, and, I fear, indefinitely.

[At this point Mr. THOMAS yielded the floor for the day.]

Wednesday, February 2, 1921.

Mr. THOMAS. Mr. President, I intended before concluding my remarks yesterday afternoon to refer to the amendment of the junior Senator from Arizona [Mr. ASHURST], which is designed to increase the proposed duty upon long-staple cotton from 7 to 30 cents a pound. I regard this amendment as ideally illustrative of the result upon American business conditions should this and kindred amendments be enacted into law.

The annual product of so-called American Egyptian cotton does not exceed 60,000 bales, and our annual product of long-staple cotton of all kinds does not exceed 300,000 bales; yet the demands of American industry for this staple raw material required the importation to America of 690,000 bales last year, making the total amount needed for domestic consumption, in round numbers, about 1,000,000 bales.

It is proposed by this amendment to impose a duty of 30 cents a pound on behalf of the American grower upon this indispensable raw material, primarily for the benefit of the Arizona long-staple cotton grower. If that be true, then this 30 cents duty per pound will benefit that class of producer by about $9,000,000 per year; but the tax imposed upon the consumers who require the added 690,628 bales, at 30 cents a pound, would aggregate $103,594,200. If we subtract the $9,000,000 which the bill is designed to confer upon the Arizona and the California cotton grower, the net balance of the burden imposed upon American industries is $102,694,200. But, of course, all grades of long-staple cotton will be benefited, if there is any benefit at all, by the imposition of this duty, which would aggregate $45,000,000 to them. If we subtract that sum from the duty laid upon our importations, the net added burden to the American consumer is $58,594,200.

On the other hand, it is evident that the added price of the domestic product must be added to the duty on the imports, since both the imported and the domestic cotton enter into consumption. Hence the actual burden of the tax expressed in money is $147,694,200.

Mr. President, is it possible that the Senate, presumably composed of intelligent statesmanship, will yield to the clamor or the hysteria of a few producers, some of them engaged in raising cotton, some in raising cherries, some in growing peanuts, some in demanding a prohibitive duty on honey? Is it possible that we shall, either deliberately or otherwise, inflict such a tremendous imposition upon the consumers of the United States?

With all due regard to my distinguished friend from Arizona, I do not honestly believe that he made any calculation of the burden he would impose upon the American public through his amendment; yet I have no doubt that he has given quite as much attention to it as have the proponents of other amendments designed to prohibit competition in the respective commodities to which they relate.

Mr. ASHURST. Mr. President, my very learned friend the Senator from Colorado [Mr. THOMAS] leaves the Senate on the 4th of March, much to the regret of the Senate, and I believe to the regret of our country. I mean no reflection on the character or the capabilities of the gentleman who is to succeed him; but the services of the senior Senator from Colorado equal in usefulness to his country the services of any Senator that has ever been produced in the West, and I fear I shall not survive the charge he has brought against me of having introduced an amendment without reflection.

Mr. THOMAS. Without due reflection.

Mr. ASHURST. Without due reflection. I thought it was understood that the Senate was a place where proceedings were sometimes conducted without hesitation, preparation, or reflection. My learned friend speaks for hours at a time without reflection; but then because, forsooth, I introduce a small amendment "without reflection," he seems to think I have entered into competition with him. If I had spoken two days without reflection, I might then be accused of having done something improper. Reflection? Reflection? Nothing has given me more trouble than this very little amendment, a few lines in length.

Mr. President, I stand where I have always stood on the tariff question. I believe in equal rights to all and special privileges to none. With my feet upon that unriven rock, I am not afraid even of the very learned Senator from Colorado, whose name I mention with respect.

Mr. President, the tremendous efficiency of the fellah of Egypt—the most remarkable man physically in the world—built the Pyramids and built the Temple of Karnak. His efficiency, working, as he does, 12 hours a day and singing meanwhile all day long as he works, built the great Assouan Dam. He received, during the war, 50 cents a day. Before the war he received 24 cents a day. If the philosophy of the Senator from Colorado be correct, he would have me insist that the labor of the United States shall be put on a basis of equality with the fellaheen of Egypt.

On behalf of those who bend their backs under the sun in a climate where the temperature is 121 degrees in the shade, I protest. On behalf of those who went out where the cacti lifted their thorny arms into the brazen gloom and have transformed the desert into smiling farms, and have transformed the desert from a scorching surface into a place where a snowy banner of cotton is spread out in the summer—on behalf of these, who are trying to build up a civilization, I say you shall not bring them into competition with the fellaheen of Egypt.

I considered the cotton schedule, Mr. President. I have, of course, as all other men have done, said things possibly without due reflection; but if there be a subject that ought to engage the warm impulses of the humanitarian heart, if there be a subject on which a Democrat should look with favor, it is the condition of those people whose circumstance in life is not the best. I am not thinking so much about those who sit in soft seats and write academic speeches, and who can talk forever and forever. I am thinking of the producer.

The fellah of Egypt can send his long-staple cotton into the American markets at about 30 cents a pound. It can not be produced under American ideals for less than 60 cents per pound. I stand where the progressive thought of our countrymen stands to-day. You must raise $4,000,000,000 of revenue to carry on this Government. You must cling to the idea, the Democratic idea, of having your tariff high enough to produce revenue. I stand for the equalization of the benefits and burdens of government, and I say to my New England brethren the day has passed when the progressive thought of the country will permit you to buy your hides and your wool and your long-staple cotton in a free market, and then make it into shoes and

clothing and sell it for five times what it is worth. That day has gone by, and the progressive thought of the country will no longer permit you to do it.

I am in favor of such a tariff as will equalize the difference between the cost of production at home and abroad—equal rights to all, special privileges to none, especially no special privileges to foreigners.

We hear much about the farmer, the farmer, the farmer. We solicit Reuben's vote when we are in politics looking for office. We very much love the man who has a beard sprayed out over his chest when we want the farmer's vote. We know that if we can get his vote we can win; but in the day of the farmer's distress, in the day when the farmer pleads not for a tariff, but for equalization in tariffs, we find the academics of the country, and those who have long fattened on special privilege, howl like the wolf on the shores of Unalaska that this is a special-privilege bill, because, forsooth, it gives the farmer justice.

I am going to speak in the Senate for the farmer, as well as on the stump when I am seeking his vote. The farmer wishes this bill to stabalize his markets. Fifty-one per cent of the people of the United States now live in the cities. Who is going to feed the joy rider and feed the idle rich if the farmer does not? You are and have been in the past, by your processes of tariff, requiring the farmer to make bricks without straw. I insist that if he has to make bricks he shall have straw. I insist that if he is to feed us, he should have a place to till the soil. I insist that if the farmer is to feed the idle rich, the scholars, and the academics, he should have a square deal in producing foodstuffs wherewith he feeds those who take great pains never to sweat except with their jaws.

Mr. JOHNSON of California. Mr. President, I am opposed to the cloture rule. I am opposed to it not upon this bill alone but upon all bills. I confess there are exceptional circumstances under which I might vote for a cloture rule, but one of those exceptional circumstances is not presented in the motion before us to-day.

I confess, too, Mr. President, that because of my advocacy of this bill I am sorely tempted to vote for a cloture, and perhaps I might if I did not believe that this matter would be solved in another way. But I am opposed to a cloture, because I am opposed to any encroachment upon, to any fettering of, the only free, independent forum there is in all the world to-day. I opposed the cloture when it was before the Senate some time ago. I have opposed it when attempted to be applied to other measures, and I oppose it upon the same principle to-day.

The Senate of the United States, I beg you to recall, as has been recognized in the past year or two, is the last independent legislative forum in all this world. There is no other place on earth where there is an independent, free, unlimited means of expression. We can no longer look to what was the palladium of our liberties in the days gone by—the press generally, only to a very small part of it—for a free expression of the views of American citizens. We can no longer look, as experience has taught us in the last few years, wholly to those constitutional guaranties upon which we relied in days gone by. In our country this is the one place where men may express themselves with freedom and have their views disseminated throughout the land.

I admit all the abuses of unlimited debate you might conjure up. I admit all the irritations that arise from business not being speedily dispatched at times. I concede readily every ill you may suggest of the system that is ours. But putting all these disadvantages on the one side, our waste of time, our inefficiency, our inability at times to transact public business, putting all them upon the one side, upon the other the right finally in one forum in this world for free and independent expression, without limit, outweighs all disadvantages of our methods and our procedure.

There is another thing about cloture that I observe; and I do not refer to this particular motion in saying what I do. But generally those who suggest cloture are those who talk most, so that they may prevent those who talk least from talking at all. Mr. President, I am one of those who talk least in this assemblage. I think, indeed, the CONGRESSIONAL RECORD will demonstrate that there is scarcely a man in all this Chamber who occupies so little space, and because that is the fact, I think I may the more readily express my view concerning cloture.

Do not misunderstand me. I am for this bill. I expect to participate in seeing that it comes to a vote and that it is passed by this body. I think that opportunity will be accorded to us. But because of the big principle involved I can not at this time at any rate vote for a cloture rule.

I am thinking, Senators, of the days to come. There are perilous times ahead of us, times the consequences of which we are little able to speculate upon now, but times which will call for the highest and the best that there is in the statesmanship of America and in this particular body, times when a deliberative body must stand the bulwark against hysterical mass demands.

When those times come I want this body free; I want it unfettered. With all its ills, with all its inefficiency, with all its inability to dispatch business, when those times come I want no such precedent as this to plague the Senate, and no former action to tie its hands. I want it as free as it has been in the past, that in the future it may justify what statesmen and historians have said of it, and that it may continue with the same high purpose that has distinguished it in the last few years.

Because of this, Mr. President, I am opposed to this cloture rule at this time, and I hope it will be overwhelmingly defeated.

Mr. REED. Mr. President, I want to make just one observation. This bill has been so drawn as to include a vast number of articles. It is no longer a bill for the purpose of serving the oppressed farmer, who is represented by the Senator from Arizona [Mr. ASHURST], the State that raises less agricultural products than one county in my State.

It is, along with the amendments proposed, a sort of haphazard, catch-as-catch-can, grab-while-the-grabbing-is-good bill for every man who can get an amendment on it. But it is not a bill that is consistent with any principle. It is not an emergency bill, because it deals with subject matter that can not in any way be said to be included in the term "emergency." It is not a farmers' bill, for it deals with manufactured articles and with almost everything conceivable. It is not a tariff-for-revenue bill, for it ignores that principle. It is not a tariff-for-protection bill, because a tariff for protection ought to be levied so that it would protect all articles on some consistent plan.

For instance, lead and zinc are not included in this bill. My colleague, the junior Senator from Missouri [Mr. SPENCER], read a resolution this morning in favor of the protection of lead and zinc, the resolution reciting that lead and zinc are being sent into this country from 18 different countries. I have never been a tariff-for-protection advocate, but if other articles are to be protected, then lead and zinc ought to be protected; and if we ought to be protected against the labor of Egypt, we ought to be protected against the labor of Mexico and a number of other countries. The argument we have listened to could have been made by any protectionist, and has been made by every protectionist who has ever had the energy to stand on his hind legs and talk. If it is sound as to cotton, it is sound as to everything. Those who advocate that doctrine and talk about a tariff that represents the difference between the cost of production in this country and the cost of production in other countries stand squarely upon the rock, not of the tariff-for-revenue man, but on the rock, or the sand, whichever it may be, that has been so well occupied and so thoroughly trampled by the advocates of the protective tariff. It is protective-tariff principles boiled down and double-distilled.

The truth of the matter is that we have a bill here that at best is a miserable abortion, represents nothing, is consistent with no principle, and to put a cloture upon the Senate in order to jam through some such proposition as this is to establish a precedent, as was intimated by the Senator from California [Mr. JOHNSON], that will come home to plague us.

I remind the Democrats that we are to be in a decided minority after the 4th of March. Cloture can very nearly be applied, if not entirely, by the Republican side alone. Are Democrats prepared to help establish a precedent that can be followed, and will be followed, to jam any kind of legislation down our throats the majority party wants to inflict upon us? If Democrats have any regard for their independence in the future in this body, they would best pause and hesitate before they undertake to put cloture on the Senate on a bill like this.

Mr. GRONNA. Mr. President, the Senator from California [Mr. JOHNSON] has expressed my views with reference to cloture much better than I could possibly express them. In this Chamber, Mr. President, I have always opposed a cloture rule, and at this time, when a vote is about to be taken upon a question which may be said to affect my own interests, I can not set aside the principles which I have always cherished.

I believe, Mr. President, that the right to unlimited debate in this body is a fundamental principle. It is a principle which can not be violated without endangering, if not destroying, representative government. I can not vote for a cloture rule. I hope that those who have opposed the pending bill will not object to a unanimous-consent agreement to vote within a day or two, at least not later than the 15th of the present month. I believe it will hasten the passage of the bill if the Senate re-

fuses to adopt cloture. It was delayed in committee, it has been mutilated and loaded down with amendments, and I am one of those who believed that in order to get this legislation the bill should have been reported back without amendments.

Mr. President, if the bill had been reported back without amendments, it would have been passed in this body earlier in the session, and if the President should veto the bill it could be passed over his veto; that is, providing the measure has as many real friends as is manifest from the reading of the CONGRESSIONAL RECORD, and also from what we read in the newspapers.

I am sincerely in favor of the bill. I shall vote for it in all its parliamentary stages, but I can not vote for the closing of debate in the Senate. I also want to call attention to the fact that if cloture should be adopted each Senator has the right under the rule providing for cloture to speak not to exceed one hour upon the pending measure and any amendment that may be pending.

We who favor a tariff policy are entitled to have a vote on the pending bill, and I ask Senators not to prevent a vote at an early day.

The VICE PRESIDENT. One hour having elapsed since the meeting of the Senate upon this the calendar day of February 2, 1921, the Chair lays before the Senate the following motion, which will be stated.

The Assistant Secretary read as follows:

We, the undersigned Members of the United States Senate, move to close the debate on the bill H. R. 15275, Calendar No. 639, "An act imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes," in accordance with the provisions of Rule XXII of the standing rules of the Senate.

The VICE PRESIDENT. The Secretary will call the roll of the Senate to ascertain the presence of a quorum, in accordance with the rule.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harrison	McNary	Smith, Md.
Ball	Heflin	Moses	Smith, S. C.
Beckham	Henderson	Myers	Spencer
Borah	Hitchcock	Nelson	Stanley
Brandegee	Johnson, Calif.	New	Sutherland
Calder	Johnson, S. Dak.	Norris	Swanson
Capper	Jones, N. Mex.	Overman	Thomas
Colt	Jones, Wash.	Page	Townsend
Culberson	Kellogg	Penrose	Trammell
Curtis	Kendrick	Phelan	Underwood
Dial	Kenyon	Phipps	Wadsworth
Dillingham	Keyes	Pomerene	Walsh, Mass.
Elkins	King	Ransdell	Walsh, Mont.
Fletcher	Kirby	Reed	Warren
Gerry	Knox	Robinson	Williams
Glass	La Follette	Sheppard	Willis
Gooding	Lodge	Shields	Wolcott
Gore	McCumber	Simmons	
Gronna	McKellar	Smith, Ariz.	
Harris	McLean	Smith, Ga.	

Mr. CURTIS. I have been requested to announce that the Senator from Indiana [Mr. WATSON] is absent on account of illness.

The VICE PRESIDENT. Seventy-seven Senators have answered to the roll call. There is a quorum present. The pending question is, Is it the sense of the Senate that the debate shall be brought to a close? The rule requires that it shall be submitted to the Senate by a yea-and-nay vote. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. GLASS (when his name was called). On this question I am paired with the senior Senator from Illinois [Mr. SHERMAN] and the Senator from Nevada [Mr. PITTMAN]. I therefore withhold my vote. If at liberty to vote on this question, I would vote "nay."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I am not informed as to how he would vote if he were present, and I am therefore compelled to withhold my vote. If permitted to vote, I should vote "yea."

Mr. JOHNSON of South Dakota (when his name was called). I have a general pair with the Senator from Maine [Mr. FERNALD]. I understand that if he were here he would vote as I would vote. I will therefore vote. I vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. I understand that he would vote in the affirmative on the pending question, so I feel free to vote, and I vote "yea."

Mr. KNOX (when his name was called). I am paired with the senior Senator from Oregon [Mr. CHAMBERLAIN], and I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I have joined to him, to make a pair in the affirmative on this question, the junior Senator from Maryland [Mr. FRANCE]. They would vote in the affirmative and I would vote in the negative. I am therefore compelled to withhold my vote.

Mr. SMITH of Georgia (when Mr. OWEN's name was called). I have been requested by the Senator from Oklahoma [Mr. OWEN] to state that he is absent on official business and that he is paired with the Senator from New Jersey [Mr. EDGE]. If the Senator from Oklahoma were present and not paired, he would vote "yea."

Mr. HENDERSON (when Mr. PITTMAN's name was called). I have been requested to announce the absence of my colleague [Mr. PITTMAN] on official business of the Senate.

Mr. POMERENE (when his name was called). I understand that on this question a pair has been arranged for me with the senior Senator from Iowa [Mr. CUMMINS] and the junior Senator from Illinois [Mr. MCCORMICK]. I do not know how they would vote. If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING], and on this vote I am also paired with the Senator from New Mexico [Mr. FALL]. If I were at liberty to vote, I would vote "nay."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. On this vote I join with him the Senator from Maine [Mr. FERNALD], and accordingly I withhold my vote.

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. On this vote I have also a pair with the Senator from Maine [Mr. HALE]. Therefore I withhold my vote. If at liberty to vote, I would vote "nay."

Mr. HENDERSON. Since making the announcement of my pair I have been informed that if the junior Senator from Illinois [Mr. MCCORMICK], with whom I am paired, were present he would vote "yea." I therefore feel at liberty to vote. I vote "yea."

Mr. RANSDELL. My colleague [Mr. GAY] has a pair on this question with the Senator from New Hampshire [Mr. MOSES]. If present, my colleague would vote "yea."

Mr. CURTIS. I have been requested to announce that the Senator from New Jersey [Mr. EDGE] has a general pair with the Senator from Oklahoma [Mr. OWEN].

I also desire to announce the necessary absence of the Senator from Indiana [Mr. WATSON], on account of illness. If the Senator from Indiana were present, he would vote "yea."

Mr. SHEPPARD. I wish to state that the Senator from Oregon [Mr. CHAMBERLAIN] is detained by illness and that if present and not paired he would vote for the motion to bring the debate to a close.

The roll call resulted—yeas 36, nays 35, as follows:

YEAS—36.

Ashurst	Henderson	McLean	Poindexter
Ball	Johnson, S. Dak.	McNary	Ransdell
Brandegee	Jones, N. Mex.	Myers	Sheppard
Calder	Jones, Wash.	Nelson	Smith, Ga.
Capper	Kellogg	New	Spencer
Curtis	Kendrick	Norris	Sutherland
Dillingham	Kenyon	Page	Wadsworth
Elkins	Lodge	Penrose	Warren
Gooding	McCumber	Phipps	Willis

NAYS—35.

Beckham	Harris	McKellar	Stanley
Borah	Harrison	Overman	Swanson
Colt	Heflin	Phelan	Thomas
Culberson	Hitchcock	Reed	Townsend
Dial	Johnson, Calif.	Robinson	Trammell
Fletcher	Keyes	Shields	Underwood
Gerry	King	Simmons	Walsh, Mass.
Gore	Kirby	Smith, Ariz.	Williams
Gronna	La Follette	Smith, Md.	

NOT VOTING—25.

Chamberlain	Gay	Newberry	Sterling
Cummins	Glass	Owen	Walsh, Mont.
Edge	Hale	Pittman	Watson
Fall	Knox	Pomerene	Wolcott
Fernald	Lenroot	Sherman	
France	McCormick	Smith, S. C.	
Frelinghuysen	Moses	Smoot	

The VICE PRESIDENT. On the question submitted to the Senate, the yeas are 36 and the nays 35. The motion not having received the necessary two-thirds vote of the Senate, it is declared not adopted.

Mr. SIMMONS. Mr. President, in the discussion which has taken place upon the pending measure up to the present time I have stated, and frequently repeated the statement, that personally I had no desire to prevent a vote upon the bill. I am satisfied that that is also the feeling of the Senators upon this side of the Chamber. All I have desired, being the ranking member of the minority of the Committee on Finance, and all I think my colleagues on this side have desired, was time for

a full and free discussion of the measure. Since the flood of amendments which have been presented, the scope of the bill has been very greatly enlarged, and, of course, it will be necessary if we shall enter into a unanimous-consent agreement that the amendments which have been recently offered, as well as the amendments which have been reported by the committee to the bill as it came from the other House, shall be discussed before a time being fixed for voting upon the bill.

However, Mr. President, notwithstanding the amendments have considerably enlarged the scope of the discussion, I think that by the 18th of this month, if the bill is kept before the Senate, we shall have had abundant time to properly discuss the bill and the amendments. Feeling that way about it, and feeling that I reflect the sentiment on this side of the Chamber, I send to the Secretary's desk a proposed order granting unanimous consent to fix a day for voting upon the bill, and I ask that it be submitted to the Senate.

The VICE PRESIDENT. The Secretary will read the unanimous-consent agreement proposed by the Senator from North Carolina.

The ASSISTANT SECRETARY. The Senator from North Carolina [Mr. SIMMONS] asks unanimous consent that at not later than 2 o'clock p. m. on the calendar day of Friday, February 18, 1921, the Senate will proceed to vote without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, through the regular parliamentary stages up to and including a vote upon its passage, said bill to remain the unfinished business of the Senate to the exclusion of all other business unless by unanimous consent it be temporarily laid aside for the consideration of some specific bill.

Mr. PENROSE. I should like to call the attention of the Senator from North Carolina and of the Senate to the fact that the date suggested in the unanimous-consent agreement proposed would permit what is known in common parlance as a pocket veto of the bill. In other words, the President could veto the measure and Congress would have no opportunity to pass upon the veto message. Personally I do not care what date is fixed for a vote, but I think, if the disposition is to play fair and aboveboard, that certainly the date should be fixed at a time which would permit the bill to go to the President and either be approved or vetoed and sent back to the body which originated the measure. I appeal to the sense of equity and fair play of the minority leader on this measure as to whether he can not help us secure a unanimous-consent agreement fixing a date which will permit every opportunity for Congress to assert its prerogatives and views in connection with the pending measure.

Mr. SIMMONS. Mr. President, the date fixed in the unanimous-consent agreement which I propose is only three days later than the date fixed in the proposition which the Senator from Pennsylvania submitted to the Senate only a few days ago. I do not think that we really would have sufficient time now if we curtailed the date as prescribed in the proposed order. The Senator from Pennsylvania knows, with the amendments which have recently been offered, if they are to be discussed at all—and I do not think the Senate would want to vote upon such an important measure without some discussion—that a date much earlier than the 18th would hardly afford ample time. As to the matter of a veto, in case the President should withhold his signature until the last minute, or in case he should let the session expire without taking any action, the date which the Senator from Pennsylvania has proposed would no better accommodate that situation than the date which I have proposed.

Mr. PENROSE. Oh, yes, it would.

Mr. SIMMONS. The Senator's proposal for unanimous consent would barely accommodate it. Senators must recognize that this bill, with all of its amendments, will have to go to conference.

Mr. PENROSE. Well, there is a vast difference between having a bare opportunity and being brutally deprived of any opportunity at all.

Mr. SIMMONS. Mr. President, I desire the request for unanimous consent which I have made agreed to; I am anxious to see a time fixed for a vote. If the date which I have suggested will prevent the adoption of the order on the part of the Republican side of the Chamber, I would, much as I regret it, be willing to somewhat reduce the time. I will suggest, then, if it meets with the approval of the Senator from Pennsylvania, the substitution of the 16th for the 18th of this month.

Mr. WILLIAMS. Mr. President, I think I can cut this Gordian knot. I regard the pending bill as so objectionable in all its features that I am compelled to object to any date for unanimous consent to vote upon it, and I object now.

Mr. SIMMONS. Mr. President, I do not know whether the Senator from Mississippi would pay the slightest attention to any appeal which I might make to him, but I do earnestly hope that the Senator will not interpose an objection. The matter has been pretty thoroughly discussed here.

Mr. WILLIAMS. If there were a Senator in this body to whose appeal I would yield, it would probably be the Senator from North Carolina.

Mr. SIMMONS. I thank the Senator from Mississippi for that.

Mr. WILLIAMS. But upon this bill, with its abnormalities and its deceptions, I can not yield at all. I object to any request for unanimous consent to vote at any time upon the bill.

Mr. SIMMONS. Then, Mr. President——

Mr. TOWNSEND. Mr. President——

Mr. LODGE. Regular order!

Mr. TOWNSEND. I move that the Senate proceed to the consideration of the Post Office appropriation bill.

Mr. SIMMONS. Mr. President, I have not lost the floor. When did I lose the floor?

The VICE PRESIDENT. There was objection made to the request presented by the Senator.

Mr. SIMMONS. I do not think that that took me off the floor. I can be on the floor for the purpose of discussing more than one matter.

The VICE PRESIDENT. Well, what is now before the Senate? The Chair wishes to treat the Senator from North Carolina courteously, but what is before the Senate?

Mr. SIMMONS. I do not know that there is anything before the Senate, but unless objection is made to my proceeding I understand I can proceed to speak without there being anything before the Senate. I think it is quite a common practice in the Senate for Senators to speak when there is nothing before the Senate.

The VICE PRESIDENT. If there is no objection, the Senator from North Carolina will proceed.

Mr. TOWNSEND. I object.

Mr. SIMMONS. I ask that the unfinished business be laid before the Senate, and on that I desire to be heard.

Mr. BRANDEGEE. I rise to a question of order. The Senator from Michigan has made a motion, but the Senator from North Carolina has not been heard by the Chair to make any motion.

The VICE PRESIDENT. The Senator from Michigan did not make a motion. The Chair thought the Senator from North Carolina was through when there was objection to his request for unanimous consent and recognized the Senator from Michigan, but the Senator from Michigan did not make a motion in the hearing of the Chair.

Mr. BRANDEGEE. That may be, but the Senator made the motion in my hearing.

Mr. TOWNSEND. I certainly did make the motion.

Mr. SIMMONS. Mr. President, I do not desire to get into a controversy with the Senator. I only wish a minute in which to say a word or two.

Mr. TOWNSEND. Very well, I will yield for a minute.

Mr. SIMMONS. I wish to say that I was surprised that the Senator from Mississippi made objection. I had not supposed that anybody on this side of the Chamber would make objection; but, in view of the fact that it has been made, we will probably, taking into consideration the firm attitude of the Senator from Mississippi, not at any time be able to get a unanimous-consent agreement. I wish to say, however, for this side of the Chamber that when the 16th day of February arrives, or as soon as we get through with the discussion, we will join the other side in an effort to get a vote upon the bill.

Mr. WILLIAMS. Mr. President——

Mr. TOWNSEND. Mr. President——

The VICE PRESIDENT. The Senator from Michigan has the floor.

Mr. WILLIAMS. I do not know what authority the Senator from North Carolina has——

Mr. TOWNSEND. I insist that I have the floor, and I do not yield.

The VICE PRESIDENT. We are getting nowhere.

Mr. TOWNSEND. I do not yield to the Senator from Mississippi at this time. I now renew my motion that the Senate proceed to the consideration of House bill 15441, being the Post Office appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Michigan.

Mr. BORAH and Mr. UNDERWOOD addressed the Chair.

The VICE PRESIDENT. The Senator from Idaho.

Mr. BORAH. Is the motion debatable? It is now past 1 o'clock.

The VICE PRESIDENT. It is not debatable, the motion being made before 2 o'clock.

Mr. BORAH. Of course, I can say what I have to say after the motion is disposed of just as well as before, but I am going to say something.

Mr. McCUMBER. As a substitute for the motion of the Senator from Michigan I move that the Senate proceed to the consideration of the emergency tariff bill.

The VICE PRESIDENT. That can not be done.

Mr. McCUMBER. Very well, I understand the tariff bill, as the unfinished business, will come up at 2 o'clock.

The VICE PRESIDENT. Yes; it will come up at 2 o'clock. The question is now on the motion of the Senator from Michigan that the Senate proceed to the consideration of what is known as the Post Office appropriation bill.

Mr. PENROSE and Mr. TOWNSEND asked for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. POMERENE (when his name was called). I am paired with the senior Senator from Iowa [Mr. CUMMINS], and therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I have been informed, however, that if he were present he would vote as I intend to vote, and I shall therefore vote. I vote "nay."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. I am not advised as to how he would vote on this measure, and accordingly withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. In his absence I am not at liberty to vote, and therefore withhold my vote.

The roll call was concluded.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. Not knowing how he would vote on this question, I withhold my vote.

Mr. KENDRICK. I have a general pair with the senior Senator from New Mexico [Mr. FALL]. Not knowing how he would vote upon this question, I withhold my vote.

Mr. CURTIS. I have been requested to announce that the Senator from New Jersey [Mr. EDGE] is paired with the Senator from Oklahoma [Mr. OWEN], and that the Senator from Pennsylvania [Mr. KNOX] is paired with the Senator from Oregon [Mr. CHAMBERLAIN].

The result was announced—yeas 30, nays 40, as follows:

YEAS—30.

Ball	Elkins	Myers	Sutherland
Brandegee	Gooding	Nelson	Townsend
Calder	Henderson	New	Wadsworth
Capper	Jones, Wash.	Norris	Walsh, Mass.
Colt	Kellogg	Page	Warren
Curtis	Keyes	Phipps	Williams
Dial	Lodge	Poindexter	
Dillingham	Moses	Spencer	

NAYS—40.

Ashurst	Heflin	McNary	Smith, Ariz.
Beckham	Hitchcock	Overman	Smith, Ga.
Borah	Jones, N. Mex.	Penrose	Smith, Md.
Culberson	Kenyon	Phelan	Smith, S. C.
Fletcher	King	Ransdell	Stanley
Gerry	Kirby	Reed	Swanson
Gore	La Follette	Robinson	Thomas
Gronna	McCumber	Sheppard	Trammell
Harris	McKellar	Shields	Underwood
Harrison	McLean	Simmons	Willis

NOT VOTING—26.

Chamberlain	Gay	Lenroot	Smoot
Cummins	Glass	McCormick	Sterling
Edge	Hale	Newberry	Walsh, Mont.
Fall	Johnson, Calif.	Owen	Watson
Fernald	Johnson, S. Dak.	Pittman	Wolcott
France	Kendrick	Pomerene	
Frelinghuysen	Knox	Sherman	

So Mr. TOWNSEND's motion was rejected.

Mr. McCUMBER. I move that the Senate proceed to the consideration of the emergency tariff bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. FLETCHER. Mr. President, without interfering with this bill, I desire to call attention to a matter which I think has privilege.

The Postmaster General has made a report to the Senate, in pursuance of a resolution passed a few days ago, with reference to the number of appointments made of former service men and widows of former service men, and I ask that that report be printed.

Mr. PENROSE. Mr. President, I object to any other business than the tariff bill coming before the Senate at this time.

Mr. FLETCHER. There is no business about it. The report is here.

Mr. PENROSE. I object to the request, and call for the regular order.

Mr. FLETCHER. I move, Mr. President, that the report be printed. It is here, submitted to the President of the Senate, a communication from the head of a department of the Government. I simply ask to have it printed.

Mr. PENROSE. I object.

Mr. FLETCHER. I move that it be printed.

Mr. PENROSE. I object to the motion.

Mr. FLETCHER. That is all right; the Senator can object to it; but I move that the report be printed.

The VICE PRESIDENT. The Chair does not believe that the motion is in order now. The question before the Senate is the unfinished business.

Mr. PENROSE. Nothing is in order but the unfinished business, under the vote just had.

Mr. President, in connection with the business pending before the Senate, I desire to make a statement in a few words.

I hope no Senator will be led astray by the thought that anything is going to suffer by the defeat of an appropriation bill. According to my best recollection, half of the appropriation bills have failed of passage at the regular sessions of Congress during the administration of Mr. Wilson.

Whether it was due to the lethargy or procrastination of our Democratic brethren in the majority or the excessive zeal they showed to economize and investigate the appropriations, I am not prepared at this time to say; but these measures, including the Post Office bill, came up at the special session which was inevitable, and were passed before the expiration of the fiscal year; and I have no doubt that we shall have better appropriation bills and a higher degree of economy if some of these bills go over until the special session which is generally admitted to be inevitable. Certainly we shall not be confronted with the spectacle of a Secretary of War spending many millions of dollars without the authority of Congress and against its expressed wish, or coming before a committee of Congress and pleading guilty to utter ignorance as to an item of some $250,000,000 owed to the United States by the German Government for the maintenance of our troops. We shall at least have business methods in Germany; we shall at least have business methods in the expenditures and disbursements of the Government, and better opportunities for economy; and while I should like, were conditions favorable, to see the calendar cleared and the appropriation bills passed, yet I consider the principle involved in securing a vote on this emergency tariff bill as more important than anything else.

I have heard it echoed in these corridors that the threat of throwing over the appropriation bills is to be held over the majority. I desire to state, for one at least, that the threat has no dire consequences to me.

Mr. GERRY obtained the floor.

Mr. UNDERWOOD. Mr. President——

Mr. GERRY. I yield to the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, I have listened to the statement made by the Senator from Pennsylvania [Mr. PENROSE]. Of course, if he were historically correct, his statement about the failure of the appropriation bills in the closing hours of the last Congress might be a reflection on this side of the Chamber; but everyone knows that it is a historic fact that a filibuster existed in the last days of the last Congress, which was the reason why the appropriation bills were not passed, or one of the reasons.

That, however, is neither here nor there. The Senator from Pennsylvania, in his statement that this bill should be considered to the exclusion of the appropriation bills, and the intimation that they are in danger has just negatived his speech by refusing to vote for the continued consideration of the tariff bill.

Mr. PENROSE. I voted for it.

Mr. UNDERWOOD. I beg the Senator's pardon. I thought he had voted the other way.

Mr. PENROSE. The RECORD will show that I voted against taking up the Post Office appropriation bill and in favor of keeping before the Senate the emergency tariff bill; and I intend to continue to do all in my power to press it for consideration in this body until it is finally disposed of.

Mr. UNDERWOOD. I beg the Senator's pardon. Now, I want to say to the Senator that so far as I am concerned I am opposed to the emergency tariff bill, and expect to vote against it; but there never has been an hour when I was not willing that the Senate should have a vote on the subject.

I am in favor of giving the Senate an opportunity to vote at the proper time, after reasonable consideration and reasonable debate, and whether a unanimous-consent agreement is reached or not, I am satisfied that the last vote cast in this Chamber demonstrated conclusively the attitude of Senators on this side to be that they are willing to have the bill considered, and a vote arrived at within a reasonable time, somewhere about the time the Senator from North Carolina [Mr. SIMMONS] indicated in his proposed unanimous-consent agreement; and I so stated to Senators on the floor yesterday.

I will say to the Senators in charge of the bill that there is some real debate on the pending tariff bill which we desire to indulge in on this side of the Chamber. In the meantime, however, if the Senators in charge of the bill are willing temporarily to lay it aside, to take up supply bills, until a time comes when the Senate will desire to debate the tariff bill, there will certainly be no objection on my part, because I have no desire to interfere with the passage of the supply bills necessary to run the Government. But I think this bill should be voted on in the end. I think the Senate should take its position on the bill. As far as I am concerned, I am in favor of giving the Senate an opportunity to vote at the right time.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Rhode Island yield to the Senator from Idaho.

Mr. GERRY. I yield.

Mr. BORAH. Mr. President, I desire to occupy the time of the Senate for just a moment in regard to this matter.

There is no occasion at all for undue haste with reference to the passing of appropriation bills. The administration will pass into the hands of the Republicans, both in the executive department and the legislative department, upon the 4th of March. If there is any occasion for considering legislation of importance on the 4th of March, the Congress could be called in session immediately, and it should be called in session, not upon the 4th of April, as has been suggested, but upon the 4th of March, in order that we may transact important business. We can take care of all the appropriation bills during the time which it has been proposed that we should spend in recess, from the 4th of March until about the 4th of April. We can not escape our responsibility for this program after the 4th of March. The responsibility is upon this side of the Chamber, and we must take charge of the situation with the idea that the responsibility is upon us and that we can not pass it over to the other side of the Chamber.

If therefore we need to pass appropriation bills, and that fact is disclosed at the close of this session, we will have it completely within our power to take charge of the matter and to pass the appropriation bills during the time it is proposed we shall be in recess, and, for one, I am in favor of an extra session, to begin within an hour after the present session closes.

Secondly, Mr. President, there is not a particle of doubt but that if we are in good faith in regard to this tariff bill we can pass it, possibly before the 16th; certainly by the 16th. If the bill is kept before the Senate for consideration, in my opinion, it will be passed long before the 16th; certainly not later than the 16th, and there are sufficient votes to keep it before the Senate.

I have never believed, Mr. President, that there was as much virtue in this tariff bill, as it is termed, as is supposed. I do not believe that the ills from which we are suffering will be very greatly alleviated by this tariff bill. But it has been proposed as a panacea for many of these evils, the people have been led to believe that it will remedy the situation, and the part of the country which I represent in part is very seriously concerned with reference to the tariff bill, for that reason, believing, as they have been led to believe, that it will remedy the situation. We should never have proposed it unless we intended to pass it. We can pass it if we keep it before the Senate.

It is up to us, therefore, to keep this bill continuously before the Senate, regardless of appropriation bills or any other business except the mere routine business, until it is disposed of. It was well known that cloture could not be had. No time should have been lost in testing that question. There are many men conscientiously opposed to cloture who are nevertheless in favor of this bill, and it was a mistake to make the test. Let us keep this bill here until it is finally disposed of; that program I stand ready to support.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Utah?

Mr. GERRY. I yield.

Mr. SMOOT. It seems to me that if this bill is not voted upon within the next 10 days, there will be little use of passing it. It will have to go to the House, then to conference, and when it comes out of conference the minority side of this Chamber can filibuster upon the conference report just as it can upon the bill, as it is not likely the conference will agree upon every provision put in it by the Senate. I think, Mr. President, if we are sincere in the desire of passing this measure, the only thing to do is to keep it before the Senate until a vote is taken upon it. I frankly say that even if that is done I do not know but that there are enough Senators opposed to it to defeat it in the end, even if the conferees agree upon a report. But if we are going to handle it at all, if the bill is to have any further consideration, it must be kept before the Senate until the measure is either passed or defeated.

NAVAL BUILDING PROGRAM.

Mr. GERRY. Mr. President, last week I gave notice that I wished to make certain observations on the naval building program, and I hoped to be able to talk on Monday, but on that day the Senator from Pennsylvania [Mr. PENROSE] brought in a unanimous-consent agreement, and with a possibility of a cloture going through to-day I did not think it was fair to take the time of the Senate from those Senators who wished to discuss the so-called emergency tariff bill.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Pennsylvania?

Mr. GERRY. I decline to yield.

Mr. PENROSE. I just wish to ask the Senator one question.

Mr. GERRY. I yield for a question.

Mr. PENROSE. I was curious to know, Mr. President, whether the Senator deliberately intends to take several hours in discussing a matter not before the Senate to the detriment of the emergency tariff bill.

Mr. GERRY. The Senator from Rhode Island intends to discuss a matter which he believes much more important to the Senate than any matter that may be involved in the emergency tariff bill, on which there will be ample time for discussion.

Mr. PENROSE. Mr. President, the Senator is doing his share to murder the tariff bill.

Mr. GERRY. I decline to yield further.

The PRESIDING OFFICER. The Senator from Rhode Island declines to yield further.

Mr. GERRY. I think I yielded my time on the floor sufficiently, Mr. President, without yielding to the Senator to make a statement.

The question of this naval building program the Senator from Rhode Island brings before the Senate and before the country is a much more important one than any bill which has for its purpose the protection of any individual or any small set of individuals, for this naval building program is a question which vitally affects the interests of the entire American people; it affects our peace and safety; and is deeply involved with the question of our foreign relations.

Mr. President, I yield to no one in my desire to see disarmament obtained, if it can be done practically. I realize the burdens now pressing upon the American people and the money the Government has to raise in taxation to meet the expenditures.

I was one of those, among many millions, who hoped that at the end of the Great War through which we have just gone some means might have been arrived at by which disarmament could be accomplished. Unfortunately, at the present time there does not seem to be any immediate likelihood of that being accomplished. If it is not effected, then there is only one thing for us to do, and that is to consider how we can best look after our own protection with the least expenditure compatible with the public interest.

As a member of the Finance Committee I know how heavy the taxes are upon the people and the increasing difficulties of raising revenue, and I have felt, as I have already stated, that

everything should be done to cut down expenditures. I believe that our first line of defense is the Navy. We can reduce the Army with safety if we maintain a Navy, and in so doing we run into less danger of becoming a militaristic nation.

There is always danger, when a large army is created and compulsory military service is adopted, of a tendency to go too far and of the military spirit growing, as it did in Germany. With a Navy no great force of men is employed, less than 150,000, and the danger of militarism spreading throughout the country has not the force of numbers behind it. The United States is in a position that particularly calls upon a great Navy for its defense. I have only to mention a few matters in which America is interested to call attention to this fact.

The Monroe doctrine, for example, of its very essence, if it becomes necessary to enforce it, even with the aid of the South American countries, will require a naval force, a large naval force, because the distances the Navy will have to travel will be very great, and the field of action may be very far distant.

Besides this we have our island possessions, the Virgin Islands, Porto Rico, and the Panama Canal. On the Pacific side we have the Philippines, Alaska, the Hawaiian Islands, and Guam. In all these possessions the necessity of our keeping in touch with them, the necessity of our safeguarding them is one that naturally rests on naval strength. The only question to-day, as I see it, is how far we can reduce our naval strength compatible with the public safety and to meet the demands that are pressing on the United States Treasury.

The Navy has been likened to a form of insurance. To my mind it is more like a fire department, in that it may prevent a great conflagration and not, as in the case of insurance, merely bring in a return when the loss has occurred.

It is argued on the other side by the proponents of the small Navy program that there is no danger at the present time of any war on account of the financial condition of the countries of the world, but expense and financial conditions have not always been a war deterrent. When the public passions are aroused the question of expenditures and the cost that war will bring can not always be used as an extinguisher to put out the flames. When we consider the unstable condition of Europe and the wars that are going on in every direction, it is certainly not a period in which we can complacently turn our eyes only to the interior of our own country and say that there are no war clouds on the horizon.

The Senator from Idaho [Mr. BORAH] some days ago introduced a resolution asking for information from the Navy Department as to whether or not a six months' holiday could be taken in the building program. To my mind only one of two things can be done, either to give up our present building program entirely or to complete it. The abandonment of it or the holding it up temporarily would be bound to result in great expense. Many of the battleships are being built in private yards. They are contracted for with private corporations, and those corporations could not very well leave their yards idle, nor could they very well be asked not to demand damages from the Government as the result of the necessity of changing the program they had intended to carry out under their contracts.

The resolution of the Senator from Idaho really calls into question the facts which must be determined by both the House and the Senate Naval Committees when they bring in the naval appropriation bill, for the Naval Committees of both Houses do not report these measures, either to the House or to the Senate, without careful consideration. They do not report until they have examined the experts and discussed in committee, as every Senator knows, the pros and cons as to what shall or shall not be built.

I noticed the other day in the daily press that the subcommittee of the Naval Committee of the House, which now has charge of the naval appropriation bill under the new budget plan, recommended the carrying out of the 1916 building program. They did this, I presume, after hearing naval officers and careful investigation.

I know the general board recommended this program after thorough study. Further than that, before the general board arrived at any conclusion as to the 1916 program and whether it should be continued as proposed when originally adopted or not, the Secretary of the Navy and the naval officers at the head of many of the different bureaus went to Europe and studied the situation first hand, and consulted with the naval authorities of England and France and the other powers. When they got back here a conference was called, I think in May or June, 1919. That board consisted of Badger, Mayo, Fletcher, Winterhalter, Niblack, Rodman, McKean, Griffin, Taylor and Earle, Gen. Barnett and Capt. Carter; Gen. Barnett, of course, representing the Marine Corps. The board studied the conditions carefully and then recommended the adoption of the 1916 program.

The board has done more than that. It not only recommended the adoption of the 1916 program but it recommended the carrying on of a still further and larger program, known as the 1918 program, which would have added 3 battleships, 1 battle cruiser, 30 cruisers, 18 destroyer leaders, 8 gunboats, 12 submarine mine layers, 6 cruiser submarines, 4 airplane carriers, 3 destroyer tenders, and 3 submarine tenders, showing that the board not only considered that the 1916 program was essential but that it would be wiser to go still further and adopt even an additional building program.

I know at that time there was a discussion as to whether the battle cruiser type should be changed, and what changes, if any, were to be made in the battleships. It was decided that the design of the battleships should not be materially changed, although some things learned in the war were added. In regard to the battle cruisers the discussion was gone into very thoroughly. The questions of speed and increased armament were discussed, and the type that we are now building was finally decided upon as the best. This is a vessel of over 40,000 tons displacement and a speed of 33 knots.

I refer to this as showing that we are not simply carrying out in the 1916 program one that was laid down before the war was ended and before careful study could be made of the lessons to be learned from the war. It is really a modern program.

The reason why we are able to take up the 1916 program practically de novo is that during the war our combined battle fleet was sufficiently large and the crying necessity was for destroyers to offset the submarine attack. So we built destroyers in place of carrying out our 1916 program. Then, as soon as the war was over and the Naval Board met they proceeded to accomplish what they originally set out to do.

The real question to which the Senator from Idaho [Mr. BORAH] wishes to call attention in his resolution is whether the first line ships, the battleship and the battle cruiser, are essential or whether they have been superseded by the submarine and the airplane. As I have already stated, the General Board had no doubt as to the answer of this question in 1919 when they recommended the carrying out of the 1916 program. The Secretary of the Navy had no doubt of the wisdom of that policy, and in his annual report for 1920 he comes out strongly in favor of the recommendation of the General Board for the three-year program, which would give us 16 capital ships, 10 battleships, 6 battle cruisers, 10 scout cruisers, and other auxiliaries. Mr. President, I ask unanimous consent to insert in the RECORD a table showing the status of the authorized vessels on December 1, 1920, and those authorized in addition to the three-year program.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears none, and it is so ordered.

The table referred to is as follows:

Status of authorized vessels, Dec. 1, 1920.

Vessels.	Authorized in addition to 3-year program.		Authorized in 3-year program of Aug. 29, 1916.				Grand total.
	Completed.	Under construction.	Completed.	Under construction.	Not laid down.	Total.	
Battleships	.....	.....	.....	10	.....	10	10
Battle cruisers	.....	.....	.....	6	.....	6	6
Scout cruisers	.....	.....	.....	10	.....	10	10
Destroyers	[1] 190	[1] 39	38	.....	[2] 12	38	267
Fuel ships	.....	.....	2	1	.....	3	3
Gunboats	.....	.....	1	1	.....	2	2
Hospital ship	.....	.....	.....	1	.....	1	1
Ammunition ships	.....	.....	1	1	.....	2	2
Repair ship	.....	.....	.....	1	.....	1	1
Destroyer tenders	.....	.....	.....	2	.....	2	2
Submarine tender	.....	.....	.....	1	.....	1	1
Transport	.....	.....	.....	.....	1	1	1
Submarines (coast)	.....	[3] 20	35	23	.....	58	78
Submarines (fleet)	.....	.....	.....	3	6	9	9
Mine sweepers	[4] 49	.....	.....	.....	.....	.....	49
Seagoing tugs	[4] 20	[4] 1	.....	.....	.....	.....	21
Total	259	60	77	60	19	144	463

[1] Special torpedo-boat destroyer appropriation, Oct. 6, 1917. Sixty Eagle boats were constructed under the emergency appropriations. Submarine chasers were constructed under the emergency appropriations.
[2] Will not be ordered.
[3] Act of Mar. 4, 1917.
[4] Built under emergency appropriations.

Mr. GERRY. Mr. President, the opinion of our own Navy seems clear on the question of the necessity for battleships. I gather that from the report of the Secretary, from the report of the General Board, and from my conversations with naval officers. The Naval Affairs Committee of the Senate, however,

will have hearings on the resolution offered by the Senator from Idaho, and we shall then be able to submit a report from the General Board, together with the committee's opinion.

The Secretary of the Navy in his report of 1920 not only states his own opinion but he also quotes what the British Admiralty has decided in regard to the big ship as the dominating factor. There were rumors that the British were prepared to abandon the battleships as being no longer efficient, but on March 17 last the First Lord of the British Admiralty, when introducing the navy estimates before Parliament, spoke as follows:

We have been told in some quarters that the day of the big capital ship is over. All I can say is that, in the first place, that is not the view of my naval advisers at the Board of Admiralty, and it is not the view, so far as I can find out, of any other great naval country. There is no country which desires to have a strong navy which is not to-day actually laying down big ships, and the theory that the day of the big ship is over is one for which there is not really, if you examine the evidence, one shadow of foundation.

In the statement which I have circulated I give some evidence drawn from the actual experiences of this war. It is true that the naval advisers of other countries are firmly convinced that the capital ship is as essential a part of any fighting navy as ever it was. That is undoubtedly the case, and my naval advisers are satisfied that the big ship, if you unhappily ever came to war, would prove again, as it has proved before, to be the predominant factor in naval warfare, and that in the end the weight of metal would tell, and that therefore the big ship must, at all events for some time to come, be preserved as an important part of our naval equipment.

Further than that, Mr. President, I have an extract from the statement of the First Lord of the British Admiralty, explanatory of the naval estimates of 1920 and 1921, found in his remarks on the capital ships, which reads as follows:

[Extract from statement of the First Lord of the Admiralty explanatory of the navy estimates, 1920–21.]

(C) REMARKS ON THE CAPITAL SHIP.

9. There has been some criticism of the maintenance in commission of the present types of vessels, especially in regard to the capital ship. A contrary policy has been openly advocated, this policy being based, it is presumed, on the idea that the battleship is dead and that submersible and air vessels are the types of the future. The naval staff has examined this question with extreme care, and as a result we profoundly dissent from these views.

10. In our opinion the capital ship remains the unit on which sea power is built up.

So far from the late war having shown that the capital ship is doomed, it has, on the contrary, proved the necessity for that type. On the German side the whole of the submarine campaign against merchant vessels was built up on the power of the high-sea fleet. On the British side the enemy submarines in no way interferred with the movements of capital ships in carrying out operations; destroyer screens, new methods of attacks, and altered tactical movements defeated the submarine.

11. Nor at present could the Board of Admiralty subscribe to the statement that aircraft have doomed the capital ship. Aircraft are certainly of the highest importance in naval tactics, as regards reconnoissance, torpedo attacks, and artillery observation, but their rôle in present circumstances is that of an auxiliary and not of a substitute for the capital ship. The past history of this question must be taken into account; many times has the doom of the battleship been pronounced. The introduction of torpedo craft was believed in certain quarters over 20 years ago to have settled its fate. The Board of Admiralty at the time refused to be carried away by the attractiveness of the idea of building small, cheap torpedo craft instead of battleships, and they proved to be right. History has shown that the introduction of a type to destroy the capital ship has been quickly followed by the evolution of countermeasures which sustain its power.

12. We therefore believe that the battleship must remain the principal unit, and that fleet tactics and tactical training must be carried out with the battle squadron as the main unit. Nevertheless it must be emphasized that although the battleship remains, its type may require to be altered. Advances in electricity, in the internal-combustion engine, and in science generally will inevitably necessitate an eventual change of type, and it is one of the principal functions of the naval staff to keep continuous watch on scientific development, with the object of insuring that the type of capital ship designed meets the requirements of the future. It is even possible that the present battleship will change to one of a semisubmersible type, or even of a flying type, but such types are visions of the far future, not practical propositions of the moment. By gradual evolution and development the types forecasted may arrive, but the immediate abandonment of the capital ship in favor of a visionary scheme of aircraft and submarines would leave the British Nation destitute of sea power and without the means of progressive training.

Mr. President, the Japanese Government has recommended a building program involving the construction of capital ships. Since the armistice Japan has laid down five capital ships, and it is understood that eight others are projected for the near future. This shows pretty conclusively the Japanese idea as to the value of these ships.

Furthermore, I saw the other day in the press a statement from the Japanese Admiral Kato, minister of the navy, in which, in reply to a question in Parliament, he said it was essential that Japan should continue the program of building eight battleships and eight battle cruisers. A press dispatch indicates that in carrying out a part of this program she has already placed orders for the construction of two battle cruisers in addition to those now under construction.

It may also be of interest to quote the statement of Admiral Von Scheer, the admiral in command of the German fleet at the Battle of Jutland.

In an official report on that battle, prepared by him on July 4, 1916, and sent secretly to the German admiralty, he stated his opinion as follows:

The battle has proved that in building up our fleet, and in the development of the individual types of our ships, we have been guided by correct strategical and tactical views, and that we should, therefore, continue on the same lines.

All arms have borne their share in this result; the decisive factor was, however, both directly and indirectly, the long-range heavy armament of the larger vessels. It caused the greater part of the known losses inflicted on the enemy, and it enabled the flotillas to carry out a successful attack against the enemy's main fleet. The above observation in no way detracts from the merit of the flotillas, whose attack on the enemy battle fleet was finally successful in enabling us to break away completely from the enemy.

The large war vessel, battleship, and cruiser is and remains, therefore, the foundation of sea power, and should be further developed by enlarging the caliber of the guns, increasing the speed, and perfecting the armor above and below water.

Mr. President, that was undoubtedly the admiral's opinion after the Battle of Jutland; that was the opinion he sent in to his Government when Germany still had a navy; and it is rather interesting, as throwing light on the possible value to be placed on certain other statements that appeared in the press, supposedly coming from him, speaking of the submarine having done away with the importance of the battleship. I can very well understand how the admiral might feel differently now, when Germany has no battleships, than the way he did then, when the battle fleet was still intact.

Statements as to the submarine having practically superseded the battleship as the most effective weapon in naval warfare have been made the subject of discussion in many different countries. There has been a discussion going on in England which almost seems as if it was a propaganda among certain people who are interested in naval matters. Probably they strongly believe in their contention that this new weapon has changed the whole basis of naval warfare. Nevertheless, this propaganda has never been supported by statements from the British Admiralty, although I can well realize that the Admiralty might have viewed with a certain amount of complacency any proposition that would bring up the idea of doing away with the building of the battleship and the battle cruiser in America or in any other country that might now be approaching the strength of the British Navy in these two arms of defense.

Sir Percy Scott has always been in favor of the submarine against the battleship. He was before the war. He did not say very much about it during the war. Possibly the censor may have attended to that; but since the war he has again come out in the press, attacking the necessity of the battleship as the main factor in naval warfare.

This discussion brings us down to the question of the battleship, what it has meant in the past and what it is going to mean in the future.

The command of the sea has exercised such an indirect power over the world that I do not think many statesmen realized its compelling force until Admiral Mahan began to write. If we look back in history we will see that the command of the sea was the determining factor in many wars. It was this command that enabled England to retain control of India. The time when that control was most threatened, I suppose, was when the French Admiral Suffren came so near wresting that command from the British fleet. Again, it was the destruction of the Dutch Navy which enabled the English to take their carrying trade away from them. To come down to even more modern times, the Napoleonic period, it was the Battle of Trafalgar which made possible Waterloo. It was the force of sea power which made Napoleon issue his Berlin and Milan decrees and adopt his continental system, which ended in turning all Europe against him and finally resulted in his downfall.

In our own country the command of the sea has been of paramount importance. In the Revolutionary War it was sea power that enabled Washington to overcome Cornwallis at Yorktown. It was the fact that De Grasse's fleet drove off the British and cut Cornwallis from their support that resulted in his surrender. It is an interesting fact that if the advice of Gouverneur Morris had been accepted in the nineties, a very different story might have been told in the War of 1812. He recommended that the United States build 20 first-line ships. This program was turned down on the usual cry of economy, and instead we built frigates like the *Constitution* and the *Constellation*. They did great work, and we are all proud of what they accomplished in a fighting capacity. We are all proud of the commerce destroying that was done by Bainbridge, Porter, and Decatur. We know how it raised the British rates of insurance, how it necessitated their looking carefully after their convoys, and how it hampered them. We are also proud of these splendid records, which resulted in the order of the

British Admiralty that British frigates were not to attack American frigates unless they were two to one; but we know in the end that the command of the sea given by the English first-line ships drove all our vessels from it, and that when the war closed ours were bottled up. Jefferson's policy of building gunboats instead of ships of the line was a failure, and as a consequence even the Capitol was burned.

When we come down still further to the Mexican War, it was the command of the sea there which helped us so much in our transportation of troops; and in the Civil War the fall of New Orleans and its capture by Farragut probably prevented Napoleon III from recognizing the Confederacy. At the end of that war we had evolved the ironclad, and we were really the dominant sea power of the world. If we had not neglected our Navy then we could have held the dominance of the sea, instead of abandoning it as we did until our weight in Europe in the eighties was greatly reduced because we had nothing with which to enforce our rights.

Mr. President, the first-line sailing ship in those days gave command of the sea because it was the biggest fighting unit afloat, because it could hit harder and stand more punishment than any other ship. It was proved, time and time again, that one first-line ship was far superior to two or three smaller vessels; that its weight of gunfire enabled it to destroy the small ships while being able to withstand their united fire without sustaining as much damage as it inflicted on its opponents.

The essential factor, then, was a concentration in armament. The essential factor to-day is the same. It is a question of the concentration of gunfire, with the ability to take punishment.

This attack on the battleship is not a new one. It is an attack that has been going on, as I have already shown, ever since the days of Morris. There was a very vigorous campaign waged against the battleship, both in England and in this country, before the war. But it was Lord Fisher's foresight, in the building of the dreadnaught, that placed England in control of the sea when the war broke out. By building dreadnaughts he not only took a step in advance of all other navies of the world but he particularly embarrassed the Germans, because their harbors were shallow and had to be dredged, and I believe also their docks were too small.

We can talk as we like about the submarine having rendered the battleships obsolete, but the fact remains that the English battle fleet enabled the British merchantmen to travel on the high seas, and it enabled Great Britain to feed herself. It also prevented any German merchantmen remaining at sea, and resulted in their finally turning to the expedient of building a submarine merchant vessel, which is practically the only way they could carry their goods to foreign countries. The submarine campaign was spectacular. For a time it looked as if it might be successful in preventing England from feeding herself, and in that connection it is well to realize that England occupies a peculiar position, as an island country, and is particularly vulnerable to submarine attack. With the narrow channels leading to her harbors, it was very easy for the German submarines to concentrate.

The question was not one of controlling the seas, to a large extent; it was not one of protecting German commerce; it was a policy of starvation, of sinking the ships that were carrying food to the British Isles, where they did not raise a sufficient quantity to feed themselves. Naturally that campaign was of tremendously vital importance. The people of the world were concentrating their attention upon it, and the result was that many failed to realize the great force that that British fleet at Scapa Flow was exercising on the whole war situation.

The British fleet prevented the Germans from coming out. As I said before, it drove their merchant ships from the sea.

One by one the German raiders that were able to escape were destroyed. The English sunk vessels such as the *Emden*, and Von Spee's fleet, and protected practically with entire safety their own ships that were far distant from Germany. If we think for a minute of what the situation would have been if the Germans had been able to maintain surface raiders at sea, we will realize the distinction between the damage accomplished by a submarine and the damage that could be effected by a surface raider.

Mr. McCUMBER. Mr. President, will the Senator give us the proportion of the shipping sunk by the undersea craft as compared with that which was sunk by the German surface craft?

Mr. GERRY. I have not that data, and I do not think the figures would prove anything, for the reason that there were no German merchantmen at sea, except in the Baltic, where the Germans had control.

Mr. McCUMBER. Possibly the Senator does not understand me.

Mr. GERRY. Possibly I do not get the force of the Senator's question.

Mr. McCUMBER. My question is directed at the proportionate amount of allied shipping sunk by German cruisers as compared with the tonnage of the allied shipping sunk by German submarines.

Mr. GERRY. I have not those figures, but I still do not think they would prove a great deal, because the German surface raiders were not long at sea. They were quickly destroyed. The von Spee Fleet was destroyed, with the exception of the *Dresden*, in the Battle of the Falkland Islands. The *Emden* was destroyed very early in the war; the *Goeben* and the other cruiser with her sought Constantinople as a haven. All sought harbors very quickly.

Mr. McCUMBER. Does not the fact that the British Fleet was enabled to destroy the German surface ships, and was unable to reach the undersea craft, rather establish the evidence in favor of the undersea craft, which can do the damage without being destroyed?

Mr. GERRY. I am not arguing for one moment that the submarine is not capable of doing much damage; it is. Nobody can argue that fact any more than anybody can argue that the submarine is not a very valuable weapon in naval warfare, for it is. But the fact remains that if, instead of the English having had control of the sea, the Germans had had control of the sea, and had been able to operate with surface ships, there is no question in my mind, or I think in the mind of any naval expert, that the English would not have been able to protect their line of communications for their food, and that they would have been starved out very quickly. The Germans undoubtedly came very near to accomplishing that result with their submarine campaign. But they did not accomplish it; the danger was met by counter measures taken by the Allies.

The Senator from North Dakota brought out the point I wished to make, the ability of the surface ships to drive enemy commerce off the seas.

Mr. STANLEY. Mr. President, the Senator seems to be thoroughly familiar with every phase of the situation, and I would like to ask him if the submarine was an effective weapon for the destruction of fast moving ships, such as cruisers or merchantmen, in the open sea?

Mr. GERRY. It was not, and I intend to bring that point out a little later in my discussion. But while undoubtedly the submarine is a great commerce destroyer, and while undoubtedly the submarine can injure an enemy's shipping to a great extent, in my opinion it can not injure it to the same extent that surface vessels can, and I do not believe—and that really is the crux of the argument—that the submarine can drive the battleship from the sea, keep the battleship bottled up in port, and retain command of the sea for itself.

Mr. McCUMBER. Before the Senator leaves that branch of the subject, I suppose the Senator has taken into consideration that while a first-class battleship costs now fully equipped, I think, about $40,000,000, that sum would build 40 submarines. Does not the Senator believe that 40 submarines would do a great deal more damage not only to the navy of an opponent but also to the commerce of an opponent than one battleship?

Mr. GERRY. I do not think we can take it on the ratio of 40 submarines to 1 battleship. I would rather have a battle fleet that was superior to the enemy's battle fleet than any great number of submarines, provided that the battle fleet was properly protected by screens of destroyers and airplanes, because while the submarines, as I said, might do great harm to commerce, the command of the sea which a battle fleet would give would be more harmful to the enemy's commerce, and I do not believe the submarines could keep the battle fleet from the sea. Everything in the last war has proven that to be the case. The statements I have quoted from naval authorities of all countries show that that is their belief.

Of course, the Senator has brought up the question of cost and naturally the cost is very heavy, but it is not a question to my mind that can be finally determined by a desire to have something cheaper, because the amount that we will expend on our battleships, if they will do what we believe they will do to keep sea control, would be a mere pittance in case we should get into war. It is very cheap insurance.

In considering the dreadnaught it should be borne in mind that she is a very big ship. That means that she is steadier and gives a good platform to shoot from, a very essential feature if a navy is to make good practice in hitting. It has concentration of guns. If we follow down the list of the old ships we will see more and more the trend toward concentration of guns and how the speed has not developed in the same proportion. There was a school that advanced the idea that armor

was not so necessary; that speed was the essential feature; that a ship could lie out of range of its smaller antagonist if it had the heavier armament and destroy it without being injured itself.

That is all very well if it is a clear day. That is practically what happened in the Battle of the Falkland Islands, where the English sent two battle cruisers and Von Spee came in the harbor expecting to meet only cruisers, instead of which he met battle cruisers. He promptly put to sea and tried to escape. The English battle cruisers gave chase. They piped their crews to breakfast first and then later increased their speed, caught up to the German ships, and with their very heavy armament hammered them to pieces and sank them. They destroyed all the Germans with the exception of the *Dresden*, which escaped, went over to the Pacific coast and was subsequently attacked by the British and destroyed.

Previous to that battle Von Spee met Admiral Craddock, and, having a superiority in armament, was able to sink the British fleet, while they did him very little damage.

It is interesting to consider for a moment what would have happened if the British had not had command of the sea and been able to send the battle cruisers down to the Falkland Islands to destroy the German fleet if later on in the war the latter had been interrupting our supply of nitrates from Chile. At one time I believe the Allies had no more than enough nitrates for a month's supply of ammunition. The Chilean coast apparently was too far away for the German submarines to operate; their surface ships had been driven from the sea.

I started to speak of the theory of the big ship being able to lie out of range and sink the smaller ship. That does not always work out, because the question of visibility enters in. In the Battle of Jutland they had bad, hazy weather. Beatty went in with his battle cruisers to attack the German ships and suffered very heavy losses. The battle cruisers were not as heavily armored as the battleships. Of course, they had more speed, but when they met the German dreadnaught the concentration of fire was too great, their defensive armor was not strong enough, and the result was that three of the British battle cruisers were sunk as well as one of the German battle cruisers, proving very conclusively the theory of the naval authorities that heavy armament is essential.

In connection with that battle it is rather an interesting fact that the Germans used no submarines. The reason for that was that the Germans had their submarines over on the English coast, with the idea of attacking the British ships when they put to sea. One purpose for Von Scheer coming out when he did was because he had ordered his submarines to remain so many days off the British coast, and then to return. His idea, I presume, was to draw the British fleet out and then attempt to sink them with submarines. His airplanes brought him no information at all about the fleet on the first day. On the second day he used his dirigibles and got reports from their reconnoissance. The British used one airplane, but they had to launch it by putting it into the sea instead of having it launched from the ship's deck, with the result that it took about half an hour to do this and it was not in time to be useful for scouting purposes in the battle.

The Battle of Jutland particularly illustrates the fact that submarines are not such important factors in a naval battle. As I called attention the other day in the Senate, it was fought at better than 20 knots; the battle cruisers were going a great deal faster than that. The German submarines on the surface, similar to those we had here, were built to do only 15 or 16 knots, so the result was that even on the surface they would be dropping back. But more important than that, the submarines only make about 8 knots when submerged. When they submerge they have to proceed under the power of their electric batteries, and under that power could not proceed at 8 knots for more than an hour, because they would use up all their available reserve of electricity and have to come to the surface again to recharge.

I think some of our own submarines have now reached the point that they can make something like 12 knots submerged, but that is the maximum speed, and I doubt very much whether, on account of the mechanical difficulties involved, the pressure of the water, and so forth, they will be able to increase that very greatly. Certainly it is on the face of it only natural to suppose that a submarine can be nothing like as fast as the surface boat.

It will be readily seen that if the submarine could only make 8 knots when she is submerged, the battleship is going 2 feet to her 1, and therefore unless she is fortunate enough to be ahead of the battleship she will be continually dropping behind and have no opportunity for a shot. The torpedo, when it is discharged, as it leaves the tube only makes about 45 miles an hour at the start, and, therefore, if one of the fast destroyers is going at 35 knots there is very little difference between even the speed of the torpedo and the speed of the destroyer, especially if the destroyer is any distance off, because the torpedo loses speed as it journeys. It is easy to see that when two battle fleets are in action and proceeding to a point where they would meet some miles distant, that the submarines would be practically of no use and that the only way they could be used would be by planting them somewhere as mines might be planted, and then endeavoring to maneuver the enemy fleet over or near them.

Even if that were done, battleships have a large number of destroyers accompanying them as a screen. Those destroyers together with light cruisers are stretched out some distance from the battle fleet and practically surround it at a distance of 3, 4, or 5 miles or more. The result is that the submarine, if it is to come in contact with the battleship, must first submerge, because if it does not submerge it will be attacked by the destroyers or the cruisers or whatever ships constitute the screen. If the fleet should have a proper airplane defense, the submarine would probably also be attacked by airplanes, although the chance of making a successful attack is a little doubtful as the submarine is a difficult object to hit. Of course, in an airplane attack on a submarine there would not be the same difficulties which would be encountered in an airplane attack on a battleship; the submarine would probably not have the same defensive weapons, such as antiaircraft guns, although I am willing to admit that in the future an adequate defense of this nature may be developed.

The fact remains, however, that the submarines would have to submerge unless they were willing to fight as surface ships and meet the gunfire of very much superior vessels. When the submarine submerges its speed is cut very nearly in two, as I said before, or at least it is reduced a third, and it must drop back. Often it is difficult for a submarine to observe the location of a battleship, because naturally following gunfire the smoke hangs low, and then, too, it may have to confront the smoke screens of the destroyers. The only hope of a successful attack would be for it to get through the destroyer screen by submerging. If it sinks so as to only see through its periscope. its speed would be reduced, in which case it would depend whether or not it was far enough ahead of the battle fleet to get into action. Even if it did get by the screen, probably not many battleships would be put out of commission.

Battleships have now been constructed which are able to stand a torpedo attack. Being hit by one torpedo will not sink one of them. It would undoubtedly necessitate her going in for repairs, but it will not put her out of action. Battleships now have double skin.

To show how difficult it is to sink a battleship by a torpedo I am going to quote from Admiral von Scheer. He says in a report:

> At 6.20 p. m., 60 miles north of Terschelling, the *U–46* came across a damaged vessel of the *Iron Duke* class.

That was the *Marlborough*.

> She was, however, so well protected that it would have been impossible to get within firing distance of her. A torpedo was fired, but failed to reach the objective.

Here was an English dreadnaught that was so damaged that she was unable to proceed at full speed; she could not zigzag; and yet, with a screen made by destroyers, a German submarine was unable to get close enough to torpedo her. That statement, coming from Von Scheer, the German admiral, shows their experience with a submarine against a battleship.

Mr. President, when we consider the Battle of Jutland a little more fully we realize better its importance. If the English had decisively won the battle and destroyed the German battle fleet, they would have been able to have mined, I think, what is known as the Horn Reef Channel. That would have prevented the German submarines coming out from their own coast and necessitated their going through the Skager-Rak.

It would have made a very much longer journey for them and it would have hampered the handling of their submarines considerably; there is no question about that. It would have also released many English destroyers which were necessarily used to protect the grand fleet in case of a future battle, because the fear of the English Admiralty all the time was that they might lose that battle, and if they lost they knew they had lost the war. With this fear in mind, they kept as many submarines and as many destroyers in touch with the grand fleet as they possibly could. Of course, it was the only sane thing to do. That was why when we entered the war we were asked to build so many destroyers, both for the destruction of German sub-

marines and for the protection of our own ships crossing the Atlantic.

It is an interesting fact that we did not lose a man of the troops convoyed by the American Navy. The only loss was from one ship, which was torpedoed while being convoyed by vessels of the British Navy. The convoy of our troops across the sea was a very remarkable feat, and shows how difficult it is for submarines to torpedo even one of a large number of vessels when they are properly protected. Those convoys were not all fast vessels; they had to proceed at the rate of the slowest ship; and yet, in spite of that fact, none of our ships was torpedoed.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER (Mr. FLETCHER in the chair). Does the Senator from Rhode Island yield to the Senator from Kentucky?

Mr. GERRY. I yield.

Mr. STANLEY. During the recent war the German submarine base was comparatively a short distance from the English ports and from the mouths of the narrow channels to which the Senator has referred. Does the Senator believe that in case of a conflict between this country and Germany, for instance, with the same number of submarines Germany could operate in anything like as effective manner against American ports as she did against English ports? That is a vital question to us in the study of this very interesting question.

Mr. GERRY. I will say to the Senator that I do not believe she could. The situation would be entirely different. As I have already stated, it would be impossible to starve out America, while the main factor in the English situation was the possibility of sinking enough food ships to prevent England from being able to sustain herself.

Mr. STANLEY. I had reference not so much to the question of starving out the American people or interfering with their food supply. But does the Senator think Germany would be able effectively to interfere with egress from our scattered ports?

Mr. GERRY. No; I think a submarine attack on our coast undoubtedly would hamper us, and that undoubtedly we would lose vessels. We would have to meet such an attack, and very likely we should have to resort to convoys; but, on the other hand, if we had the superiority in surface ships we would be able to keep the enemy ships off the seas more than she would be able to keep ours off, and while we would both suffer the enemy would suffer very much more. It is apparent likewise that they would not be able to concentrate their submarines to the same extent; they would have to open up lines of communication. If we drove their surface ships off the sea, the only way they could carry on a line of communication would possibly be by submarines, and the use of submarines for such purposes naturally cuts down the tonnage that may be carried and renders the whole situation very much more difficult.

It seems to me clear that if dreadnaughts are done away with, the nation which has a superiority in cruisers will prevail; and, finally, if all surface war vessels are done away with, then the advantage will lie on the side of the country that can best arm its merchant marine and has the most merchant ships to use as warships. In other words, the logic of the situation is that not only are submarines needed to do as much damage as possible to the enemy but surface ships are also needed to cooperate with them and do even more damage.

There is another consideration to which I desire to call attention—the fact of the fleet in being at Scapa Flow held the German fleet in port and kept their merchant ships off the sea.

It should also be noted that the presence of the German fleet in the Baltic gave Germany control of the Baltic. Most people do not realize how important the command of the Baltic was to Germany. She got her iron from Sweden and various other commodities. If it had not been for the superiority of the German fleet over the Russian fleet and the ability of the German Navy to protect her merchantmen in the Baltic, Germany would not have been able to carry on the war. The English entered the Baltic with submarines, but they were not able to accomplish very much.

It is interesting to realize that the barrage of mines which in 1918 was laid across the North Sea to the coast of Norway, and the other barrage laid across the Straits of Dover, which constituted one of the main factors in destroying the German morale, were only possible to maintain because of the preponderance of the British and American fleet behind the barrages. The Germans, if they had had control of the sea, could very well have come out and swept the North Sea and passed through the barrages and allowed their submarines to go free; but they knew that if they came out with their surface ships the English and Americans would be able to attack them and sink them. Their submarines were not able to prevent the English and ourselves from laying those barrages. It is worthy of note, the majority of the mines were laid by our Navy. I think something like 13 or 14 per cent were laid by England and the rest by us. Those barrages were laid by vessels going something like 16 knots, and the German submarines were not even able to prevent their being placed.

In considering for a minute why the submarine has been brought into such prominence that it has been stated she has superseded all other forms of naval vessels, perhaps it is well to observe that the reason why it was such a success in the beginning was because it was a surprise. It was just as much a surprise as the use of poison gas. If the Germans had used poison gas to a greater extent than they did, and prepared more than they did when they first used it in France, very likely they might and in all probability would have broken through and have won the war then and there. It was just the same way in the German submarine campaign. Everything that the naval officers told us about the submarine not being a controlling factor in a battle was borne out in all the engagements fought in this war.

What was not counted on was the use that the Germans made of them—the disregard for international law. The naval experts did not count on the fact that a deliberate attempt would be made to obtain mastery of the sea by the destruction of unarmed merchantmen, and not being prepared for that they were not ready to meet it.

You will hear statements to the effect that if the Germans had had so many more submarines at the beginning of the war they could have won it. Very likely that is true, just the same as it is probably true, as I said before, that if they had used more poison gas in the beginning they might have won; but this will not be true in the future, because now all nations will be prepared for submarine attack of this sort, and the advantage they gained from surprise can not longer be realized.

I think that a great many officers believe that the seriousness of the submarine attack was not realized soon enough, and that convoying should have been inaugurated earlier. By convoying, of course, the merchant fleets were protected by screening, the same as the battleships, although not to such a great extent. They were also protected by zigzagging, and practically no fast vessel was destroyed by a submarine when she was going at full speed. Of course, the *Lusitania*, when she was sunk, was going at reduced speed and was fairly close to shore. The convoy system, the development of the chaser with its depth bomb, which not only destroyed the submarine but also greatly impaired the morale of its crew, and the further use of submarines to hunt submarines, undoubtedly were wearing down their effectiveness. If all these steps had been taken in the first instance, a different story might have been told as to the primary successes of the submarine.

In discussing the German naval policy there is another thing to be considered, and that is the possibility that if it had been different it might even have been successful, but I think it is very doubtful. From Lord Jellicoe's book it is apparent that there was very little difference in the number of the first-line ships between the English and the German dreadnaughts. Had the Germans been willing to make an attack on the British fleet, and had they come out in 1914 with their better range-finding devices and their star shells, they undoubtedly would have had a better chance than they had in 1916.

Personally, I do not believe that the attack would have been successful, but, of course, if they had won out, command of the sea would have been obtained and they would have won the war; however, they were unwilling to take the risk. They knew, as I said before, that if they lost the power of their fleet in being, their submarine ports would be mined, and also they would lose the command of the Baltic, which was so vital to them. Again, if they had used their destroyers differently, Admiral Bacon, in his book on The Dover Patrol, shows clearly that they could have sunk English shipping to a tremendous extent in the Downs by destroyer attack.

The Germans adopted a policy of hitting and then running, instead of being willing to carry through and lose ships if necessary. Apparently they regarded their destroyer as a piece of artillery that should not be sacrificed, instead of using it as an instrument of attack and using it to its fullest extent.

The English, night after night, had large fleets of merchantmen lying in the Downs. They did not really have enough destroyers to protect them properly; and if the Germans had made determined destroyer raids I do not think there could be any doubt that they would have been successful in inflicting damage. Not only that, but they would have forced the British Admiralty

to withdraw many of its destroyers from its battle fleet and to place them in the channel to meet whatever offensive the Germans might be threatening to carry out. Instead of that, in one offensive, they attacked and then turned and proceeded home at full speed, and the English were able to cut out two of their destroyers with the use of only two of their own; and the Germans, with four destroyers altogether, left the two stern ones to look after themselves and be sunk while the two leaders proceeded home without them.

The question of commerce destroying and attack by surface ships brings up again the question of the battle cruiser and the need of this vessel to keep open communications in case we were attacked by a foreign country, and if we wish to drive the attack home on that foreign country—and this of course is the only safe naval policy either in the Atlantic or in the Pacific—it would be absolutely essential that we should be able to cover our line of communications. Undoubtedly we would be subject to submarine attack, but I believe that we could protect against that by proper screens of destroyers; but we could not with submarines protect our line of communication from attack by enemy surface ships. The only way in which we could do it would be by our own surface ships, and that brings out as clearly as anything could the necessity for command of the sea, and these surface ships; if we are going to use them for destroying raiders, they must be stronger than the enemy raider and have greater speed.

The speed of these new battle cruisers of ours will be about 33 knots, and with great speed and heavy armament they will be able to meet any enemy battle cruiser now existent and render a good account of themselves. They would be able to protect our line of communication from surface ships and would be able also to do effective work with the battle fleet. They would not be able to stand as heavy punishment, perhaps, as the battleships, but with their heavy armament they could inflict great damage themselves.

If the Germans had adopted the policy of sending their battle cruisers to sea, they would in the end undoubtedly have been captured; but at certain times when the submarine situation was very critical for England, if the Germans had been willing to risk their battle cruisers, and had come out with them and let them, before they were destroyed, do what damage they could to the allied merchant shipping, it might have meant victory for Germany. They would have been able to sweep into a convoy and destroy it, and, if they had luck, sink troopships before aid could be brought to save them. With their superior speed they could also escape from anything but their own type of vessel, the battle cruiser or from the destroyers or the light scout cruisers which they would be able to sink.

In respect to the air control, there are some reported statements in regard to experiments that were made on the old battleship *Indiana*, and it has been argued that these prove that the battleship is absolutely vulnerable to airplane attack. As a matter of fact, the *Indiana* was built before this century. Those experiments were made by laying bombs on her or near her. They proved very little.

When we consider that at 5,000 feet it is pretty nearly impossible, if the sea is at all rough, to determine which way a battleship is going, and the chances of hitting her with a bomb are about a thousand to one, the risk a dreadnaught runs of destruction from an airplane is really very slight.

The present antiaircraft gun on a battleship would prevent an airplane approaching very close, and not only that, but it is hoped that the Navy will be provided with its own airplanes, and that those airplanes will act as a defensive screen, just the same as the destroyers and cruisers act as a defensive screen for the battle fleet. If it had not been for the destroyers and cruisers in the Battle of Jutland, the dreadnaughts could not have carried out the action in the way they did. There the only attack made by torpedoes was delivered by destroyers, and that attack turned the main British fleet away from the German fleet and allowed the latter to escape.

That destroyer attack, however, was met by the British destroyer or cruiser attack, and was prevented from being driven close home. The British destroyer attacks on the Germans were met in the same way, in each case the screen proving very effective, and it is the naval belief that with proper airplanes on both sides the screen will operate in like manner, and that your own air defense will offset the enemy's offense.

The most practical thing that can be worked out in airplane attack on a battleship really is the torpedo dropped from the airplane. A great deal has been written and said about the torpedo, and how it is going to destroy all surface ships. But the experiments do not bear out that conclusion. It is very difficult to drop a torpedo from the proper height. If it is dropped from too high, it is likely to break, or if it does not break, it is likely to lose its direction and go around in circles, or go too deep. If it is dropped from too near the surface, it is likely to upset the airplane, damage its propellers, and put it out of commission. In other words, the experiments have not proceeded far enough to prove—quite the contrary; they disprove—the belief that the airplane has any great chance of destroying the bigger ships. In connection with airplane attack on the fleet, the Navy is studying that question very carefully, and very probably in the future will offset the contention more and more efficiently.

I did not, in the remarks I have made, want to give the impression that I do not realize the importance of the submarine, for I do. I realize it is a valuable adjunct and weapon to the Navy, the addition of a new auxiliary, an essential factor in our naval program; and I believe the same is true of the airplane, both for scouting and attack. I believe the airplane and submarine are going to become more and more effective, but I also think that the means of meeting their attacks will become more and more effective.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Rhode Island yield to the Senator from Kentucky?

Mr. GERRY. I yield, with pleasure.

Mr. STANLEY. I have always been of the opinion that usefulness of armor on battleships was dependent upon its ability to protect the ships from explosive shells detonated from the outside of the ships; that the minute a high explosive was thrown by——

Mr. McCUMBER. Mr. President, those of us who are interested in the emergency tariff bill are unable to hear what the Senator is saying.

Mr. STANLEY. I was saying that I have always been of the opinion that the usefulness of heavy armor was dependent entirely upon its ability to protect the ship from high explosives detonated from the outside of the ship; that the moment you throw an explosive in the neighborhood of a ship, and sink it, notwithstanding its armor, such armor is proved to be not efficient; and I want to inquire of the Senator whether modern armor would protect or does protect the ships against high-explosive shells that are detonated from the outside and which do not have to pierce the armament of the ship before entering?

Mr. GERRY. I will say to the Senator from Kentucky that in the Battle of Jutland the English Navy went on the principle of the shell that exploded, as I understand it, on contact; that the German Navy went on the principle of the high-explosive shell that exploded after it penetrated, and the results of that battle have proved conclusively that the German theory was correct; that the greater damage was done by the shell exploding after it pierced the armor. Of course, I presume that any armor on a battleship can be pierced by one of these great 14-inch shells, provided the range is short enough.

It is an interesting thing, in that conjunction, to call attention to the fact that the German ships were able to be hit by these high-power shells of the British Navy without being put out of commission, and when we consider what punishment they sustained and still continued to fight, it makes us a little skeptical as to how much harm bombs dropped by airplanes would do, especially as the proportion of hits would be nothing like as great.

Mr. President, before the Senator asked his question, which I was very glad to answer, I was trying to make myself clear as in favor of the submarine and the airplane as additional weapons for the Navy, but against the theory that they had abolished the first-line ships, the battleship and the battle cruiser. My contention is that they have simply added another naval weapon, and to go further than that, they have added additional cost to naval armament.

They are going to be great factors in any war that comes hereafter, but I think the lessons of this last war have proven conclusively that they have not supplanted the battleship as the dominant factor; that it still remains such, although its potentialities have been somewhat limited by these new inventions; that the battleship is still essential, is still of the first importance to the country that has it, the paramount factor in sea control. The proof of that is that the whole principle of the naval strategy was to destroy the enemy's fleet of first-line ships.

It may be of interest to the Senate to refer to a table which I have before me as to how most of the German submarines were destroyed. This table is approximate, not accurate; I do not see how it could very well be accurate.

But it is estimated that 42 were destroyed by anchored mines; 35 by depth charges from all classes of vessels; 24 by gunfire, including those destroyed by guns on decoy ships, and,

of course, on the merchant ships that were armed; 7 by airplanes; 20 torpedoed by other submarines, and that was a very important factor in breaking up the submarine morale, because with a submarine operating in the same area with the enemy submarine the raiding submarine knew that its opponent would be able to see it quicker than it could see the periscope of its opponent if it was on the surface charging its batteries. They were always afraid of an attack when they came up, and the result was that they stayed below the surface as much as possible and only came up to charge their batteries at night or when they had to or when the crew could not any longer stand the close confinement.

I believe that the 1916 program, which the House Committee on Naval Affairs has approved and which the Secretary of the Navy has recommended, is a reasonable program and should be carried out. The 1918 program we can put off for the time being certainly, for, as I said, I do not wish to vote to tax the people any more than is absolutely essential and absolutely necessary to safeguard our welfare and protect ourselves in these times.

I wish now to discuss some tables of the United States dreadnaughts and battle cruisers built and building compared with those of England and Japan. I ask unanimous consent that I may be permitted to insert these in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The tables referred to are as follows:

TABLE VII.—*British, Japanese, and United States first-line capital ships, January 1, 1921.*

	Great Britain.		Japan.		United States.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.
Battleships, first line	26	635,650	6	178,320	16	435,750
Battle cruisers, first line	6	175,400	4	110,000	.....	.....
Total	32	811,050	10	288,320	16	435,750

TABLE VIII.—*British, Japanese, and United States first-line capital ships carrying 13.5-inch guns or larger Jan. 1, 1921.*

	Great Britain.		Japan.		United States.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.
Battleships, first line	22	548,250	5	157,520	10	300,100
Battle cruisers, first line	6	175,400	4	110,000	.....	.....
Total	28	723,650	9	267,520	10	300,100

TABLE IX.—*British, Japanese, and United States capital ships of the first line carrying 13.5-inch guns or larger at end of 1923.*

[Provided present programs are complied with.]

	Great Britain.		Japan.		United States.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.
Battleships, first line	22	548,250	8	258,920	21	722,000
Battle cruisers, first line	6	175,400	8	270,000	6	261,000
Total	28	723,650	16	528,920	27	983,000

TABLE X.—*British, Japanese, and United States capital ships of the first line carrying 13.5-inch guns or larger at end of 1927.*

[Provided present programs are complied with.]

	Great Britain.		Japan.		United States.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.
Battleships, first line	22	548,250	12	[1] 418,920	21	722,000
Battle cruisers, first line	6	175,400	12	[1] 430,000	6	261,000
Total	28	723,650	24	[1] 848,920	27	983,000

[1] Approximate tonnages.

Mr. GERRY. The first table to which I call attention shows that on January 1, 1921, England had 26 first-line battleships, Japan had 6, and the United States had 16. In battle cruisers Great Britain had 6, Japan had 4, and the United States had none. That has been one of our weaknesses in naval balance. We have had no battle cruisers. We are now building 6 under the 1916 building program.

The next table I shall quote is of the same date, January 1, 1921. If we limit our first-line ships to those carrying 13.5-inch guns, this, then, shows Great Britain having in her first line 22 battleships, Japan 5, and the United States 10. That means Japan loses 1 battleship and we lose 6. In battle cruisers England would still have 6, Japan 4, and we none. The battleships that we would take out of the program are 6 of the older boats, which have twelve 12-inch guns. The ones built subsequent to that period have at least ten 14-inch guns or better.

I now turn to the table showing the situation at the end of 1923. At that time Great Britain will have 22 battleships, Japan 8, and the United States 21. Of battle cruisers Great Britain will have 6, Japan 8, and the United States 6. It is easy to see that while Japan will be inferior to us in battleships in 1923 she will be superior to us in number of battle cruisers at that time, having 8 to our 6. I think it is only fair to say that 4 of the Japanese battle cruisers will not be as fast or as large as those we are now building.

At the end of the year 1927, if the present programs are carried out—that is, those suggested now by Great Britain, Japan, and ourselves—Great Britain will have 22 battleships, Japan 12, and the United States 21. Of battle cruisers Great Britain will have 6, Japan 12, and the United States 6.

In other words, Japan will have two battle cruisers to our one, and at least six of those battle cruisers will be as effective and as modern as those we are building. From the statement made by the head of the Japanese Navy, to which I have already referred, it is very certain that Japan intends to carry out this program, and that while in capital ships England and America will be very close, with undoubtedly American ships at an advantage because they are more modern, Japan will be inferior to us in capital ships but superior to us in battle cruisers. This only goes to prove the necessity of our continuing our present program.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Kentucky?

Mr. GERRY. I yield.

Mr. STANLEY. As I understand the Senator, this program is being carried out under some sort of tentative agreement among the three countries?

Mr. GERRY. No; there is no agreement. It is just the naval programs that have been discussed by the three countries and apparently what their legislatures intend to vote for.

Mr. STANLEY. It appears that while England and the United States are apparently providing about the same number of battleships and the same number of fighting units, Japan is relatively increasing very rapidly over both of them.

Mr. GERRY. I will state to the Senator that the British are not building any more battleships this year, I presume because they do not wish to incur the added cost and feeling, with the great preponderance that they have, that they can afford to delay. These statistics of the English Navy, to which I am going to refer, show that England has such a well-rounded fleet, so many auxiliaries of all kinds, that she has a great advantage in that respect.

I am not advocating a competitive building program with any nation. I do not think we ought to go into competitive navy building if we can help it, but I do not think the United States Navy should be asked to retain a position that is inferior to any navy in the world.

Mr. WALSH of Massachusetts. Do I understand the Senator to say that each of the three nations has, up to the present time, proceeded independently in its naval program?

Mr. GERRY. That is entirely correct.

Mr. WALSH of Massachusetts. And that there has been no consultation or program mapped out in unison?

Mr. GERRY. No; not so far as I know.

When we turn to the table of other naval vessels showing the different auxiliary vessels, the need of our fleet becomes very clear. In order to save time, I insert further tables.

TABLE II.—*British Navy, Jan. 1, 1921.*

Class.	Built.		Building.	
	Number.	Tons.	Number.	Tons.
Battleships, first line	26	635,650	.....	.....
Battleships, second line	20	327,100	.....	.....
Battle cruisers, first line	6	175,400	.....	.....
Battle cruisers, second line	4	72,100	.....	.....
Cruisers, first line	2	37,200	.....	.....
Cruisers, second line	20	230,300	.....	.....
Light cruisers, first line	44	189,295	5	38,780
Light cruisers, second line	24	113,895	.....	.....
Destroyer leaders	24	41,774	1	1,750
Destroyers, first line	334	356,418	11	14,390
Destroyers, second line	42	31,271	.....	.....
Submarines, first line	71	48,431	.....	.....
Submarines, second line	66	23,188	.....	.....
Fleet submarines, first line	18	29,220	18	20,040
Fleet submarines, second line	7	8,800	.....	.....
Cruiser submarines	1	2,014	.....	.....
Monitor type submarines	2	3,840	1	1,930
Aircraft carriers	6	86,250	.....	.....
Total	717	2,412,146	36	76,890

TABLE III.—*Japanese Navy, Jan. 1, 1921.*

Class.	Built.		Building and projected.		
	Number.	Tons.	Number.	Tons.	Remarks.
Battleships, first line	6	178,320	7	261,400	3 building; others authorized or projected.
Battleships, second line	4	71,500	.....	.....	
Battle cruisers, first line	4	110,000	8	320,000	Not yet laid down.
Cruisers, second line	5	58,206	.....	.....	
Light cruisers, first line	6	25,350	9	51,800	Probably all building.
Light cruisers, second line.	1	4,100	.....	.....	
Destroyer leaders	.....	.....	.....	.....	
Destroyers, first line	27	26,926	15	16,710	Building.
	.....	.....	30	(?)	Projected.
Destroyers, second line.	12	7,850	.....	.....	
Submarines, first line	.....	.....	10	(?)	
Submarines, second line.	10	4,000	9	(?)	
Fleet submarines, first line.	.....	.....	.....	.....	Probably 30 other submarines projected, types not known.
Fleet submarines, second line.	.....	.....	.....	.....	
Cruiser submarines	.....	.....	.....	.....	
Monitor type submarines.	.....	.....	.....	.....	
Aircraft carriers	.....	.....	.....	.....	Probably 1 building.
Total	75	486,252	39	649,910	
	.....	.....	79	(?)	

TABLE VI.—*United States Navy, Jan. 1, 1921.*

Class.	Built.		Building and projected.		
	Number.	Tons.	Number.	Tons.	Remarks.
Battleships, first line	16	435,750	11	421,900	
Battleships, second line	16	240,242	.....	.....	
Battle cruisers, first line	.....	.....	6	261,000	
Battle cruisers, second line.	.....	.....	.....	.....	
Cruisers, first line	.....	.....	.....	.....	
Cruisers, second line	10	131,300	.....	.....	
Light cruisers, first line.	.....	.....	10	75,000	
Light cruisers, second line.	3	11,250	.....	.....	
Destroyer leaders	.....	.....	.....	.....	
Destroyers, first line	260	308,062	38	46,109	12 others are authorized but held in abeyance.
Destroyers, second line.	21	15,580	.....	.....	
Submarines, first line	43	22,961	.....	.....	1 more authorized but not under contract.
	9	.....	42	.....	
Submarines, second line	44	16,739	.....	.....	
Fleet submarines, first line.	2	.....	4	.....	6 more authorized, but not under contract.
Fleet submarines, second line.	.....	.....	.....	.....	
Cruiser submarines	.....	.....	.....	.....	
Monitor type submarines.	.....	.....	.....	.....	
Aircraft carriers	.....	.....	.....	.....	1 collier being converted to an experimental aircraft carrier—can not be included as a modern ship.
Totals	413	1,181,884	65	804,009	
	11	.....	46	.....	

Mr. STANLEY. Mr. President, I am very much interested in the very elaborate and able discussion of the Senator from Rhode Island. I am curious to know if it be true, as indicated by the figures, that relatively Japan's naval forces are being increased much more rapidly than those of the other five great powers.

Mr. GERRY. That is not entirely correct. Japan seems to be centralizing in her program on battle cruisers and some battleships. She seems to consider battle cruisers essential for her purposes and of as great importance to her as the battleship. She is building battleships also. Of course, when we compare the programs the American building program will be larger than the Japanese at the end of 1927 in capital ships, but to a very small degree if we stop with the present program which we are now building, because at that time Great Britain will have 28 battleships and battle cruisers; in other words, 22 battleships and 6 battle cruisers; Japan will have 12 battleships and 12 battle cruisers, making 24 in all; and the United States will have 21 battleships and 6 battle cruisers, or 27 in all, 3 more capital ships than Japan. It seems to me that if we are to retain our equality with the rest of the world, with the idea in the future of reaching an agreement, which I hope we will be able to come to soon, we must continue our present construction.

In view of the unsettled conditions prevailing throughout the world, with European affairs altogether unstable, and we ourselves still being technically at war with Germany, I do not see how it can be any other than the path of wisdom to carry out the program which we decided to carry out in 1916, so that we shall be in a position to maintain our American rights, if necessary.

I will say, however, right here that I do not for a moment believe we shall ever take advantage of others in asserting those rights or that we shall ever attempt to become a militaristic Nation or shall be controlled by militaristic ideas. I believe the American people are a peace-loving people and intend to remain so, but I also believe that they intend to be protected and to be able to sustain what they know is just and right.

Mr. President, I have already referred to the British, Japanese, and American programs as to battleships and battle cruisers of the first line. There are also battleships of the second line, of which the British have 20. They are big-gun ships that are not equal to the first-line ships. Most of them are predreadnaughts which have been launched since January 1, 1901. Those launched prior to January 1, 1901, are not considered.

The British have 4 battle cruisers of the second line, which are able ships, as they are of fairly late construction.

We have 16 battleships of the first and second line and have building 11 of the first line, if the present program is carried out. We have now no battle cruisers either of the first or second line, but are building 6.

Japan has 6 battleships of the first line, 7 building and projected, and 4 battleships of the second line. Of battle cruisers of the first line she has 4 built and 8 building or projected. My information is that 4 of those are already under construction. She has no battle cruisers of the second line.

Next we come to the cruisers of the first line, of which Great Britain has 2 and Japan and the United States have none. Of cruisers of the second line Great Britain has 20, Japan 5, and the United States has 10, which are rather old ships, of speed about the same as that of a battleship.

Next we come to light cruisers of the first line and light cruisers of the second line. The British have 44 light cruisers of the first line and are building 5 more. The Japanese have 6 light cruisers of the first line and are building 9 more, and the United States has no light cruisers of the first line, but is building 10.

This is a very important vessel because the light cruiser is a fast ship that must do the scouting. The cruisers which we are now building are of 35 knots. They must keep the sea in heavy weather, and they must have a cruising radius of great extent. The destroyers can not well act as scouts, for in heavy seas they are unable to proceed at speed. In one instance during the late war a destroyer had her bow stove in and there was great difficulty in getting her into port. So the destroyers that we have are not the type of ships needed for scout purposes.

It will be noted, as I have already stated, that Great Britain has a great many light cruisers of the first line. We have none now and are only building 10. We have 3 light cruisers of the second line, but they are old ships; they have not the necessary speed or the cruising radius. It will also be noted that Japan has more light cruisers than we have, and is building still more.

Of destroyer leaders, England has 24, we have none, and Japan has none. Destroyer leaders are used in connection with the destroyers for plotting, range finding, and general observation. They are abler ships than is the ordinary destroyer, but with our present financial condition we can let their construction wait until a future date. The cruisers are much more essential.

Of destroyers, first line, England has 334, while we have 260, many of which are very modern vessels of the latest type. Japan is building destroyers but has nothing like the number possessed by Great Britain or by the United States. At the present time she has 27 and is building something like 15 more.

Next we come to destroyers of the second line, which are simply old destroyers, and then to submarines. Of submarines of the first line England has 71, and of the second line 66. Japan has none of the first line but has 10 building. She has 10 submarines of the second line and 9 more building. We have 43 submarines of the first line, 1 more authorized but not under construction. These, I believe, are the "R" type. We have 9 of the "S" type, which makes a total of 53. Of the second line we have 44, but I doubt whether the second-line submarines are very useful. They are too small.

Of the fleet submarines Great Britain has 18 and 18 more building. We have 2, 4 building, and 6 more authorized but not under construction, although I believe they are going to be contracted for. Japan has no fleet submarines but has possibly 30 under consideration.

Of cruiser submarines Great Britain has 1, Japan has none, and we have none. The difference between the fleet submarine and the cruiser submarine is that the fleet submarine displaces at least a thousand tons, whereas the cruiser submarine is of about 2,000 tons displacement; in other words, it is a larger vessel with a greater radius for cruising and better able to accompany the fleet.

Then, the British also have 2 monitor type submarines and 1 building. Neither the United States nor Japan have any vessels of this type.

Of aircraft carriers Great Britain has 6, and Japan and the United States have none. It is proposed that we turn the old *Jupiter* into an aircraft carrier. That vessel, however, only makes about 14 knots, and, of course, would not be able to keep up with the fleet. Really what is needed for an airplane carrier is a fast vessel of great speed, as fast as the battle cruiser, with defensive armor, and say 6-inch guns, able to run away from an enemy battle cruiser or battleship, or give battle to a very light cruiser. Ships of this type are valuable for scouting purposes, and I believe our Navy should have them; and I propose to offer an amendment authorizing the construction of at least 4. I do not see how we could very well work out our war games or how we could carry out our proper naval development in regard to the airplane unless we have proper tools to work with, and I believe that these vessels would be very important in time of war.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from North Dakota?

Mr. GERRY. I do.

Mr. McCUMBER. The Senator does not propose to offer that amendment to the bill under consideration, does he?

Mr. GERRY. Yes; I intend to offer it in the committee.

Mr. McCUMBER. To the emergency tariff bill?

Mr. GERRY. Oh, not the bill at present under consideration; no.

Mr. President, I wish to say that possibly I am not as much interested in this bill to raise the cost of living to the people of New England as the Senator from North Dakota is interested in increasing the price of wheat; and, as he said very frankly yesterday, the price of flour. I think he said it would raise the price of flour on every barrel more than $1.50. Naturally I am not in favor of any such measure, but I am quite willing to vote my convictions on it. I intend to vote against it, and I want to see a vote upon it reasonably soon. I do not think there is any doubt now that the vote will be had; but with the condition that existed and in view of the importance of this subject with regard to the Navy, the consideration of which was especially called to the attention of the Senate by the resolutions of the Senator from Idaho [Mr. BORAH], I felt that it was my duty as a Senator and as a member of the Naval Affairs Committee to speak on this subject.

I gave notice that I would speak on Monday, but when there was a chance of cloture I did not want to prevent Senators speaking directly on the tariff bill, so I did not attempt to obtain the floor until this afternoon, when it seemed certain that there would be ample opportunity to debate on the emergency tariff bill and there would be no question about its being voted on.

Mr. McCUMBER. I think the Senator has made a very interesting discussion upon the naval appropriation bill, and I do not know that we have lost any time whatever, because that bill will soon be before the Senate, and the remarks the Senator has made to-day will be pertinent to that measure. Naturally, I am very anxious, since we are pressed for time on this bill, that Senators should discuss the emergency tariff bill, which is before the Senate. I presume undoubtedly there are shoe factories in Rhode Island, as there are in Massachusetts, and I was quite anxious to hear the Senator's opinion concerning a 2-cent duty on raw hides.

Mr. GERRY. The Senator will have ample opportunity, I hope, of hearing the views of the Senator from Rhode Island on this tariff measure. I expect to discuss it a little later. I appreciate what the Senator said about my remarks to-day. I am sorry that they were so long. I tried to condense them as much as I could, but the subject is rather a large one, and it is difficult to condense. I will say further that I think I can finish my remarks in a very short time now, and so not detain the Senate much longer.

Mr. President, I should like to call attention to the actual amount that this 1916 building program will involve. The amount to be spent this year on the battle cruisers for carrying out that program will be $20,000,000. On the dreadnaughts it will be $27,000,000, without the armor and armament. That will make a total for this year of $47,000,000, and, roughly estimated, the armor and armament will be about $40,000,000 more, which will make the total expenditure $87,000,000.

In 1921 the cost for the battle cruisers will be $45,000,000, and for the dreadnaughts $50,000,000, and the armor and armament $50,000,000 more, making a total of $145,000,000. Those are the totals for all the battle cruisers and dreadnaughts under construction.

The total cost of a dreadnaught—hull, machinery, armor, and armament—is about $38,427,000, and that of a battle cruiser is $39,369,000.

Mr. President, I ask unanimous consent to insert in the RECORD this table showing the cost of building operations for this year and next under the 1916 building program.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table is as follows:

Appropriation "Increase of the Navy, construction and machinery."

Amounts to be spent this year:	
Battle cruisers—	
1921, construction and maintenance	$20,000,000
1922, construction and maintenance	45,000,000
Dreadnaughts—	
1921, construction and maintenance	27,000,000
1922, construction and maintenance	50,000,000
Battleships and battle cruisers, armor and armament—	
1921	40,000,000
1922	50,000,000
Total cost:	
Dreadnaught—	
Hull and machinery	23,750,000
Armor and armament	14,677,000
	38,427,000
Battle cruiser—	
Hull and machinery	28,750,000
Armor and armament	10,619,000
	39,369,000
Large cruiser—	
Hull and machinery	8,250,000
Armor and armament	1,662,000
	9,912,000
Destroyer—	
Hull and machinery	1,500,000
Armor and armament	465,000
	1,965,000
Coast submarine	1,800,000
Fleet submarine	4,300,000
Cost of rest of building program—	
For 1921 (exclusive of battleships and battle cruisers)	60,000,000
For 1922 (exclusive of battleships and battle cruisers)	40,000,000

Mr. GERRY. Mr. President, in considering this 1916 program, as I stated earlier in my remarks, the real question is whether we should carry it out or abandon the building of battleships and battle cruisers. We can not delay construction by taking a six months' recess, for 6 of these battleships are in private yards. Four battle cruisers are also not in Government yards. The scout cruisers are in private yards, and so are 32 destroyers, 39 submarines, and 1 auxiliary. In other words, if we should delay the battleship and battle cruiser program, we should be holding up the space in private yards which has been

given over to the construction of these vessels, and which naturally would greatly increase the cost of the contracts. It is estimated that it would cost the Government at least $150,000,000 to cancel the existing contracts for battleships, battle cruisers, and scout cruisers, for which there would be no return; and, Mr. President, when we had done that we would have gone back to the same policy that we adopted after the Civil War, when we lost the command of the sea by abandoning the support of our Navy.

Not only would this course do that, but it would also lead to great injustice to very large shipbuilding concerns. It would lay the Government open to suits for heavy damages for many years to come. It would subject future Government contracts to suspicion, and naturally that would be charged up against us in the bills of the future; and on the present contracts of cost plus the shipbuilding companies would claim the payment of profit on the completed job, for they could legitimately claim that the policy of each company was based on an estimated financial profit from existing contracts. So I think we have got to meet the issue very clearly as to whether we shall go on with the 1916 program, or whether we shall abandon our idea of America being a great sea power and maintaining a proper Navy as its first line of defense.

I believe that the Navy is our best first line of defense. It leads less to militarism and is less costly than any other safe method of defense we can adopt. If we abandon this program, we should have to turn to a greater military policy, with all that that means, and it would result in the people of the country eventually feeling that they were unprotected, and they would wish to return, especially if the chaotic conditions in Europe become worse, to what they now have and which they would have abandoned.

Mr. President, the Senator from Idaho [Mr. BORAH] has introduced another resolution asking that discussion be entered upon by England and Japan and the United States looking to an agreement for limiting armaments. It is certain such discussion is bound to take time. It can not be decided immediately, and we do not know, when it is considered, what the safeguards will be. Until it is perfectly certain that there will be proper safeguards for maintaining disarmament and that satisfactory agreements will be reached, I do not see how we can economize by cutting down our naval building program to an extent that would do away with what we are now carrying out.

As I said before, I do not think we should go into a competitive program of naval construction against the world; but owing to our peculiar position, to our island possessions, I believe the American people feel that America should not be asked to take second place to any nation in the world in respect to her Navy. We desire to stand on an equality, and in so doing it will make for peace.

CENTENNIAL OF INDEPENDENCE OF PERU (S. DOC. NO. 370).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed as a document:

To the Senate and House of Representatives:

I transmit herewith a report by the Secretary of State covering an invitation from the Government of Peru to the Government of the United States to take official part in the ceremonies attendant upon the celebration of the first centennial of the proclamation of the independence of Peru in that Republic in July next, and a draft of a joint resolution to create a commission to represent the United States in the celebration and to provide for the expenses of the commission, which I commend to the favorable consideration of Congress.

WOODROW WILSON.

THE WHITE HOUSE,
2 February, 1921.

MICHIGAN SENATORIAL INVESTIGATION.

Mr. SPENCER. I present to the Senate an extract from the report of the supervisor in the Ford-Newberry recount, which has just been completed, and ask that it be inserted in the RECORD. The expense account of $7,251.01 has to do only with the pay for the recount. It does not include the cost of gathering or transporting the ballots, or the incidental expenses connected therewith, of which a full report will be given later.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

FEBRUARY 2, 1921.

Hon. SELDEN P. SPENCER,
Acting chairman subcommittee Privileges and Elections, United States Senate.

SIR: I have the honor to submit the following report on the recount of ballots in the matter of "The Senator from Michigan" under Senate resolution No. 11:

Recounting of votes began at 11 a. m. January 4, 1921, and proceeded daily, except Sundays and Saturdays after 1 p. m. It was completed on Wednesday, February 2, 1921, at 10.30 a. m. Ten tables were employed, at each of which were two clerks, or counters, one chosen by each of the contesting parties, and two additional clerks were used in keeping track of ballots and returns and in relieving clerks at the tables when necessary. The actual working time required to complete the count was 163 hours.

There were at the time of the 1918 election 2,320 voting districts or precincts in Michigan, but in one of these (Turin No. 2, of Marquette County) no election was held, the officials having forgotten that such an event was scheduled to occur, so only 2,319 precincts voted.

The total vote cast for United States Senator at this election was 432,541, according to the official returns, of which 220,054 were for Mr. NEWBERRY and 212,487 for Mr. Ford, a plurality for the former of 7,567.

Upon the recount a total of 429,836 legal ballots was found, of which 217,085 were lawful votes for Mr. NEWBERRY and 212,751 for Mr. Ford, thus reducing the plurality of the former to 4,334.

Of the ballots examined, 2,226 were found to show no initials of election officials and these were rejected, as required by the laws of Michigan. The ballots thus invalidated constitute 0.51 per cent of the total vote.

In a total of 93 districts, or precincts, no ballots were discovered, and in these the official vote was by agreement of counsel accepted and used in the recount figures. In 17 other districts counsel agreed to accept the official returns.

The number of clerks, or counters, employed was 22, and in addition 1 tabulator and 1 supervisor. The pay of these men and the compensation and expenses of the supervisor and tabulator amounted to $7,251,01.

Very respectfully,

GEORGE B. WEBSTER, *Supervisor.*

COST OF AMERICAN FORCES IN GERMANY.

Mr. McKELLAR. Mr. President, several days ago I gave the figures in reference to the amount due us by Germany for the maintenance of soldiers kept in Germany. The figures I gave showed the amounts due down to September 30, 1920. I file herewith the complete figures as of date December 31, 1920, and ask that they be inserted in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WORLD PEACE FOUNDATION,
Boston, Mass., January 28, 1921.

Hon. KENNETH MCKELLAR,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: I notice in the CONGRESSIONAL RECORD of January 25, in discussing the total cost of American forces in Germany, you assume that all expenses involved are chargeable to Germany. I am not certain in my own mind exactly how true that is, but the statement would seem to be substantially modified by the agreement, a copy of which is inclosed herewith. I am not at the moment aware of the extent to which the last paragraph is applicable, but it would seem to involve an engagement pertinent to the matter.

Sincerely, yours,

DENYS P. MYERS.

DECLARATION BY THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, GREAT BRITAIN, AND FRANCE IN REGARD TO THE OCCUPATION OF THE RHINE PROVINCES.

The allied and associated powers did not insist on making the period of occupation last until the reparation clauses were completely executed, because they assumed that Germany would be obliged to give every proof of her good will and every necessary guaranty before the end of the 15 years' time.

As the cost of occupation involves an equivalent reduction of the amount available for reparations, the allied and associated powers stipulated, by article 431 of the treaty, that if before the end of the 15 years' period Germany had fulfilled all her obligations under the treaty the troops of occupation should be immediately withdrawn.

If Germany at an earlier date has given proofs of her good will and satisfactory guaranties to assure the fulfillment of her obligations the allied and associated powers concerned will be ready to come to an agreement between themselves for the earlier termination of the period of occupation.

Now and henceforward, in order to alleviate the burden of the reparations bill, they agree that as soon as the allied and associated powers concerned are convinced that the conditions of disarmament by Germany are being satisfactorily fulfilled, the annual amount of the sums to be paid by Germany to cover the cost of occupation shall not exceed 240,000,000 marks (gold). This provision can be modified if the allied and associated powers agree as to the necessity of such modification.

WOODROW WILSON.
G. CLEMENCEAU.
D. LLOYD-GEORGE.

JUNE 16, 1919.
(London, His Majesty's Stationery Office, Cmd. 240.)

FEBRUARY 1, 1921.

Mr. DENYS P. MYERS,
40 Mount Vernon Street, Boston, Mass.

MY DEAR MR. MYERS: Your letter of the 28th, with inclosure, received and noted.

Article 249 of the treaty provides: "There shall be paid by the German Government the total cost of all armies of the allied and associated Governments in occupying German territory from the date of the signature of the armistice of November 11, 1918, including the keep of men and beasts, lodging and billeting, pay and allowances, salaries and wages, bedding, heating, lighting, clothing, equipment, harness and saddlery, armament and rolling stock, air services, treatment of sick and wounded, veterinary and remount services, transport services of all sorts (such as by rail, sea, or river, motor lorries), communications and correspondence, and in general the cost of all administrative or technical services, the working of which is necessary for the training of troops and for keeping their numbers up to strength and for preserving their military efficiency. The cost of such liabilities under the above heads, so far as they relate to purchases and requisitions by the allied and associated Governments in the occupied territories, shall be paid by the German Government to the allied and associated Governments in marks

at the current or agreed rate of exchange. All other of the above costs shall be paid in gold marks."

My understanding is that the allied and associated powers concerned have not yet been convinced that the conditions of disarmament by Germany are being satisfactorily fulfilled, or at least they have reached no decision on that subject, and, of course, the paragraph of the declaration apparently would not be pertinent. Beyond this, the very fact that Germany has not yet paid, except in small part, the cost of the American Army of occupation would seem to preclude relief under the declaration.

With much respect,

Very sincerely, yours, KENNETH MCKELLAR.

WAR DEPARTMENT,
OFFICE CHIEF OF FINANCE,
Washington, D. C., January 27, 1921.

Hon. KENNETH MCKELLAR,
United States Senate.

DEAR SENATOR MCKELLAR: I am attaching a report prepared in my office early this month, showing the cost of the American Army of occupation in Germany up to September 30, 1920, taken from the reports of the Statistics Branch, General Staff, and the estimated cost for the period October 1 to December 31, 1920, prepared in this office, on a basis of the cash expenditures made by disbursing officers in Germany during the months of October and November.

The actual cash payments made by the German Government as shown by our book entries from monthly cable reports to this office aggregate 553,000,000 marks, the dollar value of which was $32,674,680.29, but there appears to have been certain other "credits for sales" and "miscellaneous items" made prior to September 30, 1920, aggregating approximately $2,898,978, as shown by the Statistics Branch, which would not be shown by our books.

Very respectfully,

H. M. LORD,
Chief of Finance, United States Army.

The German Government in account with the United States of America on account of maintaining the American Army of occupation.

[Office of Chief of Finance, Jan. 27, 1921.]

Period.	Cost.	Credits.		Rate of exchange.
		Marks.	Dollars.	
1918.				
December	$34,344,199.24	54,000,000.00	6,770,931.21	$0.1254
1919.				
Jan. 1–Mar. 31	113,242,889.30	79,000,000.00	8,504,587.16	.1076
Apr. 1–June 30	69,245,034.75	180,000,000.00	14,334,568.23	.0795
July 1–Dec. 31	25,487,023.81			
1920.				
Jan. 1–Mar. 31	7,422,715.26	125,000,000.00	1,393,709.76	.0112
Apr. 1–June 30	7,323,221.99	50,000,000.00	1,046,883.93	.0209
Total	257,065,084.35	483,000,000.00	32,053,680.29	.0664
To amount of credits should be added (to cover miscellaneous items not clearly set forth)			2,670,978.49	
Total			34,724,658.78	

Total cost to June 30, 1920	$257,065,084.35
Total credits to June 30, 1920	34,724,658.78
Balance due the United States to June 30, 1920	222,340,425.57

The cost report here given is from a report submitted by the commanding general, American forces in Germany, from calculations made by Col. R. H. Hess, based largely on the per capita cost which was arrived at after a very careful study of general conditions, together with data submitted by the heads of all departments of the Army in Washington. This account is considered as nearly correct as can be obtained at this time, but is subject to change.

The cash payments in the table and those which follow were taken from the books of the chief of finance and include all cash payments in marks made by Germany up to and including December 31, 1920. These figures are correct.

Since June 30, 1920, bills have been prepared at the headquarters of the American forces in Germany from actual expense data and the figures given below are accurate.

Period.	Cost.	Credits.		Rate of exchange.
		Marks.	Dollars.	
1920.				
July 1–Dec. 31		70,000,000	621,000	$0.0887
July 1–Sept. 30	$6,409,118.49			
Oct. 1–Nov. 30	[1] 4,500,000.00			
Dec. 1–Dec. 31	[2] 2,250,000.00			

[1] Bills for Oct. 1 to Dec. 31, 1920, inclusive, not yet received, but from an examination of the disbursing officer's accounts it is found that $2,072,208.49 was disbursed during the months of October and November. This, of course, does not cover the cost, as the cash expenditures in Germany for July 1 to Sept. 30, inclusive, amounted to about two-thirds of the total cost. On this basis the actual expenditures for all purposes for the months of October and November were approximately $4,500,000.

[2] For the purpose of making an approximate estimate of the cost of the army of occupation up to the close of the year, when the last payment was made by Germany, it is assumed that the cost for the month of December was $2,250,000. This yields:

Total cost, December, 1918, to Dec. 31, 1920	$270,224,202.84
Total credit, December, 1918, to Dec. 31, 1920	35,345,658.78
Balance due the United States	234,878,544.06

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. GRONNA. Mr. President, it is not my purpose at this late hour to take more than a very limited time of the Senate, and I shall certainly not enter into a general discussion of the tariff question.

Mr. President, I am in favor of the pending bill, the so-called emergency tariff bill, and I intend to vote for it in all its parliamentary stages. I do not mean by that that the bill is in the form that I would like to see it. With all due respect to the members of the Committee on Finance, I believe it was a mistake to permit so many amendments on a bill of this kind, which is only an emergency measure.

The bill was reported to the Senate on December 23, and had its first reading on that day. It was read the second time on December 27, and referred to the Committee on Finance. It was reported back to the Senate on January 17 with a number of amendments.

We know that in the West and in the Southwest there is great distress among the farmers and among the cattle growers, and I believe that if this bill is passed it will to a certain extent give some relief. I am not here to assert that it will give the relief claimed for it by some of the friends of the bill, but I know that grain and meats can be shipped from Argentina to the Gulf ports at a rate lower than that at which we can ship our products from the West to the city of Chicago. That, Mr. President, ought to be taken into consideration.

It is not fair to argue that because these products may bring substantially the same price in foreign countries they are bringing here, that a duty on those articles will not benefit our producers. Mr. President, we know that in the Dominion of Canada, the country with which the grain producers and the stock growers in the West have to compete, the rates of transportation are lower than ours, and the transportation question is a tremendously important question, and it enters into this very subject. Canada, instead of increasing her freight rates after the war, has substantially lowered her freight rates.

We know the history of the railroad legislation in the United States, that on some of the commodities the rates have so enormously increased that they are prohibitive, and I refer not only to the State which I in part have the honor to represent, but I refer to the Southern States also. My attention was called on yesterday, by a Senator from the South, to the fact that out of a whole carload of vegetables shipped to the city of New York the shipper got some $3 as a return. There was a freight charge on that carload of vegetables of more than $400. We in the West can not ship bulky, heavy goods, such as hay, because the rates are prohibitive. If the hay can not be used in the immediate locality it is worthless. So I say that the question of transportation is a great factor, and is involved in the very question which is before us.

I shall not weary the Senate to go into the merits or demerits of this question at all, but I want to say that I am earnestly and heartily in favor of passing this bill, although I believe it is imperfect. But I also wish to say that my vote this afternoon against cloture did not mean that I was opposed to the pending bill, nor am I willing to admit, Mr. President, that by reason of the cloture rules being defeated, the passage of this bill will be delayed. I believe it will be hastened. I believe that the Members of this body who are honestly opposed to a duty upon these products will not unnecessarily delay this legislation. I know they will help us to get a vote at as early a time as possible.

Of course I realize that those who are sincerely opposed to the policy of a protective tariff want the privilege of discussing the question on its merits.

We have a number of Senators on this side who are no more in favor of a tariff on what they call free raw material than Senators on the other side. I know that a number of those Senators who profess to be good protectionists are protectionists in spots only. They are for protection when it protects manufactured products. They are opposed to protection, or to tariff duties, when it affects what they call raw material, or the farmer's finished products. I want to warn you protectionists in the East, who stand for protection only when it affects what you call the finished products, the products of the factory, that unless the products of the farm shall have at least a share of protection, you will not be able to maintain for a very long time the high duties which you propose to put into effect.

Mr. President, what the manufacturers of the East call their raw material is our highly finished product, and we expend more energy in producing our products than they do in the production of manufactured products. Because in the New

England States there is a factory where cotton goods are manufactured what justification is there for protecting that industry to a greater degree than we protect an industry which is indispensable to the people of this great Nation? That is just exactly what you have been doing in years past. You are not fooling anyone; at any rate, you are not fooling the farmers of the West, when you are throwing out a sop to them and saying that you believe in the protective tariff policy, when you are undermining their interests. You stand for protection of your own products, but you are not in favor of protecting the products of the farm.

Mr. President, I said this afternoon that during my services in this body I have consistently opposed cloture. I realize that I am a servant of the people of my State; but I could not vote for cloture at this time and violate a principle which I believe is fundamental to the maintenance of representative government.

North Dakota produces not only wheat but all sorts of coarse grain. It is becoming a dairying State. The dairy industry and the cattle industry are just as important to us as is the grain industry. My colleague, the senior Senator from North Dakota [Mr. McCUMBER], presented this morning a telegram, in the form of a resolution, from the legislative assembly of our State calling attention to the fact that in a large portion of that State the farmers have to purchase seed grain. They do not now have the seed required to seed their farms for the year 1921. It will not help those men to raise the price of wheat.

From an economic standpoint we must admit that it will help those farmers to purchase their wheat at as low a price as is possible, but if the bill had been passed a month ago or two weeks ago, before the farmers disposed of their grain, of which there is only a small quantity remaining in the farmers' hands, the situation might have been different. It is only a certain few of the farmers who are fairly well to do who have any wheat on hand. Most of it has been disposed of to dealers.

Mr. SIMMONS. Will the Senator from North Dakota permit a question?

Mr. GRONNA. Certainly.

Mr. SIMMONS. I do not know of anyone in the Senate who possesses more complete information with reference to wheat production and other questions that pertain to the wheat industry than the Senator from North Dakota. My understanding is that he is a very extensive producer of wheat himself and he lives right in the wheat-producing section. I think it would be very helpful to us, if the Senator from North Dakota could furnish the Senate with the information, to know what proportion of last year's wheat crop is still in the hands of the farmer and what proportion of it is in the hands of dealers and speculators. The Senator has said that only a small part is in the hands of the farmers now. Can he give us any definite information as to the percentage in the hands of the farmers and the percentage in the hands of dealers and speculators?

Mr. GRONNA. It would only be an estimate, and any estimate which I make might be erroneous; but it is my belief that not to exceed 40 per cent of the crop of 1920 is in the hands of the farmers. Of course, feed and seed must be taken out of that.

Mr. SIMMONS. That, then, would leave what proportion of the wheat that is marketable?

Mr. GRONNA. It would leave not to exceed 25 to 30 per cent.

Mr. SIMMONS. So the Senator thinks there is in the hands of the wheat producers of the country not to exceed 25 to 30 per cent of marketable wheat of the crop of 1920?

Mr. GRONNA. That is my judgment. I am in favor of the pending bill. I would not vote for the bill simply because I believe that it protects the wheat farmer, but I believe that it would stimulate the production of all farm products.

Let me say to the Senate that I believe there is great danger that we are going to have underproduction in the United States. The farmers can not continue to produce at a loss. They have been producing at a loss. The year 1920 has been a most disastrous year for the grain farmers and the farmers generally. It seems to me that we ought to be willing to protect the American farmer as against the farmers of foreign countries. We can not hope to compete with Argentina. We do not want the labor of this country to receive the low wages received by the labor of Argentina. We can not compete in transportation rates with the people of Argentina. Argentina can ship her products by water. We must ship our products across the continent by rail to the great industrial centers of the country.

Mr. SIMMONS. Does the Senator contend that we are getting a quantity of wheat of any consequence from Argentina now?

Mr. GRONNA. I will say to the Senator that we are getting some wheat from Argentina.

Mr. SIMMONS. I noticed a statement to the effect that no wheat has come into the country this year except from Canada.

Mr. GRONNA. Even if there was not a bushel shipped from Argentina without a tariff, Argentine prices affect the prices in our country. Only yesterday the price of wheat declined in the Chicago market from 5 to 6 cents a bushel simply because there was a depression in the price of wheat in Argentina. That illustrates that if we had a tariff on American wheat the Argentine condition would not be a factor in the American market.

Mr. SIMMONS. Does the Senator think that that was because there has been a decline in Argentina? Does not the Senator think, on the contrary, that the decline in Argentina was the result of a decline in the world's price of wheat?

Mr. GRONNA. No; the decline in Argentina was the direct cause of the decline in the price of wheat in the American market. It had nothing to do with any other country.

Mr. SIMMONS. The decline of cotton during the last five or six days has been two or three hundred points, which is about 3 cents a pound. That would amount to $15 a bale. That was not the result of a decline in the price of cotton in Egypt or anywhere else at any particular point on the earth; it was the result of a decline in the world's price of cotton. No cotton from anywhere, of the kind I am talking about, from any part of the world, except a few bales from Mexico, is shipped to this country. Yet there is a slump in the American price, and a reflected slump has taken place in the Liverpool price.

Mr. GRONNA. I realize that with the crops raised in this country, such as cotton, a tariff might or might not have any effect upon such a commodity.

Mr. SIMMONS. Does the Senator contend that the importations this year from Canada have caused the slump or are responsible in part for the slump in the price of wheat? There have been, I understand, 25,000,000 bushels of wheat imported from Canada to this country. The Senator contends there have been more, probably thirty or forty million bushels.

Mr. GRONNA. Yes; a great deal more than 25,000,000 bushels.

Mr. SIMMONS. Does the Senator think if 40,000,000 more bushels had been raised in his State this year than were raised that that would have brought about a slump? Does it make any difference whether the additional 40,000,000 bushels come from a larger crop in his State or come across the border from Canada into his State?

Mr. GRONNA. Here is the way I figure it out: While I believe that a much larger amount than the Senator has named has been shipped into the United States—I think about 60,000,000 bushels—let us suppose that not a single bushel had been shipped into the United States. We concede that the farmers of this country produced enough wheat for our own use. If the American manufacturer could buy Canadian wheat 1 cent a bushel cheaper in Canada than in the United States, he would buy his wheat in Canada. Is not that true?

Mr. SIMMONS. I suppose that is true. I presume he would buy some in Canada, but I do not suppose, when we have more than we need here, that we would want to buy Canadian wheat even if we could get it for 1 cent less. If the Senator has on hand for his purposes 100,000 bushels of wheat, he would not go and buy 100,000 bushels more from Canada because he could get it 1 cent cheaper or 2 cents cheaper. I do not think Canadian wheat has been selling this year or in recent years for any less than American wheat.

Mr. GRONNA. When we take into consideration the rates of exchange, it has been selling lower. It would not matter if we had supplied every bushel, so long as we had enough to supply the mills of the country with our own product, if the price at Winnipeg and at Fort Williams or at any of the terminals of Canada is 1 cent or 5 cents cheaper, it would reduce the price in the American market unless we had some protection against it.

Mr. SIMMONS. Will the Senator pardon me again? Assume, now, that we have 200,000,000 more bushels of wheat in this country than we have any use for, and that we must get a market for that somewhere in the world. Having more wheat than we need and being bound to secure some other market for a part of it, because our wheat cost a little more to produce, because our wheat was selling for a little more than the wheat of some other country, would we buy wheat from another country and bring it into this country under those conditions, because we could get it a little cheaper than wheat was selling in the American market? What would we do with it after we had it, if we already have a surplus and already have what we

want? If we bring in an additional surplus we have to sell that surplus somewhere. There is nowhere to sell it except in the markets of the world, and the markets of the world may be just like the market of Canada, a little lower than the American market.

Mr. GRONNA. I might answer the Senator's question by giving an illustration which is a fact. The Senator knows that the price of mutton and lamb has been exceedingly low in the American market to the producer. I do not say it has been very low to the consumer. We had testimony before the Committee on Agriculture and Forestry that sheep, shipped from the western country and the intermountain country, have brought all the way from 33 cents to $1 and $1.25 a head. We have a great abundance of sheep in America, and yet the five great packers saw fit, early in the fall, to go to Australia and Argentina and import frozen mutton and frozen lamb, and their cold-storage warehouses are filled to the top with mutton and lamb bought in foreign markets. Why was this? It was because of the rates of exchange. It seems that even a 33-cent sheep seemed high to the American packer. Of course, I admit the sheep cost him more than 33 cents, because that was the net to the producer, but a sheep at from $1.25 to $2.50 ought to have been low enough. Instead of buying the product in Argentina and in Australia, because the rates of exchange were in our favor, and because of that additional advantage to these people, they did exactly what the American miller would do and probably is doing to-day—they bought wherever they could buy the cheapest.

Mr. President, I have trespassed too much upon the time of the Senate.

Mr. SIMMONS. Mr. President, if the Senator from North Dakota will permit me, I desire to say that I have been advised—I do not know whether correctly or not—that the great packers absolutely control the prices of meat in the American market and, in a way, they also control the price of live stock in this country. They are a trust—a dominating trust—and, like most trusts which become as powerful as the packing trust, they are able to fix the price of both the thing they buy and the thing they sell. In that condition it does not make much difference to them whether they buy in this market or buy in some other market. I have understood that most of the packers have large packing houses in the countries to which the Senator from North Dakota has referred.

Mr. GRONNA. They have large establishments in Argentina, I will say to the Senator from North Carolina.

Mr. SIMMONS. Probably one of the reasons for that is further to enable them to hold down the prices here. If the farmer is not disposed to sell his live stock at the low price they fix, then they have resort to their packing houses in foreign countries and bring their products here until they force the farmer to take what they are willing to pay him. That is simply the exercise of the illegal and oppressive power of a great trust.

Mr. GRONNA. Mr. President, I have taken a great deal more time than I had intended, but I simply wished to explain my vote and to state that because I voted against the rule to close debate, I did not wish it understood that I am opposed to the emergency tariff bill. Although I believe the bill is imperfect, I shall vote for it. However, representing, as I do, a constituency which would be affected, I believe, beneficially by the proposed legislation, and while I am engaged personally in the industry of agriculture, I could not vote for a cloture rule, because heretofore I have always opposed cloture.

Mr. McCUMBER obtained the floor.

Mr. SIMMONS. Mr. President, is the Senator from North Dakota about to move an adjournment?

Mr. McCUMBER. In just a moment, I will move a recess.

Mr. SIMMONS. Before the Senator makes the motion will he allow me to make a brief statement?

Mr. McCUMBER. Let me state what I have to say now.

Mr. President, I am certain that my colleague [Mr. GRONNA] desires to see the emergency tariff bill passed and become a law. Both my colleague and myself have always stood for protection for agricultural products. I think we have always stood together for a protection to agricultural products equivalent to the protection given to manufactured products. While my colleague and I differ as to whether or not we should have a cloture rule for the purpose of bringing the pending matter to a speedy vote, he has his own convictions on the subject; he is acting honestly upon his own convictions, as I am acting on mine.

My colleague has just stated that he believed that we would get even an earlier vote probably, or an early vote, at least, without the necessity for a cloture rule in this instance. I am afraid that my colleague has been misled by the viewpoint of the other side of the Chamber with reference to a unanimous-consent agreement. I am sure that he will not approve of the "woodchuck" found in the proposal for unanimous consent presented from the other side to-day. Let me call my colleague's attention to the way the proposed agreement read. It is not before me, but I can give it in substance. It provided as modified that we should vote on the emergency tariff bill on the 16th day of February, 1921; but coupled with that was also an agreement that no other business should be considered by the Senate during that period except by unanimous consent.

Mr. UNDERWOOD. Will the Senator allow me to interrupt him?

Mr. McCUMBER. Certainly.

Mr. UNDERWOOD. If the Senator from North Dakota is earnestly in favor of the passage of the pending bill at the earliest possible moment, could there be an agreement by unanimous consent that would more directly and more speedily bring that particular bill to a vote than to provide that it shall be the unfinished business of the Senate to the exclusion of everything else except that some other measure may be considered by unanimous consent? Then, every Senator in favor of the passage of the bill could keep it unconditionally before the Senate.

Mr. McCUMBER. Yes, Mr. President; he could.

Mr. UNDERWOOD. That might not agree with the Senator's view in reference to legislation that might come before the Senate, but as to the emergency tariff bill, I can not see how it is impossible that the Senator could object to such an agreement.

Mr. McCUMBER. If the Senator will give me time, I wish to place in the RECORD exactly what the situation is and what was intended by the proposal from the other side.

Mr. GRONNA. Mr. President——

Mr. McCUMBER. I trust my colleague will allow me to finish the sentence.

Mr. GRONNA. Certainly.

Mr. McCUMBER. I am certain that the proponents of the unanimous-consent agreement which was presented from the other side of the Chamber to-day expected that there would be objection from this side of the Chamber and were rather surprised when they found that the objection came from their own side of the Chamber. I am not prepared to say that there would not have been an objection from this side of the Chamber if Senators on this side had understood exactly what the proposal meant, but it came too suddenly, and was objected to upon the other side of the Chamber.

Mr. UNDERWOOD. Let me challenge the Senator's statement about his being certain that we on this side expected an objection to the proposal. I am sure that the Senator from North Carolina [Mr. SIMMONS], who made the proposal—for I talked to him about it—did not expect an objection. I am sure that I did not expect an objection.

Mr. SIMMONS. From either side?

Mr. UNDERWOOD. From either side. If the Senator from North Dakota has reason to believe that there is objection upon his side, and feels sure in predicting it, I wish he would advise us as to the facts, in order that we may be informed. We may be able to reach another agreement, and the Senator might throw light on the situation which would enable us to progress further.

Mr. McCUMBER. Mr. President, the Senator from North Dakota will give all the light upon the subject that he is able to give and will give his reasons why he believes that those Members who were in favor of the bill who desire to have the bill enacted into law made a mistake in not voting for cloture. When I am given time to explain the situation to the Senate I shall do so.

Mr. SIMMONS. Mr. President——

Mr. McCUMBER. I yield to the Senator from North Carolina, although I think my colleague rose first.

Mr. SIMMONS. I will occupy only a moment. I think the Senator's remarks might imply some criticism of my motive.

Mr. McCUMBER. No. What the Senator did was very appropriate and would not be subject to criticism.

Mr. SIMMONS. I think the Senator in his statement rather criticized me because of that portion of the proposed unanimous-consent agreement which related to the unfinished business remaining before the Senate to the exclusion of other business except by unanimous consent. I wish to assure the Senator that in putting that provision in the proposed agreement I had no purpose to interfere at all, when discussion was not going on upon the unfinished

business, with taking up any other measure to which Senators in charge of the emergency tariff bill might see fit to yield the floor, but I desire especially to call the Senator's attention to the fact that when the Senator from Pennsylvania [Mr. PENROSE] a few days ago presented a request for unanimous consent to vote on the pending measure I inquired—my recollection is that I made the inquiry of the Senator from North Dakota and he referred me to the Senator from Pennsylvania—whether the proposed agreement presented by the Senator from Pennsylvania did not imply an understanding, if it were entered into, that the emergency tariff measure, so called, should remain the unfinished business until a vote was taken under the unanimous-consent agreement, and if it could be laid aside except by unanimous consent. The Senator from Pennsylvania answered me that it was intended that the tariff measure should remain the unfinished business, subject only to be laid aside by unanimous consent. I think that is the meaning of such agreements—that the bill concerning which the agreement is made shall remain the unfinished business until the day fixed for a vote, unless it is set aside by unanimous consent. In that way, and in that way alone, can it be supplanted.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The Senator from North Dakota [Mr. GRONNA] has asked to be recognized.

Mr. BRANDEGEE. I thought the Senator from North Carolina had the floor.

Mr. SIMMONS. If the Senator will pardon me, my request for unanimous consent was drawn with a view to that situation, because I was very much interested in the matter at the time; I was willing to consent, under certain circumstances, and would have consented to the proposition of the Senator if he had allowed a few days more for the consideration of the measure; but I wanted to know—and that was the reason of my inquiry—whether the proposed agreement meant that the tariff bill would be continued as the unfinished business; that it could only be laid aside by unanimous consent; and I was assured that that was the case.

Mr. BRANDEGEE. Mr. President, will the Senator from North Carolina permit me to interrupt him?

The PRESIDING OFFICER. The Senator from North Dakota [Mr. MCCUMBER] has the floor.

Mr. McCUMBER. I yield, with the consent of my colleague, to whom I have promised to yield.

Mr. BRANDEGEE. I did not know who had the floor. I wish to state, however, in connection with what the Senator from North Carolina has just said about his understanding of the remark of the Senator from Pennsylvania, that I heard the Senator from Pennsylvania reply to the Senator from North Carolina, and my recollection of what the Senator from Pennsylvania said was that it was the understanding of the committee that the measure should be kept before the Senate; but the Senator from Pennsylvania could not have pretended to say what was the unanimous understanding of all the Republican Senators on this side, because there had been no conference and he had not consulted them.

Mr. SIMMONS. I did not mean to inquire as to the understanding of the Senator from Pennsylvania, but I meant to inquire how he construed the agreement presented by him at that time; what was his construction as to the effect of a unanimous-consent agreement such as he proposed?

Mr. BRANDEGEE. I think the Senator from Pennsylvania meant to assure the Senator from North Carolina that the committee which was in charge of the bill would try to keep it before the Senate; but he did not guarantee that there should be no motion to displace it or that such a motion, if made, would not receive a majority vote.

Mr. SIMMONS. I care nothing about it, except for the suggestion that the provision in reference to the bill remaining the unfinished business was put into the request for unanimous consent presented by me for the purpose of catching somebody or for the purpose of making a proposition to which the other side would not agree. I had no such purpose, but I wanted it to be understood——

Mr. McCUMBER. As soon as I can get the floor I will explain what the situation is.

Mr. SIMMONS. I wanted it to be understood that if we entered into the agreement the committee would not of its own volition allow other bills to be taken up and prevent or, rather, embarrass a discussion of the unfinished business during the time which under the agreement was allotted to the consideration of that particular measure.

Mr. GRONNA. Mr. President——

Mr. McCUMBER. I yield to my colleague.

Mr. GRONNA. Mr. President, I want to assure my colleague that I have no definite arrangement or even any understanding with Members on the other side or on this side as to any unanimous-consent agreement, nor did I know in what form such an agreement or such an order might be proposed, but I heard the speech of the Senator from Alabama [Mr. UNDERWOOD], and I heard the speeches of the Senator from North Carolina [Mr. SIMMONS]; I have served in the other body and in this body with the senior Senator from Alabama [Mr. UNDERWOOD], and I have learned to know him favorably and well. I believe when he gives his word that the other side of the Chamber will not obstruct this side of the Chamber he will make his word good. I have confidence in the statement of the Senator from Alabama and in the statement of the Senator from North Carolina, and I believe that they will do what they can to bring about an early vote.

Mr. SIMMONS. Mr. President, I want to say, speaking frankly as man to man, that my proposition was made bona fide and for the purpose of facilitating the consideration of this matter and bringing it to a vote within a certain limit of time, not for the purpose of fettering this body in its consideration of other measures, provided there was general consent, and the circumstances connected with the decision of this bill permitted other matters to be taken up.

I want to say to the Senator from North Dakota, in charge of this bill, that so far as I am personally concerned I intend to help him in every way I can to get this matter to a vote as soon as it can be reasonably discussed, and with that idea in view I was about to make a suggestion to the Senator as he took the floor. That was the reason why I interrupted him at that time to ask him whether he was now proposing to offer an amendment for adjournment or recess.

Mr. McCUMBER. Mr. President——

Mr. SIMMONS. I really think, if the Senator will pardon me just a minute, that we can cut this discussion shorter if the bill is taken up and the committee amendments are considered one by one. I feel that the general discussion has proceeded long enough. I know of but one other Senator who desires to speak generally on the bill. There may be others, but that is the only one I am advised of; but I think that if the Senator would ask that the Senate proceed to the consideration of the amendments proposed by the committee and get us down to the discussion of the concrete propositions contained in the bill we would make better headway.

Mr. McCUMBER. Of course, I can not prevent any Senator taking the whole afternoon to discuss the subject of the naval appropriation bill. I can not prevent any other Senator taking the entire afternoon in the discussion of Russian affairs, and so forth, nor the other numerous arguments that are made upon subjects that are not germane to this. I think the time has come when we should go to voting upon the bill, and for that reason I favored the cloture rule.

The Senator from Pennsylvania [Mr. PENROSE] offered a unanimous-consent agreement, which reads:

> It is agreed by unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Tuesday, February 15, 1921, the Senate will proceed to vote, without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill (H. R. 15275) an act imposing temporary duties upon certain agricultural products to meet present emergencies, etc., through the regular parliamentary stages up to and including a vote upon its passage.

Then, it provides, as I introduced it to-day, that after 2 o'clock no Senator shall speak longer than 5 minutes upon any amendment or upon the bill. At this stage, however, the two unanimous-consent agreements diverge. The amendment that is presented by the Senator from North Carolina reads:

> Said bill to remain the unfinished business of the Senate, to the exclusion of all other business, unless by unanimous consent it be temporarily laid aside for the consideration of some specified bill.

It is true that under the unanimous-consent agreement presented by the chairman of the committee and myself we felt that, especially in the morning hour, we could take up any other business and could undoubtedly temporarily lay this bill aside, even after 2 o'clock; that we could take up other bills, by motion or otherwise, during the first two hours, and we could have gone right on with the consideration of appropriation bills; but under this agreement as drawn you can not take up an appropriation bill. If we should agree to that to-day, we could not take up an appropriation bill if a single Senator on either side of the Chamber should object to it. We could not take it up at any time during the day without unanimous consent.

Mr. SIMMONS. Mr. President——

Mr. McCUMBER. I am going to finish before I yield to the Senator again. Now, it is quite obvious—there is something more than a mere rumor to substantiate it—that the other side

of the Chamber prefer that we should not pass the appropriation bills during this session.

Mr. SIMMONS. I am not aware of it.

Mr. McCUMBER. I am aware of it.

Mr. SIMMONS. This is the first I have heard of it.

Mr. McCUMBER. I am not saying that the Senator prefers not to have that done, but I am saying that the other side do not wish to have the appropriation bills pass the Senate at this session.

Now, let us see the position we would be in if we should accept the proposition of the Senator from North Carolina. We could not set aside a unanimous-consent agreement without a unanimous-consent agreement, and we could not take up at any time until the 16th day of February any appropriation bill. So that puts every appropriation bill past February 1C. It puts this bill past February 16. Then you pass your appropriation bills, and pass them just as quickly as you can, and if you want to filibuster upon any of them you have got to send them back to the House, and, of course, there will be amendments, and then there will be a conference, and you can discuss the conference report again. The debate will be unlimited upon that, and without the slightest effort you not only can kill this bill but you can kill every appropriation bill for this session.

Mr. SIMMONS. Mr. President, may I ask the Senator a question?

Mr. McCUMBER. Let me finish. With that in view, I am afraid we could not get every Senator upon this side of the Chamber, not even every Senator who is in favor of the passage of this bill, to give unanimous consent to lay the bill aside to enter into the agreement, because that Senator possibly could not bring up his own bill, even though it might be allowed. Take the bill in which the Senator from California [Mr. JOHNSON] is so deeply interested, the bill for a minimum wage. I am afraid the Senator would feel that if he could not bring up that bill for 15 days he would object to a unanimous-consent agreement; and under the agreement that has been presented I do not think he could bring it up for that time, because certainly some one would object to it.

Mr. SIMMONS. I am laboring under the impression, and I feel almost certain I am right, that under the rules of the Senate the unfinished business can not be laid aside for the consideration of any other measure unless by unanimous consent.

Mr. McCUMBER. Oh, but you can lay it aside by a motion.

Mr. SIMMONS. Yes; you can displace it as the unfinished business.

Mr. McCUMBER. You can displace it at any time by a motion, which requires only a majority vote, and some Senators having an appropriation bill in charge might want to do that; and if they wanted to do that they would object to a unanimous-consent agreement which made it possible for the objection of a single Senator to prevent the bringing of an appropriation bill before the Senate.

Mr. JONES of Washington. Furthermore, Mr. President, as I understand the proposed unanimous-consent agreement, we could not vote on the tariff bill before Wednesday, February 16, even though debate had all been exhausted, even though every amendment that was desired to be offered had been voted on.

Mr. McCUMBER. We could not.

Mr. SIMMONS. That is common to both unanimous-consent agreements.

Mr. McCUMBER. Oh, no; I say "on or before" that date.

Mr. JONES of Washington. We have had several agreements in which it was expressly provided that we could come to a vote before the day fixed, but this agreement does not provide that. It provides that not later than 2 o'clock on that day the vote shall be had.

Mr. SIMMONS. I will say to the Senator that the agreement which I presented is an exact copy of the one presented by the Senator from Pennsylvania, differing from it only in respect to the date and with respect to the unanimous consent.

Mr. JONES of Washington. That may be true; but that does not alter the fact that under this unanimous-consent agreement, if all debate were exhausted and all amendments were agreed to, and so forth, on the 5th day of February, we could not vote, except by unanimous consent, until the 16th.

Mr. SIMMONS. That frequently happens.

Mr. McCUMBER. Mr. President, the Senator from Washington is entirely correct, because no matter whether or not you say by unanimous consent that it shall be voted upon not later than 2 o'clock on the calendar day, then you go on and say, "said bill to remain the unfinished business of the Senate to the exclusion of all other business" until that time.

Mr. SIMMONS. Unless by unanimous consent.

Mr. McCUMBER. Now, Mr. President, I know it is late, and Senators want to get away.

Mr. SIMMONS. I want to say to the Senator, and I think he ought to permit me to say, that if the Senator had made these objections this morning I would have discussed them, and we might have agreed with respect to the matter, just as we discussed the question of time, and modified it to suit the wishes of the Senator from Pennsylvania.

Mr. McCUMBER. Even if a day is fixed, I would not have presented a unanimous-consent agreement to fix so late a day as the 16th of February, unless it was done with a general understanding that in the meantime, if we did not want to talk on that bill, we could temporarily lay it aside and take up the appropriation bills, so that the Senate could be functioning all the time upon some bill.

It would have been far better if we had had this afternoon temporarily before the Senate the naval appropriation bill, so that the Senator from Rhode Island could have discussed the bill really under consideration. Then we would have lost no time, and we would not have injured the chances of this bill at all. If it is so left open that we can bring up any other bill when the Senators are through discussing what is really in this bill——

Mr. UNDERWOOD. Mr. President, if the Senator will allow me to interrupt him, the Senator is criticizing this side for offering a unanimous-consent agreement for the consideration of the bill he has in charge.

Mr. McCUMBER. Not criticizing them.

Mr. UNDERWOOD. It certainly was direct and forceful enough to bring to a vote the bill the Senator desires to have considered. Of course, that was objected to, and that ended it, but it did not end other efforts to make an arrangement to bring this tariff bill to a vote; but a motion came from the other side of the Chamber to displace the tariff bill entirely, to take up new matter, to relegate it to the ash heap, and if it had not been for the votes on this side of the Chamber the bill the Senator has in charge would have gone into the discard.

So I think it is self-evident that even we who are not in favor of the bill are not attempting to prevent a vote at the proper time. If I were in charge of the bill, that condition existing on the other side of the Chamber, I would renew my efforts to fix a date on which both sides of the Chamber could agree to reach a vote. That is more important than our holding a post-mortem examination on a unanimous-consent agreement which was objected to.

Mr. McCUMBER. I shall be very glad to renew the application for a unanimous-consent agreement that will not be so drawn that one objection can prevent the consideration of an appropriation bill for 15 days, when we are not discussing this bill, because I am certain that there would be an objection.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from North Carolina?

Mr. McCUMBER. I wish the Senator would allow me to finish, and then he can take the floor before I move a recess.

Mr. SIMMONS. I want to say just one more word.

Mr. McCUMBER. All right.

Mr. SIMMONS. I wish to assure the Senator that Senators on this side of the Chamber are in good faith about this matter, and if this agreement had been entered into we would not in any way have obstructed any other business which ought to have been taken care of, and I shall be glad to cooperate with the Senator and the other side in bringing about an agreement under which we can get a vote on this bill.

Mr. McCUMBER. The Senator from Mississippi [Mr. WILLIAMS], who objected this morning, gave notice that he would not at any time consent to a unanimous-consent agreement. I hope he will change his views in that regard.

Mr. President, the Senator from North Carolina [Mr. SIMMONS] asked my colleague what proportion of the grain of the Northwest was still held by the farmers, and, following that up, as to what benefit, then, the farmer of the Northwest would get from this bill if he had already disposed of his grain. Both questions can be a little more thoroughly answered.

First, I think that probably 40 to 50 per cent of the quantity of grain we raise in our State is still in the hands of the farmer. I may be mistaken, but it would make no difference, so far as my point is concerned, what that proportion was. I know that a great farmers' organization, the Nonpartisan League, through their paper advised all farmers to hold their grain for higher prices the moment their wheat began to decline in value. I think it was a mistake for them to so advise the farmers. While they gave good reasons that the world's supply was somewhat short and that the United States supply was very much below what it had been in previous years, they failed to take cognizance of the fact that Canada had a very good crop, almost what would be called more than an average crop, right over the line; and without any duty whatever, if the

farmers in our Northwest began holding their grain, the millers would purchase from Canada; and that is exactly what they did. The moment we held our grain, in came a whole flood of grain from Canada, and it has been coming ever since and keeping our prices down. That is the first proposition.

I believe it will help us, though, of course, as was suggested by my colleague and as by the Senator from North Carolina [Mr. SIMMONS], where the farmer did not raise anything of a 1920 crop he can not get any benefit of a 1920 crop raise in valuation. But this bill, if it goes into effect, will be good for 10 months from the date on which it becomes a law. If it goes into effect, the farmers of my State will see that if they want to hold their grain again for a better price because of a short world's crop, Canada can not put her grain over into this country and drive the price down and take the place of our grain unless she pays 40 cents a bushel for the privilege of doing that. That will encourage the farmers of my State, and they will go cheerily to work to try to produce a crop another year. In that way it will help the farmers; it will give them courage, and undoubtedly will boost and hold up not only the price of what they have on hand but with equal assurance the price of that which they intend to produce.

In our State we can not raise the corn you can in the South. A great many crops we can not raise at all. We have to use the soil for what it will produce, and we have to take some chances, a great many more than I wish we had to take, upon weather conditions and hot winds and drought and too much rain in the valley. But inasmuch as it is a vast area, comprising nearly all of four large States in area, it is of sufficient importance to justify us in doing everything we possibly can to help them out.

Mr. President, I am sorry we could not get the votes for a cloture rule, because if we had gotten that to-day, my candid opinion is that we would have passed this bill before to-morrow night, because no Senator could have spoken longer than an hour on the bill and all amendments, and I know the number on the other side who wish to speak on the bill is not so great that we could not at least have disposed of it in two days.

That would then have given all the rest of the time of the Senate to deal with the several appropriation bills, and I regret that on account of conscientious scruples, which I admit are honest on the part of a good many Republicans and Democrats who do not want a cloture rule, we could not have taken advantage of a rule of the Senate which entitled us to bring the matter to a vote within the next day or two, and thus would have enabled us to get this bill out of the way.

In doing this I am criticizing no one, because I admit that every Senator has his own views upon the matter of cloture, and if he believes that it ought not to be brought into effect he is at perfect liberty to vote so, and if he believes that there is a better way and a speedier way of disposing of this measure, as some of the Senators on this side did believe, then I think he is justified in voting against it, because cloture should be only a last resort.

Mr. GRONNA. Mr. President, may I ask my colleague a question?

The PRESIDING OFFICER. Does the senior Senator from North Dakota yield to his colleague?

Mr. McCUMBER. Certainly.

Mr. GRONNA. The Senator stated that he believed that we could have disposed of this bill in two days. As I understand the rule providing for a cloture it provides that every Senator has a right to speak one hour upon the bill itself and all amendments. I discussed that feature with some of those who have been opposing the bill, and I was told that if we adopted a cloture rule a great number of Senators who were opposed to this bill, some on the other side, would speak. If all the 96 Senators spoke, 96 hours would be consumed. That would require, if we sit 6 hours a day, some 13 days. If only one-fourth should speak, it would take at least 4 or 5 days.

Mr. McCUMBER. The Senator is right if that supposition is correct. Of course my own view of the matter was that probably not more than 6 Senators would speak a full hour upon the bill. That would take 6 hours, and I think I am right in saying that 6 would have been the limit. A number of others might speak from 5 to 10 or 20 minutes, but there would be only a few of those, and I think we would have gotten through with the bill in two days. Of course my colleague may be correct and I may be wrong, or it may be the other way.

Mr. President, I move that the Senate take a recess until 12 o'clock to-morrow. Before the motion is put, however, I want to say to Senators that I think the time has probably arrived when we should begin to consider the matter of holding night sessions.

The PRESIDING OFFICER. The Senator from North Dakota moves that the Senate take a recess until noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 57 minutes p. m.) the Senate took a recess until to-morrow, Thursday, February 3, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 2, 1921.*

The House met at 12 o'clock noon.

The SPEAKER. The House will be in order.

Mr. McCLINTIC. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Oklahoma makes the point that there is no quorum present.

Mr. WATSON. Mr. Speaker, I make the point of order——

The SPEAKER. One point of order is pending, unless the gentleman wishes to argue that that point of order is not valid.

Mr. WATSON. I make the point of order that the calling of the roll at this time is not in accordance with the rules of the House. In the first place, the order of business provides: "Prayer by the Chaplain." The first rule of the House is that the Speaker can not call a quorum until the reading of the Journal.

The SPEAKER. Where does the gentleman get that?

Mr. WATSON. In the Rules and Practice of the House.

The SPEAKER. Will the gentleman cite it?

Mr. WATSON. Rule XXIV provides:

Order of business. 1. The daily order of business shall be as follows: First, Prayer by the Chaplain.

Rule I defines the duties of the Speaker as follows:

The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting, immediately call the Members to order, and on the appearance of a quorum, cause the Journal of the proceedings of the last day's sitting to be read, having previously examined and approved the same.

Under the Constitution, Article I, Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. Therefore, the moment the Speaker calls for a quorum, he gives the Sergeant at Arms full authority by implication "to send for and arrest absent Members wherever they may be found, by officers to be appointed by the Sergeant at Arms for that purpose, and their attendance secured and retained" until the prayer is said.

The SPEAKER. Where does the gentleman find that authority?

Mr. WATSON. Has not the Chair full authority, when a quorum is not disclosed, to order the Sergeant at Arms to bring Members here?

The SPEAKER. Yes; when the lack of a quorum is disclosed.

Mr. WATSON. When the lack of a quorum is disclosed, as in this case, the Speaker will send the Sergeant at Arms to arrest Members and bring them into the House, for example, forcing a Quaker Member to be present, to make a quorum for a religious exercise, when his creed is opposed to "hireling ministry," which under its discipline would cause "disownment"; also compelling a Jew to listen to the prayer of a Gentile, also a Roman Catholic to that of a Protestant. I claim under the Constitution of the United States to call a quorum at this juncture of the proceedings is not in accordance with Article I of the Constitution or article 1 of the Rules of this House.

The SPEAKER. The Chair is disposed to sustain the point of order of the gentleman from Oklahoma. It has been held for some time in the House that the point of no quorum can be raised, not simply on a roll call on a bill, but that it can be raised at any time, even when a gentleman has the floor. Consequently, the Chair presumes it can be raised during the prayer of the Chaplain or before the Chaplain prays. It is a mere matter of courtesy and consideration on the part of the person who makes the point of no quorum as to whether to do it or not, and if a person wishes to do it the Chair does not see under the present rulings why it can not be made at one time or another. Of course the only difference it makes in doing it before the Chaplain's prayer instead of afterwards is to impose on the Chaplain the inconvenience of waiting here until the quorum is had. But that is a matter that appeals to the intelligence of each Member, and may not be overruled as a matter of right.

Of course, it has been ruled formerly that the point of order can only be made when business is being transacted; that is,

on a roll call. But that has not been the practice for some time, and the Chair is disposed at present to hold that the point of order can be made at any time.

Mr. WATSON. May I ask another question?

Mr. BLANTON. Mr. Speaker, will the Speaker permit a question?

The SPEAKER. The Chair sustains the point of order for the present.

Mr. WATSON. A point of order. Suppose there is a call for a quorum, and a quorum is not present, what would be the procedure?

The SPEAKER. That is not a point of order. That is a parliamentary inquiry, and the Chair does not feel it necessary to answer.

Mr. BLANTON. Mr. Speaker, the gentleman from Pennsylvania [Mr. WATSON] is out of order, for the reason that in a Christian nation such as ours the prayer is just as much a part of the proceedings as any other business.

The SPEAKER. The gentleman is out of order. The Chair sustains the point of order.

Mr. TILSON. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Connecticut moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Ganly	McCulloch	Rowan
Babka	Garrett	McGlennon	Rowe
Baer	Goldfogle	McKenzie	Rucker
Bell	Goodall	McKinley	Sabath
Blackmon	Goodwin, Ark.	McLane	Sanders, Ind.
Bland, Mo.	Gould	MacGregor	Sanders, La.
Brumbaugh	Graham, Ill.	Magee	Sanders, N. Y.
Burke	Graham, Pa.	Maher	Sanford
Campbell, Pa.	Greene, Vt.	Major	Scully
Candler	Hamill	Mann, S. C.	Slemp
Cantrill	Hardy, Colo.	Mason	Small
Carew	Hawley	Mead	Smith, Ill.
Casey	Hays	Moon	Smith, N. Y.
Clark, Fla.	Hersey	Mooney	Stephens, Miss.
Classon	Hudspeth	Moores, Ind.	Stiness
Copley	Husted	Morin	Strong, Pa.
Costello	Ireland	Mudd	Sullivan
Crowther	James, Mich.	Nelson, Wis.	Tague
Currie, Mich.	Jefferis	Nolan	Taylor, Tenn.
Davey	Johnston, N. Y.	O'Connor	Tinkham
Davis, Tenn.	Kendall	Olney	Upshaw
Dent	Kennedy, Iowa	Peters	Vare
Donovan	Kennedy, R. I.	Porter	Voigt
Dooling	Kincheloe	Rainey, Ala.	Ward
Emerson	Kitchin	Rainey, Henry T.	Weaver
Ferris	Kleczka	Rainey, John W.	Wheeler
Fish	Kreider	Reed, N. Y.	White, Me.
Flood	Lampert	Reed, W. Va.	Wilson, Ill.
Focht	Lesher	Riddick	Wilson, La.
Gallagher	Lonergan	Riordan	Wise
Gandy	Lufkin	Robinson, N. C.	

The SPEAKER. Two hundred and ninety-four Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call.

The motion was agreed to.

Rev. James Shera Montgomery, pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, our heavenly Father, Thou hast done great things for us, whereof we are glad. May we not fail Thee. Lift us up this day, that our thoughts may glow with a new expectation of the privilege of serving the country that we truly love; and may we continue to be the children of Thy providence until the call of the eternal morning. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CLERKS OF UNITED STATES DISTRICT COURTS.

Mr. CARAWAY. Mr. Speaker, I call up from the Speaker's desk the bill S. 4891, relative to the salaries of clerks of the United States district courts, a similar bill, H. R. 15396, being on the House Calendar.

The SPEAKER. The gentleman from Arkansas calls up for consideration a Senate bill, a House bill of similar purport having been reported previously by the committee. The Clerk will report the bill.

The Clerk read the bill (S. 4891) to amend section 1 of an act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes," as follows:

Be it enacted, etc., That section 1 of the act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes," is hereby amended to read as follows:

"SECTION 1. That on and after the 1st day of July, 1918, all clerks of the United States district courts shall be appointed by the judge for the district, or the senior judge if there be more than one judge in the district, and all fees and emoluments authorized by law to be paid to the clerks of the United States district courts, except the clerks of the district courts of Alaska, shall be charged as heretofore and shall be collected, as far as possible, and paid into the Treasury of the United States in such manner and at such times as hereinafter provided; and such clerks shall be paid, in lieu of the fees and emoluments now allowed by law, an annual salary as hereinafter provided: *Provided*, That this section shall not be construed to require or authorize fees to be charged or collected from the United States."

The SPEAKER. The question is on the third reading of the bill.

Mr. WALSH. Mr. Speaker, I understand the only change in this bill is dispensing with the approval of the circuit court.

Mr. CARAWAY. Yes; of the senior judge of the circuit. That is all.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. CARAWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent, the similar House bill, H. R. 15396, was ordered to lie on the table.

NAVAL APPROPRIATIONS.

Mr. KELLEY of Michigan, from the Committee on Appropriations, reported the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. BYRNES of South Carolina and Mr. SEARS reserved all points of order on the bill.

Mr. BRITTEN. Mr. Speaker, I should like to ask the gentleman presenting the bill if this is the same bill that was presented to the entire Committee on Appropriations this morning?

The SPEAKER. The gentleman can ask unanimous consent, of course. Is there objection?

Mr. WINGO. I think we should proceed with the business of the House, and I demand the regular order.

Mr. BRITTEN. I ask unanimous consent that I may have one minute in which to ask the gentleman from Michigan one question.

The SPEAKER. The gentleman from Arkansas [Mr. WINGO] has objected.

Mr. WINGO. I do not think it is material now. The gentleman can ask that question when the bill comes up; and I want to help expedite the passage of these appropriations, so I demand the regular order.

ARMY APPROPRIATIONS.

On motion of Mr. ANTHONY, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, H. R. 15943, with Mr. TILSON in the chair.

Mr. SISSON. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Mississippi [Mr. SISSON] has 29 minutes remaining, as the Chair is informed by the timekeeper, and the gentleman from Kansas [Mr. ANTHONY] has 44 minutes remaining.

Mr. ANTHONY. Mr. Chairman, I yield four minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman and gentlemen, I take the time of the committee to read a letter which I think will be of interest, inasmuch as the writer of the letter has been taking the time of the House and wasting time in demanding roll calls at a cost of about $20,000 a day by the delay that is caused in the transaction of the public business. This letter is dated March 3, 1915, and is as follows:

MY DEAR CONGRESSMAN: My name is JIM MCCLINTIC; I am 6 feet tall, and weigh 180 pounds. I come from a new "simon pure" agricultural district out in Oklahoma, better known as the short-grass country, that has not participated in the free distribution of seeds, yearbooks, or any of the gratuitous commodities furnished by the Government. I am anxious to start something down in my district to let them know I am here, and thinking that probably some of the Members would have something of this kind left over, I am respectfully asking if you should have anything in this line that you could share with me that the kindness would be greatly appreciated, and next year, when I receive my allotment, I shall be mighty glad to reciprocate.

I have prepared a form for transfer, and if you have anything you can let me have, please sign and mail to me, care House Office Building.

Very sincerely, yours,

JIM MCCLINTIC.

Now, it seems to me, Mr. Chairman and gentlemen of the committee, that the gentleman who has been participating in all these gratuitous things to which he calls attention in his letter of March 3, 1915, ought not to be wasting the time of the House in demanding quorums, making points of order, and preventing the transaction of the public business. I want to call the attention of the committee and of the House and of the country to the fact that the gentleman from Oklahoma, although he does weigh 180 pounds and is 6 feet tall, ought not to be permitted to continue to obstruct the public business to the extent that he has been doing in the last four or five days. [Applause.]

Mr. ANTHONY rose.

Mr. McCLINTIC. Mr. Chairman, I realize that I have no right to answer——

The CHAIRMAN. The Chair recognizes the gentleman from Kansas.

Mr. McCLINTIC. A question of personal privilege——

Mr. ANTHONY. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, the bill that has been reported by the Committee on Appropriations seeks to reduce the enlisted strength of the Army, beginning with the next fiscal year, to 150,000 men. I have frequently said that in my opinion that may be possible in the future and even, perhaps, within a year, but I do not think it is advisable to take such a step at this time. The House and the Senate passed a resolution only about two weeks ago reducing the enlisted force for the present fiscal year to 175,000 men. I believe we should allow our Army to function with that number in order that we might be able to determine how it would work out. It was hoped when the last Army appropriation bill was passed by Congress that the Secretary of War would reduce that force to 175,000 men for the present fiscal year. However, he has carried on a strong recruiting campaign, and we have about 220,000 enlisted personnel at the present time. According to the figures that are given me from The Adjutant General's office, it will take until November of this year before the force can be reduced to 175,000 men. So that practically half a year will be consumed before the Army is down to that strength which Congress six months ago believed to be the proper figure.

Mr. CRAGO. Will the gentleman yield?

Mr. KAHN. I will yield to my colleague on the Military Committee.

Mr. CRAGO. I would like to ask the distinguished gentleman if he recalls a newspaper article, claiming to be the views of the President elect as to the size of the Army, in which it was alleged that he had made a statement in regard to his views on that question? I would like to ask the gentleman if he has any information which is not regarded as entirely confidential which he can give the House as to that matter?

Mr. KAHN. I do not think that I would be betraying any confidence in saying frankly to the House what the President elect told me on the 7th of January. He sent for me and discussed the military situation. He believed that the Army should be cut down to 175,000 immediately. He believed that subsequently it could be cut down to 150,000 men, and he believed at the same time that Congress should enact a law which would allow the voluntary training of 150,000 men per year, so that this country could be prepared to meet any possible emergency.

Personally, I have my doubts whether you can induce 150,000 men to go to the training camps every year voluntarily for training. But, in view of the attitude of the President elect, I believe that it ought to be given a fair chance to work out.

Mr. CRAGO. The President elect coupled with that a desire to reduce the Army and in the meantime to proceed in a business way for the training of our citizens.

Mr. KAHN. Exactly. Now, it is only fair to say that world conditions are rather strained. This country of ours is involved in a great deal of trouble at home, and has not a friend among the nations of the earth, with the possible exception of the Republic of China, which itself is involved. That has been demonstrated time and again since the armistice. There is no use trying to delude ourselves. Take the situation with regard to the German cables that were seized or captured by the allied nations early in the World War. This country has not asked for a foot of those cables. They were taken by Great Britain, France, and Japan, and Italy has been given a very small piece of the cables, at least, so I am informed.

Now, this Government undertook, under the terms of the Versailles treaty, to call upon the Allies to appoint commissioners who were to proceed to Washington, where these representatives of the allied nations were to meet our representatives. Then the conference was to undertake to try and work out this problem of the cables. All that we asked was that the German cables be restored to their former positions in order that our country might have direct communication with Germany, and through Germany with the Scandinavian countries and Holland. That is the way our cable news always traveled to those countries before the war.

It is needless to go into the details of that meeting here in Washington. We could attain no result whatever. That conference came to an impasse. Possibly it may meet again and possibly it may not, but the other nations refused to accept the proposition of this country.

In the matter of the merchant marine it is likewise evident the world is not inclined to help us build up our merchant marine. We will have to contend for every inch of ground we gain on these propositions. And so, taking all these matters into consideration, one can readily see that we have serious problems confronting the American people. There are many foreign questions that will have to be settled. It invariably happens after every great war. No one can foretell the future. But, in my opinion, it will be a serious mistake to reduce the Army below 175,000 men at this time. [Applause.]

Now, the question of the great supply bills being considered by the Committee on Appropriations is a matter that has engaged the attention of many of the Members of this House. I have heard discussions in the lobbies repeatedly. There seems to be much dissatisfaction. In my opinion a better result would be obtained for the House and for the country if these bills could be considered by a so-called budget committee. That budget committee ought to consist, in my opinion, of the chairman, the ranking majority and the ranking minority member of the Ways and Means Committee, because that committee keeps track of the revenues of this Government; the chairman and the ranking majority and the ranking minority member of the Appropriations Committee—that committee exercises jurisdiction over five or six of the annual appropriation bills; the chairman and the ranking minority member, at least, or possibly the chairman and the ranking majority and the ranking minority members of the several committees that heretofore have reported the annual appropriation bills to the House. Such committee could meet immediately after the beginning of each session and could determine how much of the revenue of the coming fiscal year could be appropriated for every department of the Government. That committee could agree on how much was necessary for agriculture, how much of the revenue should be allowed for the Army, for the Navy, for the Post Office Department, for the Indian Bureau, for the Diplomatic Service, and so forth. After having agreed upon how much each department of the Government could have out of the revenues, then the committees that formerly handled these matters could confine their bills to the amount that the budget committee had allowed for that specific purpose for the next fiscal year. In that way the House would have information on all matters that I respectfully submit it can not receive where the appropriation is handled in the way it is handled under the present system.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield?

Mr. KAHN. I have only 20 minutes, but I yield for a short question.

Mr. HARDY of Texas. I just wanted to ask if the gentleman did not think it might not be better for the former committees to first frame the appropriation provisions and then let the bill in that shape be subject to revision by the proposed committee of which the gentleman speaks?

Mr. KAHN. Of course, the first form of these appropriations is generally sent to the committee by the department that is interested. In that form the estimates that have been submitted by the chief of the particular department or the Secretary of the Treasury are reported to the particular committee having jurisdiction of the subject matter. Then the committee could take several weeks—and it generally does take a great many weeks—to hear the testimony; thereafter the committee could cut down the amounts originally estimated for by the departments to the actual figure that the Committee on Budget saw fit to allow.

Mr. HARDY of Texas. That would be in the hands of the committee having jurisdiction of the subject matter and better informed.

Mr. KAHN. Yes, sir.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. KAHN. I have only 20 minutes, and I wanted to cover several matters. I yield.

Mr. CARTER. This is a very important matter, and I shall make my question as short as I can. Take the Diplomatic bill, for instance. When it passed the House certain matters had gone out on points of order. Without doubt, when that bill goes to the Senate some of these items, and perhaps all of them, will

be restored. When that bill gets back here, to which committee will that bill be referred—to the committee having jurisdiction of legislation or to the committee having jurisdiction of appropriations?

Mr. KAHN. I assume that it will go back to the Committee on Appropriations, but the Speaker will have the final say on that proposition.

Mr. CARTER. What will be done with the legislative items in the bill? By what procedure does the Committee on Appropriations get jurisdiction of legislative matters?

Mr. KAHN. That committee having had jurisdiction of the bill when it left the House, I assume it will have jurisdiction of the bill when it comes back and is reported from the Senate. I believe that much better results could be attained by a committee of the kind that I have named, because the committees that have jurisdiction or that had jurisdiction in former years were composed generally of 21 members. That entire committee heard the evidence. It was possible for any Member of the House then to ask a question on those bills when they were up for consideration on this floor and get positive and accurate information from some member of the committee. It is a very much more important matter than it appears on its face. Take the present Appropriations Committee of 35 members. The gentleman from Kansas [Mr. ANTHONY], a very able member of that committee and a former very able member of the Committee on Military Affairs, knows the detail of the work in connection with the military appropriation bill probably better than any other member of the Committee on Appropriations, with the exception of the gentleman from Alabama [Mr. DENT], who also was for a long time a member of the Committee on Military Affairs. These two gentlemen are well acquainted with matters pertaining to the appropriation bill for military affairs. The other gentlemen on that subcommittee have had very little, if any, information regarding military affairs, except such as they might have read, because the hearings before the Committee on Appropriations heretofore have not involved to any considerable extent military matters. The gentleman from Alabama [Mr. DENT] is not coming back into the next Congress. I understand that he has gone home at the present time. The gentleman from Kansas [Mr. ANTHONY] is practically the only member of the Committee on Appropriations who is thoroughly familiar with this matter. If anything should happen to him, the House would have to be indulgent, because it is doubtful whether the other members of the Committee on Appropriations have sufficient information to give the House such information as the Members might desire.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KAHN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Chairman, reserving the right to object, I hope the gentleman will modify his request to a revision.

Mr. DEMPSEY. I ask unanimous consent that the time of the gentleman be extended for 10 minutes.

The CHAIRMAN. The time has been fixed by order of the House. Is there objection?

Mr. McCLINTIC. Mr. Chairman, I object.

Mr. DEMPSEY. Then I ask unanimous consent that the time of the gentleman be extended 10 minutes, not to be taken out of the time fixed by the committee.

The CHAIRMAN. The Chair does not feel justified in putting that request, the time having been fixed by the House.

Mr. ANTHONY. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman and gentlemen of the House, the gentleman from California [Mr. KAHN], chairman of the Committee on Military Affairs, whose knowledge and experience in that connection has gained him the universal admiration and respect of the House, just addressed us upon the pending bill, framed by the gentleman from Kansas [Mr. ANTHONY] and the four or three nonentities referred to by my friend. I suggest that if there is to be any judging done, then the House, sitting here as a Committee of the Whole House on the state of the Union, representing the people of the country who demand economy and efficiency, should judge not the bill by the committee but the committee by the bill. If this bill meets with your approval, perhaps even the nonentities of the committee which framed it may share in some small degree the glory that is due our able chairman, Mr. ANTHONY.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield at that point?

Mr. CRAMTON. I ask the gentleman to reserve his question until I have completed what I have to say. I must decline to yield at present. The gentleman from California has brought two indictments against this bill, one that it was framed by a committee other than his, and the other that it provides for a standing Army smaller than he believes we should bring in an appropriation for.

Mr. KAHN. At this time.

Mr. CRAMTON. Yes; at this time. I would not care to be diverted at this time into a discussion of the budget system except to make this one observation, that in this short session, with the system in effect only since shortly before Christmas, you can not get a fair test of its operation. The old system had 30 or 40 years. Why not give the new system at least a year and let us make a proper test? For instance, I believe—and I express no one's judgment but my own—that under this one committee plan you will not get its full share of benefit until that committee does just what the gentleman from California urges, and is able to sit as a budget committee, until the different subcommittees working on these different bills can bring their bills into the full committee and the full committee can pass upon them and report them all out in one bill for the entire appropriations of the Congress.

Then the Appropriations Committee would have a chance to consider totals and the House would have a chance to consider the total of appropriations in comparison with revenues.

Now, as to the second indictment the gentleman brings against the bill—and I am not going into that at great length at this time, because I anticipate it will come up on a motion to amend the bill by the gentleman from California. But I would like to suggest this, because as one of the Members of the House who has "only read and has no knowledge of military matters" I have been accustomed to follow as far as I could the gentleman from California [Mr. KAHN]. I have taken his judgment as good generally on account of his experience as chairman of that great committee of experts—the Committee on Military Affairs. Now, I want to call attention to this: The gentleman from California has said that in the appropriation for the current year it was the intention of the committee to appropriate for an Army of 175,000 men. That is for the current year. Let us see what they did do. We in the present bill have brought you an appropriation that will, without a deficit, pay 150,000 men in the Regular Army, and in addition to that 6,000 to 7,000 Philippine Scouts and from 2,000 to 2,500 flying cadets. In other words, an Army of 159,000 men, approximately, and 14,000 officers. Well, now, Gen. Lord—and there is one man in the War Deparment who pretty nearly knows what he is talking about—the chief of the finance, has analyzed the appropriation for the current year, and he says—and the figures I have here are from his office—the appropriation for the current year—and we are entitled to follow the gentleman from California and his committee—the appropriation for the current year pays 14,000 officers and 152,672 soldiers. We have not cut this total that the gentleman from California appropriated for last year.

But the gentleman from California says the world is facing serious problems, that this country is facing serious problems. We are, and one of the most serious in these days when factories are closed, when the sources of revenue through the income taxes are every day being lessened, we are faced with this most serious problem of them all, and that is the need for economy in Government expenditures.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. CRAMTON. I wish the gentleman would wait until I have concluded, unless I make a misstatement. To secure economy for the Government without sacrifice of efficiency is a matter of cooperation between the Congress and the administrative officials. Recently the Navy Department learned in some way that the Congress wanted a smaller Navy personnel. We have not passed any resolution, but the Navy Department is reducing the personnel. They have changed the rules. If anybody in the Navy now wants to get out he can get out upon his application because they want to bring down the force. They seem to know they ought to respect the wishes of the Congress representing the people.

But heretofore there has seemed to be a lack of teamwork between the War Department and the Congress. The gentleman from California admits it, and I think Secretary Baker would admit it. There has been a resolution passed by the Congress asking them to cut down their force to 175,000, but until the President signs that the Secretary of War will continue to take every recruit he can get and will not let anybody out unless they show extreme dependency.

Mr. KAHN. Will the gentleman yield?

Mr. CRAMTON. Certainly.

Mr. KAHN. I had a letter from The Adjutant General saying that from the 31st of January, 1921, no more enlistments would be made.

Mr. CRAMTON. I am glad to hear he is getting busy, but he should have gotten busy when we passed the resolution, and he ought to have gotten busy last December when he knew what the sentiment of the Congress was.

Mr. LAZARO. Will the gentleman yield?

Mr. CRAMTON. I must ask the gentleman not to ask me to yield unless I make a misstatement, and then I will yield for a correction. But there is a better time coming; as the gentleman from California says, there is to be a spirit of cooperation between the War Department and the Congress, and it appears to be at hand. I have here an official statement from the War Department, "Economy measures directed by the Secretary of War." It is dated January 29, and in it the Secretary of War seems for the first time in this fiscal year to have discovered that there is going to be a deficiency in his department. He comes out with this order of the 29th of January, and the bill before you was reported on the 29th of January after very full hearings, about which he appears to have been advised. I feel that it is a compliment to the gentleman from Kansas, if not to the rest of us, that after those hearings were had they received the consideration of the War Department, and as the result the War Department, while we were working on a bill for the fiscal year 1922, trying to get such economies as we could in that year—the War Department has issued an order based upon those hearings putting many of those same economies into effect for this fiscal year. Let me call your attention to a few of these things. I wish I had time to read the full order. It is headed, "Economy measures directed by the Secretary of War":

The War Department is faced with an impending deficiency under general appropriations, Quartermaster Corps, which will total about $94,000,000 for this fiscal year if the activities of the Army which affect these appropriations are carried out during the remainder of this fiscal year upon the same scale as they have been up to the present; this can not be permitted. Some of the prospective deficits are for the following items:

Subsistence of the Army	$25,000,000
Transportation of the Army and its supplies	44,385,000
Fuel	10,000,000
Forage	7,250,000
Ice plants	800,000

Remember that, though for months the certainty of the hundred-million-dollar deficit has faced the War Department, no steps were taken to prevent or reduce it until after our committee hearings January 29. The order reads:

In order to reduce these prospective deficits to the lowest possible minimum the strictest economy in expenditures under all general appropriations, Quartermaster Corps, is directed.

Then comes the following itemization:

(a) Cut down the total of the combined monthly pay rolls of civilian employees of the Quartermaster Corps under your jurisdiction.

They are to be cut down 60 per cent in the sum total of the pay roll as it was in December. At the present time they have a force of about 100,000 on the civilian pay roll in the war establishment outside of the War Department. Your committee acts in harmony with this action of the Secretary of War, although we had not been advised of his action at the time we took ours.

Under regular supplies for civilian employees in connection with heating and lighting they asked for $2,796,688.62, and we gave them $1,750,000.

Mr. SNYDER. Will the gentleman yield right there?

Mr. CRAMTON. I prefer not to yield unless the gentleman wishes to make a correction.

Mr. SNYDER. I wanted to ask the gentleman if he had made any provisions in the bill to prevent the Secretary of War from creating similar deficiencies next year?

Mr. CRAMTON. They can not do it in these civilian-hire items where we have placed limitations.

Mr. SNYDER. I hope the gentleman is correct.

Mr. CRAMTON. Under incidental expenses are included two items for personnel, one under the head of pay of labor, and the other pay of clerks, and so forth, and they ask for those two items $14,500,000, and we allowed them $6,500,000. So we are keeping up well with the proposed reduction.

He asks further that water-transportation activities be kept down in order to economize on fuel. Under that, where they have an appropriation for fuel for this year of $5,000,000 they have actually expended $10,300,000. But by itemizing it we are endeavoring in the current bill to give them the sum of $12,500,000 for water transportation instead of the $21,000,000 requested, a large share of the cut being due to coal economy.

They are asking for gasoline and lubricants for motorized artillery, and so forth, $742,000, and they were given $200,000. In item (c) the Secretary insists there must be similar economy the balance of this year.

In the item for transportation of personnel and of supplies, the same action is taken. They are to give some consideration as to routes, and so forth, and thereby put an end to the abuses that have been shown in the past year, and again the Secretary is in line with our action.

A very interesting item is item (f) of his order, in which they provide that the instructions in paragraph 3 of Circular 303 of the War Department shall be followed, to the effect that the old type of olive-drab chevrons with olive-drab background will be issued and used while serviceable, and that the men will not be permitted to wear any other type. In the course of our hearings it developed that when the war was over they had something like 28,000,000 olive-drab chevrons on hand. They issued a new regulation which prescribed a chevron with a blue background, but while the order had such a saving clause for material on hand it was not lived up to, and the Quartermaster General stated that $10,000,000 worth of chevrons had gone into the waste heap. There was some comment on that in the committee, and as a result this supply of chevrons—enough to last this Army of 150,000 men for six years—is going to be used, and they will not get the blue chevrons until they have used the $10,000,000 worth now on hand.

Paragraph (g), the question of allowances of clothing, equipage, supplies, and material, received the attention of the Secretary of War, and the economies which should have been practiced during this year we hope will be in effect the balance of the year. He called special attention there to the item of ice, saying, "There will be a deficiency in appropriations unless great care is exercised." The deficiency is here. In that case during the current year they were given $405,000 for that purpose, but, notwithstanding that was their allotment, they have expended up until the 4th of January, not the $405,000 authorized, but $1,135,000.

Now, the Quartermaster General frankly said to our committee that there was a waste there hanging over from the habits of war, and that it ought to be reduced and cut down, and that he was doing what he could in that direction. He had not the authority. The authority over the various branches of the Army must come from the Secretary of War, and I am thankful to say that inasmuch as our committee in the pending bill has recommended a continuance of that same item at $405,000, and not $1,135,000 as has been expended during the present year, the Secretary of War has put into effect this economy also.

Further, he has ordered, as shown in paragraph (h), the use of reclaimed shoes and outer clothing, when available.

In paragraph (i) he has ordered the corps area and department commanders to give the most careful supervision to requisitions, considering supplies on hand and substitution of the same, and that only those requisitions shall be filled that are "essential to maintenance consistent with proper training."

Further, in paragraph (j), he orders that they shall substitute articles of subsistence where economy can be accomplished.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. CRAMTON. I prefer not to yield until I have finished my statement.

In paragraph (k), for telegraph and cable services, they ask for $1,210,000, and our committee has allowed them $500,000, believing those economies should be practiced which the Secretary of War now orders them to practice.

But the interesting part about this is that this spirit of economy, this sort of cooperation with the committees of Congress and with the Congress itself, has come to the consciousness of the Secretary of War almost at the close of the administration. Nevertheless, we should appreciate it just the same.

But the peculiar thing is that while the Secretary of War is to-day refusing to submit to Congress estimated deficiencies that he knows exists, and that have been reported to him by the heads of different departments, he refuses to submit them to this Congress, leaving them for his successor to struggle with. He very consistently performs this kindness to his successor. Knowing that his successor must practice great economy, he is trying to aid him to do what he himself has not done.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. CRAMTON. If the gentleman will wait a moment, please. He states in his order:

You will submit a report each month, to reach this office by the 15th of each month following that covered by the report, showing under each of the lettered paragraphs above, the action which has been taken and the estimated monthly saving that has resulted therefrom; the first of these reports to cover the month of February and to reach this office by March 15, 1921.

So I greatly regret that the prospects are that the esteemed present Secretary of War will not get the benefit of reading

these reports. But I am sure they will be of very great aid to his successor.

Mr. HULL of Iowa. Can the gentleman inform us how many men there are in the Army to-day whose term of enlistment does not expire until July 1, 1922?

Mr. CRAMTON. May I ask the gentleman from Iowa, first, a question? How long has the gentleman from Iowa been a member of the Committee on Military Affairs?

Mr. HULL of Iowa. About six years.

Mr. CRAMTON. And if the gentleman from Iowa in six years has not been able to acquire for himself that information, does he not think it unfair to ask it of a "nonentity" like myself? But I will answer the question frankly. I am not such a wonder at carrying figures in my head as my colleague from Michigan [Mr. FORDNEY]. If he ever reads a figure, he remembers it and is able to give it to you. But I can not do so. But in our hearings those figures are given, and while I can not enlighten the gentleman at this time, I will get the hearings and find it for him.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SISSON. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. MCCLINTIC].

Mr. McCLINTIC. Mr. Chairman and gentlemen of the committee, the gentleman, Mr. MADDEN, from Chicago, a city known far and wide as the headquarters of the packing industry, has stood on the floor this morning and attempted to criticize me for writing a letter some six years since in which I asked for certain help from the Members of this body in order to take care of my constituents. Any Member who will stand on this floor and refer to the illustrious general, Robert E. Lee, and call him a traitor can never hurt my feelings or insult me. I do not intend to attack him. I knew a man once who kicked a polecat, and he was mussed up so that he could not enter decent society for many weeks thereafter. I am very glad that the gentleman has seen fit to make the statement which he put into the RECORD this morning. I want to say that I hate to make these statements while he is absent; he is generally absent from this floor; and yet he criticizes me because I have raised the point of order from time to time that there is not a sufficient number of Members here to carry on the business of the Nation. He is a Member of the steering committee of the party that has gone out all over this country and promised economy, and promised to conduct the affairs of this Nation in a proper way, and yet when a Member stands on the floor of the House and calls attention to the fact that there is not a quorum present, he stands up here and reads a letter, in which——

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

The CHAIRMAN (Mr. MERRITT). Does the gentleman from Oklahoma yield to the gentleman from Kansas?

Mr. McCLINTIC. No; I can not yield.

Mr. CAMPBELL of Kansas. I call the gentleman's attention to the fact that he is attacking a Member when that Member is not on the floor.

Mr. McCLINTIC. He ought to be here. He has criticized me because I have raised points of order that there is no quorum present. The gentleman from Chicago gets a salary to be here and participate in the proceedings of this House.

Mr. CAMPBELL of Kansas. The gentleman is attacking a gentleman who happens at this moment to be out at lunch.

Mr. McCLINTIC. No. The gentleman attacked me, and I could not get recognition any sooner to reply to him; and the gentleman ought not to stand up here and make a statement that is not true.

Mr. CAMPBELL of Kansas. Mr. Chairman, the gentleman——

Mr. McCLINTIC. I do not yield.

Mr. HICKS. Mr. Chairman, I raise the point of order that there is no quorum. I made the point of order that there is no quorum here. That is the regular order.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present.

Mr. SEARS. Mr. Chairman, I ask that this time be not taken out of the time of the gentleman from Oklahoma.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty-two Members are present, a quorum.

Mr. McCLINTIC. Now, Mr. Chairman, I am still sorry that the gentleman from Illinois [Mr. MADDEN] is not present. If he were looking after his duties as he should be doing, he would be in his seat; and he is the last man on earth who should stand up here and point the finger of scorn at any other Member and criticize him because he is endeavoring to procure a quorum here, so that the business of the country may be properly carried on. I realize that some Members may object; they would like to fill the RECORD with a lot of extraneous matter that relates to every known subject under the sun. I have done nothing more than to make objections within my rights as a Member of Congress.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. McCLINTIC. I am sorry I can not yield at this time.

Mr. CRAMTON. Just for a brief question.

Mr. McCLINTIC. I could not get time to reply to the gentleman when he read that letter. I hope he will send it to every constituent of mine, for the reason that it shows that when I came up here six years ago I did try to get some bulletins, books, and seeds, and I got them, and no Member of Congress has ever asked me to reciprocate without my doing so. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. SISSON. Mr. Chairman, I yield nine minutes to the gentleman from Kentucky [Mr. FIELDS].

The CHAIRMAN (Mr. TILSON). The gentleman from Kentucky is recognized for nine minutes.

Mr. FIELDS. Mr. Chairman and gentlemen of the House, a little less than a year ago the Army reorganization bill was reported to the House from the Committee on Military Affairs. Section 2 of the bill reads in part as follows:

> Except in time of war or similar emergency, when the public safety demands it, the number of enlisted men of the Regular Army shall not exceed 280,000, including the Philippine Scouts.

That bill was framed by the majority of the committee. The minority members of the committee, or practically all of the minority members, submitted minority views recommending that the number proposed in the reorganization bill be reduced to 185,000, including the Philippine Scouts. The House, however, did not accept the views of the minority. The House enacted that bill, which provides that—

> Except in time of war or similar emergency, when the public safety demands it, the number of enlisted men shall not exceed 280,000.

On yesterday the leader of the majority [Mr. MONDELL] severely criticized the Secretary of War for his efforts to enlist the number of men provided for in the Army reorganization bill. Now, if the question as to whether the Army should be 175,000 or 280,000 had not been debated by the House, and the House had not spoken in definite terms upon the question, the criticism of the majority leader might be well founded. But in addition to the minority report, which was submitted by the minority, the gentleman from Alabama [Mr. DENT] offered a motion to recommit, which motion provided that the maximum enlisted strength of the Army in time of peace should not exceed 185,000. That motion was voted on by the House, and I find that the gentleman from Wyoming [Mr. MONDELL], the majority leader, who severely criticizes the Secretary of War for surpassing the number of 175,000, voted against the motion to recommit, as did the gentleman from California [Mr. KAHN], the gentleman from Kansas [Mr. ANTHONY], and most of the great legislative and military lights on the majority side of the House.

I therefore contend, Mr. Chairman, that in view of the definite action taken by the Congress upon the question, the criticism made of the Secretary of War by the majority leader is not well founded and is not fair to the Secretary of War.

The report of the minority recommended and the motion to recommit provided for a substantial reduction in the commissioned personnel proposed in the bill. The committee determined to provide for approximately 17,000 commissioned officers for an Army of 280,000 enlisted men. The majority leader contends that proper provision was made for a reduction of the enlisted strength of the Army to 175,000 by appropriations subsequently passed. But the majority has failed to make any reduction at all in the commissioned personnel of the Army.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from California?

Mr. FIELDS. Yes; I yield to the gentleman.

Mr. KAHN. As a matter of fact, have not the military laws of this country for a period of many years provided what the maximum should be, and did not either party that happened to be in power fix the real number by its appropriations?

Mr. FIELDS. That is the point I am coming to now. The gentlemen are making a great deal of fuss because the Secretary of War did not limit enlistments, but I hear nothing about the commissioned personnel.

And as I said on yesterday, it seems to me that we now have an Army that is top-heavy with its commissioned personnel. I realize the necessity of sufficient officers to properly officer an Army, but it is not sound to contend that it will require the same number of officers to officer an Army of 150,000 men that it requires to officer an Army of 280,000 men. Now, if it is the definite policy of the majority to reduce the Army, if the ma-

jority has changed its opinion since the enactment of the Army reorganization bill—and I hope it has, and I am glad to see you gentlemen accepting the views of the minority—I believe that in coming to our views you should stand up and say, "We have changed our opinion," instead of indicting the Secretary of War as he has been indicted before this House. I am not taking issue with you for your change of heart, but I hope that if it is your definite policy to reduce the Army to 150,000 men, you will make the proper reduction in the commissioned personnel. [Applause.]

Mr. SISSON. I yield to the gentleman from Texas [Mr. PARRISH] 10 minutes.

Mr. PARRISH. Mr. Chairman and gentlemen of the House, if the Congress of the United States fully appreciated the possibilities of helium as an aid to national defense the appropriation of $100,000 contained in this bill as the Army's share of the helium program for the next fiscal year would unquestionably be increased to such an amount as would allow the full operation of the helium plants now constructed and ready for the extraction of helium. The Army and Navy have jointly borne the expense of equipping these plants, constructing the necessary pipe lines, and purchasing the necessary options for the practical manufacture of helium in large quantities. The estimates presented to the Committee on Appropriations by those in charge of this work showed for the Army's part the necessity for an appropriation of $875,250 instead of $100,000, carried in the bill, if this work is to be carried on according to the original program heretofore carefully laid out.

Mr. KAHN. How much helium are they producing now?

Mr. PARRISH. Two plants have just been completed and are now ready for the extraction of helium, and it is stated that they will produce from 50,000 to 75,000 cubic feet of helium per day as long as the present supply of gas is available, unless the work is stopped by the discontinuance of the necessary appropriation. The Government has spent approximately seven and one-half million dollars to learn how to produce helium, and with this appropriation it has succeeded in reducing the cost of production from $1,700 per cubic foot to 5 cents per cubic foot.

Already a fee has been paid to control the output of the pipe line conducting this gas to Fort Worth, which amounts to $25,000 per month during the estimated life of the field. The gas is there ready for our use. If we do not use it, we lose the money paid out as well as the helium, which is beyond price. In this connection it should be understood that it was necessary to make this contract of purchase or option in order to reduce the output of the commercial gas wells from 75,000,000 cubic feet per day to 10,000,000 cubic feet per day, the capacity at which the Government could process the gas. This fee of $1,500,000 has been paid. The reduction in the appropriation for helium to a point where operation will be prohibited will turn this asset into a liability. The money which this bill proposes to appropriate to the helium program is not enough to do more than guard the property now installed and prevent deterioration and is insufficient for the continued operation of the plants.

It is very interesting to note that the United States now occupies the most enviable position of having a monopoly on what promises to be one of the most essential elements for the future defense of this country. Of all the other nations of the world, only Canada and Italy can produce helium, and neither of those countries will be able to furnish it in quantities sufficient to be of any great practical use in case of national emergency; it appears, however, that the United States has a very large quantity of helium if steps are taken now to extract and preserve it.

Reservation of the helium in favor of the Government will be found in the oil leasing bill passed February 25, 1920, but unless we go after it that reservation will amount to nothing. Large quantities of helium are going to waste daily; private concerns are demanding the right to use it for domestic purposes and concerns are demanding that they be given the right to transport it to other countries. The carbon-black industries operating principally in West Virginia, Louisiana, Wyoming, Montana, Kentucky, and Oklahoma, according to reliable estimates, produced in 1918, 43,500,000 pounds of carbon black. Carbon black is produced by incomplete combustion of natural gas, and it is said that 43,500,000,000 cubic feet of gas was consumed in the production of the 1918 supply of carbon black. Helium constitutes a part, at least, of this enormous waste of one of our valuable natural resources. Shall we sit idly by and allow this essential product to be wasted in this manner?

Helium is lighter than air, has about 92 per cent of the lifting power of hydrogen, and can be used as effectively in large dirigibles or captive balloons as hydrogen, but at the same time is not inflammable and can not be exploded or set on fire by incendiary bullets.

It is indeed difficult for the average man to realize the tremendous possibilities of helium for aerial operations. The recent war ended before the airship as a means of offense in war had come into its own. In that war observation balloons and airships thoroughly demonstrated their efficiency and possible utility. The former as elevated observation posts for the regulation of artillery fire and surveillance of enemy activities, and the latter for long-range reconnaissance, bombing raids, convoy work, and for carrying supplies; and both have proved beyond question their place in modern warfare. Hydrogen, highly explosive, was used in the operation of these aircraft; as many as five of these balloons have been shot down in one day in one sector. If helium had been used instead of hydrogen, the danger of fire and explosion would have been eliminated, and with this handicap removed they would have been invulnerable to incendiary bullets and would have proved invaluable as an aid to the armies in action and in the general conduct of the war.

In a larger sense, however, neither Italy, France, England, or the United States up to the time of the war had made any serious attempt to develop the dirigible as a means of offense or defense in war, and the beginning of the war found Germany alone had developed the airship to a science and had made of it a most efficient craft, indeed. Repeated trips were made by the Germans in Zeppelins over England, Russia, and the eastern front, doing at times enormous damage by the use of bombs, frequently destroying railroad centers, munition plants, terrorizing the inhabitants, all of which tended to lower the morale of both the civil and military forces of the countries attacked. More than once in bombing the Russian munition dumps German airships let down an officer by cable to the lower edge of low-hanging clouds, where he directed the dropping of bombs from an airship securely hidden among the clouds above. This was true in spite of the fact that these airships were filled with hydrogen, a highly explosive gas. Such ships were at all times at the mercy of the incendiary bullets, which with a single shot, if properly placed, could bring down the whole machine, together with the crew, in flames, but, notwithstanding this handicap, Germany sent out 90 airships during the war, and out of this number only 22 were shot down, 6 others burned—probably by reason of gasoline explosions—and the remaining 62 time after time wrote their record in terror in the hearts of the people of the surrounding territory. The English war office now admits the terrible damage inflicted by these monsters of the air.

The efficiency of the airship has been demonstrated beyond all question and is accepted by all nations, including our own. Recently we purchased from England *R-38*, with a capacity of 2,700,000 cubic feet, and that ship is soon to be delivered to us. *L-49*, one of Germany's large Zeppelins, fell in France, and the United States now has possession of the plans of that ship and is constructing an exact copy, which will make the second airship to be owned by the United States Government. The German airship *L-57* started from Jamboli, Bulgaria, during the war to carry medicine, supplies, and ammunition to a distressed garrison in German East Africa; this ship was recalled when it reached Khartoum, Egypt, and it immediately returned to its base, having made a successful nonstop flight of 5,500 miles. At the time of the signing of the armistice Germany had just completed the construction of *L-72*, especially planned, designed, and built for the purpose of bombing New York City. It was equipped with six large motors, had a carrying capacity of 20 tons of high explosives, and a cruising radius of from 3 to 10,000 miles, and a speed of from 50 to 80 miles per hour. It could climb much higher than an airplane and could float silently among the clouds without fear of detection, and from that vantage point, no doubt, could have dropped death-dealing bombs and explosives into the heart of New York City. This monster of the air is now housed in a great 780-foot hangar at Lowenthal, France.

It is quite natural for us to discredit the idea that this or any other German device could have ever succeeded in flying over New York and in dropping explosives on the defenseless inhabitants of that great metropolis, but when we look deep into the well-laid plans of the German military as they are now disclosed we are bound to admit in our calmer moments that such danger was really imminent. A study of the character and experience of the man selected by the German Government to pilot this airship discloses that he had had much experience and training in that line of work. He had successfully bombed London ten times from an altitude of less than 10,000 feet; he had attacked Dunkirk from low-hanging clouds and had wrought havoc on depots and ammunition stations on the Russian front; and as a reward for these services he was

given the coveted opportunity—the honor most desired by men in the German air service—of bombing an American city.

The plan of the voyage which was to be undertaken under the direction of this pilot is interesting in the extreme. Every member of the crew fully understood the nature of the undertaking. No parachutes were to be carried. Failure meant death to all, and they knew that, if necessary, the ship would be brought down in flames in the heart of New York City; and the crew was prepared for their last voyage and were ready and willing to offer themselves as a sacrifice upon the altar of their fatherland. If they should perish, they knew their secret would be saved, that their mission would be ended, that their ends would be gained, and that their lips would be sealed. They were content to die, if need be, in order that America and New York City might feel the strength of the mailed fist of the boasted German military power.

Not only was this crew, numbering about 25, thus selected and schooled for their hazardous journey, but every precaution known to science had been used to insure the success of the undertaking. The files of the German Admiralty had been searched, and every known record giving information or data upon climatic conditions at the time they were to make the journey were carefully studied in order to foresee as nearly as possible the atmospheric conditions that would be encountered in making the trip from Germany to New York City. In fact, experts had figured the voyage on paper three hundred and sixty-seven times, and each time reached the conclusion that the trip could be made to New York, its deadly mission accomplished, and the crew returned safely to their native land. The signing of the armistice prevented the attempt to execute their plans, and whether or not it would have been successful remains for the mind to conjecture, but certainly it was not without the range of possibility.

If this could be accomplished with an airship filled with hydrogen, which made it absolutely necessary that the ship should remain out of reach of incendiary bullets in order to prevent its explosion and destruction, what could have been accomplished if Germany had had the use of helium? What will be accomplished in the future with these monsters of the air as a means of national defense if filled with helium, thus rendered invulnerable to attack, and can sail through the air without fear of incendiary bullets, only the future can tell. Only the future can tell what part that helium will play in future warfare. If Germany had had the use of helium instead of hydrogen, the ship that sailed over London, which of necessity was forced to remain high in the air, could have dropped down lower and placed its bombs with accuracy in the heart of that great city, and in all probability would have destroyed the city and killed hundreds of thousands of defenseless citizens. If *L–72* had been filled with helium instead of hydrogen and had been sent upon its death-dealing mission to New York, it could have lowered itself over that city and could have planted its bombs with accuracy, and we shrink in horror at what might have been the result. In fact, Col. F. Lucas, of the British Royal Air Force, who had charge of all dirigibles for the British Navy during the war, is authority for the statement that if the British had had two or three helium dirigibles the war might have been shortened materially. He says that the German fleet which always left harbor accompanied by several hydrogen dirigibles, which hovered above the fleet and gave it information concerning the French and British naval approaches, and in this way the fleet was able to get back to port unless it was willing to accept battle on its own choosing, as in the case of the beginning of the Battle of Jutland. It was in this connection that Col. Lucas said that if the British had had a couple of helium dirigibles they could have destroyed the German hydrogen dirigibles and thus have left the German Navy without its eyes and could have caught it unprepared and destroyed it. If the Allied Powers had had as many as two dirigibles filled with helium, it is conceded by all military experts that they could have hovered over the Dardanelles, dropped a sufficient quantity of explosives on those forts to have destroyed them, and thus have opened the way for the Allies to pass through and capture Constantinople, and Bulgaria would never have entered the war, and the Allies would have had the benefit of the early entrance of Greece into the war, and the Allies' defeat at Gallipoli would have been turned into victory.

In this connection it is not unreasonable to conjecture that with the aid of helium the war would have been ended much sooner and thousands of allied soldiers and American boys who went down as a sacrifice in this Great War might have thus been saved.

Recently Germany offered the United States an airship which could circle the earth at the fortieth parallel without stopping. This ship is designed to carry 34 tons of disposable lift which could be utilized for fuel, oil, crew, ballast, and bombs. Airships are now designed which, instead of carrying from 20 to 30 tons, can carry 200 tons, and can literally stay in the air for weeks at a time. Such an airship filled with helium gas, its vulnerable portions protected by armor from gunshots, the ships themselves heavily armored and supplied with tons of explosives or poisonous gas bombs, will be literal superdreadnaughts of the air, invincible to combat; and in this connection I venture the prophecy that the future great wars, if there be other great wars—and I pray God there will not be—will not be fought on land or sea, but will be fought in the air, and these monsters of the air will carry terror and destruction to defenseless cities at will; and while the land and sea forces must be maintained, yet America must not forget that the battles will be fought in the elements, and she must be prepared to take her place in this great combat, and since generous nature has placed in her lap the greatest known advantage in the nature of helium is there one among us who shall say that we shall throw it away? Is there one among us who would say that other countries should be permitted to get it? And is there one among us who will say that private concerns should be permitted to exploit it? I answer, "No."

Let us remember the inspiring words of the poet when he said:

> He who saves his country saves all things,
> And all things saved bless him;
> He who lets his country die,
> Lets all things die, and all things dying curse him.

[Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLINTIC. Mr. Chairman, I suggest the absence of a quorum.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred Members present, a quorum.

The Clerk will proceed with the reading of the bill by paragraphs for amendment.

The Clerk, proceeding with the reading of the bill, read as follows:

SECRETARY OF WAR.

CONTINGENCIES OF THE ARMY.

For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices at Washington, D. C., or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed $4, in lieu of subsistence, to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, $75,000: *Provided*, That not to exceed $25,000 of the money herein appropriated shall be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims: *Provided further*, That the Secretary of War is authorized, in his discretion, to sell to any State or foreign Government, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, except foodstuffs, as or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market: *Provided further*, That none of the funds appropriated or made available under this act shall be used for the payment of any salary in excess of $5,000 per annum to any civilian employee in the War Department.

Mr. BLANTON. Mr. Chairman, I make a point of order against the following portions of the paragraph just read: Beginning on line 17, page 2, and ending with line 5 on page 3, that the same is new legislation on an appropriation bill, and unauthorized by law.

Mr. ANTHONY. Mr. Chairman, as I understand it, the gentleman from Texas has made a point of order beginning on the proviso, line 12, page 2—

Provided, That not to exceed $25,000 of the money herein appropriated shall be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims.

Mr. Chairman, in inserting that proviso it was an attempt on the part of the committee to limit the amount of money that could be used for the payment of salaries of employees. It effects a distinct saving over the amount of money now being used for that purpose.

Mr. BLANTON. I am with the gentleman on that proposition. We were hoping to prevent the subcommittee of five from arrogating so much power that they will hardly let one of us speak to them about a matter about which we are interested as well as they.

Mr. ANTHONY. I think the proviso is in order.

The CHAIRMAN. As far as the proviso is concerned, it is perfectly clear to the Chair that it is a limitation and not subject to a point of order.

Mr. ANTHONY. In regard to the authority conferred on the Secretary to sell to any State or Government, upon such terms as he may deem expedient, any matériel, supplies, or equipment, I want to say that Congress has heretofore authorized the Secretary of War to make such sales.

Mr. BLANTON. Under what act?

Mr. ANTHONY. Under the Army act for 1919.

Mr. BLANTON. That was an appropriation bill.

Mr. ANTHONY. It was a provision enacted on that bill.

Mr. BLANTON. Was it not legislation on an appropriation bill?

Mr. ANTHONY. Undoubtedly, but it became a law.

Mr. KAHN. Mr. Chairman, if the word "hereafter" had been inserted in that provision it would have become permanent law.

Mr. BLANTON. The provisions of that bill were only for that fiscal year. It did not become permanent law. I am raising the point of order merely as a protest against the enlargement of the powers of the committee. I voted for the change and hoped for economy through it.

Mr. ANTHONY. The language of the law just quoted authorizes the President to sell any property acquired after April 6, 1917, which comes pretty nearly being "hereafter."

Mr. McKENZIE. Will the gentleman yield? I would like to ask the gentleman from Kansas if, under conditions as they existed, it was only a temporary one requiring the sale of certain property, would it be necessary or essential to write into the law the word suggested by my colleague, "hereafter"? Did not the law go far enough to carry out the intention of Congress that was used in that bill?

Mr. ANTHONY. The language that was used in the appropriation act of 1919 is very broad. It covers all property acquired after April 6, 1917—all war supplies and matériel which may hereafter be purchased or manufactured in the United States.

The CHAIRMAN. Will the gentleman give the Chair a citation of that act?

Mr. BLANTON. Mr. Chairman, on suggestion of the chairman of the committee [Mr. GOOD], whose judgment on economy I am glad to follow, I will withdraw the point of order.

The CHAIRMAN. The gentleman from Texas withdraws his point of order, and the Clerk will read.

The Clerk read as follows:

GENERAL STAFF COLLEGE.

For expenses of the General Staff College, being for the purchase of the necessary stationery; typewriters and exchange of same; office, toilet, and desk furniture; textbooks, books of reference, scientific and professional papers and periodicals; printing and binding; maps; police utensils; the necessary fuel for heating the General Staff College Building and for lighting the building and grounds; employment of temporary technical or special services and expenses of special lectures; and for all other absolutely necessary expenses, including $25 per month additional to regular compensation to chief clerk for superintendence of the General Staff College Building; also for pay of a chief engineer at $1,400, and assistant engineer at $1,000, a carpenter at $1,000, 4 firemen at $720 each, an elevator conductor at $720; in all, $25,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the entire paragraph for the reason that all of it is new legislation on an appropriation bill unauthorized by law. I want to call the attention of the Chair to the fact that the succeeding paragraph is provided for by law. Much of this paragraph is a repetition of the succeeding paragraph heretofore applying to the Army War College, although the succeeding paragraph is put in substantially as in other bills authorized by law. There is no substantive law, as I understand it, authorizing a General Staff College, or to pay the expenses of a General Staff College. I would like for the gentleman in charge of the bill to show us some statute for that.

Mr. ANTHONY. Mr. Chairman, the Army War College was authorized by law in the act of May 26, 1900. In the reorganization act of June 4, 1920, they changed the name to the General Staff College. So I think there is full legislative authority to make the appropriation.

Mr. BLANTON. Mr. Chairman, I call attention to the fact that there never has been any authority in law other than a mere provision on an appropriation bill which expired at the end of that fiscal year by reason of its being attached to an annual appropriation bill. That was the only act changing the Army War College to the General Staff College. There has never been any authorization of law for it. It was merely an attempt to do it by an unauthorized provision on an appropriation bill for which the committee had no authority in substantive law whatever.

Mr. ANTHONY. The name was changed to the General Staff College in the reorganization act——

Mr. BLANTON. As far as the War College is concerned, the succeeding paragraph is the one that always appeared for the Army War College with almost every item in it. All of these items in the present paragraph are new items entirely, appearing under a new head which the committee has for the first time placed in the bill. For instance, they make a number of new positions which are not authorized by law. The position and pay of the chief engineer, $1,400; assistant engineer, $1,000; carpenter, $1,000; four firemen at $750, elevator conductor at $720; all of those are new positions unauthorized by law.

Mr. CRAMTON. Mr. Chairman, if the Chair desires anything further——

The CHAIRMAN. The Chair would like to have a specific citation, if possible, to the law.

Mr. CRAMTON. In addition to the citation referred to by my colleague, the gentleman from Kansas [Mr. ANTHONY] under date of May 26, 1900, when the appropriation was made under the first authorization, I would like to call the attention of the Chair also to section 5 of the Army reorganization bill, which deals with the General Staff Corps. That section is filled with references to the General Staff College, and, in fact, it is made apparent there that without a General Staff College the Army would be almost obliged to cease to function. For instance, in that section 5 it is provided that the initial eligible list shall be prepared by a board consisting of the General of the Army, the commandant of the General Staff College, and others, and again in subdivision (b) of that section it is provided that after the completion of the initial General Staff Corps eligible list, and so forth, no officer of the General Staff Corps except the Chief of Staff shall be assigned as a member of the War Department General Staff unless he is a graduate of the General Staff College, and so forth. So that it is very plain under section 5 of the reorganization act, which provides for the General Staff, that the existence of the General Staff College is absolutely essential to the continuance of the General Staff and is so recognized there in the statute.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BLANTON. Can the gentleman who is on the committee point us to any paragraph of any substantive law creating the General Staff College?

Mr. CRAMTON. That is what we have been endeavoring to do.

Mr. BLANTON. The gentleman has made some reference to it, but nowhere has there been anything read by the gentleman creating the General Staff College.

Mr. BEE. Mr. Chairman, may I make this statement to the Chair? It occurs to me that the citation of authority by the gentleman from Michigan [Mr. CRAMTON] establishes the existence of a General Staff College by law. My colleague from Texas [Mr. BLANTON] says that the next paragraph, the Office of the Chief of Staff, is identical with the paragraph of the General Staff College.

Mr. BLANTON. Oh, no. I said it was the one carried heretofore under this head.

Mr. BEE. Let me suggest to the Chair that if the General Staff College paragraph, from line 7 to line 21 goes out, then there is no provision for the General Staff College because the next paragraph is for contingent expenses of the Military Intelligence Division. Lines 7 to 21, on page 3, provide for the purchase of necessary stationery, typewriters, office furniture, professional papers—necessary for what? For the carrying on of the Staff College. This provision is necessary in order that the Staff College may function and it occurs to me, under the citation of the gentleman from Kansas [Mr. ANTHONY] and the citation of the gentleman from Michigan [Mr. CRAMTON] that the General Staff College is provided for by substantive law.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks that he may well leave out of the discussion entirely the change in the name of this college. It is a fact repeatedly recognized in the law that there was established a college known, first, as the Army War College. Considerable sums of money were appropriated, buildings were erected, equipment provided, and the institution has been maintained for a number of years. In the Army reorganization act of June 4, 1920, the existence of this college is recognized, but it is referred to in that act as the General Staff College, and is so designated in the present bill. So far as the Chair is able to ascertain, the items enumerated in this paragraph are all necessary for the maintenance, in fact, for the continuance of this college. Therefore it seems to the Chair that the paragraph carrying these items is authorized by law so as to warrant Congress in making an appropriation for such purpose, in case this body should deem it wise to make such appropriation. The Chair, therefore, overrules the point of order.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of asking the Chairman a question. I note in the hearings that Gen. Lord said that this General Staff Col-

lege was in the Army appropriation bill, but having been separated from the General Staff it becomes a field office and would be properly provided for as such. That statement, taken in connection with the statement of the gentleman from Kansas [Mr. ANTHONY], that many of the items should be carried in the legislative bill but had been carried in the Army appropriation bill for a great many years, prompts me to ask as to just what is the status of the General Staff College? Since it has been separated from the General Staff, under whose supervision is it, and what is the control and the procedure under the authority now given in this appropriation?

Mr. ANTHONY. I take it that it was formerly considered a part of the War Department, but that now it is considered a part of the General Staff in the field.

Mr. GARD. Gen. Lord said that, separated from the General Staff, it becomes a field office.

Mr. ANTHONY. Yes; and should be appropriated for separately in the legislative bill, which would have taken care of these items if they had been a part of the War Department.

Mr. FISH. Mr. Chairman, I move to strike out the last word. I understand that the gentleman from Mississippi [Mr. SISSON], who has the bill in charge on the minority side of the House, made a statement yesterday to the effect that the General Staff College should be scrapped and its powers given to the Secretary of War. I think it would be most unfortunate if that statement were left unanswered in this House.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. GARD. In the interest of accuracy, I think it should be said that the gentleman from Mississippi said that the General Staff should be scrapped and not the General Staff College.

Mr. FISH. I am very glad to have that information, because I was not in the House at the time. Nevertheless, if the gentleman from Mississippi made the statement that the General Staff should be scrapped, it would be also unfortunate if that were left unanswered. I think I can say without fear of contradiction that we fell down in this war more from the point of view of poor staff work than from that of any other branch of the service. We were absolutely unprepared——

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. COLE. I am wondering if the gentleman thinks that we did fall down in this war.

Mr. FISH. The gentleman refuses to answer a question that is self-evident to every Member of this House. We fell down, and I say it without fear of contradiction, in our staff work. We were absolutely unprepared and it amounted to criminal unpreparedness. Staff officers went to the other side unfamiliar with the staff work that had been going on in the armies of our allies and in those of our enemies. It took us at least six months in France before we could begin to learn what the duties of a staff officer were, and yet here in this House we are discussing the question whether we should do away with the staff. I assume the statement was made humorously.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. BEE. The gentleman speaks of the General Staff and of our unpreparedness. Was not that due to the fact that this country was not a military establishment country like those of the Allies, who had been in preparation for many years, and not the fault of the Army itself under the equipment they had to work under? The inference would be that the Army officers had failed in their duty when, as a matter of fact, they failed because we were not a military country.

Mr. FISH. In answer to the statement of the gentleman from Texas, I am speaking simply my own opinion. The reason we had no staff on April 6, 1917, was the fault of the Secretary of War and the War Department, and especially against the Secretary, who said, when our troops were about to sail to the other side, "Thank God, we are not prepared."

Mr. BLANTON. Will the gentleman yield?

Mr. BEE. Will the gentleman yield again?

Mr. BLANTON. Does the gentleman from New York realize that the committee has increased in this bill the item for the General Staff and the Staff College $99,000 over what it was in 1917? That is what they have done.

Mr. FISH. I am delighted they have increased it that much, and I wish it were more, I will say to the gentleman from Texas.

Mr. BEE. Let me ask this question of the gentleman, then: If we are going to reduce the Army to 125,000 or 150,000 men and reduce the officers in proportion, the next Secretary in case of war will be in the same situation that the preceding Secretary of War was in, that he had not officers to run the staff with.

Mr. FISH. No, we will not be in the same position in the next war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FISH. I ask for two minutes in order to finish the statement.

The CHAIRMAN. Is there objection to the request of the gentleman from New York. [After a pause.] The Chair hears none.

Mr. FISH. As the gentleman well knows only a few weeks ago there came out in the newspapers a list of 605 staff officers, all of whom had graduated from staff colleges either in this country or on the other side, who were familiar with staff work. Those men are prepared to-day to handle combat units. We failed in our staff work, because we were unprepared, untrained, and without experience to handle the kind of staff work required to operate large bodies of troops.

Mr. BEE. Then the Secretary of War did, when the opportunity came, prepare the staff officers for an emergency hereafter?

Mr. FISH. One year too late.

Mr. BEE. And wherein again, as the gentleman from Ohio asked the gentleman, did we fall down in this war?

Mr. FISH. We could not put American troops in large numbers into the front lines and operate them efficiently until the end of the campaign, until the first and second armies were formed.

Mr. CARTER. Will the gentleman yield?

Mr. FISH. I will.

Mr. CARTER. Was there any other country that had troops in the front line faster than America, any of her allies?

Mr. FISH. Yes; all of them that went in.

Mr. CARTER. And what country?

Mr. FISH. Does not the gentleman know the general staff work of our allies—France, and even our enemy, Germany—far excelled anything that we reached——

Mr. CARTER. I was not speaking of Germany, I was speakling of the Allies. What country among the Allies got more men in the trenches in the same length of time than we did counting the time as beginning when we entered the war?

Mr. FISH. All the countries, every single country in the war.

Mr. MONTAGUE. Will the gentleman permit me to ask him a question?

The CHAIRMAN. The time of the gentleman has again expired. Without objection the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

OFFICE OF CHIEF OF STAFF.

CONTINGENCIES, MILITARY INTELLIGENCE DIVISION.

For contingent expenses of the Military Intelligence Division, General Staff Corps, including the purchase of law books, professional books of reference; subscription to newspapers and periodicals; drafting and messenger service; and of the military attaché at the United States embassies and legations abroad; the cost of special instruction at home and abroad, and in maintenance of students and attachés; and for such other purposes as the Secretary of War may deem proper, including $10,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign States at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, $100,000; to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes, shall not apply to subscription for foreign and professional newspapers and periodicals to be paid for from this appropriation.

Mr. BLANTON. Mr. Chairman, I reserve the point of order in order to ask a question. The purposes of this paragraph and the preceding paragraph in the bill for the fiscal year ending June 30, 1917, were covered by just two items of appropriation, namely, $11,000 and $15,000, aggregating $26,000, while the appropriation in this paragraph and the preceding one, instead of being $26,000, aggregate $125,000, totaling an increase of $99,000. Does the gentleman think it necessary to have that much increase, five times greater than what it was formerly, now that we are at peace and hope to continue to have peace in the country?

Mr. ANTHONY. I will say to the gentleman we appropriated during the current year for that purpose over $300,000. In 1920 we appropriated $400,000 for that purpose.

Mr. BLANTON. But we were then in war.

Mr. ANTHONY. No; after the war.

Mr. BLANTON. We were yet on a war status.

Mr. ANTHONY. But this year under Military Intelligence it is $100,000. We cut it down from $300,000 to $100,000, and they wanted $400,000. We thought we had made a pretty heavy slice here. Before the war the activities of the Military Intelligence were limited to a detail of 2 or 3 officers and 1 clerk, but the War Department now wants to employ about 60 or 70 or 100 officers and 129 clerks. We believe in curtailing them

considerably from what they are asking, and we figured that the world conditions were such that our War Department should continue to keep in touch with the military activities over the rest of the world.

Mr. BLANTON. I realize that it will take more money to handle it, but I did not think it would take $125,000 as against the $26,000 that we used to expend just before entering the war.

Mr. ANTHONY. I think the gentleman will find that the Military Intelligence will think they are being practically ruined by the appropriation we make for them.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

GENERAL SERVICE SCHOOLS.

Fort Leavenworth, Kans.: For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, or special services, including the services of one translator, at the rate of $150 per month, to be appointed by the commandant of the school, with the approval of the Secretary of War; and for other necessary expenses of instruction, at the School of the Line and the General Staff School, Fort Leavenworth, Kans., $35,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

Mr. CALDWELL. Mr. Chairman——

The CHAIRMAN. Without objection, the Chair recognizes the gentleman from New York for five minutes.

Mr. CALDWELL. I would like to ask the gentleman from Kansas a question. I see here that he provides for special services, including the services of one translator, at the rate of $150 per month, to be appointed by the commandant of the school. Why do you not have a civil-service employee?

Mr. ANTHONY. Because the translator occupies there a close relation to the officers of that school, and they desire to pick out a man, perhaps, who is already in the military service, that they know is familiar with military matters; and it would be extremely difficult to get some one under the civil service.

Mr. CALDWELL. We have never had one of these before.

Mr. ANTHONY. Yes; we have had them for years; and they asked us for two at $200 a month each, and we allowed one at $150.

Mr. CALDWELL. Is there any authorization of law for that?

Mr. ANTHONY. Probably not, but it is incidental to the training of troops, which is one of the general authorities that is conferred upon Congress.

Mr. CALDWELL. Mr. Chairman, I think that a civil-service employee would fill that place very well.

Mr. McKENZIE. Will the gentleman from New York yield?

Mr. CALDWELL. Yes.

Mr. McKENZIE. Where does the gentleman think we could go in the civil service of the Government and find a man that was conversant with this character of work? It does not mean, as I understand it, the translation of language; it means translating military matters to these officers there in the school. And I know the gentleman from New York would not be desirous of crippling it.

Mr. CALDWELL. On the other hand, I think by insisting that we have a civil-service man there instead of having some friend of some politician, we would have a man who was skilled in that particular line.

Mr. GREENE of Vermont. Will the gentleman yield for a question?

Mr. CALDWELL. Yes.

Mr. GREENE of Vermont. What other pursuit than the Army itself offers opportunity for men to learn to become specialists in military matters?

Mr. CALDWELL. Nothing except, of course, our universities of training.

Mr. GREENE of Vermont. Do they give the inside atmosphere of military life and experience, or do they give a technical book knowledge of it, which anybody can get by reading?

Mr. CALDWELL. There are military schools in the United States where they learn those things. There are Army officers there who teach military science.

Mr. GREENE of Vermont. The gentleman is quite aware of the character of the matter from foreign countries that comes to this translator, and where it comes from, and all that?

Mr. CALDWELL. Some of it. I know a little of it. I have been studying the matter for years.

Mr. GREENE of Vermont. I know that; and I am asking the question respectfully. Is that character of work duplicated by the schools throughout the land?

Mr. CALDWELL. I think in training a man for this we would be better off if we had a civil-service employee who could continue during his lifetime. Unless the gentleman can point out an authorization of law for it, I will make the point of order.

Mr. ANTHONY. Does not the gentleman think that there would be the danger of sending out a man who was totally unfitted?

Mr. CALDWELL. Then he would not stay long.

Mr. ANTHONY. I am willing to concede that the point of order would lie against the method of the appointment of this translator, and, if the gentleman insists, the committee will consent that that language go out, if necessary. But I believe that the authorization of one translator is certainly a part of the training at that school and is in order.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. ANTHONY. I yield.

Mr. DOWELL. Assuming this would be an officer, would this appointment be in addition?

Mr. ANTHONY. He would probably be an educated noncommissioned officer picked out for that work. He might be a civilian, of course.

Mr. BLANTON. Mr. Chairman, on the reservation I wanted to ask the gentleman from Kansas whether under this general head of general service schools, which provides for one at Fort Leavenworth, Kans., at a cost of $35,000; one at Fort Riley, Kans., $10,000; and others at other places, totaling $35,000——

Mr. SEARS. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from Florida demands the regular order.

Mr. BLANTON. Is not this the regular order? I make the point of order against the paragraph, and on that I ask for recognition.

The CHAIRMAN. Will the gentleman state against what language he wishes to make the point of order?

Mr. BLANTON. I understood that the Chair recognized me. If I may ask a question, I may withdraw the point of order.

Mr. SEARS. I understood the point of order was conceded.

The CHAIRMAN. No. The gentleman from Texas has reserved a point of order against the entire paragraph. While that is pending——

Mr. BLANTON. If I may be recognized on the point of order so as to ask a question, it may save making further points of order.

The CHAIRMAN. The Chair will recognize the gentleman after the point of order is disposed of, or will hear the gentleman on the point of order.

Mr. BLANTON. Mr. Chairman, this point of order goes to the carrying on of these service schools, and I would like to ask the gentleman from Kansas whether the carrying on of these schools——

Mr. SEARS. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The Chair is unable to resist the demand of the gentleman, who is within his rights in demanding the regular order.

Mr. BLANTON. I make the point of order against the paragraph because there is no substantive law authorizing the carrying on of these service schools in peace times, and it is legislation upon an appropriation bill unauthorized by law.

Mr. MONTAGUE. Mr. Chairman, I suggest, in reply to what the gentleman from Texas has said, that we are not in peace, but we are still at war, and therefore his point of order does not obtain.

Mr. ANTHONY. Mr. Chairman, do I understand that the point of order is made against the paragraph beginning on line 18 of page 4?

Mr. BLANTON. Yes.

The CHAIRMAN. It is against the entire paragraph.

Mr. ANTHONY. I would like to call the attention of the Chair to the fact that the first appropriation for service schools appears in the act of March 2, 1897. This specifies schools at Fort Riley, Fort Monroe, and Fort Leavenworth. The training of the Army at these schools is within the general power conferred upon Congress, and the schools and buildings are actually in existence.

The CHAIRMAN. The gentleman does not contend, however, that the method of the appointment of a translator, the specific method, is authorized by law?

Mr. BLANTON. I do not raise that point, Mr. Chairman.

Mr. CALDWELL. Mr. Chairman, before the Chair rules on that, I want to reserve a point of order against those two lines, so that I may not be taken off my feet. I started under a pro forma amendment.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] will please restate his point of order for the benefit of the Chair.

Mr. BLANTON. The only point of order I make, Mr. Chairman, is against the paragraph on the ground that there is no authority of law for carrying on this service school in peace times in the manner proposed by the committee in this bill. I make no point of order as to the method of selecting the translator.

The CHAIRMAN. The Chair overrules the point of order made by the gentleman from Texas [Mr. BLANTON] and sustains the point of order made by the gentleman from New York [Mr. CALDWELL].

Mr. CALDWELL. Mr. Chairman, in order to make it clear, the point of order I make is against all the words in line 23 down to the middle of line 24, embracing the words "to be appointed by the commandant of the school with the approval of the Secretary of War."

The CHAIRMAN. So the Chair understands.

Mr. BEE. I understood, Mr. Chairman, that the gentleman reserved the point of order.

Mr. BLANTON. I make it.

The CHAIRMAN. The language against which the point of order of the gentleman from New York was directed has gone out of the bill on a point of order.

Mr. ANTHONY. The rest of the paragraph remains?

The CHAIRMAN. Yes.

Mr. GARD. Mr. Chairman, in view of the fact that this amount of $150 per month goes out, does the gentleman intend to make any suggestion to correct or restore it?

The CHAIRMAN. That does not go out.

Mr. CALDWELL. The point of order was only as to the method of appointment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Infantry School, Camp Benning, Ga.: For the purchase of textbooks, books of reference, scientific and professional papers; instruments and material for instruction, employment of technical and special services, including the services of one translator at the rate of $150 per month, to be appointed by the commandant of the school, with the approval of the Secretary of War, and for the necessary expenses of instruction at the Infantry School, Camp Benning, Ga., $35,000.

Mr. CALDWELL. Mr. Chairman, I make a point of order as against the words contained in line 8 of that page, beginning on line 8, against the words "to be appointed by the commandant of the school, with the approval of the Secretary of War."

Mr. CRAMTON. Mr. Chairman, let me call the attention of the gentleman from New York to the fact that the language he objects to now is the same as that carried in the bill for the current year, which came from the gentleman's committee.

Mr. CALDWELL. Well, if a wrong is committed one time, that is no reason why it should be continued.

Mr. CRAMTON. I am surprised that the gentleman admits that he has committed any wrong at any time.

Mr. MANN of Illinois. The gentleman should remember that it was a Democratic committee which framed this bill containing the provision to which the gentleman now objects, whereas it is now a Republican committee that reports the same language, giving to the Secretary of War the appointment of this translator, showing the difference between the courtesy of one side of the House as compared with that on the other. It just shows how mean some gentlemen can be.

The CHAIRMAN. The gentleman from New York makes the point of order against the language beginning on line 8, "to be appointed by the commandant of the school, with the approval of the Secretary of War." The effect of this language is to provide for the specific method of appointment, and is therefore legislation on a general appropriation bill. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Field Artillery schools: For the purchase of textbooks, books of reference, scientific and professional papers; instruments and material for instruction; employment of temporary, technical, or special services, including the services of one translator at the rate of $150 per month, to be appointed by the commandant of the Field Artillery School at Fort Sill, with the approval of the Secretary of War; and for other necessary expenses of instruction at the Field Artillery Schools at Fort Sill, Okla.; Camp Knox, Ky.; and Camp Bragg, N. C., $35,000.

Mr. CALDWELL. Mr. Chairman, I make a point of order against those same words, beginning in line 22 on page 5, "to be appointed by the commandant of the Field Artillery School at Fort Sill, with the approval of the Secretary of War," in line 24.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

FIELD ARTILLERY ACTIVITIES.

To provide means for the theoretical and practical instruction in Field Artillery activities at the three brigade firing centers at Fort Sill, Okla., Camp Bragg, N. C., and Camp Knox, Ky., by the purchase of modern instruments and material for theoretical and practical instruction, for the tuition of officers detailed as students at civil educational institutions, and for all other necessary expenses, to be allotted in such proportion as may, in the opinion of the Secretary of War, be for the best interests of the service, $5,000.

Mr. BEE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. BEE. Mr. Chairman, I hope that before this bill finally passes some one will prevail upon my very good friend from New York [Mr. CALDWELL] to withdraw his points of order against the employment of a translator at these schools. I live in the vicinity of a very large Army establishment, and I know how hopeless it is to expect the Civil Service Commission to send anybody except some dude with his hair parted in the middle, who has satisfied some civil-service examiner up here that he is capable to take care of this kind of work.

Now, the gentleman from New York said that he was sometimes wrong. He is absolutely wrong this time; absolutely without any question. Why, Mr. Chairman, these schools are conducted under the greatest difficulty as it is. The pay is relatively inadequate, after all, and the commanding officer at the post, not because he is under a Democratic Secretary of War or a Republican Secretary of War, ought to have the right to examine into the qualifications, not only the technical qualifications but the personal qualifications of the man who is to go into the intimate relationship with him of translating and Americanizing and citizenizing, if I can use that word, these soldiers of the United States to useful citizenship.

To send a civil-service employee, who perhaps could answer questions that nobody on the face of the earth could answer intelligently to the satisfaction of somebody, to take up this particular work would be an unwise procedure, and I appeal to the gentleman from New York as a long-time friend of the Army to withdraw the objection that would throw the translators in these schools at the mercy of the Civil Service Commission in the city of Washington. If we are to make effective these schools which have been established so long, it is very necessary, I think, that they should be efficiently conducted, and who better than the commandant of the school, simply with the technical approval of the Secretary of War—because it is a matter of indifference with him—who is better qualified than the commandant of a school to pass upon the qualifications of the man who is to be a translator, who is to be an agent in Americanizing the foreign element that may be in the Army? I hope the gentleman from New York will see his error so completely that he will change his mind and withdraw his objection.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. MCARTHUR having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On January 31, 1921:

H. R. 974. An act for the relief of W. T. Dingler.

On February 1, 1921:

H. R. 4184. An act for the relief of C. V. Hinkle.

On February 2, 1921:

H. R. 12502. An act providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge in the Chickamauga and Chattanooga National Military Park.

ARMY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defense, $2,500: *Provided*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation: *Provided further*, That purchase and exchange of typewriting machines, to be paid for from this appropriation, may be made at the special price allowed to schools teaching stenography and typewriting without obligating typewriter companies to supply these machines to all departments of the Government at the same price.

Mr. GARD. Mr. Chairman, I reserve a point of order against the language on page 8, in lines 2 to 8.

The CHAIRMAN. The gentleman from Ohio reserves the point of order against the language indicated. Without objection, the gentleman will be recognized for five minutes under the reservation.

Mr. GARD. I have reserved the point of order for the purpose of making inquiry as to the significance of this language and the necessity for its retention. It is along the same line as

the language that was objected to in other bills by the gentleman from New York [Mr. SNYDER].

Mr. ANTHONY. I admit that the language of the two provisos is subject to a point of order; but the purpose of the last proviso is so obviously the saving of money to the Government that we felt justified in putting it in the bill. The typewriter companies make specially low prices on typewriting machines purchased for the purpose of giving instruction in typewriting, and in order to give the Coast Artillery School at Fort Monroe the benefit of these specially low prices on typewriters we inserted that language.

Mr. SEARS. Mr. Chairman, I understand the War Department has many more typewriters than it can use. Why should this provision be placed in the bill at all?

Mr. ANTHONY. The commandant of the school advised the committee that he had made application for surplus matériel of this nature and that he found none of it available.

Mr. SEARS. I was notified recently that if I wanted to exchange my typewriting machine I could get one from the War Department. Why can not this school do the same thing?

Mr. BEE. The statement has been made that they are going to get rid of 40,000 employees the 1st of July, and there will be many typewriters gone at that time.

Mr. SEARS. Where are they going?

Mr. BEE. They will be out of a job.

Mr. SEARS. Are they going to be sold at the same price? [Laughter.]

Mr. McCLINTIC. The gentleman is not talking about the same kind of typewriters that the gentleman from Ohio is inquiring about.

Mr. MANN of Illinois. As a matter of fact, you have to get a typewriter from the purchasing end of the Government, and pay $62 for an old machine, with type several years old, when you can trade an old machine to one of these typewriter companies and get a new machine for $10 extra.

Mr. GARD. I do not know that of which the gentleman speaks. I was making an inquiry regarding this particular language.

Mr. MANN of Illinois. Some gentlemen of the House have been trying to get typewriting machines in their offices, and some of them received typewriting machines from the supply committee, for which the House of Representatives paid $62 apiece, and received machines three years old; and one Member of the House to my knowledge paid for the machine himself, thinking he was getting a new machine, when he was receiving a machine three years old that was not worth more than $25.

Mr. GARD. In the debate on one of the appropriation bills the statement was made by the chairman of the subcommittee of the great Committee on Appropriations that there had been 2,000,000 typewriters purchased, which statement was afterwards boiled down to what the gentleman admitted was 200,000 typewriters instead of 2,000,000. I have not made this reservation of the point of order for the purpose of embarrassing the gentleman, but for the purpose of obtaining information, and I understand the gentleman says the purpose of the proviso is to decrease the price of typewriters and increase efficiency by reason of the decrease in the price.

The CHAIRMAN. The gentleman has consumed five minutes under the reservation. Does the gentleman make the point of order?

Mr. GARD. No; I do not make the point of order.

The CHAIRMAN. Does the gentleman withdraw his point of order?

Mr. GARD. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF SIGNAL OFFICER—SIGNAL SERVICE OF THE ARMY.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipments and stores, field glasses, telescopes, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motor cycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use in the office of the Chief Signal Officer and the Signal Corps School, Camp Alfred Vail, New Jersey; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, but not including payment for individual telegraph messages transmitted over commercial lines; electrical installations and maintenance at military posts, cantonments, camps, and stations of the Army; fire control and direction apparatus and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimentation and research for the purpose of developing improvements in apparatus and methods of signaling, including machines, instruments, and other equipment for laboratory and repair purposes; tuition, laboratory fees, and so forth, for Signal Corps officers detailed to civilian technical schools for the purpose of pursuing technical courses of instruction along Signal Corps lines; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, $2,835,000: *Provided*, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Salaries and wages, $600,000; engineering and research work, $150,000; miscellaneous expenses and emergency purchases, Hawaiian and Philippine departments, $25,000; signal equipment for organizations, $1,000,000; pigeon service, $5,000; meteorological service, $75,000; photographic and cinematographic service, $100,000; commercial telegraph and telephone service, $500,000; training Signal Corps troops, enlisted specialists and officers, $20,000; printing, $10,000; gasoline and oils, $20,000; nonunit Signal Corps supplies, $50,000; radio installations and maintenance on Army transports, $50,000; operation and maintenance, Camp Alfred Vail, $100,000; miscellaneous expenses and emergency purchases, corps areas, $25,000; Air Service telephone expenses, $25,000; supplies to be procured through other departments of the Army, $50,000; mobile radio stations for Coast Artillery brigades, $25,000; and radio equipment for tanks, $5,000.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman a question. I notice on page 8, line 20, that an appropriation is made for the purchase, equipment, and so forth, of motor-driven vehicles. I understand the charge has been made and an investigation had as to the immense number of automobiles and other motor-driven vehicles that we had left over from the war. Does the gentleman think it is necessary to make a further appropriation?

Mr. ANTHONY. There is no allowance in this bill for the purchase of any motor-driven vehicle except for experimental purposes.

Mr. JONES of Texas. I am referring to the language in line 20, page 8.

Mr. ANTHONY. In fact, there is a general prohibition carried in the bill against such purchases.

Mr. JONES of Texas. This paragraph seems to authorize them.

Mr. ANTHONY. We have used the language of the old appropriation; but if the gentleman will turn to page 34 of the bill he will find this language:

And provided further, That none of the funds appropriated or made available under this act, or any of the unexpended balances of any other act, shall be used for the purchase of motor-propelled passenger or freight carrying vehicles for the Army except those that are purchased solely for experimental purposes.

Mr. JONES of Texas. I thank the gentleman for calling my attention to this provision. However, this inhibition carries an exception.

Mr. DOWELL. I move to strike out the last word. I desire to inquire if the amount on page 10, salaries and wages $600,000, applies to the civilian employees referred to on page 9?

Mr. ANTHONY. It applies to all of the civilian employees of the Signal Corps in the field, but not here in Washington.

Mr. DOWELL. Does that cover the item on page 9, of civilian employees—$600,000?

Mr. ANTHONY. I can not tell the gentleman how precisely it covers the item. The total appropriation asked for by the Signal Corps was $10,000,000. They had $4,000,000 during the current year, and we have cut them to a total of $2,800,000. The money appropriated will force a radical reduction in operation.

Mr. DOWELL. As I understood the gentleman from Mississippi yesterday, he stated that it was impossible to limit the amount to be paid to civilian employees, because of the transfer from one purpose to another by the departments. After the words "salaries of employees" it occurs to me that the committee could have limited that to a specific number of dollars, and there could be no transfers.

Mr. ANTHONY. We have attempted to do that in this bill. Usually the amount is carried in a lump sum, but on page 10 we have subdivided the total amount carried for the Signal Corps and limited each separate activity.

Mr. DOWELL. You have salaries and wages. Does that apply to the specific item of the salaries of civilian employees?

Mr. ANTHONY. It does apply to all salaries and wages of civilian employees.

Mr. DOWELL. I think $600,000 for civilian employees is a very liberal appropriation.

Mr. ANTHONY. For the information of the gentleman from Iowa I want to say that the Signal Service asked for $1,398,000 for salaries and wages.

Mr. DOWELL. If I understood the gentleman correctly, he said that the statements of the department were not to be relied upon. I think the chairman stated that yesterday—that we should not take the statements of the department.

Mr. ANTHONY. No; I said in reference to bringing the number of enlisted men down to 150,000.

Mr. DOWELL. The rule is that if you can not believe a party on one question they can not be given credence on another.

Mr. ANTHONY. It is not a question of belief; it is a question of the extent to which we want to allow the Signal Corps to engage in activities.

Mr. DOWELL. The committee found that they actually needed $600,000 for civilian employees.

Mr. ANTHONY. We thought it would be unwise to limit them to a lower amount.

Mr. JONES of Texas. I want to ask the chairman a question. In reference to the provision on page 34 as to the purchase of motor vehicles it prohibits the purchase, "except those that are purchased solely for experimental purposes." What are those experimental purposes?

Mr. ANTHONY. The motor transport division of the Army is constantly at work in its technical shops on improvements of various kinds in motor vehicles.

Mr. JONES of Texas. They are not engaged in the manufacture of vehicles?

Mr. ANTHONY. Yes; they manufacture, but they do not try to manufacture automobiles; they manufacture parts. Every technical branch of the Army has an engineer department, and the engineer inspectors are at work trying to improve the apparatus that they now have.

Mr. JONES of Texas. Does the gentleman think that this limitation will keep them from purchasing new automobiles or trucks?

Mr. ANTHONY. I do not know of a single new automobile that the Army intends to purchase. During the last year the Army did buy new trucks, against the protest of members of the Military Committee of the House, out of funds that I understand were available from the war. There is no money in this bill that can be used for that purpose.

Mr. GREENE of Vermont. Mr. Chairman, on page 10, line 11, the proviso from there on to the completion of the paragraph on page 11 is all new language. Does the gentleman contend that that is not subject to a point of order?

Mr. ANTHONY. I contend that under the Holman rule this language is a limitation on the amount that can be expended for the purpose.

Mr. GREENE of Vermont. I anticipated that answer. Will the gentleman indicate whether there has been some material reduction in the assignments made by the new language, various activities in the Signal Corps, as compared with the former appropriation?

Mr. ANTHONY. There is. During the current year $4,000,000 was appropriated for the Signal Corps, and this bill carries $2,800,000, a reduction of over $1,000,000.

Mr. GREENE of Vermont. I do not care to question the objective that the gentleman had in making the reduction, but from figures suggested by men interested in that activity it is thought that some of the activities are cut down beyond a practical and wise amount.

Mr. ANTHONY. That may be; but we hope that we have not gone so far as that. Let me say a word. In my answer to the gentleman some time ago I stated that this was a limitation under the Holman rule. I think they are in order anyway as express limitations.

Mr. GREENE of Vermont. I anticipated the gentleman's answer and I thought he was justified in making that answer because they are clearly limitations.

There are various activities of the Signal Corps which were not long ago a novelty to the American Army, and one is the pigeon service. Of course, to any layman it might seem almost frivolous to discuss such a thing, but to anyone familiar with such matters it is plain you could not abandon it altogether in peace time and expect to begin again sometime where you left off long ago. I do not address myself to the pigeon service particularly, for there is a photographic service, for instance, and so on.

Mr. ANTHONY. Let me say to the gentleman that the department asked for $35,000 for pigeon service and we have allowed them $5,000.

Mr. GREENE of Vermont. It is not a matter easy to popularize, and it might excite a little smile to think that anybody would want to stimulate the pigeon business in the War Department. There is a real serious side to it, as the gentleman knows.

Mr. ANTHONY. I agree with the gentleman.

Mr. GREENE of Vermont. The same thing is true of the photographic service. We can not expect to abandon overmuch the line of scientific or other development through experimentation in the photographic art in peace time and resume it later in the Army where we left off. Does the gentleman think that these appropriations are going to permit us not only to carry along reasonable development in the Army, but to be in a situation to take advantage of the development in the art outside of the Army?

Mr. ANTHONY. That was the idea, to permit a reasonable carrying on of these activities, such as photography. If the gentleman will reflect, he will remember that every branch of the Army practically carries on photographic activities, as, for instance, the Engineer Corps and the Signal Corps, and so forth. They all have their allowances for photography, and the combined amount of the appropriations for that purpose in this bill is very large.

Mr. GREENE of Vermont. I am quite in sympathy with the idea of getting back to sane economy in respect to all of these things.

Mr. ANTHONY. So far as the Signal Service is concerned, let me suggest that they have added a commercial aspect to their photography. They have entered into the sale of photographs which they have taken, and the income from the sale of those photographs is almost as much as the amount appropriated in this bill for the carrying on of photographic work.

Mr. GREENE of Vermont. It is not perhaps so essential that we shall keep step with every kind of development in the art outside of the Army, but there is a technical side to this service. The man in the Army who does the photographic work should know what he wants to photograph. There is a peculiar little matter there of technical selection and discrimination, which may not be made plain by those words, but which is significant to the officer of the Army. Take, for instance, the man who is carried up for military observation in an aeroplane or a military balloon. The gentleman and I could go up, perhaps, and would not know what we wanted to see, or we could go up there with the finest expert photographer in civil life, and he would not photograph the thing that the trained Army photographer would photograph, because he would not notice it.

Mr. ANTHONY. The Signal Corps asked for $184,000 for this purpose, photography and cinema work, and we allowed them $100,000.

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. KAHN. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee a question or two. Beginning on line 11, page 10, the committee has seen fit to segregate the amounts that can be expended for any purpose. Take the item for salaries and wages, $600,000. Suppose there should be a demand for $610,000, would the Army be allowed to use any of the amounts that are appropriated for other purposes under this item for that amount, or would they have to come in with a deficiency?

Mr. ANTHONY. If the gentleman will notice, the committee has stricken out all of the lump-sum provisions that formerly prevailed in the bill, and it is my opinion that the War Department would be strictly limited to the expenditure of not more than $600,000 for this purpose, and they could not bring in a deficiency if they spent more.

Mr. KAHN. Mr. Chairman, this brings us back to a condition that recurs time and time again. I have been on the committee that was reporting former appropriations, and at the beginning we used to segregate the sums for each specific purpose, as I remember. Then it was found that in the process of working out the activities of the War Department there would be a little deficiency in one item and a little surplus in another. Therefore, the War Department deemed that it would be desirable to lump the sum and allow them to pay for little deficiencies that might occur in one item out of a surplus that might occur in another item. We have been running along in that way now for some years. We are now proposing to go back to the old condition again. Does the gentleman think that any real material benefit may be gained by segregating in this way?

Mr. ANTHONY. I would say to the gentleman we certainly did think so or we would not have made these provisions. I want to refresh the gentleman's mind to the effect that during my service on the Committee on Military Affairs I always opposed the lump-sum clauses which used to appear in the bill. I think our subcommittee was moved to take the action we did and to put these express limitations on the bill and wipe out

the lump-sum provisions by one instance that came to our notice. In one of the paragraphs appropriating for the quartermaster's supplies there was an item to cover the expense of recruiting. The War Department under that appropriation took $780,000, which we had appropriated for quartermaster activities, and assigned it to be used for the purpose of newspaper advertising in order to boost and promulgate the propaganda for vocational training, and nearly $300,000 of that money which Congress had appropriated for quartermaster activities was actually spent with the newspapers of this country in that propaganda and nearly the same amount for billposters for that purpose. We made up our minds that we were going to stop that kind of business if we could do it. [Applause.]

Mr. KAHN. Of course what the gentleman has stated shows an abuse in the administrative office of the department. As he has so frequently said, after March 4 that would cease anyway.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CRAMTON. Mr. Chairman, I rise in opposition to the pro forma amendment simply to reply further to the inquiry of the gentleman from Vermont [Mr. GREENE]. The committee was quite appreciative of the importance of photographic work. The department asked for $184,000 plus and the committee gave them $100,000. The hearings disclosed that $83,000 plus of the request from the department was for the preparation of additional and necessary reels for the set known as "The training of a soldier," to be used in training recruits. It appealed to the committee that that particular part might wait. That will account for the difference between the estimate and the allowance.

Mr. GREENE of Vermont. I am glad to have the assurance of the gentleman along that line, and I had again anticipated it. I hope that the questions which I have suggested about these matters do not appear in the light of mere hectoring or of attempted hindrance.

Mr. CRAMTON. The committee never would expect that of the gentleman.

Mr. GOOD. The gentleman never indulges in that practice.

Mr. WINGO. Mr. Chairman, I would like to ask the gentleman to give me some detailed information with reference to the provisions in lines 5 to 11, page 10, in reference to the "lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads, and walks, and other equipment required." How much was spent during the last year for new buildings under repair of buildings?

Mr. ANTHONY. I think the intention of the language is to cover the lease of land, if necessary. I will say to the gentleman it is not our intention to provide for the purchase of land.

Mr. WINGO. How much land is contemplated to be leased?

Mr. ANTHONY. I do not know of any.

Mr. WINGO. The gentleman does not know of any land?

Mr. ANTHONY. No.

Mr. WINGO. What new buildings is it contemplated erecting in the way of repairs to old buildings during the next year?

Mr. ANTHONY. I think they want to make some extensive improvements to Camp Vail, N. J., to be the new headquarters of the Signal Corps, but the expenditure under this head will be limited to the items that follow.

Mr. WINGO. I think the limitation is here, and I first thought that was the explanation, but a careful reading of the limitation will show that the segregation later on or the allocation go to a different proposition. This is simply providing for lease of land, for the alteration of buildings, and for the introduction of water, electric light, sewerage; in other words, improvements in buildings. There are just two items covered in this provision of $2,835,000. One is the leasing of the land, and the other is the erection of new buildings either by way of extensions or repair of an old building, the putting in of plumbing and such other things. Now, why the necessity for nearly $3,000,000 for the next year at one plant?

Mr. ANTHONY. There is no necessity, but I do not think that a dollar that we appropriate can be used for the purchase of land.

Mr. WINGO. I am not talking now about the purchase of land; a lease may, as far as the Public Treasury is concerned——

Mr. ANTHONY. I doubt if a dollar could be used for the lease of land.

Mr. WINGO. But it so specifically provides.

Mr. ANTHONY. Will the gentleman point out where any money is to be used for that purpose?

Mr. WINGO. It says specifically "lease."

Mr. ANTHONY. Where is any money in connection with it appropriated?

Mr. WINGO. "Including the land therefor." It says, "lease and repair of buildings, including the land therefor." It is peculiar language. The lease of land, including the buildings thereon, would be the customary language, and here the committee provides for the lease of the buildings, including the land, and for the repair of the buildings that are on it. It provides for the introduction into these buildings of certain improvements such as sewerage and equipment, and the appropriation is $2,835,000. What proof was offered the committee for the necessity of such expenditure?

Mr. ANTHONY. Let me say to the gentleman again that in the opinion of the committee there is no expenditure whatever contemplated for that purpose, for we specifically provide in the language following how the $2,835,000 shall be expended.

Mr. WINGO. Where is the provision under the limitation there for the repair of buildings? How much is allocated for the repair of buildings? There is not any there; the gentleman is in error.

Mr. CRAMTON. And not being allocated for that purpose, no money can be used for that purpose.

Mr. ANTHONY. If the gentleman will permit, I will give him some information.

Mr. WINGO. That is what I am seeking.

Mr. ANTHONY. The money for the repair of buildings of the Signal Corps will probably come from another appropriation.

Mr. WINGO. From some other appropriation. What will the total amount allocated be?

Mr. ANTHONY. I can not tell the gentleman; I have no idea at this time.

Mr. WINGO. How much is allocated in the total items you have in your bill?

Mr. ANTHONY. The whole amount is allocated under the limitations that follow.

Mr. WINGO. That is the point. In the proviso, which attempts to allocate it and set out its specific purpose for which the amount is granted of $2,835,000, no portion of that money is allocated for the repair of buildings or leasing of land.

Mr. ANTHONY. Well, does the gentleman desire an appropriation for that purpose?

Mr. WINGO. No.

Mr. ANTHONY. We have not provided any.

Mr. WINGO. I will tell the gentleman, I have agreed with the gentleman heretofore against this lump-sum proposition. The gentleman is certainly a very able lawyer and he knows just exactly what the War Department will say with reference to this language when he undertakes to allocate the $2,835,000. If you are going to allocate the sum total, what are they going to do——

Mr. MANN of Illinois. Will the gentleman yield?

Mr. WINGO. I will.

Mr. MANN of Illinois. There is a segregation here of $1,000,000 for signal equipment for organizations. Would not that authorize the use of a portion of that for the lease and repair of buildings for storing that material?

Mr. WINGO. If I were the solicitor of the department and that question was asked me, from my personal opinion, offhand, I would say that the leasing of land would not be considered as equipment.

Mr. MANN of Illinois. A lease of land might not be considered equipment, a building to store equipment may not be equipment, but where you make appropriation in the language in which it is made here there must be some way of taking care of the equipment. It is not all to be expended for the purchase of equipment. That is perfectly plain. It must be cared for and must be stored. Now, the expense of storage must come out of the total carried.

Mr. WINGO. Does not the gentleman overlook this—that the proviso says "the amount to be expended for the purchase of equipment or lease of land shall be expended for the following purpose"? It does not say whether it is for the purpose of equipment or caring for equipment.

Mr. MANN of Illinois. Certainly not.

Mr. WINGO. And I think that they would take it for the purchase or care of equipment.

Mr. MANN of Illinois. That might require the leasing of a place in which to care for it. Certainly, it covers a provision for the care of the equipment. It is all limited to $1,000,000.

Mr. BEE. In line 24, Camp Alfred Vail, as I understand, there is to be no lease of the land, but would not the maintenance provide the necessary repairs to the building?

Mr. WINGO. I do not know.

Mr. BEE. Why is not the repair on a building a maintenance of the building? On what theory is it not?

Mr. WINGO. I refer the gentleman to the Interstate Commerce Commission.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent for three minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. As I suggested to the gentleman from Texas, I can refer him to the Interstate Commerce Commission, where they have undertaken to make distinctions, as far as railroads are concerned, as to what will be charged to maintenance, expense, and capital account, and which will give the ordinary lawyer a headache. But I do not think the same rule applies here. When we come to one of these bills wherein certain departments want something for repair, it does not constitute powers that will mean the construction of a building or the addition of a wing to a building. I think when they want to do a thing like that they come to Congress and show the necessity for it. The War Department before has done things that the Congress would not have authorized them to do, and which subsequently Congress has criticized them for doing under language like this.

If we are going to criticize them, we ought not to put in the particular language such as is in here and make it possible to have put upon it the interpretation that has been made by Members here to-day. Under this allocation it is contended by the chairman they can lease buildings, including the land on which they are located, which is a peculiar thing to do. They can make additions, and that is what they intend to do, with nearly $1,000,000 of this. They intend to make practically new construction, and the House is entitled to know what new construction is to be attempted in any Army plant throughout the country. If you undertake to bring in in a public building bill a public building at $25,000, even though the Treasury Department said it was absolutely necessary, it would take several hours to put it through the House with all the power of the steering committee back of it. If that is true with reference to smaller items, why should it not be true with reference to items of construction for the War Department?

Mr. GREENE of Vermont. Will the gentleman permit a suggestion?

Mr. WINGO. Gladly.

Mr. GREENE of Vermont. I think the statute itself prevents anybody from using any sum of money for construction above $25,000. Such an item has to be brought in on a separate and specific bill.

Mr. WINGO. That is the very point I am objecting to. You are putting in propositions here under which they can keep within the law. They can see the debates of Congress and see that men who have technical information about Army matters in the House defend their right to go and make an expenditure of public funds for practically new construction work, and they can point to that as a justification of their conduct when challenged. They have done it heretofore and will do it in the future. If you have a new construction to make at this camp in New Jersey, why not provide what that new construction shall be and put a limit upon it?

Mr. ANTHONY. Will the gentleman yield?

Mr. WINGO. I yield.

Mr. ANTHONY. The committee has made no provision for any new construction whatever, and if there is any provision in this paragraph for new construction the committee does not know about it.

Mr. WINGO. Is it not authorized in the lease of new land?

Mr. ANTHONY. Only in the language the gentleman quotes, the original language of the bill. I will say to the gentleman we have not appropriated any money for that purpose. And in the estimates submitted to the committee by the Signal Service even they themselves asked no provision for new construction.

Mr. WINGO. And yet you give it to them?

Mr. ANTHONY. No; we do not.

Mr. WINGO. I wish we could get at it. If I were a member of the committee and had the technical information necessary, I would offer an amendment that would cut out the appropriation contained in this paragraph for things they do not need and for which they do not ask but intend to use.

Mr. GARD. Mr. Chairman, I move to strike out the last three words in order to ask for information.

I notice on page 10, line 14, for wages in this general provision $600,000, and in the hearings it develops that $1,398,806 was asked for salaries and wages in the Signal Service. Only this sum of $600,000 has been allowed.

I was pleased to read in the hearings the statement of Gen. Squier, on page 183, where he said:

It—

Referring to the United States Army—

is keeping the American Signal Corps ahead of the world.

That is the very proud position which our Army had in the Great War. I presume we all want to be parts, as much as we can, in maintaining that position. I am interested, therefore, in knowing whether this tremendous cut from $1,398,000 to $600,000 is justified in the emergency. Most of the persons employed, I take it from the hearings, are young men who have been in the service in engineering capacities and who are now continued, or who are sought to be continued, in the service for research purposes, for such purposes as great corporations like the General Electric Co. are maintaining large divisions, such purposes as the colleges themselves are endeavoring to supplement, but which necessarily must be most valuable in the maintenance of our Signal Corps, a very important item in our offense and defense.

Mr. ANTHONY. If the gentleman will consider that before the war our total appropriations for the Signal Corps were but about $250,000 a year, and that we are giving them now in time of peace $2,850,000, the gentleman will realize that it is comparatively a large appropriation. This is considerably less than the $10,000,000 that they asked for, and it does considerably cut down the activities which they propose in the development part of the work of the Signal Corps; but the committee believes that it has allowed them ample money under which to operate for another year.

Mr. BEE. Mr. Chairman, will the gentleman yield right there?

Mr. ANTHONY. In just a second. Continuing along that line, I want to remind the gentleman from Ohio of another thing. We found that the Army was spending about $1,200,000 for telephone and telegraph messages per annum. These amounts are paid for out of this appropriation. It is obvious that we could not allow such a waste as that to continue, and we had arbitrarily to chop them down to $500,000. We did not know that they could get along with that amount of money, but it was apparent that some radical reform must be made in that expense, so the committee simply used its ax and chopped it in two.

Mr. GARD. I was interested in knowing whether this item was enough to properly maintain the Signal Corps.

Mr. ANTHONY. If the gentleman will consider that not only many of our colleges and universities but our large manufacturing institutions are also carrying along the same kind of development work, he will admit that the Government is doing its share.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. BEE. I want to ask the gentleman from Kansas [Mr. ANTHONY] what reduction there has been in the personnel of the Signal Corps?

Mr. ANTHONY. None whatever in regard to the personnel authorized by law.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HUDDLESTON. Mr. Chairman, I want to be recognized on a pro forma amendment.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. HUDDLESTON. Mr. Chairman, one of the best ways to reduce the Army to the limit we want it to have is to stop the practice of the recruiting service of robbing the "trundle-beds" of the country. An amazing proportion of our soldiers are boys under 21 years of age.

To recruit these boys is not only an injury to their parents but it is also a wrong against the boys themselves. By every rule of morals, and the law of every State, a parent is entitled to his services until the son becomes 21 years of age. The single exception recognized is that some smooth and adroit recruiting sergeant may wheedle an unsophisticated boy away from home and get him to enlist in the Army without his parents' consent and thereby rob them of his services.

It is a wrong against the boy, because it takes him away from home at the very time when he most needs home influences; it robs him of his chance for education and of all other influences that would mold his character along proper lines; it deprives him of every influence that would uphold him, of family, of church, of fireside, of school, of association, of public opinion, and all of the other helps that go to hold men up and make them stand straight. On the other hand, it thrusts him into a strange association far away from home, many times among men seasoned in doing things that we would not like our sons to do. It

subjects him to influences nearly all of which tend to drag him down and make him less of a man than we would like to have him be.

But the wrong of recruiting boys under 21 years of age is not confined to those over 18. When they are under that age, although protected by law, they are not as a matter of fact protected from the operations of the recruiting officers. Thousands of boys all over the country 16 and 17 years of age are being deceived by a course of advertising which is little short of fraudulent. They are induced by slick-tongued recruiting sergeants into misrepresenting their age and signing the recruiting papers, and are being taken away from their homes into a life which has been misrepresented to them and of which they have a very inadequate idea.

The inhumanity—and I use the word with all deliberation—of the War Department that engages in that recruiting practice is not confined to taking the slick-faced boy from home, although his immaturity is obvious to any man who has any sense—to taking him away from home and sending him to some distant station. After they get him there, and after they know he is under age, they keep him there until his parents present proofs that can not be denied that he is under 18; and then what do they do? Do they send him back home? Oh, no. They turn this helpless boy loose a thousand miles away and leave him to get back home as best he may.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. Mr. Chairman, I ask for five minutes additional.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HUDDLESTON. The situation as presented in that connection is a stench to heaven, and Congress owes a duty to the people of the United States to correct and cure it without further delay. [Applause.]

It is not merely in isolated cases that these boys under 18 are recruited. It is of frequent occurrence—perhaps daily occurrence. I have known of a multitude of such cases. A large number of them have occurred in my own district, and I have had many of them discharged; and I know it is a very common occurrence to take a boy under 18 years of age into the Army and turn him loose far away from home. I have had some correspondence with the War Department in regard to this. The first letter in this correspondence is a letter addressed to the commandant of the Ninth Army Corps, at San Francisco, in which I called his attention to a young soldier boy who had been lured away from home by the recruiting service, and sent him the proofs that had been furnished as to the boy's age showing conclusively that he was only 17 years old.

The letter I wrote him was as follows:

COMMANDING GENERAL NINTH CORPS AREA,
San Francisco, Calif.

DEAR SIR: In re Carl Wheeler, 14th Company C. A. C., Fort Winfield Scott.

Under date of 20th instant I forwarded to Adjutant General birth certificates and other papers showing that said soldier was born on July 15, 1903, and enlisted without his parents' consent, and requested his discharge in their behalf. I am just in receipt of The Adjutant General's letter dated 28th instant, in which he states that my letter, with documents, has been referred to you for final action. I beg to inquire what steps have been taken in said matter and to ask whether any further proofs are required.

Said soldier's parents are quite poor and it will be of serious inconvenience to them to pay his transportation home. It would seem proper that he be transferred, for discharge, to some near-by post. I beg to inquire whether this will not be done.

Thanking you, I am,
Yours, truly,

GEORGE HUDDLESTON,

BIRMINGHAM, ALA., *August 30, 1920.*

The commanding general replied as follows:

WAR DEPARTMENT,
HEADQUARTERS NINTH CORPS AREA,
San Francisco, September 8, 1920.

Mr. GEORGE HUDDLESTON, M. C.,
Birmingham, Ala.

DEAR SIR: Replying to your letter of recent date relative to the discharge of one Carl J. Wheeler, a member of 14th Company, C. A. C., Fort Winfield Scott, Calif., the corps area commander directs me to advise you that all papers in this case have been referred to the soldier's commanding officer for investigation, report, and recommendation.

Relative to transferring the soldier to some post nearest his home for discharge, your attention is invited to paragraph 4, Circular No. 426, War Department, 1919 (copy inclosed), which provides that a soldier discharged for fraudulent enlistment, minority concealed, forfeits all pay and allowances, including travel pay, and there is no authority for the transfer, as you suggest.

Yours, very truly,

R. J. HERMAN,
Major, Adjutant General, Assistant to the Adjutant.

Paragraph 4 of Circular No. 426 is as follows:

4. A soldier discharged on account of fraudulent enlistment, minority concealed, will receive neither an honorable nor dishonorable discharge, but a "Discharge from the Army of the United States" (Form No. 526, A. G. O.). Such a discharge is ordered on account of fraudulent enlistment and involves forfeiture of all pay and allowances, including travel pay. A minor is usually not brought to trial for fraudulent enlistment, but he may be so tried and if convicted may receive a dishonorable discharge in addition to other penalties as may be implied by the court.

The commanding general said that where a soldier is discharged for fraudulent enlistment—that is, for enlisting under the age of 18—he forfeits all pay and allowances, including travel pay, and that there is no authority for the transfer to any station near his home.

Thereupon I took up the matter with the Secretary of War, and wrote him a letter in which I recited the facts, told him about these boys that were being recruited back home in my district, and asked him to take some steps which would prevent their being recruited in the future. I said this to him:

BIRMINGHAM, ALA., *September 13, 1920.*

Honorable SECRETARY OF WAR,
Washington, D. C.

DEAR SIR: My attention is called to paragraph 4, Circular 426, "Fraudulent enlistment of minors," which is construed to direct the discharge of minors enlisting under age, at points remote from place of enlistment, without transportation home or transfer to some more convenient station.

In many cases of minor enlistment which I have investigated I have found that an immature boy has been imposed upon and been induced to enlist by advice of others, including in some instances soldiers connected with the recruiting service, under which he misrepresented his age. In almost none of the cases is there any honest and diligent effort upon the part of the recruiting officer to learn the boy's true age. I am being constantly called on to advise my constituents how to obtain the discharge of their under-age sons who have been recruited. In few such cases is there such criminal culpability as would justify discharging an immature boy wholly without means at some point remote from his residence. In two recent cases the soldier had been sent to the San Francisco area, and the parents were in no financial condition to get their boys home.

I am writing to express my earnest protest against above practice, and to urge that in cases of minority enlistment the boy should be transferred for discharge to the most convenient station or his transportation home paid by the department. I further respectfully submit that recruiting officers should be given directions which will insure an adequate investigation of the boy's age before he is accepted as a soldier.

Yours, truly,

GEORGE HUDDLESTON.

I told him of the great hardship that the discharge of boys far from home worked, and begged him to enforce some order which would transfer these boys to some near-by station where they might be discharged. I realized that in cases like that of this boy Carl Wheeler in San Francisco, over 3,000 miles from home, he could not possibly get home unless his poor and hard-working parents would scrape together enough of their hard earnings and send him to pay his expenses. I did not get a reply back from Mr. Baker. I do not know why. Possibly the subject was not thought by him to be of sufficient importance to require his attention, but I did get a reply from the Chief of Staff, and he argued the matter with me. He wrote me as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, September 16, 1920.

Hon. GEORGE HUDDLESTON,
House of Representatives, Washington, D. C.

DEAR MR. HUDDLESTON: Your letter of September 13, 1920, with reference to furnishing transportation to their homes of minors discharged from the Army for fraudulent enlistment, has been referred to me.

It is understood that in certain cases the carrying out of the instructions contained in paragraph 4 of Circular 426, War Department, 1920, which forbids the payment of travel pay to minors, may in certain cases work a hardship upon the individuals. On the other hand, due consideration must be given to the interests of the Government. It must be borne in mind that in these cases the Government has already been put to the expense of clothing these men, of subsisting and paying them for greater or less length of time, and in many cases of paying their transportation to their station, which, as you say, may be located as far away as San Francisco. All this expense arises from the fraudulent evidence produced by the applicant for enlistment. It does not appear just that, having been put to this very considerable expense due to the misrepresentation of the soldier, the Government should in addition transport him back to his place of enlistment. Nor does it appear that such action is entirely just to the individual in that whereas he secured clothing, subsistence, pay, and considerable travel through his false representation, he would in the end find himself safely returned to his place of enlistment with no penalty whatsoever attached.

It should be borne in mind that the War Department is as anxious to prevent the enlistment of these minors as anyone concerned. Such men can be nothing but a source of expense and trouble, and in every way a dead weight to the Army.

Existing instructions issued by the War Department direct that great care be taken by recruiting officers to prevent the enlistment of minors. In this connection, your attention is invited to paragraph 2 and to the concluding paragraph in the circular which you quote. These instructions have been emphasized in later circulars and bulletins.

I desire to assure you that the War Department will continue to do all in its power to prevent the enlistment of minors in the Army.

Very truly, yours,

HENRY JERVEY,
Brigadier General, General Staff,
Assistant Chief of Staff, Director of Operations.

The "fraudulent evidence" to which he refers is the statement of an immature boy, who had been influenced by a designing recruiting sergeant to misrepresent his age.

In all these cases that I have presented to the War Department they have discharged these unprotected, ignorant, immature boys, far, far away from home, and left them to get home as best they could. I protested against this inhumane practice in my letter to the Secretary of War, and I protest here to the committee having such matters in charge, and to Members of Congress who owe every duty of humanity, of kindness, and of a square deal to these boys, who are being lured into the Army and then turned loose under these inhumane circumstances.

I yield to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. I wanted to ask the gentleman if it was not true that they refused to give these boys an honorable discharge?

Mr. HUDDLESTON. Oh, of course; but he can do without an honorable discharge; he can not walk home from San Francisco.

I yield to the gentleman from Iowa [Mr. HULL].

Mr. HULL of Iowa. The gentleman understands, does he not, that this is all done without the sanction of Congress?

Mr. HUDDLESTON. I will say to my good friend that I realize that Congress can stop it to-day, if it wants to stop it. All we have to do is to put a limitation in this appropriation bill which will insure that these recruiting officers before they take these young boys away from their fathers and mothers shall have sufficient evidence of the fact that the boys are old enough to enlist. If we can not get action out of the War Department then it is up to us to do something. All it requires is action by Congress.

The CHAIRMAN. The time of the gentleman has expired. Debate on this amendment is exhausted.

Mr. HUSTED. I do not agree with the gentleman from Alabama [Mr. HUDDLESTON] in his statement that the boys who enlist in the Army are, as a general rule, degraded or demoralized by the Army service. I think as a rule they are improved by it. I have known numbers of boys who have been made men of by their experience in the Army. I believe that the officers of the Army are exceedingly solicitous for the welfare of these boys, and they make it their personal business to look after their welfare, moral, as well as physical, in every way that they can; but I do agree with the gentleman to this extent: I think that greater care should be exercised by the enlistment officers not to take boys into the Army who are under age. I have had a number of these cases, and I think it is quite wrong to take advantage of any statement by a boy when it is perfectly palpable to the enlisting officer that he is not of legal age. It is an injustice to the boy, and it is not in accordance with the laws enacted by Congress.

Mr. BEE. I will ask the gentleman, How can Congress control the action of a recruiting officer in taking a boy of 17 who says he is 18?

Mr. HUSTED. Congress can exercise its moral influence, if nothing more. Congress can make it clearly appear that it is absolutely opposed to the wishes of Congress that boys should be enlisted who are under the legal age, and we can make that quite emphatic to the Secretary of War, and he can communicate these ideas to the enlistment officers, if he sees fit to do so.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. MANN of Illinois. I was called upon the other day by a couple of gentlemen connected with the Army in the interest of vocational education, who assured me that one of the reasons why the vocational education system should be continued was that a large proportion of the enlisted men were under 16 years of age. These men were connected with the Army.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last two words. I am much interested in the suggestion offered by the gentleman from Alabama and the remarks of the gentleman from New York. During the last week it has been my privilege to intervene in behalf of two parents whose sons enlisted at the age of 16 or 17 years. Of course, on furnishing the proper proof they were promptly discharged, but, as the gentleman from Alabama has said, they were discharged, not by an honorable discharge, but they forfeited their pay and were compelled to pay their way home in order that they might get there.

In those two cases it worked a peculiar hardship on the parents. I do not know who is to blame for the situation. I am not willing to lay all the blame to the recruiting officer, because there are some boys more robust and better developed than others who appear to be older than they are, and it might be a difficult thing to compel every recruiting officer to be sure the boy was 18 years or older.

But that is not the only hardship that has been called to my attention in reference to enlistments in the Army of boys under 21 years of age. My attention has just been called to a case where a boy of 18 enlisted. His mother is a widow; she has another boy 15 years of age who is a helpless cripple and requires her constant attention. She also has two other children, one 9 and the other 11 years of age. She has not a foot of property; she has no income of any sort, and she has been compelled to rely upon the charity of the Red Cross and of her neighbors for support since the boy enlisted in the Army, without her knowledge or consent. She did not know of his enlistment until he was on his way to camp.

She appeals to me to get the boy out of the Army. Under the regulations now in force there is only one ground upon which a man may be discharged from the Army under circumstances of this sort, and that is he must show that since his enlistment, either by reason of death or disability in the family, other members in the family have become dependent upon him for support. I have submitted the case to the War Department, and I know what their reply will be—that he can not be discharged unless he can show that since the enlistment death has occurred or a disability has occurred by which other members of the family have become dependent upon him.

Mr. PARRISH. Will the gentleman yield?

Mr. BARKLEY. I will yield to the gentleman.

Mr. PARRISH. I wish to say that I have recently talked with the War Department on a case similar to that, and they say that there is an additional ground of discharge or release, and that is a fraudulent enlistment. In other words, if the dependency existed at the time the boy enlisted it was a fraudulent enlistment and would amount to the same thing as an emergency arising afterwards.

Mr. BARKLEY. I appreciate the gentleman's suggestion, and I hope they will so hold in this case.

Mr. BEE. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. BEE. Why does not the Congress restore the age of enlistment to 21 years and thus do away with this trouble?

Mr. BARKLEY. The gentleman is as well able to answer that question as I am. I think it ought to be restored. Prior to the European war we had a provision which enabled the War Department to allow a man to buy his discharge after a service of one year. He can not do that now, even though he is amply able to buy his discharge and desires it for legitimate reasons. But I am not urging that now.

Mr. BEE. Does the gentlman from Kentucky believe that a boy 17 years of age who makes a false affidavit as to his age and leaves a helpless and dependent parent ought to be discharged with all allowances that are made to the boy who has an honorable discharge?

Mr. BARKLEY. That is a matter subject to considerable debate, but I think that Congress ought to make it easier for the Secretary of War to discharge men in a case like this. Here is a woman with three children who have no means of support. If the War Department insists upon standing by its regulations that it has promulgated, that conditions existing at the time of enlistment will not justify discharge, it will be impossible for the boy to be discharged unless the suggestion made by the gentleman from Texas shall be carried out in this case, and the Secretary of War takes into consideration the circumstances and will discharge him, which he has a legal right to do, and which he does not do, basing his refusal on the enactment of Congress during the war that when men are discharged under these circumstances the dependence must have been created since the enlistment in the Army. I hope the committee will find a way to place in this bill before it is finished a provision that will make it easier for men with dependents in urgent cases like that which I have cited to obtain discharge, or for the dependent parent to secure it.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

The Clerk read as follows:

WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM.

For defraying the cost of such extensions, betterments, operation, and maintenance of the Washington-Alaska Military Cable and Telegraph System as may be approved by the Secretary of War, to be available until the close of the fiscal year 1923, from the receipts of the Washington-Alaska Military Cable and Telegraph System which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, $140,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the word "extensions," in line 7, page 11. That calls for new projects, and it is unauthorized by law, being legislation on an appropriation bill.

Mr. ANTHONY. Mr. Chairman, I will state that there are no extensions contemplated in the Washington-Alaska cable system at the present time. The language is simply carried as it has been for many years to permit of extensions if Congress appropriates the money.

Mr. BLANTON. It is unauthorized, and if there are to be no extensions, then the word ought to go out.

Mr. MANN of Illinois. Mr. Chairman, extensions are in order for the Alaska cable just as much as is the cable. The cable is there, and it is quite in order to provide for extensions of it.

The CHAIRMAN. The Chair is ready to rule. It is clear that this is a military cable, supposed to be necessary for carrying on the military arm of the Government. It is certainly authorized by law if anything in the bill is authorized by law, and the Chair overrules the point of order.

Mr. HUDDLESTON. Mr. Chairman, there may be some room for a difference of opinion as to the effect of a period of service in the Army upon a green, unsophisticated boy immature and with unformed character. I have given the matter some study and have served in the Army as a private soldier and have some pronounced convictions upon the subject not based on theory or dreams. I think, however, there can be no difference of opinion as to the inhumanity of taking a 17-year-old boy 3,000 miles away from home and discharging him from the Army with not a cent in his pocket. No Member of Congress dare defend that.

They do that in the Army, but they do not do it in the Navy, which proves that it is not necessary in the Army. There is no such inhumane practice followed in the Navy. Repeatedly I have been called upon to help my constituents get their boys under 18 years of age discharged from the Navy, and always the Chief of the Bureau of Navigation has replied that the boy would be furnished his transportation home and discharged there. He is not turned loose out in San Francisco or at Fort Ethan Allen or some other remote point, but is brought back home.

Another inhumane practice is the practice on the part of some of the recruiting officers of the Army holding as a threat over the heads of parents who come in and say that their boy, who is under 18 years of age, has signed up and that they want to take him home, the fact that there is a law which makes it a criminal offense for a boy to misrepresent his age and to be guilty of fraudulent enlistment, and the parents are told that if they say a word about the matter the prospects are that the boy will be sent to the penitentiary. I want to say that that is a common practice, as I know from very reliable information. I say we ought to correct this, and we ought to correct it now.

I yield to the gentleman from Mississippi [Mr. JOHNSON].

Mr. JOHNSON of Mississippi. I want to correct the gentleman along that line. I am sure he is absolutely honest in his statement, but I have had considerable experience with the Navy Department in the last few months, and I do not believe the Secretary knows about this——

Mr. HUDDLESTON. The gentleman misapprehends what I said. The Navy Department sends the boys home. The following is a typical letter which I received from the Navy Department:

JANUARY 20, 1921.

MY DEAR MR. HUDDLESTON: I have received your letter of January 17, 1921, inclosing papers in connection with the desired discharge, on account of his age, of James Francis Abbott, 2715529, apprentice seaman, United States Navy.

When young Abbott enlisted, November 13, 1920, he made oath that he was born November 8, 1902, from which it would appear that his enlistment was taken in good faith, and considered legal and binding in all respects under the Revised Statutes, which make the enlistment of a boy 18 years of age or over a legal contract, notwithstanding the fact that he did not secure the consent of his parents or legal guardian.

However, in view of the evidence presented, it is apparent that young Abbott misstated his age. An order will, therefore, be sent to the enlisted man's commanding officer, directing that he be discharged on account of under-age enlistment, without taking any disciplinary action in his case, and without requiring any refund for the clothing outfit issued to him upon enlistment. Moreover, he will be transferred to the nearest naval station to his home at Government expense and given transportation from place of actual discharge to place of enlistment, or bona fide home address, whichever he may choose.

Sincerely, yours,

———— ————,
Chief Bureau of Navigation.

Hon. GEORGE HUDDLESTON, M. C.,
House of Representatives, Washington, D. C.

Mr. CRAMTON. I desire to suggest to the gentleman from Alabama that it was my experience and understanding that the rule of the Navy Department was the same as that in the Army, that in case of a fraudulent enlistment the boy is compelled to pay his own way home.

Mr. HUDDLESTON. I am amazed that gentlemen would get up and dispute what I say when I know what I am talking about. I am trying to tell something and not guess at it, and I have put into the RECORD a letter from the Navy Department showing they do pay the boys' way home.

Mr. BEE. Have we not stopped recruiting in the Army?

Mr. HUDDLESTON. No; we have not, because I noticed in my home paper a day or so ago that we had a great drive of recruiting in my district and got 500 boys.

I did not mean to be uncivil to the gentleman from Michigan [Mr. CRAMTON]. I did not want to be taken to task for something I said that I knew was true.

Mr. WOOD of Indiana. I want to say in answer to the gentleman from Texas——

Mr. HUDDLESTON. No; I will yield to the gentleman from Michigan.

Mr. CRAMTON. I tried to make the statement that, while the regulation is the same, it is administered with some discretion and judgment, and in my case before they passed on the case of a fraudulent enlistment they transferred him to a post near home and then thereafter discharged him.

Mr. HUDDLESTON. Now I yield to the gentleman from Indiana.

Mr. WOOD of Indiana. I wish to say in answer to the gentleman from Texas with reference to whether they have stopped enlistments that they are enlisting at the rate of a thousand a day in violation of the sentiment of this Congress and the supposed understanding with the War Department. They are going on with the enlistments, and instead of having an Army of 237,000 to-day they have got an Army of 238,000 and will have a thousand more to-morrow.

Mr. HUDDLESTON. They are able to do it, because they take these boys under 21, who do not know what they are doing, and taking them under what I said at the outset comes very nearly being fraudulent representations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENSON. Mr. Chairman, I rise to oppose the pro forma amendment and move to strike out the last two words. I thought we were endeavoring to reduce the size of the Army myself, and yet only two weeks ago I applied for the discharge of a boy whose mother is a widow, densely ignorant, who enlisted at 16½ years of age, who was in nine months. She could not find him. She did not know where he was, and when she did find out, immediately application was made for his discharge, because he had been enlisted without the consent of his parents before he was of proper age. Now, we got a very wise decision, and that was that having waited nine months to apply to have him discharged, she was presumed to have consented. In other words, they are applying the doctrine of laches in the War Department in order to keep boys in there who should never have been allowed to come in there at all. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

AIR SERVICE.

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft; and all necessary spare parts and equipment connected therewith; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the acquisition of land or interest in land by purchase, lease, or condemnation where necessary to explore for, procure, or reserve helium gas, and also for the purchase, manufacture, construction, maintenance, and operation of plants for the production thereof and experimentation therewith; salaries and wages of civilian employees as may be necessary, and payment of their traveling and other necessary expenses as authorized by existing law; experimental investigation and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including patents and other rights thereto, and plans, drawings, and specifications thereof; for the purchase, manufacture, and construction of airships, balloons, and other aerial machines, including instruments, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical

equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of such consulting engineers at experimental stations of the Air Service as the Secretary of War may deem necessary, including necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Service; for printing and binding, including supplies, equipment, and repairs for such Air Service printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies, and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft, $19,200,000: *Provided*, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Pay and expenses of civilian employees, $4,000,000; engineering and experimental development, $4,000,000; instruction and operations of Air Service troops, $3,000,000; experimentation, conservation, and production of helium, $100,000; production of airplane equipment, $4,000,000; production of lighter-than-air equipment, $500,000; improvement of stations, hangars, and gas plants, $350,000; fuel and lubricants, $3,000,000; and miscellaneous expenses, $250,000: *Provided further*, That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers approved by the Chief of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $10,000: *Provided further*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation: *And provided further*, That the Secretary of War is authorized to pay out of funds appropriated for the Air Service of the Army for the fiscal year 1920 the sum of $1,079.02 to Frank D. Kohn for the use and occupation, for the period from July 1, 1919, to January 9, 1920, of the lands upon which the Air Service engine and plane repair depot is now located, near the city of Montgomery, Ala.

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

Mr. CALDWELL. Mr. Chairman, I make the point of order against the words beginning in line 7, page 14, "*Provided further*," down to and including "$10,000," in line 15, and also against the words, beginning in line 18, "*Provided further*," to the end of the paragraph.

Mr. WINGO. On what ground?

Mr. CALDWELL. On the ground that it is legislation on an appropriation measure not authorized by any existing statute?

Mr. ANTHONY. Will the gentleman withhold his point——

Mr. CALDWELL. I will withhold the point of order.

Mr. ANTHONY. For a statement?

The CHAIRMAN. Does the gentleman from Kansas wish to be heard?

Mr. ANTHONY. Yes.

The CHAIRMAN. The Chair will recognize the gentleman under the reservation.

Mr. ANTHONY. I take it the gentleman from New York [Mr. CALDWELL] has made the point of order on the proviso at the bottom of page 14, appropriating $1,079 to pay Frank D. Kohn for the use and occupation of certain land?

Mr. CALDWELL. That is one of the items against which I made a point of order.

Mr. ANTHONY. I would like to make a statement as to that proviso. It was put on at the request of the gentleman from Alabama [Mr. DENT], who is shortly to retire from the House. It is a perfectly clear claim, which is asked for by a letter from the Secretary of War, and the committee decided that it would put it upon the bill, because it will have to be paid sooner or later. And I hope the point will not be made against it.

Mr. MANN of Illinois. Will the gentleman permit?

Mr. ANTHONY. I yield to the gentleman.

Mr. MANN of Illinois. As I understand, it was put on this bill as a courtesy to the former chairman, for many years, of the Committee on Military Affairs, who, we very much regret, is going to leave our midst?

Mr. ANTHONY. That is the case, and in further consideration of the fact that there is not the slightest doubt of the justice of the claim.

Mr. MANN of Illinois. I understand it is a perfectly just claim, and the reason it was put in this bill was one of courtesy. I think the courtesy will be observed on this side of the House, but it is not likely to be observed on the other side. [Laughter.]

Mr. ANTHONY. Mr. Chairman, in reference to the other proviso, which appropriates the sum of $10,000 for the settlement of certain claims, there was carried in the appropriation bill last year $150,000 for this purpose. The committee thought $10,000 would be enough for the next fiscal year.

Mr. CALDWELL. Mr. Chairman, in view of the statement made by the gentleman from Kansas [Mr. ANTHONY] and the gentleman from Illinois [Mr. MANN], I desire to withdraw that portion of my point of order as applies to the item in the paragraph relating to the payment of the claim of Frank D. Kohn. But I renew my point of order on the language commencing in line 7 with the words "*Provided further*," and down to and including the figures "$10,000," in line 15.

The CHAIRMAN. Does the gentleman from Kansas [Mr. ANTHONY] desire to be heard on the point of order?

Mr. ANTHONY. No.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BLANTON. I have a reservation of a point of order, Mr. Chairman.

Mr. WOOD of Indiana. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. A point of order was reserved by the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. I made the point of order to ask the gentleman from Kansas in regard to the necessity for this $4,000,000 in this paragraph to pay the expenses of civilian employees. Does this give us one civilian employee for every two men in the service or vice versa?

Mr. ANTHONY. I will say to the gentleman the amount allowed for civilian employees in this bill is a very radical reduction upon the number of men now employed and the number of men that were asked for by the department.

Mr. BLANTON. This is with respect merely to the Air Service, one department of our Army. Does the gentleman think $4,000,000 for civilian employees for the Air Service is not excessive?

Mr. ANTHONY. The committee believes the same as the gentleman from Texas does, that the Air Service is expending too much money for civilian employees, and so we cut almost in two the amount of money they asked for this purpose. But of that $4,000,000 to be expended for civilian employees almost half of it goes to the engineering and experimental development plant at Dayton, Ohio, for payment of employees there.

Mr. BLANTON. Is it a fact that there are about 20 civilian employees for every man who flies?

Mr. ANTHONY. We found that the Air Service was not able at the present time to get into the air itself without the help of a large number of civilians, mostly mechanics, and the committee believes that the Air Service should so perfect itself as to get into the air by itself.

Mr. BLANTON. And the committee does not think that this is excessive?

Mr. ANTHONY. No. We think a reduction of 50 per cent will materially assist in cutting down the number of employees.

Mr. BLANTON. And the gentleman opposes an amendment to reduce this?

Mr. ANTHONY. We felt we could not safely reduce it further.

Mr. WOOD of Indiana. Mr. Chairman, I think it is an opportune time to call attention to the growth of the Air Service as an instrument of war. When we entered the late war the Air Service as a branch of the Army was practically unknown. During the period of the war it developed itself so rapidly that now it is a contender for superiority as a branch of the Army. The fact is those who are enthusiastic with reference to this Air Service contend that it is, and will be ever hereafter, the decisive branch of the Army. We now have three separate and distinct branches of the Air Service, one branch as a part of the land forces, another branch as a part of the naval forces, and the third is an independent branch. The time will not be long before we will have to determine which is for the best interests of the country, whether there shall continue to be these three different branches of the Air Service or whether they shall be united under one independent branch. I have come to the conclusion from what I have heard in the hearings already had that the time has now arrived when these three branches should be united under one head, thus curtailing, if you please, the enormous overhead expense incident to the three separate and distinct branches, and, if you please, thereby adding to the efficiency of this service.

England, as I understand, has already established an independent branch of the Air Service. We are told by these gentlemen who are experimenting from day to day that the Navy, in order to exist, must of necessity have a superior air force, or else it will be practically impotent upon the sea. We are informed that the Army, operating upon the land, would be absolutely helpless without this protection in the air. Much discussion was had during the last days of the war as to the adequacy of the protection afforded the United States Army in France, but it is now perfectly apparent that if what is contended by those who claim to know what the possibility of the Air Service is be true, the fullest possible opportunity should be given to them for their development. And it can not be had when handicapped as it is by the contention of these other branches that their several services are superior branches.

Gentlemen tell us that the flying machine can put the biggest warship that we have to-day out of business with one bomb

weighing perhaps 300 or 500 pounds, and that the chance of hitting has been reduced almost to a certainty. If that is true, why should we be spending millions and millions of dollars in the completion of dreadnaughts, in the completion of these leviathans of the sea that can be wiped out with one swoop if they are not properly protected from the air?

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield there?

Mr. WOOD of Indiana. Certainly.

Mr. MOORE of Virginia. The gentleman is discussing a matter in which I have a very great interest, and that is the possible expediency of consolidating these various services. Has the gentleman in the course of his investigations discovered any real practical objection to that being done? The gentleman will pardon me for a moment when I say we have here an appropriation of approximately $20,000,000 for the Air Service of the Army. I understand we are going to provide something like $7,000,000 for the Air Service of the Navy. Then, you have, as you stated, an independent Air Service, and we have at this time also an air service in the Department of Agriculture. Is there any conceivable objection to the consolidation that the gentleman speaks of?

Mr. WOOD of Indiana. The only objection I have heard offered is one that is not tenable. It is the objection that always arises when you attempt to take away from one of these departments one of their functions that they have established. They are jealous of their jurisdiction, more so than courts are jealous of their jurisdiction. We have had objections arising in our hearings of the Navy Department against taking away the Air Service from the Navy, and likewise we find the same objection coming from the Army; but as practical men who are not imbued with the idea of maintaining these activities within several departments, but are merely desirous of obtaining the best possible results, we know that the thing to do is to combine all these activities in order that the greatest amount of efficiency can be attained, unhandicapped by these jealousies that seem to be inherent in these services. So that I say the time is now ripe when this Congress is called upon to appropriate millions and millions of dollars for air service that we should look to a consolidation of it. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. LANHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 13, line 21, after the word "craft," strike out "$19,200,000" and insert in lieu thereof "$19,500,600." And on page 14, line 3, at the beginning of the line, strike out "$100,000" and insert in lieu thereof "$400,600."

Mr. LANHAM. Mr. Chairman, while this amendment appears upon its face to be a double increase, it is in truth but one increase, by reason of the fact that the first sum mentioned is in the appropriation and the second sum mentioned is in the proviso limiting the amount of the appropriation which may be used for the experimentation, conservation, and production of helium.

I think, gentlemen, that this amendment is in the interest of permanent economy. The importance of the conservation of helium has been recognized in this country, as well as in other parts of the world where it has been found. In the land leasing bill, which we passed during this Congress, all helium was reserved for the Government. We have expended approximately $7,000,000 in conserving helium and in building plants and pipe lines for its extraction.

Now, this proposition of the separation of helium has been borne in its expense features one-half through the Army appropriation bill and one-half through the naval appropriation bill. The purpose of the expenditures I endeavored to explain to you on yesterday, showing that these plants have just been completed, that they are just ready to operate, and that this great construction expense has been incurred in the matter of preparing for helium extraction. This amendment is offered in an effort to raise this appropriation to what is reasonably necessary to operate these plants.

I wish to call the attention of the House to this fact: That the sum which I have incorporated in this amendment, namely, $400,600, or an increase of $300,000 over the amount specified in this bill, is the amount provided in the naval supply bill which has just been reported and which we are soon to consider. And so, in keeping with the half-and-half policy which has been observed in these expenditures with reference to helium all along, this amendment is offered in order that the Army may do its share. And in this connection I wish to state that the total of the two appropriations contemplated will hardly be sufficient for the full and proper operation of these plants.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Gladly.

Mr. CRAMTON. What is the lowest price at which helium has been produced up to this time?

Mr. LANHAM. The lowest price at which helium has been produced up to this time is $56 per thousand cubic feet, or about 5.6 cents per cubic foot. Let me say to the gentleman further that the smaller plant at Petrolia, using the Norton process, which will begin operation on the 1st of June, is still largely an experimental one. The large plant at Fort Worth—using the Linde process—is the admittedly successful one upon which this figure of 5.6 cents per cubic foot is predicated. If the Norton method of extraction, which is being tested at Petrolia, proves a success, the cost will be but 2 cents per cubic foot, which is but twice the price of hydrogen during the war.

Mr. CRAMTON. But that is only the hope of those who are experimenting. As yet it is only an experiment?

Mr. LANHAM. Not by the Linde process. Of the $7,000,000, only $400,000 has been expended at Petrolia on the plant in which the process is still experimental, the thought being that if this cost can be reduced from 5.6 cents per cubic foot to 2 cents, in view of the recognized importance of the helium project, we ought to give that process a further trial.

Mr. CRAMTON. I want to emphasize the fact that the cost heretofore has not been below $50. It is hoped that it will be brought down to $20 by experiments which are being carried on.

Mr. LANHAM. That is quite correct.

Mr. CRAMTON. Would it not be very well, before we put $2,000,000 into it, to complete these experiments and get the cost down to $20?

Mr. LANHAM. The $2,000,000 and more has already been put in it and, besides, at the rate of 10,000,000 cubic feet per day the natural gas from which we are getting this helium is being used commercially in Fort Worth, Tex. Helium is an element that is here to-day and may be gone to-morrow. So far as we know we have in this country a practical monopoly of the world supply, and if we do not conserve it to-day there is no certainty that we may have a chance to conserve it to-morrow. The vital importance of it is so recognized all over the world that the British Government, which has none of it except in Canada—and it seems that perhaps there has been some confusion as to ownership of the small supply there—the British Government has recently procured from this Government a few of these steel cylinders of helium for research work. Its importance is generally recognized, I say, so much so that the officer who brought over the English airship *R-34* from the old country to this country stated that if the Allies had had two large helium dirigibles during the war the German fleet could have been absolutely obliterated, and that at the Dardanelles they could have carried out any program which they chose.

Mr. McKENZIE. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Illinois.

Mr. McKENZIE. I desire to ask the gentleman from Texas if he can tell us whether or not helium gas can be utilized for any other practical purpose than that of filling balloons?

Mr. LANHAM. It may be used for more purposes than one. In the first place, it is contemplated now, as was intimated by the question of the gentleman from Oklahoma [Mr. McKEOWN] yesterday, to use it in this country for commercial purposes in the absolutely safe transportation of both passengers and property through the air, where quick delivery is essential.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANHAM. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. LANHAM. It is also stated that the ready capital is available in the State of Oklahoma, where this gas has been discovered, for the organization of such a company. I want to say, furthermore, that its use seems to be practicable for commercial purposes in the manufacture of better electric light globes, and also as a freezing agent, its liquefaction point being the lowest of any known gas. As a matter of fact, the process of extracting helium from natural gas is by the liquefaction at low temperatures of the other constituents of the natural gas, which pass off and leave the helium. I want to call the attention of the gentleman to the fact also that helium is an indestructible element. It can be kept indefinitely, and that is why we are trying to get it while we may. It must be extracted relatively slowly, but may be kept indefinitely after being extracted. The steel cylinders are now on hand for the storing of

18,000,000 to 20,000,000 cubic feet of helium. The warehouse for the purpose is built. The entire plant is absolutely complete, having been constructed at this enormous expense, and what we are seeking to do is to get this plant in operation so that if this country is ever in war again—and God grant that it may not be—we may have ready for use this wonderful, God-given asset which only this country possesses.

Gentlemen, in my judgment, if we do not extract and conserve our helium resources, the time will come when it will be a matter of national regret.

Let me again call attention to the fact that this is not a sectional proposition. It is not a matter of local pride. The large plant at Fort Worth can be operated at best for only a very few years, because the supply of helium-bearing natural gas is playing out. We do not know how long we will have that helium available, and when that supply is gone those plants must be dismantled and moved elsewhere; but the important thing for us to do, now that the gas is available, is to extract it while we may. Let us have it if war overtakes us. In the meantime we may be able to use it commercially for a number of different purposes. We sincerely hope that the program which has been inaugurated by the Army and Navy of dividing the necessary expense will still obtain and that we shall make the proper appropriation in the interest of national defense; that we shall see that at least the minimum necessary amount is supplied for the operation of these plants, and that we shall strive to conserve and preserve this great national asset, the greatest element, I think, in air supremacy.

I want to say one more thing before I conclude. I want to call attention to the fact that while only about 200,000 cubic feet of helium have been extracted, that extraction was not made at these plants for which we here provide. That extraction was made by way of experimentation at temporary plants to determine the feasibility of separating helium at reasonable cost. Two of the three temporary plants were organized and established at Fort Worth, one for the Linde Air Products Co. process and one for a process known in France as the Claude process and in the United States as the Air Reduction Co. process. By the Linde process it was discovered that helium could be extracted at the price first mentioned—that is, 5.6 cents per cubic foot—and upon the success of that experimentation the present plant at Fort Worth, costing over $2,000,000, and this pipe line to Petrolia, costing more than $1,500,000, have been constructed. The 200,000 cubic feet which we have extracted have not been secured as a result of the large expenditure of almost $7,000,000, but as the result of the expenditure which we made for the original, temporary plants, to determine the feasibility of the project, and that expenditure was relatively small. Now we are just ready to operate.

Mr. HUSTED. How can the gas be stored?

Mr. LANHAM. In steel cylinders under pressure; 194 cubic feet to a steel cylinder. They already have at this plant at Fort Worth a sufficient number of steel cylinders to store from 18,000,000 to 20,000,000 feet of this gas.

Mr. HUSTED. And I understand the gentleman to say that this gas can be stored indefinitely?

Mr. LANHAM. Yes; it is an element.

Mr. HUSTED. And it can be stored indefinitely in steel cylinders?

Mr. LANHAM. That can be done according to the statement of the Army and Navy authorities.

Mr. MANN of Illinois. Mr. Chairman, I have taken an active interest in the Air Service from its beginning. I am a great believer in the possibilities of the future in the air, though I might say in passing that I never have had a great deal of confidence in the balloon service. I think the aeroplane is the most wonderful thing the world has ever developed, and that we have just begun its development. I do not believe that we are dealing with the subject very intelligently so far as legislation is concerned. The gentleman from Indiana [Mr. WOOD] a few moments ago in a very bright statement referred to three branches of our Government which are dealing with the Air Service. There are, however, four, for he omitted one. We have the War Department, the Navy Department, the Post Office Department, and the Aeronautical Advisory Board. We ought to have an intelligent combined air service which should experiment scientifically, theoretically, and practically. There is no reason in the world, in my judgment, why with the future development of the Air Service war will not depend wholly upon that service. Gentlemen will have noticed that recently England, who has led the world in development on the water, is not paying so much attention to the subject of naval construction, but if you get to the bottom of it you will find that England to-day is giving most intensive study to the air service. Whether the two things are related I do not know. We have the greatest possibilities of any nation in the world, and if we act intelligently, which I am afraid Congress is not fully doing on this subject, we can so develop this Air Service at a reasonable cost that in any war which may come we will control the air, and the control of the air means the end of the war.

Mr. McKEOWN. Mr. Chairman, this question of helium gas as it occurs here is a question of a great deal of importance to this country and also to men who are expecting to embark in the business of extracting helium gas. This is the situation. Officers in the War Department and in the Navy Department want Congress to pass legislation which will prevent private citizens and private capital from developing helium gas. Commercially the Air Service will never be a success in the United States until it is made safe or practically safe. By the use of this helium gas in a dirigible balloon, combined with a motor, you will have a practical ship that will carry passengers and freight. Until you reach that point there will be no success in the air business, for it is not yet practical and safe. The officers of the Army and Navy want to say to private capital, "You can not extract the helium gas, no matter how beneficial it may be, no matter how much it may help bring about a successful operation of aeroplanes and airships in this country."

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. HUSTED. Is the available supply of helium gas considerably limited?

Mr. McKEOWN. I am told by men who have investigated the subject that the supply of helium gas in the State of Oklahoma is practically unlimited. They find it in nearly all the gases, and they also find it in Kansas, where they first discovered it. They can now take it out of natural gas just as they take gasoline out of it. If you have a practical air service in the United States for freight or passengers, it will be by the use of helium gas. This helium gas can be stored. I have no objections to the Army and Navy extracting the gas, but what I do object to is a movement on their part to check private individuals from developing and giving the whole country the benefit of it.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. LANHAM. I suppose the gentleman uses the term "unlimited" in a relative sense. It is being wasted day by day in the various fields in this country, is it not; and is it not also a fact that this country has a practical monopoly of the supply?

Mr. McKEOWN. It is being wasted in this way: It is not being extracted, because when private capital undertakes to extract it it is met with a proposition in Congress of taking it over for the Army and Navy and of a proposition to prohibit private capital from investing in it.

Mr. LANHAM. Is not that for the purpose of preventing the exportation of helium to countries which might wish to use it for military purposes, and does not the Government look with disfavor upon the organization of companies who would enter into that export business?

Mr. McKEOWN. I do not know as to that, but I imagine that is one reason they gave. They say that is one reason.

Mr. LANHAM. That was stated in the hearings by Gen. Menoher, of the Air Service.

Mr. McKEOWN. Well, you can not only use it for dirigible balloons, but it can be made of practical use, and they make out of helium gas the very best electric-light globes. It has a commercial value, and I am in favor of letting private capital develop the gas and letting the Government go ahead and develop it. I am protesting against the Government depriving private individuals of the right to make this gas, and to make it just as cheaply as possible.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Chairman, the amendment offered by the gentleman from Texas [Mr. LANHAM] increased the appropriation made in this bill for the development of helium gas. The committee has allowed $100,000 for the extraction, conservation, and production of helium. It is a material reduction from the sum which has heretofore been appropriated for that purpose. The evidence before this committee showed that so far the practical and economical production of helium gas has been a complete failure.

Mr. LANHAM. Will the gentleman yield?

Mr. ANTHONY. After I have developed my statement. With all the millions of dollars that Congress has appropriated for this purpose for the last three years we have not succeeded so far in extracting enough helium gas to fill more than one small-sized balloon, let alone fill a dirigible airship. A year ago last October I visited the helium plant at Petrolia,

Tex., and we found it was in charge of a naval officer. This work is done jointly by an appropriation from the Army and the Navy. I questioned the officer as to the success which had attended the efforts to extract helium from natural gas there. He was very noncommittal as to the success that they had had so far in the production of helium on which about a million dollars had been spent. He said, "We are getting helium; we can extract it." I said, "How much does it cost you to extract helium?" He said, "About $2 a foot." I said, "How many cubic feet are there in a large airship like the *R-34?*" which had just landed on our shores the month previous. He said "About 2,000,000 feet." I said, "It would cost as much for the helium as for the airship," and my experience at Petrolia demonstrated to me that our efforts to produce helium gas in commercial quantity or economical quantity had been a complete failure. The department asked us for $1,375,000 for this purpose. The committee felt that they would rather wait a year or two until the experimentation and further development had proven that the gas could be extracted in commercial quantities before we gave a larger sum.

Mr. LANHAM. Will the gentleman yield at that point?

Mr. ANTHONY. I will.

Mr. LANHAM. I want to ask the gentleman first if that statement is not with reference to the Petrolia plant, which, as I stated, is still an experimental plant?

Mr. ANTHONY. It was not put there for experimental purposes; it was put there for producing helium, and it failed in that purpose.

Mr. LANHAM. As a matter of fact, I want to call it to the attention of the gentleman that we first provided three experimental plants, one at Petrolia and two at Fort Worth, each with a different process. Only one so far has been found entirely successful, the Linde process, and the new Fort Worth plant is predicated on that. Now, I want to ask the further question, If they did not get our present supply of helium from these experimental plants, and if it was not upon the dock at New Orleans ready for export to France at the time of the signing of the armistice? Now, as to the proposition that the great bulk of this money has been spent and there has not been extracted so far a quantity of helium, I desire to say that this new plant at Fort Worth is just now ready to operate, beginning the 1st of March, and there has been no further effort to extract the helium there since the dismantling of the temporary experimental plant.

Mr. ANTHONY. I know so far it has not been producing it in appreciable quantities. The committee is opposed to the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. LANHAM) there were—ayes 43, noes 42.

Mr. ANTHONY. Mr. Chairman, I demand tellers.

Tellers were ordered; and Mr. ANTHONY and Mr. LANHAM took their places as tellers.

The committee again divided; and there were—ayes 45, noes 54.

So the amendment was rejected.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last word. I desire to call the attention of the committee to a situation which, while not very important so far as the Government is concerned, is of great importance to many hundreds and thousands of individuals who do business with the Government. I regret very much the gentleman from New York [Mr. CALDWELL] saw fit to make a point of order against this provision on page 14, which would allow the War Department to settle all claims not exceeding $250 growing out of damages to property to persons by the Air Service. I do not criticize him for making the point, because he had a perfect right to do it, but I think the Committee on Military Affairs, which seems to be chafing under the new arrangement by which the appropriating power is taken from them, ought to consider very carefully in the near future the reporting of a bill to cure this very situation.

This applies not only to the Air Service, but ought to be made applicable to the entire War Department. Any man now doing business with the War Department has no power to collect from the Government the smallest claim that he may have legitimately against it, except through the Court of Claims or by a private bill introduced in Congress.

About two years ago the Army Engineers were working on the Cumberland River preparatory to the building of a lock and dam. They had dynamite and had an explosion to prepare for the building of a foundation. That explosion blew out all the windows in a man's house that stood near by. He asserted a claim, amounting to $10 or $15 for the windows which had been destroyed by this explosion, and he was unable to collect it, because nobody in the War Department had any authority to pay a claim of that sort, and of course it was too small to justify him going before the Court of Claims or to ask that a bill be introduced in his behalf.

My attention was called about two weeks ago to the fact that a firm in my district had purchased a large supply of surplus property from the War Department in the form of canned goods. They paid a certain agreed price, and were to pay the freight on those goods from St. Louis, whence they were to be shipped. Instead of shipping the goods from St. Louis as agreed, they shipped them from a much greater distance and from various locations in the United States, and which involved the payment of an excess-freight bill of more than $100. The merchant applied to the supply depot in St. Louis for a reduction of this extra freight. The officer in charge of the depot in St. Louis recommended the payment and approved the claim, and sent it to the officer in Chicago. He likewise recommended the payment of the claim, and approved it, and forwarded it on to Washington, with the recommendation that it be paid promptly. When it got to Washington they discovered that the money involved in this transaction, amounting to over $3,000, had been covered into the Treasury, and because of that fact nobody in the War Department had any power to pay this $100 claim, which was agreed to and recommended by every officer between St. Louis and the War Department. He is remitted to the tender mercies of that breath-taking institution known as the Court of Claims, and he will have to pay 50 per cent of it in order to get what may be coming to him.

The War Department in cases of that kind ought to have the power to settle these claims that are small. The Court of Claims ought not to be bothered with them. Individuals ought not to be compelled to employ attorneys to present their claims, where the officers of the War Department agree to the justice of the claims. And I hope the Military Committee will take up some of the time hereafter that it has formerly taken up in preparing this appropriation bill in bringing in legislation to remedy this difficulty.

Mr. HUSTED. Is not this situation somewhat analogous to the one that exists in the Navy Department, where that department is authorized to settle for collisions in which not more than $500 of damages is involved?

Mr. BARKLEY. It ought to be analogous.

Mr. HUSTED. Why should it not apply here?

Mr. BARKLEY. There is no reason in the world why it should not. But the War Department can not settle a claim for even $1.50.

Mr. ANTHONY. Will the gentleman yield?

Mr. BARKLEY. Yes, sir.

Mr. ANTHONY. I think the War Department now has power to settle these small claims. In one of the preceding paragraphs we endeavored to supply them with $10,000 for that purpose, but the gentleman from New York [Mr. CALDWELL] made a point of order on it.

Mr. BARKLEY. That is what I am talking about. He made the point of order on it.

Mr. ANTHONY. I was hoping that the gentleman would direct his attention directly to the gentleman from New York [Mr. CALDWELL] rather than to the committee, which has done its best to remedy the situation of which the gentleman speaks.

Mr. BARKLEY. My preliminary remarks, if the gentleman had noticed, were in fact directed to the gentleman from New York. But the point of order he made applied only to the Air Service, whereas the remarks I am making apply to the entire War Department.

Mr. ANTHONY. Mr. Chairman, may I read to the gentleman an extract from the present legislation which I think covers the point he has in mind?

Mr. BARKLEY. Yes. I hope it will be such that I can refer it to the officers.

Mr. ANTHONY. I read:

That hereafter the Secretary of War is authorized to consider, ascertain, adjust, and determine the amounts due on all claims for damages to and loss of private property when the amount claimed does not exceed the sum of $1,000.

Mr. BARKLEY. Does the gentleman hold that that would authorize the War Department to refund the extra freight charge to this man who has purchased supplies from the War Department?

Mr. ANTHONY. No. That would apply only to damages from gun fire.

Mr. BARKLEY. Then that would not apply to this case. This is a business transaction.

Mr. ANTHONY. It would apply to all military operations.

Mr. BARKLEY. This is a sale of surplus property.

Mr. ANTHONY. It might have grown out of a military operation.

Mr. BARKLEY. The War Department does not construe it that they have any such power.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. CALDWELL rose.

Mr. HICKS. Mr. Chairman, I move to strike out the last two words.

Mr. CALDWELL. Pending that, Mr. Chairman, the gentleman from Kentucky [Mr. BARKLEY] has in fact directed his remarks to me, and I desire to call the attention of the House to the fact that the reason why I made the objection here is that this is a very clear demonstration of what will happen when we attempt to legislate in a half-baked way upon an appropriation bill.

Why should we pick out the Air Service and say that the damage done to a potato patch should be paid for, but that the damage which an automobile truck, operated in the same branch of the service, may do in running over a child can not be paid for? If we are to pay the damages that are done by the men who are employed in our Army, let us arrange some scientific system by which equal and exact justice can be given all around.

Why should we pick out one branch of the service and pay for the damage caused by an airplane belonging to the Army alighting in a potato patch, and refuse to pay damages when an automobile runs over and kills a man, and compel his relatives to come to Congress and get a bill passed? There is no science in that. That is an illustration of the viciousness of the system that has been adopted here of putting all the appropriations in one committee and letting them come in here and legislate for the whole House. It was for that reason I made the point of order, and I am glad to see that it was well taken.

Mr. CRAMTON. Mr. Chairman, will be gentleman yield?

Mr. CALDWELL. Yes.

Mr. CRAMTON. The reason why the committee put in the clause to which the gentleman made the point of order, and the reason why they put in no more, is because that very same language was contained in the bill for the current year, which came from the gentleman's own committee.

Mr. CALDWELL. Yes; and it was wrong.

Mr. HICKS. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from New York moves to strike out the last three words.

Mr. HICKS. Mr. Chairman, I do so for the purpose of asking the gentleman in charge of the bill a few questions in regard to aviation.

For instance, the total for aviation carried in this bill is $19,000,000, and that on its face might seem to indicate the total expense of aviation for the Army. But as the gentleman knows, of course, the expenses of aviation for the Army may be nearly twice that amount when you figure in all the things that aviation gets the benefit of. For instance, in the Navy I happen to know that while we carried last year an appropriation of $20,000,000 for aviation under the heading of "Aviation for the Navy," the actual benefit that aviation received from other branches of the Navy appropriated for under other bureaus made the total come to something like $12,000,000 more.

I am wondering if the gentleman can tell the committee what the total would be if they should include the pay of officers and enlisted men and the subsistence of the enlisted men and the sums other bureaus contribute as if aviation stood alone and had to pay all those expenses?

Mr. ANTHONY. The pay and subsistence, quartermaster's supplies and many other expenses of the aviation department of the Army are borne in other items, the same as the gentleman cites to be the case in the Navy Department. I can not give him an idea of the total amount of money that the Aviation Corps costs, but it runs up to many millions of dollars higher than the appropriation named here.

Mr. HICKS. It would probably be in the neighborhood of $15,000,000, would it not?

Mr. ANTHONY. Approximately, yes.

Mr. HICKS. I will ask another question in regard to the salvage of airplanes.

When the war terminated we had in the Navy Department about $67,000,000 worth of planes and material that we could not utilize, surplus stock, and we have been endeavoring to sell it. Does the gentleman know what the survey showed that the Army had on hand in the way of surplus aviation material?

Mr. ANTHONY. I do not recall the exact figures, but if I remember correctly the Air Service has been very fortunate in disposing of its surplus material, and has sold a large amount of it. It still has a considerable surplus on hand, but not nearly as much as the surplus which remains in other departments.

Mr. HICKS. Does the gentleman know what means are being taken now to dispose of this surplus stuff?

Mr. ANTHONY. They have a sales organization of their own, and are proceeding to sell whenever opportunity arises.

Mr. HICKS. But it amounts to comparatively little, I should imagine.

Mr. ANTHONY. It has slowed down recently.

Mr. HICKS. What is the gentleman's judgment as to what we should do with these millions of dollars' worth of surplus material which remains on hand? It is becoming less and less valuable because of obsolescence of design as well as material depreciation. What shall we do with it?

Mr. ANTHONY. The depreciation in the airplanes themselves is very great, as the gentleman knows. There is a great deal of that material on hand that will bring very little or nothing when salvaged, except for the value of the raw material.

Mr. HICKS. Yet we are paying storage on it?

Mr. ANTHONY. Yes.

Mr. MADDEN. The Secretary of War, in response to a resolution I introduced a few days ago, reported that we had 3,125 planes in the Army.

Mr. HICKS. We have 1,341 in the Navy. I feel that most of our surplus fabricated material should be cleared out at what it will bring. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I want to suggest this, that I hope the Military Affairs Committee will report out a bill at an early date that will amend the existing statute with reference to claims of less than $1,000 against the War Department. I doubt very seriously if the claim referred to by the gentleman from Kentucky [Mr. BARKLEY] is covered by the existing statute. Under the existing statute it is the duty of the Secretary of War—I will read the statute:

> The Secretary of the Navy is hereby authorized to consider, ascertain, adjust, and determine the amounts due on all claims for damages, where the amount of the claim does not exceed the sum of $500, hereafter occasioned by collision, for which collisions vessels of the Navy shall be found to be responsible, and report the amounts so ascertained and determined to be due the claimants to Congress at each session thereof through the Treasury Department for payment as legal claims out of appropriations that may be made by Congress therefor. (June 24, 1910, Stat. L., vol. 36, p. 607.)

I think that statute should be amended so as to take care of other classes of claims. It would be just as proper for Congress to give jurisdiction to the War Department to ascertain the justice of these claims for other causes, such as the one the gentleman from Kentucky [Mr. BARKLEY] has mentioned, and report to Congress. Congress then may or may not include such claims in a deficiency bill, as it wishes. The most vexatious thing we have here is the consideration of these small claims growing out of operations of the departments of the Government.

It is such a difficult thing to get justice in dealing with the officials of the Government now that business men throughout the country, citizens, dislike to do business with the Government except on a large scale. They know if they do it on a small scale they are in danger of losing their property or being put to greater expense to collect their claim, or else they are compelled to get Members to bring in private claims. I think the Military Affairs Committee ought to broaden the statute so that the Secretary of War may be authorized to decide these questions so that Congress may under the law make proper provision in the deficiency bill and not compel citizens to wait for justice on their claims.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

FINANCE DEPARTMENT—PAY, ETC., OF THE ARMY—PAY OF OFFICERS.

For pay of officers of the line and staff, $42,000,000.

Mr. FIELDS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 15, after line 4, insert the following: "*Provided*, That no part of this appropriation shall be used for the purpose of paying officers exceeding one general, 14 major generals, 31 brigadier generals, 400 colonels, 450 lieutenant colonels, 1,497 majors, 2,994 captains, and 2,844 first lieutenants."

Mr. GREENE of Vermont. Mr. Chairman, I make the point of order against the amendment.

Mr. FIELDS. Will the gentleman reserve it?

Mr. GREENE of Vermont. I will reserve it.

Mr. FIELDS. Can the gentleman give us any information as to how many officers there are at this time in the establishment?

Mr. ANTHONY. Thirteen thousand one hundred.

Mr. FIELDS. Under the Army reorganization bill the department may commission 17,000 and a few over.

Mr. ANTHONY. That is correct.

Mr. FIELDS. Mr. Chairman, I offer the amendment as a limitation on an appropriation bill, and I claim it is clearly in order under the Holman rule.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, and the gentleman from Vermont makes the point of order that it is not a limitation. On an examination of the amendment, compared with the recent law which provides for the number of officers in the various corps, it appears to the Chair to be, under the guise of a limitation, an attempt to change the number of officers.

Mr. FIELDS. No, Mr. Chairman; the statute is not mandatory on the War Department to appoint so many. This is a limit on the expenditure. The law does not make it mandatory on the Secretary of War to appoint 21 major generals in the Army reorganization act or the number of brigadier generals or the number of colonels. It is clearly a limitation to reduce the amount of money carried on the face of the bill.

Mr. GREENE of Vermont. Will the Chair permit me to call his attention to the Army reorganization act, approved June 4, 1920, section 4:

> There shall be one general, now authorized by law, until a vacancy occurs in that office, after which it shall cease to exist. On and after July 5, 1920, there shall be 21 major generals and 46 brigadiers of the line, 595 colonels, 674 lieutenant colonels, 13,245 majors, 4,490 captains, 4,266 first lieutenants, 2,694 second lieutenants, and also the officers of the Medical Department, chaplains—

And so forth.

There is the plain authorization by statute to the War Department to maintain these officers until a change in the statute takes away that authority and right.

Mr. BYRNS of Tennessee. Mr. Chairman, without regard to the merits of the amendment, it is true, as the gentleman from Vermont says, that Congress did authorize appropriations for the number of officers set forth; but I call the attention of the Chair to the fact that the amendment is in order under the express language of the Holman rule, because it limits and on its face reduces the appropriation carried in the bill. It seems to me that if there was ever a proposition admissible under the Holman rule that this is in order.

The CHAIRMAN. The gentleman is under a misapprehension; this does not carry a reduction on its face.

Mr. BYRNS of Tennessee. With all due respect to the Chair, it will result in a reduction. That is the object of the gentleman from Kentucky [Mr. FIELDS] in offering the amendment, because the number of officers provided for in the amendment is smaller than that provided for in the bill, and their salaries will, therefore, not amount to the sum appropriated in this bill. Therefore it is a clear reduction.

Mr. FIELDS. It is a reduction of 33⅓ per cent of the officers all the way down the line to second lieutenants, and not including the second lieutenants. Therefore it is a reduction and a limitation upon the appropriation.

The CHAIRMAN. So far as it appears on the face of the amendment, it in no wise reduces the amount carried in the bill.

Mr. CALDWELL. Mr. Chairman, I am against the amendment, but I think the Chair has misread the statute. The act of June 4, 1920, specifically recites how many major generals, how many generals, how many brigadier generals, and colonels, and so forth, shall be created. If the Chair will read that and then read the amendment, he will find that the amendment specifies a smaller number of each grade of officers. There are, for instance, 14 instead of twenty-odd major generals.

The CHAIRMAN. The Chair has read the amendment and the law far enough to see that there is a change of the law attempted by the amendment. The Chair did not go through the amendment and the law to make a count to determine whether there are more officers or less officers in the amendment. There is no reduction apparent on the face of the amendment in the amount carried in the bill. The Chair up to this point has not been informed of any reduction that would bring the amendment under the Holman rule.

Mr. CALDWELL. Under the law as it stands we have more than 14 major generals.

The CHAIRMAN. Yes; that is correct.

Mr. CALDWELL. The amendment calls for 14 major generals.

The CHAIRMAN. That is a reduction of major generals. Thus far the gentleman is correct.

Mr. CALDWELL. If the Chair will look at the number of brigadier generals, he will find that the same thing is true.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. GREENE of Vermont. Under the guise of a limitation, does the gentleman contend that we can repeal a statute by a limitation?

Mr. CALDWELL. Oh, no. This does not repeal the statute, but it is stated that no part of this money shall be paid to such and such men. It is in effect something of the same result, but it does not repeal the statute.

Mr. GREENE of Vermont. Here is an institution that was created after long and serious and solemn consideration by this body. It was put together part by part, and these officers are a part of this institution. They are a part of the unit and can not be detached and made the special objects of legislation except through the powers of a legislative committee. We are undertaking to appropriate now for the maintenance of the institution. We can regulate its activities by limitations, but can we destroy the institution itself by limitations?

Mr. CALDWELL. Congress always holds the purse strings on the Army, and at any time it desires to it can cut off appropriations for anything authorized by law.

The CHAIRMAN. This amendment was proposed as a limitation. Under the guise of a limitation a change of law is attempted, which the Chair would have to hold is not in order as a limitation, because it changes existing law. The Chair has not had the opportunity to count the number of officers to determine whether an increase or a decrease would be the net result of the amendment, and it does not appear from the amendment itself. Nor has the Chair had time to make the calculation necessary to determine whether there would be a reduction in the amount of the appropriation carried in the bill, which does not appear on the face of the amendment. The Chair, therefore, is not in possession of all of the facts necessary to pass fully upon the amendment, and will welcome the facts that will enable the Chair to make the proper ruling.

Mr. FIELDS. Mr. Chairman, would it now be in order to amend the proposition by offering an amendment which reduces the amount to be appropriated to $30,000,000?

The CHAIRMAN. Such a modification would on its face carry a reduction that would bring it under the Holman rule. Does the gentleman wish to withdraw his amendment?

Mr. FIELDS. I wish to modify the amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FIELDS. Reducing the amount to $30,000,000.

The CHAIRMAN. The amendment as modified carries a smaller amount, which clearly brings it within the Holman rule, and the Chair overrules the point of order. The Clerk will again report the amendment as modified.

The Clerk read as follows:

> Amendment by Mr. FIELDS: Page 15, line 4, strike out the figures "$42,000,000" and insert in lieu thereof "$30,000,000" and add:
> "*Provided*, That no part of this appropriation shall be used for the pay of to exceed 1 general, 14 major generals, 31 brigadier generals, 400 colonels, 450 lieutenant colonels, 1,497 majors, 2,994 captains, and 2,844 first lieutenants."

Mr. FIELDS. What I am proposing to do is to reduce the appropriation so as to limit the commissioned personnel by preventing the commissioning of the full number of officers provided for by the Army reorganization bill, which reduction is one-third, and the amendment is in accordance with the limitations provided for in the proviso I have offered.

Mr. WINGO. Will the gentleman yield for a question?

Mr. FIELDS. Yes.

Mr. WINGO. As I understood the gentleman's amendment, and I want to see if I am correct, he proposes to prevent the commissioning of officers or to reduce the number of present commissioned officers to a number named in his amendment?

Mr. FIELDS. Yes.

Mr. WINGO. Which number is sufficient under the Regular Establishment to officer an Army of 150,000 men?

Mr. FIELDS. Exactly so. If the gentleman will permit, we enacted an Army reorganization bill providing for an Army of 280,000 enlisted personnel. Now, by resolution passed a few days ago we reduced or attempted to reduce the enlisted personnel of the Army to 175,000, and by the appropriation in this bill we propose to reduce it to 150,000, yet no provision is made anywhere to reduce the commissioned personnel of the Army or

to prevent the department from filling it to the maximum provided for in the Army reorganization bill. It is the purpose of my amendment to hold the commissioned personnel somewhere in line with the enlisted personnel.

Mr. WINGO. Will the gentleman yield for another question?

Mr. FIELDS. Will you just let me finish this thought? The reduction made in the enlisted personnel is about 47 per cent. The reduction proposed in my amendment is 33⅓ per cent of the commissioned personnel, which I think is a fair reduction in comparison to the reduction in the enlisted personnel.

Mr. WINGO. If the gentleman will yield right there. What would be the practical effect? Has the department already commissioned officers in any of these different grades in excess of the number that is provided by the gentleman's amendment? In other words, does the gentleman's amendment, if adopted, require the surrender of the commissions or the failure to pay any officer who is now commissioned, or will it simply prevent the commission being issued in the future and bring it up to a commissioned personnel for a 280,000 Army?

Mr. FIELDS. My belief is that it is not yet filled up to exceed the figure I have named in my amendment.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. FIELDS. I will yield.

Mr. MANN of Illinois. How many captains does the gentleman's amendment provide for?

Mr. FIELDS. I have not a copy here. I will ask the Clerk how many captains are provided for in the amendment.

The CHAIRMAN. The Clerk will report the number.

The Clerk read as follows:

Two thousand nine hundred and ninety-four captains.

Mr. FIELDS. Which is two-thirds of the amount provided for in the law.

Mr. MANN of Illinois. Now, there are more than that number of captains commissioned in the Army.

Mr. FIELDS. I will say to the gentleman I had hoped that we would get this bill passed before they were commissioned by the Senate a day or two ago.

Mr. MANN of Illinois. I know, but they have been commissioned. What will be the result? That is what I want to get at. I would like to see the officers reduced myself.

Mr. FIELDS. The idea was, if I had my way about it, I would reduce them to the rank below, and for that reason I have not put a limitation upon second lieutenants.

Mr. MANN of Illinois. It applies to captains and majors. What will be the result? Will some men be discharged from the Army; and if so, who?

Mr. FIELDS. That would be governed by their rank, seniority, and so forth.

Mr. HUSTED. Would they go on the retired list?

Mr. FIELDS. They would have been out of the Army if this Army reorganization bill had not provided for as many as it did.

Mr. MANN of Illinois. That was temporary. This reorganization bill is permanent until changed. What I want to get is, What will be the result of the amendment, if adopted, on the commissioned men now in the Army? Will they be discharged or will they be retired at three-quarters pay?

Mr. FIELDS. I imagine, Mr. Chairman, that they would have so many captains, the number provided for in my bill, and that then they would slide down the scale to first and second lieutenants.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN of Illinois. That would fire nearly all of the first lieutenants.

Mr. FIELDS. Make them second lieutenants.

Mr. MANN of Illinois. Oh, no.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN of Illinois. If there were enough demoted to make a third, it would fire them all.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent for an extension of one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Will the gentleman state the total number of officers provided for in his amendment?

Mr. FIELDS. A little over 13,000.

Mr. CRAMTON. The gentleman can not give it exact?

Mr. FIELDS. No. It is a reduction of one-third from the total number provided for in the Army reorganization bill.

Mr. CRAMTON. That would bring it far below the present actual personnel.

Mr. GREENE of Vermont. May I ask my colleague a question?

Mr. FIELDS. Yes.

Mr. GREENE of Vermont. He proposes to reduce the number of officers in the Army and, he says, if his figures do not meet the exact number now on the roll, to slide them down a grade?

Mr. FIELDS. Yes.

Mr. GREENE of Vermont. By what authority can you change the grade of an officer that has been confirmed by the Senate?

Mr. FIELDS. I would not have 17,000 officers for 150,000 men.

Mr. GREENE of Vermont. I asked you by what authority of law the War Department could change the grade of an officer already confirmed by the Senate?

Mr. FIELDS. Then I would try to work out some plan in conference to do it. I am honestly trying to make a reduction in the commissioned personnel fairly commensurate with the reduction in the enlisted personnel.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, I am greatly surprised that my colleague on the Committee on Military Affairs offers an amendment of this character at this time. We have not forgotten the unpreparedness of our country when we went into the great European War, and we learned then that the one great weakness of our Military Establishment was in trained commissioned personnel. After that war it devolved upon Congress to pass a law for the reorganization of the Military Establishment of our country, and in doing that we did not take into consideration any relative proportion of enlisted men to commissioned personnel. We provided in that law that we should have an authorized enlisted strength not exceeding 280,000, without any relation whatever to the commissioned personnel. We realized, and I think my colleague realizes, that 15,000 officers perhaps is out of all proportion to an Army of 150,000 men so far as command is concerned, but in the 17,726 officers we provided for in the law we include the chaplains, the surgeons, the dentists, and the veterinarians, in the commissioned personnel. And I want to say to my friend that the severest blow that can be struck against the preparedness of our country at this time would be to adopt the amendment offered by the gentleman from Kentucky [Mr. FIELDS].

Mr. LONGWORTH. Will the gentleman yield to a question?

Mr. McKENZIE. Yes.

Mr. LONGWORTH. Pursuing the analogy of the gentleman's amendment, suppose that Congress should only appropriate for 350 Members, when there are 435 Members of the House. What would become of those not appropriated for?

Mr. FIELDS. Do like the House did a few days ago, and reduce the membership.

Mr. LONGWORTH. Suppose we only appropriate for 350 Members, what will become of 85? That is the gentleman's amendment.

Mr. McKENZIE. I desire to say, further, that this commissioned personnel have all been appointed, practically, except in the grades of first and second lieutenants.

Mr. FIELDS. Does the gentleman have that information positive? If so, the committee is not appropriating for the full number of officers now commissioned. In fact, my amendment is in line with what the committee is appropriating for, according to the statement of the chairman of the committee.

Mr. McKENZIE. Perhaps I overstated it. There are 13,100, and there were 5,000 officers taken from the emergency officers' list and confirmed in the Senate a few days ago. Officers of the Regular Army promoted to higher grades have not yet been confirmed, and the gentleman's amendment would simply carry the 5,000 officers who have been confirmed in the Senate into the service at the expense of the 5,000 or more officers in the Regular Army to be confirmed.

But that is not the point I am driving at. I did think when we wrote that law that we meant what we said when we provided for 17,726 officers, and that they should be commissioned.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. FIELDS. The minority did not agree with the majority of the committee. The House did not agree at that time with the minority of the committee, but it has accepted the views of the minority of the committee since with regard to the enlisted personnel, and I am trying to bring them to the views of the minority on the commissioned personnel.

Mr. McKENZIE. I understand the gentleman's position. It is absolutely without foundation from the standpoint of military preparedness, and he is striking a blow that will do more harm than any other one thing we can do in connection with

our Military Establishment. I appeal to you, gentlemen, regardless of partisanship, to vote down this amendment in the interest of the military preparedness of our country. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ANTHONY and Mr. CARAWAY rose.

The CHAIRMAN. The Chairman will recognize first the gentleman from Kansas, chairman of the committee.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that the debate on this amendment close in five minutes.

Mr. CARAWAY. Reserving the right to object, Mr. Chairman, I would like to have five minutes.

Mr. ANTHONY. Well, make it 10 minutes.

Mr. GREENE of Vermont. Mr. Chairman, reserving the right to object, if the matter is to be opened to an extended debate, it should be more than 10 minutes.

Mr. SISSON. Mr. Chairman, I would like to suggest to the chairman of the committee that this amendment may possibly involve some other items. I do not know what the program may be, but it may involve amendments on other items, and it might save a little time by having a more extended discussion on this item. If this amendment is lost, the probabilities are that there will be no effort to reduce the Army in the other branches of the service.

Mr. McCLINTIC. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Kansas moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, had come to no resolution thereon.

MESSAGE OF THE PRESIDENT—FIRST CENTENNIAL OF THE INDEPENDENCE OF PERU (S. DOC. NO. 370).

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying documents, was ordered printed and referred to the Committee on Foreign Affairs:

To the Senate and House of Representatives:

I transmit herewith a report by the Secretary of State covering an invitation from the Government of Peru to the Government of the United States to take official part in the ceremonies attendant upon the celebration of the first centennial of the proclamation of the independence of Peru in that Republic in July next, and a draft of a joint resolution to create a commission to represent the United States in the celebration and to provide for the expenses of the commission, which I commend to the favorable consideration of Congress.

WOODROW WILSON.

THE WHITE HOUSE,
2 February, 1921.

LEAVE OF ABSENCE.

By unanimous consent, Mr. BURROUGHS was granted leave of absence for four days, on account of important business.

FIRST NATIONAL BANK OF NEW CARLISLE, IND.

Mr. EDMONDS. Mr. Speaker, I would like to call from the Speaker's table the bill H. R. 8881, which has been passed by the Senate. I move to concur in the Senate amendments.

The SPEAKER. The gentleman from Pennsylvania calls from the Speaker's table House bill 8881, with Senate amendments, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 8881) for the relief of the First National Bank of New Carlisle, Ind.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the First National Bank of New Carlisle, Ind., agents of the Treasury Department, for the sale of war savings stamps and thrift stamps, the sum of $923.25, to reimburse said bank for war savings stamps and thrift stamps lost on account of burglary during the month of April, 1918.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. EDMONDS. Mr. Speaker, I move that the House concur in the Senate amendments.

Mr. WINGO. Mr. Speaker, will the gentleman yield for a question there?

Mr. EDMONDS. Certainly.

Mr. WINGO. Is this a bill requiring a bank organization to give bond?

Mr. EDMONDS. This is for the loss of thrift stamps. This reimburses the bank, and the bank is required to give bond in double the amount.

Mr. WINGO. Is it a State bank or a national bank?

Mr. EDMONDS. It is a national bank; the First National Bank of New Carlisle, Ind.

Mr. WINGO. In what terms is the bond? Is it unlimited?

Mr. EDMONDS. It is a double bond. I have not looked into it recently.

Mr. WINGO. If the gentleman thinks the banks are authorized to give that kind of a bond and the persons making the claim are willing to take the risk, all right.

Mr. EDMONDS. I think it is satisfactory to them.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Pennsylvania, to concur in the Senate amendments.

The motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 1789. An act for the relief of Thomas P. Darr;

H. R. 6221. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the Osage civilization-fund claim of the Osage Nation of Indians against the United States;

H. R. 3522. An act for the relief of Lemuel Stokes;

H. R. 11066. An act for the relief of the Shipowners & Merchants Tugboat Co.;

H. R. 1790. An act for the relief of John K. Ashley, jr.;

H. R. 7050. An act for the relief of the First State Bank of Kerrville, Kerr County, State of Texas;

H. R. 3210. An act for the relief of Joseph A. Prat;

H. R. 10920. An act declaring Platte River to be a nonnavigable stream;

H. R. 6301. An act for the relief of Nathan Manzer;

H. R. 12441. An act for the relief of the Duluth, Winnipeg & Pacific Railroad;

H. R. 12333. An act for the relief of Albert T. Huso; and

H. R. 13600. An act for the relief of Mrs. William B. Ryan.

JOHN E. MOORE CO.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 11572, for the relief of the John E. Moore Co., a House bill with Senate amendments, and to disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill which the Clerk will report, and to disagree to the Senate amendments and ask for a conference.

The Clerk read the title of the bill and the Senate amendments.

The SPEAKER. Without objection, the amendments will be disagreed to and the conference ordered.

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. EDMONDS, Mr. LITTLE, and Mr. STEAGALL.

WILHELM ALEXANDERSON.

Mr. EDMONDS. I ask unanimous consent to take from the Speaker's table the bill (H. R. 12634) for the relief of Wilhelm Alexanderson, a House bill with Senate amendments, and to disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill which the Clerk will report and to disagree to the Senate amendments and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. EDMONDS, Mr. LITTLE, and Mr. STEAGALL.

ADJOURNMENT.

Mr. MONDELL. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned until Thursday, February 3, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

392. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examinations of Siskiwit River, Wis.; to the Committee on Rivers and Harbors.

393. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers submitting abstracts of proposals received during the fiscal year 1920 for material and labor in connection with works under the Engineer Department; to the Committee on Expenditures in the War Department.

394. A letter from the vice chairman of the Federal Board for Vocational Education, transmitting request of that board for prompt action in passage of H. R. 11848, to provide housing facilities for disabled soldiers; to the Committee on Military Affairs.

395. A letter from the Secretary of Labor, transmitting claim of Shannon Copper Co. for losses incurred in the operation of their mines; to the Committee on War Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KELLEY of Michigan, from the Committee on Appropriations, to which was referred the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, reported the same without amendment, accompanied by a report (No. 1281), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15949) to revive and reenact the act entitled "An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River in the State of New York," approved March 13, 1914, reported the same without amendment, accompanied by a report (No. 1282), which said bill and report were referred to the House Calendar.

Mr. PORTER, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 424) authorizing and empowering the President to invite all nations to send delegates to a convention to provide for disarmament, reported the same without amendment, accompanied by a report (No. 1283), which said joint resolution and report were referred to the House Calendar.

Mr. SWEET, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15904) to fix compensation of officers of the National Army who incurred disability while in the service, reported the same without amendment, accompanied by a report (No. 1284), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15769) to authorize the construction of a bridge over the Rio Grande River between the cities of Del Rio, Tex., and Las Vacas, Mexico, reported the same with amendment, accompanied by a report (No. 1285), which said bill and report were referred to the House Calendar.

Mr. MERRITT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15951) to regulate the retired pay of certain enlisted men in the Coast Guard, reported the same without amendment, accompanied by a report (No. 1286), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4787) granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J., reported the same without amendment, accompanied by a report (No. 1287), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 15973) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1916"; to the Committee on Military Affairs.

Also, a bill (H. R. 15974) to permit payment for the adjustment and settlement of claims of officers, members of the Nurse Corps, and enlisted men for pay or allowances growing out of service in the World War from April 6, 1917, to June 30, 1919, inclusive; to the Committee on Military Affairs.

By Mr. KELLEY of Michigan: A bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. RHODES: A bill (H. R. 15976) to provide for the uniform selection and purchase of coal and other fuel for use by the Federal Government; to the Committee on Mines and Mining.

By Mr. HUSTED: A bill (H. R. 15977) authorizing suits against the United States in admiralty for collisions caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. RANDALL of California: A bill (H. R. 15978) to authorize the construction of a dam in the San Gabriel Canyon, Angeles National Forest, to control floods and conserve water; to the Committee on the Public Lands.

By Mr. TAYLOR of Colorado: A bill (H. R. 15979) to provide for the distribution of receipts by States under the provisions of section 35 of the act of Congress approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain"; to the Committee on the Public Lands.

By Mr. EVANS of Montana: A bill (H. R. 15980) for the consolidation of forest lands within the Gallatin National Forest, and for other purposes; to the Committee on the Public Lands.

By Mr. PARKER: Resolution (H. Res. 664) for the immediate consideration of Senate joint resolution 161; to the Committee on Rules.

By Mr. WELTY: Resolution (H. Res. 665) to investigate whether a district judge of the United States is permitted to draw a salary of $42,500 to act as an arbitrator in addition to his salary as United States judge; to the Committee on Rules.

By Mr. SNYDER: Resolution (H. Res. 667) for the immediate consideration of Senate bill 4039; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the State of Montana, to enact such legislation as may be necessary to impose an import duty on flax for the protection of the flax-growing industry of the United States; to the Committee on Ways and Means.

By Mr. EVANS of Montana: Memorial of the Legislature of the State of Montana, urging an import duty on flax of not less than 70 cents per bushel; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Montana, protesting against the passage of the Senate bill 3944, regarding the marketing and transportation of live stock and live-stock products; to the Committee on Agriculture.

By Mr. SINCLAIR: Memorial of the Legislature of the State of North Dakota, urging Federal aid in the purchase of seed and feed in the Northwest; to the Committee on Appropriations.

By Mr. TIMBERLAKE: Memorial of the General Assembly of the State of Colorado urging Federal aid in cooperation with the States in building of highways; to the Committee on Roads.

By Mr. WINGO: Memorial from the Legislature of the State of Arkansas urging sufficient and final appropriations for the prompt and complete construction of locks and dams in the Ouachita River; to the Committee on Rivers and Harbors.

By Mr. YOUNG of North Dakota: Memorial of the Legislature of the State of North Dakota favoring the enactment of Federal legislation providing means through which farmers in certain sections may purchase seed and feed; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK: A bill (H. R. 15981) for the relief of William H. Riddensdale; to the Committee on Military Affairs.

By Mr. CASEY: A bill (H. R. 15982) for the relief of George Weiss; to the Committee on Military Affairs.

By Mr. COPLEY: A bill (H. R. 15983) granting an increase of pension to Sarah M. Burnside; to the Committee on Invalid Pensions.

By Mr. GALLAGHER: A bill (H. R. 15984) for the relief of Charles H. Kerr & Co.; to the Committee on Claims.

By Mr. McDUFFIE: A bill (H. R. 15985) for the relief of Maj. Francis M. Maddox, United States Army; to the Committee on Claims.

By Mr. MURPHY: A bill (H. R. 15986) granting an increase of pension to Elmer E. Wilson; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 15987) to reimburse J. T. Thomas for currency destroyed by fire; to the Committee on Claims.

By Mr. RUCKER: Resolution (H. Res. 666) authorizing the Clerk of the House to pay to Prince L. Booher and H. M. Booher, clerks to Charles F. Booher, late a Representative from the State of Missouri, one month's salary; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5431. By Mr. FULLER: Petition of the board of directors of the Milwaukee Maternity Hospital and Free Dispensary Association, favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5432. By Mr. GRIFFIN: Resolution adopted by citizens of Bronx County, at mass meeting at New York City, January 30, 1921, urging official recognition of the republic of Ireland; expressing opposition to any measure of disarmament by the United States until England withdraws her troops from Ireland; and urging that England be pressed to pay her war debt to the United States; to the Committee on Foreign Affairs.

5433. By Mr. KELLEY of Michigan: Petition of Rev. A. Leroy Sheldon, pastor of the Church of God, Flint, Mich., and 40 parishioners, opposing the enactment of House bill 14658; to the Committee on the Post Office and Post Roads.

5434. By Mr. KELLY of Pennsylvania: Petition of Pittsburgh Chamber of Commerce, favoring waterway improvements; to the Committee on Rivers and Harbors.

5435. Also, petition of Pennsylvania Branch of the Women's International League for Peace and Freedom, favoring disarmament; to the Committee on Military Affairs.

5436. By Mr. LAMPERT: Petition from citizens of Oshkosh, Wis., requesting an amendment to the Volstead Act, permitting the manufacture and sale of beer and light wines; also protesting against any legislation providing for severe restrictions regarding work and the enjoyment of innocent pastimes on Sunday; to the Committee on the Judiciary.

5437. By Mr. MADDEN: Petition of certain citizens of first district of Illinois, regarding beer and light wines; to the Committee on the Judiciary.

5438. By Mr. MORIN: Petition of Manchester Lodge, No. 216, International Association of Machinists, Pittsburgh, Pa., urging the reestablishment of trade relationship between our country and Russia; to the Committee on Foreign Affairs.

5439. By Mr. MURPHY: Memorial of United Commercial Travelers of America, Euclid Council, No. 421, praying for passage of legislation reducing drop-letter postage to 1 cent; to the Committee on the Post Office and Post Roads.

5440. Also, memorial of sheep and wool growers of Columbiana County, Ohio, praying for the passage of the "truth in fabric" bill and for adequate protection for wool and mutton; to the Committee on Interstate and Foreign Commerce.

5441. By Mr. O'CONNELL: Petition of the Brilliant Silk Manufacturing Co., of New York, favoring the proposed amendment to the transportation act authorizing partial payments of sums due the railroads by the Federal Government; to the Committee on Interstate and Foreign Commerce.

5442. Also, petition of the National Security League, of New York, regarding care and aid for disabled ex-service men; to the Committee on Ways and Means.

5443. Also, petition of New York Produce Exchange, opposing the Gronna bill (S. 3944); to the Committee on Agriculture.

5444. By Mr. RAKER: Petition of superintendent of schools, department of education of San Diego County, Calif., urging the passage of the Smith-Towner bill; to the Committee on Education.

5445. Also, petition of president of the executive board of the California Federation of Women's Clubs, urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5446. Also, petition of Mrs. R. B. Demmitt, Azusa, Calif., protesting against the Capper-Fess bill; to the Committee on Education.

5447. Also, petition of F. G. Lyman, Pasadena, Calif., relative to the tariff question; to the Committee on Ways and Means.

5448. Also, petition of the Gold Hill Grange, No. 326, Lincoln, Calif., urging the protection of the farm loan and rural credit act; to the Committee on Banking and Currency.

5449. By Mr. TINKHAM: Petition of Roger Casement Council, American Association for the Recognition of the Irish Republic, Boston, Mass., urging the recognition of the Irish republic, and protesting against the order to deport Lord Mayor Donal O'Callaghan, of Cork City, Ireland; to the Committee on Foreign Affairs.

5450. Also, petition of Cigarmakers' International Union, No. 97, Boston, Mass., urging the immediate resumption of trade with Russia; to the Committee on Foreign Affairs.

5451. By Mr. TREADWAY: Petition of President Harry A. Garfield, of Williams College, Judge Sanborn G. Tenny, and other residents of Williamstown, Mass., regarding preservation of our national parks, with especial reference to the Smith bill (H. R. 12466); to the Committee on the Public Lands.

5452. By Mr. WATSON: Petition of the Church of the Brethren, of Quakertown, Pa., opposing compulsory military training in the schools; to the Committee on Education.

5453. Also, petition of the Pennsylvania Branch of the Women's International League for Peace and Freedom, regarding military expenses and world disarmament; to the Committee on Military Affairs.

5454. Also, petition of the Pennsylvania Branch of the Women's International League for Peace and Freedom, urging world disarmament and a reduction in the Navy building program; to the Committee on Naval Affairs.

5455. By Mr. ZIHLMAN: Petition of Allegany Trades Council, Frostburg, Md., favoring the $10,000,000 appropriation for the Wilson Dam; to the Committee on Appropriations.

5456. By Mr. WOODYARD: Petition of employees of the United States engineers' office at Dam No. 14, Ohio River, favoring a bonus of $240 for Government employees; to the Committee on Appropriations.

SENATE.

THURSDAY, *February 3, 1921.*

(*Legislative day of Wednesday, February 2, 1921.*)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 4891) to amend section 1 of an act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes."

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 11572) for the relief of the John E. Moore Co., and asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. EDWARDS, Mr. LITTLE, and Mr. STEAGALL conferees on the part of the House.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 12634) for the relief of Wilhelm Alexanderson, and asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. EDWARDS, Mr. LITTLE, and Mr. STEAGALL conferees on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 1789. An act for the relief of Thomas P. Darr;

H. R. 6221. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the Osage civilization-fund claim of the Osage Nation of Indians against the United States;

H. R. 3522. An act for the relief of Lemuel Stokes;

H. R. 11066. An act for the relief of the Shipowners & Merchants Tugboat Co.;

H. R. 1790. An act for the relief of John K. Ashley, jr.;

H. R. 7050. An act for the relief of the First State Bank of Kerrville, Kerr County, State of Texas;
H. R. 3210. An act for the relief of Joseph A. Prat;
H. R. 10920. An act declaring Platte River to be a nonnavigable stream;
H. R. 6301. An act for the relief of Nathan Manzer;
H. R. 12441. An act for the relief of the Duluth, Winnipeg & Pacific Railroad;
H. R. 12333. An act for the relief of Albert T. Huso; and
H. R. 13600. An act for the relief of Mrs. William B. Ryan.

MILK RIVER VALLEY GUN CLUB—VETO MESSAGE.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

I return herewith without my approval S. 793, an act authorizing the issuance of patent to the Milk River Valley Gun Club, which proposes to direct the Secretary of the Interior to issue patent to the Milk River Valley Gun Club for 76.69 acres of land in Montana for a game preserve.

In my opinion the legislation proposed is not in the public interest and is objectionable, because it would, by a special act of Congress, pass title to a tract of public land to a private interest for a private purpose. Moreover, I am informed that the lands in question are used by ducks and other game birds as a resting place and breeding ground, and the turning over of the land to a private gun club would be likely to destroy its use for this purpose and seriously affect the birds and water fowl, which existing laws seek to protect.

I think, therefore, that the bill should not become a law and that the tract should be made a Federal bird reservation for the protection of the birds which now frequent the lands.

WOODROW WILSON.

THE WHITE HOUSE,
3 February, 1921.

Mr. SMOOT. Mr. President, the Senators from Montana are not in the Chamber at the present time, and I ask that the message may lie on the table until it is called up in the future.

The VICE PRESIDENT. That course will be taken.

FRANCHISES IN PORTO RICO.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Pacific Islands, Porto Rico, and the Virgin Islands:

To the Senate and House of Representatives:

As required by section 38 of the act approved March 2, 1917 (39 Stat., 951), entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of each of 29 franchises granted by the Public Service Commission of Porto Rico. The copies of the franchises inclosed are described in the accompanying letter from the Secretary of War transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE,
3 February, 1921.

WILHELM ALEXANDERSON.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 12634) for the relief of Wilhelm Alexanderson, and requesting a conference with the Senate thereon.

Mr. SPENCER. I move that the Senate insist upon its amendment, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SPENCER, Mr KEYES, and Mr. BECKHAM conferees on the part of the Senate.

JOHN E. MOORE CO.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 11572) for the relief of the John E. Moore Co., and requesting a conference with the Senate thereon.

Mr. SPENCER. I move that the Senate insist upon its amendment, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SPENCER, Mr. KEYES, and Mr. BECKHAM conferees on the part of the Senate.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a resolution of the American Association for the Recognition of the Irish Republic, of Melrose, Mass., protesting against deporting the lord mayor of Cork, Ireland, Donal J. O'Callaghan, which was referred to the Committee on Foreign Relations.

Mr. HARRIS presented a memorial of the Professional Women's Club, of Athens, Ga., remonstrating against the enactment of legislation commercializing the national parks, which was referred to the Committee on Commerce.

He also presented a resolution of Washington Camp, No. 21, Patriotic Order Sons of America, of Fitzgerald, Ga., favoring legislation restricting the immigration of aliens, which was referred to the Committee on Immigration.

Mr. McLEAN presented a resolution of Danbury Post, No. 60, American Legion, of Danbury, Conn., favoring enactment of the legislation providing medical, surgical, and hospital service, etc., for discharged soldiers, sailors, marines and Army and Navy nurses, known as Senate bill 4357; improving facilities and service of the Bureau of War Risk Insurance and further amending and modifying the war risk insurance act, known as House bill 13558; fixing compensation of officers of the National Army who incurred disability while in the service, known as House bill 10835; and providing for adjusted compensation, under the fourfold optional plan, for ex-service men, known as House bill 14157, which was referred to the Committee on Appropriations.

He also presented a petition of Kiltonic Post, No. 72, American Legion, of Southington, Conn., praying for the enactment of legislation to improve the facilities and service of the Bureau of War Risk Insurance, and to further amend and modify the war risk insurance act, as amended, which was referred to the Committee on Appropriations.

He also presented a memorial of Court Joffre No. 89, Forestier Franco-Americain, of Putnam, Conn., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented memorials of Cornelia Circle, Federated Women's Club, of Rockville, Conn., and the Woman's Town Improvement Association, of Westport, Conn., remonstrating against the enactment of legislation commercializing the national parks, which were referred to the Committee on Commerce.

He also presented a resolution of the New Haven Teachers' League, of New Haven, Conn., protesting against commercializing of the national parks, which was referred to the Committee on Commerce.

He also presented a resolution of the New Haven Teachers' League, of New Haven, Conn., favoring the truth-in-fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Meriden Chamber of Commerce, of Meriden, Conn., praying for the enactment of legislation providing for daylight saving, which was referred to the Committee on Interstate Commerce.

He also presented a telegram of the Ladies' Auxiliary, Ancient Order of Hibernians, of New Haven, Conn., favoring the freedom of Ireland and the collection of the interest on foreign loans of this Government, etc., which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Young Men's Hebrew Association, of Norwich, Conn., protesting against legislation restricting the immigration of aliens, which was referred to the Committee on Immigration.

He also presented a resolution of American Legion, Post No. 29, of Greenwich, Conn., protesting against the proposed so-called Sunday blue law, which was referred to the Committee on the Judiciary.

He also presented a petition of the New Haven Trades Council, of New Haven, Conn., praying for the enactment of legislation to resume trade relations with soviet Russia, which was referred to the Committee on Foreign Relations.

He also presented a petition of the International Association of Machinists, District Lodge No. 22, of New Haven, Conn., praying for the enactment of legislation to continue the $240 bonus to Government employees, which was referred to the Committee on Appropriations.

Mr. CAPPER presented petitions of Dickinson County Pomona Grange, No. 23, of Enterprise, Kans.; Local Union No. 288, Farmers' Union, of Broken Bow, Okla.; and sundry citizens of Bozeman, Mont., praying for the enactment of legislation prohibiting gambling in grain futures, which were referred to the Committee on Agriculture and Forestry.

Mr. SIMMONS presented telegrams in the nature of memorials from P. T. Gallagher, John M. Farrell, Robert Williams, Ed Sohle, J. E. Cunningham, E. L. Pennell, Z. E. Rea, W. J. Spain, W. J. Carmack, S. B. McGrath, W. L. Manies, C. F. Linthicum, John F. Williams, George F. Williams, S. V. Desmond, E. F. Gallagher, C. W. Gallagher, J. J. Breen, J. G. Monahan, Dr. John S. Clifford, Bernard Sohle, Barrett Harris, F. B. Markwalker, H. S. Hall, S. D. Wilhelm, George M. Mayee, Dr. W. E. Wishart, B. E. Mundson, E. D. E. M. Williams, M. P. Williams, W. L. Manning, K. B. Williams, E. B. Kidd, J. W. Rea, El Pennell (grand knight, Charlotte Council, Knights of Columbus), I. C. Toomey, George I. Carey, M. J. O'Neill, J. H. Burns, I. J. Fleming, Joe V. Williams, H. L. Burns, C. A. Williams, I. F. Walsh, C. J. Eaglesfield, W. V. Hall, and J. J. McTague, all of Charlotte, N. C., remonstrating against the enactment of the Smith-Towner educational bill, which were referred to the Committee on Education and Labor.

Mr. GRONNA. I ask unanimous consent to have printed in the RECORD a letter from the chief clerk of the House of Representatives of North Dakota, transmitting a concurrent resolution of the legislature of that State, and that the letter and concurrent resolution be referred to the Committee on Finance.

There being no objection, the matter referred to was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

STATE OF NORTH DAKOTA,
HOUSE OF REPRESENTATIVES,
SEVENTEENTH LEGISLATIVE ASSEMBLY, 1921.
Bismarck, January 31, 1921.

Senator A. J. GRONNA,
United States Senate, Washington, D. C.

SIR: I have the honor to transmit herewith a copy of a concurrent resolution, which was recently passed by the Seventeenth Legislative Assembly of the State of North Dakota.

Respectfully,
C. L. DAWSON,
Chief Clerk of the House of Representatives.

Concurrent resolution introduced by Messrs. Robert J. Boyd, Elmer Cart, A. B. Carlson, Joseph A. Kitchen, Harold V. Semling, C. H. Starke, Adam Preszler, Roy A. Yeater, Lawrence K. Bjorge.

Whereas there is now pending in Congress a bill to provide additional compensation for the soldiers who served the United States during the late war, known as the American Legion fourfold plan; and

Whereas the National House of Representatives passed said bill and same is now before the Senate Committee on Finance: Therefore be it

Resolved by the House of Representatives of the State of North Dakota (the senate concurring therein), That while we recognize that this Nation can never repay the debt it owes to those who served and can not bring back to health and happiness those who suffered and died in the struggle, yet it can in a measure equalize the financial losses of those who served by the payment of reasonable additional compensation, as provided by the American Legion fourfold plan: Be it further

Resolved, That we urge the Senate and the Senate Committee on Finance to speedily enact into a law the plan of compensation known as the American Legion fourfold plan: Be it further

Resolved, That a copy of these resolutions be sent to the chairman of the Senate Finance Committee and to the Senators from this State.

This is to certify that the foregoing concurrent resolution originated in the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, the senate concurring therein.

L. L. BURCHELL,
Speaker House of Representatives.
C. L. DAWSON,
Chief Clerk House of Representatives.
H. R. WOOD,
President of the Senate.
W. J. FRATER,
Secretary of the Senate.

Mr. KIRBY presented a concurrent resolution of the Legislature of Arkansas, which was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

House concurrent resolution 9.

Whereas the Hon. JOE T. ROBINSON, senior Senator from Arkansas, has introduced a bill in the Senate authorizing the Secretary of War to turn over to the Secretary of the Treasury, for the use of the Public Health Service, the military reservation at Fort Logan H. Roots, with no charge for the transfer, the object of the transfer being to provide adequate facilities for the treatment of disabled ex-soldiers, sailors, and marines, the Nation's heroes; and

Whereas the bill also provides funds for medicinal and hospital services which may be necessary in making improvements at the proposed hospital; and

Whereas it is a fact that thousands of Arkansas's unfortunate disabled ex-soldiers, sailors, and marines, to whom we owe everything, are without adequate hospitalization, and it is an imperative necessity to provide immediate adequate care for them: Therefore be it

Resolved by the House of Representatives of the State of Arkansas (the Senate concurring), That we favor the immediate passage of such a bill, thereby showing that we have the interest at heart of our splendid young men who are broken down in health or crippled for life, and urge our Senators and Congressmen in the Congress of the United States to do all in their power in securing the passage of same. Fort Logan H. Roots is now ungarrisoned and has been for the past 10 years, except for a caretaker's detachment, and has ample buildings and grounds for immediate occupancy. State health authorities urgently recommend selection of this site, in which patriotic and welfare organizations concur, and it is imperative that determined steps be taken to relieve deplorable conditions and provide immediate adequate hospitalization for disabled men; be it further

Resolved, That certified copies of this resolution be sent at once by the secretary of state to the President and to the presiding officers of both branches of Congress and to each of the United States Senators and Congressmen from Arkansas.

I, Ira C. Hopper, secretary of state of the State of Arkansas, do hereby certify that the above and foregoing is a true and correct copy of house concurrent resolution No. 9, approved January 27, 1921.

[SEAL.]
IRA C. HOPPER,
Secretary of State.

Mr. KIRBY presented a concurrent resolution of the Legislature of Arkansas, relating to sufficient appropriations for the prompt and complete construction of locks and dams in the Ouachita River, which was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

House concurrent resolution 10.

Be it resolved by the General Assembly of the State of Arkansas (the Senate and House concurring), That our Senators and Representatives in Congress be urged to use their utmost efforts to secure sufficient and final appropriations from Congress at this session to provide for the prompt and complete construction of the locks and dams in the Ouachita River according to the plans of the War Department to provide permanent all-year-round navigation from Camden, Ark., to New Orleans and the Gulf.

We especially emphasize the need of our people to additional and more economical transportation to the markets of this country and to foreign countries reached by water-borne traffic; the present rail routes, it is acknowledged, can neither supply nor reduce the cost of the commercial needs of the State.

The fact that the completion of the Government's work on the Ouachita River will give large portions of central and southern Arkansas much relief in service through this added arm of transportation and at greatly reduced cost through a combined rail-and-river routing makes its earliest completion a matter of State-wide interest and of immediate economic value.

The recent opening of what is conceded by experts to be one of the greatest oil and gas fields in this country, already developed in southern Arkansas and northern Louisiana, which extends from Camden and El Dorado to Monroe, La., and is directly penetrated by the tributary to the Ouachita River, insures a vastly augmented commerce to its navigation that will at once prove the wisdom of the Government in providing for this improvement.

To secure the greatest benefits to our citizens and to the business interests of the State, we call attention particularly to the imperative and economic need of prompt construction.

With full confidence in the ability, energy, and personal influence of our State's congressional delegation, we place this trust in their hands by this instrument, believing that their individual and combined interest will be given to the success of this movement.

I, Ira C. Hopper, secretary of state of the State of Arkansas, do hereby certify that the above and foregoing is a true and correct copy of house concurrent resolution No. 10 by the Forty-third General Assembly, approved January 27, 1921.

[SEAL.]
IRA C. HOPPER,
Secretary of State.

Mr. KIRBY presented a resolution of the Legislature of Arkansas, relating to the appropriation of $80,000 requested by the Secretary of Agriculture for the division of truck-crop insects of the Bureau of Entomology, to be used for the purpose of eradicating the sweet potato weevil, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

A resolution urging the Senators and Representatives of the State of Arkansas in Congress to actively support appropriations for eradication of the sweet potato weevil.

Whereas owing to the lack of adequate appropriations from Congress for the purpose of maintaining a quarantine and furthering the eradication work of the sweet potato weevil, Cylas formicarius, this pest has become established and has already spread over a large part of the sweet potato growing area of the United States, and

Whereas this destructive sweet potato pest is causing a loss of 50 per cent of the sweet potato crop in much of the infested area, and

Whereas the State plant board is maintaining a quarantine to prevent this pest from being introduced into the State of Arkansas, and

Whereas it is the opinion of the State plant board that State quarantines can be only temporarily effective in keeping this pest from spreading and that an adequate appropriation from Congress is necessary to provide for eradication work with a view to preventing the sweet potato weevil from being spread over the sweet potato growing area of the United States: Therefore be it

Resolved, That it is the sense of the Forty-third General Assembly of the State of Arkansas in session at Little Rock on this 28th day of January, 1921, that the appropriation of $80,000 asked for by the Secretary of Agriculture for the Division of Truck Crop Insects of the Bureau of Entomology, to be used for the purpose of eradicating the sweet potato weevil, be declared to be imperative for the protection of the sweet potato industry of the United States and that the United States Senators and Representatives of the State of Arkansas be urged to use their active support in bringing before Congress the necessity of this appropriation for the protection of the sweet potato industry; be it further

Resolved, That a copy of these resolutions be sent to each of the Senators and Representatives of Arkansas in Congress and to the Secretary of the United States Department of Agriculture and to the Chief of the Bureau of Entomology of the United States Department of Agriculture.

Mr. MYERS presented a certificate of the secretary of the senate of the State of Montana, certifying to a motion offered by Senator Edwards and passed by the Legislature of Montana, relating to relief for the agricultural and stock-raising interests

of the United States, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

SENATE OF THE STATE OF MONTANA,
Helena, Mont., January 6, 1921.

The senate convened at 11 o'clock a. m.
President presiding.

Motions and resolutions.

Senator Edwards offered a motion that the senate, through its secretary, request of the United States Senate speed action on a bill passed by the House of Representatives, being House bill 15275, relating to relief for the agricultural and stock-raising interests of the United States. Motion duly seconded and carried.

Senate adjourned at 11.40 a. m.

NELSON J. STORY, Jr.,
President of the Senate.
C. J. MCALLISTER,
Secretary.

I, C. J. McAllister, secretary of the senate of the State of Montana, do hereby certify that the above and foregoing is a full, true, and correct copy of the resolution introduced by Senator Edwards on the 6th day of January, A. D. 1921.

In witness whereof I have hereunto set my hand this 29th day of January, A. D. 1921.

C. J. MCALLISTER,
Secretary.

Mr. MYERS presented a joint resolution of the Legislature of Montana, relating to imposing a duty upon flax of not less than the sum of 70 cents per bushel for a period of three years, which was ordered to lie on the table and be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of House joint memorial No. 2, adopted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Joseph M. Dixon, governor of said State, on the 28th day of January, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 28th day of January, A. D. 1921.

[SEAL.] C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

House joint memorial No. 2, introduced by Hanson and Rickard.

Memorial to Congress of the United States to enact such legislation as may be necessary to impose an import duty on flax for the protection of the flax-growing industry of the United States.

To the honorable Senate and House of Representatives in the Congress of the United States of America:

Your memorialists, the members of the Seventeenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

Whereas the State of Montana is one of the largest flax-producing States in the Union and has millions of acres of virgin prairie yet to be developed, which will eventually become flax-producing lands; and

Whereas the State of Montana has shipped large quantities of flax to the mills at Portland, Oreg., during the past few years; and

Whereas the flax growers of this State have recently been informed by the mills and flax buyers of Portland, Oreg., not to ship any more flax to that point, for the reason that said mills were able to and had purchased a supply of flax for the coming year from Manchuria, in Asia, at a price much less than that for which they could purchase domestic-raised flax; and

Whereas we, the Seventeenth Legislative Assembly of the State of Montana, believe that the present duty on flax is insufficient to protect the American industry, and that the said duty should be high enough to prevent the importing of foreign-grown flax to the damage of the American-grown product: Now, therefore, be it

Resolved by the house (the senate concurring), That we, the members of the Seventeenth Legislative Assembly of the State of Montana, do hereby petition and earnestly pray the Congress of the United States to enact such legislation as may be necessary to impose an import duty upon flax of not less than the sum of 70 cents per bushel for a period of three years.

Resolved further, That a copy of this memorial be forwarded by the secretary of the State of Montana to the Senate and House of Representatives of the United States and to our Senators and Representatives in Congress.

FRED L. GIBSON,
Speaker of the House.
NELSON STORY, Jr.,
President of the Senate.

Approved January 28, 1921.

JOS. M. DIXON, *Governor.*

Filed January 28, 1921, at 2.40 o'clock p. m.
C. T. STEWART, *Secretary of State.*

REPORTS OF COMMITTEES.

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the bill (S. 4186) to authorize the Broadwater Irrigation District, a Montana corporation, to construct a dam across the Missouri River, reported it with amendments and submitted a report (No. 753) thereon.

He also, from the same committee, to which was referred the bill (H. R. 11841) to amend an act entitled "An act granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service," approved February 15, 1893, reported it without amendment and submitted a report (No. 754) thereon.

Mr. McNARY, from the Committee on Irrigation and Reclamation of Arid Lands, to which was referred the bill (S. 4421) securing rights of way and easements over public land in connection with Federal irrigation projects, reported it without amendment.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (S. 4729) to amend section 7 of the act approved December 23, 1913, and known as the Federal reserve act, as amended by the act of March 3, 1919, reported it without amendment.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PHELAN (by request):

A bill (S. 4970) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing bubonic plague in the Territory of Hawaii in the years 1899 and 1900; to the Committee on Claims.

By Mr. STERLING:

A bill (S. 4971) granting an extension on United States of America Letters Patent No. 757879; to the Committee on Patents.

By Mr. JONES of Washington:

A bill (S. 4972) to authorize the United States, through the United States Shipping Board, to acquire a site on Hazzell Island, St. Thomas, Virgin Islands, for a fuel and fuel oil station and fresh water reservoir for Shipping Board and other merchant vessels, as well as United States naval vessels, and for other purposes; to the Committee on Commerce.

By Mr. FRANCE:

A bill (S. 4973) to amend the provisions of an act relating to certain railway corporations owning or operating street railways in the District of Columbia, approved June 5, 1905; to the Committee on the District of Columbia.

By Mr. STERLING:

A bill (S. 4974) to further reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, and for other purposes; to the Committee on Post Offices and Post Roads.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FLETCHER submitted an amendment proposing to increase the appropriation for salaries and wages of officers and crews of light vessels and lighthouse tenders, etc., from $1,800,000 to $2,100,000, intended to be proposed by him to the sundry civil appropriation bill, which was referred, with the accompanying paper, to the Committee on Appropriations and ordered to be printed.

Mr. MOSES (for Mr. SHERMAN) submitted an amendment proposing that on and after March 4, 1921, the compensation of Senators, Representatives in Congress, Delegates from the Territories, and the Resident Commissioners from Porto Rico and the Philippine Islands shall be at the rate of $12,000 per annum, and the compensation of the Vice President and the heads of the executive departments who are members of the President's Cabinet shall be at the rate of $15,000 per annum, intended to be proposed by Mr. SHERMAN to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. TRAMMELL submitted an amendment proposing to increase the appropriation for collecting, publishing, and distributing information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of live stock and other agricultural products, etc., from $390,160 to $750,000, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. TOWNSEND submitted an amendment proposing to pay $10,000 to the duly qualified guardian of Leonore M. Sorsby, minor daughter of William B. Sorsby, late envoy extraordinary and minister plenipotentiary of the United States to Bolivia, being one year's salary, etc., intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

Mr. STERLING submitted an amendment providing for the reestablishment of the Hope Indian School for Girls, located at Springfield, S. Dak., which was discontinued by law, intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to increase the appropriation for subsistence and civilization of the Yankton Sioux, South Dakota, etc., from $8,000 to $12,000, intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to increase the appropriation for support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, etc., from $180,000 to $200,000, intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and be printed.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. ROBINSON. Mr. President, I do not intend to speak at length. The session is nearing the end, and many very important measures remain undisposed of. I had hoped, and nearly all of us on this side had the same feeling about the matter, that an agreement would be reached fixing a time to vote on the bill now under consideration, the emergency tariff bill. It may be that within a very short time that arrangement may yet be effected. In any event, some very urgent matters of legislation must be carried over into the special session of Congress, which it is expected will be called some time early in April.

The most urgent subject of legislation has not yet received consideration. I refer to the hospitalization of former service men. In my humble opinion legislation on that subject is more urgent than any other. A number of bills have been introduced in Congress designed to provide additional and necessary hospital facilities for sick and disabled soldiers, but no action has as yet been taken regarding any of them.

On December 11, 1920, a Member of the body at the other end of the Capitol, Mr. ROGERS, introduced and had referred to the appropriate committee a bill to provide for the creation of a bureau in the Interior Department, to be known as the Bureau of Veteran Reestablishment. The bill also contemplated legislation providing for adequate hospital facilities. No action has been taken on that measure. On January 25, 1921, another Member of the body at the other end of the Capitol introduced a measure on the subject, which, on the 27th of January, was reported to the House of Representatives, and which I understand it is expected will receive consideration in that body before the end of the present session. The bill to which I am now referring, known as the Langley bill, requires the establishment of five hospitals in different sections of the country and authorizes the Secretary of the Treasury to procure additional sites and to construct or lease additional hospitals. This measure seems to me to invite a controversy about the location of the hospitals, although, of course, it is not intended to bring about such an issue.

On the 10th of May, 1920, there was introduced in the Senate a bill by the Senator from Maryland [Mr. FRANCE], which was reported to the Senate June 2, 1920, dealing quite comprehensively with the subject. The Senator from Maryland stated some days ago that it was his purpose to call up the bill and press the consideration of it.

Mr. CURTIS. Mr. President, may I interrupt the Senator?

Mr. ROBINSON. I yield to the Senator from Kansas.

Mr. CURTIS. I wish to suggest that all this matter has been before the Committee on Appropriations.

Mr. ROBINSON. I am going to discuss that in a moment.

Mr. CURTIS. I think upon yesterday the committee agreed to include the item in the sundry civil appropriation bill.

Mr. ROBINSON. I am coming to that in a moment. The Senator from Maryland announced his purpose to call up the bill reported from the Committee on Public Health and National Quarantine at an early date. Some assurance was made on the floor at that time, if I understood him correctly, by the Senator from Utah [Mr. SMOOT] that the Committee on Appropriations would in all probability incorporate a provision in the sundry civil appropriation bill adequately and comprehensively dealing with the subject.

Mr. SMOOT. I will say to the Senator that the committee has already agreed to that item.

Mr. ROBINSON. Will the Senator furnish me with a copy of the item that goes in the bill?

Mr. SMOOT. It has not yet been printed, but I will state to the Senator about what it is. It is an appropriation for five hospitals, as estimated for, at $12,500,000, and it then includes $5,000,000 additional, which was not asked for, to care for some 2,750 more rooms in hospitals in different parts of the United States by increasing the accommodations in the buildings over what they are to-day.

Mr. ROBINSON. Do the five hospitals referred to by the Senator from Utah correspond approximately to those contemplated by the Langley bill?

Mr. SMOOT. There are only one or two changes, but substantially so.

Mr. ROBINSON. Is there any direction in the amendment as to where the hospitals shall be located?

Mr. SMOOT. As to the special location?

Mr. ROBINSON. Yes.

Mr. SMOOT. No; there is not, I will say to the Senator.

Mr. ROBINSON. Does it provide for their location in certain sections of the country?

Mr. SMOOT. Yes; in sections of the country.

Mr. ROBINSON. That is the information I want. If the Senator from Utah has correctly described the amendment which it is in contemplation shall be incorporated in the sundry civil appropriation bill, I undertake to say, although I have not had an opportunity of examining the amendment, that the provision is not adequate and that the matter will yet be thrashed out on the floor of the Senate when the amendment is brought before the Senate which the Senator from Utah says is being incorporated in the sundry civil appropriation bill.

Mr. SMOOT. I wish to say to the Senator that it is more than was asked for by the Public Health Service for this particular year. The whole program was for the expenditure of $30,000,000; in other words, there were required 10,187 beds to take care of all the unfortunates in the recent war.

Mr. ROBINSON. That statement is not accurate, and the Senator knows it is not accurate, if he will reflect.

Mr. SMOOT. All I have to say is that I base my statement upon that of the Public Health Service.

Mr. ROBINSON. No; the Senator is not quoting the Surgeon General of the Public Health Service correctly, if he will pardon me.

Mr. SMOOT. For the program——

Mr. ROBINSON. If the Senator will permit me to proceed a moment I will show him the fallacy of his statement.

The 10,000 beds referred to by the Surgeon General of the Public Health Service are not stated by him to be sufficient to meet future requirements. As set forth in the letter to the Senator from Arizona [Mr. ASHURST], which that Senator had printed in the RECORD some days ago, the 10,000 beds called for in that statement are those that are urgently needed, that are required now, and for which the Surgeon General insists provision should be made at the earliest possible moment. The Surgeon General definitely stated in that letter, and it is a fact, that even the $30,000,000 called for to meet requirements of the present time will not provide for future increase in the number of men to be cared for at these hospitals.

The Surgeon General said that the best estimate that can be made shows that between the years 1927 and 1929, when it is expected the peak will be reached, there will be between 30,000 and 35,000 sick and disabled soldiers to be cared for in the hospitals. The Surgeon General pointed out clearly in the letter that 10,000 beds are needed and are required now, and that $30,000,000 approximately must be appropriated to meet that requirement. It is true that the construction can not be completed within the coming fiscal year, but the authorization ought to be made in order that it may proceed just as rapidly as possible and in order that the plans and specifications for the hospitals required may be made at the earliest possible moment.

There are now in the Public Health Service hospitals something like 22,000 persons. Nineteen thousand and nineteen of those are war-risk insurance patients. A little more than half of the number are in hospitals operated by the Public Health Service, and the remainder, approximately one-half, are in hospitals under contract. At least one-half of the total number of hospitalized are in flimsy buildings subject to fire or in buildings upon which the leases will expire within a very short time.

Mr. WILLIAMS. Mr. President——

Mr. ROBINSON. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I have listened, as I am sure every Senator must have listened, to the official story, to which the Senator from Arkansas is merely referring, of the suffering and of our neglect of duty to the suffering, maimed, and crippled soldiers who came back from Flanders and from France. It occurs to me that the other day he and I both attempted to save a little money that might take care of these crippled and maimed soldiers. If the United States Army were reduced from 175,000 to 150,000 it would give us a clear net gain of

$35,000,000. The amount of money that is needed this year for the maimed and crippled soldiers is $30,000,000, $5,000,000 less than we might have saved the other day.

I merely wish to impress upon the Senate and the country while we are going along that there is no necessity of taxing the people to death in order to take care of these men. America owes to them nearly everything that a country can owe to its sons, and by merely cutting off a lot of unnecessary military expense and paraphernalia we could give these men the $30,000,000 worth of hospitals and medical service that they need, and save the Treasury $5,000,000 at the same time.

Mr. ROBINSON. Mr. President, the point I am coming to, if I am succeeding in making myself clear, is that whether we reduce the Army or increase it, whether we pass the Post Office appropriation bill or let it fail, whether we meet the ordinary expenses of the Government by the proper appropriations or fail to do that, this is one of the obligations that the Congress of the United States must discharge and discharge promptly. I put it in importance and urgency above every other subject and above all other obligations that devolve upon the Congress of the United States.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. ROBINSON. I yield.

Mr. WILLIAMS. Mr. President, as representing what was formerly known as the sovereign State of Mississippi—I believe there are no sovereign States now—I want to join in the most emphatic terms of which the English language is capable in saying that the United States owes one obligation which it must pay even if it bankrupts the Government and the people, and that is the obligation to the soldiers who came back from France wounded, crippled, or maimed.

I have never possessed much sympathy with the general idea of pensioning people for service, for having been out and having escaped bullets, and who have come back home better prepared to take up the charges of life than they would have been without their service; but when a man has been wounded and maimed, his arms gone, his legs gone, his breathing apparatus gone, or when he has been injured in some other way, these United States—and again, Mr. President, I apologize for saying "these"; I believe they have gotten to be "this" United States to-day—these United States, united in this Union, must take care of the men who gave part of their bodies to the cause that their country summoned them to defend. Whatever else shall happen, let it never be said that this shall happen, to wit, that the United States Government left one maimed soldier anywhere dependent upon charity or dependent upon his own insufficient and inefficient chances of recuperation.

The whole Government has said that we need $30,000,000 right away for that purpose, and we ought to give it. We have got the chance to save it; we can save it; we can save five times the amount in various ways without afflicting the people with any additional taxation, and even alleviating taxation, if there is the courage to do it.

Mr. ROBINSON. Mr. President, there is not a Senator who does not concur in the statement just concluded by the Senator from Mississippi in so far as it relates to the duty of Congress to provide necessary funds for hospitals. No one here doubts that the obligation upon this Government to provide adequate hospital facilities promptly for the men who suffered wounds or injury during the war is the highest obligation that devolves upon the Government; I am sure that no Member of the Senate and no one who serves in the body at the other end of the Capitol has any desire or disposition to defer or to escape that obligation; but the difficulty lies in the fact that under our method of procedure here this important subject has been obscured and relegated, and relatively unimportant subjects have been brought to the front.

The bill now under consideration has been called an emergency tariff bill. In my opinion it might better be labeled "A bill to bunko the American farmer and commit him, against his interest, to the policy of high-tariff protection." However, if that bill is an emergent measure, how much more urgent and emergent is the measure of which I am speaking?

Mr. President, the provision to which the Senator from Utah has referred in contemplation as an amendment to the sundry civil appropriation bill is not adequate. I propose to offer an amendment, which has received the careful consideration of a committee of the Senate, which has been on the calendar, in substance, since June 6, 1920, and to which there ought to be no opposition. That bill, if incorporated by the Appropriations Committee as an amendment into the sundry civil appropriation bill, will discharge the obligation of the Government for the present; but as to the men who will seek treatment in hospitals there are thousands wandering about neglected for whom no provision has been made who are unable to secure medical attention. In my State there are 19 sick and disabled soldiers confined in the asylum for the insane, which is maintained by the State of Arkansas. The Surgeon General has ordered them transferred to some hospital in the Public Health Service. There are in the State of Arkansas and in every State in the Union hundreds, aye, thousands, of men who are suffering from tuberculosis who, if they could receive attention in an efficient, up-to-date hospital, might recover their health and become useful citizens. If the present neglect, however, is continued they will die premature deaths and the little time that is left to them they will spend in misery and suffering. In dealing with this subject Congress ought not to be niggardly; it ought to be liberal.

Mr. SMITH of South Carolina. Mr. President——

Mr. ROBINSON. I yield to the Senator.

Mr. SMITH of South Carolina. May I ask the Senator from Arkansas what provision is now made for taking care of these derelicts, these wounded soldiers, who are suffering from the consequences of the war?

Mr. ROBINSON. Their number is increasing between 700 to 1,000 a month, and there is not a dollar of money available for use by the Public Health Service with which to construct additional hospitals or to lease or to procure them to meet these increasing requirements. That is the wrong of which I am complaining.

That condition has existed for some time. It seems as if we are to go on talking tariff and appropriating money for almost every other conceivable purpose, while the men who carried the country's flag to victory on foreign battle fields and staggered back out of the trenches wounded, blinded, and maimed must go through life crippled, suffering, and neglected.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Colorado?

Mr. ROBINSON. I yield to the Senator from Colorado.

Mr. THOMAS. I should like to inquire of the Senator what disposition has been made of the funds previously appropriated; my recollection is that the Senator himself had charge of the bill—I may be mistaken about that—which was enacted for the purpose of relieving the situation of which he speaks?

Mr. ROBINSON. The funds appropriated under the law have all been exhausted or contracted, and there is not now a dollar available, and has not been for some time, to provide additional facilities; nobody questions that.

Mr. THOMAS. I know that one delay in the use of that fund was occasioned by the competition of a large number of places in the different parts of the country for hospital construction. Nearly every city in my State, for example, was a competitor, and a very earnest competitor, for the expenditure of the fund.

Now, one more question: I was informed some time ago that there were some 5,000 vacant beds in the national soldiers' homes throughout the country, which have been placed at the disposal of the Public Health Service. May I ask the Senator whether they have been availed of?

Mr. ROBINSON. For 6,000 it is expected these homes will be availed of in a very short time; but taking into consideration that 6,000 and every other provision which has been made by law and utilizing the additional facilities to the fullest capacity, there is still an urgent need for 10,000 beds, and the obligation is on the Government to provide them.

Mr. THOMAS. That being the case, I am heartily in sympathy with the Senator, and I will support this bill with pleasure.

Mr. ROBINSON. I thank the Senator for his support.

Mr. WARREN. Mr. President——

Mr. ROBINSON. I prefer to proceed for just a moment, if the Senator will permit me. The Senator from Colorado has referred to the controversies that arose some time ago respecting the location of hospitals provided for in another bill. That situation, however, must not be permitted if it can be avoided under future legislation. We ought not to legislate so that a scramble will arise between localities for the location of hospitals; the fact to be kept in mind is that they ought to be located where they will do the patients the most good.

The amendment of the Senator from Utah provides for the location of one of the five hospitals in the region of the Great Lakes. I suggest to him that that would be a bad locality for a hospital for the tuberculous. The Public Health Service ought not to be hampered or restricted by a limitation of that nature; it ought to be left free by Congress to locate these in-

stitutions where they will do the most good. I have incorporated in what is substantially the France bill an amendment directing the Public Health Service to take over Fort Mackenzie, in Wyoming, Fort Walla Walla, in Washington, and Fort Logan H. Roots, in Arkansas. I wish to speak about that matter in a moment, but I now yield to the Senator from Wyoming.

Mr. WARREN. Mr. President, I was wondering if I might say to the Senator that such preparations are being made as will enable us, I think, soon to arrive at a basis of which the Senator will approve. For instance, I have a letter just received concerning the hospital for the insane at Marion, which has been prepared for 450 beds. The Public Health Service has had notice of it since the 1st of December; there are now only 52 patients there, and at the rate they are coming in the hospital will not be full until the 1st of July. There are other places where patients may be cared for. So it would seem as if the present question involved is one of distribution as to the needs from day to day; and, as to the future, we are making provision, of course, in appropriation bills which will soon be on the floor of the Senate.

Mr. ROBINSON. Mr. President, I was just remarking that, as the Senator from Utah explained the amendment which the sundry civil bill is expected to embrace, the matter will not be settled by any means when that bill comes in here. That amendment, as explained by the Senator from Utah, is plainly inadequate to meet the requirements of the situation. I am offering to-day and having printed a proposed amendment to the sundry civil bill incorporating substantially what is known as the France bill, with certain provisions of what is known as the Langley bill, and I will offer this amendment as a substitute for the committee amendment. I wish now, however, to speak of the provision to which I referred before the Senator from Wyoming interrupted me, directing the Public Health Service to take over the forts I have mentioned.

Mr. WARREN. The Senator had something to say about locating tuberculosis hospitals on the Great Lakes, did he not?

Mr. ROBINSON. I made a remark to the effect that it would be exceedingly bad policy to locate a hospital for tuberculous patients on the Great Lakes.

Mr. WARREN. There is nothing in any amendment or bill that has been proposed that requires locating a tuberculosis hospital on the Great Lakes.

Mr. ROBINSON. Oh, no; but the bill does require the Surgeon General to locate these five hospitals in certain sections—one in the region of the Great Lakes, one on the Atlantic coast, and so forth. It is section 2 of the Langley bill, and I say that the Public Health Service ought not to be hampered by limitations of that character; that it ought to be left free to locate these hospitals where they ought to be located in the interest of the patients, and ought not to be restricted by limitations in the interest of politicians.

Mr. WALSH of Montana. Mr. President——

Mr. ROBINSON. I yield to the Senator from Montana.

Mr. WALSH of Montana. I have been profoundly impressed by the same thought now expressed by the Senator from Arkansas; and I was moved to inquire, accordingly, why under section 4 of the amendment tendered by the Senator from Arkansas, the Secretary of the Treasury is directed to take over these specific forts, namely, Fort Mackenzie, Wyo., Fort Walla Walla, Wash., and Fort Logan H. Roots, in Arkansas. The Department of the Treasury, with the consent of the War Department, has already taken over various forts in different sections of the country not utilized for military purposes for the purpose of utilizing them as hospitals for the sick and disabled soldiers—a very commendable procedure. Now, why does it become necessary to direct the Secretary of the Treasury to take over these particular forts, and to direct the Secretary of War to transfer them to the Department of the Treasury?

Let me inquire: Has the Public Health Service requested that these forts be turned over to the Public Health Service for the purpose of hospitals, and is the Secretary of War objecting to their being turned over; or is the Public Health Service requesting them, and the Secretary of the Treasury objecting to their being turned over? In other words, why is Congress called upon to direct the Secretary of the Treasury to take over these forts and to direct the Secretary of War to turn them over?

Mr. ROBINSON. Mr. President, I announced some moments ago that I wanted to discuss that very subject. I have been deflected from it by inquiries submitted by other Senators. The Senator from Montana has asked me a great many questions in one question, and if my memory does not carry them all I shall be glad to have him repeat his unanswered questions when I have concluded this statement.

Mr. KENDRICK. Mr. President——

Mr. ROBINSON. I yield to the Senator from Wyoming.

Mr. KENDRICK. I wish to say to the Senator from Montana that in so far as this controversy relates to Fort Mackenzie, within the past two or three days the Secretary of War has agreed with the Surgeon General of the Army to turn over that post to the Public Health Service for immediate use, and it is to be occupied within the near future.

Mr. ROBINSON. The Senator might proceed while he is making that statement and say whether the Secretary of War first objected to the Surgeon General taking it over.

Mr. KENDRICK. Mr. President, the matter was first under discussion about a year ago, but not until the latter part of summer was it possible for the Surgeon General to examine the post and determine as to its fitness for this particular branch of the service.

Mr. ROBINSON. It took you 12 months to reach an agreement; and meantime, while that fort was not being used, there were in Wyoming hundreds of sick and disabled soldiers who were needing hospital facilities who might just as well have been provided for in that fort.

Mr. KENDRICK. Mr. President, I want to say that the Secretary of War has been willing to turn this post over at any time in the past year and a half, but not until recently did the Public Health Department determine that it could use the post, and the delay during the intervening time has been due primarily to the fact that the War Department had planned to transfer troops from the Mexican border to Fort Mackenzie.

Mr. ROBINSON. Mr. President, I am not attacking anybody. I am stating facts. I merely suggest to my friend from Wyoming that, in view of the urgent need for hospital facilities, one year is a mighty long time for executive officers to deliberate about a proposition of that sort. A mighty long time has been required to reach a conclusion, in view of the fact that soldiers, former service men, were needing hospital facilities. It ought to have been settled in 30 days.

I do not know the history of Fort Walla Walla. I have heard that it has taken much the same course as that which relates to Fort Mackenzie, but I do know about Fort Logan H. Roots. It is an Army post situated close to the city of Little Rock and near Camp Pike. I introduced a bill at the instance of representatives of the American Legion in Arkansas and many civic organizations in that State. It was shown by petitions and otherwise that there are hundreds of soldiers needing hospital facilities, and that Fort Logan H. Roots had not been used materially for some months, and that with very little expense and inconvenience it could be converted into a hospital for either temporary or permanent use. I can not understand, in view of these facts, why anybody would insist that crippled and sick men should be denied hospital facilities which might be afforded by the use of Fort Logan H. Roots merely because in the dim, distant future, when it is expected that the Army will be increased, that fort might be required for the purposes for which it was formerly used.

The bill which I have referred to was sent down to the Secretary of War by the chairman of the Military Affairs Committee for a report. He was asked a number of questions touching the matter. I have his reply, and I am going to ask that the whole letter be inserted in the RECORD. I want to read the parts that I regard as particularly germane to this discussion, and then I will leave the Senate to determine whether the Government ought to let this place be used temporarily as a hospital.

Of course, I would rather, from general considerations, see it preserved as a fort; but duty to the men who are suffering for want of medical and physical care prompts me to say that I think the reasons stated in the letter of the Secretary of War to the chairman of the Committee on Military Affairs, which letter has been received just an hour or two ago, are, to say the least, not sufficient to justify a denial of the use of that property as a hospital.

Mr. KENDRICK. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield.

Mr. KENDRICK. One word further. I am constrained to say here that the Congress itself is in a way responsible for this situation. There was no telling what the size of the Army was to be, and with the disposition to economize in the construction of other posts the Chief of Staff had a right to assume that they would need this post at any time for housing their own men. The Secretary of War used the language now employed by the Senator from Arkansas, showing why this post should be occupied by the Public Health Service.

Mr. ROBINSON. Mr. President, I assume the statement of the Senator from Wyoming to be correct, and I am glad to

know that the unhampered and conscientious judgment of the Secretary of War was that I am right in this proposition, and that this fort ought to be used for hospital purposes. I have no disposition to criticize the Secretary of War. I suggest, in view of the fact that he is the head of that department, that his letter to the Senate of the United States ought to reflect his judgment on the matter, and I assert that it does not reflect such judgment.

Listen to the excuses that are given for the refusal to permit the use of this property for hospital purposes. This subject is so important that no consideration ought to stand in the way of its prompt and fair disposition. So far as I am concerned, nothing shall. The Secretary of War said:

Detachments of the Quartermaster Corps, Signal Corps, and Medical Department have been stationed at Fort Logan H. Roots since the early days of the war. In addition, a few months ago this fort was placed under the commanding general at Camp Pike, Ark., to be used for quartering officers, for whom no quarters were available at Camp Pike, and for such other purposes as he saw fit.

Senators, Camp Pike is one of the largest military camps in the United States. During the war at one time 70,000 soldiers, including the officers necessary for their command, were stationed at Camp Pike. The average number at Camp Pike was from 30,000 to 40,000. Now, and for the greater part of the time since the armistice, there have been from three to seven thousand soldiers at Camp Pike. The camp had quarters sufficient, in conjunction with Fort Logan H. Roots, to provide for an army of forty, fifty, sixty, and even seventy thousand, and I know that there are hundreds of buildings at Camp Pike that have not been used during the last few months, which are available, or could readily be made available, for officers' quarters; and I know that it is not necessary to deny hospital treatment to men who are dying with injuries received in the war in order to provide officers' quarters for the officers stationed at Camp Pike.

I do not care who offers an excuse of that sort. This property belongs to the people of the United States, and it ought to be made to serve a useful purpose. While thousands of soldiers are suffering for want of medical and hospital attention, it is denied them on the ground that the buildings there are needed to quarter officers at Camp Pike, when Camp Pike itself has hundreds of buildings unoccupied and has quartered ten times as many officers as are now at Camp Pike.

But that is not the strongest feature of this case. As another reason why Fort Logan H. Roots ought not to be used temporarily as a hospital, the Secretary says in this letter that it would require considerable remodeling, and that if it should be returned to its former use—that is, as an Army post—some of these buildings would have to be remodeled again. Yet when Camp Pike was being used as a concentration camp for the soldiers of the United States coming out of the Southwest being rushed on to the East to embarkation points, Fort Logan H. Roots was used as a base hospital. Month after month that was the purpose it served. In my office is a young man at work now who was treated at the base hospital at Fort Logan H. Roots after he came back from France. Thousands of soldiers were treated there. Of course, it would require some remodeling, but the fact that it has been used as a base hospital is sufficient to show that the expense of such remodeling would not be very great.

It is unaccountable to me, beyond the power of expression, that a public property like that at Fort Mackenzie, like that at Fort Logan H. Roots, not needed for the ordinary and present activities of the Army, should be withheld from an urgent need such as I have shown these hospital requirements to be. I would let officers sleep in tents, if need be; I would crowd them together a little bit; I would let them experience a slight degree of discomfort rather than have going about the streets of our cities thousands of men, neglected, forgotten, suffering. I would let a few officers suffer a little inconvenience rather than let those men go to their graves feeling that the Government they served so faithfully had forgotten them.

But, sirs, if Camp Pike had officers' quarters enough for 40,000 or 50,000 or 70,000 men, how can it be said, when there are only 4,000, 5,000, 6,000 or 7,000 at most there now that officers' quarters are not available? I drive through that camp every time I visit my home city, and I testify to you that not one-half of the buildings at Camp Pike are occupied. Yet sick and disabled soldiers must be neglected under the flimsy, absurd excuse that a near-by fort, which was used as a base hospital for a long time, is needed to provide officers' quarters, and that it would cost the Government something to remodel it.

I have already taken more time of the Senate than I should have taken, but I promise you now that before this session closes, if my friends on this side who have done me the honor to confer with me about this matter will agree to that course, we will add to the sundry civil bill, the urgent deficiency bill, or any other bill that comes along with a chance of passing, a provision of law that will guarantee to these gallant former service men reasonable, adequate, and prompt hospital facilities.

I ask leave, Mr. President, out of order, to present an amendment intended to be proposed to the sundry civil appropriation bill incorporating the provisions to which I have referred, and I ask to have it referred to the Committee on Appropriations.

Mr. WILLIAMS. Does not the Senator want to have it read?

Mr. ROBINSON. No; let it be printed. I have discussed it in detail.

The VICE PRESIDENT. The amendment will be referred to the Committee on Appropriations and printed.

Mr. ROBINSON. I ask that the amendment may be printed in the RECORD also.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Add to the bill the following additional sections:

"SEC. —. That hereafter the Public Health Service, under the direction of the Secretary of the Treasury, shall provide necessary outpatient dispensary care and treatment and necessary medical, surgical, and hospital services and supplies, including prosthetic apparatus, for all discharged sick and disabled soldiers, sailors, marines, Army and Navy nurses (male and female), and for patients of the War Risk Insurance Bureau and of the Federal Board for Vocational Education.

"SEC. —. That the Secretary of the Treasury is hereby authorized to provide additional hospital and out-patient dispensary facilities for the beneficiaries of the Public Health Service (1) by purchase, gift, or lease of existing plants; (2) by construction on sites now owned by the Government, or on sites acquired by purchase, condemnation, gift, or otherwise; or (3) by such remodeling or extension of existing plants and their equipment owned or acquired by the United States as may be necessary economically to adapt such plants to the uses and purposes herein provided; such hospitals and out-patient dispensary facilities to be located at such places as the Secretary may elect, and to include the necessary buildings with their appropriate mechanical equipment and approach work, including roads and trackage facilities leading thereto, for the accommodation of patients, officers, nurses, and attending personnel, and for storage, laundries, vehicles, and live stock, and including necessary furniture, equipment, and accessories, including the development of coal deposits now under control of the Treasury Department. The Secretary of the Treasury is hereby authorized to accept gifts or donations for any of the purposes named in this act.

SEC. —. That the Secretary of the Treasury, in securing sites herein provided for, may request the Secretary of any other department of the Government to transfer to the Treasury Department such lands or lands and buildings under his control, not required for other purposes, as the Secretary of the Treasury may deem suitable, and other departments are authorized to make such transfers to the Treasury Department as may be deemed to be in the interest of the Government.

SEC. —. That the Secretary of the Treasury is hereby authorized and directed to take over immediately Fort Mackenzie, Wyo.; Fort Logan H. Roots, Ark.; and Fort Walla Walla, Wash., with all lands, buildings, and equipment belonging therto, for the uses contemplated by this act, and to make such alterations, additions, and repairs to the same as may be necessary, and the Secretary of War is directed to turn over said properties to the Secretary of the Treasury for said uses and purposes.

SEC. —. That in carrying the foregoing authorization into effect all new construction work herein authorized shall, as far as feasible, be of fire-resisting character, and the Secretary of the Treasury is authorized to enter into contracts for the construction, equipment, etc., to purchase materials in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies.

SEC. —. That the Secretary of the Treasury is hereby authorized, in his discretion, to employ for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereinafter authorized for construction purposes, at customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the above-named objects and for the supervision of the execution thereof, for traveling expenses, field office equipment and supplies, commercial printing in or out of the District of Columbia incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding 3 per cent of the limit of the cost for construction. All of the above-mentioned work shall be under the direction and supervision of the Secretary of the Treasury.

SEC. —. That hereafter, in addition to the officers of the regular corps now authorized there shall be 350 additional officers commissioned in said corps, and officers of the Public Health Service who have a total of not less than three years of satisfactory service in the Army, Navy, or Public Health Service, a part of which service must have been between April 6, 1917, and November 11, 1918, may be commissioned in the regular corps of the Public Health Service by the President, by and with the advice and consent of the Senate, in the several grades of the Public Health Service in accordance with regulations prescribed by the President: *Provided*, That no officer shall be commissioned or promoted under this act until after passing before a board of regular commissioned officers of the Public Health Service such examination as the President may prescribe: *Provided further*, That no reserve officer below the age of 48 years shall be commissioned in the grade of assistant surgeon general, or below the age of 45 years in the grade of senior surgeon, or below the age of 36 years in the grade of surgeon: *And provided further*, That officers of the Public Health Service shall have the same grades, pay, and allowances not including retirement, however, according to grades which are now or may hereafter be provided for medical officers of the Army.

SEC. —. That the Secretary of the Treasury be, and he is hereby, authorized in his discretion to enter into contracts for the purpose of carrying out the provisions of this act, within the respective limits

of cost hereby fixed, namely, the sum of $15,000,000 for the fiscal year ending June 30, 1921, said sum to become immediately available upon the approval of this act and the sum of $14,530,000 for the fiscal year ending June 30, 1922, both sums to remain available until expended.

Mr. ASHURST. Mr. President, the Senator from Arkansas [Mr. ROBINSON] has just contributed another great service to his already valuable career in public life.

It is now time, Mr. President, for plain speaking. There is a time for laughter, and a time for soft words; but this is no time for soft words. I neither impugn motives nor underestimate difficulties, but I say, measuring my words, and measuring the subject, after a study of two months, that the so-called Langley bill, of course without Mr. LANGLEY's knowledge, for he is an able and faithful public servant, will be a hollow mockery so far as the hospitalization of all tubercular soldiers and soldiers afflicted with neuro-psychiatry is concerned, because, if the Senator from Utah [Mr. SMOOT] was quoted correctly, when it was observed that that Senator had said that the Committee on Appropriations was going to include in the sundry civil bill the Langley bill, then, indeed, things have come to a pretty pass when you can hand out to the ex-soldiers the statement that we are going to spend $15,000,000 hospitalizing them, and we do not adequately hospitalize.

Section 2 of the Langley bill reads:

SEC. 2. That the authorization of expenditures hereinafter made shall include and provide for five hospital plants of fireproof construction for the treatment of neuro-psychiatric—

That is, insane—

and tuberculosis patients and shall be located as follows: One in the Central Atlantic Coast States, one in the region of the Great Lakes, one in the Central Southwestern States, one in the Rocky Mountain States, and one in southern California: *Provided*, That all of said hospital locations shall be as convenient as practicable for transportation facilities and for securing expert consulting medical service.

Surely Congress will not make a pork-barrel bill out of a hospital bill. I thought we had passed the day of the pork barrel. That bill provides for one hospital in the Central Atlantic Coast States; one in the region of the Great Lakes, where, I suppose, the balmy zephyrs that sweep down in the middle of January will make it convenient for the tubercular soldier to go out and sit 24 hours in the sunshine, as he must do to improve; and then, in order legally to preclude, unwittingly, of course, the possibility of the Health Department spending even $5 at Fort Logan H. Roots for further construction, should it be necessary, the last paragraph, like Cyrano de Bergerac, in the play, is the line that hits, as follows:

That there is hereby authorized to be appropriated, for the purposes herein provided, the sum of $2,500,000 for each of the five plants provided for in section 2, and the sum of $500,000 for the two forts mentioned in sections 3 and 4, viz, Fort Mackenzie, Wyo., and Fort Walla Walla, Wash.

What is the vice of the Langley bill? I mention the name of the author of the bill with profound respect. Even the best of men sometimes fall into error. And what is the vice of the amendment which the Senator from Utah says will be reported by the committee? The vice is that you can not carry water in a sieve. A debating society like the Senate and the House can not accurately locate hospitals, and should not attempt to do so. The Surgeon General of the United States Public Health Service, with his experts and his corps of physicians, who study tuberculosis from a scientific standpoint, from a humanitarian standpoint, and not from a political standpoint, should definitely locate the hospitals; the Surgeon General is the authority which should determine where these hospitals should be located. The question should be decided not by a scramble amongst politicians but by the test and by the question of climate, of water, of sunshine, and of altitude. Freedom from humidity must be considered; the temperature of a tuberculosis patient usually rises in the afternoon, and unless he have serene surroundings, unless he have a friendly, soothing climate and can breathe fresh air constantly he will have but little hope of improving if he be in the secondary stages of pulmonary tuberculosis.

Mr. SMOOT. Mr. President will the Senator yield?

Mr. ASHURST. I yield to my friend from Utah.

Mr. SMOOT. I want to say to the Senator from Arizona that the Public Health Service has stated to the Appropriations Committee just what hospitals there are now in the United States which can be immediately increased in size by an appropriation, and in passing I want to say that one of the hospitals for tubercular patients named by the Surgeon General is located in Arizona.

The Committee on Appropriations has provided for every hospital increase named by the Surgeon General of the Public Health Service, and that alone calls for an appropriation of $5,000,000. That amount of appropriation will be reported to the Senate just as soon as this filibuster stops and we can get the sundry civil appropriation bill before the body. I can not tell when that will happen. It will depend upon the other side. But I want to say to the Senator that the five hospitals he is speaking of now, the policy as to which he is condemning in such vigorous terms, are not all for tubercular patients. They are for ex-soldiers suffering from any kind of a disease or injury.

I do not think there will be any tubercular patients located in Chicago, Ill. I think most of those patients will go to Arizona and New Mexico. Part of the $5,000,000 appropriation goes for the enlargement of the hospital in New Mexico. There is another part of it goes to Colorado and another part that goes to Wyoming. Every hospital that the Surgeon General thinks can be extended and enlarged the committee have agreed to and will provide $5,000,000 to meet that expense. That is all that the Surgeon General calls for.

Mr. ASHURST. Will the Senator kindly tell me whether the $5,000,000 is for maintenance or for construction?

Mr. SMOOT. For the construction of additions to hospitals already existing. If the Senator desires I will send to the Committee on Appropriations for the information and tell the Senator now just where they are located. They are all over the United States.

Mr. ASHURST. But here is the difficulty. The Senator must not misunderstand me. I intend no reflection upon the great work that the Appropriations Committee has done. I hope that the Senator will not misunderstand me.

Mr. SMOOT. I do not misunderstand the Senator.

Mr. ASHURST. I am not reflecting upon anyone. I know that the Committee on Appropriations have taken up the subject and have probably done the best they could with the lights before them. Have I made myself plain on that? I hope so.

Assuming it to be correct, and the Senator from Utah is one of the most, if not the most, meticulously correct men in the Senate—I say that frankly because it is true—and assuming that he is correct, he says the Committee on Appropriations will include an appropriation of $5,000,000 for the construction of new hospitals.

Mr. SMOOT. No; that is only one part. That is only to add to present hospitals, and it will provide 2,750 beds, so the Surgeon General tells us.

Mr. ASHURST. I hold in my hand a letter from the Surgeon General in which he states that 10,000 beds are needed at once; that the tubercular patients and those afflicted with insanity—neuro-psychiatric patients—are increasing at the rate of 1,000 a month; indeed, they have increased 500 at that rate since the letter was written.

But what the Senator from Arkansas [Mr. ROBINSON] seeks, if I understood his able speech correctly, and I believe what the Senator from Utah seeks, as the Senator from Mississippi [Mr. WILLIAMS] seeks, and we all seem to agree that it should be done, is to hospitalize each and every ex-service man requiring treatment, and that to do so $30,000,000 must be appropriated for construction and repairs.

Mr. SMOOT. I wish to say to the Senator from Arizona, so there will be no misunderstanding, that many patients are now in private hospitals being cared for. It will take $30,000,000, and Congress is perfectly willing, at least I am and I think Congress is, to appropriate the $30,000,000 so that all the patients will be in Government-owned hospitals. But we were told by the Surgeon General that that money could not all be spent during the coming year. Why make an appropriation that we can not spend? The $12,500,000 and the $5,000,000 that we intend to recommend in the sundry civil appropriation bill is about all the money that can be spent successfully in the coming year.

Mr. ASHURST. I have read the letter of the Surgeon General some days since. I am but a humble Member, and possibly when I read it before but little attention was paid to it.

Mr. POMERENE. Mr. President——

Mr. ASHURST. Will the Senator from Ohio withhold his question until I read this letter?

The letter was in response to an inquiry which I propounded to the Surgeon General as to what legislation he desired properly to hospitalize tuberculous and neuro-psychiatric ex-soldiers. The letter is dated Washington, January 12, 1921, and addressed to me:

MY DEAR SENATOR ASHURST: I wish to invite your attention to the fact that since June 2, 1920, the date on which the France bill (S. 4357) to authorize the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for discharged soldiers, sailors, marines, Army and Navy nurses (male and female), and for other purposes, was favorably reported, the number of patients has increased from 17,445 to 22,292 for the week ending January 1, 1921.

On the week ended January 1, 1921, there were in hospitals operated by the Public Health Service 12,511 patients, and in hospitals under contract with the Public Health Service 9,781. Of this number 19,019 were patients of the War Risk Insurance Bureau. It is understood that there were approximately 3,000 patients of the Bureau of War Risk Insurance in hospitals operated by the National Home for Disabled Volunteer Soldiers and Army and Navy hospitals.

I would solicit the attention—respectfully, of course—of my beloved friend from Utah. I am in no humor to pay compliments this morning.

The present rate of increase in patients in hospitals of the Public Health Service is approximately 1,000 per month, and it is expected that before the peak is reached the number of beds required will approximate 30,000 to 35,000. It is estimated that the peak will not be reached before 1927 to 1929.

The Public Health Service now has or in the near future will have under operation hospitals providing approximately 19,879 beds. Of this number of beds 10,347 are in hospitals of flimsy and inflammable construction or in hospitals leased by the service under leases which will expire at certain periods after the declaration of peace or are otherwise not to be counted upon in the program for permanent care. It is understood that when the soldiers' homes are remodeled for the purpose of receiving beneficiaries of the Bureau of War Risk Insurance requiring hospital care they will be able to accommodate approximately 6,000 patients. The use of beds in Army and Navy hospitals is not considered advisable except as a temporary expedient. On this account beds in these institutions should be left out of consideration in planning for the permanent care of ex-service men and women.

An analysis of the 19,019 war-risk insurance patients in hospitals of the Public Health Service for the week ended January 1, 1921, shows that they were distributed according to disease as follows:

Tuberculous	7,586
Neuro-psychiatric	5,690
General medical and surgical	5,743
Total	19,019

The most pressing need is for tuberculous and neuro-psychiatric patients.

For tuberculous patients there are 7,431 beds in hospitals operated by the Public Health Service and 1,000 beds in the soldiers' home at Johnson City, Tenn. Of the number now in Public Health Service hospitals approximately 5,251 are not satisfactory, and should be replaced at the earliest practicable date, because they are in flimsy and inflammable structures or in leased institutions, etc.

For neuro-psychiatric patients there are 2,500 beds in institutions operated by the Public Health Service and 1,000 beds in the soldiers' home at Marion, Ind. Of the 2,500 beds of the Public Health Service 475 are in leased institutions, and, owing to the character of the leases, are not to be counted upon in the permanent hospital program.

For general medical and surgical patients there are 9,948 beds in institutions either operated by the Public Health Service or to be acquired by the service. Of this number 4,621 are not satisfactory, and should be replaced at the earliest practicable date. The reason for the unsatisfactory conditions is that they are in flimsy and inflammable structures or in leased institutions where the leases expire at certain periods after the declaration of peace.

After careful consideration of (1) the number of war-risk insurance patients now in hospitals, (2) the present Government hospital facilities, (3) the necessity of replacing some of the undesirable hospitals, (4) the increase in the number of war-risk insurance patients within the past 20 months, and (5) the geographical distribution of the ex-soldier population, it is found that there is urgent need for 4,800 additional beds for tuberculous patients, 4,500 additional beds for insane patients, and 900 additional beds for general medical and surgical patients.

In round numbers, 10,000 beds are urgently needed.

Needed not next year, but now—

of which the beds for tuberculous and neuro-psychiatric patients are of the greatest urgency. These additional beds will serve only to meet the present needs of the increase expected within the present fiscal year.

Within the present fiscal year!

At the estimated cost of $3,000 per bed, the 10,000 beds urgently needed would require an appropriation of $30,000,000. The amount authorized by S. 4357—

The bill introduced by the Senator from Maryland [Mr. FRANCE]—

$29,530,000—is approximately correct.

I ask leave to again put in the RECORD the letter of the Surgeon General in its entirety.

The VICE PRESIDENT. Without objection, permission is granted.

The letter referred to is as follows:

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, January 12, 1921.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

MY DEAR SENATOR ASHURST: I wish to invite your attention to the fact that since June 2, 1920, the date on which the France bill (S. 4357) to authorize the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for discharged soldiers, sailors, marines, Army and Navy nurses (male and female), and for other purposes, was favorably reported, the number of patients has increased from 17,445 to 22,292 for the week ending January 1, 1921.

On the week ended January 1, 1921, there were in hospitals operated by the Public Health Service 12,511 patients and in hospitals under contract with the Public Health Service 9,781. Of this number 19,019 were patients of the War Risk Insurance Bureau. It is understood that there were approximately 3,000 patients of the Bureau of War Risk Insurance in hospitals operated by the National Home for Disabled Volunteer Soldiers and Army and Navy hospitals.

The present rate of increase in patients in hospitals of the Public Health Service is approximately 1,000 per month, and it is expected that before the peak is reached the number of beds required will approximate 30,000 to 35,000. It is estimated that the peak will not be reached before 1927 to 1929.

The Public Health Service now has or in the near future will have under operation hospitals providing approximately 19,879 beds. Of this number of beds 10,347 are in hospitals of flimsy and inflammable construction or in hospitals leased by the service under leases which will expire at certain periods after the declaration of peace or are otherwise not to be counted upon in the program for permanent care. It is understood that when the soldiers' homes are remodeled for the purpose of receiving beneficiaries of the Bureau of War Risk Insurance requiring hospital care they will be able to accommodate approximately 6,000 patients. The use of beds in Army and Navy hospitals is not considered advisable except as a temporary expedient. On this account beds in these institutions should be left out of consideration in planning for the permanent care of ex-service men and women.

An analysis of the 19,019 war-risk insurance patients in hospitals of the Public Health Service for the week ended January 1, 1921, shows that they were distributed according to disease as follows:

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The most pressing need is for tuberculous and neuro-psychiatric patients.

For tuberculous patients there are 7,431 beds in hospitals operated by the Public Health Service and 1,000 beds in the soldiers' home at Johnson City, Tenn. Of the number now in Public Health Service hospitals approximately 5,251 are not satisfactory and should be replaced at the earliest practicable date, because they are in flimsy and inflammable structures or in leased institutions, etc.

For neuro-psychiatric patients there are 2,500 beds in institutions operated by the Public Health Service and 1,000 beds in the soldiers' home at Marion, Ind. Of the 2,500 beds of the Public Health Service 475 are in leased institutions and owing to the character of the leases are not to be counted upon in the permanent hospital program.

For general medical and surgical patients there are 9,948 beds in institutions either operated by the Public Health Service or to be acquired by the service. Of this number 4,621 are not satisfactory and should be replaced at the earliest practicable date. The reason for the unsatisfactory conditions is that they are in flimsy and inflammable structures or in leased institutions where the leases expire at certain periods after the declaration of peace.

After careful consideration of (1) the number of war-risk insurance patients now in hospitals, (2) the present Government hospital facilities, (3) the necessity of replacing some of the undesirable hospitals, (4) the increase in the number of war-risk insurance patients within the past 20 months, and (5) the geographical distribution of the ex-soldier population, it is found that there is urgent need for 4,800 additional beds for tuberculous patients, 4,500 additional beds for insane patients, and 900 additional beds for general medical and surgical patients.

In round numbers 10,000 beds are urgently needed, of which the beds for tuberculous and neuropsychiatric patients are of the greatest urgency. These additional beds will serve only to meet the present needs of the increase expected within the present fiscal year.

At the estimated cost of $3,000 per bed, the 10,000 beds urgently needed would require an appropriation of $30,000,000. The amount authorized by S. 4357—$29,530,000—is approximately correct. From the best advice obtainable, it is not believed that the estimate of $3,000 per bed for hospital construction is excessive. Indeed, unless there is a further decline in the cost of material and labor, it is doubted whether this estimated cost would be sufficient.

Respectfully,

H. S. CUMMING, *Surgeon General.*

Mr. POMERENE. Mr. President——

Mr. ASHURST. I yield to the Senator from Ohio.

Mr. POMERENE. I desire to direct a statement to the Senator from Utah [Mr. SMOOT], if I may do so.

Mr. ASHURST. I yield for that purpose.

Mr. POMERENE. The statement has been made several times this morning to the effect that there were hospital needs for 10,000 soldier patients, and I may say that is the prevailing opinion throughout the country. The Senator from Utah a moment ago made the statement that the patients were being temporarily cared for at private hospitals. As the Surgeon General has been before the Committee on Appropriations, I have no doubt that committee has gone into the subject thoroughly, so as to be able to state whether or not the patients are all being cared for now. I think we must all agree that if the patients are not now being cared for, it is a shocking reflection upon the Government of the United States.

Mr. SMOOT. It would be, and I frankly say that to the Senator; but they are being cared for.

Mr. POMERENE. Then, let me make this suggestion: If it be true that the patients are being cared for, that fact ought to be made known to the country, because I have been made indignant myself at information that has come to me from people connected with the American Loyal Legion, whom I feel I have a right to believe. Certainly the public is entitled to exact information upon the subject.

I rose to ask the Senator from Utah what the facts were in that behalf as developed in the hearings?

Mr. SMOOT. I will say to the Senator that I do not say that every tubercular soldier is in a hospital, because many of them are scattered throughout the United States upon their own request. In passing, I wish to say that I think it was a

great mistake that it was allowed. Wherever they have made application for attendance upon the part of the Government they have been taken care of. That does not mean, I will say to the Senator, that there is not a case here and a case there unprovided for. In fact, I may say that practically all are either taken care of in hospitals that the Government has furnished or the Government is paying to have them taken care of in other hospitals.

Mr. POINDEXTER. Mr. President——

Mr. SMOOT. Just a moment, and I will conclude. Only this morning I received a letter from Gen. Wood, of the Soldiers' Home, stating that the appropriation granted to him for the enlargement and overhauling of some of the soldiers' homes had been expended and the work accomplished, and that there were, I think, over 300 beds unoccupied at that one place for which there was no application, but waiting for patients to come. In the letter, however, he said that it would take until July 1 of this year to fill all the beds.

Mr. POMERENE. Mr. President, why, then, could not the Public Health Service and Gen. Wood get together, so that those beds may be utilized now?

Mr. SMOOT. I will say to the Senator that I think that is what will be done. I think that the policy of the Public Health Service, which I think is a very wise policy, is to see that the tubercular patients are sent to New Mexico or Arizona or Colorado, or other similar dry, warm climates.

Mr. ASHURST. Where there is no humidity.

Mr. SMOOT. That is where such patients should be sent, and that is the policy which is being pursued.

I do not know whether or not the Senator from Ohio [Mr. POMERENE] was in the Chamber when I made the statement a few moments ago that on the sundry civil appropriation bill, which is ready to be reported to the Senate any day, there is a provision to enlarge not only the hospitals for the tubercular patients in Arizona, but in New Mexico, Colorado, and Wyoming as well. In that bill we have given every cent which has been asked for by the Surgeon General of the Army for that purpose and for the enlargement of the hospitals which the Government now owns, such as St. Elizabeths. We have in St. Elizabeths, near Washington, I think, about 45 acres of land which can be utilized; the overhead expenses will be very little, and by an expenditure of, say, $500,000 for buildings there, we shall be able to take care of many patients. The sundry civil bill, I will say to the Senator, provides for that.

Mr. POMERENE. Will those sums be made immediately available?

Mr. SMOOT. They will be immediately available; just as soon as the bill is signed by the President of the United States and becomes a law, the $5,000,000 as well as the $12,500,000 will be immediately available.

Mr. POINDEXTER. Mr. President——

Mr. ASHURST. I will yield to the Senator from Washington, if the Senator from Utah has finished.

Mr. POINDEXTER. I am very glad to hear the Senator from Utah [Mr. SMOOT] say that the sundry civil bill, which is about to be reported to the Senate, will make adequate provision to relieve existing conditions in regard to the care of disabled soldiers. I do not think, however, that the colloquy which has just occurred in regard to the matter ought to go just as it is without further explanation relating to certain conditions which may have been in the mind of the Senator from Ohio [Mr. POMERENE] as to the insufficiency of the care of the soldiers.

It is true, perhaps, that some kind of provision has been made for all those who have applied; I am not prepared to dispute the statement of the Senator from Utah in that respect; but it is also true that the manner in which those soldiers have been taken care of has not been at all satisfactory in many respects. One of the abuses has arisen out of the fact that through lack of Government hospital facilities the care of these men has had to be farmed out.

Mr. SMOOT. That is correct.

Mr. POINDEXTER. Many of them, in small detachments, have been placed in private hospitals on a contract system; and I have official authoritative information that under that system serious abuses have arisen through the attempt of the private hospitals to profiteer on such contracts; that the soldiers have not had the treatment which they should have had.

Mr. SMOOT. That is just why we wish to build more hospitals.

Mr. POINDEXTER. Money which should have been expended on the care and treatment of soldiers under the contracts has not been expended; they have been neglected and have had insufficient treatment. I am told that the Public Health Service has not been able to keep in touch with the situation and to afford the proper inspection as to the care of the soldiers in the private hospitals.

One item which I hope will be in the sundry civil bill—it is a comparatively small one, and yet an important one—is provision for the use of Fort Walla Walla Military Reservation for this purpose. I should like to say a further word on that subject. The old fort of Walla Walla contains quite a number of excellent brick buildings which were used as barracks and for other purposes when there was a garrison there; but it has not been used as a garrison for a number of years. Various efforts have been made to get the Government to utilize that establishment for some useful purpose by individuals in the community who naturally were interested in having the property, containing 640 acres, a section of very valuable land, with water running through it available for irrigation, and with also excellent buildings, used, and yet the War Department has always refused to do that. The War Department said they had no use for it, and yet when application was made to them to let it be used to meet a great emergency and to accord proper care for the disabled soldiers it declined to permit it to be so used, with the statement that at some future indefinite time they might want to use it for some undefined, unknown purpose; which seems to me to be a complete lack of sympathetic appreciation of the duty which the Army owes to its men. Consequently it will be necessary to pass some legislation in reference to the matter.

I am told that there are other public buildings in various parts of the country which are well adapted to such uses and which ought to be turned over to the Public Health Service for that purpose.

Mr. SMOOT. I wish to say to the Senator from Washington that Fort Walla Walla will be specifically mentioned in the amendment to which I referred and will be taken care of if the sundry civil appropriation bill is allowed to pass.

Mr. POINDEXTER. I am very glad to hear the Senator from Utah make that statement.

Mr. JONES of Washington rose.

Mr. ASHURST. I will yield if the senior Senator from Washington wishes to interrupt me.

Mr. JONES of Washington. I merely wish to suggest that there is also a provision in the sundry civil bill under which a commission or a board is created which will require the War Department or any other department of the Government to turn over to the Public Health Service whatever buildings and lands that board or commission may deem desirable for this purpose. That provision, if adopted, will meet the very situation which my colleague [Mr. POINDEXTER] referred to with reference to the attitude of the War Department, which has been such that the lands have to be pried loose in order to be obtained for any purpose.

Mr. SMOOT. The very condition that has been outlined by the Senator from Washington and the complaint that has reached him I think has reached every Senator, and it is to correct the existing evils and to enable the Government to own their own hospitals that the building program to which I have referred is under way. So far as I am personally concerned, if we could by spending $30,000,000 erect all of the necessary buildings within the next year, if we knew just where to locate them and how they should be constructed, and we had all the information, it would be wise to build them at once; but I wish to say to the Senator we have not all the information desired and the conditions are not such that we can do that, and therefore we provide in the sundry civil appropriation bill $17,500,000 for the building of hospitals.

Mr. ASHURST. Mr. President, the course of my procedure for the next few minutes must be somewhat unusual. I wish not to catechize the Senator from Utah [Mr. SMOOT], but I want to obtain some information. I do not wish to cross-examine the Senator, because he would not and should not permit me to do that. I would not do it if I could; as a practical legislator I would be presumptuous, indeed, to pit myself against the Senator from Utah; but I want to ask him a question, because I frankly say that I do not as yet entirely comprehend the situation.

The Surgeon General said in his letter of January 12 that 10,000 beds at $3,000 a bed, making a total of $30,000,000, are urgently needed. The Senator from Utah says that the committee will include in the sundry civil bill $5,000,000 for construction. So there seems to be a hiatus, a difference of $25,000,000 between the Surgeon General's request and the sum the Senator from Utah says will be appropriated. How does the Senator reconcile that difference?

Mr. SMOOT. Let me explain it to the Senator so that he will know. The $30,000,000 was the estimate contained in a letter which was written, no doubt, months ago.

Mr. ASHURST. No.

Mr. SMOOT. When was it written?

Mr. ASHURST. On January 12 of this year, about 20 days ago.

Mr. SMOOT. No matter how many days or weeks ago the letter was written, the amount stated was for the purpose of completing buildings to provide for 10,000 men, and it was contemplated to provide for all of them at once, so that all of the soldiers would be cared for in Government-owned hospitals. Since that letter, however, the Surgeon General has stated that it is possible to enlarge existing hospitals in 14 or 15 different places throughout the United States, and by such enlargement provide 2,750 beds at a cost of $5,000,000, or, instead of $3,000 a bed, about $1,600 a bed. That explains the $5,000,000 item.

Mr. ASHURST. The Senator has, indeed, thrown a powerful illumination on one of the points concerning which I desired information. We have some 15 or 20 hospitals now in the United States, some of which are very small. I desire to know will there be carried in the sundry civil appropriation bill adequate appropriations so that a small hospital wheresoever located may be enlarged if the Surgeon General sees fit to increase its capacity?

Mr. SMOOT. I do not think the bill will go quite that far. The Surgeon General was asked to inform the committee of the location and name of every hospital that could be enlarged to provide additional beds, and to inform the committee what it would cost in each case where there could be profitably an increase in the number of beds. He did so, and the Senator will find, when the bill is reported, the name of every one of those hospitals, together with the amount of appropriations asked for by the Surgeon General to do the exact work which he requested, and when that work is completed—and it can be completed in a very short time—it will make provision for 2,750 additional beds.

Mr. ASHURST. I will refer for a moment to the State of Arizona. At Tucson there is a very small Public Health Service hospital, to wit, No. 51. Ex-soldiers afflicted with tuberculosis paid their own expenses, including their railroad fare, to go there because they were attracted by the climate. The citizens of the town subscribed a large sum of money and, I think, acquired a tract of land on which temporary buildings were erected, and within a few days 75 tubercular soldiers were being cared for by the citizens. The Surgeon General happened to have on hand a small sum of money—I have forgotten the amount—which he could use in increasing the capacity of the hospital, and he did so. That was in last October.

Now, take the case of the hospital at Whipple Barracks, Prescott, Ariz. For the past 50 years an Army post had been there, and within a short time after the armistice was signed the Secretary of War, with a celerity that was commendable, temporarily transferred Whipple Barracks, upon which over $1,000,000 had been expended during the war, to the Public Health Service for use by that service as a hospital for gassed and tubercular ex-service men. That is known as Hospital No. 50. There are to-day about 700 patients there, and not only do those come who have been sent there by the Government, but others come on their own volition, as they have learned of the healing air at that point.

At that place during the progress of the war the War Department constructed a large number of concrete and stone foundations, several of them capable of supporting buildings and superstructure that would carry 400 or 500 beds each. For a modest sum of money, comparatively speaking, adequate buildings could be constructed upon those foundations. I refer to this not because Whipple Barracks happens to be in the State where I live but because the foundations have already been constructed at that fort, which has been an Army post for 50 years; the utilities—the water, sewerage, light, heat, and so forth, are already provided. I therefore ask the Senator from Utah if the amendment which the committee proposes to bring in in the sundry civil bill will provide adequate funds if the Surgeon General sees fit to take such action to increase the capacity of Hospital No. 50, at Prescott, and Hospital No. 51, at Tucson, as indeed wherever a hospital may be, and it shall seem desirable to the Surgeon General to enlarge the same?

Mr. SMOOT. Mr. President, I will ask the Senator whether Fort Whipple is in Arizona?

Mr. ASHURST. It is.

Mr. SMOOT. Then I will say to the Senator that Fort Whipple will be specifically mentioned, and the amount asked for by the Surgeon General will be specifically appropriated.

Mr. ASHURST. For construction?

Mr. SMOOT. For the enlargement of the barracks.

Mr. ASHURST. I thank the Senator.

Mr. McCUMBER. Mr. President, will the Senator yield?

Mr. ASHURST. Certainly.

Mr. McCUMBER. The emergency tariff bill has been before the Senate now for an hour and a half this morning. Not a word has been said upon it. I have been hoping that the Senator from Arizona and others would conclude their remarks upon the hospital matter, which, while their remarks are very pertinent and important, will get them nowhere until the bill gets before the Senate; and I will ask the Senator if he will not yield to me now to request to have the bill read for amendments, and proceed with it?

Mr. ASHURST. Mr. President, I doubt if there be to exceed three men in the Senate for whom I would quit talking when asked to do so, but the Senator from North Dakota [Mr. McCUMBER] is one of them. His polite invitation to me to stop is not offensive. I will say, however, before I do conclude that on this side of the Chamber he has no more earnest advocate of his farmers' emergency bill than I have been, in my humble way. I expect to vote for the bill, if I get a chance; but my excuse to the advocates of that bill for my talking so long must be, and is, that no subject, not even the farmers' emergency bill, could be more important or could engage the attention of Senators more deservedly than this hospitalization bill. A crisis had been reached when it was necessary for us to know what was being done. Rumors were flying through the air. It was charged that the hospitalization of sick soldiers was being neglected. If I have consumed half an hour this morning—and I rarely trespass upon the time of the Senate—if I have consumed too much time and impeded the farmers' bill it is because of my desire to know for a verity that the soldier who carried the stainless banner of our country into the seething pits of war shall be hospitalized so far as money and scientific treatment can give it to him.

Mr. CAPPER. Mr. President, I wish to present to the Senate a resolution adopted unanimously by the recent annual convention of the American Farm Bureau Federation, one of the strongest farm organizations in the country, with a membership of a million and a half and covering 38 States:

> We request of Congress the enactment of a tariff law at once which will give to the farmers of America that measure of protection which may be necessary to equalize the difference between the cost of production of farm products in this country and the cost of competing nations where land is cheap and living conditions far below the standard which prevails in the United States.

Mr. President, I believe this resolution voices the sentiments of practically every farm organization in the country.

The enactment of this emergency tariff bill now before us is not merely a difficult economic and business problem; it is infinitely more than that. It is a vital social problem of the very first magnitude to this country. It affects directly not only our six and a half million farm homes but every town and city home in the United States. Our farmers are to-day looking to us for relief. They expect Congress to do everything in its power to lighten the economic burden which has fallen upon them. I am gratified that the Senate has already in a degree responded to this expectation. We have revived the War Finance Corporation and enacted the packer and cooperative marketing legislation. This, however, is not sufficient. Our farmers have attached peculiar importance to the passage of this tariff bill. Even those who believe that this emergency bill will do little to relieve the present distress of the American farmer should be persuaded by the obvious fact that its enactment will demonstrate the good faith of this Congress in seeking to meet the farmers' needs. If Congress fails to give adequate protection to our farming interests at this time, it will encourage State socialism, radicalism, and a host of other visionary, extremely impractical doctrines.

If we fail to pass this bill agitators will point to our failure in justification of their dangerous programs. I call this point to the attention of those Members of the Senate particularly who say that they can see no sound economic or business reasons for a tariff on farm products. If they can not see the plain economic business necessity of protecting the Nation's greatest business, I ask them then to endeavor to give their impartial and sympathetic attention to the farmer's dire need because of the social importance it has to the whole country. Stop thinking of this tariff as a mere dollar and cents proposition. It is immeasurably more. It is more far-reaching in its effect on American life and progress than any tariff that has ever been before this body. I ask, therefore, that, as I endeavor to discuss the basic economic significance of the tariff to American agriculture, you keep in mind the social significance which this

legislation has, for if you are not able to justify your vote for the bill upon the former grounds, you surely will be able to do so on the latter.

PRINCIPLE OF PROTECTION.

Mr. President, the Republican Party has from the beginning stood for the policy of protection. We have done so because we believe that it is in the best interests of the country to develop our own rich resources and to employ profitably our own labor and business ingenuity. We have sought to diversify our life and to afford our growing population varied opportunities for the widest range of the employment of their talents. As this policy has been applied from year to year in the past, the agricultural States have not withheld their support in the adoption of protection intended to shelter our manufacturing industries from competition with their competitors overseas. Not only was there a belief that a home market is desirable but a recognition of both the economic and military value of being independent from foreign nations in our supplies of essential products.

Under the policy of protection we have become a mighty industrial Nation. Unequaled anywhere are our textile industries, our steel and engineering industries, our chemical industries, and many others that go to make up our great manufacturing fabric.

Why should protection with these achievements to its credit be withheld in the case of the greatest of all our economic activities? Why should agriculture be denied the aid already given to manufacturing and denied to it at the time when it is most needed? This question is being asked to-day not only in the great Middle West, but on the Pacific coast, on the farms of Pennsylvania, and even in the South. Indeed, there is no part of the Nation where the demand for tariff legislation is more insistent than in the Southern States.

Mr. President, we are dealing at this time with a large question of national welfare. For years the tariff was of comparatively little value to the American farmer, except in the case of a few products like wool, sugar, rice, and lemons. Our agricultural exports were large. We depended on foreign markets and in those foreign markets price levels were determined. In many cases the farmer received no direct benefit at all from the tariff, but he was told that ultimately he would receive a direct benefit.

Then, Mr. President, see what happened. Our agricultural surplus for export began to decline. Its decline was gradual, but nevertheless certain. A less and less percentage each year of our total exports before the war were agricultural products. Our urban population was increasing. New lands were no longer to be had. Intensive agriculture was increasing. Costs inevitably began to rise. As this process went on imports of agricultural products competing directly with those of American agriculture began to increase. The tariff began to be a direct benefit to the American farmer, but just as it began to be of real value, the Democrats enacted the Underwood-Simmons tariff act, which placed the products of the farm, the range, and the forest on the free list. Was this, to speak plainly, an exhibition of good faith toward our great agricultural population? Why should they be sacrificed to an excessive industrial development? I believe in developing our manufactures. I wish also to foster our export trade, but this can be done without at the same time injuring American agriculture. The important thing for us, as representatives of the people, to consider is how we may develop in the United States a well-rounded national life which neither sacrifices manufacturing to agriculture nor agriculture to an abnormal mercantile development.

RAW WOOL.

Mr. President, among the products placed on the free list by the Democrats in 1913 and restored to the dutiable list by this bill is raw wool. In round numbers we have in the United States about 37,000,000 sheep of shearing age. Our clip has averaged for years about 300,000,000 pounds. The industry is widely scattered and furnishes a living for thousands of people. In the Eastern, Southern, and Middle Western States sheep are an important branch of general farming and produce the joint products, wool and mutton, in large and increasing quantities. In the range States, including Texas, the sheep industry is conducted on a large scale and is the sole business of many men. In the Middle West there has also developed an extensive business of fattening sheep and lambs for market, and this has become an important source of our food supply. It is this extensive and essential industry that is now threatened with destruction because of the depressed condition through which the country is passing.

The problems of the woolgrowing industry are many. They include the land question of the far West, the problems of organization, of financing and marketing, as well as the problem of foreign competition. This industry must compete with the extensive sheep industries of Argentina, South Africa, Australia, and New Zealand. The Tariff Commission finds that the expenses per head of raising sheep, including interest, for 1918, 1919, and 1920 increased 242 per cent over 1910 and that receipts—making a conservative allowance for 1920—have increased 212 per cent. It also finds that the costs allotted to wool alone during the last three years are more than three and one-half times the costs of 1910. This fact must be kept in mind when considering the relatively high prices which the woolgrower received for his wool during the war period.

Mr. President, the wool raised on this high-cost level was sold either at a ridiculously low price or no markets at all could be found. We have a huge wool clip from last spring still in storage, with prices of a third to a half of the cost of production offered for it in some cases and nothing offered in other cases. Every month since this clip was produced on American farms and ranches we have been importing wool at the rate of 8,000,000 to 21,000,000 pounds a month. With our own storehouses crowded, with woolgrowers unable to pay their bills or to get credit with which to buy feed to winter their sheep, and with merchants and banks unable to collect from them to meet their own obligations, we have been going right ahead during recent months sending two to nine million dollars a month out of the country to pay for wools from Argentina, Australasia, South Africa, China, and the United Kingdom. In the fiscal year ending June 30, 1920, we imported approximately 427,500,000 pounds of wool, worth almost $213,000,000. Another crop of American wool will be on hand in a few months. The 1921 lamb crop is now at hand, and we continue to bankrupt our own sheep and wool growers while we enrich the sheepmen of other countries. We imported over 16,000,000 pounds of fresh lamb and mutton in the last fiscal year and over four and one-half million pounds the previous year. Beginning with last July, these imports took a great jump and have been coming in at the rate of 5,000,000 to 27,000,000 pounds of lamb and mutton every month. Last October alone we imported over 27,000,000 pounds of lamb and mutton, worth over $3,000,000. Since last March we have imported lamb and mutton to the extent of over 3,000,000 carcasses, a total of about 115,000,000 pounds. You will realize how important this is in competition with American meats when I say that this sum is equal to one-fourth of our normal production of these meats. Previous to 1920 imports of lamb and mutton from these foreign sources were virtually nonexistent; only Canada sent in some very small supplies. If anyone should be inclined to cite the decrease in living costs which these bankrupt importations are bringing about, I would refer him to the recent reports of the Department of Labor. In them it is said that living costs in New York are still more than 100 per cent above those of prewar years. We are spending millions for sheep products abroad while in our Western States sheep values have declined so that the animals can not now be sold for the low valuation the tax assessors put on them, and they can not be shipped to market, because the sale price will hardly pay the cost of freight.

Mr. President, I agree that the causes of this situation are complex. They include the so-called consumers' strike—that is, the refusal of the public to continue to pay high prices demanded for clothing—and this naturally led to the cancellation of orders placed with the mills and to part-time schedule or total stoppage of the mills. It is also due to the world's surplus of wool. Outside of the United States it was estimated that there was on December 1, 1920, approximately 917,000,000 pounds of wool. On account of the abnormal situation in Europe a large part of this wool constitutes a drug on the market. In the United States the stock of wool on hand on December 1 amounted to over six hundred and forty-six and one-half million pounds. This amount, with the spring clip soon to be shorn, and without further importations to date, constitute as much as the United States would normally consume in two years.

It has been asked what benefit a tariff would be in the present situation. A tariff at the present time would, in the first place, stabilize the market and encourage manufacturing to start again on a lower price level. On those who understand the sensitiveness of business and the importance of confidence in production this point will not be lost. In the second place, it will give bankers, particularly in the range States, a justifiable excuse for extending further credit in order to help the woolgrowers over the winter. In the third place, it will stop the rush of

foreign wools into the United States at the present time. These wools are coming here, as I have pointed out, in increasing quantities because of the favorable exchange situation and in anticipation of the imposition of a permanent tariff on raw wool. Finally, a tariff in the United States will probably divert foreign wools to some extent to European countries, forcing the development of credit facilities and the extension of the work of reconstruction. The wools are needed there and will furnish relief when they are ultimately absorbed.

The duty on lamb and mutton of 2½ cents per pound provided in this bill would be of immediate and direct benefit to our sheep-growing interests. I have already called your attention to the huge importations of these meats during recent months. These importations are not a very temporary phenomena. The areas from which they come are destined to be the sources of increasing competition. Their competitive power will be realized when I say that whereas the United States has only 345 sheep per thousand population, Argentina has 5,430; Uruguay, 8,320; Australia, 16,100; and New Zealand, 22,100.

CATTLE.

Mr. President, the difficulties which confront the cattlemen of this country are little less serious than those confronting the sheep raisers. We have approximately 68,000,000 cattle in the United States. It is an industry upon which not merely the prosperity of thousands of our citizens depend, but it is of fundamental importance in our food supply and in the prosperity of the whole Nation.

During the five years which ended in 1901 we exported from the United States an annual total of 2,165,000,000 pounds of meats and meat products. In 1914 our exports had shrunk to 1,073,000,000 pounds, and practically all of this amount was pork and pork products. While this decrease was going on there was a substantial increase in the production of meats and meat products from animals slaughtered under Government inspection. Our production during these years had increased from 4,464,000,000 pounds in 1907 to 7,033,000,000 pounds in 1914. In other words, we were consuming the increasing percentage of our growing production, and becoming less and less an exporter of meats and meat products. The war then intervened and stimulated production and export. Government-inspected meats and meat products increased to 9,169,000,000 pounds in 1919 and exports in the same year to 3,298,000,000 pounds. This large production, I need hardly point out, was due to the artificial war stimulus and to the response to the appeal of patriotism. It was produced on the same high level of costs of which I have spoken in the case of wool and mutton. It is true that receipts did increase, but in practically every item of cost the increase was relatively more.

Mr. President, the present crisis is serious. The stockmen, as well as the woolgrowers, are being forced to dispose of their breeding stock, which it will take years to replace and which the country can ill afford to lose. On the range the breeding herds and bands are already reduced to the minimum necessary for maintaining production on a conservative basis. Because of adverse weather conditions the stockmen were forced to undergo very heavy expenditures for feed in 1919–20. These expenditures were very unusual. They had to be made, and since relatively few producers had been able to accumulate a surplus during the period of high prices these expenditures were made with borrowed funds.

To those familiar with the cattle industry I need not explain in detail why such expenditures were necessary. An animal is a living organism and must be kept alive despite blizzards and drouth in order that it may produce another calf, another lamb, or another fleece of wool. In the Southwest the producers during the period of high prices were in the grip of a 3-year drouth. They steadily lost money because of lessened increase in their flocks, high feed costs to save their stock, and other unusual expenses. Many of them restocked at high prices in 1919 only to face ruin now. Their assets have fallen below their liabilities. If for no other reason, this emergency tariff bill is necessary in order to stabilize the situation until our stockmen can see where they stand.

Mr. President, in the year just ended the number of cattle sent back to the farms as stockers and feeders was 1,227,000 less than in 1919 and the number of sheep sent back to the farm for fattening was 1,769,000 less than in 1919. These figures are alarming to anyone at all familiar with the source of food supply in this country. They indicate, with other facts, that in 1921 our farmers will market approximately 3,000,000 fewer cattle than in 1920 and that there will be between five and ten million fewer sheep produced and marketed in America. Hog production also has fallen off by 3,000,000 or more.

A part of this decrease represents, I realize, a decline from accelerated production during the war years. But this is true only in part. During 1920 there were 1,435,000 fewer cattle, 3,259,000 fewer hogs, 1,662,000 fewer sheep slaughtered under Government inspection than in 1919. This means nearly one and one-half billion pounds less of meats and meat products produced in 1920. Because of the bare feed lots in the Middle West our production of meats and meat products in 1921 will be reduced to, or even less than, the 1914 figure, and in that year we imported nearly as much as we exported. Mr. President, it is time for us to look the facts squarely in the face and to realize that we are about to become a heavy importer of foodstuffs. The tendencies of prewar years, when our exports were fast dwindling and our imports increasing, are again showing themselves. The war merely arrested this drift temporarily. Our farmers can not survive competition from cheap labor and cheap foreign lands upon which typical American products are raised under the low costs of extensive agriculture. As I pointed out in the case of sheep, a few figures will indicate, in the case of cattle, the competitive possibilities of certain of our important foreign competitors. While the United States has 640 head of cattle per thousand population, Canada has 1,200, Australia 2,220, Brazil 1,090, New Zealand 2,490, Argentina 3,120, and Uruguay 5,650. These are the countries with which our farmers and ranchers must compete in the production of meats. The number of cattle per capita shows the net surplus for export from these competing countries.

WHEAT.

The chief competitor of the wheat grower of the United States is Canada. In 1918, 1919, and 1920 some quantities of wheat were also imported from Australia and Argentina. The imports from all sources for the last three months were as follows:

	Bushels.
October, 1920	9,802,139
November, 1920	9,522,578
December, 1920	11,275,104

Mr. President, even admitting that the immediate value of the placing of a tariff on wheat will be largely psychological, it is none the less important for this reason. If ever the American grain market needed the stabilizing influence of tariff legislation, it needs it at the present time.

But the problem of a tariff on wheat is by no means disposed of by admitting that the immediate value of a tariff would be indirect. There are very substantial reasons for a tariff on wheat as a permanent measure, and these reasons bear upon the attitude which we should take toward this present bill. It is a well-known fact that before the war our exportable surplus of wheat was rapidly declining. As this exportable surplus became less and less, the tariff tended to become of real value in determining the price which the American farmer received for his wheat. Before the tariff on wheat was removed in 1913 the Minneapolis price for wheat not infrequently ranged above the export point, indicating clearly that even in those years the tariff was, under certain conditions, of direct value to the American farmer. It is perfectly clear that in the future the tariff will be of even greater value. The rapid decline of prewar exports of wheat was clearly only temporarily halted by the World War. The time is not far distant when import duties will affect domestic wheat prices not merely occasionally but permanently.

In 1920 the total wheat production in the United States was a little over 750,000,000 bushels. The Canadian wheat production in the same year was almost 300,000,000 bushels. American production, however, has practically reached its maximum, whereas Canadian production will continue to increase in the years ahead. Canada still has large areas of new lands ideally adapted to wheat production, and upon these she will unquestionably continue to raise increasing quantities of wheat at a cost much below that at which the American farmer can produce it.

It is this larger aspect of the wheat problem which must be considered in determining what our tariff policy is to be with reference to this product.

VEGETABLE OILS.

Mr. President, this bill levies a duty of 3 cents per pound on peanuts, a duty of 26 cents per gallon on peanut oil, and a duty of 20 cents per gallon on cottonseed, coconut, and soya-bean oil. These rates are of importance, in the first place, because they relate to the large and growing vegetable-oil industry in the United States, and, in the second place, because these vegetable oils are used in part in the production of butter substitutes, which compete with butter produced on American farms.

Cottonseed oil is the most important of the vegetable oils used in food products. Our domestic production of this product in 1919 was almost one and one-half billion pounds.

Soya beans are extensively cultivated in Manchuria, China, and Japan, and are shipped mainly from Manchuria. The oriental exports to the United States are almost wholly in the form of oil. This oil competes directly with cottonseed oil as a raw material for the soap industry.

The South is changing rapidly to a more diversified agriculture and is tending to reduce its cotton acreage. Great reliance has been placed on peanuts as a diversifying crop. The production of peanuts in the United States increased from a little over 19,000,000 bushels in 1909 to 46,000,000 bushels in 1918. In 1920 it declined to about 36,000,000 bushels. Competition comes chiefly from India, China, and West Africa, but they are also produced in Japan, Java, and other parts of the world.

The peanut-oil industry is carried on extensively in the Southern and Southeastern States, where the cottonseed-oil mills are used also for crushing peanuts. Our production of peanut oil increased from 60,000 gallons in 1912 to almost 13,000,000 gallons in 1918.

Almost all of our imports of this product since 1915 come from the Orient. These importations of vegetable oils have not only tended to unstabilize the price of American vegetable oils, but they are hammering down the price of American butter and American lard. Every American producer, whether of cotton, of hogs, of cattle, or of dairy products, feels the effect of this competition.

DAIRY PRODUCTS.

The producers of dairy products in the United States, Mr. President, are not only faced with this indirect competition with vegetable oils but also with direct competition from countries producing large quantities of butter and cheese at a cost with which the American producer can not compete. I believe, therefore, that the duties in this bill on butter and cheese and their substitutes will be of direct and substantial benefit to the American producer.

During the fiscal year ending June 30, 1920, we imported 21,000,000 pounds of butter and butter substitutes and almost 18,000,000 pounds of cheese and cheese substitutes. Since the close of the fiscal year the imports of these products have been large, as indicated in the following table:

Month.	Imports, cheese and cheese substitutes.	Imports, butter and butter substitutes.
1920.	*Pounds.*	*Pounds.*
July	1,042,791	8,311,404
August	660,983	2,736,879
September	961,450	2,595,024
October	1,780,693	2,455,315
November	1,739,351	2,798,684
December	1,780,031	4,033,754

The imports of cheese and cheese substitutes came, before the war, chiefly from Switzerland, Italy, and France, but in the fiscal year 1920 Argentina shipped over half the total. In the case of butter the imports are coming chiefly from Denmark, Australia, New Zealand, and Canada. The huge shipments of butter to this country every month are breaking the records in past years. Denmark sent to us in July, 1920, one steamer loaded with 5,000,000 pounds of butter, and on January 7, 1921, sent another with more than 2,300,000 pounds. The British Government will remove its butter control March 31, and it may be expected that Denmark will endeavor to make fuller use of the English market thereafter. But the Danes realize that England believes in protecting its own industry, and that during the war there has been built up a large butter-substitute industry in Great Britain and her colonies using as its raw material vegetable oils. Accordingly it has been stated by Danish representatives in this country that the Danes are now counting on a market in the United States for 50,000,000 pounds of butter each year.

It was stated in the Market Reporter of February 14, 1920, that two countries on the American Continent—Canada and Argentina—may soon prove serious competitors of the United States in the dairy industry. In both countries this industry is in its infancy.

American producers are beginning to produce European types of cheese, and with them our large imports are competing directly. These producers are handicapped in meeting the reputation of the European product and are entitled to protection as an infant industry. Time is required to develop the skill and technical advantage which European producers have gained.

Mr. President, I need not emphasize the great importance of the dairy industry to a country like the United States. It furnishes a large and important share of the food supply of our increasing population. In addition, the dairy industry is an important part in a permanent system of agriculture. Nevertheless our land values and feed costs are high. On the other hand, in countries like the Argentine, the advantages of production are definitely in favor of the producer there, and the American producer can not be expected to maintain his high standard of production without protection which will equalize the difference between his cost of production and the costs of his competitor abroad.

OTHER PRODUCTS.

Mr. President, I shall not continue to discuss in detail the other products enumerated in this bill. Each one represents a distinct problem which has been considered by the committee. Long-staple cotton is made dutiable at 7 cents per pound. It is true that the United States dominates the world market by its production of ordinary cotton, and also that about 80 per cent of our imports of cotton come from Egypt and are of the long-staple variety. This Egyptian cotton, however, competes directly with the long-staple variety which we are producing on irrigated lands in the Southwest and also along our Atlantic seaboard. This industry is, in many of its aspects, an infant industry, and we should not ask our growers to compete with cheap Egyptian labor.

The chief sources of our imports of rice are oriental countries, including Siam, French Indo-China, and British India. In 1918 we imported over 408,000,000 pounds; in 1919, almost 330,000,000 pounds, and in 1920, almost 179,000,000. Surely an industry so vital to the prosperity of such States as Louisiana and California as the rice industry is deserves consideration at the hands of this Congress.

Our domestic production of dried edible beans rose from 5,000,000 bushels in 1899 to nearly 21,000,000 bushels, with a farm value of approximately $100,000,000, in 1918. This production fell off in 1919 and 1920. Five States grow nearly all of our commercial crop, California producing about 40 per cent. The competition with this product comes chiefly from Korea, Japan, and Manchuria, which produce beans which compete directly with the domestic product.

The importation of lemons into the United States from Sicily has for years presented severe competition to the large and important lemon industry of southern California.

In the case of onions our chief competition is from Spain. Potatoes are imported in substantial quantites from Canada, Bermuda, and Denmark.

The imports of hay into the United States are increasing. Last year we imported 324,952 tons, as against 272,448 tons the previous year. This is a wonderful situation. The best alfalfa is rotting in the stacks on thousands of American farms because there is no market that will pay enough to ship it. And this situation exists in spite of the fact that there is, and has been, an abundance of live stock available to consume it. Animals have been sold because the feeders can not raise money to buy either feed or hay. However, we are paying millions of dollars for foreign-grown hay which is close enough to consuming centers to make its shipment practicable and profitable to the foreign grower.

These products which I have hastily mentioned are in each case provided for in this emergency tariff act, and while it may be too much to hope that tariff legislation alone will solve all the problems which confront the producers of these and other products which I have previously referred to, it seems to me too evident for argument that tariff legislation at this time will afford a substantial measure of relief in almost every case.

WHAT THE PRESENT CRISIS DEMANDS.

Mr. President, practically every line of agricultural industry is to-day suffering acutely because of the absence of protection offered by this emergency bill. Agriculture is the greatest wealth producer in this country. Other tariff acts have come, more or less, under the indictment that they were local issues in that they benefited only a comparative few at the expense of the many. However that may be, Mr. President, it is obvious that this emergency tariff bill is wide reaching in its benefits because it protects American production in every one of the 2,959 counties in the United States at a time when the producers are in the greatest need of aid. I do not except from these statements Queens and Kings Counties, in Greater New York City, or Cook County, in which Chicago is situated. Even in those great cities there are dairymen and truck growers who are being inexcusably injured by unfair competition from foreign producers.

Mr. President, it is an intolerable situation which confronts us. Do you wonder that I repeat that such conditions make a ripe field for Reds and unsound agitators? If the Government will not protect its own citizens, but prefers to benefit foreigners and bankrupt its own people, can you blame these bankrupted

farmers if they turn for relief to any wild scheme that is urged upon them?

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. SIMMONS in the chair). Does the Senator from Kansas yield to the Senator from Tennessee?

Mr. CAPPER. I yield.

Mr. McKELLAR. I wish to ask the Senator about how much of last year's wheat crop is now in the hands of the farmer?

Mr. CAPPER. I think about 40 per cent of it.

Mr. McKELLAR. The reason why I asked the question is that I endeavored to get the information at the Department of Agriculture and they said the quantity was somewhat hazy, but they thought it was only a small portion. Of course, the Senator understands that if only a small portion of the wheat crop is in the hands of the farmers, they would be benefited by a rise in price just to the extent of the amount of wheat that they have in hand.

Mr. CAPPER. There are at least 70,000,000 more bushels of wheat in the hands of the farmers of Kansas to-day than there have ever been in any previous year.

Mr. McKELLAR. Is it not true that the wheat in the hands of the farmers now, generally speaking, is in the hands of farmers who have been able to hold it? Have not the small farmers and the needy farmers had to sell their wheat? Is not that largely so?

Mr. CAPPER. A great many of the farmers who are not compelled to realize on their wheat are still holding it and still hoping for a larger return.

Mr. CURTIS. Mr. President——

Mr. CAPPER. I yield to my colleague.

Mr. CURTIS. May I interrupt my colleague to state that against much of the wheat that is being held bankers and others have notes, but it is still owned by the farmers.

Mr. CAPPER. There is no question about that.

Mr. CURTIS. Of course, many of the farmers were unable to hold their wheat without borrowing, but there is more wheat in the hands of our farmers than there has ever been before, and I think the percentage is larger than 40 per cent.

Mr. CAPPER. I think there are at least 70,000,000 bushels of wheat in the hands of Kansas farmers to-day—a much larger percentage, at least one-third larger, than ever before.

Mr. McKELLAR. The price is now about $1.87 for the best wheat, is it not?

Mr. CAPPER. It is a little below that now, I think.

Mr. CURTIS. I had a letter yesterday stating it was $1.45.

Mr. McKELLAR. I notice that the New York market reports quoted it at $1.87. What was the price of wheat before the war—I mean the prevailing price?

Mr. CAPPER. When the price was fixed, it was about $3 a bushel in Kansas.

Mr. McKELLAR. It was fixed at $2.27 during the war, but before the war in Europe broke out the price was less than a dollar a bushel, was it not?

Mr. CAPPER. No; I think not.

Mr. McKELLAR. My recollection is that it was.

Mr. CAPPER. I do not think it was less than $1.25 a bushel.

Mr. McKELLAR. In 1913 or 1914 it was in the neighborhood of a dollar, according to my recollection. I thought probably the Senator would know.

Mr. CAPPER. I am sorry I can not give the Senator the exact figure.

Mr. President, when an effort is made to enact justifiable protection, when all the facts and figures are produced to show the justice and the necessity for such protection, when the whole case of the farmer is presented plainly and fairly, objections are still raised by those who do not and will not understand the situation. They complain, for example, that Argentina, Japan, Australia, and other countries will erect reprisal tariffs if we enact a tariff on farm products, or they say that if we give our farmers the protection which they deserve Europe can not pay its $10,000,000,000 of Government debts or the $700,000,000 or $800,000,000 it owes to private concerns.

Mr. President, I shall say frankly that if the price which we have to pay for the payment of our foreign debts is the destruction of American agriculture, it were better that these debts were never paid. Why should we ruin our greatest business, the very foundation of our wealth, to make it easier for our debtors to pay when our debtors on their part are not leaving a stone unturned in protecting their own interests?

The first duty of a government is to insure a permanent supply of food and clothing for its people. We can not perform that duty if we destroy our home sources of supply. Why bankrupt our greatest source of wealth to pay somebody else's debts? That is exactly what we are doing in ruining our farm business with unfair foreign competition. Why should this Government make the American farmer the "goat" for the whole world's shortcomings?

As to the threats of retaliatory tariff, I do not think that they are to be taken as seriously as some would have us believe. It so happens that our exports to many of the countries said to be contemplating retaliatory tariffs are goods which they greatly need. To a large extent these exports are financed by deferred payments. The convenience of such payments under existing conditions would suggest that our foreign customers would go slow in disturbing the present arrangement. It would not be to their best interests and their nationals would be the greatest sufferers. Retaliatory tariffs, it must be remembered, are a two-edged sword and therefore cut both ways. The United States, in addition, is in a more favorable situation for putting on effective retaliatory tariffs if it comes to a question of trade war. At the same time, those who oppose this bill from fear of retaliatory measures evidently have not considered how persuasive would be a demand by the United States for a revision of existing agreements for the payment of money and interest owed this country by countries who are now its chief customers.

These objections and others are poorly balanced and incomplete. Other countries have not hesitated to adopt measures to protect their own people. Japan has a quick-acting tariff law which permits it to increase a duty if the goods threaten Japanese home industries. They do not wait to ask our consent on questions involving the protection of their own business. They have too much self-respect and are too good business men to give weight to such objections. Australia has only recently adopted a new tariff act designed to increase her industries. Did they ask for our consent before doing it?

Canada is preparing to readjust its tariffs, but do you believe that such readjustments will be made for the benefit of American business? You know that they will protect their own. It is plain business sense to do it. We should do as well by our own people.

Mr. President, this emergency bill is a paramount act of social and indispensable justice. The American farmer stands alone to-day of all the producers in the world. Other Governments, notably those of Great Britain, France, Germany, Italy, and Japan, are helping their farmers, protecting and supporting them, but our farmers must go it alone in competition with all the world. They must sell their grain in markets dominated by the most powerful government commissions. Practically all of Europe to-day is buying its grain through government commissions, that are working together and that have all the resources, all the ingenuity, and all the brain power possible to hammer down the prices and buy cheaply. That their prices are at times below American prices in no wise lessens the importance of this point. These European nations have subsidized bread and they have subsidized home production of grain. England is pointed to by free-trade exponents as the great example of the benefits of free trade, but England is no more a free-trade country than other countries with high tariffs. England protects its industries with Government funds and taxes and is continuing its war-time price guaranty for home-grown grains with provision for guaranteeing the producer against loss if his Government-fostered grain growing is less profitable than some other phase of agricultural production.

Mr. President, last year meats, hides, wool, and many other products were dumped into this country through our adherence to free trade. The pages of our departmental reports are full of notes of instances of the ruin that free trade is bringing to American agriculture.

Mr. President, it is of first American importance now that we correct these evils. For the sake of common justice and humanity this emergency tariff is all too little for the farmer to ask of his Government.

Mr. President, our farmers, as a whole, need help immediately and badly. A little help at once will be of far greater value than a great deal at a later date. In the meantime, we should take stock of the situation and consider our future policy. At present the need for Government help is greatest west of the Missouri River. Stockmen, in particular, need assistance. It was inevitable that there should be a carry over of production into the period of readjustment. It is the duty of Government to assist in such crises as this and we are the only country which is not endeavoring to aid our producers in this trying period.

There are those in the United States, Mr. President, who, I am sorry to say, seem to be willing to sacrifice our agriculture for the benefit of our industrial and commercial interests. It would be a shortsighted policy, indeed, which did not recognize the national necessity of a well-rounded economic development

in this country. We can not afford to adopt a policy which will even tend to develop here a peasant class, exploited in the interests of industrialism. With vanishing frontier lands, agricultural costs in the United States have been rising for the past 25 years. At the same time, until the artificial stimulus of the war intervened, we had become virtually a net importer of foodstuffs. Many typical American products are being raised under extensive agricultural systems in Canada, Australasia, Argentina, and Manchuria. Admission of these cheap products free of duty would be a temporary benefit to the consumer. But the price to the Nation is the serious injury to our agriculture as a whole and probably no permanently lower prices. I can not see how anyone with the true interests of his country at heart will hesitate a moment as to his decision.

Mr. FLETCHER. Mr. President, I wish to present some views on the bill, not that there is anything new in them particularly, but to give some reasons for my opposition to the measure.

Mr. President, there is no pretense that the pending bill is intended to raise revenue. If that were the intention, this step would not have been taken at this time. Congress is authorized to lay customs duties, levy a tariff, for the purpose of producing revenue required to assist in meeting the expenses of the Government. This bill is written for the avowed purpose of excluding from this country most of the articles or commodities mentioned and for affording the limit of protection as to others, and practically all of the latter are embraced in the Senate committee amendments.

Whatever of legitimate tariff features the bill proposes could and should wait for the tariff bill which is to come forth at the extra session which, it is known, will be called for the consideration of that whole subject within 60 days.

It would be absurd to attempt to deal with it by piecemeal.

WHAT IS BACK OF THE MEASURE.

Agriculture is languishing. This depression is due not to any defect in our laws, nor can it be remedied by legislation of this character, if, indeed, it can be by any special legislation. It is the inevitable result of the world upheaval produced by the most stupendous and destructive war of all time. The mighty shock of that deadly conflict, precipitated by diabolical madness and iniquity, reached every civilized country on the globe. Old Europe fell to pieces in 1914, and the pieces are not yet mended. Our ship of state was shaken from stem to stern and has not yet settled on an even keel.

Every industry, practically, is adversely affected. Conditions, social, industrial, and economic, were thrown out of joint, and have not yet become readjusted.

Good sense, real energy, patience, tolerance, and cool judgment must be exercised.

Under a pretense of causing an increase in the price of agricultural products and benefiting the producers this measure was proposed.

It is inconceivable that many of the sponsors of the bill really believe it would have the effect of actually increasing the price at which producers would be able to sell their products, but they expect to so make it appear to the producers and convince them of the sincerity of that intention.

It will not have any such effect, as, I think, can be clearly shown.

The bill is therefore, in large part, founded on pretense and deception.

The second purpose is to commit Congress and persuade the country that the principle of protection is sound and wise.

The farmers of the United States have not generally favored the doctrine of protection. They have realized that it meant increasing the cost to them of their clothing, implements, and everything they had to buy. This increase was many times the amount of the tariff and added to their tax burdens far in excess of any possible indirect benefit such a policy brought to them.

But now the farmers are unable to obtain for their products their real value, not even the cost of production in many cases, and they have the impression that such a condition is due to the introduction in this country of like products from other countries, and therefore the remedy is exclude those products entirely and thereby shut off all competition. Mistaken as this notion is, the movers of this measure have taken advantage of it and are promising to do that very thing.

They hope by this course to win the farmers in as large numbers as possible to the principle of protection, in the expectation of securing their support later for a tariff bill which will materially increase the prices of manufactured goods.

This very bill will increase the price of his sugar and the coming bill will increase the price of everything he must buy, and it may repeat to a degree this pretense of benefiting him, but it will be with the knowledge, as is the case here, that the apparent protection that is provided in the bill is barren, so far as he is concerned, and inoperative, because the farmers of this country produce a surplus of agricultural products which must be exported. A protective tariff, no matter if it includes in terms agricultural products, will really tax the farmers heavily on what they buy and give them nothing in return on what they sell.

The only possible ground upon which anyone, it seems to me, can support this bill is that it is an emergency measure, made permissible by conditions growing out of the war, which while temporary nevertheless obtain practically as war conditions at present, and, further, the law would be limited to 10 months of operation; that they hope it may have some efficacy, and if not it could not do much harm in so short a time.

PROHIBITIVE TARIFF NOT IN THE INTEREST OF THE FARMERS.

The great staple products of this country must have markets outside the United States. Those engaged in agriculture, that most important of all industries, fundamental and essential, know and need scarcely to be reminded that they produce more than our domestic markets will take, and the surplus must be disposed of in the world markets. If the outside markets are closed or restricted, producers are thrown back upon a satisfied domestic demand and the prices must drop and all profits are gone.

The prices of wheat, corn, and cotton are fixed in foreign markets, because we produce a large surplus of each, over and above our home needs, and therefore we export those products in great quantities and the price at which they sell is the world price.

It would be ruinous to agriculture to have a wall erected around the United States that would bar imports, because such a policy would inevitably be met by a like policy on the part of those who now take our exports; in any event such a policy would undoubtedly restrict the export market for agricultural products.

In the next place, other countries wanting our products are unable to pay for them in gold, because they lack it, or in credit, because they can not command that, and they are obliged to resort to their goods and merchandise as the only means of making purchases. If we exclude their goods we destroy the only method or facility they have for trading and paralyze their ability to buy from us. That is to a large extent the situation in continental Europe.

To illustrate the effect of retaliation:

If we say Canada shall not ship any wheat into the United States, suppose Canada then imposes an embargo or a prohibitive tariff on our products. She buys of us annually some $500,000,000 worth of our products.

She might deprive us, referring to items in this bill, of a market for 4,000,000 bushels of potatoes annually, of 10,000,000 pounds of peanuts, of a million boxes of oranges and grapefruit; in fact, she is our chief customer in foreign trade.

Suppose Canada should go further, and say none of her wood pulp should be allowed to enter the United States?

She could hit us a hard blow and she would be justified if we exclude her chief products.

While the United States has only about 6 per cent of the world's population, we produce one-quarter of the world's agricultural supplies. This is a significant fact which all producers must keep in mind.

We have only about 7 per cent of the world's land area, but we not only produce the food mentioned, but we contribute also one-third of all mineral products and one-third of all manufactured goods to the world's supply.

Our imports in merchandise in 1920 amounted in value to $5,238,621,668, our exports to $8,111,039,733.

As the greatest exporting and creditor Nation, what folly it is for us to erect tariff barriers to shut out the goods and products of other countries, by which, alone, they can purchase ours.

In 1914 we owed foreign nations $5,000,000,000. We have paid that back, and now they owe us $10,000,000,000.

How can they pay even the interest if we exclude their goods?

The items specified in the bill are wheat, wheat flour and semolina, corn, beans, peanuts, potatoes, onions, rice, lemons, oils (peanut, cottonseed, coconut, and soya bean), cattle, sheep, fresh mutton and lamb, fresh or frozen beef, veal, mutton, lamb, and pork, meats of all kinds, cotton having a staple of 1⅛ inches or more, manufactures of which cotton described is the component of chief value, 7 cents per pound, in addition to the rates of duty imposed by existing law; wool, manufactures of which wool described is component material of chief value; sugars, sirup and molasses, butter, cheese, milk, condensed or preserved milk, wrapper tobacco, hides, apples, and cherries. Numerous

amendments have been offered proposing to bring into the measure nearly everything produced or manufactured in the United States with sky-high duties.

It will be seen the prime necessities of life are intended to be taxed by this bill.

Every consumer of food and clothing will pay the tax. The alleged benefits to the producers are a delusion and a snare. As to producers and as to the claim that it will bring relief to the farmers of the country, the bill is essentially a pretense and a fraud.

ANY POSSIBLE BENEFIT OFFSET BY BURDENS.

Suppose it should, by excluding peanuts or peanut oils, increase the price of peanuts 3 cents a pound. Shall all the people who do not grow peanuts be taxed to pay that increase to those who do? If we admit the number of producers is very large, we must meet the well-established fact that you can never protect the multitude by a tariff duty. The buyers are few, the producers many. The buyers get together and determine the price of the commodity. The producers would not realize the increased price of food.

Again, the very people who produce peanuts must pay the increased price on all the other articles of consumption mentioned in the bill which they must buy, and therefore any benefit to them will be more than offset by the additional price they must pay for what they eat and wear.

The same is true of the other items in the bill.

Let us examine a few articles. Referring again to peanuts, in 1920 to November 1 we imported 8,623,393 pounds, not shelled, valued at $767,588, on which a duty of three-eighths of 1 cent per pound was paid, and 110,809,536 pounds, shelled, valued at $10,570,795, on which a duty of three-fourths of 1 cent per pound was paid.

We exported, chiefly to Canada, during that period about 9,000,000 pounds.

We produced 899,000,000 pounds.

This bill proposes to stop importation for 10 months. That means to the end of next November. Then we go back to the duties as they now exist. China, Japan, France, and Spain could get ready to ship in their next crop, having it reach us by December 1. Buyers here could hold off until that time and the growers would be deprived of purchasers on any large scale and prices would not advance, even for their next crop, beyond what the advance would be unaffected by this bill. Very likely there would be fewer purchasers and less demand, because buyers would calculate on doing better when this prohibitive tariff was lifted.

In the meantime, under this bill the peanut grower would find his sugar had gone from 4 cents, the present price for raw sugar, to 8 cents; his cotton goods had nearly doubled in price; his woolen goods the same; his flour, meat, and the like, with all his requirements, had cost him during all the time he was waiting on higher prices for his peanuts many times more than the increased returns from his peanut crop, if there were any at all. He would then realize that, instead of helping him, this measure had been of positive injury to him. He would appreciate that it is based on a wrong principle, and that his present situation is one that can not be helped by legislation of this kind.

To illustrate, would bringing 1 bushel of corn into a market that already had 300 affect its value or price?

Take potatoes; importations during 11 months ending November 30, 1920, amounted to 5,740,411 bushels, valued at $12,218,076. We exported, same period, 3,611,823 bushels, valued at $9,384,912, chiefly to Canada and Cuba. Bermuda ships to us about 250,000 bushels annually, about March and April, and ceases to ship when the Florida crop comes on the market. That is over by the middle of June. The remainder of the importation comes from Canada and does not compete with Florida.

According to the Tariff Commission's report—

Imports from the principal countries are barred by quarantine, only Canada and Bermuda shipping without restrictions.

It appears that Denmark is now shipping a few cargoes to us, and therefore the restrictions have been raised as to Denmark. But as to the West Indies and all other countries, except Canada, Bermuda, and Denmark, there is no need of a prohibitive tariff, because quarantine regulations keep them out. We ship to Canada more than she ships to us. Bermuda ships when there are no new potatoes in our market, and she drops out when Florida comes in with her new potatoes, and she supplies that demand, and her shipments are over by the middle of June. If we prohibit Canadian shipments, we may expect Canada to give us a Roland for our Oliver. Growers would gain nothing by that operation. It would be a species of petty meanness to exclude Bermuda's small contribution to our supply, and result in no benefit to our producers. It is claimed that we have a surplus this year of 430,000,000 bushels. That seems erroneous, since the Tariff Commission's report shows our total crop in 1918 was 400,000,000 bushels.

But no matter what our surplus is, it behooves us to find new markets for it in order to realize on it, and the worst possible policy would be to enact a law that would exclude the products of other countries from admission to this country.

How can we expect such countries to buy from us if we refuse to buy from them, and if other countries do not take our surplus potatoes, what will become of them?

The existing duty is 10 per cent ad valorem.

The bill proposes 25 cents per bushel of 60 pounds.

That would apply to Canada, which buys more than she sells, and Bermuda, which ships only a nominal quantity, and at a time when we have no new potatoes in market, and to Denmark, which has never heretofore been a shipper of consequence to us, and a few cargoes at this time should cause no alarm; and all other countries are excluded by quarantine.

No benefits would accrue to potato producers, and the duty would simply cause unnecessary irritation and serve as a precedent or indorsement of a most vicious policy.

Thus we might go through practically the entire list.

For instance, last year our production of rice was 41,059,000 bushels—about 2,000,000,000 pounds; imports, 174,596,124 pounds; exports, 377,497,423 pounds. Plainly a duty or embargo on rice would not add a cent to its value.

There is ground for argument in support of the duty on sugar, because that duty would yield revenue for the Government as no other article in the whole tariff schedule does.

I could insist on higher duties on oranges and grapefruit, but since we export about 2,000,000 boxes—Canada again being our best foreign customer—and import less than 20,000 boxes, it would be of no real benefit to growers of citrus fruit to exclude all importations, and it would be a positive injury if Canada should retaliate and shut us out of that market. We imported only $52,700 worth of oranges last year, produced in this country about $50,000,000 worth and exported $7,638,450 worth.

It is sound argument to insist on a duty affording incidental protection on the ground that it will yield revenue to the Government, and the article can be classified as a luxury rather than a necessity.

The same is true as to a duty on pineapples. Neither of these products are mentioned in the bill, although they would present stronger cases than those articles which are necessities. The growers of citrus fruits and pineapples have just as much cause to complain about low prices and just as much right to call on Congress for relief and as excellent ground and justification as have the producers of the agricultural products mentioned in the bill, and fewer objections could be urged against them.

BURDENS.

The taxation of the consumers of the country, which would include the producers, would be stupendous under this bill.

The high duties provided by it for the benefit of the manufacturers of woolen goods and of the manufacturers of cotton goods would add enormously to the prices consumers would have to pay for those goods.

Raw sugar would go at once from 4 to 8 cents per pound.

The measure would afford an excuse for raising the price of meats and flour.

Every benefit that might possibly accrue to the producer of any particular product named would be more than eliminated and would be converted into an injury by the increased taxes he would have to pay as a consumer.

The bill is indefensible, and if enacted into law would prove positively harmful to the very interests it purports to serve.

The farmers of the country are being deceived and misled in respect to it.

I have received a number of telegrams and letters, urging me to support the bill as it came from the House, from those I am most anxious to serve.

But if a man asks me to strike him in the face, saying he will be responsible for the consequences, I would not feel inclined to do it. If he requests me to do that which amounts to an assault upon the best interests of himself and his family, even though he does not think so, I must decline. If an individual or a group of individuals interested in some particular enterprise asks me to take money from other fellow citizens and transfer it to him or them I can not do it. Taxing the many for the benefit of a few means that in the last analysis. Taxing the many unequally, the poor man more than the rich, for the benefit of all, but for the greater benefit of some than others, is unjust.

With the Senate committee amendments added this bill loses the character claimed for it when it was introduced as an emer-

gency farmers' relief bill. It has been made to include excessively high duties on manufactured goods which the farmer must buy. It no longer applies only to the things he sells, but now has been extended to the imposition of extortionate burdens upon him by fixing the highest duties ever proposed on the manufactured articles he must purchase. It is now a conglomeration of prohibitive tariff duties, high protection, and embargo. It is without justification and indefensible from any standpoint.

The Democratic Party has opposed protection constantly and consistently for more than half a century. On that issue it has been indorsed by the electorate of the country. New conditions have arisen out of the World War; new problems have pressed for solution, but the eternal law of gravity still obtains; the behavior of the forces in nature remains steadfast; the sound principles controlling economic life are unchanged; the wise policies of established government, organized to serve the highest interest of civilized man, require no radical variation or material modification; human needs are very much the same and call for no substantial change in treatment; the claims and responsibility of society, composed of the same living cells, are as fixed as the stars. Disregard or violate them at any time and that road leads toward disorder, distress, and, finally, anarchy. Wrong before the world calamity, protection for the sake of protection, under our revenue laws, is still wrong. Indeed there is less excuse, justification, or good sense in measures prohibiting or even restricting imports in the circumstances now existing than in normal times.

This bill abounds in harm to the Nation and carries no redeeming feature.

It ought not to pass.

Mr. President, I ask to have printed as a part of my remarks the editorials of the Florida Times-Union which I present, discussing very clearly certain features of the pending bill.

The PRESIDING OFFICER (Mr. McLEAN in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

[From the Florida Times-Union of Dec. 8, 1920.]

"THE CLIMAX OF FOLLY.

"An Associated Press story from Indianapolis telling of the proceedings of the annual convention of the American Farm Bureau Federation says:

"'In a memorial addressed to Congress the convention declared that bankruptcy threatens the agricultural industry, and it asked for an embargo on imports, renewal of farmers' obligations rediscounted through the Federal reserve system, and adoption of some plan for selling American products in all of Europe.

"It is strange that any body of men could have been found in this country with as little intelligence as this memorial indicates, and stranger still that they should represent the farmers of the country, for the farmers, as a class, know more about political questions than the average of the residents of the cities. It looks as if the least intelligent of all the farmers were the very ones who talk for them on political questions.

"Only about 10 words below the proposition that an embargo be placed on imports comes the plea for the adoption of a system for selling American products in all Europe. Do these men think that if this country refuses to let Europeans sell goods to the people of the United States they will buy from the people of the United States? If they can't sell their products, where will they get money to buy with?

"What effect would an embargo on imports have on the farmers of the United States? Would it raise the value of their products? We make more than twice as much cotton as we spin. An embargo on imports of raw cotton would not affect the price at all, for we import it by the hundreds of million dollars in value, and we import only a trifle and that trifle not of the kind that we produce. An embargo on imports of corn would add nothing to the price of what the farmers of this country produce, for they export corn instead of importing it. The same is true of wheat and of nearly every other important agricultural product.

"But an embargo on cotton goods would make the farmers pay for the cloth they buy whatever the manufacturers decided to charge them for, for while we export more cotton goods than we import, the manufacturers are few and combined. The same is true of woolen goods and of iron and steel products and, in fact, of everything the farmer buys. The embargo would not increase by a cent the price of what the farmer sells, but would vastly increase the price of everything he buys.

"The average farmer in this country knows all this, and it is strange that the men who go to farmers' conventions do not. They are about the only people in the United States who do not know it."

[From the Florida Times-Union of Jan. 18, 1921.]

"GOLD BRICK FOR FLORIDIANS.

"The last issue of the Brooksville Star contained a lengthy editorial indorsing the stand this paper is taking against protection. We would quote the editorial in full but for its length, but it says in part as follows:

"'Is the party to desert the honest principle of "tariff for revenue only"? We have held to it so long that it seems to be part of the party. Under the Underwood law it has been clearly shown that a low tariff has not perceptibly increased the imports of oranges. At the same time we have been able to export part of our product to Europe. Who knows that we will stay on the friendly side of foreign Governments and build up a great foreign trade if we put up this high tariff wall over which our foreign neighbors can not climb? It is quite interesting at this feature of the subject to note that Senator PENROSE, a standpatter of the deepest dye, one of the most prominent Republican politicians of the day, has recently sounded a note of warning that our foreign trade is bound to suffer if we make the tariff too high. It seems queer that this kind of wisdom should come from Pittsburgh; but it is true nevertheless, and it proves on the other side of the fence that Democrats are not the only folk that are "wobbling."'

"Opposition to protection has been in every Democratic platform for three-quarters of a century. Protection is not wrong because it is opposed by the Democratic Party; it is opposed by the Democratic Party because it is wrong. Regardless of the merits of the question itself it is wrong for a man elected as a Democrat to advocate protection, for he obtained his commission from the hands of a party that opposes it, and no man has a right to take a commission as a Democrat and help the Republicans on the vital issue that has always divided the parties.

"But the Times-Union is now engaged in as serious a fight as any it ever undertook, and it was never more honestly or earnestly defending the interests of the people of Florida than it is by the fight in which it is engaged now. An effort is being made to sell the people of Florida a thing that is absolutely worthless and get from them tens of millions of dollars a year for it. It is the duty of every man in public life and of every newspaper in Florida to join hands in the effort to defeat this plan to sell the people of Florida a gold brick.

"There is nothing in Florida that can be protected that would not be protected under Democratic legislation as an incident to raising revenue. There is nothing that we could ask of the Republicans that would be of the slightest value to us if they would give it.

"Florida leads all States in making cigars. The Democrats have never proposed to repeal the duty on cigars. It would be unjust to have cigars on the free list while an internal revenue tax was charged on their production. It is a revenue matter with which the Democrats have never proposed to interfere.

"Florida expects to produce a great deal of sugar, though this is in the future. Sugar is a revenue product and has never been put on the free list except by the Republicans. They put it on the free list because it was yielding too much revenue. There is no probability in sight that the Democrats would put sugar on the free list, for they advocate a tariff for revenue and sugar is one of the greatest revenue producers."

"There is no possibility that a duty on oranges would give any protection to the orange industry in this country. We raise a thousand boxes of oranges for every one we import, and any sane man knows under such circumstances the duty would add nothing to the price. We export to one country alone a box of oranges for every single orange we import from the whole world. A duty on oranges would be a duty for humbug only, and the people of Florida would be the ones to be humbugged.

"We import and export approximately the same quantity of peanuts, but the quantity imported or exported is inappreciable compared with the quantity produced in this country. A duty on peanuts would not add anything to the price. We import more peanut oil than we export, and so a duty on peanut oil would help the manufacturers of that commodity, but they are not the people of Florida.

"But when we foolishly demand protection on these things we put ourselves in position where we must concede protection on things we buy, and on these things protection counts. It nearly doubles the price we pay for clothing. It increases the price we pay for fertilizer, for fencing, for household and kitchen goods, and nearly everything we buy.

"The newspapers of this State are not doing their duty if they let the effort to sell Florida a gold brick get by without exposure."

[From the Florida Times-Union.]

"TRYING TO HUMBUG THE FARMERS.

"Of the Representatives who voted on the emergency tariff bill more than one-third of those who were elected as Democrats voted for protection, for the tariff proposed by this bill made no

pretense at being designed as a measure for raising revenue but was frankly for the purpose of protection. Perhaps we used the word 'frankly' unadvisedly, for there was nothing frank about the bill. It was intended to deceive, but its pretense was protection.

"This bill is an example of two things: First, of how far we have gotten from even the memory of Democratic principles when more than a third of the Congressmen supposedly elected to carry out these principles abandon them and advocate protection. It is also an example of the hypocrisy of men in public office. The men who voted for this bill pretended to believe it would check the decline in agricultural products, and did not believe any such thing. The average Congressman is not a wonderful man, but he knows more than the average man one meets on the streets, and the average man one meets on the streets knows that since we are exporting from five to a hundred times as much of the various agricultural products as we are importing no tariff duties will serve to increase the value of agricultural products.

"The demand for such duties was made by men who pretended to represent the farmers, but we doubt whether they were as much to the farmers as the walking delegate is to the workers. We believe they were representatives of the protected interests, for they were serving these interests and serving them at the expense of the farmers.

"But if the bill would raise the price of agricultural products, should it have been supported? Not by Democrats, for their creed opposes special favors. It should not have been supported by anyone at all, for what the country wants now is lower, not higher, prices. The decline has hurt the farmers for a time, but they will pass through it with the making of another crop, whereas the attempt now made professes as its purpose the return to the higher prices at which the people have rebelled. Necessarily a change to a lower level of prices would hurt some classes while the change was in operation and had reached only a few classes. Continuing, it would reach all classes, and the hardship would be at an end. But in the midst of a beneficent change these men propose to turn back the tendency which, if delayed now, must come later. They propose that the country shall suffer twice instead of once for deflation.

"And the men that a pretense was made of helping would not have been helped at all, but would have been hurt by a continuation of the high prices they have been paying for the articles they have been buying. This application of the principle of protection which can not help the farmers will come in time to save the manufacturers of fertilizers from making any cut in prices. It will come in time to save the manufacturers of other things the farmers use from the decline that was approaching. For the principle is the same, no matter how differently it would work. If the farmers must be protected, so must the manufacturer, and while the farmer can not be protected the manufacturer can. A duty on the things the farmer sells is a joke, because he produces a surplus of them, but a duty on the things he buys is not a joke. They increase the price of all the things he buys for making his crops or for the support of his family.

"If the Democratic Party returns to its old principles, a number of men who have betrayed these principles will soon be looking for other jobs."

Mr. McCUMBER. I ask unanimous consent now that the bill may be read, and that the amendments of the committee may be first acted upon.

The PRESIDING OFFICER (Mr. GAY in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. HEFLIN. Mr. President, the Senator from North Carolina [Mr. SIMMONS], who is in charge of the bill on this side, is now at lunch. He would like to be present when the bill is taken up for reading and amendment, and I suggest the absence of a quorum in order that he may be here.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harris	McLean	Spencer
Borah	Heflin	McNary	Sterling
Brandegee	Johnson, Calif.	Myers	Sutherland
Calder	Jones, N. Mex.	Nelson	Swanson
Capper	Jones, Wash.	New	Thomas
Curtis	Kellogg	Overman	Townsend
Dial	Kendrick	Page	Trammell
Dillingham	Kenyon	Phipps	Underwood
Elkins	Keyes	Poindexter	Walsh, Mass.
Fall	King	Pomerene	Warren
Fletcher	Kirby	Reed	Williams
France	Knox	Sheppard	Willis
Gay	La Follette	Simmons	Wolcott
Gerry	Lenroot	Smith, Md.	
Gooding	McCumber	Smith, S. C.	
Gronna	McKellar	Smoot	

Mr. McKELLAR. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN] is absent by reason of illness.

Mr. WALSH of Massachusetts. I was requested to announce that the senior Senator from Arkansas [Mr. ROBINSON] is absent on official business.

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. There is a quorum present.

Mr. McCUMBER. I ask that the bill may be read.

The PRESIDING OFFICER. The bill will be read.

The reading clerk read the bill, as passed by the House of Representatives as follows:

Be it enacted, etc., That on and after the day following the passage of this act, for the period of 10 months, there shall be levied, collected, and paid upon the following articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duty which are prescribed by this section, namely:

1. Wheat, 30 cents per bushel.
2. Wheat flour and semolina, 20 per cent ad valorem.
3. Corn or maize, 15 cents per bushel of 56 pounds.
4. Beans, provided for in paragraph 197 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, 2 cents per pound.
5. Peanuts or ground beans, 3 cents per pound.
6. Potatoes, 25 cents per bushel of 60 pounds.
7. Onions, 40 cents per bushel of 57 pounds.
8. Rice, cleaned, 2 cents per pound; uncleaned rice, or rice free of the outer hull and still having the inner cuticle on, 1¾ cents per pound; rice flour, and rice meal, and rice broken which will pass through a No. 12 wire sieve of a kind prescribed by the Secretary of the Treasury, one-fourth of 1 cent per pound; paddy, or rice having the outer hull on, three-fourths of 1 cent per pound.
9. Lemons, 1½ cents per pound.
10. Oils: Peanut, 26 cents per gallon; cottonseed, coconut, and soya bean, 20 cents per gallon.
11. Cattle, 30 per cent ad valorem.
12. Sheep: One year old or over, $2 per head; less than one year old, $1 per head.
13. Fresh mutton and lamb, 2½ cents per pound.
14. Cotton having a staple of 1⅛ inches or more in length, 7 cents per pound.
15. Manufactures of which cotton of the kind provided for in paragraph 14 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.
16. Wool, commonly known as clothing wool, including hair of the camel, angora goat, and alpaca, but not such wools as are commonly known as carpet wools: Unwashed, 15 cents per pound; washed, 30 cents per pound; scoured, 45 cents per pound. Unwashed wools shall be considered such as shall have been shorn from the animal without any cleaning; washed wools shall be considered such as have been washed with water only on the animal's back or on the skin; wools washed in any other manner than on the animal's back or on the skin shall be considered as scoured wool. On wool and hair provided for in this paragraph, which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound.
17. Wool and hair of the kind provided for in paragraph 16, when advanced in any manner or by any process of manufacture beyond the washed or scoured condition, and manufactures of which wool or hair of the kind provided for in paragraph 16 is the component material of chief value, 45 cents per pound in addition to the rates of duty imposed thereon by existing law.

SEC. 2. The rates of duty imposed by section 1 (except under paragraphs 15 and 17) in the case of articles on which a rate of duty is imposed by existing law, shall be in lieu of such rate of duty during the 10 months' period referred to in section 1.

SEC. 3. After the expiration of the 10 months' period referred to in section 1, the rates of duty upon the articles therein enumerated shall be those, if any, imposed thereon by existing law.

SEC. 4. The duties imposed by this act shall be levied, collected, and paid on the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the duties imposed by such act in 1913.

The bill was reported from the Committee on Finance with amendments.

Mr. McCUMBER. I ask that the Secretary may state the first amendment reported from the committee.

The PRESIDING OFFICER. The first amendment of the committee will be stated.

The READING CLERK. On page 2, line 1, before the word "cents," strike out "30" and insert "40," so as to read:

1. Wheat, 40 cents per bushel.

Mr. McKELLAR. Mr. President, the bill under consideration is commonly called the emergency tariff act. The title, on the face of the bill, is to impose "temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes."

In my judgment, Mr. President, neither one of these titles is a correct description of the bill. Either one of them is a misnomer. It might be called "a bill to increase the cost of living," or even "a bill to increase the high cost of living," or "a bill to aid the profiteers," or "a bill to aid the Sugar Trust," or "a bill to aid the wool and cotton manufacturers," or "a bill for the benefit and aid of the profiteers and speculators in staple food products in the United States."

Mr. MYERS. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Montana?

Mr. McKELLAR. I trust the Senator will permit me to go on, and I will yield to him later.

Mr. MYERS. Very well.

Mr. McKELLAR. Mr. President, I am not going to discuss all the items of this bill; I am going to take up just three of them at first—bread, meat, and sugar—and I shall discuss those three items separately. They are the prime necessities of life. They are the most important of all foodstuffs to the American people. I desire to discuss for a little while this afternoon the effect that the bill, if it is passed, is going to have upon these three prime necessities of life.

Mr. President, ever since the war came on and ever since the war ceased we have been talking about the high cost of living. One of the most popular slogans last year was to reduce the high cost of living. Orators, especially on the other side of the aisle, declaimed against the high cost of living. Bills were introduced to reduce the cost of living; and yet, within three months after the election has been held, aye, within 30 days after the election has been held, we find this bill brought in to restore the high cost of living to the American people.

Let us see for a moment what effect the measure is going to have. We might as well look the facts squarely in the face. The object of the bill is, primarily, to raise the prices of these three prime articles of food, and then many others. I am now talking only about the three that I have mentioned.

I shall take up bread first. According to the market reports, at the present time wheat is selling in New York at $1.87 a bushel. During the war Congress fixed a minimum price of $2.27 a bushel on wheat. The proposed tariff bill will raise the price of wheat to the war price of $2.27. In connection with the 20 per cent ad valorem on flour, it will raise flour to the war prices that we paid for that article.

Flour is selling at retail to the consumer now at $10.50 a barrel. This bill, if it has its natural, ordinary, and legal effect, will raise the price of flour at least $4 a barrel—not less than $4 a barrel. Let us see what sort of a tax that will be upon the American people.

Mr. McCUMBER. Will the Senator repeat that last statement?

Mr. McKELLAR. I said, if your bill has its legal and natural effect it should raise the price of flour $4 a barrel.

Mr. McCUMBER. On what basis?

Mr. McKELLAR. On the basis that you now have flour selling at $10.50 a barrel to the consumer. You add a tax of 40 per cent on the wheat, taking into consideration the 20 per cent upon the manufactured flour, and you can just work out the figures yourself. I know what the Senator is going to say, that this is an embargo on flour and it will not go that high.

Mr. McCUMBER. Oh, no.

Mr. McKELLAR. But if the bill has the effect its phraseology implies it will raise the price of flour in the neighborhood of $4 a barrel.

Mr. McCUMBER. Oh, no, Mr. President.

Mr. McKELLAR. I will yield to the Senator later. I hope he will let me put forth my premises at least and develop them just a little, and then I shall be delighted to yield.

Mr. McCUMBER. I thought the Senator wanted to be corrected if he made a mathematical error.

Mr. McKELLAR. No; I have not made a mathematical error. I have submitted these figures to men who I believe are experts; and while I think it is in a measure a guess, of course, and I think the Senator's guess may be very excellent, it may not be.

But I say that these duties on wheat and flour, if the law has its natural effect, will raise the price of flour to $14.50 a barrel, which was the war-time price for flour.

I want you gentlemen who have been decrying against profiteering to remember what you are doing when you vote for this bill. You will be raising the price of flour enormously to the consumer. It will raise the price to the war-time level, and to my mind that is indefensible at this time.

Let us see what it will mean in the way of a tax on the American people.

According to statistics given me by the division in the Library which obtains and furnishes statistics, every person in the United States consumes 1⅓ barrels of flour per year—to be absolutely exact, 1.34 barrels. There are 105,000,000 people, in round numbers, and I use only round numbers in the argument that I am proposing to make. Multiply the number of people by the amount of flour which each consumes and then multiply that result by $4 per barrel, and we have a tax upon the American people of $562,000,000. Suppose it is only one-half of that. Suppose the Senate so amends the bill that it increases the cost of flour only $2 a barrel; we then have $281,000,000 of tax placed upon the American people. Is it possible that this additional tax upon the American people can be imposed under the circumstances that now surround us without bringing forth complaints from the people?

But my friend the Senator from North Dakota [Mr. McCUMBER] says that the bill will be an embargo upon Canadian flour and all outside flour and that it will not raise the price that high. Perhaps it will not, but if it will not raise it at all what is the use of the bill? It is obliged to raise it. As I said, if it raises it according to its ordinary, natural, and legal effect, it will not be less than $4 a barrel, and in any event it will not be less than $2 a barrel, or nearly $281,000,000 on flour alone.

I notice that the Senator from Connecticut [Mr. McLEAN] is listening to what I am saying. I just wish to say to him that Connecticut is very much interested in the figures I am going to submit, because that State does not raise wheat to any appreciable extent, it does not raise sugar, it does not raise much meat, and this tax is, therefore, imposed upon his State with no corresponding benefit to the people of his State. I will give figures in just a few moments, not only for his State, but for all of the territory of New England, and show what it means to his State and that territory.

The Senator from North Dakota says that it is to the interest of the farmers; that we must tax the American people in the interest of the farmer. Let us see if we are taxing the American people in the interest of the farmer. How much of last year's crop of wheat is in the hands of the farmers? The information that I have is that it is about 20 to 25 per cent of last year's crop now in the hands of the farmers. The Senator from Kansas [Mr. CURTIS] said in reply to a question this morning that he would judge from the amount held in Kansas that it might be more than that; that it might be 40 per cent. At all events, the great body of last year's wheat crop is in the hands of the wheat speculators, in the hands of the profiteers. When we place a great tax like this upon the American people we must know what we are doing; that we are legislating into the pockets of the profiteer instead of into the pockets of the farmer.

Mr. McLEAN. Mr. President, will the Senator yield?

Mr. McKELLAR. I am delighted to yield to the Senator from Connecticut.

Mr. McLEAN. I may not be here when the Senator from Tennessee gets to the laboring man of Connecticut, and so, anticipating his argument, I will reply now.

Mr. McKELLAR. I shall be glad to hear what the Senator has to say, though I am not discussing this question from the standpoint of any class of her people. I am discussing it as it affects all the people.

Mr. McLEAN. I have listened with interest to the speeches which have been made on the other side of the Chamber, all of them alleging that this side of the Chamber is endeavoring to tax the laboring man's breakfast. It is my idea that the laboring man prefers good wages and a very lightly taxed breakfast to no wages and no breakfast, and that is the reason why the laboring men of Connecticut, who do their own thinking, are in favor of a protective tariff.

Mr. McKELLAR. I will say to the Senator from Connecticut that I am not inclined to differ with him about the supposed case he sets up, but that is not what I am talking about. I am asserting that the Senator from Connecticut and those who are similarly situated, when they vote for the tariff proposed in the bill imposing a tax on wheat, sugar, and meat, are voting to put a tax upon all the people in New England without any corresponding benefit to those people, because they do not raise meat there, they do not raise sugar there, and they do not raise wheat there to any extent. That is the reason why I say that. They do not raise enough to satisfy one-tenth of their consumption, as the figures show, and perhaps not one-twentieth. They are dependent on the outside world. It may be that some of their manufacturers may be profiteering on wheat and flour and they may be benefited incidentally, but there are not enough of them to count. As the Senator will see, the great body of the people whom he represents are not interested in the manufacture of flour or the raising of wheat, are not interested in the refining of sugar, and are not interested in the packing business. Their greatest interest in these three important articles is when they eat them, when they consume them.

I am here not in the interest of any class of people, but I say that the American people ought not to be taxed on the three prime necessities of life in any such manner as this bill proposes to tax them for the benefit of a few speculators and profiteers, principally.

Mr. McLEAN rose.

Mr. McKELLAR. Does the Senator from Connecticut wish me to yield further?

Mr. McLEAN. I do not desire to interrupt the Senator further except to say that we appreciate the fact in Connecticut that not only the farmers but every legitimate industry must be protected against ruinous competition from the outside. While we are not as extensively interested in agriculture as other sections of the Union may be, yet we manufacture a great many things, and we want a market for those products. If the farmers fail and have no money, then we suffer accordingly.

Mr. McKELLAR. Will the Senator enlighten us on how the farmers, who have already disposed of practically all their last year's crops, are going to be benefited by the imposition of a tax like this at this time?

Mr. McLEAN. The Senator assumes that the farmers have disposed of all their last year's crop. I think that is a false assumption.

Mr. McKELLAR. The Senator certainly has heard the figures stated in the Senate time and again showing that all the beet-sugar crop has been disposed of, that practically all of the corn crop that is salable or that is for sale that goes into commerce has been disposed of, and that at least 60 per cent and perhaps 75 or 80 per cent of the wheat has been disposed of, and that of these three products at least the greater volume of the crop is out of the hands of the farmer and now in the hands of speculators and middlemen or profiteers. Of course, the principal benefit of this proposed class legislation will not go to the farmer and can not go to the farmer under the terms of this bill, which lasts only 10 months under its own provisions, but must go to the speculators and profiteers.

Mr. STERLING. Mr. President, will the Senator yield for just a question?

Mr. McKELLAR. Certainly.

Mr. STERLING. What is the basis for the Senator's statement that the larger part of the corn crop has been disposed of throughout the country?

Mr. McKELLAR. It has not been disposed of in one sense, but of the larger part of the corn crop that is not usually put in commerce only a small portion of it goes in the markets. The greater part of the corn crop of this country, as the Senator knows, is used at home, but there is a certain proportion of it that is marketed. The portion that is marketed, so I am informed by the Department of Agriculture, has been largely disposed of. Of course, the farmers have kept it for their own use and for seed corn in part, but the marketable corn in large measure has been disposed of, just as the wheat and the sugar and the other articles like cattle and hogs have been disposed of.

Mr. STERLING. Does the Senator say that the Department of Agriculture makes the statement that the greater part of the corn that is marketable at all has been marketed?

Mr. McKELLAR. Yes; of last year's crop.

Mr. STERLING. I simply wish to say that that is contradictory to my own experience and the experience of my own State in regard to the time at which the corn crop is marketed.

Mr. McKELLAR. May I ask the Senator what proportion of the corn crop of South Dakota has been marketed?

Mr. STERLING. I can not state just what proportion has been marketed, but I can state that one-half of that which will be marketed is yet to be marketed.

Mr. KING. Mr. President——

Mr. McKELLAR. I yield to the Senator from Utah.

Mr. KING. The Senator from Connecticut a moment ago stated in substance that the American workingmen desire protection because under protection they have work and they have wages. Has not the Senator from Connecticut discovered the fact that the American workingmen, especially those who are engaged in manufacturing activities, have learned that their employment is dependent, in part at least, upon the exports of manufactured products, and that if the theory of the Republican Party with respect to protection is carried out to its logical end it prohibits exports because it prohibits imports, so that the result ultimately would be that our factories would either be diminished in their production or would close largely, and the American workingmen who are engaged in manufacturing pursuits would be thrown out of employment?

I fancy that the Senator stated the proposition too broadly if he intended to affirm that the American workingmen as a class favor the high protective theory to which the Senator from Connecticut appears to give his assent.

Mr. McLEAN. I do not know whether the Senator from Tennessee wishes to yield further.

Mr. McKELLAR. I would prefer to go on. I hope that these arguments as to the merits of free trade and protection may be carried on after the conclusion of my speech. However, I will yield to the Senator from Connecticut.

Mr. McLEAN. I will say to the Senator that the workingmen in Connecticut who do their own thinking—and a great many of them do—realize that our home market is 90 per cent or more of our total market, and that they are much better off when they preserve that market than they would be to surrender it to ruinous competition from abroad for the purpose of saving one-tenth of the total market.

Mr. McKELLAR. In discussing the question of how the farmers would be benefited by the legislation, I understood the Senator from North Dakota [Mr. McCUMBER], in charge of the bill, to state yesterday or the day before that while this year's crop would not fully benefit by the provisions of the bill, inasmuch as so much of the crop had already passed into the hands of the middlemen, that next year's crop would be benefited. To that suggestion I raised the point that the bill provides that it will not be in effect longer than 10 months. To that suggestion the Senator replied that new legislation is going to be had at the next session of Congress to protect the farmer.

If we wish to protect the farmer, Mr. President, why not let us wait and pass a bill next summer and protect him then?

Mr. McCUMBER. Mr. President, will the Senator allow me to answer the question?

Mr. McKELLAR. In just one moment. Why enact this legislation now when its principal result will not—and it can not be argued that it will—bring benefit to the farmer, but to the middlemen, the speculator, and the profiteer? Now I yield to the Senator from North Dakota.

Mr. McCUMBER. I think, if the Senator refers to me in making that statement, he is entirely incorrect.

Mr. McKELLAR. I hope I am fair. I should dislike very much to make an incorrect statement.

Mr. McCUMBER. Inasmuch as the Senator has asked the question, I will say that the crops can be raised and harvested while this legislation is still in effect.

Mr. McKELLAR. Mr. President, in reply to that suggestion I can imagine no better instrument in the hands of middlemen and speculators and profiteers next year than this, if another tariff bill is not passed, to hammer down the price of the farmers' crops on the ground that they will not buy until after December 1, when this proposed law will go out of existence if it shall be passed now. The bill, if enacted into law, will be a deadly instrument to the market; it will be used everywhere against the farmer. Of course, we know that the purchasers are going to buy as cheaply as it is possible, and they will use the early termination of this proposed tariff act 10 months after its enactment as a reason for not buying until after the tariff shall have been removed. I say that is an answer to the Senator's suggestion.

Mr. President, if we desire to aid the farmer—and this is supposed to be an emergency tariff bill for the benefit of the farmer—why do we not pass the bill at a time when it will help the farmer? The time to help the farmer is when his crops are in his hands, not after he has sold them to the middlemen. Senators talk about the crops that are now in the hands of the farmer. There are some few financially strong farmers in the country who have been able to hold their wheat, to hold their sugar, and to hold their corn, whom the bill may benefit, but the great body of the farmers, the men who toil and sweat to make their daily living out of the ground by work, have disposed of their crops, and this bill can not possibly help them. Should the bill be passed next year there would be more reason for passing it for the benefit of the farmer, but if it is passed now it will benefit the speculator and the profiteer, whom Senators on the other side, as well as on this side, have been condemning for more than a year; and yet Senators are now proposing to legislate for their special benefit by imposing tremendous additional burdens upon the American people. It is indefensible.

I come next to the question of meat. According to figures which have been furnished me by the Library of Congress there are 179.9 pounds of meat, generally speaking, beef and other meat, consumed by the people of the United States per annum per capita; there are 89.6 pounds of pork consumed per capita. The bill provides for a 2-cent tariff on all such meats. It is perfectly evident that, if the tariff is to have any effect at all, the price of meats will be raised 2 cents a pound minimum. I do not know that the American people desire an increase in the price of the meat which they purchase. Those prices are high enough now, Heaven knows. The consumer is certainly paying a tremendous price for his meat; I suppose we all know that. Is it desired to raise the price? Shall we raise the price for the benefit of the packers and other middlemen? Are not meat prices high enough now?

Mr. McLEAN. Mr. President——

Mr. McKELLAR. I will yield in a moment. Yet the increased burden upon the American people by reason of the tax of

2 cents a pound as provided in the bill, without considering any additional profit to the middleman, without assuming that the price will go beyond the 2-cent tax provided for in the bill, will reach the enormous total of $567,000,000. It is proposed to tax the American people in that amount for the interest of whom? The American farmer? As I have said, the great body of the last year's production of meat has passed from the farmers' hands and is in the hands of the packers, in the hands of the profiteers and speculators, and yet it is proposed to pass a bill here that will take from the people the enormous sum of $567,000,000, as shown by these figures——

Mr. McLEAN. Mr. President——

Mr. McKELLAR. I will yield to the Senator in just a moment—and vote it into the hands of a favored few of the packers, for the regulation of whose business we have recently passed a bill. I say it is indefensible. Now I yield to the Senator from Connecticut.

Mr. McLEAN. The Senator from Tennessee now is interested in the consumers of meat?

Mr. McKELLAR. I am.

Mr. McLEAN. He is assuming that they will be compelled to pay this proposed tax. He is assuming that the tariff duty will be added to the price the consumers will have to pay for meat.

Mr. McKELLAR. Of course, it will. We all know that that naturally will be so. There is not anyone who does not know that when a tariff duty is placed upon an article the duty is passed on to the consumer and that the consumer has to pay it.

Mr. McLEAN. If the Senator will wait until I conclude my sentence, I desire to say that the Senator knows that the price of meat in the hands of the packers has been rapidly declining for the past two or three months——

Mr. McKELLAR. Is that the reason for the advocacy of this bill?

Mr. McLEAN. The Senator also knows that the price of meats to the consumer has remained either stationary or has been advanced, though we read in the newspapers that sheep are selling for 3 or 4 cents a pound, beef on the hoof is selling for 9 and 10 cents a pound, while hogs are selling for 11 cents a pound; and yet the consumer of meat pays as much as he did three months ago. Is that the fault of the packer?

Mr. McKELLAR. I do not know whose fault it is, but I will say to the Senator that when a tariff is placed on meat the purpose of it is, in the first place, to raise the price for the benefit of the meat raisers. It can not possibly have any other purpose; that is the purpose that is announced for such legislation. If it does not raise the price, why the legislation? On the other hand, meats are now in the hands of the middleman to a very large extent, and what is being done by the passage of this bill, if it shall be passed, is to increase the price of meat to the consumer and to vote that increased price into the hands of the packing interests of the country, to a very large extent. Not to the raisers of meat, because last year's output is largely out of their hands.

Mr. McLEAN. I merely wanted to call the attention of the Senator from Tennessee to the fact that the wholesale price of meat seems to have no bearing whatever upon the retail price. It may be possible that the additional proposed tariff of 2 cents a pound will be taken advantage of by the packers to raise the price to the consumer——

Mr. McKELLAR. Did the Senator from Connecticut ever know the packers to fail to take advantage of that sort of a situation when it was to their interest to do so, or of any other opportunity?

Mr. McLEAN. But apparently the middleman and retailers have something to do with the making of retail prices of meat. That is the only point that I wish to call to the attention of the Senator from Tennessee.

Mr. McKELLAR. From that standpoint, I agree with the Senator, and I say that his argument is sound to that extent; but if we follow it to its legitimate conclusion we must add not only 2 cents a pound additional for meat, but we must add the middlemen's profit, the packers' profit, the wholesalers' profit, and the retailers' profit, so that, instead of costing the American people $567,000,000, it is very likely that it will cost them $1,200,000,000 before the law is repealed. That is the situation.

Mr. McLEAN. I think the Senator will concede that the retail price of all these products depends somewhat upon domestic competition among the retailers. There are over 1,200,000 retailers in this country——

Mr. McKELLAR. Does the Senator believe that the retail price of meat to the consumer will fall because an additional burden of 2 cents a pound is placed upon the meat?

Mr. McLEAN. I have not claimed any such thing.

Mr. McKELLAR. It seems to me the Senator is arguing along that line.

Mr. McLEAN. The price may be raised; I do not know that it will; but the only point that I wish to make is that, so far as the prices are concerned that are published in the newspapers, the rise and fall in the wholesale price has absolutely nothing to do with the retail price.

Mr. McKELLAR. If the Senator thinks that way about it, I do not think he can argue the matter with me, because my mind is made up on this question. I believe that almost everyone knows that when an additional tax is added to any article the consumer who buys that article has to pay more for it. If that were not true, I know the Senator from North Dakota [Mr. McCUMBER] so well that I am sure he would not be attempting to pass any such null and void legislation. What he wants to do on the record is to increase the prices so that the producers of foodstuffs shall get more for them on the farm. My complaint against him is that his bill does not effect that purpose but benefits almost entirely the middlemen.

Mr. McLEAN. Of course, that is what we all want and what we all hope will be accomplished—to benefit the producers.

Mr. McKELLAR. Both can not be done; you can not put an additional tax on a commodity and then expect the consuming public to get it cheaper; that is absolutely impossible.

Mr. McLEAN. The Senator may be right about that; I am not disputing that; but our purpose, as I understand it, is to raise the prices received by the producers of meat, because if competition from abroad shall drive the American sheep raiser off American soil and discourage our cattle growers so that they will cease raising cattle in due time we shall be dependent upon Australia and Argentina for our mutton and beef, and I think the American consumer will then find that it would have been to his benefit if we had protected the American producer of beef and mutton.

Mr. McKELLAR. If the Senator can frame a law that will increase the price to the producer and at the same time decrease the price to the consumer, he will frame a law the like of which has never been enacted heretofore in the history of the world. The only proposition that I know that compares with it at all is a statement of a Member of the other House from my State a number of years ago, who said that he invariably voted for every appropriation bill but voted against every taxation bill. The two situations are somewhat similar. I will say to the Senator, however, that if he intends to vote for this bill with a view that it will increase the price to the producer and decrease the price to the consumer he is going to be woefully disappointed about the effect of the bill.

Mr. McLEAN. I have not claimed any such thing. My purpose in voting for the bill——

Mr. McKELLAR. I do not understand just what the Senator means unless he argues in behalf of that proposition.

Mr. McLEAN. My purpose in voting for this bill is to stabilize prices to the producers——

Mr. McKELLAR. Not to stabilize, but to increase the prices to the producers.

Mr. McLEAN. Very well; to increase the prices received by the cattle growers and the sheep raisers of the country. If it shall result that the tax will be charged to the consumer—and I do not say whether it will or not; all I say is that the middlemen control largely the price to the consumer; it depends a great deal upon the character of the domestic competition as to what the price to the consumer will be—assuming that the tax will be added to the price of the consumer, I realize that the consumer must pay it, and then my position is that in the long run it will be better for him to pay that tax than to wait until the American producers of meat are driven from the market and the market is controlled by the foreign producers, who will then put their prices up to the highest rate that the trade will bear.

Mr. McKELLAR. Mr. President, I am perfectly willing for the Senator to entertain those views, but what I am trying to point out this afternoon is how much the tariff duties are going to cost the American people, what additional tax it is going to mean on meats, what additional tax it is going to mean on flour, what additional tax is going to be imposed on sugar, which are three prime necessities of food in this country. I am going to show before I get through, if I am permitted to do so, exactly what it is going to cost the people of the United States and incidentally of Connecticut to have to pay this increased tax, if they are required to pay it if this bill passes and becomes a law, and how much it will cost the people of a number of other States.

Mr. McCUMBER. Mr. President, will the Senator yield to me for just a question along that line?

Mr. McKELLAR. I shall be glad to yield. I will say to the Senator before he starts that I hope to develop what I have in mind, and I shall be glad to answer questions later, if he will agree to that plan; but, of course, I yield.

Mr. McCUMBER. I think this is so near to the point that it will show the difference between the Senator from Tennessee and the Senator from Connecticut.

Mr. McKELLAR. I yield.

Mr. McCUMBER. The other day when a sheep raiser in one of the Western States—Wyoming, I think—sent nearly 2,000 ewes to the Chicago market he realized a net profit of 32 cents a sheep after he had paid the expenses and the cost of shipping. He got for his sheep, after he had paid the freight and the cost of feeding and the commission, 32 cents for a whole sheep.

At the same time I bought four little lamb chops down here—the whole four of them would not weigh more than three-quarters of a pound—and paid 80 cents for them, or almost two and a half times as much as this farmer received for his whole sheep. Does not the Senator think there is plenty of spread between what the farmer got and is getting to-day and what the retail merchant or butcher here in the city is getting, so that that 2 cents a pound could be absorbed without the retailer raising his price?

Mr. McKELLAR. Mr. President, I recall seeing the first part of the Senator's suggestion in the newspapers at the time. It was published everywhere, doubtless, and is a very unusual case. I do not know what the particular facts were about the shipment, and if that farmer got only that small price for his sheep, that is a very deplorable situation; but what I am calling the Senator's attention to is the fact that this bill does not protect that kind of farmers. The time is past when you can protect those farmers. Their crops are already sold. What you are doing is protecting the interests of the packers, in whose hands the meats are and who bought them at the ridiculously low figure of which the Senator speaks. It is no argument to bring forward an illustration of that kind in answer to the proposition that whenever you increase the taxes on meats, or any other article, you necessarily increase the price to the consumer.

Now, Mr. President, I come to the next proposition. I am sorry the Senators from Louisiana are not here. I want to show them, also, what the effect of this legislation upon sugar is going to be.

It has been just a short time since the Senate, I think almost unanimously, passed a bill having for its purpose to reduce the price of sugar. Sugar was selling, I think, at from 23 to 30 cents a pound; and, by the way, it was selling at twenty-odd cents, 22 or 23 cents, in New York, perhaps, and down in my State it was selling at 27 cents, and in some other States it was selling at 25 cents, and in each State or Territory at a different figure. They had divided the country up into districts, and were selling sugar at different prices throughout all our country. The Senator from Oregon [Mr. McNARY] very properly introduced a bill to equalize the prices, and, if possible, to bring about a reduction of prices. At that time almost every Senator except the Senators from Louisiana and the Senators from Utah, I believe, and Senators from the great sugar-beet growing States, were here decrying the prices of the sugar profiteers. They were saying that we ought by law not only to reduce the price of sugar but that we ought to put in jail the sugar profiteers.

It has been only a few months since the Senate took that position; and now that sugar has come down to something like reasonable figures, to nearly prewar figures, the first thing we find is that Senators in this Chamber have introduced a bill that will raise the price of sugar. Mind you, two years ago, or less than two years ago, we were describing these very men as malefactors of great wealth and profiteers, and wanted to send them to jail, and now we are legislating money into their pockets.

Everybody knows that the sugar of this country is controlled by a trust. Everybody knows that all the beet sugar—and the beet sugar forms about five-sixths, I believe, of the sugar that is raised in this country—is out of the hands of the farmer. You can not benefit the beet growers by the passage of this bill. Whom do you benefit chiefly? Why, you benefit the Sugar Trust. The moment you put this tariff on sugar, you raise the price of sugar at the minimum 3½ cents a pound, and you may raise it more before you get through with it. It certainly can not be less than 3½ cents; and let us see what kind of a tax you are placing upon the American people when you impose this kind of a tax upon sugar.

Making the calculations in the same way, every person in this country uses 82.26 pounds of sugar per year, according to statistics furnished me. You raise the price at the minimum 3½ cents a pound, and you put another tax of $302,000,000 more upon the American people. It may be replied that there are sugar farmers in Louisiana who have not yet disposed of their crop, and that it will benefit them. I assume that this is true; but when you do it, my friends, I want you to realize what you are doing. You are putting a tax of $302,000,000 upon the American people to benefit the sugar farmers in Louisiana alone.

All I can say about the matter is this: In my humble judgment, it would pay the United States Government to take over the Louisiana sugar crop and give it away rather than to impose this enormous burden upon the American people. Why, it would pay the United States Government, rather than to impose this upward of $300,000,000 of taxation upon the backs of the people, to buy the sugar crop of Louisiana at 3½ cents advance, and then sell it for the best price it could get.

Mr. McCUMBER. Mr. President, on the same theory, would it not pay the United States to destroy the entire sugar production in the United States, and buy all the sugar abroad?

Mr. McKELLAR. Of course, I assume that the Senator is joking. He certainly can not be serious in making that statement, and of course I shall not undertake to answer it seriously.

Mr. GRONNA. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield to the Senator from North Dakota.

Mr. GRONNA. I want to ask the Senator from Tennessee if he believes that a tariff on cotton would increase the price of cotton?

Mr. McKELLAR. Not a cent; not a sou.

Mr. GRONNA. Then is it not reasonable to suppose that if the sugar industry is protected so as to permit the producers of sugar in this country to build up that industry so that we are independent of any foreign nation, the tax on sugar will not affect the price of sugar?

Mr. McKELLAR. Why, no, Mr. President. I think that whenever you impose an additional tax on a commodity the greater part of which is raised abroad, you are going to raise the price. That is conceded. I heard the Senator from North Dakota [Mr. McCUMBER] concede that the price of sugar would be increased by the imposition of this tax. Here is an article that is now selling at less than 4½ cents at the ports. No one can deny that when you put an additional tax of 3½ cents a pound on it you are not merely going to increase the price 3½ cents, but the middlemen, the refiners, the distributors, the wholesalers, and the retailers are all going to add just a little more to the price that is demanded, and we may confidently expect 12-cent sugar if this bill becomes the law. As I say, it has taken us two years to get the price of sugar down to a reasonable figure; and yet as soon as it comes down to a point where the American people can get their sugar at a reasonable price, it is proposed by our Republican friends to lift it up by law! I say it is indefensible.

Mr. GRONNA. If the Senator will permit me further, I agree with the Senator from Tennessee that a tax on sugar at the present time in all probability would increase the price of sugar.

Mr. McKELLAR. Why, of course.

Mr. GRONNA. But let us suppose that the American sugar grower produces an abundance of sugar, not only enough to feed the American people but enough for export. Would the Senator say that a tax would still increase the price of sugar?

Mr. McKELLAR. Why, no; with reservations, but that is an impossible assumption, for this reason: I have not the figures before me, but my recollection is that we make now only about one-sixth of the sugar that we consume. It may be a little more than that, but it is, comparatively speaking, a small proportion. It may be more than that. It is less than half.

Mr. GRONNA. Is not the policy of the protective tariff for the very purpose of encouraging industry and increasing production?

Mr. McKELLAR. I do not know how it will encourage industry. I can not say about that. My statement about the matter, though, is that the principal beneficiary of this legislation is going to be the Sugar Trust. Has the Senator any doubt about it? I just ask the Senator that question. Now, I know that the Senator is a fair man. I have known him a long time, and I have the utmost respect for him, and I have seen him stand by his convictions of right under very difficult circumstances. I am going to ask him a fair question. If we pass this bill, will not the greatest benefit of the tariff on sugar go to the Sugar Trust?

Mr. GRONNA. I believe it will at the present time. I may be mistaken, but the sugar people have the sugar at the present time. Of course, I must say to the Senator, however, that I believe it will encourage the industry, and ultimately it will build it up, the same as it has built up the industry of cotton and the industry of wheat.

Mr. McKELLAR. But, Mr. President, it lasts only 10 months. How are we going to build up an industry in that time for the benefit of the farmer?

Mr. GRONNA. My colleague [Mr. McCUMBER] tells me, if the Senator will permit me, that they are going to pass in the next Congress another bill, which will follow this, so that it will be permanent.

Mr. McKELLAR. Ah! That is just what I wanted to call the Senator's attention to. Why not wait until the next season, when we can benefit the farmer? Why is it that we are asked to pass this so-called emergency legislation now, when the farmers will not get any benefit of it, and when the Sugar Trust will get the benefit of it? If it is going to be put in the next tariff bill, why not wait until that time? Why is there an emergency?

Mr. GRONNA. If the Senator will allow me to answer that question, I believe I can answer it. This is the very time when the producer of sugar beets wants to know what he is going to get for his product, and there will not be as large an area of sugar beets planted with no tariff as there would be with a tariff. The Senator will admit that.

Mr. McKELLAR. No; I do not admit that. It is always a great pleasure for me to talk to the Senator from North Dakota, because I know there is one characteristic about him—he will agree to facts. I want to ask the Senator if the buyer of beet sugar knows that this law is to be in effect but 10 months, will he be very anxious to make contracts for sugar that he believes must go down when the tax is removed? That is susceptible of being answered "Yes" or "No." I know the Senator has an explanation, and I know what the Senator is going to say in explanation; but does not the Senator know that the Sugar Trust will use this for the purpose of hammering down the price?

Mr. GRONNA. I certainly am not here to defend the Sugar Trust or any other trust, and I very often agree with the Senator from Tennessee on that very question. But the Senator from North Carolina [Mr. SIMMONS] argued—and as he always does, argued very well—that the tariff on wheat will not benefit the wheat farmers.

Mr. SIMMONS. I did not make that argument exactly.

Mr. McKELLAR. I differ with the Senator from North Carolina if he made that argument.

Mr. GRONNA. That referred to wheat.

Mr. McKELLAR. I do not care what it referred to. If you put a tax on any article imported here, it will increase the price.

Mr. GRONNA. The Senator from Tennessee has admitted, I believe, that a tariff on cotton would not increase the price of cotton.

Mr. McKELLAR. That is a wholly different matter, because we import little cotton. There are certain kinds of long-staple cotton we import, but the quantity is inconsequential. We produce nearly two-thirds of the world's crop of cotton. A tariff one way or the other does not affect cotton, and can not affect cotton. So that the two cases are not similar at all.

Mr. SIMMONS. Mr. President, the Senator did not properly state my position. My position was that the imports of wheat into this country were so insignificant as compared with the production of wheat in this country, that those importations would not affect the price of wheat in this country. In other words, that a small amount of products coming in from another country can not lift up the level of prices of an enormous surplus in the country into which it is imported. Wheat and cotton stand on the same basis.

Mr. McKELLAR. I want to make this suggestion to the Senator from North Dakota [Mr. GRONNA]. The Senator and I have voted and worked probably as consistently in favor of every measure that will benefit the farmer as any two Senators here, and I feel very highly honored to be put in the same category with the Senator in regard to benefiting or helping to benefit the farmer.

Mr. GRONNA. That feeling is mutual.

Mr. McKELLAR. Both of us being in favor of the farmer, wanting to pass some legislation which will benefit the farmer primarily, why would not the Senator be willing to have an amendment put on this bill to postpone the effect of it for six months, when it will benefit the next crop the farmers will produce, and then let it run 10 months, so that it will benefit the farmer rather than benefit the speculators, and the middlemen, and the profiteers?

Mr. GRONNA. Mr. President, I want to be very frank with the Senator, because he is always frank. The farmers of the United States have produced an abundance. We still have some 60,000,000 head of cattle; we have some 40,000,000 head of sheep; we have 70,000,000 head of swine still in the farmers' hands. We have an abundance of dairy products and of poultry products; and people very often forget that the poultry industry is greater than the wheat industry. There are more dollars and cents involved in the production of poultry than in the production of wheat. All these various agricultural products are taken into consideration in this bill. As I said to the Senate the other day, in one cold-storage warehouse in the city of New York the Senator will find more than 5,000,000 pounds of Danish butter stored, butter that was imported into this country.

Mr. McKELLAR. Just one minute. When the Senator adds 5 cents a pound to butter—is that the tax?

Mr. POMERENE. Eight cents.

Mr. McKELLAR. When 8 cents a pound is added to butter, look how much we would be legislating into the pockets of these speculators in butter in the warehouses the Senator has just spoken of.

Mr. GRONNA. I have just stated that the parties who hold the present stock would be benefited. There is not any doubt about that. But we never will reach the time when conditions will be ideal with respect to the tariff. We must assume that we are legislating not only for the present time but for the future.

Mr. McKELLAR. We can not assume that, because the bill is to go out of effect in 10 months after its adoption. We can not assume that. Of course, we can expect that another tariff bill is to be passed; we can talk about another tariff bill being passed; we can believe, Mr. President, that another tariff bill will be passed, but we do not know what is going to be done about it. We are dealing with this bill. You are presenting this bill as an emergency measure to help the farmer, and I am showing to you in my humble way that this is a mistake; that you are not helping the farmer; that you are legislating the people's money into the hands of the speculators and the profiteers; and a precious little of it, not enough to tell a tale, is going into the farmers' pockets. I am not a protectionist, but I would feel much easier in my own mind if this bill were passed at a time when it would really help the farmers, because I think they ought to be helped whenever we can do it. They are the great sources of all our wealth. They are the people who sustain the rest of the world. Their trials are many and their work is hard. Whenever we can help them, it is our duty to help them. But do not let us pass this bill at a time when it will not help the farmer even to a limited extent, but will help the profiteer to an immeasurable extent, help the sugar profiteers, help the meat profiteers, help the flour and grain profiteers. Every profiteer in grain in this country will be benefited. I am just dealing with these three articles at this time. The same argument applies to the other 18 or 20 articles in the bill. I just want to show to you gentlemen what you are going to vote for. According to the figures I have produced and read, and show you exactly how they were arrived at, at the lowest calculation you are going to put a tax of one billion and more than four hundred million dollars on the American people.

Mr. President, I do not think this is the time when we should put additional burdens upon the American people. Already we are straining to pay the taxes that are now upon us. We have just had an enormous tax imposed upon us by this late war. We are going to spend $4,000,000,000 this year to carry on the ordinary functions of the Government and to pay the interest on our public debt. We are not getting the interest due us from foreign nations. We are not getting our debts paid to us. We have just had to pay to the railroads the enormous sum of over a thousand million dollars, and permit them to tax the people $1,600,000,000 more. All these taxes are imposed upon the people, and the people are groaning under them. It is indefensible. It is almost criminal, it seems to me, to put an additional tax of a billion and a half, and perhaps $2,000,000,000, upon the three prime necessities of life, namely, bread, meat, and sugar. It is indefensible, in my judgment; and I do not believe it is going to benefit your wheat farmers in North Dakota to any appreciable extent, for this reason, that there is a limitation upon the act of 10 months, and there are very few farmers, except the well-to-do, who still have their wheat.

Mr. GRONNA. Of course, it would take in the next crop.

Mr. McKELLAR. No; it will not take in the next crop, because these same speculators, these same profiteers, will use it for the purpose of bearing down upon the farmer. They will not buy until after the expiration of the 10 months. I am sorry the senior Senator from North Dakota is not here. I would like to ask him why it was that this so-called emergency legislation in favor of the farmer bears a limitation of just 10 months and is put on at a time when you can not benefit the farmer, when you must benefit the profiteers and the gamblers in all these crops. Maybe the junior Senator from North

Dakota can answer why it is that a limit of 10 months is placed on it.

Mr. GRONNA. Mr. President, if the Senator addresses that question to me, I will simply say that, fortunately or unfortunately, I am not a member of the Committee on Finance. But what I rose to say, if the Senator will pardon me for another moment, was something with reference to the sugar question. But I observe that the Senator from Louisiana [Mr. RANSDELL] is present, and he can analyze that question better than I.

Mr. RANSDELL. Mr. President, may I ask a question right there?

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Louisiana?

Mr. McKELLAR. I yield.

Mr. RANSDELL. I would like to know what the Sugar Trust is and how the Sugar Trust is going to be benefited. You gentlemen are talking about something I do not know anything about. I have just heard this kind of talk in a wild way around here, and I venture to say there is not a man who could tell us what the Sugar Trust is and how the Sugar Trust is going to benefit. If you can, I wish you would do it right now. I ask the question in all earnestness, how it would benefit, and who it is.

Mr. McKELLAR. Does the Senator deny that there is a Sugar Trust?

Mr. RANSDELL. I neither deny nor affirm. I am asking a question. Senators have made the statement here. "He who asserts must prove" is one of the earliest things I learned as a law student. You have made the assertion. I call on you for proof.

Mr. McKELLAR. All right; I will ask any Senator——

Mr. RANSDELL. No; do not ask any Senator. You prove it yourself.

Mr. McKELLAR. I will prove it myself, and take great pleasure in doing it. If there is any Senator in this Chamber who will affirm that there is no Sugar Trust, I wish he would rise and affirm it. None seem to rise.

Mr. RANSDELL. That is begging the question absolutely, Mr. President. The Senator has talked about a Sugar Trust. He has denounced somebody who has no one here so poor to do him the slightest bit of reverence, some hidden man whose identity is not disclosed. I am not defending him, I want Senators to understand. The Louisiana sugar planters surely do not constitute any trust. The interest I have in this bill is a desire for some kind of relief for the sugar growers of Louisiana; but the Senator made a statement about the trust, and I think in all fairness he ought to tell the Senate what this trust is. The Senator from North Carolina [Mr. SIMMONS] is trying to post my friend from Tennessee. If the Senator from North Carolina knows what the Sugar Trust is, I should be glad to have him get up and tell us. He has probably had a chance to find out, for they have been investigating sugar for a long time. They made it the subject of extensive inquiry when I was in the House of Representatives some years ago. The present Senator elect of Georgia was chairman of the sugar-investigating committee. We had it many times in every imaginable form. Lots of evidence was brought out, but I do not know what facts were brought out. How would it benefit the trust, I would like to know, if anybody can answer. I am asking for information.

Mr. McKELLAR. If the Senator will just give me a little time to reply, and not take up all my time, I will be glad to answer him.

Mr. RANSDELL. The Senator from Tennessee has been calling for the Senator from Louisiana, when I was outside, and sent for him to come in.

Mr. McKELLAR. I am glad the Senator came in, because I know he is, as he should be, always willing to defend the interests of his own State, and I know the interests of his own State are very largely wrapped up in sugar. We all understand that, and it has been so all the time. I remember the investigations of the Sugar Trust in the House. They have had several investigations of that trust in the House. That anybody should ever deny that there was a Sugar Trust in this country——

Mr. THOMAS. The Hardwick committee reported one.

Mr. McKELLAR. The committee in the House reported one.

Mr. SIMMONS. After a long investigation.

Mr. McKELLAR. I do not remember which investigation it was, as there were several of them, but every one of them reported a Sugar Trust.

Mr. RANSDELL. I would like to have somebody tell me about it.

Mr. McKELLAR. Just wait a minute. My friend from Louisiana has asked me a question, and I am trying to answer him to the best of my ability. These investigations in the House showed that there was a Sugar Trust. There have been a number of cases in the Supreme Court involving the Sugar Trust. There has never been a denial of there being a Sugar Trust. There can not be a denial that there is a Sugar Trust, because we know it exists. The Senator from Louisiana is not willing to affirm that there is no Sugar Trust; he has not done it. He said he would not deny or affirm, and when a man stands mute, the evidence is against him, according to the ordinary rules of evidence.

Mr. RANSDELL. Mr. President——

Mr. McKELLAR. Just a moment, and I will yield to the Senator.

Mr. RANSDELL. Mr. President——

Mr. McKELLAR. Will the Senator just wait for me a moment?

Mr. RANSDELL. Certainly.

Mr. McKELLAR. The Senator asked a question, and I desire to answer it. I am not going to take as long to answer it as the Senator did to ask it.

Mr. RANSDELL. The Senator has not yet answered my question.

Mr. McKELLAR. I do not know what an answer is then. Since I have thought about it, I remember that former Senator Hardwick, I do not know whether when he was a Member of the House or when he was a Member of the Senate, was the chairman of an investigation committee—I think both in the House and in the Senate—to examine into the Sugar Trust, and that committee reported that there was a Sugar Trust. The first person I have ever heard suggest that there was not a Sugar Trust is the Senator from Louisiana.

Mr. RANSDELL. Will the Senator yield now for a question?

Mr. McKELLAR. I yield.

Mr. RANSDELL. Is this a good trust or a bad trust?

Mr. McKELLAR. I do not know.

Mr. RANSDELL. Is it a real trust?

Mr. McKELLAR. Just a moment, if the Senator please, and I will answer.

Mr. THOMAS. It is a sweet trust.

Mr. McKELLAR. The Senator from Colorado says it is a sweet trust, and I think it is. Outside of that the Supreme Court is the only body in the country that ever determines whether a trust is a good trust or a bad trust. While the Sugar Trust has been before the Supreme Court, my recollection is that it was not decided whether the Sugar Trust was a good trust or a bad trust, so it is still running.

Mr. RANSDELL. It is still running, is it not?

Mr. McKELLAR. It is running.

Mr. RANSDELL. And it is mulcting the American people to the tune of a great many million dollars a year?

Mr. McKELLAR. I will give the Senator the figures if he wishes to know.

Mr. RANSDELL. I am anxious that the Senator should answer my question. Is the Sugar Trust really mulcting the American people to the tune of a great many million dollars a year?

Mr. McKELLAR. I can not give the exact figures as to how many million dollars are involved, but I will say that during the war, when the enormous price of 23 to 30 cents a pound was imposed upon the American people for their sugar and when the Sugar Trust was earning enormous dividends, they were mulcting the American people. I had intended to come to that a little later in my speech, but I will come to it right now. About a year ago the Senator from Kansas [Mr. CAPPER] had something to say about the trust and about the earnings of the trust. I call the attention of the Senator from Louisiana to what the Senator from Kansas said just a year ago the 24th day of last January on the subject of sugar. He said:

> Just now the greatest get-rich-quick game in America is gouging in sugar. It is a mighty sweet and rich business for profit cormorants.

The Senator can find out from this just what the Senator from Kansas said about the trust, whether it was a good trust or a bad trust. I see that he ratifies the Senator from Colorado in the statement that in all events it is a sweet trust.

Mr. RANSDELL. It is still running, is it not?

Mr. McKELLAR. Still running as a sweet trust.

Mr. RANSDELL. It has been before the Supreme Court of the United States?

Mr. McKELLAR. Oh, yes. The Senator from Kansas further said:

> The Equalization Board held the refiners down as to price. So in the name of Great Britain and France they bought up the Cuban sugar crop and exported it to those countries at a higher figure than the board would allow these men to sell it in the United States. And this

Government let them do it. As a result the increase in the price of sugar will add a billion dollars to the burdens now being borne by the American people. The stock of the Cuba-American Sugar Co. has advanced more than 200 per cent in the last 12 months—probably because of the "sugar shortage." The remarkable rise in its stock quotations indicates it is near a rich mine of easy money.

Mr. RANSDELL. Will the Senator yield for another question?

Mr. McKELLAR. I yield.

Mr. RANSDELL. I desire to propound this question to the Senator in all seriousness. He is a very prominent member of the Democratic Party, which has been in power for eight years. We have had the President, and we have had the Attorney General, and we have had a Democratic Senate here for the greater part of the time. If this be such a vicious trust, I desire to know why it has not been put out of business by our party. I want to know further why the Senator has not gotten up on the floor of the Senate and denounced it as one of the horrible trusts of the country, and called upon the President and the Attorney General to put it out of business?

Mr. McKELLAR. I will take great pleasure in answering the question about the Democratic Party in connection with the particular bill that is now pending, and especially the sugar item in the bill. I am glad the Senator called attention to it. When the Democratic Party speaks every four years every Democrat in the land is supposed to stand-by and uphold the principles then and there announced. I wish to call the Senator's attention to what that party last July at the San Francisco convention had to say upon the subject of the tariff. I wish to commend it to the Senator. I read from the platform of the Democratic Party:

> We reaffirm the traditional policy of the Democratic Party in favor of a tariff for revenue only, and we confirm the policy of basing tariff revision upon the intelligent research of a nonpartisan commission rather than upon the demands of selfish interests temporarily held in abeyance.

Mr. President, that is the policy of the Democratic Party in regard to the tariff upon which I stand and which I affirm at this time and at all times. It is the cardinal principle of our party to stand against a tariff for protection and to stand for a tariff for revenue only. If the last bulwark of our party is thrown aside by Democratic Senators, I say they are trampling upon the first doctrine of the Democratic Party. I do not know how Democratic Senators who are going to violate that party's policy are going to settle with their consciences. When some private interest in one's own State says that it has to be protected, then the temptation is to go over to the other side—to the Republicans—on this issue. I do not believe in that kind of doctrine. I do not believe in that kind of party allegiance. We ought to stand with our party, stand by its principles, and stand by its platform as announced by its latest convention.

Mr. THOMAS. Mr. President——

Mr. McKELLAR. I yield to the Senator from Colorado.

Mr. RANSDELL. Well, Mr. President, it seems to me the Senator ought to yield to me, inasmuch as he has not yet answered my question. He ought to give me a chance to come back. The Senator has not yet answered my question.

Mr. THOMAS. I will not interpose at this time.

Mr. McKELLAR. The Senator from Colorado rose while the Senator from Louisiana was still on his feet, and I thought I should yield to him. However, I will yield to the Senator from Louisiana.

Mr. RANSDELL. As long as I had asked the Senator a question——

Mr. THOMAS. I give way to the Senator from Louisiana.

Mr. RANSDELL. I thank the Senator. As long as I had asked the Senator from Tennessee a question which I contend he has not touched with a million-foot pole and has not answered yet in any way, I think I should be permitted to say something. I asked the Senator from Tennessee why the Democratic Party had not prosecuted the Sugar Trust if it was such a bad trust. I asked, if it were such a bad trust, why the Supreme Court was allowing it to go on. Now, the Senator has gotten off on the question of a tariff for revenue. I desire to answer that argument in just a moment.

If there is one article in all the tariff schedule that brings revenue, it is sugar. It has always been a revenue producer, Mr. President and Senators, since the first tariff bill was enacted in 1789. When sugar was put on the free list by Democratic votes, I am sorry to say, and the Simmons-Underwood bill was enacted, sugar at that time was bringing in $54,000,000 revenue. Under a tariff bill that was bringing in about $300,000,000 revenue, $54,000,000 was from sugar. That was a revenue producer, and a tariff for revenue is good, sound Democratic doctrine. It has always been Democratic doctrine. If there be some incidental protection, there has never been any objection to it. Did we not pass a tariff bill, one of the first acts of the Democratic administration, to reduce the high rates of the former Republican administration? We surely did, and we left out, I repeat, I am sorry to say, that one article which gave more revenue than any other and nearly twice as much as any other, thereby violating the policy which our party had pursued in every single, solitary Democratic administration from the foundation of this Government.

Mr. McKELLAR. I do not believe there is any question in that speech on sugar. I thought the Senator rose to ask me a question, but I do not understand that it is a question.

I wish to say, just in reply to what the Senator has said, if I may be permitted to go on in my own time for just a moment—I will yield to any and all Senators in due time; I am willing for them all to come, but let it be one at a time.

The argument of the Senator from Louisiana is the same argument that every protectionist in the country has always advanced. There is no difference in the world. The Senator from Wyoming and all the Senators from the woolgrowing States make the same argument about wool. The Senators from the manufacturing and industrial regions of the North and East make the same argument about matters in which their States are interested. It is the protectionist idea. It is the Republican doctrine.

The only thing I can say to the Senator is that the party to which I belong has never espoused the cause of protection, but it is for a tariff for revenue only. It is not contended that the bill now pending is for the purpose of raising revenue. It is an emergency bill for the benefit and alleged protection of the farmers, as I have sought to point out time and time again. That is the avowed purpose; that is the purpose on its face. It is to exist for a limited time only, 10 months, and yet the Senator from Louisiana says that as a Democrat he is justified in voting for it. Of course, every Senator must decide these things for himself, whether he stands by the party or against it, whether he stands by its platform or against it, whether he regards his party platform as nugatory on some matters and sound on others. That is a matter for the particular Senator to determine. So far as I am concerned, however, I believe that when the party speaks it is the duty of all Democrats to stand by that party. The fact that there may be some particular interest that we wish to subserve, which we would gladly subserve in many cases, ought not to be a reason for violating the fundamental tenets of our party, and especially so when it will not be for the benefit of State or Nation.

I hear Senators on all sides saying they are going to vote for the emergency tariff bill because it is claimed that it is a farmers' measure. They are going to espouse the cause of the Republican Party, they are going to adopt the Republican Party's platform on the subject, because they think that some interests in their States will be benefited. I wish to call their attention to the fact that their States will not benefit by the imposition of this enormous tax, amounting at least to one and one-half billion dollars, upon the American people at this time, and perhaps twice that sum before the 10 months are over.

Mr. POMERENE. Mr. President——

Mr. McKELLAR. I promised to yield to the Senator from Colorado first. I will yield to the Senator from Ohio in just a moment.

Mr. THOMAS. My purpose in rising was to state, in connection with the query of the Senator from Louisiana [Mr. RANSDELL], that an investigation of the sugar situation was ordered by resolution of the House of Representatives of, I think, the Sixty-fourth Congress; at any rate, the Congress which was elected in November of 1910.

Mr. McKELLAR. That was the Sixty-second Congress.

Mr. THOMAS. It may have been the Sixty-second Congress. The investigation was conducted by a committee whose chairman was the then Representative Hardwick, of Georgia.

Mr. McKELLAR. Who afterwards was Senator and who is now the governor of Georgia.

Mr. THOMAS. Who afterwards occupied a seat in the Senate and is now governor elect of his State. That committee sat the entire summer, as I remember, of 1911, and obtained all the information which seemed to be available upon the subject. It made a report to the House of Representatives in the fall of that year. That report confirmed the impression of the existence of what was called the Sugar Trust, the head of which was the American Sugar Refining Co.

Mr. SMOOT. And to which I referred a while ago.

Mr. THOMAS. And the Havemeyers controlled it. The report stated, among other things, in support of its conclusions, that either the company or those controlling it held a majority of the stock of nearly all of the beet-sugar companies in the United States, giving the amounts, the dates of purchase, and sometimes the amount of the purchase money. In consequence

of that report, or, at any rate, about the time the report was made, a suit was instituted by the Department of Justice, I think by Attorney General Wickersham, of the Taft administration. That suit followed the usual course of such great controversies. Reference was made by the court to a master to take testimony, and again an enormous volume of evidence upon the subject was secured. Pending the determination of the case the World War broke out, and I presume, although I can not say so with certainty, that the fate of that case was practically the fate of the other great trust cases which were then pending, which were either indefinitely postponed or postponed during the progress of the war.

Whether or not the Supreme Court has ever reached the case I can not say, but there can be no question about the fact that, so far as the official investigation of the other House goes, so far as the action of the Department of Justice goes, there was a trust, good, bad, or indifferent, which the Government felt justified in trying to dissolve. The Wilson administration continued the prosecution until the war. That is the testimony, so far as I know, upon the subject. I do know that popular opinion approved the report of the committee, and personally I have no doubt it was correct, for I have read nearly all the testimony upon which it was based.

Mr. McKELLAR. Mr. President, I am greatly indebted to the Senator from Colorado for his very clear and cogent proof that a Sugar Trust existed then and exists now. I did not recall the facts in connection with the matter when first confronted with the question of the Senator from Louisiana [Mr. RANSDELL], but, from the facts known to everybody, I have never heard of the existence of a Sugar Trust in this country being questioned until it was questioned just then by the Senator from Louisiana.

Mr. POMERENE. Mr. President——

Mr. McKELLAR. I now yield to the Senator from Ohio.

Mr. POMERENE. If I may supplement what has been said by the Senator from Colorado [Mr. THOMAS], I desire to say that we are going beside the mark when we argue whether there is a trust or no trust in the legal sense. Whether there is a trust or not, that there has come harm to the American people by withholding from the market there can be no question whatsoever.

Let me illustrate. I am not quite sure as to the date, but some time last summer or thereabouts the American Sugar Refining Co. started on a campaign to sell sugar in carload lots to the wholesale dealers of the country. The word was sent out—I do not know by what means—that there was a shortage in the sugar product of the country. The American Sugar Refining Co. sent out——

Mr. McKELLAR. If the Senator will permit me to interrupt him right there, the statement was not only that there was a shortage in the sugar product of this country but in the world.

Mr. POMERENE. I intended by my statement to cover the entire situation as affecting sugar throughout the world.

Mr. McKELLAR. I am sure the Senator did.

Mr. POMERENE. The American Sugar Refining Co. sent out its contracts to the wholesale dealers of the country, promising to deliver sugar to them each month covering a long period of months in the future at given prices. Those contracts were sent out each month, and under the information which the wholesale dealers had had at that time they were persuaded to sign the contracts. The prices were for—and again I am not quite certain as to my figures—15, 16, 17, and 18 cents a pound, and when the sugar went from the wholesalers to the consumer the consumer had to pay 20, 21, 22, 23, 24, and 25 cents, and, perhaps, even more.

Mr. McKELLAR. They had to pay more in some localities. The dealers divided up the country, as the Senator from Ohio will recall.

Mr. POMERENE. Oh, yes; that was a part of the program. However, throughout the entire world the wholesalers acquired this high-priced sugar. Some time in the fall, while the wholesalers were bound by their written contracts, the price of sugar fell. There was not the scarcity of sugar which had been represented by those who were interested in the price of sugar. As a result nearly every wholesale grocer in the country has been financially embarrassed just because of the course taken by the American Sugar Refining Co. The wholesale dealers in every substantial town in my own State were financially embarrassed. One of them committed suicide because of his embarrassment, and another one, of whom I know, was driven to the wall. So, I think those who say that the country has not been embarrassed, that the country has not suffered by reason of this condition of things, will want to make a little correction of their statement in the interest of the true history of the subject.

Mr. McKELLAR. I am greatly obliged to the Senator from Ohio for his contribution on this subject.

Mr. RANSDELL. Mr. President, will the Senator from Tennessee yield for merely a very brief further explanation?

Mr. McKELLAR. Will the Senator allow me to proceed for just a little while in order to develop my propositions?

Mr. RANSDELL. I simply want to make a little additional explanation about sugar.

Mr. McKELLAR. Very well.

Mr. RANSDELL. I shall not insist on it, however.

Mr. McKELLAR. Very well; I yield to the Senator.

Mr. RANSDELL. I think the Senator from Tennessee, perhaps unintentionally, has made it appear that I said there was no Sugar Trust.

Mr. McKELLAR. What the Senator said was that he did not affirm or deny that there was a trust; but he distinctly said that the burden was upon me to show that there was a trust, because I had made the statement. I say that the facts which have been adduced here by Senators and also by the few remarks I have made show indisputably that there is a trust. I know the Senator so well; I know he is such a high-minded man that he will not affirm that there is no Sugar Trust in this country.

Mr. RANSDELL. I have never intimated that there was no trust; but the Senator said there was a trust and that the trust would get practically all the benefit from the increased duty on sugar proposed by the pending bill. I asked him, then, to show what the trust was, who the beneficiaries of the increased duty would be, and how they would get it. That part of the question has never been answered.

I am not going to take up more of the time of the Senate in a vain discussion, for it seems to me to be very vain. I do not want to be placed in a false position, however, and, as I have said that much, I wish to say a few additional words. You can call the duty on sugar a protective duty, a revenue duty, or whatever you please, but as a citizen of Louisiana I know that it has been helpful to the industry in my State. Without some assistance in the way of a tariff duty, small though it be now—an effective duty of only about 1 cent a pound—we could not carry on the sugar industry in that State. I know that the proposed increase of duty on sugar and the proposed duty on other agricultural commodities will be helpful to the American agriculturist. I know also that in the tariff bill passed by Congress several years ago considerable help was given to the manufacturers of the country; and I should like to see the same kind of policy which has been applied to those manufacturers made applicable likewise to those who produce the so-called raw materials. The cotton made in my section is the finished product of the hardest kind of labor on the part of the man who produces it in the field; raw wool is the finished product of the hardest kind of labor on the part of those who look after the sheep and shear them, and thus produce the wool. So it is with cotton seed; so it is with meat; so it is with all farm products. You can call the duty a tariff for revenue or a tariff for protection, but it helps the farmers.

As to the question of tariff for revenue, let me remind the Senator that the party of which I am very proud to be an humble member, after putting sugar on the free list, decided that as a revenue measure it must be restored to the dutiable list.

Mr. McKELLAR. Mr. President, if I may be permitted to proceed, I did not say that the sugar farmers of Louisiana would not be benefited to some extent by the pending bill. They were the only exception that I made. As I recall, I said that the sugar farmers of Louisiana, who produce an immaterial amount of the sugar consumed in this country, would receive some benefit while the people would pay the tax. The beet-sugar industry of this country is many times larger than the cane-sugar industry, and the beet-sugar industry is all in the hands of the middlemen. I said a while ago that there was a Sugar Trust; you can call it what you like, but the beet-sugar industry is in the hands of the middlemen, and the entire beet-sugar crop is now in the hands of the middlemen. The only portion of the sugar production of the United States that is not in the hands of the trust or the middlemen—the Senator from Louisiana prefers to call them "middlemen," and I shall call them "middlemen" hereafter—the only part of the sugar crop not in the hands of the middlemen is that portion produced by the sugar planters of Louisiana, which is a very, very small part. The tariff duty will benefit those farmers to some extent; but I say rather than to impose a tax on sugar of over $300,000,000 a year upon the American people it would be cheaper for the Government to pay the additional price of 3½ cents a pound to the sugar planters of Louisiana, and then sell the sugar for the best price that could be obtained, if they want

to take that course; but it is not fair or just; it is indefensible; it is almost criminal in the present situation in which this Nation finds itself in regard to taxes to impose this enormous burden of taxation for the benefit of a very small class of our people.

Mr. GAY. Mr. President, will the Senator from Tennessee yield to me for a question?

Mr. McKELLAR. I yield.

Mr. GAY. Does the Senator think it advisable to wipe out the sugar industry of continental United States?

Mr. McKELLAR. I have heard that question very often. I will say to the Senator that I had a bet on that question once. I remember that when I voted for the sugar bill in the House the late Senator Broussard, the Senator's predecessor, was a House Member, and he bet me a silk hat that there would not be a sugar farm in Louisiana in a period of two years if that bill was passed, and yet the sugar industry has flourished. It has not gone out of business.

Mr. GAY. Mr. President, the Senator well knows that the bill was repealed. That is why the industry was not wiped out.

Mr. McKELLAR. Oh, well, the bill was not repealed for some time after that. The two years expired and the Louisiana sugar industry still lived. We have heard that contention in every contest in both Houses. The argument is made perennially that if you do not put this enormous protective tariff upon sugar you are going to crush out the beet-sugar industry, and you are going to crush out the cane-sugar industry. The wool people say the same thing. Every industry that thinks it has a chance to have a tariff placed upon it to increase the cost to the American people says the same thing. That is the favorite argument of protection everywhere; but, as a Democrat, I do not subscribe to it.

Mr. President, that brings me down to my own State. I want to figure up what it is going to cost the people of Tennessee. I am interested in them. I want to know what this tax is going to cost the 2,300,000 people, in round numbers, in Tennessee. I have figured it out along the same lines that I figured a while ago.

The additional tax on account of these three staples alone—namely, flour, meats and pork, and sugar—is as follows:

The flour tax will be $12,328,000.

The tax on meats and pork will be $12,397,000.

The sugar tax will be $6,621,930.

Or a total of $31,346,930 on these three items alone; and when you add the additional tax to the consumer of the other 18 or 20 items in this bill, you will run up the tax on the people of Tennessee to at least $40,000,000 and perhaps a great deal more, because I am using minimum numbers in making these figures.

The farmers of Tennessee have disposed of practically all of their crops of the present season. Their wheat, the great body of their meats, their cotton and cotton seed, their peanuts, have practically all been disposed of. A 10 months' tariff on these articles would not be of any appreciable value to them. On the contrary, for me to vote to impose an additional burden of perhaps $40,000,000 upon the people at this time, under the circumstances as they appear to me, would seem to me little short of criminal upon my part.

A tariff going into effect next fall might be of some value to some of them. A temporary tariff such as this is, going into effect now and lasting for a period of 10 months, would not benefit them at all in my judgment.

I want to call attention to another remarkable situation in regard to this bill.

I noticed yesterday that all of the Republican Senators of New England, except two, voted for cloture. I take it for granted that they propose to vote for this bill. The two exceptions were the senior Senator from Rhode Island [Mr. COLT] and the junior Senator from New Hampshire [Mr. KEYES]. Whether these two gentlemen are going to support the bill or not, of course I do not know; but how any Senator from New England can support this bill in view of the facts I am unable to understand. In order for them to be put upon notice of exactly what they are doing when they vote for it, I want to give the figures as to what additional tax burdens will be placed upon the people of the New England and Middle States in the case of these three staple articles alone if the bill should be passed and have its natural and legal effect.

Basing my calculations in the same way as outlined for the country at large and for Tennessee, I find that the tax on the New England States will be as follows on these three prime articles of necessity:

Maine has a population of 768,000. By a simple calculation the flour tax will be $4,116,480, the meat tax will be $4,121,520, the sugar tax $2,209,748, or a total tax upon the people of Maine of $10,447,748.

The population of New Hampshire is 443,000. The flour tax on that State would be $2,374,000, the meat tax $2,387,000, the sugar tax $1,275,000, or a total of $6,036,000 additional tax burden upon the people of New Hampshire.

Vermont has a population of 352,000. The flour tax would be $1,886,000, the meat tax $1,897,000, the sugar tax $1,013,000, or a total of $4,796,000.

Massachusetts has a population of 3,852,000. The flour tax would be $20,566,000, the meat tax would be $20,762,000, and the sugar tax $11,055,000, or a total of $52,383,000 upon the people of Massachusetts. One of the Senators from Massachusetts is voting against this tax upon the consumers of Massachusetts. I do not know how the other Senator will vote. I can not understand how he could be willing to impose this enormous burden of fifty-two million and more of dollars, at the lowest calculation, upon the people of his State, from which they will not receive any corresponding benefit. They make no sugar in that State. They raise no wheat worth mentioning. They raise a few cattle and hogs. The tax is indefensible from the standpoint of the people of Massachusetts.

In Rhode Island, with a population of 604,000, the figures are as follows:

Flour tax	$3,237,000
Meat tax	3,255,000
Sugar tax	1,738,000
Total	8,230,000

In Connecticut, with a population of 1,380,000, the figures are as follows:

Flour tax	$7,396,000
Meat tax	7,438,000
Sugar tax	3,973,000
Total	18,807,000

I want to call attention to New York State, with a population of over 10,000,000 people. The flour tax alone in the case of New York will be $55,658,000, the meat tax will be $55,989,000, and the sugar tax will be $29,896,000, or a total of $141,543,000 upon the people of New York. I am wondering if the two Senators from New York are going to vote to put a tax upon their people in the case of these three prime necessities of life of $141,000,000. It is inconceivable; and especially do I refer to the junior Senator from New York [Mr. CALDER], who lives in Brooklyn, in Greater New York, and I want to furnish the figures of the city of New York. They amount to $76,595,000. This enormous burden of taxation is put upon that great city.

In New Jersey, with a population of 3,155,000, the figures are as follows:

Flour tax	$16,910,000
Meat tax	17,005,000
Sugar tax	9,073,000
Total	42,988,000

In Pennsylvania, with a population of 8,720,000, the figures are as follows:

Flour tax	$46,739,000
Meat tax	46,986,000
Sugar tax	25,095,000
Total	118,820,000

I pause here long enough to remark that no wonder the senior Senator from Pennsylvania [Mr. PENROSE] was not originally in favor of this bill. No wonder he had to be induced to accept its provisions. I believe he accepted them under protest. It will tax his people enormously without any corresponding benefit. I do not know how he is going to be able to defend the imposition of such a tax, without any corresponding benefit, upon the people of his State.

The little State of Delaware, with a population of only 223,000, will have to pay an additional tax of $3,038,000. The detailed figures are as follows:

Flour tax	$1,195,000
Meat tax	1,201,000
Sugar tax	642,000
Total	3,038,000

Maryland, with a population of 1,449,000, will have to pay an additional tax of $18,747,000. The detailed figures are as follows:

Flour tax	$7,766,000
Meat tax	7,810,000
Sugar tax	3,171,000
Total	18,747,000

Considering these figures, the attitude of the Republican Senators from New England—all of whom, it is supposed, will vote

for this bill—would seem to me to be almost, if not quite, unexplainable. According to the figures I have given, the total tax that will be imposed upon the people of New England on account of these three prime necessities will be a little more than $100,000,000; and I pause here long enough to say that if this bill, iniquitous as it is, becomes a law, it will become a law by reason of the votes of these Senators from New England. Unless these Senators vote for it, it can not become a law; it will fail, and it ought to fail. It will confer no benefit upon New England, which buys her supplies of these three commodities elsewhere. It is a tax upon New England that is absolutely indefensible. The Middle States are in the same situation. Without the votes of the Republican Senators from these States this bill can not become a law.

Mr. President, much has been said about this tax benefiting the farmers. I think I have shown that if the farmers are benefited at all, it will be in a very small degree. Let us look for a moment and see what farmers are going to be benefited.

Will it benefit the wheat farmer, with the great majority of the stock of wheat in the hands of middlemen and speculators and profiteers? The imposition of a tax of this kind, as I have explained before, can not benefit him. Is it going to benefit the cotton farmer? It is impossible to benefit the cotton farmer. I asked the Agricultural Department a while ago about how much cotton seed was in the hands of farmers. Their report was that the seed from about 800,000 bales of cotton was in the farmers' hands, scarcely enough to plant a cotton crop next year. How is it going to benefit the cotton farmers? It can not benefit them on cotton itself. It can not benefit them on cotton seed, because those have already been disposed of. Is it going to benefit the corn farmers? Why, it can not benefit the corn farmers, because they have already disposed of their marketable crops. It can not benefit the beet-sugar growers. They have disposed of their crop, confessedly. It is all gone. The cane-sugar farmers of Louisiana are the only possible beneficiaries among the farming classes and the woolgrowers; and that leads me to pause long enough to have a word or two to say about wool.

They say it is going to benefit the wool farmer. Well, let us see whether it is or not. As I recall the figures—and I will place the exact figures in the RECORD—there are about 633,000,000 pounds of wool now in the hands of the mills, and there are less than 175,000,000 pounds, perhaps not more than half of it, in the hands of the woolgrowers. There were 175,000,000 pounds last September, according to a report, in the hands of the woolgrowers. Who will get the greater benefit if this tariff bill is enacted? The owners of the 633,000,000 pounds of wool will get equal benefits with the woolgrowers, owning only somewhere between 100,000,000 and 175,000,000 pounds of wool. If you want to benefit the woolgrowers, pass the law at the time of the next clip, and you can do them some good. If you want to benefit the wool profiteers, pass the law now, and let them get the advantage of it. I do not know what other Senators may think, but it seems to me wool clothing is high enough, in all conscience, in this country. Enormous prices are being demanded and paid for all kinds of woolen clothing. We ought to vote on this bill with our eyes wide open. If you vote to pass it, you vote to raise the price of wool clothing to every consumer or wearer of wool clothing in this country.

Mr. President, one of the most level-headed Senators in this body is Senator CAPPER, of Kansas. He is an expert on the subject of farming. He is a stanch and true friend of the producers. In a speech that he made on January 24, 1920, he called attention to certain high prices and to certain enormous profits of the manufacturers. I quote from his speech on the subject of woolen manufactures as follows, giving round figures in millions:

> The net profits of the American Woolen Co., after Federal taxes had been deducted, were $2,778,600 in 1914, $5,160,295 in 1915, $8,210,761 in 1916, $15,664,985 in 1917, and $12,324,084 in 1918, all on an invested capital of $22,000,000. The earnings on its common stock were $10.80 a share in 1915, $27.05 a share in 1916, $47.62 a share in 1917, and this year, according to best Wall Street information, will exceed $100 a share, or more than the stock's par value. A year ago the watered stock of the American Woolen Co., the chief textile company of the United States, was quoted on the stock exchange at 45. To-day it is close to 150, and in recent weeks has been quoted at 156.

This speech was made just a year ago. At that time Senator CAPPER said:

> Can we doubt that the general public is being sandbagged when we know such facts as these?

While that has been only a year ago, wool and woolen goods have gone down tremendously, and because they have come down it is proposed to put a prohibitive tariff on raw wool of 15 cents per pound, on washed wool of 30 cents per pound, on scoured wool of 45 cents per pound, and on manufactured products 45 cents per pound, in addition to rates now imposed by law. Under these circumstances and in the light of the argument made by the Senator from Kansas, is it possible that he can vote for this bill containing these provisions about wool?

Mr. President, I pause long enough from the reading of the excellent speech of the Senator from Kansas on this subject to ask what would be the result of the passage of this bill? The Senator from Kansas was then decrying against profiteering in wool, and showed where the wool profiteers were making over 100 per cent, and that was just a year ago. Now it is proposed, because woolen goods have started down—and they have not come down yet as sugar has—because they have started down, it is proposed to have the American Congress put this enormous fund into the hands of the Woolen Trust and raise the price of all woolen goods, for that is what it means. They will get more than two-thirds of the benefit whenever it is voted. We tax the people in this enormous sum, more than two-thirds for the Woolen Trust and a little dab for the woolgrowers.

I do not believe in that kind of legislation. It is unfair and unjust. It is almost criminal to impose such burdens upon the American people at this time, when they are already crushed down with a tremendous load of taxation. I read a little further from the speech of the Senator from Kansas. As to cotton manufacturers, Senator CAPPER quoted the following from the Monroe County (N. C.) Journal:

> Cotton manufacturers are making from 100 per cent up on their investment, and several have not only duplicated their plants in one year, but paid a dividend also. Raw material and manufacturing bring the cost of yarn at about 80 cents, selling at $2, or a profit of 150 per cent.

And yet this bill provides for a tariff on raw cotton of 1⅛ inches or more in length 7 cents per pound, and on the manufactures of such cotton an additional 7 cents per pound.

Again, Senator CAPPER said:

> A 50 per cent increase in the price of shoes by next summer is predicted by the president of the National Shoe Travelers.

Mr. SIMMONS. Mr. President, before the Senator leaves the matter of cotton, as the Senator has expressed the opinion that this duty of 7 cents a pound on cotton will be practically of no benefit to the cotton farmers, of course, it can not be of any benefit to any of them, except that it may possibly be of small benefit to the cotton farmers of Arizona and California, where they raise about 60,000 bales of long-staple cotton. While that is true with reference to the cotton farmer, for whose benefit it is said this bill is to be passed, with respect to the cotton manufacturer of this country, who, the Senator has just said, and said truthfully, has been making enormous profits, this 7 per cent compensatory duty which is given to the cotton manufacturers of this country will take effect, and take effect in this way: The bill provides that any manufactured article of cotton the component material of chief value in which is produced out of this long-staple cotton shall be entitled to a compensatory duty of 7 cents a pound.

The cotton goods that come into this country come chiefly from Great Britain. Great Britain makes the finer class of goods, and practically all of the cotton goods we get from Great Britain are made largely out of Egyptian long-staple cotton. That is absolutely necessary to produce the character of goods we buy from Great Britain and buy from other countries in Europe. Therefore, whether the cotton producer gets one cent of benefit from this or not, the cotton manufacturer of this country will get a protection against practically all European imports of cotton goods to the extent of 7 cents a pound on every pound of cotton goods they bring into this country made chiefly out of this long-staple cotton, and it is known that Great Britain buys, and is ready to buy, practically all of the long-staple cotton that is grown in Egypt, because they make that class of goods, which is not made to any extent in this country.

Mr. McKELLAR. Mr. President, I am much obliged to the Senator from North Carolina for his valuable contribution to this discussion. I want to say to him, however, that this is just one of the various items upon which the Republican Party is seeking to raise the price to the consumer. The prices of woolen goods are going down, and the Republican Party wants to raise them back to profiteering prices. Cotton goods have a tendency to go down. The Republican Party is in power, and it wants to raise cotton goods as nearly as possible to war-time prices. Flour is going down. The Republican Party wants to raise the price of flour to war-time prices again. Sugar has already gone down, and the Republican Party is undertaking to raise that back to where it was during the war. Meats are going down a little, not much; but the packers are poor, and the Republican Party is coming to their rescue and lifting the prices of meats for the packers, and every time putting an additional burden upon the American people. Woolen goods are going down just a little. They are putting an enormous tariff tax upon them to raise them back to where they were

during the war, and to keep them there. There is no doubt about what is being done. It is as plain as the nose on a man's face. They are legislating here for special interests. It is arranged so that it can not benefit the farmer; it can only benefit the men and the corporations that have been profiteering upon the country during the war. As a proof of that, I read further from the speech of Senator CAPPER. He said:

A 50 per cent increase in the price of shoes by next summer is predicted by the president of the National Shoe Travelers.

The day this prediction appeared another extra dividend was declared by the Central Leather Co. The common stock of this company was rated at 58 a year ago. It is now quoted around 105 and a large issue of new stock has recently been added. While the people contemplate going barefoot, the Leather Trust walks on "velvet" made thicker. A year ago it was the war demand for leather that made shoes high. Now, it seems to be the peace demand for "velvet." As long as unrestricted prices of stocks soar in Wall Street, we must be prepared to pay robbery prices.

Mr. President, shoes are another article that has come down lately, though they have not come down very much. We still pay exorbitant prices for shoes. Those who wear shoes still pay almost war prices for them. The Republican Party sees them coming down; this is an infant industry, perhaps, in their view of it, and they immediately come to their rescue and say, "Let us raise the price of shoes to the American people, and so benefit the shoe manufacturers. Let us raise them another 100 per cent." I do not see how any man can vote for a provision to increase the tariff on hides or on the finished product, as has been proposed by the senior Senator from Massachusetts [Mr. LODGE].

Again, Senator CAPPER said on the sugar question:

Just now the greatest get-rich-quick game in America is gouging in sugar. It is a mighty sweet and rich business for profit cormorants. The Equalization Board held the refiners down as to price. So, in the name of Great Britain and France, they bought up the Cuban sugar crop and exported it to those countries at a higher figure than the board would allow these men to sell it in the United States. And this Government let them do it. As a result the increase in the price of sugar will add a billion dollars to the burdens now being borne by the American people. The stock of the Cuba-American Sugar Co. has advanced more than 200 per cent in the last 12 months—probably because of the "sugar shortage." The remarkable rise in its stock quotations indicates it is near a rich mine of easy money.

Yet, Mr. President, we are asked to vote even larger profits into the hands of this same Sugar Trust that was then denounced by the Senator from Kansas, and I fear from what he has said this afternoon that he proposes to vote this additional sum to the American sugar refiners and take it out of the hard earnings of the American people. I hope he will not, for I like him, and would greatly regret to see him go wrong on this question.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from North Dakota?

Mr. McKELLAR. I yield.

Mr. McCUMBER. I want to see whether I understood the Senator from Tennessee as to the quotations of Central Leather.

Mr. McKELLAR. I was just reading from a speech of the junior Senator from Kansas.

Mr. McCUMBER. Delivered when?

Mr. McKELLAR. Delivered in this body on January 24, 1920, just a little over a year ago.

Mr. McCUMBER. Central Leather was then 105, as I understood the Senator?

Mr. McKELLAR. Senator CAPPER said:

The common stock of this company was rated at 58 a year ago. It is now quoted around 105.

Mr. McCUMBER. It was 105 a year ago?

Mr. McKELLAR. Yes.

Mr. McCUMBER. To-day, the 3d of February, 1921, it is 39½.

Mr. McKELLAR. I am glad the Senator has called attention to it.

Mr. McCUMBER. So it has gone down enormously.

Mr. McKELLAR. It has gone down.

Mr. McCUMBER. Let me say that leather has gone down 60 per cent.

Mr. McKELLAR. Oh, of course; and the Republican Party wants to raise the stock of this concern back to where it was when it was profiteering during and after the war. The Republican Party believes in protecting these industries which prey upon the people in time of war, and charge these enormous prices. But what I can not understand is how any Democrat can join them in such a proposition. I do not see how any of us who do not believe in the principle of protection, in the principle of taxing all the people for the benefit of a favored few, can vote for so infamous a measure. I am wondering if my friend from Kansas [Mr. CAPPER] is going to vote for those items in the bill. I hope he will not.

Mr. President, I have just mentioned three or four items in the bill. There are 18 or 20 others that I shall not discuss, but each one of them puts an additional burden upon the backs of the American people. The whole will amount to not less than two billions of dollars additional taxes upon them if the bill passes and becomes a law. I sincerely hope it will not become the law. It ought not to become the law. It would be criminal upon our part if we put this additional burden of taxation upon the American people at this time. I shall vote against it.

Mr. McCUMBER. Mr. President, I have heard a great many strange arguments from the other side upon the emergency tariff bill. I thought we had reached the top notch of strangeness when Senators on the other side declared in their speeches again and again that the bill would not help the farmer in any way, that it would raise the price of his products, and then began to figure how much it would cost the consumer, while the producer received no benefit from it whatever. That seemed rather strange, but the climax of the unique was reached by the Senator from Tennessee [Mr. MCKELLAR] when he attempted to show the immense cost that this tax of 40 cents a bushel on wheat will be to the American consumer of bread.

Mr. President, whenever we tax one raw product which is imported we must necessarily put a compensatory duty upon the product of the same thing that is imported from abroad so as to keep the same equal. In other words, if we can receive both wheat and flour from Canada and we put a duty of 40 cents a bushel on wheat, the wheat being kept out, it would come in in the shape of flour if there were no duty upon the flour, and the result would be practically the same to us, at least to the extent that the Canadian miller could supply the American market. Therefore, in order to meet that we place a compensatory duty upon flour measured by the number of bushels of wheat that it takes to make a barrel of flour. In this instance we placed 20 per cent ad valorem on flour to equal the 40 cents a bushel upon wheat.

Now, let us see how the Senator from Tennessee arrives at the enormous price that the American consumer will pay: First, he estimates that the American consumer will consume about a barrel of flour a year, and that is approximately correct. Then he says that if we place a tax of 40 cents a bushel upon American wheat it will add $2 to the barrel of flour that is consumed by the consumer. Then in addition to that he says that the 20 per cent upon the price of flour that would be imported would be another $2 a barrel. He also adds that $2 to the other $2 and says that the American consumer will therefore pay $4 a barrel additional. In order to make his calculations come through, and in his anxiety to show the enormous price the consumer will pay, he not only compels the consumer to eat his barrel of American flour but he also rams a barrel of Canadian flour down his throat so as to add another $2. That seems to me strange, but hardly less strange than the fact that I find a rock-ribbed bourbon Democrat like the Senator from Tennessee would bet a silk hat on any kind of a proposition.

Mr. McKELLAR. Mr. President, I do not care anything about the silk hat, but I desire to correct the Senator on another matter. I will say to the Senator that I did not get the hat. That was all a joke.

Mr. McCUMBER. Much to the credit of the Senator.

Mr. McKELLAR. That is merely a side question, however. What I wish to state to the Senator is this: I do not think the Senator understood what my figures were, but assuming that I am wrong, I wish to ask the Senator how much the bill will increase the price of flour to the consumer? The price is now $10.50 a barrel.

Mr. McCUMBER. Ten dollars and fifty cents wholesale?

Mr. McKELLAR. That is the retail price.

Mr. McCUMBER. But the bill is based on the wholesale price.

Mr. McKELLAR. I do not care what the wholesale price is, how much will it increase the price of flour to the consumer?

Mr. McCUMBER. Of course, if we get the full benefit of the 40 cents a bushel, at 4½ bushels to a barrel of flour, it would increase it $1.80 a barrel. That is a simple computation. To go ahead a little further, if it raises the price of wheat 40 cents a bushel the American consumer of flour will pay $1.80 more per barrel of flour. Multiply that by 105,000,000, the population of the country, and we will have the exact amount. That is an accurate statement.

Mr. McKELLAR. Then if that is an accurate statement——

Mr. McCUMBER. It is an accurate statement provided we get the full benefit and the price of wheat will go up the full extent of the tariff.

Mr. McKELLAR. The Senator in that estimate makes no provision for the additional price which will be demanded by

the miller, the refiner, the wholesaler, and the retailer, and the profit all along the line. I do not wonder that the Senator was unwilling to venture a prediction as to how much the actual price would be increased to the consumer. Flour is $10.50 a barrel to the consumer to-day under the present law. I ask the Senator in all fairness to give me what, in his judgment, will be the increase to the consumer if this bill becomes a law?

Mr. McCUMBER. The bill does not increase the net price in any way that the miller will receive for his middling, and so forth, that he sells, but we will assume that it increases it to the full extent. I do not think that it will. During the 10 years the tariff of 25 cents a bushel was in effect the average benefit, and I gave the table of figures at one time, was a trifle over 10 cents a bushel. That, of course, was when wheat was selling at about $1 a bushel.

Mr. McKELLAR. Before the war?

Mr. McCUMBER. Yes; from $1 to $1.10 and $1.15 a bushel. He got then nearly one-half of the tariff benefit on the average of 10 years. Some years he got a benefit nearly up to the amount of the tariff; other years it was only 5 or 6 cents; but averaging the 10 years he got 10 cents a bushel. That 10 cents a bushel went a good ways in those days toward measuring the difference between a loss and a gain in farming operations. I do not know what this would average, but I do know that the moment we get rid of our surplus so that we have nothing more to export from the United States, when the consumption and the production equal each other, it will then, in my opinion, raise it up to the full amount of 40 cents a bushel, which would be equivalent to $1.80 tariff on a barrel of flour.

Mr. McKELLAR. Has the Senator figured out just what additional tax that would be upon the American people at $1.80 per barrel of flour?

Mr. McCUMBER. I have told the Senator. Just multiply $1.80 by 105,000,000, the number of people in the country. The Senator can do that if he is a lightning calculator. If not, he can take his pencil and figure it out in a second. It is very easy of computation. I could not give it down to the exact amount without my pencil.

Mr. McKELLAR. If that were all, it would be a very large additional burden upon the American people. However, I wish to call the Senator's attention to a mistake which he made, and it is rather surprising.

Mr. McCUMBER. No; I do not make any mistake on that.

Mr. McKELLAR. The Senator has made a mistake on it. Instead of the consumption in this country being a barrel per person, it is 1.34 barrels per person, according to the expert figures on the subject.

Mr. McCUMBER. The expert figures on the same subject have been for a number of years about one barrel per person, and that was a safe estimate. Sometimes it has been even a little below a barrel, but on an average it was a barrel.

Mr. McKELLAR. But this year the experts give it at 1.34 barrels per person.

Mr. McCUMBER. Let us come to the other side of the question for a little while. To be sure, the consumer will pay that much more. How much more does the farmer of the West pay for the added cost of things that are produced throughout the entire manufacturing section, by reason of the very much higher wage paid and the higher profit and the higher standard of living? It will amount to very many times the difference that the farmer would receive under the bill.

I am one of those who admit that protection to American industries is paid to a considerable extent by the American consumer. We protected the manufacturers for a great many years. Then came unionized labor in the mills, and they demanded higher wages. Those higher wages were accorded, and immediately the manufacturers came back for higher rates of duty, so that they could continue business and pay the higher wage. The next year there was another strike, or threatened strike, and wages went up again and the manufacturers come back for a still higher rate of duty. So wages have gone up and duties have gone up.

The Senator says we must not lower the wage of the laborer, and I agree with that. We must not lower it any more than necessary, and still do business with ourselves. Finally, we have reached a condition where the wage system and the tariff system combined, we will say, have raised the things which the farmer must buy to such an extent that he is practically a slave. Now, I want to protect his product and let the others pay a little more for his product until we can let the farmer live. That is a fair proposition. The farmer has the same right to live and the same right to earn a living, even if it costs the consumer more, because the farmer is a consumer of the products of others, and it costs him more to live.

With even 40 cents a bushel, the ad valorem duty would not be nearly so high as it was in the last Republican tariff. It is said it is a higher duty, whereas, figured on an ad valorem basis, it is a very much lower duty; but wages are two or three times as high as formerly; the commodities which the farmer must buy are two or three time as high as they were; so the price of his wheat must go up to a certain extent to meet those prices; he must have a protection that has some relation to the value of his product and the value of the commodities which he must buy.

That is all that we are claiming in this case. It will help the farmer; somebody will pay for it, that is true; but to-day the farmer is paying the bill of all the protected industries and of all the high prices, without the slightest protection for himself. I wish wherever I can give him protection to give it to him; I wish to balance the account just as nearly as I can do so.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. McCUMBER. I yield the floor.

Mr. WILLIAMS. Mr. President, the Senator from North Dakota has just made a long familiar appeal——

Mr. McCUMBER. I did not know it was a long one.

Mr. WILLIAMS. Representing the farming element of the United States, he says to the manufacturers, "You have done me a wrong, and, in retaliation, I now propose to do you a wrong, and I propose to do you a wrong to the same extent that you have done it to me, without any expense to you or any expense to me, but at the expense of the consumer." That is what it all means, when you reduce it down to its basic element.

I do not now wish to take up the time of the Senate. If there shall be an intention to make a motion to take a recess or to adjourn, I will postpone the little talk that I have in my system, but if not I will go ahead.

Mr. McCUMBER. If the Senator from Mississippi addresses the suggestion to me, I will say that I intend to make a motion for a recess in a very short time. I can make it now if the Senator wishes—it is a little after 5 o'clock—or the Senator can proceed, whichever course is preferable to him.

Mr. WILLIAMS. I prefer to have a recess.

Mr. McKELLAR. Mr. President, will the Senator from North Dakota yield to me?

Mr. McCUMBER. I yield.

THE PRIMARY SYSTEM.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have inserted in the RECORD an interview given by me in regard to the primary system and published by the press of the State of Tennessee. It is very short, being about two pages or a little more in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

The interview referred to is as follows:

"Mr. McKELLAR said: I regret to see that a bill has been introduced in the legislature to repeal the primary law. I know Representative Weldon, from Henry County, who introduced the bill, well, and he is a staunch, tried, and true Democrat, and I know he is a well-meaning man, but I want to urge him and the other members of the legislature not to repeal this law. To return to the system of nominating party candidates by conventions would be a step backward that I do not believe the Democrats of Tennessee should take.

"The primary has been a Democratic doctrine for nearly 50 years, and its general use has been the result of the fight that our party has made for it in every State in the Union. The reactionary Republicans fought the primary as long as they could. The progressive Republicans have always favored it.

"The convention plan is Federalistic and reactionary, whereas the primary plan is Democratic and progressive.

"The election of Senators by the people was a confirmation of the primary plan of election by the people, and an outgrowth of it.

"I hope the members of the legislature, both Democrats and Republicans, will compare in their memories the several orderly primaries in both parties in the last two and four years with the turbulent conventions in both parties in the years gone by, and especially recalling the riotous scenes in the capital and Ryman Auditorium, respectively, in 1906, under the old convention plan.

"The reasons against the convention plan may be stated as follows:

"First. There would probably not more than 1 voter in 50 attend the conventions and take part in the selection of delegates to a State convention. In my county, for instance, a

mass-meeting to select delegates to a State convention to select candidates for governor, senator, and other State offices, might possibly be composed of about 500 voters, while the voting strength of the county would be in the neighborhood of 50,000.

"Second. In Tennessee, ordinarily a Democratic nomination is equivalent to an election, and should we return to the convention system it would mean the disfranchisement of a very large proportion of our voting population.

"Third. It is not a fair or accurate way of determining the will of the majority.

"Fourth. It is not fair to the farmers of the State, the most of whom might find time to go to the polls and vote some time during the day in his own civil district, but most of whom would not have time to spend a day attending the convention or mass meeting at the county seat.

"Fifth. The same argument is true of the laboring men, the women, the merchant, the banker, and other business men, all of whom could attend a primary in their civil district or ward, but few of whom would attend a mass meeting or convention.

"Sixth. Under the convention system the choice of a party candidate is left almost entirely to the politicians, while under the primary it is left to the orderly and legally expressed will of all the party.

"Seventh. There being no law governing the composition and organization of a convention, the door is open to all kinds of unfair practices, should those in charge of the convention see fit to indulge in them, and we know from experience that such things have occurred in the past.

"Eighth. The convention plan of nomination in State elections has been discarded in practically every State in the Union; to be exact, all but five.

"The reasons in favor of the primary plan may be stated as follows:

"First. In the primary, elections are held under the forms and penalties of law. If illegal practices are indulged in, those responsible for them may be prosecuted and convicted and a contest had and the wrong remedied. You can not remedy a wrongful convention nomination.

"Second. All members of the two leading parties are privileged to express their choice in a most convenient way as to who are party candidates. Independents may vote as they desire.

"Third. The expense of the primary itself is borne by the State.

"Fourth. Charges as to wrongdoing in primaries in Tennessee are the exception and not the rule now. Primaries have been uniformly fair in our State for a number of years. So far as I recall, no charges of wrongdoing have been made in the last few years.

"Fifth. The number of voters taking part in primaries is probably fifty times as great as those who would take part in conventions, and the will of the people and of the party is thus better secured.

"Sixth. Forty-three States out of the 48 have primary laws for the selection of candidates for the Senate and for Congress. The only exceptions are the little boroughs of Rhode Island, Connecticut, and Delaware and the large but sparsely settled boroughs of New Mexico and Utah. We all know these little States are really principalities. Is it wise for Tennessee to leave her place with the 43 progressive States and line up with these little principalities? I am sure if the people had their way in these little States they would have primaries in which all could express themselves.

"Seventh. Twenty-one of our States already have presidential primaries in which delegates to national conventions are selected. The number is growing every year.

"Eighth. The charge that primaries interfere with party regularity and party fealty is not correct. Indeed, it has been frequently charged that the primary system by its conclusiveness does away with a spirit of independence of party and thus gives the two leading parties the advantage. The suggestion has been made that the primary last summer in Tennessee caused party disaffection. That could not be, because the legislators in many of the Democratic counties were selected in primaries and they were elected as usual. Besides, the governor's nomination was indorsed by a convention. In addition, Tennessee occasionally went Republican under the old convention plan. Senator Taylor was nominated in a convention the year Hooper won.

"Ninth. Nor is there a less expense to the candidate in the convention system, when there is a real contest. It will be remembered that the expense to the candidates in the convention contest in 1906 was enormous, and probably larger than in any legalized primary since that time.

"I sincerely hope that the primary law may not be interfered with. The people surely do not want to be deprived of their present legal right to vote directly for their choice of candidates, and surely no candidate or prospective candidate should be afraid of a direct vote of the people which he desires to represent."

RECESS.

Mr. McCUMBER. I move that the Senate take a recess until to-morrow at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 18 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 4, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 3, 1921.*

The House was called to order by the Speaker.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. Evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Ganly	McAndrews	Robinson, N. C.
Babka	Goldfogle	McCulloch	Rowan
Baer	Goodall	McGlennon	Rowe
Bell	Goodwin, Ark.	McKinley	Rubey
Blackmon	Gould	McKinley	Sabath
Bland, Mo.	Graham, Pa.	McLane	Sanders, Ind.
Britten	Hamill	McLaughlin, Mich.	Sanders, La.
Brumbaugh	Hastings	McLaughlin, Nebr.	Sanford
Buchanan	Haugen	MacGregor.	Scully
Burroughs	Hernandez	Maher	Sells
Candler	Hersey	Mann, S. C.	Small
Cantrill	Hill	Mays	Smith, N. Y.
Carew	Hudspeth	Mead	Snell
Casey	Hulings	Milligan	Snyder
Clark, Fla.	Ireland	Monahan, Wis.	Stephens, Miss.
Classon	Jacoway	Moon	Stiness
Cleary	James, Mich.	Mooney	Strong, Pa.
Connally	Johnston, N. Y.	Morin	Sullivan
Copley	Juul	Mudd	Tincher
Costello	Kelly, Pa.	Nelson, Wis.	Tinkham
Currie, Mich.	Kennedy, Iowa	Nicholls'	Vare
Davey	Kettner	Olney	Venable
Dent	Kincheloe	Peters	Voigt
Donovan	Kitchin	Porter	Volk
Dooling	Kraus	Purnell	Walters
Emerson	Kreider	Rainey, Ala.	Ward
Ferris	Lazaro	Rainey, Henry T.	Welty
Focht	Lee, Ga.	Rainey, John W.	White, Me.
Freeman	Lehlbach	Reed, N. Y.	Wilson, Ill.
Gallagher	Lonergan	Reed, W. Va.	Wise
Gallivan	Lufkin	Riddick	Wood, Ind.
Gandy	Luhring	Riordan	Young, Tex.

The SPEAKER. On this call 301 Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Rev. James Shera Montgomery, pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, our heavenly Father, the day is Thine. It is full of light and hope; it wears the smile of Thy love and bears the seal of Thy presence. Therefore, deliver us from the custody of fear. May the ruling purposes of our breasts this day be right, and keep us until life's outer scaffolding falls. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

DRAINAGE OF INDIAN ALLOTMENTS, FIVE CIVILIZED TRIBES.

Mr. McKEOWN. Mr. Speaker, I call up from the Speaker's desk the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., p. 310, Public, No. 77), with Senate amendments, and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Oklahoma calls up the bill H. R. 517, with Senate amendments. The Clerk will report the Senate amendments.

The Clerk reported the Senate amendments.

Mr. McKEOWN. Mr. Speaker, I move to concur in the Senate amendments.

Mr. WALSH. Mr. Speaker, what is the effect of these amendments? Has the gentleman the consent of the committee?

Mr. McKEOWN. Yes. It was submitted to Mr. SNYDER and the members of the Indian Committee. The amendments were offered by Senator SMOOT, of Utah.

Mr. WALSH. What is the effect of the Senate amendments?

Mr. McKEOWN. They simply change the language. One of the amendments strikes out a proviso that the assessment on the Indian allotment shall not exceed $25 per acre. Senator SMOOT moved to strike out that language and said if it required more, more ought to be charged, and the whole matter was placed under the direction of the Secretary of the Interior.

Mr. WALSH. I see that one of the amendments struck out the words "of the United States."

Mr. McKEOWN. Senator SMOOT stated that that was unnecessary language, and that he had never seen it in any legislation before.

Mr. CARTER. The words "of the United States" followed the words "Secretary of the Interior."

The SPEAKER. The question is on agreeing to the Senate amendments.

The amendments were agreed to.

JACOB H. MARTZ.

Mr. KENDALL. Mr. Speaker, I ask unanimous consent to withdraw from the files of the House of Representatives the original discharge of Jacob H. Martz, of Glencoe, Pa., which was filed with the Invalid Pension Committee of the House in connection with a special bill introduced by me granting Mr. Martz a pension. No adverse report was filed and the pension was granted Mr. Martz.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to withdraw from the files of the House papers in the case of Jacob H. Martz, no adverse report having been made thereon. Is there objection?

There was no objection.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15943, the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill, with Mr. TILSON in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15943, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. When the committee rose yesterday an amendment offered by the gentleman from Kentucky [Mr. FIELDS] was pending. The gentleman from Kansas.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent to return to page 8, appropriations for the Signal Corps, for the purpose of making corrections in the language.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to return to page 8 for the purpose of making corrections indicated by him. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. Mr. Chairman, I offer this amendment: On page 8, line 15, strike out the following words: "Field glasses, telescopes." I ask that for the reason that recent regulations of the War Department have taken field glasses and telescopes from the Signal Corps and transferred them to the Ordnance Corps.

Mr. BLANTON. May I ask the gentleman one question?

The CHAIRMAN. Without objection, the amendment will be reported.

The Clerk read as follows:

Amendment offered by Mr. ANTHONY: Page 8, line 15, strike out the words "field glasses, telescopes."

Mr. BLANTON. The only reason the gentleman asks this is that the Signal Corps does not want to be charged up with those two items?

Mr. ANTHONY. That is right. There is no money appropriated for them.

The question was taken, and the amendment was agreed to.

Mr. ANTHONY. Page 10, line 19, after the word "commercial" insert the words "and Government owned."

The language of the words in the bill only provides for the payment of commercial telegraph and telegraph tolls. We have two or three lines owned by the Government, and unless we put this language in they will be left out.

Mr. LONGWORTH. Mr. Chairman, in order to be regular the gentleman must ask unanimous consent to return.

The CHAIRMAN. Is there objection to returning to page 10 for the purpose indicated by the gentleman from Kansas? [After a pause.] The Chair hears no objection. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, line 19, after the word "commercial," insert the words "and Government owned."

Mr. MADDEN. Mr. Chairman, I would like to ask the gentleman a question. Does the change of language to include Government owned give the War Department any authority to buy any new telegraph lines or to establish any; and if so, how many?

Mr. ANTHONY. No; it does not. If the words "Government owned" were not inserted it would leave several lines of Government-owned telephones without any appropriation covering this purpose.

Mr. MADDEN. Why not say "existing Government owned"?

Mr. ANTHONY. Yes.

Mr. MADDEN. I suggest, Mr. Chairman, that the word "existing" ought to be put in before "Government owned."

Mr. DYER. That assumes they are Government owned.

Mr. MADDEN. I do not want to give authority to buy a lot of new lines and go into the telegraph and telephone business. I offer the amendment to the language offered by the gentleman from Kansas, to insert the word "existing" before the words "Government owned."

The CHAIRMAN. The committee is proceeding entirely by unanimous consent. Does the gentleman from Kansas——

Mr. ANTHONY. I see no objection to the insertion of the word, but it does not mean anything.

Mr. MADDEN. Yes, it does.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. MADDEN: Before the word "Government" insert the word "existing."

Mr. BLANTON. Since the gentleman yielded, does the department charge any other department of the Government toll for the use of Government-owned telegraphs or telephones?

Mr. ANTHONY. There are no toll charges on Government lines.

Mr. BLANTON. Then there is no question of toll in the matter; it is merely a question of maintenance?

Mr. ANTHONY. Maintenance of the several lines owned by the Government.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. ANTHONY. I will yield.

Mr. BLAND of Indiana. I notice the number of items finally make a total of $2,835,000. That includes telegraph, telephone, radio, and cable instruments, instruments of all kinds and character. Does the gentleman know why the $10,100,000 worth of movables sold to the French Government were not brought here and used instead of buying this new material?

Mr. ANTHONY. I will say to the gentleman that the Signal Corps asked about $10,000,000 in the first place, and they said much of that was to be used in new radio equipment, because they could not use a large amount of radio equipment on hand which was largely of French manufacture, as it had already become obsolete. I take it they considered the French radio material in France as being no longer capable of use.

Mr. BLAND of Indiana. It was all sold to the French Government on May 6, 1919. I will ask the gentleman now, on this appropriation bill, if the gentleman made inquiries to ascertain if the War Department has not been selling the very property that they are buying here with these appropriations?

Mr. ANTHONY. Oh, that has been evident all the way through.

Mr. BLAND of Indiana. Does the gentleman allow that practice to go on in the committee and make appropriations for them?

Mr. ANTHONY. That transaction had already taken place and is being now investigated by the gentleman's committee.

Mr. BLAND of Indiana. You are going to make a new provision now and sell it for a bagatelle?

Mr. ANTHONY. We have not anything to do with any transactions that happened in France.

The CHAIRMAN. Is there objection to agreeing to the modification and the change in the amendment offered by the gentleman from Kansas? [After a pause.] The Chair hears none. The Clerk will now report the change proposed by the gentleman from Kansas [Mr. ANTHONY].

Mr. ANTHONY. Mr. Chairman, I am asking unanimous consent to return to page 11.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to return to page 11 for the purpose of offering an

amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. On page 11, line 1, I offer this amendment:

Insert after the word "Service" the world "field."

The purpose of this is to make the appropriations cover field telephones.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. ANTHONY: Page 11, line 1, after the word "Service," insert the word "field."

The CHAIRMAN. Is there objection to agreeing to the amendment? If not, the amendment will be agreed to. [After a pause.] The Chair hears no objection.

Mr. ANTHONY. Mr. Chairman, when the House adjourned last evening it was on the amendment offered by the gentleman from Kentucky [Mr. FIELDS]. I ask unanimous consent that all debate on the amendment be terminated in 20 minutes, half of that time to be consumed by those in favor of the amendment and half by those opposed to it.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on the amendment offered by the gentleman from Kentucky and all amendments thereto close in 20 minutes, one-half of the time to be used by those in favor of the amendment and one-half by those opposed. Is there objection?

Mr. CARAWAY. Mr. Chairman, reserving the right to object, I want five minutes of time.

Mr. ANTHONY. I will make it 30 minutes if agreeable to the gentleman.

Mr. FIELDS. I suggest 30 minutes, 15 minutes to be consumed by the gentleman from Kansas and 15 minutes by myself.

Mr. GREENE of Vermont. Will this debate be confined to the amendment? There have been several suggestions by gentlemen leading to the thought that the debate will not be so confined.

Mr. WINGO. As I understand, this simply affects this amendment.

The CHAIRMAN. And all amendments thereto.

Mr. WINGO. There may be another amendment to the paragraph. It will not shut off debate on this.

The CHAIRMAN. The gentleman from Kansas will state his unanimous-consent request.

Mr. ANTHONY. That all debate be concluded at the end of 30 minutes, half of the time to be controlled by the gentleman from Kentucky [Mr. FIELDS] and half by myself.

The CHAIRMAN. The gentlemnn from Kansas asks unanimous consent that all debate on this amendment and all amendments thereto be limited to 30 minutes, one-half to be controlled by himself and one-half by the gentleman from Kentucky [Mr. FIELDS]. Is there objection?

Mr. BEE. Reserving the right to object, the gentleman from Texas [Mr. JONES] has a substitute for the amendment of the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. If the gentleman will yield, I will state that I am giving the gentleman time.

Mr. BEE. I did not want the gentleman from Texas to be precluded from his time.

The CHAIRMAN. The gentleman will have a right to offer his substitute, and time was granted to the gentleman from Kentucky [Mr. FIELDS]. Is there objection? [After a pause.] The Chair hears none. The gentleman from Kentucky is recognized.

Mr. FIELDS. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. JONES].

Mr. WALSH. Mr. Chairman, I would like to have the amendment reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 15, line 4, strike out the figures "$42,000,000" and insert in lieu thereof "$30,000,000," and add:

"*Provided*, That no part of this appropriation shall be used for the pay of to exceed 1 general, 14 major generals, 31 brigadier generals, 400 colonels, 450 lieutenant colonels, 1,497 majors, 2,994 captains, and 2,844 first lieutenants."

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent that the substitute which I will offer may be read by the Clerk.

The CHAIRMAN. The gentleman offers a substitute?

Mr. JONES of Texas. I will offer it.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas as a substitute for the amendment offered by Mr. FIELDS: Page 15, line 4, after the word "Staff," strike out the figures "$42,000,000" and insert in lieu thereof the figures "$30,000,000," and add the following:

"*Provided*, That no part of this appropriation shall be used to pay any officer hereafter commissioned, except such as may be necessary from time to time to bring the total of Army officers up to not more than 1 general, 14 major generals, 31 brigadier generals, 400 colonels, 450 lieutenant colonels, 1,497 majors, 2,994 captains, 2,844 first lieutenants, and 2,694 second lieutenants."

The CHAIRMAN. The gentleman from Texas [Mr. JONES] is recognized for five minutes.

Mr. JONES of Texas. Mr. Chairman, the only difference in the amendment which I offer and that offered by the gentleman from Kentucky [Mr. FIELDS] is that this would not interfere with officers already commissioned under the Army reorganization act. In other words, this would permit the present officers to continue, but would forbid the commissioning of any more officers until the number of officers in the Army were reduced to the number suggested by the gentleman from Kentucky [Mr. FIELDS], 11,925. Under the Army reorganization act there is provision made for 17,000 officers, as I understand it. This appropriation provides for 14,000 officers. However, the amendment which I propose would not interfere with any officers already commissioned, nor would it interfere in any way with the training now going on in the various schools. It seems to me that if a man has been commissioned in the Army he should not be interfered with by taking his commission away from him or complicating the matter by having some of the commissions destroyed.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield for a question as to the effect of the amendment?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Michigan?

Mr. JONES of Texas. I yield.

Mr. CRAMTON. Suppose there should be an excess in the number of the rank of major, for instance. Would that interfere with the appointment of second lieutenants, to bring the number up to 2,694?

Mr. JONES of Texas. No. I provide for the same number of second lieutenants.

Mr. CRAMTON. There might be an excess in some other rank?

Mr. JONES of Texas. Yes. I have provided that the number of the others be reduced to two-thirds; that is, no new commissions shall be authorized in any of these places until the number in that particular rank is reduced to two-thirds of the present number.

Now, the Army officers authorized by the Army reorganization bill are sufficient for an Army of 287,000 men. The amendment that I have offered will authorize Army officers sufficient to furnish an Army of 186,000 men. Now, it seems to me there is absolutely no reason for maintaining Army officers to the extent necessary to maintain an Army of 287,000 men and at the same time reduce the Army organization and limit it to 150,000 men.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. GREENE of Vermont. Has the gentleman taken into consideration the fact that the number of the commissioned personnel provided for in the Army reorganization act has no ratio whatever to the number of enlisted men, and never was designed to have?

Mr. JONES of Texas. I know; but in the very bill in which that was provided it was also provided that there should be an Army of 287,000 men, and that was in contemplation. I do not believe you should boost the number of Army officers up to 17,000 and then turn around and cut down the number of enlisted men. I do not believe there is a road to peace assured before us when we shall have a great Army marching in regal splendor to the tune of martial music. [Applause.]

Mr. GREENE of Vermont. Even with 280,000 men, the number of officers provided in that act is not based upon any ratio with any number of enlisted men.

Mr. JONES of Texas. If you have enough officers under the reorganization act for an Army of 280,000 men, why do you want to maintain that number of officers on that basis when you have an Army of only 150,000 men?

Mr. GREENE of Vermont. The number of officers was not established in the bill with the assumption that there was any relation to the number of enlisted men.

Mr. JONES of Texas. The gentleman practically admits what I have said.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. BANKHEAD. Is it true that the officers already commissioned shall hold their present rank?

Mr. JONES of Texas. Yes. It will leave the number of officers already commissioned just where they are. That is the

only objection that was offered to the Fields amendment, to the effect that if you pass the Fields amendment you would have a situation where more men would be in the service than pay had been provided for. This provides for the officers already commissioned, and then stops the absurdity of commissioning more officers than are needed.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Vermont [Mr. GREENE].

The CHAIRMAN. The gentleman from Vermont is recognized for five minutes.

Mr. GREENE of Vermont. Mr. Chairman, I think there is a misapprehension on the part of some gentlemen as to the purpose of the Army reorganization act, and of the reason why the number of officers in that act was fixed at something like 17,000. One of the manifestations of this apparent misapprehension is that these men in talking about the armed forces of the United States, as provided for in the act, always compare the number of officers with the number of enlisted men that it is possible to enlist under that act.

There is absolutely no intended ratio between the number of officers fixed there and the number of men authorized by that act or the number that may be raised by any appropriations that may be made under it. The only purpose of establishing this large number of officers was to make certain of increased strength in what is the only permanent part of the Military Establishment of the United States, and that is the commissioned personnel. Enlisted men may come and go, as successive Army appropriation bills fix the number that may be provided for. We intended to profit by one of the first and foremost lessons, one of the most solemn lessons, of the war, and that was that you can not adequately prepare a commissioned officer of the United States Army in three months in a training camp.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. I will yield when I have finished this thought.

You can not do it. It is a matter of a lifetime of study and training and experience. There is no question about that. It is a profession like anything else of its kind, and its people must be given all reasonable opportunity to acquire something like a practical adaptation to it and efficiency in it.

That is the one side. Another side is that gentlemen seem to regard the Army that we are maintaining in this country in peace time only as an Army of defense. It is not intended to be an Army of defense, nor are its numbers so chosen that it would be. It is a military organization designed as a force for domestic and interior police in an emergency. It is a force designed to garrison our possessions, and it is also a force designed not only to accomplish a military course of instruction and training for itself but to communicate that instruction and training to civilians who in an emergency would constitute the great Army of defense. The numbers provided in this bill were never designed with the idea that you could divide the number of enlisted men by the number of commissioned officers and have that as an assignment of the officers to duty with those enlisted men. The officers and enlisted men are not reckoned together at all. There is no fixed ratio between the officers and enlisted men in the Army. There can not be under the nature of the circumstances, because some arms of the service require more officers than others.

Mr. OLIVER. It is 6 per cent in the staff and 4 per cent in the line. Will the gentleman yield?

Mr. GREENE of Vermont. I yield to the gentleman from Alabama.

Mr. OLIVER. Is there not a fixed ratio in the Army, in the Navy, and in the Marine Corps?

Mr. GREENE of Vermont. What the gentleman calls a ratio is only a quotient. You can take the number of enlisted men and divide it by the number of officers and get a quotient, but that is not the ratio of officers to men, because it is not determined in that way.

Mr. OLIVER. What limitation is there on the number of commissioned officers that the War Department can appoint?

Mr. GREENE of Vermont. The limitation is the arbitrary number fixed in the Army reorganization act itself, in figures, an arbitrary number. There is no question about it. They can not go beyond it. There is no possibility of going beyond it.

Mr. OLIVER. Does the gentleman mean to convey to the House the idea that the War Department is now authorized to appoint commissioned officers up to that fixed number?

Mr. GREENE of Vermont. I do, precisely.

Mr. OLIVER. So in the absence of some action now by the House the War Department can appoint over 17,000 commissioned officers?

Mr. GREENE of Vermont. It could. And there is another thing. If the House undertakes to take a hatchet and chop its way through the middle of the apportionment of officers, as provided for in the Army reorganization act, it will destroy such sequence and relationship that exists between the numbers in the lineal grades in the commissioned personnel of the Regular Army. We must remember that these gentlemen are engaged upon a life work and a life profession, and they are entitled at least to fair consideration by the Government they are intending to serve. There ought to be some prospect that when a man starts in the Army as a second lieutenant he may in the course of a reasonable number of years, being found efficient, hope to rise through the grades. There is no such thing as dividing the commissioned personnel at this time by a third or a half or any other fraction that you may choose, and then coming out with a fair sequence between the grades to permit a fair and constant flow of promotion, because the relations between the grades are not based uniformly on such a percentage. [Applause.]

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. FIELDS. I yield five minutes to the gentleman from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. Chairman, the gentleman from Vermont [Mr. GREENE] is the only man who has ever been entirely frank with us about the Army bill. He now for the first time tells us that there is no relation between the officer and the Army, and that the Committee on Military Affairs had nothing particular in mind when it fixed in the Army reorganization act the number of commissioned officers. I always thought that, but other members of that committee have denied it. My friend from Illinois, Mr. MCKENZIE, yesterday shed tears at the very thought of reducing the commissioned personnel. He told us that if you did not provide for these additional 4,000 officers you had as well tear down the flag and surrender. If he is correct about it, if they are the only thing that stands between our liberty and slavery, why, you know we had as well kiss goodby to liberty to-day as a day or two later. I know, and everyone else knows who knows anything at all about the Army—and I do not profess to know much and do not need to know much in order to know as much as most of the Army officers know [laughter]—that there was not a commissioned officer connected with the Regular Army in this late war whose name the next generation will know, except he may read the acts of Congress by which we conferred high rank on some of them. I dislike always to make a statement in a forum where those criticized have not an equal chance to reply, and this is the first time I have ever done so in my life, but the principal activity of the higher officers of the Regular Army was to destroy the National Guard and seize the high commands for themselves. A good many members of this House spent a part of the year 1918 in France, and know something about the actual conditions over there. I had that privilege myself, and I know and they know that there was not any kind of inspiration flowing from the Regular Army officer to the enlisted men—an inspiration which tended to encourage the men to exert extraordinary effort in behalf of country—not a bit. The men fought well in spite of the command and not on that account. I never saw one who loved Pershing or spoke with enthusiasm of him. There was no sympathy between them. The whole system is wrong. The attitude of the Regular Army officers toward the enlisted men is wrong; it is contemptible.

Not only was that true of our Army, but it was true of the British Army. I wish to read just a few lines from a book written by Philip Gibbs, an Englishman, said by people who know to be the foremost war correspondent in the world. He was with the British Army from the day the expeditionary force went over until the signing of the armistice. He gives you an impression of all the men of high command, and summing it all up he says this:

> I met many other generals who were men of ability, energy, high sense of duty, and strong personality. I found them intellectually, with few exceptions, narrowly molded to the same type, strangely limited in their range of ideas and qualities of character.
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> * * * * * * *
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> Our Staff College had been hopelessly inefficient in its system of training, if I am justified in forming such an opinion from specimens produced by it, who had the brains of canaries and the manners of Potsdam. There was also a close corporation among the officers of the Regular Army, so that they took the lion's share of staff appointments, thus keeping out brilliant young men of the new armies, whose brain power, to say the least of it, was on a higher level than that of the Sandhurst standard. Here and there, where the unprofessional soldier obtained a chance of high command or staff authority, he proved the value of the business mind applied to war, and this was seen very clearly—blindingly—in the able generalship of the Australian corps, in which most of the commanders, like Gens. Hobbs, Monash, and others, were men in civil life before the war. The same thing was observed in the Canadian corps, Gen. Currie, the corps commander, having been an estate agent, and many of his high officers having had no military training of any scientific importance before they handled their own men in France and Flanders.

Not a name of all the high command, either of our Army or England's—I mean of the old Army officers—whose name brings a glow of love and enthusiasm to those who served under them. It is the system. It is wrong; and you here seek to perpetuate it. This amendment ought to be adopted.

Mr. PELL. Will the gentleman yield?

Mr. CARAWAY. I yield to the gentleman from New York.

Mr. PELL. Does the gentleman seriously maintain that the American citizen who has been trained at West Point four years and gone through the Army is less fitted to command than an ordinary lawyer's clerk or war correspondent with a sword tied around his stomach and three months' training in the summer?

Mr. CARAWAY. Did the gentleman get that idea from what I said?

Mr. PELL. Exactly.

Mr. CARAWAY. Then, why ask the question? [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARAWAY. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Will the gentleman change his request? Otherwise, in order to be consistent, I must object.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. FIELDS. Will the gentleman yield some time?

Mr. ANTHONY. I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman and gentlemen of the committee, because the gentleman from Vermont [Mr. GREENE] says that the number of officers was fixed without regard to the number of soldiers, the gentleman from Arkansas [Mr. CARAWAY] draws a conclusion, not at all warranted, when he says that it was not fixed in any way except arbitrarily. That is not the fact.

Mr. CARAWAY. Will the gentleman yield?

Mr. DEMPSEY. Wait a moment and I will yield. We all know it is not a fact. We all know that is not what the gentleman from Vermont meant at all. Now, the fact is this, the number of officers in the Army is based, first, upon the fact we have to provide trained men, men who have been schooled, men who have studied, men who have thought, men who have devoted their life and their energy to the question of being prepared to fight the battles of their country whenever they come; and so the best measure of preparation is to provide a reasonable number of skilled officers who can train men in the shortest time possible. Next we want to devote the services of these officers not alone to the men under their command but send them to the schools—the educational institutions—throughout the country to train the youth of this land and make them fitted to enter the Army when war comes; to the training camps, where men voluntarily go in the summer to learn the rudiments of the military art. That is the basis upon which the number of officers is fixed.

Mr. JONES of Texas. Will the gentleman yield?

Mr. DEMPSEY. Now, there has been evident during the discussion here a thing I do not believe the membership of this House means, and that is a feeling of hostility toward the officers in our Army.

Mr. JONES of Texas. Will the gentleman yield?

Mr. DEMPSEY. Why, if we wipe out the pages made by the illustrious heroes who have defended the United States throughout its history; if we wipe out the name of Washington, who made this country possible; if we wipe out the names of Grant and Sherman and Sheridan; if we wipe out the names of those who defended us in this last war and made our victory possible, we will have erased and obliterated the most glorious and the most brilliant pages in our history, and I am sure that the membership of this House does not want, even by inference, to have the feeling go abroad that there is hostility in our minds to those whom we regard as our heroes. Why, I was astounded to hear the last speaker say that in a short time those who have led our armies with such brilliancy, with such heroism, who had subjected themselves to all sorts of hardships and dangers on our behalf in the World War, which has recently ended, would be forgotten. Why, gentlemen, those names will be household words. Those names will be lisped by the lips of children; those names will be carried down into history so long as we have history and long after the names of most of us here have long been forgotten. And I say, back of all this, back of the reason which dictates the number of commissioned personnel, is the purpose to prepare the youth of this country in educational institutions and in the camps for usefulness in the military defense of their country. Let us not encourage any appearance of hostility to the officers of our Army, which I am sure none of us really feel. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FIELDS. Mr. Chairman, I find from information secured this morning that there are in some grades more officers commissioned than my amendment would take care of. The amendment offered by the gentleman from Texas [Mr. JONES] to my amendment meets the objection that was raised by the gentleman from Illinois [Mr. MANN], which objection I think was well founded, and, so far as I am concerned, I gladly accept the amendment offered by Mr. JONES of Texas and trust that the committee will adopt it.

Mr. BLACK. Will the gentleman yield just for a question?

Mr. CHINDBLOM. Will the gentleman yield?

Mr. FIELDS. Now, I want to address myself to the remarks of the gentleman from New York [Mr. DEMPSEY], who has just taken his seat. He seems to get the impression, Mr. Chairman, that this effort is based upon an unkind feeling toward the Army officers or an attempt to besmirch their records. I deny such a statement. There is not a man in this House who has a more kindly feeling for the officers of the Army than I have, but I have a duty to perform in this House under my oath of office, a duty which is due to the Army officer on the one side and a duty to the taxpayers of the country on the other side. [Applause.] And in the discharge of that duty I am endeavoring to arrive at what my judgment and my knowledge of the situation tells me is a fair course for me to pursue, and that I have done. The argument of the gentleman from Vermont [Mr. GREENE] that the number of commissioned officers has no relation whatever to the enlisted personnel of the Army does not appeal to me, nor do I believe that it will appeal to the membership of the House or to the intelligence of the country. We know if an emergency arises we can not defend the country with the officers provided for in the Army reorganization bill. Why, in the emergency from which we have just passed we had 225,000 commissioned officers, and if another emergency should arise we would have to have many more officers than are provided for by a peace-time organization.

Mr. BLACK. Will the gentleman yield for a suggestion?

Mr. FIELDS. Let me finish this thought.

Then the question is, How many officers do we need for this peace-time Army of 150,000 men? It is my candid opinion that 17,726 officers is more than are necessary to officer an Army of that size.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. FIELDS. It is my opinion, further, that without a reduction in the commissioned personnel our Army will be top-heavy with commissioned officers and the country will hold the gentleman from Vermont [Mr. GREENE] and others responsible for that condition and call them to account for it.

Mr. GREENE of Vermont. I should be glad to be responsible for it.

Mr. FIELDS. I yield to the gentleman.

Mr. GREENE of Vermont. Does not the gentleman recall that when we had a commissioned personnel of about 6,000, when the war broke upon us, we had to take second lieutenants and advance them up to field officers in the emergency army, and that it brought into the field immature men, men who should not have been in those high grades in many instances?

Mr. FIELDS. If we should get into another emergency, with the 17,000 officers provided under the Army reorganization bill, the same thing would happen again.

Mr. GREENE of Vermont. That is the same thing that we have been trying to provide against.

Mr. FIELDS. The House by resolution and appropriation is endeavoring to reduce or hold the enlisted personnel down to about 150,000 men, whereas 280,000 were provided for in the Army reorganization bill. I believe a reduction in the commissioned personnel, fairly commensurate with reduction in the enlisted personnel, should be made, and it is the purpose of the amendment I have offered and of the substitute offered by the gentleman from Texas [Mr. JONES] to accomplish that result, and I hope the substitute will be agreed to and the amendment as amended adopted.

Mr. ANTHONY. Mr. Chairman, I yield three minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, it seems to me that the experiences of this country in the World War ought to be a lesson for all time regarding these matters. The officers for which the bill provides enables the teaching of men for the commissions of any necessary Army that we may have to raise in the future. The gentleman from Kentucky, speaking of affairs in the World War, always forgets that it took us 13 months to get ready to fight that war. Our soldiers were in Europe being

trained; our officers were attending schools there and in this country to get proper training to lead the American soldiers. England and France made a long and determined fight against the use of American troops under the American flag, because they feared that our officers were not of sufficient ability and caliber to lead our men; some of us can never forget those events. They wanted our soldiers to be distributed as replacement troops in the armies of Europe and not officiate as distinctive American forces.

Mr. FIELDS. Will the gentleman yield?

Mr. KAHN. I have not time to yield in three minutes. I did not interrupt the gentleman from Kentucky, because I realized the gentleman had only four minutes. I try to be courteous to the Members of the House, but this matter of the officers of the Army is a most important one.

The officers are the real heart of the Army, and remain all the time. The enlisted men come and go. You can not make an officer in six months or in a year. They have to be trained a long time, and in war who wants his son to be led by an officer who has not been thoroughly trained and is unworthy of leadership and command in battle?

Now, it is easy to talk about economy. I believe in economy, but at times economy means penny-wise and pound-foolish, and that is just what the proposition of the gentleman from Kentucky [Mr. FIELDS] amounts to. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ANTHONY. Mr. Chairman, I hope the House will not adopt either of the pending amendments. In my opinion the House will be placing itself in a rather ridiculous position if it would go on record as adopting either of these amendments. No matter how little money you appropriate under this item, there would still be 13,000 officers in the Army, and they are going to be paid, whether you appropriate it under this item or under deficiencies. So we are fooling away our time here when we talk about cutting down the number of commissioned officers in the Army by this method. In the next place, as the gentleman has pointed out, this country would be literally sacrificing its most valuable military possession by deliberately doing away with a single one of the trained officers now in our Army.

Mr. FIELDS. There are 225,000 officers in the emergency army, and if the contention of the gentleman from Kansas is sound, why not commission all of them?

Mr. ANTHONY. And we have picked out 5,000, many of them the best of those who served in the late war, and who have asked for commissions in the Regular Service. I hope the amendment will not be passed.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

Mr. HULINGS. Mr. Chairman, a parliamentary inquiry. I would like to know what the amendment is.

The CHAIRMAN. The gentleman from Pennsylvania asks that the amendment be restated. Is there objection? [After a pause.] The Chair hears none. The Clerk will again report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from Texas [Mr. JONES].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BLANTON. Division, Mr. Chairman.

The committee divided; and there were—ayes 29, noes 86.

So the substitute was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Kentucky [Mr. FIELDS].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For pay of officers, National Guard, $100.

Mr. SEARS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Florida moves to strike out the last word.

Mr. SEARS. Mr. Chairman, I want to congratulate the gentleman who has this bill in charge [Mr. ANTHONY] for paying the Secretary of War the first eulogy he has had for some time in this House. In other words, he has given the Secretary of War a clean bill of health; and coming from the Republican side, I am sure the country will have confidence in his statement. He has said it was futile, whatever we might do with this bill, because the number of Army officers would remain the same, regardless of any appropriation that this House might make.

The argument of the majority leader [Mr. MONDELL], a few days ago is fresh in my mind, in which he stated that the Secretary of War should be convicted because he did not limit the size of the Army according to the appropriation made by the House. In other words, when a certain amount was appropriated, the number of privates should have been cut down to meet that appropriation.

I am glad that one Republican on his side of the House disagrees with him, and as I said, the effect of his statement is to give the Secretary of War a clean bill of health.

I have no brief for the Secretary of War. Some of the arguments for not cutting down the number of officers, to my mind at least, appear puerile. The gentleman from California [Mr. KAHN] said that if we should have another war, unless we had these 17,000 officers, we would not win; and then he told us about the 13 months over in Europe that the men had to train, and that Great Britain and France feared the American boys under American leadership would not know how to defend themselves. But let me say to him with a degree of pride that when we finally convinced them that we were entitled to a trial, the American boys, true to their forefathers' record, not only went to the front, but broke up all of the old systems of fighting, got out of the ground, instead of staying in the dugouts and trenches, went over the top and showed the German Army what a real fighter could do. And whether we have 1,000 officers or 50,000 officers, you will find the American boys doing the same thing if we ever get into another war. [Applause.]

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. SEARS. Yes.

Mr. FIELDS. The fears of Great Britain and France, which the gentleman from California referred to, were evidently dissipated when our boys entered the service?

Mr. SEARS. They no doubt knew our boys were going to fight. I do not reflect in any way on the English soldier, and I do not reflect in any way on the French soldier who fought valiantly on the field, but I do resent the imputation against our American boys that they are not used to fighting. The American boy is trained from childhood to fight when honor is involved. [Applause.]

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. SEARS. Certainly.

Mr. OLIVER. As I understand, the gentleman construes the statement of the majority leader on this bill as meaning that appropriations limit the authority of the War Department as to enlistments in the Army, but not as to commissions to officers?

Mr. SEARS. Certainly; and while I trust I may not be accused of demagoging—I try never to demagogue—this House the other day, in throwing approximately 100,000 young men who were willing to fight for their country and sleep in the trenches at $30 per month out of a job, and letting them go back and do the best they could, by voting to cut down the Army to 150,000 men, did so practically without discussion. It took no argument then, but when you want to also cut down the number of officers to the number needed for the reduced Army, and thereby do away with 101 generals for an Army of only 150,000 men, then you see those who talk for economy changing their argument and vehemently protesting. I want to say, Mr. Chairman, those brave young men who served as officers and were actually under fire will for many years be ready and willing to serve their country should it again be necessary, and therefore this excessive number of officers is an unnecessary burden on the taxpayers.

I went, Mr. Chairman, four years to a military school, and during the last war I begged the Army officers to take into the service as officers the young men of the country who had had military training at the hands of West Point graduates. But unless you come from West Point, according to the thought of many of the graduates of that school, you can not be an officer, even though you had received the military training that these officers should give and did give.

Mr. BEE. The gentleman no doubt does not intend to make an unfair statement, but surely the gentleman does not mean to say that a man can not be an officer unless he is a graduate of West Point? The gentleman's statement is inaccurate.

Mr. SEARS. I did not make that statement. I said that, according to the West Point graduate, you could not be a good officer.

Mr. BEE. I challenge that statement, too.

Mr. SEARS. Well, the gentleman from Texas can challenge any statement. It is easy to challenge a statement. I know something about it. I know many of them feel that unless you graduate from West Point you are not a good officer, and perhaps that is true, but I certainly do not agree with them in that conclusion.

The CHAIRMAN. The time of the gentleman from Florida has expired. The pro forma amendment is withdrawn.

Mr. HULINGS. Mr. Chairman, I offer an amendment, to strike out line 5.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HULINGS: Page 15, strike out all of line 5.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. ANTHONY. Mr. Chairman, I trust the amendment will not prevail. It is necessary to carry the item of $100 for the National Guard simply in order to keep the language in the bill.

Mr. CALDWELL. Mr. Chairman, I would like to explain that if the gentleman from Kansas does not explain it.

Mr. HULINGS. I was wondering why this committee put in the item of $100 for the National Guard. It is not necessary to put that in, because when they are called into the service they are provided for.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of the officers of the Officers' Reserve Corps, $250,000: *Provided*, That no portion of this appropriation shall be expended for the pay of a reserve officer on active duty for a longer period than 15 days.

Mr. HULL of Iowa. Mr. Chairman, I make a point of order against the proviso.

The CHAIRMAN. What is the gentleman's point of order?

Mr. HULL of Iowa. It is new legislation and not provided for under the law.

Mr. MANN of Illinois. It is a pure limitation.

Mr. ANTHONY. Yes; it is a pure limitation.

The CHAIRMAN. The Chair overrules the point of order.

Mr. LINTHICUM and Mr. CARAWAY rose.

The CHAIRMAN. The Chair will recognize the gentleman from Maryland.

Mr. LINTHICUM. Mr. Chairman, I voted for the number of officers contained in the bill. I realize the importance of having a sufficient number of trained officers for the Army in the event we have need for them in time of war; but the gentleman from New York [Mr. DEMPSEY] made the statement that there seemed to be the prevalence of a feeling of dislike toward Army officers. I have not that dislike. In fact, I rather like the most of them whom I meet; but there is a tendency on the part of some Army officers to make people dislike them. I say this because I have in mind a case which occurred in my own city. The corps quartermaster's department of the Third Army Corps moved from Baltimore City to Fort Howard. While it was in Baltimore City it had a large number of civilian employees, among them lady stenographers and typewriters. When they moved to Fort Howard they asked two of these young ladies to go with them to Fort Howard and to perform their duties there, as they had a splendid record. These young ladies informed the quartermaster that it would require two hours each way per day on a trolley car to get to Fort Howard, and that they would be unable to do it, and they resigned. Thereupon this corps quartermaster wrote to the depot quartermaster at Baltimore not to employ any employees who had resigned because they would not go to Fort Howard.

I took up the matter with the corps quartermaster and asked him to withdraw this letter, saying that these ladies were physically unable to go to Fort Howard, traveling two hours in the morning before light and two hours in the evening after dark. I asked him to withdraw the letter, because it injured their civil-service status, and I said that they should not be put in that position. He informed me that quarters would be provided at Fort Howard to take care of the ladies. I said, "Why, these ladies are living with their fathers and mothers at home, and the best place for them is at home." But he absolutely refused to withdraw the letter.

I then took it up with the War Department, and after a great deal of correspondence and investigation they whitewashed the quartermaster at Fort Howard and said he was within his rights, and that no injury would be done to these young ladies; that it would not affect their civil-service status, and that if at any time they wanted to seek Government employment they could be reinstated and could go to work. I supposed the matter was entirely settled. One week ago a young lady who had been at Fort Howard, who had performed her duties well and had tried to comply with the requirements of the quartermaster, found that she was physically unable to continue to take that trip of two hours in the morning and two hours in the evening, and she resigned and went to the depot quartermaster and asked for employment.

She was employed and performed her duties for 30 days, when it was discovered that she had come from Fort Howard, and she was immediately dismissed from the service with a mere letter saying, "Your services are no longer required and you are hereby discharged." I took up the matter again with the War Department, and they refused to reinstate her, refused to give her any additional letter, and there she is, having a civil-service status, but with a letter which says "You are discharged," giving no reasons whatever. If she wants to get a position anywhere in a mercantile house or in any line of business, if they ask for a recommendation, the only thing she has to show is a letter showing discharge from the depot quartermaster's department with no cause assigned. Now, that is the status of that particular case. I have no doubt that these things happen with other gentlemen on the floor of this House. So if there is a tendency toward dislike of many of these Army officers, they have only themselves to blame for it because of their way of doing injustice, and after they find they have done it, then they are whitewashed by the War Department and their action sustained. [Applause.]

Mr. LANHAM. I rise in opposition to the pro forma amendment.

On the front page of the Washington Post this morning appears the following brief news item:

BUY BIGGEST BLIMP FROM ITALY FOR THE ARMY AIR SERVICE.

Purchase of the Italian "blimp" airship *Roma*, believed to be the largest semirigid aircraft in the world, for approximately $200,000 was announced yesterday by the War Department. It probably would cost $1,250,000 to duplicate the ship, the statement said.

The *Roma* is of 1,200,000 cubic feet capacity, 410 feet long, 82 feet wide, and 88½ feet high, and equipped with six 12-cylinder engines of 400 horsepower each. It has an estimated speed of 80 miles an hour and a cruising radius at full speed of 3,300 miles and at cruising speed of 8,000 miles. Maj. John G. Thornell has been ordered to Italy with an Air Service detachment to bring the *Roma* to America.

This indication of policy on the part of the War Department accentuates the importance of the matter which we were considering on yesterday, namely, the conservation and extraction of helium; and feeling that sooner or later, by reason of its importance, this proposition will recur on the floor of the House, I desire to insert in the RECORD the information contained in this clipping.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. KAHN. I move to strike out the last two words.

Mr. Chairman, yesterday while the gentleman from Michigan [Mr. CRAMTON] was addressing the House, I told the House that I had received a letter from The Adjutant General stating that recruiting had been discontinued on January 31. I received that letter yesterday morning, read it very hurriedly, and I found that what The Adjutant General really said in his letter was this:

I have also inclosed for your information a copy of a statement which has just been compiled, showing the estimated enlisted strength of the Army at the close of each month of the fiscal year ending June 30, 1922, together with the estimated losses among enlisted men during each month of that year. This statement is based on the assumption that no new enlistments will be made subsequently to January 31, 1921, and includes the number of enlistments estimated to have been made during the month of January, 1921. Assuming that reenlistments will be permitted of men whose term of service will expire during the period under consideration, a rough estimate has been included in the table of the number of such reenlistments, which will increase the monthly strength to the figure shown in the last column.

I find that The Adjutant General, although he really is the officer of the Army through whose office all papers pass, and who keeps all the records, assumed when he wrote me that the enlistments would actually cease on January 31.

However, I am now informed that enlistments are still continuing, and the cessation of enlistments which The Adjutant General of the Army informed me he assumed would occur on January 31 has not taken place.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. BEE. I am interested in the statement of the gentleman from California. This is the 3d of February?

Mr. KAHN. Yes.

Mr. BEE. The Adjutant General stated that enlistments would cease on the 31st of January.

Mr. KAHN. He assumed that they would cease.

Mr. BEE. What information has the gentleman from California upon which he bases the statement that enlistments are now going on?

Mr. KAHN. I instructed the clerk of the Committee on Military Affairs to get in touch with The Adjutant General's office this morning. He was informed by The Adjutant General's office that enlistments were still going on, and probably would

go on until the resolution which the House passed had been acted on by the President.

Mr. BEE. In other words, some clerk in The Adjutant General's office gave the gentleman's clerk information in the face of the statement of The Adjutant General that these enlistments would cease.

Mr. KAHN. The Adjutant General did not assert positively that enlistments would cease on January 31.

Mr. BEE. I repeat my statement that some clerk in The Adjutant General's office——

Mr. KAHN. No; The Adjutant General himself.

Mr. KNUTSON. He gets his instructions from the General Staff.

Mr. GREENE of Vermont. It is his duty to.

Mr. KAHN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For pay of warrant officers, $1,346,000: *Provided*, That this appropriation shall be used for the pay of not to exceed 1,000 warrant officers.

Mr. HULL of Iowa. Mr. Chairman, I make the point of order on the proviso.

The CHAIRMAN (Mr. HUSTED). What is the gentleman's point of order?

Mr. HULL of Iowa. It is new legislation, and is not in the organic law.

Mr. ANTHONY. Mr. Chairman, may I make a statement in regard to the point of order?

The CHAIRMAN. Certainly.

Mr. ANTHONY. The Army reorganization act provides for 1,220 warrant officers in the Army. This limitation says that the appropriation shall be used for the pay of not to exceed 1,000. It is a limitation.

Mr. HULL of Iowa. Mr. Chairman, it is not a limitation. It says there shall be paid not to exceed a certain number. The amount is there, and expressly the proviso says that the money shall be paid out. It is not a limitation at all. They are going to pay it out, but they are not to pay it to over a thousand.

Mr. CRAMTON. The amount appropriated is figured upon the basis of that number. If the limitation is stricken out, it would be necessary to increase the size of the appropriation.

Mr. HULL of Iowa. Why, no; it will not. They can not increase it.

Mr. CRAMTON. No; but we have put in a figure sufficient only to pay for 1,000.

Mr. HULL of Iowa. If they can be paid, then you do not need any legislation.

Mr. CRAMTON. They can under the general law, and they would come in then for a deficiency.

Mr. HULL of Iowa. The wording is not correct. It is legislation, pure and simple.

Mr. BLANTON. Mr. Chairman, the limitation clearly comes within the Holman rule, because it prevents a larger sum of money from being expended. As stated by the chairman of the committee, unless the limitation is applied, they can pay the number provided for in the reorganization act, which is the law authorizing it, and then come in with a deficiency, and we have to meet it later by an appropriation.

Mr. BEE. The total amount appropriated is $1,346,000, and if you had not provided for 1,000, if you had 1,500, you could divide the $1,346,000 among the 1,500.

Mr. BLANTON. Oh, no; their salaries are fixed by law, and the number is fixed by law in the reorganization act, and unless we limit this according to the limitation here, a deficiency will be brought in, and we will have to dig up the money later on.

The CHAIRMAN. The Chair is ready to rule. This proviso limits the expenditure to the pay of a smaller number of officers than is authorized, and therefore, in the opinion of the Chair, is clearly within the Holman rule and is a retrenchment. The Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. Pursuing a matter of debate which has been pending for some weeks before the House, I have several boys in my district, 16 and 17 years of age, for whose discharge their mothers and fathers have applied to the War Department, because of their enlistment under age without their consent. Upon the threat of the Secretary of War that he would give them a discharge that was not honorable, that he would forfeit their pay, and discharge them without travel allowance several hundred miles away from home, and to prevent such a calamity as a discharge that is not honorable being placed against their names, the parents have withdrawn their applications for the discharge.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In just a moment.

Mr. HUDSPETH. Has he the authority to do that?

Mr. BLANTON. In just a moment. I had particularly just such a case as that before the department, and I finally insisted on the boy being discharged in spite of the threat to discharge without honor, because his parents were poor and needed him at home. On January 25 the officer at Fort Slocum, N. Y., notified me that the boy Dudley had been discharged on January 16, 1921, on orders from Washington.

I immediately wrote him the following letter:

WASHINGTON, D. C., *January 27, 1921.*

Col. G. W. McIVER,
Commanding Recruit Depot, Fort Slocum, N. Y.

MY DEAR COL. MCIVER: I am just in receipt of your letter of January 25, 1921, reading as follows:

"In compliance with instructions from the commanding general headquarters Second Corps Area, Governors Island, N. Y., January 8, 1921, you are advised that Albert L. Dudley was discharged at this depot January 16, 1921, by reason of fraudulent enlistment, minority concealed."

In connection with Mr. Dudley's discharge, please furnish me the following information:

1. Was his pay forfeited?
2. Was he furnished mileage and transportation to his home?
3. Was he given an honorable discharge?

Very sincerely, yours,

THOMAS L. BLANTON.

You will notice that he was discharged January 16, which was the middle of last month, and I received this morning the following letter from the officer at Fort Slocum, N. Y.

RECRUIT DEPOT,
FORT SLOCUM, N. Y. *February 1, 1921.*

Hon. THOMAS L. BLANTON,
United States House of Representatives,
Washington, D. C.

DEAR SIR: In reply to your communication of January 27 you are advised that Albert L. Dudley was discharged without honor at this depot January 16 for fraudulent enlistment. He is being held at this depot awaiting the receipt of funds to defray the expense of transportation and subsistence to his home, as a discharge of this nature involves forfeiture of all pay and allowances due.

Very truly, yours,

G. W. MCIVER,
Colonel of Infantry, Commanding.

Mr. Chairman, I want to say that when a recruiting officer goes out over the country and persuades an immature young boy to leave his home and run off without communicating with his mother and father and join the Army when he is only 16 or 17 years old, and through connivance at least of the recruiting officer he swears he is 18 in order to get in the Army, and then when his dependent parents seek to get him out the great Secretary of War says that if you insist on that boy being turned loose I will discharge him without honor, I will forfeit his pay, and I will turn him loose, sometimes several thousand miles away from his home, and force you, the poor people of the country, to raise the money to send him home, or I will hold him until you do it; I say when such a state of circumstances as that exists it is a disgrace to the War Department of our country.

Mr. HUDSPETH. I question the authority to take the boy's pay away from him.

Mr. BLANTON. He has no authority except under the rule made by his own office.

Mr. HUDSPETH. He has no authority of law for doing it.

Mr. BLANTON. But his rule stands until Congress puts it aside by some affirmative act.

Mr. BEE. Does the gentleman from Texas contend that when a man is dishonorably discharged from the United States Army it does not carry with it the forfeiture of all allowances?

Mr. BLANTON. I would like to answer that; but I have only a few minutes. However, I will answer it and take a chance on my colleagues giving me a little more time. If a man did something dishonest his pay ought to be forfeited, but does my colleague, who comes from a military city, from a great city that has been made a great city by reason of a military post being there for years and years, even back to its Mexican history, does he contend that a young 16-year-old boy, who through the connivance of a slick recruiting officer swears he is 18 to get into the Army, that that boy has committed such a crime that he ought to be branded as a dishonorable citizen of the United States and have his pay forfeited?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I ask for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. I do not believe he contends it. That boy's pay ought not to be forfeited; he ought not to be branded with the discharge that he is not honorable to go down to his posterity through the years to come.

Mr. VAILE. If the gentleman will permit, I agree entirely with the gentleman that the boy ought not to be branded for

trying to serve his country if he is under 18 years of age, but I want to remind him I have a case where the boy contracted a disability in the military service of the United States in France and he can not now get compensation or any reward from the Government.

Mr. BLANTON. I have no patience at all with the Secretary of War, even if he is of my party, who will put such a rule into effect. He is the same Secretary of War who without any authority allotted $780,000 of the Quartermaster's allowance for advertising over the country to get these young boys into the Army, and out of that $780,000 allotment he spent $270,000 for advertising in newspapers. He spent $300,000 of it in billboard advertisements all over the country. That is the same Secretary of War—Democrat that he claims to be and of my party that I love—who since the armistice has turned loose upon the country all of the slackers who claimed to be conscientious objectors, who refused to fight or work or wear our uniform or serve in any capacity, yet each was given an honorable discharge and had paid them all of their salary accumulated during the war. He gave them an honorable discharge, but refuses one to the young 16 or 17 year old boy. That is not my kind of a Secretary of War.

Mr. COOPER. I want to say to the gentleman from Texas that a short time ago there was brought to my attention a case of a 16-year-old boy who was induced to enlist by one of these recruiting officers——

Mr. BLANTON. Why, this is a young 16-year-old boy that I am speaking of.

Mr. COOPER. I took up the matter with The Adjutant General, and yesterday I received a letter from The Adjutant General saying that boy had been discharged at Fort Sill, Okla., but they would not furnish the money for that boy to come home to his parents. I know that his parents are poor.

Mr. BLANTON. I can not yield further. Here is a boy who lives in Texas who since January 16 has been discharged at Fort Slocum, N. Y., and he is yet held in New York, 2,500 miles away from his home, and he can not be sent home until his poor father and mother, poor people of the country, dig the money up and send it up there to pay his travel pay and subsistence home. That is not the proper way to treat American boys of this country. Oh, the distinguished gentleman from California [Mr. KAHN], instead of criticizing so much ought to go to his committee room and he ought to have his committeemen meet there and bring in a resolution here telling that Secretary of War he must discharge every single soldier of this character and give them their pay and give them an honorable discharge and give them travel subsistence home.

Mr. BEE. Will my colleague yield?

Mr. BLANTON. He would make every mother of those boys glad and cause them to smile. He can do it, and he can get a rule, because he has the prominence to do it. He can get PHIL. CAMPBELL, of Kansas, to report out a rule in 20 minutes, and it can be passed here in a very short time.

Mr. JOHNSON of South Dakota. I am in sympathy with the gentleman, but I suggest to him that if he would draw an amendment and submit it now, I do not believe the chairman of the committee would object to it.

Mr. BLANTON. This is the fifth speech I have made on this question in the last six weeks in order to call it to the attention of my colleagues.

Mr. BEE. I agree with the gentleman from Texas that these boys that enlist under those circumstances ought not to be given a fraudulent discharge, with their pay and allowance forfeited. But if I understand it correctly, that is a part of the regulations of the Army, that where a man enlists fraudulently his pay and allowance stop. The gentleman has made the right suggestion. Let the committee bring in a bill providing that where a boy enlists under those circumstances this rule shall not apply.

Mr. BLANTON. If they brought in a rule, it would not change the status of these conscientious objectors who were turned loose honorably by the Secretary of War and paid back salaries.

Mr. BEE. We have a good many conscientious objectors in my section of the country who are in jail.

Mr. CALDWELL. I would suggest to the gentleman from Texas [Mr. BLANTON] if he would write to the War Department and ask for travel pay to the boy's home that the request would be granted and the boy would be discharged. It has happened many times in my own case.

Mr. BLANTON. The gentleman from New York, being on the committee that furnishes, up to this time at least, all the money for the War Department, by the hundreds of millions, he might get that done; but any one of the other 434 Congressmen of this House can not do it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I am in such hearty sympathy with the amendment that, just as soon as I can interrogate the chairman of the committee in regard to one Grover Cleveland Bergdoll, I will be glad to assist him in preparing an amendment so that the Secretary of War can see that those boys are paid. I rise to ask the gentleman from California [Mr. KAHN] if the Military Committee has taken any further action with reference to the Grover Cleveland Bergdoll matter?

Mr. KAHN. The committee has.

Mr. BEE. Would not the gentleman from South Dakota omit the "Grover Cleveland" part of the gentleman's name? I think it is an insult to the memory of that great man.

Mr. JOHNSON of South Dakota. It was not used in order to insult one of the greatest Americans we ever had, but that is the way it appears in the resolution. I wanted to identify him, so that the chairman of the committee would know the particular Bergdoll of whom I was talking. There are two brothers of them.

Mr. KAHN. The Committee on Military Affairs did take up that very proposition. If I may state the case fully——

Mr. JOHNSON of South Dakota. I would like to have the gentleman state it in whatever time I have.

Mr. KAHN. It is in this position. In the last session of Congress I introduced a resolution calling for the appointment of a special committee to investigate the escape of that shameless slacker. Such resolutions, as the gentleman knows, go to the Committee on Rules. That resolution went to that committee. The committee agreed, quite properly, to report a favorable rule. In the last day of the session the chairman of the Committee on Military Affairs tried to induce the chairman of the Committee on Rules to call up that resolution under the special rule. The chairman of the Committee on Rules attempted to call it up, but objection was made on the floor of the House by the gentleman from Texas [Mr. BLANTON]. It was on the last day of the session and the House was exceedingly busy, and no further action was taken. The Congress adjourned that day. To the best of my recollection during the time that the Congress was in adjournment the Federal court in Philadelphia tried the mother and some half dozen other persons who were of the household of Bergdoll, and four of them were convicted and sentenced to jail. Those people are now out on appeal, but the conviction has been had. Then one of the attorneys for Bergdoll was drowned during the summer. Of course, he could not be called before any special committee. But there was a very important matter contained in the cablegram that Bergdoll sent to the Philadelphia Ledger. He intimated very strongly that he was going to bribe some American officials by paying them $100,000.

I think a most thorough and sweeping investigation of that matter should be had at this time. The Committee on Military Affairs instructed its chairman this morning to get into communication with the United States attorney in Philadelphia, with the view of having all papers sent here immediately, so that the committee could be informed of the facts and could proceed further in regard to the entire matter.

I yield to the gentleman from South Dakota.

Mr. CALDWELL. Will the gentleman yield?

Mr. JOHNSON of South Dakota. For just a question.

Mr. CALDWELL. I know the gentleman wants to be fair to the attorney who died, but from his statement it might appear that he was one of those who was indicted. He was not.

Mr. KAHN. No. He was not indicted. He was one of the attorneys for the mother, and he has passed away.

Mr. BEE. Bergdoll, in the statement of the gentleman from California, referred to, charges that this attorney was to do the work by which the Government was to be defrauded.

Mr. KAHN. That detail I do not recall.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of South Dakota. I ask unanimous consent to proceed for five minutes. I have not been able to get in a word yet.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. Mr. Chairman, my reason for bringing this up at the time the gentleman from California was on the floor was because I am in hearty sympathy with his desire for an investigation and because it is very apparent to me that an injustice is being done the Secretary of War in some of the charges that are being made against him, and I think all of the facts ought to be given to the American public, so that every man who was inducted into the service will have

an opportunity to know the attitude of the War Department and the attitude of the Department of Justice.

And, again, I have been led to make these remarks because I see at one moment that Germany, our late enemy, has imprisoned at the present time two American sergeants, who perhaps may have been a little overzealous in what they were to do, but they are in prison, and by the order of the Government of Germany. That is occurring at the same moment that Germany is asking the sympathy of the United States in her dispute about reparations; and if she does imprison American sergeants or American officers, she is in no condition to ask any sympathy from any American citizen, and in my humble opinion she will get little. Her attitude at the present time may have something to do, or perhaps should have something to do, with the attitude of this Congress or with the viewpoint that this Congress should take about the size of our Army, and because of the attitude of Germany—one that we all know exists—I am going to be with the gentleman from California [Mr. KAHN] again in opposing any decrease below 175,000 in the size of the Army.

Those of you who are familiar with what he did or attempted to do on the floor of the House in May, 1916, with the Kahn amendment ought to realize that he is taking some of those things into consideration in the attitude that he now takes, and I am using the Bergdoll matter more to call the attention of the House to this unrest in the world and to the feeling in Germany toward the United States than for any other purpose.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the gentleman's pro forma amendment.

The CHAIRMAN. The gentleman rises in opposition to the pro forma amendment.

Mr. BLANTON. Mr. Chairman, the gentleman from California [Mr. KAHN] has again mentioned that I objected to the calling up of the Bergdoll resolution in the closing hours of the last session of Congress.

The RECORD will show that the gentleman's resolution, No. 574, provided for a special committee of five, any one of whom could sit anywhere in the United States he wanted to as a subcommittee. He could call witnesses before him at the expense of this Government anywhere, from all parts of the United States; any one of the five. They could have all the printing they wanted done at the expense of this House and charged to the House. They could employ legal counsel without any limitation at all as to the amount, and the gentleman knows that in the past history of such committees there have been such sums as $25,000 paid to such legal counsel.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment, I will. The proposed committee was authorized to employ clerks and stenographers carte blanche, without limitation. That resolution was brought up in the closing hours of the last session under a special rule that made it the privileged business of this House, coming from the Committee on Rules. I objected to its passage. I fought it on the ground of economy. I knew what that resolution would mean. I knew how much politics was in it. I knew it was partisan politics, and I objected to it in order to save thousands of dollars for the tax-paying people of this country.

Did I object to it coming to a vote? I forced them to get a quorum, and 270 men answered. At that time 164 Congressmen had already left Washington and gone home, and at least 100 more had their transportation in their pockets and were hurrying through business to get to the battle fields of politics. The gentleman from Kansas [Mr. CAMPBELL], the RECORD shows, voluntarily withdrew that resolution and would not let it come to a vote when he had 270 men here answering to the roll call, the following appearing on page 9195 of the permanent RECORD:

> The SPEAKER. Two hundred and seventy Members have answered to their names. A quorum is present.
>
> Mr. CAMPBELL of Kansas. Mr. Speaker, just before the recess I submitted a resolution to investigate the escape from a military prison of one Bergdoll. The circumstances surrounding the escape point to a very nasty scandal.
>
> Mr. BLANTON. Mr. Speaker, I demand the regular order.
>
> Mr. CAMPBELL of Kansas. There being objection, Mr. Speaker, to the consideration of the resolution, I withdraw the resolution.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment. If I have made a misstatement, the gentleman can correct me.

Mr. CAMPBELL of Kansas. It is inaccurate.

Mr. BLANTON. Well, the RECORD shows that the gentleman said:

> There being objection, Mr. Speaker, to the consideration of the resolution, I withdraw the resolution.

Mr. CAMPBELL of Kansas. And the gentleman knew that the closing hours of the session were approaching.

Mr. BLANTON. Yes; but we could have had a vote in 15 minutes by moving the previous question.

Mr. CAMPBELL of Kansas. And the gentleman from Texas was consuming the time.

Mr. BLANTON. Mr. Chairman, I do not yield further.

The CHAIRMAN. The gentleman declines to yield.

Mr. BLANTON. I want to say in reply to what the gentleman from California [Mr. KAHN] has said that on the first day Congress met at this session, on December 6, 1920, that special rule was still in effect. It has never been abrogated by the Committee on Rules. The special rule still makes his resolution No. 574 the privileged business in the House. The gentleman from California [Mr. KAHN] has made no attempt to call it up, although it has had a privileged status every day during this session, and the gentleman from Kansas has made no attempt to call it up. On the second day of the session in this House, December 7, 1920, I introduced a resolution myself, No. 603, for the House to instruct the Committee on Military Affairs to investigate and report on the escape of Bergdoll. Since its appropriating power has been taken away this committee has hardly anything to do now. It is resting on its oars. It has already the committee's secretary drawing a big annual salary, and it has its assistant secretary, and clerk, and janitor, and doorkeeper, and stenographers paid by this House by the year. Why could not the chairman of this committee [Mr. KAHN] investigate the matter himself? That resolution of mine went to the Committee on Rules, and I went to the gentleman from Kansas, the chairman of the Committee on Rules, begging him to have a hearing on it, and he said he would see about it. That was the last of it. He has never given me a hearing on my resolution. This Committee on Military Affairs could conduct this investigation with nominal expense, as it already has the machinery.

Mr. SHERWOOD. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I regret I have not the time to yield. The gentleman from California and the gentleman from Kansas, since we have had the election, have lost all their pep to have Bergdoll investigated. [Laughter.] They have no more anxious desire to have him investigated. I want to have the escape of that infamous, dirty slacker investigated and have him caught and put back in prison, and I would like to see the Army officers who were connected with his escape sent to the penitentiary, where they belong. I will help the gentleman to get up a resolution, if he will cut out the partisan politics, and I will help him pass it and help him find out who ought to be in the penitentiary and send them there. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ANTHONY. I ask that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, I move to strike out the last two words. I have been a Member of this House for 20 years, but I doubt whether a single colleague of mine on this floor, except the gentleman from Texas [Mr. BLANTON], ever accused me of playing politics.

When the war was on and some of the gentlemen on the other side of the aisle did not agree with the President of the United States, I took up the policies he advocated and put them through the House. Did that show any partisanship? [Applause.] I have never attempted in any way to question any of the gentlemen on that side or on this side of the House who differed with the President of the United States. They had a right to do it and I believe they followed the course that they thought was proper. I have never questioned their right. Regarding the Bergdoll case, I say most emphatically there was no politics in the resolution that I introduced. It was done at the time when the incident occurred. Bergdoll, a millionaire slacker, had just made his escape. The incidents were fresh in the minds of the people of this country, and it was possible to get the witnesses; but, as I said, during the recess of Congress some of these people were indicted in Philadelphia. They were tried. Four of them were convicted in the Federal court and sentenced to jail. The attorney of the Bergdolls died during that recess. The Military Establishment had held a court-martial involving the culpability of the sergeants who accompanied Bergdoll to Philadelphia. Under those circumstances I felt that there was little that could be done by the House when it reconvened in getting new information. The records of the court are open records. But this implication of the slacker that he was going to bribe officers of this Government is a new matter, and when

that became public I called it to the attention of the Committee on Military Affairs, and that committee has already taken some action.

I think it fair that the House should know all the facts in the case. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For aviation increase, to officers of the Air Service, $1,000,000: *Provided*, That this appropriation shall not be available for increased pay of any officer unless such officer is attached to an aeroplane unit regularly required to fly: *Provided further*, That no portion of this appropriation shall be used for pay of reserve officers.

Mr. HULL of Iowa. I reserve a point of order.

Mr. BEE. I make the point of order.

Mr. CURRY of California. I make the point of order on the proviso.

The CHAIRMAN. Will the gentleman from California state the point of order?

Mr. CURRY of California. The point of order is that it changes existing law and is new legislation on an appropriation bill.

The CHAIRMAN. Which proviso?

Mr. CURRY of California. The proviso just read.

The CHAIRMAN. Two provisos have just been read.

Mr. CURRY of California. The proviso after the "$1,000,000," in line 14, and ending with the word "fly," in line 16.

The CHAIRMAN. The first proviso. The gentleman from Texas made a point of order. What is it? [After a pause.] Does the gentleman from California wish to be heard on his point of order?

Mr. CURRY of California. The gentleman who is at the present time in the chair [Mr. TILSON] was a member of the Committee on Military Affairs when this matter was considered by the Committee on Military Affairs, and this language was carefully drawn and inserted as a part of the Army reorganization act. The language of the law is in part as follows:

Flying units shall in all cases be commanded by flying officers.

That is done—

Officers and enlisted men of the Army shall receive an increase of 50 per cent of their pay while on duty—

Note these words—

while on duty requiring them to participate regularly and frequently in aerial flights.

That provides that officers regularly and frequently required to participate in aerial flights are entitled to an increase of 50 per cent in their pay. In the bill before the committee the wording is—

This appropriation shall not be available for increased pay of any officer unless such officer is attached to an aeroplane unit regularly required to fly.

Under the law the officer must be regularly required to fly, and under the bill the aeroplane unit must be regularly required to fly. Neither in law nor in the War Department regulations is there a definition of an aeroplane unit or a flying unit. The word "unit" means one, and a flying unit might be one aeroplane or one balloon. This is an absolute change of law. It is not a limitation. It is legislation on an appropriation bill, and when the present Committee on Appropriations was created we were promised such legislation would not be attempted on an appropriation bill.

The CHAIRMAN. Does the gentleman from Kansas wish to be heard on the point of order?

Mr. ANTHONY. Mr. Chairman, I think that the language is a limitation pure and simple. It simply restricts the class of officers who shall receive the flying pay specified in the law.

Mr. FISHER. Mr. Chairman, I am very much interested in the proposition advanced by the gentleman from California [Mr. CURRY].

The House will remember that at the last session of Congress we passed the Army reorganization bill, and at the time the reorganization bill was being drafted and while there were elaborate hearings being held before the committee there was a subcommittee of the Committee on Military Affairs which was investigating the question of the Air Service, and whether or not we should have a separate or a united Air Service. It was thought then that it was not the proper time, that it was too expensive, and that it was not advisable at that time; but the conclusion was reached that some forward step must be taken for the Air Service.

In the reorganization bill the Air Service was made a separate department instead of going back as a branch of the Signal Corps. There were other steps taken in good faith which this Congress ought to adhere to. Among other things we provided that 90 per cent of the commissioned personnel of the Air Service should be aircraft pilots or observers, that those officers then assigned to the Air Service who could not qualify and did not want to qualify as aircraft pilots or observers must go to another branch of the Army. I want to say that a number of high-rated officers have qualified under the provisions of the law within the past eight months, and they have improved the Air Service, because they know more about airplanes and airships.

Another thing we did: We made provision that in order to command flying units, to send aviators into the air, the commanding officer must be a flier himself, because it was contended that men who knew nothing about the aeroplane and the airship and nothing about air conditions had no business to send men up in the air and to risk their lives.

The third thing which we did, which was a forward step for the Air Service, was to provide that 50 per cent increase of pay should go to the Army officers who qualified as pilots and who were on duty requiring them to participate regularly and frequently in aerial flights. That was a pledge that we made to them, to those who fly in aeroplanes and those who fly in airships. They have qualified, they have gone into the service upon that promise. That was construed to be the permanent law. It seems to me that it does not come with good grace from the Committee on Appropriations, which is seeking leniency on the part of the Members of this House in respect to the raising of points of order, when they engage in this effort; for they are attempting to emasculate and to destroy the forward steps for the improvement of the Air Service that the Congress by permanent legislation made in this reorganization law. [Applause.]

Mr. SISSON rose.

The CHAIRMAN. The Chair will hear the gentleman from Mississippi on the point of order.

Mr. SISSON. Has the point of order been made?

The CHAIRMAN. A point of order is pending.

Mr. SISSON. Mr. Chairman, of course, the Chair understands that our contention is that this is a limitation on the money appropriated in this bill. On that question and the reason for the limitation I think the House has the right to hear the views of the committee. The regulation provides that a man must be up in the air for 4 hours a month; 48 hours in 12 months.

Mr. FISHER. That is a minimum, is it not?

Mr. SISSON. Yes; and if the gentleman would go before the committee and hear the facts, he would find that in many cases men would fly the minimum amount in order to get increased pay.

The purpose of this limitation is to give every man who really flies, a real flying man, increased pay, for he and he alone takes the extra risk. I want to say that there is no more zealous advocate of the development of the Air Service than I. I believe that the development of the Air Service means more to this country in the nature of defense than development in any one line. I do not believe that it is a mere vision; I believe that the present status of the Air Service will convince anyone that it is only a question of a few years before we will have heavier-than-air machines carrying passengers 100 at a time. I looked at a model of an aeroplane this morning where the wings were to be 240 feet long, where the car in which the passengers are to eat and sleep is to be over 90 feet long, and there are to be six engines of 800 horsepower each, and the aeroplane will carry 12,000 gallons of gasoline.

A gentleman says, sotto voce, that it will never fly. He is like the old fellow who saw his first railroad train when it was first constructed. He said, "She will never run, you can not tell me about it, she will never move." Finally they told him that the engine was there, and he went to look at it, and it had stopped at that time. He looked at it very carefully and then said, "Well, she got here all right enough, but all hell will never start her again." A great many people feel the same way with respect to the Air Service, but I do not. I believe that the future will prove that a great battleship will be utterly worthless in time of war, for the air development will put it out of business. I believe that the development of the Air Service will put out of business almost all other forms of war. This may be a dream, but at the same time I believe it. I am unwilling, however, that this money should be appropriated unless it is to be used by men who are actually flying.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. SISSON. In a moment. There is testimony that gentlemen get in these committees which does not always go into the record. My friend, Uncle JOE CANNON, sometimes says to the reporter when a witness is on the stand, "Just lift your pen a minute," and then we will frequently get the most illuminating testimony during the time when the pen is lifted. There is a fraternity among these officers, and I reckon there ought to be

Army officers will not criticize each other and they will not criticize the regulations. We did have information, and I make the statement with one reservation, that the proviso is proper and should be adopted. I think the limitation is a little too strong with reference to the flight of the aircraft. This limitation will in no wise circumscribe the officers who are bona fide flying men from getting their 50 per cent, and the Air Service officers will tell you so; but it does prevent any sort of fraud being perpetrated upon Congress, and every good Army officer is willing to have it there. I now yield to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Chairman, I am in sympathy with what the gentleman says. I do not want this money to go to anyone except bona fide fliers, but I want to ask about the wording of the limitation. The way it is worded is peculiar—

That this appropriation shall not be available for increased pay of any officer unless such officer is attached to an aeroplane unit regularly required to fly.

Will that reach a great many men who may be on such service but who are not at the particular time present with a squadron or a flight or whatever other group of aeroplanes may be necessary?

Mr. SISSON. I am in sympathy with what the gentleman says. I do not think it will affect that. Here is the trouble with the proviso—that in the heavier-than-air service it is perhaps true that those men who would develop the heavier-than-air machines might be denied extra pay under the limitation.

Mr. GREENE of Vermont. That is what I want to get at. We will suppose a man to be off by himself or in some group where there is no regularly organized unit of aviation service. He is flying constantly and is developing exactly what we want him to develop.

Mr. SISSON. I am sure that it was not the intention nor do I believe that the man has to be——

Mr. GREENE of Vermont. Physically present?

Mr. SISSON. Physically present with the organization. All that is required is that he be connected with a unit. It does not matter when or where he flies. He gets his pay.

Mr. BANKHEAD. Mr. Chairman, I think we ought to have the point of order decided before there is a discussion upon the merits.

Mr. SISSON. I was saying what I have in support of the limitations.

The CHAIRMAN. The gentleman was furnishing information to the Chair which will be helpful in the decision of the point of order.

Mr. SISSON. It was nothing but a limitation.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman from Mississippi yield?

Mr. SISSON. Yes.

Mr. MANN of Illinois. Under the existing law can a man receive this pay unless he is a flier?

Mr. SISSON. He can not unless he is a flier.

Mr. MANN of Illinois. Theoretically or otherwise?

Mr. SISSON. The law provides that he must be a regular flier.

Mr. MANN of Illinois. Under this provision in the bill it is a unit that must be regularly required to fly.

Mr. SISSON. Yes.

Mr. MANN of Illinois. Could not an officer be attached to that unit and the officer not be required to fly?

Mr. SISSON. Well, that is perhaps true. Then, in the construction of the law by the War Department's office if he is connected with the unit he would not be entitled to pay unless he did actually fly?

Mr. MANN of Illinois. No; the War Department would take the existing law. He could not unless he did actually fly. But this is a change of law; that is the question now at issue, whether or not this provision would not authorize the appointment of an officer who does not fly if he is attached to an aeroplane unit which unit is regularly required to fly.

Mr. SISSON. I do not think so——

Mr. MANN of Illinois. Is not the extension that where we put a limitation in the law under the guise of a limitation it becomes the guide for the pay of an officer; but would not this provision authorize the appointment of an officer who can not fly if the War Department has attached him to a unit which does fly?

Mr. SISSON. I do not think so.

Mr. MANN of Illinois. Well, I should very clearly say it did.

Mr. WALSH. Will the gentleman yield for a question?

Mr. SISSON. I will yield.

Mr. WALSH. Is there any provision of law which requires the establishment or maintenance of an aeroplane unit at the present time, or any such organization——

Mr. SISSON. Yes; we have them divided into units.

Mr. CURRY of California. There is no such thing in law as an aeroplane unit. That does not appear in law anywhere.

Mr. ANTHONY. It is organized into squadrons, and we use the term "unit" as meaning a squadron.

Mr. WALSH. It does not mean a squadron. The language which I——

Mr. CALDWELL. The gentleman from Kansas does not mean to create the impression——

Mr. CURRY of California. Unit means one.

The CHAIRMAN. The Chair will hear the gentleman from Kansas.

Mr. ANTHONY. If I may say a few words further in regard to the general purpose of the amendment before the Chair rules.

Mr. CURRY of California. If the gentleman wishes to go into the merits of the proposition, I would like to be heard.

The CHAIRMAN. The Chair is willing to hear anything that will guide him in making a proper ruling.

Mr. ANTHONY. There is one phase of the necessity of an amendment of this kind I think gentlemen should know about. Pay is going to a considerable proportion of men who draw this 50 per cent extra pay for services that the committee felt were not hazardous. We feel especially that in the case of fixed balloons, which are safely anchored to the ground, there is no logical reason why an officer or a man who went up in such a balloon should draw 50 per cent increase in pay.

Mr. CALDWELL. Will the gentleman yield?

Mr. ANTHONY. That is the primal reason why the amendment was put on, and, furthermore, it is to guard against an officer merely flying four hours a month for the purpose only of qualifying for increased pay.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. GREENE of Vermont. Of course, the anchored balloon is one of the means of observation in combat?

Mr. ANTHONY. In time of war it is dangerous, but in time of peace it is not.

Mr. GREENE of Vermont. But this is a salary which applies to both in time of war and in peace, is it not? Now, a man in making an observation from an anchored balloon——

Mr. ANTHONY. Such balloon service in time of war is dangerous, but in time of peace is not.

Mr. GREENE of Vermont. But in time of war. The gentleman has not anything specified in the law that this is only a peace-time compensation.

The CHAIRMAN. The Chair is ready to rule.

Mr. WALSH. Will the gentleman from Kansas yield?

Mr. ANTHONY. I will yield.

Mr. WALSH. Does the language that he is actually required to fly comprise machinists, a lot of ground men, men who are employed upon the ground?

Mr. ANTHONY. I think so.

Mr. WALSH. Are they required to fly?

Mr. ANTHONY. Many of them are.

Mr. WALSH. Under this language——

Mr. ANTHONY. Under the language of the reorganization act there are many men, enlisted men, whose work is that of mechanics, and they are permitted to qualify in many instances and receive flying pay.

Mr. WALSH. But a lot of men employed in the aeroplane service in connection with flying actually never do fly, and under this language if they are attached to a unit it would appear they are required to fly.

Mr. CURRY of California. In reference to the balloon service I did not intend to enter upon the merits of the proposition while discussing the point of order, but since it has been done by others, I desire to call the attention of the committee and of the Chair to the fact that a few weeks ago at Ross Field, Calif., a balloon broke away from its moorings and the balloonist was killed. At another place a man was hurt in a balloon accident and laid up for six months in a hospital, and day before yesterday, down in Virginia, a balloon broke away and drifted out to sea and dropped in the ocean outside of the entrance to Chesapeake Bay, and if it had not been for some fishing boats in the vicinity the Army officer and men in the balloon would have been drowned. This section of the bill would stop the extra pay of balloonists. If you do not want the balloon service, abolish it by a separate bill reported from the Committee on Military Affairs, if you can, but not by an item or section in an appropriation bill.

They all fly. The balloonists fly. Every man who receives this extra compensation is a flier and flies regularly and frequently. In the last two months three of the men assigned to headquarters here in Washington were killed at Bolling Field.

And if this section is approved in its present form, Gen. Mitchell, who flies two or three times a week, would be cut out of his extra pay as would all fliers assigned to headquarters and to special and technical duties, regardless of the fact that they regularly and frequently fly. Those who do not fly do not receive the extra compensation; those who do fly receive the extra compensation and ought to receive it.

The CHAIRMAN. The Chair is ready to rule. The gentleman from California [Mr. CURRY] makes the point of order to the first proviso to the paragraph providing for an appropriation of $1,000,000 for aviation increase to officers in the Air Service on the ground that it is not a limitation but is in fact a change of law. The Chair is inclined to believe that the proviso is too broad to be properly considered a limitation. In the first place, the term "aeroplane unit" does not appear to be described in law, and no definite information as to what the term means has been brought to the attention of the Chair. Under the language it would seem to the Chair that it might quite widen and extend rather than limit the appropriation. Therefore in its present form the Chair sustains the point of order against the first proviso.

Mr. BLACK. Mr. Chairman, I offer an amendment.

Mr. MANN of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN of Illinois. As to what proviso was the point of order sustained? The first one?

The CHAIRMAN. The first proviso only.

Mr. MANN of Illinois. What becomes of the point of order on the other?

The CHAIRMAN. The Chair understands that no point of order was made to the second.

Mr. ANTHONY. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. Under the reservation the Chair will hear the gentleman.

Mr. HULL of Iowa. Mr. Chairman, I make the point of order.

The CHAIRMAN. What is the gentleman's point of order?

Mr. HULL of Iowa. That it changes existing law. I would like to inquire of the chairman of the committee, in all fairness, why is it that he wants to put on these limitations, as you call them, which will change existing law, when the law will be administered by a Republican administration, and the money undoubtedly will be spent in some way?

Mr. ANTHONY. I will say to the gentleman——

Mr. HULL of Iowa. It is not going to be wasted. This money will be spent.

The CHAIRMAN. The gentleman from Iowa [Mr. HULL] makes the point of order against the second proviso, that it is not a limitation but a change of existing law. It seems clear to the Chair that this proviso is simply a denial of an appropriation, or a provision against the use of it for a certain purpose, and while the Chair is not called upon to pass upon the wisdom or lack of wisdom of this denial, that it is a limitation the Chair is quite clear, and therefore overrules the point of order.

Mr. BLACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLACK. I believe the Chair recognized me to offer an amendment?

The CHAIRMAN. A point of order was made which shut the gentleman off. The Chair now recognizes the gentleman from Kansas [Mr. ANTHONY], the chairman of the committee.

Mr. ANTHONY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ANTHONY: Page 15, line 14, after "$1,000,000," insert: "*Provided*, That this appropriation shall not be available for increased pay of any officer who is not ottached to an airplane squadron, regularly required to fly. But this proviso shall not apply to any officer temporarily detached from such squadron."

Mr. CALDWELL. Mr. Chairman, I reserve a point of order against the amendment. It is not a limitation and is a change of existing law. You will see, Mr. Chairman, that the object of this amendment is to destroy the grades in the Air Service of military aeronaut, junior military aeronaut, and such like. It is plainly an effort to change existing law and destroy the Air Service of this country. It is purely a whittling-away process. There is a consistent effort, clearly apparent in this bill, on the part of these new men who now prepare the legislation for the Army, to whittle away and to cut into the greatest piece of legislation that this country or any other has ever had, to wit, the national defense act.

The CHAIRMAN. What the gentleman is saying may be all true, but it does not go to the point of order. The question now is whether or not it is a limitation on the appropriation.

Mr. CALDWELL. The only change he cites in there is "squadron." There is no division of "squadron" in the Air Service that is particularly defined by law.

Mr. MANN of Illinois. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. CALDWELL. Yes; I yield.

Mr. MANN of Illinois. As I understand the ruling of the Chair upon the provision that appeared in the bill, it was to the effect that it constituted a direction for the payment of officers attached to an aeroplane unit, whether those officers were required to fly or not, and that that went beyond the existing law which forbids the payment of the extra pay to any officer not regularly required to fly. Now, the same objection applies to the pending amendment, because this limitation is upon officers attached to an aeroplane squadron. There is no distinction in principle between being attached to an aeroplane unit and attached to an aeroplane squadron. And this would go further if a squadron is greater than a unit—I do not know and I do not know anybody who does know—because a man could be attached to the aeroplane service and regularly required to fly, but the man would not be required to fly——

The CHAIRMAN. The gentleman from Illinois understands that the law as it exists at the present time is that no officer who is not an actual flier can receive this increase in pay?

Mr. MANN of Illinois. That is what I understand the law to be.

The CHAIRMAN. Does the gentleman from Illinois understand that if this proviso as submitted should be written into the law, that therefore a man attached to an airplane squadron who is not a flier would be entitled to receive an increase of pay?

Mr. MANN of Illinois. I think this is a direction to pay him the extra pay, just as it was a direction to pay the extra pay to the man who was attached to the airplane unit. Where you say it can not be paid under certain circumstances it is equivalent to saying he shall be paid if those circumstances do not exist. That is the construction of all appropriation bills and laws as it has been made by the department.

Mr. MADDEN. Then there is a further proviso attached to the amendment of the gentleman to the effect that if they are temporarily detached it shall not result in having their pay deducted. Is not that a negative of the first proposition?

Mr. MANN of Illinois. I do not think that goes to the merit of the proposition, but the other does; that is, the officers are not entitled to receive the extra pay.

Mr. CONNALLY. Mr. Chairman, I would like to submit a few words on the point of order. The gentleman from Kansas contends that his amendment is a limitation. As I understand, a limitation under the rules is a limitation upon the application of a particular appropriation. In other words, a limitation consists of a direction that the particular appropriation carried by a bill is to be restricted in its use over what it otherwise would be. If I am correct in that contention, I submit that the point of order is not well taken and that the language is a limitation on the appropriation.

In that connection I want to call the attention of the Chair to the existing law on the subject, which is found in section 13A of the Army reorganization act, where this language is used:

Officers and enlisted men of the Army shall receive an increase of 50 per cent of their pay while on duty requiring them to practice regularly and frequently in aerial flight, and hereafter no person shall receive additional pay for aviation duty except as prescribed in this section.

Now, under that statute, in the absence of this limitation, in the absence of the language contained in this appropriation item if amended as suggested, no officer, of course, could receive any additional pay unless he actually does flying duty. Now, I desire to call the attention of the Chair to the fact that under existing law an officer might be paid for doing flying duty, whether he was attached to a balloon unit or a balloon squadron or an airplane squadron. The present language in the appropriation bill is this—and I want to call the attention of the Chair, if he please, to that particular point—"*Provided*." Provided what? "That this appropriation," and so forth. It does not undertake to change the statute or change the permanent existing law, but it provides that this appropriation shall not be available, except under conditions. It is not affirmative, as suggested by the gentleman from Illinois.

It does not command anybody to do anything, because the existing law is sufficient for that; but it announces that this appropriation shall not be available for increased pay of any officer unless such officer is attached to an airplane squadron regularly required to fly.

Now, it is clear that the use of this language narrows the class of officers who can receive the additional pay, because under the general statute it is immaterial whether the officer is a balloon officer or an airplane officer or whether or not he is attached to a squadron. But under this language of the present appropriation that class of officers is narrowed to the airplane officer who is attached to a squadron. It is a limitation, not on the law but on the application of this particular appropriation.

The CHAIRMAN. Will the gentleman permit the Chair to ask him a question?

Mr. CONNALLY. I shall be glad to.

The CHAIRMAN. The gentleman understands that no officer who could not receive pay under the law as it stands would be able to receive the additional pay if this proviso were adopted?

Mr. CONNALLY. That is my contention.

The CHAIRMAN. And that there would be officers now under the law who can receive pay under the present law but who would be debarred from receiving pay under this?

Mr. CONNALLY. Yes. Under existing law whoever is required to fly would be entitled to the extra compensation, whether he is attached to the airplane squadron or not. For instance, the gentleman from California [Mr. CURRY] cited the fact that Gen. Mitchell, who is the commander in chief of the Air Service, under the existing law, flies four times a month, an hour each week, 48 hours a year.

Mr. CURRY of California. Three or four times a week; usually every day. There are a lot of people who are peeved at Gen. Mitchell for rising from the ranks.

Mr. CONNALLY. I am not making any strictures on Gen. Mitchell, but am simply availing myself of some information that the gentleman from California [Mr. CURRY] imparted, to the effect that he flies regularly. I do not care whether Gen. Mitchell flies all night or not or all day, or both; but the gentleman from California made the point that under this amendment Gen. Mitchell would not be attached to a squadron, and consequently under this very appropriation Gen. Mitchell, for one, would be cut out. Consequently that illustrates that the provision is a limitation on the provisions of existing law, so far as this appropriation is concerned.

Let us take some other officer in the Air Service who may be a chief of a division. He may not be attached to an airplane squadron, yet under the existing law, when he should perform the minimum amount of flying required, he would be entitled to the extra compensation, but under this limitation the scope would be so narrowed that he would be excluded.

Let us take the case of an officer of a balloon section. Under the law he would be entitled to the 50 per cent additional, but under the language of this bill he would not be entitled to additional pay. Consequently this amendment is in order both on the ground that it is a limitation and on the further ground that it retrenches expenditures, because if it would keep out any officer who is eligible to the 50 per cent extra pay under the law, then it would retrench expenditures.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. CAMPBELL of Kansas. The gentleman says it would be in order under the Holman rule, because it retrenches expenditures. What has the gentleman to say about the observation of the gentleman from Illinois [Mr. MANN] that it would open the way for pay to everyone attached to an airplane squadron, whether they were fliers or not?

Mr. CONNALLY. My reply to the gentleman from Kansas is that section 13-A of the Army reorganization act is still in force, and is not at all repealed by this limitation on the appropriation bill, and the language of that section says that no one shall receive increased pay unless he is required to fly.

Mr. CAMPBELL of Kansas. Yes; then it changes existing law, and that can not be done under the guise of an addition.

Mr. CONNALLY. It does not change existing law. Existing law remains just as it has been, but it changes the manner in which this particular item is to be applied.

Mr. CAMPBELL of Kansas. Who is to decide?

Mr. CONNALLY. Let me ask the gentleman from Kansas, does he not recognize that it is absolutely competent for this Congress not to appropriate a dollar for the pay of the Air Service if it should see fit?

Mr. CAMPBELL of Kansas. Oh, yes.

Mr. CONNALLY. Does he mean that thereby we repeal the provision of the Army act which provides for the Air Service?

Mr. CAMPBELL of Kansas. No; but here we are appropriating money under the law and the authorizations heretofore made by statute. Are we now attempting under the guise of a limitation to change that law by authorizing pay to fliers when they are attached to a squadron whether they fly or not?

Mr. CONNALLY. Each time you put a limitation on an appropriation bill, so far as the use of that appropriation is concerned existing law does not apply. Otherwise there would be no limitation, and that is exactly the purpose of the rule; but the law remains the same, and comes into effect at the expiration of the appropriation bill, just as it always was in effect and just as it is in effect now, and the limitation is simply a string that Congress places on an item in the appropriation bill of a negative character. It is not affirmative. It is negative, saying that this appropriation shall not be expended for so and so.

I submit to the Chair that this language is in order, for the reasons submitted.

Mr. HUSTED. Mr. Chairman, it is my contention that a reasonable construction of this proviso would not authorize the payment of increased compensation to any officer unless he was an actual flier. The provision is—

To aviation increase, to officers of the Air Service, $1,000,000.

That means officers of the Air Service subject to all their rights and all their duties under the law; and one of their duties is to fly if they are to receive the increased compensation. An officer of this service can not get the increased compensation under the law unless he does fly. This proviso does not directly or indirectly repeal that requirement. It simply adds another requirement, because the officer is subject to all the duties under the general law; that if he is to receive increased compensation he must not only fly, as he is required to do under the general law, but he must also be attached to a regular airplane squadron, which is also required to fly.

Mr. CAMPBELL of Kansas. May I ask what an airplane squadron is; what the Auditor of the Treasury Department would define an airplane squadron to be?

Mr. HUSTED. I think, Mr. Chairman, that what an airplane squadron is is well recognized by the War Department. It is a unit organized for the purpose of flying.

Mr. CAMPBELL of Kansas. But it has never been defined by the law or by the Army Regulations or the War Department.

The CHAIRMAN. The Chair is ready to rule. The bill makes an appropriation—

For aviation increase, to officers of the Air Service, $1,000,000.

If left without the proviso this $1,000,000 could be expended for increase of pay of all officers who, under the present law, are qualified to receive it; that is, those who are actual fliers. The proviso as now modified provides that this appropriation shall not be available for increased pay of any officer who is not attached to an aeroplane squadron regularly required to fly; but this proviso shall not apply to any officer temporarily detached from such squadron.

The appropriation is already limited by existing law to officers who actually fly. This proviso, in addition to that limitation, adds another to the effect that besides being a regular flier the officer must also be attached to an aeroplane squadron which is required to fly.

In the opinion of the Chair this is a limitation. It is not within the province of the Chair to pass upon the wisdom or lack of wisdom of the provision, but it is the opinion of the Chair that the proviso actually limits the class now authorized to receive this increased pay under the law. Such a limitation to an appropriation is in order under the rules. The Chair therefore overules the point of order.

Mr. CALDWELL. Mr. Chairman, I rise in opposition to the amendment. I have noticed on an examination of this bill that there is here beginning an effort—and I believe it will be followed in future Congresses—to tear down and destroy the greatest piece of military legislation that has ever been put upon the statute books of any country in the history of the world. That sounds like an exaggerated statement, but I think it is generally recognized by the military men of the whole world that the greatest piece of military legislation that had ever been passed up to the year 1916 was passed by the Sixty-fourth Congress under the leadership of that great man, Jim Hay; and there is not a man of this subcommittee but will join with me in singing the praises of Jim Hay. The forethought that he there demonstrated and the science that he there wrote into law is so great that there is nothing I can say which would add to the great glory that must come to him through all generations for the work he did in helping to prepare our country for a great war when it came and at the time he did it.

We have had from time to time the necessity of amending that statute, but we have not destroyed any of its perfect features when the committee that served with Jim Hay were there to point out what was about to be done. Now you have a small committee. You are supposed to have 35 members to examine the military appropriation bill, but as a matter of fact there are

about 5, and of those only 2 or 3 sat and examined these affairs. Am I mistaken in that?

Mr. ANTHONY. The gentleman is absolutely mistaken. Of the five members of the subcommittee four were there all the time and the remaining one most of the time for two months.

Mr. CALDWELL. Well, five members, and I dare say that the distinguished gentleman from Kansas was there all of the time. I have the honor of having served with the distinguished gentleman from Kansas [Mr. ANTHONY] for a number of years on the Committee on Military Affairs before he was transferred to the Appropriations Committee.

Many times we have had divisions in our committee, but never a division on politics since I was a member of it except on one occasion. At all times the division was between a big Army and a little Army, and I think the gentleman will agree with me that the five members of the Appropriations Committee composing the full committee that framed this bill are little Army men, regardless of which side of the House they are on.

Mr. ANTHONY. Oh, the gentleman is wrong again.

Mr. CALDWELL. Well, if any of them is a big Army man I do not know which one it is, unless the gentleman calls himself a big Army man.

This is an attempt to take the heart out of the Air Service of our Army. We began to build an Air Service in the Army long before any other country in the world undertook it. The aeroplane was first successfully flown in America, and it was under the tutelage of American Army officers that it was developed. It was money which was appropriated for the development of the Air Service that built up the great aviation manufacturing plants in this country.

We threw away money during the war in our hurry—a great deal of money was wasted—but it must be admitted that in the few short months that America was in the war and particularly in the months since 1916 the Air Service was developed in America a great deal more than people ever dreamed to be possible. Why? Because the foresight of Congress had provided inducements for men to devote their time and energy to the study and to risk their lives in the operation of craft used in this service.

Here is an effort to destroy that. Notice how the amendment reads. It will be noted that it refers only to the officers. It does not make any reference to the enlisted man. In the Hay bill, and in the amendment offered to it by the gentleman from Kansas, a provision was made for the increase in the pay of the enlisted man who flies. This amendment does not say anything about the increase of pay of the enlisted man.

Mr. ANTHONY. That is carried in another part of the bill.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. CAMPBELL of Kansas. Oh, I think that is too little. This is a very important matter.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Chairman, do I understand that the gentleman from New York has five minutes of that time?

Mr. CALDWELL. I asked for five minutes, and it was not objected to.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. CAMPBELL of Kansas. And how much time is allowed in addition to the time of the gentleman from New York?

The CHAIRMAN. The gentleman from New York first propounded a unanimous-consent request for an additional five minutes, whereupon, before permission was granted, the gentleman from Kansas [Mr. ANTHONY] rose and asked that all debate be limited to 10 minutes.

The Chair asked if there was any objection to the request of the gentleman from Kansas, and there was no objection. Thereupon the Chair asked if there was objection to the request of the gentleman from New York that he might proceed for five minutes. Is there objection?

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent to modify my request and make it 15 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to modify his request to 15 minutes. Is there objection?

There was no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York that he may have five minutes?

There was no objection.

Mr. CALDWELL. In addition to that, the amendment provides this increased pay should not be given to any Army officer unless he is attached to an aeroplane squadron. What is an aeroplane squadron? Examine the Hay bill and you will find that there is nothing to define it. Examine the amendment of 1920 and you will find no description of an aeroplane squadron. What is an aeroplane squadron? Is it a squadron composed of just three or four men; is it to be of men flying in the air and also of those on the ground; or is it composed also of the high officials—are they also attached? The string of authority reaches from the enlisted man and the mechanic on the ground up through the men who fly and to the executives in the air division. Nobody knows what a squadron is. To-day we have subdivisions of the Air Service for the purpose of administration. We talk of a wing and a flight and a squadron and all of that sort of thing, but those organizations are arranged purely by Executive order, and any day at any time a squadron may be changed. A squadron may be expanded to include the whole of the Air Service. So we come to the proposition that here in an attempt to destroy, to cut the heart from the Air Service of this Army, we shall write into the law a provision that is so ambiguous that an Executive who wants to take advantage of the Congress can. He can take it away from the men who fly and distribute it among the men who sit in swivel chairs in the department. There is no reason in it, no conscience, no economy.

Mr. FISHER. Mr. Chairman, I rise in opposition to the amendment and want to state that from the hearings before the Committee on Appropriations the position of the gentleman who offers this amendment is inconsistent when he does not include airship officers. There was no evidence before his committee as shown by the hearings which indicated that service in airships was less hazardous than service in aeroplanes. There was strong evidence to show that there is great need for improvement in airships. From the reading of this amendment it is plain that the gentleman is perfectly willing to increase the pay of the man who flies in an aeroplane but not to increase the pay of the man who goes up in a balloon or airship. In the hearings before the committee a balloon officer testified that investigations made since the war show that the destructions by bombing from balloons, from Zeppelins, were far more certain and destructive than any bombing that had been done by aeroplanes. The airship can hover over an objective. I want to protest against the House changing the legislative policy adopted for the Air Service without hearings. If we are to develop the airship we must offer the same inducements that we offer to the man who goes up in the aeroplane, because the service is just as hazardous. We fixed as a permanent policy in the reorganization act that 50 per cent increase should be given on the conditions stated in that law, and I do not think we ought, in a provision offered in an appropriation bill, to change that fixed policy toward the Air Service. In the hearings on the bill to provide a separate Air Service many distinguished aviators made recommendations to the committee.

We had numbers of witnesses outside of aviators. We gave the question a very exhaustive study. The Committee on Military Affairs studied those hearings, and as a result of it—and it was not satisfactory to the aviators, because they thought they ought to have a united Air Service, a combined Air Service of each department of the Government in one big Air Service—section 13a of the reorganization bill was enacted into law. It was the best that could be given, and I do not think we ought to repeal any part of it by this sort of a provision. If we changed the policy by reducing the premium offered to those who would enter this hazardous service or have already entered it as a result of our action, we would not be keeping faith.

Mr. CURRY of California. Mr. Chairman, I do not believe that the subcommittee of the Committee on Appropriations would do what they have done to the Air Service in this bill if they had acted on proper information. The Air Service must be developed as one of the great arms of defense of this Nation, not only in the Army, but in the Navy. If it had not been for the Air Service our boys in France could not have made the splendid winning fight they did. Every man in the Air Service is a hero; every man in the Air Service is brave. He must be almost a perfect man in his physical and his mental make-up or he will not be trusted in the air; he will not be commissioned as a flying officer. Do you know that 70 per cent of our fliers who participated were killed in some of the battles in France, and if it had not been for the men in the air, wirelessing back the information as to where the enemy was, their strength, and equipment; if it had not been for men in the air dropping bombs on and harassing the enemy, our Army would not have

made the splendid showing it did and of which we are all so proud? Every other great nation but ours has developed and is continuing to develop its air service. We are the greatest inventive nation in the world. There is scarcely anything that is used by a foreign army or foreign navy that was not an American invention—invented here and, on account of our short-sighted policy, developed abroad. The machine gun, breech-loader, automatic, caterpillar engine tank, the underwater boat, the flying machine, the dreadnaught, and high explosives are a few of the American inventions that were invented by American genius and developed abroad. And here we have a committee of the House bringing in a bill to throttle the development of the Army Air Service—the most essential and effective of our fighting forces, that, properly officered and organized, might save the lives of tens of thousands of our boys should the time come that we must fight again. I pray to God that time may never come, but under existing world conditions we do not know but that it may, and we should develop our Air Service so as to be ready in the event it does. The Air Service costs less and is more effective than any other branch of our Military Establishment.

Mr. CALDWELL. Mr. Chairman, I must make the point of order that there is no quorum present. I think the House ought to hear the statement being made by the gentleman from California. We are going to vote on this proposition in a few moments, and I therefore make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise, and on that I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers [Mr. ANTHONY and Mr. CALDWELL] reported that there were—ayes 5, noes 103.

So the committee refused to rise.

The CHAIRMAN. A quorum is present and the gentleman from California has two minutes remaining.

Mr. CURRY of California. Mr. Chairman, under the law flying officers and men to be entitled to receive this extra compensation are required to fly and to fly frequently. That includes the balloonists as well as the aeroplane men, and I wish to state that the balloon service is so unattractive there are very few men going into it. I called the attention of the committee some time ago to the fact that one balloonist was killed in California a few weeks ago, another one was injured a year or so ago and was in the hospital for six months, and that a balloon broke away from its moorings in Virginia day before yesterday and drifted out to sea and if it had not been for some fishermen there the crew would have drowned. You will all remember the naval expedition balloon that for days was lost in Canada a short time ago. The three officers in that balloon proved their bravery and heroism. They are a great credit to the American Navy and to American manhood. The flying men in our Army and Navy are brave, strong, courageous, and patriotic. The balloon is more dangerous than the aeroplane. A balloon is filled with inflammable gas and in time of war if it is struck by a bullet the envelope of the balloon is ripped and torn, the balloon falls to the ground and the crew are killed, or it bursts into flames and they are burned up. I think the proposed amendment is in line with a shortsighted policy and ought not to prevail.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment offered by the gentleman from Kansas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For pay of enlisted men of the line and staff, $72,678,659.

Mr. HASTINGS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 22, page 15, strike out "$72,678,659" and insert "$70,000,000," and change the period to a colon and add: "*Provided*, That no part of this appropriation shall be expended on or after six months after the passage of this act unless prior to said date the number of enlisted men in the Regular Army shall have been reduced to not exceeding 150,000 men."

Mr. ANTHONY. I reserve a point of order on that.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma under the reservation.

Mr. BANKHEAD. Mr. Chairman, is it the purpose of the gentleman to make the point of order?

Mr. HASTINGS. Mr. Chairman, I want to debate the merits of this amendment, but I do not think it is subject to a point of order. I think under the ruling of the Chair it is clearly a limitation and within the Holman rule.

The CHAIRMAN. It appears on the face of the amendment clearly that it reduces the amount carried under the bill and would come under the Holman rule.

Mr. ANTHONY. Mr. Chairman, I withdraw the point of order.

Mr. GREENE of Vermont. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The gentleman from Oklahoma has been recognized to speak to his amendment.

Mr. HASTINGS. Mr. Chairman, the amendment proposed by me reads as follows:

At end of line 22, page 15, strike out "$72,678,659" and insert "$70,000,000" and change the period to a colon and add: "*Provided*, That no part of this appropriation shall be expended on or after six months after the passage of this act unless prior to said date the number of enlisted men in the Regular Army shall have been reduced to not exceeding 150,000 men."

It leaves no possibility for the Army to not be reduced to 150,000 men at the end of six months. I think we ought to be more specific in our legislation with reference to the size of the Army.

On June 4, 1920, we passed the Army reorganization act, the second section of which contains the following:

Except in time of war or similar emergency, when the public safety demands it, the number of enlisted men of the Regular Army shall not exceed 280,000, including the Philippine Scouts.

An effort was made then to limit the size of the Army not to exceed 185,000 men, but a motion to recommit, so as to limit the size of the Army to this number, was voted down. The Army appropriation bill of last year does not limit the size of the Army, although there was a discussion to the effect that an appropriation was made for 175,000. There was nothing in the law to this effect. During this session of Congress there has been much criticism leveled against the Secretary of War for not reducing the Army to 175,000. I do not believe that much of this criticism is justified, although I do not approve of a large standing Army. I do not believe that this is the proper method of legislating. I think Congress ought to assume the responsibility and should legislate by using language that admits of no misconstruction.

The amendment proposed by me gives an opportunity to vote upon the size of the Army. A short time ago the following joint resolution was passed:

That the Secretary of War be, and he hereby is, directed and instructed to cease enlisting men in the Regular Army of the United States until the number of enlisted men shall not exceed 175,000: *Provided, however*, That nothing contained herein shall be held to prohibit the reenlistment of those enlisted men who have had one or more enlistments and who desire to reenlist in the Regular Army.

It was proclaimed from the housetops that this resolution provides for an Army of not to exceed 175,000. Of course, the resolution does no such thing. While it provides that the Secretary of War shall cease enlisting until the Army is reduced to 175,000, it contains the further proviso that nothing contained therein "shall be held to prohibit the reenlistment of those enlisted who have had one or more reenlistments and who desire to reenlist in the Regular Army."

There were more than 4,000,000 men enlisted in the Army during the World War, and this proviso would permit the reenlistment of any of them and increase the Army far beyond 175,000. It has been stated that there are 237,000 men in the Army now, and that 1,000 recruits were being received daily up to January 31, when the Secretary of War stopped recruiting, as the chairman of the Military Committee has stated.

And it has been stated and contradicted, and restated and contradicted, that the Secretary of War has quit recruiting. So I do not know what information to follow.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Oklahoma yield to the gentleman from South Dakota?

Mr. HASTINGS. If I may have five minutes more.

The CHAIRMAN. Is there objection?

Mr. ANTHONY. Will the gentleman from Oklahoma yield for the purpose of permitting me to offer a unanimous-consent request at this time?

Mr. HASTINGS. I will.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and amendments close in 20 minutes, including the time asked for by the gentleman.

Mr. GREENE of Vermont. Mr. Chairman, reserving the right to object, we do not know how many amendments are going to be offered. I tried to get the floor before in order to offer one, and there may be others.

Mr. ANTHONY. Make it 30 minutes, and that will give the gentlemen each five minutes.

Mr. BANKHEAD. Reserving the right to object, I have an amendment that I would like to offer.

Mr. JOHNSON of South Dakota. And I would like five minutes.

Mr. ANTHONY. I ask for 35 minutes, then.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on this paragraph and amendments thereto be closed in 35 minutes. Is there objection?

Mr. MOORE of Virginia. Mr. Chairman, I object, because I think we ought to develop the situation a little further first.

The CHAIRMAN. The gentleman from Virginia objects. Is there objection to the request of the gentleman from Oklahoma [Mr. HASTINGS]? [After a pause.] The Chair hears none. The gentleman from Oklahoma is recognized.

Mr. HASTINGS. The argument has been made that we can not violate contracts that we have made with enlisted men, and that, therefore, we can not reduce the Army. I have no sort of doubt and do not believe any Member of the House entertains a doubt but what a big reduction in the number of enlisted men could be made within six months if they were notified that the War Department desired it. The reduction could easily be made without violating any enlistment contract.

Mr. JOHNSON of South Dakota. I would like to ask the gentleman from Oklahoma if it is not true that there are more than 150,000 men in the Regular Army, but whose term of enlistment would not run out until after the expiration of the time set in the amendment?

Mr. HASTINGS. I do not have any sort of doubt if it were known that we wanted within six months to reduce the size of the Army to 150,000 men, and if the officers of the Army in good faith attempted to respect the wishes of Congress, there would be enough enlisted men who would apply for discharge within that time to reduce it down below 150,000 men.

Mr. JOHNSON of South Dakota. I would like to ask the gentleman if those enlisted men do not apply for discharge—and I can not agree with the gentleman that they will in the present financial condition of the country—would it not be true that you would then have an Army of men already signed up and have insufficient funds with which to pay them?

Mr. HASTINGS. You say in one breath here that you are appropriating for only 150,000 men, and yet you have 237,000 men now in the Army. And I do not think we ought to legislate by indirection. I believe there ought to be no ambiguity about it, and I believe we ought to say just how many men we ought to have in the Army and not leave it to the War Department to figure out from the debates in Congress and then afterwards come upon the floor here and criticize them.

We say that we are providing in this bill for 150,000 men. That is found in the discussion in the RECORD and not in any language contained in the bill. The amendment proposed by me makes it certain that the enlisted men in the Army shall be reduced to not exceed 150,000 within six months after the passage of this act.

When the resolution above referred to was before the House for consideration, it came up under a suspension of the rules making it impossible to offer an amendment. Therefore the House did not have an opportunity to vote upon the size of the Army, as to whether it should be 175,000, 150,000, or any other number. A Member of Congress had to vote for or against the resolution, and preferring the indefinite language contained in the resolution to no resolution at all, I voted for it. I do not like such a method of legislating.

This bill contains an appropriation of $328,000,000 for the maintenance of the Army during the coming fiscal year. When I came to Congress six years ago we appropriated $101,000,000 for the Army. The $328,000,000 does not represent the cost of the Army to the taxpayers. If we have 237,000 men in the Army and we appropriate, as we do in this bill, only for 150,000 and do not add the amendment proposed by me to force a reduction, a large deficiency bill will be brought in, which, added to the amount appropriated, will make the cost of the Army for the coming year aggregate, in my judgment, $400,000,000. The deficiency as reported in the pending deficiency bill in the House, in addition to the appropriation made last year, amounts to $48,002,960.

I think the world is sick of war and I believe that this is a splendid time to fix the size of the Army and to reduce expenditures. Congress will be in session during the spring months, and almost continuously in session during the coming year, and if an emergency arises Congress could act. I am constrained to believe that the War Department is reluctant to reduce the size of the Army. Every department of the Government discourages making any reduction in its civil force. Congress should act, and act now, and not act by using ambiguous language or by indirection but should act positively. If this amendment is adopted everybody knows that the Army will be reduced to 150,000 within six months. There is no ambiguity about the language. [Applause.]

Mr. GREENE of Vermont. Mr. Chairman, I offer a substitute to the amendment.

The CHAIRMAN. The gentleman from Vermont offers a substitute to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GREENE of Vermont as a substitute to the amendment offered by Mr. HASTINGS: Page 15, line 22, strike out the figures "$72,678,659" and insert in lieu thereof "$84,849,909."

Mr. GREENE of Vermont. Mr. Chairman, for this substitute I have taken the figures of the subcommittee of the Committee on Appropriations and tried to use the ratio that they apparently accepted, as given on page 410 of the hearings on the Army appropriation bill of 1922, on which page Maj. MacKay is made to testify that the average pay for the enlisted man is $486.65. I have taken, then, the general statement that the sum proposed by the subcommittee will take care of about 150,000 men, and have increased that sum sufficiently, on their own basis, as I understand it, to add 25,000 men more.

Mr. ANTHONY. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. ANTHONY. For his information I want to say that the finance department is not together on the cost of the enlisted men. I have a communication from Gen. Lord, putting it at $600 a year——

Mr. GREENE of Vermont. I know it. That is why I did not want to base it on anything except what was said on that page 410 of the hearings. It has been for years a moot point as to just the dollars and cents an enlisted man costs.

Mr. KELLEY of Michigan. Does not that depend upon the difference in the number in each grade? Is it not a question of mathematics?

Mr. GREENE of Vermont. Undoubtedly. I wanted the House to understand me in absolute good faith, and this amount proposed by me must be only an approximation of what it would cost to support 25,000 more men in the service than the number provided for by our friends of the subcommittee.

I think nobody on this floor or in this Congress would stand by a policy which meant the maintenance of a large standing army, or an army that is calculated in itself to be the actual agency that conducts our national defense alone and unsupported. When the time shall come when this country can not depend upon its own people in civil life to come to the support of their own country and their own Government in time of war, then this country is not worth supporting by anybody. We ought not to have a professional paid corps of mercenaries whose business is nothing but fighting to keep the rest of us safe while we do not have to fight at all.

I will not dwell upon that proposition longer than to say that I am not in sympathy with the idea of maintaining a great Military Establishment. I do not look upon the terms and figures provided in the Army reorganization act as representing in any sense an army of defense.

It is a nucleus and a training corps around which will come the great citizen army of defense in time of emergency.

But we calculated in the formation of that act originally that the activities which would be followed by the Army personnel should be of such a character as to keep them alternating from one kind of instruction to another, from one period of instruction to another, throughout the season of training in the year, and their assembly in sufficient numbers in tactical units and organizations, representing all the arms of the service, in order that they themselves shall get training in their arms; and that the officers appointed over them, alternating between the duty at school and the duty with the troops, can actually be brought into the command, at least during some part of their time, of real war strength units. If it is to be merely all blue print and blackboard and imagination, nobody gets the real training that is necessary.

If this country were geographically such a small area as that of some European States, perhaps, it is easy to see that we could maintain an army of only such sufficient numbers as would permit the officers in their turn to pass through pretty near all the steps of the whole organization and get their training and familiarity with troops in that way, and that unit need not be particularly of a large size in numbers. But you must bear in mind, if you will permit me to suggest it again to you, gentlemen, that we are trying to maintain an Army in a vast continental domain; we are never concentrating at any time any great force of soldiers anywhere. We all know, as a matter of our own neighborhood experience, that there are thousands of hamlets and villages and even large towns and counties in America where a majority of the people never actually see a

Regular Army soldier in uniform. We are not laboring under any great crush of militarism in this country.

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. GREENE of Vermont. Mr. Chairman, I ask to proceed for five minutes more, if I am not trespassing unduly on the patience of the committee.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GREENE of Vermont. We never concentrate anywhere any great quantity of soldiers that will overpower the citizenship, or overshadow, or overawe them. We should not use the high-flown language or rhetoric that we sometimes employ about "militarism." According to the last figures submitted by the military authorities, this tabulation shows a comparison of population and the approximate strength of regular armies of European countries and the United States, and I may say that the United States has the least ratio of them all, it being twenty-one one-hundredths of 1 per cent.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield? I will ask that he may get more time if he will.

Mr. GREENE of Vermont. I would like to yield, but——

Mr. CALDWELL. We all appreciate the gentleman's learning and scholarship in connection with this question. I hope the gentleman will say something about the new training we have undertaken in the matter of larger camps. I hope the gentleman will speak of that. He knows more about that than any of the rest of us.

Mr. GREENE of Vermont. I disclaim that, thank you.

If we apply ourselves to one consideration alone—that is, our coast line and the amount of coast defense that we must, at least nominally, garrison for self-preservation purposes, to look after what is there, to maintain it in the ordinary way of housekeeping, and carry on a supervision and care of that property as a Government reservation—we begin to string this personnel of an Army of 150,000 men along over thousands of miles of coast, east and west and from the Lakes to the Gulf, and then see what is left of our 150,000 men there alone. Then we take the interior posts, not the deserted one-company posts that were built in the Indian country during the frontier days but those establishments which have met with the approval of military authorities and good-sensed civilians as being necessary to house our Army, and that are adapted to this training and other activities which are essential to the construction of an Army, we distribute our enlisted personnel of the Army over the country in that way, and again we have torn a great hole out of the 150,000 men. Then take the men who are assigned to special training agencies, the men who are assigned to the high schools and colleges and one thing and another, and it breaks up our personnel in the very purpose for which the Army was founded in the first place, that it should be a school of instruction, not for itself alone but for the civil population also, against the great emergency of war. There in one driblet and another we have pretty nearly sprinkled that Army of 150,000 men of ours in such a way over this great continental area of ours than we are going to have a great proposition on our hands, if we can take the remainder and have sufficient numbers in it to make an ordinary training organization out of it, representing all the arms of the service in such numbers and with such equipment that an officer can get any benefit at all in the way of professional training in the military art by serving with it.

Now, we all know that it was the melancholy story of the days of the War with Spain, and it was the melancholy story of the days of the World War, that while we had splendid officer material, those officers were not sufficiently trained, because they had not had the opportunity of commanding war-size units.

We had fine men for officers. I do not like to hear statements that our officers in the United States Army are below par. They are our own sons and brothers, our own brothers-in-law, sometimes our own fathers. They came right out of the same homes of America that you and I came out of. When some man on this floor criticizes our Army officers he does not want some people back home to hear of it, because he just told that boy that he nominated for West Point that he was doing him a great favor by putting him in the way of becoming an Army officer. [Applause.]

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. CALDWELL. I ask that the gentleman's time be extended——

Mr. GREENE of Vermont. I do not want to take up further time of the House.

Mr. HULL of Iowa was recognized.

Mr. ANTHONY. Will the gentleman yield to allow me to make a request?

Mr. HULL of Iowa. Certainly.

Mr. ANTHONY. I ask unanimous consent that debate on this paragraph and all amendments thereto be limited to 20 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that debate on this paragraph and all amendments thereto be limited to 20 minutes. Is there objection?

Mr. HUSTED. Reserving the right to object, I should like to have five minutes.

Mr. GARRETT. Reserving the right to object——

Mr. ANTHONY. Make it 35 minutes.

Mr. CONNALLY. Reserving the right to object, I want five minutes.

Mr. ANTHONY. Make it 40 minutes, with 5 minutes for the committee.

The CHAIRMAN. Does the gentleman include in his request the designation of the Members to whom the time shall be allotted?

Mr. ANTHONY. I leave that to the discretion of the Chair, except five minutes reserved to the committee.

Mr. BANKHEAD. Reserving the right to object, I stated that I had an amendment to offer, and I would like five minutes on my amendment.

Mr. ANTHONY. We ought to proceed a little faster with the bill. We have covered only 14 pages. I think 40 minutes further debate ought to be sufficient.

Mr. BANKHEAD. Does that include my amendment?

Mr. ANTHONY. Make it 45 minutes.

Mr. KELLEY of Michigan. Is the amendment of the gentleman from Alabama pending?

Mr. BANKHEAD. I sent it up some time ago. It has not been read.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that debate on this paragraph and all amendments thereto close in 45 minutes. Is there objection?

There was no objection.

Mr. HULL of Iowa. Mr. Chairman and gentlemen of the committee, ever since this bill has been under consideration I have been trying to find out from the committee where they got the figures on which they base the size of the Army at 150,000 enlisted men. I have tried to find out to-day myself, and, so far as I can see, the figures are like this: On the 1st day of January you had 164,258 three-year enlisted men, every man of whom had a contract with this Government extending beyond the 1st day of July, 1922. Since the 1st day of January—these figures are an estimate—you have enlisted 17,000 more three-year men, making 181,258 men who are under contract with the United States Government to receive pay until after the end of the next fiscal year. Yet the committee have brought in a bill providing for the pay of 150,000 men.

Mr. CRAMTON. Will the gentleman yield?

Mr. HULL of Iowa. I have not the time, but I will yield to the gentleman.

Mr. CRAMTON. The contract is that they shall serve that period "unless sooner discharged by proper authority," and we anticipate there will be a very proper authority before the 1st of July.

Mr. HULL of Iowa. I anticipate that no Government will ever discharge a man with whom it has a contract unless he wants to be discharged. We have not reached that point yet.

Mr. CRAMTON. But that is the contract.

Mr. HULL of Iowa. I know that is the contract, and I know every Government contract has that clause, but they do not break it with corporations, and you can not break your contracts with enlisted men unless they want to get out. The whole trouble with the committee is that they have framed a bill which does not provide pay for the men whom they have under contract. If you would put the cart where it belongs, you would do better. If you had started about the 1st of December and made an effort to reduce your Army, you would have done the proper thing.

Mr. CRAMTON. The gentleman does not mean to say that this Committee on Appropriations could have acted on the 1st of December, but the gentleman's own committee might have done so.

Mr. HULL of Iowa. I want to introduce an amendment that will produce more economy on this bill than all the bill that the committee has brought in. It is simply an amendment that will strike out the bonus that you are paying to enlisted men. That should have been done long ago. The gentleman speaks about the Military Committee. I know there is a difference of opinion as to who fixes the size of the Army, and it is brought about by the peculiar method of one committee trying to arrogate to itself the entire authority of this House. I went to one gentleman on the Appropriations Committee and asked him——

Mr. CRAMTON. Will the gentleman yield?

Mr. HULL of Iowa. The gentleman is taking all of my time.

Mr. CRAMTON. I do not want to do that. The gentleman speaks of arrogating authority, how much did the House have to say about fixing the size of the Army at 175,000 men?

Mr. HULL of Iowa. It did not have any at all. I intended to introduce some amendments there myself, but I did not get the chance. It was not our fault. The gentleman knows that.

Now when you have fixed the pay of the Army, I shall introduce an amendment here to strike the bonus out, and that will bring real economy.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, in line with the remarks just made by the gentleman from Iowa [Mr. HULL] I want to call the attention of the House to the fact that the real trouble about the present item in the Army appropriation bill is that our friends on the Republican side of the House have never yet fixed any policy with reference to the Military Establishment. At the last session of Congress the Military Affairs Committee of the House, under the leadership of the gentleman from California [Mr. KAHN] brought in an Army bill fixing the enlisted strength of the Army at 280,000 men. Gentlemen on the Democratic side of the House and some gentlemen on the majority side—I believe the gentleman from Iowa among the number—took the position then that this country was in no condition to require a larger Military Establishmeat, but under the whip and spur of the majority leader, the gentleman from Wyoming [Mr. MONDELL], the Republican side of the House voted down all propositions to have a maximum strength of 175,000 men and fixed the size of the Army at 280,000 men, and provided for the appointment of something like 18,000 officers to officer that Army. Because the Secretary of War thought that gentlemen meant what they said when they enacted that piece of legislation and proceeded to carry enlistments beyond the point of 200,000 men we were presented with the spectacle of gentlemen on the floor of this House, notably the majority leader [Mr. MONDELL], denouncing and vilifying the Secretary of War. Then there was a conference among the Republican leaders. And what did they do? They hastily brought in a joint resolution. The gentleman from California [Mr. KAHN], the same who stood on the floor of this House and urged the adoption of an Army strength of 280,000 men, brought in a joint resolution providing that the Secretary of War be directed and instructed to cease enlisting men in the Regular Army of the United States until the number of enlisted men should not exceed 175,000. I call the attention of the House to the fact that if the Secretary of War literally complies with that resolution he can begin enlisting men again the moment the number gets below 175,000. And what do we now find? We find that the Republican side of the House, through some of its agencies, I know not what, has ordered the Appropriations Committee to again reduce the strength of the Army from 175,000 to 150,000, and we are presented with the spectacle on this floor of responsible Republican members of the Committee on Military Affairs having verbal altercations with Republican members of the Committee on Appropriations, upon the ground that they are usurping the functions of the Committee on Military Affairs and on an appropriation bill are really fixing the strength of the Army. This whole thing grows out of the fact that gentlemen of the Republican side have no definite policy with reference to the Military Establishment. It is one simply of drifting; it is one of uncertainty; it is one responsive, as it were, to every rift of public opinion. A year ago they thought the country wanted a big Army, because there was talk of social and industrial unrest. Therefore these gentlemen of the Republican side of the House listened to that demand from certain interests in the country and decided to have a big Army.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. I have not the time. Later on when they knew that the cry for economy in the country was insistent and must be heeded, they hastily ran to cover and denounced the Secretary of War for enlisting an Army above 175,000.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUSTED. Mr. Chairman, we are all in favor of economy, we are all in favor of reducing armament, and of reducing the size of the Army and the Navy down to the lowest point consistent with the public safety and welfare. The whole question involved here is whether we can reduce our Army down to an enlisted personnel of 120,000 or 150,000 men consistently with the safety and welfare of our country. Gen. Pershing says that we can not do it. He says the enlisted personnel should be maintained at 200,000 men, and that under no circumstanees should it be reduced below 175,000 men. He says that the lowest point to which we can skeletonize the Army and yet have such organization as can be expanded in time of need, in order to meet properly our military requirements, is an Army of 175,000 enlisted men. Gentlemen say that experts of the Army are not to be heeded, that their advice is more or less tinctured by self-interest, but I submit this question: By what self-interest could the judgment of Gen. Pershing be affected? He has received the highest military honors which it is within our power to bestow upon him. He is about to retire from the Army and can only be interested by considerations for the welfare and security of his country. Oh, we can have a military force of less than 175,000 men, but a military force is not necessarily an Army, skeletonized or otherwise. We must have an enlisted personnel sufficiently large to provide men for all of the new services which have been added during the present war, and which are now necessary to the integrity of the Army as a whole. Gen. Pershing says that if you reduce your enlisted personnel to 150,000 men you will not have the number of men necessary to do the thing which you ought to do, from a military standpoint. Gentlemen who are in favor of this reduction say that the question of policy lies with Congress. Of course it lies with Congress; but we must admit that Congress may adopt a wrong and an unwise policy, and I believe under the existing conditions in the world to-day that the Congress would adopt a most unwise and most foolish policy if they reduced our Army below the point of real efficiency. They also intimate that during the war the members of the National Guard were not fairly treated, and I must believe that sympathy for the National Guard and for their alleged mistreatment has influenced the judgment of some Members of the House. I was in France during the war in 1917, and I was in France in 1918, and I know something about the conditions there and something about the responsibilities that rested upon the commander of our Army. He had to use in the General Staff positions men who had had the training at West Point and at Leavenworth which qualified them to fill those positions. The duties required of those men were technical. The responsibility upon him for the safety of our men and for the success of the cause was too great to permit him to take any chances.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MOORE of Virginia. Mr. Chairman, it seems to me that we have had sufficient evidence of the unwisdom of Army legislation that involves simply money and does not specifically indicate what the strength of the Army shall be. This bill appropriates a total amount which is assumed to be ample to take care during the fiscal year of 150,000 men, but experience shows that we have absolutely no guaranty that the limitation which is in mind will be observed. I for one believe that our legislation here—I think it is our duty and it is only fair to the departments of the Government—ought to be specific, and if we mean 150,000 men, I think we ought to say so. Therefore I shall support the amendment offered by the gentleman from Oklahoma or some similar amendment.

What is the situation to-day? It was contemplated last year that the Army should be reduced, as gentlemen on the other side say, and it is now charged that the number has been carried beyond the point intended.

It certainly appears from the evidence which was taken before the Committee on Appropriations as late as December 5 that the enlisted personnel is now 225,000, and that enlistments continue——

Mr. HASTINGS. Two hundred and thirty-seven thousand.

Mr. MOORE of Virginia. The testimony shows 225,000 on January 5 and enlistments continue. The only change in that regard is that advertisements have been eliminated, except that left-over advertisements of the most enticing character continue to be posted.

It seems to me, Mr. Chairman, that the committee has done well in recognizing the fact that the war is over and that we are perhaps in less danger of war now than we have been for a long time. That has induced the committee to cut down the estimates from $699,000,000 to $331,000,000. It has induced the committee to make the appropriations carried in this bill about $133,000,000 less than the amount carried in the present law. I am glad that the committee has done that, and I think that we ought to recognize the same condition that the committee has taken into account. Gentlemen say that we must defer to the experts of the Military Establishment. I have nothing to say in disparagement of those experts, but I know this, and you have to take this into consideration constantly, that your expert exactly as any other man is apt to become the victim of his own environment. It is almost always true to quote a line from Shakespeare. That a man's

> Nature is subdu'd
> To what it works in, like the dyer's hand.

I have known many instances of pacifists becoming connected with our Military Establishments who soon became saturated with militarism, as it seemed to me. Oh, I do not mention anybody. I do not care to single out any official or any individual, but that is a thing that so often happens.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Virginia. I ask about two minutes additional time.

The CHAIRMAN. The time has been limited by the committee, and under those circumstances the Chair does not feel like submitting that request.

Mr. JONES of Texas. Mr. Chairman, I think this is a great opportunity for the House to show its good faith when it adopted the resolution the other day that the Army should be limited to 175,000 men, and also as to the continued talk on the floor of this House and elsewhere to the effect that we are reducing the Army to 150,000 enlisted men. The majority leaders have expressed that as their conviction. If now they refuse to enact it into legislation, it will look as if they are trying to play politics. It simply carries into legislation the expressed sentiment of the House. Why should it not be carried in legislation? My good friend from Vermont [Mr. GREENE], in speaking against the amendment of the gentleman from Oklahoma, calls attention to the fact that the percentage of our Army as it relates to total population is less than the percentage of armies in European countries. In response, I want to call attention to the fact that in European countries they got into the greatest of all wars in 1914, and I want to repeat the data I cited a few days ago that at that time Germany had a standing army of over 800,000 men, France had a standing army of more than 700,000 men, Russia, 1,500,000, Austria, 400,000, Italy, 306,000, Great Britain, 262,000, and Turkey, 230,000. They had had these big armies for years, and during the last 100 years they had more than 30 different wars. In South American countries Argentina had an army of 18,000, Chile of 17,000, Peru, 6,000, Venezuela, 9,000, Bolivia, 3,000, and Colombia, 5,000. In Europe even little Bulgaria had an army of 65,000. Now, during the same period of time, South American countries had no war of importance. I have always observed that the man who carries weapons usually gets into trouble. I believe the same doctrine will apply to nations. There is a movement going abroad all over the world to reduce the armaments of the various countries. There is nothing that any nation might do which will contribute more to the furtherance of that project than for some great nation to have the nerve to say, "We will reduce our military strength for a year and see if you will follow suit; see if you mean what you say when you say you are ready to reduce your military armament." Is there any reason on the face of the earth why, if we think there should be an Army of only 150,000 in this country, and the Congress has in effect so declared by numerous speeches by Members and also by newspaper interviews, that we could not also say in the law that the Army shall be reduced to that number within six months' period of time? If we are really sincere when we state that, we ought also to have it reflected in the legislation which we pass. These various countries to which I have referred, practically all of them have universal military training, while South American countries have not. I fully realize there is no comparison in a sense between the South American countries which are newer and smaller than the old countries, yet the comparison will go to this extent, that the old countries have always carried great armies, have always been in wars, while the South American countries were organized on a new continent, under new surroundings, and the military spirit was not inculcated in the minds of their citizenship. I submit that the analogy is perfect in so far as the moral effect of the maintenance of armament is concerned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I would like to have the Clerk read the amendment which I am going to submit.

The CHAIRMAN. Without objection, the Clerk will read the amendment for the information of the committee.

The Clerk read as follows:

Page 15, line 22, after the figures "$72,678,659," insert the following: "The Secretary of War shall discharge from the military service with pay and traveling allowance all enlisted men under the age of 18 on the application of such men and either of their parents or legal guardians."

Mr. HASTINGS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HASTINGS. Is that an amendment to this amendment?

The CHAIRMAN. It is an amendment to the paragraph, and is not now in order, but read for the information of the committee.

Mr. JOHNSON of South Dakota. Mr. Chairman, I might say to the gentleman that the only way I can get a chance to discuss it is to have it read for information now, and after the amendment of the gentleman is voted down, or the amendment of the gentleman from Vermont [Mr. GREENE] is voted up, that amendment will simply be read, and in order to discuss it I have to do it now. That amendment will be offered simply to make it incumbent upon the Secretary of War to discharge these boys who have been enticed into the service by the glowing words of recruiting sergeants, and gives them the pay that happens to be due them up to the day of discharge, and pays them a traveling allowance so that they can get home. [Applause.] It does not affect the kind of discharge the Secretary may give them. I have no intention of trying to put that into the military law. But this amendment will meet some of those cases where a boy has served for 28 days of a month, is discharged, and is entitled to 28 days' pay, but who now gets none of it under the ruling of the Secretary of War. When they are discharged in that way they forfeit all pay and allowances.

Mr. BLANTON. I think it is an excellent amendment if the gentleman will go far enough and insert that they must give the boys an honorable discharge. They ought to be discharged honorably and ought not to go home with a stigma upon them.

Mr. JOHNSON of South Dakota. I am in sympathy with that. The chairman of this subcommittee and the chairman of the Committee on Military Affairs, and the ranking minority member of this committee, have all agreed that they will make no objection to this amendment and will not raise the question of whether it is in order or not. It would be perhaps subject to a point of order, and yet I believe no point of order will be made against it if no one tries to amend it by inserting the word "honorably" or other things that might make it debatable. The members of the committee are satisfied with it as it stands.

For one moment I wish to discuss the pending amendment. I believe it ought to be made clear that if the amendment of the gentleman from Oklahoma [Mr. HASTINGS] is adopted, then you have made it necessary for the Secretary of War within the next six months to discharge men from the service who want to stay in it, and who have been signed up for more than the six months. In other words, the Government of the United States has expended three-quarters of a million dollars in advertising to reach these boys and bring them into the service, and when they were brought into the service they decided what they intended to do for a period of two or three years. Then Congress would come along and by means of the amendment of the gentleman from Oklahoma would force them out of the service and disorganize their lives. That is not the way for the United States to keep its promises to men who go into the military service. On the other hand, I think we ought to adopt the amendment of the gentleman from Vermont [Mr. GREENE], increasing the amount of the appropriation.

Mr. LONGWORTH. The gentleman from Texas [Mr. JONES] twice stated that Congress had passed a resolution fixing the number of men in the Army at 150,000. Does the gentleman know whether or not that is so?

Mr. JOHNSON of South Dakota. I think the gentleman is mistaken. I think the only resolution is the one fixing the strength of the enlisted personnel at 175,000, and if we now appropriate the way we talked when we adopted that resolution, we would vote for the amendment submitted by the gentleman from Vermont [Mr. GREENE].

I think the situation ought to be made clear to the House that the only way we can live up to that resolution is to vote for the amendment offered by the gentleman from Vermont [Mr. GREENE], and the only way we can keep our promises to these men that have been brought into the service, 200,000 of them, is to vote against the resolution of the gentleman from Oklahoma [Mr. HASTINGS]. I trust I have made that as clear to the Members as I have it in my own mind, and if I happen to be wrong about it, the members of the committee have time to discuss the question. If I have any time, Mr. Chairman, I yield it back to the committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Chairman, I would like the Clerk to read the amendment proposed to be offered by me.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BANKHEAD: Page 15, line 22, after the figures at the end of the line, strike out the period, insert a colon, and add the following:

"*Provided*, That no part of said sum shall be used for the pay of any enlisted man who can not read and write the English language."

Mr. BANKHEAD. Mr. Chairman, in my investigation of the hearings before the committee on the proposition of the amount carried for vocational training in the Army, I was somewhat

astounded to find that under the present system—and it is a system that has been in effect practically since the armistice—they have been enlisting many thousands of men in the Army of the United States who are absolutely illiterate. They have thousands of men who can not speak the English language at all. In addition to that, they have enlisted thousands of others who can not read and write the English language. I think that is a mistaken policy, and while I believe that after its enactment the question of the vocational training of the soldier should be carried into effect in good faith, I never have believed that it was a proper Federal function to give either soldiers or anybody else primary education.

I find from a statement in the testimony of Gen. Haan, in the hearings, that the total number of those men at the present time in these centers; that is, absolute illiterates, is 4,500.

In addition to that we have about 3,500 of the same class of men under instruction in stations outside of these five or six training stations, so that we have about 8,000 men under instruction.

That is, instruction for the purpose of giving them primary education, not vocational education; teaching them the English language, teaching them to read and write and the rudiments of the English tongue.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield for a question?

Mr. BANKHEAD. I will, if it is a brief one.

Mr. CRAMTON. Is it any less important, in the gentleman's opinion, to teach boys to read and write the English language and the rudiments of citizenship than to teach them higher courses in education and vocational training?

Mr. BANKHEAD. The purpose of my amendment was after the 1st of July to prohibit the enlistment of any additional illiterates, and by that time, under the testimony of Gen. Haan, it taking four months to teach these illiterates the primary education provided, there will be no men in the Army who are illiterate, and the real effect of the amendment would be to prohibit the subsequent enlistment of men in the Army who are affected by this handicap.

I am informed by an officer who is in this training service that a great many young men, foreign born, recently arrived on our shores, as soon as they take out their first citizenship papers go and enlist in the Army for the purpose, under this system, of securing a primary education, to learn our language and learn to read and write. I do not think, gentlemen of the committee, that that is a proper function for the Army of the United States to exercise.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. FIELDS. Does not the gentleman really believe that it is more essential that men get primary training than university training?

Mr. BANKHEAD. I will say to the gentleman in answer to that, that I do not think it is sound policy for the Government of the United States to induce men to enlist in the Army of the United States who are so inefficient that they can not read or write or speak the English language. I think that is a State function. If you want to give some Federal aid and assist the States in doing that, that is a different proposition. But here it is undertaken to do that purely out of Federal funds.

Mr. FIELDS. Then if the gentleman's views are sound on that, we ought to abolish vocational training in the Army.

Mr. BANKHEAD. You have, by the national defense act, passed in 1916, and by the Army reorganization act, provided for vocational training in the Army, and I am in favor of the Government carrying out its promises in good faith to those young men in the Army when we assured them that they should have a vocational education. But I would not favor the enlistment of these men between now and the 1st of July who are illiterate. By that time, by the system now in effect, there will be no man in the Army of the United States who will be illiterate, and I do not think it is sound governmental policy to induce or allow young men to learn military training who can not read and write and speak the English language.

Mr. FIELDS. Many such young men are patriotic and make good soldiers, and there is no reason why, if we are going to have training in the Army, we should not continue to take care of them.

Mr. BANKHEAD. I have as much sympahy with young men of that class as the gentleman has, or any other man. I have some of them in my district. But as a matter of sound military policy it does not seem to me that the Government should carry on the practice of giving a primary education to illiterate citizens in the Army out of that fund.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. MONDELL. Mr. Chairman, we are endeavoring to reduce expenditures in order that we may relieve the people of the country from tax burdens and do the best we can by the most earnest efforts toward economy. We are still proposing in the bills that have been reported to appropriate over $725,000,000 for military and naval purposes for the next fiscal year, more than three times what we appropriated just before the World War, now when the world is war weary and, outside of our borders, largely bankrupt. The gentleman from Oklahoma [Mr. HASTINGS] offers an amendment under which the Army could not function after the 1st of July, because the Secretary of War has, contrary to the will of Congress and in a sense in violation of the law, enlisted so many men that we can not keep our contracts with them and reduce the Army to 150,000 by the 1st of July, or six months from the date of the passage of the act. Therefore without further legislation the Army could not function; not a man could be paid if the Hastings amendment were adopted, because the Secretary of War has enlisted so many men, the contracts reaching beyond six months from the time this bill is to become a law. The Army could not be reduced to 150,000 men in the time mentioned in the amendment, and therefore nobody can be paid.

This bill appropriates sufficient money to pay 150,000 men. There may be a small deficiency. The number in the Army is now so great that enlistments will not expire fast enough to bring the Army down to that number of men for the entire period for which we appropriate, and therefore our appropriation will scarcely be sufficient. But if we increase it, we then give the Secretary of War authority to hold the number up after the number shall have been decreased by the ending of enlistments to practically 175,000 men. A year ago, just out of the war, still within the war shadows, still under the influence of war conditions, we believed we needed 175,000 enlisted men besides the Philippine Scouts and flying cadets. Most of us now believe, and the country believes, that 150,000 enlisted men will be sufficient. We are appropriating for that number. We are trying, partly at least, to realize the hope and expectation of the American people that we shall get back to normal as soon as possible; that we reduce, so far as we can without injury to our Military Establishment, the enormous total of military costs. We can not, any of us, afford to increase these appropriations, enormous as they still are, with the bills scaled down as low as the committee felt justified in scaling them. [Applause.]

Mr, ANTHONY. Mr. Chairman, I hope that neither the amendment of the gentleman from Oklahoma [Mr. HASTINGS] nor the substitute of the gentleman from Vermont [Mr. GREENE] will prevail.

The committee have made an appropriation for the pay of the enlisted men of the Army calculated on 150,000 men during the next fiscal year. The committee believe it will be entirely practicable to reduce the Army to that size, and the committee furthermore believe that that will be one of the policies of those who will be responsible for the Government after March 4.

I also believe that the amount appropriated will be adequate to take care of the pay of such an enlisted force without any deficiency. I believe it would be a mistake to attempt arbitrarily to limit the number of men as suggested by the gentleman from Oklahoma [Mr. HASTINGS] to 150,000 men, for the reason that the Army reorganization act provides the following:

Except in time of war or similar emergency, when the public safety demands it, the number of enlisted men of the Regular Army shall not exceed 280,000 men.

So that there is absolutely nothing mandatory in regard to enlisting the Army beyond the number which Congress provides for, and it is simply a question of good faith whether the officials who will be responsible will carry out the intent of Congress in that regard.

Mr. CHINDBLOM. Will the gentleman yield for a question?

Mr. ANTHONY. I yield.

Mr. CHINDBLOM. Will this appropriation be ample for the 150,000 enlisted men, besides the Philippine Scouts and the flying cadets, or, in fact, an army of 160,000 men?

Mr. ANTHONY. The gentleman is correct. An army of practically 160,000 men is provided for in the appropriations of this bill.

I ask for a vote.

The CHAIRMAN. The question is on agreeing to the substitute offered by the gentleman from Vermont [Mr. GREENE].

The question was taken; and on a division (demanded by Mr. GREENE of Vermont), there were—ayes 18, noes 45.

Accordingly the substitute was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Oklahoma [Mr. HASTINGS].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. HASTINGS. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chairman appointed Mr. HASTINGS and Mr. ANTHONY.

The committee divided; and there were—ayes 42, noes 65.

Accordingly the amendment was rejected.

Mr. JOHNSON of South Dakota. I have an amendment which I ask the Clerk to read.

The CHAIRMAN. The gentleman from South Dakota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 15, line 22, after the figures "$72,678,659," insert the following:

"The Secretary of War shall discharge from the military service with pay and traveling allowances all enlisted men under the age of 18 on the application of such men and either of their parents or legal guardians."

Mr. WINGO. I offer an amendment to the amendment, to insert the word "honorably" before the word "discharge."

The CHAIRMAN. The gentleman from Arkansas offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WINGO offers an amendment to the amendment as follows: After the word "shall" and before the word "discharge" insert the word "honorably," so that the line will read:

"The Secretary of War shall honorably discharge from the military service."

Mr. ANTHONY. Mr. Chairman, I want to ask the gentleman if he will not withdraw his amendment. He may jeopardize the whole proposition. There is no reason a boy who makes a fraudulent enlistment, even if he is under 18, should be honorably discharged.

Mr. WINGO. I do not agree with the gentleman. We all know as a matter of fact that misstatements in reference to age in matters of this kind do not involve moral turpitude, and it is not fair to brand as dishonorable a young fellow because in his anxiety to get into the service he misstates his age, when everybody knows he is making a misstatement.

Mr. ANTHONY. There are members of the committee who would be inclined to make a point of order on that amendment.

Mr. BLANTON. They can not do it. It is too late. They have slept on their rights.

Mr. WINGO. A point of order would not lie, anyway.

Mr. GOOD. Mr. Chairman, I make the point of order that debate has been exhausted on this paragraph and all amendments thereto.

Mr. JOHNSON of South Dakota. I ask the gentleman if he will not withdraw his amendment. I am in hearty sympathy——

Mr. GOOD. I make the point of order that debate is out of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DOWELL. The question is on the amendment.

The CHAIRMAN. The question is on the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. WINGO) there were—ayes 48, noes 32.

Accordingly the amendment to the amendment was agreed to.

Mr. CALDWELL. I offer a further amendment to the amendment, to strike out the word "and" and insert the word "or," so that a boy may be discharged on his own application or that of his parents.

The CHAIRMAN. The gentleman from New York offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CALDWELL moves to amend the amendment of Mr. JOHNSON of South Dakota by striking out, after the word "men," the word "and" and inserting in lieu thereof the word "or," so that it will read: "On the application of such men or either of their parents or legal guardians."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. BANKHEAD. I have an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BANKHEAD: Page 15, line 22, after the figures at the end of the line strike out the period, insert a colon, and add the following: "*Provided*, That no part of said sum shall be used for the pay of any enlisted man who can not read and write the English language."

Mr. CRAMTON. Mr. Chairman, I make the point of order on the amendment.

The CHAIRMAN. The Chair overrules the point of order. It is clearly a limitation. The question is on the amendment offered by the gentleman from Alabama.

The amendment was rejected.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 15, line 22, after the figures "$72,678,659," insert: "That no part of this or any other appropriation for the use of the War Department shall be used to pay any bonus for the reenlistment of an enlisted man."

Mr. MANN of Illinois. Mr. Chairman, I make the point of order.

Mr. HULL of Iowa. It is clearly a limitation.

Mr. MANN of Illinois. No; it is not. It is clearly subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. JONES of Texas. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. JONES of Texas: Page 15, line 22, after the word "staff," strike out the figures "$72,678,659" and insert the following: "$70,000,000, provided no part of this appropriation shall be used to pay men hereinafter enlisted except such as may be necessary from time to time to bring the total number of enlisted men up to not more than 150,000."

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent to proceed for two minutes in order that I may explain the amendment.

The CHAIRMAN. The time for debate has been fixed by the committee, and the Chair does not feel justified in submitting a request. The Chair has a right to object, the same as any other member of the committee. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. JONES of Texas) there were—ayes 28, noes 47.

So the amendment was rejected.

The Clerk read as follows:

For pay of the enlisted men of the Philippine Scouts, $1,100,000.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word for the purpose of correcting a statement I made a while ago with reference to what the House had passed on. I was under the impression, and I suppose I got it from the action of the Senate at one time, or from the talk that is going on here, that the resolution which passed the House provided for 150,000 men. I want to make the correction, because it is 175,000.

Mr. SHERWOOD. Mr. Chairman, I rise in opposition to the amendment. I am in favor of the expedition of the public business. I am not in favor of spending any time on Grover Cleveland Bergdoll any more than on the other deserters. We had 337,000 deserters in the World War, and 170,000 of them have not been apprehended, and I do not see any necessity of spending any time of this Congress on Grover Cleveland Bergdoll.

I have thrown together a few ideas on this bill which I wish to express, because while I am about to retire from public life yet I feel the same interest in the proceedings of Congress as though I were going to continue as a Member of this body.

Do you know that this Congress this year, in the presence of unruffled peace on the Western Continent, has spent more money than the German Empire spent on militarism the year preceding the World War? And yet we went to war to crush militarism in the German Empire, and made four times as much war debt as we made in the great four years' Civil War to save the Union. Our taxes are already taking an average of $250 from every American family. How much must the tax collector take before we learn to use our cash for construction and not for destruction? Peace is constructive, war is destructive. Peace means progress, prosperity, and moral growth. War is hell and uproar. And now, having killed almost 100,000 of our bravest and most stalwart young manhood in war and maimed and crippled 200,000 more, our inane and blind-headed Congress is wasting on the War and Navy Departments alone over one thousand million dollars.

The congressional statesman has evidently learned no lesson from the World War. What is that lesson? The same lesson President Monroe taught the world in 1816, when he proposed disarmament to Great Britain after the War of 1812. "Bigger navy" was then Britain's avowed intent. Monroe said, "Bigger navy" means three things:

1. Vast expense incurred.
2. Danger of collision increased.
3. Continental stimulus to suspicion and ill will.

Monroe persisted, and finally by the "Rush-Begot arrangement" total naval disarmament on the Great Lakes was agreed upon. By a further "tacit understanding" no additional forts demark the frontier for 3,000 miles of border lines between the United States and Canada.

Have we learned nothing from the beneficent lesson of the Civil War, where 2,212,272 Union soldiers battled for four terrible years? Did not our greatest military hero, Gen. U. S. Grant, when President, in 1871, reduce our Regular Army down to 25 regiments of 25,000 enlisted men and 900 officers? How does that compare with the Army appropriation bill now in debate in the House carrying 150,000 men and 14,000 officers? How does $27,788,500—official—for our Army in 1875, two years after reorganization, compare with the $394,700,212 now? We needed a big Army more in 1871 than now. We had hostile tribes of Indians—notably the Sioux—to fight and subdue. It will be remembered that one of our most gallant and distinguished generals of the Civil War, Gen. Custer, lost his life in that desperate battle with the Sioux in the Big Horn Valley. Not a man of his whole Army was left to tell the tale of awful butchery. But Gen. Grant was a statesman as well as a great soldier, and we never had an occasion to use a larger Army than 25,000 men during the whole reconstruction period.

The Hon. Edward Berwick, of California, voices a sound doctrine in the following:

A very few years ago a "billion-dollar Congress was supposed to have exceeded rational bounds in taxing 100 per cent Americans." Now, with these same Americans, taxed over five and a half billions, we are threatened with a two billion deficit. Why? Oh, why? Simply international lunacy! Inability to learn the lesson of the late war. For over a century disarmament has proved a grand success. Among all our hundred millions of "100 per cent red-blooded Americans" have not we one statesman to do for the world what Monroe did for our northern border in 1816?

We should save at least $300,000,000 on this Army bill alone and at the same time promote industrial growth, increase production, and relieve our overburdened taxpayers from more onerous tax burdens.

During the Civil War Confederate cruisers, built in English shipyards and armed in English arsenals, drove American commerce from the seas and oceans of the world. After the war there was a strong jingo element in the United States for a war with England. They demanded that we send our victorious soldiers into Canada and rescue that territory from Great Britain. Gen. Grant, however, was a peace man in peace, and the Geneva arbitration council was organized and England was assessed $15,500,000 damages, which was promptly paid. Lord Morley, in his life of Gladstone, says of the Geneva award:

The treaty of Washington and the Geneva arbitration stood out as the most notable victory in the nineteenth century of the noble art of preventive diplomacy and the most signal exhibition of self-command in two of the three greatest powers of the western world.

At Appomattox Grant stood on fame's topmost pinnacle, the foremost man of all the world, but in the treaty of Washington he was greater than at Appomattox.

It is a calamity to the country to-day that we have no leaders in control of the quality and purpose of President Monroe or Gen. Ulysses S. Grant. [Applause.]

The Clerk read as follows:

For additional pay for length of service to enlisted men, $3,000,000.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. HULL of Iowa: Page 16, line 7, after the figures "$3,000,000," insert: "*Provided*, That no part of the money appropriated in this act shall be used to pay any bonus for the reenlistment of an enlisted man."

Mr. MANN of Illinois. Mr. Chairman, I reserve the point of order on the amendment, in order that the gentleman may explain his purpose.

Mr. HULL of Iowa. Mr. Chairman, the purpose is simply to stop the expenditure of money for men that the Government is anxious to be rid of. We have nearly 240,000 men in the Army, and we are appropriating now for only 150,000.

Mr. MANN of Illinois. I voted to not increase the enlistment and the gentleman voted the other way.

Mr. HULL of Iowa. That is true, and I voted that way because I believe the Government is under contract to pay those men.

Mr. MANN of Illinois. Oh, I am referring to the enlisting of new men. The gentleman voted to enlist new men over 150,000, and I voted the other way.

Mr. HULL of Iowa. That is all right, and we ought to allow these soldiers, if they want to reenlist, to reenlist, but I do not believe that the Government ought to hold up $90 in cash as a bait to get a man in the Army when they do not want and do not need them.

Mr. MANN of Illinois. It has always been the policy of the War Department to encourage the reenlistment of enlisted men, a policy in which I believe.

Mr. HULL of Iowa. Yes.

Mr. MANN of Illinois. As the gentleman told me a moment ago, privately, I think what they used to do—and they may do it now, for all I know—was to grant a furlough and pay the man while he is away on the furlough provided he reenlists within three months' time. Would this amendment prohibit that?

Mr. HULL of Iowa. No; I understand it would not. That is being done to-day, and can be done in addition to the $90 cash. This only affects the $90 cash which they hold up in front of a man to get him to reenlist. It is additional pay.

Mr. MANN of Illinois. I know, but let us suppose that we have a man whose service is ended. He is discharged from the Army and he goes home.

Mr. HULL of Iowa. On furlough?

Mr. MANN of Illinois. Not on furlough, because he is out of the Army. He comes back, however, and reenlists. And the policy of the War Department has been for years, as I understand it, to let the man come back and reenlist and pay him from the time of his discharge if he reenlists within a certain time. I think this amendment would prohibit that.

Mr. HULL of Iowa. No.

Mr. MANN of Illinois. It certainly does.

Mr. HULL of Iowa. I do not think so.

Mr. MANN of Illinois. However, if the Committee on Military Affairs, which knows so much more about the subject than I shall ever learn, favors it, I shall not insist on the point of order, although it is subject to the point of order.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. HULL of Iowa. Yes.

Mr. McKENZIE. Is it not a fact that what the gentleman is striving to do is to prevent the $90 bonus for a reenlistment for a period of three years?

Mr. HULL of Iowa. Yes.

Mr. McKENZIE. And is it not a fact that at the present time you can enlist a man for one year and at the end of the year he gets a $90 bonus for one year's service, and if he reenlists for three years he gets $180; is not that true?

Mr. HULL of Iowa. I think not. He would get $90 a year, the first $90 the gentleman mentioned.

Mr. McKENZIE. I think if the gentleman from Iowa will look at it he will find at the end of one year the man who enlists for one year gets $90 and if he reenlists he gets $180.

Mr. HULL of Iowa. Not if I understand it. If he stayed in three years——

Mr. CRAMTON. If the gentleman will permit, the hearings will show the statement of Maj. MacKay that only the 3-year man got the bonus.

Mr. FIELDS. Will the gentleman yield?

Mr. HULL of Iowa. I will.

Mr. FIELDS. Is the gentleman attempting to prevent the payment of this bonus? Is that the purpose of the amendment?

Mr. HULL of Iowa. I am attempting to prevent the payment of the $90 for reenlistment.

Mr. FIELDS. What is the average cost of enlisting a raw recruit?

Mr. HULL of Iowa. Oh, it is variously stated, and I understand they claim they have gotten it down to $37, but I think that is a mistake.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. Mr. Chairman——

The CHAIRMAN. The point of order has been reserved.

Mr. MANN of Illinois. I withdraw the point of order.

Mr. GREENE of Vermont. Mr. Chairman——

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close at the end of five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Vermont. Mr. Chairman, I take advantage of this opportunity to bring to the attention of the committee a very interesting article in the current number of the Infantry Journal, published by the United States Infantry Association here in Washington, the February number. On page 171 will be found an article, "The number of officers of the Regular Army and their distribution in grades," by Maj. Thomas W. Hammond, General Staff Corps, a very able and responsible officer of the Army. Under the peculiar caprice of one of our fellow statesmen, it is not possible for me to hope for very much out of preferring a unanimous-consent request to have the text of this article reprinted in my remarks, and doubtless the journal itself is not so extensively circulated, is not such a popular

publication, that very many of our brethren will have an opportunity to see it. But those who may have the curiosity to follow still further the philosophy and the theory upon which, in the framing of the reorganization act, there seems to be a disproportionate number of commissioned officers, I think will find themselves amply rewarded if they will take the pains to read this article. It is a very plain and very succinct statement of the reasons why this number of officers were provided and how they are distributed through the various grades and activities of the Army.

I have nothing further to submit on that line except to crave the indulgence of the committee to bring it to their attention.

I only want to say about the bonus business now under consideration that while I am not particularly earnest about supporting the exact text of existing law, there is a thing that might well be kept in mind in this connection, however, and that is that the Army under existing circumstances is very short of what we used to know as the old-time seasoned, matured, experienced, and responsible noncommissioned officer of long service. He is recognized by soldiers the world over as the backbone of any army. The endeavor to encourage reenlistments by offering bonuses and other compensation is not directed particularly to the filling of the muster rolls by the casuals, the come-and-go fellows, but it is offered as a reward to increase the interest of the ambitious young man, who, having once identified himself with the service, found that it was to his liking, found that he had the adaptability for it, and the service itself appreciated his own interest and skill in it. He was induced by this increase of his at best nominal salary to reenlist at regular periods until he in turn passed into the ranks of those old-time noncommissioned officers, the men who had been through the thing year in and year out, and through these incidental bonuses and reenlistments had come to accumulate something like a snug and modest bank account, men who felt like the same type of men ought to feel out in civil life, that their business was something really worth while and who had something laid up in the way of savings as the result of it.

The CHAIRMAN. The time of the gentleman has expired.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. HULL of Iowa) there were—ayes 2, noes 30.

So the amendment was rejected.

The Clerk read as follows:

For pay of the officers on the retired list, $4,500,000.

Mr. HUDDLESTON. Mr. Chairman, I have listened with some surprise to the arguments which have been made based upon the assumed difficulty of reducing the Army within any limits that Congress may desire, because of the fact that we have made contracts to retain them in service with the enlisted men that we ought not to violate.

That position does not take into account the vast number of enlisted men who would gladly be discharged from the Army. I believe that 25,000 or 40,000 men would take their discharges from the Army to-morrow if they could get them.

Now, another thing. That argument does not take into account the vast number of boys under 21 years of age that we have in the Army. Under no other circumstances than by an enlistment in the United States Army may a boy under 21 years of age bind himself by making a contract. But when it happens to be a contract of enlistment he is bound and held in all respects as though he were of full age. A great many of these boys would gladly be discharged and go home. It is an indefensible position to take, that we owe a duty to these men to keep them in the Army which we would violate by giving them an opportunity to take discharges on their own application. There is nothing to such a contention.

And I come back to the proposition that I stated here on yesterday, that no boy should be enlisted in the Army under 21 years of age without the consent of his parents or his guardian. To do so is to violate the very fundamentals of the family. The boy belongs in the home and in the family circle. His parents are entitled to his services. That they are entitled to his earnings is recognized by every rule of society and public sentiment and by the law of every State until he gets to be 21 years of age.

Furthermore, I want to say that it is not because he may leave destitute parents who need his services that I object to his being enlisted without their consent chiefly, but I object because it is a grievous wrong to the boy himself. No boy under 21 years of age is fit to deal with his future in the large and irrevocable way that is involved in enlisting in the Army. It is not a question of making a contract which he will discharge by a few days of service. It is not a question of doing a thing that does not perhaps touch his whole future. It is a matter of making a decision which will influence his whole life and, perhaps, instead of making him a useful citizen with a trade and with a wife and children, satisfied with the life at home, it may make him a wanderer, unanchored and with no regular occupation except that of a professional soldier. It is for that reason that a boy may make a fatal decision when in his immaturity he is incapable of decision of such a momentous matter.

I think the father ought to be consulted and have some voice in whether a boy should go into the Army. He ought to be consulted about it just as he would be advised with what trade the boy should take up or what school he should enter or what other thing the boy should do that affects his future life. No such important decision should be taken without the father's consent. The father, with his mature judgment, ought to be called upon and ought to have some voice in the matter. It violates the sanctity of the family as well as the principles of humanity and justice that we do not recognize that fact.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, sundry messages in writing were delivered from the President of the United States by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on February 3, 1921, approved and signed bill of the following title:

H. R. 11769. An act to amend an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917.

ARMY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For pay of retired Philippine Scout officers, $185,640.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word.

There ought to be no misunderstanding that the vote that took place a while ago indicated the difference between those who favor certainty as to the future strength of the Army and those who favor uncertainty.

I listened, as I always listen, with great interest to the argument of the gentleman from Wyoming [Mr. MONDELL]. But I could hardly follow his reasoning. He seemed to oppose the amendment offered by the gentleman from Oklahoma [Mr. HASTINGS] upon the ground that contracts stand in the way. There is no merit, I respectfully submit, in that suggestion, because every contract made with an enlisted man is a conditional contract, and it is made so for the purpose of reserving to the Government the right to discharge the man should any occasion whatever arise. Beyond that the gentleman appeared to find some arithmetical objection, if I may state it that way, to a limitation of a specific character that would place the enlisted strength at 150,000 men, although no such objection was urged the other day to a definite provision placing it at 175,000. I can discover no force in that objection. No business man taking a common-sense view of the matter can doubt that if we choose to do it we will act within permissible and reasonable limits and meet the wish of the American people if we declare that the enlisted personnel of the Army shall consist on the 1st of next July or on the 1st of next September of only 150,000 men. This would, of course, mean the discharge of men who are under conditional contract, precisely as the same thing should result if this bill is passed without the amendment. If some may be thus discharged at some time in order to effect the purposes of this bill, why not promptly discharge a sufficient number to reduce the total by a specified date to 150,000?

I expressed the belief a few minutes ago that we are in less danger of war now than we have been for a long time. In my judgment there is but one circumstance that constitutes any menace of war within a generation, and that is the retention of the Philippine Islands. I hold to the profound conviction that we ought to bear in mind the obligation we are under to the Philippine Islanders and keep the promise that we have made to them by acting on the advice of the President, twice communicated to Congress, I think, since I have been here, and giving them the freedom which they so much covet. [Applause.] If we retain the islands and become involved in difficulty with any foreign nation, we will be under the necessity of fighting a land war far away from home. But by releasing the islands—and the islanders desire their release; they are asking for it—we will remove what seems to me to be any possible danger of a war requiring the use of a large army.

Mr. HICKS. Will the gentleman yield?

Mr. MOORE of Virginia. Yes, sir.

Mr. HICKS. If the Philippine Islanders should be granted their independence, would not we have to guarantee it?

Mr. MOORE of Virginia. No, sir. There was a very notable speech made here several weeks ago by the gentleman from Wisconsin [Mr. FREAR], and the Resident Commissioners of the Philippine Islands sat here at the time. Mr. FREAR, replying to a question I propounded, said he understood that the islanders are willing to take their independence without any guaranty. What influences deter Congress from legislating to effect that result I do not know. It may be that no powerful influences are at work; it may be that we are simply indifferent to the situation and not concerned to take the step that would insure us against war on land in the future and enable us most materially to reduce military expenses. [Applause.]

Mr. CRAMTON. Mr. Chairman, the question of Philippine independence will no doubt be discussed in due and proper time, but I can not refrain from saying a word in response to what the gentleman from Virginia [Mr. MOORE] has just stated in reference to the vote which has just been taken.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. I prefer to speak for just a moment without interruption.

Mr. WINGO. I want to get some information from the gentleman.

Mr. CRAMTON. The bill which is before us appropriates $72,000,000 plus for an Army of 150,000 men. The amendment offered on the minority side by the gentleman from Oklahoma [Mr. HASTINGS] was for $70,000,000, and avowedly for 150,000 men, but the reduction to take place within six months after the passage of the act. We have, then, given under the bill before us, as recommended by the committee, a notice to the War Department which in every instance except with the present Secretary of War has been sufficient—a notice that the desire of Congress is for 150,000 men, and anything further should be entirely unnecessary. Personally, I hope and believe that under the new administration, by letting out of the service boys under 18 years of age, and letting out of the service boys over 18 years of age who want to be discharged, by July 1 we will be down close to 150,000, whereas under the gentleman's amendment you would defer that for several months.

Furthermore, we have the astonishing spectacle here to-day of a Democratic Secretary of War in charge of the War Department taking on enlistments, thousands every day, in order to boost the Army far beyond what the country wants and what the Congress asks for, and at the same time, while the Secretary of War seeks to please the big-Army advocates of the country by that course, the Democratic minority here try to rob this Republican Congress of the credit that is due us for bringing down the Army to 150,000 men. It is a game of playing both ends against the middle, and it will never get you any further than you got last November. [Applause on the Republican side.]

Mr. MONDELL rose.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. For what purpose does the gentleman from Wyoming rise? The Chair will recognize the gentleman from Arkansas first.

Mr. MONDELL. I rise simply to say that I shall object if the matter discussed is not the business pending before the House.

Mr. ANTHONY. Will the gentleman from Arkansas permit a unanimous-consent request that the debate close in five minutes on the paragraph?

Mr. WINGO. Yes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the debate on the paragraph close in five minutes. Is there objection?

Mr. HASTINGS. Reserving the right to object, Mr. Chairman, I ask that the gentleman make it 10 minutes.

Mr. GOOD. 'Let the gentleman take time on the next paragraph.

Mr. HASTINGS. I think I might as well discuss it now. I would not care to discuss it longer and would not take the time of the House now if the gentleman from Michigan [Mr. CRAMTON] had not injected himself into the debate. I ask that the gentleman from Kansas make it 10 minutes.

Mr. ANTHONY. All right.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the debate on the paragraph close in 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Arkansas [Mr. WINGO] is recognized.

Mr. WINGO. Now, Mr. Chairman, I would not have asked for five minutes if my friend from Michigan [Mr. CRAMTON] had yielded to me when I wanted to get some information.

It is very proper during the consideration of this bill for the gentleman from Virginia [Mr. MOORE] to talk about Philippine independence. I agree with the gentleman from Virginia that the only thing that threatens war on the part of the United States and demands seriously a strong military establishment is the danger of war that grows out of the Philippine situation.

The gentleman from Michigan [Mr. CRAMTON] said that the question of Philippine independence is one that they, the Republicans, would get to in due time. He did not state what "due time" is, but he proceeded to wander away from the fields of statesmanlike discourse, to which he usually confines himself, and undertook to make a partisan speech and criticize the retiring Democratic Secretary of War and accuse the Democrats of playing both ends against the middle. I am not going to delay the House to discuss that, because I am not expert in playing both ends against the middle, and even if I were I should not have the temerity to compete with the gentleman from Michigan, who assumes to be a dominant factor in the Republican Party in the House and knows all about playing both ends against the middle. That is the way you Republicans carried the election. You have been in charge of the Government for two years, in both branches of Congress, and you have no valid excuse you dare to give for your failure to grant independence to the Philippines.

When is the "due time"? And when is the "due time" to consider the packers' control bill, a bill that the Senate has passed and which comes over here to the House and has just been reported out of the House committee, to control the packing industry by means of a Federal commission, just as the Interstate Commerce Commission controls our railroads? I ask the gentleman from Michigan, who pretends to speak for the Republican Party, when the House will be permitted to consider this bill, so the House can express its conviction on the proposals to meet the public demand for the regulation and control of this monopoly?

Mr. CRAMTON. I will be glad to answer the gentleman. I think there would be due time for a great many things if the gentleman from Oklahoma [Mr. MCCLINTIC] would not consume the time of the House with endless roll calls.

Mr. WINGO. That is not an answer. The truth is the gentleman does not know. He is undertaking to speak for his party when he has no right to speak for it. He is a mere cog in the political machine that controls the Republican side. The men who "ride on white asses" on the Republican side do not make my learned friend from Michigan the custodian of their secrets. The steering committee are the only ones who know.

Mr. CRAMTON. I should like to have the attention of the gentleman——

Mr. WINGO. I decline to permit the genial gentleman from Michigan to inject his partisan remarks into the bowels of my statesmanlike utterances. [Laughter.] Are there any members of the steering committee on the floor? Yes; I see the calm and benign countenance of the leader of that Republican steering committee, the gentleman from Illinois [Mr. MADDEN]. I will ask him, Are you willing to let us take up for prompt consideration the packers' control bill?

Mr. MADDEN. I need no defense at the hands of the gentleman.

Mr. WINGO. I am not defending the gentleman; but asking a civil question. I am recognizing the supreme power of the gentleman and asking him, representing the dominant force of the Republican Party in this House, the chief of its leaders, when he will permit us to consider the packers' control bill? It has passed the Senate and has been reported out of the House committee. Are you going to give this House the right to consider it before this Congress dies?

Mr. MADDEN. I have no apology to make for living in the home of the packers.

Mr. WINGO. I have not been accusing the gentleman.

Mr. MADDEN. They are quite as respectable as the gentleman from Arkansas.

Mr. WINGO. Oh, "the wicked flee when no man pursueth." I have not been accusing the gentleman of anything for which he should apologize. Now, he says the packers are quite respectable.

Mr. MADDEN. Oh, I said they are as respectable as the gentleman.

Mr. WINGO. If that be true, then they certainly are perfectly willing to have this House consider whether it will require this great public business to submit to such regulation and control as that to which the railroads of this country submit. What prevents it? If we could get up the packers' bill immediately——

Mr. MADDEN. I make the point of order that the gentleman is speaking out of order. [Laughter.]

Mr. WINGO. I am not surprised that the gentleman, the head of the Republican Party in this House, objects even to a reference to the consideration of the packers' bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HASTINGS. Mr. Chairman and gentlemen of the committee, I have not made a political speech in the six years that I have been in Congress, and I am not going to be betrayed into that now. That was not my purpose in offering the amendment to this bill. I believe that we ought to mean what we say and say what we mean. I think we should provide a definite number for the Army.

Some three or four weeks ago we passed a joint resolution which purports to reduce the Army to 175,000, but does no such thing. The next day the press carried headlines throughout the country stating that a joint resolution had been passed reducing the Army to 175,000. There are 237,000 men now in the Army. It was so reported to the Committee on Appropriations a day or two ago. Recruiting is going on at the rate of 1,000 a day, and, of course, the number will not be reduced to 175,000 by July 1 next. Everybody knows that except my good friend from Michigan, who says it will be reduced to 150,000 by July 1. Nobody else on the floor has indicated any such thing as that, and no one else believes that the number will be reduced to 150,000 by that time. Let me ask my good friend from Michigan, if he is so sure it will be reduced to 150,000 by July 1, what objection can he have to voting for the amendment, which requires that it be reduced within six months to 150,000? Now, you know when the Army bill was reported here a day of two ago, the next morning the headlines in the newspapers carried the story that the size of the Army was reduced to 150,000. That statement goes throughout the country, when as a matter of fact the bill does no such thing. When you look through this bill you find nothing that will indicate a reduction of the Army to 150,000.

Let me invite the attention of the membership of the House to the fact that the deficiency appropriation bill, reported a day or two ago, carries $48,092,960 for military purposes. Let me remind you, if the Army goes along at 200,000 or 237,000, next year there will be a deficiency of $60,000,000 or $70,000,000. Instead of appropriating $328,000,000, as is carried in this bill, the Military Establishment will cost this Government much more, and you will have to appropriate, either now or by amendment in the Senate or by a deficiency appropriation next year, an amount which I would estimate at from $50,000,000 to $75,000,000, which added to your $328,000,000 will make about $400,000,000. But, as you know, it has become a habit to come in with a smaller appropriation now, so that it will be reported throughout the country and let the impression go out to the country that we are reducing appropriations. We really can not reduce appropriations here unless we actually reduce the size of the Army.

Now, if you mean to place the limit at 150,000, why do you not say so by legislation that is incapable of being misunderstood and by language that is not ambiguous? If you want 175,000 men, why do you not say so? Why not make some affirmative direction to the officers of the War Department and let them know how many men they can have in the Army? Do not wait until next year and then jump up on the floor here after you have used ambiguous language and abuse the Secretary of War and the Chief of Staff and other Army officers. You ought to put in this bill the number of men that you want in the Army in peace times. When this amendment was offered, however, you did not vote for it, but you will criticize the Secretary of War and the members of the War Department when a deficiency comes up a year from now, and you will say that they did not obey the will of Congress. Why does not Congress use specific language now and indicate how many men it wants in the Army? [Applause.]

The CHAIRMAN. The time of the gentleman has expired, and the Clerk will read.

The Clerk read as follows:

CLERKS, MESSENGERS, AND LABORERS, OFFICE OF THE CHIEF OF STAFF.

Chief clerk, $2,500; clerks—1 $2,250, 6 at $2,000 each, 8 at $1,800 each, 13 at $1,600 each, 21 at $1,400 each, 24 at $1,200 each, 26 at $1,000 each; chief messenger, $1,000; messengers—3 at $840 each, 10 at $720 each; laborer, $720; in all, $147,590.

Mr. CALDWELL. Mr. Chairman, I reserve the point of order. Are these the ordinary civilian employees? Have any increases been made?

Mr. ANTHONY. There are no increases at all. This is the same force provided for in the bill last year. The department asked for increases in number and in pay, but the increases were not allowed by the committee.

Mr. CALDWELL. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee what his purpose is about holding the session this afternoon. How much longer does the gentleman intend to run?

Mr. ANTHONY. We thought that we would like to read a few more pages. The committee has been very tolerant of debate all day long, and we have made very little progress on the bill.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. WINGO. Does not the gentleman think it wise to run along, even if we have to have a night session? The Committee on Agriculture has reported the packers' bill favorably, and I think we ought to get through with this bill in order that we might take that bill up. I hope that all the Democrats will stay here, if necessary, until midnight, so that we will have a chance to take up the packers' bill.

Mr. BARKLEY. That is correct, and that is my purpose in asking the question. I quite agree with the gentleman.

The Clerk read as follows:

For commutation of quarters and of heat and light for field clerks, Quartermaster Corps, $75,000: *Provided*, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided further*, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

Mr. CONNALLY. Mr. Chairman, I reserve the point of order on the paragraph in order to ask the chairman of the committee the reason for the proviso that no clerk, messenger, and so forth, of the tactical divisions shall be assigned to duty in any bureau of the War Department.

Mr. ANTHONY. If that proviso were not there, the War Department would call in these men from where they are employed in the tactical divisions and utilize them in the War Department. That would be in effect increasing the number allowed by law for the War Department.

Mr. CONNALLY. But suppose they need them in the War Department and do not need them in the field.

Mr. ANTHONY. It is barely possible that that might be done, but the committee has already passed in another place upon the requirements for the War Department proper, and we do not want the War Department to circumvent the work that has already been passed on by Congress.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GOOD. As I recall, in the deficiency bill they are asking that a similar limitation be lifted to some extent. Where they do need them they are called in from the field, but this would prevent the wholesale bringing in of the clerks.

Mr. CONNALLY. Why would it not prevent the absolute bringing in of any of the clerks?

Mr. GOOD. It would unless Congress gives them relief, and Congress has always given them relief when needed. The legislative bill carried the clerks for the War Department, and the committee is always tempted to give them all they need. Because of the extra work thrown on them in cleaning up after the war, they have needed additional clerks. They needed them in the division with regard to bringing the bodies of the soldiers back who were killed in the war. That has been permitted.

Mr. ANTHONY. For the further information of the gentleman, the War Department asked for 675 of these Army field clerks, and the committee allowed them 400.

Mr. CONNALLY. I thought that under the reorganization act there would be no more field clerks, that they were to be warrant officers.

Mr. ANTHONY. There will be no more field clerks appointed as such, but those already in the service will be allowed to remain until they are gradually replaced by warrant officers.

Mr. CONNALLY. How are we paying these men? There is nothing in the Army reorganization act providing for them.

Mr. ANTHONY. We do not provide for any more new appointments.

Mr. CONNALLY. At what rate of pay are they paid—the field clerks?

Mr. ANTHONY. As specified in this bill on the preceding page.

Mr. CONNALLY. There is no existing law on the subject?

Mr. ANTHONY. We appropriate for the number provided in the law. There is a provision of law providing for the maintenance of these tactical field organizations of the Army, and these are the clerks allowed them.

Mr. CONNALLY. I withdraw the reservation of the point of order.

Mr. SEARS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the river and harbor bill by incorporating therein a brief printed by the Miami Chamber of Commerce, of Miami, Fla.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. GREENE of Vermont. Mr. Chairman, reserving the right to object, I do not want to understudy the gentleman from Oklahoma [Mr. MCCLINTIC], who always does object, but I want to see if he is getting fair play. [Laughter.]

Mr. McCLINTIC. I am here, I will say to the gentleman from Vermont.

Mr. SEARS. Then I withdraw the request, Mr. Chairman, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Florida makes the point of order that there is no quorum present. The Chair will count.

Mr. SEARS (interrupting the count). Mr. Chairman, having been requested by a good many of the Members to withdraw the point in order that we might consider the packers' bill, I withdraw the point of no quorum.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, $87,500.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. This provision of $87,500 is to cover the expenses of administration in the War Department, and particularly to pay the expenses of the courts of inquiry and courts-martial. I take occasion at this time to call the attention of the House to the method of the administration of section 24–b of the Army reorganization act, as amended in the year 1920. I think that I would not be exaggerating to say that the administration of that section is a scandal.

It is certainly in violation of every rule of law that has been established in any Anglo-Saxon country in the last 500 years. Now, section 24–b of the Army reorganization act provided a system by which an inefficient Army officer could be eliminated from the service. If his inefficiency was based simply on inefficiency not caused by his own fault, neglect, or avoidable habits, he was to get a percentage of his retired pay, according to the length of his service. If, on the other hand, the inefficiency was caused by his neglect, and so forth, he was not to get any retired pay but was to be turned out of the Army in disgrace.

Now, that was a wise provision of the law, because before the act of 1920 the only way that a man could be put out of the Army was either by court-martial upon charges where he had a trial or when he came up for promotion. In this case there was a board of Army officers who examined him, and if he was not qualified for promotion he was put out of the Army without pay and without retired pay. But experience taught that the Army officers would not do that with their brother officer unless he was a very bad man.

So we passed section 24–b. The section was plain in its language. It provided that in September of each year a board of five general officers of the Army should tentatively arrange all of the officers of the Army into two classes—some in class A, the others in class B. Those who were put in class B were to be notified of that fact and were then given the privilege of calling for a board of inquiry. In that board of inquiry they were to be supplied with a full copy of their service records upon which their classification had been made. They were to have an opportunity to appear before that board of inquiry, a long-established organization in the Army, and there present proof in defense of their records in the Army. After the board of inquiry had found the facts and made its recommendation the case was to go to a final board of classification for reconsideration. After that the man was to have the right of appeal to the President. And if after all of those things had been done he was found unfit, a board of three officers, an organization long known to the military law of our country, was to pass upon whether or not his inefficiency was on account of his own fault, neglect, or avoidable habits.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALDWELL. I ask five minutes more to finish this.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CALDWELL. To this board of three officers was submitted the question as to whether his inefficiency was based upon his own fault, neglect, or avoidable habits, and if it was found that it was he was to be dismissed without retired pay, and if it was found that he was a good man, only not efficient, then he was to get a percentage of his pay according to his service.

When that bill came on the floor of this House I defended the section. Other Members of this House defended it, and the question was raised whether, under the scheme we had proposed, star-chamber proceedings similar to the old plucking board could be established and a man thrown out of the Army unjustly. We replied that under the terms of the bill it could not be done, and I said that I believed that under the phraseology of the bill, if such an attempt was made, that an officer could go into court and compel his reinstatement.

Notwithstanding the debate, notwithstanding the plain words of the statute, this is what happened: A board of five general officers as specified by law make an arraignment of all the officers in the Army. Each man is notified, and he demands his case be tried before a court of inquiry; but instead of giving him a full copy of his service record, upon which he can make his defense, he is handed a garbled account of those things in the opinions of Army officers concerning him, and he does not know until the day he goes into the trial of his case the good opinions that have been expressed of him at any time in his record. The opinions in every such case that has been brought to my attention are based upon pure hearsay, and sometimes hearsay of opinions of other men who had no right to form an opinion, and in many cases I find Army officers writing opinions of their brother officers, specifying they were in a position where they could base it upon observation covering a period of months, where, as a matter of fact, they never in their lives had been in company with the officer more than twice, and in those cases not more than three minutes at a time. But that is not all. After the board of inquiry has found the facts, after the board of inquiry has made its recommendations that this man be retained in the service, the papers in that case are taken to the War Department, not to a final board of classification, as evidently indicated by the law, not to another board that was to review the proceeding for the officer's protection, not to a board where he could be heard and present his defense against the charge of inefficiency, but it is taken back to the very board that "indicted" him in the first instance.

Who ever heard anywhere in the Anglo-Saxon law of this country or any other country that the grand jury who indicted a man should review his case after the petit jury had acquitted him of the crime of which he was accused? That is what is going on in Washington to-day. Three hundred and eighty-odd officers of the United States Army are being put through that kind of a mill.

In addition to that, you will not be able to find anything in the court decisions of this country or any other English-speaking country where the courts have failed to hold that where a public officer may be removed from office for cause the very fact that the grounds of removal are stated as cause gives the man the right to a hearing before the removing body.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CALDWELL. In this case the removing body is the reviewing court, or board of three officers who decide whether or not he is to be turned out with or without pay. In neither one of those courts is he permitted to present his defense or to be represented by anyone in his defense. There is not a single one of the officers who has been discharged from the Army for cause that has been given a hearing before the board of three officers that was provided for that purpose. The money of our country is being wasted in this star chamber proceeding in an improper endeavor to get rid of the men that those in the War Department want to get rid of, because there is now pending and will be argued in the United States Supreme Court for the District of Columbia to-morrow a proceeding that has been instituted to upset this War Department endeavor. There is pending in this House a bill which I believe would rectify and prevent this kind of administration of a statute that was passed in the interest of the people and of the officers who are devoting their lives to the service of their country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, warrant officers, members of the Officers' Reserve Corps when ordered to active duty, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the subcommittee if those provisions in the previous paragraph are to provide for the dependents of those who died in Cuba on account of the experiments?

Mr. ANTHONY. Of the officers who conducted the yellow-fever experiments.

The Clerk read as follows:

REGULAR SUPPLIES.

Regular supplies of the Quartermaster Corps, including their care and protection; construction and repair of military reservation fences; stoves and heating apparatus required for the use of the Army for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; and the necessary power for the operation of moving-picture machines; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, and enlisted men, warrant officers, and field clerks, including enlisted men of the Enlisted Reserve Corps, and retired enlisted men when ordered to active duty; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902, and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakeries, including bake ovens and apparatus pertaining thereto and the repair thereof; for ice machines and their maintenance where required for the health and comfort of the troops and for ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the construction, operation, and maintenance of laundries at military posts in the United States and its island possessions; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of relief maps for issue to organizations, commercial newspapers, market reports, etc.; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, and for the horses of the several regiments of Cavalry and batteries of Artillery, and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, $26,108,430: *Provided*, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Civilian employees, $1,750,000; printing, including certificates for discharged soldiers, $200,000; power, heat, and electric current, $1,750,000, of which not to exceed $42,300 may be used for improvement of electric power supply system at Governors Island, N. Y.; care and protection of regular supplies, $175,000; laundries, maintenance and repair of buildings, including repair of machinery, $100,000; post bakeries, maintenance and repair of buildings, $20,000; ice plants, maintenance and repair of buildings, including operation thereof, $50,000; maintenance and repair of heating apparatus (other than stoves), $300,000; maintenance and repair of electric wiring and fixtures, $200,000; maintenance and repair of reservation fences, $10,000; furniture, textbooks, and equipment for post schools and libraries and schools for noncommissioned officers and instruments, furniture, stationery, and other authorized articles for officers' schools, $20,000; typewriters, purchase, exchange, and repair, $10,000; mess furniture, tableware, commissary chests, issue outfits, $100,000; appliances for cooking and serving food, purchase and maintenance, $10,000; ranges and cooking stoves and parts thereof, $50,000; field ranges, purchase and maintenance, $2,000; bake ovens and apparatus, purchase and maintenance, $15,000; rolling kitchens, purchase and maintenance, $25,000; coffee roasters, purchase and maintenance, $2,000; heating stoves and parts thereof, $25,000; appliances for handling and preparation of fuel, $10,000; picket rope, blacksmith's tools, farrier's tools, and materials and shoeing of horses and mules, $75,000; office furniture and filing equipment, $50,000; operation of laundries, $4,000,000; incandescent lamps, parts and supplies, $50,000; candles, matches, and soap issue, $150,000; fuel, $6,500,000; gasoline and lubricants for operation of tanks and tractors, $200,000; forage, including salt and vinegar and bedding for animals and straw for soldiers' bedding, $8,500,000; implements, seeds, labor, and other expenses for raising forage at remount depots and on military reservations in Hawaii and Philippine Islands, $50,000; oil lamps and lanterns, including illuminating supplies thereof, $60,000; engine supplies for modern batteries, lighting plants, and ice plants, $9,000; ice, $405,000; stationery, $600,000; toilet paper, towels, and paper drinking cups for issue to offices, $20,000; commercial newspapers, relief maps, market reports, $430; newspapers and periodicals, $5,000; tools, carpenters' and saddlers', $50,000; cleaning and preserving materials, $250,000; installation of heating apparatus (other than stoves), $25,000; installation of electrical wiring and fixtures, $10,000; removal of garbage, $75,000; and expenses incident to training camps, $200,000: *Provided*, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, such horses and mules now being held at remount stations and posts as are not in actual use, and in any event not less than 20,000 of such animals shall be sold.

Mr. CHINDBLOM. Mr. Chairman——

Mr. CALDWELL. Mr. Chairman, I reserve a point of order against the last proviso. I would like to ask the chairman of the subcommittee what is the situation now in regard to remount horses—how many have we on hand?

Mr. ANTHONY. The investigation of the committee showed the Army has on hand approximately 80,000 horses and mules at the present time. The statement was made to us that that constituted 80 per cent of the animals necessary to completely equip an army of 280,000 men. So, as we are providing to reduce the number of men in the Army, we thought it proper to reduce the number of animals in proportion. We found that at the present time 38,000 of these animals were being carried at remount stations and doing no work, which, it is true, that many of them were assigned to do. It is costing about $9,000,000 a year to feed those animals, and we thought they ought to be sold.

Mr. CALDWELL. The gentleman admits this is plainly legislation?

Mr. ANTHONY. No; we do not. It is plainly a reduction of the amount we appropriate in the paragraph for forage, and which has been reduced to about the amount that we considered would be safe.

Mr. CALDWELL. Well, I make the point of order, Mr. Chairman.

Mr. ANTHONY. Mr. Chairman, pending the decision on this point of order, I would like to make the motion that the committee do now rise. But before submitting that I would like to ask unanimous consent to go back to two pages of the bill for correcting language only. I ask unanimous consent to return to page 25, line 18, to correct the spelling of the word "certificate."

Mr. CALDWELL. In order that the record may be clear, I wish to say that I reserve my point of order, rather than make it.

The CHAIRMAN. The gentleman reserves the point of order, and the gentleman from Kansas [Mr. ANTHONY] asks unanimous consent to return——

Mr. ANTHONY. To page 25, line 18, to correct the spelling of the word "certificate."

The CHAIRMAN. Without objection, the correction in the spelling will be made.

Mr. ANTHONY. And I ask unanimous consent to return to page 15, in the second proviso, in line 17, to strike out the word "*further*." We struck out the previous proviso, and the word "*further*" is no longer necessary.

Mr. SEARS. Mr. Chairman, this does not take us away from this paragraph?

The CHAIRMAN. It does not. This is all by unanimous consent. Without objection, the correction will be made.

Mr. CHINDBLOM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CHINDBLOM. Will not the whole paragraph, which ends near the bottom of page 27, and which began on page 23, be open when we meet again?

The CHAIRMAN. It will.

Mr. CHINDBLOM. Subject to the reservation of the point of order?

The CHAIRMAN. The gentleman from Kansas moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. FESS having assumed the chair as Speaker pro tempore, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15943, the Army appropriation bill, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4951. An act to authorize the building of a bridge across the Wateree River in the State of South Carolina;

S. 4950. An act to authorize the building of a bridge across the Peedee River in South Carolina;

S. 4924. An act to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation Project 150A,

located in Norfolk County, State of Virginia, and called Cradock; and

S. 4949. An act to authorize the building of a bridge across the Santee River in South Carolina.

CHIEF GUNNER ROBERT EDWARD COX.

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and referred to the Committee on Naval Affairs:

To the House of Representatives:

I transmit herewith a letter from the Secretary of the Navy advising me that H. R. 12469, an act to authorize the award of a medal of honor to Chief Gunner Robert Edward Cox, United States Navy, which, following the usual custom, was sent to him for the views of the department in regard to the legislation contained in the bill, had been lost somewhere in the Navy Department, and although a careful search had been made it could not be located.

This bill having been presented to me on January 20, and not having been approved or returned to the House within the 10 days prescribed by the Constitution, has become a law without my approval. In order to comply with the provisions of the Revised Statutes that all laws be filed with and published by the Secretary of State, may I ask that a duplicate of the said H. R. 12469 be sent to me for that purpose?

WOODROW WILSON.

THE WHITE HOUSE,
3 February, 1921.

Mr. WALSH. Mr. Speaker, I offer the following concurrent resolution.

The SPEAKER pro tempore. The gentleman from Massachusetts offers a concurrent resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 73.

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign a duplicate copy of the enrolled bill H. R. 12469, entitled "An act to authorize the award of a medal of honor to Chief Gunner Robert Edward Cox, United States Navy," and that the Clerk of the House be directed to transmit the same to the President of the United States in compliance with his request.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

MERGER OF STREET RAILWAYS, DISTRICT OF COLUMBIA.

Mr. MAPES. Mr. Speaker, I ask unanimous consent to be allowed to file within two legislative days minority views on the bill (H. R. 15914) to amend the provisions of an act relating to certain railway corporations owning or operating State railways in the District of Columbia, approved June 5, 1905. It is a bill reported by the Committee on the District of Columbia.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to be allowed two legislative days in which to file minority views on the bill H. R. 15914. Is there objection?

Mr. WINGO. Reserving the right to object, who is the ranking Democrat at present on that committee?

Mr. MAPES. I do not see any on the floor.

Mr. WINGO. Would the gentleman lose his right if he did not get that consent to-night?

Mr. MAPES. If I got it at some other time, of course, I would not lose it.

Mr. WINGO. I do not care personally to object, but sometimes, you know, there are objections.

Mr. MAPES. I never knew objection to be made to a request to file minority views.

Mr. SISSON. Mr. Speaker, what is it about?

Mr. MAPES. The merger of certain corporations owning and operating street railways in the District of Columbia.

Mr. SISSON. Is it in reference to a consolidation?

Mr. MAPES. Yes; of the Washington Railway & Electric with the Potomac Electric Power Co.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. MAPES. I yield.

Mr. BLANTON. I want to ask the gentleman from Wyoming if the Private Calendar will be taken up to-morrow, or shall we go on with the appropriation bill to-morrow?

Mr. MONDELL. We will continue with the appropriation bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. MAPES]?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GARD, indefinitely, on account of illness in his family.

To Mr. ELLSWORTH, indefinitely, on account of illness of a member of his family.

PUBLIC FRANCHISES IN PORTO RICO.

The SPEAKER pro tempore also laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Insular Affairs:

To the Senate and House of Representatives:

As required by section 38 of the act approved March 2, 1917 (39 Stat., 951), entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith certified copies of each of 29 franchises granted by the Public Service Commission of Porto Rico. The copies of the franchises inclosed are described in the accompanying letter from the Secretary of War, transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE,
3 February, 1921.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 14122. An act to authorize the sale of a portion of the Copper Harbor Range Lighthouse Reservation, Mich., to Houghton and Keweenaw Counties, Mich.

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Friday, February 4, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

396. A letter from the Secretary of the Treasury, transmitting report showing the number of documents received and distributed by the Treasury Department during the calendar year ended December 31, 1920, together with the number remaining on hand January 1, 1921; to the Committee on Printing.

397. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of New Haven Harbor, Conn., with a view to cooperation with local interests for further development; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14490) to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone, reported the same without amendment, accompanied by a report (No. 1289), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MILLER, from the Committee on Military Affairs, to which was referred the bill (S. 1637) for the relief of Albert H. Campbell, reported the same without amendment, accompanied by a report (No. 1288), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. YOUNG of North Dakota: A bill (H. R. 15988) to authorize the Secretary of Agriculture to contract with farmers in North Dakota, South Dakota, and Montana for the production of grain through advances of a portion of the cost; to the Committee on Agriculture.

By Mr. SINCLAIR: A bill (H. R. 15989) to authorize the Secretary of Agriculture to contract with farmers in North

Dakota, South Dakota, and Montana for the production of grain through advances of a portion of the cost; to the Committee on Agriculture.

By Mr. HUDSPETH: A bill (H. R. 15990) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico-Texas; to the Committee on Irrigation of Arid Lands.

By Mr. GRIFFIN: A bill (H. R. 15991) to amend the act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes (Public No. 243, approved June 4, 1920); to the Committee on Naval Affairs.

By Mr. SCHALL: A bill (H. R. 15992) for the preparation of additional rolls, allotment of lands, disposition of the lands and funds of the Chippewa Indians of Minnesota, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 15993) authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. BUTLER: A bill (H. R. 15994) providing for sundry matters affecting the Naval Establishment; to the Committee on Naval Affairs.

By Mr. HAUGEN: A bill (H. R. 15995) to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes; to the Committee on Agriculture.

By Mr. LAZARO: Joint resolution (H. J. Res. 466) suggesting that American supplies be purchased, as far as practicable, with American funds contributed for foreign relief; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Oregon, urging the immediate passage of the Fordney or fourfold adjustment compensation plan for ex-service men; to the Committee on Ways and Means.

By Mr. McARTHUR: Memorial of the Legislature of the State of Oregon, asking for a protective tariff on eggs; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS of Pennsylvania: A bill (H. R. 15996) for the relief of Joseph H. Tavenner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15997) granting a pension to Laura Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15998) granting a pension to Eleanora Sharp; to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 15999) granting a pension to Mary Schoneman; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 16000) granting a pension to Isaac Tierson; to the Committee on Pensions.

By Mr. HUDSPETH: A bill (H. R. 16001) for the relief of Pettus H. Hemphill; to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 16002) granting a pension to Jacob Shultz; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 16003) granting a pension to James Pace; to the Committee on Invalid Pensions.

By Mr. O'CONNOR: A bill (H. R. 16004) granting a pension to Noelie Gilmore; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 16005) granting an increase of pension to John W. Miles; to the Committee on Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 16006) granting an increase of pension to Catharine A. Dustin; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 16007) granting a pension to Cora A. Sprague; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5457. By Mr. BROOKS of Pennsylvania: Petition of the Council of Jewish Women of York, Pa., urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5458. By Mr. CULLEN: Petition of the New York Produce Exchange, protesting against the Gronna bill; to the Committee on Agriculture.

5459. Also, petition of the Society of the Third (Regular) Division, Brooklyn Branch No. 5, New York, favoring legislation for disabled ex-service men; to the Committee on Ways and Means.

5460. By Mr. DALLINGER: Petition of 500 citizens of Wakefield, Mass., protesting against the Smith-Towner bill; to the Committee on Education.

5461. Also, petition of the Woman's Club of Belmont, Mass., favoring amendment to the water power act, etc.; to the Committee on Water Power.

5462. By Mr. DYER: Petition of Frank Hagemeyer, Mrs. Edna Hagemeyer, and Roy C. Sutton, all of St. Louis, Mo., in favor of the Smith-Towner bill; to the Committee on Education.

5463. Also, petition of Cora Brinker; A. J. Krings; Alphonse Stuhr; District League, St. Louis Catholic Union of Missouri; and Theodore L. Fehlig, all of St. Louis, Mo., protesting against the Smith-Towner bill; to the Committee on Education.

5464. By Mr. EDMONDS: Petition of David W. Jamison Post, No. 183, of the American Legion, Philadelphia, Pa., favoring certain legislation for ex-service men; to the Committee on Ways and Means.

5465. By Mr. ESCH: Petition of the Western Association of Shoe Wholesalers, protesting against tariff on imported hides; to the Committee on Ways and Means.

5466. By Mr. FULLER: Petition of the Illinois Bankers' Association, favoring an appropriation for Federal aid in road building; to the Committee on Appropriations.

5467. Also, petition of the Women's Roosevelt Memorial Association, favoring Senate bill 3774, authorizing the coinage of a 2-cent piece bearing the likeness of Roosevelt; to the Committee on Coinage, Weights, and Measures.

5468. By Mr. KING: Petition of F. W. Vollmer and 100 other citizens of Adams County, Ill., protesting against Sunday blue legislation; to the Committee on the Judiciary.

5469. Also, petition of R. T. Seaton and 20 citizens of Adams County, Ill., favoring beer and light wines and opposing the Sunday blue laws; to the Committee on the Judiciary.

5470. Also, petition of Ernest Marshall and R. C. Gerard and 60 citizens of Quincy, Ill., favoring beer and light wines and opposing the Sunday blue laws; to the Committee on the Judiciary.

5471. By Mr. MacGREGOR: Petition of the New York Produce Exchange, opposing the Gronna bill; to the Committee on Agriculture.

5472. Also, petition of Licensed Tugmen's Association, Local Union No. 4, Buffalo, N. Y., favoring House bill 15746; to the Committee on the Merchant Marine and Fisheries.

5473. By Mr. O'CONNELL: Petition of the Society of the Third (Regular) Division, Brooklyn Branch, No. 5, protesting against decreasing the appropriation asked for by the Bureau of War Risk Insurance; to the Committee on Ways and Means.

5474. By Mr. OLDFIELD: Petition of sundry citizens of McRae, White County, Ark., asking reduction in freight rates to normal basis; to the Committee on Interstate and Foreign Commerce.

5475. By Mr. RAKER: Petition of Frank M. Newbert, president California Fish and Game Commission, urging support of H. R. 14757, by Mr. McDuffie; to the Committee on Agriculture.

5476. Also, petition of the director, division of vocational education, University of California, and director, department of economics, State Normal School, Santa Barbara, Calif., urging support of the Fess bill, amendment to the vocational educational act; to the Committee on Education.

5477. Also, petition of Reedley Chamber of Commerce, of Reedley, Fresno County, Calif., urging a protective tariff on the olive industry in California; to the Committee on Ways and Means.

5478. By Mr. TAGUE: Petition of the Michael F. Perkins Post, No. 67, of the American Legion, South Boston, Mass., requesting that the back interest owed to the United States by foreign Governments be paid at once; to the Committee on Foreign Affairs.

5479. Also, petition of Cigar Makers' Union, Local No. 97, of Boston, Mass., demanding of the United States Government the immediate lifting of the blockade on soviet Russia; to the Committee on Foreign Affairs.

5480. Also, petition of Arthur W. Gilbert, commissioner of the department of agriculture, Boston, Mass., favoring certain legislation; to the Committee on Agriculture.

5481. Also, petition of the Sulpho-Napthol Co., Boston, Mass., favoring House bill 15420, the metric system bill; to the Committee on Ways and Means.

5482. Also, petition of the United Fruit Co., Boston, Mass., favoring the Nolan bill, H. R. 15662; to the Committee on Patents.

5483. Also, petition of the New England Trust Co., Boston, Mass., favoring an exhaustive hearing on the Gronna bill before it comes before the House; to the Committee on Agriculture.

5484. By Mr. TINKHAM: Petition of sundry citizens of the Jamaica Plain district of the city of Boston, Mass., urging Government recognition of the republic of Ireland; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *February 4, 1921.*

(Legislative day of Wednesday, February 2, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

QUAPAW INDIAN LANDS.

Mr. CURTIS. Mr. President, I ask unanimous consent to lay aside temporarily the unfinished business for the purpose of taking up the bill (S. 4879) to amend section 1 of the act of Congress approved March 2, 1895 (28 Stat. L., p. 907), to extend restrictions against the alienation of lands allotted to and inherited by certain Quapaw Indians, and for other purposes.

The VICE PRESIDENT. Is there objection?

Mr. McCUMBER. I shall not object at this time unless it leads to debate.

Mr. CURTIS. I call up the bill at the request of the Senators from Oklahoma. It is a bill to extend the time of the restrictions which now exist against the alienation of certain Quapaw Indian lands. The bill has been read in full, and the amendments of the Committee on Indian Affairs have been read. The bill is recommended by the Department of the Interior and favorably reported by the committee. The Senators from Oklahoma are very anxious to have it passed; otherwise great harm may come to those incompetent Indians.

Mr. GORE. Mr. President, I hope that the bill may be passed without delay.

There being no objection, the bill was considered as in Committee of the Whole.

The VICE PRESIDENT. The amendments of the committee will be stated.

The first amendment was, on page 2, in line 2, after the word "Interior," to strike out the words "as set forth in the House of Representatives Document No. — (66th Cong., 3d. sess.)," and to insert:

To wit: John Beaver, Mah-hunk-a-zhe-ka, now Beaver; Anna Beaver, now Bear; Arthur Buffalo, Lizzie Cedar, Peter Clabber, Minnie Greenback, now Clabber, Harry Crawfish, Thomas Crawfish, Mary Crawfish, now Skye; Francis Quapaw Goodeagle, Wat-tah-nah-zhe Goodeagle, Khah-Daah, or Grandeagle, now Quapaw; Antoine Greenback, Joseph Greenback, Ho-gom-me, or Goodeagle; Mis-kah-get-tah, Amos Newhouse, John Quapaw, Nellie J. Ball, now Quapaw; Ta-mee-heh, or Quapaw; Benjamin Quapaw, Solomon Quapaw, Frances Quapaw, now Gokey; Julia Stafford, now Shapp; Hah-dah-ska-tun-ka, or Track; Mes-kah-tun-ka, or Track, now Slagle; Flora Young Greenback, now Whitebird; James Xavier, Anna Xavier, now Collins; Wah-she-mah-tah-het Track, now Martha Track Quapaw; Henry Buffalo, Clara May Buffalo, Hazel L. Buffalo, now McDunner; Nora Buffalo, now Brook; William Buffalo, James Amos Valliere; Georgia Alice Valliere, now Hampton; Iva Amelia Valliere, Jesse Daylight, Clayton C. Daylight, Emma Louise Blansett, Alphonso Greenback, jr., Lulu May Greenback, Mary Mollie Greenback, Amy Greenback, Woodrow Wilson Greenback, John Greenback, Alphonso Greenback, sr., Beatrice C. Peters, now Shapp; Juanita Alma Dawes, Agnes Track, Dennis Wilson, Erwin Wilson, Martin Wilson, Mary Wilson, Louise Wilson, Robert A. Whitebird, Helene Irene Whitebird, Thomas Xavier, Elnora Quapaw, and Lucy Lottson Beaver.

So as to read:

That section 1 of the act of Congress approved March 2, 1895 (28 Stat. L., p. 907), in so far as the same relates to the allotments of land to the Quapaw Indians and to restrictions against alienation of said allotments, be, and the same is hereby, amended so as to provide that the restrictions which now exist against the alienation of the lands allotted to and allotted lands inherited by the Quapaw Indians named in the letter of January —, 1921, of the Secretary of the Interior, to wit, John Beaver, etc.

The amendment was agreed to.

The next amendment was, on page 3, line 9, before the word "years," to strike out the word "ten" and insert the word "twenty-five," so as to read:

The same are hereby extended for the further and additional period of 25 years from the date of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The VICE PRESIDENT. The pending amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 1, strike out the figure "30" and insert in lieu thereof "40," so as to read:

Wheat, 40 cents per bushel.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 13, after the word "pound," insert the words "except rice cleaned for use in the manufacture of canned foods," so as to read:

Rice, cleaned, 2 cents per pound, except rice cleaned for use in the manufacture of canned foods.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment will be stated.

The ASSISTANT SECRETARY. On page 3, after line 13, insert:

14. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per cent ad valorem.

Mr. HARRISON. Mr. President, I understood that we had up the Quapaw Indian bill.

The VICE PRESIDENT. That bill has been passed. The bill now before the Senate is the so-called emergency tariff bill.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Harris	McCormick	Smith, Ga.
Borah	Harrison	McCumber	Smoot
Brandegee	Heflin	McLean	Spencer
Calder	Johnson, Calif.	McNary	Sutherland
Capper	Jones, Wash.	Moses	Thomas
Culberson	Kellogg	Nelson	Townsend
Curtis	Kendrick	New	Trammell
Dial	Kenyon	Overman	Underwood
Dillingham	Keyes	Page	Wadsworth
Elkins	King	Pomerene	Walsh, Mass.
France	Kirby	Ransdell	Warren
Gay	Knox	Reed	Williams
Gooding	La Follette	Sheppard	Willis
Gore	Lenroot	Shields	
Gronna	Lodge	Simmons	

Mr. HARRISON. I have been requested to announce that the Senator from Oregon [Mr. CHAMBERLAIN] is absent on account of illness.

I have also beeen requested to announce that the Senator from Rhode Island [Mr. GERRY], the Senator from Arizona [Mr. ASHURST], the Senator from Florida [Mr. FLETCHER], and the Senator from Tennessee [Mr. McKELLAR] are detained on official business of the Senate.

Mr. SHEPPARD. I wish to announce that the Senator from Delaware [Mr. WOLCOTT] is detained on official business.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present.

Mr. WILLIAMS. Mr. President, yesterday evening, just before I expressed a willingness for the Senate to take a recess or an adjournment, I had expressed some degree of astonishment at the position which had been assumed by the Senator from North Dakota [Mr. McCUMBER]. He had taken the position that, considering the fact that the manufacturing classes had in the past robbed the agricultural classes through the instrumentality of the tariff, which was absolutely true, it now became necessary for the agricultural classes to rob the manufacturing classes back again so as to get even.

Neither within a State, amongst its industrial classes, nor outside of a State, amongst the nations of the world, can any real good or permanent good be obtained for civilization or populations by a policy of retaliation. Nothing is more clearly demonstrated in the economical world, in the moral world, and in the social world than that fact.

You can not get even with another man by retaliation. Either he can whip you or you can whip him, but there is no such thing as preserving equality and justice between you in that way. If it be wrong for him to rob you, it is equally wrong for you to rob him, and two robberies can never make an indemnity, just as two wrongs can never make one right.

Mr. President, I rose partially for the purpose of saying that, but partially for this purpose: I am a little afraid that my position in the Senate has been a bit misunderstood. I am not filibustering against the pending bill; I do not care when the bill comes to a vote, provided it comes to a vote by the orderly procedure of the business of the Senate; but when Senators call upon me to agree to a request for unanimous consent, that is a different proposition. I am perfectly willing for the Senate to attend to its business without any filibuster. I think that the right of filibustering, if it be a right, is a possession so valuable for a minority that it ought never to be wasted. It ought never to be used except for great funda-

mental and vital purposes. I would use it to preserve the principles of the Constitution; I would use it for the preservation of white supremacy upon the Pacific coast or down South; I would use it for any great fundamental, vital purpose, and try to prevent anybody interfering with it; but to use it for a mere fiscal matter has never met with my approval.

Mr. President, I wish it distinctly understood that while I will not give my consent to fixing a date for a vote upon any measure where I know what the result of the vote will be, and know that that result will be adverse to my own convictions, while I will not agree to a result, speaking individually, as an individual Member of the Senate, or to a request for unanimous consent involving adverse result, I still shall not oppose the Senate's exercising its power of organization and of decision. It reminds me a little of an incident which happened some time back—I do not remember how far it was—when, I think, the Senator from Idaho [Mr. BORAH] arose and asked unanimous consent for the consideration of a resolution of international sympathy which seemed to me to disturb and violate our international duty. I said, "I hope the Senator will withdraw that request and will move what he wants, because I wish to be left free to vote against it, and I do not want to be bound by a unanimous-consent agreement." This he kindly did.

Mr. President, this august body—and I call it by that adjectival description because it generally speaks of itself in that way—has reached a pretty pass if it can not attend to legislation without unanimous consent. I think it can; I shall not interfere with its doing so; but no man can get my consent to a vote which involves a result when I know the result will be one that I do not want. That is a different proposition.

Mr. President, it was a uniform habit of the old Hamiltonian Federalists and is a habit of their successors, the Republican Party, to take advantage of any great emergency that happens to the country to begin at once, during or after the emergency, to "tinker with the tariff" and to make out of it an excuse or a pretext to raise the tariff. We had hardly laid the ghost of the War of 1812 before they attempted it then, and succeeded, leading finally to the enormous tariff of 1816, and that finally to the tariff of the thirties, known as the bill of abominations, and finally leading to threatened nullification upon the part of South Carolina. We had not got planted upon our feet during the war between the sections before somebody said, "This is a magnificent opportunity to help the special interests by increasing the tariff rates," and so the Republicans proceeded to increase them. We had not finished the Spanish-American War, we had barely begun it, when the Republican Party, true to form, moved to increase the tariff. Whenever they have won a victory of a political character, no matter upon what issue they have won it, their first skirmish-line feat has been to increase the tariff rates.

They won a victory for monometallism and against the parity of the coinage of gold and silver, and instead of proceeding at once to pass a monometallic law, they proceeded at once to increase the tariff. They won a victory upon Philippine annexation, and instead of proceeding at once to declare the congressional status of the Philippines, they proceeded to introduce a bill to raise the tariff rates. They have just won a victory against the League of Nations, they say—I will not stop to argue what it was won about, although I know 54 other reasons why it was won which I could state if I had the time—and now the first thing is not to proceed to do something about that, but to raise the tariff rates. Senators, you are running true to form, but this time you are riding to a fall.

The Senator from North Dakota [Mr. MCCUMBER] is making the mistake that the old English landlords made. You can pass tariff bills to increase the price of products so long as those products are not fundamental necessities of human life, but whenever you undertake to increase the price of necessities, sooner or later you are going to have either revolution upon the part of the proletariat or you are going to have political defeat. You can not tax the bread and butter and meat of the people, their daily nutriment, without having trouble.

In the past you had an innocuous duty upon wheat and several forms of cereals because the United States was the producer of the surplus of the world, which went to the markets of the world, and was an exporter of all of those products, and the duty had very little, if any, effect upon the price of the product in the American market. Now, however, the conditions have changed; over 50 per cent of the American people are living in towns. There are, in fact, more than that living in towns, Mr. President, because the census counts as towns only those places over 8,000 people, or, perhaps, the number may be 5,000, and under that figure are numberless towns the residents of which are not agriculturists, and yet they are counted as a part of the less than fifty-odd per cent living in the towns as a part of the agricultural population.

The Senator is riding to a fall; he is riding exactly to the same fall, and he is repeating the very arguments that were used by the landlord interests of Great Britain in supporting the corn laws, until things had reached such a point, under a semirevolution, which was known then as "Chartism," accompanied by hayrick burning, general disorder, and demoralization upon the part of the laboring men in the great factory towns and the little factory villages, that even Sir Robert Peel, arch conservative that he was, was forced to repeal the corn laws. If the Senator thinks that he can establish as a permanent institution in America a system of corn laws, he is doomed to go through the same experience that the conservatives under the reluctant leadership of Sir Robert Peel went through with.

So, when the Senator undertakes to indemnify farmers for the manufacturers' robbery of the agriculturists, which has been going on for a century, by a new-found legislative tax-law robbery by the agriculturists of the manufacturing laboring class, then he is galloping to meet disappointment sooner or later. And he ought to meet with it.

I am perhaps the only man in this body whose post-office address is out in the country. I live there; every dollar I have in the world is identified with agriculture except a few dollars which I put in to help the Government out during the war, and invested in its bonds. They strained me like the mischief, and then the Government, in a very dishonest way, after giving its note to me and various other people, proceeded to tax back a part of the note so as to run the market value of its own paper down below par, which an honest man would not have done; but an allegedly honest Government has done it.

Mr. President, there is no getting away from the facts. The Senator from Tennessee [Mr. MCKELLAR] on yesterday, with Scotch persistence, drove the argument home. What is your object? What is your purpose? It is to increase the price of bread and meat to the people.

If you can not do that, you can not raise their prices to the producer, which is your avowed object. If you do raise the prices to the producer, you have increased them to the people. Why not quit this nonsense, and, instead of getting even with the manufacturer by perpetrating upon him a reciprocal robbery, deprive him of the robbery that he is now perpetrating upon you. If you will decrease the price of my agricultural implements and everything which I must buy in order to carry on farming processes in the State of Mississippi, I shall demand no favors at the hands of the United States Government. I can meet all comers in the cotton field, with white men upon the quarter-deck and Negro laborers in the field, although paying them four times what is paid to the fellaheen of Egypt and six times what is paid to the peasants of India, and beat Egypt and India at their own game; but, in order that I may do so, I ask simply to be left unhampered and untaxed, except in so far as the Government shall levy a tax for revenue purposes alone for the payment of governmental necessities. That is all I ask, and if I ask more I ask something that I have no right to ask.

If you could demonstrate to me to-day that a tax upon long-staple cotton would put from $5 to $10 a bale in my pocket out of my next year's crop, and then ask me to support the duty upon that ground, my response would be in the words of Scripture: "Is thy servant a dog that he should do this thing?" After I have preached for a lifetime that a tariff levied for the purpose of enriching some class or some person at the expense of the general public is robbery, shall I myself become a robber, and can I reconcile it to my conscience by counting up at the end of the year the number of net dollars of profit which I have made out of the legal process? I might do that, but at the same time that I did it I would have to cease to be a gentleman, and a man wants to continue to be a gentleman to the extent that he can, no matter what his private sins are. He need not add public sin of unfair law for his own benefit to the burden which the rest of us carry.

Mr. President, I have not taken the floor for the purpose of making a long talk. I want to call attention to one more thing, and then, to prove my good faith, I am going to sit down.

What is the present condition of the world internationally, in the commercial relations of one country with another? It is a state of utterly demoralized exchange rates. And what is the matter with the exchange? What gives the dollar a premium? What puts the pound sterling and the franc and the reichsmark at a discount? It is the fact that the people in distressed Europe, to a certain extent even in England, but everywhere upon the Continent, have neither money nor credit wherewith to buy. It is the fact that they must go to work tightening their

belts as best they can to fit their provisions, and must work longer hours and more efficiently than they have ever worked before, and must save with a degree of thrift that they have not lately experienced. What is the trouble? The trouble is that they can not buy things from us. The trouble is, too, that they have not the money nor the credit to make the things to sell to us, nor to buy from us the raw material out of which to make them. They are trying the very best they can; and then comes in a great Republican professor of economical medical science, you might call it, and he says that the way to increase the production of these people so that they may increase their exports, and thereby pay to America in commodities for things that they can not pay for in dollars or francs or pounds sterling, is to do what? To cut off their exports to us! To hamper them with our laws already overhampered by lack of money and credit, as they are!

You say to the fellow in the first place: "You can not buy my goods because I can not credit you and because you have not the money to pay for them. Our Government can not afford to credit you. Our people will not credit you unless you can furnish proper security, and you can not do that. Pay us in commodities. We want your commodities." And then up steps this great Republican economical expert, who has displayed his ignorance of economical science for a hundred years in America, and says: "The right way to increase the exports of other countries to America is to tax our imports, and thereby discourage their exports." That is all of it in a nutshell. There is not any way around that statement of it.

You would think that a man who did that was a lunatic; but he is not. There is system in his madness. He is going to make a profit out of it. It may be bad for the country, but it is good for him, and that is what he is thinking about. In fact, I suppose most of them would not be willing to confess that that is what they are doing. They would camouflage around and skirmish about and make flank attacks and little demonstrations in the rear to conceal their frontal attack, and deny positively that they were making any frontal attack at all.

Mr. President, how are you going to reestablish "normalcy"? We have great Republican authority for that un-English word here lately. I never heard of it before. I suppose what was meant was the normal peace condition of things; but "normalcy" is the new word. It has been added to the dictionary, I suppose, as a part of the *logos* of the Republican Party. How are you going to reestablish so-called "normalcy" of international exchange, which is absolutely necessary to stabilize international trade, when faced with a situation where the other man can not pay you except in products, by putting a tax upon his products to the small extent that he now can ship them and to the large extent that it is hoped that he may hereafter be able to ship them?

Mr. President, the idea of a man raising himself by his boot straps over a fence is not any new one. A great many people have been trying to do that ever since the world began. So far, nobody has succeeded. Sometimes, if a man keeps at it long enough, somebody else will put a bomb under him in the shape of a revolution, and then he will go over the fence; but he will go over the fence dead and not alive. Now, I warn the farmers of this country against this short-sighted course—and when I warn them I am warning myself. I warn you that whenever total or partial prohibition of imports of bread and meat becomes a farmers' instrument for robbery, the proletariat will rise just like they did in Great Britain.

Whenever a tariff not only produces higher prices, as it does when levied upon manufactured products, but when it begins to mean stress and strain for the human being to clothe and feed himself, when it comes to be measured not alone in dollars and cents but in human suffering, then humanity is going to revolt, whether you like it or not. You and I are living away out in the country, where we can not get together. We can not form militia companies. We can not gather together at the tocsin of a bell. We would be as helpless as the Russian peasant is to-day. The one class that can not carry on an organized fight is the agriculturist; but he can carry on a fight and a fight to a successful issue, always provided he plant his feet upon the rock of human justice, claim nothing for himself that is not plain justice, and deny to everybody else everything that is injustice. There he does not need organization, because behind him and with him will stand God and the common sense and the common conscience of the middle classes. When he goes to the extreme of taxing the bellies of the people, taxing the appetites and the food necessities of the people, he will not have either the common sense or the common conscience of the middle classes or of the common people anywhere with him.

Mr. President, you can not carry forward civilization, you can not increase the sum total of humanity, you can not produce a state of mind—and nearly everything is psychologic—which leads men rather to love one another than to hate one another by inaugurating a policy of retaliation. You can not do it amongst industrial classes within a State. You can not do it as between different States on the earth, which has become a little bit of a thing, so small that maybe a man could go around it in 12 or 15 days in an airplane. Mutual service, mutual helpfulness, mutual sacrifice may be called idealism, they may be said to be vain altruism, but they are the only really practical things in the world. Mutual retaliation can not help one class within a country fighting another through the instrumentality of a law fixing tariff rates, one country fighting another upon the high seas in great international trade through the instrumentality of conflicting and rivaling tax rates, one country fighting another through threat of immense armament on land or on sea, one country fighting another by pretense to superiority of culture or of organization or something else.

It is stupid enough for nations to make war on one another through tariff instead of leaving things where God intended that they should be left, so that the man who could produce a given product of the best quality at the cheapest price could sell it to another man who could not produce it at the best quality at the cheapest price, and he in his turn might produce something else of the best quality at the cheapest price and sell it to man No. 1. You are just interfering with the laws of nature and of nature's God; and while you can not, owing to the almost bankrupt condition of the world, have now or within my lifetime or the lifetime of my grandchildren, probably, anything approximating free commercial relations, so-called free trade, you can refrain from making the restrictions so high as to be a token of animosity rather than a token of friendship to other nations when your whole Nation acts. You can also refrain from like folly as between classes within your own Nation by refusing to attempt to enact either an industrial class tariff or a sectional tariff.

Mr. President, I am not filibustering against this bill. The bill can come to a vote any minute the Senate pleases. I do not care, except that nobody must ask my consent to it. That is a different proposition. I shall not consent to something that I do not believe in. I shall not consent to a vote when I know the result; and I would be a fool if I did not know that I was consenting to an undesired result. I shall not be bound by any number of private agreements made by anybody to that effect; but this bill can be carried to a vote long before the 16th of February, which is the date requested, by the orderly processes of the business of the Senate, without making me particeps criminis in it by requiring my consent.

Mr. McCUMBER. Mr. President, no Senator presents as logical an argument in favor of free trade as the Senator from Mississippi [Mr. WILLIAMS], and it is the same argument he has made year after year. I do not desire to take up that argument at this time; but, Mr. President, the amendment agreed to a short time ago was agreed to when only a few Senators were present and when the attention of some Members on the other side was diverted from the bill. As we want to have every amendment carried fairly and fully, I ask unanimous consent for a reconsideration of the vote by which the amendment to the wheat item was agreed to.

The VICE PRESIDENT. There were two or three amendments agreed to.

Mr. McCUMBER. I am making the request only in respect to the first amendment. The other I do not think will be objected to. It is merely an exception to the rule, and nothing else.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the vote whereby the amendment was agreed to is reconsidered.

Mr. SIMMONS. I understood the Senator's motion to be to reconsider all the amendments agreed to.

Mr. McCUMBER. No; I asked only as to the first item. I think the question on the amendment as to meats was not put by the Chair, although the amendment was read. The second amendment is with reference to rice, and it provides that the bill shall not apply to a certain class of rice, in which, I understand, there is no competition, and which is used only for soups or something of that character. If the Senator wants to have a reconsideration of that amendment, I have no objection.

Mr. SIMMONS. No; I think it is sufficient to have a reconsideration of the amendment with reference to wheat. I want to say, Mr. President, that when the amendment was agreed to there were only two or three Senators on this side of the Chamber, and those who were present advise me that they thought a bill relating to Indian lands in some way or other was before the Senate, and they were utterly unaware of the

fact that a viva voce vote was being taken on the item of wheat.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). The question is in agreeing to the first amendment of the committee.

Mr. McCUMBER. Mr. President, as we want a full vote upon this amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Harris	McKellar	Spencer
Borah	Harrison	McLean	Sterling
Brandegee	Heflin	Nelson	Sutherland
Capper	Henderson	New	Townsend
Culberson	Johnson, Calif.	Overman	Trammell
Curtis	Jones, N. Mex.	Owen	Underwood
Dial	Jones, Wash.	Page	Wadsworth
Dillingham	Kellogg	Phipps	Walsh, Mont.
Elkins	King	Poindexter	Warren
France	Kirby	Sheppard	Williams
Gay	Lenroot	Shields	Willis
Glass	McCormick	Simmons	Wolcott
Gooding	McCumber	Smoot	

Mr. CURTIS. I wish to announce the absence of the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Iowa [Mr. KENYON], and the Senator from New York [Mr. CALDER] on official business.

I also desire to announce the absence of the Senator from North Dakota [Mr. GRONNA], the Senator from Oregon [Mr. MCNARY], the Senator from New Hampshire [Mr. KEYES], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Louisiana [Mr. RANSDELL], who are detained at a meeting of the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. Fifty-one Senators have answered to the roll call. A quorum is present. The question is on the first amendment reported by the Committee on Finance.

Mr. HARRISON. I ask for the yeas and nays.

Mr. SIMMONS. I understand the Chair to have announced that a quorum is present?

The PRESIDING OFFICER. The Chair did so announce.

Mr. SIMMONS. Then I ask for the yeas and nays on the amendment.

Mr. McCUMBER. Mr. President, I do not object, but would like to have the yeas and nays. However, I want to say just one word with reference to the pending amendment proposing to raise the House rate of 30 cents to 40 cents a bushel on wheat. There was a duty of 30 cents a bushel on wheat when it was bringing about a dollar a bushel. That was 30 per cent ad valorem. Under the present prices, with everything almost double, a duty of 40 cents per bushel would be 22 per cent ad valorem. But with 40 cents per bushel specific duty, after deducting the advantage of the difference in exchange of 27 cents a bushel, it will leave us only 13 cents a bushel protection.

Mr. HARRISON. Mr. President, before the Senator takes his seat I would like to ask him a question. The tariff on wheat in the Underwood Act was 10 cents a bushel, with the exception that it was changed in those countries which admitted our products free. This is an increase of practically 30 cents in most countries; in some countries it is an increase of 40 cents a bushel.

Mr. McCUMBER. I think the Senator is in error. I think the last tariff act was to this effect, that if we had free trade between the countries on the particular article there would be no duty. If Canada did not give us free trade on both flour and wheat, then there should be 10 cents a bushel duty.

Mr. HARRISON. Yes.

Mr. WALSH of Montana. Mr. President, I have been diligently endeavoring to comprehend the importance or the significance of the difference in the exchange as it affects the rates prescribed in this bill. I must confess that I, perhaps, do not appreciate it at all. I am unable to understand why the difference in the rates of exchange should affect the tariff rate in any way as long as it is figured in United States money; nor do I understand how it operates to make importations easier.

Speaking specifically with respect to wheat, which may be used for the purpose of illustration well enough, obviously in any country in which the currency is depreciated in value, more of their money must be paid for commodities. I saw a statement in a paper the other day about some American traveling man who submitted an expense account for expenses incurred by him in the course of a trip to southern Russia. He had to pay some thousands of rubles for a night's lodging, something like a million rubles for a short ride on a railroad train, and similar amounts for other accommodations of that character. As a matter of course, English currency is depreciated, in terms of our money, all over the world, and if you are going to buy you must, of course, pay more in English currency than you pay in American currency. So, if you go to Canada to buy wheat, you must pay more per bushel in Canadian money than you pay in the United States for the same quantity of wheat, or than you pay in Canada with United States money.

In a report which I have before me, submitted by the Tariff Commission, it is shown that the quotations for wheat in Canada are higher than they are in the United States. That is, if you go to Canada you pay a dollar and a half a bushel for wheat, but you pay it in Canadian money, which is the equivalent of perhaps a dollar and a quarter or a dollar and twenty cents in our money.

I can not understand why under those circumstances any additional rate should be charged because of the difference in the exchange rate. Moreover, it is said that we must impose a high tariff upon these commodities by reason of the fact that they come into our country readily, and importations are invited by reason of the rate of exchange. That is something I do not comprehend either. A large portion of the tariff, as I understand from the remarks made by the Senator from North Dakota a number of times upon wheat, is imposed for the purpose of equalizing the situation as it is affected by the rate of exchange.

I have a table compiled by the Tariff Commission showing the prices of wheat in Winnipeg at various times, stated as a matter of course in terms of Canadian money. Almost invariably those prices are higher than they are in the United States, but when they are reduced to terms of United States money the Winnipeg prices are substantially the same as the Minneapolis prices. Under those circumstances why should we take into consideration the difference in the exchange rate? A man takes a certain amount of American money into Canada and buys wheat with it there at the current higher price in Minneapolis. He takes that wheat to Minneapolis and sells it in the American market, but he gets American money for it, and he gets substantially the same price for it that he gets in Winnipeg if he makes that transfer.

I have listened rather disconnectedly to the discussion of that feature of the tariff by the Senator from North Dakota, and so far as I am at present advised I freely confess I do not comprehend it at all. I should be glad to be enlightened, if I can, by anyone who has anything to say on that feature of the schedule.

Mr. McCUMBER. Mr. President, I think Senators get a little confused sometimes in using as illustrations Winnipeg and Minneapolis. If we want to get a more accurate relation between any two points, we should take Winnipeg and Duluth, remembering always that Winnipeg exports at Fort William or Port Arthur on the opposite side of the lake. Of course, if we can buy Canadian wheat for a certain price and that price is in Canadian dollars, and then we can buy it with American dollars for 10 or 15 or 20 or 30 cents cheaper when reduced to the American dollar as compared with the Canadian dollar, I do not for a moment contend that we can take that wheat into exactly the same market and sell it ordinarily for an advanced price, because the moment that we bring it to our market for that depreciated price, when reduced to American currency, our product has to go down to the same level.

The Minnesota wheat has to get a rate on a level with the price that is paid for the Canadian wheat after making the allowance, and therefore the markets would be exactly the same, or should be, other things being equal, at the same point. If we could get wheat from Canada cheaper than we could get it from the United States without the exchange, the Senator can see that the moment it is brought over, with a reduction on account of exchange, our market must fall to meet the price paid for the Canadian grain; and that is exactly what happened.

Now, if we would keep out that Canadian grain by a tariff that would equal even the exchange, we would be ahead the amount of the exchange. If we would put on a protection greater than that, we would have a tariff in addition to the exchange; but of course in the same market where there is absolute free trade the exchange bringing down the price of the foreign product even with the American dollar will necessarily drive our product down to the same level, because both will sell in the same market at identically the same price.

Mr. WALSH of Montana. That seems to be altogether clear; I can understand that perfectly; namely, that if wheat were selling in Duluth and in Winnipeg or Fort William at exactly the same figure, and it was bought at that figure in Canada and taken into this country and brought into competition with our wheat, our wheat would be suffering because it would be brought down, as the Senator says, to the level of the price of the Canadian wheat in terms of American money. But the trouble about that is that prices in the Canadian market are higher,

measured in terms of American money, than they are in the American market, and that when the price as quoted in the Canadian market is reduced to terms of American money the prices are exactly identical, and so the Tariff Commission reports. I read from page 10——

Mr. McCUMBER. They report a comparison between Minneapolis and Winnipeg.

Mr. WALSH of Montana. Exactly. I suppose the Tariff Commission——

Mr. McCUMBER. They do not compare the prices, I will call the Senator's attention, between Winnipeg and Chicago, they do not compare the prices between Winnipeg and Duluth because the Winnipeg prices and the Duluth and Chicago prices place the products on the Great Lakes in every instance, and the export costs would be practically the same.

Mr. WALSH of Montana. I assume that the experts whom we have employed for the express purpose have instituted comparisons that may be of some help to us. They have evidently taken, for the purpose of illustrating a proposition, the prices in Minneapolis and Winnipeg, and they say that because of that the exchange rate is a matter of no consequence whatever. I read from page 10 of their report as follows:

> It is often assumed that American purchasers get the full advantage of the exchange rates when the American dollar is at a premium. This by no means follows, however, in every case. From Table 5, appended below, it is seen that the Winnipeg price of wheat converted into American money is almost the same as that for similar wheat in Minneapolis.

Mr. McCUMBER. Of course, because it brings Minneapolis wheat down to the Canadian price.

Mr. WALSH of Montana. Exactly; so that the two prices are the same. Therefore, in adjusting tariff rates why should you take into consideration the exchange rate at all? So with respect to all these commodities, the argument is made that we ought to have a high protective tariff upon practically every import now because the exchange rates are so favorable to this country and so much against the foreign countries.

Mr. UNDERWOOD. Mr. President, if the Senator will yield for a moment——

Mr. WALSH of Montana. Certainly.

Mr. UNDERWOOD. I would like to make this suggestion: I remember that for many years before the Ways and Means Committee of the House there was a continuous demand, by interests that desired protection, that a tariff should be written to protect against adverse freight rates, that the freight rate was against them coming to the seashore, and therefore they wanted a tariff to protect against that, overlooking the fact that the freight rate changed at each mile, and that we would have to have a tariff to change with each mile of advance. It seems to me the same thing applies to the exchange proposition. The question of exchange between different countries changes from day to day, if not every hour, and if we attempt to meet that condition by a tariff which must be fixed, we would no longer get it fixed than we would have to have it adjusted.

Mr. WILLIAMS. We would have to have a movable tariff.

Mr. UNDERWOOD. Of course, as the Senator from Mississippi suggests, we would have to have a movable tariff.

Mr. WALSH of Montana. I have no doubt in the world the price will change as the exchange rate changes; in other words, if the exchange should approximate its ordinary normal level as between this country and Canada, we would find quotations on the Winnipeg market for wheat substantially the same as prices in the Minneapolis market.

Mr. SIMMONS. Mr. President——

Mr. WALSH of Montana. I yield to the Senator from North Carolina.

Mr. SIMMONS. The same principle for which the Senator from North Dakota [Mr. McCUMBER] is now contending seems to have been carried all through the measure. If a product comes from South America—and some of our chief imports are from South America—in fixing the rate on that import or imports of that character, as I understand it, they take into consideration the difference in exchange between the currency of this country and South America. If our imports came chiefly from Germany, say, to this country, they would take into consideration in the bill the difference in exchange between the currency of this country and Germany. They have tried to follow that principle all through the bill; in the high rates which they have fixed they have made allowance for what they have assumed to be the difference in the rate of exchange as reflected in the prices in the two countries.

In that situation, if there should be a world adjustment within a brief period of time, bringing about a stabilization of exchange, or if for any reason whatsoever in the next 2 months or within the next 10 months there should be a wiping out, in any of the countries from which the imports come or in all of them, of the difference at present obtaining in the rate of exchange, is it not then apparent that for the balance of the 10 months' period when the bill is in operation the producers in this country would get the benefit of the rate fixed upon a basis that has absolutely disappeared and is inoperative?

Mr. WALSH of Montana. Undoubtedly. That is simply an indication of the difficulty of fixing any just tariff rate at this time.

Mr. SIMMONS. The Senator from North Dakota makes some question about the fact, as the Senator from Montana contends and as I contend, that there is very nearly a parity in the price of wheat in this country and in Canada, eliminating altogether the question of the difference in exchange. I brought out the very figures which the Senator has brought out upon the very threshold of the controversy on the question of wheat, and pressed them upon the Senator from North Dakota. If they did not speak the truth, if they did not represent the facts as to the price of the product in the two countries, the Senator from North Dakota, because it is fundamental in his argument, would have brought other figures here to show that the statements made by the Tariff Commission are not correct.

Mr. WALSH of Montana. I precipitated the discussion at this time not because I am especially interested in the application of the principle to the importation of wheat, but I understand, as is now suggested by the Senator from North Carolina, that the same principle is carried clear through the bill, and that every one of the rates is made higher than it would be made under ordinary circumstances by reason of the difference in the rate of exchange. I thought that if I had a correct opinion about the matter the error could be very conveniently exposed by consideration of the rate upon wheat in the light of the information we have upon that particular subject from the Tariff Commission, to which I shall invite the attention of the Senate.

Mr. JONES of New Mexico. Mr. President——

Mr. WALSH of Montana. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I desire to call the attention of the Senator from Montana to another situation as a possible and practical illustration of the point which he is making. For instance, the difference in the exchange between Germany and the United States, based on German money, is about 1,800 per cent. If the difference in exchange should operate to its fullest extent, then would not the bushel of wheat in Germany have a bounty put upon it for export to the United States to the amount of 1,800 per cent? In reading the hearings before the Ways and Means Committee of the other House which occurred a few days ago I found it was claimed that the difference in exchange to the full amount of the difference operated as a bounty in favor of the country having the lower parity, and in the case of Germany it is about 1,800 per cent. I think the German mark is worth now about one-eighteenth of its parity in gold. Does not that show the absurdity of the proposition that the difference in exchange operates in the way that is claimed for it in regard to importations?

Mr. WALSH of Montana. I think that is quite right; but further than that, as a matter of course, if the tariff rate is adjusted with reference to the rate of exchange between this country and Great Britain, any country with respect to which the rate of exchange is less favorable than it is to Great Britain would have a very decided advantage over Great Britain in the importation of goods into this country. The schedules would thus be discriminatory against the country having the more stable and desirable currency and in favor of those countries whose currency is most depreciated. However, Mr. President, let me proceed. I read further from the report to which I called the attention of the Senate, as follows:

> This identity of prices in the two markets is of importance in connection with the exchange situation. It is obvious that the American purchaser of Canadian wheat can not get it any cheaper than he can buy the same grades of the domestic product. In other words, there is no special inducement for buying Canadian wheat offered by the exchange situation. It does not appear that the individual seller has a greater incentive to sell in Minneapolis than in Winnipeg, because, as a matter of fact, the prices are about the same in the two markets.

Mr. President, if that is the case, let us follow it clear down the list. Take wool, for instance. It is argued that there should be a very heavy duty upon wool by reason of the unfavorable exchange rate, but it is reasonable to suppose that in any country where the rate of exchange is unfavorable as compared with that of the United States one would be obliged to pay more in the money of that country for a given amount of wool. So with reference to long-staple cotton, if the exchange rate between this country and Egypt is unfavorable to that country, obviously one will be obliged to pay more in Egyptian money for a certain quantity of long-staple cotton than he

would be obliged to pay in American money. Accordingly, it seems to me that so far as the feature of difference in exchange is concerned the rates in this bill have been framed upon an entirely erroneous basis.

But let me illustrate the situation from Table 5 in the report, to which reference is made in the portion of the report from which I quoted. The table is headed:

Cash prices per bushel of wheat at Winnipeg and Minneapolis.

In Winnipeg on October 23, 1920, the price of Minneapolis No. 1 northern spring wheat was $2.07. There is no comparison there with the Canadian price given on that date. On October 25, 1920, in Minneapolis, the price of No. 1 northern spring wheat was $2.05; in Winnipeg, Manitoba, the price of No. 1, par of exchange, was $2.27; but reduced to American money it was $2.05. In other words, a certain quality of wheat was sold on the Minneapolis market on October 25 at $2.05; the same quality of wheat was selling in the Winnipeg market at $2.27, but $2.27, measured in Canadian money current in Winnipeg, reduced to American money, was exactly $2.05, the prices being identical. On October 26, in Minneapolis, the price was $2.12; in Winnipeg, it was $2.35; reduced to American money, it was $2.12. On October 28, in Minneapolis, the price was $2.11; in Winnipeg, it was quoted at $2.32; and considering the rate of exchange, it was $2.10. Let us get down to more recent dates. On November 16 the Minneapolis price was $1.82, the Winnipeg price was $2.11; and, taking into consideration the difference in exchange, $1.88 was the price in Winnipeg. So, considering the current rate of exchange, the actual price in Winnipeg was higher than in Minneapolis. On November 17 the Minneapolis price was $1.77; the Winnipeg price, $2.11, or, considering the difference in exchange, $1.88.

On November 20 the Minneapolis price was $1.58; the Winnipeg price $1.98, or, considering exchange, $1.77.

Let us take the quotations down to December 14. On that date the Minneapolis price was $1.66; the Manitoba price $1.89, or, with exchange calculated, $1.63.

On December 17 the Minneapolis price was $1.65; the Winnipeg price $1.94, or, considering exchange, $1.65. On December 18 the Minneapolis price was $1.66; the Winnipeg price $1.91, or, taking into consideration the difference of exchange, $1.62. So that the prices, with the exchange figured, were practically the same in the two cities.

Accordingly, Mr. President, I must confess that I can not vote for any of the rates proposed by the bill to be levied on wheat, should I be disposed to vote for the bill as a whole—with respect to which I have not definitely made up my mind—until I may be further enlightened in some way or another as to the necessity of taking into consideration the difference in the rate of exchange as a basis for the rates proposed.

Mr. McCUMBER. Mr. President, I do not intend to go into the matter of the rate of exchange, nor shall I especially contend with the free-trade Tariff Commission, although I think they have been most unfair in the way they have attempted to establish their proposition.

I have listened to the quotation which the Senator has just read, and which has been put into the RECORD several times. Those who assert that we will get no benefit from any kind of a protection on grain base their assumption upon the claim that the Liverpool market fixes the price. I will accept their argument just for a moment and see where it leads them. Here is some American grain in Duluth, and here is some grain of exactly the same character at Fort William and quoted on the Winnipeg market. Both can be shipped to Liverpool for exactly the same cost of transportation, and both, they say, are governed by the Liverpool price; and therefore it is said that the price of the Duluth wheat for export purposes and of the Winnipeg or Fort William price—and Fort William means the same as Fort Winnipeg—are exactly the same. Can not Senators see, therefore, that where the product is exactly of the same inherent value and ultimately must be sold, that if there is a rate of exchange in our favor as against Canada and Canadian money, we will buy that wheat for the Canadian price and then discount it according to the difference in exchange, and thus, if we could keep our price up on this side, we could make an immense amount of money by buying the Canadian wheat and selling it in the American market? Can not they also see that the very first shipment of Canadian wheat that was offered would immediately drive our price down to the same level as the Canadian price? That is exactly what happens, because the two prices after making the exchange allowance are practically the same. But it is the same because the American price has been forced down by this unfair competition to the Canadian price. It is said, therefore, there will be nothing made by bringing Canadian wheat into this country. Then, why in heaven's name is it brought into this country to the extent of 65,000,000 bushels as against one or two million bushels in any other year?

Let me give a case that is a little more concrete, so as to bring this matter right home. I notice the Tariff Commission did not make the comparison between the Canadian and Chicago market. We raise No. 1 hard to some extent in the Northwest section, and the same quality of wheat is raised in Canada, and a considerable quantity, though not nearly so much as is consumed in the Minneapolis mills and along the Lakes, goes to Chicago.

Up to, I think, October 14—I gave the date the other day—Chicago had not felt the result of the Canadian importations. On the date named the price of Canadian No. 1 hard in Winnipeg or Fort William was $1.85 and of American No. 1 hard in Chicago $1.84, only one penny difference. The price of Canadian No. 1 hard was $1.85 in Canadian money, while the price of American No. 1 hard was $1.84 in American money. Immediately the grain began to flow toward Chicago necessarily it must drive the Chicago price very quickly down to the Canadian price, and that is practically what has happened. The Chicago market is not quite as competitive for that character of wheat as is the Minneapolis market, because the No. 1 hard that goes to Chicago is mixed with another kind of wheat to make a certain grade of flour, but on the whole Senators can see that our price must necessarily come down to Canadian prices, less the exchange, and they must equalize each other. This is exactly what has happened. If the price in Chicago or Minneapolis had remained at $1.84 and the price at Winnipeg or Fort William had continued to be $1.85, the importer would have made about 27 cents a bushel on the difference of exchange. But I do not care about going into the subject any further. I think it has been discussed over and over again, and I should like a vote.

Mr. LENROOT. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from North Dakota yield to the Senator from Wisconsin?

Mr. McCUMBER. I yield.

Mr. LENROOT. The House bill carries a rate of 30 cents per bushel. Does the Senator believe that if that should be enacted into law, the price of wheat will increase 30 cents per bushel?

Mr. McCUMBER. I do not think it will increase the full 30 cents a bushel. It would depend a great deal. We are shipping abroad. We are getting rid of our surplus. Of course, we are not getting rid of it very rapidly, because it is coming in as rapidly as we are shipping it out of the United States, so that we are keeping our surplus just about the same; but if we can stop that flow we will soon be rid of our surplus; and if we get rid of the entire surplus it will come up to the 30 cents a bushel; but if we do not do that we will still get some protection, and I think we might get a protection of 15 or 20 cents a bushel. I think, with 40 cents it will give us a good protection in a very short time.

Mr. LENROOT. One other question: In view of the surplus that we have to export, does not the Senator think that, so far as real protection to the farmer is concerned, 30 cents per bushel will give him the same protection as 40 cents?

Mr. McCUMBER. I do not. I do not, because of the difference in the exchange, which amounts to 27 cents a bushel, and would leave only 3 cents as the real protection.

Mr. LENROOT. The Senator spoke of the price of wheat in Winnipeg being $1.84 and at the same time in Chicago $1.85.

Mr. McCUMBER. That was back in October.

Mr. LENROOT. Of course, the Senator understands that the price of wheat of the same grade usually is lower in Winnipeg than in Chicago, by reason of the transportation rate.

Mr. McCUMBER. No.

Mr. LENROOT. Of the same grade?

Mr. McCUMBER. No. It will depend a great deal. It is generally a little lower, but that is not by reason of the transportation rates, because Winnipeg exports through Fort William, of course, and Chicago is on the lake, and so there would be practically no transportation rates between the two.

Mr. LENROOT. That is only upon the theory that Liverpool makes the rate; but upon the theory that the rate is made in this country, a rate made in Chicago for domestic consumption would naturally be higher than a rate made at Fort William.

Mr. McCUMBER. No; but if you are on the lake, and the grain may go either into export or into consumption, if a portion of it is at Duluth on one side of the lake, and if another portion of it is at Fort William on the other side of the lake,

they can both be transported to any inland part of the United States for practically the same price.

Mr. KING. Mr. President, I should like to ask the Senator from North Dakota, if he will permit me, if it is not a fact that Canada is exporting to other nations than the United States large quantities of wheat and flour?

Mr. McCUMBER. She will be exporting. For a while she exported almost none except to the United States; but I hope now that while the Lakes are closed she will be compelled to throw more of it into transportation to other countries.

Mr. KING. If the Senator will pardon me, my information is that Canada has been exporting wheat to other nations, as well as flour.

Mr. McCUMBER. She always does. She has about 220,000,000 bushels to export. She has exported to the United States from 65,000,000 to 75,000,000 bushels. Of course, there is considerable left to export somewhere else.

Mr. KING. And, Mr. President, we are also exporting to foreign nations; so that the price of wheat is determined largely—and I am not quite sure as to the amount of potency the foreign market has in fixing the price—by the purchases in other nations. Now, it seems to me unquestionable that with Canada exporting to foreign nations and the United States exporting to foreign nations, that would determine the price both for Canadian wheat and for American wheat, and would bring the wheat of both nations to approximately the same level.

Mr. McCUMBER. I have tried to explain, I think, a few hundred times, and I do not get Senators to understand it yet, that we do not export one bushel of that wheat that comes into competition with the wheat of Canada. It is all consumed in the United States. We are short of that particular kind of grain, known as the hard spring wheat, and we do not export it. We do not export a bushel of it. It is all made into flour in the United States. If you cut off Canada from exporting to this country the same kind of wheat, we have a deficit of the wheat that is raised in that section, and the price of that wheat is bound to come up if you cut off the inflow, and it is bound to reflect itself in the price of every other bushel of wheat in the United States.

Mr. KING. Mr. President, without conceding what the Senator has just stated to be entirely accurate, I have not any doubt, from the statistics and from the figures and from the data which are available to all, that the price even of the wheat to which the Senator refers is determined largely, if not wholly, by export prices.

Mr. JONES of New Mexico. Mr. President, I do not intend to discuss this bill, but I want to make just a few observations as to why I am supporting the bill and why I am going to support the amendment offered by the Senator from North Dakota [Mr. McCUMBER].

I do not believe that the difference in exchange between this country and foreign countries reflects itself wholly in the difference of prices. I can not conceive that where the difference in exchange as between this country and Germany is as much as 1,800 per cent it would be reflected in the prices of commodities. I think that the money value of those countries, as measured by commodities in those countries, should be taken as the basis; but there is no evidence before the committee or before the Senate as to what that difference is in the various countries of the world.

I do not believe that this measure should be considered as one balancing the difference of conditions as between this country and other countries. I have rather looked upon this measure as a practical embargo upon the commodities mentioned in the bill coming into this country from other countries. In this great emergency I have been willing that an embargo should be placed upon any of these commodities, so that this country could have an opportunity to readjust its affairs.

I do not believe that this bill furnishes a complete or a proper remedy. I think that something quite different should be entered upon to relieve the situation as it exists here; but I have been willing, and am willing, that we shall protect ourselves in the emergency until we can devise some means for bringing about a proper solution of the very troublesome situation, and it is with that view that I am going to favor this duty of 40 cents. I had just as soon put it at $1, so far as I am concerned, because I do not believe that it rests upon any proper foundation as a tariff measure, and I think it should be considered solely as an embargo measure; and upon that theory alone do I believe that this amendment can be supported.

As has been stated by different Senators upon this floor, there is no principle running through this bill which meets the requirements of either party upon the tariff question as a permanent law. So I think this should be considered really as an embargo measure, and as such I want to put the rate just as high as anybody is willing to put it, and I expect to support the amendment of the Senator from North Dakota.

Mr. SIMMONS. Mr. President, I do not rise for the purpose of making a speech; but there is one view of this matter that I feel that I ought to present to the Senate before the vote on the wheat duty is taken.

I discover from the report of the Tariff Commission on staple agricultural products that our importations during the year 1919 from Canada of vegetable products, which include wheat, and of animals products, amounted to the sum of $131,220,384. Our exports of these products—that is, of vegetable products and animal products—to Canada during that year were in value $222,194,709, or $90,974,325 in excess of our imports. Among these imports from Canada wheat constitutes the chief product. Upon that there is at present no duty. This bill proposes to place upon each bushel of that product a duty of 40 cents.

Another of the items of large import into this country from Canada is potatoes. Canada in the year referred to exported to the United States nearly $4,000,000 worth of potatoes. This bill proposes a great increase in the duty on potatoes.

It is from Canada that practically all of our wheat imports come. The Senator from North Dakota, in all of his discussions, has laid stress upon the argument that it is necessary to protect the American producer of wheat against the Canadian producer of wheat, and it has been assumed as true and admitted as true in all of our discussions that the purpose in imposing this 40-cent duty on wheat is to exclude the wheat of Canada, there being no contention that wheat is coming in from elsewhere, except in negligible quantities, if at all.

Likewise with reference to the duty upon potatoes. With the exception of a very small quantity of potatoes imported from Bermuda, practically all of the potatoes we are getting now from abroad come from Canada. So that the duty imposed upon potatoes is aimed at the Canadian product, and in the case of wheat as well as in the case of potatoes the duties are put so high as to be almost, if not quite, prohibitive, and amount therefore to an embargo on these two products, which constitute such large items in Canadian exports to this country.

Another item included in the list of products coming from Canada is live stock. The duty placed upon live stock in this bill is very high, very much higher than the duty in the Payne-Aldrich bill.

From what countries are we importing live stock now, and at what country is this increase in duty aimed?

Mr. President, it is well known that live stock imported to this country comes chiefly from Canada and Mexico. Canada exported to this country in 1919 live stock to the value of thirty-odd million dollars. Now, it is proposed to greatly restrict, if not exclude, Canadian live stock from our markets. Another product heretofore largely imported from Canada is dairy products. It is now proposed to put a high duty on nearly all dairy products; that is also aimed chiefly at Canada, because in normal conditions the bulk of the dairy products imported into this country from abroad come from Canada.

There are other items here. The imports of hides amounted in value to $10,000,000. The imposition of the duty on hides is, of course, not aimed at Canada, but Canada is an exporter of hides, and we have been one of her customers.

Mr. STERLING. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER (Mr. GRONNA in the chair). Does the Senator from North Carolina yield to the Senator from South Dakota?

Mr. SIMMONS. I yield.

Mr. STERLING. Taking live stock as an example, does not the Senator see some reasonable ground for a tariff on live stock, when farmers and stock raisers in this country are obliged to sell their live stock at less than it costs to produce it? Should we not protect ourselves against any importations from abroad to some extent?

Mr. SIMMONS. Mr. President, if I had time to go into it—and I will go into it a little later, I assure the Senator—I think I would be able to show the Senator that imports from Canada of that particular product are not menacing, are not the cause of the low prices of which our stock raiser complains. There have been no excessive imports into this country of live stock, and the imports of live stock that have come heretofore for consumption in this country—I think I could show the Senators if I had time now to go into the matter—are not on the increase. We are not threatened with any great inundation of imports of live stock into this country. That is not the trouble from which the farmers are now suffering. The imports of stock from Canada are in considerable part of fine breeds of

stock, brought in for the purpose of improving breeds in this country.

Mr. STERLING. I do not know so clearly as to that, Mr. President, but the Senator from North Carolina takes the position that there have been no excessive imports. My position is that any imports under present conditions are excessive.

Mr. SIMMONS. Even if they are for the purpose of improving American breeds? Does the Senator contend that?

Mr. CURTIS. Mr. President, has the Senator any figures as to imports from Canada last year?

Mr. SIMMONS. No; I stated that I did not have them.

Mr. CURTIS. According to my recollection, they amounted to $41,865,000. The number imported from Canada was 489,090, and they were largely for beef purposes. The cattle imported for stock purposes came from Europe.

Mr. SIMMONS. I am under the impression that is a mistake. But, however that may be, Mr. President, this item in the bill is aimed at our imports of cattle from Canada and Mexico, chiefly from Canada.

The point I wish to drive home to the Senate is that in the pending bill the Members of the majority have selected the items which constitute the bulk of Canadian exports to this country of vegetable and animal products, and it is proposed to levy upon those imports duties that will amount almost to a prohibition against their coming in hereafter, and that in the face of the fact that we are selling Canada over $100,000,000 worth of these very products more than we buy from her.

Mr. President, in this condition, if we put this embargo against imports of these vegetable products from Canada, these products which constitute in large measure the exports of Canada to this country, and which enable Canada to pay for the great excess of goods she buys from us over and above what that country sells us, do not Senators believe that the natural effect will be to greatly disturb the harmonious trade and even political relations that have heretofore very happily existed between the United States and Canada? Could Senators expect Canada to receive this blow, for it will be a severe blow to her if the bill has the effect its proponents contend it will have; do Senators believe that Canada will receive it in a kindly spirit? On the contrary, do they not believe Canada will receive it in a very resentful and hostile spirit, and would not that be natural?

Mr. GRONNA. Will the Senator permit me to make an observation with reference to his inquiry?

Mr. SIMMONS. I am speaking now with great earnestness about this, because I do really apprehend that the effect of this bill, largely aimed at Canada, so far as the duties on these products are concerned, is going to make trouble between this country and Canada and disturb the relations of the two countries, which have not only been harmonious, but which have caused Canada to become our very best customer in all the world except Great Britain.

Mr. GRONNA. I have no doubt the Senator entertains the opinion, and that he has fears, that this is going to seriously disturb the relations between Canada and this country. But if he will permit me, I believe I can show him that such is not the case. I will take an actual business transaction which has happened just recently, and I believe I can show the Senator that if we increase the duty two times the amount this bill carries it still could not prohibit the shipment of Canadian cattle, and it would allow our people to get a fair price. I received this morning a letter, which consists of only a few lines——

Mr. SIMMONS. Before the Senator reads that let me ask him a question. If Canada were to put as high a duty upon the principal products we sell to Canada as is imposed in this bill, does not the Senator believe that it would very seriously operate against our export trade with that country? Can it have a different effect on Canada's trade with this country than a similar tariff wall put up by Canada would have upon our sales to Canada?

Mr. GRONNA. But if Canada wants our products, is it not reasonable to suppose that Canada will not impose such a high duty?

Mr. SIMMONS. Canada is an agricultural country, just as ours is an agricultural country. Canada's chief exports are agricultural products. It is worse in the case of Canada than it would be with the United States, because Canada has but little to export except agricultural products to exchange in payment for her foreign purchases, while we have not only agricultural products but manufactured products.

Mr. GRONNA. There is this difference, I will say to the Senator——

Mr. SIMMONS. So this high wall of protection against Canadian goods operates more heavily against Canada than a like high wall against our exports to Canada would operate against us.

Mr. GRONNA. There is this difference, if the Senator will permit me to say so, that Canada needs our products and must have them. The people of the United States do not need the products to which the Senator has recently been referring.

Mr. SIMMONS. Let me call attention to this: The Senator has made reference to our exports of manufactured products, but I have just shown that we exported to Canada in the year 1919, $222,000,000 worth of agricultural products, while we imported from Canada only $121,000,000 worth of products of this character, which clearly demonstrates that while Canada needs our agricultural products, we also need Canada's agricultural products.

Mr. GRONNA. The Senator knows that the figures he gives are largely manufactured products and they are not at all what some people like to term raw material.

Mr. SIMMONS. I gave the figures for vegetable products and animal products.

Mr. GRONNA. Yes; I have studied those figures. I wish to call the Senator's attention to this, in order to relieve him of the fear which he entertains that we might do an injustice to Canada. I wish to take a specific case, and it is a very simple one. I received in the mail this morning two communications, one from the Western Association of Shoe Wholesalers, protesting against the bill and protesting against the provision placing a duty on hides. It is natural that the shoe manufacturers are interested in the price of hides. In the same mail I received a letter from a gentleman whom I know very well, Mr. Edward S. Lee. He inclosed an invoice for a hide, one hide only, shipped by a farmer in South Dakota to one of the terminal markets. The hide weighed 52 pounds. There was a tare of 4 pounds, leaving a net weight of 48 pounds. The price was 4 cents a pound, which amounted to $1.92. The freight, not express, but freight, was $1.48, leaving the farmer 44 cents for the whole hide. That transaction was on December 29, 1920. Does the Senator believe that if we double that price and make the price of hides 8 cents a pound it would be an injustice to anyone?

Mr. SIMMONS. I think the price of hides at this time is not going to be affected very much in this country by the tariff. The truth of the business is that there is a very great surplus of hides in the United States at this time. We have at this time more than a year's supply on hand, and no considerable further imports of hides are probable in the near future or during the life of this measure, because there is no market demand here for more hides. There is no market in this country for hides now, and that is the reason why hides are so low. There is no market in the country for hides, because we are stocked up, we are overloaded, and we have more than we need for a year to come. No one is going to bring any more hides into the country, whether we have a duty on hides or not, as long as this condition exists, because no one here wants to buy them.

Mr. GRONNA. It is true that trainload after trainload of cattle have been shipped from Canada into the United States markets. It is also true that during the month of January alone more than 900 carloads of wheat came through one port.

Mr. SIMMONS. That is the very point I desire to make. We are selling to Canada, we are buying from Canada, we are trading with Canada in agricultural products. We have now a mutual trade with Canada in agricultural products. We have let down the bars, and we are treating Canada as one of the States of the Union, and Canada is treating the United States as she treats her own people. We have an established and mutual trade in agricultural products as well as in other products. The result is that in agricultural products, although she is a distinctively agricultural country, the advantage is in our favor to the extent of $100,000,000 a year. In addition to that, there is to consider the enormous exportation of our manufactured products to Canada.

Mr. GRONNA. But the Senator realizes that we are trading with Canada in products of which we have a great abundance at home.

Mr. SIMMONS. I am not discussing with the Senator the technical question that he is seeking to raise now. I am presenting the fact that the result of the policy of mutual intercourse, mutual trading in agricultural products, without any bars imposed by us or by Canada, the result of that arrangement with this purely agricultural country, Canada, dealing with a partly agricultural and partly manufacturing country, the United States, is about $100,000,000 a year in our favor.

We propose now by the pending bill to impose duties that will practically cut off, I should say, more than one-half of the agri-

cultural imports from Canada to this country in the future, thus making more acute this inequality against Canada in the exchange of agricultural products. I am not discussing the other questions which the Senator is raising. I am discussing the question of the effect of the legislation——

Mr. GRONNA. Will the Senator allow me?

Mr. SIMMONS. Upon the future relations of the Canadian Government with this Government and our people, without any reference to the question to which the Senator is endeavoring to direct my attention.

Mr. GRONNA. If the Senator will permit me to refer to the fundamental principle of agriculture, the committee of which I have the honor to be the chairman is now considering the question of appropriations. Do I understand the Senator that he wants to discourage the production of agricultural products in the United States?

Mr. SIMMONS. Oh, the Senator does not understand me to be arguing any such thing as that. I am as much an agriculturist as the Senator from North Dakota. The Senator is not the only man in this body whose money is invested in farming. I wish to tell him that practically every dollar I have in the world, outside of that invested in my homes, is invested in agricultural lands which I operate and upon which I have sustained enormous losses during the last year. I have not received enough from some of my crops to pay for the fertilizer I put on them. Yet that does not blind me to the principle that is involved in the bill.

Mr. GRONNA. Nor does it blind the Senator from North Dakota.

I trust the Senator from North Carolina will not impute to me any motives that I am supporting the bill simply because I am interested in agriculture. I think I have shown on former occasions that such is not the case. If it were only a personal matter, I can assure the Senator from North Carolina that I would not be here asking for a tariff on any agricultural product, because I could afford to donate to the public the little holdings that I have and get out of the business and perhaps be better off, and perhaps the Senator from North Carolina would be better off if he would get out of his farming operations.

Mr. SIMMONS. I have no doubt about that; but I am not going to get out, nevertheless. I love the business. It is hereditary liking. I am the only member of my family, as far back as I can trace my ancestors on either side, who has not been a farmer and lived on the farm. I love the business, even though it is a mighty unprofitable business now, but I am not going to ask the public and I am not going to ask the American people to shoulder my losses.

Mr. McCUMBER. Will the Senator allow me to suggest that there are hundreds and probably thousands of people in my State and in eastern Montana and other places who are not so situated as the Senator? While they love the farm, they have got to get out of it because they are broke.

Mr. SIMMONS. I have no doubt about that. I know the farmers in the country are in desperate straits. I sympathize with them profoundly, and no one in this body sympathizes with them more keenly than I. If the bill is intended to pass the farmers' losses on to the general public, it will not have that effect, in my judgment, but if it should have that effect, I maintain that that is an illegal and unconscionable use of the taxing power of the country, and that we have no more right to pass legislation here for the purpose of allowing the farmers to recoup their losses, that they have unfortunately sustained this year, than we would have to pass a law to force money out of my pocket into the pocket of the Senator from North Dakota or out of his pocket into mine.

The people of the country as a whole have rights, and they ought to be respected by the lawmakers. The lawmakers have no right to provide that the losses of one class of the people shall be passed on to the balance of the people through the process of taxation.

But the Senator from North Dakota states that I am mistaken in that the exclusion of Canada's chief import, her chief reliance in paying us for things she needs from this country and must have, as the Senator says, will create no bad feeling on their part and is not likely to lead to any retaliatory legislation. I think the Senator is badly mistaken about that. I wish to read to the Senate a dispatch that appeared in the Evening Star of this city a day or two ago from Ottawa, Canada. It reads as follows:

OTTAWA, ONTARIO, *January 27.*

Indications multiply that Canada's new revised tariff is to be "Canadian all through."

Some members of parliament are already here for the February opening session, and if Washington goes ahead clapping on tariffs that will injure Canada, they make the following forecast—

That is just what we are doing; doing it admittedly, admittedly agreeing that we are imposing a specific duty here for the purpose of excluding the chief importations to this country upon which Canada relies. Here is the forecast of Canada's program to protect herself against us:

Preferential rates upon British goods, in order to promote trade within the Empire, in the conviction that trade within the Empire is good for Canada.

Preferential rates on manufactured products. The Senator says we have got certain manufactured products that Canada wants and must have, and that no amount of tariff that we can impose against her will keep her from buying those products from us. Here is the evidence that Canada is awake to the situation and that Canada understands how she can protect herself against unjust imposition in this country against her. One of the ways is, if we strike at her imports in agricultural products, that she will strike back at our exports of manufactured products. If we are going to exclude her agricultural products, then she will make a preferential rate with Great Britain in order to enable British goods to come in and take the place of the goods that Canada has heretofore been buying from us.

Mr. GRONNA rose.

Mr. SIMMONS. I will ask the Senator to let me finish. I want to get this forecast together.

Mr. GRONNA. I know the Senator wants to be fair.

Mr. SIMMONS. I do.

Mr. GRONNA. The Senator will admit that Canada has imposed a tariff upon the manufactures which we ship her while we are letting her products come in free.

Mr. SIMMONS. I understand Canada is going to give us an additional blow, for she is going to cut down her tariff to a minimum on goods coming from elsewhere, in order that the goods which she requires may come from Great Britain instead of her having to come here in order to get them.

Mr. McCUMBER. Canada has been talking about doing so for years.

Mr. SIMMONS. Yes; but she can now make it work, and that is the proposition.

The dispatch continues:

Probable incorporation in the schedules of the tariff arrangements arrived at last summer with the West Indies, in expectation of an enlarged exchange of goods with Canada.

A more favorable basis of reciprocal trade with Australia, New Zealand, South Africa, and possibly with France.

In Ottawa semiofficial circles it now is taken for granted that the Republican Party—

Meaning the Republican Party of the United States—

will cater to the demands of American farmers by materially increasing the tariff on all lines in which Canadian farmers are now so actively competing with the American agriculturist.

This is a warning to us that if we do this thing Canada will strike back with all her might. We are inviting a trade war with our neighbor, our best friend in the world, by the imposition of an outrageously protective duty upon practically all the chief agricultural products that she sends to this country.

Mr. President, I fear that condition of things, if we persist, will bring about not only a very strained relationship between us and Canada, but one that in the end will be extremely hurtful to the best interests of the people of this country.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. NEW in the chair). Does the Senator from North Carolina yield to the Senator from North Dakota.

Mr. SIMMONS. I do.

Mr. GRONNA. Does the Senator from North Carolina believe that any of the countries he has named—and I wish to ask him this question before he takes his seat—could compete with the American manufacturer on such commodities as farm machinery and automobiles and on machinery generally which is used upon the farm?

Mr. SIMMONS. In the production of the manufactured goods which Canada gets from this country I presume Great Britain, France, and Germany—especially Great Britain, which is one of the countries mentioned in the article—can compete with us. I have always understood the Republican Party to contend that on equal terms Great Britain could undersell us in our own market and in the markets of the world on such articles.

Mr. GRONNA. It has always been charged by some of the antiprotectionists that the American manufacturers were selling farm machinery manufactured in the United States cheaper in foreign countries than they sell it in the United States.

Mr. SIMMONS. And yet they claim that against those very foreign countries they must have protection for their products. The inconsistency of the theories of the protective tariff are beyond my comprehension, and I would not undertake, if the Senator will pardon me, to reconcile them.

Mr. GRONNA. The Senator from North Carolina knows that outside of the establishments which are set up by American capital in any of the countries he has named no country can hope to compete with the American manufacturer on the manufactured articles which Canada buys from us.

Mr. SIMMONS. Mr. President, I know that there may be a few manufactured products that Canada would have to continue to buy from this country, and it may be that agricultural implements would constitute one of them, but as to the manufactured articles which Canada buys from us, if preferential arrangements are made with Great Britain by which she can get them cheaper from Great Britain, she will have no difficulty in obtaining most of those manufactured goods there. It may be, as the Senator from North Dakota says, that in the matter of agricultural implements, in which we have specialized, we can sell them probably a little cheaper than almost any other country in the world, though I am not sure about that.

Mr. GRONNA. And on those very articles Canada imposes a heavy import tax, while we allow her products which compete with the products which we must raise in abundance to come into this country free.

Mr. SIMMONS. Yes; and we also put duties on Canadian manufactured products. She treats us with reference to manufactured products just as we treat her; she treats us with reference to agricultural products now just as we treat her or have been treating her; but not as we propose in the future to treat her. There is where the shoe pinches. When we do that, then we shall find Canada will be disposed to discriminate wherever she can against us as to our exports of manufactured products. If she can make satisfactory trade arrangements with Great Britain or with any other country on the face of the earth that treats her more equitably than we will if this bill becomes law, she will make such arrangements. The dispatch which I have read indicates that she is getting ready now, if the pending bill passes, to make such arrangements and put into operation such retaliatory measures as may be at her command.

Mr. WALSH of Montana. Mr. President, I am prompted to add some further observations in connection with this discussion in view of a statement made by the senior Senator from North Dakota [Mr. MCCUMBER] in the course of his recent remarks. He asserted that as a matter of course the Canadian producer must get a better price for his wheat in this country than he can get in Canada, else why, he asked, would the importations be made into this country. And his colleague, the junior Senator from North Dakota [Mr. GRONNA], called attention to the fact that through one port of entry, the town of Portal, 90 carloads or 90 trainloads——

Mr. GRONNA. Nine hundred carloads.

Mr. WALSH of Montana. Nine hundred carloads of wheat have entered during the present season.

Mr. GRONNA. During one month, the month of January.

Mr. WALSH of Montana. Very well; during one month, or whatever the period was. These considerations are very readily understood to signify that the price of wheat in this country is necessarily depressed by reason of such heavy importations. It is sufficient to set out that so many million bushels of wheat came into this country from Canada within a month or within the last two months or within three months or within a year.

Mr. President, that does not signify anything at all. The town of Portal, to which the Senator refers, is on the Soo road, near the line between this country and Canada. That road runs northwest from Minneapolis through the States of Minnesota and North Dakota, partially through my State of Montana, and into the Canadian Provinces beyond. Of course, all other things being considered, all the shippers along the line of the Soo road will ship on the Soo line, and their wheat will necessarily go into Minneapolis as a terminal unless, of course, it is diverted by reason of a prohibitive tariff. So it is to be assumed that a large quantity of wheat grown along the line of the Soo road in the territory which it traverses will find its terminal market at Minneapolis. But it is to be borne in mind that American terminal ports offer very much more convenient shipping facilities for much of the Canadian wheat than the Canadian ports do, and naturally that wheat comes to this country in the processes of transshipment to European ports.

Prior to 1917, when there were reciprocal tariffs, such wheat all went through in bond, just as other commodities coming from a foreign country into this country for transshipment abroad were admitted in bond and transshipped without the payment of duty; but since 1917 it is not necessary to put in bond shipments of wheat from Canada coming into this country for transshipment abroad; yet there is a considerable quantity which, by reason of some advantages in shipment, comes into this country in bond and goes abroad. The figures with reference to that wheat refute the suggestion frequently made upon the floor that none of the wheat that comes from Canada is of the quality that goes abroad.

Mr. President, unless it be a fact that our agricultural interests are seriously damaged by reason of the introduction of Canadian wheat, why should we refuse their carrying business in the United States? Why should we, in the case of the 900 cars of wheat that are carried over the Soo line through the States of Montana, North Dakota, and Minnesota, by a prohibitive tariff, divert that wheat to a Canadian line, to be carried over the Canadian line to the East, thus divesting railroad men in the three States mentioned of an opportunity to earn their living? Our local papers tell us that the Northern Pacific Railroad has cut its force something like 20 to 25 per cent in the last three months. It would result in a paralysis of industry in those sections, it seems to me, along the lines of all the international railroads to put into force such a prohibitive tariff upon wheat as is proposed. It would throw out of employment necessarily a vast number of men who are dependent upon their daily wages as railroad men in all that section of the country.

I now desire to prove, and to establish by evidence that can not be controverted that the wheat imported from Canada does go abroad, or that, if it does not, it simply releases other wheat that does go abroad. The Senator from North Dakota who advocates this measure with so much earnestness tells us briefly that the imported wheat is not exported at all; that the wheat we do export, amounting to some 200,000,000 bushels, is soft wheat grown in the Eastern States. It requires no sagacity whatever to appreciate that that wheat is released for export simply because of the other wheat that has come into the country from Canada, because if the additional amount that comes from Canada and is consumed in this country were not to come into this country the people in the eastern part of the country would be obliged to consume their own wheat, instead of exporting it abroad. They prefer to buy the flour that is made of our hard western and northwestern wheat, and to export their own wheat and their own flour; but if they could not get the other they would be obliged, as a matter of course, to rely upon the flour that was made from their own wheat.

Why, Mr. President, in a report made by the Tariff Commission only a short while ago into the causes of the present price of wheat, that body—and I do not know whether the Senator from North Dakota would stigmatize that as a free-trade body also or not—reported that among other reasons for the decline in the price of wheat was the record-breaking harvest of corn and oats. In other words, Mr. President, because we had a large quantity of oats and corn, the demand for wheat was not as great as it otherwise would be. In other words, there can not be the slightest doubt in the world that a high production of the soft wheat would affect the price of the hard wheat, and it is also indisputable that the introduction of the wheat from Canada necessarily releases the other wheat, even of the lower grades, for export.

Mr. President, I do not think it is quite sufficient to dispose of this report of the Tariff Commission by simply denouncing it as a free-trade commission. This commission was appointed pursuant to an act of Congress that was long demanded by the people, and in response to a public sentiment that was irresistible; and now, having gotten this commission—a bipartisan commission, for that matter—we are to destroy entirely whatever it may say upon these subjects, because, forsooth, those who are not satisfied with the reports it makes choose to characterize it as a free-trade commission!

But, Mr. President, the subject to which I am now referring has been made a matter of very earnest consideration, apparently, by the commission, judging from their report. They show in the report that it does not by any means follow that because there is a large quantity of wheat coming into this country from Canada the price of wheat in this country is at all depreciated; moreover, that there are many and very obvious advantages accruing to this country by reason of the introduction of this wheat from Canada, and that it does not signify a disaster to growers of wheat in America at all.

I read from page 6 of the report before alluded to, made to the Senate Committee on Finance under date of January 4, 1921, as follows:

> From July 1 to November 30, 1920, there were imported from Canada approximately 24,000,000 bushels of wheat and its equivalent in flour (wheat, 21,563,119 bushels; flour, 423,804 barrels). Canada's exportable surplus is generally estimated to be 200,000,000 bushels. Ordinarily the greater part of her exports move in bond through American ports.
>
> In the fiscal years 1916 and 1917, for instance, approximately 170,000,000 and 115,000,000 bushels, respectively, of wheat and its equivalent in flour were transshipped in bond through American ports.

Bear in mind, Mr. President, that in 1916 and 1917, 170,000,000 bushels and 115,000,000 bushels, respectively, were shipped in bond. That is to say, the wheat came into this country, and

went through this country, and went out of this country to some foreign country. It is not necessary any longer to ship that wheat in bond. It is shipped into this country and shipped abroad without going through the formality of placing it in bond. Accordingly, we can not resist the conclusion that this 900 carloads of wheat in a single month that came through the town of Portal is wheat the greater portion of which in all probability will be transshipped to foreign countries.

But it is significant that of her exports during the current crop year, inclusive of the month of November, only about 9,000,000 bushels were exported in bond. The period of closed navigation in the north, the fact that Canada could not take care of the peak movement during the open season, the superior shipping facilities at American ports, such factors have compelled shipments south of the border; and this transit trade has continued despite Canada's extensive transportation projects, designed in part to keep her grain moving via all Canadian channels. The natural route for her surplus is southward, for concentration, milling, or reexport.

There is a note which says:

There is a considerable, though much smaller, movement of American grain via Canadian ports, especially during the summer, before the Canadian harvest appears on the markets. In the first 10 months of 1920 wheat shipments through Canada amounted to around 12,000,000 bushels.

It was found a little more convenient in some sections of the country to ship to Canadian ports, in all probability for reexport abroad, just the same as they had been shipping into our country for reexport; but let me continue:

With the elimination of the tariff barrier the chief cause for bonding of wheat shipments south of the border has been removed. When account is taken of the extraordinary volume of so-called "domestic exports," of the small movement of bonded shipments, and of the large volume of imports, three-fourths of which were cleared at the two Lake ports, Buffalo and Duluth, it becomes apparent that much of the foreign wheat is reexported.

So that of the 900 carloads in a month coming through the town of Portal, in all probability a very considerable portion, and possibly the major portion, went right on to Liverpool.

It loses its identity after arrival at the elevators. These reexports are for the most part indirect, i. e., they may take the form of flour composed in whole or in part of Canadian wheat; domestic wheat of other classes and grades are released for export, or, finally, they may permit of larger exports from sections which formerly shipped to the importing region.

That seems to be the answer to the suggestion made by the senior Senator from North Dakota [Mr. McCUMBER] that none of it goes abroad, but it does release other wheat in this country which is shipped abroad.

Thus much of this year's domestic hard spring wheat crop is of inferior quality, in the face of a domestic demand which desires especially the better grades. Commercial advices indicate that the Northwestern mills are blending much Canadian hard spring wheat with the lower grades of domestic spring, thereby affording a better market for much of the inferior domestic product. In Canada, a much larger proportion is usually of the better grades. Spring wheat millers are frequently faced with a shortage of the better grades of such wheat and have been compelled to draw increasing quantities of hard winter wheats from the States to the south.

I continue on the same page:

This free movement of wheat between the United States and Canada, making the North American crop a common source of supply, has certain demonstrable advantages. Its disadvantages are less certain. American lake vessels, which under the Canadian navigation laws, can not operate between Canadian ports, transport a large part of the Canadian grain; American elevators, distributing interests, and rail and ocean lines enjoy the benefits accruing from this larger volume of traffic; domestic mills, which had been losing ground to Canada in the export flour trade, are able to meet this competition through importing Canadian wheat for blending and milling; a larger volume of mill feed is available to the dairy industry, which consumes more mill feed than is yielded as a by-product of domestic flour consumption. Furthermore, the balance of trade, even in agricultural products, is heavily against Canada in her commerce with the States, and the resulting unfavorable rates of exchange are handicapping the American sales to Canada, at the same time that European shippers are enjoying an advantage by reason of unfavorable exchange with that country. Wheat is Canada's principal asset and her chief means of equalizing exchange rates.

Still another advantage is afforded by the practice of blending the heavier Canadian hard spring wheat with the lighter domestic wheats of the same class. Test weight per bushel is one of the chief standards which determines whether wheat shall be graded as No. 1 or falls under lower grades. By an admixture of a proper proportion of the Canadian product, domestic wheat which fails to grade as No. 1, solely by reason of deficient weight, may be classed under the higher grade and receive a correspondingly higher price. It is true that elevators and millers chiefly profit by this practice, but doubtless growers likewise profit to some extent through a more active domestic demand for the lower grades and through a lowering of the price spread between grades. In this connection it is worthy of note that the price in Liverpool of Manitoba No. 1 Northern is materially above that of American No. 1 Northern.

Against these advantages may be set off the possible disadvantages incident to the competition of Canadian flour in domestic markets and the possible influence of Canadian wheat upon the American farmers' price. However, the United States normally exported nearly three times as much flour as any other country, and the Canadian competition in flour is relatively not of large dimensions. Nor do Canadian mills possess obvious advantages over those operating south of the border. Buffalo mills, for instance, which are well situated with respect to the hard spring wheat producing sections of both countries, and also with respect to the hard winter and soft wheats, can compete with Canadian mills not only in the markets of the North Atlantic States but also in foreign markets for flour. It remains to consider, therefore, the possible effect of Canadian imports upon farmers' prices.

So, Mr. President, it is no answer at all merely to say that Canadian wheat is coming into this country. It does not by any means follow that the price in this country is depressed by reason of that fact.

The commission then goes into a consideration of the question as to how far, considering all of these circumstances, the price of wheat in this country is depressed by reason of the introduction of wheat from Canada. Upon that feature of the case I shall perhaps address the Senate at a later time. I merely rose to show the perfectly inconclusive character of the bare suggestion that because wheat is coming from Canada into this country it should be stopped because the American farmer is being ruined thereby. As shown here, there are many advantages that accrue by reason of the introduction of this wheat from Canada, and it by no means is established that the price in this country is reduced at all from that fact.

Mr. SHEPPARD. Mr. President, the Senator from Mississippi [Mr. HARRISON] a few moments ago brought out the fact that the rate in this bill on wheat represents an increase of 30 cents a bushel over the rate in the Underwood-Simmons Tariff Act.

On March 21, 1918, the proposition was before the Senate of increasing the price of wheat from the guaranteed price of $2.20 to $2.50 a bushel, an increase of 30 cents a bushel. I find that in the vote on that proposition the Senator from Alabama [Mr. UNDERWOOD] and the Senator from North Carolina [Mr. SIMMONS] voted to increase the price of wheat from $2.20 a bushel to $2.50. I voted against the increase because the President had stated that his arrangements with the Allies were such that to increase the price above $2.20 would seriously dislocate the plans under which the war was being fought.

I do not mention this fact by way of criticism, because I realize that those Senators were influenced by what they considered war conditions and war emergencies; but, Mr. President, I am equally justified to-day in voting for a similar rate of increase on account of conditions which I believe to be the direct outgrowth of war emergencies. I consider that present conditions affecting the wheat farmer, and affecting farmers in general, have grown directly out of war emergencies.

The PRESIDING OFFICER. The question is on the committee amendment, on page 2, line 1, to strike out "thirty" and insert in lieu thereof "forty."

Mr. SIMMONS. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harrison	McKellar	Smoot
Brandegee	Heflin	McNary	Spencer
Calder	Henderson	Moses	Stanley
Capper	Hitchcock	Myers	Sterling
Culberson	Johnson, Calif.	Nelson	Sutherland
Curtis	Jones, N. Mex.	New	Thomas
Dial	Kellogg	Overman	Townsend
Dillingham	Kendrick	Page	Trammell
Elkins	Kenyon	Phelan	Underwood
Fall	Keyes	Phipps	Walsh, Mass.
Fletcher	King	Pittman	Walsh, Mont.
Gay	Kirby	Ransdell	Warren
Gerry	Lenroot	Sheppard	Willis
Gronna	Lodge	Shields	Wolcott
Harris	McCumber	Smith, Ariz.	

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The question is on the first committee amendment, and the yeas and nays have been requested.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH]. I transfer my pair to the Senator from South Dakota [Mr. JOHNSON] and vote "yea."

Mr. POMERENE (when his name was called). I have a temporary pair with the senior Senator from Iowa [Mr. CUMMINS]. Were he here I understand he would vote "yea." I would vote "nay," if permitted to vote. I withhold my vote.

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Maine [Mr. HALE] and vote "yea."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. In his absence I withhold my vote. If permitted to vote, I would vote "nay."

Mr. WILLIAMS (when his named was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE], who seems to be absent from the Chamber, unavoidably, I suppose. Being unable to procure a transfer of my pair,

I must withhold my vote. If at liberty to vote, I would vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. I transfer my pair to the Senator from Oklahoma [Mr. GORE] and vote. I vote "nay."

Mr. DIAL. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained on public business. He has a general pair with the senior Senator from South Dakota [Mr. STERLING].

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the senior Senator from Arkansas [Mr. ROBINSON], and vote "nay."

Mr. KNOX. When my named was called I voted "yea" without recalling the fact that I am paired with the senior Senator from Oregon [Mr. CHAMBERLAIN]. In his absence I transfer my pair to the Senator from Maine [Mr. FERNALD] and allow my vote to stand.

Mr. FLETCHER. I have a general pair with the Senator from Delaware [Mr. BALL], who is absent, and being unable to obtain a transfer I must withhold my vote. If at liberty to vote, I should vote "nay," and I understand he would vote "yea."

Mr. WALSH of Massachusetts. I wish to announce that the senior Senator from Arkansas [Mr. ROBINSON] is absent on official business.

Mr. TRAMMELL. I have a general pair with the Senator from Rhode Island [Mr. COLT], and being unable to obtain a transfer, in his absence I withhold my vote. If I were permitted to vote, I would vote "nay."

Mr. CURTIS. I wish to announce that the Senator from New Jersey [Mr. EDGE] is paired with the Senator from Oklahoma [Mr. OWEN].

Mr. LODGE. I have a general pair with the Senator from Georgia [Mr. SMITH]. In his absence, I withhold my vote.

The result was announced—yeas 38, nays 28, as follows:

YEAS—38.

Ashurst	Johnson, Calif.	McCumber	Smoot
Borah	Jones, N. Mex.	McLean	Spencer
Brandegee	Jones, Wash.	McNary	Sterling
Capper	Kellogg	Myers	Sutherland
Curtis	Kendrick	Nelson	Townsend
Dillingham	Kenyon	New	Wadsworth
Elkins	Knox	Page	Warren
Gay	La Follette	Phipps	Willis
Gooding	Lenroot	Ransdell	
Gronna	McCormick	Sheppard	

NAYS—28.

Beckham	Heflin	Moses	Smith, Ariz.
Culberson	Henderson	Overman	Stanley
Dial	Hitchcock	Phelan	Swanson
Gerry	Keyes	Pittman	Thomas
Glass	King	Reed	Underwood
Harris	Kirby	Shields	Walsh, Mass.
Harrison	McKellar	Simmons	Wolcott

NOT VOTING—30.

Ball	Fletcher	Norris	Smith, Md.
Calder	France	Owen	Smith, S. C.
Chamberlain	Frelinghuysen	Penrose	Trammell
Colt	Gore	Poindexter	Walsh, Mont.
Cummins	Hale	Pomerene	Watson
Edge	Johnson, S. Dak.	Robinson	Williams
Fall	Lodge	Sherman	
Fernald	Newberry	Smith, Ga.	

So the first amendment of the Committee on Finance was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8881) for the relief of the First National Bank of New Carlisle, Ind.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public No. 77).

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 8881) for the relief of the First National Bank of New Carlisle, Ind., and it was thereupon signed by the Vice President.

CHIEF GUNNER ROBERT EDWARD COX.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 73) in which it requested the concurrence of the Senate.

Mr. CURTIS. I ask that the concurrent resolution just received from the House be laid before the Senate.

The VICE PRESIDENT laid the concurrent resolution before the Senate, and it was read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign a duplicate copy of the enrolled bill (H. R. 12469) entitled "An act to authorize the award of a medal of honor to Chief Gunner Robert Edward Cox, United States Navy," and that the Clerk of the House be directed to transmit the same to the President of the United States in compliance with his request.

Mr. CURTIS. I ask that the Senate concur in the House concurrent resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington presented a joint resolution of the Legislature of Washington, relative to maintaining American training stations for instruction in the fundamentals of seamanship, etc., which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Senate joint memorial 4.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Washington in legislative session assembled, respectfully represent as follows:

The United States Shipping Board is at the present time maintaining a training station at Seattle, Wash., for the purpose of training young Americans in the fundamentals of seamanship and of qualifying them to fill the positions of ordinary seamen, firemen, oilers, and galleymen on the ships of the new American merchant marine, such training being conducted on the training ship *Hollywood*, a combination cargo carrier and training ship especially constructed for the work, which is now and has been for the past six months engaged in carrying cargoes between Seattle, Honolulu, and San Francisco.

This is the only service in the country which offers an opportunity for young Americans who are desirous of entering sea life and serving on the ships of the American merchant marine to secure the requisite training to qualify them to fill even the most unskilled positions on such ships.

The unparalleled growth of our merchant marine during the past three years has created a great shortage of American seamen, which shortage still exists to such an extent that at the present time 36 per cent of the crews of the American ships sailing out of the port of Seattle are aliens and 75 per cent of the officers of such ships are not American born.

There should ever be borne in mind the lesson taught by the late war, when the greatest question before the country was how to get ships and the men to man them; when large numbers of alien seamen employed on American ships refused to man such ships on voyages through the war zone, but instead sought safety on coastwise runs or retired entirely from the sea until after the war was over, making it necessary to man such ships with untrained young Americans, where that was possible, or, as was unavoidable in a large number of cases, to tie them up entirely until American youths could be trained to man them, thus crippling the country's resources because of its lack of a trained body of American seamen.

The shipping interests of foreign nations are resorting to every practice to cripple the American merchant marine, and actual experience has proven that the subjects or former subjects of these countries who are now employed on American ships discriminate whenever possible against the young Americans who work under them and are attempting in every conceivable way to drive these Americans off the ships, and that unless the Shipping Board continues to assist more young Americans to go to sea and replace this element they will ultimately be successful in their efforts and the American merchant marine will be manned solely by men of foreign birth, as it was prior to the Great War.

The recruiting service of the United States Shipping Board has during the two and one-half years of its existence on the Pacific coast actually succeeded in reducing the percentage of alien seamen sailing out of the port of Seattle on American ships from 60 per cent to 36 per cent and is steadily continuing such reduction by replacing such aliens with young Americans trained in the service, and is performing a similar work in connection with the licensed personnel of such ships by means of its engineering and navigation schools conducted at the University of Washington and at other points throughout the country, where young Americans with the requisite amount of sea experience are prepared for their examinations for a license.

It is the belief of your memorialists that the vessels of the American merchant marine must be manned and officered by Americans if these ships are to be operated profitably and successfully in competition with the ships of other nations, which are manned by men who owe sole allegiance to the flag under which they sail.

Therefore your memorialists respectfully petition your honorable bodies that the present American merchant marine be retained under the American flag; that such merchant marine be manned solely by American citizens; that to this end there be maintained training stations and training ships upon which ambitious young Americans may receive an intensive course of training fitting them to fill these new positions; that the training station and training ship, as now conducted at Seattle and other ports of the country by the United States Shipping Board, be continued and broadened in scope until such time as the supply of American seamen is sufficient to meet every demand.

The secretary of state of the State of Washington shall immediately transmit five copies of this memorial to the Congress of the United States.

Passed by the senate January 18, 1921.

WM. J. COYLE,
President of the Senate.

Passed by the house January 26, 1921.

E. H. GUIE,
Speaker of the House.

Mr. JONES of Washington presented a memorial of Wapato Post, American Legion (of the Yakima Indian Reservation), of Wapato, Wash., protesting against the occupation by Japanese

of Indian lands upon the Yakima Indian Reservation, Wash., which was referred to the Committee on Immigration.

Mr. CAPPER presented a petition of the Norcatur Inter-County Farm Loan Association, of Norcatur, Kans., praying for the enactment of legislation strengthening the Federal farm loan act, which was referred to the Committee on Banking and Currency.

He also presented resolutions of Farmers' Local Union No. 1946, of Winfield; Farmers' Union Local No. 1831, of Cedar Vale; and Prairie Center Grange No. 1756, of Wellington, all in the State of Kansas, favoring legislation prohibiting gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

Mr. MOSES presented a memorial of the president and sundry members of the faculty of New Hampshire State College, of Durham, N. H., remonstrating against the enactment of legislation commercializing the national parks, which was referred to the Committee on Commerce.

Mr. SHEPPARD (for Mr. CHAMBERLAIN) presented a telegram from members of the Senate and House of Representatives of the State of Oregon, regarding Federal highway construction, etc., which was ordered to lie on the table and to be printed in the RECORD, as follows:

PORTLAND, OREG., *February 3, 1921.*

GEORGE E. CHAMBERLAIN,
United States Senate, Washington, D. C.:

The undersigned members of the Senate and House of Representatives of the Oregon State Legislature, now in session, brought face to face in our work with the road-building program in which the State is engaged, and realizing the immense importance of a continuation of such programs in the several States of the Union, most earnestly request and urge your strongest efforts in support of the passage by the Senate of the Chamberlain-McArthur bill providing for Federal assistance in highway construction. We feel that this is the most important development movement in the United States; that it is absolutely nation-wide in its scope and in the benefits to accrue from its vigorous prosecution.

T. Vinton, W. H. Strayer, Gus C. Moser, Geo. W. Joseph, John Gill, C. M. Thomas, B. L. Eddy, O. B. Robertson, Charles W. Ellis, Robert S. Farrell, Colon R. Eberhard, Roy W. Ritner, Bruce Dennis, Wilson T. Hume, C. J. Edwards, Ben C. Sheldon, Frank Davey, Louis E. Bean, Chas. F. Hopkins, Oren R. Richards, K. K. Kubli, Earl E. Fisher, E. H. Belknap, Charles C. Hindman, Mrs. Wm. S. Kinney, Denton G. Burdick, C. E. Woodson, F. L. Hubbard, R. J. Carsner, Albert S. Roberts, Harvey Wells, H. J. Overturf, Philip Hammond, J. N. Johnston, Herbert Gordon, E. V. Carter, Jerry O. Powell, S. P. Pierce, Seward D. Allen, Walter G. Lynn, Sherman M. Miles, Geo. W. Hyatt, P. J. Gallagher, Herbert Eugbert, D. E. Fletcher, Louis Lachmund, John B. Bell, I. L. Patterson, Isaac E. Staples, W. W. Banks, Jay Upton, Walter B. Jones, Wm. G. Hare, Charles Hall, Alex M. Lafollette, Thos. F. Ryan, F. H. Porter, John R. Nickelsen, J. C. Smith, A. W. Norblad, Albert R. Hunter, Thos. B. Kay, Robert A. Acheson, Ed Cary, F. R. Beals, F. D. Shank, Franklin F. Korell, Wm. M. Stone, W. R. McDonald, O. W. Hosford, S. A. Miller, Frank Sloan, A. M. Wright, E. N. Hurd, A. E. Westcott, David H. Looney, Charles Childs, W. T. Gordon, J. D. Lee, A. B. Flint, Arthur H. Marsh, T. T. Bennett, Barge E. Leonard, Ivan G. Martin, A. E. Shiria, J. C. Perry, E. C. McFarland, W. C. North, C. M. Lafollette, and W. C. Templeton.

SUNDRY CIVIL APPROPRIATIONS.

Mr. WARREN. I report back favorably with amendments from the Committee on Appropriations the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, and I submit a report (No. 755) thereon.

I wish to say a word concerning the bill. It provides an appropriation of nearly $250,000,000 for the care of ex-soldiers who are sick and disabled, and makes several million dollars immediately available for providing more beds and hospital facilities for the sick. Hence I shall ask to-morrow morning in the morning hour to take up the bill and put it on its passage.

The VICE PRESIDENT. The bill will be placed on the calendar.

RELIEF OF WAR CONTRACTORS.

Mr. WALSH of Montana (for Mr. HENDERSON), from the Committee on Mines and Mining, to which was referred the bill (S. 4900) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," reported it favorably with an amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD (for Mr. JOHNSON of South Dakota, by request):

A bill (S. 4975) amending the act of March 4, 1917, for the restoration of the annuities of the two lower bands of Sioux Indians (known as Santee Sioux) and conferring jurisdiction upon the Court of Claims therein; to the Committee on Indian Affairs.

By Mr. OWEN:

A bill (S. 4976) to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma; to the Committee on Indian Affairs.

By Mr. NELSON:

A bill (S. 4977) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. SHEPPARD:

A bill (S. 4978) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico-Texas; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. JONES of Washington:

A bill (S. 4979) granting a pension to Isola Foster (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILL.

Mr. OWEN submitted an amendment proposing to pay $312,-811.27 to the Pawnee Tribe of Indians of Oklahoma in full and final settlement for the purchase by the United States of 170,333.37 acres of surplus land belonging to said Pawnee Tribe as provided by law, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate $25,000 to defray the actual and necessary expenses on the part of the United States section of the Inter-American High Commission arising in such work and investigations as may be approved by the Secretary of the Treasury, etc., intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

He also submitted the following amendments (in accordance with the estimates submitted by the Bureau of Entomology) covering the work and investigations of the Bureau of Entomology, intended to be proposed by him to the Agricultural appropriation bill, which were referred to the Committee on Agriculture and Forestry and ordered to be printed:

On page 50, in the items covering appropriations for the Bureau of Entomology, line 23, strike out "$178,500" and insert in lieu thereof "$198,500";

On page 51, line 3, strike out "$175,660" and insert in lieu thereof "$200,660";

On page 51, line 7, strike out "$150,000" and insert in lieu thereof "$175,000";

On page 51, line 9, strike out "$40,000" and insert in lieu thereof "$67,500";

On page 51, line 13, strike out "$110,000" and insert in lieu thereof "$160,000";

On page 51, line 16, strike out "$33,800" and insert in lieu thereof "$38,800";

On page 51, line 20, strike out "$51,500" and insert in lieu thereof "$66,500";

On page 51, line 25, strike out "$52,330" and insert in lieu thereof "$84,330";

On page 52, line 25, strike out "$400,000" and insert in lieu thereof "$600,000";

On page 53, line 9, strike out "$275,000" and insert in lieu thereof "$400,000"; and

On page 53, line 11 (in the total for Bureau of Entomology), strike out "$1,599,940" and insert in lieu thereof "$——."

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. JONES of Washington submitted an amendment proposing to increase the appropriation for study of the methods of prevention of losses by deterioration, decay, and freezing of fruits and vegetables in storage and transit, etc., from $20,000 to $40,000, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. ASHURST submitted an amendment proposing to increase the appropriation for investigating the physiology of crop plants and for testing and breeding varieties thereof, from $51,860 to $66,860, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and be printed.

AMENDMENT TO EMERGENCY TARIFF BILL.

Mr. SMITH of Arizona submitted the following amendment to House bill 15275, the emergency tariff bill, which was ordered to lie on the table and be printed:

Page 3, at the end of line 11, insert: "Cotton having a staple of 1⅛ inches or more in length shall not be admitted into the United States from any foreign country during the 10 months succeeding the enactment of this bill."

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The VICE PRESIDENT. The next amendment of the Committee on Finance will be stated.

The READING CLERK. On page 3, after line 3, insert:

14. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per cent ad valorem.

Mr. SIMMONS. Mr. President, I thought the next amendment was as to wheat flour.

The VICE PRESIDENT. No.

Mr. SIMMONS. I thought that was included in the agreement covering the wheat item. If it was not considered in that agreement, I ask that we reconsider the action of the Senate with reference to wheat flour.

Mr. SMOOT. There is no committee amendment there.

Mr. SIMMONS. I ask unanimous consent that the vote of the Senate with reference to wheat flour, agreeing to that provision of the House text, be reconsidered, because I desire at the proper time to request a yea and nay vote upon that question.

The VICE PRESIDENT. Nothing has been agreed to with reference to that matter.

Mr. SIMMONS. I misunderstood the Chair then. I understood the Chair to state that there was an agreement regarding it.

The VICE PRESIDENT. There was not.

Mr. SIMMONS. As I was not here at the time, I would like the Chair to state what took place.

The VICE PRESIDENT. This morning in Committee of the Whole, without objection, the amendment in line 1, page 2, changing the duty on wheat from 30 to 40 cents per bushel was agreed to, and the amendment in line 13, page 2, reading "except rice cleaned for use in the manufacture of canned foods," was agreed to. The Senator from North Dakota [Mr. MCCUMBER] asked unanimous consent that the vote whereby the change was made in the rate on wheat from 30 to 40 cents per bushel might be reconsidered, which was agreed to, but the amendment with reference to cleaned rice for use in manufactured foods was not reconsidered.

Mr. SIMMONS. I will not ask to have any reconsideration of that amendment. I understood, though of course I was mistaken about it, that action had been taken with reference to the provision in the House text as to wheat flour.

The VICE PRESIDENT. There is no change in the House text on wheat flour.

Mr. SIMMONS. I understood, if the Chair will pardon me, that there was a vote taken as to whether the Senate would concur in the House provision.

The VICE PRESIDENT. That will come under a general vote on the bill, unless the Senator moves to strike out the clause or to amend it in some way.

Mr. SIMMONS. That is what I wished to know. I understand now that we are operating under a rule by which we are to consider first the committee amendments.

The VICE PRESIDENT. That is true. The amendment on page 3 just read by the Secretary is now the pending question.

Mr. SMOOT. Mr. President, Senators will observe that in the pending amendment on page 3 there is a repetition of "mutton, lamb," as found in subdivision 13 of the bill as it came from the House, with the exception that it provides in subdivision 14 for "fresh or frozen beef, veal, mutton, lamb, and pork." So as the amendment now stands there would be two rates upon fresh mutton and lamb, one of 2½ cents per pound in subdivision 13 of the bill, and the other of 2 cents a pound in subdivision 14 of the bill.

I wish simply to state that if the amendment offered as to subdivision 14 is agreed to, then subdivision 13 ought to be stricken out of the bill, providing 2 cents a pound on mutton and lamb. If that rate is not satisfactory, then the only other course to pursue would be to insert the words "or frozen" after the word "fresh" in subdivision 13, line 3, page 3, so that it would read, "fresh or frozen mutton or lamb, 2½ cents a pound," and then in the proposed amendment inserting subdivision 14 we would have to strike out the words "mutton, lamb," as found in line 4 on page 3 in subdivision 14, so that there would not be a duplication or repetition of rates. So far as I am concerned I think the best thing to do is to agree to the Senate committee amendment including mutton and lamb and then make an amendment in the House text by striking out subdivision 13.

Mr. POMERENE. What would be the reason for making a distinction in rate?

Mr. SMOOT. There should be no distinction.

Mr. POMERENE. I agree with the Senator that, if there should be any tariff at all, there should be no distinction.

Mr. SMOOT. I think the amendment ought to be agreed to so that it will take care of fresh and frozen beef, veal, mutton, lamb, and pork at 2 cents a pound, and when the amendment is agreed to then I shall ask the Senate to further amend by striking out subdivision 13 entirely.

Mr. UNDERWOOD. Mr. President, I shall detain the Senate only a moment. I am satisfied that the Senate has made up its mind that it is going to put the bill through, and the question of how much tax it is necessary for the American people to pay to get the bill is not a question that concerns the Senate at all. But it might be well enough in passing just to consider the facts and conditions which confront us in these items.

The bill proposes a tax on fresh or frozen beef, veal, mutton, lamb, and pork of 2 cents a pound. I think the so-called Payne-Aldrich Tariff Act gave the highest rate of duty that was ever theretofore given by a Republican law on fresh meats, and it fixed the tax at 1½ cents per pound. The present law practically places beef on the free list.

In considering the organization of a tariff bill we may consider it from the standpoint of protection to the American industry as the primary object, or we may consider it from the standpoint of revenue. From the standpoint of protection the best thought of the Republican Party has never heretofore advanced further than 1½ cents a pound. From the standpoint of revenue, those who believe in a revenue tariff have found that the revenue derived from this source was so infinitesimal in comparison with the great volume of production in business, and this being one of the necessities of life that every man must have who desires to live and maintain his family in a healthy condition, that every one of those articles was placed on the free list eight years ago by the present tariff law.

Of course, when that bill was passed it was predicted freely that dire distress and disaster would come to many industries, among others the beef industry; but in the last eight years it has not been demonstrated that the beef industry was seriously injured, and, as a matter of fact, there was no complaint coming from that source until we ran into anticlinal war conditions and found the country facing financial difficulty throughout affecting every class of production. Then, gentlemen desiring to create special privileges for special interests concluded it was a good time to avail themselves of conditions and attempt to write a tariff bill that would cut off competition from abroad. But let us see for a moment what that competition amounts to.

A man may come into one's office and say, "We are entitled to protection for this industry. A million pounds or a million tons or a million bales of some commodity are coming into this country seriously endangering this great business." That is a matter of comparison. A million tons of one commodity, where the production in the country is small, might indicate an overflow of the home market and the absolute destruction of the American industry. On the other hand, a million tons of production of another commodity might be so small in comparison with the great productive capacity of the country that it would be infinitesimal in comparison. We can not, therefore, simply say that there are imports coming into the country in large quantities and therefore we are entitled to be protected against them, but we must compare the imports and the American production first before we can ascertain the real equation involved. Then we should look to the exports of the same commodity to determine whether it has been demonstrated that American production can go abroad and compete in markets in foreign fields where they do not stand behind a tariff wall.

Now just look at the figures. The figures I am giving the Senate are not my figures; they have not been prepared by me. I hold in my hand the Summary of Tariff Information, prepared by the Republican Ways and Means Committee of the House of Representatives for the year 1920. They take the articles of fresh beef and veal and say that the domestic production was 3,658,000,000 pounds, in round figures, valued at $421,000,000. Then they say further down in the report that the imports amounted to 24,000,000 pounds, valued at $3,400,000; in other words, measured in bulk or in American dollars, the imports that have come into this country in competition with the American product amount to about 1 per cent or to less than 1 per cent. It is very dangerous to American industry that it only has 99 per cent of the American market in which to exploit itself.

Mr. POMERENE. Was the amount that came in by way of imports, 24,000,000 pounds?

Mr. UNDERWOOD. The imports amounted to 24,781,719 pounds.

Mr. POMERENE. Was that during the year 1919?

Mr. UNDERWOOD. That was in the year 1918.

Mr. POMERENE. That is about one-quarter of a pound for each man, woman, and child in the country.

Mr. UNDERWOOD. The Senator from Ohio can make his mental calculations faster than I can, but I am sure his figures are correct.

Now, let us look at the exports. The exports in 1918 were 370,000,000 pounds, valued at $67,000,000—$67,000,000 of exports as compared with $3,000,000 of imports—$67,000,000 going to the competitive markets of the world, often having to go into a market where the product meets a tariff wall before it can enter at all and must go behind that tariff wall to meet competition.

Mr. President, I do not think it is necessary for us to go further. I know that my words in debate on this bill are going to accomplish nothing; but to say that the life of this industry is really challenged from abroad is to dispute the facts that are shown by the publications of the Republican Party itself. Whether one be a Republican protectionist or a tariff-for-revenue Democrat, I ask, Where are we going to obtain the revenue for the Government at the customhouse if we are not going to allow some importations to come through the tariff wall? Can we expect less, if we are going to divide with the Government at all, than to allow 1 per cent to enter the country—just 1 per cent—from which our Government may derive some revenue with which to support itself? No; the authors of the pending bill seem to have abandoned the Government or are regardless of the effect the proposed legislation may have in the preservation of the revenues of the Government. They seem to be so absolutely callous to the proper principles of taxation that they are willing to attempt to put practically a prohibitive tariff at the customhouse in order that they may levy a consumption tax—for that is what it amounts to, a tax that is divided according to numbers and not divided according to wealth—upon the great mass of the American people.

Mr. HENDERSON. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Nevada.

Mr. HENDERSON. Has the Senator from Alabama the figures for any other year than the year 1918, when we were engaged in the World War?

Mr. UNDERWOOD. This book does not give those figures, but I could readily get them for the Senator. I have been reading from a Republican textbook, but I am satisfied if I took the trouble to gather the figures myself and selected the years the figures for which I wanted to exploit before the Senate they would sustain to even a greater extent the argument that I am making than those which I take from a Republican textbook.

I know that it is easy for advocates of high protective tariff duties to present the argument that there are many million dollars' worth of a certain product coming into the country and threatening an industry, but they do not take the trouble to state what the amount of the American production is. However, no man who understands this particular proposition can deny that from beginning to end the imports coming into this country are limited.

I have studied the question in the past from top to bottom. There is a limitation written on the high seas which controls the question and which can not be overcome. That is the hold of a ship. Ships can not be run successfully and be made refrigerator ships from top to bottom, because then they would not be prepared to carry an outgoing cargo. The refrigeration space of a ship, its meat-carrying capacity, must be limited; and of necessity it is only within the space which is set apart for refrigeration in the ships of the world that competitive beef can cross the hot latitudes of the Equator and enter the American market in such condition that it may be sold. So there is a natural limitation if there were no tariff wall at all.

Mr. President, this bill is brought here without consideration and without investigation. There is no reason for this tax, except in certain markets around the eastern seaboard, to increase the cost of living on many people who can ill afford to pay the additional tax; and there is no justification whatever, either in past history or future speculation, for writing a tax at the customhouse of 2 cents a pound on this commodity. I know, however, it is idle for me to speak, and I do not care to take up the time of the Senator further.

Mr. THOMAS. Mr. President, the Senator might well have referred to the effect which this proposed legislation necessarily will have in provoking counter legislation of a retaliatory character. I have a clipping from the New York Times of yesterday which, with his consent, I will read into the RECORD as a fitting conclusion to his remarks.

Mr. UNDERWOOD. I yield to the Senator.

Mr. THOMAS. It contains a telegram from Buenos Aires of date the 2d of February, and is as follows:

As a measure of retaliation for the Fordney tariff bill now before the United States Senate, Deputy Saccone announced to-day his intention to introduce a bill in the Argentine Parliament providing for a levy of duties of 40 per cent on all goods imported from countries increasing their import duties in such manner as to affect Argentine exports.

Deputy Saccone severely criticized the policy of the Republican Party in the United States, which, he said, was behind the Fordney bill. He declared the real purpose of the bill was to make the United States the creditor of the South American Republics, raise a tariff wall against their imports, and then forcibly decrease South American gold holdings by requiring the debtor republics to pay their trade balances in gold.

Deputy Saccone asserted the time had come for Argentina to assert itself and let it be known she was not dependent on the United States for imported merchandise, "with our great supplies of raw materials," he said, "we can go to any market in the world on a firm footing."

What Argentina proposes is doubtless what will be proposed by all other countries which are affected by this measure, and it does affect all countries which have any exportable food products. It is designed, and must be designed, to affect them, because the consequences of the bill in that regard are so apparent.

During his many discussions of the war and of the conditions of peace the President emphasized the necessity for doing away with those economic rivalries which contain within themselves the plans and purposes of war. There can be no such thing, Mr. President, as a unification, even in sentiment of the people of the world if they are engaged in competitive economic rivalries such as this bill will necessarily provoke.

The trade of South America is at our door. It may be that we can secure it by banning all of their products from our shores and successfully compete with nations which do not follow that insensate policy. I do not believe that the importation of frozen mutton and beef into this country is an evil.

A witness before the Finance Committee said there were 2,700,000 carcasses in the city of New York to-day, brought there from New Zealand and from Argentina. If that be so, then they are either cornered and withheld from public consumption or else these carcasses enter into the supply of the eastern seaboard. In either event they supplement a much-needed necessity of life; and to strike that business in the face by prohibitory legislation necessarily is to raise the price of living, as the Senator from Mississippi said this morning, by penalizing the virtual necessities of life.

I am surprised that this paragraph of the bill excludes poultry. Taken with the other paragraphs of the bill, it virtually places a prohibitory tariff upon all meats except fish and fowl. I should not wonder at all but that we have some importations of poultry into this country from that neighbor whose prestige we fear so terribly just now—Canada. Possibly a Mexican chicken gets across the border once in a while. I do not know; but there is a menace, Mr. President. There is the menace in the air.

I have no doubt that when the great tariff bill of next year comes before the Senate it will have a duty upon eggs, because the papers announce that enormous quantities of eggs are being imported into the United States from China, and they are packed so carefully that they come without serious loss. To my mind that suggests the need of a compensatory duty on poultry. The American hen, the manufacturer of the domestic egg, certainly should receive some compensatory benefit from the existing duty upon a competitive product from abroad, and we ought to anticipate this tax upon the eggs of Chinese hens by providing right now something that will compensate the American hen for its undue and excessive labors at this time.

If this measure were perfect, therefore, it would comprise poultry as well as fresh and frozen beef, veal, mutton, lamb, and pork, and the microscope of the protectionist is so exquisitely perfect that I am surprised that the dealer in poultry has up to this time overlooked the need of including poultry in this bill.

Mr. SHEPPARD. Mr. President——

Mr. THOMAS. I yield.

Mr. SHEPPARD. That matter has already been taken care of. The Democratic tariff, the Underwood-Simmons Act, has a tariff on both eggs and poultry.

Mr. THOMAS. Mr. President, I do not know whether that is so or not, but of course I take the Senator's word for it.

Mr. SHEPPARD. I have the law before me and can quote from it.

Mr. THOMAS. If that is true, then, of course, that being provided for, all of the meat foodstuffs of the world, except fish, are included; and perhaps the Senator can find fish provided for, nicely plastered with a tariff duty, so as to make it palatable to the American consumer.

Mr. SIMMONS. Mr. President, it is true, I think, that under the Underwood bill there is a duty on both eggs and poultry; but what I understand the Senator to be contending for is a compensatory duty in favor of poultry.

Mr. THOMAS. That is what I had in mind.

Mr. SIMMONS. There is no compensatory duty of that kind in the Underwood bill.

Mr. FLETCHER. I think that tariff bill provides for live poultry. I do not think it deals with the other kind.

Mr. THOMAS. That may be. I do not pretend to remember all of the items in the Underwood bill.

Mr. SHEPPARD. There is a Democratic tariff on fish, also.

Mr. THOMAS. Thank God for that! Then the American consumer can get nothing in the way of meat food without being taxed for it. That rounds out the whole, and makes his condition one of contentment and satisfaction.

Mr. HITCHCOCK. That is a revenue tariff.

Mr. THOMAS. Oh, yes; that is a revenue tariff, but I shall not go into that.

The Senator from Alabama, I believe, referred to the fact that there is a slight duty upon frozen meats, or meats from other countries, a revenue duty. The fact, therefore, that the Underwood bill comprises eggs and poultry should not have deterred our friends who prepared this bill from recognizing the present emergency which threatens the extinction of these basic industries, and increasing that duty so as to preserve them; because, if it be true that the American hen is threatened with extinction—and I think it is threatened with extinction just as much as any other business that is covered by this bill—then certainly we owe it to posterity, to the present generation, and to all lovers of chicken and turkey, to perpetuate and to preserve those industries by taxing them just as high as possible.

Mr. HARRISON. Mr. President, as I understand, we are now called on to vote upon subdivision 14, which places a tax of 2 cents a pound upon fresh or frozen beef, veal, mutton, lamb, and pork. In the Underwood bill those meats were on the free list.

I notice that in the report of the Federal Trade Commission they state that the five big packers, who would receive the benefit of this protection, control very largely the fresh and frozen meat industry in this country. Of cattle, for instance, they control 75 per cent; of calves, 66 per cent; of sheep and lamb, 78.6 per cent.

Then, I find in the same report that the five big packers now have, or did have at the time this report was filed, frozen beef in storage that would be protected under this provision to the amount of 62,535,507 pounds. In other words, 95 per cent of all the frozen beef that is in cold storage in this country, or was in cold storage in the country at the time this report was filed, was controlled by the five big packers.

Of smoked ham and bacon, 64.1 per cent is held in storage by the five big packers, approximating 10,702,402 pounds.

Of dry salt pork, they controlled 69.8 per cent, or 142,069,065 pounds.

Of pickled pork, 70½ per cent, or 219,887,142 pounds.

So what it is proposed to do here not only will increase the price of the meat used on the breakfast table and needed by the poor and the rich alike, but it will be in favor of those concerns that control from 65 to 90 per cent of the frozen beef in the country.

I asked one of the retail merchants some weeks ago to give me the retail price of meats. You know, if you have looked over the bills that have come to you, that meats are one article that you have been forced to purchase that has not decreased in price very much. I find from this price list that on November 15, 1919, the price of sirloin steak, for instance, was 39 cents, but on November 15, 1920, it was 43½ cents—an increase of 4½ cents.

I find on round steak, that on November 15, 1919, at the retail stores in Washington, the price was 36 cents, and on November 15, 1920, it had increased to 39.6 cents.

I find, on rib roast, that on November 15, 1919, the price at retail in Washington was 30 cents, and on November 15, 1920, it was 32.6 cents—an increase of 2.6 cents.

On chuck roast, on November 15, 1919, the price was 24 cents, and on November 15, 1920, it had increased to 25 cents.

On pork chops, on November 15, 1919, the price was 42 cents, and on November 15, 1920, it was 44 cents.

On bacon, on November 15, 1919, the price was 51 cents, and on November 15, 1920, it was 53 cents.

If the majority of the Senate want to continue to increase the high cost of living on the meats that every person in this country must have, in view of the fact that they have continued to go up, then let them vote "aye" on the pending proposition.

Mr. STANLEY. Mr. President——

Mr. HARRISON. I yield.

Mr. STANLEY. The Senator probably recalls that the Progressive platform of 1912 contained a declaration against the imposition of a duty upon any commodity controlled by a trust or combination.

Mr. HARRISON. By any trust in this country; yes.

Mr. SHEPPARD. Mr. President, the Senator from Kentucky made a very eloquent speech the other day, telling us that the packers were not a trust.

Mr. STANLEY. The Senator from Texas is in error. I explicitly said that I had no knowledge as to whether or not the packers were guilty of a combination in restraint of trade; that if they were, they ought to be sent to the penitentiary; but that I was in favor of adequate and rational legislation to reach them, and I believed in bringing them into a court and trying them as criminals, and not having them passed on by some commission here in Washington that could have no direct knowledge of their activities.

Mr. HARRISON. Since the Senator has asked me the question, it may be well to put into the RECORD at this time an extract from the platform of the Democratic Party in 1908—the platform that was framed in Denver. I read in part the plank on the tariff question of the Senator's party and my party:

We favor immediate revision of the tariff by the reduction of import duties. Articles entering into competition with trust-controlled products should be placed upon the free list.

That we did in the Underwood tariff law so far as frozen meats were concerned, and the necessaries of life.

Material reductions should be made in the tariff upon the necessaries of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home; and gradual reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis.

I read a part of the tariff plank in the platform adopted by the Democratic Party in Baltimore, in 1912:

We declare it to be a fundamental principle of the Democratic Party that the Federal Government, under the Constitution, has no right or power to impose or collect tariff duties except for the purpose of revenue, and we demand that the collection of such taxes shall be limited to the necessities of government honestly and economically administered.

The high Republican tariff is the principal cause of the unequal distribution of wealth. It is a system of taxation which makes the rich richer and the poor poorer. Under its operations the American farmer and laboring man are the chief sufferers. * * *

We favor the immediate downward revision of the existing high, and in many cases prohibitive, tariff duties, insisting that material reductions be speedily made upon the necessaries of life. Articles entering into competition with trust-controlled productions—

And if this is not a trust-controlled product, I have not heard it contradicted—

Articles entering into competition with trust-controlled products and articles of American manufacture which are sold abroad more cheaply than at home should be put upon the free list.

Now I read in part from the Democratic platform of 1916:

We reaffirm our belief in the doctrine of a tariff for the purpose of providing sufficient revenue for the operation of the Government economically administered and unreservedly indorse the Underwood tariff law as truly exemplifying that doctrine.

In the Underwood tariff law, as I have stated, frozen meats are placed upon the free list. I continue reading:

We recognize that tariff rates are necessarily subject to change—

And so forth.

I submit these for the RECORD, Mr. President.

Mr. STANLEY. Mr. President, I understand that the great portion of this meat comes from New Zealand, and that the packers have been excluded from that country. If it be true that the five packers are in a combination in restraint of trade, and are demanding extortionate prices for meats prepared for the American market, the best proof of it, the most accurate demonstration of the existence of such a combination and the extent of the extortion, will be found, necessarily, in the difference between the price of fresh meats produced in a country over which the packers have no control, and a market into which they can not go, and the price charged for the same commodity in the United States.

As far as combinations of the packers or others are concerned, I am firmly of the opinion that the Federal Congress will make a great mistake if it ceases to treat the forming of a combination in restraint of trade as an offense, as a crime akin to treason, in that it reaches the whole Nation, and we should not arm a commission or any other body with the right to grant plenary indulgence, to say when a combination is permissible and when it is not permissible. I am in favor of a rigorous enforcement of existing antitrust legislation against a packer or anybody else who enters into such a combination, and if such a combination exists I believe that we will destroy the best evidence of its extent and the effect of its operations by impos-

ing upon a free market a duty that will conceal the difference in price between the beef, pork, and mutton imported from New Zealand and that sold by the packers in the United States.

Mr. JONES of New Mexico. Mr. President, I have not taken much time in this debate, and I do not intend to make any extended remarks now. I simply want to call attention, however, to the difference between the position which has just been taken by the Senator from Mississippi [Mr. HARRISON] and the Senator from Kentucky [Mr. STANLEY] and other Senators on this side of the Chamber and the position which I take at this time.

We have listened to the reading of planks of the Democratic platforms for several presidential campaigns in the past. I do not believe that they are relevant to the question which now confronts the Senate and the country. I do not believe we are dealing with this question as we should deal with it or would deal with it were we in normal times. I look upon this day and these months as a part of the war period. It is my judgment that this great Government of ours should not have undertaken to simply drop our policy with regard to economic conditions immediately upon the signing of the armistice. I believe this Government, which assumed such extraordinary powers during the war, should have continued to function with respect to conditions which inevitably must follow a war. I believe this is a war condition and that we should try to do something to ameliorate the very disastrous conditions which are found in this country from one side to the other, wherever the producers of this country are involved.

The farmers are in a different situation from the manufacturing interests of the country. The manufacturer can close up his factory, he can bank his fires, but the farmers of the country produce their crops annually. A great many of the crops have been produced, and in the great percentage of instances the crop is still in the hands of the farmer. In one little town in the State of New Mexico there are stored to-day over 3,000,000 pounds of wool, for which there is no market. So these conditions are not to be dealt with as we would deal with questions in ordinary times of peace.

Senators talk about the price of meat in the city of Washington as you get it in the retail store. I agree that that has no relation whatever to the price which the farmer receives for his cattle. So I want to insist that the arguments which are being used here with respect to a tariff in ordinary times have no relevancy in the debate upon this bill.

This is intended as an emergency measure, for the purpose of trying to maintain the status quo until the Government can deal with questions upon a peace basis and under normal conditions. If we consider this is a question as arising under war conditions, then why should we not preserve the American market for those people who produce these commodities, who have produced them at the enormous expense necessarily incurred during the time the production was going on?

There are millions of pounds of meat being brought into this country. It had been stored up in New Zealand during the war because of the want of an outlet. The same condition exists in Argentina and other South American countries, and if you are going to practically put an embargo upon wheat, upon rice, upon beans, and upon other commodities, I submit there can be no good reason why there should not be an embargo, or at least a considerable tariff tax, upon the importation of meat. The House bill put a tariff upon live cattle, and if that be a just tariff, then it seems to me it should follow, as a necessary consequence, that the amendment placing this tax in the bill ought to be agreed to. If we are going to have an emergency bill at all to act as an embargo, or partial embargo, then I submit no reason can be suggested why this tariff should not be put upon fresh and frozen beef and other meats.

Mr. WALSH of Montana. Mr. President, if the duty on frozen beef should be reflected with any degree of certainty whatever in the price the producers of live stock can secure for their products, a tariff of this character would appeal to me with particular force. There is very much of merit in the suggestion now made by the Senator from New Mexico, that when we come to deal with those articles which were accumulated abroad as the result of war conditions, and particularly when we come to deal with those articles which were accumulated here as a result of war conditions—wool, as a characteristic example—a very powerful argument is addressed to any legislative body, altogether aside from the considerations which address themselves when we come to consider a tariff dealing with normal conditions and to be operative in normal conditions.

But, Mr. President, it must be recognized, I am sure, by everyone who reflects upon this matter at all that a tariff bill imposing a duty upon the importation of frozen meats inures to the immediate benefit, not of the growers of live stock at all, but of the great packers of this country, who come into competition in their products with the meats thus imported into the country. If, accordingly, they would raise the price which they paid to the producers of the live stock sold in the live-stock markets of the country, there would be much in the argument of the Senator from New Mexico [Mr. JONES].

But in the discussion here, only the other day, in connection with the packers' bill some very important and significant figures were presented by the distinguished junior Senator from Massachusetts [Mr. WALSH], showing that no such condition of things exists, and nobody undertook to refute those figures, which were furnished by the Bureau of Markets in the Department of Agriculture. It was clearly disclosed by those charts—and they were very elaborately prepared—that there is no kind of relation between the wholesale prices charged by the packers in this country and the prices which they pay to the live-stock producers for the cattle and sheep and hogs that come upon the market. It was disclosed clearly by those figures that not infrequently, when the price of live stock was on the descent, going down every day, the wholesale price charged by the packers to the retailers throughout the country rose, and that the changes were not at all reflected.

Mr. JONES of New Mexico. Mr. President, does the Senator realize that the fact that meats from foreign countries have been brought into this country has been used as an argument by the packers for the reduction of the price for domestic live cattle?

Mr. WALSH of Montana. There is no doubt in the world about that. The packer will tell you, "Just see the enormous amount of meat coming into this country; this is all we can pay." Others say exactly the same thing with respect to wool. As the Senator knows, frequently a combination exists, and that is used merely as an excuse. The fact about the matter is their own records disclose that they do not reduce their wholesale prices as the price they are required to pay to the producer for his cattle descends, nor do they increase their price always in accordance with the increased price which the market conditions require them to pay.

Mr. JONES of New Mexico. I fully agree with the Senator that the conditions regarding the meat supply of the United States are deplorable. I do not believe that there is any just relation between the retail price of meat and the price which the producer receives. But the packers give it out to the country that here are these various cargoes of meats coming into the United States in competition with the home supply, and my information is that those very packers who are the ones who bring them here and then use them as an excuse for paying to the producer whatever they are willing to pay. The adoption of the amendment, if it prohibits the importation of those meats from foreign countries, would at least take away from the packers that pretended excuse.

I do not mean to say at all that the law of supply and demand governs the meat business of the country as it is conducted at this time. Whether the bill does anything more than to take away from the packer the mere excuse which he conjures up for the purpose of depressing the price to the producer, I think we shall at least have gotten some benefit from the bill.

Mr. WALSH of Montana. I quite agree with the Senator that that is all the benefit there is in it. It does, as a matter of fact, take away from the packer the excuse for reducing the price—that is, that particular excuse—but it is very easy for him to conjure up some other excuse just as poor.

Mr. SIMMONS. Mr. President, I would like to inquire of the Senator if it takes away the excuse for reducing the price to the producers? If we put a duty on these frozen imports into this country will it not give him an excuse to raise the price?

Mr. WALSH of Montana. Undoubtedly. and the way it appears to me is exactly as is now indicated by the Senator.

Mr. SIMMONS. Whether importations to this country amount to much or little, he would be furnished with an excuse for raising the price to the wholesaler?

Mr. WALSH of Montana. For raising the price to the wholesaler, beyond a doubt. But the point I make is that I think it will deprive the packer of that excuse for paying a lower price to the producer than the market conditions will fairly warrant him in paying.

But what price do the people of the United States pay for taking that excuse away from the packer? There is no doubt in the world that he will immediately advance to the wholesaler the price that he would otherwise charge, to the extent of the amount of the tariff that is exacted by the bill. He will say, "I am obliged to raise my price to you by reason of the fact that a tariff is put upon that product." Importations will not

come into competition with his product and he is in a situation to raise the price to the wholesaler. Just stop, good people, and reflect upon what it means to the people of the United States to pay 2 cents a pound upon every pound of meat they consume over and above what they would otherwise be obliged to pay.

Mr. JONES of New Mexico. May I ask the Senator if he does not believe that the meat situation is now such that they are charging for meat all that the traffic will bear anyhow?

Mr. WALSH of Montana. Of course, I do not know about that. That presents a rather difficult question. Of course, if meat goes to a prohibitive price people will not eat meat, and therefore the sales will lessen. It is a question of business prudence as to whether the price will go higher or not, or whether it will be possible to shove the price higher.

The point I am making is that the people of the United States are asked to pay for the removal of that excuse a sum that is simply staggering in its enormity, and I can not bring myself to assent to it. It would be an awful price to pay, even though the price were raised accordingly to the producer of the live stock, for I am perfectly satisfied that it will not change the price to the producer of live stock by one penny. The packers will pay just exactly what the conditions will require them to pay, considering their own private individual interests, and nothing more. I am sure they will pay nothing more by reason of the duty, and accordingly I do not believe that we can reflectingly adopt the policy.

Mr. SIMMONS. Mr. President, I know, as the Senator from Alabama [Mr. UNDERWOOD] has stated, that the majority in the Chamber have made up their minds to adopt all these amendments. Nothing that we can say or do in the way of exposing the iniquity of them and the burdens that they will place upon the people without compensating advantages to anybody will avail anything. Yet I feel that the opponents of the bill owe it to the country and to themselves to present the facts with reference to the several items, and it is with that view alone that I am discussing them, and not because I expect to influence the action of the Senate in the slightest.

The Senator from Alabama a little while ago gave some figures showing the production of beef products in this country. I have sent out and obtained statistics showing the total production of meat products for the year 1919 in this country, and find that the total amount of these products for that year was 24,884,000,000 pounds in round numbers. I find that there was imported into the country in the year 1920 of the products of beef and veal, 42,000,000 pounds in round numbers, valued at $6,962,000. I find that there was imported during the first 10 months of the calendar year 1920 of lamb, mutton, and pork, 78,000,000 pounds, valued at $10,000,000. It is apparent that the Senator from Alabama was right when he stated that the importation of those products was possibly not over 1 per cent of the production. I doubt whether it was as much as 1 per cent. I have not calculated it, but I think it must be less than 1 per cent.

I do not understand how anyone whose knows the primary principles of the tariff in its effect upon domestic prices could possibly contend that an importation amounting to about 1 per cent of the total production of the country could possibly affect the prices of that product in that country. The only way that importation can affect the prices is when they come in in sufficient volume with relation to domestic production as to bring the domestic prices down to the level of the foreign prices. If the imports are relatively negligible they can not have that or any other effect upon domestic prices.

But the ground upon which the duty is asked is that it will have the effect of raising the price of live stock in this market. That could not be possible in those conditions. Every one understands that when we are producing only about one-half of our consumption of a product, as in the case of sugar, for instance, that the importations of the other half holds the price here down to the level of the foreign price. If we impose a duty it raises the price here that much above the level of the foreign price. But that is not true where the importations are relatively small as compared to our production or negligible as compared to our exports, as they are in this case, because while we imported last year of beef products valued, as I said, at about $7,000,000, we also exported $32,000,000 in value, more than four times as much as we imported, and therefore either from the standpoint of a comparison of imports to exports or from the standpoint of a comparison of imports to production, the duty could not possibly raise the price of live stock or of meat products in this country, either to the extent of the duty or to any appreciable extent.

Mr. POMERENE. Mr. President——

Mr. SIMMONS. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator has just stated that imports of meat products during the year 1920 were approximately $7,000,000 worth. Can the Senator give that in pounds?

Mr. SIMMONS. Yes. In 1920 the beef and veal products, in round numbers, were 42,000,000 pounds.

Mr. POMERENE. For the year?

Mr. SIMMONS. Yes; in that year. The first 10 months of the year mutton, lamb, and pork imports were 78,000,000 pounds, in round numbers.

Mr. POMERENE. Forty-two million pounds of beef and mutton?

Mr. SIMMONS. That was beef and veal, and 78,000,000 pounds of mutton, lamb, and pork.

Mr. POMERENE. If the Senator will permit me to carry out his thought a little further, we have, then, 42,000,000 pounds coming into the country in one year. That means two-fifths of a pound in one year for each man, woman, and child.

Mr. SIMMONS. The Senator is about right as to beef and veal products.

Mr. POMERENE. Certainly two-fifths of one pound could not so very materially reduce the price as to injure the stock raiser.

Mr. SIMMONS. Yes; or, in round numbers, about 150,000,000 pounds of fresh meat come into this country as against a production of 24,000,000,000 pounds here. Mr. President, I think it is perfectly clear—and I want to put these facts before the Senate as quickly as I can without elaborating them—that the small importation will not raise the price of live stock in this country; and that is the only purpose of this provision in the bill, according to the theory of its proponents. While that is true, while it will not raise the price of live stock in this country, undoubtedly the result of the duty, as would be the result of the imposition of any other duty under similar circumstances, will furnish the producers of meat products in this country, whether those products are in the hands of private parties or in the hands of a trust, an excuse for raising the domestic price to the consumer to the amount of the duty.

Mr. WALSH of Montana. Mr. President——

Mr. SIMMONS. I yield to the Senator from Montana.

Mr. WALSH of Montana. If I caught the figures which were given by the Senator from North Carolina aright, the total consumption of this country—that is to say, our production together with the imports—amounts to about 25,000,000,000 pounds.

Mr. SIMMONS. It amounts to 24,884,000,000 pounds.

Mr. WALSH of Montana. For the purpose of calculation we will say 25,000,000,000 pounds. If the imposition of the duty should result in an increase of 2 cents a pound, the aggregate increase, as I figure it, would be $500,000,000.

Mr. SIMMONS. I think the Senator from Montana is correct.

Mr. WALSH of Montana. That is what this proposed legislation signifies to the people of the United States. It is proposed to pay a subsidy to the packers of meats in this country, amounting to $500,000,000, in the expectation that they will distribute some of it to the producers of live stock.

Mr. SIMMONS. Yes; and with the certainty that they will not distribute any of it, but will put it in their own pockets and continue to press down the price of the live stock which they buy.

Mr. President, in this country, unfortunately for us, the meat industry is in the hands of the great packers, who cooperate to a common purpose—pressing down the price of what they buy and pressing up the price of the things they sell. They fix the price at which meat is sold to the people as high as they please, and they always fix it as high as the traffic will bear. However, the trust has to have some regard to public sentiment, and they are always making excuses for increasing the prices of their products. They are always, on the other hand, seeking excuses to reduce the prices of their raw material; that is, the prices of live stock in this instance. While the tariff duty will not be operative to accomplish the purpose claimed by its proponents, it will undoubtedly furnish the packers, in the first instance, an excuse, and a very plausible one, and one calculated to deceive the public, for raising the price of their products 2 cents a pound.

If it stopped there it would be bad enough; but it will not stop there. Not only the packers will use that as an excuse to increase their price, but when the product reaches the wholesaler he will use the duty as an excuse to still further increase the price he will exact; and when it reaches the retailer, he will use it as an excuse for increasing the price he will charge the ultimate consumer.

Mr. POMERENE. And they always do so.

Mr. SIMMONS. They always do it. We have had a pretty good illustration of that with reference to the excess-profits tax. During the war everybody knows that many of the manu-

facturers of the country not only used the excess-profits tax for the purpose of increasing their prices to the extent of the tax, but they also used it for the purpose of increasing their prices far beyond the amount of the tax, thereby imposing upon the people, at the same time they provided for the Government tax, a tax for their own benefit.

Then we know as the product went on to the wholesaler and finally to the retailer they again added to the price because of these war taxes. We do not know to what extent the excess-profits tax was duplicated in whole or part, but we do know it was one of the excuses and grounds upon which prices were pyramided. We know that it was added and more than added by the manufacturer in many instances, and we know that it was used in turn as a pretext for advancing the prices charged by the wholesalers and by the retailers. This proposed tax on meat will be used in the same way that the excess-profits tax has been used.

That is the fundamental vice, Mr. President, of imposing a so-called protective tax upon a foreign product that will not be operative to accomplish such purpose, either because there are but slight importations or because the domestic price on account of overproduction is on an export basis; but, notwithstanding, will furnish an excuse for unscrupulous dealers to advance the price to the consumer.

Such a tax on a raw material of which there is none, or but a relatively small amount, will be inoperative as to such material; but if there is a compensatory duty to the domestic manufacturer it will be added, and if none it will be used as a pretense to increase the price of the finished article.

An illustration of that is found in the cotton tax imposed by this bill. It is proposed to impose a tax upon long-staple cotton. As originally proposed, it could not affect one way or the other more than 60,000 bales of cotton in this country known as American Egyptian cotton, but because the bill puts a tax of 8 cents a pound upon Egyptian cotton under the Republican theory it is necessary to place a compensatory tax upon the imports of cotton goods into this country to the extent of 7 cents on every article of which the component material of chief value is Egyptian cotton.

That duty will not help anybody in this country except possibly the producers of this American type of Egyptian long-staple cotton; but it will enable the manufacturers of this country to demand that every pound of cotton goods that comes here from Great Britain shall be closely examined and if it contains as its component material of chief value Egyptian cotton that it shall pay a duty of 7 cents a pound. Practically all the cotton goods that come from Great Britain are what are known as high grades or counts. Our mills make the coarser grade and use almost entirely short-staple cotton—and nearly all the American crop is short staple. Egypt raises about 1,500,000 bales of this long-staple cotton. Great Britain could take and would be glad to take every pound of it, and it would not more than supply her demand for use in the manufacture of the finer goods which her mills produce—and sells in large quantities to us. She sends us scarcely any cotton goods; the component material of chief value is not Egyptian cotton. So, while this duty will be utterly inoperative to protect the cotton producers of this country, it will at the same time impose upon the consumers in this country of English cotton goods a duty of 7 cents a pound, and this will raise the price to the consumers of the cotton goods produced in this country up to the same level. Thus a futile duty imposed upon cotton, a duty that can not help the cotton growers of the country except the growers of a small quantity of long-staple cotton, chiefly in New Mexico and California, will furnish an excuse, and not only an excuse but the right, on the part of the cotton manufacturers of this country to raise their prices to the same level that the duty raises the price of cotton goods brought into this country and containing a certain proportion of this Egyptian staple.

So here is a duty intended to protect the producers of a few thousand bales of American cotton that will impose through this compensatory tax a heavy burden upon the users in this country of cotton cloths, whether of foreign or domestic production. I can not conceive of a more dangerous system of taxation than that; I can not conceive of a more reckless prostitution of the principle of protection.

Mr. President, I sincerely trust that we may be able after a while to get the country to understand—and I think we are getting the country to understand—what this bill means. Never in the history of this country or any other country has a great measure like this, affecting the people so vitally as this affects them, been prepared by a committee with such utter recklessness and disregard of the ultimate effects of the proposed action upon the people. In the committee all that was necessary to secure the adoption of an amendment was to tell a little story about the deplorable condition of this industry or that industry, to show the distressful condition of the farmer raising this product or the other product. On such a showing the committee recklessly, practically without investigation, and without adequate information, ignoring the Tariff Board altogether, voted to impose the duties contained in this bill. I have no idea that the Republican members of the committee would have taken such action under ordinary circumstances, but the suggestion of an emergency and that the farmers of the country were here demanding relief of some sort was sufficient, and they fixed these duties generally at the rates suggested, so anxious were they to make fair weather with the farmer, to whose interest they heretofore paid such slight consideration. But that is another story.

Notwithstanding that, when this bill reaches the Senate and we expose its inequities, when we make it clear to every man of intelligence that the bill will not accomplish the purposes it is intended to accomplish, but may in many other directions do infinite harm to the country, they proceed to adopt, and they propose to continue to adopt, amendments with the same recklessness as they were placed in the bill. No argument that we can make will prevail with them; but, Mr. President, I think the country is beginning to understand. I have been hearing from my section of late. The farmers were at first somewhat misled. They thought that they might get some relief out of this bill, but as it is discussed here and they begin to understand how remote the prospects of any benefit to them are and what a tremendous burden, what a staggering burden it is going to impose upon them, they are, according to my information, changing their minds very materially about this matter.

I tell you right now that, in my judgment, this bill no more meets the approval of the intelligence on the other side than it does on this side. I do not state it as a fact, but I declare it as my belief, and that belief is not without foundation, that many of the Republican Members of this body would not vote for these amendments and would not support this bill if they expected it would ever become a law. They are gambling upon this measure not becoming a law—not that it will not pass this Chamber, but that it will not pass the White House. If it were not such a serious matter, if it did not impose upon the people of this country the grievous burdens to which I have referred, I would be glad to have it become a law in order that it might give a practical demonstration to the people of this country of the worthlessness of this measure to accomplish the purpose for which it is intended, and the reckless disregard of the rights of the people by the party in power when political consideration and interest are supposed to be involved.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Heflin	McNary	Simmons
Brandegee	Henderson	Moses	Smoot
Capper	Hitchcock	Nelson	Spencer
Culberson	Johnson, Calif.	New	Stanley
Curtis	Jones, N. Mex.	Overman	Sterling
Dial	Jones, Wash.	Page	Sutherland
Fletcher	Kenyon	Phipps	Thomas
Gay	Keyes	Pittman	Townsend
Gerry	Kirby	Pomerene	Trammell
Glass	Knox	Ransdell	Underwood
Gronna	Lenroot	Robinson	Walsh, Mont.
Harris	McKellar	Sheppard	Warren
Harrison	McLean	Shields	Willis

Mr. HARRISON. I desire to announce that the Senator from Massachusetts [Mr. WALSH] and the Senator from Wyoming [Mr. KENDRICK] are absent on official business.

Mr. CURTIS. I have been requested to announce the absence of the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Missouri [Mr. REED], and the Senator from New York [Mr. CALDER] on business of the Senate.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. The question is on the amendment to subdivision 14.

Mr. HARRISON. I call for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. KNOX (when his name was called). I transfer my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. McNARY (when his name was called). I have a general pair with the junior Senator from Utah [Mr. KING]. I transfer that pair to the junior Senator from Idaho [Mr. GOODING] and will vote. I vote "yea."

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I transfer that pair to the senior Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. I transfer that pair to the junior Senator from Maine [Mr. HALE] and vote "yea."

Mr. TRAMMELL (when his name was called). I have a pair with the Senator from Rhode Island [Mr. COLT], who is absent. Being unable to secure a transfer, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. In his absence, I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the Senator from Pennsylvania [Mr. PENROSE], who is unavoidably absent from the Chamber. I transfer that pair to the Senator from California [Mr. PHELAN] and vote "nay."

The roll call was concluded.

Mr. GLASS (after having voted in the negative). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and will let my vote stand.

Mr. LODGE. I have a general pair with the senior Senator from Georgia [Mr. SMITH]. In his absence, I withhold my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT]; and

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN].

Mr. HARRISON. I desire to announce that the junior Senator from Massachusetts [Mr. WALSH] and the junior Senator from Wyoming [Mr. KENDRICK] are necessarily detained on official business. If the Senator from Massachusetts were present, he would vote "nay."

The result was announced—yeas 39, nays 26, as follows:

YEAS—39.

Ball	Johnson, Calif.	McLean	Sheppard
Borah	Jones, N. Mex.	McNary	Smoot
Brandegee	Jones, Wash.	Myers	Spencer
Capper	Kellogg	Nelson	Sterling
Curtis	Kenyon	New	Sutherland
Elkins	Knox	Page	Townsend
Fall	La Follette	Phipps	Wadsworth
Gay	Lenroot	Pittman	Warren
Gronna	McCormick	Poindexter	Willis
Henderson	McCumber	Ransdell	

NAYS—26.

Beckham	Harrison	Overman	Swanson
Culberson	Heflin	Pomerene	Thomas
Dial	Hitchcock	Reed	Underwood
Fletcher	Keyes	Robinson	Walsh, Mont.
Gerry	Kirby	Shields	Williams
Glass	McKellar	Simmons	
Harris	Moses	Stanley	

NOT VOTING—31.

Ashurst	France	Lodge	Smith, Ga.
Calder	Frelinghuysen	Newberry	Smith, Md.
Chamberlain	Gooding	Norris	Smith, S. C.
Colt	Gore	Owen	Trammell
Cummins	Hale	Penrose	Walsh, Mass.
Dillingham	Johnson, S. Dak.	Phelan	Watson
Edge	Kendrick	Sherman	Wolcott
Fernald	King	Smith, Ariz.	

So the amendment of the committee was agreed to.

Mr. SMOOT. Mr. President, I understand that we are not working under a unanimous-consent agreement as to committee amendments, and therefore, to complete this subject, I ask that subdivision 13 be stricken from the bill. It reads:

Fresh mutton and lamb, 2½ cents per pound.

Subdivision 14 covers "fresh or frozen beef, veal, mutton, lamb," and so forth. It is a repetition, and therefore subdivision 13 is not necessary.

The VICE PRESIDENT. The Secretary will report the amendment.

The ASSISTANT SECRETARY. On page 3, strike out line 3, which reads:

13. Fresh mutton and lamb, 2½ cents per pound.

The amendment was agreed to.

Mr. BORAH subsequently said: Mr. President, I desire to reserve for a separate vote in the Senate the amendment which is now subdivision 13, I think, "fresh or frozen beef," and so forth.

The ASSISTANT SECRETARY. The numerals will be changed, on line 4, striking out "14" and inserting "13."

The VICE PRESIDENT. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. On page 3, after the amendment just agreed to, to insert a new subdivision, to be numbered 14, and to read as follows:

14. That cattle and sheep and other stock imported for breeding purposes shall be admitted free of duty.

Mr. WADSWORTH. Mr. President, I desire to ask if the provision which has just been read is not the present law?

Mr. SMOOT. It is the present law, but this would be a provision in a law enacted subsequently to the present law. The pending bill imposes a duty upon live stock, and if we do not repeat the provision in this bill it is likely to be held that even cattle and sheep imported for breeding purposes shall be dutiable. To make it perfectly safe we put it in the bill.

Mr. SIMMONS. Mr. President, I see no objection to the amendment.

The amendment was agreed to.

Mr. THOMAS. Mr. President, what disposition was made of subdivision 16, relating to cotton?

The VICE PRESIDENT. We have not yet reached that. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. On page 3, line 10, strike out the numeral "14" and insert the numeral "15."

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. On line 10 strike out "three-eighths" and insert in lieu thereof "one-eighth," so that it will read:

15. Cotton having a staple of 1⅛ inches or more in length, 7 cents per pound.

Mr. THOMAS. Mr. President, an amendment is pending which proposes to strike out "7 cents" and insert "30 cents." If agreed to it will, of course, impose 30 cents a pound upon all cotton of the kind described in the subdivision. Should it be defeated and the amendment of the committee agreed to, the rate will be 7 cents a pound.

It was stated by the Senator from North Carolina [Mr. SIMMONS] a few moments ago, if I understood him correctly, that this provision of the bill was due to the insistence of Arizona and California cotton growers and not of the cotton growers of the South.

Mr. SIMMONS. Not this amendment. The amendment was proposed, I understand, by the Senator from Louisiana [Mr. RANSDELL], who desires by it to bring within the provisions of the bill a large amount of cotton that otherwise would not be included.

Mr. THOMAS. The original item as reported by the House committee, and which limited the duty to cotton of the staple of 1⅛ inches, is changed by the committee amendment to include cotton having a staple of 1⅛ inches. I understood the Senator from North Carolina to make that statement, in substance.

Mr. SIMMONS. The original bill included only the Egyptian cotton, which is 1⅛ inches long. That cotton is grown in this country only in Arizona and California. If this change is made, the amendment having been offered by the Senator from Louisiana [Mr. RANSDELL], it will bring other than Egyptian cotton under the provisions of the bill. It will bring all cotton of the staple of 1⅛ inches under the bill.

Mr. THOMAS. I wanted to be sure that I understood the Senator before submitting some observations upon this item.

Mr. SIMMONS. I will say to the Senator that I think that would increase the amount from the 60,000 bales raised in California and Arizona up to about 300,000 bales.

Mr. TOWNSEND. I was very much interested in hearing the answer the Senator from North Carolina gave, but I have not heard a word. I heard the question, and I would like to know what the answer is.

Mr. THOMAS. I will repeat it for the Senator. It was due to an inquiry of mine, based upon what I understood to be the statement of the Senator a few moments ago.

Mr. SIMMONS. I think, if the Senator will pardon me, there is some upland cotton grown in several Southern States, in limited quantities, which probably would amount to something like 300,000 bales, which will be brought by this amendment within the protection of the bill. But it would not affect southern cotton except to the extent of that limited amount of cotton.

The importations to this country last year were more than 360,000 bales, but that was not all cotton of this staple length.

That included Mexican cotton, it included Indian cotton, and it included a number of cottons from other sections of the earth, but practically all of it of shorter staple than 1⅛ inches.

Mr. THOMAS. Replying to the Senator from Michigan, I understand this to be the genesis of the item: The House committee inserted this provision at the instance of the Arizona and California cotton growers, who produce all of the so-called American-Egyptian staple cotton raised in the United States, and it was confined to cotton which has a staple of 1⅛ inches. Thus drawn, it would apply to somewhere in the neighborhood of 60,000 bales of cotton; that is, it would operate, if good for anything, to protect that proportion of the cotton crop of the country.

The Senator from Louisiana [Mr. RANSDELL] proposed an amendment to the Senate committee to strike out "three-eighths" and insert "one-eighth," thus making the provision embrace all cotton having a staple of 1⅛ inches or more, and leaving the duty at 7 cents a pound. Doubtless in the interest of Arizona and California cotton growers the Senator from Arizona [Mr. ASHURST] proposed to substitute 30 cents for 7 cents, as reported by the committee.

Mr. President, the cotton industry in Arizona and the Imperial Valley in California is a comparatively recent one. It is largely the work of the Agricultural Department, which began experiments in cotton raising in those arid regions some 9 or 10 years ago. The soil and climate, where irrigation is available, are in certain sections of Arizona, and I think throughout the Imperial Valley and probably in some other portions of California, very favorable to the growth of cotton, and particularly of this long-staple cotton, which has therefore become a very substantial item of the industries of that region.

The long staple 1⅛-inch cotton is, of course, the most prominent feature of the cotton industry in that section, although by no means confined to it. Last year I think the production was about 60,000 bales of Egyptian cotton and about 140,000 bales of other staples, not so valuable, but first-class cotton of the grade, making the total somewhere in the neighborhood of 200,000 bales.

The only justification, the only possible excuse for the imposition of a 7-cent duty upon cotton would be that it was an infant industry needing protection until its development made it self-sustaining, but that is neither the basis of nor the reason for the imposition of the duty. The contention is that its present price, far below the cost of production, is due to the temporary surplus here of Egyptian cotton of the same grade, and that unless practically an embargo shall be placed upon importations of Egyptian cotton the Arizona grower is ruined. Although he may resort to the raising of oranges, citrus fruits, alfalfa, sugar beets, and the other products which characterized that section prior to the invasion of the cotton craze, that fact is not even reverted to.

It was found shortly after the outbreak of the war that the demand for this long-staple cotton made its production prospectively the most profitable crop that could be raised there, and one year's experience demonstrated the correctness of that forecast. As a consequence the landowners of that section, some of the great manufacturers of rubber goods, particularly automobile tires, and those possessed of a speculative instinct, all availed themselves of the situation and began the cultivation in large quantity—I have reference to acreage—of the long-staple cotton in Arizona and the Imperial Valley. The area of cultivation is limited by the amount of available water, which means that segregated localities, circumscribed by the water duty, measure the extent of production, whatever Federal legislation may be.

In many instances orchards, nurtured with the utmost care and at great expense, dependable for substantial and valuable crops year after year, were rooted up and destroyed that the land might be devoted to cotton culture. In other instances ranches devoted to cattle breeding and the breeding of blooded stock of all kinds were disposed of that the lands might be used to grow cotton. The craze consequent upon the tremendous demand for this particular staple turned the heads of the people, as is frequently or always the case under similar conditions. And the value of land soared from $100 and $150 to $500, $600, and $750 an acre.

Mr. WILLIAMS. And the value was given to it by taxation by the Federal Government for irrigation purposes.

Mr. THOMAS. One of my constituents in southwestern Colorado recently told me he heard of a live-stock ranch to be dismantled near Phoenix, Ariz. So he went there and bought numbers of blooded stock and got them at a bargain, brought them to Colorado, and transferred that part of the Arizona industry to my State. He informed me that the prices then prevailing for land to be devoted to cotton culture had passed all reason. Purchasers were competing with each other, bidding against each other what seemed to be fabulous prices, all to get land regardless of price for cotton planting. I am informed by good authority that the crop of 1919 brought such tremendous prices that purchasers of lands were able to pay for them from the profits of that year's crop.

Mr. WALSH of Montana. Mr. President, may I ask the Senator what was the current price in 1919?

Mr. THOMAS. I can not give it to the Senator offhand. I have it in a report among the papers on my desk.

Mr. SIMMONS. I think it was about $1 a pound.

Mr. THOMAS. The price for the long-staple cotton?

Mr. SIMMONS. Yes.

Mr. WALSH of Montana. I remember that the junior Senator from Arizona [Mr. SMITH] said, in the course of some remarks he made a few days ago, perhaps yesterday, that it cost 60 cents a pound to produce it, so there was a reasonable profit for that year.

Mr. THOMAS. I do not know what it cost to produce it, nor do I think that the producers under the circumstances then prevailing cared much about that subject.

Mr. SMITH of Arizona. Mr. President——

Mr. THOMAS. I yield to the Senator from Arizona.

Mr. SMITH of Arizona. The market price for long-staple cotton for that year, I understand, ran from 85 cents to $1.15 a pound, with possibly a few sales at $1.25. That resulted, as the Senator from Colorado has well said, largely in everybody going into the business, like they went into the tobacco business at certain times in limited tobacco districts in Kentucky. They went into this in that particular district on account of the peculiar nature of the plant and the enormous quantity and the quality of its production.

But it has resulted in a condition, if I may be permitted to interrupt the Senator further, that many there are on the verge of absolute bankruptcy. I do not like a 6 cents per pound duty on that cotton. I do not see any material benefit in 6 cents a pound on long-staple cotton against the Egyptian cotton, when the difference in the price of long-staple cotton and the ordinary cotton of commerce is three or four times as much and sometimes five or six times as much. If 6 cents were added to the present price of that commodity, it would not yet bring it up nearly to the cost of production.

Instead of any assumed protection in this bill, I would vote directly, there being so short a time and so many of the particular people whom I have tried to represent being involved, for an absolute embargo. I shall move to amend the bill in that respect before we are through, so we may see whether or not we can prevent the introduction into this country for the next 10 months of that long-staple cotton.

Mr. THOMAS. The Senator from Montana asked what was the cost of the production of this cotton. I answered that I do not know, but I do know this——

Mr. WALSH of Montana. My inquiry was with reference to the current sales price.

Mr. THOMAS. The Senator said something about the cost being 60 cents.

Mr. WALSH of Montana. I merely quoted the Senator from Arizona.

Mr. THOMAS. That is the subject to which I have reference. I understood the Senator gave that as his own information.

I do know that the available labor there is largely Mexican and Indian; and, while it commands a higher price than the Negro labor of the South and the labor in Egypt, it is nevertheless the cheapest labor in the Southwest, particularly the Indian labor. It is a combination of that relative cheap labor plus what seemed the insatiable and unsatisfiable demand for that particular grade of cotton, which caused the people there to abandon their legitimate production and to rush pell-mell into the production of this long-staple cotton.

I may be mistaken. I do not pretend to speak from actual knowledge, and I rely upon secondhand information when I say that the original investment, high as it was, has been realized by the cotton growers, or most of them, upon one crop, or certainly not more than two. This year their production is far in excess of the preceding year. The prospects, I presume, at the time the crop was planted indicated another golden year, but unfortunately this period of depression has come over the world and paralyzed consumption. The Arizona cotton planters and the California cotton planters, in common with all others, find themselves confronted, as the Senator from Arizona says, with bankruptcy.

Hence they rush to the American Congress and implore it to place a virtually prohibitory duty upon the competing product, that they may shift their losses to the backs of the American consumers.

Mr. WILLIAMS. Mr. President, will the Senator from Colorado pardon an interruption for a moment?

Mr. THOMAS. Yes.

Mr. WILLIAMS. If I have understood correctly, he is quoting the junior Senator from Arizona as saying that the cost of the production of the cotton referred to was 60 cents a pound?

Mr. THOMAS. The Senator from Montana made the statement that the junior Senator from Arizona had informed the Senate a day or two ago that the cost of the production of this cotton was 60 cents a pound.

Mr. WILLIAMS. If that be true, and if the growers of that cotton produce 300 pounds per acre, which would be about three-fifths of what the Yazoo delta in Mississippi produces, that would be a protection of $180 an acre per annum.

Mr. THOMAS. Why should it not be if that amount of protection is necessary to shift the loss confronting those gentlemen from their own to the backs of other people? It is perfectly legitimate if this bill is legitimate.

Mr. WILLIAMS. Of course; but I was merely illustrating the fact that when it is desired to give a man who is farming a protection of $180 an acre when he owns, let us say 30 acres or something like that, it is pretty nearly supporting him independently of his work.

Mr. THOMAS. Yes; that would follow. I concede the necessity for the amendment of the Senator from Arizona, if it be the duty of the Congress to insure all producers against the vicissitudes of misfortune and adversity.

Mr. WILLIAMS. And against their own speculation.

Mr. THOMAS. And against their own speculation, for it was a speculation.

Mr. POMERENE. Mr. President——

Mr. THOMAS. I yield.

Mr. POMERENE. Is it not a fact as to the long-staple cotton, as it was to the remainder of the cotton of the South, that its producers held it for higher prices at a time of declining prices?

Mr. THOMAS. I do not know as to that, and not knowing I do not care to express myself upon it. It is the natural tendency, however, with all of us to do so, if the prospect at all justifies it.

It is particularly true of those engaged in speculative production for producers to hold their commodities for a good market.

The Tariff Commission in its "Survey of the American raw-cotton industry," has this to say; I read from page 6 of its report:

> Long-staple cottons are essential for two purposes: The production of fine counts and the production of yarns of any count where strength and superior wearing qualities are necessary. Of the long-staple cottons that measure over 1¼ inches in length, Egypt is the only large source, having a crop that averages around one and a quarter million bales. England is the main producer of fine yarns, and for a good many years English fine spinners have been searching in vain for a new source of supply, as the demand for long-staple cotton has been exceeding the supply. In recent years the sudden upgrowth of the tire-fabric industry, particularly in the United States, has rendered the situation much more acute by using increasing amounts of long-staple cotton in the production of coarse counts.

Mr. President, I have statistics somewhere of the condition of the rubber industry. I recall, among other items, one showing that the price of rubber has fallen from about 35 to 19 cents a pound, and as a result the rubber industry of the United States has become paralyzed. The great manufacturers of tires in the city of Akron, that being the principal industry of that great community, have been so badly stricken by the depression that I am told the population of that city is scarcely 60 per cent of what the census gave it last year; while the companies themselves, to use the expression of my friend from Arizona, "are confronted with bankruptcy." They can not buy any more of this cotton of which they are the principal consumers. Now, what would be said of those great rubber manufacturing companies if they should come to Congress and ask it to pass a law enabling them to transfer their losses from themselves to the people at large?

Mr. WILLIAMS. They will do so in the next Congress.

Mr. THOMAS. I do not know why they should not, if that be our legislative duty.

Mr. POMERENE. Mr. President——

Mr. THOMAS. I yield to the Senator from Ohio.

Mr. POMERENE. If the Senator will permit me, in view of the fact that he has referred to the rubber industry, I desire to say that nearly all of those plants are running at, perhaps, about 25 per cent capacity. I know that one of the plants that usually employs about 30,000 men, a few weeks ago only had in its employ about 7,000 men, so that there are now 23,000 men who are out of work. Certainly we ought to do something to guarantee them their wages as well while we are passing this proposed legislation.

Mr. THOMAS. Certainly, if the wave now sweeping over the country is to wash this great Nation upon the shores of paternalism, we have no right whatever to limit our governmental operations to a few of its chosen people. It is idle to say that the producers shall be guaranteed against all loss, while those who are unemployed because of depressed conditions and the consumers generally shall be outside the pale of such governmental solicitude.

Mr. POMERENE. I should add, also, that we have just taken care of the people who are out of employment by adding 2 cents a pound to the price of the meat which they eat.

Mr. THOMAS. Yes; they must pay 2 cents a pound more for meat; 40 cents a bushel more for wheat; and before we get through with the bill all the necessities of life will be similarly overburdened.

The tire industry when in operation is a great consumer of and therefore a great customer for long-staple cotton. Should we adopt this amendment it must have a compensatory duty of 30 cents a pound to enable it to compete with the foreign manufacturers of tires, who will get the Egyptian cotton free of duty. There are said to be six or seven million automobiles in the United States, each of which requires four tires. I leave it to others to calculate the added cost to the public patronizing that one industry consequent upon the effort to guarantee the product of less than 50,000 people in the States of Arizona and California. Resuming the reading of the report:

> In Commerce Reports of February 20, 1920, there are set forth the results of an investigation by the British cotton-growing committee which shows that while the world is dependent on the United States for its supplies of ordinary cotton, supplemented by coarser grades from India and China, Egypt still remains the only large source of the long-staple cottons needed by English fine-yarn mills.

Mr. President, we imported last year—we had to do it; our manufacturers were obliged to do so because they could not get the supply elsewhere—some 690,000 bales of foreign cotton.

Mr. WILLIAMS. The Senator must remember that the Egyptian bale of cotton does not weigh as much as the American bale; it only weighs about half as much.

Mr. THOMAS. I did not know that. What is the weight?

Mr. WILLIAMS. A bale of cotton in the South weighs 500 pounds, while the Egyptian bale weighs 250 pounds, I think. I will ask the Senator from Florida [Mr. FLETCHER]. Perhaps the weight of the Egyptian bale is 125 pounds?

Mr. FLETCHER. It is, I think, 400 pounds.

Mr. WILLIAMS. I think it is 250 pounds.

Mr. FLETCHER. May I interrupt the Senator from Colorado to say that the statistics are based on pounds; and the number imported during the 11 months ending November, 1920, was 287,040,596 pounds, valued at $134,986,447.

Mr. THOMAS. I thank the Senator. The Senator from Louisiana [Mr. RANSDELL], however, some time ago, made the statement upon the floor that the importations of cotton last year were 690,000 bales, as I remember.

Mr. RANSDELL. Yes, sir; and I have in my hand a letter from Mr. Henry G. Hester, secretary of the New Orleans Cotton Exchange, who is recognized as the best cotton statistician in the world, in which he says:

> Last year there were imported 700,000 bales: Egyptian, 485,000; Chinese, 57,000; Peruvian, 64,000; Indian, 14,000; Mexican, 65,000; and all others, 15,000; a total of 700,000.

He makes the total 10,000 more bales than the figures given by me. As I desire to be entirely fair, I will say that Mr. Hester further states:

> This total compares with 201,000 bales for the 12 months ended July 31, 1919, and 221,000 bales for the corresponding period in 1918.

Which shows that there was a great deal more than the average imported last year.

Mr. WILLIAMS. Does he give the weight of the Egyptian bales? The weight of the Peruvian bales is one thing and of the Egyptian another.

Mr. RANSDELL. He does not state what the Egyptian bale weighs, but his figures are stated in the equivalent of 500-pound bales.

Mr. WILLIAMS. The Egyptian bale is about half the weight of the American bale, I think.

Mr. THOMAS. According to the statement of the Senator from Louisiana more than one-half of the importations for last year were from Egypt.

Mr. RANSDELL. That is correct.

Mr. THOMAS. Now, taking even figures and assuming that 400,000 bales of the Egyptian cotton were needed by American manufacturers for their fabrics, and then assuming that they will need as much more next year, if we impose upon that commodity a duty of 30 cents a pound, which at 500 pounds to the bale would amount to $150 a bale, and which, of course, would be figured in the overhead expenses of the manufacturer, what will the price of cotton goods be to the American consumer next year? Shall we impose such a duty or any duty because the Arizona and California cotton growers miscalculated the mar-

ket, because in a business gamble they lost instead of won? Mr. President, if the Congress has reached that low degree in its deliberations as a legislative body, then it would seem to have reached the level where its usefulness is no longer observable, for it has become an agency for increasing the burdens of 105,000,000 consumers upon the pretense that some needy industries would otherwise be destroyed or disappear.

Mr. SMITH of Arizona. Will the Senator yield to me for a moment?

Mr. THOMAS. I will yield in a moment. I quote further, as follows:

> The import of Egyptian cotton during the fiscal year ending June 30, 1920, was more than double the normal. With the subsequent decline in domestic prices and curtailment of mill consumption the stock on hand of Egyptian cotton has become so much in excess of requirements as temporarily to stop imports. During the month of October, 1920, the import of Egyptian cotton amounted to only 3,675 pounds, equivalent to 7 bales of 500 pounds each.

I now yield to the Senator from Arizona.

Mr. SMITH of Arizona. From the best information I can obtain from the colloquy on the floor, there were 480,000 bales of long-staple Egyptian cotton imported into the United States in the period referred to. Does the Senator from Colorado know how much Great Britain made on the exchange between the countries in getting that cotton from Egypt and putting it on our market, and does he know how much of that cotton is still held as a menace to the sale of what may now be in the cotton fields in this country?

Mr. THOMAS. No; I do not; and, with all due respect to the Senator, I do not care what it made. The cotton commanded the prevailing price at the time and no more.

Mr. SMITH of Arizona. That is what I thought was the matter with the Senator.

Mr. THOMAS. That may be, but it is a matter of indifference to me what Great Britain made or whether she made anything. She is suffering quite as acutely as we are and from the same causes.

Mr. SMITH of Arizona. Is it also a matter of indifference to the Senator what Americans are losing?

Mr. THOMAS. Not at all. I am too deeply concerned about it to deceive the unfortunate by pretending that this bill will relieve them. But, as regards the bill, it is a matter of total indifference to me what profit Cuba is making on her American imports or what France or other countries are making. I hope they are making something, because if not, they will become more and more our debtors and may become objects of our charity.

Mr. SMITH of Arizona. But the course being pursued by the Senator from Colorado would make us not only assume our own debts but pay theirs.

Mr. THOMAS. Not at all.

Mr. SMITH of Arizona. The Senator is willing that other countries shall make money out of this product, but he will not listen to the suggestion of our saving a cent.

Mr. THOMAS. Not at all, Mr. President. The Senator's inferences are obviously misleading. The one argument, aside from the unfounded assertion that these industries are facing destruction, is that some other country is making money out of America. Well, what is international trade for and how long will it endure if it does not give opportunities for mutual profit? How will you continue international trade if all countries engaged in it are losing all the time and the other is making all the time? How shall we retain markets to sell our goods in if we destroy the market for the goods which others sell us in exchange therefor?

Mr. SMITH of Arizona. Will the Senator permit one more interruption? Then I will not bother him further.

Mr. THOMAS. The Senator is not bothering me at all. I yield.

Mr. SMITH of Arizona. The Senator misconceives the object of my question.

Mr. THOMAS. I am sorry if I do.

Mr. SMITH of Arizona. The Senator arrives at a false conclusion from the premises that I have at least in my own mind, whether I clearly express them or not.

Mr. THOMAS. That is highly probable. I am not infallible.

Mr. SMITH of Arizona. I was complaining that we had not so much a right to complain of what Great Britain happened to make on a trade, but how much of this trade made through Great Britain was a burden on our people at home, and permitting her, through her trade with Egypt, to buy long-staple cotton at reduced prices and send it to the cotton market of America to be held, as it is held to-day, as a menace against not only the long-staple cotton but all the balance of the cotton.

The Senator is no more liberal a free-trader, if you please, than I am in every particular, and for that reason I hate to see this matter become confused with the question of protection. There is no protection in 6 cents a pound. All this is a fraud, in my opinion.

This proposal to help people by making other people pay for it temporarily is not any remedy at all for present conditions. I am for an absolute, straight-out, square prohibition against the importation of long-staple cotton during the life of this bill, and until we have a chance to unload the great crop that is now unpicked in the field. Twenty-five cents a pound less than it has cost to make it is the best price that is offered to the people who have raised that cotton; and, as the Senator has well said, almost the front yards of those people have been put into cotton.

That, however, does not touch the question. Every man works for a living, and for what profit he can make. Suppose they did overplay. It was a question of their holding that cotton for a fair sale against an unfair sale through England that England might gain the profit, and the profit also to those men in America who were able to hold the cotton against the sale until the present crop was not worth picking. That was my only complaint; and I am not asking that this country pay anything when I say, "Do not let it come in at all." If they do not need ours, they will not buy it. If they do need it, they will.

That is the position I take in the matter. I am not for any of this alleged protection in any shape. I never was; I never will be; and my protest against this bill is that it is a fraud, under the guise of a beautiful protection, to do nobody any good, as New England will see very plainly as soon as this bill passes.

Mr. THOMAS. Mr. President, I have the highest respect for Republicans who are protectionists and make no pretense about it. I always know where to find them. I do not want to offend anybody, certainly not friends who are as dear to me as every Member of the Senate on this side of the Chamber; but, with all due regard to their feelings, I must say that I can not respect the intellectual processes of a man who calls himself a Democrat and who supports a bill like this. No doubt they have the same opinion of myself; I do not know; but for God's sake let us be fish, flesh, or fowl. Let us be either for this bill or against it. Let us accept the Republican theory of prohibitive protection or repudiate it, as we always have heretofore, whether some local interest is involved or not.

The great trouble with the Democratic Party is that during its long exile, and frequently while in power, when face to face with its duty, it has failed to measure up to its principles and its duty. I think that is one reason why we were so miserably defeated at the last election. If we had made our campaign upon undoubted Democratic principles and sloughed off many new doctrines, both international and domestic, although we might have lost the election, I am confident the minority on this side of the Chamber would have been somewhat more respectable in numbers than it will be in the next Congress.

I do not regard the importation of Egyptian cotton into the United States as imposing any burden upon the people. We bought it because we had to have it, and the reason why there is an excess now is the same reason for an excess of everything else in this country—the utter collapse of the purchasing side of the market; the fundamental and inexorable operation of the law of supply and demand, which even this Congress, in the plentitude of its power, can not repeal, although it has tried to do so a number of times.

Mr. STANLEY. Mr. President——

Mr. THOMAS. I yield.

Mr. STANLEY. Is it the contention of the advocates of a duty upon long-staple cotton that under normal conditions the cost of production of that cotton in the Imperial Valley in Arizona is greater than the price of the imported Egyptian cotton in the open market?

Mr. THOMAS. That is the contention at present; yes.

Mr. STANLEY. If that be the case, as I understand, the areas in which this cotton is raised are watered by the Roosevelt Dam and other great constructions built by the Government, and we have gone to hundreds of millions of dollars of expense to build them.

Mr. SMITH of Arizona. I deny that. They were not built by the Federal Government, because we are going to pay back every dollar spent for building them.

Mr. STANLEY. They were built by the Government.

Mr. SMITH of Arizona. No; they were not built by the Government. They were built on a loan that we are paying off very rapidly.

Mr. STANLEY. I will say to my friend from Arizona that it is as broad as it is long, if we have to give them the money to pay it in the way of a 30-cent duty.

Mr. SMITH of Arizona. But we have to pay it back.

Mr. STANLEY. If you levy this duty, that will be the case; but I started to say that the Government has retrieved this land for the purpose of enabling people to go into an admittedly unprofitable business at the cost of the consumers of long-staple cotton generally.

Mr. THOMAS. That may be, Mr. President. I will not now take issue with my friend. He may be right, but the question which he asks I do not think can be answered except by stating what the present contention upon the subject of cost may be.

I do not believe that the Egyptian cotton industry has been in existence in the Southwest long enough to enable anyone to determine what the cost of production is, because production costs, like all others, have since the commencement of this war been abnormal, and that industry covers the period of abnormality. I stated some time ago—the Senator may not have been in the Chamber—that the principal sources of the labor are the Indians and the Mexicans, who constitute there the cheapest form of labor.

Now, I sympathize with these people. I am sorry to see them lose money. I know they are in distress.

Mr. STANLEY. Mr. President, if the Senator will excuse another interruption, it strikes me that this phase of the question is broader than its effect upon a few thousand bales of cotton.

Mr. THOMAS. I have so stated.

Mr. STANLEY. If the western lands are irrigated—and I am in favor of irrigation—at the initial cost of the Federal Government, it is done for the purpose of supplying a fertile area for the production of essential foodstuffs or other essentials. Now, if these artificially retrieved lands, made productive at the cost in the first place, at least, of the taxpayers—and but little of that money has ever been paid back—are again to be hothoused by a protective duty, the whole system fails, and we had better leave the barren waste than to have to support by taxation the people who go to it.

Mr. WILLIAMS. This is a proposition to protect a man against the misapplication of his land to something he did not profitably grow.

Mr. THOMAS. Yes; that and the abortive outcome of his judgment combined. I think the Senator's position is extremely plausible.

Of course, the fund from which this land was reclaimed is formed by the sale of public lands, although many attempts have been made to supplement it with appropriations. As the Senator from Arizona says, the settler upon these lands must over a period of years refund that amount to the Government; but, as the Senator from Kentucky says, if the Government is first to reclaim these lands artificially and is then to hothouse them by the imposition of a prohibitory tariff upon their products, and which will constitute an enormous burden upon their consumers, then perhaps it might have been just as well, from the standpoint of dollars and cents, that the enterprises of reclamation had never been started. I do not say they should not have been. I am glad they have been.

Mr. STANLEY. In this case, to illustrate, it is infinitely worse. You produce 64,000 bales, as I understand, and you import three or four times that much. You have been paying to the Arizona and California cotton producers not 30 cents a pound but $1 a pound, because the consumer is going to pay the increased cost not only upon the Arizona and California product, which is a modicum, but upon all the long-staple cotton consumed.

Mr. THOMAS. So I contended a few moments ago.

I was about to say when interrupted that I am as heartily in sympathy as anyone can be with the man who suffers, who sees his plans dissolve and disappear, and who anticipates golden returns from his efforts and from his enterprise only to confront loss and misfortune. There is no question but that he is entitled to sympathy; but sympathy is one thing and the taxation of the people of the United States by these enormous duties for the recoupment of these misfortunes is quite another.

Mr. DIAL. Mr. President——

Mr. THOMAS. I yield.

Mr. DIAL. As I understand, it has been stated in debate that the farmers were guilty of speculation because they did not sell their cotton last fall. I think that is an unjust accusation.

Mr. THOMAS. I did not say so.

Mr. DIAL. I thought the Senator from Ohio [Mr. POMERENE] said so, and the Senator from Colorado agreed with him.

Mr. THOMAS. I have not made that charge. I do say—and I do not think there is any question about it—that a great deal of the wool of the country, much of the cotton, and much of the live stock was held for better prices. I do not regard that as criminal or as disreputable.

Mr. DIAL. The reason why they did not sell was that they could not get it out; they could not get it ginned; and if it had gone on the market it would have depressed the market more rapidly.

Mr. THOMAS. The statement has been made on this floor several times, and, as far as I know, it has not been questioned. The Senator from New Mexico [Mr. JONES] told the committee that a good many of his constituents held back their live stock for the Chicago market to await a Republican victory; that is, until after the election. Their mental process probably was that a Republican victory was the equivalent of rising prices, and, as a consequence, they could safely rely upon that sequence of cause and effect and withhold their cattle. But, unfortunately, there again their judgment was misplaced.

Mr. DIAL. We knew they would soon repent of their action.

Mr. THOMAS. And, as a consequence, they were not able to secure the prices which could have been secured had the normal course been followed and the cattle been sold earlier.

I do not complain of that. No man living who can afford to do so but will hold his stock of goods, whatever they may be, for better prices, if better prices are probable. That is good business judgment and common sense. But if he does miscalculate, and misfortune comes, why should I be compelled to make his loss good?

Mr. SIMMONS. I would like to say to the Senator from Colorado that I do not think there has ever been any question in this country about the American producer of long-staple cotton competing with the Egyptian producer. It does not make any difference whether the Egyptian cotton can be produced cheaper than our cotton or not, by reason of the fact that Egypt alone, of all the countries of the world, produces this long-staple cotton, but only produces about a million and a half bales of it, and Great Britain requires every pound of it, needing every pound of it in the manufacture of her high and costly cotton goods, which has raised the Egyptian product to a point which is sufficiently remunerative to attract the American grower of cotton. That cotton has always commanded a very high price in the market. It has always commanded a price that to Americans would be a very remunerative price. The slump in the price of long-staple cotton in this country has not been due to the importation of Egyptian cotton at all.

It has been due to other causes, and the evidence of that is contained in the fact that short-staple cotton in this country, against which there are no importations from any quarter of the globe to amount to a bagatelle, has slumped in price just about in proportion to the slump that has taken place in the price of long-staple cotton. The cause of that slump in the price of short-staple cotton was not importations, neither is the cause of the slump in the price of long-staple cotton importations. Both have slumped, and both have slumped from the same cause. If the slump in long staple was the result of importations, and that was the only reason operating in fixing the price of cotton in this country, and the only cause of the slump of cotton in this country, then the short-staple cotton would not have slumped; but, as a matter of fact, they have both slumped, and slumped about in the same proportion.

Mr. THOMAS. That is undoubtedly true, Mr. President, and it is equally true of all the productions of man, with the exception of bootleg whisky and postage stamps.

Mr. HEFLIN. Mr. President, the difference in the situation between the short staple white cotton that we produce and long-staple cotton is that no country in the world can produce this character of short-staple white cotton, whereas Egypt and two or three other countries can and do produce a long-staple cotton. I can not agree with my good friend, the Senator from North Carolina, regarding the presence of long-staple cotton. I am sure that the coming of this long-staple cotton into the markets of the United States does depress the price of our long-staple cotton. Its presence in the United States to-day affects that market injuriously. I am opposed to the dumping of this kind of cotton upon the American markets.

Mr. THOMAS. Mr. President, there is no dumping of long-staple cotton in the United States; absolutely none. There is no dumping of the long-staple cotton in the United States or in any other country. Anybody who knows anything about the business—and I know very little—will say, and support it by the statistics, that the supply of the long-staple product is to-day insufficient to meet the demand. What is called the dumping of this cotton upon our market is due to the fact that we have an unusual supply at the present time because of the depression in business and in manufacturing.

Mr. HEFLIN. Some Senator has said that we have on hand quite a supply of long-staple cotton.

Mr. THOMAS. We have.

Mr. HEFLIN. If we have quite a supply, more than we need, and the bulk of it brought in from foreign countries, does not the Senator think that that is dumping it upon the markets of America?

Mr. THOMAS. If the Senator's premise were correct, his conclusion would be unavoidable. But, Mr. President, the surplus of which he complains is due to the closing of our mills at the present time, and they were not closed because we have too much cotton; they were closed because they could not sell their goods.

Mr. SMITH of Arizona. Does the Senator contend that our mills use Egyptian cotton?

Mr. THOMAS. Certainly.

Mr. SMITH of Arizona. Where?

Mr. THOMAS. They use it in manufacturing the products of rubber.

Mr. SMITH of Arizona. But where do they use it on the looms?

Mr. THOMAS. It is used to a certain degree.

Mr. SMITH of Arizona. It does not come in competition with American cotton at all.

Mr. THOMAS. Certainly it does. Long-staple cotton is long-staple cotton, I do not care where it comes from.

Mr. HEFLIN. I would like to have the Senator tell me of a single cotton mill in the United States using this long-staple cotton which has closed its doors and ceased to operate.

Mr. THOMAS. Many of them have closed down and many others have decreased their forces, and they are running, as compared with their full force, a very small one. If the Senator, however, will extend his question so as to take in the great tire manufacturers of the country, then I refer him to the statement made by the Senator from Ohio [Mr. POMERENE] just a few minutes ago.

The dumping of goods upon a country, Mr. President, is a practice which is familiar to many, perhaps to all. It is entirely distinct from the importation of raw material that is indispensable to domestic manufacturers, and because the industry is confronted with a period of depression in consequence of which it is unable to function normally. Then, while it will have for the time being a surplus of raw material upon its hands, to call that dumping is contrary to all my notions of what the term implies and of the practices for which it is used.

But, Mr. President, I did not intend to take the afternoon in the discussion of this matter. Before I take my seat, however, I want to read into the RECORD an extract from an article in the American Review of Reviews for February entitled "What makes the far West grow." I read from page 184.

The middle West has not added an important new product to its list of staple crops for 30 years, since alfalfa was introduced. The far West in the past decade added two economically most important staples to its agricultural output. In 1910 the Pacific coast produced not a pound of rice; in 1920 California's rice crop amounted to 3,000,000 sacks of 100 pounds each, grown on stiff clay land considered almost worthless 10 years ago. But even more important an achievement of the Department of Agriculture is the successful development of a high-class long-staple Egyptian cotton variety adapted to the conditions prevailing in the valleys of the Southwest.

Let me now emphasize the next sentence:

In spite of the present depression the fact remains that the world is short of cotton.

In my judgment, there is no question about the truth of this assertion.

Long before the war British textile interests were determinedly trying to establish new cotton-producing centers in many parts of the British colonial empire, but without great success. Now the Southwest has demonstrated that it can produce in competition with Egypt long-staple cotton ideally suited for the manufacture of tire fabric and airplane cloth in quantities sufficient eventually to supply all American needs. A decade ago the cotton industry in the Imperial Valley of California, in the Yuma and Salt River Valleys of Arizona, was just beginning. In 1920 the output of long-staple cotton alone reached more than 100,000 bales. The growth of Phoenix, Ariz., from 11,134 in 1910 to 29,053 inhabitants in 1920 is in large part due to the stimulus of long-staple cotton profits.

Yet in the writer's judgment too rapid a growth in the rice and cotton output is not an unmixed blessing for the West. The factor that is the backbone of the agricultural West, that will make continued growth of the agricultural population and output possible for a century to come, is the small irrigated farm intensively cultivated by the owner with a minimum of hired labor.

A truer statement, Mr. President, never fell from the lips of man.

That type of farm has transformed the semiarid wastes of southern California, of the Yakima and Wenatchee Valleys in Washington, of the Snake River and Payette Valleys in Idaho, of the Grand River Valley in Colorado, into the most productive, the most densely populated rural regions in the country. Long-staple cotton, if grown in small patches and rotated properly with alfalfa and other diversified products, is a most desirable new cash crop in the Southwest, but if it is grown on large plantations with armies of hired labor, or if it brings in its train the tenant system of the South, it will injure rather than advance the cause of intensive farming in the far West.

The consequences here outlined have already made themselves felt in the Salt River Valley of Arizona, in the Imperial Valley of California. Short-staple cotton at 40 cents, long-staple American-Egyptian cotton at a dollar a pound, proved too strong a lure to resist. In 1920 the acreage more than doubled as compared with 1919; thousands of acres of alfalfa were plowed up; the live-stock and dairy industries were relegated to the background for the sake of prospective cotton fortunes.

In other words, fields producing alfalfa in that magnificent climate, four or five or six crops a year, were plowed up and relegated to the background to make room for cotton.

From 116,000 bales in 1919 the California-Arizona output rose to 260,000 bales in 1920, but the profits did not materialize.

This year the cotton area of the far Southwest will be cut in half. 'Tis better thus. If southern farming methods constitute the price the West has to pay for the new crop, it would be better to import a triple-strength weevil to eradicate every boll. But the lesson has been learned, and rational cotton progress is to be expected.

Mr. President, I know, of course, that this amendment is doomed to passage, not the amendment of my friend the Senator from Arizona [Mr. ASHURST], but the amendment fixing the rate at 7 cents. I know, as stated by the senior Senator from Arizona, that it will be productive of no benefit whatever, because if it is to amount to anything it must be prohibitory, and it can not be prohibitory at less than 30 cents a pound. If the Congress in its wisdom shall determine that the importation into this country of a needed raw material is to be practically prohibited, or penalized at a price per pound sufficiently high to produce or tend to produce a price for the American product which is the equivalent of 90 or 95 cents or a dollar a pound, or any price over and above the cost of production, well and good; but will the party or the interest which becomes responsible for that sort of legislation be permitted to remain long in power in this country?

Mr. SMITH of Arizona. Mr. President, is it in order to offer an amendment, with a view to having it pending, to this paragraph?

The VICE PRESIDENT. It is in order to offer an amendment to the amendment.

Mr. SMITH of Arizona. It is an amendment that I propose, and that I would like to have read and printed in the RECORD, to be called up at the proper time. It is an amendment to this subdivision and not an amendment to the amendment.

The VICE PRESIDENT. The proposed amendment will be stated.

The READING CLERK. On page 3, at the end of line 11, the Senator from Arizona moves to amend by inserting:

Cotton having a staple of 1⅛ inches or more in length shall not be admitted into the United States from any foreign country during the 10 months succeeding the enactment of this bill.

The VICE PRESIDENT. The amendment will lie on the table.

ADDRESS BY GOV. JOHN M. PARKER, OF LOUISIANA.

Mr. GAY. Mr. President, I ask consent of the Senate to have printed in the RECORD an address delivered by the governor of Louisiana, John M. Parker, before the Southern Tariff Congress, held in Atlanta, Ga., on January 27, 1921.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

[Address by Gov. John M. Parker, of Louisiana, before Southern Tariff Congress, held in Atlanta, Ga., Jan. 27, 1921.]

"ATLANTA, GA., *January 27.*

"The preparation of a protective tariff on agricultural products, more particularly a tariff differing with the various countries with which the United States deals, commensurate with the relative difference in the cost of labor and the amount of wages and standard of living in each of these various countries, was the principal recommendation urged for immediate enactment before the Southern Tariff Congress here by Gov. John M. Parker, of Louisiana, to-day. Gov. Parker also stressed the necessity of the rigid exclusion from this country of undesirable immigrants.

"One of the principal features of the address of the Louisiana executive was the point he made in declaring that America had permitted manufacturers to build up vast fortunes through protective tariffs on manufactured products, and that now it was time to save the farmers from ruin by placing a protective tariff on agricultural products to keep the strong, clean, vigorous, and self-respecting American workingman from coming into competition with foreign pauper labor."

Gov. Parker said:

"To-day there is no class of people in the world more disheartened, discontented, and unsettled than those who, by their own efforts, produce the essentials to feed and clothe the world. Under the spur and impetus of Government appeals and their natural patriotism, they not only subscribed to Liberty bonds, which many have been forced to sell at a heavy discount, but went the limit in the production of foodstuffs of all kinds and of live stock.

"FARMER FACES RUIN.

"America stands as the richest Nation on the face of the globe, with granaries full to overflowing of products raised under the most expensive conditions ever known, and the American farmer, representing the real lifeblood of America, faces ruin due to the fact that he is in direct competition with the underfed, underpaid, and ignorant agricultural labor of the balance of the world.

"For many years, under the plea of 'infant industry,' an enormous protective tariff has been utilized to build up vast fortunes for the great manufacturing concerns of the East. Little or no heed has ever been paid to the farmer or laborer. The cry of the free breakfast table has been used as a slogan, and the importation often of the scum of Europe has been used as the club to drag down the American working man and woman. These conditions must not and shall not exist.

"It is little short of crime to compel the self-respecting American workman to come in competition with the labor of the driven moujiks of Russia, of the padrones of Italy, or of that class from central Europe who have been crushed by centuries of their toil and labor with no thought for the future and simply an effort to exist; and, for that reason, Congress at its next session should pass stringent laws against permitting this country to be the home of those who tear down, and many of whom never have, never will, and never can assimilate, American views or American ideals.

"Even more important is the proper protection of our agriculturists from that competition which they must face and which means bankruptcy unless a proper tariff protection shall be made against those countries whose mode of living, customs, and wages are so inferior to the American standard.

"COTTON MAN NEEDS HELP.

"It is unfair to the cotton producer to come in competition with the people of Korea and China, with their peanut oil and for their soy-bean oil prepared under most insanitary conditions to come into competition with our clean, wholesome cottonseed oil. And it is equally unfair for the producers of cotton to be on a parity basis with the producers in Egypt who represent the lowest class of labor and who have neither pride of ancestry nor thought of posterity, or to come in competition with the natives of India who live on a few cents a day and whose only garment is a breechclout and turban.

"It is equally impossible for our rice producers to come into competition with the people of the Orient, whose needs are very limited, whose wages are the lowest known, and who live where men and women alike work like beasts of burden.

"Our sugar producers, representing both the beet sugars of the Central and Middle West, and the cane growers of the South, whose work was a blessing during the war when we would have gone without sugar but for their labor, are forced into competition with the people of South America and Cuba; and within the last few weeks I have seen trainload after trainload of Chinamen under contract coming in over the Southern Pacific, carried to Tampa, Fla., and transported to Cuba, where they will work under long-time contract at very low wages, and their product will be sent to this country to come into competition with and pauperize American citizens.

"Those magnificent farmers of the Middle West, who produce wheat, corn, and cattle on land wrested by their ancestors from the wilderness and land which now represents everything, both by intrinsic value and the tender memories and associations it brings to the descendants of those pioneers, can not come into competition with products of the very low-priced lands of the Argentine and other sections whose wheat and corn, pork, beef, and mutton are forcing American manhood where they are absolutely unable to make interest on their investment.

"The vast forests of Central America, filled with hardwood and pine, will be a great competitor to our lumber interests just as soon as adequate transportation is furnished. The list is long, very long, and time will prevent going into details, but intelligent action must be taken, and promptly, if we are to avert the dangers sure to come otherwise.

"We should have an intelligent, nonpartisan committee to make a careful study of conditions of those countries with which we do business.

"We should see to it promptly that the undesirable pauper labor of Europe is not permitted to come to America in hordes and create dissatisfaction and certain trouble.

"No anarchist or bolshevist or any people of that type should be permitted to enter, under any conditions, no matter what position in life they may occupy.

"The country should, after careful study, prepare a tariff with those various countries commensurate with the relative difference in the cost of labor and the amount of wages and the method of living of each country, and power should be given to change any such regulations as often as may be needed after a reasonable notice.

"Every effort should be made to improve agricultural conditions by the maximum in order to assure the farmer and his family that happiness and contentment which can only come when they are earning a living and putting aside something for the rainy day sure to come.

"LABOR AND CAPITAL.

"Labor and capital should be compelled to recognize the rights of each other, and some intelligent plan should be worked out by which, after capital receives a fair interest and the salaries of executives and others are paid, a fair distribution out of any surplus should be made to labor which would feel its best energy should be applied to business in which it had a direct personal interest.

"Men of vision and forethought should be willing to put aside personal ambition to be of real, practical service at this period.

"For nearly 150 years we have successfully confronted and handled every problem presented. America is to-day the wonder of the world for real accomplishments. We should work to maintain the high standard and ideals this Nation has established, and our slogan should be 'America for Americans,' and we should make an earnest appeal to thinking men: 'Devote your brain, time, and energy to bringing peace, contentment, and happiness to the hundred millions of our citizens by assuring them protection where protection is needed.'"

MILITARY NOMINATIONS.

Mr. WADSWORTH. Mr. President, I ask unanimous consent, as in open executive session, that there be referred to the Committee on Military Affairs the nominations for promotions in the Army from the grade of first lieutenant up to and including the grade of colonel.

The VICE PRESIDENT. Is there objection?

Mr. UNDERWOOD. I think that ought to be agreed to, but I hope that when it is agreed to the Senator will allow me to ask for the reference to his committee of the nomination of a general in the Army who will go out of commission if his nomination is not referred.

Mr. WADSWORTH. I intended to ask that specifically.

Mr. UNDERWOOD. Very well.

Mr. ROBINSON. Why will not the Senator have all of the nominations referred to his committee? The committee can take such action upon the nominations as it desires to take, or refrain from acting, but I do think that at least enough consideration should be shown to these nominations to give the committee an opportunity to pass upon them. The Senator from New York does not object, I take it, to all the nominations being referred to his committee?

Mr. WADSWORTH. I have no suggestion that there would be objection to it, but there is no doubt that objection would be made, if I should include that in my request.

Mr. ROBINSON. I ask unanimous consent that all nominations for promotions in the Army be referred, as in open executive session, to the Committee on Military Affairs.

Mr. SMOOT. I object, Mr. President.

The VICE PRESIDENT. Objection is made. Is there objection to referring to the Committee on Military Affairs the nominations from the grade of colonel down to and including that of first lieutenant, as requested by the Senator from New York? The Chair hears none, and the nominations are so referred.

Mr. WADSWORTH. I now ask unanimous consent, as in open executive session, that there be referred to the Committee on Military Affairs the nomination of Brig. Gen. Frank McIntyre to be Chief of the Bureau of Insular Affairs.

In making the request I have this very brief explanation to make. It so happens that when Gen. McIntyre was nominated and confirmed as Chief of the Bureau of Insular Affairs, approximately eight years ago, it was necessary for him, under some peculiar twist in the law or his own situation at that time, to surrender his commission in the Army of the United States. Since that time he has not held a commission in the line or the Staff Corps proper of the Army. He has held a commission as brigadier general, Chief of the Bureau of Insular Affairs. If he should not be confirmed by March 4, he will be out of the Army entirely, a result which I think no Senator would desire to see brought about. It is for that reason that I make the request.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. Mr. President, just a moment. I think I had a letter the other day, and I brought it to the attention of the Senator from New York, with reference to this particular case. Does the Senator remember whether it was the McIntyre case or not?

Mr. WADSWORTH. The case of Gen. Lord has been brought to my attention in addition to that of Gen. McIntyre. That is slightly different. There is no doubt whatever about the case of Gen. McIntyre. That is conceded by all authorities.

Mr. ROBINSON. Will the Senator from New York submit to an inquiry?

Mr. WADSWORTH. Certainly.

Mr. ROBINSON. Is it the purpose of the majority to refuse to permit nominations for promotion to the rank of brigadier general and nominations for promotion to the rank of major general to be referred to the Committee on Military Affairs?

Mr. WADSWORTH. I am not authorized to speak for the majority, but I have most definite information that several Senators will impose an objection to the confirmation of nominations for brigadier general and major general. In order to save time and to save a discussion of the matter and to go as far as we can by unanimous consent, I have confined my request to the nominations for the grade of first lieutenant and up to that of colonel.

Mr. ROBINSON. Mr. President, I do not intend to make any objection to the request of the Senator from New York, but I would like to be informed whether the other nominations are to receive no consideration whatever. The point I am making is that, the nominations having been sent to the Senate, they should at least be referred to the committee and the committee be given an opportunity to consider them. I should like to direct my question to the Senator from Massachusetts [Mr. LODGE]. I ask him if it is the policy of the majority to deny an opportunity to refer the remaining nominations to the Committee on Military Affairs?

Mr. LODGE. If we begin to refer nominations, they will all have to be referred.

Mr. ROBINSON. What is the objection?

Mr. LODGE. As far as we go is to take up, as the Senator from New York has proposed, as I understand, a certain number of military appointments, routine appointments to which there is no objection, and dispose of them as we did of the original appointments. There will be a very decided opposition to any attempt at this time, I think, to confirm majors general or brigadiers general. I have no personal hostility to anyone on the list.

Mr. ROBINSON. I suggest to the Senator from Massachusetts that the nominations should receive some consideration by the Senate.

Mr. LODGE. That would apply to every nomination and to every committee.

Mr. ROBINSON. The interest of the service would require that these nominations be referred to the appropriate committee and that the committee be given an opportunity to determine whether the military service of the United States would be detrimentally affected by the failure of the Senate to take any action upon them.

Mr. LODGE. I think that will be decided very soon. This is not the last Senate that is going to meet, I hope.

Mr. ROBINSON. I hope not.

Mr. SWANSON. Mr. President, some of these brigadier generals and colonels are officers who have had magnificent service in France. Some of them served during the entire war and were decorated and honored, and they have earned and deserve the promotion. It seems to me to be entirely wrong, in view of their gallant service, not even to have their appointments referred to the committee. Some of these officers feel that the failure is to some extent more or less a reflection upon them.

It does seem to me that the appointments ought to be referred to the committee, both in the Army and the Navy. If there is any dispute or question about any of them, it ought not to be left to the suggestion of a single Senator that the nomination shall go over. In the case of an officer who has won his promotion by nearly two years' service in France, with all the privations and dangers involved, and who has acquitted himself honorably, it seems to me that when his promotion comes here it should be given at least the consideration suggested by the Senator from Arkansas.

Mr. ROBINSON. Mr. President, this is the first time in the history of the Senate of the United States, so far as my information extends, that promotions in the Army have been deliberately made the football of politics. It is the first time in the history of the United States Senate, so far as I know, that officers who have distinguished themselves in the military service of the country have been denied the simple opportunity of having their right to promotion considered by this body.

If these nominations should be referred to the appropriate committee and the committee should find that there exist substantial reasons why they should be rejected and why action upon them should be deferred, then no Senator could complain if the nominations should take that course. But it is a sad day for the military service of the United States and a sad day for the honor of the Senate of the United States when promotions in the Army are made the subject of political influence.

What harm can come to the Senate, what harm can come to the country, if the nominations are referred to the Committee on Military Affairs and considered by that committee? On the other hand, what harm will come to these nominees if they are denied any consideration whatever? We can not deny the conclusion that it is a reflection on every gallant soldier in the list to say that not only shall he not be confirmed, but that his nomination shall not be considered for confirmation.

Mr. THOMAS. Mr. President——

Mr. ROBINSON. I yield to the Senator from Colorado.

Mr. THOMAS. I ask the Senator if it is consistent with any principle about which he has information to refer to the committee promotions below the rank of colonel and refuse to refer to the same committee, which has a Republican majority, promotions above the rank of colonel?

Mr. ROBINSON. No, Mr. President, and that thought was the one which prompted me to make the suggestion that I made to the Senator from New York when he submitted his request for unanimous consent. The Senate will not honor itself and it will not render the country any service, it will not increase the efficiency of the military department, to say that these officers shall be denied a hearing and their names sent down to posterity with the humiliation and disgrace which must attach by reason of the action that is contemplated, denying them even a hearing before the Committee on Military Affairs.

It carries politics far enough to say that nominations for postmasters, who have been selected under the civil-service rules and regulations, shall not be considered. It is going too far for the honor of the military service and for the honor of the Senate of the United States and it is stooping too low.

Take the list of 11 men who have been promoted to the rank of major general—every one of them save two served on the battle front, and are men of distinction, renown, and courage. The same statement applies to the 22 who have been nominated for promotion to the grade of brigadier general.

On what theory, because of what policy, is politics deliberately injected into the Army of the United States? These nominations were not made through political influences. It may be that the list contains some names that ought to be rejected; but in fairness to the others the Senate ought to act. I shall not object to the request submitted by the Senator from New York, but I repeat my inquiry to him in another form, and I ask him to say whether he does not think that all these nominations should be referred to his committee and be considered by that committee? I should like the Senator from New York to answer that question. I have waited, Mr. President, for an answer.

Mr. WADSWORTH. I thought the Senator was going to continue his speech. I will say to the Senator very frankly that I have not the slightest objection to the nominations being referred to the committee.

Mr. ROBINSON. But that is not the question which I asked the Senator from New York. I did not ask the Senator if he objected to their reference. I ask him, as a Senator and as chairman of the Committee on Military Affairs, if he does not believe that all these nominations ought to be referred to and considered by his committee? If he says that he does not, I ask him to say why.

Mr. WADSWORTH. I do.

Mr. ROBINSON. I thank the Senator from New York.

Mr. LODGE. Mr. President, as the Senator from Arkansas has referred to me, I only desire to say that if all Army nominations are to be referred, similar action must be taken with reference to other nominations. No reflection whatever is intended against any man on the list, be he major general or brigadier general. I think, however, in connection with appointments to those important places it is very desirable, as a new administration is to be installed in a month, that it should have an opportunity to look the list over, though not for political reasons. I do not know the politics of a single man who has been nominated. Politics is never brought into any Army matter with me, but the country has not yet forgotten the politics that was used in preventing the service of Theodore Roosevelt in France, in keeping Leonard Wood at home, and in other instances that might be mentioned. There is no thought of politics in this matter; it does not make the slightest difference politically who picks the men out. There has, however, been more or less favoritism, and some injustice done, in my judgment, and I should like to have some one else at the head of the War Department have an opportunity to look over the selections which carry, and I am sure in almost all cases

justly carry, great honor and distinction. I think it is better that the nominations should go over. There is no discrimination meant against these officers. It is what happens as to all nominations irrespective of the committee entitled to consider them.

Mr. SWANSON. Mr. President, I should like to ask a question in regard to naval appointments. I can understand that the chiefs of bureaus who may be appointed ought to be in accord with the incoming administration; I can appreciate why there should be objection to the confirmation of officers nominated to fill these positions; I know if I were Secretary of the Navy I would like to name my own chiefs of bureaus; but as to the other naval officers, their appointments have not been dictated even remotely by political considerations. The law fixes definitely how they shall be promoted. A board of selection passes on them; if they are found qualified they are put on an eligible list, and when put on that eligible list the officer whose name is highest is given precedence in making the appointment. The board of selection is composed entirely of naval officers.

I can understand, perhaps, how the Senator from Massachusetts might have some objection to confirming the nominations of general officers, for the simple reason that after the grade of colonel is passed it is left with the President to select those who shall be made brigadier generals and major generals; but in the Navy a different system prevails.

Mr. LODGE. Let me say to the Senator that there has been no decision reached about the naval appointments; but I doubt very much if they will be referred, because it is not desired to open the whole case. The case of the nominations in the Navy is very different from that of the Army nominations. The Navy nominations are for promotion or for original appointment. It will not make the slightest difference whether or not they are confirmed at this session, because they will hold until the 30th of December of next year.

Mr. SWANSON. The temporary appointments do.

Mr. LODGE. Yes; they all hold; they are not thrown out as the Army officers would be; but that question has not been decided by the committee. I do not think the committee is going to report, and I hope it will not report—certainly it will not do so with my assent—the nominations of officers to take charge of bureaus.

As to the Marine Corps appointments, they have not come in, and will not come in until the 15th of February.

Mr. SWANSON. Now, I should like to say to the Senator that as to the Army appointments, I can see why he might desire perhaps that those above the grade of colonel should not be considered; but it does seem to me that at least the others, where properly made in accordance with Army recommendations, ought to go to the committee. It took us nearly two years to reorganize the Army; it has been two years since the armistice was signed. Practically all of those whose names are on the list were gallant officers. I have received a number of letters setting forth the privations and dangers which they suffered and the records which they made. They ought to have been rewarded long ago, but the matter has been delayed on account of the reorganization of the Army; it could not be adjusted until that question had been settled.

I should like to appeal to the Senator to allow all these appointments to go to the committee. If they go to the committee, a majority of Republicans constitute the committee, and if there is in the list a single political appointment of brigadier general or major general, or if there is one whose record in the opinion of any Senator does not justify the appointment—and most of the records were made in Europe—if there is one who does not deserve promotion, one Senator can hold up his nomination; but it does seem to me that where the Senate is practically unanimous—and it can only work by unanimity in connection with these confirmations—in view of the fact that the reward of these splendid, gallant soldiers has been delayed two years, it is wrong not to let their nominations be referred to the committee, so that the committee may report in cases where there is no opposition.

Mr. LODGE. But the whole list must be gone over, as the Senator well knows, and I think it is much less of a reflection on anybody to let them all stand over. In four weeks or so the nominations will all be disposed of, and without any question the officers will get the honors which they deserve. I think in all likelihood the same names may come back.

Mr. SWANSON. If all these nominations are allowed to go over, I can understand that some officer, perhaps, will feel that there is implied an insinuation to the effect that he was promoted because of personal preference or something of that sort. I do not believe any of them were promoted for any such reason. I have had letters from some of the officers who have been nominated brigadier generals, who have sent me their records in a quiet, modest, and unostentatious way, and I believe there is not a Government in the world, in view of the records that some of these officers have made, which would not have promoted them within 30 days after the war was over. The officers of our Army have been waiting for nearly two years, and now the matter is to be delayed longer. All that is asked in behalf of these officers is that the committee of which the Senator from New York is chairman may be allowed to consider the nominations. If there is anything wrong, he will be able to discover it and hold back any appointments where there is a contest. The committee is dominated by our Republican friends.

Mr. LODGE. It is not a question who dominates the committee. If we are going to send the nominations of any of these officers to the committee we must send all nominations in all branches of the service to the committee. There is no reflection on anybody, but I think when it comes to appointing 33 generals to fill those grades for many months to come that the new President who has been elected should at least have an opportunity of looking over the list.

Mr. SWANSON. We have not asked any action in the case of political appointments. I know what occurred here eight years ago. I am always frank and candid, and I will say that I then helped to filibuster against confirmations for political appointments, such as postmaster. There was a conflict on that occasion; but the Democratic Senators at that time did not endeavor to obstruct the confirmation of military officers, nor did they attempt to obstruct the confirmation of naval officers or officers of the Public Health Service, or in any case where it was necessary that appointments should be made. In all such cases we waived our objection. I ask the Senator to allow the nominations to go to the committee.

Mr. LODGE. The Senator knows that at that time we had not come out of a great war, and that 33 generals were not appointed all at once.

Mr. SWANSON. Yes; but now we have come out of a great war, and we have delayed for more than two years honoring some of those who deserved honor. That is what I protest against. They performed an unusual service; there was unusual gallantry; there was unusual bravery and ability; and yet we have delayed two years rewarding them, and now objections are interposed even to considering rewarding them. I think it is wrong. I think the nominations ought to go to the committee. I shall be satisfied with any report made by the splendid chairman of that committee. If there were any appointment which he wished to have go over, I would not ask to have it confirmed, but there are many gallant officers whose names are on the list, and I feel they should be confirmed.

I repeat, the delay has been already long enough. The delay, in the first place, was occasioned by the action of Congress upon the Army reorganization bill. It does seem to me in bad grace to say that we will not even let the cases of these officers be considered; so I hope the Senator from Massachusetts will relent and allow the Army and Navy appointments, at least, to go to the committees.

Mr. ROBINSON. Mr. President, in my judgment, the Senator from New York, in stating that he thinks, in view of the facts, these nominations ought to be referred to the committee and considered by the committee, has done credit to his fairness and his courage. The Senator from Massachusetts, however, while declaring that there is no politics involved in the course determined upon by the majority as led by him not to give consideration to these nominations, made a declaration which I think is deserving of notice at this time. He implied, if he did not expressly declare, that political considerations controlled the choice of the commander in chief of the American Expeditionary Forces and prevented the sending of Gen. Wood and another as commanders or as officers to France.

Mr. LODGE. If the Senator will allow me, I never meant to imply anything of the sort. Gen. Wood was prevented from going in command of a division; there was no question about the commander in chief; and Col. Roosevelt wanted to go as brigadier general in a division and not in command of a division. Neither was talked of for commander in chief. I never made any objection of that sort. I said if there was any politics it was shown in those instances.

Mr. ROBINSON. The plain implication in the Senator's statement was that the failure to send Gen. Wood and Col. Roosevelt abroad was due to politics. It could have no other meaning. The Senator from Massachusetts is not lacking in ability to express himself either clearly or by innuendo. The only effect of his reference to the failure or refusal to send Gen. Wood abroad was to make the declaration, either expressly or impliedly, that political considerations controlled.

Mr. President, when it became necessary to select a commander in chief of the American Expeditionary Forces the choice rested upon an officer who throughout his career had been a Republican. In selecting Gen. Pershing to command our forces abroad I believe that the Commander in Chief of the Army and Navy of the United States not only did what he thought was his duty to the country but that he acted wisely.

It is a well-known fact that President Wilson sent no general to France that Pershing did not want, and it is equally well known that President Wilson and the War Department kept no officer at home that Pershing wanted. The reason for pursuing that course was not based on political considerations; it was based upon the fact that upon Gen. Pershing rested the gravest, perhaps the sublimest, responsibility that has ever fallen upon a soldier in the United States Army; and let me say in this connection that the policy pursued by the President and by the War Department in sending no officer to France that Pershing did not want, and in keeping no one at home that he asked for, has been vindicated by the result.

Mr. McCORMICK. Mr. President, will the Senator yield for a question?

Mr. ROBINSON. I yield with pleasure to my friend from Illinois.

Mr. McCORMICK. Did I understand the Senator to say that Gen. Pershing did not want Theodore Roosevelt sent to France?

Mr. ROBINSON. I say that Gen. Pershing was permitted to have every officer that he requested, and no officer was thrust upon him. The Senator, of course, knows that Mr. Roosevelt was not an officer. He was not even in the Army of the United States; and, perhaps, as Mr. Roosevelt, that question could not have arisen as to him. The fact of the matter is that Mr. Roosevelt was not in the Army and was not an officer.

But, Mr. President, I am not willing that this debate shall be diverted from the issue that is of importance, and that is that we ought to keep the Army out of politics; that we ought to do justice to brave soldiers who, as a result of their service, have been named for promotion.

It was inevitable, sir, that in selecting a list of 22 to be made brigadier generals and 11 to be made major generals, some officers of distinction and of valor should be omitted from the list. No one questions that there are names that ought to receive further distinction; but I make the declaration that the Senate of the United States, charged with the responsibility of advising and consenting to these nominations, ought to display its courage, and act upon them. It ought not to pursue the cowardly course of denying to these brave soldiers the opportunity of a hearing before its own committee.

The Senator from Massachusetts [Mr. LODGE] may declare that there is no politics in it; but the only purpose of the course being pursued is to give an incoming President the opportunity to send a new list of names to the Senate of the United States. If the majority want to pursue that course, if the majority want to reject these names that are before the Senate or withhold action on them, let them do so; but let us not take that course until we have at least shown some consideration to the officers who are named for promotion.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The pending question, as the Chair understands, is the reference to the committee of the nomination of Gen. Frank McIntyre. Is there objection? The Chair hears none, and it will be so ordered.

Mr. ROBINSON. Have the other nominations been referred?

The PRESIDING OFFICER. They have.

NOMINATIONS.

Executive nominations received by the Senate February 4 (legislative day of February 2), 1921.

REAPPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES.

Bureau of Insular Affairs.

Maj. Gen. Frank McIntyre, United States Army, to be Chief of the Bureau of Insular Affairs, with the rank of major general, for a period of four years from August 17, 1920, with rank from October 6, 1917.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

To be colonels with rank from July 1, 1920.

Maj. William Allen Phillips, Infantry.
Lieut. Col. Ervin Louis Phillips, Cavalry.
Lieut. Col. Samuel Dickerson Rockenbach, Cavalry.
Lieut. Col. Robert Cutts Williams, Cavalry.
Lieut. Col. Walter Cowen Short, Cavalry.
Lieut. Col. George Columbus Barnhardt, Cavalry.
Lieut. Col. James Haynes Reeves, Cavalry.
Lieut. Col. Kirby Walker, Cavalry.
Lieut. Col. Claude Bernard Sweezey, Cavalry, since retired from active service.
Lieut. Col. Sterling Price Adams, Cavalry.
Lieut. Col. Julian Robert Lindsey, Cavalry.
Lieut. Col. Julius Theodore Conrad, Cavalry.
Lieut. Col. Howard Russell Hickok, Cavalry.
Lieut. Col. Marcus Butler Stokes, Infantry.
Lieut. Col. Samuel McPherson Rutherford, Cavalry.
Lieut. Col. John Henry Parker, Infantry.
Lieut. Col. John Edwin Woodward, Infantry.
Lieut. Col. George McDougall Weeks, Infantry.
Lieut. Col. Isaac Erwin, Infantry.
Lieut. Col. Samuel Vinton Ham, Infantry.
Lieut. Col. Robert Walter Mearns, Infantry.
Lieut. Col. Henry Lee Kinnison, Infantry.
Lieut. Col. Guy George Palmer, Infantry, since retired from active service.
Lieut. Col. Orrin Rawson Wolfe, Infantry.
Lieut. Col. Joseph Edward Cusack, Cavalry.
Lieut. Col. Meriwether Lewis Walker, Corps of Engineers.
Lieut. Col. Robert Rossiter Raymond, Corps of Engineers.
Lieut. Col. Samuel John Bayard Schindel, Infantry.
Lieut. Col. William Renwick Smedberg, jr., Cavalry.
Lieut. Col. Howard Louis Laubach, Infantry.
Lieut. Col. John M. Morgan, Cavalry.
Lieut. Col. Andrew Erwin Williams, Cavalry.
Lieut. Col. Walter Crosby Babcock, Cavalry.
Lieut. Col. Herbert Ball Crosby, Cavalry.
Lieut. Col. Benjamin Bremner Hyer, Cavalry.
Lieut. Col. Mathew Charles Smith, Cavalry.
Lieut. Col. Kenzie Wallace Walker, Cavalry.
Lieut. Col. Howard Rand Perry, Infantry.
Lieut. Col. Lincoln Fay Kilbourne, Infantry.
Lieut. Col. William Brooke, Infantry, since retired from active service.
Lieut. Col. George Hairston Jamerson, Infantry.
Lieut. Col. Hunter Bithal Nelson, Infantry.
Lieut. Col. Odus Creamer Horney, Ordnance Department.
Lieut. Col. Frank Ellis Bamford, Infantry.
Lieut. Col. Fredrik Lorensten Knudsen, Infantry.
Lieut. Col. William Baker Ladue, Corps of Engineers.
Lieut. Col. William Jones Barden, Corps of Engineers.
Lieut. Col. Edward Philip O'Hern, Ordnance Department.
Lieut. Col. Charles William Castle, Infantry, since retired from active service.
Lieut. Col. Francis LeJan Parker, Cavalry.
Lieut. Col. George French Hamilton, Cavalry.
Lieut. Col. Paul Bernard Malone, Infantry.
Lieut. Col. John White Craig, Cavalry.
Lieut. Col. John Fisher Preston, Infantry.
Lieut. Col. Hugh Douglas Berkeley, Cavalry.
Lieut. Col. Albert Eugene Saxton, Cavalry.
Lieut. Col. Hamilton Smith Hawkins, Cavalry.
Lieut. Col. Charles Frederic Crain, Infantry.
Lieut. Col. Frank Sherwood Cocheu, Infantry.
Lieut. Col. Ora Elmer Hunt, Infantry.
Lieut. Col. Frank Parker, Cavalry.
Lieut. Col. John Campbell McArthur, Infantry.
Lieut. Col. Frank David Ely, Infantry.
Lieut. Col. Edwin Bell, Infantry.
Lieut. Col. Otho Bane Rosenbaum, Infantry.
Lieut. Col. George Henson Estes, Infantry.
Lieut. Col. George Vidmer, Cavalry.
Lieut. Col. Oliver Edwards, Infantry.
Lieut. Col. William Ernest Welsh, Infantry.
Lieut. Col. Frederick G. Stritzinger, jr., Infantry.
Lieut. Col. Charles Curtis Smith, Infantry.
Lieut. Col. Frank Livells Wells, Infantry.
Lieut. Col. Briant Harris Wells, Infantry.
Lieut. Col. Pegram Whitworth, Infantry.
Lieut. Col. Frank James Morrow, Infantry.
Lieut. Col. Robert Sanford Offley, Infantry.
Lieut. Col. Edward Hugh Schulz, Corps of Engineers.
Lieut. Col. Harry Burgess, Corps of Engineers.
Lieut. Col. Casper Hauzer Conrad, jr., Cavalry.
Lieut. Col. Charles Herman Paine, Infantry.
Lieut. Col. Thales Lucius Ames, Ordnance Department.
Lieut. Col. Nathan K. Averill, Cavalry.
Lieut. Col. Harry LaTourette Cavenaugh, Cavalry.
Lieut. Col. Mortimer Osborne Bigelow, Cavalry.
Lieut. Col. August Carl Nissen, Cavalry.
Lieut. Col. Thomas Walter Darrah, Infantry.
Lieut. Col. Americus Mitchell, Infantry.
Lieut. Col. Perry Lester Miles, Infantry.
Lieut. Col. James Ackerman Lynch, Infantry.

Lieut. Col. Milton Loomis McGrew, Infantry.
Lieut. Col. Clyde Emile Hawkins, Cavalry.
Lieut. Col. Lorrain Thompson Richardson, Infantry.
Lieut. Col. James Southard Parker, Cavalry, subject to examination required by law, since retired from active service.
Lieut. Col. Charles Roscoe Howland, Infantry.
Lieut. Col. Louis Meredith Nuttman, Infantry.
Lieut. Col. Glenn Hedges Davis, Infantry.
Lieut. Col. Joseph Southerland Herron, Cavalry.
Lieut. Col. Thomas Francis Dwyer, Coast Artillery Corps.
Lieut. Col. Benjamin Taylor Simmons, Infantry.
Lieut. Col. Girard Sturtevant, Infantry.
Lieut. Col. Louis Hermann Bash, Infantry.
Lieut. Col. Frank Bingly Watson, Infantry.
Lieut. Col. Oscar Jerome Charles, Infantry.
Lieut. Col. Thomas Absolam Pearce, Infantry.
Lieut. Col. Robert Henry Allen, Infantry.
Lieut. Col. Dwight Warren Ryther, Infantry.
Lieut. Col. Alvord Van Patten Anderson, Cavalry.
Lieut. Col. Edward Theodore Hartmann, Infantry.
Lieut. Col. Frederick Benjamin Shaw, Infantry.
Lieut. Col. William Burr Cochran, Infantry.
Lieut. Col. Harry Frederick Rethers, Infantry.
Lieut. Col. George Matthias Hoffman, Corps of Engineers.
Lieut. Col. LeRoy Eltinge, Cavalry.
Lieut. Col. John Buffalo Christian, Coast Artillery Corps.
Lieut. Col. George Williams Moses, Cavalry.
Lieut. Col. Charles Ezra Stodter, Cavalry.
Lieut. Col. Alexander Macomb Miller, Cavalry.
Lieut. Col. Charles Bryant Drake, Cavalry.
Lieut. Col. Harry Ormiston Williard, Cavalry.
Lieut. Col. Herschel Tupes, Infantry.
Lieut. Col. John Parsons Wade, Cavalry.
Lieut. Col. Isaac Newell, Infantry.
Lieut. Col. Lawrence Burton Simonds, Infantry.
Lieut. Col. Ola Walter Bell, Cavalry.
Lieut. Col. Abraham Grant Lott, Cavalry.
Lieut. Col. Merch Bradt Stewart, Infantry.
Lieut. Col. Frederick Worthington Lewis, Infantry.
Lieut. Col. Edward Leonard King, Cavalry.
Lieut. Col. Dennis Edward Nolan, Infantry.
Lieut. Col. James Newell Pickering, Infantry.
Lieut. Col. Reynolds Johnston Burt, Infantry.
Lieut. Col. Samuel Field Dallam, Cavalry.
Lieut. Col. William Kelly, jr., Cavalry.
Lieut. Col. Russell Creamer Langdon, Infantry.
Lieut. Col. Harry Herbert Tebbetts, Infantry.
Lieut. Col. Henry Charles Whitehead, Cavalry.
Lieut. Col. George Swazey Goodale, Infantry.
Lieut. Col. William Dixon Chitty, Cavalry.
Lieut. Col. Frank Crandall Bolles, Infantry.
Lieut. Col. Alfred Eldrekin Kennington, Cavalry.
Lieut. Col. Edward Percy Orton, Cavalry.
Lieut. Col. Alexander Thompson Ovenshine, Infantry.
Lieut. Col. Henry Edgar Eames, Infantry.
Lieut. Col. Paul Giddings, Infantry.
Lieut. Col. George Lawrence Byroade, Infantry.
Lieut. Col. Edward Seymour Walton, Infantry.
Lieut. Col. Alfred Theodore Smith, Infantry.
Lieut. Col. Fred Leigh Munson, Infantry.
Lieut. Col. Thomas McArthur Anderson, jr., Infantry.
Lieut. Col. William Durward Connor, Corps of Engineers.
Lieut. Col. John Calvin Oakes, Corps of Engineers.
Lieut. Col. Sherwood Alfred Cheney, Corps of Engineers.
Lieut. Col. Frederick William Altstaetter, Corps of Engineers, since retired from active service.
Lieut. Col. Harley Bascom Ferguson, Corps of Engineers.
Lieut. Col. Charles Du Val Roberts, Infantry.
Lieut. Col. Robert Swepston Abernethy, Coast Artillery Corps.
Lieut. Col. Francis Horton Pope, Cavalry.
Lieut. Col. George Edward Mitchell, Cavalry.
Maj. Pierce Ambrose Murphy, Cavalry.
Lieut. Col. Mervyn Chandos Buckey, Coast Artillery Corps.
Maj. Frederick Theodore Arnold, Cavalry.
Lieut. Col. Frederick Edgar Johnston, Coast Artillery Corps.
Lieut. Col. Claude Hamilton Miller, Infantry.
Maj. James Noble Munro, Cavalry.
Lieut. Col. Harold Benjamin Fiske, Infantry.
Lieut. Col. Earle D'Arcy Pearce, Coast Artillery Corps.
Maj. William Stanley Valentine, Cavalry.
Lieut. Col. Arthur Stewart Conklin, Coast Artillery Corps.
Maj. Henry Carpenter Smither, Cavalry.
Maj. Roy Beveridge Harper, Cavalry.
Lieut. Col. John Hendricken Hughes, Infantry.
Maj. Thomas Arnett Roberts, Cavalry.
Maj. Edgar Alexander Sirmyer, Cavalry.
Maj. Frank Ross McCoy, Cavalry.
Lieut. Col. George Willis Helms, Infantry.
Lieut. Col. Rufus Estes Longan, Infantry.
Lieut. Col. William Mason Fassett, Infantry.
Lieut. Col. Halstead Dorey, Infantry.
Maj. Chalmers Gaither Hall, Cavalry.
Maj. Clarence Richmond Day, Cavalry.
Maj. George Franklin Baltzell, Infantry.
Maj. Willard Herman McCornack, Cavalry.
Lieut. Col. James Francis Brady, Coast Artillery Corps.
Maj. Edgar Thomas Conley, Infantry.
Lieut. Col. Roderick Leland Carnmichael, Finance Department.
Lieut. Col. Andrew Moses, Coast Artillery Corps.
Maj. Edgar Thomas Collins, Infantry.
Maj. Preston Brown, Infantry.
Lieut. Col. Thomas Quinn Ashburn, Coast Artillery Corps.
Lieut. Col. Sam Frank Bottoms, Coast Artillery Corps.
Maj. Charles Higbee Bridges, Infantry.
Lieut. Col. Harold Edward Cloke, Coast Artillery Corps.
Lieut. Col. Samuel Curtis Vestal, Coast Artillery Corps.
Maj. Robert McCleave, Infantry.
Maj. James Villard Heidt, Infantry.
Maj. Charles Sherman Lincoln, Infantry.
Maj. Patrick Henry Mullay, Infantry.
Lieut. Col. Philip Raymond Ward, Coast Artillery Corps.
Lieut. Col. Frank Cranstoun Boggs, Corps of Engineers.
Lieut. Col. Clarke Stull Smith, Corps of Engineers.
Lieut. Col. William Preston Wooten, Corps of Engineers.
Lieut. Col. Lytle Brown, Corps of Engineers.
Lieut. Col. Earl Ivan Brown, Corps of Engineers.
Lieut. Col. Amos Alfred Fries, Chemical Warfare Service.
Maj. Monroe Crawford Kerth, Infantry.
Lieut. Col. George Adolphus Nugent, Coast Artillery Corps.
Lieut. Col. Curtis William Otwell, Corps of Engineers.
Lieut. Col. William Edward Cole, Coast Artillery Corps.
Lieut. Col. Marcellus Garner Spinks, Coast Artillery Corps.
Maj. Lambert Whitfield Jordan, jr., Infantry.
Lieut. Col. Jacob Calvin Johnson, Coast Artillery Corps.
Maj. James Bartholomew Gowen, Infantry.
Maj. Harvey Wolfarth Miller, Infantry.
Lieut. Col. Edwin Dyson Bricker, Ordnance Department.
Maj. Daniel Greenwood Berry, Infantry.
Maj. Malin Craig, Cavalry.
Maj. Ralph Elliot Ingram, Infantry.
Maj. Robert Courtney Davis, Infantry.
Maj. Joseph Frank Janda, Infantry.
Maj. Ira Clinton Welborn, Infantry.
Maj. Alexander Elliot Williams, Infantry.
Maj. Charles Wesley Exton, Infantry.
Maj. Guy Vernor Henry, Cavalry.
Maj. Conrad Stanton Babcock, Cavalry.
Maj. Chauncey Benton Humphrey, Infantry.
Maj. Berkeley Enochs, Infantry.
Maj. G. Maury Crallé, Infantry.
Maj. Joseph Franklin Gohn, Infantry.
Maj. James Heyward Bradford, jr., Infantry.
Maj. Wallace Bryan Scales, Cavalry.
Maj. David Lamme Stone, Infantry.
Maj. Ewing E. Booth, Cavalry.
Maj. Alfred William Bjornstad, Infantry.
Lieut. Col. Amos William Kimball, Quartermaster Corps.
Lieut. Col. William Edward Horton, Quartermaster Corps.
Lieut. Col. B. Frank Cheatham, Quartermaster Corps.
Lieut. Col. George Guilford Bailey, Quartermaster Corps.
Lieut. Col. Carl Frederick Hartmann, Signal Corps, since retired from active service.
Lieut. Col. Basil Overby Lenoir, Signal Corps.
Lieut. Col. William Mitchell, Signal Corps.
Lieut. Col. Robert Edward Wyllie, Coast Artillery Corps.
Maj. Patrick Aloysius Connolly, Infantry.
Lieut. Col. Malcolm Young, Coast Artillery Corps, since retired from active service.
Maj. John Jacob Boniface, Cavalry.
Lieut. Col. Laurence Clay Brown, Coast Artillery Corps.
Maj. John Bernard Schoeffel, Infantry.
Maj. Walter Trotter Bates, Infantry.
Maj. Englebert Glover Ovenshine, Infantry.
Lieut. Col. Harry Lee Steele, Coast Artillery Corps.
Maj. Benjamin Patten Nicklin, Infantry.
Maj. John William French, Infantry.
Maj. Cromwell Stacey, Infantry.
Maj. William Annesley Cavenaugh, Infantry.
Maj. George Madden Grimes, Infantry.

Maj. Thomas Raine Harker, Infantry.
Maj. Frank Dickenson Wickham, Infantry.
Maj. Bryan Conrad, Infantry, since retired from active service.
Maj. William Keith Naylor, Infantry.
Maj. William Harrison Oury, Infantry.
Maj. Austin Freeman Prescott, Infantry.
Maj. Edgar Allen Fry, Infantry.
Maj. Rush Spencer Wells, Cavalry.
Lieut. Col. James Brady Mitchell, Coast Artillery Corps.
Maj. Herbert Jay Brees, Cavalry.
Maj. Harry Anthony Eaton, Infantry.
Lieut. Col. George Hoffman Penrose, Quartermaster Corps.
Lieut. Col. Alfred Sully Morgan, Finance Department.
Lieut. Col. Charles Henry Hilton, Coast Artillery Corps.
Lieut. Col. William Fayssoux Stewart, jr., Coast Artillery Corps.
Maj. Campbell King, Infantry.
Lieut. Col. Joseph Benjamin Douglas, Coast Artillery Corps.
Lieut. Col. Hudson Taylor Patten, Coast Artillery Corps.
Maj. Tenney Ross, Infantry.
Maj. Edward Kimmel, Coast Artillery Corps.
Maj. John Robert Procter, Coast Artillery Corps.
Maj. Frederick William Phisterer, Coast Artillery Corps.
Maj. Robert Hall Campbell Kelton, Coast Artillery Corps.
Maj. Percy Poe Bishop, Coast Artillery Corps.
Maj. Robert Osborn Van Horn, Infantry.
Maj. Ezekiel James Williams, Infantry.
Maj. Moor Neilson Falls, Infantry.
Maj. Henry James Hatch, Coast Artillery Corps.
Maj. William Frederick Hase, Coast Artillery Corps.
Maj. William Richard Doores, Coast Artillery Corps.
Lieut. Col. Alfred Andrews Starbird, Field Artillery.
Maj. John Robert Rigby Hannay, Infantry.
Maj. James Frederick Howell, Coast Artillery Corps.
Maj. James Malcolm Graham, Infantry.
Lieut. Col. Joseph Lee Gilbreth, Infantry.
Lieut. Col. John Carroll Goodfellow, Coast Artillery Corps.
Lieut. Col. Charles Frederic Humphrey, jr., Infantry.
Lieut. Col. Willey Howell, Infantry.
Lieut. Col. George Jean Holden, Infantry.
Lieut. Col. John Thomas Geary, Coast Artillery Corps.

To be colonel with rank from July 10, 1920.

Lieut. Col. Charles Francis Bates, Infantry.

To be colonel with rank from July 11, 1920.

Lieut. Col. Charles Carrol Todd, Infantry.

To be colonels with rank from July 12, 1920.

Lieut. Col. John James Toffey, jr., Infantry.
Lieut. Col. Carl Anson Martin, Infantry.

To be colonels with rank from July 16, 1920.

Lieut. Col. Mark Wheeler, Infantry.
Lieut. Col. George Daniels Arrowsmith, Infantry.
Lieut. Col. Edward Carpenter, Coast Artillery Corps.
Lieut. Col. Ivers Whitman Leonard, Infantry.
Lieut. Col. Pearl Michael Shaffer, Infantry.
Lieut. Col. Laurence Albert Curtis, Infantry, since retired from active service.
Lieut. Col. Robert Robins Wallach, Cavalry.
Lieut. Col. William Henry Jordan, jr., Infantry.
Lieut. Col. George Williams, Cavalry.

To be colonels with rank from July 17, 1920.

Lieut. Col. Irving Joseph Carr, Signal Corps.
Lieut. Col. Easton Rutledge Gibson, Infantry.
Lieut. Col. Henry Churchill Bonnycastle, Quartermaster Corps.
Lieut. Col. Edward Croft, Infantry.
Lieut. Col. Adolphe Hart Huguet, Infantry.
Lieut. Col. Raymond Sheldon, Infantry.
Lieut. Col. James Davis Taylor, Infantry.
Lieut. Col. Frank Halstead, Infantry.

To be colonels with rank from July 18, 1920.

Lieut. Col. Harry Edward Knight, Infantry.
Lieut. Col. Woodson Hocker, Infantry.

To be colonel with rank from July 19, 1920.

Lieut. Col. Archie Jesse Harris, Infantry.

To be colonels with rank from July 20, 1920.

Lieut. Col. Alexander James Macnab, Infantry.
Lieut. Col. Henry Macpherson Merriam, Coast Artillery Corps.

To be colonels with rank from July 24, 1920.

Lieut. Col. Oliver Lyman Spaulding, jr., Field Artillery.
Lieut. Col. Hanson Briscoe Black, Signal Corps.

To be colonel with rank from July 29, 1920.

Lieut. Col. Conrad Hammond Lanza, Field Artillery.

To be colonel with rank from August 1, 1920.

Lieut. Col. Charles Sidney Haight, Cavalry.

To be colonel with rank from August 6, 1920.

Lieut. Col. William Dennison Forsyth, Cavalry.

To be colonel with rank from August 17, 1920.

Lieut. Col. Fitzhugh Lee, Cavalry.

To be colonel with rank from August 22, 1920.

Lieut. Col. Ralph Brewster Parrott, Infantry.

To be colonels with rank from September 1, 1920.

Lieut. Col. Harry Parker Wilbur, Coast Artillery Corps.
Lieut. Col. Stanley Hamer Ford, Infantry.

To be colonel with rank from September 3, 1920.

Lieut. Col. Robert Mauro Brambila, Infantry.

To be colonel with rank from September 10, 1920.

Lieut. Col. Elijah Bishop Martindale, jr., Coast Artillery Corps.

To be colonels with rank from September 15, 1920.

Lieut. Col. John Nicholas Straat, Infantry.
Lieut. Col. Earle White Tanner, Infantry.

To be colonel with rank from September 22, 1920.

Lieut. Col. Henry Slocum Wagner, Infantry.

To be colonel with rank from September 28, 1920.

Lieut. Col. Frederick Guy Knabenshue, Infantry.

To be colonel with rank from October 5, 1920.

Lieut. Col. Thomas Jefferson Powers, Infantry.

To be colonel with rank from October 17, 1920.

Lieut. Col. Charles Steuart Wallace, Signal Corps.

To be colonel with rank from October 28, 1920.

Lieut. Col. William Sanders Scott, Quartermaster Corps.

To be colonel with rank from November 1, 1920.

Lieut. Col. Robert Henry Rolfe, Quartermaster Corps.

To be colonel with rank from November 3, 1920.

Lieut. Col. Martin Lalor Crimmins, Infantry.

To be colonel with rank from November 13, 1920.

Lieut. Col. Louis Ford Garrard, Quartermaster Corps.

To be colonel with rank from November 14, 1920.

Lieut. Col. James Monroe Love, jr., Infantry.

To be colonels with rank from November 16, 1920.

Lieut. Col. Paul Hester McCook, Infantry.
Lieut. Col. Frederick William Coleman, Finance Department.

To be colonel with rank from November 17, 1920.

Lieut. Col. Frederick Singleton Lewis Price, Infantry.

To be colonel with rank from November 19, 1920.

Lieut. Col. George Bahnsen Pond, Infantry.

To be colonel with rank from November 24, 1920.

Lieut. Col. Dana True Merrill, Infantry.

To be colonel with rank from December 14, 1920.

Lieut. Col. Theodore Anderson Baldwin, jr., Infantry.

To be colonel with rank from December 23, 1920.

Lieut. Col. Arthur Latham Conger, Infantry.

To be colonel with rank from December 25, 1920.

Lieut. Col. James Brown Kemper, Infantry.

To be colonel with rank from January 6, 1921.

Lieut. Col. John Winthrop Barnes, Infantry.

To be colonel with rank from January 19, 1921.

Lieut. Col. George Elmer Thorne, Infantry.

To be lieutenant colonels with rank from July 1, 1920.

Maj. Joseph Lee Gilbreth, Infantry.
Maj. John Carroll Goodfellow, Coast Artillery Corps.
Maj. Charles Frederic Humphrey, jr., Infantry.
Maj. George Jean Holden, Infantry.
Maj. John Thomas Geary, Coast Artillery Corps.
Maj. Charles Francis Bates, Infantry.
Maj. Charles Carrol Todd, Infantry.
Maj. John James Toffey, jr., Infantry.
Maj. Carl Anson Martin, Infantry.
Maj. Mark Wheeler, Infantry.
Maj. George Daniels Arrowsmith, Infantry.
Maj. Edward Carpenter, Coast Artillery Corps.

Maj. Ivers Whitman Leonard, Infantry.
Maj. Pearl Michael Shaffer, Infantry.
Maj. Laurence Albert Curtis, Infantry, since retired from active service.
Maj. Robert Robins Wallach, Cavalry.
Maj. William Henry Jordan, jr., Infantry.
Maj. George Williams, Cavalry.
Maj. Irving Joseph Carr, Infantry.
Maj. Easton Rutledge Gibson, Infantry.
Maj. Henry Churchill Bonnycastle, Infantry.
Maj. Edward Croft, Infantry.
Maj. Adolphe Hart Huguet, Infantry.
Maj. Raymond Shelden, Infantry.
Maj. James Davis Taylor, Infantry.
Maj. Frank Halstead, Infantry.
Maj. Harry Edward Knight, Infantry.
Maj. Woodson Hocker, Infantry.
Maj. Archie Jesse Harris, Infantry.
Maj. Alexander James Macnab, Infantry.
Maj. Henry Macpherson Merriam, Coast Artillery Corps.
Maj. Hanson Briscoe Black, Infantry.
Maj. Charles Sidney Haight, Cavalry.
Maj. William Dennison Forsyth, Cavalry.
Maj. Fitzhugh Lee, Cavalry.
Maj. Ralph Brewster Parrott, Infantry.
Maj. Harry Parker Wilbur, Field Artillery.
Maj. Stanley Hamer Ford, Infantry.
Maj. Robert Mauro Brambila, Infantry.
Maj. Elijah Bishop Martindale, jr., Coast Artillery Corps.
Maj. John Nicholas Straat, Infantry.
Maj. Earle White Tanner, Infantry.
Maj. Henry Slocum Wagner, Infantry.
Maj. Frederick Guy Knabenshue, Infantry.
Maj. Thomas Jefferson Powers, Infantry.
Maj. Martin Lalor Crimmins, Infantry.
Maj. James Monroe Love, jr., Infantry.
Maj. Paul Hester McCook, Infantry.
Maj. Frederick William Coleman, Infantry.
Maj. Frederick Singleton Lewis Price, Infantry.
Maj. George Bahnsen Pond, Infantry.
Maj. Dana True Merrill, Infantry.
Maj. Theodore Anderson Baldwin, jr., Infantry.
Maj. Arthur Latham Conger, Infantry.
Maj. James Brown Kemper, Infantry.
Maj. John Winthrop Barnes, Infantry.
Maj. George Elmer Thorne, Infantry.
Maj. Alfred Aloe, Infantry.
Maj. Frank Wheaton Rowell, Infantry.
Maj. Hugh Aloysius Drum, Infantry.
Maj. James Bradner Allison, Infantry.
Maj. John Lesesue De Witt, Infantry.
Maj. Clifton Comly Kinney, Infantry.
Maj. James Fuller McKinley, Cavalry.
Maj. LeVert Coleman, Coast Artillery Corps.
Maj. Frank Carson Jewell, Coast Artillery Corps.
Maj. Patrick William Guiney, Cavalry.
Maj. Charles Brooks Clark, Infantry.
Maj. Herman Walter Schull, Coast Artillery Corps.
Maj. Leon Benjamin Kromer, Cavalry.
Maj. Charles Annesley Romeyn, Cavalry.
Maj. Henry Benjamin Clark, Coast Artillery Corps.
Maj. George Sherwin Simonds, Infantry.
Maj. Francis Neal Cooke, Coast Artillery Corps.
Maj. Stanley Dunbar Embick, Coast Artillery Corps.
Maj. Evan Harris Humphrey, Cavalry.
Maj. Robert Halford Peck, Infantry.
Maj. Halsey Edward Yates, Infantry.
Maj. Clement Augustus Trott, Infantry.
Maj. Stuart Heintzelman, Cavalry.
Maj. Laurence Halstead, Infantry.
Maj. Frederick William Van Duyne, Infantry.
Maj. John Dudley Long, Cavalry.
Maj. Warren Dean, Cavalry.
Maj. Grayson Villard Heidt, Cavalry.
Maj. James Cooper Rhea, Cavalry.
Maj. James Henson, Infantry.
Maj. Fred Radford Brown, Infantry.
Maj. William Topping Merry, Infantry.
Maj. Lawrence Du Val Cabell, Infantry.
Maj. Clyffard Game, Infantry.
Maj. George Washington Stuart, Infantry.
Maj. William Taylor Patten, Infantry.
Maj. Duncan Kennedy Major, jr., Infantry.
Maj. James Justice, Infantry.
Maj. Llewellyn William Oliver, Cavalry.
Maj. Reginald Edwards McNally, Cavalry.
Maj. Ephraim Geoffrey Peyton, Infantry.
Maj. William Lewis Reed, Infantry.
Maj. Albert N. McClure, Cavalry.
Maj. Ben Holloday Dorcy, Cavalry.
Maj. Edwin Albert Hickman, Cavalry.
Maj. Charles Louis McKain, Infantry.
Maj. Andrew Jackson Dougherty, Infantry.
Maj. Oliver Stevens Eskridge, Infantry.
Maj. Joel Robert Lee, Infantry.
Maj. George Evans Stewart, Infantry.
Maj. Alden Cook Knowles, Infantry.
Maj. Henry Aloysius Hanigan, Infantry.
Maj. Hjalmer Erickson, Infantry.
Maj. James Wadsworth Furlow, Infantry.
Maj. John Womack Wright, Infantry.
Maj. Frederick Rudolph De Funiak, jr., Infantry.
Maj. Ralph McCoy, Infantry.
Maj. Grosvenor Lowrey Townsend, Infantry.
Maj. Thomas Leverett Brewer, Infantry.
Maj. James Kelly Parsons, Infantry.
Maj. George Edward Ball, Infantry.
Maj. Reuben Smith, Infantry.
Maj. Clarence Browning Smith, Coast Artillery Corps.
Maj. Russell Potter Reeder, Coast Artillery Corps.
Maj. Howard Campbell Price, Infantry.
Maj. Walter Bogardus McCaskey, Infantry.
Maj. Oliver Hart Dockery, jr., Infantry.
Maj. John Robert Thomas, jr., Infantry.
Maj. Milton Artells Elliott, jr., Infantry.
Maj. Robert Franklin McMillan, Coast Artillery Corps.
Maj. George Doane Freeman, jr., Infantry.
Maj. William Elmer Hunt, Infantry.
Maj. Ernest Eddy Haskell, Infantry.
Maj. Warren Webster Whitside, Cavalry.
Maj. Jack Hayes, Infantry.
Maj. William Henry Waldron, Infantry.
Maj. Godwin Ordway, Coast Artillery Corps.
Maj. Joseph Kepner Partello, Infantry.
Maj. Leon La Grange Roach, Infantry.
Maj. Frederick Curtis Johnson, Cavalry.
Maj. Horace Potts Hobbs, Infantry.
Maj. Louis Joseph Van Schaick, Infantry.
Maj. Guy Cushman, Cavalry.
Maj. Edgar Albert Myer, Infantry.
Maj. James Dean Tilford, Cavalry.
Maj. Arthur Morson Shipp, Infantry.
Maj. Joseph William Beacham, jr., Infantry.
Maj. Guy Stevens Norvell, Cavalry.
Maj. Francis Joseph McConnell, Infantry.
Maj. Robert Hayes Wescott, Infantry.
Maj. Paul Hurst, Infantry.
Maj. Allen Parker, Infantry.
Maj. Allen Smith, jr., Infantry.
Maj. John Baxter Sanford, Infantry.
Maj. Frank Burson Hawkins, Infantry.
Maj. Paul Tropier Hayne, jr., Cavalry.
Maj. Fred Erskine Buchan, Cavalry.
Maj. Edward Albert Sturges, Cavalry.
Maj. William Luke Luhn, Cavalry.
Maj. Hu Blakemore Myers, Cavalry.
Maj. Henry Russell Richmond, Cavalry.
Maj. John Joseph Ryan, Cavalry.
Maj. Charles Evans Kilbourne, Coast Artillery Corps.
Maj. Osmun Latrobe, jr., Cavalry.
Maj. George Arthur Hadsell, Infantry.
Maj. Wait Chatterton Johnson, Infantry.
Maj. James Millard Little, Infantry.
Maj. John Lawrence Bond, Infantry.
Maj. Joseph Samuel Cecil, Infantry.
Maj. Edward Raymond Stone, Infantry.
Maj. Albert Raymond Dillingham, Infantry.
Maj. William Richie Gibson, Infantry.
Maj. Will H. Point, Infantry.
Maj. Henry McCauley Bankhead, Infantry.
Maj. William Murray Connell, Cavalry.
Maj. Theodore Burnett Taylor, Cavalry.
Maj. James Longstreet, Cavalry.
Maj. Henry Ashley Ripley, Infantry.
Maj. William Harrison Monroe, Coast Artillery Corps.
Maj. William Albert Kent, Infantry.
Maj. Theodore Schultz, Cavalry.
Maj. Alvan Cullom Gillem, Cavalry.
Maj. William Benton Cowin, Cavalry.
Maj. Richard Ten Broeck Ellis, Coast Artillery Corps.

Maj. Frederick William Stopford, Coast Artillery Corps.
Maj. Henry Holden Sheen, Quartermaster Corps.
Maj. John Wiley Gulick, Coast Artillery Corps.
Maj. Ernest Rollin Tilton, Coast Artillery Corps.
Maj. Homer Blackie Grant, Coast Artillery Corps.
Maj. Alexander Greig, jr., Coast Artillery Corps.
Maj. James Alfred Ruggles, Coast Artillery Corps.
Maj. Harry William Newton, Coast Artillery Corps, since retired from active service.
Maj. Allen Dwight Raymond, Coast Artillery Corps.
Maj. James Robert Pourie, Quartermaster Corps.
Maj. John William Cruikshank Abbott, Coast Artillery Corps, since retired from active service.
Maj. Harry Thomas Matthews, Coast Artillery Corps.
Maj. Harry Cooper Barnes, Coast Artillery Corps.
Maj. Louis Stewart Chappelear, Coast Artillery Corps.
Maj. Granville Sevier, Coast Artillery Corps.
Maj. Robert Frame Woods, Coast Artillery Corps.
Maj. Albert Clifton Thompson, Coast Artillery Corps.
Maj. Ellison Lindsay Gilmer, Coast Artillery Corps.
Maj. John McBride, jr., Coast Artillery Corps, since retired from active service.
Maj. Richard Kerr Cravens, Coast Artillery Corps.
Maj. George Oremaudle Hubbard, Coast Artillery Corps.
Maj. James Menzo Wheeler, Coast Artillery Corps.
Maj. Harrison Summers Kerrick, Coast Artillery Corps.
Maj. Walter Campbell Sweeney, Infantry.
Maj. Philip Sheridan Golderman, Coast Artillery Corps.
Maj. Charles Lewis Lanham, Finance Department.
Maj. George Francis Connelly, Coast Artillery Corps.
Maj. Joseph Sanders Hardin, Coast Artillery Corps.
Maj. Roger Stanley Fitch, Cavalry.
Maj. Samuel Wheelan Noyes, Infantry.
Maj. Charles Warren Weeks, Infantry.
Maj. James Thornton Watson, Infantry.
Maj. William Wallace McCammon, Infantry.
Maj. Willis Prague Coleman, Infantry.
Maj. Albert Brown Sloan, Infantry.
Maj. Lucius Cincinnatus Bennett, Infantry.
Maj. John Ernest Morris, Infantry, subject to examination required by law.
Maj. Lawrence Parker Butler, Infantry.
Maj. Paul Corbin Galleher, Infantry.
Maj. Claude Sharp Fries, Infantry.
Maj. William Greenough Doane, Infantry.
Maj. James Mobley Kimbrough, jr., Infantry.
Maj. Alvin Kelley Baskette, Infantry.
Maj. James George Hannah, Infantry.
Maj. Samuel Breck McIntyre, Infantry.
Maj. Milosh Radosablavitz Hilgard, Infantry.
Maj. Linwood Ellsworth Hanson, Infantry.
Maj. Charles Bertody Stone, jr., Infantry.
Maj. Frank Harold Burton, Infantry.
Maj. George Buckner Sharon, Infantry.
Maj. George Hubert White, Infantry.
Maj. Harris Pendleton, jr., Infantry.
Maj. William Gingrick Fleischhauer, Infantry.
Maj. Howard Gilman Davids, Infantry.
Maj. Ernest Van Dyke Murphy, Infantry.
Maj. Hilden Olin, Infantry.
Maj. Frederick Goedecke, Infantry.
Maj. Albert Watson Alden Foreman, Infantry.
Maj. William Sanford Mapes, Infantry.
Maj. Samuel Aldrich Price, Infantry, since retired from active service.
Maj. Perrin Lindsey Smith, Infantry.
Maj. Harry Lawrence Cooper, Infantry.
Maj. William Stanley Sinclair, Infantry.
Maj. Leslie Arthur Isaac Chapman, Cavalry.
Maj. Charles Louis Willard, Infantry.
Maj. Robert Henry Sillman, Infantry.
Maj. Arthur Pitt Watts, Infantry.
Maj. Thaddeus Brem Seigle, Infantry.
Maj. William Arthur Carleton, Infantry.
Maj. Lochlin Washington Caffey, Infantry.
Maj. William Saunders Faulkner, Infantry.
Maj. Ernest H. Agnew, Infantry.
Maj. Robert Oakes Ragsdale, Infantry.
Maj. Austin Allen Parker, Infantry.
Maj. Fred Van Schaick Chamberlain, Infantry.
Maj. Aubrey Lippincott, Cavalry.
Maj. Sylvester Bonnaffon, Infantry, since retired from active service.
Maj. Robert Christian Humber, Infantry.
Maj. George Luther Hicks, Coast Artillery Corps.
Maj. John Henry Page, jr., Infantry.
Maj. Parker Hitt, Infantry.
Maj. Paul Ward Beck, Infantry.
Maj. John Morris Field, Porto Rico Regiment of Infantry.
Maj. Edwin Joseph Griffith, Porto Rico Regiment of Infantry.
Maj. Lynn Sawyer Edwards, Coast Artillery Corps.
Maj. Robert Irwin Rees, Infantry.
Maj. John Joseph Miller, Infantry.
Maj. Hugh Kirkpatrick Taylor, Coast Artillery Corps.
Maj. Jesse Marling Cullison, Infantry.
Maj. William Henry Noble, Infantry.
Maj. Wilbur Anderson McDaniel, Infantry.
Maj. Douglas McCaskey, Cavalry.
Maj. Evert Roscoe Wilson, Infantry.
Maj. Samuel Burnette Pearson, Cavalry.
Maj. Freeborn Page Holcomb, Cavalry.
Maj. Clenard McLaughlin, Infantry.
Maj. Edward Beall Mitchell, Infantry.
Maj. James Henry Como, Infantry.
Maj. Harol Dever Coburn, Infantry.
Maj. Allen James Greer, Infantry.
Maj. Robert Whitfield, Infantry.
Maj. Frank Scott Long, Coast Artillery Corps.
Maj. John Porterfield Spurr, Coast Artillery Corps.
Maj. Samuel Grant Shartle, Coast Artillery Corps.
Maj. Michael Henry Barry, Coast Artillery Corps.
Maj. James Mifflin Loud, Infantry.
Maj. John De Camp Hall, Infantry.
Maj. Davis Catlin Anderson, Infantry.
Maj. Douglas Potts, Infantry.
Maj. Stephen Ogden Fuqua, Infantry.
Maj. Daniel Van Voorhis, Cavalry.
Maj. Vincent Martin Elmore, Infantry.
Maj. Benjamin Robert Wade, Infantry.
Maj. Julien Edmond Gaujot, Cavalry.
Maj. Delphey Truman Ellsworth Casteel, Cavalry.
Maj. George Edwards Goodrich, Infantry.
Maj. Joseph Robert McAndrews, Cavalry.
Maj. Edwin Simpson Hartshorn, Infantry.
Maj. George Edward Lovell, Cavalry.
Maj. William Preston Screws, Infantry.
Maj. Ralph Brown Lister, Infantry.
Maj. Frank Luther Case, Cavalry.
Maj. Harry Edward Comstock, Infantry.
Maj. William Russell Standiford, Infantry.
Maj. John Hugh Lewis, Cavalry.
Maj. Frederick Sion Young, Infantry.
Maj. Thomas Samuel Moorman, Infantry.
Maj. Harry Newton Cootes, Cavalry.
Maj. Charles Haskell Morrow, Infantry.
Maj. Lorenzo Dow Gasser, Infantry.
Maj. Brady Green Ruttencutter, Infantry.
Maj. Jennings Benjamin Wilson, Infantry.
Maj. William Oury Smith, Infantry.
Maj. Clarence King La Motte, Infantry, subject to examination required by law, since retired from active service.
Maj. George Michael Holley, Infantry.
Maj. Charles Ward Van Way, Cavalry.
Maj. Wilson Gillham Heaton, Cavalry.
Maj. Edgar Simon Stayer, Infantry.
Maj. Charles Henry Errington, Infantry.
Maj. George Clymer Shaw, Infantry.
Maj. Charles Ernest Reese, Infantry.
Maj. Edward Davis, Cavalry.
Maj. Robert Soutter Knox, Infantry.
Maj. William Applegate Castle, Infantry.
Maj. Harry Dexter Blasland, Infantry.
Maj. Dorsey Cullen, Cavalry.
Maj. Charles Coane Allen, Infantry.
Maj. William Jones Kendrick, Cavalry.
Maj. Edward Harry Andres, Infantry.
Maj. George Thomas Bowman, Cavalry.
Maj. Thomas James Rogers, Infantry.
Maj. John Sherman Fair, Cavalry.
Maj. Robert Joseph Reaney, Cavalry.
Maj. George Washington England, Infantry.
Maj. Sherrard Coleman, Cavalry.
Maj. Edwin Joseph Nowlen, Infantry.
Maj. Alvin Coe Voris, Infantry.
Maj. William Franklin Herringshaw, Cavalry.
Maj. George Ernest Kumpe, Infantry.
Maj. Milo Charles Corey, Infantry.
Maj. DeWitt Warren Chamberlin, Infantry, since retired from active service.
Maj. Walter Henry Johnson, Infantry.

Maj. Robert Gedney Rutherford, jr., Infantry.
Maj. Robert Emmet Grinstead, Infantry.
Maj. Albert Sidney Williams, Infantry.
Maj. William Bassett Graham, Infantry.
Maj. Charles Johnston Nelson, Infantry.
Maj. Ernest Alexis Jeunet, Infantry.
Maj. Charles Hart Danforth, Infantry.
Maj. Gideon Hazen Williams, Infantry.
Maj. Fred William Bugbee, Infantry.
Maj. William Munson Goodale, Infantry.
Maj. Leonard Trabue Baker, Infantry.
Maj. Franklin Schoch Leisenring, Infantry.
Maj. Charles Frederick Andrews, Infantry.
Maj. Allan Lindsay Briggs, Infantry.
Maj. James Marshall Petty, Infantry.
Maj. John Brooke Shuman, Infantry.
Maj. Frederic George Kellond, Infantry.
Maj. Herbert L. Evans, Infantry.
Maj. Harry Davis Mitchell, Infantry.
Maj. Ode Calvin Nichols, Infantry.
Maj. Kirwin Taylor Smith, Infantry.
Maj. William Weston Bessell, Infantry.
Maj. Frank C. Burnett, Infantry.
Maj. Collin Hankins Ball, Infantry.
Maj. Albert Owen Seaman, Infantry.
Maj. Clifford Utley Leonori, Infantry.
Maj. Benjamin Helm Pope, Infantry.
Maj. Clarence Gifford Bunker, Coast Artillery Corps.
Maj. William Howard Tobin, Coast Artillery Corps.
Maj. Harry James Watson, Coast Artillery Corps.
Maj. William Henry Raymond, Coast Artillery Corps.
Maj. Jacob Ellsworth Wyke, Coast Artillery Corps.
Maj. Gouverneur Vernon Packer, Judge Advocate General's Department.
Maj. Paul Stanley Bond, Corps of Engineers.
Maj. Joseph Augustus Baer, Cavalry.
Maj. Charles Fletcher Martin, Cavalry.
Maj. Willis Virlin Morris, Cavalry.
Maj. Walter Schuyler Grant, Cavalry.
Maj. Charles Oswick Zollars, Quartermaster Corps.
Maj. Robert Bruce McBride, Coast Artillery Corps.
Maj. Jacob Meyer Coward, Coast Artillery Corps.
Maj. John Lovering Roberts, Coast Artillery Corps.
Maj. Frederick Leroy Buck, Coast Artillery Corps.
Maj. Jay Paul Hopkins, Coast Artillery Corps.
Maj. Archibald Henry Sunderland, Coast Artillery Corps.
Maj. Morton Claire Mumma, Cavalry.
Maj. Frank Porter Amos, Cavalry.
Maj. Herman Glade, Infantry.
Maj. Arthur Penrhyn Stanley Hyde, Coast Artillery Corps.
Maj. Clifford Carleton Carson, Coast Artillery Corps.
Maj. Julian Arnold Benjamin, Cavalry.
Maj. Samuel Reid Gleaves, Cavalry.
Maj. Frank Sayles Bowen, Infantry.
Maj. Lewis Sidney Morey, Cavalry.
Maj. Verne La Salle Rockwell, Cavalry.
Maj. George Thompson Perkins, Coast Artillery Corps.
Maj. George Blanchard Comly, Cavalry.
Maj. Charles Godfrey Harvey, Cavalry.
Maj. George Brydges Rodney, Cavalry.
Maj. Alexander Higbee Davidson, Cavalry.
Maj. Christian Albert Bach, Cavalry.
Maj. David Harmony Biddle, Cavalry.
Maj. William Fredric Holford Godson, Cavalry.
Maj. George William Winterburn, Cavalry.
Maj. Lewis Foerster, Cavalry.
Maj. William Porter Moffet, Cavalry.
Maj. Archibald Francis Commiskey, Cavalry.
Maj. William Albert Cornell, Cavalry.
Maj. James Etter Shelley, Cavalry.
Maj. Ward Dabney, Infantry.
Maj. Edward Calvert, Cavalry.
Maj. Paul Myron Goodrich, Infantry.
Maj. William Wisner Taylor, jr., Infantry.
Maj. John Burke Murphy, Coast Artillery Corps.
Maj. Bruce Palmer, Cavalry.
Maj. George Audley Herbst, Infantry.
Maj. Jairus Alphaeus Moore, Coast Artillery Corps.
Maj. James Edmond Fechét, Cavalry.
Maj. Thomas Meredith Hunter, Infantry.
Maj. Elverton Elmer Fuller, Infantry.
Maj. William Summerfield Neely, Infantry.
Maj. Frank Howard Adams, Infantry.
Maj. George Chase Lewis, Infantry.
Maj. William Henry Patterson, Infantry.
Maj. Elliott Malloy Norton, Infantry.
Maj. Roscoe Hugh Hearn, Infantry.
Maj. Frank Barker Edwards, Coast Artillery Corps.
Maj. Philip Worthington Corbusier, Cavalry.
Maj. Frederick Marion Jones, Cavalry.
Capt. John Adam Wagner, Cavalry.
Capt. Archie Miller, Cavalry.
Capt. William Hugh Clopton, jr., Cavalry.
Capt. Wilford Twyman, Infantry.
Capt. William Oscar Reed, Cavalry.
Capt. Henry Gibbins, Cavalry.
Capt. Charles Oscar Thomas, jr., Cavalry.
Capt. Edmond Ross Tompkins, Cavalry.
Capt. Arthur Poillon, Cavalry.
Capt. George Augustus Purington, Cavalry, subject to examination required by law, since retired from active service.
Capt. George Wesley Biegler, Cavalry.
Capt. Francis Wiley Glover, Cavalry.
Capt. Lawrence Scott Carson, Cavalry.
Capt. Alexander Bacon Coxe, Cavalry.
Capt. Timothy Michael Coughlan, Cavalry.
Capt. James Huston, Cavalry.
Capt. Leonard Lyon Deitrick, Cavalry.
Capt. Richard Billups Going, Cavalry.
Capt. Hamilton Bowie, Cavalry.
Capt. Ben Lear, jr., Cavalry.
Capt. George Parker Tyner, Cavalry.
Maj. Morris Melville Keck, Infantry.
Maj. Auswell Edmund Deitsch, Infantry.
Capt. Henry Joseph McKenney, Cavalry.
Capt. Oscar Alonzo McGee, Cavalry.
Capt. Casper Willis Cole, Cavalry.
Capt. Oliver Perry Morton Hazzard, Cavalry.
Capt. Frank Thomas McNarney, Cavalry.
Capt. Thomas MacAllister Knox, Cavalry.
Capt. William Remsen Taylor, Cavalry.
Capt. John Patrick Hasson, Cavalry.
Capt. William Egbert Wheeler MacKinlay,
Capt. Gordon Johnston, Cavalry.
Capt. William Allen Austin, Cavalry.
Capt. Rudolph Ethelbert Smyser, Cavalry.
Capt. Jens Erickson Stedje, Cavalry.
Capt. John Ezra Hemphill, Cavalry.
Capt. Otto William Rethorst, Cavalry.
Capt. Robert Sterrett, Cavalry.
Capt. William Bernhard Renziehausen, Cavalry.
Capt. Emory Scott West, Cavalry.
Capt. Ralph Carter Caldwell, Cavalry.
Capt. Eben Swift, jr., Cavalry.
Capt. Albert Edgar Phillips, Cavalry.
Capt. John Alden Degen, Cavalry.
Capt. Alvin St. Clair Perkins, Cavalry.
Capt. Robert McFarland Barton, Cavalry.
Capt. Walter Janatt Scott, Cavalry.
Capt. James Edward Abbott, Cavalry.
Capt. Roland Beverly Ellis, Cavalry.
Capt. Selwyn Dyson Smith, Cavalry.
Capt. George Frederick Bailey, Cavalry.
Capt. Clarence Curtis Culver, Cavalry.
Capt. Frederick Goodwin Turner, Cavalry.
Capt. Frank Burch Edwards, Cavalry.
Capt. James Perrine Barney, Cavalry.
Capt. William Columbus Gardenhire, Cavalry.
Maj. Joseph Cornelius Kay, Infantry.
Capt. Benjamin Oliver Davis, Cavalry.
Maj. Walter Chambers Jones, Infantry.
Maj. George Ross Greene, Field Artillery.
Maj. LaVergne L. Gregg, Infantry.
Maj. Gustave Adolphus Wieser, Infantry.
Maj. Bertram Page Johnson, Infantry.
Maj. Charles Ridgly White Morison, Infantry.
Maj. Walter Lawrence Reed, Infantry.
Maj. Ira Franklin Fravel, Infantry.
Maj. Ned Merril Green, Infantry.
Maj. James Alfred Moss, Infantry.
Capt. Charles Frederick Leonard, Infantry.
Capt. Franklin Potter Jackson, Infantry.
Maj. Henry Clay Merriam, Coast Artillery Corps.
Maj. Robert Wilbur Collins, Coast Artillery Corps.
Maj. William Albert Covington, Coast Artillery Corps.
Maj. John Mitchell Dunn, Coast Artillery Corps.
Maj. Raymond Westcott Briggs, Field Artillery.
Maj. Francis Wharton Griffin, Field Artillery.

Maj. Theodore Herman Koch, Coast Artillery Corps.
Maj. James Laurence Long, Coast Artillery Corps.
Maj. Ralph Molyneux Mitchell, Coast Artillery Corps.
Maj. Frederick Louis Dengler, Coast Artillery Corps.
Maj. Richard Howard Williams, Coast Artillery Corps.
Maj. Lewis Stoddard Ryan, Field Artillery.
Maj. Kenneth Clyde Masteller, Coast Artillery Corps.
Maj. Tilman Campbell, Field Artillery.
Maj. Daniel Frank Craig, Field Artillery.
Capt. Thomas Lilley Sherburne, Cavalry.
Maj. Joseph Matson, Coast Artillery Corps.
Maj. Francis Hicks Lincoln, Coast Artillery Corps.
Maj. William Henry Wilson, Coast Artillery Corps.
Maj. Augustus Bennett Warfield, Quartermaster Corps.
Maj. Edward Dennis Powers, Coast Artillery Corps.
Maj. Charles Edward Nason Howard, Coast Artillery Corps.
Maj. Howard Lee Landers, Field Artillery.
Maj. Claudius Milton Seaman, Coast Artillery Corps.
Maj. Hugh John Bedell McElgin, Coast Artillery Corps.
Maj. William Henry Burt, Field Artillery.
Maj. Frederick Bernard Hennessy, Field Artillery.
Maj. Arthur Leonard Fuller, Coast Artillery Corps.
Maj. Henry Rozer Casey, Quartermaster Corps.
Maj. John Sherman Chambers, Quartermaster Corps.
Maj. Laurin Leonard Lawson, Field Artillery.
Maj. Morris Ernest Locke, Field Artillery.
Maj. John William Kilbreth, Field Artillery.
Maj. James Regan, Quartermaster Corps.
Maj. Gilbert McKee Allen, Infantry.
Maj. John Randolph, Infantry.
Maj. William Hume Clendenin, Infantry.
Maj. John Royden Kelly, Field Artillery.
Maj. Edward Raynsford Warner McCabe, Field Artillery.
Maj. William Gustin Ball, Quartermaster Corps.
Maj. Walter Eugene Gunster, Infantry.
Maj. William Richard Kendrick, Infantry.
Maj. Horace Fennell Sykes, Infantry.
Maj. Oliver Prescott Robinson, Infantry.
Maj. Gerrit Van Schaick Quackenbush, Quartermaster Corps.
Maj. Sydney Herbert Hopson, Quartermaster Corps.
Maj. William Eugene Gillmore, Air Service.
Maj. William Ernest Persons, Infantry.
Maj. James Gibson Taylor, Infantry.
Maj. Henry Clay Miller Supplee, Infantry.
Maj. William Kern Moore, Quartermaster Corps.
Maj. David Yulee Beckham, Finance Department.
Maj. John Overton Steger, Coast Artillery Corps.
Maj. Alex McMillan Hall, Infantry.
Maj. Elliot Caziarc, Infantry.
Maj. Richard Wilde Walker, Cavalry.
Maj. George Augustus Franklin Trumbo, Cavalry.
Maj. Carl C. Jones, Quartermaster Corps.
Maj. Alfred James Booth, Infantry.
Maj. Emery Tritle Smith, Field Artillery.
Maj. Sydney Smith, Infantry.
Maj. Joseph Asa Marmon, Infantry.
Maj. James Aloysius Higgins, Infantry.
Maj. Rex Van Den Corput, Coast Artillery Corps.
Maj. James Augustus Thomas, Coast Artillery Corps.
Maj. John Christian Ohnstad, Coast Artillery Corps.
Maj. James Dala Watson, Coast Artillery Corps.
Maj. Rinaldo Roscoe Wood, Infantry.
Maj. Charles Davis Winn, Quartermaster Corps.
Maj. Francis Herbert Lomax, Coast Artillery Corps.
Maj. James Totten, Coast Artillery Corps.
Maj. Wesley Wilson Knox Hamilton, Coast Artillery Corps.
Maj. Hugh Screven Brown, Infantry.
Maj. Sebring Clay Megill, Signal Corps.
Maj. Harry Graham, Air Service.
Maj. James Hartz Bryson, Field Artillery.
Maj. William Barlow Wallace, Infantry.
Maj. Edward Neele Johnston, Corps of Engineers.
Maj. Clarence Osborne Sherrill, Corps of Engineers.
Maj. Ernest Dichmann Peek, Corps of Engineers.
Maj. George Redfield Spalding, Corps of Engineers.
Maj. Elliott Johnstone Dent, Corps of Engineers.
Maj. William Goff Caples, Corps of Engineers.
Maj. William Provines Stokey, Corps of Engineers.
Maj. Henry Clay Jewett, Corps of Engineers.
Maj. Wildurr Willing, Corps of Engineers.
Maj. Benjamin Hugh Kerfoot, Coast Artillery Corps.
Maj. Roger Owen Mason, Field Artillery.
Maj. William Stacy Browning, Field Artillery.
Maj. Francis William Clark, Field Artillery.
Capt. John Harry Neff, Infantry.

To be lieutenant colonels with rank from July 2, 1920.

Maj. Joseph Fauntleroy Barnes, Field Artillery.
Maj. Walter Driscol Smith, Field Artillery.
Maj. William Pierce Ennis, Field Artillery.
Maj. Harry Birdwhistell Jordan, Ordnance Department.
Maj. John Taise Sayles, Cavalry.
Maj. Frank Purdy Lahm, Air Service.

To be lieutenant colonels with rank from July 3, 1920.

Maj. Willis Grandy Peace, Coast Artillery Corps.
Maj. Creed Fulton Cox, Field Artillery.

To be lieutenant colonel with rank from July 10, 1920.

Maj. Robert McCandlass Beck, jr., Cavalry.

To be lieutenant colonel with rank from July 11, 1920.

Maj. Dennis Hadley Currie, Field Artillery.

To be lieutenant colonels with rank from July 12, 1920.

Maj. Beverly Fielding Browne, Field Artillery.
Maj. George Moore Russell, Cavalry.

To be lieutenant colonel with rank from July 13, 1920.

Maj. Edward Marsh Shinkle, Ordnance Department.

To be lieutenant colonels with rank from July 16, 1920.

Maj. Lewis Brown, jr., Cavalry.
Maj. Raymond Silas Pratt, Field Artillery.
Maj. Alfred Allen Maybach, Coast Artillery Corps.
Maj. Jerome Gray Pillow, Cavalry.
Maj. Ralph Noble Hayden, Quartermaster Corps.
Maj. Alden Farley Brewster, Field Artillery.
Maj. John Anderson Berry, Coast Artillery Corps.
Maj. Leonard William Prunty, Cavalry.
Maj. Gordon Robinson, Coast Artillery Corps.
Maj. Edward Harrison DeArmond, Field Artillery.

To be lieutenant colonels with rank from July 17, 1920.

Maj. Edmund Kearsley Sterling, Cavalry.
Maj. Kerr Tunis Riggs, Cavalry.
Maj. Carl Henry Müller, Cavalry.
Maj. Charles Burnett, Cavalry.
Maj. Claude Ernest Brigham, Coast Artillery Corps.
Maj. Walter Herbert Smith, Field Artillery.
Maj. William Tidball, Coast Artillery Corps.
Maj. George Hathaway Baird, Cavalry.
Maj. William Manley Cooley, Cavalry.

To be lieutenant colonels with rank from July 18, 1920.

Maj. William Nafew Haskell, Cavalry.
Maj. James Prentice, Coast Artillery Corps.

To be lieutenant colonel with rank from July 19, 1920.

Maj. Henry Adolphus Meyer, jr., Cavalry.

To be lieutenant colonels with rank from July 20, 1920.

Maj. Frank Keller, Cavalry.
Maj. Guy Kent, Cavalry.

To be lieutenant colonels with rank from July 24, 1920.

Maj. Copley Enos, Cavalry.
Maj. Norton Ellsworth Wood, Quartermaster Corps.

To be lieutenant colonel with rank from July 28, 1920.

Maj. Shepard Lawrence Pike, Infantry.

To be lieutenant colonel with rank from July 29, 1920.

Maj. George Aloysius Wieczorek, Coast Artillery Corps.

To be lieutenant colonel with rank from August 1, 1920.

Maj. Marion Somerville Battle, Coast Artillery Corps.

To be lieutenant colonel with rank from August 6, 1920.

Maj. Henry Gilmore Stahl, Infantry.

To be lieutenant colonel with rank from August 8, 1920.

Maj. Roy Carrington Kirtland, Air Service.

To be lieutenant colonels with rank from August 17, 1920.

Maj. Ernest Stephen Wheeler, Quartermaster Corps.
Maj. Stanley Symmes Ross, Finance Department.

To be lieutenant colonel with rank from August 22, 1920.

Maj. Wallace McNamara, Infantry.

To be lieutenant colonel with rank from September 1, 1920.

Maj. Frederick Mears, Corps of Engineers, subject to examination required by law.
Maj. Alden Max Graham, Quartermaster Corps.

To be lieutenant colonel with rank from September 3, 1920.

Maj. Robert LeRoy Collins, Cavalry.

To be lieutenant colonel with rank from September 5, 1920.

Maj. Irvin Lee Hunsaker, Cavalry.

To be lieutenant colonel with rank from September 10, 1920.

Maj. Clifton Ranney Norton, Cavalry.

To be lieutenant colonels with rank from September 15, 1920.

Maj. Eugene Julius Ely, Finance Department.
Maj. Charles Russell Mayo, Cavalry.

To be lieutenant colonel with rank from September 17, 1920.

Maj. Arthur James Lynch, Quartermaster Corps.

To be lieutenant colonel with rank from September 21, 1920.

Maj. Guy Eugene Bucker, Infantry.

To be lieutenant colonel with rank from September 22, 1920.

Maj. Albert Stanley Fuger, Field Artillery.

To be lieutenant colonel with rank from September 28, 1920.

Maj. Rawson Warren, Cavalry.

To be lieutenant colonel with rank from October 5, 1920.

Maj. John Henry Read, jr., Ordnance Department.

To be lieutenant colonel with rank from October 8, 1920.

Maj. Robert Gray Peck, Infantry.

To be lieutenant colonel with rank from October 13, 1920.

Maj. Robert John Binford, Infantry.

To be lieutenant colonel with rank from October 17, 1920.

Maj. John Augustus Brockman, Infantry.

To be lieutenant colonel with rank from October 19, 1920.

Maj. Charles Conaway Burt, Coast Artillery Corps.

To be lieutenant colonel with rank from October 24, 1920.

Maj. Sheldon Webb Anding, Infantry.

To be lieutenant colonel with rank from October 28, 1920.

Maj. William Gaither Murchison, Infantry.

To be lieutenant colonel with rank from November 1, 1920.

Maj. Joseph Howard Barnard, Quartermaster Corps.

To be lieutenant colonel with rank from November 3, 1920.

Maj. Rodman Butler, Quartermaster Corps.

To be lieutenant colonel with rank from November 10, 1920.

Maj. Howard Stanley Miller, Coast Artillery Corps.

To be lieutenant colonel with rank from November 13, 1920.

Maj. Clarence Lininger, Cavalry.

To be lieutenant colonels with rank from November 14, 1920.

Maj. Edward Murray Offley, Cavalry.
Maj. John Cocke, Cavalry.
Maj. Elvin Henry Wagner, Infantry.

To be lieutenant colonels with rank from November 16, 1920.

Maj. John Thomas Donnelly, Cavalry.
Maj. William Henry Menges, Finance Department.

To be lieutenant colonel with rank from November 17, 1920.

Maj. Ronald Earle Fisher, Cavalry.

To be lieutenant colonels with rank from November 18, 1920.

Maj. Thomas Watson Brown, Infantry.
Maj. Otis Robert Cole, Infantry.

To be lieutenant colonel with rank from November 19, 1920.

Maj. Charles Emery Hathaway, Cavalry.

To be lieutenant colonel with rank from November 24, 1920.

Maj. Joseph Victor Kuznik, Cavalry.

To be lieutenant colonel with rank from November 25, 1920.

Maj. Edward Raymond Coppock, Cavalry.

To be lieutenant colonel with rank from November 26, 1920.

Maj. Shelby Carl Leasure, Infantry.

Maj. Peter John Hennessey, Cavalry, to be lieutenant colonel with rank from December 14, 1920.

Maj. Kenyon Ashe Joyce, Cavalry, to be lieutenant colonel with rank from December 16, 1920.

Maj. Charles Frederick Herr, Infantry, to be lieutenant colonel with rank from December 19, 1920.

Maj. Francis Joseph Behr, Coast Artillery Corps, to be lieutenant colonel with rank from December 21, 1920.

Maj. Fred Hays Turner, Infantry, to be lieutenant colonel with rank from December 22, 1920.

Maj. Howard Carlyle Tatum, Cavalry, to be lieutenant colonel with rank from December 23, 1920.

Maj. Arthur George Fisher, Cavalry, to be lieutenant colonel with rank from December 25, 1920.

To be majors with rank from July 1, 1920.

Capt. John Sherman Chambers, Infantry.
Capt. James Regan, Infantry.
Capt. Gilbert McKee Allen, Infantry.
Capt. John Randolph, Infantry.
Capt. William Hume Clendenin, Infantry.
Capt. Edward Raynsford Warner McCabe, Field Artillery.
Capt. William Gustin Ball, Infantry.
Capt. Walter Eugene Gunster, Infantry.
Capt. William Richard Kendrick, Infantry.
Capt. Horace Fennell Sykes, Infantry.
Capt. Oliver Prescott Robinson, Infantry.
Capt. Gerrit Van Schaick Quackenbush, Infantry.
Capt. Sydney Herbert Hopson, Infantry.
Capt. William Eugene Gillmore, Infantry.
Capt. William Ernest Persons, Infantry.
Capt. James Gibson Taylor, Infantry.
Capt. Henry Clay Miller Supplee, Infantry.
Capt. John Overton Steger, Coast Artillery Corps.
Capt. Alex McMillan Hall, Infantry.
Capt. Elliot Caziarc, Infantry, since retired from active service.
Capt. Richard Wilde Walker, Cavalry.
Capt. George Augustus Franklin Trumbo, Cavalry.
Capt. Carl C. Jones, Infantry.
Capt. Alfred James Booth, Infantry.
Capt. Sydney Smith, Infantry.
Capt. Joseph Asa Marmon, Infantry.
Capt. James Aloysius Higgins, Infantry.
Capt. Rex Van Den Corput, Coast Artillery Corps.
Capt. James Augustus Thomas, Coast Artillery Corps.
Capt. John Christian Ohnstad, Coast Artillery Corps.
Capt. James Dala Watson, Coast Artillery Corps.
Capt. Rinaldo Roscoe Wood, Infantry.
Capt. Charles Davis Winn, Coast Artillery Corps.
Capt. Francis Herbert Lomax, Coast Artillery Corps.
Capt. James Totten, Coast Artillery Corps.
Capt. Wesley Wilson Knox Hamilton, Coast Artillery Corps.
Capt. Hugh Screven Brown, Coast Artillery Corps.
Capt. Sebring Clay Megill, Coast Artillery Corps.
Capt. Harry Graham, Infantry.
Capt. William Barlow Wallace, Infantry.
Capt. Benjamin Hugh Kerfoot, Coast Artillery Corps.
Capt. Francis William Clark, Field Artillery.
Capt. Harry Birdwhistell Jordan, Cavalry.
Capt. John Taise Sayles, Cavalry.
Capt. Frank Purdy Lahm, Cavalry.
Capt. Willis Grandy Peace, Coast Artillery Corps.
Capt. Robert McCandlass Beck, jr., Cavalry.
Capt. George Moore Russell, Cavalry.
Capt. Edward Marsh Shinkle, Coast Artillery Corps.
Capt. Lewis Brown, jr., Cavalry.
Capt. Alfred Allen Maybach, Coast Artillery Corps.
Capt. Jerome Gray Pillow, Cavalry.
Capt. Ralph Noble Hayden, Cavalry.
Capt. John Anderson Berry, Coast Artillery Corps.
Capt. Leonard William Prunty, Cavalry.
Capt. Gordon Robinson, Coast Artillery Corps.
Capt. Edmund Kearsley Sterling, Cavalry.
Capt. Kerr Tunis Riggs, Cavalry.
Capt. Carl Henry Müller, Cavalry.
Capt. Charles Burnett, Cavalry.
Capt. Claude Ernest Brigham, Coast Artillery Corps.
Capt. William Tidball, Coast Artillery Corps.
Capt. George Hathaway Baird, Cavalry.
Capt. William Manley Cooley, Cavalry.
Capt. William Nafew Haskell, Cavalry.
Capt. James Prentice, Coast Artillery Corps.
Capt. Henry Adolphus Meyer, jr., Cavalry.
Capt. Frank Keller, Cavalry.
Capt. Guy Kent, Cavalry.
Capt. Copley Enos, Cavalry.
Capt. Shepard Lawrence Pike, Infantry.
Capt. George Aloysius Wieczorek, Coast Artillery Corps.
Capt. Marion Somerville Battle, Coast Artillery Corps.
Capt. Henry Gilmore Stahl, Infantry.
Capt. Roy Carrington Kirtland, Infantry.
Capt. Stanley Symmes Ross, Finance Department.
Capt. Wallace McNamara, Infantry.
Capt. Frederick Mears, Cavalry, subject to examination required by law.
Capt. Alden Max Graham, Cavalry.
Capt. Robert LeRoy Collins, Cavalry.
Capt. Irvin Lee Hunsaker, Cavalry.
Capt. Clifton Ranney Norton, Cavalry.
Capt. Eugene Julius Ely, Cavalry.
Capt. Charles Russell Mayo, Cavalry.
Capt. Arthur James Lynch, Cavalry.
Capt. Guy Eugene Bucker, Infantry.
Capt. Rawson Warren, Cavalry.
Capt. John Henry Read, jr., Cavalry.

Capt. Robert Gray Peck, Infantry.
Capt. Robert John Binford, Infantry.
Capt. John Augustus Brockman, Infantry.
Capt. Charles Conaway Burt, Coast Artillery Corps.
Capt. Sheldon Webb Anding, Infantry.
Capt. William Gaither Murchison, Infantry.
Capt. Joseph Howard Barnard, Cavalry.
Capt. Rodman Butler, Cavalry.
Capt. Howard Stanley Miller, Coast Artillery Corps.
Capt. Clarence Lininger, Cavalry.
Capt. Edward Murray Offley, Cavalry.
Capt. John Cocke, Cavalry.
Capt. Elvin Henry Wagner, Infantry.
Capt. John Thomas Donnelly, Cavalry.
Capt. William Henry Menges, Finance Department.
Capt. Ronald Earle Fisher, Cavalry.
Capt. Thomas Watson Brown, Infantry.
Capt. Otis Robert Cole, Infantry.
Capt. Charles Emery Hathaway, Cavalry.
Capt. Joseph Victor Kuznik, Cavalry.
Capt. Edward Raymond Coppock, Cavalry.
Capt. Shelby Carl Leasure, Infantry.
Capt. Peter John Hennessey, Cavalry.
Capt. Kenyon Ashe Joyce, Cavalry.
Capt. Charles Frederick Herr, Infantry.
Capt. Francis Joseph Behr, Coast Artillery Corps.
Capt. Fred Hays Turner, Infantry.
Capt. Howard Carlyle Tatum, Cavalry.
Capt. Arthur George Fisher, Cavalry.
Capt. Walter Krueger, Infantry.
Capt. Asa Leon Singleton, Infantry.
Capt. Arthur LeRoy Bump, Infantry.
Capt. Willis Edward Mills, Infantry.
Capt. George Grunert, Cavalry.
Capt. Harry Westervelt Gregg, Infantry.
Capt. William Rivers Pope, Cavalry.
Capt. Staley Alfred Campbell, Infantry.
Capt. John Rowe Brewer, Infantry.
Capt. Olney Place, Cavalry.
Capt. Leo Asa Dewey, Infantry.
Capt. John Pope McAdams, Infantry.
Capt. Thomas Hood Cunningham, Cavalry.
Capt. John Robert Musgrave, Coast Artillery Corps.
Capt. Sidney Derby Maize, Cavalry.
Capt. Richard Wetherill, Infantry.
Capt. Hartman Lewis Butler, Coast Artillery Corps.
Capt. John Bryson Barnes, Infantry.
Capt. Thomas Taylor Duke, Infantry.
Capt. Harry Arthur Wells, Infantry.
Capt. Ralph Middleton Parker, Cavalry.
Capt. George Warren Harris, Infantry.
Capt. Edward Gregg McCleave, Infantry.
Capt. Pat M. Stevens, Infantry.
Capt. William Holt Peek, Coast Artillery Corps.
Capt. George Steele Gillis, Infantry.
Capt. John Hastings Howard, Cavalry.
Capt. John Joshua Fulmer, Infantry.
Capt. Joseph Irving McMullen, Cavalry.
Capt. Matt Combes Bristol, Cavalry.
Capt. Kelton Lyon Pepper, Infantry.
Capt. Francis Cassius Endicott, Infantry.
Capt. Horace Nathaniel Munro, Cavalry.
Capt. Thomas Pitcher Bernard, Cavalry.
Capt. Daniel D. Thompkins, Cavalry.
Capt. Clarence Anderson Dougherty, Cavalry.
Capt. Henry Hossfeld, Infantry.
Capt. John Jay Mudgett, Infantry.
Capt. Isaac Samuel Martin, Cavalry.
Capt. Channing Edmonds Delaplane, Infantry.
Capt. Laurance Oldham Mathews, Infantry.
Capt. George R. Somerville, Cavalry.
Capt. Seth William Cook, Cavalry.
Capt. Milton Garfield Holliday, Cavalry.
Capt. Robert Rogers Love, Cavalry.
Capt. Thorne Strayer, Infantry.
Capt. Francis Buck Eastman, Infantry.
Capt. Kneeland Sparrow Snow, Infantry.
Capt. Robert Gaither Caldwell, Infantry.
Capt. Hugh Almer Parker, Infantry.
Capt. Charles Wesley Tillotson, Infantry.
Capt. Will Dunbar Wills, Infantry.
Capt. William Conrad Stoll, Infantry.
Capt. Ira Austin Smith, Infantry.
Capt. James Edwin Ware, Infantry.
Capt. James Eveleth Wilson, Coast Artillery Corps.
Capt. William James Davis, Infantry.
Capt. John Fleming Clapham, Infantry.
Capt. William Arden Alfonte, Infantry.
Capt. Daniel Andrew Nolan, Infantry.
Capt. Walter Herbert Neill, Cavalry.
Capt. Edmund Anthony Buchanan, Cavalry.
Capt. Benjamin Delahauf Foulois, Infantry.
Capt. Roy Wilson Ashbrook, Infantry.
Capt. Ralph Hill Leavitt, Infantry.
Capt. Goodwin Compton, Infantry.
Capt. Launcelot Marmaduke Purcell, Infantry.
Capt. James Edmund McDonald, Infantry.
Capt. Carl Frederick von dem Bussche, Infantry.
Capt. Albert Louis Rhoades, Coast Artillery Corps.
Capt. Sam Pruitt Herren, Infantry.
Capt. Fay Warrington Brabson, Infantry.
Capt. Royden Eugene Beebe, Infantry.
Capt. Edward Appleton Keyes, Cavalry.
Capt. John Gano Winter, Cavalry.
Capt. William James O'Loughlin, Infantry.
Capt. Herbert Edward Mann, Cavalry.
Capt. Orlando Gray Palmer, Cavalry.
Capt. Francis Augustus Ruggles, Cavalry.
Capt. Henry Tilghman Bull, Cavalry.
Capt. Girard Lindsley McEntee, Infantry.
Capt. Charles Keller, Infantry.
Capt. Howard Russell Smalley, Cavalry.
Capt. John Scott, Infantry.
Capt. Smith Aaron Harris, Infantry.
Capt. Noble James Wiley, Infantry.
Capt. James Pryor Castleman, Cavalry.
Capt. George Catlett Marshall, jr., Infantry.
Capt. Talbot Smith, Cavalry.
Capt. Frank Edwin Davis, Cavalry.
Capt. William Wallace Overton, Cavalry.
Capt. Samuel Turner Mackall, Infantry.
Capt. Walter Campbell Short, Infantry.
Capt. Austin Myron Pardee, Infantry.
Capt. Frank Fanning Jewett, Infantry.
Capt. William Frederick Christian Jepson, Infantry.
Capt. Augustus Francis Dannemiller, Infantry.
Capt. Alfred Asa Hickox, Infantry.
Capt. Samuel Greaner Talbott, Infantry.
Capt. John Ernest Green, Infantry.
Capt. Jason Marion Walling, Infantry.
Capt. William Elmer Murray, Coast Artillery Corps.
Capt. Norris Stayton, Quartermaster Corps.
Capt. George Allen Taylor, Coast Artillery Corps.
Capt. Ralph Emerson Herring, Coast Artillery Corps.
Capt. Houston Bales Parrott, Philippine Scouts.
Capt. Glen Fay Jenks, Coast Artillery Corps.
Capt. Edmund Turner Weisel, Coast Artillery Corps.
Capt. Clarence Beaumont Ross, Coast Artillery Corps.
Capt. Richard Henry Jordan, Coast Artillery Corps.
Capt. William Storrs Bowen, Coast Artillery Corps.
Capt. James Brewster Taylor, Coast Artillery Corps.
Capt. Brainerd Taylor, Coast Artillery Corps.
Capt. Emmet Roland Harris, Cavalry.
Capt. Avery John Cooper, Coast Artillery Corps.
Capt. Frank Geere, Coast Artillery Corps.
Capt. George Leftwich Wertenbaker, Coast Artillery Corps.
Capt. Walter Campbell Baker, Coast Artillery Corps.
Capt. George Percy Hawes, jr., Coast Artillery Corps.
Capt. Richard Irving McKenney, Coast Artillery Corps.
Capt. John Victor Spring, jr., Cavalry.
Capt. Charles Albert Clark, Coast Artillery Corps.
Capt. Frank Charles Wood, Porto Rico Regiment of Infantry.
Capt. Aristides Moreno, Infantry.
Capt. William Lay Patterson, Infantry.
Capt. Charles Edward Wheatley, Coast Artillery Corps.
Capt. Crispulo Patajo, Philippine Scouts.
Capt. William Paterson, Coast Artillery Corps, since retired from active service.
Capt. Earl Briscoe, Coast Artillery Corps.
Capt. Charles Almon Hunt, Infantry.
Capt. Gilbert Henry Stewart, Infantry.
Capt. Wade Hampton Carpenter, Coast Artillery Corps.
Capt. Adam Floy Casad, Coast Artillery Corps.
Capt. John Epps Munroe, Coast Artillery Corps.
Capt. John Cargill Pegram, Cavalry.
Capt. Harry Lumsden Hodges, Cavalry.
Capt. Edward Jay Moran, Infantry.
Capt. Victor Sidney Foster, Cavalry.
Capt. Walter King Wilson, Coast Artillery Corps.
Capt. John Preston Terrell, Coast Artillery Corps.

Capt. Myron Sidney Crissy, Coast Artillery Corps.
Capt. Oscar Foley, Cavalry.
Capt. Frederick Dudley Griffith, jr., Cavalry.
Capt. Albert Bowdre Dockery, Cavalry.
Capt. Henry Edmistoune Mitchell, Cavalry.
Capt. Charles McHenry Eby, Cavalry.
Capt. William Henry Cowles, Cavalry.
Capt. Henry Meredith Nelly, Infantry.
Capt. Frederick Frasier Black, Infantry.
Capt. William Alexander McCain, Cavalry.
Capt. John Knowles Herr, Cavalry.
Capt. Joseph Fulton Taulbee, Cavalry.
Capt. James Marcellus Hobson, jr., Infantry, subject to examination required by law.
Capt. David Henry Bower, Infantry.
Capt. Hiram Marshal Cooper, Infantry.
Capt. Troup Miller, Cavalry.
Capt. Benjamin Franklin Miller, Infantry.
Capt. William Waller Edwards, Cavalry.
Capt. John Alexander Barry, Cavalry.
Capt. William Whitelaw Gordon, Cavalry.
Capt. Frank Leslie Pyle, Philippine Scouts.
Capt. Walter Osgood Boswell, Infantry.
Capt. Harold Burgess Johnson, Cavalry.
Capt. Malcolm Peters Andruss, Coast Artillery
Capt. Gulielmus Viliard Heidt, Infantry.
Capt. Albert Hecker Mueller, Cavalry.
Capt. Samuel James Sutherland, Infantry.
Capt. Franc Lecocq, Coast Artillery Corps.
Capt. Emory Sherwood Adams, Infantry.
Capt. Ralph Willard Drury, Infantry.
Capt. John Carlyle Fairfax, Infantry.
Capt. Fred Charles Miller, Infantry.
Capt. Walter Joseph Büttgenbach, Coast Artillery Corps.
Capt. Allan Francis McLean, Cavalry.
Capt. Charles Leslie Mitchell, Infantry.
Capt. Robert John West, Infantry.
Capt. Herman Stahlschmidt Dilworth, Cavalry.
Capt. Odiorne Hawks Sampson, Infantry.
Capt. Albert Hardman, Infantry.
Capt. Frank Blair Kobes, Cavalry.
Capt. Norman Harry Davis, Cavalry.
Capt. Hans Oscar Olson, Infantry.
Capt. Alfred Brandt, Infantry.
Capt. Charles Augustine Thuis, Infantry.
Capt. Claremont Aymar Donaldson, Infantry.
Capt. Franklin Thomas Burt, Infantry.
Capt. Townsend Whelen, Infantry.
Capt. Samuel Sumner Bryant, Porto Rico Regiment of Infantry.
Capt. Charles Smith Hamilton, Infantry.
Capt. John Speed Davis, Infantry, since retired from active service.
Capt. Oscar Kemp Tolley, Infantry.
Capt. Joseph Fulton Ware, Infantry.
Capt. Harry Lightfoot Jordan, Infantry.
Capt. Dean Halford, Infantry.
Capt. Ralph Willcox Kingman, Infantry.
Capt. Donald Davie Hay, Infantry, subject to examination required by law.
Capt. George Watkins Ewell, Infantry.
Capt. Claire Raymond Bennett, Infantry.
Capt. Bowers Davis, Infantry.
Capt. John McEwen Pruyn, Infantry.
Capt. Henry Wyatt Fleet, Infantry.
Capt. Charles Gates Sturtevant, Infantry.
Capt. Francis Henry Burr, Infantry.
Capt. John Chowning Ashburn, Infantry.
Capt. Robert Truman Phinney, Infantry.
Capt. Charles Edward Terry Lull, Coast Artillery Corps.
Capt. Charles Haynes Mason, Infantry.
Capt. Nicholas William Campanole, Infantry.
Capt. John Gordon Macomb, Infantry.
Capt. Lewis Worthington Moseley, Infantry.
Capt. Walter Williamson Merrill, Coast Artillery Corps.
Capt. Reginald Heber Kelley, Infantry.
Capt. Claude Newman Feamster, Infantry.
Capt. Joseph Oswald Mauborgne, Infantry.
Capt. Joseph Michael Cummins, Infantry.
Capt. Thomas Cebern Musgrave, Infantry.
Capt. Converse Rising Lewis, Infantry.
Capt. Charles Telford, Cavalry.
Capt. Levi Galloway Brown, Cavalry.
Capt. Owen Glenn Collins, Quartermaster Corps.
Capt. Frederic Harrison Smith, Coast Artillery Corps.
Capt. Olan Cecil Aleshire, Cavalry.
Capt. Frederick Ernest Shnyder, Cavalry.
Capt. George Arthur Lynch, Infantry.
Capt. George Wilbur Cocheu, Coast Artillery Corps.
Capt. Charles Herman Patterson, Coast Artillery Corps.
Capt. Lewis Turtle, Coast Artillery Corps.
Capt. Clifford Jones, Coast Artillery Corps.
Capt. Louis Cass Brinton, jr., Coast Artillery Corps.
Capt. Thomas Fraley Van Natta, jr., Cavalry.
Capt. James Andrew Mars, Cavalry.
Capt. Quinn Gray, Coast Artillery Corps.
Capt. Robert Morgan Lyon, Infantry.
Capt. John Carter Montgomery, Cavalry.
Capt. Louis Robinson Dice, Coast Artillery Corps.
Capt. William Mechling Colvin, Coast Artillery Corps.
Capt. Francis Hamilton Farnum, Infantry.
Capt. Benjamin Edwards Grey, Infantry.
Capt. Elvid Hunt, Infantry.
Capt. Dorsey Read Rodney, Cavalry.
Capt. Alexander Mortimer Milton, Cavalry.
Capt. Francis Maurice Hinkle, Coast Artillery Corps.
Capt. Benjamin Franklin McClellan, Infantry, subject to examination required by law.
Capt. Campbell Blacksheax Hodges, Infantry.
Capt. Jacob Winfield Scott Wuest, Infantry.
Capt. Max Bruce Garber, Infantry.
Capt. Corbit Strickland Hoffman, Infantry.
Capt. Stephen Wilson Winfree, Cavalry.
Capt. Ephriam Foster Graham, Cavalry.
Capt. George Francis Rozelle, jr., Infantry.
Capt. Arthur Emmett Ahrends, Infantry.
Capt. Charles Franklin Severson, Infantry.
Capt. Harry Surgisson Grier, Infantry.
Capt. Reuben Chapman Taylor, Infantry.
Capt. Charles Beatty Moore, Infantry.
Capt. Clark Lynn, Infantry.
Capt. Cornelius Stockmar Bendel, Infantry.
Capt. Ben Frazer Ristine, Infantry.
Capt. Albert Gilmor, Coast Artillery Corps.
Capt. Stuart Ainslee Howard, Infantry.
Capt. John Francis Franklin, Infantry.
Capt. William Cissna Russell, Infantry.
Capt. Roland Wallace Boughton, Infantry.
Capt. John Southworth Upham, Infantry.
Capt. Irving Monroe Madison, Infantry.
Capt. Ellery Farmer, Infantry.
Capt. Everett Newton Bowman, Infantry.
Capt. Homer Neill Preston, Infantry.
Capt. Jesse Gaston, Infantry.
Capt. Edward Aloysius Brown, Coast Artillery Corps.
Capt. William Franklin Harrell, Infantry.
Capt. George Edgar Nelson, Cavalry.
Capt. Jesse Duncan Elliott, Infantry.
Capt. Edward Himmelwright Tarbutton, Infantry.
Capt. Carroll Borden Hodges, Infantry.
Capt. Daniel Murray Cheston, jr., Infantry.
Capt. James Madison Churchill, Infantry.
Capt. Philip Haxall Bagby, Infantry.
Capt. Luther Rice James, Infantry.
Capt. Andrew Davis Chaffin, Infantry.
Capt. Frederick Wegener Boschen, Infantry.
Capt. Emil Engel, Cavalry.
Capt. Louis Farrell, Infantry.
Capt. Sharles Otto Schudt, Coast Artillery Corps.
Capt. Emmett Addis, Cavalry.
Capt. Harry Lazelle King, Cavalry.
Capt. William Franklin Robinson, jr., Infantry.
Capt. John James Burleigh, Infantry.
Capt. Arthur Gerald Hixon, Cavalry.
Capt. Augustine Aloysius Hofmann, Infantry.
Capt. James Blyth, Infantry.
Capt. Edwin Gunner, Infantry.
Capt. Resolve Potter Palmer, Infantry.
Capt. Edward Eugene McCammon, Infantry.
Capt. Philip Remington, Infantry.
Capt. Charles Henry Rich, Infantry.
Capt. Paul Calkins Potter, Infantry.
Capt. Albert Thurston Rich, Infantry.
Capt. David Perry Wood, Infantry.
Capt. Charles Bean Amory, jr., Cavalry.
Capt. Walton Goodwin, jr., Cavalry.
Capt. Philip Bradley Peyton, Infantry.
Capt. Karl Truesdell, Infantry.
Capt. Frederick Brahan Terrell, Infantry.
Capt. Mark Lorin Ireland, Coast Artillery Corps.

Capt. Charles Avery Dravo, Infantry.
Capt. Charles Russell Alley, Coast Artillery Corps.
Capt. James Garfield McIlroy, Infantry.
Capt. Vaughn Washington Cooper, Cavalry.
Capt. Chauncey Lee Fenton, Coast Artillery Corps.
Capt. Lucian Barclay Moody, Coast Artillery Corps.
Capt. Paul Delmont Bunker, Coast Artillery Corps.
Capt. Donald Cowan McDonald, Field Artillery.
Capt. Fulton Quintus Cincinnatus Gardner, Coast Artillery Corps.
Capt. Robert Charlwood Richardson, jr., Cavalry.
Capt. Robert Madison Campbell, Cavalry.
Capt. Jay Leland Benedict, Infantry.
Capt. Philip Henry Worcester, Coast Artillery Corps.
Capt. Charles Thomas Smart, Infantry.
Capt. George Bowditch Hunter, Cavalry.
Capt. Joseph Warren Stilwell, Infantry.
Capt. James Kerr Crain, Coast Artillery Corps.
Capt. Carr Wilson Waller, Coast Artillery Corps.
Capt. Richard James Herman, Infantry.
Capt. David McCandless McKell, Coast Artillery Corps.
Capt. Matthew Arthur Cross, Coast Artillery Corps.
Capt. Henning Ferdinand Colley, Coast Artillery Corps, since retired from active service.
Capt. Edward Lorenzo Hooper, Infantry.
Capt. Albert Howell Barkley, Coast Artillery Corps.
Capt. Stanley Koch, Cavalry.
Capt. Irving Joseph Phillipson, Infantry.
Capt. Edmund Bristol Gregory, Infantry.
Capt. Wilber Alexander Blain, Infantry.
Capt. Walter Singles, Coast Artillery Corps.
Capt. Stephen Clark Reynolds, Cavalry.
Capt. William Vaulx Carter, Cavalry.
Capt. Gordon Rives Catts, Infantry.
Capt. Henry Conger Pratt, Cavalry.
Capt. Ursa Milner Diller, Infantry.
Capt. Rollo Fred Anderson, Coast Artillery Corps, since retired from active service.
Capt. Edwin Butcher, Infantry.
Capt. Russell Vernon Venable, Infantry.
Capt. Arthur James Davis, Infantry.
Capt. Kinzie Bates Edmunds, Cavalry.
Capt. Martin Christian Wise, Infantry.
Capt. Andrew Jackson White, Infantry.
Capt. Walter Scott Drysdale, Infantry, subject to examination required by law.
Capt. Edward Ellis Farnsworth, Coast Artillery Corps.
Capt. Charles Andrew Meals, Infantry.
Capt. Matthew Henry Thomlinson, Infantry.
Capt. Joseph Alexander Atkins, Infantry.
Capt. Charles Fullington Thompson, Infantry.
Capt. Augustus Bissell Van Wormer, Infantry.
Capt. Thomas Leslie Crystal, Infantry.
Capt. James Joseph O'Hara, Cavalry.
Capt. Albert Courtney Wimberly, Coast Artillery Corps.
Capt. Arthur Dryhurst Budd, Infantry.
Capt. Ralph Rigby Glass, Infantry.
Capt. Erle Martin Wilson, Infantry.
Capt. Merrill Ellicott Spalding, Infantry.
Capt. Joseph James Grace, Coast Artillery Corps.
Capt. Ray Weber Holderness, Cavalry.
Capt. John Donald Burnett, Infantry.
Capt. Joseph Alexander McAndrew, Infantry.
Capt. Richard Rembert Pickering, Infantry.
Capt. Lowe Abeel McClure, Infantry.
Capt. James Scott Greene, Cavalry.
Capt. Gerald Clark Brant, Cavalry.
Capt. Clement Hale Wright, Infantry.
Capt. William Ross Scott, Infantry.
Capt. William Washington Harris, jr., Infantry.
Capt. Napoleon William Riley, Infantry.
Capt. Otto Ludwick Brunzell, Field Artillery.
Capt. George Carson Lawrason, Cavalry.
Capt. Robert Pattison Harbold, Infantry.
Capt. James Barton Woolnough, Infantry.
Capt. Innis Palmer Swift, Cavalry.
Capt. Arthur Harrison Wilson, Cavalry.
Capt. Walter Scott Fulton, Infantry.
Capt. Sherburne Whipple, Infantry.
Capt. Harry Hawley, Infantry.
Capt. Thomas Norton Gimperling, Infantry.
Capt. Hugh Lawson Walthall, Infantry.
Capt. John Buchanan Richardson, Infantry.
Capt. Anton Caesar Cron, Infantry.
Capt. Jaime Nadal, Porto Rico Regiment of Infantry.
Capt. Oscar Winslow Hoop, Infantry.
Capt. John Clark Moore, Infantry.
Capt. William Frederick Pearson, Infantry.
Capt. James Alexander Ulio, Infantry.
Capt. Frank Moorman, Coast Artillery Corps.
Capt. Harry Harrison Bissell, Infantry.
Capt. Charles Bernadou Elliott, Infantry.
Capt. John Bunyan Corbly, Infantry.
Capt. Joseph Lybrand Topham, jr., Infantry.
Capt. Charles Lewis Sampson, Infantry.
Capt. John Marshall True, Infantry.
Capt. Bruce Robinson Campbell, Infantry.
Capt. John Charles French, Infantry.
Capt. Benjamin Banatt McCroskey, Infantry.
Capt. John Walter Downer, Field Artillery.
Capt. James Hatch Van Horn, Infantry.
Capt. Albert Benjamin Kaempfer, Infantry.
Capt. Forrest Elmer Overholser, Infantry.
Capt. Charles Winder Mason, Infantry.
Capt. Loren Chester Grieves, Infantry.
Capt. Henry Carlos Rexach, Porto Rico Regiment of Infantry.
Capt. Eduardo Iriarte, Porto Rico Regiment of Infantry.
Capt. William Thomas Carpenter, Coast Artillery Corps.
Capt. Teofilo Marxuach, Porto Rico Regiment of Infantry.
Capt. Clifton Monroe Spears, Philippine Scouts.
Capt. Benjamin Mart Bailey, Field Artillery.
Capt. Frank Huntington Phipps, jr., Coast Artillery Corps.
Capt. Thomas Duncan, Air Service.
Capt. William Perkins Currier, Coast Artillery Corps.
Capt. Ambrose Robert Emery, Infantry.
Capt. Edmund Clivious Waddill, Infantry.
Capt. Allen Samuel Fletcher, Philippine Scouts.
Capt. Thomas Marshall Spaulding, Coast Artillery Corps.
Capt. Rolland Webster Case, Infantry.
Capt. Norman Foster Ramsey, Infantry.
Capt. Benjamin Henderson Lorne Williams, Coast Artillery Corps.
Capt. LeRoy Bartlett, Coast Artillery Corps.
Capt. Robert Collins Eddy, Coast Artillery Corps.
Capt. George Dillman, Cavalry.
Capt. DeWitt Clinton Tucker Grubbs, Infantry.
Capt. James Frederick Walker, Coast Artillery Corps.
Capt. Thomas West Hammond, Infantry.
Capt. Ellery Willis Niles, Coast Artillery Corps.
Capt. Calvin Pearl Titus, Infantry.
Capt. Philip John Radcliffe Kiehl, Cavalry.
Capt. Adelno Gibson, Coast Artillery Corps.
Capt. John Lee Holcombe, Coast Artillery Corps.
Capt. Charles Lewis Scott, Cavalry.
Capt. James Saye Duesenbury, Coast Artillery Corps.
Capt. Lloyd Burns Magruder, Coast Artillery Corps.
Capt. Robert Henry Lewis, Field Artillery.
Capt. William Charles Miller, Infantry.
Capt. Sidney Howland Guthrie, Coast Artillery Corps.
Capt. Ralph Talbot, jr., Cavalry.
Capt. William Nicholas Hensley, jr., Cavalry.
Capt. Arthur Willis Lane, Infantry.
Capt. Henry Tacitus Burgin, Field Artillery.
Capt. Nathan Horowitz, Coast Artillery Corps.
Capt. Bernard Lentz, Infantry.
Capt. Clifford Lee Corbin, Field Artillery.
Capt. Berkeley Thorne Merchant, Cavalry.
Capt. Frederick Coleman Test, Infantry.
Capt. Owen Stedman Albright, Infantry.
Capt. Fred Hendrickson Baird, Infantry.
Capt. Hugh Hunt Broadhurst, Cavalry.
Capt. Clifford Cabell Early, Infantry.
Capt. Arthur William Holderness, Cavalry.
Capt. George Frank Waugh, Infantry.
Capt. Louis Albert O'Donnell, Cavalry.
Capt. Allan Rutherford, Infantry.
Capt. Joseph Ray Davis, Field Artillery.
Capt. Oscar Arden Russell, Coast Artillery Corps.
Capt. Avery Duane Cummings, Infantry.
Capt. Charles Smith Caffery, Infantry.
Capt. Louis Albert Kunzig, Infantry.
Capt. John Pearson Bubb, Infantry.
Capt. Clarence Andrew Mitchell, Coast Artillery Corps.
Capt. John Roy Starkey, Field Artillery.
Capt. Joseph Edward Barzynski, Infantry.
Capt. Ralph Dwight Bates, Coast Artillery Corps.
Capt. Ben Waller Feild, Infantry.
Capt. Bloxham Ward, Infantry.

Capt. Paul Hedrick Clark, Infantry.
Capt. Thomas Hixon Lowe, Infantry.
Capt. Torrey Borden Maghee, Infantry.
Capt. William Whitehead West, jr., Cavalry.
Capt. George Washington Maddox, Infantry.
Capt. Walter Eldridge Pridgen, Infantry.
Capt. James Wilson Hemphill Reisinger, jr., Infantry.
Capt. Rupert Algernon Dunford, Infantry.
Capt. Charles Carr Bankhead, Infantry.
Capt. Michael E. Sliney, Philippine Scouts.
Capt. Fred Damman, Philippine Scouts.
Capt. William Greene Carter, Philippine Scouts.
Capt. Henry Roland Smalley, Cavalry.
Capt. Edward Joseph Cullen, Coast Artillery Corps.
Capt. Ira Longanecker, Infantry.
Capt. William Robert McCleary, Coast Artillery Corps.
Capt. Robert Blaine, Cavalry.
Capt. Frederick Julius Ostermann, Infantry.
Capt. William James Connolly, Infantry.
Capt. Everett Darius Barlow, jr., Infantry.
Capt. Lawrence Edward Hohl, Infantry.
Capt. James Griffin Boswell, Infantry, since retired from active service.
Capt. James Macdonald Lockett, Infantry.
Capt. Felix Emmanuelli, Porto Rico Regiment of Infantry.
Capt. Pascual Lopez, Porto Rico Regiment of Infantry.
Capt. Daniel Rodriguez, Porto Rico Regiment of Infantry.
Capt. George Harry Wright, Philippine Scouts.
Capt. Richard Coke Burleson, Field Artillery.
Capt. Lloyd Patzlaff Horsfall, Coast Artillery Corps.
Capt. Charles Gearhart Mettler, Coast Artillery Corps.
Capt. Charles Bhaer Gatewood, Coast Artillery Corps.
Capt. Joseph Halley Pelot, Coast Artillery Corps.
Capt. Morgan Lewis Brett, Coast Artillery Corps.
Capt. Forrest Estey Williford, Coast Artillery Corps.
Capt. Earl McFarland, Coast Artillery Corps.
Capt. Joseph Andrew Green, Coast Artillery Corps.
Capt. Alexander Garland Pendleton, Coast Artillery Corps.
Capt. Jonathan Mayhew Wainwright, Cavalry.
Capt. John Cleves Henderson, Coast Artillery Corps.
Capt. Charles Alexander Lewis, Infantry.
Capt. Adna Romanza Chaffee, Cavalry.
Capt. Edward White Wildrick, Coast Artillery Corps.
Capt. Paul Revere Manchester, Infantry.
Capt. Alexander Garfield Gillespie, Coast Artillery Corp
Capt. Dawson Olmstead, Finance Department.
Capt. Byard Sneed, Infantry.
Capt. George Williamson DeArmond, Cavalry.
Capt. John George Quekemeyer, Cavalry.
Capt. Frank Maxwell Andrews, Cavalry.
Capt. Oscar Westover, Infantry.
Capt. John Sedgwick Pratt, Coast Artillery Corps.
Capt. Joseph Choate King, Cavalry.
Capt. Martyn Hall Shute, Infantry.
Capt. George Gordon Bartlett, Infantry.
Capt. Henry Black Clagett, Infantry.
Capt. Clyde Rush Abraham, Infantry.
Capt. Pierre Victor Kieffer, Field Artillery.
Capt. George Harris Paine, Field Artillery.
Capt. Donald Allister Robinson, Cavalry.
Capt. Rene Edward de Russy Hoyle, Field Artillery.
Capt. Philip Mathews, Coast Artillery Corps.
Capt. Richard Herbert Jacob, Infantry.
Capt. Ralph Allen Jones, Infantry.
Capt. Horace Fletcher Spurgin, Coast Artillery Corps.
Capt. Hugo D. Selton, Infantry.
Capt. Max Akin Elser, Infantry.
Capt. George Rivers Byrd, Infantry.
Capt. William Torbert MacMillan, Infantry.
Capt. Eston Murray Barker, Philippine Scouts.
Capt. Jacob Earl Fickel, Infantry.
Capt. Jesse Wright Boyd, Infantry.
Capt. Ebenezer George Beuret, Infantry.
Capt. Bruce La Mar Burch, Cavalry.
Capt. Rush Blodgett Lincoln, Infantry.
Capt. Edgar Mason Whiting, Cavalry.
Capt. William Fletcher Sharp, Field Artillery.
Capt. Walter Francis Llewellyn Hartigan, Infantry.
Capt. Bruce Magruder, Infantry.
Capt. George Herman Huddleson, Infantry.
Capt. Edward Goff Elliott, Cavalry.
Capt. Guy Herbert Wyman, Cavalry.
Capt. Verne Raymond Bell, Cavalry.
Capt. Henry Welles Baird, Cavalry.
Capt. Harry Hall Pritchett, Infantry.
Capt. Alexander Hamilton Jones, Cavalry.
Capt. Edgar Lee Field, Infantry.
Capt. Jere Baxter, Infantry.
Capt. Charles Louis Stevenson, Cavalry.
Capt. Frank Kirby Chapin, Cavalry.
Capt. Lloyd Ralston Fredendall, Infantry.
Capt. Rowan Palmer Lemly, Infantry.
Capt. Frank Thorp, jr., Field Artillery.
Capt. Albert Ellicott Brown, Infantry.
Capt. John George Donovan, Coast Artillery Corps.
Capt. Guy L. Gearhart, Air Service.
Capt. Leroy Pierce Collins, Field Artillery.
Capt. Ballard Lyerly, Field Artillery.
Capt. George Albert Wildrick, Coast Artillery Corps.
Capt. Allen Kimberly, Coast Artillery Corps.
Capt. Thomas Aquilla Clark, Coast Artillery Corps.
Capt. Phillip Woodfin Booker, Field Artillery.
Capt. Thomas Lee Coles, Coast Artillery Corps.
Capt. John Boursiquat Rose, Coast Artillery Corps.
Capt. Charles Tillman Harris, jr., Field Artillery.
Capt. Maxwell Murray, Field Artillery.
Capt. William Edgar Shedd, jr., Coast Artillery Corps.
Capt. Royal Kemp Greene, Coast Artillery Corps.
Capt. Howard Kendall Loughry, Coast Artillery Corps.
Capt. Robert Price Glassburn, Coast Artillery Corps.
Capt. Harry Keneth Rutherford, Coast Artillery Corps.
Capt. Paul Jones Horton, Coast Artillery Corps.
Capt. Fred Taylor Cruse, Field Artillery.
Capt. James Preston Marley, Field Artillery.
Capt. Robert Arthur, Coast Artillery Corps.
Capt. John Patrick Keller, Coast Artillery Corps.
Capt. Lucian Dent Booth, Coast Artillery Corps.
Capt. Henry Lee Watson, Cavalry.
Capt. Murray Blight Rush, Cavalry.
Capt. Waldo Charles Potter, Field Artillery.
Capt. Henry Henderson Pfeil, Field Artillery.
Capt. Thurman Harrison Bane, Air Service.
Capt. Clyde Leslie Eastman, Infantry.
Capt. Jesse Cyrus Drain, Infantry.
Capt. Alexander Wheeler Chilton, Infantry.
Capt. William Eric Morrison, Infantry.
Capt. Donald James MacLachlan, Infantry.
Capt. Charles Henry Rice, Infantry.
Capt. Melvin Guy Faris, Infantry.
Capt. Alexander William Maish, Infantry.
Capt. William Jackson McCaughey, Infantry.
Capt. Eugene Ross Householder, Infantry.
Capt. James Gilbert Taylor, Infantry.
Capt. Eugene Santschi, jr., Infantry.
Capt. William Addleman Ganoe, Infantry.
Capt. Elmer Franklin Rice, Infantry.
Capt. Augustine Warner Robins, Cavalry.
Capt. William Ducachet Geary, Cavalry.
Capt. Emil Pehr Pierson, Cavalry.
Capt. Clark Porter Chandler, Cavalry.
Capt. John Walton Lang, Infantry.
Capt. George Thomas Everett, Infantry.
Capt. Henry Harley Arnold, Infantry.
Capt. Walter Raymond Wheeler, Infantry.
Capt. George Frederick Ney Dailey, Infantry.
Capt. Richard Huntington Kimball, Cavalry.
Capt. Abbott Boone, Cavalry.
Capt. Barton Kyle Yount, Infantry.
Capt. Denham Bohart Crafton, Infantry.
Capt. William Lewis Moose, jr., Cavalry.
Capt. Frederick Story Snyder, Cavalry.
Capt. William Eliot Selbie, Infantry.
Capt. William Carroll Christy, Cavalry.
Capt. Sloan Doak, Cavalry.
Capt. John Logan Jenkins, Infantry.
Capt. Charles Henry White, Infantry.
Capt. Alvin Gustav Gutensohn, Infantry.
Capt. Stanley Livingston James, Infantry.
Capt. John Stephen Sullivan, Infantry.
Capt. Leland Wadsworth, jr., Cavalry.
Capt. David Grover Cleveland Garrison, Infantry.
Capt. James Lawton Collins, Field Artillery.
Capt. Evan Elias Lewis, Infantry.
Capt. William Caldwell McChord, Cavalry.
Capt. William Rudicil Henry, Cavalry.
Capt. James Howard Laubach, Infantry.
Capt. George Richard Harrison, Infantry.
Capt. Ralph Wayne Dusenbury, Infantry.
Capt. Thomas Charles Spencer, Infantry.
Capt. Robert Mercer Cheney, Cavalry.

Capt. Fauntley Muse Miller, Infantry.
Capt. Ray Corson Hill, Infantry.
Capt. Thomas Mayne Reid Herron, Infantry.
Capt. Thomas Franklin McNeill, Infantry.
Capt. John Gavin Tyndall, Field Artillery.
Capt. Alfred Lawrence Pearson Sands, Field Artillery.
Capt. Charles Peaslee George, Field Artillery.
Capt. Charles William Harlow, Field Artillery.
Capt. John Delbert Reardan, Infantry.
Capt. Ernest Leonard Pell, Infantry.
Capt. William Henry Rucker, Field Artillery.
Capt. William Henry Shepherd, Field Artillery.
Capt. Marshall Guion Randol, Field Artillery.
Capt. Joseph Carmoreau Hatie, Infantry.
Capt. George Meredith Peek, Coast Artillery Corps.
Capt. William Pegram Wilson, Coast Artillery Corps.
Capt. Charles Laurance Williams, Coast Artillery Corps.
Capt. Alexander James Stuart, Coast Artillery Corps.
Capt. Chester Jennings Goodier, Coast Artillery Corps.
Capt. Robert Emory Vose, Coast Artillery Corps.
Capt. John Stuart Williams, Coast Artillery Corps.
Capt. John Nesmith Greely, Field Artillery.
Capt. George Ruhlen, jr., Coast Artillery Corps.
Capt. John Waring Simons, jr., Infantry.
Capt. John Edward Mort, Field Artillery.
Capt. Charles Pope Hollingsworth, Field Artillery.
Capt. Edward Graham Taylor, Infantry.
Capt. Webster Allyn Capron, Field Artillery.
Capt. Thomas Donaldson Sloan, Field Artillery.
Capt. Frederick Monroe Barrows, Field Artillery.
Capt. Alfred Henry Erck, Infantry.
Capt. Henry Wirt Thomas Eglin, Coast Artillery Corps.
Capt. Walter Scott Greacen, Infantry.
Capt. Cary Ingram Crockett, Infantry.
Capt. José Perez-Brown, Philippine Scouts.
Capt. Lawrence Wright McIntosh, Cavalry.
Capt. James Henry Burns, Field Artillery.
Capt. Everett Strait Hughes, Field Artillery.
Capt. Thomas Jefferson Smith, Field Artillery.
Capt. Roger Sheffield Parrott, Field Artillery.
Capt. Oliver Andrews Dickinson, Field Artillery.
Capt. Richard Edgar Cummins, Cavalry.
Capt. Telesphor George Gottschalk, Field Artillery.
Capt. Harvey Douglas Higley, Field Artillery.
Capt. James Wilbur Lyon, Coast Artillery.
Capt. Harold Geiger, Air Service.
Capt. Rodney Hamilton Smith, Coast Artillery Corps.
Capt. Albert Lawrence Loustalot, Coast Artillery Corps.
Capt. Richard Donovan, Coast Artillery Corps.
Capt. Robert Clive Rodgers, Cavalry.
Capt. Homer Havron Slaughter, Infantry.
Capt. Sanderford Jarman, Coast Artillery Corps.
Capt. Clair Warren Baird, Coast Artillery Corps.
Capt. Edward Willis Putney, Coast Artillery Corps.
Capt. Gilbert Marshall, Coast Artillery Corps.
Capt. Henry Clinton Kress Mühlenberg, Infantry.
Capt. Lewis Lindsay Pendleton, Coast Artillery Corps.
Capt. John Francis Curry, Infantry.
Capt. James Eugene Chaney, Infantry.
Capt. Thomas Alexander Terry, Coast Artillery Corps.
Capt. Edward Nicoll Woodbury, Coast Artillery Corps.
Capt. Philip Gordon, Cavalry.
Capt. William Jay Fitzmaurice, Infantry.
Capt. Carl Cogswell Oakes, Infantry.
Capt. John Thomas Kennedy, Field Artillery.
Capt. Ray Longfellow Avery, Coast Artillery Corps.
Capt. Horace Meek Hickam, Cavalry.
Capt. Owen Riggs Meredith, Infantry.
Capt. James Clifford Williams, Infantry.
Capt. Edward Alexander Stockton, jr., Coast Artillery Corps.
Capt. Homer McLaughlin Groninger, Cavalry.
Capt. Robert Emmett O'Brien, Infantry.
Capt. James Hutchings Cunningham, Coast Artillery Corps.
Capt. Stewart Oscar Elting, Cavalry.
Capt. Simon Bolivar Buckner, jr., Infantry.
Capt. John Kimball Brown, Cavalry.
Capt. Charles Hartwell Bonesteel, Infantry.
Capt. Richard David Newman, Cavalry.
Capt. Thomas Jefferson Johnson, Field Artillery.
Capt. Allison Barnes Deans, jr., Coast Artillery Corps.
Capt. Robert Howe Fletcher, jr., Infantry.
Capt. William Henry Garrison, jr., Cavalry.
Capt. Frederick Ambrose Barker, Infantry.
Capt. Agard Hyde Bailey, Infantry.
Capt. Sumner McBee Williams, Cavalry.
Capt. Henry Wallace Hall, Cavalry.
Capt. John Hutchison Hester, Infantry.
Capt. Franklin Langley Whitley, Infantry.
Capt. Alfred Harold Hobley, Infantry.
Capt. Elmer Cuthbert Desobry, Infantry.
Capt. Arthur Earl Wilbourn, Cavalry.
Capt. Emile Victor Cutrer, Infantry.
Capt. Harry Bowers Crea, Infantry.
Capt. Robert Christie Cotton, Infantry.
Capt. George Barrett Glover, jr., Infantry.
Capt. Henry John Weeks, Infantry.
Capt. Roy Alison Hill, Infantry.
Capt. Enoch Barton Garey, Infantry.
Capt. Leonard H. Drennan, Infantry.
Capt. Charles Kilbourne Nulsen, Infantry.
Capt. Theodore Kendall Spencer, Infantry.
Capt. Ernest Grove Cullum, Cavalry.
Capt. Edwin Martin Watson, Field Artillery.
Capt. William Walter Erwin, Cavalry.
Capt. Charles Dudley Hartman, Infantry.
Capt. Edgar Simpson Miller, Infantry.
Capt. Thomas Clement Lonergan, Infantry.
Capt. Albert Lee Sneed, Infantry.
Capt. Lester David Baker, Infantry.
Capt. Walter Reed Weaver, Infantry.
Capt. William Whinery Hicks, Coast Artillery Corps.
Capt. Eugene Bonfils Walker, Coast Artillery Corps.
Capt. Roy Walter Winton, Infantry.
Capt. Frederick Colwell Phelps, Infantry.
Capt. John Burges Johnson, Cavalry.
Capt. Edmund Russell Andrews, Infantry.
Capt. Joseph Albert Rogers, Field Artillery.
Capt. Max Robert Wainer, Infantry.
Capt. Karl Ferguson Baldwin, Coast Artillery Corps.
Capt. Charles Kleber Wing, jr., Coast Artillery Corps.
Capt. Charles Elting Coates, Infantry.
Capt. Frank Sperbeck, Philippine Scouts.
Capt. Andrew Joseph Conroy, Philippine Scouts.
Capt. Francis Eugene Brady, Philippine Scouts.
Capt. Edward Postell King, jr., Field Artillery.
Capt. Martin Conrad Shallenberger, Infantry.
Capt. Herbert Hamlin White, Cavalry.
Capt. John Henry Pirie, Coast Artillery Corps.
Capt. Kenneth Sheild Perkins, Field Artillery.
Capt. Chauncey St. Claire McNeill, Cavalry.
Capt. Eugene Reybold, Coast Artillery Corps.
Capt. Robert George Kirkwood, Field Artillery.
Capt. Harold Everett Marr, Field Artillery.
Capt. Hugo Ernst Pitz, Coast Artillery Corps.
Capt. William Baldridge Loughborough, Infantry.
Capt. Joseph Wright Rumbough, Field Artillery.
Capt. Thomas Clair Cook, Coast Artillery Corps.
Capt. Olin Harrington Longino, Coast Artillery Corps.
Capt. Peter Hill Ottosen, Coast Artillery Corps.
Capt. Edgar Hall Thompson, Coast Artillery Corps.
Capt. Samuel Harvey McLeary, Coast Artillery Corps.
Capt. Frank Keet Ross, Cavalry.
Capt. Oral Eugene Clark, Infantry.
Capt. Allan Clay McBride, Field Artillery.
Capt. Joe Reese Brabson, Field Artillery.
Capt. Herman Kobbe, Cavalry.
Capt. John Norton Reynolds, Air Service.
Capt. Louis David Pepin, Coast Artillery Corps.
Capt. Leonard Craig Sparks, Field Artillery.
Capt. Robert Coker, Air Service.
Capt. William Ferguson Hoey, jr., Infantry.
Capt. Rufus Foote Maddux, Chemical Warfare Service.
Capt. Lincoln Beaumont Chambers, Coast Artillery Corps.
Capt. John Hale Stutesman, Infantry.
Capt. John Alden Crane, Field Artillery.
Capt. John Ashley Warden, Cavalry.
Capt. James Anthony Sarratt, Infantry.
Capt. Willis Craig Knight, Coast Artillery Corps.
Capt. Frank Melvin Kennedy, Air Service.
Capt. John Robert Ellis, Coast Artillery Corps.
Capt. John Thomas Harris, Quartermaster Corps.
Capt. Albert Sidney Johnston Tucker, Infantry.
Capt. Marion Ogilvie French, Infantry.
Capt. Frederick Almyron Prince, Field Artillery.
Capt. John Mather, Coast Artillery Corps.
Capt. Chester Raymond Snow, Coast Artillery Corps.
Capt. George William Carlyle Whiting, Infantry.
Capt. Robert Emmett Mason Goolrick, Coast Artillery Corps.
Capt. Marshall Magruder, Field Artillery.
Capt. Walter Putney Boatwright, Coast Artillery Corps.

Capt. John Piper Smith, Coast Artillery Corps.
Capt. Charles Winslow Elliott, Infantry.
Capt. George Richard Koehler, Infantry.
Capt. Oliver Seth Wood, Infantry.
Capt. Allen Mitchell Burdett, Infantry.
Capt. Wilbur Rogers, Field Artillery.
Capt. Edwin Kennedy Smith, Coast Artillery Corps.
Capt. Louis Roberts Dougherty, Field Artillery.
Capt. Samuel Roland Hopkins, Field Artillery.
Capt. Charles Dudley Daly, Field Artillery.
Capt. Albert Kenny Craven Palmer, Quartermaster Corps, since retired from active service.
Capt. John Caffery Walker, jr., Infantry.
Capt. Clarence Talmage Marsh, Coast Artillery Corps.
Capt. Frederick Warren Stewart, Field Artillery.
Capt. John Blackwell Maynard, Coast Artillery Corps.
Capt. Jacob Frank, Coast Artillery Corps.
Capt. Jacob Herman Rudolph, Air Service.
Capt. Elbe Allen Lathrop, Air Service.
Capt. Raymond Ceward Baird, Infantry.
Capt. Warren Reigle Bell, Coast Artillery Corps.
Capt. Arthur Griffith Campbell, Coast Artillery Corps.
Capt. Matthew Addison Palen, Infantry.
Capt. Joseph Taylor Clement, Infantry.
Capt. Frederick LeRoy Martin, Air Service.
Capt. John Oscar Lackey, Philippine Scouts.
Capt. Seth Lathrope Weld, Philippine Scouts.
Capt. Thomas Clinton Fain, Philippine Scouts.
Capt. Bert Elmer Nickerson, Philippine Scouts.
Capt. Harold Lincoln Gardiner, Cavalry.
Capt. Robert Addison Gilmore, Philippine Scouts.
Capt. Hugh Straughn, Philippine Scouts.
Capt. Raymond St. James Bowman, Philippine Scouts.
Capt. Edwin Hurlburt Rackley, Philippine Scouts.
Capt. Edward Parfit, Philippine Scouts.
Capt. Clinton Thomas Alden, Philippine Scouts.
Capt. Eacott Berton Miller, Philippine Scouts.
Capt. Jenner Young Chisum, Philippine Scouts.
Capt. Frederick Clifford Rogers, Infantry.
Capt. Claude De Busy Hunt, Cavalry.
Capt. Robert Clifton Garrett, Coast Artillery Corps.
Capt. Harry Jackson Castles, Philippine Scouts.
Capt. Burton Ebenezer Bowen, Philippine Scouts.
Capt. Guy Brandon Lawrason, Coast Artillery Corps.
Capt. Laurence Tidd Walker, Coast Artillery Corps.
Capt. Otto Harry Schrader, Coast Artillery Corps.
Capt. Isaac Edwin Titus, Coast Artillery Corps.
Capt. Halstead Powell Councilman, Coast Artillery Corps.
Capt. Arthur Haldane Doig, Coast Artillery Corps.
Capt. Robert Elton Guthrie, Coast Artillery Corps.
Capt. William Robert Nichols, Coast Artillery Corps.
Capt. Paul Henry Herman, Coast Artillery Corps.
Capt. Oscar Czar Warner, Coast Artillery Corps.
Capt. Frank Sheldon Clark, Coast Artillery Corps.
Capt. Kelley Benjamin Lemmon, Coast Artillery Corps.
Capt. William Skinner Fulton, Coast Artillery Corps.
Capt. Thomas Ogden Humphreys, Coast Artillery Corps.
Capt. Donald MacQueen Ashbridge, Coast Artillery Corps.
Capt. Hollis LeRoy Muller, Coast Artillery Corps.
Capt. Eli Elmer Bennett, Coast Artillery Corps.
Capt. Charles Todd Richardson, Coast Artillery Corps.
Capt. Clarence Edward Partridge, Infantry.
Capt. Leo James Ahern, Field Artillery.
Capt. Donald Meredith Beere, Field Artillery.
Capt. Homer Ray Oldfield, Coast Artillery Corps.
Capt. Herman Erlenkotter, Field Artillery.
Capt. Claude B. Thummel, Ordnance Department.
Capt. Norton Meade Beardslee, Coast Artillery Corps, since retired from active service.
Capt. Harold Earl Miner, Field Artillery.
Capt. Norman Butler Briscoe, Cavalry.
Capt. James Leo Dunsworth, Coast Artillery Corps.
Capt. Elbert Eli Farman, jr., Cavalry.
Capt. Ronald DeVore Johnson, Field Artillery.
Capt. Thom Catron, Infantry.
Capt. Francis Greason Delano, Coast Artillery Corps.
Capt. Jacob Loucks Devers, Field Artillery.
Capt. Philip Hayes, Field Artillery.
Capt. Franz August Doniat, Field Artillery.
Capt. Raphael Robert Nix, Coast Artillery Corps.
Capt. James Lawrence Walsh, Coast Artillery Corps.
Capt. Carl Adolph Baehr, Field Artillery.
Capt. George Smith Patton, jr., Cavalry.
Capt. Henry Horace Malven, jr., Coast Artillery Corps.
Capt. Edward Luke Kelly, Coast Artillery Corps.
Capt. James Garssche Ord, Infantry.
Capt. Thurston Hughes, Coast Artillery Corps.
Capt. Robert Stanley Donaldson, Field Artillery.
Capt. Wallace Copeland Philoon, Infantry, subject to examination required by law.
Capt. Charles Bartell Meyer, Coast Artillery Corps.
Capt. Herbert LeRoy Taylor, Infantry.
Capt. James Rowland Hill, Cavalry.
Capt. Frederick Arthur Mountford, Coast Artillery Corps.
Capt. Delos Carleton Emmons, Air Service.
Capt. Arnold Norman Krogstad, Air Service.
Capt. Eley Parker Denson, Infantry.
Capt. Thomas DeWitt Milling, Air Service.
Capt. Roy Howard Coles, Signal Corps.
Capt. Henry Dorsey Farnandis Munnikhuysen, Quartermaster Corps.
Capt. Philip Stearns Gage, Coast Artillery Corps.
Capt. Robert Lawrence Eichelberger, Infantry.
Capt. Monte Jackson Hickok, Coast Artillery Corps.
Capt. Robert Charles Frederick Goetz, Field Artillery.
Capt. Archibald Toombs Cooley, Cavalry.
Capt. Edwin Forrest Harding, Infantry.
Capt. Theodore Mosher Chase, Coast Artillery Corps.
Capt. Carleton George Chapman, Cavalry.
Capt. Arthur Rutledge Underwood, Infantry.
Capt. Robert Sears, Infantry.
Capt. Joseph Plassmeyer, Cavalry.
Capt. Chester Paddock Mills, Cavalry.
Capt. Lee Dunnington Davis, Infantry.
Capt. Edwin Russell Van Deusen, Field Artillery.
Capt. Frank Leroy Purdon, Infantry.
Capt. Merl Paul Schillerstrom, Infantry.
Capt. Carlin Curtis Stokely, Infantry.
Capt. Louis Philip Ford, Infantry.
Capt. John May McDowell, Field Artillery.
Capt. Clifford Bluemel, Infantry.
Capt. Wentworth Harris Moss, Infantry.
Capt. Manton Campbell Mitchell, Infantry.
Capt. William Hood Simpson, Infantry.
Capt. Walker Evans Hobson, Infantry.
Capt. William Charles Koenig, Coast Artillery Corps.
Capt. Harry Walter Stephenson, Coast Artillery Corps.
Capt. Lucien Helm Taliaferro, Field Artillery.
Capt. John Charles Fremont Tillson, jr., Cavalry.
Capt. Vernon George Olsmith, Infantry.
Capt. Ralph Ernest Jones, Infantry.
Capt. Herbert Hamilton Acheson, Coast Artillery Corps.
Capt. Willis Shippam, Coast Artillery Corps.
Capt. Frank Dexter Applin, Coast Artillery Corps.
Capt. Rollin Larrabee Tilton, Coast Artillery Corps.
Capt. John Keel Jemison, Coast Artillery Corps.
Capt. Furman Edgar McCammon, Coast Artillery Corps.
Capt. Raymond Eliot Lee, Field Artillery.
Capt. Louis Blaine Bender, Signal Corps.
Capt. Augustus Norton, Coast Artillery Corps.
Capt. Thomas Jamerson Cecil, Coast Artillery Corps.
Capt. Ralph Chrystal Harrison, Coast Artillery Corps.
Capt. Francis Page Hardaway, Coast Artillery Corps.
Capt. Clement Craig Heth, Coast Artillery Corps.
Capt. Frederic Alton Price, Coast Artillery Corps.
Capt. Edward Prescott Noyes, Coast Artillery Corps.
Capt. Charles Elliott Ide, Field Artillery.
Capt. William David Frazer, Coast Artillery Corps.
Capt. George Fleming Moore, Coast Artillery Corps.
Capt. Roy Robert Lyon, Coast Artillery Corps.
Capt. Jason McVay Austin, Field Artillery.
Capt. George Lane Van Deusen, Signal Corps.
Capt. Leopoldo Mercader, Porto Rico Regiment of Infantry.
Capt. Frank Asbury Turner, Field Artillery.
Capt. James Albert McGrath, Infantry.
Capt. Courtney Hicks Hodges, Infantry.
Capt. Rollo Curtin Ditto, Infantry.
Capt. James Henry Tierney, Philippine Scouts.
Capt. Frederick Martin Armstrong, Philippine Scouts.
Capt. Joseph Cumming Thomas, Philippine Scouts.
Capt. Isaac Joshua Nichol, Philippine Scouts.
Capt. John Adoniram Sterling, Philippine Scouts.
Capt. William Patrick Kelleher, Philippine Scouts.
Capt. Edwin Larkin Zinn, Philippine Scouts.
Capt. William Henry Sullivan, Philippine Scouts.
Capt. Clarence McCain McMurray, Infantry.
Capt. Guy Ichabod Rowe, Quartermaster Corps.
Capt. George Stevens Gay, Field Artillery.
Capt. John Magruder, Field Artillery, subject to examination required by law.

Capt. Charles Martin Everitt, Quartermaster Corps.
Capt. Per Ramee, Philippine Scouts.
Capt. Harrison Cressy Browne, Infantry.
Capt. Charles Herbert Lantz, Philippine Scouts.
Capt. James Henry Reynolds, jr., Philippine Scouts.
Capt. Harley Cleveland Dagley, Cavalry.
Capt. William Nichols Porter, Coast Artillery Corps.
Capt. George Howard Brett, Air Service.
Capt. Maurice Benjamin Willett, Coast Artillery Corps.
Capt. Robert Elmer Jones, Infantry.
Capt. Alexander Warner Cleary, Infantry.
Capt. George Marshall Parker, jr., Infantry.
Capt. Belton O'Neall Kennedy, Coast Artillery Corps.
Capt. Cary Robinson Wilson, Coast Artillery Corps.
Capt. John Herman Hood, Coast Artillery Corps.
Capt. Richard Stearns Dodson, Coast Artillery Corps.
Capt. Christopher Dudley Peirce, Coast Artillery Corps.
Capt. Philip Ljungstedt Milnor, Coast Artillery Corps.
Capt. Joseph Fredrick Cottrell, Coast Artillery Corps.
Capt. Edward Lathrop Dyer, Coast Artillery Corps.
Capt. Wallace Loring Clay, Coast Artillery Corps.
Capt. Walter Lucas Clark, Coast Artillery Corps.
Capt. Simon Willard Sperry, Coast Artillery Corps.
Capt. Daniel Nanny Swan, jr., Coast Artillery Corps.
Capt. Charles McHenry Steese, Coast Artillery Corps.
Capt. Harry Wylie Stovall, Coast Artillery Corps.
Capt. Fenelon Cannon, Coast Artillery Corps.
Capt. Richard Ferguson Cox, Coast Artillery Corps.
Capt. John Piersol McCaskey, jr., Coast Artillery Corps.
Capt. Edward Stuart Harrison, Coast Artillery Corps.
Capt. David McCoach, jr., Corps of Engineers.
Capt. Edgar Warren Taulbee, Cavalry.
Capt. Dwight Knowlton Shurtleff, Ordnance Department.
Capt. Francis Henry Miles, jr., Ordnance Department.
Capt. Fred Clute Wallace, Field Artillery.
Capt. Burton Oliver Lewis, Ordnance Department.
Capt. Herbert Raymond Odell, Field Artillery.
Capt. Reginald Bifield Cocroft, Coast Artillery Corps.
Capt. Clyde Andrew Selleck, Field Artillery.
Capt. Kenneth Bailey Harmon, Ordnance Department.
Capt. Ernest Joseph Dawley, Field Artillery.
Capt. Elmore Beach Gray, Coast Artillery Corps.
Capt. Herbert O'Leary, Coast Artillery Corps.
Capt. Louie Arnold Beard, Quartermaster Corps.
Capt. Willard Karle Richards, Coast Artillery Corps.
Capt. Harry Dwight Chamberlin, Cavalry.
Capt. James Irvin Muir, Infantry.
Capt. John Julius Waterman, Field Artillery.
Capt. Ivens Jones, Field Artillery.
Capt. Frank Drake, Coast Artillery Corps.
Capt. Meade Wildrick, Coast Artillery Corps.
Capt. Frederick Arthur Holmer, Coast Artillery Corps.
Capt. Daniel Huston Torrey, Infantry.
Capt. John Millikin, Cavalry.
Capt. Fred Seydel, Coast Artillery Corps.
Capt. Durward Saunders Wilson, Infantry.
Capt. Parker Cromwell Kalloch, jr., Infantry.
Capt. Maurice Duncan Welty, Infantry.
Capt. Charles Albert Chapman, Coast Artillery Corps.
Capt. Joseph Eugene Carberry, Infantry.
Capt. Frank Floyd Scowden, Quartermaster Corps.
Capt. Emmett Wilbur Smith, Infantry.
Capt. Herbert Edgar Marshburn, Infantry.
Capt. Charles Hines, Coast Artillery Corps.
Capt. Jack Whitehead Heard, Cavalry.
Capt. William Armistead Pendleton, Field Artillery.
Capt. Walter Kilshaw Dunn, Coast Artillery Corps.
Capt. Charles Manor Haverkamp, Cavalry.
Capt. Walter Hale Frank, Air Service.
Capt. Guy Woodman Chipman, Cavalry.
Capt. Fred Barnes Carrithers, Infantry.
Capt. Frederick Elwood Uhl, Infantry.
Capt. Edgar Willis Burr, Cavalry.
Capt. Harvey Henry Fletcher, Infantry.
Capt. John Erle Beller, Infantry.
Capt. John Frederick Landis, Infantry.
Capt. Joseph Stephens Leonard, Infantry.
Capt. John Arner Robenson, Cavalry.
Capt. Joseph Page Aleshire, Cavalry.
Capt. Walter Moore, Infantry.
Capt. Oscar Wolverton Griswold, Infantry.
Capt. Harding Polk, Cavalry.
Capt. Robert Horace Dunlop, Infantry.
Capt. John Richard Walker, Infantry.
Capt. Allen Richland Edwards, Coast Artillery Corps.
Capt. Emil Fred Reinhardt, Infantry.
Capt. John Gray Thornell, Air Service.
Capt. William Augustus Beach, Infantry.
Capt. John Thomas Hazelrig O'Rear, Coast Artillery Corps.
Capt. Ralph Edward Haines, Coast Artillery Corps.
Capt. Thomas Hardaway Jones, Coast Artillery Corps.
Capt. Laurence Watts, Coast Artillery Corps.
Capt. Henry Newbold Sumner, Coast Artillery Corps.
Capt. Edward Roth, jr., Coast Artillery Corps.
Capt. George Winship Easterday, Coast Artillery Corps.
Capt. Austin Garfield Frick, Coast Artillery Corps.
Capt. Sydney Smith Winslow, Coast Artillery Corps.
Capt. Wilmot Alfred Danielson, Quartermaster Corps.
Capt. Francis Joseph Torney, Quartermaster Corps.
Capt. Boltos Elder Brewer, Philippine Scouts.
Capt. Edgar Bergman Colladay, Coast Artillery Corps.
Capt. James Allan Stevens, Infantry.
Capt. Emmert Wohlleben Savage, Infantry.
Capt. Frederick Ramon Garcin, Coast Artillery Corps.
Capt. Tolbert Frank Hardin, Infantry.
Capt. Douglas Campbell Cordiner, Quartermaster Corps.
Capt. Julian Sommerville Hatcher, Coast Artillery Corps.
Capt. Benjamin Lafayette Carroll, Philippine Scouts.
Capt. Bernard Robertson Peyton, Field Artillery.
Capt. Whitmon Robert Conolly, Field Artillery.
Capt. Frank Anderson Sloan, Infantry.
Capt. Everett Collins, Cavalry.
Capt. Russell Peter Hartle, Infantry.
Capt. Oswald Hurtt Saunders, Infantry.
Capt. Spencer Ball Akin, Signal Corps.
Capt. Robert Gibson Sherrard, Infantry.
Capt. John Wesley Hyatt, Infantry.
Capt. Ralph Waldo Wilson, Coast Artillery Corps.
Capt. Fred Mortimer Green, Coast Artillery Corps.
Capt. Delmar Samuel Lenzner, Coast Artillery Corps.
Capt. Roland Wilbur Pinger, Coast Artillery Corps.
Capt. Donald Armstrong, Coast Artillery Corps.
Capt. Franklin Babcock, Coast Artillery Corps.
Capt. Hermann Heinrich Zornig, Coast Artillery Corps.
Capt. Gladeon Marcus Barnes, Ordnance Department.
Capt. Raycroft Walsh, Air Service.
Capt. Harvey Clark Allen, Coast Artillery Corps.
Capt. Edward Bennett Dennis, Coast Artillery Corps.
Capt. Leon Moffat Logan, Quartermaster Corps.
Capt. Roger Baldwin Colton, Coast Artillery Corps.
Capt. Enrique Urrutia, jr., Porto Rico Regiment of Infantry.
Capt. Arturo Moreno, Porto Rico Regiment of Infantry.
Capt. Oliver Loving Spiller, Coast Artillery Corps.
Capt. Ruskin Peirce Hall, Coast Artillery Corps.
Capt. Walter William Vautsmeier, Coast Artillery Corps.
Capt. James Madison White, Philippine Scouts.
Capt. Spencer Elwell Shearer, Philippine Scouts.
Capt. Frank Brezina, Philippine Scouts.
Capt. Seth Harold Frear, Philippine Scouts.
Capt. John Henry Mellom, Philippine Scouts.
Capt. Herbert Edward Pace, Infantry.
Capt. Gunnar J. Mortenson, Philippine Scouts.
Capt. John Emmitt Sloan, Coast Artillery Corps.
Capt. Frederick Rodman Palmer, Quartermaster Corps.
Capt. Alexander Wilson, Infantry.
Capt. Xavier Francis Blauvelt, Infantry.
Capt. Frank Dorwin Lackland, Air Service.
Capt. Joseph Andrews, Field Artillery.
Capt. Albert Samuel Peake, Infantry.
Capt. Floyd D. Garlock, Infantry.
Capt. Cushman Hartwell, Cavalry.
Capt. Arthur Boettcher, Infantry.
Capt. Horace Thurber Aplington, Cavalry.
Capt. Fred Livingood Walker, Infantry.
Capt. Alvan Cullom Gillem, jr., Infantry.
Capt. Rapp Brush, Infantry.
Capt. Bert Milton Atkinson, Infantry.
Capt. Edward George McCormick, Infantry.
Capt. Philip Bracken Fleming, Corps of Engineers.
Capt. Joseph Cowles Mehaffey, Corps of Engineers.
Capt. Paul Sorg Reinecke, Corps of Engineers.
Capt. Raymond Albert Wheeler, Corps of Engineers.
Capt. William Benjamin Hardigg, Coast Artillery Corps.
Capt. Harry Russell Kutz, Infantry.
Capt. Charles Adam Schimelfenig, Coast Artillery Corps.
Capt. Thompson Lawrence, Infantry.
Capt. Freeman Wate Bowley, Field Artillery.
Capt. Charles Reuben Baxter, Ordnance Department.
Capt. Gustav Henry Franke, Field Artillery.
Capt. Hubert Gregory Stanton, Ordnance Department.

Capt. John Everard Hatch, Field Artillery.
Capt. Charles Anderson Walker, jr., Ordnance Department.
Capt. Bethel Wood Simpson, Ordnance Department.
Capt. Harold Floyd Nichols, Coast Artillery Corps.
Capt. Harry James Keeley, Infantry.
Capt. Charles Philip Hall, Infantry.
Capt. Alexander Day Surles, Cavalry.
Capt. William Edmund Larned, Field Artillery.
Capt. Franklin Kemble, Coast Artillery Corps.
Capt. Alfred John Betcher, Field Artillery.
Capt. Karl Slaughter Bradford, Cavalry.
Capt. Herbert Arthur Dargue, Air Service.
Capt. John Griffeth Booton, Ordnance Department.
Capt. Frederick Gilbreath, Quartermaster Corps.
Capt. George Richmond Hicks, Infantry.
Capt. James Blanchard Crawford, Coast Artillery Corps.
Capt. Haig Shekerjian, Infantry.
Capt. Benjamin Curtis Lockwood, jr., Infantry.
Capt. Robert W. Clark, jr., Coast Artillery Corps.
Capt. Harrison Henry Cocke Richards, Air Service.
Capt. Carroll Armstrong Bagby, Infantry.
Capt. Arthur Bayard Conard, Cavalry.
Capt. Oliver Stelling McCleary, Infantry.
Capt. Frederick Gilbert Dillman, Coast Artillery Corps.
Capt. Gregory Hoisington, Infantry.
Capt. Ziba Lloyd Drollinger, Infantry.
Capt. Jesse Amos Ladd, Infantry.
Capt. Paul William Baade, Infantry.
Capt. James Roy Newman Weaver, Infantry.
Capt. John Porter Lucas, Field Artillery.
Capt. William Henry Harrison Morris, jr., Infantry.
Capt. Carl Fish McKinney, Infantry.
Capt. Roscoe Conkling Batson, Field Artillery.
Capt. Allen Russell Kimball, Infantry.
Capt. Wilfrid Mason Blunt, Cavalry.
Capt. Ira Adelbert Rader, Air Service.
Capt. Alvan Crosby Sandeford, Field Artillery.
Capt. William Jay Calvert, Quartermaster Corps.
Capt. Kenneth Ebbecke Kern, Infantry.
Capt. David Hamilton Cowles, Infantry.
Capt. Ira Thomas Wyche, Field Artillery.
Capt. James Craig Riddle Schwenck, Cavalry.
Capt. Arthur Clyde Evans, Infantry.
Capt. John Louis Homer, Coast Artillery Corps.
Capt. Thomas Jonathan Jackson Christian, Field Artillery.
Capt. George Derby Holland, Coast Artillery Corps.
Capt. Austin McCarthy McDonnell, Coast Artillery Corps.
Capt. Howell Marion Estes, Cavalry.
Capt. John Furman Wall, Cavalry.
Capt. Leo Gerald Heffernan, Cavalry.
Capt. Edwin Noel Hardy, Cavalry.
Capt. Thomas G. M. Oliphant, Field Artillery.
Capt. Douglas Blakeshaw Netherwood, Air Service.
Capt. Mert Proctor, Field Artillery.
Capt. Joseph Dorst Patch, Infantry.
Capt. Archibald Delos Cowley, Infantry.
Capt. William John Wrona, Field Artillery.
Capt. Felix Englebert Gross, Coast Artillery Corps.
Capt. George Ralph Meyer, Coast Artillery Corps.
Capt. Andrew Lewis Pendleton, jr., Coast Artillery Corps.
Capt. Lewis Hyde Brereton, Air Service.
Capt. Cherubusco Newton, jr., Coast Artillery Corps.
Capt. Vincent Paul Erwin, Field Artillery.
Capt. Edward Lincoln Hoffman, Air Service.
Capt. Frank Bloom, Field Artillery.
Capt. Casper Ball Rucker, Infantry.
Capt. Robert Currier Brady, Quartermaster Corps.
Capt. Hugh Johnston Knerr, Coast Artillery Corps.
Capt. John Page Edgerly, Infantry.
Capt. George Frederick Humbert, Finance Department.
Capt. Arthur Woodfin Ford, Coast Artillery Corps.
Capt. Reuben Noel Perley, Coast Artillery Corps.
Capt. Vincent Meyer, Field Artillery.
Capt. Joseph Ray Cygon, Coast Artillery Corps.
Capt. Edward Harold Hicks, Field Artillery.
Capt. John Holmes Birdsall, Coast Artillery Corps.
Capt. Herbert Elliott Taylor, Cavalry.
Capt. Lindsay McDonald Silvester, Infantry.
Capt. William Middleton Grimes, Cavalry.
Capt. Herbert Marshall Pool, Infantry.
Capt. Leonard Townsend Gerow, Infantry.
Capt. Henry Joseph Moody Smith, Cavalry.
Capt. George Derry Murphey, Infantry.
Capt. Norman Whittemore Peek, Air Service.
Capt. William Clayton Rose, Infantry.
Capt. Wesley Frost Ayer, Infantry.
Capt. Malcolm Wheeler-Nicholson, Cavalry.
Capt. Norman Potter Morrow, Field Artillery.
Capt. George Crawford Elsey, Infantry.
Capt. James Ambrose O'Brien, Infantry.
Capt. Lloyd Edmonstone Jones, Field Artillery.
Capt. George Abel Sanford, Infantry.
Capt. Alexander LeRoy Padwinetz Johnson, Infantry.
Capt. Walter Ferrell Winton, Field Artillery.
Capt. Maxon Spafford Lough, Infantry.
Capt. Newton Napoleon Polk, Field Artillery.
Capt. Ford Richardson, Infantry.
Capt. Henry Lawrence Cullen Jones, Field Artillery.
Capt. Lester Maple Wheeler, Infantry.
Capt. Edwin O'Connor, Cavalry.
Capt. Eugene Alexander Lohman, Cavalry.
Capt. Kenneth Prince Lord, Field Artillery.
Capt. Eugene Warren Fales, Infantry.
Capt. Edward Alexander Miller, jr., Field Artillery.
Capt. John Taylor Rhett, Infantry.
Capt. Livingston Watrous, Infantry.
Capt. Emanuel Villard Heidt, Infantry.
Capt. Charles Stanley Little, Infantry.
Capt. Herbert Alonzo Wadsworth, Infantry.
Capt. Harold Clifford Lutz, Cavalry.
Capt. John Moore Thompson, Cavalry.
Capt. George Matthew Halloran, Infantry.
Capt. William Edward Brougher, Infantry.
Capt. Medorem Crawford, jr., Infantry.
Capt. Sumner Waite, Infantry.
Capt. Albert Monmouth Jones, Infantry.
Capt. John Edward Creed, Infantry.
Capt. Harrison McAlpine, Infantry.
Capt. James Raymond Alfonte, Quartermaster Corps.
Capt. Gerald Ellis Cronin, Infantry.
Capt. Glenn Perrine Wilhelm, Ordnance Department.
Capt. Andrew Goolsby Gardner, Infantry.
Capt. Albert Simon Kuegle, Infantry.
Capt. Levin Hicks Campbell, jr., Coast Artillery Corps.
Capt. Follett Bradley, Air Service.
Capt. Jonathan Waverly Anderson, Field Artillery.
Capt. Serafin Manuel Montesinos, Infantry.
Capt. Pedro Angel Hernandez, Infantry.
Capt. Harold De Forest Burdick, Coast Artillery Corps.
Capt. John Absalom Baird, Coast Artillery Corps.
Capt. Philip Guillou Blackmore, Coast Artillery Corps.
Capt. Henry Clarence Davis, jr., Ordnance Department.
Capt. Theodore Rodes Murphy, Coast Artillery Corps.
Capt. Benjamin Noble Booth, Coast Artillery Corps.
Capt. Edwin French Silkman, Coast Artillery Corps.
Capt. Octave De Carré, Coast Artillery Corps.
Capt. Robert Shemer Oberly, Ordnance Department.
Capt. Claude Martin Thiele, Coast Artillery Corps.
Capt. Avery Johnson French, Field Artillery.
Capt. Edward Montgomery, Coast Artillery Corps.
Capt. Shepler Ward Fitzgerald, Air Service.
Capt. Leigh Francis Joseph Zerbee, Coast Artillery Corps.
Capt. Coleman Wortham Jenkins, Coast Artillery Corps.
Capt. Wilmer Townsend Scott, Coast Artillery Corps.
Capt. Herbert Eugene Ellis, Coast Artillery Corps.
Capt. Randolph Tucker Pendleton, Coast Artillery Corps.
Capt. Stewart Woods Stanley, Coast Artillery Corps.
Capt. Kenneth Thompson Blood, Coast Artillery Corps.
Capt. Roy Silas Atwood, Coast Artillery Corps.
Capt. Samuel Franklin Hawkins, Coast Artillery Corps.
Capt. Jesse Lowry Sinclair, Coast Artillery Corps.
Capt. Oscar Krupp, Coast Artillery Corps.
Capt. Carleton Ula Edwards, Coast Artillery Corps.
Capt. Charles Thomas-Stahle, Coast Artillery Corps.
Capt. Charles Meigs Wood, Coast Artillery Corps.
Capt. Edwin Joseph O'Hara, Coast Artillery Corps.
Capt. Alden George Strong, Coast Artillery Corps.
Capt. Rudolph William Riefkohl, Coast Artillery Corps.
Capt. John Parke Leavenworth, Coast Artillery Corps.
Capt. Alexander Camman Sullivan, Coast Artillery Corps.
Capt. Joseph Peter Vachon, Infantry.
Capt. Lloyd Baxter Bennett, Philippine Scouts.
Capt. Abraham Garfinkel, Philippine Scouts.
Capt. Pedro Diaz Dulay, Philippine Scouts.
Capt. Thomas Austin Lynch, Philippine Scouts.
First Lieut. Edward James Oliver, Infantry.
Capt. Albert Tucker, Philippine Scouts.
Capt. Earle La Forest Hunt, Philippine Scouts.
Capt. John Frederick Daye, Philippine Scouts.
Capt. Frederic Waldo Whitney, Cavalry.

Capt. Clifford Mitchell Tuteur, Philippine Scouts.
Capt. Clarence Leslie Gilbert, Field Artillery.
Capt. Arthur Eugene Rowland, Coast Artillery Corps.
Capt. Leon R. Cole, Field Artillery.
Capt. Lee Roland Watrous, jr., Coast Artillery Corps.
Capt. Joseph David Brown, Coast Artillery Corps.
Capt. Leslie MacDill, Air Service.
Capt. Charles Augustus French, Coast Artillery Corps.
Capt. John Albert Hoag, Coast Artillery Corps.
Capt. Oscar Andrew Eastwold, Coast Artillery Corps.
Capt. Earl Herbert Metzger, Coast Artillery Corps.
Capt. John O'Brien, Philippine Scouts.
Capt. Vicente Rico Barros, Philippine Scouts.
Capt. Matthew John Gunner, Infantry.
Capt. Daniel Edward Murphy, Cavalry.
Capt. James Ripley Jacobs, Infantry.
Capt. Julian Francis Barnes, Field Artillery.
Capt. Robert Scott Lytle, Infantry.
Capt. Harold Cornelius Vanderveer, Field Artillery.
Capt. Kenna Granville Eastham, Cavalry.
Capt. Henry Terrell, jr., Infantry.
Capt. Thomas James Camp, Infantry.
Capt. Clift Andrus, Field Artillery.
Capt. James Powers Yancey, Cavalry.
Capt. Harry Albert Musham, Infantry.
Capt. Lawrence Sprague Churchill, Air Service.
Capt. George Elmer Arneman, Field Artillery.
Capt. Dale Francis McDonald, Infantry.
Capt. Paul Kimball Johnson, Infantry.
Capt. Raymond Eugene McQuillin, Cavalry.
Capt. Edward Hiltner Bertram, Infantry.
Capt. Hayes Adlai Kroner, Infantry.
Capt. De Forest Willard Morton, Quartermaster Corps.
Capt. Allan Stuart Boyd, jr., Infantry.
Capt. Francis Clinton Vincent Crowley, Cavalry.
Capt. Harry Lewis Twaddle, Infantry.
Capt. George Everett Adams Reinburg, Cavalry.
Capt. Clarence Leonard Tinker, Infantry.
Capt. William Robert White, Infantry.
Capt. Donald Bridgman Sanger, Infantry.
Capt. Martin Francis Scanlon, Air Service.
Capt. William Hanson Gill, Infantry.
First Lieut. Ralph Kinnear Fletcher, Infantry.
Capt. Frank Theodore McCabe, Philippine Scouts.
Capt. Howard Sharp Bennion, Corps of Engineers.
Capt. William Carrington Sherman, Air Service.
Capt. Roscoe Campbell Crawford, Corps of Engineers.
Capt. Milo Pitcher Fox, Corps of Engineers.
Capt. Lee Otis Wright, Ordnance Department.
Capt. Lewis Andrews Nickerson, Ordnance Department.
Capt. Philip Ries Faymonville, Ordnance Department.
Capt. Russell Lamonte Maxwell, Ordnance Department.
Capt. William Coffin Harrison, Field Artillery.
Capt. John Shirley Wood, Field Artillery.
Capt. Charles Janvrin Browne, Field Artillery.
Capt. Robert Henry Lee, Coast Artillery Corps.
Capt. William Henry Walmsley Youngs, Cavalry.
Capt. David McLean Crawford, Coast Artillery Corps.
Capt. Oscar James Gatchell, Ordnance Department.
Capt. John Nathaniel Hauser, Field Artillery.
Capt. Thomas Jay Hayes, Ordnance Department.
Capt. Richard Emmanuel Anderson, Field Artillery.
Capt. d'Alary Fechét, Infantry.
Capt. Cris Miles Burlingame, Coast Artillery Corps.
Capt. Raymond Vincent Cramer, Coast Artillery Corps.
Capt. William Hale Wilbur, Infantry.
Capt. Sidney Parker Spalding, Ordnance Department.
Capt. Byron Quinby Jones, Air Service.
Capt. Stephen Harrison MacGregor, Ordnance Department.
Capt. James Albert Gillespie, Field Artillery.
Capt. Basil Duke Edwards, Infantry.
Capt. Davenport Johnson, Air Service.
Capt. James Kirk, Ordnance Department.
Capt. Robert McGowan Littlejohn, Cavalry.
Capt. Wade Hampton Haislip, Infantry.
Capt. Robert Nall Bodine, Ordnance Department.
Capt. James Harve Johnson, Coast Artillery Corps.
Capt. Harry Albert Flint, Cavalry.
Capt. Walter Melville Robertson, Infantry.
Capt. John Henry Lindt, Coast Artillery Corps.
Capt. Harold Burling Sampson, Coast Artillery Corps.
Capt. Pearl Lee Thomas, Cavalry.
Capt. Sidney Vincent Bingham, Cavalry.
Capt. Bird Spencer DuBois, Coast Artillery Corps.
Capt. Isaac Spalding, Field Artillery.
Capt. Cyril Augustine Phelan, Coast Artillery Corps.
Capt. Harry James Malony, Field Artillery.
Capt. John Hartwell Hinemon, jr., Signal Corps.
Capt. Henry Lytton Flynn, Cavalry.
Capt. Robert Fee Hyatt, Field Artillery.
Capt. Harold Marvin Rayner, Cavalry.
Capt. Charles Nathaniel Sawyer, Signal Corps.
Capt. Gilbert Richard Cook, Infantry.
Capt. Max Weston Sullivan, Infantry.
Capt. Stephen Marston Walmsley, Signal Corps.
Capt. Franklin Cummings Sibert, Infantry.
Capt. Archibald Vincent Arnold, Field Artillery.
Capt. John Nicholas Smith, jr., Infantry.
Capt. Stephen J. Chamberlin, Infantry.
Capt. John Traylor McLane, Cavalry.
Capt. William Horace Hobson, Infantry.
Capt. Walter Glenn Kilner, Air Service.
Capt. Raymond Oscar Barton, Infantry.
Capt. James Sylvester Mooney, Cavalry.
Capt. Henry William Harms, Air Service.
Capt. John Earl Lewis, Cavalry.
Capt. Walton Harris Walker, Infantry.
Capt. Millard Fillmore Harmon, jr., Air Service.
Capt. John Duncan Kelly, Cavalry.
Capt. Edward Chamberlin Rose, Infantry.
Capt. Albert Eger Brown, Infantry.
Capt. William Nalle, Cavalry.
Capt. Gustav Jacob Gonser, Infantry.
Capt. Ralph Cadot Holliday, Infantry.
Capt. William Gaulbert Weaver, Infantry.
Capt. Charles Chisholm Drake, Quartermaster Corps.
Capt. William Joseph Morrissey, Infantry.
Capt. Robert Theodore Snow, Infantry.
Capt. Henry Charles McLean, Infantry.
Capt. Frank Victor Schneider, Infantry.
Capt. Frank Joseph Riley, Infantry.
Capt. Benjamin Franklin Delamater, jr., Infantry.
Capt. Ralph Samuel Kimball, Infantry.
Capt. Roy Oscar Henry, Cavalry.
Capt. Francis Bernard Mallon, Infantry.
Capt. Lathrop Boyd Clapham, Infantry.
Capt. John Dilworth von Holtzendorff, Field Artillery.
Capt. Carl James Adler, Infantry.
Capt. Otto Godfrey Pitz, Coast Artillery Corps.
Capt. Theophilus Steele, Infantry.
Capt. Lindsley Dykeman Beach, Cavalry.
Capt. Burton Young Read, Cavalry.
Capt. George Hubert Gardiner, Infantry.
Capt. Chester Cardwell Staples, Philippine Scouts.
Capt. Harry William Stark, Coast Artillery Corps.
Capt. Duncan Grant Richart, Cavalry.
Capt. Oliver Mayhew Ladd, Philippine Scouts.
Capt. Archie Stanton Buyers, Coast Artillery Corps.
Capt. William Ayres Borden, Ordnance Department.
Capt. Francis Tuttle Armstrong, Field Artillery.
Capt. Edwin Bright Spiller, Finance Department.
Capt. Cecil George Young, Coast Artillery Corps.
Capt. Carl Andrew Waldmann, Ordnance Department.
Capt. Paul Wesley Evans, Signal Corps.
Capt. Henry Armstrong Wingate, Coast Artillery Corps.
Capt. William Claude Washington, Coast Artillery Corps.
Capt. Alfred Bixby Quinton, jr., Ordnance Department.
Capt. Hamilton Templeton, Field Artillery.
Capt. Bertram Frankenberger, Field Artillery.
Capt. John Keith Boles, Field Artillery.
Capt. Edward Fuller Witsell, Infantry, subject to examination required by law.
Capt. Alfred Loveday Rockwood, Infantry.
Capt. Edwin Pearson Parker, jr., Field Artillery.
Capt. John Macaulay Eager, Field Artillery, subject to examination required by law.
Capt. Floyd Charles Hecox, Infantry.
Capt. Carl Adolphus Hardigg, Quartermaster Corps
Capt. Terry de la Mesa Allen, Cavalry.
Capt. John Chilton McDonnell, Air Service.
Capt. Carl Lewis Caphton, Infantry.
Capt. Jerome Willard Howe, Cavalry.
Capt. William Rudolph Gruber, Field Artillery.
Capt. Otto Wagner, Cavalry.
Capt. William Trigg Pigott, jr., Infantry.
Capt. Russell Brown Patterson, Cavalry.
Capt. Herbert Joseph Lawes, Infantry.
Capt. Robert Crayton Williams, Infantry.
Capt. Clyde Vincent Simpson, Cavalry.
Capt. Paul Xavier English, Infantry.

Capt. Estil Virgil Smith, Infantry.
Capt. Joseph Frank Richmond, Cavalry.
Capt. Roy Stuart Brown, Cavalry.
Capt. Troy Houston Middleton, Infantry.
Capt. Roland Francis Walsh, Quartermaster Corps.
Capt. Paul Murray, Infantry.
Capt. William Daniel Faulkner, Infantry.
Capt. Herbert Merton Ostroski, Cavalry.
Capt. Manning Marius Kimmel, jr., Coast Artillery Corps.
Capt. John Huff Van Vliet, Infantry.
Capt. Leland Swarts Devore, Infantry.
Capt. Geoffrey Keyes, Cavalry.
Capt. Charles Addison Ross, Infantry.
Capt. Douglass Taft Greene, Infantry.
Capt. Joseph Wadsworth Viner, Cavalry.
Capt. Robert Meredith Perkins, Coast Artillery Corps.
Capt. Lawrence Babbitt Weeks, Coast Artillery Corps.
Capt. Clarence Hagbart Danielson, Infantry.
Capt. James Nixon Peale, Infantry.
Capt. John Arthur Considine, Cavalry.
Capt. David Beauregard Falk, jr., Infantry.
Capt. William Cooper Foote, Coast Artillery Corps.
Capt. Francis Reuel Fuller, Infantry.
Capt. Clinton Warden Russell, Air Service.
Capt. William Richard Schmidt, Infantry.
Capt. Earl Lindsey Canady, Air Service.
Capt. Louis Aleck Craig, Coast Artillery Corps.
Capt. George Edward Lovell, jr., Air Service.
Capt. Otis Keilholtz Sadtler, Signal Corps.
Capt. William Henry Jones, jr., Field Artillery.
Capt. John Erskine Ardrey, Infantry.
Capt. Carlyle Hilton Wash, Air Service.
Capt. Henry Pratt Perrine, jr., Infantry.
Capt. Dennis Edward McCunniff, Infantry.
Capt. Henry Balding Lewis, Infantry.
Capt. Henry Barlow Cheadle, Infantry.
Capt. Stewart Shepherd Giffin, Coast Artillery Corps.
Capt. Samuel Alexander Gibson, Infantry.
Capt. Paul Woolever Newgarden, Infantry.
Capt. Charles Andrew King, jr., Infantry.
Capt. Alexander McCarrell Patch, jr., Infantry.
Capt. Charles Bishop Lyman, Infantry.
Capt. Robert Lily Spragins, Infantry.
Capt. Ward Elverson Duvall, Coast Artillery Corps.
Capt. James Brown Gillespie, Coast Artillery Corps.
Capt. Charles Lawrence Kilburn, Coast Artillery Corps.
Capt. Hans Robert Wheat Herwig, Infantry.
Capt. Howard Calhoun Davidson, Air Service.
Capt. William Lynn Roberts, Infantry.
Capt. William Alexander McCulloch, Infantry.
Capt. Paul Duke Carlisle, Field Artillery.
Capt. William Augustus Rafferty, Infantry.
Capt. Lathe Burton Row, Infantry.
Capt. John Flowers Crutcher, Cavalry.
Capt. Francis Joseph Toohey, Coast Artillery Corps.
Capt. George Washington Price, Infantry.
Capt. Herbert Slayden Clarkson, Field Artillery.
Capt. Charles Gardiner Helmick, Field Artillery.
Capt. Madison Pearson, Infantry.
Capt. Robert Duncan Brown, Coast Artillery Corps.
Capt. Ernst Sedlacek, Field Artillery.
Capt. Ray Wehnes Barker, Field Artillery.
Capt. Henry Abbey, jr., Air Service.
Capt. Earl Howard Coyle, Cavalry.
Capt. Mack Garr, Cavalry.
Capt. Edward Oliver Halbert, Coast Artillery Corps.
Capt. Maxwell Kirby, Air Service.
Capt. Frank Bonne Jordan, Infantry.
Capt. Edmund Peyton Duval, Cavalry.
Capt. Alfred Eugene Sawkins, Infantry.
Capt. Robert Emmet Carmody, Cavalry.
Capt. Harry Lee King, Coast Artillery Corps.
Capt. Robert Ogden Annin, Cavalry.
Capt. Daniel Gordon Morrissett, Cavalry.
Capt. Augustin Mitchell Prentiss, Chemical Warfare Service.
Capt. Ralph Hospital, Field Artillery.
Capt. Theodore Barnes, jr., Cavalry.
Capt. Casey Hewitt Hayes, Field Artillery.
Capt. Harvey Buckingham Steele Burwell, Air Service.
Capt. Charles Bellows Hazeltine, Cavalry.
Capt. John Lloyd Burg, Infantry.
First Lieut. Edward William Austin, Field Artillery.
Capt. Russell Alger Osmun, Quartermaster Corps.
Capt. Sidney Erickson, Infantry.
Capt. Emer Yeager, Field Artillery.
Capt. Thomas Roger McCarron, Infantry.
Capt. George Lamberton Smith, Infantry.
Capt. Mahlen Augustus Joyce, Infantry.
Capt. Chapman Grant, Infantry.
Capt. William Henry Holcombe, Corps of Engineers.
Capt. Charles Philip Gross, Corps of Engineers.
Capt. Bernard August Miller, Corps of Engineers.
Capt. Peter Cleary Bullard, Corps of Engineers.
Capt. Brehon Burke Somervell, Corps of Engineers.
Capt. Xenophon Herbert Price, Corps of Engineers.
Capt. Robert Walter Crawford, Corps of Engineers.
Capt. Frederick Snowden Skinner, Corps of Engineers.
Capt. Dabney Otey Elliott, Corps of Engineers.
Capt. Frederick William Herman, Corps of Engineers.
Capt. John Hill Carruth, Corps of Engineers.
Capt. Philip Loomis Thurber, Field Artillery.
Capt. William Chester Houghton, Field Artillery.
Capt. John Churchill Wyeth, Field Artillery.
Capt. Arthur Ringland Harris, Field Artillery.
Capt. LaRhett Livingston Stuart, Coast Artillery Corps.
Capt. Alfred Earl Larabee, Signal Corps.
Capt. John Adams Brooks, jr., Ordnance Department.
Capt. Cleveland Hill Bandholtz, Ordnance Department.
Capt. John Green Burr, Field Artillery.
Capt. Albion Ray Rockwood, Coast Artillery Corps.
Capt. Frank Lawrence Hoskins, Coast Artillery Corps.
Capt. Arthur Dow Newman, Cavalry.
Capt. John Hamilton Jouett, Air Service.
Capt. John Benjamin Anderson, Field Artillery.
Capt. Cedric Watterson Lewis, Infantry.
Capt. Joseph DeMoss McCain, Coast Artillery Corps.
Capt. Harry Clyde Ingles, Signal Corps.
Capt. James Lester Bradley, Infantry.
Capt. Willis James Tack, Infantry.
Capt. Edward Leuffer Nevin Glass, Cavalry.
Capt. Charles Watson Foster, Cavalry.
Capt. William Edward Burr, Field Artillery.
Capt. Eugene Villaret, Coast Artillery Corps.
Capt. Cuyler Llewellyn Clark, Field Artillery.
Capt. Reiff Hesser Hannum, Coast Artillery Corps.
Capt. Clarence Corinth Benson, Cavalry.
Capt. Thomas Henry Rees, jr., Cavalry.
Capt. Floyd Randall Waltz, Infantry.
Capt. John Henry Woodberry, Ordnance Department.
Capt. Harold Francis Loomis, Coast Artillery Corps.
Capt. Leland Harold Stanford, Signal Corps.
Capt. William Abbott Robertson, Air Service.
Capt. Richard Bolles Paddock, Field Artillery.
Capt. Carl Spatz, Air Service.
Capt. Harold Roe Bull, Infantry.
Capt. James Byron Haskell, Coast Artillery Corps.
Capt. Charles Morton Milliken, Signal Corps.
Capt. James Fred Byrom, Infantry.
Capt. Joseph Bradford Treat, Field Artillery.
Capt. Woodfin Grady Jones, Infantry.
Capt. James Patrick Hogan, Coast Artillery Corps.
Capt. Paul Clarence Paschal, Infantry.
Capt. John Leo Parkinson, Infantry.
Capt. Rudolph Gwinn Whitten, Infantry.
Capt. Louis Thomas Byrne, Field Artillery.
Capt. Gooding Packard, Coast Artillery Corps.
Capt. Glenn Preston Anderson, Coast Artillery Corps.
Capt. Walter Cyrus Gullion, Infantry.
Capt. Francis Marion Brannan, Infantry.
Capt. Adam Empie Potts, Coast Artillery Corps.
Capt. William Rutledge Orton, Infantry.
Capt. Francis Henry Forbes, Infantry.
Capt. Rufus Sumter Bratton, Infantry.
Capt. Thomas George Lanphier, Air Service.
Capt. Sylvester DeWitt Downs, jr., Field Artillery.
Capt. Orlando Ward, Field Artillery.
Capt. Benjamin Grant Weir, Air Service.
Capt. Ralph Royce, Air Service.
Capt. Thomas Huntington Monroe, Infantry.
Capt. Roger Burnett Harrison, Infantry.
Capt. Benjamin Fiery Hoge, Cavalry.
Capt. Frederick Herr, Cavalry.
Capt. Clifford James Mathews, Infantry.
Capt. Howard Prescott Milligan, Infantry.
Capt. Frank William Milburn, Infantry.
Capt. Isaac Gill, jr., Infantry.
Capt. John Kennard, Cavalry.
Capt. John Bellinger Thompson, Cavalry.
Capt. Hamner Huston, Infantry.
Capt. Jens Anderson Doe, Infantry.

Capt. Sheldon Harley Wheeler, Air Service.
Capt. Lester Leland Lampert, Infantry, subject to examination required by law.
Capt. William Francis Maher, Field Artillery.
Capt. Floyd Hatfield, Infantry.
Capt Charles Lewis Clifford, Cavalry.
Capt. Benjamin Seymour Stocker, Infantry.
Capt. Gaston Lee Holmes, Cavalry.
Capt. Oscar Otto Kuentz, Corps of Engineers.
Capt. Earl Landreth, Infantry.
Capt. William Edward Raab Covell, Corps of Engineers.
Capt. Joseph Dogan Arthur, jr., Corps of Engineers.
Capt. John Stewart Bragdon, Corps of Engineers.
Capt. George Jacob Richards, Corps of Engineers.
Capt. John Scott Smylie, Coast Artillery Corps.
Capt. Lehman Welling Miller, Corps of Engineers.
Capt. Douglas Lafayette Weart, Corps of Engineers.
Capt. Earl Ewart Gesler, Corps of Engineers.
Capt. Edwin Alexander Bethel, Corps of Engineers.
Capt. John French Conklin, Corps of Engineers.
Capt. Alfred Laing Ganahl, Corps of Engineers.
Capt. William Frazer Tompkins, Corps of Engineers.
Capt. Douglas Hamilton Gillette, Corps of Engineers.
Capt. Paul Alfred Hodgson, Corps of Engineers.
Capt. Donald Angus Davison, Corps of Engineers.
Capt. Henry Spiese Aurand, Ordnance Department.
Capt. Thomas Bernard Larkin, Corps of Engineers.
Capt. Edwin Coit Kelton, Corps of Engineers.
Capt. James Allen Lester, Field Artillery.
Capt. Mason James Young, Corps of Engineers.
Capt. Layson Enslow Atkins, Corps of Engineers.
Capt. Herman Beukema, Field Artillery.
Capt. Francis Joseph Dunigan, Field Artillery.
Capt. Edwin Albert Zundel, Field Artillery.
Capt. Clinton Wilbur Howard, Air Service.
Capt. Charles Manly Busbee, Field Artillery.
Capt. Albert Whitney Waldron, Field Artillery.
Capt. Parley Doney Parkinson, Infantry.
Capt. John Hobert Wallace, Field Artillery.
Capt. Raymond Marsh, Field Artillery.
Capt. Harold Eugene Small, Coast Artillery Corps.
Capt. Henry Benton Sayler, Coast Artillery Corps.
Capt. Joseph May Swing, Field Artillery.
Capt. Charles Wolcott Ryder, Infantry.
Capt. Stafford LeRoy Irwin, Field Artillery.
Capt. Joseph Taggart McNarney, Air Service.
Capt. Albert Henry Warren, Coast Artillery Corps.
Capt. Omar Nelson Bradley, Infantry.
Capt. Cedric Malcolm Stanley Skene, Coast Artillery Corps.
Capt. Charles Carter Reynolds, Field Artillery.
Capt. Philip Coldwell, Infantry.

To be captains with rank from July 1, 1920.

First Lieut. William Henry Sullivan, Philippine Scouts.
First Lieut. Serafin Manuel Montesinos, Porto Rico Regiment of Infantry.
First Lieut. Pedro Angel Hernandez, Porto Rico Regiment of Infantry.
First Lieut. Carlo Antonio Pivirotto, Philippine Scouts.
First Lieut. Thomas Roger McCarron, Infantry.
First Lieut. Benjamin Seymour Stocker, Philippine Scouts.
First Lieut. Anastacio Quevedo Ver, Philippine Scouts.
First Lieut. Manuel Font, Porto Rico Regiment of Infantry.
Second Lieut. William Walter Thrall, Finance Department, since retired from active service.
Second Lieut. Henry Stephen Hostetter, Finance Department.
Second Lieut. Charles Burd Eckels, Quartermaster Corps.
Second Lieut. Wallace Fairchild Baker, Finance Department.
Second Lieut. Hardie Ambrose Violland, Finance Department.
Second Lieut. Hastie Alexander Stuart, Finance Department.
Second Lieut. Eugene Coffin, Finance Department.
Second Lieut. Francis Jewett Baker, Finance Department.
Second Lieut. Eugene Owen Hopkins, Finance Department.
Second Lieut. Elmer Ellsworth Lockard, Finance Department.
Second Lieut. Dana Woods Morey, Finance Department.
Second Lieut. Seldon Brooke Armat, Finance Department.
Second Lieut. George Zinn Eckels, Finance Department.
Second Lieut. Jerome Clark, Finance Department.
Second Lieut. Louis Maloney Thibadeau, Quartermaster Corps.
Second Lieut. Frank B. Shelly, Finance Department.
Second Lieut. Clarence Maynard Exley, Finance Department.
Second Lieut. Otto Wilhelm Gralund, Finance Department.
Second Lieut. Horace Grattan Foster, Finance Department.
Second Lieut. James MacKay, Finance Department.
Second Lieut. Thomas Scott Pugh, Finance Department.
Second Lieut. Stephen Roscoe Beard, Finance Department.
Second Lieut. George Nicoll Watson, Finance Department, subject to examination required by law.
Second Lieut. Guy Russell Doane, Finance Department.
Second Lieut. Emmett Crawford Morton, Finance Department.
Second Lieut. Harold George Salmon, Finance Department.
Second Lieut. Ed Norment Enders, Finance Department.
Second Lieut. Archie Henry Willis, Finance Department.
Second Lieut. Edward Tiffin Comegys, Finance Department.
Second Lieut. Harrison Willard Smith, Quartermaster Corps.
Second Lieut. Horace Grant Rice, Finance Department.
Second Lieut. Charles Russell Insley, Quartermaster Corps.
Second Lieut. Ernest Palmer Hoff, Finance Department.
Second Lieut. Lute Emmett Collier, Quartermaster Corps, subject to examination required by law.
Second Lieut. Wilhelm P. A. T. Von Hartung, Finance Department.
Second Lieut. Montgomery Taft Legg, Finance Department.
Second Lieut. James Asa Marmon, Finance Department.
Second Lieut. Walter Davis Dabney, Finance Department.
Second Lieut. Percy Gabriel Hoyt, Finance Department.
Second Lieut. William James Lisle, Finance Department.
Second Lieut. William Alexander MacNicholl, Finance Department.
Second Lieut. Carl Halla, Finance Department.
Second Lieut. Charles Franklin Eddy, Finance Department.
Second Lieut. William Maynard Dixon, Quartermaster Corps.
Second Lieut. Richard Le Roy Cave, Finance Department.
Second Lieut. Alfred James Maxwell, Finance Department.
Second Lieut. Orva Earl Beezley, Finance Department.
Second Lieut. Frank Elmer Parker, Finance Department.
Second Lieut. Edwin Fairbrother Ely, Finance Department.
First Lieut. Rafael Garcia y Larrosa, Philippine Scouts.
First Lieut. Carl Archibald Bishop, Philippine Scouts.
First Lieut. James Ellis Slack, Cavalry.
First Lieut. Marvin Randolph Baer, Philippine Scouts.
First Lieut. James Cadmus McGovern, Philippine Scouts.
First Lieut. Manuel Benigno Navas, Porto Rico Regiment of Infantry.
First Lieut. Enrique Manuel Benitez, Coast Artillery Corps.
First Lieut. Vicente Nicolas Diaz, Porto Rico Regiment of Infantry.
First Lieut. Andres Lopez, Porto Rico Regiment of Infantry.
First Lieut. Ramon Salvador Torres, Porto Rico Regiment of Infantry.
First Lieut. Modesto Enrique Rodriguez, Porto Rico Regiment of Infantry.
First Lieut. Roy Walton Heard, Philippine Scouts.
Second Lieut. Arthur A. Padmore, Finance Department, subject to examination required by law, with rank from July 1, 1920.
First Lieut. Ansel Griggs Wineman, Field Artillery, with rank from July 1, 1920.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

To be colonels with rank from June 4, 1920.

Lieut. Col. Herbert Arthur White, Judge Advocate General's Department.
Lieut. Col. Beverly Allen Read, Judge Advocate General's Department.
Lieut. Col. Blanton Winship, Judge Advocate General's Department.
Lieut. Col. James Jesse Mayes, Judge Advocate General's Department.
Lieut. Col. Edward Albert Kreger, Judge Advocate General's Department.

To be lieutenant colonels with rank from June 4, 1920.

Maj. Gordon Nathan Kimball, Judge Advocate General's Department.
Maj. Kyle Rucker, Judge Advocate General's Department.
Maj. Arthur Winton Brown, Judge Advocate General's Department.
Maj. Willey Howell, Judge Advocate General's Department.
Maj. William Taylor, Judge Advocate General's Department.

To be lieutenant colonel with rank from July 22, 1919.

Maj. Dennis Patrick Quinlan, Judge Advocate General's Department.

QUARTERMASTER CORPS.

To be colonel.

Lieut. Col. Arthur Walcott Yates, Quartermaster Corps, from June 27, 1920.

CORPS OF ENGINEERS.

To be captain.

First Lieut. John Harold Veale, Corps of Engineers, from June 11, 1920.

CAVALRY.

To be colonels.

Lieut. Col. Elmer Lindsley, Cavalry, since retired from active service, from June 17, 1920.

Lieut. Col. William Jefferson Glasgow, Cavalry, from June 19, 1920.

Lieut. Col. Frank Spear Armstrong, Cavalry, from June 26, 1920.

Lieut. Col. John O'Shea, Cavalry, from June 26, 1920.

To be lieutenant colonels.

Maj. Edward Leonard King, Cavalry, from June 17, 1920.

Maj. Samuel Field Dallam, Cavalry, from June 22, 1920.

Maj. William Kelly, jr., Cavalry, from June 23, 1920.

Maj. Henry Charles Whitehead, Cavalry, from June 23, 1920.

Maj. William Dixon Chitty, Cavalry, from June 23, 1920.

Maj. Alfred Eldrekin Kennington, Cavalry, from June 26, 1920.

Maj. Edward Percy Orton, Cavalry, from June 30, 1920.

Maj. Francis Horton Pope, Cavalry, from June 30, 1920.

Maj. George Edward Mitchell, Cavalry, from June 30, 1920.

To be majors.

Capt. David Harmony Biddle, Cavalry, from June 17, 1920.

Capt. William Fredric Holford Godson, Cavalry, from June 21, 1920.

Capt. George William Winterburn, Cavalry, from June 22, 1920.

Capt. Lewis Foerster, Cavalry, from June 22, 1920.

Capt. Lewis William Cass, Cavalry, since retired from active service, from June 23, 1920.

Capt. William Porter Moffet, Cavalry, from June 23, 1920.

Capt. Archibald Francis Commiskey, Cavalry, from June 24, 1920.

Capt. William Albert Cornell, Cavalry, from June 29, 1920.

Capt. James Etter Shelley, Cavalry, from June 29, 1920.

Capt. Edward Calvert, Cavalry, from June 29, 1920.

Capt. Bruce Palmer, Cavalry, from June 29, 1920.

Capt. James Edmond Fechet, Cavalry, from June 30, 1920.

Capt. Philip Worthington Corbusier, Cavalry, from June 30, 1920.

Capt. Frederick Marion Jones, Cavalry, from June 30, 1920.

To be captains.

First Lieut. Philip Blaine Fryer, Cavalry, from May 29, 1920.

First Lieut. George Hill Carruth, Cavalry, from June 4, 1920.

First Lieut. Arthur Winton Hartman, Cavalry, from June 10, 1920.

First Lieut. Joseph Nixon Marx, Cavalry, from June 17, 1920.

First Lieut. Donald Coe Hawley, Cavalry, from June 18, 1920.

First Lieut. Vernon Lhreau Padgett, Cavalry, from June 21, 1920.

First Lieut. Jay Ward MacKelvie, Cavalry, from June 21, 1920.

First Lieut. Francis Truman Bonsteel, Cavalry, from June 22, 1920.

First Lieut. William Edwin Barott, Cavalry, from June 22, 1920.

First Lieut. Frank Nelson, Cavalry, from June 22, 1920.

First Lieut. Herman Frederick Rathjen, Cavalry, from June 22, 1920.

First Lieutenant Daniel Joseph Keane, Cavalry, from June 23, 1920.

First Lieut. Le Roy Davis, Cavalry, from June 23, 1920.

First Lieut. Anthony John Tittinger, Cavalry, from June 23, 1920.

First Lieut. Max Donald Holmes, Cavalry, from June 24, 1920.

First Lieut. Frank Henry Barnhart, Cavalry, from June 24, 1920.

First Lieut. George Edward Harrison, Cavalry, from June 26, 1920.

First Lieut. Wesley John White, Cavalry, from June 29, 1920.

First Lieut. Alton Wright Howard, Cavalry, from June 29, 1920.

First Lieut. Richard Whitney Carter, Cavalry, from June 29, 1920.

First Lieut. Kenneth Rowntree, Cavalry, from June 30, 1920.

First Lieut. George Archibald King, Cavalry, from June 30, 1920.

First Lieut. Lionel Leopold Meyer, Cavalry, from June 30, 1920.

First Lieut. Frederick Harold Leroy Ryder, Cavalry, from June 30, 1920.

First Lieut. John Waring Weeks, Cavalry, from June 30, 1920.

First Lieut. Theodore Besson Apgar, Cavalry, from June 30, 1920.

First Lieut. Mortimer Heth Christian, Cavalry, from June 30, 1920.

First Lieut. Fabius Busbee Shipp, Cavalry, from June 30, 1920.

FIELD ARTILLERY.

To be majors.

Capt. Sherman Miles, Field Artillery, from May 21, 1920.

Capt. Cortlandt Parker, Field Artillery, from May 21, 1920.

To be captains.

First Lieut. Paul Church Harper, Field Artillery, from June 25, 1920.

First Lieut. George Ross Rede, Field Artillery, from June 26, 1920.

First Lieut. John Cooper Adams, Field Artillery, from June 29, 1920.

COAST ARTILLERY CORPS.

To be colonels.

Lieut. Col. Joseph Wheeler, jr., Coast Artillery Corps, from June 22, 1920.

Lieut. Col. Robert Emmet Callan, Coast Artillery Corps, from June 22, 1920.

Lieut. Col. Edwin Landon, Coast Artillery Corps, from June 25, 1920.

Lieut. Col. Clarence Henry McNeil, Coast Artillery Corps, from June 25, 1920.

Lieut. Col. Joseph Powell Tracy, Coast Artillery Corps, from June 27, 1920.

Lieut. Col. Percy Myers Kessler, Coast Artillery Corps, from June 30, 1920.

Lieut. Col. Johnson Hagood, Coast Artillery Corps, from June 30, 1920.

Lieut. Col. Frank Kirby Fergusson, Coast Artillery Corps, from June 30, 1920.

To be lieutenant colonels.

Maj. Alfred Sully Morgan, Coast Artillery Corps, from June 22, 1920.

Maj. Charles Henry Hilton, Coast Artillery Corps, from June 25, 1920.

Maj. William Fayssoux Stewart, jr., Coast Artillery Corps, from June 25, 1920.

Maj. Joseph Benjamin Douglas, Coast Artillery Corps, from June 27, 1920.

Maj. Hudson Taylor Patten, Coast Artillery Corps, from June 27, 1920.

To be majors.

Capt. Charles Edward Nason Howard, Coast Artillery Corps, from June 22, 1920.

Capt. Claudius Milton Seaman, Coast Artillery Corps, from June 22, 1920.

Capt. Hugh John Bedell McElgin, Coast Artillery Corps, from June 24, 1920.

Capt. Arthur Leonard Fuller, Coast Artillery Corps, from June 25, 1920.

Capt. Henry Rozer Casey, Coast Artillery Corps, from June 25, 1920.

Capt. William Kern Moore, Coast Artillery Corps, from June 25, 1920.

Capt. David Yulee Beckham, Coast Artillery Corps, from June 25, 1920.

To be captains.

First Lieut. Evan Clouser Seaman, Coast Artillery Corps, from June 5, 1920.

First Lieut. Henry Rasick Behrens, Coast Artillery Corps, from June 19, 1920.

First Lieut. Benjamin Bowering, Coast Artillery Corps, from June 22, 1920.

First Lieut. Henry Fred Grimm, jr., Coast Artillery Corps, from June 24, 1920.

First Lieut. Henry Linsert, Coast Artillery Corps, from June 25, 1920.

First Lieut. Donald Langley Dutton, Coast Artillery Corps, from June 26, 1920.

First Lieut. Leland Adrian Miller, Coast Artillery Corps, from June 27, 1920.

First Lieut. Percy Clayton Hamilton, Coast Artillery Corps, from June 27, 1920.

First Lieut. Robert Alexander Laird, Coast Artillery Corps, from June 30, 1920.

To be first lieutenant.

Second Lieut. Davis Ward Hale, Coast Artillery Corps, from June 4, 1920.

INFANTRY.

To be colonels.

Lieut. Col. John McAuley Palmer, Infantry, from June 20, 1920.
Lieut. Col. John Kramer Miller, Infantry, from June 28, 1920.
Lieut. Col. William Newman, Infantry, from June 28, 1920.
Lieut. Col. Hansford Lee Threlkeld, Infantry, since retired from active service, from June 29, 1920.

To be lieutenant colonels.

Maj. Thomas McArthur Anderson, jr., Infantry, from June 1, 1920.
Maj. Charles Du Val Roberts, Infantry, from June 20, 1920.
Maj. Claude Hamilton Miller, Infantry, from June 28, 1920.
Maj. Harold Benjamin Fiske, Infantry, from June 29, 1920.
Maj. John Hendricken Hughes, Infantry, from June 29, 1920.
Maj. George Willis Helms, Infantry, from June 29, 1920.
Maj. Rufus Estes Longan, Infantry, from June 29, 1920.
Maj. William Mason Fassett, Infantry, from June 29, 1920.
Maj. Halstead Dorey, Infantry, from June 29, 1920.

To be majors.

Capt. Bertram Page Johnson, Infantry, from June 20, 1920.
Capt. Charles Ridgly White Morison, Infantry, from June 20, 1920.
Capt. Walter Lawrence Reed, Infantry, from June 21, 1920.
Capt. Ira Franklin Fravel, Infantry, from June 23, 1920.
Capt. Ned Merril Green, Infantry, from June 28, 1920.
Capt. James Alfred Moss, Infantry, from June 29, 1920.

To be captains.

First Lieut. Frank Eugene Haskell, Infantry, from June 2, 1920.
First Lieut. Edwin Howard Clark, Infantry, subject to examination required by law, since retired from active service, from June 10, 1920.
First Lieut. Crosby Nickerson Elliott, Infantry, from June 14, 1920.
First Lieut. William Harold Clark, Infantry, subject to examination required by law, since retired from active service, from June 18, 1920.
First Lieut. Lloyd Davidson Brown, Infantry, from June 18, 1920.
First Lieut. Roy Carter Hilton, Infantry, from June 20, 1920.
First Lieut. Raymond Edward O'Neill, Infantry, from June 20, 1920.
First Lieut. Justin Stanley Hemenway, Infantry, from June 22, 1920.
First Lieut. William Almond Shely, Infantry, from June 22, 1920.
First Lieut. John Urban Ayotte, Infantry, from June 23, 1920.
First Lieut. Charles Heyward Barnwell, jr., Infantry, from June 23, 1920.
First Lieut. Henry Alfred Schwarz, Infantry, from June 25, 1920.
First Lieut. Edward George Herlihy, Infantry, from June 26, 1920.
First Lieut. Arnold John Funk, Infantry, from June 27, 1920.
First Lieut. George Marvin Ferris, Infantry, from June 28, 1920.
First Lieut. Edwin Lockwood MacLean, Infantry, from June 29, 1920.

To be first lieutenant.

Second Lieut. Wesley Collins Dever, Infantry, from June 4, 1920.

PORTO RICO REGIMENT OF INFANTRY.

To be captains.

First Lieut. Arturo Moreno, Porto Rico Regiment of Infantry, from May 20, 1920.
First Lieut. Carlos Manuel Lopez, Porto Rico Regiment of Infantry, subject to examination required by law, since retired from active service, from June 20, 1920.

To be first lieutenants.

Second Lieut. Edgardo Vaquez-Bruno, Porto Rico Regiment of Infantry, from April 21, 1920.
Second Lieut. Virgil Norberto Cordero, Porto Rico Regiment of Infantry, from May 20, 1920.
Second Lieut. Mario Cordero, Porto Rico Regiment of Infantry, from June 20, 1920.

MEDICAL CORPS.

To be majors.

Capt. William Daugherty Petit, Medical Corps, from May 23, 1920.
Capt. Jay DePew Mingos, Medical Corps, from May 24, 1920.

To be captains.

First Lieut. George Newlove, Medical Corps, from June 4, 1920.
First Lieut. Luke Baker Peck, Medical Corps, from June 4, 1920.
First Lieut. Leonard Philip Bell, Medical Corps, from June 4, 1920.
First Lieut. Frederick H. Sparrenberger, Medical Corps, from June 4, 1920.
First Lieut. George Philip Stallman, Medical Corps, from June 4, 1920.
First Lieut. Magnus J. Myres, Medical Corps, from June 4, 1920.
First Lieut. Ralph Waldo Newton, Medical Corps, from June 4, 1920.
First Lieut. Benjamin Franklin Fridge, jr., Medical Corps, from June 4, 1920.
First Lieut. Carlton Lakey Vanderboget, Medical Corps, from June 4, 1920.
First Lieut. James Brent Anderson, Medical Corps, from June 4, 1920.
First Lieut. Charles Henry Stearns, Medical Corps, from June 4, 1920.
First Lieut. Walter Leland Richards, Medical Corps, from June 4, 1920.
First Lieut. Francis Carrillo Tyng, Medical Corps, from June 4, 1920.
First Lieut. George Randolph Harris, jr., Medical Corps, from June 4, 1920.
First Lieut. Forrest Pitt Baker, Medical Corps, from June 4, 1920.
First Lieut. Jarrett Matthew Huddleston, Medical Corps, from June 4, 1920.
First Lieut. John Newton Merrick, Medical Corps, from June 4, 1920.
First Lieut. Albert Bowen, Medical Corps, from June 4, 1920.
First Lieut. Rae Ellsworth Houke, Medical Corps, from June 4, 1920.
First Lieut. Charles Roland Glenn, Medical Corps, from June 4, 1920.
First Lieut. William Stephen Culpepper, Medical Corps, from June 4, 1920.
First Lieut. Royal Kendall Stacey, Medical Corps, from June 4, 1920.
First Lieut. Frederic Hamilton Thorne, Medical Corps, from June 14, 1920.
First Lieut. James Roy Hudnall, Medical Corps, from June 16, 1920.
First Lieut. John Andrews Rogers, Medical Corps, from June 18, 1920.
First Lieut. Reginald Ducat, Medical Corps, from June 18, 1920.
First Lieut. Guy Blair Denit, Medical Corps, from June 18, 1920.
First Lieut. Charles R. Lanahan, Medical Corps, from June 19, 1920.
First Lieut. Charles Augustus Pfeffer, Medical Corps, from June 20, 1920.
First Lieut. Frank Hernon Chase, Medical Corps, from June 26, 1920.
First Lieut. Edward Raymond Easton, Medical Corps, from July 9, 1920.
First Lieut. Francis Elwood Weatherby, Medical Corps, from July 17, 1920.
First Lieut. Stanley Gibson Odom, Medical Corps, from July 20, 1920.
First Lieut. Alfred Robert Thomas, jr., Medical Corps, from July 23, 1920.
First Lieut. Niels Peter Paulsen, Medical Corps, from July 23, 1920.
First Lieut. Thomas Grant Tousey, Medical Corps, from July 24, 1920.
First Lieut. Harold Augustus Spilman, Medical Corps, from August 4, 1920.
First Lieut. Charles August Stammel, jr., Medical Corps, from August 9, 1920.
First Lieut. William Davies McLelland, Medical Corps, from August 9, 1920.

First Lieut. Wilmer Clayton Dreibelbies, Medical Corps, from August 10, 1920.
First Lieut. Clive Paul Mueller, Medical Corps, from August 13, 1920.
First Lieut. Sam Hardeman, Medical Corps, from August 14, 1920.
First Lieut. Nuckols Thornton Davie, Medical Corps, from August 15, 1920.
First Lieut. William Eli McCormack, Medical Corps, from August 15, 1920.
First Lieut. Rees Stephen Lloyd, Medical Corps, from August 16, 1920.
First Lieut. Zera Exley Bolin, Medical Corps, from August 23, 1920.
First Lieut. Louis Martin Field, Medical Corps, from August 26, 1920.
First Lieut. Eugen Gottfried Reinartz, Medical Corps, from August 27, 1920.
First Lieut. Verner Trenary Scott, Medical Corps, from August 27, 1920.
First Lieut. Hall Glesnor Van Vlack, Medical Corps, from August 27, 1920.
First Lieut. Alan Callender Sutton, Medical Corps, from August 27, 1920.
First Lieut. William Milton Caffee, Medical Corps, from September 14, 1920.
First Lieut. Horace Tyner Doust, Medical Corps, from September 17, 1920.
First Lieut. John DuBose Barnwell, Medical Corps, from September 19, 1920.
First Lieut. Everett LeCompte Cook, Medical Corps, from September 20, 1920.
First Lieut. Alexander Mileau, jr., Medical Corps, from September 23, 1920.
First Lieut. Samuel Carlton Gwynne, Medical Corps, from September 24, 1920.
First Lieut. Ralph Leslie Cudlipp, Medical Corps, from September 27, 1920.
First Lieut. Gordon Adams Clapp, Medical Corps, from September 29, 1920.
First Lieut. Virgil Heath Cornell, Medical Corps, from September 30, 1920.
First Lieut. Theodore Wallace O'Brien, Medical Corps, from October 1, 1920.
First Lieut. William Charles Munly, Medical Corps, from October 1, 1920.
First Lieut. Ebner Holmes Inmon, Medical Corps, from October 3, 1920.
First Lieut. Ernest LeRoy Wilson, Medical Corps, from October 4, 1920.
First Lieut. George Benjamin Kent, Medical Corps, from October 6, 1920.
First Lieut. Harry Justin Felch, Medical Corps, from October 13, 1920.
First Lieut. George William Rice, Medical Corps, from October 8, 1920.
First Lieut. Robert James Platt, Medical Corps, from October 13, 1920.
First Lieut. William Ralph Campbell, Medical Corps, from October 13, 1920.
First Lieut. George Heinrichs Preston, Medical Corps, from October 14, 1920.
First Lieut. William Campbell Colbert, Medical Corps, from October 14, 1920.
First Lieut. Joseph William Garrett, Medical Corps, from October 16, 1920.
First Lieut. Charles Levi Maxwell, Medical Corps, from October 16, 1920.
First Lieut. Frank Walker Young, Medical Corps, from October 21, 1920.
First Lieut. John Arthur Keyton, Medical Corps, from October 24, 1920.
First Lieut. Harold Vincent Raycroft, Medical Corps, from October 29, 1920.
First Lieut. Roy Farrington Brown, Medical Corps, from October 30, 1920.
First Lieut. Wesley Cintra Cox, Medical Corps, from October 30, 1920.
First Lieut. Levy Steven Johnson, Medical Corps, from November 2, 1920.
First Lieut. Brooks Collins Grant, Medical Corps, from November 10, 1920.
First Lieut. John Glenwood Knauer, Medical Corps, from November 13, 1920.
First Lieut. Elmer Seth Tenney, Medical Corps, from November 13, 1920.
First Lieut. Clark Anson Wilcox, Medical Corps, from November 13, 1920.
First Lieut. Roy Wilford Layton, Medical Corps, from November 16, 1920.
First Lieut. William Bell Foster, jr., Medical Corps, from November 17, 1920.
First Lieut. Joe Harold St. John, Medical Corps, from November 20, 1920.
First Lieut. Paul Moyer Patterson, Medical Corps, from November 27, 1920.
First Lieut. Chauncey Elmo Dovell, Medical Corps, from November 29, 1920.
First Lieut. Donald H. Pitts, Medical Corps, from November 30, 1920.
First Lieut. Edwin Raymond Strong, Medical Corps, from December 2, 1920.
First Lieut. Henry Jackson Hayes, Medical Corps, from December 6, 1920.
First Lieut. Edwin Leland Brackney, Medical Corps, from December 8, 1920.
First Lieut. Lucius Kennedy Patterson, Medical Corps, from December 10, 1920.
First Lieut. Joseph Wheeler Smith, jr., Medical Corps, from December 12, 1920.
First Lieut. Rufus Leroy Holt, Medical Corps, from December 13, 1920.
First Lieut. Alfred Edward Jones, Medical Corps, from December 18, 1920.
First Lieut. Tate Benton Collins, Medical Corps, from December 19, 1920.
First Lieut. James Day Edgar, Medical Corps, from January 9, 1921.
First Lieut. William Kenneth Turner, Medical Corps, from January 15, 1921.
First Lieut. Rollo Preston Bourbon, Medical Corps, from January 19, 1921.
First Lieut. John Christopher Woodland, Medical Corps, from January 20, 1921.
First Lieut. Ernest Jackson Steves, Medical Corps, from January 20, 1921.
First Lieut. William Stanton Martens, Medical Corps, from January 21, 1921.
First Lieut. Walter Leslie Perry, Medical Corps, from January 21, 1921.
First Lieut. Harvey Robinson Livesay, Medical Corps, from January 21, 1921.
First Lieut. Edmund Anderson Lodge, Medical Corps, from January 21, 1921.
First Lieut. Raymond Osborne Dart, Medical Corps, from January 23, 1921.
First Lieut. John Frank Lieberman, Medical Corps, from January 23, 1921.
First Lieut. John Darlington Nourse, Medical Corps, from January 25, 1921.
First Lieut. Don Clio Bartholomew, Medical Corps, from January 28, 1921.

DENTAL CORPS.

To be captains.

First Lieut. Edwin Moore-Kennedy, Dental Corps, from June 4, 1920.
First Lieut. George Magnor Krough, Dental Corps, from June 4, 1920.
First Lieut. Howard Clayton Feyler, Dental Corps, from June 5, 1920.
First Lieut. Beverley Morrison Epes, Dental Corps, from June 16, 1920.
First Lieut. James Henry O'Reilly, Dental Corps, from July 12, 1920.
First Lieut. George Julian Sibley, Dental Corps, from July 30, 1920.
First Lieut. James Barto Mann, Dental Corps, from August 5, 1920.
First Lieut. Herbert Edwin Guthrie, Dental Corps, from August 5, 1920.
First Lieut. Charles Jefferson Denholm, Dental Corps, from August 7, 1920.
First Lieut. Joseph Henry Jaffer, Dental Corps, from August 17, 1920.
First Lieut. William Henry Siefert, Dental Corps, from August 21, 1920.
First Lieut. James Harold Keith, Dental Corps, from September 7, 1920.

First Lieut. James Jay Weeks, Dental Corps, from September 8, 1920.
First Lieut. Wayne W. Woolley, Dental Corps, from September 8, 1920.
First Lieut. Fernando Emilio Rodriguez, Dental Corps, from September 8, 1920.
First Lieut. Thomas Minyard Page, Dental Corps, from September 8, 1920.
First Lieut. Clyde Wakefield Scogin, Dental Corps, from September 13, 1920.
First Lieut. John Godfrey Urban, Dental Corps, from October 11, 1920.
First Lieut. James Lawrence Olsen, Dental Corps, from November 18, 1920.
First Lieut. Daniel Sumner Lockwood, Dental Corps, from December 11, 1920.

VETERINARY CORPS.

To be colonels.

Veterinarian Gerald E. Griffin, Veterinary Corps, from June 4, 1920.
Veterinarian Charles Douglas McMurdo, Veterinary Corps, from June 4, 1920.
Veterinarian William George Turner, Veterinary Corps, from June 14, 1920.
Lieut. Col. William Vinton Lusk, Veterinary Corps, from December 20, 1920.

To be lieutenant colonels.

Veterinarian William Vinton Lusk, Veterinary Corps, from June 4, 1920.
Veterinarian William George Turner, Veterinary Corps, from June 4, 1920.
Veterinarian Joseph Richardson Jefferis, Veterinary Corps, from June 4, 1920.
Veterinarian Harry Frank Steele, Veterinary Corps, from June 4, 1920.
Veterinarian Ray Jones Stanclift, Veterinary Corps, from July 23, 1920.
Veterinarian Coleman Nockolds, Veterinary Corps, from August 10, 1920.
Maj. Robert Vans Agnew, Veterinary Corps, from December 18, 1920.

To be majors.

Veterinarian Ray Jones Stanclift, Veterinary Corps, from June 4, 1920.
Veterinarian Coleman Nockolds, Veterinary Corps, from June 4, 1920.
Veterinarian Robert Vans Agnew, Veterinary Corps, from June 4, 1920.
Veterinarian Eugene John Cramer, Veterinary Corps, from June 4, 1920.
Veterinarian Jules Henry Uri, Veterinary Corps, from June 4, 1920.
Veterinarian Henry Wilson Peter, Veterinary Corps, from June 4, 1920.
Veterinarian William Proctor Hill, Veterinary Corps, from June 4, 1920.
Veterinarian John Alexander McKinnon, Veterinary Corps, from June 4, 1920.
Veterinarian Charles Henry Jewell, Veterinary Corps, from June 4, 1920.
Veterinarian William Adalbert Sproule, Veterinary Corps, from June 4, 1920.
Veterinarian John Henry Gould, Veterinary Corps, from June 4, 1920.
Veterinarian Walter Fraser, Veterinary Corps, from June 4, 1920.
Veterinarian Walter Robert Pick, Veterinary Corps, from June 4, 1920.
Veterinarian Andrew Edmund Donovan, Veterinary Corps, from June 4, 1920.
Veterinarian Burt English, Veterinary Corps, from June 4, 1920.
Veterinarian Robert Julian Foster, Veterinary Corps, from June 4, 1920.
Veterinarian George Alexander Hanvey, jr., Veterinary Corps, from June 4, 1920.
Veterinarian George Albert Lytle, Veterinary Corps, from June 4, 1920.
Veterinarian Robert Cessna Musser, Veterinary Corps, from July 24, 1920.

To be captains.

Assistant Veterinarian Robert Cessna Musser, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Aquila Mitchell, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Wilfred Josiah Stokes, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian James Reid Shand, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Herbert Stephens Williams, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Alfred Lewis Mason, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Thomas Harold Edwards, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Burton Alpheus Seeley, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Edward Patrick O'Connell, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian George Henry Koon, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Ralph Maurice Buffington, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Daniel Buchter Leininger, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Joseph Nourse Hornbaker, Veterinary Corps, from June 28, 1920.

To be first lieutenants.

Assistant Veterinarian Sherman Robert Ingram, Veterinary Corps, from March 1, 1920.
Assistant Veterinarian George William Brower, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Allen Chamberlain Wight, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Elwood Luke Nye, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Charles Brenton Dunphy, Veterinary Corps, from June 4, 1920.
Assistant Veterinarian Robert Payne McComb, Veterinary Corps, from June 22, 1920.
Assistant Veterinarian Harold Clarke, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Daniel Henry Mallan, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Louis Goldman Weisman, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Everett Cooper Conant, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian James Alexander McCallam, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Harry John Juzek, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian William Henry Dean, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Solon B. Renshaw, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Horace Zenas Homer, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Louis Lathrop Shook, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Oscar E. Gladfelter, Veterinary Corps, from July 16, 1920, subject to examination required by law.
Assistant Veterinarian Frank H. Woodruff, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian John D. Moore, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Will Charles Griffin, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Lloyd Clifford Ewen, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Charles Oliver Grace, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Edward Michael Curley, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian James Russell Sperry, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Floyd Chauncey Sager, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Henry Emil Hess, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Vincent Brown Wright, Veterinary Corps, from July 16, 1920.

Assistant Veterinarian Paul Roberts King, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Forest Lee Holycross, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian George Leander Richards, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian Daniel S. Robertson, Veterinary Corps, from July 16, 1920.
Assistant Veterinarian George Leslie Caldwell, Veterinary Corps, from September 4, 1920.
Assistant Veterinarian George Francis Feazell, Veterinary Corps, from September 4, 1920.
Assistant Veterinarian Jacob Landes Hartman, Veterinary Corps, from September 4, 1920.
Assistant Veterinarian Gordon Bancroft Huse, Veterinary Corps, from September 4, 1920.
Assistant Veterinarian John H. Kintner, Veterinary Corps, from September 4, 1920.
Assistant Veterinarian Walter Karl Herbott, Veterinary Corps, from September 4, 1920.
Assistant Veterinarian Arthur Dunlap Martin, Veterinary Corps, from September 4, 1920.

CHAPLAINS.

To be chaplains with the rank of lieutenant colonel.

Chaplain Cephas Caleb Bateman, from June 4, 1920.
Chaplain Walter Marvine, from June 4, 1920.
Chaplain Charles Wright Freeland, from June 4, 1920.
Chaplain John Anthony Randolph, from June 4, 1920.
Chaplain Edmund P. Easterbrook, from June 4, 1920.
Chaplain George Chamberlain Stull, from June 4, 1920.
Chaplain Aldred Adino Pruden, from June 4, 1920.
Chaplain Barton Warren Perry, from June 4, 1920.

To be chaplains with the rank of major.

Chaplain James Lincoln Griffes, from June 4, 1920.
Chaplain John Menifee Moose, from June 4, 1920.
Chaplain Julian Emmet Yates, from June 4, 1920.
Chaplain David Law Fleming, from June 4, 1920.
Chaplain Francis Patrick Joyce, from June 4, 1920.
Chaplain Simon Michael Lutz, from June 4, 1920.
Chaplain Herbert Stanley Smith, from June 4, 1920.

To be chaplains with rank of captain.

Chaplain Alexander Daniel Sutherland, from June 4, 1920.
Chaplain Ignatius Fealy, from June 4, 1920.
Chaplain Haywood Lewis Winter, from June 4, 1920.
Chaplain Thomas Louis Kelley, from June 4, 1920.
Chaplain Adolph John Schliesser, from June 4, 1920.
Chaplain Clifford Lore Miller, from June 4, 1920.

ADJOURNMENT.

Mr. McCUMBER. As in legislative session, I move that the Senate adjourn until to-morrow at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 5, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 4, 1921.*

The House met at 12 o'clock noon.

The SPEAKER. The House will be in order.

Mr. McCLINTIC. Mr. Speaker, I raise the point of no quorum present.

NO QUORUM AT PRAYERS.

The SPEAKER. A few days ago when the gentleman from Oklahoma [Mr. McCLINTIC], before the Chaplain's prayer, raised the point of no quorum the gentleman from Pennsylvania [Mr. WATSON] argued that the gentleman from Oklahoma had no right to make it at that stage of the proceedings. The Chair at the time sustained the right of the gentleman from Oklahoma. Since then the Chair has been considering the matter, and has concluded he was mistaken in his decision, and that the Member from Oklahoma has no right to make the point of no quorum before the Chaplain offers prayer.

Mr. McCLINTIC. Mr. Speaker——

The SPEAKER. One moment. Rule VIII provides that—

The Chaplain shall attend at the commencement of each day's sitting of the House and open the same with prayer.

Obviously that provides that the opening exercise of the House shall be prayer by the Chaplain. The Chair thinks that is not a matter of business, but that it is a matter of ceremony, of devotion, and that its appeal is not to the duty of Members to hear it but to their sense of reverence. Presence of Members is not compulsory. Rule I provides that the Speaker shall take the chair and call the Members to order, and on the appearance of a quorum cause the Journal to be read. There it specifically says that for the reading of the Journal, which is the first business after prayer by the Chaplain, a quorum shall appear. By indirection that would indicate that the prayer does not require the presence of a quorum, inasmuch as the rule particularly says that it does require a quorum to read the Journal.

The Chair therefore is disposed to think that the offering of prayer by the Chaplain is not business of the House that requires a quorum, and that regardless of any gentleman's sense of reverence or propriety it is not in order to make the point of order that there is no quorum present.

The Chaplain will offer prayer.

Mr. McCLINTIC. Mr. Speaker, I respectfully appeal from the decision of the Chair.

Mr. ACKERMAN. I move to lay that appeal on the table.

The SPEAKER. The Chair does not think he is obliged to entertain the appeal, because an appeal from the decision of the Chair is business and the point of no quorum could be made, and that would practically nullify the decision. But inasmuch as this is a new matter, the Chair thinks it will be better for once to entertain the appeal and let the House decide the matter.

If the House sustains the decision of the Chair, he will not entertain such an appeal afterwards on the same question. The gentleman from New Jersey [Mr. ACKERMAN] moves to lay the appeal on the table.

The question was taken; and on a division (demanded by Mr. McCLINTIC) there were—ayes 81, noes 2.

Mr. McCLINTIC. I raise the point of no quorum.

The SPEAKER. The gentleman makes the point of no quorum, and the Chair will recognize it. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll. The question is on laying the appeal on the table.

The question was taken; and there were—yeas 233, nays 70, not voting 126, as follows:

YEAS—233.

Ackerman	Fish	McAndrews	Shreve
Anderson	Fordney	McArthur	Siegel
Andrews, Md.	Foster	McFadden	Sinclair
Andrews, Nebr.	Frear	McKenzie	Sinnott
Anthony	Freeman	McLaughlin, Mich.	Slemp
Aswell	French	McLaughlin, Nebr.	Smith, Idaho
Ayres	Fuller	McLeod	Smith, Ill.
Bacharach	Gallagher	McPherson	Smith, Mich.
Barbour	Gallivan	MacGregor	Smith, N. Y.
Begg	Glynn	Madden	Snyder
Benham	Godwin, N. C.	Magee	Stedman
Black	Good	Mann, Ill.	Steenerson
Bland, Ind.	Goodykoontz	Mapes	Stephens, Miss
Boles	Graham, Ill.	Martin	Stephens, Ohio
Bowers	Green, Iowa	Michener	Stiness
Brand	Greene, Mass.	Miller	Stoll
Brinson	Griest	Monahan, Wis.	Strong, Kans.
Brooks, Ill.	Griffin	Mondell	Summers, Wash.
Brooks, Pa.	Hadley	Montague	Sweet
Browne	Hamilton	Moore, Ohio	Swindall
Buchanan	Hardy, Colo.	Moore, Va.	Swope
Burdick	Harreld	Moores, Ind.	Tague
Burke	Haugen	Murphy	Taylor, Ark.
Caldwell	Hawley	Nelson, Mo.	Taylor, Tenn.
Campbell, Kans.	Hays	Newton, Minn.	Temple
Cannon	Hernandez	Newton, Mo.	Thompson
Christopherson	Hickey	Nicholls	Tillman
Coady	Hicks	O'Connell	Tilson
Cole	Hoch	O'Connor	Timberlake
Cooper	Hoey	Ogden	Tincher
Copley	Holland	Olney	Towner
Crago	Hull, Iowa	Osborne	Treadway
Cramton	Hutchinson	Overstreet	Valle
Crowther	James, Va.	Padgett	Vestal
Curry, Calif.	Jefferis	Paige	Vinson
Dale	Johnson, S. Dak.	Park	Voigt
Dallinger	Johnson, Wash.	Parker	Volstead
Darrow	Jones, Pa.	Parrish	Walsh
Davis, Minn.	Juul	Patterson	Walters
Dempsey	Kearns	Pell	Ward
Denison	Keller	Purnell	Wason
Dickinson, Iowa	Kelly, Pa.	Radcliffe	Weaver
Dominick	Kendall	Rainey, Ala.	Webster
Donovan	Kennedy, R. I.	Ramsey	Whaley
Doremus	Kiess	Ramseyer	Wheeler
Doughton	King	Randall, Calif.	White, Kans.
Dowell	Kinkaid	Randall, Wis.	Williams
Drane	Kleczka	Ransley	Winslow
Dunbar	Knutson	Reavis	Wood, Ind.
Dunn	Lampert	Reber	Woods, Va.
Dyer	Langley	Reed, N. Y.	Woodyard
Echols	Larsen	Rhodes	Wright
Edmonds	Layton	Ricketts	Yates
Elliott	Lea, Calif.	Riddick	Young, N. Dak.
Esch	Lee, Ga.	Robsion, Ky.	Young, Tex.
Evans, Nebr.	Lehlbach	Rodenberg	Zihlman
Fairfield	Little	Rogers	
Fess	Longworth	Schall	
Fields	Luhring	Scott	

NAYS—70.

Almon	Connally	Lankford	Rubey
Bankhead	Davis, Tenn.	Lazaro	Sears
Barkley	Dickinson, Mo.	Linthicum	Sherwood
Bee	Drewry	McClintic	Sisson
Bell	Dupré	McDuffie	Smithwick
Benson	Eagan	McKeown	Steagall
Bland, Va.	Evans, Mont.	Major	Stevenson
Blanton	Garrett	Mansfield	Sumners, Tex.
Bowling	Howard	Mays	Taylor, Colo.
Box	Huddleston	Milligan	Thomas
Briggs	Hudspeth	Minahan, N. J.	Upshaw
Byrnes, S. C.	Humphreys	Oldfield	Welling
Byrns, Tenn.	Igoe	Phelan	Welty
Caraway	Jacoway	Quin	Wilson, La.
Carss	Johnson, Ky.	Rainey, Henry T.	Wilson, Pa.
Carter	Johnson, Miss.	Rayburn	Wingo
Clark, Mo.	Jones, Tex.	Romjue	
Collier	Lenham	Rouse	

NOT VOTING—126.

Ashbrook	Fisher	Kincheloe	Raker
Babka	Flood	Kitchin	Reed, W. Va.
Baer	Focht	Kraus	Riordan
Blackmon	Gandy	Kreider	Robinson, N. C.
Bland, Mo.	Ganly	Lesher	Rose
Britten	Gard	Lonergan	Rowan
Brumbaugh	Garner	Luce	Rowe
Burroughs	Goldfogle	Lufkin	Rucker
Butler	Goodall	McCulloch	Sabath
Campbell, Pa.	Goodwin, Ark.	McGlennon	Sanders, Ind.
Candler	Gould	McKinley	Sanders, La.
Cantrill	Graham, Pa.	McKinley	Sanders, N. Y.
Carew	Greene, Vt.	McLane	Sanford
Casey	Hamill	Maher	Scully
Chindblom	Hardy, Tex.	Mann, S. C.	Sells
Clark, Fla.	Harrison	Mason	Sims
Classon	Hastings	Mead	Small
Cleary	Hayden	Merritt	Snell
Costello	Hersey	Moon	Steele
Crisp	Hersman	Mooney	Strong, Pa.
Cullen	Hill	Morin	Sullivan
Currie, Mich.	Houghton	Mott	Tinkham
Davey	Hulings	Mudd	Vare
Dent	Hull, Tenn.	Neely	Venable
Dewalt	Husted	Nelson, Wis.	Volk
Dooling	Ireland	Nolan	Watkins
Eagle	James, Mich.	Oliver	Watson
Ellsworth	Johnston, N. Y.	Perlman	White, Me.
Elston	Kahn	Peters	Wilson, Ill.
Emerson	Kelley, Mich.	Porter	Wise
Evans, Nev.	Kennedy, Iowa	Pou	
Ferris	Kettner	Rainey, John W.	

So the appeal was laid on the table.

The Clerk announced the following pairs:

Mr. KAHN with Mr. DENT.
Mr. BUTLER with Mr. STEELE.
Mr. CHINDBLOM with Mr. ASHBROOK.
Mr. FOCHT with Mr. CANDLER.
Mr. KENNEDY of Iowa with Mr. BLAND of Missouri.
Mr. GRAHAM of Pennsylvania with Mr. GARD.
Mr. MASON with Mr. MOON.
Mr. TINKHAM with Mr. KINCHELOE.
Mr. NELSON of Wisconsin with Mr. KITCHIN.
Mr. MUDD with Mr. RIORDAN.
Mr. IRELAND with Mr. CRISP.
Mr. BAER with Mr. CANTRILL.
Mr. SANDERS of Indiana with Mr. WISE.
Mr. BURROUGHS with Mr. GANDY.
Mr. GREENE of Vermont with Mr. GARNER.
Mr. MERRITT with Mr. HASTINGS.
Mr. ROSE with Mr. CLARK of Florida.
Mr. HOUGHTON with Mr. MEAD.
Mr. WILSON of Illinois with Mr. RAKER.
Mr. PORTER with Mr. FERRIS.
Mr. SNELL with Mr. FISHER.
Mr. STRONG of Pennsylvania with Mr. CULLEN.
Mr. PERLMAN with Mr. DOOLING.
Mr. COSTELLO with Mr. BABKA.
Mr. WHITE of Maine with Mr. ROBINSON of North Carolina.
Mr. LUCE with Mr. FLOOD.
Mr. SANFORD with Mr. GOLDFOGLE.
Mr. MCKINLEY with Mr. JOHN W. RAINEY.
Mr. WATSON with Mr. SMALL.
Mr. NOLAN with Mr. SULLIVAN.
Mr. REED of West Virginia with Mr. CAREW.
Mr. BRITTEN with Mr. NEELY.
Mr. LUFKIN with Mr. O'CONNOR.
Mr. MOTT with Mr. HARRISON.
Mr. VARE with Mr. BLACKMON.
Mr. ELLSWORTH with Mr. CLEARY.
Mr. KRAUS with Mr. RUCKER.
Mr. ELSTON with Mr. SIMS.
Mr. MORIN with Mr. HAYDEN.
Mr. KREIDER with Mr. DAVEY.
Mr. SANDERS of New York with Mr. GANLY.
Mr. PETERS with Mr. BRUMBAUGH.
Mr. HERSEY with Mr. MCKINIRY.
Mr. HULINGS with Mr. MAHER.
Mr. ROWE with Mr. HULL of Tennessee.
Mr. VOLK with Mr. ROWAN.
Mr. SELLS with Mr. WATKINS.
Mr. CLASSON with Mr. SABATH.
Mr. MCCULLOCH with Mr. LESHER.
Mr. CURRIE of Michigan with Mr. MOONEY.
Mr. EMERSON with Mr. MCLANE.
Mr. GOODALL with Mr. HARDY of Texas.
Mr. GOULD with Mr. GOODWIN of Arkansas.
Mr. HILL with Mr. OLIVER.
Mr. HUSTED with Mr. POU.
Mr. KELLEY of Michigan with Mr. MCGLENNON.
Mr. JAMES of Michigan with Mr. CAMPBELL of Pennsylvania.

The SPEAKER. The Chaplain will offer prayer.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, our heavenly Father, bless our country. We are the people of Thy hand and the sheep of Thy pasture. Help us to be good. Enrich all lives with higher purposes. Speak to hearts that can not tell their woe. Fill our minds with light, our hearts with peace, and our souls with the spirit of obedience, and look upon us day by day with the eyes of Thy great heart; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LINCOLN'S BIRTHDAY.

Mr. TOWNER. Mr. Speaker, I desire to ask unanimous consent that on Saturday, February 12, Lincoln's birthday, the gentleman from Illinois [Mr. YATES] may be allowed to address the House for 40 minutes.

And in this connection I desire to make this statement. When this was suggested to me, immediately the thought of the intimate connection of the Yates family with Abraham Lincoln came to my mind. As we all know, our colleague is the son of Gov. Yates, of Illinois, the war governor. The personal, professional, and official connection between Richard Yates and Abraham Lincoln was remarkable. They were born about the same time, they were admitted to the practice of law about the same time. They lived in adjoining counties, Lincoln at Springfield, in Sangamon County, and Gov. Yates at Jacksonville, in Morgan County. They traveled the circuit together as practicing lawyers at that time. They both served in the State Legislature of Illinois, and they both served in Congress here in the fifties. The one was a candidate for President of the United States in 1860, and the other was candidate for governor of Illinois.

It may be stated that they made the campaign together, although it is well known that Lincoln did not leave his front porch. They were in constant consultation during these years. During the war Gov. Yates visited Washington frequently. He was elected to the Senate in 1864, and took his place in 1865, the 4th of March. He was almost daily in consultation with Lincoln until his assassination and death the 14th of April.

It is exceedingly appropriate in view of these things that the son of Gov. Yates, who has himself been governor of the State of Illinois, and who grew up in an atmosphere that was born of the intimacy with the great martyred President of the United States, should deliver this address. I think it is indeed fortunate that we may have an opportunity of hearing from him at this time and on this occasion.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

Mr. CALDWELL. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CALDWELL. When the House adjourned yesterday there was a point of order that I had reserved.

The CHAIRMAN. Does the gentleman wish to speak under the reservation?

Mr. CALDWELL. Under the reservation.

Mr. Chairman, this is perhaps the last time that I will ever address this wonderful body of wonderful men. I have served as a Member of this House and a member of the Military Affairs Committee for six years. I came here not fully appreciating the Congress of the United States, and I now leave it with a high and exalted idea of what it is and what kind of men compose it.

It is usual that when one is about to retire and undertakes to say anything to his friends in parting that he pick out some leaders on both sides of the House and say nice and complimentary things of them. Nearly all of the distinguished men of this House—that is, those who have been distinguished by their leadership—have from time to time been thus spoken of with the highest degree of praise. I can add nothing to what has been said of these great men, whose friendship I enjoy and whose memory I will ever revere throughout my life. But I am going to depart a little from that. I shall speak of the inconspicuous Members of this House, those who come here every day to perform their duties, who work 16 hours a day 300 days in the year performing their duty. These men are entitled to as high praise as the men who do the most spectacular work.

I am proud to have served as a Member of the Sixty-fourth, Sixty-fifth, and Sixty-sixth Congresses during the time of the great World War, and I am proud to call as a friend every Member of these three great bodies. They were men selected, one out of 225,000 on an average, from every section of our country. Men, newspapers, and critics, from time to time, single out one or more and cast aspersions on them; but, gentlemen, no man makes his entry into this great body, the greatest legislative body in the world, unless there is something to him. Men may say that this Member was selected because of one particular trait of character, and that one for another; but the facts are, and it is demonstrated in close personal association, no Member is elected to this House unless he is of sterling qualities and more than average capacity and ability in his constituency.

I am proud to call them my friends. I want each Member of this House and each resident of my district in years to come to remember me with the same kindly feelings of friendship with which I remember them, and I now extend an invitation to each of you and the folks at home, at any time so long as we live, when you need a friend and you think I can be of service to you, call on me and I will do my best to help you. [Applause.]

I thank you, gentlemen, and the people at home, for the kindness you have shown to me. I want to show my appreciation of it. I am leaving this delightful service to take up one not so delightful but perhaps more lucrative. I am going back to the general practice of law, and in that I hope to be of as great service to my people as I have been here. I have formed a partnership with Hon. George E. Polhemus, until recently an assistant United States attorney in Brooklyn. Our firm name will be Caldwell & Polhemus, and our offices will be at 50 Church Street, New York City, and so, gentlemen, I say au revoir—not good-by—for I will be frequently in Washington attending to legal matters before the departments and shall avail myself of these opportunities to see you. Again, gentlemen, I thank you. [Applause.]

Mr. ASWELL. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Chairman and gentlemen of the committee, the gentleman from New York [Mr. CALDWELL], who has just addressed the committee, represents a northern State, and I come from the far South, where the magnolias bloom. During these six years of my longer service I have been intimately associated with the gentleman from New York in a personal way, and I want to say that I am sure I speak the truth—and certainly the Members of this House who know him well personally will say that I do—when I say that it is with genuine regret upon our part that he leaves this body. CALDWELL is clean, able, and capable; he has strong convictions and high purposes. He is a lawyer of long, successful experience, which accounts for his distinguished success here and before the Government departments.

He is a fair fighter; he never strikes below the belt. He is a genuine friend, lovable and dependable, and I wish to add this expression of general regret that he must voluntarily leave this House, and to assure him that those of us who know him well will follow him with hope and prayers that success may be his heritage, and that his pathway through life shall grow brighter and brighter each day. [Applause.]

The CHAIRMAN. Does the gentleman from New York withdraw his reservation of the point of order?

Mr. CALDWELL. I do.

Mr. CRAGO. Mr. Chairman, I move to strike out the last word. I do not want my few remarks to be considered in any sense a valedictory, although, like the distinguished gentleman from New York [Mr. CALDWELL], I realize that in all probability it will be but a short time when I, too, will be back in that great body of our citizenry who have no right to express themselves on this floor, but who think about what we do here and who pay the bills. I want to say in behalf of the gentleman from New York that I believe, from my knowledge of him, that he meant straight from the heart every word that he said about any one of us calling on him for a friendly act. He is built that way. While I do not agree with many of his ideas and ideals, I know him to be a good friend. [Applause.]

I have risen this morning to call attention to something which took place in the committee yesterday. I want this bill when it is ready to be passed to be in such shape that a self-respecting man who knows something or thinks he knows something of the Military Establishment, with all of its traditions and high ideals, may feel that he can vote for it. Yesterday afternoon I was unexpectedly called to my office to meet a constituent. When I returned to the Chamber the committee was considering an amendment which had been offered providing for the discharge of men who had fraudulently enlisted in the Army of the United States. I wondered that no one had made the point of order when the amendment was offered. I was told, however, that by an agreement it was not subject to the point of order, and much to my surprise the amendment was passed over; and then, to make the matter worse, an amendment to that amendment was adopted, which, in my opinion, is one of the most foolish things ever done by an intelligent body of men. Do not misunderstand me. Year by year as I have associated with the men here I have conceived a higher regard for their judgment and for their honesty and integrity and well-intentioned acts, but I must say that at times there seems to be a spirit which can not be called any other name than "mobocracy," which gets possession of a small group of men in this House when something is called to their attention which appears to them to be wrong, and they swing to the other extreme.

What was done yesterday? If I have the time later, I would like to explain about an enlistment and the meaning of a discharge from the Army of the United States. We in effect here have taken a step which, carried to its logical conclusion, would mean that the Congress of the United States is willing to repeal the Ten Commandments. In the first place, we have said to the Secretary of War, "You must direct an Army officer to certify to a lie," and we have said to the young man who receives that paper, "Although you may go into any court of this country and testify when the matter at stake is human life or property, and your evidence will be taken, yet when you take that most solemn obligation, the oath to defend and support the Constitution of the United States, you may do so with impunity, even though you are tall and strong and able-bodied."

We have not only said that to him, but we have said to every witness who appears before a court-martial that so far as a military oath is concerned the moral and civil law does not apply. What further have we done? We have cast an aspersion upon the honorable discharge held by the man who saw service, or his descendants, in every war in which our country has been engaged. I do not know what there is about the military service which appeals so closely to our hearts, but I say to you that the man who in any war or who at any time has served his country honestly and faithfully, who has received a discharge as such, should not be grouped with the boy 16 or 17 or almost 18 years of age, who has been willing to stand up and swear that he was 18, and whose oath we have said shall not hold him in the service. We have made it possible for a young man in New York City, without fear of any consequence, to misrepresent things to the recruiting officer, to be sent to the Pacific coast, to demand under the language of this amendment pay at the rate of 5 cents a mile from San Francisco back, to bum around San Francisco and do just as he pleases, and then claim the right of being honorably discharged because of his age. We have struck a blow, in my opinion, at the integrity of our moral and legal code.

In spite of the many remarks which have been made derogatory to Army officers, I assert that you will not find any more representative men in this country or any men who entertain higher ideals than do the officers of our Army. [Applause.] Yet the officer who grants the discharge must certify that the

services rendered were "honest and faithful," and are you going to say to him, "You shall certify that this man who stood up and took that false oath performed service which was honest and faithful"?

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. FIELDS. If the soldier should serve on to the expiration of his enlistment, with the same charge against him, then from the gentleman's viewpoint he should be given an honorable discharge?

Mr. CRAGO. But there would be no charge against him, and the officer would take his service for what it is worth.

Mr. FIELDS. Does the gentleman believe that the amendment adopted yesterday would call for an honorable discharge of a man under indictment in the Army?

Mr. CRAGO. It would, if that became a law. Do not misunderstand me. I am not so fearful of this becoming a law, because I know the many means of getting rid of a thing like this.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. FESS. The gentleman does not seriously believe that the amendment we voted yesterday will ever become a law, does he?

Mr. CRAGO. I was going to explain that. There are many ways of getting rid of a thing like that, but do not you see my point? I want to vote for this bill.

Mr. FESS. I do see the point, and I voted yesterday against the amendment.

Mr. CRAGO. I want this bill in such shape that we can all vote for it.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. MANN of Illinois. A man who enlists under the age of 18 years and serves his term of three years duty and the officer who discharges him knows that he enlisted under 18 years of age, does he then grant him an honorable discharge?

Mr. CRAGO. If he knows it? I can not conceive of a case of that kind unless it came to him confidentially.

Mr. MANN of Illinois. Does not the gentleman believe the officers very frequently know that the man in the service was under 18 years of age when he enlisted?

Mr. CRAGO. I will say to the gentleman from Illinois I believe he and other Members here are laboring under a misapprehension when they think that of any officer—I will read the regulations and instructions that are sent to these recruiting officers, which are to the effect that if any officer knowingly accepts a man in the service of the United States whom he has any suspicion and whom he does not feel has fully justified himself as being over 18 years of age is subject to court-martial.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAGO. I ask for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. The gentleman does not answer the question I put because the officer who discharges is not the officer who enlists. Now, if the officer who discharges the man, who has completed his term of service, good service, does the gentleman from Pennsylvania think that the officer is guilty if he discharges a man though he knows that he entered the service under a false affidavit?

Mr. CRAGO. I believe he is certifying to his service and his service is honest.

Mr. MANN of Illinois. Yes; but he does it knowing——

Mr. CRAGO. No. Now, we say to him that because of a fraudulent act we refuse to give him an honorable discharge.

Mr. MANN of Illinois. No; his service is honorable.

Mr. CRAGO. I catch the point of the gentleman.

Mr. MANN of Illinois. The gentleman made the statement a while ago that the officer is required to certify under the law if he grants an honorable discharge, when, as a matter of fact, all officers do grant honorable discharges for faithful services though they know he entered under age.

Mr. CRAGO. Well, there is very little——

Mr. McKENZIE. Will my colleague yield?

Mr. CRAGO. I do.

Mr. McKENZIE. Is it not a fact that we even went further in that amendment yesterday and provided this boy or soldier could take advantage of his own wrong?

Mr. CRAGO. Yes.

Mr. SMITH of Idaho. If the gentleman will permit, why should not the War Department regulations prescribe that a birth certificate shall be furnished instead of accepting the oath of a man who wants to enlist who is under age?

Mr. CRAGO. The regulations do prescribe that, and the only case in which they do not get that is in the case where it is shown the officer that it is physically impossible to obtain it. Now, if I may be allowed to do so I will be glad to insert in the RECORD these regulations, which are very drastic on this subject, and they are very simple indeed. Now, what happens in the department? For an honorable discharge a testimonial of honest and faithful service, a white discharge certificate is issued, and on that is inscribed the words "service, honest and faithful." On a dishonorable discharge, resulting from court martial, and so forth, a yellow paper is given which simply states the case and under what order of court the man was discharged. The discharge given to a young man who has fraudulently enlisted—and, by the way, if it is illegal to enlist that way he is never really a member of the Army—a discharge given him is this blue-green certificate on which there is no discharge without honor, nothing to indicate why he was discharged except by reason of the fact that he enlisted before he was 18 years of age. There is no such thing issued any more by the War Department as a discharge without honor, and there is nothing in this discharge which is given these boys at the present time which would indicate to anyone other than that he represented himself to be more than 18 years of age.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. CRAGO. I will.

Mr. CLARK of Missouri. What does the gentleman think ought to be done with these recruiting officers who go around lying to young fellows and getting them to enlist in the Army under false pretenses?

Mr. CRAGO. I will say to the distinguished gentleman from Missouri that he may not have heard what I said here before, that they have the most stringent regulations placed in the hands of these officers, and any officer who does not follow those instructions explicitly and satisfies himself beyond the shadow of a doubt that this man is 18 years of age is subject to court-martial.

Mr. CLARK of Missouri. Has anyone been court-martialed?

Mr. CRAGO. I do not know anything about that. I say I think there is a good bit of false sentimentality aroused in this matter of boys 16, 17, and 18 years of age; why, the great wars of the country have been fought by boys of that age, and boys of that age have commanded companies, regiments, and brigades.

Mr. BLANTON. Will the gentleman yield?

Mr. CRAGO. I will.

Mr. BLANTON. Col. McIver in yesterday's RECORD has a letter stating that one Dudley was discharged at Fort Slocum, and has been held there since January 16 because he had no funds to pay his way home.

Mr. CRAGO. The gentleman should not believe everything he sees in the press.

Mr. BLANTON. The gentleman just stated that the Army officer was a very worthy man, and it comes from a colonel in the Army. But he is the man himself who has provided these regulations, and I will say to the gentleman there is such a thing in the Army as discharge without honor.

Mr. WINGO. Mr. Chairman——

The CHAIRMAN. The gentleman from Arkansas is recognized in opposition to the pro forma amendment.

Mr. WINGO. The suggestion is made that the House on yesterday went through a hollow performance and made a false statement of its position by adopting the amendment offered by me authorizing an honorable discharge to boys who misstate their age at time of enlistment. Well, if it is reprehensible for a boy of immature years, in his eagerness to get into the Government service, to make a misstatement of his age, criticism of him comes with poor grace from Members of Congress who confess they have taken part in a hollow sham and adopted an amendment which they say the majority of the House will repudiate by parliamentary legerdermain.

Mr. CRAGO. Will the gentleman yield?

Mr. WINGO. I have not the time. The gentleman says there is a lot of maudlin sentimentality about this question. Well, I have studied boys, both as a school-teacher for four years, as a father, and as a citizen realizing that the future of our country rests upon the character of boys, shaped while they are boys, and I know, as every thoughtful man knows, that maintaining the pride and arousing the ambition is the safest course; and when you magnify any act of a boy that he has thoughtlessly committed, without any immoral or unmoral intent, and try to make him believe that he is anything but clean and square you destroy or weaken the best safeguard he has.

When you give one of these fine impulsive boys a discharge other than an honorable one you make it possible for some other boy to taunt him by saying, "Oh, I have an honorable discharge, but you have not." Some men are incapable of realizing the damage done by such a situation.

But gentlemen throw up their hands in mock horror and say, "but you force an Army officer to make a false statement by requiring him to certify to a good record in the service when the soldier has a bad record, simply because he is guilty of fraudulent enlistment." That is pure sophistry for two reasons:

First, you do not require the officer to do anything but obey the law by giving a certain kind of discharge in a given case. Congress and not the officer decides the effect of a given act; second, the boy's record in the service is not bad simply because before his service commenced, and in order to get in the service, he misstated his age. The words "fraudulent enlistment" sound big, but measured by the true test is unfair. No criminal intent, no serious fraudulent motive prompts the boy, but immature, thoughtless, he thinks only of his desire to get in, and regards the age limit as simply a mere technical bar to his service to his country. His intent is not to defraud but to serve. Oh, gentlemen, there is a clear distinction between a deliberate misstatement of a material fact by a grown, mature man, with intent to defraud, and the thoughtless misstatement of age by an impulsive anxious boy.

If a simple misstatement of one's age damns the soul and taints us with fraud, and puts the brand of dishonor on our records, then the great majority of us will have to share the fate of Kipling's old Gunga Din, and with him spend eternity—

Squatting on the coals
Givin' drink to pore damned souls.

The fact is, in most instances the recruiting officer is told by the boy his correct age, but the boy being strong, large, and a splendid type, or the officer being anxious to get a recruit, enters on the papers a misstatement as to age, and the boy signs it without ever reading—just "signs his name on the dotted line."

Subsequently, if the matter comes up on an application for discharge on account of under-age enlistment the officer will not admit he has violated instructions and regulations, and the boy is solemnly told he has been guilty of fraudulent enlistment and made to feel he is a criminal.

I recall one case. The boy was a big, strapping lad, but under age. He told the officer the truth but urged his physical strength and development as being equal to and, in fact, superior to many of enlistment age. The papers were filled out and signed by the boy without reading. His mother appealed to me, but I insisted on his being retained. Finally the armistice was signed and he wanted a discharge and to spend Christmas with my family, which was the same as home to him, because I held him as a babe in my arms as his father lay dying and had promised to ever "stand-by" as a father. When I took up the matter I was gravely advised that the boy had committed a grievous offense in that he had misrepresented his age in order to enlist. Well, I knew the lad, I knew that while he might thoughtlessly and without bad intent misstate his age, yet—

He couldn't lie if you paid him,
And he'd starve before he stole.

The boy contended he told the officer his age, and subsequently the officer admitted the facts, but said the boy was so anxious and begged so hard he took him. I did not condemn the officer. I suspect I should have done the same.

The way to stop these so-called fraudulent enlistments is for the department to give the recruiting officers to understand they must rigidly adhere to the age limit.

The most vicious thing about the present practice in these cases is the spirit it arouses. Let a thoughtless, impulsive boy, anxious to get in the Army, misstate his age and enlist without his parents' consent and then when his mother begs for his discharge he is charged with fraud and discharged far away from home with the stigma of being denied an honorable discharge. You arouse in the soul of the immature boy a feeling not conducive to loyal citizenship and in the heart of the mother an outraged feeling of fear and contempt. Compared to these the few paltry dollars involved sink into insignificance.

Be careful how you charge youth with fraud. Let not a free Government blot his record and break his pride with a charge of dishonor save when the act is serious and material and deliberately done with a fraudulent intent. [Applause.]

Mr. LITTLE. Mr. Chairman, I move to strike out the last two words.

Mr. ANTHONY. Mr. Chairman, I do not intend to offer any objection to the request for time, but after this I intend to ask that the debate be confined to the paragraph.

Mr. BLANTON. This is an important matter. I want some time on the question. The gentlemen will get along much faster.

Mr. FIELDS. I think this matter should be cleared up, and I trust the gentleman from Kansas will not do that.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, I always find great pleasure in listening to my colleague and comrade, the gentleman from Pennsylvania [Mr. CRAGO]. Twenty-two years ago to-day there began in Manila a war which rescued from misrule and barbarism 7,000,000 of people and brought to this country an empire beyond the sea. The gentleman from Pennsylvania and I heard the first roll of the first drums of that war. I like to agree with him, but I can not always do it. He criticizes the feeling of "foolish sentiment," as he calls it, which shows some manly, mature appreciation of the mentality and mental attributes of a boy who so loves his country that he is willing to lie about his age in order to get into the Army. I know a little boy myself whom, when this war began, attempted to volunteer, though much under age. He never did anything of which I am as proud as that. So I differ a little from the gentleman from Pennsylvania.

Mr. CRAGO. The gentleman will surely yield to me——

Mr. LITTLE. I did not interrupt the gentleman.

Mr. CRAGO. The gentleman surely did not catch from my remarks that I cast reflection on such a boy.

Mr. LITTLE. I decline to yield.

The records of the Civil War are gemmed and starred with the declarations of young men who could have stayed at home, but who went out, as he tells us, with a lie on their lips, to the battles of their country. Thousands of them received honorable discharges from our Army into the great beyond at Gettysburg, Antietam, Vicksburg, Pea Ridge, Wilsons Creek, Franklin, and Nashville. If they had seen it through, would they have been mustered out, scorned through all time with a charge of fraudulent enlistment because of going in under age?

If there is anything in his logic, which he endeavors to explain, it is the theory that the boy who tells a lie in order to get into a fight for his country should be sent out with dishonor after he has fought for his country. His service might stretch across three years of valiant, bold, and brilliant daring, as it has often done, and yet they would say to him when the roar of the guns of Chattanooga had died from his ears, "You are discharged without honor."

In 1861 a little boy, 10 years old, who lived next door to my father—and I was a baby then—went off to battle. He was 10 years of age. Before he was 13 he was enlisted. Before he was 14 Gen. George H. Thomas, on the battle field of Chickamauga, made him a sergeant in the Army of the United States, because he had shot down a Confederate colonel in battle. He took him on his knee and started him on the road to fame. Gen. Grant made him a cadet at West Point, and the other day Maj. Gen. John Clem, the drummer boy of Chattanooga, who enlisted at 13 years of age, visited me and referred to the days of his youth. I never had a higher honor than his visit. Yet he went into the war, as the gentleman from Pennsylvania would say, with a lie on his lips. What kind of a lie?

Once there was a great king, a very cruel king, who feasted while the people famished. For some reason he issued a decree that nothing should be done to assist them. The queen was a beautiful and gracious and Christian woman. She made it her sole purpose in life to see that food was conveyed to the starving people. One day the king heard of this and issued a decree that any person who fed them should die. Presently she was out again with baskets full of loaves of bread, with her maids to distribute them, and the king came along. They threw their aprons across the baskets, so that the loaves of bread should not appear. He rode up and demanded to know what was in those baskets. The queen, a lovely Christian woman, who had never told a lie in her life, said, "Roses, sire." He said, "Take off the covers." She did, and the good Lord had turned the loaves of bread into roses and saved her life and blessed that lie.

It was a good lie. There was never a better lie told than that of the little lad who goes out to die for his country with the jest on his lips, as he calls it, about his age. My gallant comrade from the Tenth Pennsylvania never really means that. No soldier who fought as well as my colleague from Pennsylvania did in the Philippines would change a virtue into a crime and mark it up against that boy's record, which will shine like a star down the generations. I do not understand how that could be done. It was a good lie, gentlemen. You let the little boy alone, gentlemen. The good God knows just what to do with that boy, and that boy suits the good God fine. [Applause.]

Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. The gentleman from Kansas asks leave to revise and extend his remarks. Is there objection?

Mr. McCLINTIC. I hope the gentleman will modify his request to a revision; otherwise I shall have to object.

Mr. WOOD of Indiana. Mr. Chairman, a point of order.

Mr. LITTLE. If the gentleman from Oklahoma wants to object, let him object.

Mr. McCLINTIC. I object.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. BLANTON rose.

Mr. WOOD of Indiana. I want to inquire, Mr. Chairman, when there will be a propitious time for recognizing members of the committee?

The CHAIRMAN. The Chair is trying to recognize the Members on the different sides. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, this was a very important matter yesterday when the membership by a vote of 48 to 32 adopted this amendment; but it has become unusually important since the gentleman from Pennsylvania [Mr. CRAGO] intimates that it is to be ruthlessly set aside and stricken from the bill. It is not as important as if the gentleman were a mouthpiece of his party, because he is not, but it has become specially important since the gentleman from Ohio [Mr. FESS], who is a distinguished leader of his party, being its congressional chairman, took the floor and said that it was inadvertently done; that it was wrongfully done; that the amendment should not have passed; and that no serious-minded person in the House—and I presume he referred to all the Republicans—would think of permitting this amendment to stand as the law of the land. That makes it important before the people of this Nation, as it initiates Republican policy.

What was this amendment that was adopted by a vote of 48 to 32? It was simply the proposition that henceforth the Secretary of War must issue an honorable discharge to young men 15, 16, or 17 years of age who, because of the slick-tongued recruiting officer and the blandishments that have been handed out and the flowery pictures of Army life that have been put before the young boys through the $550,000 worth of advertising that the Secretary of War has done during the last year to get the youth into the Army, represents his age to be 18 years in order to enlist; that when that youth's mother or father files an application for his discharge because of his minority the Secretary of War must give him an honorable discharge, and must send him home and must pay his way, and he must not forfeit the pay he has earned while he has been in the Army.

That is the proposition that the distinguished leader of the Republican Party says the dominant Republican Party in this House is not going to stand for. I want the mothers of the country to know what is in the mind of the gentleman from Ohio as a leader of his party. The mothers of the country are not going to stand for the dominant party's policy, if that is your policy.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment. What wrong has the boy done? "Oh," the gentleman from Pennsylvania said, "you will permit the youth to take advantage of his own wrong." Does not the law of the land do that every day outside of Army matters? You let a mature Congressman make a contract with a minor respecting his property rights and overreach him by taking his property; when that minor becomes of age the law says he can go into court and make him pay it back to him. It allows him to take advantage of his minority, because the law says when you deal with a minor you deal at your own risk. Your contract is not good when he sees fit to set it aside after he becomes of age.

I want to say that this amendment is the best part of the whole bill. I am glad that the gentleman has shown to the country that these 42 votes that put the amendment on the bill are Democratic votes, because, as the gentleman from Ohio [Mr. FESS] and the gentleman from Pennsylvania [Mr. CRAGO] would intimate, they were not Republican votes, hence intimating that the 32 votes against the amendment were Republican votes. I am glad the amendment was passed by Democratic votes.

Mr. CURRY of California. They were not all Democratic votes.

Mr. BLANTON. I know. You have some good Republicans who have hearts in their bosoms on your side, and they are not going to let the gentleman from Ohio and the gentleman from Pennsylvania whip them into line and take that vote away from the mothers of the country. You gentlemen are not going to do it. The gentleman from Ohio can crack his Republican whip and can use his position and membership here, as did the gentleman from Pennsylvania, to try to get them into line; but we know what the mothers and fathers of this country are going to do with the dominant Republican Party if you set that amendment aside. They want to get their boys home. They are holding you responsible for them. The War Department had no right to hold those boys against the wishes of their parents.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SNYDER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SNYDER. Just a moment ago the gentleman from Indiana [Mr. WOOD] claimed the right to the floor on account of being a member of the Committee on Appropriations. I desire to ask the Chairman whether or not the members of the Appropriations Committee, other than those who serve on the subcommittee that reports the bill, have the prior right of recognition?

The CHAIRMAN. As the Chair understands it there is no preference in recognition given by the rules to members of the committee having in charge the bill under consideration. It has become the custom of the House to give a limited degree of preference to members of the committee responsible for the conduct of the bill and that custom is generally respected by the presiding officer. The present occupant of the chair has endeavored to do that as far as practicable, but does not feel the compelling force of any rule to cause him to do so. The Chair will now recognize the gentleman from Indiana [Mr. WOOD] if he desires to be recognized.

Mr. WOOD of Indiana. Mr. Chairman, I wish to offer an amendment to the clause under consideration. On page 26, line 9, I move to strike out the word "purchase" and the comma immediately following it.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana: Page 26, line 9, strike out the word "purchase" and the comma.

Mr. WOOD of Indiana. Mr. Chairman, my reason for offering this amendment is to save money to the Treasury. The War Department has more typewriters than they have places to store them, and there is no necessity for their purchasing typewriters. If that word "purchase" is stricken out, perhaps it will be the means of getting some of the typewriers used that are now in cold storage. That is all I desire to say.

Mr. ANTHONY. Mr. Chairman, I should like to ask the gentleman from Indiana a question.

Mr. WOOD of Indiana. I yield to the gentleman from Kansas.

Mr. ANTHONY. What is his purpose in striking out the word "purchase"?

Mr. WOOD of Indiana. In order that the War Department, which has thousands of these typewriters of every character and description, from the little Corona up to the mammoth extension typewriter, may not be purchasing more machines when they have so many already. They have them now wherever they have a depot of supplies. They have got thousands of typewriters in this town that have never been uncrated from the time they were bought, some of them having been purchased after the war was over.

Mr. ANTHONY. If the gentleman will yield, I will state to him that none of the $10,000 provided in this clause is intended for the purchase of new typewriters. It is intended for the repair of typewriters on hand.

Mr. WOOD of Indiana. Then let us strike out the word "purchase." If the word "purchase" is retained they will have a perfect right to purchase more machines, and they will exercise that right if they have it. There is no question about that.

Mr. ANTHONY. Will the gentleman yield further?

Mr. WOOD of Indiana. I yield.

Mr. ANTHONY. It was stated that there might be some special type of typewriter, like one of these double-barreled bookkeeping machines, that they might want to buy one or two of them, and for that reason we left the language in the bill.

Mr. WOOD of Indiana. That is an additional reason why it should be stricken out. They have got up a new model now that they are trying to foist upon the Government, and there is always some inducement and somebody can be easily induced to buy these newfangled things. We have every conceivable typewriter that is practical for use in these various departments, and it is simply a useless waste of money to permit them to purchase machines when they have so many.

Mr. McCLINTIC. Mr. Chairman, I was informed yesterday by a Member that he went down to the purchase division of the War Department and found they had over 8,000 typewriters now offered for sale, and I am of the opinion that this amend-

ment should be adopted, because they apparently want to sell those typewriters so they can buy new ones.

Mr. WOOD of Indiana. If this word "purchase" is not stricken out, you may depend upon it that instead of using the typewriters which they have stored all over this country wherever they have storehouses, they will exhaust this entire item in purchases rather than in repairs.

Mr. SMITH of Idaho. Did I understand the gentleman to say that they now have typewriters in storage that have never been unpacked?

Mr. WOOD of Indiana. They have typewriters in storage that have never been unpacked. I know where there are hundreds of them right in this town that have never been unpacked. They are in the very boxes in which they came from the manufacturer.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Nebraska.

Mr. ANDREWS of Nebraska. Following out the suggestion made by the gentleman from Indiana, would it not be well also to strike out the word "exchange," because this furnishes a basis for securing new machines in exchange?

Mr. WOOD of Indiana. No; I do not think the word "exchange" should be stricken out, for the reason that many of these machines become old and perhaps practically useless, and they can exchange them for these other machines which they have. This does not mean exchange with the company.

Mr. ANDREWS of Nebraska. But that would not be an exchange at all. They have both the old ones and the new ones, and no question of exchange would arise. The word "exchange" here would authorize them to turn in an old machine to the company that manufactures them and exchange it for a new one and pay the difference in price between the old one and the new one.

Mr. WOOD of Indiana. No; they will have to turn it in to the committee on supplies. That is what they will have to do.

Mr. ANDREWS of Nebraska. But that would not be a question of exchange as the word is ordinarily used.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Mississippi.

Mr. JOHNSON of Mississippi. A few days ago I was very much interested in the speech which the gentleman from Indiana [Mr. WOOD] made on the floor of the House, in which he charged that the War Department and the Government had purchased 2,000,000 typewriters. A day or two afterwards I listened to the gentleman from New York [Mr. SNYDER], who charged that the gentleman from Indiana was wrong, that the gentleman from New York had investigated and found that the Government had purchased only 200,000. What has the gentleman to say as to that?

Mr. WOOD of Indiana. If the gentleman was present at that time, he will remember that I corrected my statement.

Mr. JOHNSON of Mississippi. I did not hear the gentleman do that.

Mr. WOOD of Indiana. I did make the correction. I was in error and so stated, that it was 200,000, 150,000 more than they had any use for.

Mr. LINTHICUM. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. LINTHICUM. I want to say that the statement that we have purchased 2,000,000 machines went out through the newspapers of the country, and particularly was so stated in the newspapers of Baltimore, and moreover it said a place had been located where there were 500,000 stored. No mention was made of the correction which the gentleman says he made and the people believe that they purchased 2,000,000 typewriters.

Mr. WOOD of Indiana. Unfortunately I have no control over the newspapers of the country.

Mr. ANDREWS of Nebraska. Mr. Chairman, I move to amend by striking out the word "exchange" and the comma following.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. ANDREWS of Nebraska: Strike out the word "exchange" and the comma following.

The CHAIRMAN. It seems to the Chair that this is not an amendment to the amendment; it is an entirely separate amendment and would be in order after the other amendment is disposed of.

Mr. FIELDS. I desire to be heard on the amendment.

Mr. ANTHONY. Does the gentleman want to speak on the amendment?

Mr. FIELDS. No; I do not.

Mr. ANTHONY. Then, would it not be better to let us first dispose of this amendment?

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

Mr. SISSON. Mr. Chairman, I have just come in, and, as a distinguished gentleman from Georgia once said, I do not know "where we are at."

The CHAIRMAN. The amendment is to strike out the word "purchase."

Mr. ANTHONY. Mr. Chairman, I want to say a word about the typewriter matter. The $10,000,000 is safeguarded, so that there is going to be no typewriters purchased under this appropriation. The department asked for $20,000 for the maintenance and repair of typewriters. We only gave them $10,000. The Quartermaster Department states that there are 54,000 typewriters, and 6,000 of them are declared surplus and have gone into the surplus property department. Undoubtedly many more of the 54,000 should be declared surplus and sold, and probably will be, but it should be obvious to the House that as for the $10,000, none of it is going to be spent for the purchase of typewriters. It is not good sense to destroy the language of the bill when there is no necessity for it.

Mr. SNYDER. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. SNYDER. The gentleman from Indiana used the word "foist." I do not know what that means with reference to the purchase of typewriters. Under the $10,000 does the gentleman think that any company manufacturing typewriters could foist them upon the department?

Mr. ANTHONY. As I have already stated, it is an unnecessary alarm.

Mr. SNYDER. I want to say that if I thought it was going to open up any avenue for the purchase of typewriters for the department I would be for the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. WOOD of Indiana) there were 34 ayes and 13 noes.

So the amendment was agreed to.

Mr. ANDREWS of Nebraska. Mr. Chairman, I now offer the amendment which I offered a moment ago.

The Clerk read as follows:

Page 26, line 9, strike out the word "exchange" and the comma following.

Mr. ANDREWS of Nebraska. Mr. Chairman, we have amended by striking out the word "purchase," and in order to make it perfect we must strike out the word "exchange" and the comma, because under this language in appropriation bills the department could buy new machines, and under this word "exchange" they could buy new machines and turn in these old machines in part payment. That would enable them to use any old broken-down machine and turn it in for such a price as might be agreed upon and get an entirely new machine and pay for it out of the $10,000. If the committee desired that the $10,000 shall be retained for repairs of typewriters, it should so state. Under the language of the bill they could buy new machines up to the value of $10,000. Under the word "exchange" they could use the $10,000 and pay whatever allowance might be agreed upon between the old machines and the new machines, and the effect would be exactly the same. So striking out the word "purchase" leaves the necessity of striking out the word "exchange" also and inserting words that would apply to the repairs only of typewriters.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

The question was taken; and on a division (demanded by Mr. ANDREWS of Nebraska) there were 12 ayes and 27 noes.

So the amendment was rejected.

Mr. BLACK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 27, line 22, after the word "sold," strike out the period, insert a colon, and add the following:

"*Provided further*, That hereafter when, in the opinion of the Quartermaster General, it is in the interest of the United States so to do, he is authorized to enter into contracts or to incur obligations for fuel in sufficient quantities to meet the requirements of one year without regard to the current fiscal year, and payments for supplies delivered under such contracts may be made from funds appropriated for the fiscal year in which the contract was made, or from funds appropriated, or which may be appropriated for such supplies during the ensuing fiscal year."

Mr. ANTHONY. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BLACK. Mr. Chairman, there has been a great deal of criticism of the War Department on account of the high prices

it pays for coal. I think the hearings before the Senate Reconstruction Committee show that in some way extravagant prices have been paid in the purchase of coal. I find on page 503 of the hearings on this appropriation bill for the fiscal year 1922, Mr. ANTHONY asked the following question: "What was the increase in the price of bituminous coal in the present year over the year before?" To which Gen. Rogers replied, "During the present fiscal year 125 per cent more has been paid for bituminous coal than in the prior year and 25½ per cent more for anthracite coal." The War Department, or rather Quartermaster General Rogers, suggested that the provision which I have offered as an amendment be put into the bill in order that the War Department might make a contract for the purchase of coal at that season of year when the coal operators enter into contracts with their employees. In other words, at the time of the year when it would be most advantageous to the Government to make contracts for coal.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. SISSON. I am quite in sympathy with the gentleman's amendment. I understand the reason for it, but has the gentleman considered the question of whether or not under his amendment those authorized to purchase coal might not bind the Government beyond the limit of the appropriation. For instance, we appropriate six months before the money is available. If the gentleman's amendment safeguards that possibility, so that they can not spend more money than Congress appropriates, it is good business, and the amendment ought to be agreed to.

Mr. BLACK. I will say to the gentleman that I took it for granted that Senator CALDER, who himself wrote this amendment, has taken into consideration that matter, and therefore I have not done so.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. ANTHONY. Does the gentleman know whether the language of the amendment is the same as that of a proposed Calder amendment in the Senate?

Mr. BLACK. Except that I have stricken out the words "forage" and "subsistence" and "clothing," because I do not think the hearings disclose any reason why those should come in.

Mr. ANTHONY. Otherwise the language is the same?

Mr. BLACK. Yes.

Mr. ANTHONY. The committee considered the amendment in its consideration of the bill. The reason we did not attach it to the bill is because it is new legislation, and out of deference to the legislative committee. I have no objection to it. It is really very meritorious, and I shall not make the point of order.

Mr. BLACK. Mr. Chairman, I am glad to hear the gentleman say that, because I believe that we are losing not hundreds of thousands of dollars, but probably a million or two dollars a year because of the excessive price of coal, and we ought to stop it. One thing that is causing the present business depression in the United States to-day is the lopsided readjustment that we are experiencing. We see the producers of cotton and corn and wheat and oats selling their products far below the cost of production, and yet we have coal, for example, selling all over the country at more than it sold for during the war period.

Mr. LINTHICUM. How does the gentleman's amendment propose to cure that evil?

Mr. BLACK. It proposes to give the War Department a wider latitude, and to enable them to practice what a good business man practices, and that is to make a contract at that period of the year when the operators of the mines make their contracts with their labor, and I am sure that it will result greatly to the advantage of the Government. I am quite sure that Senator CALDER gave the matter very thorough investigation, because it was he who drew the amendment which I have suggested.

Mr. EDMONDS. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. EDMONDS. The coal contracts are made generally on the 1st day of April. How would the gentleman propose at the end of the year, the appropriation having run out, to pay for those contracts afterwards?

Mr. BLACK. This amendment provides that they may make the contract for the expenditure not only as to the appropriation for that current fiscal year in which the contract is made but out of the appropriation that is to follow, so that it would be really a live contract.

Mr. EDMONDS. Does the gentleman think they would get a good price on the contract when they do not know whether sufficient money is going to be appropriated in the next fiscal year to meet the contract?

Mr. BLACK. I think so. I think the amount of the contract would be made within the limit of the appropriation available, and therefore there would be no doubt about payment.

Mr. SISSON. Mr. Chairman, if the gentleman will yield, the gentleman's amendment, for example, would permit this money to be available for that contract in April, although the bill does not go into effect until July, and coal might not be delivered until it is needed in the fall. It simply enables the War Department to purchase the coal at the most advantageous time, and then after the 1st of July the money becomes available.

Mr. EDMONDS. I think that is a very good amendment.

Mr. FESS. Mr. Chairman——

The CHAIRMAN. Does the gentleman rise to discuss the amendment?

Mr. FESS. The point of order has been reserved, as I understand it.

The CHAIRMAN. The gentleman from Kansas has withdrawn the point of order.

Mr. FESS. So that the time for making the point of order has passed?

The CHAIRMAN. Yes. The gentleman from Kansas withdrew the point of order, and the gentleman from Texas proceeded to debate the point of order. The question is on agreeing to the amendment.

Mr. ANDREWS of Nebraska. Mr. Chairman, I rise to address myself to the amendment. Does not this proposition foreshadow a policy of authorizing the heads of departments to make contracts in advance of the allowance of appropriations by Congress for specific purposes?

Mr. BLACK. No; I think not. The language of the amendment, if the gentleman will follow it, is as follows:

Provided, That hereafter when, in the opinion of the Quartermaster General, it is in the interest of the United States so to do, he is authorized to enter into contracts and to incur obligations for fuel in sufficient quantities to meet the requirements for one year, without regard to the current fiscal year.

Mr. ANDREWS of Nebraska. Mr. Chairman, it occurs to me that the argument can be made, and there will be a disposition to use it, that this establishes a precedent which would induce the heads of departments to entertain, in their judgment, the existence of an exigency for contracts for any line of supplies that might be suggested.

Mr. BLACK. But this is limited to coal.

Mr. ANDREWS of Nebraska. I understand it is limited to coal, but upon that as a precedent, they may come forward and apply it to other things.

Mr. BLACK. If it would be advisable and good business as to other articles, Congress ought not to oppose a good business arrangement.

Mr. ANDREWS of Nebraska. I think that while we recognize the wisdom of an action of this sort, which would be exercised by a business man in his private affairs, we will find this will be a precedent which will be urged very strongly by executive branches of the service for the enlargement of this privilege to a wide range of business.

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. ANDREWS of Nebraska. I will.

Mr. LINTHICUM. Would the gentleman object to that if it safeguards the Government?

Mr. ANDREWS of Nebraska. I am not going to vote against the amendment; I am simply calling attention to what I believe will be the tendency in the establishing of this precedent. I know full well that this matter is urged again and again and where you can find examples in the law that executive branches of the services will cite it as authority for paying bills. I could go over the records and call hundreds of examples where executive branches of the Government have called upon the accounting officers to certify bills beyond the limit of the appropriation just on a precedent like this, and they are bound to use it. I recognize an occasional advantage as in this instance, but I am simply calling attention to phraseology of this sort in an appropriation bill. I know that all executive branches of the service will be quite prompt to urge it as a precedent for questionable expenditures.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I do this for just a moment to call attention to the proposition that was under discussion a while ago in regard to blue discharges. In this connection the Secretary of the Interior has ruled that an ex-soldier with a blue discharge can not have the advantage of the public-land laws—that is, the privilege of filing on the public lands under the soldiers' act, which permits soldiers who saw service to file on public lands and have the benefit of their length of service in acquiring

title to the land to secure a home. I have in mind a boy who had filed on land prior to the time of his entering the Army. He went across the sea and saw service. After the armistice was signed, he, having a clear record up to that time, went A. W. O. L., and was given as a result a blue discharge. The Secretary of the Interior held that he could not have the benefit of securing a patent to the public land of the United States on which he had filed previous to the time he had entered the Army simply because he had a blue discharge.

Mr. MADDEN. He could obtain patent, but he could not get credit for his time?

Mr. JONES of Texas. I thank the gentleman—he could not get the credit for his time, which was equivalent to saying he could not secure a patent to the land, although the boy had served two years and six months in the Army.

Mr. EDMONDS. Will the gentleman yield?

Mr. JONES of Texas. I cite that as just one of the things that show a blue discharge is not the equivalent to an honorable discharge. That is one of the many things that might arise, and you will find in your experience that when a man has a blue discharge he will face many problems in the future in which the blue discharge will rise up to curse him. Now, I do not believe that a young man who had the patriotism to volunteer and wanted to serve his country ought to be penalized as against the boy who does not have that ambition and that desire.

Mr. EDMONDS. Do I understand the gentleman is advocating a premium for desertion?

Mr. JONES of Texas. I do not advocate a premium for desertion, neither do I desire to put a penalty on the young man who has patriotism. But you take a boy who entered the Army when he was 16 or 17 years of age perhaps expecting to go in and serve his country—as many of them did at the time when the war spirit was on—who thought the great big thing was to take care of the United States Government in its crisis—the land he loved—it seems a tragedy to kick him out with a blue discharge. At the time he went in it did not seem to him an important matter to deceive about his age—it did not affect the fact that he was patriotic and much more patriotic than many of those who did not enter. And yet you would put a penalty on that boy by classing him as guilty of dishonorable conduct, practically because I submit there is very little difference in effect between the blue discharge and a dishonorable discharge. Now, I do not claim that all these discharges should be honorable ones.

I really believe we are going at this matter backward. It seems that a better plan would be to direct all recruiting officers, in all cases of doubt, to require the applicant for enlistment to furnish either a birth certificate or the affidavit of one of his parents or his legal guardian to the effect that he is of sufficient age to join the Army. This would correct the matter at the source.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON and Mr. SUMNERS of Texas rose.

Mr. SUMNERS of Texas. Mr. Chairman, I have been appealing for recognition at least a dozen times.

The CHAIRMAN. The gentleman from Mississippi is a member of the committee, and the Chair recognizes him.

Mr. SISSON. Mr. Chairman, I want to call the attention of the committee briefly to the item which we now have under discussion, and I move to strike out the last three words if necessary. The item which we are discussing is on page 27, several pages there, and the last item is an item which authorizes the Secretary of War to sell certain mules and horses which we have on hand. Now, I picked up yesterday a newspaper which gives you a little light on the reason why the committee thought this item ought to go in the bill. I read from the News and Observer, of Raleigh, N. C., under date of February 1, 1921:

Thirty-three horses and mules were found to have died of suffocation as a result of being packed in unventilated, closed box cars when a shipment of 185 Government animals arrived in Raleigh Sunday morning en route from Camp Lee, Va., to Camp Jackson, S. C. The animals are said to have been first-class stock.

According to railroad officials, the animals were loaded in 11 tightly closed box cars, contrary to the almost universal practice of transporting animals in semiopen cars, by direction of a captain in the Quartermaster Corps of the United States Army, who is said to have expressed the desire that the animals be kept warm.

The shipment left Petersburg Saturday night in charge of Pvt. H. Adams, accompanied by another soldier and two civilians. According to statements made by the party, examination of the cars en route showed that the animals were suffering. An attempt was made to unload the cars at Norlina, but no facilities were available, and the cars were brought on to Raleigh, after the cars had been partly opened.

On arrival at Raleigh it was found that the opening of the cars had saved the bulk of the animals, but 18 horses, occupying one car, and 15 mules, which made up the cargo of another car, were discovered to be dead.

Dr. L. F. Koonce, well-known Raleigh veterinarian, was called upon to make an examination of the dead animals, and could discover no cause of death further than suffocation. Dr. Koonce stated that one of the cars containing the dead animals was practically new, and that the other car was in very good condition, and is inclined to the opinion that this circumstance is responsible for the fact that animals died in only two of the cars.

The dead animals were yesterday taken to the city abattoir in order to salvage the hides, and the entire shipment was held in Raleigh overnight in order that attention might be given the other animals.

Now, I call the attention of the committee to the fact that with the thousands of animals owned we are taking just that sort of chance. Why, we do not need them. We are feeding them. We have men to care for them, and it requires a great deal of feed; something like a dollar a day, I believe, is about the estimate it takes, with the help, to take care of a horse; and these men, who know as little about shipping cattle and horses as was shown in this case, where they put a carload of horses in a closed car, might have known the horses would suffocate. There is hardly a farmer in the country who does not know better than to put a carload of animals in a closed car, and it simply shows that the people who have charge of the horses and the mules when you have too many of them do not take proper care of them. The record does not show why they shipped them from one place to another, but it shows that 33 Government horses died in one single shipment because of the ignorance on the part of the people caring for the horses.

I wanted to call the committee's attention to that fact, to show that these horses that are not needed ought to be sold as quickly as possible and the Government relieved of the expense of caring for them and whatever money can be gotten out of the sale of the horses go into the Treasury.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last two words.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and pending amendments close in five minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on the paragraph and pending amendments close in five minutes. Is there objection?

Mr. DAVIS of Tennessee. I would like five minutes.

Mr. ANTHONY. On the paragraph?

Mr. DAVIS of Tennessee. On the question of enlistments.

Mr. ANTHONY. I think we had best close the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas [Mr. ANTHONY]? [After a pause.] The Chair hears none. The gentleman from Texas [Mr. SUMNERS] is recognized.

Mr. SUMNERS of Texas. Mr. Chairman, I am very much in sympathy with the purpose of the amendment adopted yesterday and which has been under discussion. I believe that the age limit for enlistment ought to be raised and I am willing to discharge all enlistments under age and even return the boys. But let us see what we did yesterday by the amendment adopted. Here is what the Congress of the United States by this amendment says to the boys of America, "If you will run away from home; if you will turn your back on the advice of your parents and go down to the enlistment office and swear to that which is not true, we will give you a trip to California, pay you while you are going, and turn you loose when you get there; give you a ride for nothing; your feed for nothing; give you a uniform and an honorable discharge and pay your way back home at the rate of 5 cents per mile; and if you can establish that you took cold while there, we will put you on the pension list. All we ask is that you run away from home and swear a lie." And when that boy gets back home and is circulating around among the other boys he will say, "Gee whiz, fellows, it was a dandy trip. I have got an honorable discharge as a real soldier. California is the finest country I ever saw. It does not cost you anything, and they have the best eats you ever had. All you have got to do when you get over there is to tell them you are less than 18 years old. They will not prosecute you. They will not do anything to you. They will ride you for nothing, feed you all you want to eat, and actually pay you for the time on the train. You do not even have to come back when they turn you loose. They hand you 5 cents per mile in cash for every mile it is back home."

That is exactly what is possible and what will happen. We have got to back up. I am just as deeply in sympathy with the folks whose boys run away as anybody, but I want to tell you another thing: Somebody's daddy has got to pay for bringing these boys back. The boys who stay at home and their daddies have got to pay for that. The Secretary of War is not going to take it out of his own pocket. I am willing to pay their way in order to bring them back, but that is fair enough. I am willing to go a long, long way to get these boys home,

but I am not going to put this premium on their running away and offer this temptation for them to swear a lie.

Mr. BLANTON. Will my colleague yield?

Mr. SUMNERS of Texas. Yes.

Mr. BLANTON. I do not blame my colleague for making that kind of a speech, because he has not any boys of his own. He is unfortunate in that. If he was a father, he could not make that kind of a speech.

Mr. SUMNERS of Texas. That may be true; but if I was a father I would not want the Congress of the United States to say to my boy, "If you will run away from home and swear falsely we will pay you for it and give you a trip to the Pacific coast; pay you 5 cents a mile covering the distance back, put a discharge in your pocket which says you have been a soldier and have been honorably discharged." [Applause.] No, sir! I want the Congress of the United States to be fair and square to these boys, but I want the Congress of the United States to say to the boys of this country that they should stand four-square to what is straight; and when a boy gets about 18 years old and does not know it is wrong to swear a lie, it is about time he is being "rolled" a little bit. It is not a kindness to the boy to reward him for it.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield to me?

Mr. SUMNERS of Texas. Yes.

Mr. McLAUGHLIN of Michigan. Does not the gentleman know that in every State of the Union there are laws that relieve minors from obligations under their contract?

Mr. SUMNERS of Texas. Yes; I know that; but there is no law which rewards him for its breach.

Mr. McLAUGHLIN of Michigan. And does not the gentleman know another thing: That it is safe to say in 99 cases out of 100 the enlistment of these boys under age is by the connivance of the recruiting officer, and that he is largely to blame?

Mr. SUMNERS of Texas. I am willing to put that age limit up, but I am not willing to offer to the American youth of this country a premium for running away from home and swearing a lie. That is what I say. [Applause.]

Mr. CRAGO. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. CRAGO. Does the gentleman know of any State in this Union which would relieve a boy of 16, 17, or 18 years of age from responsibility of prosecution for swearing to a lie in court?

Mr. SUMNERS of Texas. No. But nobody wants these boys prosecuted. That much is yielded to their youth and indiscretion. What I am objecting to is that this amendment rewards the violation of their oaths. I will tell you this, that I prosecuted for four years, and I would not ever send a boy to the penitentiary for his first offense. I never did it in the world. Something ought to be done, but in trying to do what we ought to do we have gone to the other extreme. That is what I am saying here. We ought to relieve the present situation. I am not exactly clear how we ought to do it, but I know we have gone too far. The only thing you have left undone to induce these boys to run away from home and commit perjury is to offer them distinguished service medals, which would be in line with this amendment.

Mr. BOX. Will the gentleman yield?

Mr. SUMNERS of Texas. No. I regret I can not; I have not time. The discharge that boy gets ought to be just this: It ought not to be a blue discharge or a red discharge, but it should be a discharge that gives no ex-service status. I mean the boy who enlists under age and who is discharged because of being under age, and he ought not to get any pay while being hauled around at the Government expense. We ought to turn him loose and get him home, but there ought to be a lesson taught him of the right sort. If he does not learn it, then he may learn it later and pay a higher price for it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent for two minutes more so that I may yield to a question.

Mr. ANTHONY. The time is fixed.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The debate on this paragraph is limited to five minutes.

Mr. McLAUGHLIN of Michigan. The debate on the paragraph and pending amendment was limited to five minutes.

Mr. ANTHONY. To all amendments.

Mr. McLAUGHLIN of Michigan. I beg the gentleman's pardon.

The CHAIRMAN. On the paragraph.

Mr. McLAUGHLIN of Michigan. And pending amendments.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INCIDENTAL EXPENSES.

Postage; cost of telegrams on official business received and sent by officers of the Army, including members of the Officers' Reserve Corps, when ordered to active duty; for expenses of expresses to and from frontier posts and armies in the field; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government, and the hire of interpreters, spies, or guides for the Army; compensation of clerks and other employees of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States disciplinary barracks, and incidental expenses of recruiting; for the apprehension, securing, and delivering of deserters, including escaped military prisoners, and the expenses incident to their pursuit, and no greater sum than $50 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of $10 to each dishonorably discharged prisoner upon his release from confinement under court-martial sentence involving dishonorable discharge; and such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other department, $6,946,087: *Provided*, That the amounts to be expended from this appropriation for the objects hereinbefore set forth shall not exceed the following respective sums: Donations to discharged military prisoners, $20,000; hire of labor, $3,000,000; hire of interpreters, spies, and guides, $10,000; pay of clerks and other employees, $3,500,000; pay of clerks, foremen, and organist at disciplinary barracks, $29,165; recruiting expenses, excluding lodgings, $100,000; rewards for apprehension and delivery of deserters and escaped military prisoners, $25,000; telegrams, cablegrams, and postage, $75,000; clerks for service schools, $36,922; experimental and development work, $25,000; and miscellaneous expenses, $125,000.

Mr. DAVIS of Tennessee. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last word.

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen of the committee, quite a good deal has already been said with regard to the form of the discharge of young men who enlist by misrepresenting their ages——

Mr. ANTHONY. Mr. Chairman, I feel that I shall have to take the position that all debate shall be confined to the paragraphs of the bill, because we are making no progress. I hate to take the gentleman off his feet, and will not at this time, but from this time on the committee will have to enforce the rule of the House.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. ANTHONY. No; I do not.

Mr. DAVIS of Tennessee. I think the Members will agree that I do not take up very much of the time of the House in talking. But this question has been discussed by a number of Members, and I am unable to agree with the views expressed by some of my colleagues, for whom I have a high personal regard, and I am astonished at the position taken by some of them. They speak as if a boy is court-martialed or very greatly mistreated simply because in his eagerness to get into the Army he misrepresents his age. The fact of the business is that under the present practice the boy is not punished in any way whatever for that offense.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. HUSTED. Is it not the contention of the War Department that the boy who enlists under age is subject to court-martial for obtaining pay through fraudulent misrepresentation of his age?

Mr. BLANTON. Yes.

Mr. HUSTED. That is the contention of the War Department, and if he is not court-martialed it is simply because they do not enforce what they contend they have the right to carry out.

Mr. DAVIS of Tennessee. They never undertake to carry that out, and never have carried it out. The fact of the business is that the boys are not in any manner punished because of their fraudulent statement as to their age in their effort to get into the Army service. I am not prepared to say that the boy is subject to much criticism if he misrepresents his age because of a patriotic impulse to serve his country.

However, it not infrequently happens that a boy, merely through a spirit of adventure or recklessness, gets into the service by misrepresenting his age, and after seeing some of the country at Government expense and growing tired of the service he wants to get out. He then takes advantage of his own wrongful act by seeking and obtaining a discharge on the ground that he misrepresented his age and was under 18 at the time of enlistment. He is in the unenviable attitude of saying, "I want you to discharge me because I told a lie about my age." However, even under those circumstances a discharge is granted, and properly so, on the ground that technically and legally the boy was never in the Army. However, even when he takes advantage of his own wrongful act and procures a

discharge on those grounds, he is not court-martialed or otherwise punished in any manner. I do not take the position that he should be punished. However, I do take the position that he should not be rewarded by being given the same character of discharge as he would have received if he had served his term, or had obtained a discharge prior to the expiration of his enlistment upon just grounds and not upon the ground of his own misconduct. Why should he be granted an honorable discharge when his conduct has not been honorable? To render honorable discharges under such circumstances would cheapen all honorable discharges. It would be unfair to those men who had won honorable discharges by faithful, patriotic, and valiant service. Under the present Army regulations and practice a boy obtaining a discharge on the grounds stated is given neither an honorable discharge nor a dishonorable discharge—he is simply given a straight discharge, and this is as it should be.

He is given a discharge which states the plain, unvarnished fact, no more and no less, and that is, that he is discharged because he misrepresented his age and was under 18 years of age when he enlisted——

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield.

Mr. JONES of Texas. Then does not the gentleman think that the law should require a recruiting officer to require the furnishing either of a birth certificate or the affidavit of one of his parents or legal guardian that the boy is 18 years of age if there is any doubt?

Mr. DAVIS of Tennessee. I think that some such provision would be proper. I am not defending any recruiting officer who takes a boy in without proper investigation. However, I have aided in procuring discharges for a number of boys who had enlisted under 18 years of age, and not in a single instance has the boy himself or his father represented that the boy was deceived, but has stated that the boy simply misstated his age. I think that is generally true. But I want to ask if it is proper to give a boy who takes advantage of his own wrong, and gets out of the service, the same kind of discharge as is given to the young man who enters the Army at a proper age, or who enlists under 18, but manfully stands to his gun, and completes his term of enlistment?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. DAVIS of Tennessee. I ask unanimous consent, Mr. Chairman, for three minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for three minutes more. Is there objection?

Mr. ANTHONY. I shall have to object as we are making no progress on the bill.

The CHAIRMAN. Objection is made. The Clerk will read.

The Clerk read the paragraph entitled "Transportation of the Army and its Supplies," beginning on line 10 of page 29 and concluding on line 14 of page 34, carrying a total of $33,800,000.

Mr. McKENZIE. Mr. Chairman, I reserve a point of order for the purpose of asking the chairman of the committee a question.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. McKENZIE. I first desire to ask the chairman of the committee what amount was estimated by the War Department?

Mr. ANTHONY. Sixty-three million dollars was asked for by the War Department for the next fiscal year.

Mr. McKENZIE. And you have appropriated in this bill $33,800,000? Is that correct?

Mr. ANTHONY. Yes; that is correct.

Mr. McKENZIE. Does the gentleman from Kansas believe that that is a sufficient amount to take care of all the necessary transportation of the Army for the fiscal year 1922?

Mr. ANTHONY. We thought so. Of course the gentleman knows that it was the plan of this whole bill to greatly reduce the size of the Army, and greatly reduce the activities of the whole Military Establishment. We have had evidence to show us that large amounts of money have been wasted by unnecessary transportation of troops. One of the most flagrant cases was that of the recent transportation of a division from Camp Funston, Kans., to Camp Meade, Md., the total cost of which was $800,000, and no military purpose was subserved thereby.

Mr. McKENZIE. I would like to ask the gentleman if it is the further purpose of the committee in cutting this appropriation to require the Army to concentrate its troops in larger bodies, and keep them there for a long period of time, which has been the practice heretofore?

Mr. ANTHONY. I think we had that in mind, but evidence came to us that the Army was being unnecessarily shifted about. There were constant transfers of men and materials. We have limited expressly the amount that can be used under the various subheads, and it will be simply incumbent on the War Department to adapt themselves to what they already have.

Mr. McKENZIE. One other question. As I understand it this item covers the transport service in the Army?

Mr. ANTHONY. It does.

Mr. McKENZIE. Can the gentleman tell the committee how many concrete transport ships are now used by the War Department or are in process of construction?

Mr. ANTHONY. Does the gentleman mean ships made of concrete?

Mr. McKENZIE. Yes.

Mr. ANTHONY. I do not know that any are. Evidence was given us to show that about 17 vessels are now in Government service in the transport department, besides a number of small craft, such as tugs, and I think that during the next fiscal year they contemplate operating about 13 ships; but under the appropriation it is barely possible that they will not be able to operate that number.

Mr. McKENZIE. It has been suggested to me by a man who assumed to know, though it was news to me, that the War Department was having constructed a certain number of concrete transport ships. I was surprised to hear it.

Mr. ANTHONY. I do not think there is any ground for such belief.

The CHAIRMAN. Does the gentleman withdraw his reservation of the point of order?

Mr. McKENZIE. Yes.

Mr. EDMONDS. Mr. Chairman, I make the point of order against the paragraph on page 22, line 21, down to page 34, line 5.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order. The gentleman will state his point of order.

Mr. EDMONDS. I make the point of order against the paragraph on the ground that it is new legislation not authorized by law.

Mr. ANTHONY. Mr. Chairman, I will ask the gentleman to reserve his point of order.

Mr. EDMONDS. I will reserve the point of order.

Mr. ANTHONY. Will the gentleman please state why he believes the language should go out? I want to say to him that we were advised by the War Department that they do not contemplate using any transports at the present time for the purpose of transporting civilian passengers or freight; but we felt that in time of emergency they ought to have the right to relieve the demand for such transportation.

Mr. EDMONDS. The gentleman knows that there is no possibility of such emergency now. In the second place, this authorization allowing the transports to carry freight and civilian passengers will militate against the establishment of any lines by our own steamers into the different ports to which the transports run in the trans-Atlantic business. This is limited to trans-Atlantic business. The gentleman can very easily realize that to a ship running on a regular line the difference between carrying 15 or 20 passengers and not carrying them might mean the difference between a profit and a loss in operating that ship. If it is our intention to operate merchant ships, it is evidently foolish for us to attempt to put our own vessels in competition with them.

I should like to call the attention of the gentleman to another thing. We had a line running from Philadelphia to Houston, Tex. There were four Shipping Board ships in that line. We had to withdraw them because the Panama Steamship Line was carrying freight from Tampa, Fla., to Philadelphia at $4 a ton, when the Shipping Board rate was $6 a ton. Therefore the four Shipping Board ships are to-day tied up, and we have no use whatever for them.

Mr. ANTHONY. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. ANTHONY. In a case of the kind he states, does he not believe that the Panama Steamship Line should be allowed to operate to full capacity?

Mr. EDMONDS. I am not excusing the Shipping Board for failing to take the freight at $4, because I tried to get them to do it, and they would not; but nevertheless it is a fact that the competition of the Panama Steamship Line, which is a Government line, has driven four of the merchant ships of the Shipping Board out of business.

The CHAIRMAN. Does the gentleman make his point of order?

Mr. EDMONDS. I make the point of order.

Mr. ANTHONY. The language is the same as that in the law for the current year.

Mr. MANN of Illinois. I make the point of order on the paragraph or I will reserve it. I should like to ask one question in reference to this sale proposition.

On page 33, the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, on such terms and under such conditions as he may deem most advantageous to the best interests of the Government, not less than 10,000 of the motor trucks and not less than 1,000 of the automobiles owned by the War Department. Does the gentleman understand that under that provision the Secretary of War could not sell any of them unless he sold at once 10,000 motor trucks and 1,000 automobiles at one time?

Mr. ANTHONY. The committee did not think he would have to sell them all at one and the same transaction.

Mr. MANN of Illinois. It says that he shall sell not less than 10,000 trucks and not less than 1,000 automobiles.

Mr. ANTHONY. We want him to get rid of that many.

Mr. MANN of Illinois. This forbids him to sell less than 10,000 trucks at one time and less than 1,000 automobiles at one time.

Mr. DEMPSEY. If the gentleman will yield, does it specify the time when he shall sell them? Is not the time entirely open, and when you do not cover it otherwise, does not the time run for the period for which the bill provides? So, would it not give him until the 30th of June, 1922, in which to sell that number of motor trucks?

Mr. MANN of Illinois. It says he shall not sell less than 10,000. That is what it says.

Mr. DEMPSEY. Of course, but it does not mean all at one time.

Mr. MANN of Illinois. If the gentleman means to direct the Secretary of War to sell 10,000, the way to do so is easy, by striking out "not less than" and making it read that he is authorized and directed to sell 10,000.

Mr. DEMPSEY. I do not think that is the meaning; the meaning is this: That he shall sell in the period covered by the bill, not at any one time but in the period of 18 months, at least 10,000 trucks.

Mr. MANN of Illinois. If you direct him to sell 10,000, he would be required to sell 10,000 during the period covered by this law.

Mr. DEMPSEY. That is not what you want to accomplish. What you want to accomplish is to be sure that he will not sell less than 11,000 trucks and automobiles, and more if advantageous to the Government.

Mr. MANN of Illinois. I was trying to find out what this was for; I did not know but that it was to prevent him from selling any.

Mr. ANTHONY. We are trying to force them to get rid of at least 10,000.

Mr. GREENE of Vermont. The way the language reads now, if he sold 5 at one time, 10 at another, and so on, and they all figured up at less than 10,000, he would not be complying with the law.

Mr. DEMPSEY. Oh, he could sell the whole 10,000.

Mr. GREENE of Vermont. By buying the balance himself?

Mr. DEMPSEY. In the markets.

Mr. GREENE of Vermont. We do not speculate on the markets in the law.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the reservation of a point of order.

The CHAIRMAN. Does the gentleman from Kansas concede the point of order made by the gentleman from Pennsylvania [Mr. EDMONDS]?

Mr. ANTHONY. I concede that the language against which the gentleman makes the point of order is the same as in the current appropriation bill.

The CHAIRMAN. That does not help the Chair very much. The Chair sustains the point of order.

Mr. MANN of Illinois. Mr. Chairman, I move to amend, on page 33, line 14, by striking out the words "not less than," and also the same amendment in line 15.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 33, line 14, strike out the words "not less than," and in line 15 strike out the words "not less than."

Mr. MANN of Illinois. That directs the Secretary of War to sell this number of trucks and automobiles.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. WOOD of Indiana. Mr. Chairman, I desire to call the attention of the committee to some abuses practiced under this item. When the armistice was signed it appears that every officer in the United States Army on this side of the sea who had no opportunity to go across during the war became suddenly and continually anxious to go to France. There were 3,271 of these officers that were sent to France after the 11th of November and before the 20th day of May, 1920, at the Government expense. Many of these went on purely junketing trips. The only excuse offered for their going was that they might observe, and they were sent over under the guise of observation officers. They toured France and came back and permitted another bunch to go, until, as I say, there were 3,271 of these gentlemen who went over at the expense of this country to visit the battle fields of France.

That is not all. It came to my attention that many officers were taking automobiles at the Government expense. I called the attention of the Secretary of War to the fact, and he denied that such was the case. In reply I informed him two officers had done that thing, to my own knowledge, and were boasting of the fact that they toured France in their own automobiles, shipped over there at the Government expense. I gave him the names. He then had the Inspector General make an investigation, and I have the report of the Inspector General, in which he discloses the fact that he has discovered that there were 37 automobiles sent over for the accommodation of various kinds of officers. Some of them were not officers at all, and some of them were sent over to accommodate the boys who went over to attend the Olympic games.

Mr. HUDSPETH. Was that since the armistice was signed?

Mr. WOOD of Indiana. That was since the armistice was signed. The justification is that they were authorized to take the automobiles as a part of their baggage. I made an investigation as to whether or not the baggage laws had been abused. I find that when officers of the Army are transferred from one point to another for permanent service, a general is entitled to 20,000 pounds; a lieutenant general, to 15,000 pounds; a major general, to 10,500 pounds; a brigadier general, to 8,500 pounds; a major, to 7,200 pounds; a captain, to 6,000 pounds; first lieutenant, 5,100 pounds; and a second lieutenant, to 4,500 pounds. There is another regulation which provides that where they get a temporary assignment not to be gone any considerable length of time and their status is not to become permanent, that a general can only take 2,000 pounds; a lieutenant general, 1,500 pounds; a major general, 800 pounds; a brigadier general, 700 pounds; a colonel, 400 pounds; a captain, 200 pounds; a first lieutenant, 150 pounds.

The Adjutant General of the United States, one of these officers that went over after the armistice was signed—and I am not contending but what he was justified in going—in calling The Adjutant General's attention to the practice before the committee he informed me that nobody would be authorized to go as he went, under the permanent provision, and that no man could take exceeding 400 pounds, which is the amount allowed a colonel under the temporary assignments.

So that under the admission of the Inspector General of the Army, at least 37 automobiles, owned by private individuals, were sent over at the expense of the Government in order that these gentlemen might tour France, notwithstanding the fact that we had thousands and tens of thousands of automobiles of our own over there that were either being smashed up to avoid reshipment or else rotting away in their store places. This is but one sample of the abuse of the transportation item. Without regard to the matter of expense, they are shipping from one end of this country to the other not only officers but companies of men, sending them abroad, even, without any regard to expense, where it was apparently useless.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. HUSTED. Has the gentleman any information to the effect that we had automobiles in France available for the use of these officers which were in a condition to run?

Mr. WOOD of Indiana. Yes. The hearings have disclosed that there were thousands and thousands of them, some of them in perfectly good state of repair, some partially so, and many of them not used at all. The fact is that we sent 20,000 over there after the armistice was signed—brand-new machines.

Mr. MANN of Illinois. But only for official use.

Mr. WOOD of Indiana. Yes.

Mr. GARNER. What is the gentleman's remedy for this thing?

Mr. WOOD of Indiana. There ought to be some remedy, either by putting a limitation on this item or else cutting down the item for transportation so that they can not expend it so lavishly.

Mr. GARNER. The gentleman is on the committee and he has not done either.

Mr. WOOD of Indiana. I am not on this subcommittee.

Mr. GARNER. The gentleman from Kansas [Mr. ANTHONY] is here, and he has neither cut down the amount nor put on a limitation.

Mr. ANTHONY. Oh, the gentleman is in error. This bill is literally full of limitations.

Mr. GARNER. Do I understand there is a limitation in respect to this?

Mr. ANTHONY. No; but if we had a Secretary of War who could put his finger on the truth it would be stopped.

Mr. GARNER. But the Secretary of War did not know anything about it, while the General Staff did.

Mr. WOOD of Indiana. The Secretary of War has found out about it, and it has not entirely ceased yet.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CRAMTON. For the item of water transportation a total of $20,000,000 plus was asked, and the committee recommended $12,500,000.

Mr. GARNER. And that is twice as much as it ought to be.

Mr. CRAMTON. But it is some cut.

Mr. DEMPSEY. Mr. Chairman, the gentleman from Indiana says that a number of officers went abroad to France following the armistice. I suppose, and it seems quite clear, that these officers went there to study the war and to get the benefit of the observation that comes from that study, immediately following the cessation of hostilities. How better could anyone be educated? How better could a man supplement his education than by such a trip as that? What better could this country do for him? How better could the high command in the Army have served its useful purpose than in sending men there to learn from the greatest war the world has ever seen its lessons, for future application?

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Instead of criticizing, we ought to commend. This is one of the most useful things the War Department has ever done. I yield to the gentleman from New York.

Mr. HUSTED. Does not the gentleman think that kind of experience is much more practical than playing the war game down here in the War College?

Mr. DEMPSEY. Infinitely so. Then the gentleman supplements the fact that they had been sent on this most useful, most instructive of trips, by a criticism that some few of them, some limited number, took automobiles, their own automobiles, not Government automobiles, their own private automobiles, in order to lessen the expense of the Government in transporting them.

Mr. WOOD of Indiana. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. WOOD of Indiana. Is the gentleman justifying the expenditure incident to shipping an automobile to France——

Mr. DEMPSEY. I certainly am justifying it, and it was not an expenditure.

Mr. WOOD of Indiana. It was not an expenditure?

Mr. DEMPSEY. It lessened the expenses of the trip very materially. Instead of having to be transported at Government expense, when they reached there they took their own automobiles and were transported at their own expense and so lessened, and lessened materially, the expense of the Government.

Mr. WOOD of Indiana. I wish to correct the gentleman. He misunderstood me. I say that the automobiles were sent there at Government expense.

Mr. DEMPSEY. Oh, yes; the gentleman says they were sent on the ships, which probably did not have anything else to carry in the hold, at Government expense, that they were transported across the Atlantic, a trip of six days; but the gentleman did not say that when they reached the other side and went across the country for a month or two months, they took their own gasoline and their own machines and lessened the expense of the Government. That is what the gentleman did not say, and it is fair that this should be stated.

Mr. BLANTON. Mr. Chairman, will the distinguished gentleman from New York yield to a question?

Mr. DEMPSEY. I have not yielded to the gentleman from Texas, and when I do I shall advise him of it.

Mr. BLANTON. Why, I just asked the gentleman from New York if he would yield.

Mr. DEMPSEY. No; I regret that I can not. It is just such unfounded criticism as this, just the fact that we criticize when we ought to commend, just the fact that we are criticizing officers of the Army throughout this bill, when we ought to commend them, when they deserve so well of us because of their conduct throughout this World War, that tends to lessen the high reputation the Army holds and to which it is entitled. We owe the Army a great debt of gratitude. We are here, having won the World War; we did not lose it, and coming in at the eleventh hour we won it, for without us it would not have been won, and without our gallant and able officers our men would not have been led. I say it ill becomes us in this hour of victory, in this hour of pride, in this hour when the name America stands higher than it has ever stood before, to criticize over trifles, over pennies, over small things.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto be closed in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. GREENE of Massachusetts. Mr. Chairman, I wish to offer an amendment.

Mr. ANTHONY. Mr. Chairman, I make my request 20 minutes.

Mr. GREENE of Massachusetts. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that debate close in 20 minutes. Is there objection?

Mr. GREENE of Massachusetts. Mr. Chairman, I object. I want to offer an amendment myself.

Mr. ANTHONY. Mr. Chairman, I move that debate be limited to 20 minutes.

The question was taken, and the motion was agreed to.

Mr. GREENE of Vermont. Mr. Chairman, I only want to say I think the gentleman from New York [Mr. DEMPSEY] has made a very admirable and I think convincing statement of the reasons why the Regular Army officers were sent to France after the armistice was signed. It will be recalled that less than half of the commissioned officers of the Regular Army went over to France during the hostilities, and everybody who knows anybody in the larger fraction of the Army who did not go over knows that it broke his heart not to go. If there ever was a sacrifice to a sensitive spirit, it was made by the man whose profession was that of arms to see the world's Great War raging about him and who had to stand back at home and do a schoolmaster's drudgery of preparing other men to go to it. Many a gallant officer in this Army ate his heart out in patience, in silence, but in a sensitiveness of humiliation and regret that his lifetime professional opportunity was to go unimproved.

Therefore, with transports running regularly to Europe after the armistice, great empty steamships going across the water taking very little or no cargo over, it would seem as if it were simply a matter of a practical instructional opportunity to take these officers, one by one as they could be relieved from their duty over here, and give them an opportunity to see the actual terrain where all this four years of fighting took place, to be taken over it by the men still there who planned and fought those battles, and have the various movements of the troops in those several terrains explained to them and come into contact with the very atmosphere itself. It was not merely a sentimental journey; it was not a Cook's tour proposition by any means, because every one of those commissioned officers who made a tour of the battle fields of France under those auspices will be required to learn and understand the military science and tactics and the strategy that was employed upon those fields, and those who did not have the opportunity to go to the fields themselves and actually visualize the situation in their own proper persons will have to try to get it all the rest of their lives from the reading of blue prints, because those very same battles and battle fields are now to be the lessons for instruction and study in all the Army's university system from the basic schools to the General Staff College. It seems like a perfectly proper proposition. It seems to me there ought not to be the slightest bit of debate on that. Even if some one did violate some technical baggage allowance, it would not have been so very bad.

I would like to ask the chairman of the committee if in the appropriation for transportation of the Army he thinks a sum of money is allowed that will permit the marching of troops with regular field equipment from post to post when transfers of troops and exchanges of posts are to be made?

Mr. ANTHONY. It developed during the hearings that the practice of marching troops has really been discontinued, but the committee felt great economies and great benefits to the troops could be worked out when changing posts, when not too far apart, if they could do it by marching.

Mr. GREENE of Vermont. I am glad to hear the chairman say that, as I had that in mind. It seems to me there is an opportunity for practical demonstration and training, and bringing troops up to the point of efficiency in an emergency, and I do not think it should only be confined to short distances. I do not see why we could not with great advantage to the officers

and men even make transfer of troops from post to post from one side of the country to the other. Not only that, but there is another side to it. There is not only the practical advantage to the troops themselves in actually learning to take care of themselves outdoors under all kinds of conditions, but it is a great object lesson for the people of this country to see the troops they are taxed to support and see what those troops are doing, and to see that soldiering in the Army, after all, is not what some people seem to think it is, a great holiday junket. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I offer an amendment to page 32, line 16.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 16, after the word "the" strike out the words "purchase and."

Mr. ANTHONY. Will the gentleman yield?

Mr. GREENE of Massachusetts. I will.

Mr. ANTHONY. There is nothing provided in the bill for the purchase of ships, and the committee will accept the amendment.

Mr. GREENE of Massachusetts. Very well.

The question was taken, and the amendment was agreed to.

Mr. STRONG of Kansas. Mr. Chairman, I would like to ask the chairman of the committee whether or not there is any law limiting the right of the War Department to transport troops from one camp to another, or from one station to another. Is there any limitation of authority?

Mr. ANTHONY. There is no limitation. The department is supposed to exercise discretion and economy in these expenditures.

Mr. STRONG of Kansas. I know a boy who enlisted in the Army last year and was sent to Siberia. In a few months he was sent to the Philippines, and a few months after sent to Hawaii. It seems to me that this is causing unnecessary expense and should not be permitted and should be limited in some way. The taxpayer should not be burdened by unnecessary movement of troops in time of peace, the expense of which is unwarranted—reaches into millions of dollars.

Now, I want to call the attention of the members of the committee to the fact that in the hearings before this committee, page 664, it was developed that in the movement of troops from Camp Funston, Kans., to Camp Meade and to Camp Pike, by an order dated December 1, 1920, there was paid out for sending 190 troops to Camp Pike $3,591 for passenger fare and $7,582 for freight; that in sending 2,652 troops from Camp Funston to Camp Meade there was expended for passenger fare $150,000 and for freight $446,000, making a total of $607,173. Now, that does not include the cost of fixing up the camps at Camp Pike and Camp Meade, nor the loss to the Government through the abandonment of Camp Funston. It has been estimated it cost a total of $800,000 because of the transfer of these troops this winter—for no good purpose whatever.

These same troops had but a few months before been sent to Camp Funston, at which time both Camp Pike and Camp Meade were as available as they are now. Why does our War Department order troops from camp to camp, without regard to either expense or waste? Has there been "axes to grind" or punishment to be inflicted, or is it wholly caprice, with no care or thought of cost?

It seems to me this is an expense that the people ought not to be called upon to pay and that it is absolutely unwarranted. Is there no provision of the law that will in any way prevent the Secretary of War from sending troops from one camp to another without good purpose or reason? It should not be permitted, if it can not be restricted or held within proper bounds, without some approval or authority of Congress.

Mr. ANTHONY. I think it would be almost impossible to limit the expenditure of that kind. You might put a proviso in, however, that men of average intelligence shall expend the funds. [Laughter.]

Mr. STRONG of Kansas. The American people have already made that provision, to take effect on the 4th of March. [Laughter.]

Mr. DOWELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 33, line 16, after the words "War Department," insert the following:

"*Provided*, That the Secretary of War shall not dispose of or remove from any camp or cantonment any of its buildings, permanent fixtures, or improvements until May 1, 1921."

Mr. ANTHONY. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. DOWELL. Mr. Chairman, may I offer a few words on this amendment? And I am earnest in the hope that the chairman will not feel it necessary to insist upon the point of order.

I want to read a short telegram that I have received with reference to the department disposing of some of the materials and fixtures at Camp Dodge. This is signed by the president and secretary of the chamber of commerce, and it is in keeping with the conduct of the War Department in the disposal of these permanent camps:

Chamber of commerce feels that in the sale of materials at Camp Dodge insufficient publicity and advertising are being done.

Mr. McCLINTIC. Mr. Chairman, this is very important, and I think there ought to be a quorum present.

The CHAIRMAN. The gentleman from Iowa will suspend. The gentleman from Oklahoma [Mr. McCLINTIC] makes the point of no quorum.

Mr. DOWELL. The gentleman is doing me no favor in making the point of order.

The CHAIRMAN. Will the gentleman withdraw his point of order?

Mr. DOWELL. I ask him to do it until I dispose of this matter.

Mr. McCLINTIC. I will withdraw it.

Mr. DOWELL. The telegram further says:

Cots sold at 20 cents, costing $4 each. Twelve hundred furnaces bought one day from Camp Dodge sold by purchaser next day at a profit of $10 each. Proper newspaper advertising and ordinary good business sense should be used in the sale of this material to realize proper amount for Government. Will you not present matter to War Department for consideration?

Now, gentlemen, according to the statement of the chairman of this committee, we have 14,000 officers in this department. This material is being disposed of by a lieutenant—the highest official in this camp. He is disposing of it, as shown by the telegram just read, without the proper advertising.

I have a letter here which states that it seems to be difficult for the business men who might be interested in some of the things to be sold to ascertain what is to be sold and how they may have an opportunity to bid upon it. It seems to me that this is an outrage and ought to be investigated by the Congress and stopped immediately, if possible. I am hoping that in the interest of proper business methods in this department the chairman of the committee will withhold his point of order against this amendment.

Mr. BLANTON. Will the gentleman yield?

Mr. DOWELL. Yes, sir.

Mr. BLANTON. The main point of the gentleman's suggestion is that no officer higher than a lieutenant has been in charge of these sales?

Mr. DOWELL. That is not the only one. I am saying that no business sense is being used in the disposal of the property.

Mr. BLANTON. I want to ask the gentleman if that fact is not true in everyday life, and also that some of the gentleman's lieutenants on his side are men of greater judgment than those higher up?

Mr. DOWELL. That is immaterial. I am hoping that this amendment may prevail and for a short time stop the department from disposing of these materials in this unbusinesslike manner.

The Committee on Military Affairs has recommended a resolution that is directly in line with this amendment. A subcommittee of the Committee on Military Affairs has been appointed to thoroughly investigate and take a survey of all of these camps, and, in view of the conduct of the department in the disposal of property at Camp Dodge, it does seem to me that until this committee has made its investigations the War Department should be stopped from continuing the unbusinesslike methods adopted in its disposal of the property at the present time. And, anyway, it should be stopped from giving this property away.

Mr. ANTHONY. Mr. Chairman, I make a point of order on the amendment.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MADDEN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment the following House concurrent resolution No. 73:

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign a duplicate copy of the enrolled bill (H. R. 12469) entitled "An act to authorize the award of a medal of honor to Chief Gunner Robert Edward Cox, United States Navy," and that the Clerk of the House be directed to transmit the same to the President of the United States in compliance with his request.

The message also announced that the Senate had insisted upon its amendments to bills of the following titles disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SPENCER, Mr. KEYES, and Mr. BECKHAM as the conferees on the part of the Senate:

H. R. 11572. An act for the relief of the John E. Moore Co.; and

H. R. 12634. An act for the relief of Wilhelm Alexanderson.

ARMY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

HORSES FOR CAVALRY, ARTILLERY, ENGINEERS, ETC.

For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts for officers entitled to public mounts for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian Scouts, and for such Infantry and members of the Medical Department in field campaigns as may be required to be mounted, and the expenses incident thereto (including $50,000 for purchase of remounts and $100,000 for encouragement of the breeding of riding horses suitable for the Army, including cooperation with the Bureau of Animal Industry, Department of Agriculture, and for the purchase of animals for breeding purposes and their maintenance), $150,100: *Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and unless otherwise ordered by the Secretary of War no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, within a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy: *Provided further*, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place: *Provided further*, That the Secretary of War may, in his discretion, and under such rules and regulations as he may prescribe, accept donations of animals for breeding and donations of money or other property to be used as prizes or awards at agricultural fairs, horse shows, and similar exhibitions, in order to encourage the breeding of riding horses suitable for Army purposes: *And provided further*, That the Secretary of War shall report annually to Congress, at the commencement of each session, a statement of all expenditures under this appropriation, and full particulars of means adopted and carried into effect for the encouragement of the breeding of riding horses suitable for the military service.

Mr. TIMBERLAKE and Mr. BARKLEY rose.

The CHAIRMAN. The Chair will recognize the gentleman from Kentucky [Mr. BARKLEY].

Mr. JONES of Texas. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. JONES of Texas. On page 37, beginning in line 18, I make a point of order on the language:

Except for West Point Military Academy, and such ponies shall not be used at any other place.

I make the point of order it is legislation on an appropriation bill and not authorized by law.

Mr. MANN of Illinois. What is the point of order?

Mr. JONES of Texas. I make the point of order on this language beginning on line 18:

Except for West Point Military Academy, and such ponies shall not be used at any other place.

Mr. MANN of Illinois. The language "except for West Point Military Academy" is not subject to a point of order. It is connected with "that such ponies shall not be used at any other place." All the rest of the paragraph is the limitation.

Mr. JONES of Texas. The exception is not a limitation.

Mr. MANN of Illinois. The exception is a part of the limitation.

Mr. JONES of Texas. Mr. Chairman, I would leave the proviso this way, "*Provided*, That no part of this appropriation shall be expended for polo ponies," and strike out the rest.

Mr. MANN of Illinois. "Except for the West Point Military Academy" is a part of the limitation. The gentleman can not make a point of order against that. That is a limitation, and a limitation is not subject to a point of order. The provision that "such ponies shall not be used at any other place" is subject to a point of order.

Mr. JONES of Texas. I do not want to make a point of order on that.

Mr. MANN of Illinois. I thought not. The rest is not subject to a point of order.

Mr. BARKLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARKLEY: Page 36, line 21, strike out the figures "$100,000" and insert in lieu thereof "$200,000," and in line 25 strike out "$150,100" and insert in lieu thereof "$300,100."

Mr. BARKLEY. Mr. Chairman, this amendment restores the appropriation that was carried in the current Army appropriation bill for breeding horses for Cavalry purposes.

During the recent World War, according to the testimony of the Army officers having to do with that branch of the service, it was found that there was a great scarcity of horses in the United States suitable for Cavalry purposes. In the last Army appropriation bill, in order to cure that situation, or at least to institute a process by which it would be cured, Congress appropriated $250,000 for the encouragement of breeding riding horses in the United States suitable for Cavalry purposes. That appropriation became available on the 1st of last July. Under that appropriation the War Department has been able to purchase and distribute throughout the United States 107 horses for use in breeding this particular type of Cavalry horse which is desired by the War Department. The testimony of the Army officers having charge of this work is to the effect that unless the appropriation shall be continued for at least another year or two, the amount of $250,000 appropriated in the last bill, which became available only about six or seven months ago, will be practically wasted.

My amendment simply restores the $250,000 which was given last year for this fiscal year for the encouragement of the breeding of this type of Cavalry horse in the United States. Under the system of distribution there are now in every State of the Union, with one or two exceptions, anywhere from 2 to 25 of these horses. The War Department testified before the subcommittee of the Committee on Appropriations in charge of this bill that they have received requests for 455 of these horses. Since that time they have received enough requests to make the total number of requests more than 500. They have only 107 with which to meet the demands.

Of course, this is a double-barreled proposition. It not only encourages the breeding of horses suitable for cavalry purposes, but it also encourages the breeding of high-grade horses throughout the United States. The War Department reserves the right to purchase at an agreed price every horse or colt that is produced suitable for Cavalry purposes, so that by scattering these horses throughout the United States the War Department has initiated a process by which there shall be an opportunity of reestablishing in this country a particular type of Cavalry horse suitable for the Army; and it seems to me particularly unfortunate that just as this work is about to be consummated, just as Congress, upon the recommendation of the War Department, has appropriated $250,000 to start the work, just as we are beginning to start it, we reduce the appropriation to $100,000, which, under the testimony of the War Department officers, Maj. Scott and others, will mean that the amount already appropriated will be practically wasted unless they continue the appropriation as we started it.

Mr. TIMBERLAKE and Mr. PELL rose.

The CHAIRMAN. Does the gentleman from Kentucky yield, and, if so, to whom?

Mr. BARKLEY. I will yield to the gentleman from Colorado first.

Mr. TIMBERLAKE. Is it not true that the proceeds arising from the service of these horses is returned to the Treasury?

Mr. BARKLEY. Yes. The farmers throughout the country are charged a fee for the service of these horses. That money is turned into the Treasury, and the expense of conducting the operations is paid out of the Treasury.

Mr. TIMBERLAKE. It would be almost self-sustaining, would it not, after we have developed it to the stage anticipated by the War Department?

Mr. BARKLEY. Yes. If it is developed and made a permanent part of the War Department operations, ultimately it will be self-sustaining. But at first they need this money in order to purchase these horses and distribute them and get the work started.

Now I will yield to the gentleman from New York [Mr. PELL].

Mr. PELL. The gentleman's amendment would benefit the farmers and practically everybody who has to do with the horse business quite as much as it would benefit the Army or anybody else? It seems to me it would be so.

Mr. BARKLEY. Yes. The work which has just been inaugurated not only benefits the Army in the production of Cavalry horses, but it is of universal benefit to the farmers and stock raisers in the United States by enabling them to have high-bred, thoroughbred, standard-bred horses for the improvement of the live stock of this country, and they get that at a nominal expense, upon the payment of a nominal fee.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. SUMNERS of Texas. Is it not a fact that——

Mr. McCLINTIC. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] Evidently a quorum is not present.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise, and on that motion I ask for tellers.

The CHAIRMAN. The gentleman from Kansas moves that the committee rise, and on that motion he asks for tellers.

Tellers were order; and the Chairman appointed Mr. ANTHONY and Mr. McCLINTIC.

The committee divided; and the tellers reported—ayes 4, noes 95.

The CHAIRMAN. On this vote the ayes are 4, the noes are 95, which, with the Chair, make 100. A quorum is present. The gentleman from Kentucky [Mr. BARKLEY] has two minutes remaining.

Mr. SUMNERS of Texas. I will ask the gentleman from Kentucky a question. As a matter of fact, does not the Government pay back to the custodian all the money that is received for the services of the horse?

Mr. BARKLEY. Practically so. They started originally to allow the custodian to receive the fee as his compensation. On account of the fact that the law prohibits that, they turn the money into the Treasury and pay him back practically the equivalent.

Mr. SUMNERS of Texas. Do they not pay him back exactly the amount received, except requiring it to clear through the Treasury?

Mr. BARKLEY. I do not think they pay him the exact amount. They pay him, though, for the work that he does in keeping up the horses.

These horses are used not only for breeding purposes but they are also used in the Army. During about eight months of the year these horses are taken back to the remount stations of the Army and are used in lieu of other horses which would be purchased by the War Department if they did not have these particular horses, and during about four months of the year, during the breeding season, they are scattered out over the United States. As I said a while ago, nearly every State in the Union has all the way from 2 to 15 of them. I think Virginia, on account of having a remount station, has more than that, but California had six, Texas four or five, Mississippi a number, and the testimony of the Army officers is that every State in the Union, with one or two exceptions in New England, has a supply of these horses.

Mr. HUDSPETH. Does the Government purchase the colts from these horses?

Mr. BARKLEY. The Government reserves the right to purchase those that it may need for Cavalry purposes or for any other Army purposes. It does not purchase all of them.

Mr. HUDSPETH. At some fixed price, or at a price to be agreed upon?

Mr. BARKLEY. At a price to be agreed upon between the Government and the owner of the colt.

Mr. HUDSPETH. It seems to me they ought to fix a price beforehand.

Mr. BLACK. We have in this bill a specific provision requiring the Secretary of War to sell 20,000 horses. How would they buy these colts for the War Department if they sell 20,000 of the horses that they have on hand?

Mr. BARKLEY. As a matter of fact, there have been no colts purchased yet under this provision, because the appropriation became available only the 1st of July, and this approaching spring is the first breeding season, and naturally, of course, there are no colts yet available.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARKLEY. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that he may proceed for two minutes. Is there objection?

There was no objection.

Mr. BARKLEY. In all probability it will be two or three years before there is any practical result visible from this appropriation.

Mr. BLANTON. I want to call the attention of the gentleman to the fact that right after the armistice, when the Army appropriation bill was under consideration, my colleague the gentleman from Texas [Mr. JONES] got up here and proposed an amendment to stop the purchase of additional Army officers all over the State of Texas. [Laughter.]

Mr. BARKLEY. I am not aware of any appropriation for the purchase of Army officers.

Mr. BLANTON. I mean horses for Army officers; but they spent $2,500,000 in buying new horses for Army officers, when now we are seeking to sell 20,000 head of them.

Mr. BARKLEY. The horses now on hand will be practically useless by the time the young colts provided for under this appropriation arrive at such a state of maturity that they will be available for Cavalry purposes, so there is no conflict between the sale of the horses now on hand and the breeding of horses for future Cavalry uses of the Army.

Mr. JONES of Texas. Will the gentleman yield?

Mr. BARKLEY. I yield to the gentleman from Texas.

Mr. JONES of Texas. Can the gentleman tell us what the War Department did with the $1,500,000 appropriated for the purchase of Army horses last year?

Mr. BARKLEY. I can not tell the gentleman what became of that money. It was either unexpended or it was used in the purchase of Army horses.

Mr. JONES of Texas. I should like to call the attention of the gentleman——

Mr. BARKLEY. I desire to impress on the gentleman from Texas and other Members of the House that this is not merely a provision for the benefit of the Army but it is of great benefit to all the people of the United States, by fostering this industry of the breeding of horses.

Mr. JONES of Texas. Does the gentleman want the Government to go into the horse-raising business?

Mr. BARKLEY. Not as a general rule, but it has gone into nearly every other business, some of them a lot more questionable, perhaps, than the horse business. There are other animals that the Government deals in and pays that are less valuable than horses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Chairman, this committee think they have made provision for all the money necessary to encourage the breeding of horses suitable for the Army. In the appropriation of $150,000 we provide $100,000 to be used for the care of the 105 horses that are now out over the country, as the gentleman from Kentucky [Mr. BARKLEY] has described. The other $50,000 is to be used to fulfill the contracts already made to purchase the colts as a result of the breeding of these horses. We have made no provision for the purchase of new stallions, but we have made provision for the continuation of the work that has been inaugurated and is now in progress.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. What price are you going to give for these colts, and at what age are you going to buy them?

Mr. ANTHONY. I think they are bought at the end of one year. I am not sure of the price, but I think it is about $150.

Mr. SUMNERS of Texas. Does not the gentleman think we had better close out now and quit the deal?

Mr. ANTHONY. The contracts have already been made, and the Government will have to go through with them. There are only a few of them.

Mr. BLANTON. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. BLANTON. Did the committee take into consideration the fact that if you buy colts at $150 apiece a year old, in addition to the expenses connected with horses, they would have to hold the colts three or four years before they are of any value?

Mr. ANTHONY. Let me say to the gentleman that those contracts have already been made with the farmers.

Mr. BLANTON. Well, I feel that such contracts ought to be stopped.

Mr. ANTHONY. We felt that we ought to make the appropriation for such contracts as have been made.

Mr. BLACK. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BLACK. Does the gentleman think that Army officers have a right to make contracts of this kind for the future, and if he thinks that they do, if he does not think a provision ought to be put in the bill forbidding them?

Mr. ANTHONY. If they have them in, and I think they have, the animals would be so valuable, being a fine type of a horse, that I think we ought to purchase the few that will be available.

Mr. JONES of Texas. Mr. Chairman, I offer the following as a substitute:

The Clerk read as follows:

Page 36, line 14, strike out all of the paragraph on page 36, all of page 37, down to and including the word "that" in line 20.

Mr. JONES of Texas. Mr. Chairman, I think that the amendment which the gentleman from Kentucky [Mr. BARKLEY] offered would put the Government in the horse business, which would be absurd. It would put the Army into the horse-raising

business. An item of news appeared the other day to the effect that some Army officer put 30 or 40 horses in a box car and that they smothered for want of air.

Mr. BEE. Does the gentleman know that statement is true?

Mr. JONES of Texas. I do not know whether it is, but it was reported, and I have seen no denial. I do not make the charge. Whether it is true or not, I do not believe that the Army officers know as much about raising horses as the agricultural or mechanical colleges, which are stationed all over the United States, organizations that teach, among other things, the care and raising of stock. Putting the Army into the horse-raising business is absurd. I want to call attention to the way the Army has handled the horse business heretofore.

When the war was over the Army had more than 200,000 horses—nearly 300,000. They sold 162,000 horses, for which they paid $190 apiece, at an average price of $90 apiece. And yet in the appropriation bill for that same year they asked for and secured an appropriation for $2,500,000 to buy new horses.

Mr. HUDSPETH. Is the gentleman moving to strike out the paragraph?

Mr. JONES of Texas. No; I am striking out that part of the provision which puts the Government into the horse business.

Mr. HUDSPETH. The chairman says that there is a contract existing between the Government and the farmers to purchase these colts. What are you going to do with them?

Mr. JONES of Texas. The Government will, of course, carry out any of its existing contracts; but I am opposed to lavish and wasteful appropriations to put the Government to raising horses. Last year's appropriation bill was limited to the fiscal year, and if any such contracts were entered into to run through other years they were entered into without authority. I want to call attention to the further fact that when we appropriated $2,000,000 a year ago those in charge of the bill said if any of the money was not needed it would not be used and the surplus returned to the Treasury. They said that they had enough horses, and more than enough to run last year if the Army should be kept at 175,000 men, but they wanted an appropriation for a million and a half in view of the fact that there was an authorization for 286,000 men. Gen. Harmon stated that they had enough horses for the past year to care for an Army of 175,000 men. Yet the House appropriated a million and a half dollars last year. I want to know what became of that million and a half dollars. If they spent the money that way, how do you expect the Government to come out on appropriations for putting the Army into the horse business? That is not a business proposition. The Army is a military organization. God knows we appropriate enough money for the purposes for which it was created, and the idea of putting the Government into the horse business is unthinkable.

Mr. BARKLEY. The appropriation does not put the Government into the horse business, and neither does my amendment. The Government is in the horse business, anyway.

Mr. JONES of Texas. Yes; and I am trying to get the Government out of the horse business. I insist that inasmuch as Gen. Harmon's testimony was to the effect that that year they paid $190 for horses, which they sold for $90, that they had enough on hand for an Army of 175,000 men, and when we lay alongside this fact the appropriation we made last year, I think that they have enough money for horses. [Applause.]

Gentlemen, the testimony last year and the year before is that in the Army a horse eats his head off in six months. In fact, this was the sole excuse after the war which the Army officers gave for selling off thousands of horses left over from the war, and then within a few months asking for more money for horses.

How can the Government afford to buy horses for a military organization that can not make a better business success than that?

Mr. MOORE of Virginia. Mr. Chairman, in reference to the amendment offered by the gentleman from Kentucky [Mr. BARKLEY], I would like to have read a few extracts from a letter I received yesterday. It is from Mr. A. B. Hancock, who is thoroughly familiar with the subject under discussion. In the letter he refers to the action proposed here as parallel to that of the French Government.

The CHAIRMAN. Without objection, the letter may be read in the time of the gentleman from Virginia.

The Clerk read as follows:

CHARLOTTESVILLE, VA., *February 2, 1921.*

Hon. R. WALTON MOORE,
House of Representatives, Washington, D. C.

MY DEAR MR. MOORE: The scarcity of cavalry horses in this country became so manifest during the late war that the last Congress appropriated $250,000 to encourage horse breeding. These funds were placed in the hands of the Army remount service, with specific instruction governing expenditure.

The officers of that service, charged with the responsibility of expending these funds in such manner as to secure the best possible results, have purchased a little more than 100 stallions of breeds suitable for siring good Army remounts, and in conjunction with experienced horsemen have worked out a plan for putting these stallions in communities where a sufficient number of good mares exist.

The plan is similar to the one followed in France for more than 100 years. It secures a maximum number of good cavalry horses at minimum cost to the Government, at the same time increasing materially the individual breeder's prospect of success by making good sires accessible. Furthermore, it encourages all breeders of saddle horses through widening interest in and use of saddle horses.

The American Remount Association and our own organization backed up the request of the Army remount service for the continuance of the appropriation of $250,000 per year for the next fiscal year beginning July 1, 1921. * * *

More than 500 applications are already on file with the remount service from communities anxious to secure sires suitable for begetting good cavalry stock. Farmers pay regular service fees for such sires; but for the coming year the full appropriation is most urgently needed or the work just barely started will be seriously crippled.

* * * * * * *

I fully appreciate the necessity of rigid curtailment of Government expenditures, but there are thousands of items which can be much more advantageously curtailed than this appropriation which has to do with our horse industry and our future national defense, for it must be remembered that horses can not be manufactured overnight. Hence it is important that we carry along in a careful and instructive way such encouragement to horse breeding as will provide us with an ample supply of Cavalry horses and officers' mounts for future use.

It is worth while remembering, too, that our enormous exports of horses and mules during the last 10 years were largely for war purposes and brought very large sums in the United States and the British officers have been frank to concede that if it had not been for the reservoir of Artillery horses existing in America they would have been very hard pressed at critical periods.

Our total exports during the 9-year period ending June 30, 1919, amounted to 1,149,763 and 376,836 mules; 1,526,599 all told.

But it was clearly evident and a matter of comment among all foreign officers purchasing horses in this country that our supply of Cavalry horses was dangerously low and that aggressive steps needed to be taken to conserve the existing supply for future needs.

* * * * * * *

Sincerely, yours, A. B. HANCOCK.

Mr. SISSON. Mr. Chairman, I do not think the Government's purchasing and keeping the very best stallions in the various neighborhoods throughout the United States that are raising horses should be criticized at this time. I am somewhat amused, however, at the statement that the Government has lately gone into the horse business. There has been a great deal of horseplay on this floor for many years, and there is a good deal of horseplay in reference to this item. As a matter of fact, whatever may be the condition of the Army to-day with reference to horses, in two or three years from now the horses will either be too old or will be dead. The purpose of this appropriation is to encourage the breeding of horses that are capable of carrying an Army officer and of becoming good Cavalry horses, and in order to get the type of horses needed in time of war this is justified as one of the appropriations in the Army appropriation bill. However, I do not think that is the chief asset in this activity on the part of the Government. I think the principal asset is that it tends to improve the character of the horses in every neighborhood engaged in this sort of business.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. SISSON. And as an indirect benefit to the people as well as a direct benefit to the Army it is worth a great deal. I yield to the gentleman from Texas.

Mr. JONES of Texas. Does the gentleman think an Army officer is better qualified to judge of a good horse than a ranchman or a stockman who is in the business?

Mr. SISSON. I do not know, but I do not think a ranchman is better qualified to select a Cavalry horse than an Army officer. He may be a better horse trader or horse jockey, but the veterinarians in the Army know more about the strength and the length and the size of horses than the horse jockeys down around the courthouses in Texas. [Laughter.]

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. McKENZIE. Is not the gentleman willing to admit that under existing conditions Cavalry, as an effective arm of the Army, is rapidly disappearing?

Mr. SISSON. That may be true to some extent. However, I do not believe the prophecy that a great many people made that cavalry would be dispensed with has been making good, according to the experience during the late war. The demands of our allies for horses was a demand which this country could not supply. The whole world was called upon to supply the horses needed in the late war. I do not believe that Congress will act wisely in abandoning this enterprise at this time. We have none of these horses in my community and but three in my State. I wish we had more. I do know that the agricultural college did make an effort to get one of these horses, and I hope it succeeded, and so far as Army officers having anything directly to do with the breeding of these horses is concerned they

have but very little, because the matter is turned over to a custodian, who is assumed to know something about horses and how to breed them. It is infinitely cheaper, in my judgment, to have the horses bred and kept and used in the hands of the people who breed them and let them use them than to take them from the people, let them be idle and be fed by the Government, but we should have them available when war comes so that we can be sure to get the proper supply for war purposes quickly, rather than to spend millions of dollars keeping them on hand as we do now.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield again?

Mr. SISSON. Yes.

Mr. JONES of Texas. Was it not the testimony of Army officers last year, and was not that given as the reason for wanting to sell horses, that it cost the Army the value of the horse to keep it six months?

Mr. SISSON. I think it does cost a great deal to keep a horse.

Mr. JONES of Texas. Was not that their reason for selling?

Mr. SISSON. I do not know what the reason assigned was. I was not a member of the committee last year. I am exercising my own reason now and decline to surrender my own reasoning powers to an Army officer or anyone else.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SUMNERS of Texas rose.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BEE. Mr. Chairman, I did not intend to participate in this discussion, but there seems to be a good deal of misapprehension about the matter. The gentleman from Illinois [Mr. McKENZIE] wanted to know if the Cavalry service had not gone into disuse. Cavalry service will never go into disuse as long as we have armies. There is no chance for an army to exist without a cavalry; and, so far as I am concerned, I want my Government whenever it buys a cavalry horse to buy one fitted for the service. I want to see the farmers that my colleague talks about sell their horses to the Army, but I want horses selected because of their adaptability for the service. Now, you take the great Rio Grande border, where we are apt to have trouble most any minute. The modern methods of warfare can not be used in that country. You can not pursue those bandits with any great success without a cavalry.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BEE. I will.

Mr. HUDSPETH. You would not expect men to chase those bandits in that mountain country with the character of horses they provide now?

Mr. BEE. I am glad the gentleman suggested that.

Mr. HUDSPETH. If you did, you would not chase them very far.

Mr. BEE. No; you would not chase them very far. The gentleman from Kentucky is not in favor of putting the Government in the horse business. Since the beginning of this Government the Goverment has been in the horse business, so far as the provision of horses for the Cavalry is concerned. Let us encourage the purchase of the right character of horses, so that when the time comes the horses can do the work. Let me make another suggestion to the committee. The day of automobiles and other modern conveyances has lessened to a great extent the encouragement of the breeding of fine horses. Horses are not being raised now like they were 25 or 30 years ago, and unless you do something like this to put encouragement into it you are not going to get the benefit and get the character of horses you want. Now, I am proud of my country. I do not want to see my cavalrymen traveling about the country on a lot of little fleabitten crow baits. I want them upon horses fitted for endurance and by breeding for the character of work they are required to do; and if it is putting the Government into the horse business to have a good character of horses for the Cavalry it is just simply continuing what the Government has been doing since its establishment. I sincerely hope that the amendment of the gentleman from Kentucky will be adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERWOOD. Mr. Chairman, I am in favor of striking out the entire item. I do not believe in case we have another war that the Cavalry is very important. It was demonstrated in the Civil War, and I have had as much experience in fighting Cavalry as any man in the United States, because in the Atlanta campaign of 110 days I belonged to the Twenty-third Army Corps, which was the flanking corps of Sherman's army. We had a superior army to Johnston's army and he had to piece out his flanks with Cavalry. We had to fight Cavalry, and I undertake to say now that I can back 800 veteran infantrymen with bayonets against any 2,000 cavalrymen. A cavalryman on horseback has no business with a man on foot with a bayonet at the muzzle of his musket.

In our Civil War cavalrymen were used largely for reconnoitering purposes. Now we are using aeroplanes for reconnoitering purposes, much more effective and less costly in human life. Furthermore, in our war I carried a gun during the first year, a muzzle-loader, that could only kill at 800 yards. Now they have a gun that will shoot twelve times where our gun would shoot but once, and kill at the distance of a mile and a quarter. In our war they could range a squadron of Cavalry at the distance of 800 yards and make a charge at double-quick and be on us before we could load twice. Now that can not happen.

In another respect the Government industry of horse breeding, as every intelligent horseman knows, has been an absolute failure. Army officers are not scientific breeders and never can be. I had the privilege of editing a horse paper for 12 years. I remember when this stud-horse business was started by the Government, and I predicted at the time that it would be a failure, and it has been a costly failure. Why? They do not understand scientific breeding. They brought these stallions here from abroad and they have been breeding them to ranch horses. What is the result? Ranch inferior colts. Why? Because the ranch wild horse has been inbred for a thousand years, and we have not standard-bred horses that have been bred 100 years. Hence, the more intense ranch blood prevails in the offspring. Those stallions from France have been inbred less than a hundred years. The consequence is we have been breeding runt ranch colts, and we have never bred a Cavalry horse that was fit for a cavalryman to ride.

And here you are, with 2,500,000 men out of work and thousands being fed by public charity, as they are in my locality, and yet you are wasting the precious time of Congress and appropriating money in the stud-horse industry getting ready to fight some impossible war in an improbable future. [Laughter and applause.]

I do not think I have any more to say.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the substitute offered by the gentleman from Texas [Mr. JONES].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BLANTON. Division, Mr. Chairman.

The committee divided; and there were—ayes 15, noes 58.

So the substitute was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. BARKLEY].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. ANTHONY and Mr. BLANTON demanded a division.

The committee divided; and there were—ayes 20, noes 48.

So the amendment was rejected.

Mr. JONES of Texas. Mr. Chairman, I have another amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment of Mr. JONES of Texas: Page 37, line 18, after the word "ponies," strike out the remaining part of line 18, all of line 19, and line 20, down to and including the word "place."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

On a division (demanded by Mr. JONES of Texas) there were—ayes 8, noes 41.

So the amendment was rejected.

The Clerk read as follows:

BARRACKS AND QUARTERS.

For barracks, quarters, stables, storehouses, magazines, administration and office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Coast Artillery; for construction of reclamation plants; for constructing and repairing public buildings at military posts; for hire of employees; for rental of the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for noncommissioned officers and enlisted men, men on duty where public quarters are not available, including enlisted men of the Regular Army Reserve, retired enlisted men, and members of the enlisted Reserve Corps when ordered to active duty; for grounds for cantonments, camp sites, and other military purposes, and for buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for

other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts as may be approved by the Secretary of War; for wall lockers in permanent barracks and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters, and for flooring and framing for tents, and for the National Guard when called or drafted into the service of the United States, $7,500,000: *Provided*, That this appropriation shall not be available for the rent of offices for military attachés.

Mr. BLANTON. Mr. Chairman, I offer an amendment:

Page 39, line 3, strike out the words "For the hire of recruiting stations and lodgings for recruits."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 39, line 3, strike out the language: "For the hire of recruiting stations and lodgings for recruits."

Mr. BLANTON. Mr. Chairman, although the matter is still mixed up somewhat as to what the real policy of the dominant party in this House is to be as to the size of our Army, I take it that it is the sense of the majority of the membership of this House that recruiting is going to stop. We have got an Army now of 237,000 men, and by every indication of legislation that the House has been interested in lately it is indicated that that must be reduced; that the figures must be reduced from 237,000 down to at least 175,000, and, according to the pay in this bill, to 150,000, or at the utmost 160,000, counting the Philippine Scouts.

Now, if that is the case, what is the use of providing money here for the pay of recruiting stations and renting recruiting stations and paying for the lodgings of recruits during the fiscal year ending June 30, 1922? It just gives the Secretary of War, if he should be anything like the present one, an opportunity and excuse for going on and recruiting, against the will of Congress, and then when we got after him he could come back and say, "If you did not intend for me to recruit, why did you put language in the bill providing money for hiring recruiting stations and paying for the lodgings of recruits?" I say it is foolishness to put this language in the bill, and it ought to come out. I am glad to see that the gentleman from Wyoming, the majority leader, has come in, because I am sure he will help us to strike it out.

Mr. GREENE of Vermont. Mr. Chairman, I rise in pro forma opposition to the amendment, to ask the chairman if there has been any suggestion made to the subcommittee of the Committee on Appropriations about the desirability of garrisoning some of our troops in cities instead of in detached and distant Army posts, as has been followed in all the years past?

Mr. ANTHONY. There has been some discussion of that; but, I will say to the gentleman, the proposition for the construction of barracks and quarters is involved in an estimate that was sent to the committee that is in charge of the sundry civil bill, and was left out of this bill, and that question was not gone into by this committee.

Mr. GREENE of Vermont. I would be glad to make this suggestion, that may be thought over before we have the matter up seriously. The Army is confronted with the necessity for a great deal of construction for barracks and quarters. When it is determined where the troops are to be located the question will be as to where the barracks and quarters shall be situated and what shall be their character and extent, because it involves a great building program. It has been suggested, in the service and out of it, for a great many years, that we might follow the continental system of garrisoning our troops in cities in such constructed quarters as may be necessary, and thereby save an immense overhead in water, light, and all that sort of thing, that we have to provide for independently now, and also give the troops, in the natural resources of the cities, much of that recreation and social opportunity that we have to manufacture for them now when they are out on distant posts.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BLANTON. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 8, noes 28.

So the amendment was rejected.

Mr. SHERWOOD. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks.

Mr. McCLINTIC. Mr. Chairman, I hope the gentleman will withdraw that request. I have to be consistent, and——

The CHAIRMAN. Objection is heard.

Mr. BANKHEAD. Mr. Chairman, the gentleman only prefers a request to revise his remarks.

The CHAIRMAN. The Chair understands that the gentleman from Ohio has that right already.

Mr. SHERWOOD. I just asked for a revision; not an extension.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. JONES of Texas. Mr. Chairman, in reference to the amendment which I offered a moment ago I want to say that I have no objection to the game of polo or the use of polo ponies, but I would not vote to make the taxpayers of the country pay to furnish any officers or any employees with polo ponies at the expense of the taxpayers. I have no prejudice against polo or polo ponies, any more than I have an objection to a man playing long-distance marbles with a shinny stick and calling it "golf," but I want to make it clear that I do not believe in the policy of the Government appropriating money for that purpose.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

MILITARY POST EXCHANGES.

For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, and gymnasium, including repairs to buildings erected at private cost, in the operation of the act approved May 31, 1902, for the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits and for similar and other recreational purposes at training and mobilization camps now established, or which may be hereafter established, and for such other purposes not enumerated above as the Secretary of War may deem advisable, to be expended in the discretion and under the direction of the Secretary of War, $150,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. McCLINTIC. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word.

Mr. McCLINTIC. I do so for the purpose of asking the Chairman a question.

The CHAIRMAN. Does the gentleman from Massachusetts yield?

Mr. WALSH. No; I decline to yield.

The CHAIRMAN. The gentleman from Massachusetts reserved a point of order. The gentleman is recognized for five minutes on his reservation.

Mr. WALSH. What is this moving-picture outfit, "For the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established"?

Mr. ANTHONY. Part of this appropriation contemplates the maintenance of moving-picture apparatus as a part of the entertainment provided at the large camps for the entertainment of the enlisted men. Only a small part of the appropriation will be used for that purpose. But the old committee for years previous considered it necessary to provide some entertainment and amusement for the men.

Mr. WALSH. In connection with military training?

Mr. ANTHONY. No; for their entertainment. The department asked for $800,000 as the entire appropriation for the fiscal year. They were given $500,000 last year. We have cut it to $150,000, and in doing that we have cut out practically all authority for hiring civilian employees and all the recreation activities which grew up during the war, and which the department wanted to continue. We think we have cut this down to the bone.

Mr. WALSH. These moving-picture exhibitions are not in connection with their military training?

Mr. ANTHONY. In some ways they are. It has been suggested that the men could possibly be instructed in a good many military matters through the use of moving pictures, and the new recruits are given instruction by the use of moving pictures. At one of the military posts, at Fort Sill, which the Committee on Military Affairs visited last year, we got more real information as to modern artillery and shrapnel shells and all that business by a 20 or 30 minute exhibition of moving pictures than I had ever obtained in years of observation. It is very valuable.

Mr. WALSH. Is it better than actual operation?

Mr. ANTHONY. Yes. We also saw the actual operations.

Mr. WALSH. That might apply to members of the committee, but I am thinking of the soldiers themselves.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield a moment?

Mr. WALSH. Certainly.

Mr. GREENE of Vermont. I think what the chairman has in mind was the diagrammatic demonstration on the screen of how the artillery ammunition is made, showing all the processes, how the inside of the shell looks, what acts upon the mechanism to produce the discharge, and so forth. All those things are shown by diagrams and charts in a much more impressive way than could be done by seeing them in the field.

Mr. WALSH. It says "for recreation purposes."

Mr. GREENE of Vermont. If you have your troops garrisoned in a city, they have these natural opportunities for recreation, but if you isolate them out on the plains or on old Indian posts somewhere you have got to make the men contented in order to keep them in the Army.

Mr. WALSH. Well, we are giving them an education in order to do that. We are showing them how to be a blacksmith or a bootblack or an electrician.

Mr. GREENE of Vermont. I agree with the gentleman from Massachusetts that there we are going out of our jurisdiction. I heartily agree with him.

Mr. WALSH. Mr. Chairman, I withdraw the reservation.

Mr. McCLINTIC. Mr. Chairman, I make the point of order. As I understand it, we have enough moving pictures now to take care of an Army of 4,000,000 people. I do not think there is any necessity for authorizing anything of this kind, and therefore I make the point of order.

The CHAIRMAN. The gentleman from Oklahoma makes a point of order against the paragraph.

Mr. ANTHONY. What is the point of order, Mr. Chairman?

The CHAIRMAN. The gentleman will state his point of order.

Mr. McCLINTIC. It is unauthorized by any law.

The CHAIRMAN. Will the gentleman indicate the language to which his point of order applies?

Mr. McCLINTIC. The whole section, I believe, is subject to a point of order.

The CHAIRMAN. Has the gentleman from Kansas [Mr. ANTHONY] the act of May 31, 1902, before him?

Mr. LONGWORTH. Mr. Chairman, it is perfectly plain that this paragraph is a continuing public work. There are some little incidentals to it that may not be, but the paragraph itself in form provides "for the construction, equipment, and maintenance of suitable buildings at military posts," which has repeatedly been held to be in order as a continuing public work.

Mr. McCLINTIC. Mr. Chairman, this section provides for the rental of moving-picture films, and provides for free lunches, and I have never heard of any law authorizing an appropriation for that purpose.

Mr. ANTHONY. Mr. Chairman, I submit to the Chair that post exchanges were authorized by the act of July 16, 1892.

Mr. McCLINTIC. That has nothing to do with the rental of moving-picture films.

The CHAIRMAN. Will the gentleman from Kansas cite the Chair to the statute?

Mr. ANTHONY. Twenty-seventh Statutes, 178.

The CHAIRMAN. The Chair will examine the law and will hear the gentleman on the point of order.

Mr. McCLINTIC. Mr. Chairman, I should like to call the attention of the Chair to the latter part of the paragraph, which authorizes the Secretary of War to expend certain money for this purpose—

And for such other purposes not enumerated above as the Secretary of War may deem advisable.

Mr. MANN of Illinois. Mr. Chairman, it may be that the latter part of the paragraph, which provides for expenditures for such other purposes not enumerated as the Secretary of War may deem advisable, is subject to the point of order, if it should be held that that language did not relate to purposes similar to those described in the paragraph.

In my judgment it is quite within the power of the Congress, where we have an Army, to provide for the maintenance and subsistence of the Army and to make provision necessary to maintain discipline and organization in the Army.

The purpose of these recreational exercises is largely to keep the enlisted men of the Army in the camps instead of sending them into the town near by to obtain recreation not so innocent. If we can maintain better discipline in the Army and better order in the Army by providing pictures for men to look at in the camp rather than to send them to see vice in a neighboring joint, I think it is quite within our power to appropriate for that purpose, as included in the general purpose of maintaining the Army.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. WALSH. Does the gentleman contend that under that clause they could rent a moving-picture theater, or that under that general implied authority they could employ moving-picture actors and actresses to play the part, and that they could rent a studio?

Mr. MANN of Illinois. Mr. Chairman, I have always found that the wise man confines himself to the point at issue instead of scattering over the world to find something else. It is not for me to construe the law.

Mr. WALSH. I did not expect the gentleman to.

Mr. MANN of Illinois. I maintain that it is within the power of Congress to provide for recreational exercises, and that it is quite within the power of Congress to provide for the rental of moving-picture films.

Mr. McCLINTIC. Under the blanket authorization of this bill the Secretary of War could buy an automobile for every man in the Army.

The CHAIRMAN. It is clear to the Chair that the last four lines of the paragraph carry it beyond what is now authorized by law, that language being——

And for such other purposes not enumerated above as the Secretary of War may deem advisable.

It seems to the Chair that while it might be very desirable to leave that language in the bill, at the same time it would not come within any existing law. Therefore as to the language the Chair sustains the point of order. Does the gentleman make the point of order against the whole paragraph on that account?

Mr. McCLINTIC. I make the point of order against the whole paragraph.

Mr. ANTHONY. Does the Chair sustain the point of order against the entire paragraph?

The CHAIRMAN. The point of order having been made against the entire paragraph and a portion of the paragraph being subject to a point of order, the Chair sustains the point of order as to the entire paragraph.

Mr. ANTHONY. I offer the following amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANTHONY: Page 39, after line 13, insert:

"MILITARY POST EXCHANGES.

"For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, and gymnasium, including repairs to buildings erected at private cost, in the operation of the act approved May 31, 1902, for the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits and for similar and other recreational purposes at training and mobilization camps now established, or which may be hereafter established, $150,000."

Mr. BLANTON. Mr. Chairman, I am heartily in favor of this amendment. I believe that the War Department is trying to bring about better moral surroundings and conditions for the soldiers in our Army. In 1916 I had an appointment to speak in El Paso, the home city of my distinguished colleague [Mr. HUDSPETH]. I understood that my appointment was in the courthouse, and by mistake I went to the courthouse building a few minutes before 8 o'clock and found the whole building quartered with United States soldiers. In that building I saw, I think, at least 20 different groups of young men playing poker, craps, and other gambling games. The whole main courthouse floor was full of such groups. They had to pass the time in some way. You can hardly blame a bunch of boys for wanting some kind of amusement and excitement. If at that time they had been furnished wholesome places of amusement, they would have gone to them.

Mr. HUDSPETH. What character of appointment did the gentleman have there at that special time? [Laughter.]

Mr. BLANTON. If I had been in the Army with them, I would probably have been in one of those groups, because the American boy is going to have some kind of amusement. You can just put that in your pipe and smoke it, and if it is not the right kind of amusement, it is going to be the wrong kind.

Now, do you know that the Army gets these films for just about one-twentieth of what they cost the picture showmen? They buy some of the best films that the moving-picture people produce, and they get them at a very nominal price, and the soldier boys of our country get the benefit of them. I want to say in behalf of the Army officers of the country that they have been gradually bringing about every kind of moral condition possible to elevate our boys and to throw every moral surrounding around them that is possible; and I do not think that any part of this money is ill spent. I think the money that we

provide for their entertainment and for looking after other things besides training them to fight is money well spent. Of course, they are being trained to fight, but they are not fighting now, and I hope they will not have to fight in my lifetime or in the lifetime of any of my friends here. They must have wholesome pastimes, and they must have proper training in that line, and although I am an economist, I am glad to see them spending some money in this way.

Mr. CRAGO. Mr. Chairman, I desire to offer an amendment to the amendment offered by the gentleman from Kansas. It proposes to increase the amount from $150,000 to $250,000. I offer it as an amendment to the amendment.

The Clerk read as follows:

Strike out the figures "$150,000" and insert "$250,000."

Mr. CRAGO. Mr. Chairman, I will ask the Clerk to read in my time a letter from one of the officers engaged in this work. I will say that I believe in this proposition. I think they are asking for too much money but I have stated it at what I think is a sufficient amount.

The CHAIRMAN. The Clerk will read the letter in the gentleman's time.

The Clerk read as follows:

APPROPRIATION "MILITARY POST EXCHANGES."

One of the finest chapters in the history of the World War will be the story of the successful effort to provide for the amusement and recreation of our soldiers overseas and in the training camps at home. Great ingenuity and insight into human nature has been shown to supply our soldiers at home and abroad with recreation, which banishes monotony and tedium and outpulls the allurements of vice.

This work, so well carried on by the welfare societies during the war, has been taken over for the Regular Army in time of peace. This problem of satisfying the social instinct of segregated men without the aid of intoxicants or the allurements of vice, the recreational program of the Army is successfully solving.

All recreational activities are carried on under the provisions of the appropriation act "Military post exchanges." Last year's appropriation was $500,000 for an Army of 175,000 men. The estimate for the fiscal year 1922 submitted was $833,000. The amount allowed by the subcommittee of the Appropriations Committee in its report is but $150,000. This amount is entirely inadequate to carry out the recreational program, which includes: Recreational athletics, service clubs, post exchanges, libraries, music, moving pictures, community cooperation, and hostesses.

The small appropriation granted will practically stifle all of these activities and will eliminate hostesses entirely. The activities of the organization of hostesses is considered the most beneficial of all of our recreational activities, in that it brings into the life of our segregated soldiers social contact with the finest type of women. The hostesses in the camps and posts provide entertainment, meet and care for relatives and friends of the soldier, and provide proper surroundings at the hostess house for the soldier to meet family, friends, and relatives. The hostesses are large factors in enlisting the interest of communities in the Army and its welfare. The administration of the other activities can be done by military personnel, but in no way can we carry on the activities in women's relations without the employment of women.

No request is made for a change in the wording of the appropriation item as it stands in the report of the subcommittee, but it is earnestly requested and recommended that a minimum of $500,000 be provided for recreation under the item of appropriation "Military post exchanges."

Mr. McCLINTIC. Mr. Chairman, I rise in opposition to the amendment. I wish to say that the gentleman from New York and myself are both in favor of extending to the Army posts the opportunity to give the soldier boys this kind of amusement and training. I have visited a good many of the posts, and I do know that during the World War they were furnished with moving-picture machines, football suits, boxing gloves, and practically every kind of an appliance for entertaining them in a proper way. Inasmuch as we had a sufficient amount when we had 4,000,000 men in the Army, it seems to me that there should remain on hand a sufficient amount to take care of a little army of 150,000. It is for that reason that I made the point of order and the suggestions that I made a few moments ago. I do not object to an appropriation for the purpose of giving to our soldiers a proper amount of recreation and entertainment, but we all know that we have provided for their recreation in post buildings and have given them libraries and suitable reading rooms. I think that the amount in the amendment offered by the chairman of the committee is sufficient to take care of the needs of the Army at this time.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

VOCATIONAL TRAINING.

For the employment of the necessary civilian instructors in the most important trades, and for the payment of their traveling expenses, as authorized under existing law; for the purchase of carpenter's, machinist's, mason's, electrician's, and such other tools and equipment as may be required, including machines used in connection with the trades; for the purchase of materials, live stock (including fowls), and other supplies necessary for instruction and training purposes, and the construction, repair, or alteration of such buildings needed for vocational training in agriculture; for shops, storage, and shelter of machinery as may be necessary to carry out the provisions of section 27 of the act approved June 3, 1916, authorizing, in addition to the military training of soldiers while in the active service, means for securing an opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations, part of this instruction to consist of vocational education either in agriculture or the mechanic arts, $1,000,000: *Provided*, That whenever possible officers, warrant officers, noncommissioned officers, or other enlisted men shall be detailed as instructors: *Provided further*, That no part of this appropriation shall be available for salaries of civilian instructors other than in technical branches: *And provided further*, That not more than $50,000 shall be expended for salaries and no person shall be employed hereunder at a rate of compensation exceeding $3,000 per annum: *And provided further*, That farm products and the increase in live stock (including fowls) which accrue as incidental to vocational training in agriculture and animal husbandry shall be sold under such regulations as the Secretary of War may prescribe, and the proceeds of such sales shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Page 44, line 2, strike out the figures "$1,000,000" and insert "$3,500,000."

Mr. BANKHEAD. Mr. Chairman, I have another amendment which I have the right to offer, and which I propose to offer, and which I would like to have read now for information, and I ask unanimous consent that I may speak 10 minutes in discussing both amendments.

The CHAIRMAN. The gentleman desires to have the other amendment read for information?

Mr. BANKHEAD. Yes.

The Clerk read as follows:

Page 44, line 5, after the word "instructors," strike out lines 5, 6, 7, 8, 9, and line 10 to and including the words "per annum."

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to speak for 10 minutes.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and amendments thereto end in 25 minutes.

Mr. GREENE of Vermont. Reserving the right to object, may I have one minute?

Mr. ANTHONY. Mr. Chairman, I make it 30 minutes, and 5 minutes of which shall be for the committee.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate on the paragraph and all amendments thereto close in 30 minutes. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Chairman, I hope I will not lay myself liable to the charge that I have a single-track mind because I discuss the question of vocational education quite frequently. It is a subject that I am deeply interested in, and which I have undertaken to pay some attention to during my service in this House.

This amendment involves the question of carrying out in good faith the pledges and obligations of the Government to a great number of young men who enlisted in the Army on the special promise that they would receive certain benefits and advantages by reason of their joining the service.

As I stated a few days ago, the question of vocational education was not put into the military law of the country at the request of the Army. It first appeared in the national defense act of 1916, and subsequently was incorporated into the Army reorganization act and passed by the controlling party in this Congress. It was a duty not sought by the Army. In fact, as some of the distinguished major generals in reports on this subject have said, they at first derided the purposes of this law and looked upon it as an innovation and a departure from real military service, which did not meet with their approval; but upon trial of the system, upon seeing the actual benefit not only to the efficiency of the men as soldiers, but in making better citizens when they had finished their terms of enlistment, all of the officers of high rank in command of this activity testify that vocational training in the Army has proven a great success.

I say the Government of the United States is not under an implied but an express obligation to every young man who enlists in the service upon the assurance that he will be given the benefit of a course of vocational training, and the Government should see to it that that pledge, as long as the system is in effect in the Army, is carried out in an efficient and business-like way.

If gentlemen had taken occasion to read the testimony of Gen. Haan and other officers charged with carrying out this law, they would have become convinced that it is impossible for this vocational training to be carried on during the next

fiscal year with this pitiful appropriation of $1,000,000 provided in the present bill. The amount carried in the existing law for the present fiscal year is $3,500,000, the amount that I have asked in this amendment. They all testify—and the hearings will bear me out, and it can not be successfully contradicted—that they can not possibly get along with any less appropriation and carry on this training, as it was evidently the purpose of Congress that it should be carried on. I very much regret that this appropriation was made by a subcommittee of gentlemen who I fear are not in sympathy with the purposes of the law itself, and their bringing in this amount can not be justified, as I stated a few days ago, by the testimony that was offered. Any man who will read those hearings must inevitably come to the conclusion that the fixing of this amount at $1,000,000 was purely capricious on the part of the committee. It is not based on the evidence or on the necessities of the service. According to the testimony, 52 per cent of all the recruits now in the Army since this vocational system went into effect came in on the bases of the assurance and promise that they would receive it. In other words, that was the moving cause that induced them to enlist in the Army of the United States. They believed they would have the advantage of a thorough system of vocational training under a sufficient number of teachers and instructors to guarantee them the benefits of the law provided by the Congress. It is not fair to these young men who enlisted in the service on the face of that assurance to cripple the service so that the vocational training will be administered in an inefficient and haphazard manner, as all of the testimony here shows it would be by limiting the appropriation to $1,000,000.

Of course I am in sympathy, as most gentlemen here generally are, with this crusade for economy, but there are some branches of the service where, if you are going to carry it out in good faith and efficiently, with credit to the Government, you must make sufficient appropriations or else abolish the system itself. That is the only appeal that I am making to the judgment of the members of this committee. I think they should take the testimony of the men who are chargeable with the administration of this law. They submitted an estimate on the basis of an Army of 280,000 men of $11,000,000 this year. They submitted a minimum estimate for an Army of 175,000 of $5,750,000. The friends of this system are willing to accept the appropriation carried in the present fiscal year and fix it at the same amount carried for the years 1920 and 1921.

Mr. GOOD. Mr. Chairman will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. GOOD. The gentleman realizes that for an Army of 150,000 men, if everyone took vocational training, it would mean $666 a year per man. I went through college and so did the gentleman on less than that and purchased my board and clothing.

Mr. BANKHEAD. I understand. When I was in college my expenses were only about $300 or $400 a year at a State institution where I had to pay no tuition, but that was a different time from this, as the gentleman will recognize. I imagine the gentlemen on this committee will make an attack upon the number of civilian instructors that are carried by the board and probably will undertake to justify their action by saying that there are too many civilian employees; but, as the testimony shows, the work of education is a work for which Army officers were not equipped.

You may as well say that these civilian educators could run the Army, as that military officers not trained and equipped for the purposes of instruction would be as good experts on this question as a few exclusively high-grade civilian employees.

And the testimony, if gentlemen would take time to read it, would show that the employment of a considerable number of civilian employees is entirely justified under the necessities of this system. I trust, gentlemen, that if you see fit to reject the amendment to increase the amount of the appropriation, which I think in all justice to these young men, and, as I say, to the Government itself, and to the Army officers who are responsible for its execution, you should not—if you should see fit to keep the appropriation at $1,000,000, which I hope you will not do, I sincerely trust that you will adopt the other amendment cutting out these provisos, for I am informed by Gen. Hahn that if you do that you will practically destroy the efficiency and the effectiveness of the system, because by these limitations you will require those who are charged with the administration of this law to cease the employment of any man whose salary exceeds $3,000 per annum, and you will limit to $50,000 the amount of money expended for salaries other than of officers of the Army of the United States. These are absolutely fatal provisos, and, I think, destroy the purposes of the educational act itself by stripping the Army officers of a most essential instrumentality for its proper execution.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, I wish to speak in opposition to the amendment. I think instead of increasing the amount of the appropriation for this item it should be reduced entirely if not cut out altogether. Some of these gentlemen who are connected as teachers have been so impressed with the squandering of this money that they have written to Members of Congress calling their attention to the fact and pointing out the manner in which money is being worse than wasted. I have before me a list of the men and women who are employed in this vocational and recreational service in the War Department, and there are 190 of them. I have their names, the location, and the amount of money they are receiving. They are drawing down, all told, $674,780 a year. Their salaries range all the way from $2,500 to $9,000 a year, by far the greater number of them drawing salaries in excess of $5,000 per annum. These people are employed part of the time in teaching. They employ part of their time in being taught and part of their time in going from one end of this country to the other, where they are receiving lectures from very high-priced lecturers. They are being instructed in psychology so as to teach these soldier boys psychology by gentlemen who are being paid as high as $9,000 a year to teach these teachers psychology.

Mr. BANKHEAD. Will the gentleman yield for a brief question?

Mr. WOOD of Indiana. I will yield.

Mr. BANKHEAD. On page 833 of the hearings appears the names of all these high-priced civilian employees. It absolutely does not give the names of any employee who is receiving a higher salary than $6,000 per annum.

Mr. WOOD of Indiana. I can give the name of one man, and his name is C. R. Mann, who is chairman of the Advisory Board, who is receiving $750 a month, which amounts to $9,000 a year.

Mr. BLANTON. That gentleman's name ought to be worth that much.

Mr. WOOD of Indiana. Well, perhaps that is so, but as I stated awhile ago this money to my mind is worse than wasted for the reason it is attracting young men from all over this country into the Army with the belief that they are going to receive an education that will fit them for some active pursuit in life after they go out of the Army. It is admitted, and the hearings will disclose, by those gentlemen who are in charge of this educational training in the Army that less than 25 per cent of the people's money that is appropriated is employed, and expended in the act of teaching of these boys, either vocational or otherwise. Most of it is absolutely frittered away, and if this appropriation of $1,000,000 is to stand these limitations certainly must stand, and these high-price salaries no longer be paid to men who admit themselves that they are not earning the money they are receiving, and I know of at least two letters which have been written from men whose conscience has so condemned them that they felt it was their duty to speak out and let the country know how this money is being squandered. They gather in Chicago, and they go from one end of the country to the other for the purpose of being lectured to, these teachers, by men who are supposed to teach them how to teach the fundamentals to these boys who are enlisted in the Army.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. Mr. Chairman, we now have before us two propositions in addition to the committee figures of $1,000,000. On the one hand it is proposed to increase it to $3,500,000, and on the other hand to wipe it out entirely.

Now, the committee, I am sure—certainly I was not myself—were not in the attitude pictured by the gentleman from Alabama [Mr. BANKHEAD]. We are not unfriendly to the operation of this system as intended in the law. I can only speak for myself, and personally I am very friendly to a profitable use of the time of the soldier that is not needed for the performance of his military duties. I am friendly to instruction that is incidental to his military service, but I am not a believer that his military service should be a mere incident to the securing of an education.

They have had for vocational training during the present year $3,500,000, and the experts that the gentleman from Alabama says we should follow made up their program for the year to come on the basis of $10,000,000. The War Department did not permit them to submit that figure, but one of approximately five and one-half million dollars, and the committee felt obliged to cut that to $1,000,000, not to destroy the work but to keep it within its proper boundaries.

Now, I will give the itemization the gentlemen presented to us in support of their five and one-half million dollar program. Of that amount, $2,990,000 was for salaries of civilians. It being the judgment of the subcommittee that they were not necessary

to a proper program of this kind, we thought we could cut out there substantially $3,000,000. The other items: Construction and repair, $400,000; equipment and supplies, $1,794,500; traveling expenses, civilian employees, $100,000; printing and binding, $345,000; miscellaneous, $100,000; making a total of $5,729,500. And if you will add the waste in these items to the cut in civilian pay you can cut it down to $1,000,000. We are appropriating here for 150,000 men in the Army, while the Navy is to have 100,000 men. The Navy the current year had $800,000 to cover not only this purpose of education but also recreation, and, in my judgment, they have a better recreation program in the Navy than they have in the Army and just as good an educational program.

Mr. DEMPSEY. And about the same number of men.

Mr. CRAMTON. One hundred thousand, as I have stated. There is one reason why the Navy can perform the work better for $800,000 than the Army does for $3,500,000, and that is this waste of civilian salaries.

What does the Navy have this year? Twenty-three civilians, paid by the Government, and they expect next year to have only six, and there is no demand anywhere for an increase of the $800,000 for the Navy. Let me illustrate the waste of the Army. The Navy is doing a splendid work, and so the Army went to them. On page 104 of the hearings on the 1922 Navy appropriation bill, Admiral Washington states:

> Capt. Sellers is the director of the whole division, but Mr. Alderman is confined entirely to the schools. * * * The Army, I might add, has offered Mr. Alderman $1,000 more if he will leave us and come over to them.

If they take Mr. Alderman and have no other civilians, I think they could afford to pay him the amount. To illustrate the extravagance of this matter——

Mr. BANKHEAD. How much do they pay Mr. Alderman?

Mr. CRAMTON. Six thousand five hundred dollars.

Mr. BANKHEAD. But you propose to limit all salaries of civilians in this work in the Army to $3,000?

Mr. CRAMTON. Their extravagance in this direction is so great that such action seems necessary. But if placed on the Navy basis I would not oppose a proper salary for a man of the type Mr. Alderman seems to be.

Mr. McKENZIE. Is it not a fact that this department in the Army has robbed a number of our agricultural schools, such as the Kansas school, by offering salaries much higher than they can afford to pay?

Mr. CRAMTON. I am not advised definitely as to that. There is one thing I would like to mention. My friend from Alabama, who wants this increased to $3,500,000, explained to the House yesterday he did not want a penny of it spent to teach an illiterate to read and write the English language or a foreigner to speak the English language. But he would spend millions in higher education in the Army, where to even teach a man to read and write they must hire civilians.

Mr. CRAGO. Mr. Chairman, I shall support this move for an increase of this appropriation, although in doing so I am not unmindful of both sides of this question. I was surprised in hearing some remarks made by the gentleman from Alabama [Mr. BANKHEAD]—I believe it was on yesterday—about the conditions in the Army, when at the same time here in the city of Washington they were showing a squad of soldiers who had been enlisted a little more than a year, all of them boys who before they enlisted could not read or write the English language, as prize products of this educational system in the Army. And one of them, from South Carolina, in particular, said:

> I lived on a farm all my life, and I dreamed of a time when I could go to school. My father refused to allow me to attend school. I joined the Army against his protest, but I am proud now that I can read and write the English language.

He was a fine-looking soldier—a typical American boy.

On the other hand, these Government utilities once started keep growing in volume and numbers and in demands to such an extent that they overdo the thing, and bring on the destruction which is probably due them.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. CRAGO. Yes.

Mr. MADDEN. Does not the gentleman think that if the Army would employ its officers as teachers of this work they could get along without the excessive appropriations we are proposing?

Mr. CRAGO. I am very much in favor of that, and I have urged it on the Army officers.

Mr. MADDEN. They do it in the Navy. They do not employ any outside instructors in the Navy, except five or six people, while in the Army they need the large appropriation because the Army thinks they should employ civilians to do that work.

Mr. CRAGO. That is all too true, and I am of the opinion that is what they must come to in the Army. Their ambition to extend this department, I think, is illustrated by a little pamphlet that Brother GREENE and myself discovered at Camp Eustis the other day. A remark like this was made, "That military duties will not be allowed to interfere with the educational work."

That shows the absurdity of it, and it shows the enthusiasm with which these men will attempt to build up and extend this great field of endeavor. Now, since we have practically stopped recruiting, or will stop, of course a greater sum will not be needed, but I assume that there is too much of a cut made in making this appropriation only $1,000,000. The men who have studied the subject and are acquainted with the work of instruction say, as the gentleman from Alabama [Mr. BANKHEAD] has pointed out, that the work will be interrupted and almost lost if it is not continued, although we have agreed with these young men that they will continue this work. For that reason I think for this year, at least, notwithstanding our economy program, it will be money well expended if we shall carry on this work in such shape that a great part of it may be done by the officers themselves, but I think that the work itself as started may well be continued. [Applause.]

Mr. WALSH rose.

The CHAIRMAN. The gentleman from Vermont [Mr. GREENE] asks for one minute. There is only five minutes remaining. The gentleman from Massachusetts [Mr. WALSH] is recognized.

Mr. WALSH. Mr. Chairman, I think this entire provision might well be stricken from the national defense act. It has grown to such proportions that it is going to impose increasing demands upon the taxpayers of this country in order to carry out the program. We ought to enlist men in the Army to make soldiers of them, not to increase their efficiency as bakers, or blacksmiths, or bookkeepers, or electricians, or these various other arts and trades. They ought to be trained along military lines, so that if their services shall be needed in the future their military training will be of some use to them.

This proposal here is not to increase the military efficiency of the Army, but it is to educate men along lines other than military lines, so that when they get out of the military service there is no inducement for them to continue or to reenlist. They will get practically a university education, so that they can go out and compete with other boys who have had to pay for their education, while these boys in the Army acquire it at Government expense, and the Government also pays them while they are in the Army. I submit that, despite the pathetic plea of the gentleman from Alabama [Mr. BANKHEAD], we ought to stop now in the employment of this horde of civilian instructors, and if there is any need for the instruction of these boys in other lines after their military duties are performed, the officers in the Army ought to be competent enough for us to say that they shall give them the education in other lines if they have time after their recreations have been attended to.

Why, the gentleman from Pennsylvania [Mr. CRAGO] read a letter here that would lead you to believe that before we can have efficient soldiers in the future, they have got to attend some pink teas to be taken care of by hostesses. We need a little more blood and iron in the soldiers of the Republic [applause], and a little less of this society stuff and moving-picture films, such as they have been led to expect. [Applause.] That may be all right in time of war, when there is a great stress on, and a great emergency, but in peace times I submit we should lend our efforts toward making an efficient military force, and let the boys when they leave the service look after their own education, the same as the boys not in the service have to do. They have to pay for it, but these boys in the service acquire it at the expense of the taxpayers. Uncle Sam is giving them the education, and the military efficiency and training are mere incidents. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. The gentleman from Vermont [Mr. GREENE] is recognized for one minute.

Mr. GREENE of Vermont. Mr. Chairman, I want to make just one little statement. We are all familiar with the experience we have had in regard to legislation for the various departments. They start out on some special activity by asking us for one table with a typewriter on it and a red-headed girl to run it, and they give us to understand that they will stop there. [Laughter.] The next year they ask us to give them a little more, and the next year a little more, and so on; and in 10 years we have almost a new Cabinet department, developed from the little project that once started with the table and the typewriter and the red-headed girl to run it. [Laughter.]

The cost of the Army is stated as the great burden of "militarism." The total amount expended for the War Department and for the maintenance of the Army is divided by the number of soldiers that are in the Army, and, whatever the quotient is, it is said that it costs so much to maintain a soldier, and that that is "militarism."

If you include in the cost of the Army all these extraneous activities and the items for vocational training, you will find that millions and millions of dollars are spent for such things in the support of the Army to-day, yet people refer to that total cost as the cost of "militarism." And, as I said, dividing the total expenditures by the number of soldiers, they say it is costing so much for "militarism" per soldier.

Then the economists come along and tell us that the way to reduce the burden of "militarism" on the country is to cut off so many soldiers. That is not the place. Yesterday you cut down the number of soldiers. You are not getting at the root of the expense. The expense which makes this so-called burden of "militarism" that people rant about is in these interior activities, many of which are not a part of military science and training at all.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. BLANTON. Does the gentleman yield back the balance of his time?

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

Mr. MONTAGUE. Mr. Chairman, may we have the amendment reported?

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 44, line 2, strike out the figures "$1,000,000" and insert in lieu thereof the figures "$3,500,000."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. BANKHEAD) there were—ayes 8, noes 48.

Accordingly the amendment was rejected.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 44, line 5, after the word "instructors," strike out all of lines 5, 6, 7, 8, 9, and line 10 down to and including the words "per annum."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question being taken, the amendment was rejected.

The Clerk read as follows:

QUARTERMASTER SUPPLIES AND SERVICES FOR RIFLE RANGES FOR CIVILIAN INSTRUCTION.

To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the national board for the promotion of rifle practice and approved by the Secretary of War; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors; for clerical services; for badges and other insignia; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship, and their participation in national and international matches, to be expended under the direction of the Secretary of War, and to remain available until expended, $100,000: *Provided*, That out of the said sum of $100,000 there may be expended for the payment of transportation, for supplying meals, or furnishing commutation of subsistence of civilian rifle teams authorized by the Secretary of War to participate in the national matches, not to exceed $80,000: *Provided further*, That hereafter members of civilian rifle teams may, in the discretion of the Secretary of War, be paid, as commutation of traveling expenses, at the rate of 5 cents per mile for the shortest usually traveled route from their homes to national matches, when authorized to participate therein by the Secretary of War and for the return travel thereto: *Provided further*, That the payment of travel pay for the return journey may be made in advance of the actual performance of travel.

Mr. McCLINTIC. Mr. Chairman, I make a point of order on the paragraph.

The CHAIRMAN. What is the gentleman's point of order?

Mr. McCLINTIC. That it is legislation on an appropriation bill unauthorized by existing law.

The CHAIRMAN. It is a long paragraph. It will aid the Chair if the gentleman will point to the parts of it that are objectionable.

Mr. McCLINTIC. I call attention to the provisos which relate to payment of traveling expenses of civilian rifle teams.

Mr. ANTHONY. Mr. Chairman, I think the activities provided for in this paragraph are authorized in the Army reorganization act.

The CHAIRMAN. Will the gentleman from Kansas inform the Chair where he can find the act?

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that this matter may be passed over temporarily until we find the authorization either in the national defense act or in the Army reorganization act.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The paragraph will be passed over to be returned to later.

Mr. MADDEN. Before it is passed over, if I may, I should like to offer an amendment and have it pending.

The CHAIRMAN. A point of order is pending. Without objection, the gentleman may propose his amendment and have it read for information.

Mr. MADDEN. I should like to have it pending for the information of the House.

The CHAIRMAN. It can not be pending when a point of order is pending, but by unanimous consent it may be read for the information of the House.

Mr. MADDEN. I will offer it later.

The Clerk read as follows:

MILITARY SUPPLIES AND EQUIPMENT FOR SCHOOLS AND COLLEGES.

For the procurement and issue as provided in section 55–c of the act approved June 4, 1920, and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the act above referred to, of such arms, tentage, and equipment, including the transporting of same, and the overhauling and repair of personal equipments, machine-gun outfits, and horse equipments, as the Secretary of War shall deem necessary for proper military training in said schools and colleges, $10,000: *Provided*, That no part of this appropriation shall be expended for the purchase of arms or other ordnance equipment.

Mr. FESS. Mr. Chairman, I move to strike out the last word. Under the discussion of the vocational item I did not have the opportunity of making an observation that I wanted to make. While acting on the Commission of Vocational Training we had before the commission some of the persons attached to the Army and the Government sent by Cabinet members, and they were discussing the field of both the Army and the Navy for vocational activities. We understood at that time that both the Army and Navy as organized would offer splendid chances to the boys who were enlisted for a limited period, to be trained for some trade when they left the Army or Navy. It never occurred to me as one member of the commission that it would entail a large employment of persons outside of both the Army and the Navy. We were told that if the Army wanted to build a bridge there were not any finer engineers in the world than would be found in the Army to do the work, and to instruct along that line, and we took it as a general statement of the ability of the expert men in the Army and the Navy, that they could take charge of this training. Few can understand how much surprised I was when in the defense act we had provided $75,000 for the organization of this work and started it, and the very next year they came in and asked for $10,000,000 for the work. We wanted to know where that $10,000,000 was to be used.

It was an organization going outside of the Army, and really you are going to turn the Army into a school, into a university, and that was to be one of the primary features of going into the Army.

Now, I confess I am not in favor of that. I think it is entirely out of order. I do think, however, and presume that a million dollars is a sufficient amount of money—I do think that when a young man goes into the Army or the Navy if he can be trained for a trade when he comes out he is better equipped to do something than before he went in, it is a splendid thing to do. I would object to turning the Army or the Navy into a school except as those facilities now in the Army and Navy can be used for the betterment of the boy in other branches of the service.

I want to say that as the chairman of the Committee on Education I am interested in all matters pertaining to education, but I think that they ought to be trained as I have said.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. FESS. Yes.

Mr. SMITH of Michigan. Do I understand the gentleman to say that the appropriation was increased from $75,000 one year to a million dollars the next year?

Mr. FESS. The first year it was $75,000 and then they asked for $10,000,000, but we only gave them $2,000,000, which indicated what the gentleman from Pennsylvania [Mr. CRAGO] said, that you start a thing of this kind at a small expense and it grows away beyond what the provisions of the law intended it to be.

Mr. McKENZIE. Will the gentleman yield?

Mr. FESS. Yes.

Mr. McKENZIE. The gentleman was one of the promoters of the educational vocational system?

Mr. FESS. I was.

Mr. McKENZIE. Does it not bear this distinction, that under that system the boy is paying for his education and under the Army proposition he is required to go to school?

Mr. FESS. Under the vocational system it is made a part of the public-school system, so that the boy does not have to pay; it is free like the public schools. I think it is important to understand, however, that if we do not keep our hand on these activities they will run away beyond us, and that is why I am not in favor of this.

Mr. TAYLOR of Colorado. Mr. Chairman, on the 4th day of February, 1861, Congress had before it for consideration a bill for the organization of the Territory now comprising the State of Colorado. At that time all of that region was known as the Pikes Peak country. By the bill providing for the creation, establishment, and organization of a Territorial form of government the bill as it passed the House of Representatives named it the Territory of Idaho. When the bill went to the Senate there was an extended discussion concerning whether or not it would be slave or free territory and also as to the name of the Territory, and after considerable debate the Senate amended the bill and changed the name of the Territory from Idaho to the Territory of Colorado, "for the reason that the Colorado River arose in its mountains and there was a peculiar fitness in the name," and also because "the name Colorado is more appropriate and more harmonious, and is the handsomest name that could be given to any Territory or State." That was 60 years ago to-day that Colorado was christened [applause], and from that day to this every loyal son and daughter of the Centennial State has proudly echoed that sentiment, that it is the handsomest name that could be given to any Territory or State. The Colorado River was named by the early Spanish explorers of the Southwest something like two centuries or more ago, and our State is proud to bear the beautiful name of that most wonderful river which has possibly the most weird and fascinating history and scenery of any river in the world. For the purpose of submitting a few further remarks on the name Colorado and that river within our borders, I ask unanimous consent to extend my remarks in the RECORD upon House joint resolution 460, "to change the name of the Grand River in Colorado and Utah to the Colorado River." [Applause.]

Mr. McCLINTIC. I object.

Mr. BLANTON. In honor of this natal day, will not the Chairman give us a little time this evening to catch up with our mail? [Laughter.]

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. TAYLOR of Colorado. I ask unanimous consent to revise my remarks.

The CHAIRMAN. The gentleman has that right anyway.

Mr. ANTHONY. Mr. Chairman, I ask to return to the item on line 18, page 44: "Quartermaster supplies and services for rifle ranges for civilian instruction."

The CHAIRMAN. The gentleman has that right.

Mr. ANTHONY. I call the attention of the Chair to section 113 of the National defense act, page 52, where provision is made for the encouragement of rifle practice. Congress is expressly authorized to make appropriation for that purpose.

Mr. McCLINTIC. Is there any provision in the act which provides that rifle teams may draw 5 cents a mile from their homes to the national matches, as provided for in the proviso on page 45?

Mr. ANTHONY. I think under the language of this act Congress would have the right to appropriate for the expenses of that team.

Mr. McCLINTIC. I do not think the act specifies that authority is granted, and I think the point of order is good.

The CHAIRMAN. What is the gentleman's point of order?

Mr. McCLINTIC. My point of order is to the two provisos found on page 45, that they are not authorized by any existing law.

The CHAIRMAN. The first paragraph of the proviso the gentleman refers to is in order, and the Chair overrules the point of order.

Mr. McCLINTIC. The second proviso has the word "hereafter" in it.

Mr. GOOD. Mr. Chairman, the second paragraph is permanent law. That was carried in the bill last year, and this is a mere repetition.

Mr. ANTHONY. It can very well be dropped out.

The CHAIRMAN. It appears to be legislation on its face.

Mr. GOOD. The language should go out on a motion, and not on a point of order, because last year we provided that hereafter that should be done, and they have restated the language this year. It is not subject to a point of order.

The CHAIRMAN. The Chair has not been cited to that provision in the law.

Mr. CRAMTON. Mr. Chairman, I would be very glad to explain the matter to the Chair. The way it happens to be in the bill is this: It was made permanent law at 5 cents, and they come back and ask that it be made at 6½ cents. The 6½ cents was rejected and we retained the 5 cents and simply overlooked the fact that the language ought not to be repeated.

The CHAIRMAN. The Chair finds that the language was enacted into law last year.

Mr. ANTHONY. June 5, 1920.

The CHAIRMAN. And should not be in this bill at all, and the Chair overrules the point of order.

Mr. ANTHONY. Mr. Chairman, I move to strike out the language beginning, in line 16, with the word "provided" down to the bottom of the page.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANTHONY: Page 45, line 16, after "$80,000," strike out the remainder of the paragraph.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. MADDEN: Page 44, line 24, after the word "was," strike out the remainder of line 24, on page 44, and all of lines 1 and 2 and line 3 to and including the word "instructors," on page 45.

Mr. MADDEN. Mr. Chairman, I offer this amendment to make it impossible in the future to employ civilian instructors or labor on the rifle ranges. I believe that the work on the rifle ranges ought to be done by military instructors and that the labor ought to be done by soldiers. This is purely a military activity, and it ought not to require men who are not connected with the Army to conduct it. It seems to me that the time has come when we should, as far as possible, do away with the employment of civilian labor in connection with the work of the Army.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ANTHONY. I call the attention of the gentleman to the fact that this is largely a civilian proposition, not connected directly with the Army. It is for rifle ranges for civilian instruction.

Mr. MADDEN. At the same time, they are rifle ranges for military instruction to civilians. It is presumably all done under the direction of the Army.

Mr. ANTHONY. I think it would cost us considerably more money to have to send officers and men around to the different places where this rifle practice is being conducted. It would mean that we would have to establish soldiers in hundreds of different places in the country to carry on this activity.

Mr. MADDEN. I presume that is being done now.

Mr. ANTHONY. No; not more than one instructor, perhaps, and very few of them.

Mr. MADDEN. Then the rifle ranges ought to be so located as to give opportunity for civilian instruction in rifle practice at ranges where military instructors are in attendance.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GREENE of Vermont. I am in sympathy with the general policy contemplated. We are getting rid of as many civilians as possible who are in the Army. At one time, when the Military Committee still had jurisdiction over appropriations, in a hearing it was suggested to us that one of the reasons for this thing was to develop practice in marksmanship in communities where there were no people of the military profession to give instructions, the intention being to stimulate the military idea of marksmanship in those regions and to develop a high standard of proficiency which it was desirable to inculcate as near as possible in a sportsmanship idea of target practice, in order to get accomplished marksmen in civil life interested in the subject.

Mr. MADDEN. Mr. Chairman, if the introduction of this amendment has elicited, as it has, the very wise suggestions made by the military experts of the House, I think I have accomplished some good by offering it. If it is unwise to attempt to pass it, and the practice is to be continued and is thought to be wise, I am willing to withdraw my amendment, and I do so, with the consent of the House.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. McCLINTIC. Mr. Chairman, I send an amendment to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. McCLINTIC: Page 44, beginning in line 18, strike out the paragraph.

Mr. McCLINTIC. Mr. Chairman, on that I wish to be heard. Mr. Chairman and gentlemen of the committee, in practically every State in the Union we have our National Guard. If this paragraph is included in the bill it closes the incentive in every community to a certain extent for the organization of a local military company. In practically every State in the Union to-day we have local rifle ranges at places where the local State National Guard encampments are held. The National Guard is very necessary in order to preserve and protect certain conditions in every State in the Union. I can see no reason why a bill of this kind would include a paragraph which if enacted into law has the indirect effect of destroying or nearly destroying the National Guard and the National Guard units, and it is for that reason that I have offered this amendment and hope that all the Members who are interested in the preservation of the National Guard will vote against any movement which takes away the functions of that organization.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

ENGINEER SCHOOL.

Equipment and maintenance of the Engineer School, including purchase and repair of instruments, machinery, implements, models, boats, and materials for the use of the school and to provide means for the theoretical and practical instruction of Engineer officers and troops in their special duties as sappers and miners; for land mining, pontoniering, and signaling; for purchase and binding of scientific and professional works, papers, and periodicals treating on military engineering and scientific subjects, textbooks and books of reference for the library of the United State Engineer School; for incidental expenses of the school, including chemicals, stationery, hardware, machinery, and boats; for pay of civilian clerks, draftsmen, electricians, mechanics, and laborers; compensation of civilian lecturers and payment of tuition fees of student officers at civil technical institutions; for unforeseen expenses; for travel expenses of officers on journeys approved by the Secretary of War and made for the purpose of instruction: *Provided*, That the traveling expenses herein provided for shall be in lieu of mileage and other allowances; and for other absolutely necessary expenses: *Provided further*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation, $30,000.

Mr. McKENZIE. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I notice you have cut the amount for the Engineering School $30,000, which is $10,000 under the appropriation granted for a number of the other schools. I would like to know why that was done.

Mr. ANTHONY. On the ground that the normal activities of the Engineer School does not demand as much money as some of the other schools we have provided for. The number of men under instruction would be very much less than in some of the other schools.

Mr. McKENZIE. Will the amount provided for in this appropriation take care of the young men whom the department desires to have sent to these technical schools?

Mr. ANTHONY. We thought it was. I suppose the gentleman refers to the half-baked classes of officers who were let out from West Point with only a year or two of instruction up there, who are now commissioned in the Army and who need this additional instruction.

Mr. McKENZIE. I will say to the gentleman that if these young men to whom he refers to as half-baked were commissioned before they were fully prepared I think it would be a wise expenditure of money to send them to some school.

Mr. ANTHONY. It is our understanding that about 40 or 50 young Engineer officers who had incomplete education at West Point would be sent to such institutions as the Boston Tech and the Rensselaer Polytech to complete their education, and we have provided enough to pay their tuition at those places. Their other expenses are taken care of out of their pay and allowances.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

ENGINEER OPERATIONS IN THE FIELD.

For expenses incident to military engineer operations in the field, including the purchase of material and a reserve of material for such operations, the construction or rental of storehouses within and outside the District of Columbia, the purchase, operation, maintenance, and repair of horse-drawn and motor-propelled passenger-carrying vehicles, and such expenses as are ordinarily provided for under appropriations for "Engineer depots," "Civilian assistants to engineer officers," and "Maps, War Department," $250,000: *Provided*, That when to the interest of the Government funds appropriated under this head may be used for the purchase of options on materials for use in engineer operations in the field: *Provided further*, That so much of this appropriation as is necessary to provide facilities for engineer training of troops may be expended for military construction work of a temporary character at camps and cantonments and in training areas for training purposes only.

Mr. CONNALLY. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee why he has carried an item here for the purchase of motor-propelled passenger-carrying vehicles when the gentleman contended on the floor that the Secretary of War has got thousands of those vehicles and directing him to sell not less than 1,000 of them? What is the sense of appropriating more money to pay for them——

Mr. ANTHONY. I will say to the gentleman that that is the usual language of the paragraph that has been carried in the bill from year to year. We also have a proviso on one of the other pages of the bill that no motor vehicle shall be purchased out of any funds in this act unless for experimental purposes.

Mr. CONNALLY. Well, does the gentleman mean to say that in making up this appropriation bill he has a hard-boiled lot of language which he carries along in it whether he means it or not?

Mr. ANTHONY. It has been carried for years.

Mr. CONNALLY. Is that any reason why we should keep on carrying it?

Mr. ANTHONY. But an emergency might come up next year or the year after and we would want to buy something, and for that reason we have left it in.

Mr. CONNALLY. Could we not put it in the next bill if we needed it?

Mr. ANTHONY. It would be possible, but we create a situation by which the proviso is left in——

Mr. CONNALLY. I would like to call attention to the fact that that might be changed in the Senate or in conference.

Mr. ANTHONY. I would say to the gentleman that we could not buy for experimental purposes unless we had the authorization in the bill.

Mr. CONNALLY. They are not for experimental purposes—these passenger-carrying vehicles.

Mr. ANTHONY. But the proviso limits them to that.

Mr. CONNALLY. Mr. Chairman, I offer an amendment to strike out the language, "the purchase," in lines 14 and 15 of the bill, on page 53.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CONNALLY: Page 53, strike out the words "the purchase."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. CONNALLY. Division, Mr. Chairman.

The committee divided; and there were—ayes 15, noes 21.

So the amendment was rejected.

Mr. CONNALLY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CONNALLY: Page 53, line 10, strike out the paragraph.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, we have just had an illustration of the fact that the majority side of this House in handling this subject of Army automobiles does not mean what it has been pretending to mean for the past two years. The Committee on War Expenditures, which is now in session, and has been in session intermittently for about 18 months, has filled this CONGRESSIONAL RECORD from time to time with tirades against the War Department because it has not disposed of the thousands of automobiles now the property of the department. Gentlemen have pretended to believe that the department was derelict in its duty, and I am not taking issue with that statement. I think it ought to dispose of these useless passenger-carrying automobiles; but when an amendment is proposed to an appropriation bill on the floor of this House striking out the language providing for the purchase of new automobiles we are presented with the spectacle of the gentleman in charge of this bill opposing an amendment, and the majority side of this House, which has been blatant throughout the press and on the stump in the interest of economy and for retrenchment, against appropriating more money for passenger-carrying vehicles, want to appropriate more money

for such vehicles, when we know that there are now in the War Department thousands of those vehicles that are not used. What is the justification? The gentleman on the Appropriations Committee said that the reason for carrying this language was that they have been doing it for years, and they are afraid if they would drop out one item of appropriation they would forget to put it in next year.

Mr. MADDEN. The record shows that they have about 4,000 passenger-carrying automobiles in the War Department now, and this bill directs that they shall sell a thousand of those.

Mr. GARNER. Why do you carry an authorization for these things in this item?

Mr. MADDEN. To give them the right to buy something for experimental purposes.

Mr. CONNALLY. They put it over in one part of the bill to sell automobiles and in another part of the bill to buy automobiles.

Mr. ANTHONY. Has the gentleman read the proviso on page 34?

Mr. CONNALLY. Yes; I have read the proviso on page 34.

Mr. ANTHONY. I do not see how you could make the English language any plainer. It says that the Army shall not buy another automobile except for experimental purposes.

Mr. CONNALLY. If that is true, why are you appropriating in this section to buy more automobiles?

Mr. ANTHONY. We want to give the department the right, if anything comes up that is new, to experiment with it.

Mr. CONNALLY. You do not limit them to that.

Mr. ANTHONY. Absolutely.

Mr. CONNALLY. I am talking about page 53.

Mr. ANTHONY. I am talking about page 34.

Mr. CONNALLY. That is in another section of this bill, and if the gentleman does not mean to purchase automobiles for the use of the Engineer Department, he ought to say so in this bill.

Mr. ANTHONY. It shows the intent of this act.

Mr. CONNALLY. If he does not intend to buy automobiles, on page 53, why does not the committee strike it out of the bill? You want to march up the hill and then down again.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. CONNALLY. Yes.

Mr. MADDEN. The gentleman does not maintain that the restriction in the proviso on page 34 covers every item in the act, does he?

Mr. CONNALLY. I will say to the gentleman from Illinois that it is conceivable that over in the Senate that provision on page 34 might be changed. But the House ought not to provide in this section for the purchase of something that you say you do not intend to purchase.

Mr. MADDEN. The gentleman very well knows that if it is changed in the other body it will go to conference, and it may be considered a fair inference that the body that placed this language in the bill will resist the other body if the other body changes it.

Mr. CONNALLY. The gentleman simply wants to shift the power of enacting legislation into the hands of the conference committee. We ought to say what we mean, and I am pleading with the majority on this side of the House to really say what you mean and strike out this language for the purchase of automobiles.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word.

Mr. WINGO. Mr. Chairman, I am inclined to think that my good-natured friend and very efficient Member of the House, as exemplified by his able method of handling this bill, is not entirely candid. I think he ought to be frank and admit that by an oversight the committee has used language in this bill that he has not intended it to use.

Mr. ANTHONY. Will the gentleman point it out?

Mr. WINGO. Yes. That is the language which authorizes specifically, on page 53, the "purchase, operation, maintenance, and repair of horse-drawn and motor-propelled passenger-carrying vehicles."

The gentleman has said that he has put in a limitation. I presume the only limitation is that on page 34:

That none of the funds appropriated or made available under this act or any of the unexpended balances of any other act shall be used for the purchase of motor-propelled passenger or freight-carrying vehicles for the Army, except those that are purchased solely for experimental purposes.

Is it not? There is the language—

for the purchase of motor-propelled passenger or freight-carrying vehicles for the Army, except those that are purchased solely for experimental purposes.

Mr. Chairman, I have made some little study of the law. I am preparing to study law still further, although I have been practicing for 20 years. Somewhere I have heard of this rule, that a specific provision overrides and controls a general provision. I am still not enough of a lawyer to state it in legal language, but the able and accomplished lawyers on that side of the House know what I am talking about. [Laughter.]

Seriously, gentlemen, a lawyer who has enough sense to replevin a mule knows that in spite of this language on page 34 you specifically authorize the purchase of motor-drawn passenger-carrying vehicles for any purpose they see fit, regardless of whether it is for experimental purposes or not. The department officer who would rule otherwise would have to stultify all the legal rules of interpretation.

I think you have gone on and carried the same language that was carried before. As to what you have done I think you gentlemen are acting in good faith. You want to hold them down to the purchase simply for experimental purposes, and I think that is right. But when you put a specific authorization in there, it will override the general limitation. [Applause.]

There is no question about that. Of course in the end this bill will not be written as it is written here. It will be rewritten in conference. I suggest that the gentleman from Kansas look into this matter and draw a provision to limit the right of the Army to purchase motor-drawn vehicles. Of course this is just like this other idea of cutting down the size of the Army to 150,000 men. Everybody knows that the appropriation does not control. The only practical way to reduce the Army is for the Committee on Military Affairs to bring in an amendment to the Army reorganization act and cut down the military force. You are not going to deceive the country by playing this game of pussy wants a corner and working both ends against the middle and making a play of economy when you are not in fact acting like it. This is only an example of what might be expected by men who have had experience in what has been done heretofore. When you went back to the old system of having a committee of 35 men to undertake to inquire into and investigate and determine the propriety of appropriations aggregating $4,000,000,000, we knew it would fall down, just as it fell down 36 years ago, when the expenditures of the Government were only one-eighth of what they are now.

I do not blame the gentleman from Kansas. He is a very able man. I think in fact he is one of the ablest men on that side of the House; but he would have to be a superman if he could go through the requirements of the Army and in a short time without aid determine what the Army requires. I understand this bill is the child of his brain and his alone, and I congratulate the country that he has been as able and efficient and strong as he has, because it is a test of physical endurance.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. ANTHONY. Mr. Chairman, I rise for the purpose of saying to the gentleman from Arkansas and the gentleman from Texas that if it will make for their peace of mind, the committee really has no objection to the word "purchase" going out. It was simply desired to protect the standing language of the bill. If the gentleman will withdraw his amendment to strike out the entire paragraph, I will consent to the word "purchase" going out.

Mr. GREENE of Vermont. Supposing the word "purchase" is stricken out from that section of the bill, would there then be any authority in the bill for the purchase of the type of automobiles provided for in the proviso on page 34, for engineer operations in the field?

Mr. ANTHONY. No; they could not buy any experimental trucks for engineer operations in the field.

Mr. GREENE of Vermont. That is the point exactly.

Mr. ANTHONY. But the committee has no knowledge that they intend to buy any.

Mr. SISSON. I know that no member of the subcommittee has any objection to the word "purchase" going out. By unanimous consent, we might let the word "purchase" be stricken out of the bill.

Mr. CONNALLY. Mr. Chairman, I ask to withdraw my amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to withdraw his amendment. Is there objection?

Mr. WINGO. Reserving the right to object, I think the gentleman's suggestion will not take away from the Engineer Corps the right to buy for experimental purposes.

Mr. GREENE of Vermont. I have asked the chairman of the committee about that.

Mr. WINGO. If the gentleman will refer to page 34 he will see this language:

And provided further, That none of the funds appropriated or made available under this act or any of the unexpended balances of any other act shall be used for the purchase of motor-propelled passenger or freight-carrying vehicles for the Army except those that are purchased solely for experimental purposes.

Mr. GREENE of Vermont. But where are your funds that may be used for the purposes of purchasing? You have taken out the authority to purchase anything. Therefore whether it is to be used in quantity or as an experimental type, there is no authority for engineering operations in the field to buy any vehicle for experimental purposes.

Mr. WINGO. There may be something in that.

Mr. ANTHONY. The paragraph under discussion is the only one under which the Engineer Corps could buy any.

Mr. JONES of Texas. On page 8 there is authorization for the purchase of motor-propelled vehicles.

Mr. ANTHONY. That is for the Signal Corps.

Mr. GREENE of Vermont. I think it will be found that that proviso is a blanket proviso that is intended to cover all the subsequent distributions of the purchase power throughout the bill under the several heads for which they are to be employed, and when you take out one of these from under any head, that head can not buy any.

The CHAIRMAN. Is there objection to the withdrawal of the amendment?

Mr. WALSH. I object to the withdrawal of the amendment.

Mr. ANTHONY. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the Army appropriation bill, H. R. 15943, had come to no resolution thereon.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

An act (S. 4432) to provide for awarding decorations, devices, or insignia to the next of kin of deceased persons who would have been entitled to receive the same, and making it unlawful for anyone other than the person authorized to do so to wear such decoration, device, or insignia; to the Committee on Military Affairs.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CHINDBLOM (at the request of Mr. BROOKS of Illinois) indefinitely, on account of illness.

INCREASE OF FORCE AND SALARIES IN THE PATENT OFFICE.

Mr. NOLAN. Mr. Speaker, I desire to present a conference report.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum present.

Mr. NOLAN. I desire to present a conference report for printing under the rule.

The SPEAKER. The gentleman from Texas makes the point of no quorum present.

Mr. RAYBURN. If my colleague will withhold that, I have an inquiry that I wish to submit to the gentleman from Ohio.

Mr. BLANTON. I make the point of no quorum present, Mr. Speaker, because it is now nearly 6 o'clock.

Mr. NOLAN. Mr. Speaker, I do not intend to be taken off my feet, and I insist on recognition.

The SPEAKER. If the point of no quorum is not made the gentleman from California insists he is entitled to recognition.

Mr. BLANTON. Mr. Speaker, I will withhold it, unless there is action to be taken on the conference report.

Mr. NOLAN. I only present the conference report to be printed under the rule.

The SPEAKER. The gentleman from California presents the conference report to be printed under the rule, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4891. An act to amend section 1 of an act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes."

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 8881. An act for the relief of the First National Bank of New Carlisle, Ind.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 1789. An act for the relief of Thomas P. Darr;

H. R. 1790. An act for the relief of John K. Ashley, jr.;

H. R. 3210. An act for the relief of Joseph A. Prat;

H. R. 3522. An act for the relief of Lemuel Stokes;

H. R. 6221. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the Osage civilization-fund claim of the Osage Nation of Indians against the United States;

H. R. 6301. An act for the relief of Nathan Manzer;

H. R. 7050. An act for the relief of the First State Bank of Kerrville, Kerr County, State of Texas;

H. R. 10920. An act declaring Platte River to be a nonnavigable stream;

H. R. 11066. An act for the relief of the Shipowners & Merchants' Tugboat Co.;

H. R. 12333. An act for the relief of Albert T. Huso;

H. R. 12441. An act for the relief of the Duluth, Winnipeg & Pacific Railroad; and

H. R. 13600. An act for the relief of Mrs. William B. Ryan.

HOUR OF MEETING NEXT WEEK.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that beginning next Monday, and for the balance of the week, the House meet at 11 o'clock a. m. I have conferred with a number of gentlemen on the minority side—ex-Speaker CLARK, the gentleman from Texas [Mr. GARNER], the ranking member of the Ways and Means Committee, and others—and they have no objection.

The SPEAKER. The gentleman asks unanimous consent that beginning next Monday, and for the balance of the week, the House meet at 11 o'clock a. m. Is there objection?

Mr. RAYBURN. Reserving the right to object, I have heard a good deal about the program, and I would like to ask the gentleman what is to be the program for next week? I have heard it stated that the Winslow bill is to be passed under suspension of the rules. I say candidly to the gentlemen that I voted to report the Winslow bill from the committee, but I do think that it is most unfair to try to pass a bill like that under suspension of the rules.

Mr. MONDELL. Passing bills under suspension is a matter for the Speaker.

Mr. RAYBURN. I will say to the gentleman that I do not think it can be passed under suspension.

Mr. MONDELL. Next Monday is suspension day, and of course some matters will undoubtedly be brought up under the suspension of the rules.

Mr. RAYBURN. I think the bill ought to come up, but it ought to come up in a way that would give us more than 20 minutes on a side, and so that it will be open for amendment. I do not think you can pass the bill under suspension anyway.

Mr. WINGO. Reserving the right to object, the gentleman's request is to start next Monday and until further orders?

Mr. MONDELL. No; for the balance of the week.

Mr. WINGO. Will the gentleman state what bills are to be taken up next week?

Mr. MONDELL. It is our hope to take up and pass the balance of the appropriation bills.

Mr. WINGO. When does the gentleman intend to bring up the packers' control bill?

Mr. MONDELL. I can not inform the gentleman, because it has not been brought to my attention.

Mr. WINGO. I will bring it to the gentleman's attention now.

Mr. WALSH. Mr. Speaker, I ask for the regular order.

Mr. WINGO. The regular order is the packers' bill.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that beginning next Monday for the balance of the week the House meet at 11 o'clock a. m. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.) the House adjourned until to-morrow, Saturday, February 5, 1921, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BUTLER, from the Committee on Naval Affairs, to which was referred the bill (H. R. 15994) providing for sundry matters affecting the Naval Establishment, reported the same without amendment, accompanied by a report (No. 1291), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 426) providing for the bringing to the United States of a body of an unknown American killed on the battle fields of France, and for the burial of the remains with appropriate ceremonies, reported the same with an amendment, accompanied by a report (No. 1292), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (S. 1695) validating certain homestead entries, reported the same with an amendment, accompanied by a report (No. 1293), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SIEGEL, from the Committee on Immigration and Naturalization, to which was referred the joint resolution (H. J. Res. 369) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, reported the same without amendment, accompanied by a report (No. 1290), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 14807) granting an increase of pension to Agnes B. Earl, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 16008) granting certain lands to Converse County, Wyo., for a public park; to the Committee on the Public Lands.

By Mr. GREENE of Massachusetts: A bill (H. R. 16009) to authorize the United States, through the United States Shipping Board, to acquire a site on Hazzell Island, St. Thomas, Virgin Islands, for a fuel and fuel-oil station and fresh-water reservoir for Shipping Board and other merchant vessels, as well as United States naval vessels, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAYLOR of Colorado: A bill (H. R. 16010) to provide for the distribution of receipts by States under the provisions of section 17 of the act of Congress approved June 10, 1920, entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes"; to the Committee on Water Power.

By Mr. RIDDICK: Memorial of the Legislature of the State of Montana, urging Congress to enact legislation increasing duty on flax; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Montana, protesting against the passage of the pending measures for regulation of packing industry; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Virginia: A bill (H. R. 16011) for the relief of Charles W. Mugler; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 16012) granting a pension to Annie Fay; to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: A bill (H. R. 16013) to grant relief to the legal owner or owners of the American schooner *Blanche C. Pendleton;* to the Committee on Claims.

By Mr. LUFKIN: A bill (H. R. 16014) granting a pension to Clara E. Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16015) granting a pension to Augustus E. Orbeton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16016) granting a pension to Harriet F. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16017) granting an increase of pension to Carrie A. Chaplin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16018) for the relief of Margaret F. Lane; to the Committee on Claims.

Also, a bill (H. R. 16019) for the relief of Franklin Madison; to the Committee on Military Affairs.

Also, a bill (H. R. 16020) for the relief of Frank P. Hoyt; to the Committee on Military Affairs.

By Mr. VOIGT: Resolution (H. Res. 668) authorizing payment of six months' salary and funeral expenses to Ernest Wolf, on account of death of August G. Wolf, late an employee of the House; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5485. By Mr. BEGG: Petition of members and friends of the Church of the Brethren, of near Tiffin, Ohio, urging prompt action on the Fess-Capper bill (H. R. 12652) by the committee; to the Committee on Education.

5486. By Mr. BROOKS of Pennsylvania: Petition of Eyster Weiser Co., of York, Pa., praying for relief for their company and for the railroads, as provided for in the Wilson bill (H. R. 15836); to the Committee on Interstate and Foreign Commerce.

5487. By Mr. DARROW: Petition of the Philadelphia Chamber of Commerce, urging the passage of House bill 15662; to the Committee on Patents.

5488. By Mr. ESCH: Petition of residents of Prairie du Sac, Wis., and Sauk County, Wis., favoring beer and light wines, and protesting against the Sunday blue laws; to the Committee on the Judiciary.

5489. By Mr. GALLIVAN: Resolutions of Charles Steward Fanell Council, American Association for the Recognition of the Irish Republic, Boston, Mass., Timothy Hynes, recording secretary, and of Terrence MacSwiney Council, American Association for the Recognition of the Irish Republic, Lynn, Mass., protesting against the deportation of Lord Mayor Donal O'Callaghan, of Cork, Ireland; to the Committee on Immigration and Naturalization.

5490. By Mr. JOHNSTON of New York: Petition of the Society of the Third (Regular) Division, Brooklyn Branch No. 5, opposing any reduction of appropriations asked for care of disabled ex-service men; to the Committee on Ways and Means.

5491. Also, petition of the New York Produce Co., opposing the Gronna bill, S. 3944; to the Committee on Agriculture.

5492. By Mr. O'CONNELL: Petition of Henry L. Doherty & Co., New York City, favoring the Nolan bill; to the Committee on Patents.

5493. Also, petition of American Car & Foundry Export Co., of New York City, favoring the Winslow bill, H. R. 15836; to the Committee on Interstate and Foreign Commerce.

5494. Also, petition of the Associated Industries of New York State (Inc.), Buffalo, N. Y., favoring effective Government protection of threatened industries in the United States by the adoption of some former tariff laws or by limited emergency legislation; to the Committee on Ways and Means.

5495. By Mr. O'CONNOR: Petition of New Orleans Council, No. 714, Knights of Columbus, protesting against the Smith-Towner bill; to the Committee on Education.

5496. By Mr. SCHALL: Petition of the Minnesota State Agricultural Society, urging the passage of the Lakes-to-ocean project; to the Committee on Rivers and Harbors.

5497. By Mr. SINCLAIR: Petition of certain citizens of Mandan, N. Dak., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5498. Also, petition of the Tri-State Grain Growers' Convention, at Fargo, N. Dak., urging the enactment of legislation that will stop speculation on the grain exchanges; to the Committee on Agriculture.

5499. By Mr. SMITH of Illinois: Petition of 76 citizens of the State of Illinois, opposing the passage of the Smith-Towner bill creating a department of education; to the Committee on Education.

5500. Also, petition of 58 citizens of the State of Illinois, favoring the passage of an amendment to Volstead prohibition law that will permit the manufacture and sale of beer and light wines under reasonable restrictions, and also opposing the proposed Sunday blue laws; to the Committee on the Judiciary.

5501. By Mr. STEENERSON: Petition of the Minnesota State Agricultural Society, in respect to Lakes-to-ocean commerce; to the Committee on Rivers and Harbors.

5502. By Mr. STINESS: Petition of Franco-American citizens of Rhode Island, opposing the Smith-Towner bill; to the Committee on Education.

5503. By Mr. TAGUE: Petition of District Lodge, No. 44, International Association of Machinists, favoring the Taylor system of so-called scientific management in shops operated directly by the Government; to the Committee on Military Affairs.

5504. Also, petition of the Massachusetts Federation of Churches, Boston, Mass., favoring world disarmament, and no appropriation for increased armament until such an agreement has been reached; to the Committee on Foreign Affairs.

5505. Also, petition of the American Association for the Recognition of the Irish Republic, Terrence MacSwiney Council, of Lynn, Mass., protesting against the deportation of Lord Mayor Donal J. O'Callaghan; to the Committee on Immigration and Naturalization.

5506. By Mr. VOIGT: Petition of residents of Hubertus, Wis., protesting against the Smith-Towner bill; to the Committee on Education.

5507. Also, petition of citizens of Lonira, Wis., opposing the Smith-Towner bill; to the Committee on Education.

5508. By Mr. WATSON: Petition of members of the Travelers' Club, of Bristol, Pa., favoring House bill 10925; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *February 5, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, we bless Thee for the sunlight of another day. Grant that we may walk in the sun to-day and realize continually that whatever may happen to us we are under the guidance and direction of a Father who loves us. Hear and help us always. Through Jesus Christ. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Wednesday, February 2, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FINAL ASCERTAINMENT OF ELECTORS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of State transmitting, pursuant to law, certificates of the governors of Arkansas and South Carolina of the final ascertainment of electors for President and Vice President in their respective States at the election November 2, 1920, which were ordered to lie on the table.

NATIONAL ACADEMY OF SCIENCES (S. DOC. NO. 374).

The VICE PRESIDENT laid before the Senate the annual report of the president of the National Academy of Sciences, submitted, pursuant to law, for the year ended December 31, 1920, which was referred to the Committee on the Library.

APPOINTMENT OF POSTMASTERS.

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General transmitting a report, in response to Senate resolution 434 of January 26, 1921, directing the Postmaster General to send to the Senate the names of all former service men recommended by him to the President for appointment as postmasters and by the President sent to the Senate.

Mr. FLETCHER. I ask that the communication from the Postmaster General may be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the communication was referred to the Committee on Post Offices and Post Roads, and, with the accompanying papers, ordered to be printed in the RECORD, as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., February 1, 1921.

The PRESIDENT OF THE SENATE.

SIR: Senate resolution 434 of January 26, 1921, directs the Postmaster General to submit to the Senate a list of the names of all former service men and the widows of such who have been recommended for appointment as postmasters and whose nominations have been submitted by the President to the Senate for confirmation, but have not yet been acted upon; also, the names and locations of the offices for which such nominations have been made; as well as the names of all former service men, and the widows of such, who successfully passed the examinations for postmasters but were not recommended for appointment.

In compliance with the terms of the resolution, I transmit herewith a list of the names of first, second, and third class post offices where examinations were held by the Civil Service Commission in accordance with the provisions of the Executive order of March 31, 1917, and the names of the former service men, and the widows of such, whose nominations for appointment as postmasters at such offices have been submitted to the Senate but have not yet been acted upon. I inclose, also, a separate list of offices where examinations have been held in accordance with the provisions of the Executive order in question, and nominations for these offices have been submitted to the Senate but not yet acted upon, but in which cases the persons recommended for appointment are not former service men or the widows of such. This list shows the names of all applicants for these offices who passed successfully the examinations held by the Civil Service Commission, which applicant in each case was certified by the commission as entitled to preference on account of previous military service, and which applicant has been nominated for confirmation.

It is not understood from the Senate resolution that it applies to any cases except offices of the first, second, and third class, where examinations have been held in accordance with the terms of the Executive order above mentioned. Therefore, the department has not attempted to furnish information regarding the several hundred nominations which have been sent to the Senate, but not yet acted upon, of postmasters appointed as the result of examinations at fourth-class offices, which offices have now been advanced to the third class and the nominations of the postmasters for reappointment submitted to the Senate. It would require considerable time and a great amount of work to examine the old records for information regarding such postmasters, and in many of these cases it is likely that no information could be obtained by an examination of the old records to determine definitely whether they were formerly in the military or naval service.

The resolution does not call for the department's reasons for passing over the eigible entitled to preference in making the appointments on the second list mentioned in this letter, and it might be embarrassing to the applicants to have this information made public, but the department would gladly furnish it to the Senate in executive sessions or for the confidential use of the committee having charge of these nominations, if desired. In failing to appoint the applicants entitled to preference on account of military service in these cases the department has exercsed its right under the Executive order of April 13, 1920, which provides that the veteran preference statutes shall apply in the selection of persons for appointment as postmaster at such offices, and that when the highest eligible certified by the Civil Service Commission is not a veteran, but a veteran is among those certified as eligible, the Postmaster General may submit to the President for nomination the name of either the highest eligible or the veteran obtaining the highest eligible rating, as the best interests of the service may require.

I inclose copies of the Executive orders of March 31, 1917, and April 13, 1920.

Very truly, yours,

A. S. BURLESON,
Postmaster General.

(No. 3258.)

EXECUTIVE ORDER.

The veteran preference statutes shall apply in the selection of persons for appointment as postmaster at offices of the first, second, and third classes. When the highest eligible certified to the Postmaster General by the Civil Service Commission is not a veteran but a veteran is among those certified as eligible, the Postmaster General may submit to the President for nomination the name of either the highest eligible or the veteran obtaining the highest eligible rating as the best interests of the service may require.

WOODROW WILSON.

THE WHITE HOUSE,
13 April, 1920.

EXECUTIVE ORDER.

Hereafter when a vacancy occurs in the position of postmaster of any office of the first, second, or third class as the result of death, resignation, removal, or, on the recommendation of the First Assistant Postmaster General, approved by the Postmaster General, to the effect that the efficiency or needs of the service requires that a change shall be made, the Postmaster General shall certify the fact to the commission, which shall forthwith hold an open competitive examination to test the fitness of applicants to fill such vacancy, and when such examination has been held and the papers in connection therewith have been rated the said commission shall certify the result thereof to the Postmaster General, who shall submit to the President the name of the highest qualified eligible for appointment to fill such vacancy, unless it is established that the character or residence of such applicant disqualifies him for appointment. No person who has passed his sixty-fifth birthday shall be given the examination herein provided for.

(Signed) WOODROW WILSON.

Dated MARCH 31, 1917.

List of post offices where former service men, or widows of such, have been nominated for postmasters and their nominations not confirmed; and names of nominees.

Post office.	State.	Nominee.
Guntersville	Alabama	Jasper L. Morrow.
Muscle Shoals	do	Gorman R. Jones.
Oneonta	do	John L. Etheridge.
Opp	do	Arnold R. Woodham.
Waverly	do	Robert L. Walton.
Wetumpka	do	Walter Gaines.
Jerome	Arizona	Ross H. Cunningham.
Benton	Arkansas	Herbert D. Edwards.
De Queen	do	James D. Bennett.
Mansfield	do	Claud B. McDonald.
Marvell	do	Clyde P. Noe.
Banning	California	William E. Mack.
Corning	do	Orvel Hatfield.
Hermosa Beach	do	Daniel S. Devine.
Manteca	do	Ernest Lee Milner.

List of post offices where former service men, or widows of such, have been nominated for postmasters, etc.—Continued.

Post office.	State.	Nominee.
Maricopa	California	Finis L. Bigelow.
Modesto	do	David W. Morris.
Montague	do	Robert G. Isaacs.
Orange	do	Harry G. Upham.
Redlands	do	Charles A. Maccubbin.
Reedley	do	Charles M. Knauer.
Rialto	do	Frank F. Wood.
San Dimas	do	Ollos D. Way.
Wasco	do	Archie R. Beckes.
Weed	do	George W. Bull.
Cheyenne Wells	Colorado	Paul H. Worland.
Fort Logan	do	Arthur T. Padan.
Grover	do	William D. Woodard.
Simla	do	Luther L. Hope.
Townsend	Delaware	Sudler H. King.
Greenville	Florida	George W. Laney.
Hawthorne	do	Clyde C. Sherouse.
Millville	do	Daniel H. Laird.
Tarpon Springs	do	John T. Cowsert.
Adel	Georgia	James T. Dampier.
Ringgold	do	Joe B. Saunders.
Kamiah	Idaho	Felix G. Ascher.
Potlatch	do	Guy E. VanBuskirk.
Rupert	do	Roy M. Humphries.
Assumption	Illinois	Aloysius D. Michael.
Equality	do	Warren S. Bunker.
Forrest	do	George V. Robinson.
Grafton	do	Edgar C. Selk.
Hinckley	do	Leslie K. Valentine.
Maple Park	do	Harry L. Parson.
Martinsville	do	John W. Childe.
Prairie du Rocher	do	Earl C. Brands.
Brookston	Indiana	William M. McCully.
Elnora	do	Charles E. Miller.
Galveston	do	Clarence W. Hudson.
Milroy	do	Harold D. Johnson.
Shelburn	do	Earl Patten.
Winamac	do	Millard Crane.
Cumberland	Iowa	James A. Gifford.
Delta	do	Claude C. Bensler.
Fayette	do	Charles S. Parker.
Inwood	do	Louis H. Severson.
Lehigh	do	Sylva Longstaff.
Tabor	do	Clarke S. Laird.
Villisca	do	Howard D. Peckham.
Wapello	do	Murray A. Limbocker.
Burns	Kansas	Cecil F. Smith.
Elk City	do	Jacob W. Wright.
Gypsum	do	Charles M. Tinkler.
Inman	do	Victor H. Hoefer.
Kanorado	do	Le Roy F. Heston.
Kinsley	do	Melville L. Tatum.
La Harpe	do	Ray Bartlett.
Madison	do	Elmer E. Haynes.
Wellsville	do	J. Raymond E. Simmons.
Corbin	Kentucky	Willis H. Pope.
Fleming	do	James V. Waltman.
Jenkins	do	William H. Belt.
Ferriday	Louisiana	Otto S. Osterberg.
Lake Arthur	do	Bernese S. Marquart.
Longville	do	Albert J. Ettling.
Winnfield	do	Evandon M. Chelette.
Caribou	Maine	Cecil E. Billington.
Jackman Station	do	Joseph C. A. Daigneault.
Woodland	do	Michael J. Kennedy.
Chesapeake City	Maryland	James C. Wooleyhan.
Charlemont	Massachusetts	Frank W. Niles.
Medway	do	Harry T. Johnson.
North Chelmsford	do	John H. Valentine.
North Easton	do	Edgar A. Craig.
West Medway	do	Richard L. Tatten.
Alpha	Michigan	Frank F. Kazilek.
Mayville	do	Harold G. Hammond.
Bagley	Minnesota	Henry J. Gunderson.
Comfrey	do	Wilbert G. Yackel.
Greenbush	do	Charles E. Engelhorn.
Herman	do	Charles E. Cater, jr.
Kasson	do	Emmett R. Brown.
Mahnomen	do	Emil M. Blasky.
Maple Plain	do	Lawrence B. Setzler.
Maynard	do	Kenneth E. Holian.
New Prague	do	Joseph W. Rehor.
New York Mills	do	Walter Peltoniemi.
Verndale	do	Lewis A. Bradford.
Wadena	do	George N. Breher.
Booneville	Mississippi	Robert B. Cunningham.
Indianola	do	Walter T. Heslep.
Kosciusko	do	Roy S. Burroughs.
Lexington	do	Will W. McRae.
Minter City	do	John N. Truitt.
Picayune	do	Thomas R. Pearson.
Scooba	do	Thomas H. Nicholson.
Waynesboro	do	Alfis F. Holcomb.
Wiggins	do	William R. Boone.
Billings	Missouri	Colmore Gray.
Chula	do	Orah S. McKemy.
Cole Camp	do	Edgar H. Intelmann.
East Prairie	do	Arsan H. Kuehner.
Eldorado Springs	do	Harry N. Smith.
Ewing	do	Bernard F. Mead.
Florissant	do	Alfred M. Pondrom.
Hardin	do	Everett G. Stith.
Laredo	do	Verli S. Hicks (Mrs.).
Lewistown	Missouri	Frank F. Rudd.
Sarcoxie	do	Paul V. Martin.
Seymour	do	Wesley W. Murray.
Union Star	do	Cecil F. Clancy.
Corvallis	Montana	Charles E. Allan.
Jordan	do	James H. Cleveland.
Lavina	do	Kenneth E. Banks.
Malta	do	James A. Tweedie.
Wisdom	do	John H. Hathaway.
Antioch	Nebraska	Gerhard J. Naber.
Blue Hill	do	Oliver H. Martin.
Callaway	do	Herman Schneringer.
Elwood	do	Minar Anderson.
Fullerton	do	Elmer D. Kramer.
Lakeside	do	Edward B. Jameson.
Leigh	do	Henrietta Jungbluth (Mrs.)
Sidney	do	Isaac L. Pindell.
Valentine	do	Albert M. Christensen.
Vernango	do	Edgar Sherman.
Texico	New Mexico	Charles S. Davidson.
Franklin	New York	Frank E. Wolcott.
Larchmont	do	Lester C. Faurot.
Margaretville	do	John S. Bussy.
Moira	do	Harley D. Jock.
Parish	do	Owen W. House.
Schenectady	do	James C. McDonald.
Sharon Springs	do	Joseph McFee.
West Hampton Beach	do	Maurice Tuttle, jr.
Clayton	North Carolina	Elwood B. Kelley.
Creswell	do	Alfred N. Alexander.
Elkin	do	French W. Graham.
Laurinburg	do	Alexander L. McKenzie, jr.
Morehead City	do	Allie B. Morris.
New Leipzig	North Dakota	Albert E. Briggs.
Reynolds	do	Ernest C. Lebacken.
Holgate	Ohio	Raymond Kemmer.
Loveland	do	Harold E. Brown.
New London	do	Claire L. Griffin.
Osborn	do	Henry E. Fisher.
Checotah	Oklahoma	Benjamin S. Price.
Crescent	do	John C. Patrick.
Quay	do	Gaines D. Whitt.
Skiatook	do	Luther L. Muse.
Stroud	do	Charles O. White.
Wewoka	do	Horace Bradley.
Wilburton	do	LeRoy F. Moore.
Condon	Oregon	James F. O'Rourke.
Elgin	do	David Blumenstein.
Portland	do	John M. Jones.
Apollo	Pennsylvania	John W. Green.
Duncannon	do	William B. Brown.
Lebanon	do	Frederick H. D. Heilman.
Northumberland	do	George B. Morgan.
Port Carbon	do	Alfred B. Bowe.
Reynoldsville	do	Clifton L. Young.
Six Mile Run	do	Gilbert C. McIntyre.
Bishopville	South Carolina	Robert C. McCutchen.
Fort Mill	do	Joseph M. Belk.
Johnston	do	Willis D. Holmes.
Kershaw	do	Hazel E. Estridge.
Parris Island	do	Alfred de Meurisse, jr.
Aberdeen	South Dakota	Harry R. de Malignon.
Elkton	do	Fred Engelbrecht.
Eureka	do	Edgar A. Michal.
Hot Springs	do	Harry Marty.
Lemmon	do	Henry J. Mensing.
McKenzie	Tennessee	Jeff D. Clark.
Pulaski	do	Earle C. Wilkes.
Savannah	do	William R. Hurst.
Amarillo	Texas	Winnette D. DeGrassi.
Cameron	do	Lloyd Mitchell.
Canyon	do	Adren W. Blough.
Celeste	do	Robert L. Jones.
Grand View	do	Vollie T. Williamson.
La Porte	do	Thompson J. Henry.
Merkel	do	Shurley H. King.
Riesel	do	John W. Fisher.
Stamford	do	Stephen Bennett.
Streetman	do	Hugh D. Burleson.
Windom	do	James E. Breedlove.
Delta	Utah	James A. Faust.
Plainfield	Vermont	Rudolph M. Cutting.
Prospect	Virginia	Hunter T. Ferguson.
Du Pont	Washington	Henning E. Johnson.
Hartline	do	Roy E. Carey.
Palouse	do	Philip W. Dasch.
Selah	do	Arthur Warren.
Twisp	do	Frederick E. Tuttle.
Valley	do	Andrew J. Diedrich.
Morgantown	West Virginia	Charles C. Robison.
Webster Springs	do	Camden C. Morrison.
Athens	Wisconsin	Marvin Helmerl.
Centuria	do	Walter W. Peterson.
Linden	do	George W. Hillary.
Osseo	do	James L. Ring.
Pardeeville	do	Charles L. Hughes.
Phillips	do	Clyde D. Sullivan.
Whitehall	do	Hartvig J. Elstad.
Lusk	Wyoming	A. Verne Wiggins.
Parkerton	do	Raymond C. Beck.

Total number of cases on this list 218
Number of cases where the nominee was not the highest eligible 90

List of presidential post offices for which nominations are now at the Senate, where former service men, or widows of such, passed the examinations but were not recommended for appointment; also names and ratings of all eligibles in such cases.

Post office.	Eligibles.	Rating.	Remarks.
		P. ct.	
Clanton, Ala	James J. Pickens	82.50	Nominee.
	Walter E. Martin	79.00	
	Grady F. Harris	77.90	
	Allie D. Maddox	77.80	
	Joseph L. Wilson	77.35	
	John M. Parrish	74.60	
	Benjamin J. Sessions	71.55	
	Frank W. Thomas[1]	65.40	
Valley Head, Ala	Benjamin N. Price	79.25	Do.
	Edgar A. Tatum[1]	74.30	Declined recess appointment
	Pallie E. Ellis	73.10	
	Beulah E. Smyth[1]	67.35	
Mulberry, Fla	Henry M. Whidden	74.35	Nominee.
	Burton E. Hewett[1]	69.05	Withdrew application.
Bowdon, Ga	William T. Johnson	80.35	Nominee.
	Benjamin A. Moon[1]	66.40	
Decatur, Ga	Lawrence W. Griswold	81.40	Do.
	Will H. McLaran	75.80	
	John F. Hammond[1]	67.70	
Harlem, Ga	Andrew J. McGahee	81.65	Canceled by Civil Service Commission.
	Sara B. Fox	79.15	Nominee.
	C. Ross Wall[1]	74.75	
Rock Mart, Ga	William G. McRae[1]	74.45	Age 19 (ineligible under rules).
	Helen B. Wiley	70.10	Canceled by Civil Service Commission.
	Oscar F. Morris	70.05	Nominee.
Minooka, Ill	Allen McCowan	78.80	Withdrew application.
	Roy C. White[1]	75.10	Do.
	Ellis H. Jones	70.05	Nominee.
Springfield, Ill	William H. Conkling	81.40	Do.
	Thomas Lowery	78.00	
	J. Frank Higgins	75.60	
	Richard F. Kinsolla	74.80	
	David C. Frederick	74.00	
	Albert L. Pickel[1]	73.40	
	James L. Woodland	71.00	
Chetopa, Kans	Rollin J. Condermann	77.35	Do.
	Luther H. Ditzler[1]	74.90	
	Fay C. Veach	70.55	
Clay, Ky	John P. Skinner[1]	77.15	Declined recess appointment.
	Carl Humphrey	76.55	Nominee.
Eminence, Ky	Catherine E. Ransdell (Miss).	80.95	Do.
	Ben G. Pollard	80.90	
	Herbert Allen	74.80	
	Dee R. Ellis[1]	71.05	
Hawesville, Ky	Edward P. Kelly	77.25	Do.
	Hugh T. Gardner	74.85	
	Wallace H. Stephens[1]	66.35	
London, Ky	Sidney A. Lovelace	82.55	Do.
	Lester B. Hammack	74.85	
	William B. S. Woodward.[1]	71.65	
Marion Station, Md	Robert B. Whittington.	83.75	Do.
	Fionnye H. Miles (Mrs.).	73.40	
	Vance W. Miles	71.40	
	Honiss A. Tull[1]	70.40	
Chilhowee, Mo	Lettie H. Turner	79.10	Do.
	Charles B. Thompson	74.75	
	Uel L. Howerton[1]	74.40	
Jamesport, Mo	Charles Myers	77.50	Do.
	James W. DeVorss	75.75	
	Edwin D. Melone	73.15	
	John R. Wiles[1]	67.60	
O'Fallon, Mo	Elroy A. Keithly	82.30	Do.
	Paul C. Lushy[1]	73.45	
Plentywood, Mont	Ralph J. Sunderhauf	79.50	Appointed; declined.
	William R. Paske[1]	76.65	Canceled by Civil Service Commission.
	Paul Ketterman	71.60	Nominee.
Reedpoint, Mont	Elling H. Veblen[1]	80.45	Appointed; declined.
	Ruth M. Campbell	75.00	Nominee.
Crete, Nebr	Henry Eichelberger	76.65	Do.
	Charles L. Anderson	75.80	
	Clayton H. Mann	72.60	
	Seward L. Mains, jr.[1]	70.35	Appointed; resigned.
Ewing, Nebr	Elizabeth Eggleston	83.20	Nominee.
	Frank G. Schmidt[1]	81.85	Canceled by Civil Service Commission.
Convent Station, N. J	Grace E. Cowell	78.55	Nominee.
	Patrick V. Doran[1]	73.45	Appointed; failed to qualify.
Avoca, N. Y	Alice R. Loop	81.65	Nominee.
	E. Charles Smith	81.10	Withdrew application.
	Charles O. Cotton	71.05	
	Fred R. Overhiser	66.00	Moved away.
Andrews, N. C	Clyde H. Jarrett[1]	79.15	Withdrew application.
	Pearl V. Parker	76.10	Nominee.
	John H. Christy[1]	68.60	
Badin, N. C	James A. Wainwright	78.25	Canceled by Civil Service Commission.
	Walter F. Livingstone	74.30	Displaced as acting postmaster by inspector.

[1] Preference.

List of presidential post offices for which nominations are now at the Senate, where former service men, or widows of such, passed the examinations but were not recommended for appointment, etc.—Contd.

Post office.	Eligibles.	Rating.	Remarks.
		P. ct.	
Badin, N. C. (Contd.)	Fred Childers[1]	68.15	Withdrew application.
	Thurlow W. Belk	67.45	Nominee (no other eligible).
Mount Olive, N. C	John L. Smith	74.85	Nominee.
	Roy E. Hatch[1]	68.60	
Harvey, N. Dak	Charles B. Thomas	80.00	Do.
	Chester A. Revell	75.55	
	Walter W. Arnold[1]	71.25	
Killdeer, N. Dak	Ignatius L. Doherty[1]	83.60	Canceled by Civil Service Commission.
	Howard H. Ellsworth	77.40	Nominee.
	Joseph R. Cuskelly	74.70	Canceled by Civil Service Commission.
	Cecil J. Ramey	74.75	
Leetonia, Ohio	Henry D. Weaver	77.75	Nominee.
	William E. Holz[1]	73.95	Recess appointment; failed to qualify.
	Michael J. Gaughan	70.40	
Bigheart, Okla	William J. Wright[1]	81.25	Declined—moved away.
	Claud Couch		Nominee (no other eligible).
Coalgate, Okla	Charles E. Towery	76.05	Nominee.
	Eugene von Keller[1]	66.70	
Spiro, Okla	John A. Cox[1]	66.25	Declined recess appointment.
	Reecie F. Garr		Nominee (no other eligible).
Westville, Okla	George C. Whitmire	74.80	Nominee.
	Colin L. Pulliem[1]	71.85	
Delta, Pa	Robert L. Wheeler[1]	78.00	Recess appointment declined.
	John A. Judd	74.90	Nominee.
	William H. Galbreath	71.65	
Gallitzin, Pa	Robert B. McCaa	85.95	Do.
	James T. Troxell[1]	71.60	
Conway, S. C	Charles R. Scarborough.	76.90	Do.
	John K. Dorman[1]	74.15	
Greer, S. C	Samuel H. James	71.45	Do.
	Charlton C. Gaines[1]	68.15	
Walterboro, S. C	John D. Murray[1]	77.85	Recess appointment declined.
	Charles D. C. Adams	76.55	Nominee.
	Jesse C. DeTreville[1]	73.50	
Leola, S. Dak	Emanuel C. Sigler	82.25	Do.
	William L. Lowry[1]	74.25	Appointed; resigned.
Milbank, S. Dak	Clarence S. Johnson	75.55	Nominee.
	Edwin M. Harper	73.85	
	Ewald H. Fischer	70.25	
	Andrew L. Heidner	70.00	
	Willis W. Wright[1]	68.45	
Lexington, Tenn	John N. Tucker	74.05	Do.
	Robert L. Johnson	73.20	
	Hugh F. Boswell	71.15	
	John M. Pickens[1]	66.55	Age 20 (ineligible under rules).
Memphis, Tenn	Hugh C. McKellar	74.60	Nominee.
	William J. Bacon[1]	70.60	
Liberty, Tex	Edgar H. McLean[1]	72.70	Withdrew application.
	Josiah H. O'Neill	68.30	Nominee.
Shiner, Tex	Thomas J. Ponton	82.50	Do.
	Alfred S. Merseburger	81.40	Withdrew application.
	Hugh G. Koether[1]	71.75	
Ridgefield, Wash	Charles E. Alexander	78.30	Nominee.
	Benjamin G. Brown	77.65	
	Helen C. Custard	73.45	
	Edward L. Sachtler[1]	68.65	
Harpers Ferry, W. Va	Leslie D. Duke	76.95	Do.
	John F. Shirley[1]	71.30	
Niagara, Wis	Roy W. Larson	82.10	Do.
	Herman Dupont[1]	76.00	
West Salem, Wis	Arthur E. Perkins	70.25	
	Bernard F. Oltman	85.25	Do.
	W. Harry Bender	82.90	
	Christian R. Mau[1]	68.95	

[1] Preference.

NOTE.—The following is a recapitulation of the above cases:

Cases where preference eligibles withdrew applications	6
Cases where preference eligibles were appointed but declined	9
Cases where preference eligibles were appointed but failed to qualify	2
Cases where preference applicants were ineligible on account of age, under the rules	2
Cases where preference eligibles were canceled by Civil Service Commission	3
Total	22

Total number of cases on this list, 49.

NATIONAL PARK SERVICE (S. DOC. NO. 376).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation in the sum of $3,000 required by the National Park Service for the fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

TREASURY DEPARTMENT DOCUMENTS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a report showing the number of documents received and distributed by the Treasury Department during the year ended December 31, 1920, together with the number on hand January 1, 1921, which was referred to the Committee on Printing.

PRINTING AND BINDING FOR DEPARTMENT OF AGRICULTURE (S. DOC. NO. 375).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation in the sum of $175,000 required for printing and binding for the Department of Agriculture for the fiscal year 1921, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

CREDENTIALS.

Mr. DIAL presented a certificate of the governor of South Carolina certifying to the election of E. D. SMITH as a Senator from that State for the term beginning March 4, 1921, which was read and ordered to be filed, as follows:

STATE OF SOUTH CAROLINA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1920, E. D. SMITH was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1921.

Witness his excellency our governor, R. A. Cooper, and our seal hereto affixed at Columbia this the 2d day of February, in the year of our Lord 1921.

By the governor:

R. A. COOPER, *Governor.*
[SEAL.] W. BANKS DOVE,
Secretary of State.

PETITIONS AND MEMORIALS.

Mr. SMOOT. I desire to have noted in the RECORD a resolution passed by the Legislature of the State of Utah in favor of the passage of the emergency tariff bill. I do not ask to have it printed in the RECORD.

The VICE PRESIDENT. The rule requires resolutions of State legislatures to be printed in the RECORD.

Mr. SMOOT. I do not ask to have it printed in the RECORD.

The VICE PRESIDENT. All right; the rule will be waived and the resolution noted in the RECORD.

Mr. McCUMBER. I present a concurrent resolution of the Legislature of the State of North Dakota, and ask that it may be read and referred to the Committee on Finance.

The concurrent resolution was read and referred to the Committee on Finance, as follows:

Concurrent resolution, introduced by Messrs. Robert J. Boyd, Elmer Cart, A. B. Carlson, Joseph A. Kitchen, Harold V. Semling, C. H. Starke, Adam Preszler, Roy A. Yeater, Lawrence K. Bjorgo.

Whereas there is now pending in Congress a bill to provide additional compensation for the soldiers who served the United States during the late war, known as the American Legion fourfold plan; and

Whereas the National House of Representatives passed said bill and same is now before the Senate Committee on Finance: Therefore be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That while we recognize that this Nation can never repay the debt it owes to those who served, and can not bring back to health and happiness those who suffered and died in the struggle, yet it can in a measure equalize the financial losses of those who served by the payment of reasonable additional compensation as provided by the American Legion fourfold plan; be it further

Resolved, That we urge the Senate and the Senate Committee on Finance to speedily enact into a law the plan of compensation known as the American Legion fourfold plan; be it further

Resolved, That a copy of these resolutions be sent to the chairman of the Senate Finance Committee and to the Senators from this State.

This is to certify that the foregoing concurrent resolution originated in the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, the senate concurring therein.

L. L. TWICHELL,
Speaker House of Representatives.
C. L. AARONSON,
Chief Clerk House of Representatives.
H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.

Mr. McCUMBER. Mr. President, I desire to say briefly in respect to the memorial that the Senate Finance Committee has completed its hearings upon that part of the bill which relates to the indemnity or the additional sum to be paid to the ex-soldiers. The tax provision has not yet been disposed of. That is the most serious problem before the committee. The Senate Finance Committee will undoubtedly continue the hearings as soon as we get through with the pending emergency tariff bill, and I hope complete its hearings in a short time.

Mr. HARRISON. Will the Senator answer a question before he takes his seat?

Mr. McCUMBER. Certainly.

Mr. HARRISON. The Senator said that in all probability the Senate Finance Committee would be able to report this plan. Did I correctly understand the Senator?

Mr. McCUMBER. I do not know about the report, but the committee will go ahead and complete its hearing, and I hope it will be able to report it before the end of the present session.

Mr. HARRISON. Before the 4th of March?

Mr. McCUMBER. I hope so. The tax question is the serious question. This was not given, I think, full and adequate consideration in the House. It is not so much a question as to whether the soldier is entitled to and shall receive the bonus. The only question, according to my view, that is disturbing the Finance Committee to-day is how to raise the money to meet that situation in the near future, facing, as it does, the great deficit for 1920 and that which is in store for 1921.

Mr. HARRISON. May I ask the Senator if the committee have had hearings already on the bill?

Mr. McCUMBER. Yes; we have heard those representing the American Legion and others and have had some testimony upon the tax proposition, but the testimony upon the question of taxation has not yet been completed.

Mr. HARRISON. That was during the last session of Congress, was it not?

Mr. McCUMBER. No; during this winter.

Mr. HARRISON. During this session?

Mr. McCUMBER. Yes, sir.

Mr. HARRISON. The Senator has no hope, however, of passing that proposed legislation, which has already passed the House, during this Congress?

Mr. McCUMBER. I have grave doubt of its passing and becoming a law during this session, but am sure it will soon become a law.

Mr. HARRISON. I will say to the Senator that it is my intention to offer as an amendment to the pending tariff bill, the bill which passed the House, carrying out the suggestion which the legislature of the Senator's State has incorporated in the memorial just presented, and unless there is some objection made to it in some way when it is offered, Senators will have a chance to vote on it.

Mr. WARREN. Mr. President, what is the order of business?

The VICE PRESIDENT. The colloquy between the two Senators, which, however, is not in order. Reports of committees are next in order.

Mr. PHIPPS presented a resolution of the Legislature of the State of Colorado, relating to the Colorado State Soldiers and Sailors' Home, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial No. 5. By Mr. Allen.

To the Congress of the United States of America:

Your memoralists, the General Assembly of the State of Colorado, respectfully represent that:

Whereas the State of Colorado has heretofore constructed and has for many years maintained, at great public expense, the institution known as the Colorado State Soldiers and Sailors' Home for the care and support of honorably discharged soldiers and sailors of the Union Army and Navy who served during the War of the Rebellion; and

Whereas the statutes of this State have more recently been amended to provide for the admission into said home of honorably discharged soldiers and sailors who have served in the Confederate armies and Navy during said war and also of the honorably discharged soldiers and sailors of any foreign or Indian war, as well as the dependent widows of such soldiers and sailors; and

Whereas such deserving inmates, and especially many of the surviving widows of such soldiers and sailors of the War of the Rebellion, will for many years to come require public support in said institution; and

Whereas there are now in the State of Colorado approximately 3,200 worthy surviving veterans of the War of the Rebellion who, by reason of the salubrious climate, have been attracted to this State from all parts of the Union; and

Whereas there are now in this State many dependent widows of soldiers and sailors who should be cared for in said institution but who can not be admitted because of the want of sufficient accommodations, notwithstanding the liberal appropriations the State has made for the maintenance of said institution: Now, therefore, it is

Resolved, That your memoralists, believing that the National Government should cooperate with the State of Colorado in the extension of the said institution to the end that the scope of its patriotic usefulness may be extended, respectfully petition the Congress of the United States to make provision for the construction of a building at said institution, such building to contain 50 rooms and to be equipped with adequate furnishings and sanitary appliances and adapted to the accommodation of at least 50 of such dependent widows of soldiers and sailors; and it is further

Resolved, That a copy of this resolution be transmitted to each of the Colorado Senators and Representatives in the Congress of the United States.

Mr. SHEPPARD. I have here a brief telegram from W. H. Rose, mayor; Webb Rose, chairman citizens' committee; W. C. Weeks, president of Commercial Club; and Dr. R. H. Greer, sec-

retary, all of Arlington, Tex., urging immediate adoption by Congress of a peace resolution. I ask to have it set out in the RECORD.

There being no objection, the telegram was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

ARLINGTON, TEX., *February 5, 1921.*

Senator MORRIS SHEPPARD,
Senate Chamber, Washington, D. C.:

Our farmers, merchants, and bankers are a unit for immediate peace with Germany as an essential step to return to normal conditions. All production for this year in Texas will be at an actual loss and general curtailment of production is threatened. We request that you urge the immediate adoption by Congress of peace resolution. Please answer.

W. H. ROSE, *Mayor.*
WEBB ROSE,
Chairman Citizens' Committee.
W. C. WEEKS,
President of Commercial Club.
Dr. R. H. GREER, *Secretary.*

Mr. SPENCER presented a memorial of the Young Ladies' Sodality of St. Aloysius Church, of Kansas City, Mo., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented a petition of sundry citizens of Stigler, Okla., praying for the enactment of legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions of Younger Bend Local, No. 194, of the Farmers' Educational and Cooperative Union of America, of Porum, Okla., and Scottsburg Grange, No. 1220, Patrons of Husbandry, of Scottsburg, N. Y., favoring legislation to prohibit gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

Mr. HARRIS presented petitions of the State Council of Georgia, Junior Order United American Mechanics, of Waycross; Fife Council, No. 109, Junior Order United American Mechanics, of Fife; and Griffin Council, No. 4, Junior Order United American Mechanics, of Griffin; all in the State of Georgia, praying for the enactment of legislation to restrict the immigration of aliens, which were referred to the Committee on Immigration.

Mr. SMITH of Maryland presented telegrams in the nature of memorials from G. H. Traggessar, pastor St. Anthonys Church, of Emmitsburg, and John B. Manly, pastor of St. Dominics Church, of Baltimore, both in the State of Maryland, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. WOLCOTT presented memorials of John F. Grant, Charles E. Grant, Mother Augustine, president Ursuline Community; Court Our Lady of Lourdes, No. 471, National Order of Daughters of Isabella; Benevolent Pioneer Literary Association; George W. Bader, Fannie A. Bader, John P. Forrest, and J. F. Hoy, all of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. BALL presented memorials of Charles E. Grant, Mrs. M. R. Grant, and John F. Grant, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented a telegram in the nature of a resolution of the Benevolent Pioneer Literary Association, of Wilmington, Del., protesting against legislation to create a department of education, which was referred to the Committee on Education and Labor.

He also presented a telegram in the nature of a memorial from Mother Augustine, president of Ursuline Academy, of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 229) authorizing the Secretary of War to investigate the claims of private parties to the Mariveles Quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto, provided military necessities permit, reported it favorably with amendments and submitted a report (No. 757) thereon.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes, reported it favorably with amendments, and submitted a report (No. 758) thereon.

Mr. McCUMBER, from the Committee on Pensions, submitted a report (No. 759), accompanied by a bill (S. 4985) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title.

He also, from the Committee on Pensions, to which was referred the bill (H. R. 14063) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 760) thereon.

HUDSON RIVER BRIDGE.

Mr. CALDER. I report back favorably from the Committee on Commerce with an amendment in the nature of a substitute the bill (S. 4886) to extend the time of the Hudson River Connecting Railroad Corporation for the completion of its bridge across the Hudson River, in the State of New York, and I submit a report (Rept. No. 756) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was to strike out all after the enacting clause and to insert:

That the act approved March 13, 1914, authorizing the Hudson River Connecting Railroad Corporation, a corporation organized under the laws of the State of New York, its successors and assigns, to construct, maintain, and operate a bridge, together with the necessary approaches thereto, across the Hudson River, at a point suitable to the interests of navigation between Castleton and Schodack Landing, be, and the same is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein authorized be commenced within one year and completed within three years from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to revive and reenact the act entitled 'An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River, in the State of New York,' approved March 13, 1914."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Montana:

A bill (S. 4980) for the relief of Stella M. Musselman; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 4981) to transfer the Panhandle and Plains section of Texas and Oklahoma to the United States standard central time zone; to the Committee on Interstate Commerce.

By Mr. CAPPER:

A bill (S. 4982) granting a pension to Anna B. Tegler (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 4983) to grant relief to the legal owner or owners of the American schooner *Blanche C. Pendleton;* to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 4984) to approve action taken by the War Department in issuing supplies to flood sufferers at Corpus Christi, Tex., during September, 1919; to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FLETCHER submitted an amendment providing for a survey of Lake Worth Inlet, Fla., connecting Lake Worth with the Atlantic Ocean with a channel 20 feet in depth and 500 feet in width, intended to be proposed by him to river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. RANSDELL submitted an amendment providing that the accounting officers of the Treasury credit the account of Harold Kernan, now serving as first lieutenant, Thirteenth Field Artillery, United States Army, in the sum of $3,426, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. SMITH of Maryland submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed, as follows:

On page —, line —, insert the following: "For improvement of Swan Point Bar at Rockhall Harbor, Md., $60,000," and on page —, line —, insert the following: "For improvement of Herring Bay and Rockhole Creek, Md., $11,800."

Mr. ASHURST submitted an amendment proposing to appropriate $75,000 for new buildings and additions to and remodeling of present buildings at the Indian school at Truxton Canyon, Ariz., intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to increase the appropriation for investigation and improvement of fruits, and the method of fruit growing, harvesting, and, in cooperation with the Bureau of Markets and Crop Estimates, studies of the behavior of fruits during the processes of marketing and while in commercial storage from $83,200 to $110,000, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. GERRY submitted an amendment providing that for the purpose of further increasing the Naval Establishment of the United States, the President be authorized to have constructed four aircraft carriers of most suitable characteristics, and to cost, exclusive of armor and armament, not to exceed $24,600,000 each, intended to be proposed by him to the Naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. MOSES submitted an amendment intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and be printed, as follows:

Add a new section, as follows:
"That the President of the Senate appoint three Members of the Senate; and the Speaker of the House, three Members of the House, who shall constitute a Select Joint Committee to investigate the Harriman geographic code system, which has been acquired and adopted for use by the War Department, and to consider whether or not the use of the said system should be extended to and adopted by the other executive departments and administrative branches of the Government; and to appraise the value of said invention or system, or the use thereof to the United States Government, and determine what would be a just compensation for said system or the use thereof."

Mr. CAPPER submitted an amendment proposing to increase the appropriation for medical, surgical, and hospital services, medical examinations, funeral expenses, traveling expenses, and supplies for beneficiaries of the Bureau of War Risk Insurance, etc., from $33,000,000 to $45,000,000, intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and be printed.

Mr. LENROOT submitted an amendment intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and be printed, as follows:

At the end of line 16, page 22, add:
"Three of said hospitals may, in the discretion of the Government Lands and Buildings Commission, be utilized for neuropsychiatric patients and two for tuberculosis patients."

LOANS TO FOREIGN GOVERNMENTS.

Mr. LODGE. Mr. President, I wish to read to the Senate a letter which I have just received from the Secretary of the Treasury, and which I regard as a good deal of importance at this time, as there has been much discussion on the subject.

I reported from the Committee on Foreign Relations two resolutions in regard to the obligations held by the United States from other countries for the ten billions which we were authorized to lend to other countries, and which we lent; and I think this letter, which practically replies to one of those inquiries, ought to be in the RECORD, and ought to be made public:

FEBRUARY 4, 1921.

MY DEAR SENATOR: I have before me copies of the resolutions introduced by Senator WALSH, S. J. Res. 245 and S. Res. 422.

The Liberty bond acts contemplated that the Secretary of the Treasury should negotiate an exchange of demand obligations of foreign governments held by the United States for long-time obligations. Accordingly, negotiations to that end, involving a postponement of the time for payment of interest, were undertaken. This is all set forth in my annual report of 1920. Such negotiations have not been concluded except that during August, 1920, an arrangement was made with the British Government in respect of $122,017,633.57 of its obligations held by the United States, as set forth on page 63 of my annual report of 1920. Under this arrangement $17,633.57 of principal, together with accrued interest, have been paid; the accrued interest on the remainder becomes due during April and May, 1921; thereafter interest is payable semi-annually and the principal becomes due in equal annual installments during April and May of the years 1921, 1922, 1923, and 1924. The negotiations before mentioned were conducted almost entirely orally. There have not been any official proposals on the subject that would in any way bind this Government or the foreign governments, other than the agreement of the foreign governments contained in their demand, obligations held by the United States to give long-time obligations, if requested, in exchange therefor. For obvious reasons I shall not during the remainder of my term of office proceed further with such negotiations, leaving my successor free, if he sees fit, to continue them without any commitments having been made by me, except as to the $122,017,633.57 of obligations of the British Government above referred to.

Very truly, yours,

D. F. HOUSTON.

Mr. KNOX. Mr. President, in connection with this letter I want to state, as a matter of personal privilege, that the story carried by the Associated Press—that purveyor of unreliable information—as I read it in the Washington Post this morning, that the Senator from Pennsylvania [Mr. KNOX] had introduced a resolution to forgive the foreign debt is a perfect absurdity. I have done many inane things, but nothing quite so bad as that.

Mr. WALSH of Massachusetts. Mr. President, may I ask my colleague the date of the letter he has just read?

Mr. LODGE. February 4.

Mr. McKELLAR subsequently said: Mr. President, in connection with the letter which was read by the senior Senator from Massachusetts [Mr. LODGE] a few minutes ago in reference to the collection of our foreign debts and in connection also with the statement made by the junior Senator from Pennsylvania [Mr. KNOX], I would like to have put into the RECORD the Associated Press article, with that part of it referring to the Senator from Pennsylvania left out, because I do not want to put in the RECORD anything that is not accurate, and the Senator from Pennsylvania has stated that that is not true. I ask to have this Associated Press article printed in the RECORD, in order to preserve what seem to be the machinations that have been taking place in regard to this debt.

Mr. SMOOT. I do not think there is any necessity of that at this time, because the letter of the Secretary of the Treasury settles it entirely. Whatever may have appeared in the papers beforehand will not affect the people of the United States.

Mr. McKELLAR. This article quotes from the English statesmen in reference to their attitude toward the debt, and I think it ought to be preserved. I hope the Senator will permit the article to go in.

Mr. SMOOT. If there is no more truth in the article than in that part of it which referred to the Senator from Pennsylvania [Mr. KNOX], there is no necessity to put it in the RECORD.

Mr. McKELLAR. We all know that ordinarily the Associated Press is very accurate, and I have no doubt that this article is very accurate except in the particular pointed out by the Senator from Pennsylvania, and that part, of course, I do not desire to have printed in the RECORD. But with that exception, I ask that the article be printed.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. McKELLAR. I yield.

Mr. WALSH of Massachusetts. I think there is a very significant fact brought out in that article which does not appear in the letter of the Secretary of the Treasury or in the Treasury reports. The article in the press of to-day contains the first information that has been in any way given to the American public that an actual proposal was made by a debtor foreign Government to cancel our foreign obligations. It never has appeared in any report of the Treasury or even in the letter read this morning, that any such proposal or request had been presented to our Government, and it seems to me the American people have a right to know whether or not such proposal was made, as claimed by the English statesman, and, if so, why we were not informed of it, especially in view of the course pursued so much of late of spreading propaganda in favor of a policy in this country which some foreign country may desire to promote.

Mr. McKELLAR. Yes; the Senator is right about that; and, in addition, it quotes the language of Mr. Austen Chamberlain, giving the exact facts and circumstances, and that the proposals were turned down by the American Government. This is the first information of any accuracy we have had in regard to it, and I would like to have it go in just after the letter that was read by the Senator from Massachusetts [Mr. LODGE] and after the statement made by the Senator from Pennsylvania [Mr. KNOX]. I would have asked, then, that it be done, but was called from the Chamber temporarily.

Mr. WALSH of Massachusetts. I hope the Senator will verify the statements made therein. The American people should know if any such proposal has been made to cancel our foreign obligations.

Mr. McKELLAR. I shall do so. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

BRITISH DEBT CANCELLATION PROPOSAL VETOED BY UNITED STATES—CHAMBERLAIN, CHANCELLOR OF EXCHEQUER, TELLS CONSTITUENTS AMERICA REFUSED TO AGREE TO WIPING OUT ALL INTERALLIED OBLIGATIONS—GEDDES TO BE ASSISTED BY LORD CHALMERS IN CONVERSION OF BRITAIN'S DEBT INTO BONDS.

[By the Associated Press.]

BIRMINGHAM, ENGLAND, *February 4.*

The British Government formally proposed a cancellation of all interallied debts, but the proposals were unacceptable to the American Government, said J. Austen Chamberlain, chancellor of the exchequer, in a speech to his constituents here to-day.

"To make them again," Chamberlain continued, "would be, I think, beneath our dignity and would render us liable to a misconception of our motive."

ADVANTAGE NOT SOUGHT.

"In making them," he added, "we sought no national advantage for ourselves We proposed a solution in which we should have foregone claims larger than any remitted to us, and we proposed it because we believed it would be in the interests of good relations among peoples, the rehabilitation of national credit, and the restoration of international trade.

"Our great international debt is due to the obligations we undertook on behalf of our allies. If we had had only ourselves to consider, we should have been practically free of external debt at the present time."

Mr. Chamberlain prefaced has remarks by saying that he would have preferred at the close of the war that the whole interallied debt had been wiped out, so as to start with a clean slate.

There was no proposal for a settlement of the international debt among the allied and associated powers, whether for a total or partial remission, which the British Government would not have been prepared to be a party to, he declared.

NOW IN GEDDES'S HANDS.

LONDON, *February 4.*

Negotiations relative to an adjustment of Great Britain's debt to the United States are in the hands of Sir Auckland Geddes, British ambassador in Washington, and the proposed trip to America of Lord Chalmers, permanent secretary of the treasury, was merely to facilitate the conversations.

This was the explanation given here yesterday for the postponement of Lord Chalmers's visit to the United States during the absence of Ambassador Geddes. It was declared the Government deemed it desirable for him to remain here until the return of Sir Auckland to Washington.

"Under the Liberty loan enactments," the Associated Press was told, "the American Treasury was empowered to float loans and to make advances to the Allies.

"Negotiations have been going on with the United States Government ever since the armistice, but have been pigeonholed for some time because of the urgency of other matters. The fact that negotiations have been going on apparently was the basis of reports that Lord Chalmers would go to America and propose the conversion of the British debt into 5 per cent bonds maturing in 1938 and 1947. The delegation of Lord Chalmers to go to America, however, may be taken as an indication of the British desire to wind up affairs."

—

PAISH'S PROPOSAL RECALLED.

[By the Associated Press.]

Treasury officials in Washington refused to comment last night on the statement of the British chancellor of the exchequer, J. Austen Chamberlain, in an address at Birmingham, England, that the United States Government refused to accept British Government proposals that the interallied debts arising from the World War be canceled.

No mention has ever been made in official circles here of any proposal officially tendered by Great Britain for cancellation of the interallied debts, but it was recalled last night that Sir George Paish, the British financial expert, who visited the United States a year ago, put forward some such proposal while in this country.

Sir George's mission was not regarded by the United States Government as official, and consequently his proposal did not receive official consideration.

NEWS TO OFFICIALS.

In fact, so far as could be learned last night, no officials here are aware that the British Government has ever, through any official channel, proposed a remission or cancellation of the British war debt to the United States.

Great Britain's indebtedness, of about $4,000,000,000, is far larger than that of any other of the allied countries, but this is explained by the fact that Great Britain herself was a creditor country and disbursed American funds to her other allies. This process of transfer was favored by the United States Government at the time as the most desirable means of disbursing funds to advantage.

* * * * * * *

WOULD ACCEPT SUSPENSION.

So far as is known, American officials are advised that such is still the position of the British Government, although that Government has let it be known that it would accept a suspension for a few years of the collection of interest on its indebtedness to this country.

Treasury officials, while refusing to discuss the Chamberlain proposal, said they had received no recent advices regarding the prospective trip of Lord Chalmers, representative of the British treasury, to this country. It is the expectation here, however, that when Ambassador Geddes returns about the end of the present month from his sudden trip to England he will be accompanied by Lord Chalmers.

It is also understood that they will be charged with full authority to negotiate with American Treasury officials for a conversion of the present British indebtedness, which now stands in the form of demand notes, into long-time, permanent obligations at a rate of interest corresponding to that set forth in the Liberty loan issues.

LETTER FROM JOHN P. WOOD.

Mr. THOMAS. Mr. President, I received a letter this morning from Mr. John P. Wood, who appeared before the Finance Committee last month and gave us his views regarding the emergency tariff bill. In his letter he states that if the attached clipping from a daily paper correctly reports my remarks, I misunderstood some things which he stated to the committee. I have, since receiving the letter, reread Mr. Wood's testimony in regard to the subjects to which the letter relates and I am compelled to admit that I misconstrued that testimony in so far as Government contracts were concerned, and I very cheerfully make the correction. I do not think that I misinterpreted his testimony regarding the connection between the tariff and the prevailing industrial and business depression.

While Mr. Wood and I differ very radically in our views of economics, revenue, and so forth, I am satisfied that he is a gentleman of high character and standing, and I have not the slightest disposition to remain on record as having misinterpreted what he said. I therefore ask the privilege of having the letter published in connection with this statement.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PHILADELPHIA, *February 4, 1921.*

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

DEAR SENATOR THOMAS: If the attached clipping from a daily paper correctly reports your remarks relative to my testimony before the Finance Committee, you must have entirely misunderstood what I said. I did not mention the cancellation of Government contracts, nor in any way refer to that subject. If you will refer to page 72, part 2, of the testimony, you will see that Senator SMOOT'S question was about the cancellation of commercial not Government orders.

Neither did I say anything that would imply that the present industrial and business depression is connected with the tariff.

The only statements made by me about the existing business conditions were in reply to questions asked by members of the committee and did not relate to my explanation of the need for tariff revision.

You may altogether disagree with my views about the tariff, and may also think that I was entirely in error in attributing to the Department of Justice any of the responsibility for the too rapid deflation of prices, but a careful reading of the record will absolve me from having made such assertions as were credited to me in your remarks, according to the accompanying report, which I hope is merely an example of newspaper inaccuracy; for, although our political and economic views are at variance, I have had such respect for your sincerity that I am unwilling to believe you would consciously misrepresent my statements.

With much respect,

Very truly, yours, JNO. P. WOOD.

SUNDRY CIVIL APPROPRIATIONS.

The VICE PRESIDENT (at 11 o'clock and 12 minutes). Morning business is closed.

Mr. WARREN. I ask the Senate to take up for consideration House bill 15422, the sundry civil appropriation bill.

Mr. STERLING. Will not the Senator from Wyoming yield to me? I should like to ask unanimous consent for the consideration of the joint resolution (H. J. Res. 382) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired. The joint resolution was passed by the House and it has been amended by the Senate Judiciary Committee. It provides for a repeal of war-time legislation. It has been upon the calendar for some time. I do not think it will lead to any discussion, and I should like to ask that it be passed.

Mr. WARREN. I am unable to consent to its being taken up at this time, because there are so many other bills on the calendar that Senators desire to call up, and it might cut out of consideration entirely, for the day, the sundry civil appropriation bill; and that is the one important measure now, to provide for our sick and disabled soldiers the needed hospital beds. I shall have to object.

Mr. ROBINSON. I could not hear the statement of the Senator from Wyoming.

Mr. WARREN. I simply objected to taking up any other measure at this time, as I have called up the sundry civil appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask unanimous consent that the formal reading of the bill may be dispensed with and that it be read for amendments, the committee amendments to be first considered.

Mr. SIMMONS. Mr. President, I wish to make an inquiry of the Senator from Wyoming. I wish to ask the Senator if it is his purpose to insist upon the consideration of the sundry civil appropriation bill during the whole of the day unless it is sooner disposed of?

Mr. WARREN. The Senator well knows the rule which governs us. I would be unable to do it unless it were through consent obtained from those who are in charge of the unfinished business, the emergency tariff bill.

Mr. SIMMONS. I understand that it is the desire of the Senator at 2 o'clock, if he can get unanimous consent, to have the unfinished business temporarily laid aside.

Mr. WARREN. Yes; that will be my desire when that hour arrives.

Mr. MYERS. Mr. President, there is a veto message on the table in reference to Senate bill 793, an act authorizing the issuance of patent to the Milk River Valley Gun Club, which proposes to direct the Secretary of the Interior to issue patent to the Milk River Valley Gun Club for 76.69 acres of land in Montana for a game preserve.

I should like to have that veto message considered some time soon. Am I entitled to call it up at any time, no matter what may be pending? I do not particularly desire to interfere with the appropriation bill if I may call up the veto message during the afternoon just as well.

Mr. WARREN. Was the Senator from Montana addressing his remark to me in any way?

Mr. MYERS. I was addressing a parliamentary inquiry to the Chair.

The VICE PRESIDENT. The Constitution provides that—

> Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States. If he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it.

It has been held that the Senate may do pretty well what it pleases with a veto message of the President. When the veto message to which the Senator from Montana refers came in on day before yesterday, by unanimous consent it was laid on the table. That action having been taken, the Chair does not believe that it has any privilege. The only privilege it has is the right of the Senator from Montana to move to take it up at some appropriate time. The Chair thinks the Senator can move to take it up now, if he wishes to do so.

Mr. MYERS. I think the veto message is already before the Senate.

The VICE PRESIDENT. No; it is not before the Senate.

Mr. MYERS. If the Senator from Wyoming [Mr. WARREN] desires to proceed with his bill and I can move to take up the veto message at some other time, I shall not make the motion to do so now.

Mr. WARREN. I wish to say that Rule IX provides that appropriation bills shall have precedence over all others, though probably not over a veto message. However, I should like to have the Senator from Montana allow the sundry civil bill to be proceeded with to its completion.

Mr. MYERS. Very well; I shall not make the motion to proceed to the consideration of the veto message at this time.

The VICE PRESIDENT. Is there objection to the request that the formal reading of the appropriation bill be dispensed with; that the bill be read for amendment, committee amendments to be first considered? The Chair hears none, and it is so ordered. The Secretary will proceed to read the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 2, after line 7, to insert:

> Salt Lake City, Utah, purchase of property: For the purchase of property adjoining the Federal building at Salt Lake City, Utah, $60,000.

Mr. SHEPPARD. Mr. President, will the Senator in charge of the bill tell us what is the purpose of the purchase which is proposed by the amendment?

Mr. SMOOT. If the chairman of the committee will permit me, I will state that this item is inserted at the special request of the Treasury Department and is for the purchase of the land adjoining the Salt Lake City post-office building. If the land is not purchased now by the Government it is going to be sold to private parties and a building is to be erected upon it. There will not be a foot of land available thereafter on which to erect an addition to the public building at Salt Lake City.

Unless the land is purchased at this time, I will say to the Senator from Texas, we do not know what will become of the post office at Salt Lake City. The officials there are now crowded beyond endurance. The land in question, which is to the west of the present post-office building, will be sold within the next two months; its sale is being held up now for action on this recommendation of the department, I am told, and unless this legislation be passed at this session of Congress the Salt Lake City post office can never get another foot of adjoining land, for it is located between two streets and the property proposed to be purchased is just back of the present post office. So additional land can not be obtained without condemning it and paying not only the price of the land but whatever may be the cost of the building which it is intended to erect upon it. The purchase of the land now is a question of economy, I will say to the Senator from Texas.

Mr. SHEPPARD. How much land is involved in the proposed purchase?

Mr. SMOOT. It runs the full length of the present post-office building and has, I should judge, a 30 or 40 foot frontage. I may also say the land is located right in the heart of the city of Salt Lake.

Mr. SHEPPARD. It is 40 feet front by what?

Mr. SMOOT. I should judge that, being between two streets, it was 40 by 200 feet, or about that.

Mr. FLETCHER. As I understand, the land is needed in order to enlarge the present post office?

Mr. SMOOT. Yes; and I repeat, that if the land is not purchased at this time the post office can never be enlarged.

The VICE PRESIDENT. The amendment is agreed to without objection.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 2, after line 10, to insert:

> Washington, D. C., Archives Building: To enable the Secretary of the Treasury to carry out the provisions of section 21 of the public buildings act approved March 4, 1913, directing him to purchase the site for an archives building approved by the President of the Senate, the Speaker of the House of Representatives, the Secretary of the Treasury, the Secretary of War, and the Secretary of the Interior, $486,000; for working drawings in accordance with the plans prepared by the Supervising Architect and approved as by law provided, $10,000; in all, $496,000.

Mr. ROBINSON. Mr. President, may I inquire of the chairman of the committee, who is in charge of the bill, where the site which it is proposed to purchase is located?

Mr. WARREN. I understand it to be in the neighborhood of the first site which was procured for this purpose but which was afterwards utilized for the erection of the Interior Department building.

Mr. SMOOT. I will say to the Senator it is just across the road from the National Museum, and takes in the block, which is just a little west of the entrance to the National Museum. In other words, it is centrally located in respect to all the Government buildings, and is an admirable situation for an archives building.

Mr. ROBINSON. What is the area of the land to be purchased?

Mr. SMOOT. I forget the area. I will say, however, that it is proposed to purchase the whole block.

Mr. ROBINSON. Did the committee go into the question as to the reasonableness of the price asked?

Mr. SMOOT. Yes; I will say to the Senator the price proposed to be paid is exactly what the property is assessed for. We looked that up. I myself thought that it was a pretty high price.

Mr. ROBINSON. For how long has it been assessed at that figure?

Mr. SMOOT. Up to and including last year.

Mr. ROBINSON. But for how many years?

Mr. SMOOT. We did not go back to ascertain how long the same assessment had been in force.

Mr. ROBINSON. I merely ask that question, not to reflect upon the bona fides of the assessment; I do not make any such suggestion, of course; but sometimes persons having property for sale or having in contemplation the sale of property cause the assessment to be appreciated.

Mr. SMOOT. I will say to the Senator that I did not look at the assessments running for a number of years back, nor did I make inquiry along that line.

Mr. ROBINSON. The committee, however, went into the matter of the value of the site and satisfied itself that the price asked was reasonable.

Mr. WARREN. Let me say to the Senator this is not at all a new matter; it is a matter that has been submitted for the last five or six years; it has been regularly estimated for, and committees of Congress have examined it very closely.

Mr. ROBINSON. I know that; and I also know that it is very important that an archives building should be constructed, but I wanted some information about the location of the site. Surely a site for an archives building ought to be located with a view of being convenient to the Government activities, where the records are now being kept and where the records are being made.

Mr. WARREN. It will be the cheapest block ever bought by the Government in the central part of the city.

Mr. UNDERWOOD. Mr. President, I should like to inquire if it is proposed in buying this block to close any streets in the neighborhood?

Mr. SMOOT. That is not contemplated at all.

Mr. WARREN. There is no law by which that can be done, although that might come afterwards.

Mr. UNDERWOOD. I will say that one reason why I asked the question is that I know some time ago it was proposed to purchase a block of land and to close a street running through it. I think that would be a very unsatisfactory thing to do. I presume Senators generally may not know of the congested conditions in that neighborhood, but those who have to come east toward the Capitol from northwest Washington along the south side of Pennsylvania Avenue, and below that avenue on the south, are practically blocked off now; they find it difficult to get through Pennsylvania Avenue and Fifteenth Street because the street is blocked. There is a very narrow space to go through at the other end of the Treasury Department on Fifteenth Street, and if we block the streets below ultimately there is going to be no way to get out from that neighborhood without going back to I Street or H Street.

Mr. WARREN. There is no intention of blocking any street, and I should want to prevent anything of that kind.

Mr. UNDERWOOD. I merely wanted to be sure.

Mr. SMOOT. The proposal is to take a solid block, I will say to the Senator.

Mr. ROBINSON. Mr. President, I ask that this amendment go over for the day. I wish to make some further investigation. I have some reason to believe there are now available other sites owned by the Government and better located with respect to where the records are now made and where they will be made in the future; and, if that is the case, I think we ought to use one of the other sites.

Mr. WARREN. Let me suggest to the Senator that the chairman of the committee will make no objection to a motion to strike the provision out of the bill, although we ought to have an archives building, and if we are to have it, provision for it ought to be made very soon.

Mr. ROBINSON. I may request later that the item be striken from the bill, in view of that statement. At any rate, I desire to look into it a little further.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 3, line 1, to strike out "$25,000" and insert "$30,000," and, in line 2, to strike out "$380,000" and insert "$340,000," so as to read:

Remodeling, etc., public buildings: For remodeling, enlarging, and extending completed and occupied public buildings, including any necessary and incidental additions to or changes in mechanical equipment thereof so as to provide or make available additional space in emergent cases, not to exceed an aggregate of $30,000 at any one building, $340,000.

The amendment was agreed to.

The next amendment was, on page 5, line 18, after the word "same," to insert "including not to exceed $5,000 for the repair and preservation of structures at Marcus Hook quarantine station."

The amendment was agreed to.

The next amendment was, in the item for public buildings, repairs, equipment, and general expenses, on page 8, line 14, to strike out "$195,000" and insert "$170,000," so as to read:

General expenses: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of the act of May 30, 1908 (35 Stat., p. 537): For foremen draftsmen, architectural draftsmen, and apprentice draftsmen, at rates of pay from $840 to $2,500 per annum; structural engineers and draftsmen, at rates of pay from $840 to $2,500 per annum; mechanical, sanitary, electrical, heating and ventilating, and illuminating engineers and draftsmen, at rates of pay from $1,200 to $2,400 per annum; computers and estimators, at rates of pay from $1,600 to $2,500 per annum; the expenditures under all the foregoing classes for which a minimum and maximum rate of compensation is stated, not to exceed $125,000; supervising superintendents, superintendents, and junior superintendents of construction, and inspectors, at rates of pay from $2,000 to $3,500 per annum, not to exceed $170,000.

The amendment was agreed to.

The next amendment was, on page 10, line 3, in the items for general expenses, public buildings, to strike out "$424,600" and insert "$399,600."

The amendment was agreed to.

The next amendment was, on page 11, line 12, in the items for "Operating expenses, public buildings," to strike out "$3,800,000" and insert "$3,700,000."

The amendment was agreed to.

The next amendment was, on page 12, line 10, in the items of "Furniture and repairs of furniture, public buildings," to strike out "$700,000" and insert "$625,000."

The amendment was agreed to.

The next amendment was, on page 14, after line 13, to insert:

Smoking in buildings of executive departments or Government establishments: Any person who shall smoke or carry a lighted cigar, cigarette, pipe, or any form of lighted tobacco for smoking purposes, in any building in the District of Columbia which is owned, rented, or leased by the Government of the United States and used by any executive department or independent establishment of the Government, including the respective field services of such department or establishment, shall be guilty of a misdemeanor, and, when convicted thereof, shall be fined not more than $50. Notices shall be posted conspicuously in all such buildings containing the legend "Smoking prohibited under penalty of fine," together with the text of this act.

Mr. ROBINSON. Mr. President, this is a very extraordinary amendment. If the committee thinks it is of importance to undertake to prevent smoking in Government buildings, I wonder why the committee did not make the amendment applicable to the Capitol and to the Senate Office Building, and why it limited it?

Mr. FLETCHER. Mr. President, I think it does apply to the Senate Office Building and the Capitol. The language is, "in any building * * * owned * * * or leased by the Government."

Mr. ROBINSON (reading)—

In any building in the District of Columbia which is owned, rented, or leased by the Government of the United States and used by any executive department or independent establishment of the Government.

I think that limitation was intended clearly to eliminate the Capitol Building, the Senate Office Building, and the House of Representatives Office Building. I think I readily understand that the purpose of this amendment is not to prevent smoking, or to circumscribe the privileges of citizens to indulge in the use of tobacco, but that it is intended to protect public buildings against fire. If that is the case, I wonder why it should not apply to all the public buildings as well as to the buildings used by the departments? Why should it not apply to the cloakrooms as well as to the offices of the executive departments? The President, for instance, might want to smoke in his office, and it seems to deny him that privilege.

The VICE PRESIDENT. No; he does not smoke.

Mr. ROBINSON. The President of the United States, not the President of the Senate, was the officer that the Senator from Arkansas had in mind. I have not analyzed the amendment, but it does seem to me that it applies to all buildings used by the executive departments, although it may not, and if it does, of course it would apply to the White House. Guests could not smoke there after dinner, if the President should see fit to give a dinner, and he could not smoke in his executive offices; but, in any event, it excepts the Capitol, the most valuable building owned by the Government, and containing the most valuable paintings and statuary.

If the object of the amendment is to protect Government property, the provision ought to be made to apply to the Capitol, if it applies to any. Indeed, I doubt whether a provision of this sort ought to go into the bill. It is legislation and, I believe, would be subject to a point of order.

Mr. WARREN. Mr. President, there is no doubt about that; but it is here, in the interest of the Government, to prevent fires, and, of course, it must be put in the bill by unanimous consent, because it is clearly subject to a point of order.

Mr. ROBINSON. Mr. President, may I ask the Senator in charge of the bill why the committee did not make it applicable to all Government buildings? As one who does not smoke himself, and who suffers a good deal physically when others smoke about him, it would not work any inconvenience to the Senator from Arkansas; but I apprehend that it would work great inconvenience and discomfort to thousands of persons employed in the Government service, and it seems to me it ought to be made universally applicable if adopted rather than applied to certain classes.

Mr. SMOOT. Mr. President, does the Senator want an answer to that question?

Mr. ROBINSON. Yes; I never ask a question that I do not want an answer to. I am curious to know what the answer is.

Mr. SHIELDS. Mr. President, I should like to ask the Senator from Arkansas a question.

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Tennessee?

Mr. ROBINSON. I yield to the Senator from Tennessee.

Mr. SHIELDS. The purport of the very sound argument the Senator was making, as I understand, was that, if the amendment is for the protection of the executive buildings, it ought to cover everything that will probably or, I might say, even pos-

sibly endanger those buildings. Now, the only way that can be done in the city is to prohibit smoking in the entire city. In this case, in order to make it clear, why not go to the full extent of the jurisdiction of Congress and make the amendment embrace the District of Columbia? The Senator can very readily see that there is the Hotel Washington, in which smoking is going on, and if that building were to catch fire it would endanger the Treasury Building.

A fire in any building in a big city like this might set fire to other buildings and endanger every other building in it. If it is desired to make the amendment complete, I suggest that it be broadened so as to extend to all buildings in the District of Columbia.

Mr. ROBINSON. Mr. President, all that the Senator from Tennessee has said is true.

Referring again to the effect of the provision, whatever may have been its intention, it does seem to me that it would include the White House:

> Any person who shall smoke or carry a lighted cigar, cigarette, pipe, or any form of lighted tobacco for smoking purposes, in any building in the District of Columbia which is owned, rented, or leased by the Government of the United States and used by any executive department or independent establishment of the Government, including—
>
> And so forth—
>
> shall be guilty of a misdemeanor.

That would make the President of the United States guilty of a misdemeanor if, in his executive office, he smokes a cigarette or a cigar. It would leave Senators at liberty to smoke cigarettes or cigars whenever they desire to do so in their offices and in the cloakrooms.

Mr. President, I shall probably make the point of order against the amendment. It is legislation on an appropriation bill.

Mr. SMOOT. Mr. President, the Senator wanted an answer. If he wants to make the point of order now I will not say anything, because I know the amendment is subject to a point of order.

Mr. ROBINSON. No; I yield to the Senator to make any answer that he desires to make, of course.

Mr. SMOOT. Mr. President, this amendment is not only intended to protect the buildings from fire, but especially it is intended to protect the immensely valuable records of the Government. We have had, now, five fires within a very short time, and among them they have destroyed some of the most valuable records owned by the Government of the United States. They can not be replaced.

Mr. ROBINSON. Will the Senator yield for a question? Did the fires to which he refers originate from smoking?

Mr. SMOOT. Four of them did, Mr. President. The origin of the last one has not yet been determined. I received a letter on the subject the other day; but, more than likely, that was the cause.

There are no records to speak of in the Senate Office Building. That is a fireproof building. There are very few records in the Capitol here, and it is excluded; and the White House is not an executive department, and the amendment does not apply to the White House.

Mr. ROBINSON. Mr. President, will the Senator yield? All the records of both the House of Representatives and the Senate of the United States, and the records of the Supreme Court, are kept in the Capitol—the most valuable records of the Nation.

Mr. SMOOT. The Senator may say that, but——

Mr. ROBINSON. Does not the Senator think that is correct? Does the Senator think that the records of the Supreme Court of the United States are of no value, even if the Senator thinks that the records which he himself makes are of little value?

Mr. SMOOT. That is uncalled-for on the part of the Senator, but that makes no difference.

Mr. ROBINSON. What is uncalled-for? The Senator does not deny that the records of the Supreme Court are kept in this building, does he?

Mr. SMOOT. Not all the records of the Supreme Court are kept in this building.

Mr. ROBINSON. Not all of the records, but the principal records of the court. The clerk's office is in the building, and he keeps his records there, and they relate to controversies involving the life and property of citizens of the United States, and in the mind of anyone except the Senator from Utah they would be regarded as of very great value. The Senator from Arkansas is unable to see where there is anything uncalled-for in that statement.

Mr. SMOOT. That was not the statement that I had reference to that the Senator made. I had reference to the statement the Senator made wherein he referred to the records made by the Senator from Utah.

Mr. ROBINSON. Well, that was an attempt at humor, feeble and ineffectual, it seems.

Mr. SMOOT. Yes; it was ineffectual.

Mr. ROBINSON. The Senator from Arkansas regrets that a necessity arises for explaining his jokes. It too frequently happens, and he apologizes to the Senator from Utah.

Mr. SMOOT. Not at all; I do not want any apology.

Mr. President, that was what we wanted this amendment in here for. I do not think there has ever been anything suggested in the Senate that has met with such popular approval by the employees of the Government as this very proposition. I have had thousands of letters giving a description of what takes place in the departments, and any Senator who visits the departments very often knows that there is an immense amount of time lost in all of the departments through the smoking that is going on in them.

Mr. ROBINSON. Mr. President, will the Senator yield again?

Mr. SMOOT. Yes; I yield.

Mr. ROBINSON. The heads of the executive departments can regulate those matters as the Senate, by its rules and regulations, regulates matters of a similar nature.

Mr. SMOOT. Yes.

Mr. ROBINSON. Does the Senator think it is fair to say that the Secretary of State, or the Attorney General, or the Secretary of the Interior, or any other Cabinet officer or head of a bureau, shall not be permitted to smoke while he is in his office, and at the same time retain the right of Senators to smoke all they please while they are about the Capitol and in their offices? Does not the Senator see that it is quite a remarkable provision in that respect?

Mr. SMOOT. It applies to every head of a department.

Mr. ROBINSON. Yes; that is the very point about it. I think it applies even to the President of the United States, although the language says "used by any executive department." I think that the President of the United States, being the head of all the executive departments, would be comprehended within the language used by the committee, but it certainly applies to every Cabinet officer.

Mr. SMOOT. It would. There is no doubt about it.

Mr. ROBINSON. And it seems to me it is quite remarkable. Of course, we all desire to prevent unnecessary or avoidable fires; but, as pointed out by the Senator from Tennessee, if you are going to prevent fires that arise from smoking you must not only prevent smoking in the buildings that are owned by the Government but you must prevent it in buildings in close proximity to buildings owned by the Government; and if you extend the thought far enough you should include the entire District of Columbia, as suggested by the Senator from Tennessee. Now, it is very extraordinary for the Senate of the United States and one of its great committees, in order to prevent fire losses, to say that a member of the Cabinet shall not have the privilege of smoking, if he wants to, while at work in his office.

Mr. SMOOT. I will wait until the Senator gets through.

Mr. ROBINSON. Mr. President, it is an unreasonable provision. It is one that will not be respected, particularly in view of the fact that the Senate which proposes this provision at the same time relieves itself from the restriction.

You can not justify it on the ground that it is necessary to protect public property or buildings owned by the Government of the United States, unless you make it applicable to all buildings and property of value owned by the Government of the United States. The Senator from Utah thought he made an absolutely incontrovertible answer to that suggestion when he said there were no records in the Capitol of any value, and I point out again, as I did in reply to his statement then, that all the records of both Houses of Congress and nearly all the records of the Supreme Court of the United States are kept within the Capitol, and they are as valuable as any other records of the Government, if not more valuable.

Mr. ASHURST. The original treaties are also kept in the Capitol.

Mr. ROBINSON. The original treaties, as suggested by the Senator from Arizona, are here in the Capitol, as are also many other original documents and papers of great value in connection with lawsuits involving life and property. Yet the Senator from Utah, in order to justify this provision, sought to be made applicable to the executive departments and not applicable to the legislative department or the judicial department, says the records in the Capitol are of no value.

I yield to the Senator from Utah to conclude his statement, and then I may make the point of order.

Mr. SMOOT. Mr. President, I shall conclude what I have to say in a very few moments.

Mr. FLETCHER. Mr. President, I want to ask the Senator from Utah one question, and if he will answer that it will throw some light on the subject. Have not the departments authority now to prescribe regulations to prevent smoking during office hours? If they have that authority now, it seems to me it would be better to invoke it than to put a mere fine of $50 on a man for an offense of this kind. If this sort of practice endangers property and life in this city by setting fire to buildings, then the penalty fixed here is of no consequence; it ought to be imprisonment. Any man who would set fire to a building carelessly and negligently, by smoking or otherwise, ought to be punished not merely by a fine of $50. It is limited here to a fine of $50.

Mr. SMOOT. Mr. President, any Senator can go down to the departments and find posted among the rules signs reading, "No smoking allowed in this building." I have gone with the chiefs of divisions and heads of departments into rooms filled with smoke, and no attention was paid to it. There is not an employee who pays any attention to the sign, "No smoking allowed," which is posted in the buildings. They pay no more attention to it than if there was no notice or the question had never been raised.

Mr. SMITH of Arizona. Mr. President, how long has that habit been followed, and how many fires have been directly traced to that habit?

Mr. SMOOT. Many, many of them, and the habit has been followed for years past.

Mr. ROBINSON. How many fires have there been in the Capitol of the United States within the last few years?

Mr. SMOOT. I can recall but one that amounted to anything.

Mr. ROBINSON. There have been three fires in the Capitol of the United States, I am informed by the Senator from Massachusetts [Mr. WALSH], and I recall at least two within my brief service here.

Mr. SMOOT. Fires which amounted to anything?

Mr. ROBINSON. Yes.

Mr. SMOOT. I do not remember them.

Mr. ROBINSON. They were extinguished, it is true; the building was not consumed, as we all know.

Mr. SMOOT. We are in a fireproof building here, and the Senate Office Building is also fireproof. But I was saying when I was interrupted that it is not only the question of the protection of buildings and protection of most valuable records, but it is the loss of time, and nobody can compute the amount of time lost.

I have a letter here, among the hundreds which I have received, from the chief clerk of a division, and I am going to take the time to read it, so that Senators may know what is taking place in these departments. The writer of this letter says:

> Your stand against smoking in governmental buildings is, in my opinion, absolutely correct. The smoking employee thinks more of his smoking than he does of his work. He will stand around with a cigar in his mouth, sometimes a cigarette or a pipe, and talk to others who do not smoke, blowing the smoke in their faces, and he will sit at his desk making the room blue with smoke, like an old-fashioned country tavern, regardless of women or others who may be compelled to work in the same room. If anyone objects—and 9 out of 10 are afraid to do so—he or she is marked for life as temperamental, failing to cooperate or insubordinate. Furthermore, the loss of time and labor on the part of this army of smokers—they all stick together—as they stand around in the toilet rooms and elsewhere taking their smoke, which occurs regularly several times a day, is far greater than all the losses by fire from smoking.
>
> Smoking in governmental buildings is simply a nuisance from every standpoint, and nothing can be said in favor of it. I hope you will succeed in abolishing the practice entirely.

Mr. President, I did not think it would be possible for this amendment to be put through the Senate. I thought somebody would object. I did not think it would be the Senator from Arkansas, however. I recognize the fact that it is legislation, and I recognize the fact that it is going out on a point of order. But let me tell Senators now that if we would abolish smoking in the departments there would be more work done by the employees.

Mr. THOMAS and Mr. ROBINSON addressed the Chair.

The VICE PRESIDENT. To whom does the Senator from Utah yield?

Mr. SMOOT. I yield to the Senator from Colorado.

Mr. THOMAS. I want to ask if it is possible that this letter refers to civil-service employees who are working for the Government?

Mr. SMOOT. There is no doubt of it.

Mr. THOMAS. That is astonishing. I have labored under the inference that they were regulated by requirements which they must comply with or lose their jobs.

Mr. SMOOT. The Senator certainly does not believe that applies after they get into office. The civil-service requirements are complied with to get into the position, not to remain.

Mr. THOMAS. It is something like a political platform?

Mr. SMOOT. It is something of that sort.

Mr. SMITH of Arizona. If the Senator has no objection to stating it, who signed that letter?

Mr. SMOOT. I do not know that I particularly care to state his name, but I will hand the letter to the Senator. It is not even marked "personal." If the Senator wants to see the letter, I will show it to him.

Mr. President, I understood that the Senator from Arkansas made a point of order, and therefore I do not want to take any more time; but I will say that the point of order will mean the loss to the Government of the United States of millions and millions of dollars.

Mr. SMITH of Arizona. Mr. President, before the ruling is made, I would like to make a suggestion or two. Though a member of the committee, I was not present at the time this amendment went on the bill. I want to make the declaration that I knew nothing about it in the committee or I would have opposed it as the entering wedge of a most contemptible and restraining blue law backed by the Government of the United States to suit the particular tastes of different gentlemen who find great pleasure in looking over all parts of the human body to see if they can not find a boil. No one who stands for this smokes at all, probably. I will not mention any names, but on a certain occasion, when a Senator in the room of the Committee on Foreign Relations was asked if he would have a cigar, he said he did not smoke, he never chewed, and he had never taken a drink of whisky in his life. Another member of the committee, one of the most distinguished men in this country, turned to him, calling him by name, and said, "What do you do to smell like a man?"

Men have the habit of smoking, like the old country farmer—who has been derisively spoken of here—with his pipe, his only solace in his old age. It may have been a habit he ought not to have formed, but he did form it; it was something of a stimulus, something of a consolation to him; and he must be robbed in his decline of even this solace. We find offered in the Senate of the United States an amendment, advocated by alleged statesmen, that he must not only stop his habit of taking stimulus in the way of drinks of any kind, but we are going to fix him ready with wings of heaven by putting on him another embargo in the shape of a provision that he shall not have even the consolation of a cigar after a day of hard work.

We may do without the other. I have tried many a time to stop the use of tobacco. I have found, as far as my health or my happiness is concerned, that it was an impossibility with me. Under this amendment the Senators could go through the corridors and smoke, but they would now say to a Secretary of State or Attorney General or Secretary of Labor who likes his cigar that he must carry on the multifarious and responsible duties of that great office without the consolation of a cigar, and if you agree to that amendment to stop smoking, pushed by men who never smoked in their lives, you will drive out of the departments for hours in the day every responsible head. The heads of the different departments, if not allowed to smoke in them, will find time, when they feel they have to smoke, outside of the department, with a result ten times worse than any possible condition could be now.

Mr. President, I would be probably less affected by it than any man in this body, but I protest against an effort to raise the great American boy of the future under a glass globe, as you would protect the delicate tints of a frail flower, not letting the winds of heaven visit his damask cheek too roughly. You will thus raise a generation of dudes and nincompoops.

Man must be brought up in his environment. He must feel the touch with other men. He must avoid their frailties, and of all things, their crimes; but you can not isolate him, you can not put him off, you can not make him an earthly angel by taking from him those habits exercised among the men with whom he comes in contact, which raise his character as a man and make him powerful to resist temptation. You must not turn him loose as an unaffected, untouched, beautiful flower, into the walks of life, for if you do, you are going to find him as frail in the actual experiences of life as you would find the flower when exposed to the winter storms.

I am sorry the Senate committee did it, but I do not want to see the Senate of the United States give any expression to a determination to insist on such blue laws that men shall not do things that are harmless to other people and harmless to themselves, as far as my experience goes, and say that my conduct and yours shall be regulated by the desires and wishes and ideas and whims of somebody else.

That means nothing in the world but a final question as to whether the human family shall be deprived of tobacco.

Mr. SMOOT. Will the Senator yield?

Mr. SMITH of Arizona. Certainly.

Mr. SMOOT. I wish to say to the Senator that there is contemplated no such thing as preventing an employee from smoking. He can smoke to his heart's content, and, so far as I am concerned, he may do so, but not in the public buildings nor during working hours. If the Senator knew to what extent this practice is going on, he would object also.

Mr. SMITH of Arizona. I have seen it; I have been up there. I have been through the departments here for 35 years. There is too much of it done without doubt, but because a few men sitting in one office smoke too much is no reason to say that the Secretary of State in his office shall not smoke.

Mr. SMOOT. It will not hurt him to refrain from it during business hours.

Mr. SMITH of Arizona. It can be gotten at in another way easily enough. I have no doubt there is too much smoking in the departments, but I deprecate the manner of attempting to suppress it, not because of the effort to suppress, but because of the example it sets. It is an entering wedge, backed by the Government of the United States in its denunciation of smoking in a public building. The Senator from Utah will have in his State very soon, if he has not now, a law against the smoking of cigarettes. Twenty cigarettes are less harmful than any one cigar in America. Yet in the police regulations in certain States there is a bar against smoking. In the State of Tennessee there is some such ordinance, and in the State of Indiana also. In both States they have been repealed or are dead letters, as is found to be the case with all such legislation.

Mr. President, this is my final protest in public life against the effort of the Senate of the United States or the Congress of the United States to reach out its hand under various pretenses of power, through the interstate commerce clause of the Constitution or some other device, to go into the homes of the people of the United States and regulate, or attempt to regulate, them all in their conduct, where that conduct, even if it is not exactly the right thing, takes no right from anyone else, and leaves them at least in the possession of some of the natural liberties of man.

Mr. TRAMMELL. Mr. President, while I do not approve of the amendment in its present form, I most heartily indorse the purpose and the object sought by the Senator from Utah [Mr. SMOOT] in proposing this piece of legislation. I do not happen to be one of those who do not smoke, as described by my friend who preceded me. Unfortunately, I probably smoke too much.

Since I have been in Washington, during the past four years, I have often visited the departments, and I have been astonished to find that the heads of the departments have so little respect and consideration for the women and girl employees of the departments as to permit the men to sit all around among them smoking their cigarettes, their cigars, and their pipes. Many of the rooms in these Government departments may more properly be called smoking rooms than working rooms. Some of my friends may want to defend that sort of conduct——

Mr. SMITH of Arizona. No; no one wants to.

Mr. TRAMMELL. But so far as I am concerned, I say that the womanhood of America is entitled to some consideration. The average young woman who works in the department is not accustomed to having a cigarette or pipe fiend sitting next to her elbow blowing the fumes of his old pipe or old cigarette into her nostrils.

Mr. SMITH of Arizona. Does the Senator denounce a man as a fiend because he smokes?

Mr. TRAMMELL. No; I do not; but if he can not go into his office and work for an hour or two without constantly smoking a pipe or smoking a cigar or a cigarette he is a slave to the habit; but I am not talking about that; I am talking about regulating Government business during office hours.

Mr. SMITH of Arizona. Could the Senator do without milk?

Mr. TRAMMELL. I always do without milk during office hours; yes.

Mr. SMITH of Arizona. The Senator is a fiend if he uses it. Can the Senator do without candy? He is a fiend if he can not do without it.

Mr. TRAMMELL. I presume the Senator thinks the Government clerks should drink milk and eat candy all during office hours.

Mr. SMITH of Arizona. No; that is not right.

Mr. TRAMMELL. The Senator stated that the employee would suffer great discomfort and that he would have to spend three or four hours out of his office on account of his pipe if he was not permitted to smoke during office hours.

Mr. SMITH of Arizona. I said that the head of the department would. Does the Senator deny it?

Mr. TRAMMELL. If he has to spend three or four hours out of his office during the seven hours he is supposed to work on account of his pipe, cigar, or cigarette, what would the Senator call him?

Mr. SMITH of Arizona. Is there any other convenience there where they might spend too much time out of the office?

Mr. TRAMMELL. There is just a slight difference in definition, apparently. I say a man who would spend three or four hours daily out of his office during the seven office hours, if he could not smoke his pipe or cigarette in his office, is at least approaching the condition of a fiend for his pipe, cigar, or cigarette. I would not permit him to do it. That is what I say about it.

Mr. SMITH of Arizona. Does the Senator smoke?

Mr. TRAMMELL. Certainly I smoke. I say I smoke.

Mr. SMITH of Arizona. Then the Senator is a fiend.

Mr. TRAMMELL. I am not such a smoker that I can not do without it during business hours, nor have I a fight to make with the man who smokes.

Mr. SMITH of Arizona. The Senator is a fiend if he smokes.

Mr. TRAMMELL. I have not said a man was a fiend who smoked nor intimated such an absurd thing. I would regard myself as a slave to the pipe or the cigarette if, during seven hours of work in a day, as a result of being denied the privilege of smoking in my office I neglected my work by spending three or four hours of that time out of my office with that pipe or that cigarette. That is what the Senator has said would happen if we do not allow clerks to carry on smoking during office hours.

Mr. SMITH of Arizona. I say it would happen as to the heads of the departments.

Mr. TRAMMELL. The question of smoking during office hours is not a new question with the private citizen of the country. We are not considering the question whether we are going to place a ban upon the selling of cigarettes or cigars and tobacco. We are dealing with the question of regulating the Government business. I have often visited in large business institutions where they employ forty or fifty, one hundred or two or three hundred clerks. As a rule one does not see the young men working in those business institutions sitting around puffing cigarettes and pipes, and squirting their tobacco juice, as suggested by the Senator from Arizona [Mr. ASHURST], during office hours. Business institutions do not permit such a thing. I have visited those places, I have had relatives who worked in them, and I know that the average well-regulated business concern of the country, where any great number of employees are working, especially where women and men work in the same room, does not permit smoking in the office during office hours. It is purely a matter of regulating the business.

It seems to me unfortunate and regrettable that the men who are the heads of the departments, those who are supervising the different units of the departments, do not act on their own initiative in stopping this practice which endangers Government property, which detracts from the public service, and which absolutely ignores the question of a proper respect and consideration for the womanhood of our country. If they are recreant in their duty in the enforcement of such a regulation, if the men who work in the departments have so little respect for the safety of Government property, if they have so little respect for the womanhood of our country as to persist in smoking during office hours and without regard or consideration for the public service, without regard for the public comfort, and, greatest of all, without any regard for the womanhood of the country, then I say it is time for the Congress to speak and to say, "If you men do not exercise any more consideration than this, any more consideration for your Government and for Government property and for the womanhood of the country, then we are going to have to stop it." That is the position I take.

It is not any question of blue laws. It is not a question of trying to stop men from freedom in smoking. We are simply saying to them that during office hours they must refrain from it. They must not make the air in the rooms where lady employees are at work, as well as themselves, so thick with smoke that you can cut it. It is not an unreasonable regulation, it is not an injustice to the employees, and it is not a curtailment of his liberty and of his freedom. It is the custom when employing people to tell them what it is proposed to do during office hours. We might as well say it is a restraint of the freedom of speech because, forsooth, some concern that employs a large number of employees prohibits promiscuous conversation during office hours. This regulation exists in some of the Government offices. Then I presume some Senators would rise up and say, "Oh, it is a restraint of the freedom of speech,

because here are 100 employees, and they do not allow during office hours promiscuous and free conversation going on back and forth."

But they do place such restrictions in connection with well-regulated business institutions, and also in some of the departments they have such regulation against talking, except some of the supervisors and head officials count themselves immune and talk promiscuously on all kinds of subjects not official. I have met a number of Government employees who say that their record is graded down if they are caught talking to some one during office hours. We might as well say that it is an infringement of the right of freedom of speech, but it is a matter of business regulation, and those regulations are essential where there is a large number of people employed. If there is only a small number of people, as a rule they do not try to take advantage of the situation like they do where there are large numbers.

I think the promiscuous smoking habit that is permitted where women and men are working together, without any regard whatever for the women employees, should be stopped. If the heads of the departments have not sufficient consideration for the women employees, if the men themselves have not sufficient respect for them, and if none of them have sufficient respect and consideration for Government property, then we will have to make them respect them. That is the way I look at the proposition.

I had occasion not long since to go to one of the departments to see a young woman with reference to her position there. I called at the unit where she was working. There was a man on the left smoking a pipe within 3 feet of her, another man on the right smoking a pipe, and one sitting in front of her smoking a cigar or cigarette, I forget which. This is not an overdrawn picture; it actually existed. The only clerk who was near by that was not smoking was some other woman. There was something said about it, and she said: "For the first three or four weeks that I was here I could hardly do any work at all; I was sick nearly all the time from the fumes of those pipes, and it is very distasteful to me yet." I said, "They ought to stop it." I have often witnessed scenes of that character.

Now, I say, as to a man who is so enslaved to the smoking habit that he loses all respect for a woman and is willing to go ahead and will persist in going ahead with his smoking despite the disagreeable effect that it has upon women clerks in the same office with him, either the head of the department, or Congress, or somebody ought to tell him that if he works for the Government he must cut that out. I do not believe that when we shall do that it will be an infringement upon either their personal liberty or their personal rights.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Wyoming?

Mr. TRAMMELL. I yield.

Mr. WARREN. Perhaps the Senator from Florida has not noticed that a point of order has been made and, as I understand, has been ruled upon. Am I right about that?

Mr. WADSWORTH. No, Mr. President.

Mr. WARREN. I do not wish to cut the Senator off, only if the amendment has been ruled to be out of order it is idle to discuss it.

Mr. TRAMMELL. There have been some observations made on the subject, and I merely thought I would make a few observations on it myself.

Mr. PITTMAN. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator from Nevada will state it.

Mr. PITTMAN. Is the Chair under the impression that the point of order has been made against the amendment?

The VICE PRESIDENT. He is.

Mr. PITTMAN. I will state that I am of the opinion that the Chair is in error, for the Senator from Arkansas [Mr. ROBINSON] stated that he did not intend to make the point of order.

Mr. MYERS. Mr. President, a few weeks ago when I learned that the distinguished Senator from Arizona [Mr. SMITH], who has just addressed the Senate on this important subject, was to be appointed, at the close of his term in the Senate, to a highly responsible and honorable position under the Government, it occasioned a great deal of delight to me. I learned the news, as I think every other Member of the Senate did, with great personal pleasure. Nothing that has happened in a long time has given me more pleasure, for I have high regard and warm personal fondness for the Senator from Arizona.

Mr. TRAMMELL. Mr. President——

Mr. MYERS. Has not the Senator from Florida concluded his remarks?

Mr. TRAMMELL. I yield the floor, Mr. President.

Mr. MYERS. I humbly beg pardon of the Senator from Florida. I thought he had concluded. However, if he does not wish to take the floor again I will make a few remarks. I realize that as the distinguished Senator from Arizona is to remain in the service of the United States Government, much to our pleasure, he may feel that legislation against smoking by any official of the Government in any building occupied by the Government may encroach upon his personal fondness for the fragrant Habana or the pleasing cigarette, and that he may feel a tender personal solicitude and regard upon this subject, which may have occasioned his eloquent oration against the amendment.

Mr. THOMAS. Mr. President——

Mr. MYERS. I yield to the Senator from Colorado, with pleasure.

Mr. THOMAS. I understand that smoking is about all the members of that international body have to do.

Mr. MYERS. I can not agree with the distinguished Senator from Colorado [Mr. THOMAS] that smoking is all that there is to be done by the distinguished and responsible body of which the Senator from Arizona [Mr. SMITH] will be a useful member after the 4th of March. It has much dignity to maintain and some responsibility. It has occurred to me that the fact that the Senator from Arizona is to continue in the service of the Government, in a department of the Government not located in the Capitol, may have something to do with his outburst of oratory on this important subject. If so, I sympathize with him.

I have no objection to the use by others of tobacco in any form. I smoked for many years; in fact, a great part of my life, and I like now to see those who are addicted to the habit enjoy a fragrant cigar or soothing pipe. I would not lift one finger against their doing so at an appropriate time and place; but as applied to the great body of Government employees, without any particular reference to a few of the higher-ups, who occupy the more responsible positions, I agree most heartily with the able Senator from Utah [Mr. SMOOT] that if employees were not permitted to smoke during the working hours in the departments the Government would get more and better work from them.

Mr. SMITH of Arizona. Will the Senator permit an interruption there?

Mr. MYERS. With pleasure.

Mr. SMITH of Arizona. I was unfortunate in expressing myself, Mr. President, when I took occasion to speak on this subject a few moments ago, if any Senator was led to believe that I in any way justified smoking in the offices of the departments of this Government during business hours. I never thought of saying that. As to the male employees who sat, as the Senator from Florida [Mr. TRAMMELL] has stated, in the immediate vicinity of a woman employee and smoked their pipes, despite the fact that smoking was offensive to her, had I seen them doing so I should have rebuked them. I should, under the present law, have informed the head of the department of their absolute violation of law, and I would have seen that it was stopped. It would have required no act of Congress to do that. So, I repeat, if I said anything which led anyone to believe that I was justifying smoking in the manner of which the Senator from Florida complains, I was unfortunate in not making myself clearly understood. My purpose was to say that the matter may easily be regulated by other processes, and that there is no necessity in connection with the propaganda against the use of tobacco which is now being spread over the country to place the dignity of the Senate of the United States behind that campaign. All of us agree as to the propriety of stopping smoking when it should properly be stopped, and that object may be easily accomplished without resort to such a provision as is sought to be placed on the pending bill.

The VICE PRESIDENT. In order to keep the RECORD straight, the Chair will state that he was under the impression that the Senator from Arkansas [Mr. ROBINSON] has raised a point of order against the pending amendment.

Mr. ROBINSON. Mr. President, if the Senator from Montana will indulge me just a moment, I should like to make a statement.

Mr. MYERS. I am pleased to yield for the moment.

Mr. ROBINSON. I did say in the beginning of my remarks that I would make the point of order against the pending amendment, but the subject has been very fully discussed; the Senate is now familiar with the issues which the amendment involves, and I think, in view of all the circumstances, the Senate ought to vote on it. I will, therefore, not make the point of order.

I think that the amendment in its present form is very objectionable; that it is highly discriminatory; that it ought to be

made applicable to all Government buildings, particularly buildings in which records are kept, if it is made applicable to any; and that the Senate ought to be very slow to adopt a provision of legislation that would deny a Cabinet officer the right to smoke in his office or which would deny other high executive officers the right to smoke in their offices, if they desire so to do, if the Senate at the same time reserves the right of its Members to smoke in and about the Capitol. Such legislation would make the Senate of the United States ridiculous in the eyes of the people of the Nation, both the smoking and the nonsmoking population.

To my friend the Senator from Florida [Mr. TRAMMELL], who has based his support of this amendment on the ground that smoking is very annoying and embarrassing to the ladies in the departments, I desire to say that, while the custom of smoking, thank God, has not extended to American women generally, there are a great many ladies of refinement who do smoke and quite a number of them are in the departments. So, if he wants to base his support of such a provision on moral grounds, he ought to prohibit the chewing of tobacco and thus not discriminate against the few ladies in the departments who can not chew but who do smoke.

Mr. KNOX. Mr. President——

Mr. ROBINSON. I yield to the Senator.

The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. MYERS. I would be pleased to hear from the distinguished Senator from Pennsylvania and am quite willing to yield to him.

Mr. ROBINSON. Very well; I have about concluded my statement.

The VICE PRESIDENT. The discussion illustrates how great a smoke can come from a little fire.

Mr. ROBINSON. If the Senator from Montana will yield to me to conclude my statement, I will do so. I am compelled to leave the Chamber in a moment.

Mr. MYERS. I gladly accede.

Mr. KNOX. I merely desire to ask a question.

Mr. ROBINSON. If I am permitted to do so, I shall be glad to yield to the Senator, but the Chair holds that I may not do so.

Mr. MYERS. I yield with great pleasure to the Senator from Pennsylvania, to enable him to ask a question.

Mr. KNOX. Mr. President, I entirely agree with the views expressed by the Senator from Arkansas as to the discriminatory nature of this amendment; but I desire to ask him if it is not also grossly discriminatory in another particular. It simply prohibits the smoking in any form of "lighted tobacco." If the Senator has had any experience in the cloak rooms, as I presume, of course, he has had, he knows that there is much that is used in the way of smoking material that is not tobacco. So I suggest that the amendment should be amended to include "alleged tobacco."

Mr. ROBINSON. The Senator from Pennsylvania has made a distinction that the Senator from Arkansas is capable of comprehending, but is hardly capable of making, in view of the fact, as heretofore stated, that the Senator from Arkansas does not smoke. The distinction drawn by the Senator from Pennsylvania, however, emphasizes the absurdity of the Senate of the United States taking its time in legislating upon a subject of this nature, where there are impending questions of national importance.

The Senator from Utah at last based his support of the provision principally on the ground that employees of the departments took too much time in smoking, and that by preventing them from smoking we will compel them to keep constantly at their work, and thus save the people of this country millions of dollars.

Mr. President, the Senator from Utah is, I think, one of the hardest workers I ever knew. It is unfortunate for him that he does not spend a little time in some form of recreation and that he does not seem to realize that he is exhausting his great vitality by constantly keeping at work. But this amendment can not be justified on that ground. The original justification of it was that it was necessary to save public property. I repeat the statement I made in the beginning, that Senators ought not to impose a restriction of this kind upon members of the Cabinet and high officers of the Government in the executive departments and at the same time leave themselves free from the same limitations and restrictions. We will make ourselves ridiculous if we insist upon such legislation. I am compelled to leave the Chamber in a few moments, but before going I desire to say that I do not make the point of order. I want the Senate to vote on this provision.

Mr. MYERS. Mr. President, in resuming my somewhat disconnected remarks, I wish to revert to the remarks made a few moments ago by the Senator from Arizona [Mr. SMITH]. I did not for a moment attribute to him any purpose such as he has disclaimed, and I do not think any other Senator has ever done so, but in this matter I am heartily in accord with the Senator from Utah [Mr. SMOOT]. I believe that, if smoking were prohibited in the public buildings of the Government, the Government would get more and better work from its employees, and, besides that, it would eliminate the danger of destruction by fire of Government buildings and records. We have recently had an instance of what may occur along that line in the case of the fire in the Department of Commerce Building a few weeks ago. The destruction of one building or of one file of Government records in one building would be of more consequence than all the smoking that all the Government employees could do in a hundred years.

In regard to what the Senator from Arkansas [Mr. ROBINSON] has stated about recreation and amusement, I agree that people should have some recreation and amusement, but Government employees should have it in their own time and not in the time of the Government. Let them have all the innocent enjoyment and recreation they may desire, but let them have it in their own time and not when they are supposed to be working. They are paid to work and not to smoke or indulge in other forms of amusement in working hours. They only work between seven and eight hours a day, and during those hours I think the Government is entitled to their best efforts and all their time and attention. I think they should not mix pleasure and recreation with their work. I believe, if this amendment were adopted, the Government would get more and better work and profit in a very substantial way by it. Let the employees go home and smoke or go out at the noon hour on the streets and smoke all they want to, but not in Government buildings; and if such a provision as this hits some of the higher-ups, heads of departments and the like, as well as the employees of lower grade, let it so be. The law is no respecter of persons. If the proposed restriction is advisable for the welfare of the Government and the preservation of Government property, let high officials as well as more lowly employees observe it. It would not hurt any of them to do so and the Government would be much better by it.

Mr. WADSWORTH. Mr. President, I offer as a substitute for the amendment of the committee the amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. As a substitute for the amendment of the committee last read, the following is proposed:

The heads of executive departments and independent establishments of the Government are hereby directed to issue and enforce such regulations as will prevent smoking in those portions of buildings owned or leased by the Government and used by any executive department or independent establishment in which such smoking endangers Government property or constitutes a hindrance to the efficient conduct of Government business.

The VICE PRESIDENT. The question is on the substitute of the Senator from New York for the amendment of the committee.

Mr. THOMAS. Mr. President, I regard the substitute of the Senator from New York as presenting much the best method of legislating upon this subject. My objection to the committee amendment was due to its character rather than to its substance. I do not believe that by penalizing this practice we will get very far. The habit which has become universal in the departments has been, I understand, in defiance of regulations prohibiting it, and those regulations have been defied because the employees of the Government are not subject either to employment or to discharge by those who are supposed to have them under supervision.

The purpose to be subserved by the proposed committee amendment is an admirable one, and I think the committee are to be commended and not condemned for having presented it so as to enable us to consider it. If any business establishment of any consequence should permit such practices as evidently can be carried on with perfect impunity in our departments, it would certainly militate against its efficiency and common sense.

It is all very well, of course, to indulge in invidious comments upon what is called "blue-law" legislation, and such methods of legislation are quite as repugnant to my sense of personal liberty as they are to that of anyone; but, on the other hand, with employees who are protected by governmental regulations and laws whereby their places are secured for life or during good behavior and whose length of daily service is limited in many instances by seven and in others by eight hours, it is not too much to require that they shall give that time and attention to their business and reserve smoking for their hours of leisure.

I have at times referred to the deplorable neglect of their duties by many engaged in the employ of the Government and

have criticized the employment of so many more employees than are necessary for the business which is transacted. The practice which this amendment aims to prevent not only decreases that efficiency but is positively dangerous, as we all know. If we can not secure appropriations for the construction of fireproof buildings to be used for the archives of the Government, then we would be practically—I was about to say criminal—we would be strangely neglectful of our duty if we did not minimize the causes of indiscriminate conflagrations.

The fact that employees can do as they please with impunity under civil-service regulations, whether conformably to them or not, without running the risk of discharge, makes the amendment to the amendment, in my judgment, somewhat deficient unless it confers power upon the heads of departments to discharge summarily those who are guilty of the violation of these regulations. The power to discharge for the infraction of such rules is essential to the power to enforce them; and if it is necessary, before a vote is taken, let me ask the Senator from New York whether he conceives that his amendment is sufficiently broad to empower the heads of departments to visit summary discharge upon those who violate the regulations?

Mr. WADSWORTH. I think they could not visit summary discharge upon them.

Mr. THOMAS. Well, discharge?

Mr. WADSWORTH. I think not summary discharge. If the regulations are violated, however, it constitutes a disobedience of orders, and charges can be preferred, and the employee discharged when the charges are proved.

Mr. THOMAS. Of course, if charges are preferred, it may or may not result in punishment; I do not know.

Mr. WADSWORTH. I understand the Senator. I do not think we can repeal the civil-service law in this way, however.

Mr. THOMAS. I shall not occupy any further time. I merely wish to emphasize my approval of the principle. It is one which should have been observed long ago and one which can not be too speedily enacted and enforced now. If these employees are so addicted to smoking that they can not quit it; if they must continue the practice, regardless of the duties which their positions require them to discharge, then they should be made to quit; and I hope this amendment will prevail.

Mr. SMITH of Arizona. Mr. President, I should like to suggest to the Senator from New York that perhaps something along about the following lines would meet the present condition. It has been written hastily:

That smoking by any employee of the Government in the working rooms of any executive department in the District of Columbia—

I do not care whether that limitation is put on or not—

is hereby prohibited; and persons found guilty of smoking in the presence of others during working hours in such rooms shall be fined by the head of the department $10 for the first offense, $10 for the second, and on the third shall be dismissed from the service.

I do not know but that that would meet the condition.

Mr. ROBINSON. Mr. President, if the Senator will yield to me, I think the amendment offered by the Senator from New York [Mr. WADSWORTH] meets the trouble about as well as it can be met, and I have no objection to his amendment. It gives the power and places the duty upon the heads of the departments to enforce no-smoking regulations where smoking would endanger public property. That ought to be done, and that is the way it ought to be done.

So far as I am concerned and those about me here who concur in the position that I have taken regarding this matter, the amendment of the Senator from New York is acceptable to us.

Mr. SMOOT. I want the Senate to know that the Senator from Utah has not been deceived in any way about this amendment. I had no idea that it would ever get through the Senate, but I did have an object in view, that publicly this abuse would be called to the attention of the heads of the departments. I think, Mr. President, that even the amendment of the Senator from New York [Mr. WADSWORTH], if we will agree to it, which I am perfectly willing to have the Senate do, will have the effect at least of checking for a month or two the outrageous abuses which are going on in the different departments.

I could stand here for an hour and call attention to the different departments where I know this abuse exists; but there is no necessity of it. I do not believe there is a Senator here who does not know that the abuse is going on. All I want to do is to regulate it, and prevent it if possible, and if a direct order from the heads of the departments will bring it about, so much the better. But if it does not, I think after a while there will have to be some drastic legislation enacted to accomplish it. In view of what I have stated, Mr. President, I have no objection at all to the substitute offered by the Senator from New York.

The VICE PRESIDENT. The question is on the amendment in the nature of a substitute proposed by the Senator from New York.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 15, line 13, to strike out "$6,000,000" and insert "$6,750,000," so as to read:

COAST GUARD.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, as follows, including not to exceed $600 for maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes:

For pay and allowances prescribed by law for commissioned officers, cadets, and cadet engineers, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks and surfmen, substitute surfmen, and one civilian instructor, $6,750,000.

The amendment was agreed to.

The next amendment was, on page 15, line 16, before the word "clerks," to strike out "twelve" and insert "ten"; and in line 18, strike out "$13,000" and insert "$10,835," so as to read:

For 10 clerks to district superintendents at such rate as the Secretary of the Treasury may determine, not to exceed $1,200 each, $10,835.

The amendment was agreed to.

The next amendment was, on page 16, line 22, in the items for the Coast Guard, to strike out "$9,012,940" and insert "$9,760,775."

The amendment was agreed to.

The next amendment was, on page 20, after line 19, to insert:

Additional hospital facilities: To provide additional urgent hospital and out-patient dispensary facilities, either by construction of new buildings or extension of existing buildings, of approximately 2,775 beds for patients of the Bureau of War Risk Insurance and the Federal Board for Vocational Education, Division of Rehabilitation, including each and every necessary expense incident thereto, at places now being used or that have been used by the Public Health Service for hospital purposes, as follows: Boston, Mass.; New York, N. Y.; Perryville, Md.; Norfolk, Va.; Whipple Barracks, Ariz.; Chicago, Ill.; Lake City, Fla.; Atlanta, Ga.; Louisville, Ky.; $5,000,000, to be immediately available and to remain available until expended: *Provided*, That not exceeding $600,000 of the amount herein appropriated is authorized to be expended at Fort Mackenzie, Wyo., and Fort Walla Walla, Wash., in providing and greatly increasing hospital facilities thereat; and the Secretary of the Treasury is authorized and directed to take over immediately Fort Mackenzie, Wyo., and Fort Walla Walla, Wash., with all lands, buildings, and equipment belonging thereto for the uses contemplated herein.

The Secretary of the Treasury is authorized to provide additional hospital and out-patient dispensary facilities for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, (1) by purchase, gift, or lease of existing plants, (2) by construction on sites now owned by the Government or on sites acquired by purchase, condemnation, gift, or otherwise, or (3) by such remodeling or extension of existing plants and their equipment, owned or acquired by the United States, as may be necessary economically to adapt such plants to the uses and purposes herein provided, such hospitals and out-patient dispensary facilities to include the necessary buildings with their appropriate mechanical equipment and approach work, including roads and trackage facilities leading thereto; for the accommodation of patients, officers, nurses, and attending personnel, and for storage, laundries, vehicles, and live stock, and including necessary furniture, equipment, and accessories, and the Secretary of the Treasury is authorized to accept gifts or donations for any of the purposes named herein.

The appropriations hereinafter made shall include and provide for five hospital plants of fireproof construction for the treatment of neuropsychiatric and tuberculosis patients and shall be located as follows: One in the Central Atlantic Coast States, one in the region of the Great Lakes, one in the Central Southwestern States, one in the Rocky Mountain States, and one in southern California: *Provided*, That all of said hospital locations shall be as convenient as practicable for transportation facilities and for securing expert consulting medical service.

In carrying out the purposes herein authorized there is created a commission to be known as the Government lands and buildings commission, and hereinafter referred to as the commission, to be composed of two Senators, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker, who shall serve thereon only so long as they are Members of Congress, and the Surgeon General of the Public Health Service, the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office, and the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers. Said commission shall elect one of its members as chairman and is authorized to employ such expert clerical or other services as it may deem necessary. Any vacancies in said commission shall be filled in the same manner as the original appointments were made. The Secretary of the Treasury shall secure or accept such sites as may be approved by the commission, and any department or agency of the Government having under its control any grounds or buildings deemed by the commission suitable and desirable for the purposes herein authorized shall, at the request of the commission, turn over and transfer to the Secretary of the Treasury such lands or lands and buildings for such purposes. All plans and specifications for the construction of buildings and preparation of lands for use authorized herein shall be approved by the commission.

The Secretary of the Treasury is authorized in his discretion to employ for service within or without the District of Columbia, without regard to civil service laws, rules, and regulations, and to pay from the sums herein appropriated for construction purposes, at customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the above-named objects and for the supervision of the execution thereof, for traveling expenses, field-office equipment, and supplies, commercial printing in or out of the District of Columbia,

incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding 3 per cent of the limit of cost for construction: *Provided*, That all of the above-mentioned work shall be under the direction and supervision of the Secretary of the Treasury.

The foregoing hospitals and other facilities shall be available for veterans of the War with Spain, the Philippine insurrection, and the Boxer rebellion suffering from neuropsychiatric and tubercular ailments and diseases.

There is appropriated for the purposes herein provided the sum of $2,500,000 for each of the five plants, $12,500,000, or so much thereof as may be necessary.

Mr. ROBINSON. Mr. President, I offer an amendment in the nature of a substitute for the committee amendment just read. It is the amendment I had printed in the RECORD and discussed a day or two ago, except that as I offer it I have stricken out all the language in the amendment commencing at line 14, on page 4, down to and including line 12, on page 5.

Mr. ROBINSON'S amendment to the amendment of the committee is to insert in lieu thereof the following:

That hereafter the Public Health Service, under the direction of the Secretary of the Treasury, shall provide necessary out-patient dispensary care and treatment and necessary medical, surgical, and hospital services and supplies, including prosthetic apparatus, for all discharged sick and disabled soldiers, sailors, marines, Army and Navy nurses (male and female), and for patients of the War Risk Insurance Bureau and of the Federal Board for Vocational Education.

That the Secretary of the Treasury is hereby authorized to provide additional hospital and out-patient dispensary facilities for the beneficiaries of the Public Health Service (1) by purchase, gift, or lease of existing plants; (2) by construction on sites now owned by the Government, or on sites acquired by purchase, condemnation, gift, or otherwise; or (3) by such remodeling or extension of existing plants and their equipment owned or acquired by the United States as may be necessary economically to adapt such plants to the uses and purposes herein provided; such hospitals and out-patient dispensary facilities to be located at such places as the Secretary may elect, and to include the necessary buildings, with their appropriate mechanical equipment and approach work, including roads and trackage facilities leading thereto, for the accommodation of patients, officers, nurses, and attending personnel, and for storage, laundries, vehicles, and live stock, and including necessary furniture, equipment, and accessories, including the development of coal deposits now under control of the Treasury Department. The Secretary of the Treasury is hereby authorized to accept gifts or donations for any of the purposes named in this act.

That the Secretary of the Treasury, in securing sites herein provided for, may request the Secretary of any other department of the Government to transfer to the Treasury Department such lands or lands and buildings under his control, not required for other purposes, as the Secretary of the Treasury may deem suitable, and other departments are authorized to make such transfers to the Treasury Department as may be deemed to be in the interest of the Government.

That the Secretary of the Treasury is hereby authorized and directed to take over immediately Fort Mackenzie, Wyo., Fort Logan H. Roots, Ark., and Fort Walla Walla, Wash., with all lands, buildings, and equipment belonging thereto, for the uses contemplated by this act, and to make such alterations, additions, and repairs to the same as may be necessary, and the Secretary of War is directed to turn over said properties to the Secretary of the Treasury for said uses and purposes.

That in carrying the foregoing authorizations into effect all new construction work herein authorized shall, as far as feasible, be of fire-resisting character, and the Secretary of the Treasury is authorized to enter into contracts for the construction, equipment, etc., to purchase materials in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies.

That the Secretary of the Treasury is hereby authorized, in his discretion, to employ for service within or without the District of Columbia, without regard to civil service laws, rules, and regulations, and to pay from the sums hereinafter authorized for construction purposes, at customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the above-named objects and for the supervision of the execution thereof, for traveling expenses, field office equipment and supplies, commercial printing in or out of the District of Columbia incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding 3 per cent of the limit of the cost for construction. All of the above-mentioned work shall be under the direction and supervision of the Secretary of the Treasury.

That the Secretary of the Treasury be, and he is hereby, authorized in his discretion to enter into contracts for the purpose of carrying out the provisions of this act, within the respective limits of cost hereby fixed, namely, the sum of $15,000,000 for the fiscal year ending June 30, 1921, said sum to become immediately available upon the approval of this act, and the sum of $14,530,000 for the fiscal year ending June 30, 1922, both sums to remain available until expended.

Mr. ROBINSON. I ask the chairman of the committee, in charge of the bill, in view of the fact that some Senators are not present to-day who want to be present when this matter is disposed of, if the amendment of the committee may not go over until Monday?

Mr. WARREN. I had hoped that we might finish the bill to-day. Can not the Senator arrange accordingly?

Mr. ROBINSON. I do not think it will be possible to finish the bill to-day.

Mr. WARREN. If the Senator wishes, as the chairman of the committee does, to afford relief to these disabled soldiers, I think he will not fail to see that he should cooperate with me to get the bill passed at the earliest possible moment.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. McCUMBER. Mr. President, the House is getting very anxious for the return of some of the appropriation bills in order that the several committees of the House may be working upon the Senate amendments. After making very careful inquiry, I believe that the progress of the appropriation bills will be facilitated and the progress of the emergency tariff bill will not be diminished if we are allowed to go on and attempt to dispose of the sundry civil appropriation bill, now pending. I therefore ask unanimous consent that the unfinished business may be temporarily laid aside for the purpose of considering the sundry civil appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. ROBINSON. The request which I made, I think, is a very reasonable one——

Mr. WARREN. Will the Senator allow me to finish the statement that I was undertaking to make when interrupted?

Mr. ROBINSON. I will yield to the Senator from Wyoming in just a moment when I have made my position clear. I wish to cooperate with the Senator from Wyoming in securing a speedy disposition of the bill. I do not think it possible to dispose of the sundry civil bill to-day in view of the large number of amendments that the committee has reported and the large number of important issues that are in the bill. I would like to have the amendment go over until Monday. If, however, the Senator from Wyoming objects to that I modify my suggestion and ask that the amendment may go over until after all other committee amendments have been disposed of.

Mr. WARREN. That is all right.

Mr. ROBINSON. And that it then be in order to recur to this amendment.

I call the chairman's attention to the fact that I have modified the language of my amendment by striking out the provision in it relating to additional officers in the Public Health Service. I think that is an important provision and a necessary one, but I realize that it involves an almost entirely separate dispute from that directly involved in the so-called hospital amendment. I want that proposition determined on its merits, so I ask that the amendment go over until the other committee amendments have been disposed of.

Mr. WARREN. I cheerfully assent to that. I desire the Senator to remember that following this measure there are three very large appropriation bills coming from the same committee, and our anxiety is to get them into conference. I appreciate that the Senator knows that there is a great deal of congestion.

Mr. ROBINSON. I am perfectly cognizant of the situation, and I have not contributed in the slightest degree to the delay, except, perhaps, this morning, and my activities then were not for the purpose of delay but for the purpose of preserving the Constitution, and so forth. To insist upon passing a bill of the importance of the sundry civil appropriation bill within five or six hours is unreasonable haste. I do not think there is the slightest possibility that one-half of the committee amendments will be disposed of to-day, and I think the Senator from Wyoming realizes that. I wish to hasten the disposition of the bill just as much as possible, and I say to the Senator from Wyoming that I shall be ready to take up my proposed amendment when the other committee amendments shall have been disposed of.

Mr. LENROOT. I have no objection to the amendment going over; but has the Senator from Arkansas any objection to this request? I have one or two amendments to the pending amendment that I would like to have disposed of and then let the matter go over for action on his substitute.

Mr. ROBINSON. It is suggested by other Senators about me that they prefer that the whole matter shall go over and be considered at one time.

Mr. LENROOT. There are more Senators here now than there will be later in the afternoon.

Mr. ROBINSON. I suggest to the Senator that if he will have his amendments read those of us who are directly interested in the proposition may be studying them and it might facilitate their consideration and disposition. Then let the whole matter go over. I think it will be proper to dispose of the Senator's amendments before my substitute is considered.

Mr. LENROOT. My amendments will not interfere with the Senator's proposed substitute at all. My amendments might be considered now, because they are preferential amendments in any event.

Mr. ROBINSON. Will the Senator submit his amendments?

Mr. LENROOT. I would like to ask one question with reference to the construction of certain language in the amendment of the committee. I ask whether the five hospital plants for the treatment of neuropsychiatric and tuberculosis patients involve both classes of patients to be treated in each of the five hospitals, as the language now reads?

Mr. WARREN. If so, it is not the intention of the committee. The intention of the committee is to take the locations which have already been passed upon by so large a proportion of the House Members, and that these five should be particularly for the two classes, to be divided, of course, because the mentally diseased should not be with the tubercular, and would not be.

Mr. LENROOT. One of the amendments I have in mind makes clear that question.

Mr. WARREN. I have no objection to clearing the atmosphere if there is any doubt about it; but there has not been, either in my mind or in the Surgeon General's.

Mr. LENROOT. I think there is doubt about it. Will the Senator from Arkansas object to these perfecting amendments?

Mr. ROBINSON. I shall certainly not object to that amendment. I agree with the Senator from Wisconsin in his construction of the language now in the bill, and said so on a former day when I was discussing the bill, that that was my construction of it.

Mr. LENROOT. I will offer the amendment to the amendment, and ask that it may be disposed of.

Mr. ROBINSON. Let the amendment to the amendment be read.

The VICE PRESIDENT. The Secretary will read the proposed amendment to the amendment.

The READING CLERK. At the end of line 16, page 22, add:

Three of said hospitals may, in the discretion of the Government lands and buildings commission, be utilized for neuropsychiatric patients and two for tuberculosis patients.

Mr. POMERENE. If I may ask the Senator from Wisconsin a question, what would he do with patients who might be afflicted with both diseases?

Mr. LENROOT. That is left discretionary. There is nothing mandatory about the amendment; it is simply permissive.

Mr. POMERENE. That is well and good.

Mr. ASHURST. Let the amendment to the amendment go over for the present that we may consider it when the main item comes up.

Mr. LENROOT. Very well.

Mr. ASHURST. It is a very important amendment. I do not wish to have it disposed of unless the Senator can offer some explanation of it.

Mr. LENROOT. The only explanation is that I think the language used in the amendment of the committee would compel the treatment of both classes of patients in the same hospital. The only purpose of the amendment to the amendment is merely to give discretion to separate them and provide two hospitals for tuberculosis patients alone. That is the only purpose of it.

Mr. ASHURST. Let it be read again.

The amendment to the amendment was again read.

Mr. BRANDEGEE. Mr. President, I wish to ask the Senator from Wisconsin if the apportionment that he makes of three to two is based upon evidence as to the present needs? If not, why would it not be wiser to leave the apportionment entirely to the discretion of the commission so that they could use whatever number of the five they might see fit for either class of patients?

Mr. LENROOT. I have no objection to that; but I will state that this apportionment was based upon a bill recommended by the Public Health Service.

Mr. SMITH of Georgia. Mr. President, I would like to ask the Senator if it is not true that the number of tubercular patients is a good deal larger than that of any other class? That is the result of the inquiries I have made on the subject.

Mr. LENROOT. I have no objection to make it discretionary in its form, but the point of my amendment was to make it clear that they would not be required to provide for both classes of patients in all hospitals.

Mr. SMITH of Georgia. Of course, that ought not to be done. I am very glad the Senator called our attention to it, because to put the two classes of patients together would be a serious blunder, and one which the board would not approve.

Mr. LENROOT. I have endeavored to so provide in the amendment which I have offered. I have no objection to my amendment going over.

Mr. ASHURST. Mr. President, I do not wish to appear captious, but I must observe that we can not settle questions of such serious import as this one except upon the advice of trained, experienced physicians. In some hospitals there may be wards for tubercular patients, and in another part of the same hospital there may be a ward for neuropsychiatric patients, temporarily there. I believe that the public service and the best interest of the soldier himself, who is the only person to be considered in this discussion, would be better promoted if the matter were left to the discretion of the medical men who fully comprehend the difficulties. Above all things, we must not attempt in this hospitalization difficulty to hem the Surgeon General of the Public Health Service in a procrustean bed of fixity, so that he will have no liberty of action and will be unable to move. I believe it would be a serious mistake to take discretionary power from him.

I wish to urge upon Senators, who are all equally interested one not more than the other, to consider the matter carefully. I have given the subject of hospitalization of ex-soldiers intensive study for two months, almost to the exclusion of every other subject. I urge Senators not in any way to hamper the sound and wise discretion to be employed by the Surgeon General as the exigencies of the particular case may be presented.

I have respect for the opinions of other Senators and do not wish unnecessarily to inject myself into the debate. The Surgeon General now in office is, and whoever may be Surgeon General in the future will undoubtedly be, a high-class physician, and will have about him, as now, a trained corps of physicians, whose judgment we must accept. We can not settle questions of what is best for the sick soldiers by an act of Congress. For example, one of the great difficulties which the men of science must meet in combating tuberculosis is to avert nostalgia or homesickness in the patient. The temperature of the patient rises in the afternoon, and when the temperature rises there sometimes comes a gloom and pessimism of the patient which increases the temperature, and by midnight his strength is wasted. So it is after midnight he begins to build strength for the battle of the next day. We must be especially and peculiarly tender in dealing with the subject.

I do not pretend to special knowledge, but I have given this subject close study and am convinced that we will promote the health of the afflicted soldier, and we will promote public service, by leaving as wide latitude as possible to the Surgeon General. I say this with respect for the distinguished Senator who has proposed the amendment, because he has proven himself to be a valuable legislator.

Mr. LENROOT. Mr. President, the Senator from Arizona utterly mistakes the purpose of the amendment. The amendment is not designed to hamper the service, but to extend the very discretion for which the Senator contends. It is my view that the language of the amendment would require the combination of both classes of patients in every hospital, and I want to get away from that proposition.

Mr. ASHURST. I apologize to the Senator. I was not able to hear clearly his first statement.

Mr. SPENCER. If the fear of the Senator from Wisconsin is that neuropsychiatric patients, as well as tubercular patients, would both have to be treated at each one of the hospitals, would not his purpose be served by changing the word "and" to the word "or," in line 9, without any other amendment whatever?

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Wisconsin yield to the Senator from Arkansas?

Mr. LENROOT. I yield.

Mr. ROBINSON. I think the suggestion made by the Senator from Connecticut [Mr. BRANDEGEE] is pertinent, and I think it would meet the difficulty which the Senator from Wisconsin has in mind, to leave the authorities a free hand in the matter, not require them to provide that two of these hospitals shall be for tubercular and three for neuropsychiatric patients, but leave them to make any number available for the one or the other. There are now more tubercular patients by several thousand in the hospitals than there are patients suffering from mental or nervous disorders. I think the relative number may change from time to time; so if the Senator will merely modify his amendment very slightly I think it will accomplish the object desired.

Mr. LENROOT. If the Senator will offer an amendment leaving entire to the discretion of the commission, I shall be glad to accept it.

Mr. ROBINSON. If the Senator will allow the matter to go over, when it is finally reached in the consideration of the bill I think the matter may be readily adjusted.

Mr. SPENCER. I should be glad to know from the Senator from Wisconsin whether his purpose would not be fulfilled by

changing the word "and" to the word "or," in line 9. It seems to me that it would.

Mr. LENROOT. Practically, yes; but technically, no; because, of course, it is the intention in providing for these hospitals to take care of both classes of patients.

Mr. SPENCER. They could do that if the word "and" were changed to "or."

Mr. LENROOT. Of course, if "and" were changed to "or," the authorities would have to make them all one or all the other.

Mr. SPENCER. Not necessarily so.

Mr. LENROOT. Not necessarily so, perhaps, but that would be possible.

The PRESIDING OFFICER. The amendment of the committee and the amendment to the amendment will be passed over. The next amendment will be stated.

Mr. WADSWORTH. Mr. President, I understand that the whole question of hospitalization is to go over until Monday?

The PRESIDING OFFICER. That is the understanding.

Mr. WARREN. No; that it shall go over until all the other amendments shall have been concluded, when it may come up, whether it be to-day or Monday.

Mr. WADSWORTH. Mr. President, it may be that I shall not be able to be present on Monday. To-day is Saturday and it seems it may be impossible to reach the item again to-day. There is one phase of the question which I think, representing, as I do in part, the State of New York, I ought to discuss for a moment before the Senate.

The Committee on Appropriations is familiar with the subject which I am going to discuss, but I think it ought to be brought to the attention of the Senate.

Late last summer the Director of the War Risk Insurance Bureau, recognizing that there was a very severe shortage in hospital facilities for the disabled soldiers, and especially a shortage of hospital facilities for the mental and nervous cases, approached the authorities of the State of New York and asked their help. At that time Governor Smith was the governor of New York. An extra session of the State legislature had been called to convene in the autumn. As a result of the urgent request of the Director of the War Risk Insurance Bureau, supported by other Government officials and by people outside of the Government service, and recognizing the seriousness of the situation, the governor of New York sent a message to the legislature, when convened in special session, asking that body to consider ways and means by which the State of New York could help out the Federal Government in this crisis.

As a result of that movement, which was initiated by officers of the Federal Government, the Legislature of New York passed an act appropriating $3,000,000 for the erection of a hospital containing 1,000 beds, to be used for the treatment of the ex-soldiers who are suffering from mental and nervous disorders, the hospital to be situated on Long Island in the County of Queens, on the site known as the Creedmoore site, a plot of land which had prior to that time been set aside by the Legislature of New York for the building of a hospital for State purposes.

The statute passed by the legislature appropriating the money laid down certain conditions which should be fulfilled before the money should be available.

Briefly, the conditions laid down were to the effect that the Federal Government should lease the completed hospital from the State of New York at an annual rental equal to one-tenth of the cost of the completed institution, and, furthermore, that in admitting patients to this hospital built by the State but rented by the Federal Government those ex-soldiers who had enlisted or had been inducted into the service within the State of New York should be preferred. The legislation also established the New York Military Hospital Commission, which promptly went to work and completed designs for the hospital, with the entire approval and encouragement of the Federal authorities who were directly interested in this question.

The New York Military Hospital Commission, representing as they did the State of New York, were authorized under the State legislation to sign an agreement with the Federal authorities. An agreement was drawn up; the New York authorities signed it; but when it was submitted to the Secretary of the Treasury here in Washington the Secretary held that he had no legal authority to sign such an agreement carrying such a lease as the one proposed. He pointed out also one or two provisions in the New York State statute which laid down such conditions to be complied with as to make it impossible for him to sign it with legal authority. The Secretary of the Treasury addressed a letter, therefore, to the President of the Senate on this question. The Vice President transmitted it to the chairman of the Committee on Appropriations. In that letter, as I recollect, the Secretary of the Treasury reviewed the whole situation, admitted the crisis which confronted the Federal Government, and pointed out one or two items in the New York State statute which he thought might have been improved; but, nevertheless, as I recall, he urged the passage of legislation by Congress authorizing him, the Secretary of the Treasury, to sign the agreement. In conformance with that procedure and with a complete knowledge of all the history of these transactions, I introduced a joint resolution, which is Senate joint resolution 223. That joint resolution in its preamble recites some of the history of these transactions and then proceeds to authorize the Secretary of the Treasury—

To enter into an agreement with the Commission for Military Hospitals of the State of New York, pursuant to the provisions of chapter 958 of the Laws of 1920, State of New York, to lease, and thereafter to lease, in accordance with the provisions of said act, subject to the approval of the Congress of the United States, the hospital to be known as the National Military Hospital to be constructed by said commission when said hospital shall have been completed and ready for occupancy.

I have appeared before the Committee on Appropriations and explained this proposal, which emanated in the first instance from the Federal officers, but which was warmly seconded in a spirit of patriotism by the Legislature of New York. The committee, after lengthy discussion, and also, I may say, after listening to the Director of the Bureau of War Risk Insurance, who urged the passage of the joint resolution, and the Surgeon General of the Public Health Service, who also urged the passage of a joint resolution, declined to report it favorably. I think the principal reason for their declination was that, in their opinion, the annual rental provided for under the New York statute was too high, some of the members of the committee contending that 10 per cent of the total cost was too high a rental for the Government to pay and others contending that 10 per cent was too high a rate for the Federal Government to pay for money.

I regret that the committee reached that conclusion, but, of course, I realize that they reached it as a matter of pure conviction. In the meantime the State of New York is carrying that $3,000,000 in their budget, and the governor and the legislature are somewhat at a loss to know what the Congress is going to do about this matter. No action has been taken thus far which can be construed by the governor and the attorney general of New York as being an official disapproval of the proposed agreement. The legislature at Albany is now engaged in passing the appropriation bills for the next ensuing fiscal year, and it is a matter of considerable embarrassment to the State government to have $3,000,000 tied up indefinitely. The State still stands ready to finance this operation for the Federal Government, but, naturally, it wants to know whether or not the offer which it has made upon the original invitation of the Federal officials is going to be accepted. I hope myself that it may be accepted.

The situation is somewhat as follows:

There are nearly 900 ex-service men suffering from mental and nervous diseases now receiving treatment in and about New York City. They are housed in rented hospitals, under the direction of the Public Health Service. They are housed, some of them, in private hospitals. Some of them are receiving treatment in the State hospitals for the insane, and some are receiving treatment in county hospitals, some of them indeed, I believe, being housed in almshouses. The condition is pitiful. It should not be permitted to continue one day longer than is absolutely necessary. I think these men are scattered to-day in something like 35 institutions. It is utterly impossible for the Public Health Service and the War Risk Insurance Bureau to exercise any reasonable degree of supervision over their treatment, scattered as they are in that manner.

The State of New York offers the site of this hospital free of charge and offers to finance the entire undertaking, costing $3,000,000. The plans and specifications are complete in every respect and have received the unqualified approval of the best known men in the medical profession as representing the last word in hospital construction. The heavy machinery for excavating is already on the ground and has been waiting there for weeks and weeks. If the Congress will authorize the Secretary of the Treasury to sign this agreement, the authorities of the State of New York tell me that within 24 hours the shovels will begin to turn over the dirt.

Mr. HARRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Georgia?

Mr. WADSWORTH. I do.

Mr. HARRIS. The Senator from New York understands that if this bill is passsed as it is some of the soldiers in his State and the New England States will have to go to hosiptals in the Central Atlantic States, more than 500 miles away from

that entire section. The soldiers in my section will have to go that distance also. Under this bill there will be three hospitals in the section of the country with 20 per cent of the population of the United States, while there will be only two hospitals in the territory where 80 per cent of the population reside.

Mr. WADSWORTH. I understand that perfectly; and I propose—of course, I realize that it will be subject to a point of order—later on to offer, as an additional amendment to this bill, the essential provisions of my joint resolution.

Mr. HARRIS. I call attention to the fact that there is more than 25 per cent of the population of the country within the area in which there will be no hospitals.

Mr. WADSWORTH. That is true, and additional hospitals are sadly needed.

As I was indicating a moment ago, I believe this offer should be accepted by the Federal Government, because, in the first place, it relieves the Federal Government for the time being of $3,000,000 of appropriations; and, in the second place, it will get us a great, modern hospital, with 1,000 beds, much more quickly than the Federal Government can get one; for the Federal Government, operating through this proposed Government lands and buildings commission, must first acquire a site and draw the plans and let the contracts. That will consume weeks. In this instance the site is already selected, the plans are drawn, they are complete in every respect, the contracts have been tentatively drawn up already, and a start could be made to-morrow if the thing should be authorized to-day.

Complaint has been made in the Committee on Appropriations, and they have done it with entire conviction, that an annual rental of $300,000, which is 10 per cent on the $3,000,000 which the State of New York offers to expend, is too high. The contention is also made, I believe, that the provisions of the act passed by the New York Legislature that the hospital shall continue to be the property of the State of New York at the expiration of the 10-year period is unreasonable.

Let us view the matter now from another standpoint.

The Legislature of New York has no right, under the constitution of the State, to appropriate money for the building of a hospital which shall be turned over later and become the property of the Federal Government. In other words, the money of the people of the State of New York can not be expended except for the benefit of the people of the State. It is essential, therefore, if we are ever to have any cooperation with the States in the matter of taking care of the ex-service men, that we permit the States at least to retain title in the buildings which they themselves erect.

With regard to the contention that 10 per cent is too high, let me suggest that the Federal Government, if it is to build this building, or any similar building, will have to pay 6 per cent for its money, and will also have to bear the annual depreciation charge, which should be entered in any such transaction involving the maintenance of a great building, and which should not be less than 2½ per cent annually. That would bring the Government's cost up to and in excess of 8 per cent annually for this money, which should be considered in lieu of rental. The State, under its proposal, is to bear the depreciation, is to finance this entire undertaking with no cost whatsoever to the Government, and all it asks is—and very properly so, I think—that within a 10-year period the rental charge paid by the Federal Government shall equal the cost of the building.

I do not believe the Federal Government will ever get a building more cheaply than on that theory. It may seem a little high at first blush, but when you take into consideration the delays and red tape which characterize the work in nearly all the Federal departments, including the Public Health Service and the War Risk Insurance Bureau, the cost of financing it and carrying on the entire burden for an indefinite period of years which will be imposed upon the Federal Government, I think upon second thought that the average business man will say that it is a good proposal from the Federal Government's standpoint; and I have this thought in mind in this connection: During the next 10 or 15 years the number of ex-service men who will need treatment at the hands of the Federal Government is going to increase very, very heavily. It is increasing now very rapidly. We probably shall not reach the peak for 15 or 20 years; but it is to be assumed that at the expiration, we will say, of 20 years, the peak having been reached, the number of ex-service men needing treatment will begin to decrease, and will continue to decrease thereafter. Now, if in the meantime the Federal Government has embarked upon a tremendous program, as it must embark to-day unless some alternative is presented—a tremendous program, involving the building of a large number of permanent hospitals—it will find itself, 25 or 30 years from now, with a tremendous establishment upon its hands, and an ever-decreasing number of ex-soldiers; and the contention will then be made to our successors in Congress by the then Surgeon General and the then Department of Public Health, which may in the meantime be established and be headed by a Cabinet officer, that the Government should extend its operations in the matter of taking care of persons who need hospital treatment, and the argument will be presented that the Government has an enormous hospital system upon its hands, half empty, and therefore it should reach out its long arm and go on into other undertakings not related to the ex-soldier problem.

The Federal Government may have to build a large number of hospitals, but I contend that it would be the part of wisdom for us to encourage the States to cooperate with us on somewhat this same plan, so that when these hospitals are not needed for the ex-soldiers they may revert to the States, and may be used by the States for State purposes. The State of New York stands ready to finance this proposition, build this model hospital, and rent it to the Government for 10 years, and there is not the slightest doubt that if at the end of 10 years the Government wants to hold it longer, the State will enter into a new agreement—upon a lower rental, of course—and the Federal Government can have it just as long as it needs it. When the Federal Government no longer needs the hospital it will go back to the State, and the Federal Government will not be burdened with it any longer.

Mr. SMITH of Maryland. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Maryland.

Mr. SMITH of Maryland. As I understand, the concrete proposition from the State of New York to the General Government is that they will build this hospital, costing $3,000,000, charge the United States Government 10 per cent for the money, give their people the first call on it, and, at the end of the 10 years, own the hospital.

There is no question but that at the end of the 10 years there will be need for hospitals, just as there is now. I do not think the Federal Government wants to borrow money at 10 per cent. I do not think it is in that condition; and your committee, of which I am a member, have developed a plan by which we can build hospitals, build them as quickly as they propose to build them in New York, and, in many instances, instead of their costing $3,000 a bed, build them for $1,600 a bed.

I do not think this Government is in such a condition now, I do not think it is so badly off, that it wants to go to any State and pay 10 per cent for money and give that State the benefit of the first call for the use of that hospital. I think we are entirely able, and I think we ought to build these hospitals. I think we ought to build them as quickly as possible and in sufficient numbers to take care of all the wounded soldiers and all soldiers in distress. We are able to do it without going to any State. The time has not come when we have to pay 10 per cent for money and give any State the benefit of the first call on the hospital which it builds.

The committee considered this matter thoroughly, and I believe it was the unanimous opinion of the committee that they did not want to enter into a proposition of this kind. So far as I am concerned, I think these hospitals ought to be built. I think these disabled soldiers ought to be taken care of, and taken care of at once; but the committee have before them now a proposition by which they can build hospitals, in many instances, as quickly as this one can be built. In fact, 2,750 soldiers can be taken care of at a cost of $1,600 per bed, and the hospital can be provided probably more quickly than this hospital can be built in New York. That, of course, does not take care of all; but there is a proposition by the committee to appropriate $12,000,000 in addition to this to build other hospitals in proper localities throughout the country.

Mr. WADSWORTH. May I ask the Senator from Maryland, without relinquishing the floor, where it is proposed to build hospitals for the care of mental and nervous diseases at a cost of $1,600 per bed?

Mr. SMITH of Maryland. The chairman of the committee can give the different places.

Mr. WARREN. That applies to places that are owned by the Government upon which hospitals are now located and in use. The expense for the additional beds that can be provided for there averages about $1,600. In the case of hospitals purchased like, for instance, the Speedway Hospital, I think it is estimated that it took about $3,000 a bed; but one of the advantages of taking Government property and using it where hospitals are already installed is that we can greatly reduce the cost and secure quick action in providing more beds.

Mr. WADSWORTH. The point I am after is just this, In what part of the country are the hospitals to be located which

are to cost $1,600 per bed, to take care of mental and nervous cases?

Mr. SMITH of Maryland. That is not all. Those hospitals will accommodate 2,750. But the committee has already agreed to appropriate, for additional hospitals, $12,000,000.

Mr. WADSWORTH. I know it is not all. But the Senator from Maryland used it as an argument against building a hospital at a cost of $3,000 a bed.

Mr. SMITH of Maryland. I used the argument, Mr. President, as against this Government borrowing money at 10 per cent to build hospitals, when they had better build them themselves, hospitals just as effective and just as efficient in taking care of their lamed and maimed soldiers as the hospital the Senator from New York proposes to build at a cost of $3,000 per bed, and giving the first call to soldiers of New York.

Mr. WADSWORTH. Mr. President, I would like to make a few observations on that. In the first place, in order that the history of this thing may be completed, let me say that the House Committee on Public Buildings has reported this resolution, the duplicate of which was introduced in the House by a Member of the House from the State of New York. The House committee was completely persuaded that this was an excellent business proposition from the Federal Government's standpoint. The Surgeon General believes in it thoroughly. The Director of the War Risk Insurance believes in it thoroughly. They say it is good from a business standpoint, and they say it will get them a hospital quicker than the Federal Government can get one acting alone; and that, of course, is obvious.

The Senator from Maryland emphasizes paying 10 per cent for money. Before the Federal Government gets through, Mr. President, it will be paying 10 per cent for money, if it charges up all the items of the burden it must carry when it finances the building of a great hospital, including the acquisition of the site, and including depreciation in that hospital year after year.

As to the site and the depreciation, under this proposal, the State of New York will bear all expenses connected with those items. The site is already picked out. It is within the boundary lines of the greater city of New York, in the county of Queens. I would hesitate to suggest how much that site is worth. Formerly the Creedmore site was the rifle range for the National Guard units stationed in and about New York City. It comprises many score acres.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from New York yield to the Senator from Ohio?

Mr. WADSWORTH. I yield.

Mr. POMERENE. I assume the proposition contemplates that the Government will meet all the expenditures in caring for the patients who are in the hospital?

Mr. WADSWORTH. Oh, yes.

Mr. POMERENE. What is the real purpose of the State of New York in making this proposition? What benefit do they expect to get from it?

Mr. WADSWORTH. The State of New York did it at the earnest request of the Federal authorities. The State never thought of doing this thing until the Director of War Risk Insurance begged the governor of New York to come to their rescue. We have not enough money in Federal appropriations to build a hospital which will take care of these men who are suffering to-day in that State, scattered all over, some of them in poorhouses.

Mr. POMERENE. What authority did the War Risk Bureau have to make that proposition?

Mr. WADSWORTH. It was unofficial, of course.

Mr. POMERENE. What is to be gained by it?

Mr. WADSWORTH. Time. The American Legion committee, which has investigated this thing, are insistent that this be done, and the heads of the bureaus here who are interested in and have official connection with relief work for the ex-service men, believe this is an excellent thing to do.

Mr. POMERENE. I am asking for information. I have no definite conclusions in my own mind about it; but if New York State can do this quickly, why can not the Government? I did not hear the first part of the Senator's statement. It may be that he covered that question.

Mr. WADSWORTH. The site is acquired, the contracts are let, tentatively, the plans are all finished, and the heavy machinery is on the ground, and has been there for weeks. It never occurred to the governor and the other important officers of the State of New York that the Federal Government would hesitate a moment. They went right ahead in perfect good faith, and now, as I said a little while ago, the State has tied up $3,000,000, and it wants to know whether this thing is to be agreed upon by the Federal Government.

Mr. KENYON. I would like to inquire of the Senator whether the proposition did not provide that the soldiers of New York should first be taken care of?

Mr. WADSWORTH. It did.

Mr. KENYON. I think the evidence before the committee was that the soldiers of New York would keep this hospital full all the time, and the rest of the country would have no benefit of it.

Mr. WADSWORTH. Let me say just a word upon that question. The legislature of a State, and certainly the Legislature of New York, has no right, morally, at least, and probably constitutionally, to appropriate the funds of the State except for the benefit of the people of the State. The State in making this appropriation has gone far afield from any policy which it ever followed before. But in order to be able to defend that appropriation of $3,000,000 to help out the Federal Government in its necessities, the provision was put in that ex-service men suffering from mental and nervous diseases living within the State of New York should have the preference in admission to the hospital, with a distinct provision also added that whenever there were any vacancies over and above the needs of those men, men from elsewhere might be admitted.

Let me suggest that whether the men come from New York or not makes very little difference to the Federal Government. The point is that a thousand men can be taken care of, and the Federal Government relieved to just that extent. Since New York took that action, the officials of two or three other States have been sounding out the Director of War Risk Insurance to ascertain whether they might go in on somewhat the same basis with the Federal Government, as is proposed here. I think such an intimation has come from Wisconsin; I think such an intimation has come from Oklahoma, and perhaps from one more State. But evidently the idea has taken root, that the States can well cooperate with the Federal Government and relieve the Federal Treasury of spending such a vast sum of money in the first instance, when money is so scarce, and still provide facilities for taking care of the men.

What objection would there be to the State of Wisconsin building one of these hospitals for the Federal Government and leasing it to the Federal Government, and at the same time provide that Wisconsin men should have the preference? Does not that take just so much of the burden off the Federal Government? A soldier is a soldier, wherever he is, and the poor man who is threatened with chronic insanity is a man who should be taken care of.

Mr. KENYON. That is true; but if the Government is paying a reasonable sum for the lease of the property, should not every soldier in the country have the same opportunity? That is the way it appeals to me.

Mr. WADSWORTH. It is to be assumed that if the Government takes advantage of New York's offer, it will have all the greater opportunity to take care of other men from elsewhere, because it relieves the Federal Treasury of just that much expenditure.

Mr. KENYON. That is true; but the Senator advanced the time argument, and the time argument would apply to the soldiers of the rest of the country, as it would to the soldiers of New York.

Mr. WADSWORTH. This hospital would take care of a thousand men.

Mr. TOWNSEND. Why does the Senator insist upon 10 per cent? How was that arrived at?

Mr. WADSWORTH. I can not tell the Senator from Michigan how that was arrived at. The New York Legislature fixed that. I think probably the Senator knows that the rentals charged upon modern buildings run nearly 10 per cent upon cost of construction.

Mr. TOWNSEND. I should appreciate this offer from New York greater—and I do appreciate it now—if there had possibly been some sacrifice on the part of the State of New York in making this offer to the Government. As it is now, of course, within 10 years the Government would return to the State of New York at least its principal sum, the amount it had paid, and it would then have the buildings. I can appreciate the argument of the Senator that this might possibly expedite the consideration of these men and the care for these men. But I do think that 10 per cent a year is a pretty large rental. New York ought to reduce that amount.

Mr. POMERENE. I was not able to hear the colloquy between the Senator from Michigan and the Senator from New York, but permit me to say that I at least have not seen that contract. If the State of New York is to keep up all the repairs and charge nothing for depreciation, 10 per cent of the gross cost as rental might not be excessive. On the other hand, if the Government is to keep up all repairs and take care of

depreciation, and so forth, it might be regarded as rather exorbitant. What are the facts?

Mr. WADSWORTH. I can not remember all the details of the contract, I will say to the Senator from Ohio. The contract, or proposed agreement, is that the State shall build a building and put in all the fixtures; but all the movable instruments, appliances, and equipment are to be put in by the Federal Government, such as the beds and bedding and surgical instruments and appliances of that kind.

Mr. SMOOT. All repairs to be made by the Government of the United States.

Mr. POMERENE. By the Federal Government?

Mr. SMOOT. Yes; the Federal Government to keep up repairs.

Mr. POMERENE. In other words, it is under the obligation to keep up repairs?

Mr. SMOOT. Yes; and they ought to do it.

Mr. WADSWORTH. I think any tenant would be required to do it.

Mr. POMERENE. Ordinary wear and tear is not usually an obligation of the tenant to take care of.

Mr. WADSWORTH. It depends, of course. The breakage of windows, and that sort of thing, might be an obligation upon the tenant.

Mr. POMERENE. I was not speaking with reference to Washington landlords.

Mr. WADSWORTH. Mr. President, may I call attention to a matter which the Senator from Georgia [Mr. HARRIS], now presiding over the Senate, referred to a moment ago? I am in thorough accord with the provisions of this committee amendment, but let me point out that the committee amendment provides for the erection of five hospitals—one in the Central Atlantic Coast States, one in the region of the Great Lakes, one in the Central Southwestern States, one in the Rocky Mountain States, and one in southern California. Everybody knows that 35 per cent of the population is in the Central Atlantic States. There is only one hospital provided for that entire population.

Mr. SMOOT. Mr. President——

Mr. WADSWORTH. I think we need the other one. I would not object to this hospital in the bill being built, but if you had another you could fill it to-morrow. I yield to the Senator from Utah.

Mr. SMOOT. I want to call the Senator's attention to the fact that this is not the complete building program. This is the first.

Mr. WADSWORTH. I know.

Mr. SMOOT. When the next appropriation is made the Surgeon General will be authorized to use the money then to build buildings where they are most needed. But this was to take care of all parts of the country first, at least to a limited extent.

Mr. WADSWORTH. I simply point out the incontrovertible fact that you will need another hospital in the Central Atlantic Coast States the day you turn over the first spade of dirt for the first hospital.

Mr. SMOOT. That is true, Mr. President, I will say to the Senator. But the soldiers who are now taken care of in that section of the country—I think I am fair in stating—are much better provided for than the soldiers in other parts of the country, because of the very fact that there are better utilities there for so doing.

Mr. WADSWORTH. Then I am sorry for the soldiers in other parts of the country.

Mr. SMOOT. I think the soldiers there are better provided for. In the first lap of the program it was decided that the hospitals should not all be built in one section, but should be distributed to different parts of the country.

Mr. WADSWORTH. I can understand that. But if the statement of the Senator from Utah is correct, I am sorry for the men in other parts of the country, because I know something of the situation in and about the State of New York. These men, threatened with insanity for life, are scattered in 35 institutions, as I recollect it. Some of those institutions are the great State hospitals for the insane, chronically insane men and women.

The patients of the State in these State hospitals for the insane average something like 50 years of age. They are the poor unfortunates for whom there is little or no hope. These ex-soldiers average less than 25 years of age. The mental disease they are suffering from in nearly every instance is in its incipient stages. In a great majority of instances it can be cured and the man restored to a happy and contented life. Imagine the situation when a young man under 25, who has become somewhat nervously deranged from shock incurred in war, is sent to a great State hospital where there are a thousand or two thousand chronically insane, averaging over 50 years of age, and is compelled to live among them. You can not give him the kind of treatment he ought to have. You can not organize for him the amusements, the outdoor exercises, the games, the educational mental exercises which he ought to have to restore him to health in an atmosphere of that kind. It is almost a hopeless handicap you inflict upon him; and consider the fate of the man who is in an almshouse, threatened with insanity but capable of being cured. Think of the depressing atmosphere that surrounds such a man.

When these facts were set before the governor of New York by the War Risk Insurance, and the matter was understood by the governor of New York and the legislature, they hastened to help the Federal Government and said, "Yes; we will build you a hospital, and we will start on it to-morrow." Hence this proposed agreement.

The program laid out in this bill, good as it is, is not going to take care of the men in those crowded communities of the Eastern States. It can not take care of them in two or three years. It will take the Federal Government more than 18 months to build the first hospital provided for in this bill, and the New York authorities guarantee to build this hospital within one year after Congress authorizes the signing of the agreement. Six months will be saved and a new hospital added in an already overcrowded part of the country. The Federal Government can go on and build, and it will need every one of them. The object of the proposal is to save time and save a good many helpless men.

I suppose such an amendment to the bill as I contemplate is not now in order, but I thought while the subject was before the Senate that it was my duty, representing in part as I do the State of New York here in the Senate, to describe the situation.

The reading of the bill was resumed.

The next amendment was, on page 25, line 20, to reduce the appropriation for recoinage of minor coins from "$6,000" to "$5,000."

The amendment was agreed to.

The reading of the bill was continued to line 18, on page 27, the last item read being as follows:

For collecting the revenue from customs, including not exceeding $200,000 for the detection and prevention of frauds upon the customs revenue, $11,300,000.

Mr. KING. Mr. President, let me inquire of the Senator from Wyoming whether the appropriation of $11,300,000 is used entirely for the detection of fraud in the revenue service? Do we require such an enormous sum as $11,300,000 for the detection of fraud in the revenue service?

Mr. WARREN. That sum is only part of what is appropriated in different places. This is for the collection of revenue from customs, including not exceeding $200,000 for the detection and prevention of frauds upon the customs revenue.

Mr. KING. What is $11,300,000?

Mr. WARREN. It is for the collection of revenue.

Mr. KING. The other is for compensation of employees and office expenses?

Mr. WARREN. Let me say to the Senator that for the revenue we have always appropriated in lump sum, and they make their own apportionments. The Senator will find before we finish the bill that we are giving nearly or quite $50,000,000 altogether; in fact, we are giving $31,000,000 in one instance where we gave $20,000,000 last year; but in almost all cases it is in a lump sum, and from that lump sum they provide for all the expenses of their department, including, of course, the clerks.

Mr. SMOOT. The existing law carries $11,300,000. They estimated for the purpose this year $11,400,000, and we refused to give more than they have for the particular item in the present fiscal year. The Senator from Wyoming has already stated that it is for the detection of fraud in the collection of revenue, not to exceed $200,000. He has stated about what the bill provides for that purpose, including a great amount for the prohibition enforcement.

The reading of the bill was resumed.

The next amendment was, on page 27, line 25, to reduce the appropriation for scales for customs service from "$125,000" to "$100,000."

The amendment was agreed to.

The next amendment was, on page 32, line 19, to reduce the appropriation for expenses of Alien Property Custodian from "$375,000" to "$200,000."

The amendment was agreed to.

The next amendment was, on page 33, after line 8, to insert:

COUNCIL OF NATIONAL DEFENSE.

For expenses of the Council of National Defense; for the employment of a director, secretary, chief clerk, and other expert, clerical, and other assistance; equipment and supplies, including law books, books of

reference, newspapers, and periodicals; subsistence and travel; and printing and binding done at the Government Printing Office, $75,000: *Provided*, That no salary shall be paid to any officer or employee of the council in excess of $6,000 per annum.

Mr. McKELLAR. I wish to ask the Senator in charge of the bill if he will allow this amendment to go over for the time being? I desire to make a little examination of the matter before we pass upon it.

Mr. WARREN. Let it go over for the present, until we get through with the other committee amendments.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The amendment will be passed over temporarily.

The next amendment was, on page 33, line 26, after the word "paid," to strike out "60 per cent out of the revenues of the District of Columbia and 40 per cent out of the Treasury of the United States," and insert "one-half out of the revenues of the District of Columbia and one-half out of the Treasury of the United States," so as to read:

Columbia Hospital and Lying-in Asylum: For general repairs and for additional construction, including labor and material for each and every item connected therewith, $5,000; for expenses of heat, light, and power required in and about the operation of the hospital, $15,000, or so much thereof as may be necessary; in all, $20,000, to be expended under the direction of the Superintendent of the Capitol and paid one-half out of the revenues of the District of Columbia and one-half out of the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 34, line 5, after the word "secretary," to strike out "$3,000" and insert "$2,750"; in line 6, after the words "chief statistician," to strike out "$3,500" and insert "$3,000"; in line 7, before the word "accountant," to strike out "assistant chief of accounts, $1,600"; in line 9, before the word "assistants," to strike out "five" and insert "three"; in line 10, after the word "clerks" and before the words "of class three," to strike out "seven" and insert "five"; in line 11, before the words "of class two," to strike out "twelve" and insert "nine"; in the same line, before the words "of class one," to strike out "twenty-seven" and insert "twenty"; in line 12, before the words "at $1,000 each," to strike out "three" and insert "two"; and in line 18, to strike out "$124,940" and insert "$102,590," so as to read:

EMPLOYEES' COMPENSATION COMMISSION.

Salaries: Three commissioners, at $4,000 each; secretary, $2,750; attorney, $4,000; chief statistician, $3,000; chief of accounts, $2,500; accountant, $2,250; claim examiners—chief $2,250, assistant $2,000, assistant $1,800, 3 assistants at $1,600 each; special agents—2 at $1,800 each, 2 at $1,600 each; clerks—5 of class 3, 9 of class 2, 20 of class 1, 2 at $1,000 each; chief telephone operator, $1,000; messenger, $840; experts and temporary assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding $8 per day; and temporary clerks, stenographers, or typists in the District of Columbia, to be paid at a rate not exceeding $100 per month, $10,000; in all, $102,590.

The reading of the bill was continued to line 26, on page 34, the last paragraph read being as follows:

Contingent expenses: For furniture and other equipment and repairs thereto; law books, books of reference, periodicals, stationery, and supplies; traveling expenses; printing and binding to be done at the Government Printing Office; medical examinations, traveling and other expenses, and loss of wages payable to employees under sections 21 and 22 of the act of September 7, 1916, and for miscellaneous items; in all, $30,000.

Mr. SMOOT. Mr. President, on page 34, line 26, I move to amend by striking out "$30,000" and inserting "$20,000."

The amendment was agreed to.

The reading of the bill was continued to line 6, on page 35, the last paragraph read being as follows:

Employees' compensation fund: For the payment of compensation provided by "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, including medical, surgical, and hospital services, and supplies provided by section 9, and the transportation and burial expenses provided by sections 9 and 11, $2,000,000, to remain available until expended.

Mr. SMOOT. On page 35, line 6, I move to amend by striking out "$2,000,000" and inserting "$1,800,000."

The amendment was agreed to.

Mr. SMOOT. I have offered these two amendments so the whole question may go into conference.

The reading of the bill was resumed.

The next amendment was, on page 35, line 16, in the items for vocational rehabilitation, after the word "board," to insert:

necessary medical service and treatment to trainees hereafter required in cases where such service or treatment is not provided by the Bureau of War Risk Insurance, and not more than $60,000 may be used for such service and treatment heretofore furnished.

The amendment was agreed to.

The next amendment was, on page 35, line 23, after the words "periodicals; $65,000,000," to insert:

of which sum not exceeding $500,000 may be used by the Federal Board for Vocational Education as a revolving fund for the purpose of making advancements to persons commencing or undergoing training under the vocational rehabilitation act, such advancements to bear no interest and to be reimbursed in such installments as may be determined by the Federal board by proper deductions from the monthly maintenance and support allowance, allowed by said act as amended.

Mr. KING. Mr. President, I should like to have some explanation of this item, the purposes for which $65,000,000 are to be used, and some explanation of the method of making loans, the security for the Government, and the methods by which the loans are to be repaid.

Mr. WARREN. The $65,000,000 is the appropriation for the War Risk Bureau, and the Senator knows, of course, what the general duties of that bureau and its expenses are.

As to the other matter about which he inquires, I will say that they have had heretofore cooperation on the part of the Knights of Columbus and the Red Cross. Where a disabled soldier was unable to get to the hospital or to his place of examination or was in need of something in the line of immediate necessity, they have loaned him the money and taken their chances of being repaid when he gets his next installment of compensation. They are no longer able to do that, so we give the department the opportunity of advancing the small sums, which are taken out immediately from the first, second, or third next payments. There is hardly any chance there for loss, and it is for the convenience of the suffering and poor who are unable to provide otherwise.

Mr. KING. I should like to ask the Senator whether the $65,000,000 includes amounts paid to widows and families of those who have died as a result of sickness since their discharge from the service or is it purely for vocational training?

Mr. SMOOT. I will say to my colleague that on this revolving fund there is at no time an advance of more than $30 to a soldier. When he first comes in, sometimes he has not the money to pay his expenses to come in or he has no clothes or anything to help him along. The practice has been to take out of the amount allowed $10 a month for three months covering the amount thus advanced. As the Senator from Wyoming [Mr. WARREN] has stated, in the past an organization has done that, and this is simply to take it out of the hands of the Elks' organization and allow the head of the Vocational Education Commission to do the same work.

Mr. KING. It seems to me a very humane and wise procedure.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 36, line 14, to insert the following additional proviso:

Provided further, That no person who has been declared eligible for training under the provisions of the vocational rehabilitation act, for whom training has been prescribed, and who has been notified by the board to begin training shall be eligible to the benefits of said act in the event of his failure to commence training within a reasonable time after notice has been sent such person by the board: *Provided further*, That except when such failure is due, in the opinion of the board, to physical incapacity, such time shall not be longer than 12 months after the passage of this act for persons already declared eligible and notified to begin training, and 12 months after notice is given for persons hereafter declared eligible and notified to begin training.

Mr. KING. May I inquire of the Senator in charge of the bill—and I do so because of complaints which have been made to me—whether the committee examined fully into the personnel employed in this bureau? For instance, complaints have been made that in some of the cities in some of the States a very large number of employees are engaged in this work, too many, indeed. I was told that in one particular city there were some 30 or 40 employees, clerks, assistants, professors, scientists, and whatnot, and that the overhead expenses in the administration of this important work were entirely too great.

Mr. WARREN. Mr. President, there is no doubt that the expenses could be made less if the closest kind of economy were exercised. Not only has the Senate Committee on Appropriations, but the House committee examined all these items. A great deal of testimony has been taken, but it is a pretty difficult matter to convince the Surgeon General of the Public Health Service or the officials of the War Risk Bureau that they must reduce the salaries of doctors now receiving $3,500 or $4,000 or more a year down to, say, $2,500. That is a difficult matter of determination. If there is a movement on the part of Congress to reduce these salaries at all there will soon be sent back complaints that will submerge not only the Committee on Appropriations, but the Congress itself. The Senator from Utah knows how much there is of the emotional and of the temperamental in these matters. The members of the committee have cut these appropriations all they dare to cut them and still feel that they can secure the cooperation of the other House and of the Senate itself.

Mr. SMOOT. Mr. President, in passing, I will say that I wish every bureau and organization and board of our Govern-

ment had as director as capable a man as has the Federal Board for Vocational Education. I wish to say that in favor of Mr. Lamkin.

Mr. WARREN. I wish to indorse the statement of the Senator from Utah. Mr. Lamkin has appeared before us and seems to be thoroughly familiar with his duties.

Mr. KING. May I inquire whether or not the peak of the expenses involved in the administration of this fund has been reached, or will it continue to increase indefinitely?

Mr. WARREN. With the balances and the brakes that we are endeavoring to put on, we are making progress, though there is no doubt that we can improve upon it in the future to some extent. However, ever since the time of the Mexican War, and even previously, the sympathies of the public have been altogether with the returned and crippled soldiers. Unless they are furnished every care that a man in private life could be furnished by his family or that he could provide for himself, no matter how opulent he might be, instead of lowering the appropriation, somebody moves to raise it to an extravagant amount. Consequently our efforts to make reductions in such cases are in vain.

Mr. KING. I was directing my remarks not to the amounts which are paid to the injured ex-service men who are to obtain the benefits of the act, but I was directing attention to the employees of the Government who are to administer the act, and especially the clerks and assistants in the various bureaus.

Mr. WARREN. That is exactly where the difficulty arises. Take a certain number of soldiers or a certain number of men and put them anywhere, and no matter what the circumstances may be, if they are comparatively idle there will be a great many complaints. While the complaints will not always stand the light of investigation, nevertheless they cause trouble. The consequence is that we must be liberal and at the same time endeavor to be economical. That is the best we can do in such matters.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 37, to insert under the head of Federal Power Commission:

For executive secretary, $5,000; chief clerk, $3,000; chief accountant, $3,000; accountant, $2,500; two assistant attorneys, at $2,500 each; clerks—1 $1,400, 1 $1,200; civil engineers—1 $2,400, 1 $2,100; hydraulic engineer, $2,400; electrical engineer, $2,400; mechanical engineer, $2,400; draftsmen—1 $2,000, 1 $1,500; in all, $36,300.

The amendment was agreed to.

The next amendment was, on page 37, line 9, before the word "expenditure," to insert the word "other"; in line 12, after the word "periodicals," to insert "and not exceeding $3,000 for necessary printing and binding"; and, in line 13, to strike out "$100,000" and insert "$80,000," so as to read:

For every other expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law, including not exceeding $500 for books of reference and periodicals and not exceeding $3,000 for necessary printing and binding, $80,000: *Provided*, That this appropriation shall not be available for rent of buildings in the District of Columbia if suitable space is provided by the Public Buildings Commission: *Provided further*, That no portion of this appropriation shall be available for any expense connected with the leasing of any water-power facilities in any national park and national monuments.

The amendment was agreed to.

The next amendment was, on page 38, line 3, to reduce the total appropriations for the Federal Trade Commission from "$900,000" to "$800,000."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. KENYON. Mr. President, I wish to say just a word about this item. I am not going to object to it. I should like, however, to have the order which was made agreeing to the amendment set aside.

The PRESIDING OFFICER. Without objection, the vote by which the amendment was agreed to will be reconsidered.

Mr. SMOOT. I ask that the amendment go over temporarily.

Mr. KENYON. I wish to say a few words on the amendment, but if it is coming up on Monday I shall wait until that time.

Mr. KING. Is the Senator from Iowa referring to the Federal Power Commission amendment?

Mr. KENYON. No; I am referring to the Federal Trade Commission amendment. The amendment relative to the Federal Power Commission has been adopted.

Mr. KING. I should like to say to the chairman of the committee that if I may be permitted to offer an amendment to the Federal Power Commission provision on Monday I shall not move to have the vote whereby it was agreed to reconsidered.

The PRESIDING OFFICER. The Senator from Utah will have that right.

Mr. KING. I wish to offer an amendment which will require the Federal Power Commission to act instead of to make comprehensive surveys of the United States.

The PRESIDING OFFICER. The Senator will have that right.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 38, after line 3, to insert:

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

For expenses of the board, including personal services in the District of Columbia and elsewhere, books of reference and periodicals, printing and binding, traveling, and other necessary expenses, $40,000.

For assisting the States in protecting the military and naval forces of the United States against venereal diseases, $300,000: *Provided*, That no part of this amount shall be expended in assisting reformatories, detention homes, hospitals, or other similar institutions in the maintenance of venereally infected persons;

In all, Interdepartmental Social Hygiene Board, $340,000.

Mr. SMOOT. I should like to have that item go over temporarily.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. POMERENE. Before the amendment goes over I desire to ask a question in reference to it. I have had a good many letters bearing on the subject. What was the appropriation which was made for this purpose last year?

Mr. SMOOT. I have it here and can find it in just a moment, and will tell the Senator exactly what the provision was.

Mr. WARREN. I will say to the Senator from Ohio that as to the first item, which is now $40,000, it was $80,000 last year; the item of $340,000, I think, was $150,000 last year. There were then, however, other appropriations to universities and for certain uses in the States which are included in the amounts here appropriated. In this bill one item is smaller and the other is larger than the appropriation for last year.

Mr. SMOOT. I will say to the Senator from Ohio that the House eliminated the entire provision, and that is the reason I have asked for the matter to go over at this time. I expect to receive a letter from Secretary Houston either this evening or the first thing Monday morning making certain suggestions as to this particular item.

Mr. POMERENE. Were not some of the appropriations previously made used for the purpose of giving special instruction on this subject?

Mr. SMOOT. Yes; that is, in cooperation with the States.

Mr. POMERENE. Are those appropriations continued?

Mr. SMOOT. They are not continued in the same amounts as they were.

Mr. POMERENE. Are they provided for in the bill further on?

Mr. SMOOT. No; I would not say that. I will state, however, that when the letter to which I have referred arrives on Monday the Senator will be informed as to just what the suggestion is in that respect.

Mr. KING. Was the item in regard to interdepartmental social hygiene board passed over?

Mr. SMOOT. That has been passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 38, line 25, to reduce the appropriation for the expenditures of the Interstate Commerce Commission from "$1,900,000" to "$1,600,000."

The PRESIDING OFFICER. Without objection, the committee amendment on page 38, line 25, is agreed to.

Mr. POMERENE. May I ask what the reason is for reducing the amount for the Interstate Commerce Commission from $1,900,000 to $1,600,000?

Mr. WARREN. That reduction has been made in pursuance of the same idea we have endeavored to follow throughout, in order to practice a little economy. In some instances during the war the expenses and appropriations for certain agencies of the Government have been lifted almost as high as the clouds. Of course, this bill carries appropriations for the year commencing the 1st of next July and ending on the 30th of the following June, and we know that certain items of expense are being reduced and will be reduced from time to time. The committee feels that it has been very liberal in this instance in allowing the amount which has been allowed.

Mr. POMERENE. I am not prepared to take issue with the chairman of the committee, but in a general way I think we have increased the jurisdiction of that commission considerably, and whether or not the appropriation is going to be sufficient to take care of its increased activities was the thought that was in my mind.

Mr. SMOOT. I will say to the Senator that as to the lump-sum appropriations for various commissions and boards, the

committee asked in each instance to be furnished a list of the employees and the salaries paid to them. We find from those lists that the salaries paid out of lump-sum appropriations by various boards and commissions are altogether out of harmony with those that are paid by the regular departments of the Government. Not only that, but I think if the Senator will make examination he will conclude without a doubt that a reduction in this instance, as is the case in connection with some of the other bureaus and divisions, is absolutely justified. No member of the committee wanted to do anything that would harm or cripple various boards and commissions, but if we are going to cut down the expenses of the Government we must make a beginning, and a beginning will never be made if we comply with the requests that are made for appropriations by the heads of the commissions and boards.

Mr. POMERENE. There is no doubt a great deal of truth in what the Senator has said, but at the same time one of the difficulties in all of the departments is a lack of experts and assistants in certain lines, and if we are going to have the best of expert work we have got to pay for it, at least in proportion to what is paid in private life.

Mr. SMOOT. If the bill goes over, and the Senator wants a reconsideration of the amendment, there will be no objection to its reconsideration.

Mr. POMERENE. No; I do not feel justified in asking for a reconsideration, but I feel that now is not quite an opportune time to make this very great reduction.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 41, to insert:

LINCOLN MEMORIAL COMMISSION.

For additional work on the masonry approaches and terrace around the Lincoln Memorial, including foundations to rock and all necessary expenses of every kind incident thereto, $363,000, to be immediately available and to remain available until expended, and the limit of cost of the said Lincoln Memorial is hereby increased from $2,594,000 to $2,957,000.

The amendment was agreed to.

The next amendment was, on page 41, after line 7, to insert:

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS.

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; traveling expenses of members and employees; office supplies, printing, and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of Langley Memorial Aeronautical Laboratory, and construction of additional buildings necessary in connection therewith; maintenance and operation of one motor-propelled passenger-carrying vehicle; and purchase, maintenance, and operation of one passenger-carrying motor cycle; personal services in the field and in the District of Columbia: *Provided*, That the sum to be paid out of this appropriation for clerical, drafting, and messenger service for the fiscal year ending June 30, 1922, shall not exceed $30,000; in all, $200,000.

The PRESIDING OFFICER (Mr. KING in the chair). If the Senator from Wyoming will pardon the Chair, the Chair asks that that amendment go over.

Mr. WARREN. Very well.

The next amendment was, on page 42, line 10, to reduce the appropriation for expenditures of the Railroad Labor Board from "$305,000" to "$275,000."

The amendment was agreed to.

The next amendment was, on page 42, line 19, after the word "payable," to strike out "40 per cent out of the Treasury of the United States and 60 per cent out of the revenues of the District of Columbia," and insert "one-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia," so as to read:

To enable the commission created by section 22 of the public buildings act approved March 4, 1913 (37 Stat. L., p. 885), to continue proceedings toward the acquisition of lands required for a connecting parkway between Potomac Park, the Zoological Park, and Rock Creek Park, $200,000, to be available until expended and to be payable one-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 44, line 9, in the items for emergency shipping fund, to strike out "not to exceed $25,000,000 of," so as to read:

The expenses of the United States Shipping Board Emergency Fleet Corporation during the fiscal year ending June 30, 1922, for administrative purposes, the payment of claims arising from the cancellation of contracts, damage charges and miscellaneous adjustments, maintenance and operation of vessels, the completion of vessels now under construction, and for carrying out the provisions of the act entitled "An act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes," approved June 5, 1920, shall be paid from the following sources: (a) The amount on hand July 1, 1921; (b) the amount received during the fiscal year 1922 from the operation of ships; and (c) not to exceed $55,000,000 from deferred payments on ships sold prior to the approval of this act, from plant and material sold during the fiscal year 1922, and from ships sold during the fiscal year 1922.

The amendment was agreed to.

The next amendment was, on page 45, line 18, under the heading of Smithsonian Institution, to reduce the appropriation for American ethnology from "$46,000" to "$44,000."

The amendment was agreed to.

The next amendment was, on page 47, line 5, at the end of the items for Smithsonian Institution, to strike out "60 per cent of which sum shall be paid from the revenues of the District of Columbia and 40 per cent from the Treasury of the United States," and insert "one-half of which sum shall be paid from the revenues of the District of Columbia and for the other half from the Treasury of the United States."

Mr. POMERENE. Mr. President, I think this paragraph includes the pay of the park policemen, does it not?

Mr. WARREN. It does; yes.

Mr. POMERENE. What provision has the committee made for increasing their compensation? I speak of that because provision has been made during the last couple of years for the increase in the pay of every policeman in the city except these who are unfortunate enough to serve in the Zoological Garden.

Mr. WARREN. That is entirely with the management of the Zoological Garden. We have not made any provision at all about changing their salaries.

Mr. POMERENE. As I understand, they made an estimate, and I am not entirely clear about this, but I think they asked for some increase. I will ask to have this amendment go over until later, so that I can make some further inquiry about it.

Mr. WARREN. Mr. President, of course I shall not object to its going over, although more items are going over, and for greater amounts, than we are passing on, I am sorry to say.

Mr. POMERENE. That may be; but 96 Senators can not go over this bill and digest it in 24 hours, and if there are some things on which we would like to have a little information, I think we are entitled to a reasonable opportunity to obtain it.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 47, line 22, to increase the appropriation for acquiring certain lots on the boundary of the National Zoological Park from "$1,000" to "$2,500."

The amendment was agreed to.

The next amendment was, on page 48, line 22, to reduce the appropriation under the heading of Tariff Commission from "$300,000" to "$250,000."

The amendment was agreed to.

The next amendment was, on page 49, line 24, to reduce the appropriation for testing machines at Watertown Arsenal from "$50,000" to "$35,000."

The amendment was agreed to.

The next amendment was, on page 50, line 2, to reduce the appropriation for repairs of arsenals from "$1,850,000" to "$1,550,000."

The amendment was agreed to.

The next amendment was, on page 50, after line 25, to insert:

Nitrate plant: For continuing construction of locks, dams, power houses, and appurtenances authorized by the national defense act approved June 3, 1916, $10,000,000.

Mr. SMOOT. I ask that that amendment go over, Mr. President.

Mr. UNDERWOOD. Mr. President, since so many things are going over, I should like to ask the Senator if it is not well enough to settle this item this afternoon?

Mr. SMOOT. I think it would be better to let these contested items go over until we get through with the rest of the bill, and then, if there is any time to-day, go back to them.

Mr. UNDERWOOD. I should like to go on with this item this afternoon, unless the Senator has some particular reason for taking the other course.

Mr. SMOOT. I should rather have it go over, and take it up on Monday if we do not get through with the bill to-day.

Mr. UNDERWOOD. I suppose unanimous consent is required to have it go over, and I am not willing to grant unanimous consent. If we must make a fight on this item, I prefer to do it now.

Mr. KENYON. Mr. President, if that item is to come up now, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harris	McNary	Smith, Ariz.
Beckham	Harrison	Moses	Smith, Ga.
Borah	Heflin	Nelson	Smoot
Capper	Johnson, Calif.	New	Spencer
Colt	Jones, N. Mex.	Overman	Stanley
Culberson	Jones, Wash.	Page	Sutherland
Curtis	Kendrick	Phelan	Swanson
Dial	Kenyon	Phipps	Thomas
Dillingham	Keyes	Pittman	Trammell
Fletcher	King	Poindexter	Underwood
Gay	Kirby	Pomerene	Wadsworth
Gerry	Lenroot	Ransdell	Walsh, Mont.
Gooding	Lodge	Robinson	Warren
Gronna	McCumber	Sheppard	Willis
Hale	McKellar	Shields	

Mr. CURTIS. I desire to announce the absence of the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Missouri [Mr. REED] on official business.

The VICE PRESIDENT. Fifty-nine Senator have answered to the roll call. There is a quorum present. The pending amendment is the one at the foot of page 50.

Mr. SMOOT. Mr. President, this amendment provides $10,000,000 for continuing the construction of locks, dams, power houses, and appurtenances authorized by the national defense act approved June 3, 1916.

But a few days ago this same question was before the Senate, not in the way of an appropriation but in the way of an authorization for continuing that work. The House has refused to appropriate $10,000,000 for this purpose. The subject was considered by the Committee on Appropriations of the Senate and a majority of that committee voted in favor of appropriating the $10,000,000. I voted against the amendment, because I think it is a very unwise thing for the Congress of the United States at this time to appropriate $10,000,000 to expend on the Muscle Shoals project. So far as I am concerned, I would rather take the loss that may come to the Government than to put another cent into the project.

There has been expended upon the dam some $12,000,000, and the rights and property of the United States could no doubt be sold for some seven to eight million dollars, according to the testimony that was given before the committee. That would leave a loss to the Government on the dam of only some $4,000,000, and the first loss will be the best loss in this case.

I have not any doubt, if this appropriation is made, other demands will be made upon the Congress of the United States, and it will be much harder to refuse requests for additional appropriations, no matter what the cost may be. If we get $10,000,000 more invested there, those favoring additional appropriations will say, "We can not fail to appropriate, because if we do we will lose not only what we lose to-day but the $10,000,000 besides."

After we get the $40,000,000 in, and there is a demand made for an additional amount, the same proposition will be presented to the Senate, "We must make these additional appropriations or we will lose all we have in there." That is going to come; there is no question about it. Now is the time for the Congress of the United States to decide whether it wants to take another step, that step meaning the expenditure in the future of millions and tens of millions of dollars.

So, Mr. President, I want the Senate of the United States to express itself again upon this proposition. This provides for a direct appropriation, which would go out of the Treasury of the United States within the next year, and at the end of this year there will be $20,000,000 asked for without a doubt, and perhaps more than that, for the following fiscal year. So it is well to know now that if we vote for this appropriation we not only vote the $10,000,000, but after it is expended it will be harder for Congress to refuse additional appropriations, no matter what amount is asked for, than it was at this time, because the loss to the Government of the United States will be greater in the years to come than now.

It was for that reason, Mr. President, that I voted against this amendment in the Committee on Appropriations. I think it is hardly necessary at this time to go into the question of what this dam will, when completed, develop in horsepower. I might add that Engineer Cooper says that it will, when finally completed, develop 100,000 primary horsepower and 450,000 secondary horsepower. That I think Senators well understand.

But, Senators, do not think for a minute that the expenditure of this money upon this dam is all we are going to be asked to appropriate. When the dam is completed—and that is all this appropriation is for—it will be completed for the purpose of distributing power to the seven Southern States; and, when completed, Congress will be appealed to to appropriate $12 a horsepower for building distributing lines to carry this power through those Southern States. That kind of a proposition will be presented.

Congress will be told after appropriating millions of dollars for the completion of the dam that the only way the Government can get the money expended out of the project will be to build a distributing system, and a distributing system, according to Mr. Cooper, will cost $12 per horsepower created.

I can hear the Senators saying, "The people of those Southern States have not the money to build a distributing system. They have not the money to build a distributing system any more than they had the money to build the plant. Therefore Congress, in order to get the Government's money expended for the dam, must advance money for the building of the distributing system." I know, Mr. President, that we can not get a dollar out of the power unless a distributing system is completed.

So, if Congress votes for this $10,000,000 appropriation to-day, they will not only be voting a sufficient sum of money to insure the appropriation of the balance of the money for building the dam, but just as sure as we live, when that dam is completed, you who are in Congress at that time will be asked to appropriate money for the putting in of the distributing system.

Therefore, Mr. President, at this time I shall content myself with this statement and express the hope that the Senate of the United States will strike this item from this bill and let whatever losses we are going to have come now, rather than put an additional $10,000,000 in, with no way of telling what further appropriations will be demanded.

Mr. WADSWORTH. Can the Senator from Utah inform me why the title of this paragraph is "Nitrate plant"?

Mr. SMOOT. I think that is the way the appropriations have been carried in the past.

Mr. WADSWORTH. It has nothing to do with the nitrate plant.

Mr. SMOOT. No; it has nothing whatever to do with it. But nobody would have thought in the beginning of putting up a dam there for the development of water power for seven Southern States if it had not been coupled up with the manufacture of nitrate.

Mr. UNDERWOOD. I will say to the Senator that, so far as the title is concerned, I offered the amendment, and the amendment having no title to it, "Nitrate plant" was put in by the committee as a matter of convenience. I am willing to change the title, so far as the title is concerned.

Mr. WADSWORTH. The Senator from Alabama probably realizes that the term "nitrate plant" is like a red rag to a bull to me.

Mr. UNDERWOOD. I understand that. But this was put in by the clerk of the committee just as a matter of designation. It has nothing to do with the amendment.

Mr. President, I do not care to detain the Senate at any great length in the discussion of this amendment. I certainly would if I thought the Senate was not pretty well advised as to the entire situation in reference to the amendment. I merely want to review the condition as far as it relates to this dam.

For more than 10 days we had the so-called nitrate bill before the Senate, discussed the question of the Government making nitrogen from air and converting it into fertilizers for the farmers very fully and very conclusively, and the Senate by a majority of five decided in favor of the nitrate plant.

I am not going into that question. Of course, this dam, if the nitrate plant is operated, will be a very valuable adjunct to that plant, and I hope it will be used for that purpose. But even if the nitrate plant is not operated, the dam ought to be built anyhow. This great power ought to be held in reserve by the Federal Government, especially as the ablest engineers in the United States hold that it can be accomplished without cost to the Federal Government. No less an engineer testified to that effect—and his testimony is in the RECORD—than Col. Hugh Cooper, the ablest hydraulic engineer in the United States, if not in the world.

I merely want to review this situation for a moment to the Senate. Some years ago, before the war, as an amendment to the national defense act, section 124 was inserted, authorizing the President to select a site or sites for the establishment of a nitrate plant to extract nitrogen from the air, to convert into powder in time of war and into fertilizers in time of peace. Under the power granted in that act, the President selected the site at Muscle Shoals.

It is true that this proposition has caused the expenditure of a great deal more money than was contemplated when the national defense act was passed, but the action in selecting this site was in accordance with law.

The work has begun. There have been allocated to this work $17,000,000. At the time of the hearings, a month ago, $12,000,-

000 of it had been spent. It is being spent every day, and of course if no definite conclusion is reached one way or the other and no action is taken by the Congress the engineers will go on and spend the balance of the $17,000,000 in a very short period. So that, practically speaking, we have $17,000,000 already invested in the building of this dam, and if Congress refuses to go on and carry out the existing work that was provided for by the enactment of Congress the next freshet or the next great rise of water that comes in the Tennessee River will wash the Government's $17,000,000 downstream and destroy what you have there, and it will be a total loss to the Government, because the work to-day is in foundations. If it had gotten high enough, it might have been preserved. It can not be preserved now unless you appropriate money just for the purpose of preserving the cofferdams and protecting the work, which would cost you about $4,000,000 a year.

The engineers of the United States Government estimate that it will cost $45,000,000 to complete the dam; $17,000,000 from $45,000,000 would be $28,000,000 yet to be expended. Col. Cooper, the consulting engineer on the dam, the man who built the Keokuk Dam, admits the dam will cost $50,000,000, and he assured the committee that it could be built and completed in every detail within that amount. Of course, if we take that estimate, it will take $5,000,000 more, which makes a total of $33,000,000.

I may say in passing that some $7,000,000 or $8,000,000 of that estimate is for the machinery, the dynamos for the hydroelectric power, the installation of which can be postponed for some years to come. Of course, the contracts are already out for the installation of sufficient power to create 100,000 horsepower, but the dam, under the statement of the engineers, has a potential capacity of 550,000 horsepower, greater than any other power in the United States, greater than the amount of power authorized to be developed at Niagara on the American side, because there is a limitation to the development of the power on the American side.

It is the greatest power the Government of the United States can have. It is in the course of construction. The engineers have made their estimates. They need $10,000,000 to go on with the work this year, and the balance of it next year of $28,000,000 or $30,000,000, whichever we may take as the estimate, less the $7,000,000 or $8,000,000 for the installation of machinery, which can be postponed for some years to come. Taking it all in all, it is somewhere near $22,000,000 or $23,000,000 which this year and next year we will have to appropriate for the building of the dam. But within the building of the dam is the lock included in the estimate, the lock that makes the river navigable.

It is not very difficult to realize what the Tennessee River is. The Tennessee River is in a basin that is nearly as large as the Ohio River Basin. The flow of water in the Tennessee River, where it comes in conjunction with the Ohio River in Kentucky, is greater than the flow of water in the Ohio River. At this particular point the river is 1 mile wide. The banks are over 100 feet high. The dam will be 100 feet high and form a pool behind the dam some 17 or 18 miles long.

I think when we have the statement of an engineer like Col. Cooper that the dam can not only be built within this sum but that on the expenditure of $50,000,000 the power from the dam could be sold so as to pay the United States Government 5 per cent on its investment, and then have a spread of $10,000,000 to go to some one else, it is worthy of serious consideration.

Is there any Government improvement that has ever been proposed in the country that has a better indication of return to the people of the United States than one which the engineer who built the Keokuk Dam says that we can complete and get 5 per cent on our money, and then, after we have that, some one else can have a spread, as he expressed it, of $10,000,000 a year in addition?

Mr. POMERENE. Mr. President, will the Senator yield for a question?

Mr. UNDERWOOD. I yield.

Mr. POMERENE. When the nitrates bill was before the Senate it was stated that it would require about $43,000,000 to complete the dam. Was that the Senator's understanding?

Mr. UNDERWOOD. No; it was not $43,000,000 to complete it. I think that was said in debate.

Mr. POMERENE. Yes; I so understood.

Mr. UNDERWOOD. The estimate was that it was $43,000,000 to build it.

Mr. POMERENE. The Senator, then, understands that to include the expenditure which has already been made?

Mr. UNDERWOOD. Yes; certainly. That is removed from all doubt now, because since that time the Army engineers have been before the Committee on Appropriations and have made an exact estimate, in which they say that the cost of completion, with the machinery, the dynamos, and the work outside of the dam to bring power into operation would be $45,000,000.

Mr. POMERENE. What will it cost to complete the dam without the dynamos and the necessary machinery to equip it?

Mr. UNDERWOOD. Of course, they have already let the contract for one set of dynamos for 100,000 horsepower, and that would be enough to operate the nitrate plant or to operate the plant that is there, so I take it that we count that in. Taking into account the other dynamo, it would be $7,000,000. We can subtract the $7,000,000 from the $45,000,000, which would leave $38,000,000, and then from the $38,000,000 we can subtract $17,000,000 which has already been allocated, and which would leave $21,000,000 yet to be spent.

Mr. POMERENE. Then, am I right in assuming that the dam will not be available for power until it is entirely completed?

Mr. UNDERWOOD. Absolutely, as far as the dam is concerned.

Mr. POMERENE. Let me ask the Senator another question. I have heard it stated—I am not sure whether on the floor of the Senate or elsewhere—that there was probably sufficient water power being generated in that vicinity now to take care of all the manufacturing plants, and so forth, of that vicinity, and that there would be probably no market for the water power if it were generated, unless it were used for the manufacture of nitrate. Is that correct or not?

Mr. UNDERWOOD. I can assure the Senator that that is not based on the facts. Col. Cooper, who is a great hydraulic engineer, said that the power can be absorbed down there. Of course, the Senator knows my position, that, so far as it is available, I would like to see the power used for the Government plant; but there is a great deal more power there than the Government plant can use, and there is no doubt about that. A hundred and twenty thousand or a hundred and twenty-five thousand horsepower would operate the plant to full capacity, and when the dam is finished it will have a potential capacity of 550,000 horsepower. It is a very pertinent question to ask what we are going to do with the balance.

To the south of the plant lies the city of Birmingham, a great industrial city that is prepared to absorb an immense amount of power—wants far more than it has now—if we are going to sell it for commercial purposes. To the west of the plant 135 miles lies the city of Memphis. To the north of it 100 miles lies the city of Nashville. To the east of it 125 miles is Chattanooga. It is right in the center of a community that can absorb it, and all the experts say they will absorb it and that it is practical to absorb it.

Mr. POMERENE. In the transmission of the current, let us say, a distance of 100 miles, what part of it will be lost?

Mr. UNDERWOOD. Practically none, as they send it at high-tension power and step it down after they get there. The loss of power within 100 miles would be practically infinitesimal.

Mr. POMERENE. The statement has been made that it could not be transmitted profitably more than 100 miles. I am not informed as to that, and I am seeking information.

Mr. UNDERWOOD. Of course, they are transmitting power now at far greater distances than that. During the war the Government had lines running from this plant to its steam plant at Gorgas, which is just outside of the city of Birmingham, probably on an air line 15 or 20 miles, and transmitted that power back from Gorgas to the plant and used it for air nitrogen in the plant during war times when it could utilize the power.

Mr. POMERENE. I have been persuaded, I think, in my own mind that this is, perhaps, the best water-power site in the eastern part of the United States.

Mr. UNDERWOOD. I do not think there is any question that this side of the Rockies it is the greatest water power.

Mr. POMERENE. If it can be utilized, I want to see it utilized for the benefit of that community, but I want to know that it is going to be a good proposition.

Mr. WALSH of Montana. Mr. President——

Mr. UNDERWOOD. Will the Senator allow me just a moment, and then I will yield to him? If the Senator from Ohio will look on the first 10 pages of the hearings, he will find Col. Cooper's testimony. He is the man who built the Keokuk Dam. In that testimony he says that power can be utilized for a distance of 400 miles, and profitably utilized. I now yield to the Senator from Montana.

Mr. WALSH of Montana. We are transmitting hydraulic power in the State of Montana for industrial uses a distance of 200 miles from the great falls of the Anaconda, and, for the

propulsion of railroad trains on the Chicago, Milwaukee & St. Paul, a distance of over 250 miles, with a loss of not to exceed 15 per cent.

Mr. UNDERWOOD. The loss is comparatively small when transmitted at high tension.

Mr. DIAL. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from South Carolina.

Mr. DIAL. I understood the Senator from Utah [Mr. SMOOT] to say that the transmission line would cost something like $12 per horsepower to construct.

Mr. UNDERWOOD. Yes; that was his statement.

Mr. DIAL. The price per horsepower sold would realize anywhere from $20 to $100 per horsepower, and that amount, once expended, would not have to be spent again. Furthermore, I would like to ask the Senator from Alabama if it is true that, in case we had to junk the line later, and then we had to use the power at the plant, we would not have any great amount of loss because the copper wire is well preserved and it can be taken down with very little loss and sold or used again.

Mr. UNDERWOOD. I do not think there is any doubt about that. Col. Cooper said the power could be sold at the dam profitably at $15 per horsepower and the Senator from Utah in the hearings himself admitted that that was a remarkably cheap water power.

Mr. SMOOT. I admitted it upon the floor of the Senate, that $15, with $12 for distribution cost, would make $27, and the lowest price I know of is at the Keokuk Dam, where the price is $33. I said that upon the floor of the Senate.

The Senator from South Carolina misunderstood me if he thought that I said that power was being sold for $12 per horsepower. I never said that.

Mr. DIAL. No; I understood the Senator to say it cost $12 per horsepower to distribute it.

Mr. SMOOT. Col. Cooper stated that the distributing plant would cost $12 per horsepower.

Mr. DIAL. Then once that is expended, it is done for many years.

Mr. UNDERWOOD. The Government has a distribution line into one of its steam plants now at Gorgas, where the power has been transmitted to that plant and back again to the Government plant. There is no question about that. There is no engineer that touched the question that has not conceded and admitted and claimed this was a successful business proposition if carried out by a proper expenditure of Government money.

More than that, I do not think there is anything that illustrates the situation of the dam more conclusively than the comparison that Col. Cooper makes between the Keokuk Dam in the Mississippi River and this dam. He said that he was the builder of the Keokuk Dam and the vice president of that company and knew all about it. He said that when that dam was completed in its entirety, the cost of completion would be $150 per horsepower and that this dam could be completed at less than $100 per horsepower. That is conclusive as to the practical side of the question.

As to the market, there is an ever-growing market for electricity in this country. It is a new and great field of endeavor, and the proposition that is made here now is to deliberately scrap $17,000,000 of Government money, when the best engineers have testified that it is a practical business proposition which, if completed, will return every dollar of the money that the Government has invested, with a fair rate of interest, and leave a spread of $10,000,000 outside of the 5 per cent interest returned from the Government investment.

Mr. SMOOT. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Utah.

Mr. SMOOT. I do not believe anybody opposed to the appropriation has ever for a minute said it was not a fair business proposition and that it is just as good a business proposition as the Keokuk Dam. What we are objecting to is that the Government of the United States should go into it. The Keokuk Dam was built by private capital and I can not see why this should not be built by private capital just the same as the Keokuk Dam.

As to the amount the Government would receive, Col. Cooper said it would take 30 years' time before the power was distributed, and that in that 30 years' time it would return to the Government of the United States 5 per cent. That is what Col. Cooper said.

Mr. UNDERWOOD. I do not altogether agree with the Senator about that. I think Col. Cooper said it would take 10 years to distribute the power, but that is neither here nor there. Suppose it takes 30 years. He said in the end we would get 5 per cent interest. What is 30 years in the life of a Government when we are sure we are going to get our money back. It will not take 30 years in my judgment, but even admitting that is so, that is no argument against the proposition.

The Senator makes the real issue. It is admitted that this is a good proposition; it is admitted that the Government has $17,000,000 in it which will be scrapped if we do not carry out the project. There is just one issue here and the Senator makes it. That is, that he does not want the Government to own, operate, and control this dam, and, in order to keep the Government from doing that, he would waste $17,000,000 of the Government's money.

Mr. SMOOT. No. The Senator from Alabama is mistaken as to that, for there is only about $12,000,000 now invested there. Not only that, but if we put the $5,000,000 into it, of course, we could sell it for more than it will sell for to-day. Col. Cooper thought that there would only be about $4,000,000 lost. So that could not be a loss of more than $5,000,000 if we lost all that we invested.

Mr. UNDERWOOD. The Senator refers to Col. Cooper's statement——

Mr. McKELLAR. If the Senator from Alabama will yield to me, I wish to read just exactly what Col. Cooper did say. Col. Cooper has been quoted here frequently by the Senator from Utah, and I think what he actually said may be of benefit to all of us. I now quote from his testimony:

> 7. On the second question, as to the cost of closing down the work at this time, this is difficult to answer. It is not conceivable that the Government would withdraw from this project entirely in view of the more than $12,000,000 already invested and the showing in the foregoing paragraphs. In order to estimate the cost of a shutdown it would be necessary to have a basis as to the date when work would be resumed, so that the loss in interest might be computed. If the work should shutdown at this time, to be resumed, say, in three years, I am of the opinion that the combined losses to the Government would be around $4,000,000, and without any compensation therefor unless the Government might claim there was a compensation to be expected in waiting for a lower interest rate three years from now than can be obtained at this time. This amount of saving would be very small as compared to the $4,000,000 loss. The $4,000,000 would represent a loss of interest during three years on $12,000,000, and on the construction side the loss of all of the cofferdams which are now in place, the loss of the construction bridge, the removal and reerection of a large amount of construction derricks, track, concrete mixers, rock crushers, and other construction equipment. The job would also have to suffer the losses incident to the breaking up of the large construction organization which has been assembled at necessarily large expense, and I feel very certain that collectively the above losses would be a minimum of $4,000,000 and might easily amount to $4,500,000.

I read this testimony for the purpose of showing that Col. Cooper, to whom my good friend from Utah has referred a number of times, thinks it is inconceivable, because of the great loss which would thereby be occasioned, that this work should stop or that Congress should stop it at this time.

Mr. UNDERWOOD. If my friend from Tennessee will let me interrupt there for just a moment—and I concur in everything he has stated—Col. Cooper was directing his testimony in that instance to the question of temporarily stopping the work and again resuming it in four years; but the Senator from Utah does not wish temporarily to stop it; he wishes to scrap it.

Mr. SMOOT. I want to quit it now.

Mr. McKELLAR. Then, of course, the Senator is willing to lose the $17,000,000 which have already been expended on the work.

Mr. SMOOT. There have been $12,000,000 expended on it, and the Senator from Utah is perfectly willing to let the Government sell and take the loss now.

Mr. UNDERWOOD. If the Senator from Utah will examine another place in Col. Cooper's testimony, he will find that Col. Cooper testified that the sale value of the property would be very small if it were sold at this time. I agree with the Senator that it will amount to a $17,000,000 loss before it is over if we scrap the project now. The Senator says he wants to save $12,000,000; but it is inconceivable to me that a Senator who stands here day and night attempting to protect the Treasury of the United States and the finances of the Government because, for some reason of his own, he objects to the Government owning this dam, which he admits would be a successful business proposition if completed, is willing to let the water wash $12,000,000 worth of Government property down the stream.

Mr. SMOOT. Mr. President, there would not be any washing of $12,000,000 down the stream, for if I had my way I would sell the property for whatever I could get out of it, just as the Government has sold other property.

Mr. UNDERWOOD. The best expert in the country has testified that that can not be done.

Mr. SMOOT. The only thing the Senator from Utah is trying to do is to guard the Treasury of the United States and not invest millions of dollars at 5 per cent in a project from which it will take 30 years to get the 5 per cent. The Senator from Utah does not want to go into any such proposition as that.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. UNDERWOOD. I do.

Mr. McKELLAR. I wish to ask the Senator from Utah a question. Suppose the Government should scrap the project and sell it for the best price it could get out of it, what does the Senator estimate the Government would get out of the $12,000,000 which he admits has been already expended?

Mr. SMOOT. I should think, as I have said, that the Government would get $7,000,000 or $7,500,000.

Mr. McKELLAR. That has not been our experience with the different plants which the Government has heretofore owned. Take the one at Nitro, in West Virginia, which cost the Government $90,000,000 and sold for something like $6,000,000.

Mr. UNDERWOOD. In Col. Cooper's testimony he says it could not possibly sell for over three or four million dollars. That is his testimony.

Mr. SMOOT. The plant in West Virginia had no water power at all connected with it. The two plants are not to be compared, because the only value in the Muscle Shoals Dam is the water power.

Mr. McKELLAR. Would the Senator from Utah want to sell that property and to give the water power away with it for $7,000,000? Would he want to give that away?

Mr. SMOOT. No; the Senator from Utah wants to save the Government of the United States from investing money at 5 per cent and then waiting 30 years to get it.

Mr. McKELLAR. My recollection is, if the Senator from Alabama will excuse me a moment, that one of the witnesses testified that the water power owned at this point was worth something like $50,000,000. Would the Senator from Utah give that away and give away also the $12,000,000 that the Government has already expended at that point? Would that be looking after the interests of the United States Treasury?

Mr. UNDERWOOD. I will say to the Senator——

Mr. SMOOT. If the water power is worth $50,000,000, it will not sell for only $3,000,000.

Mr. UNDERWOOD. My statements have been based on what Col. Cooper, the greatest engineer we have, has stated, and not on any theorizing of my own. I wish to say to the Senate—and then I shall conclude—that the Senator from Utah has brought this issue down to the real proposition. He admits that this is a good project; he admits that there will be a great waste of money if we stop it; but he is so anxious to get the Government out of the business of owning a dam that is needed for Government purposes that he is willing to scrap it. What would be the result? He would turn it, if it is ever developed, into private hands; he would allow a monopoly of this great water power, which, if the project is continued, can remain there under Government control for the benefit of the people of the United States, for the benefit of the Government in the event of another war, without cost and without taxes, and without the draft on the Treasury that must come if we had to condemn it after we got into a war.

Mr. President, it is inconceivable that the Government of the United States should now withhold its hand from carrying out a work that Congress has already authorized; work that is just as necessary to protect the life of the Government in time of war as is the building of battleships. The Government of the United States should own and control that great water power in order that it may utilize it for war purposes should, unhappily, war again come.

I have not touched on what to my mind is the greater purpose and that is ultimately to supply fertilizer to enrich our lands, to bring relief to the farming interests of America in time of peace.

Mr. President, I think the Senate understands this issue and it is a waste of time for me to go into further argument of the matter.

Mr. HEFLIN. Mr. President, the Senator from Utah [Mr. SMOOT], during his speech a few minutes ago, said that the only thing to be accomplished by completing the dam at Muscle Shoals is the utilization of water power. Let me say to the Senator and to the Senate that, while that reason alone is sufficient to warrant the Government in appropriating the money necessary to complete the dam, the fact is that when the dam is complete it will make the Tennessee River navigable there for 17 miles. In the absence of the dam——

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. HEFLIN. I will yield in a moment. In the absence of the dam, it would cost the Government $12,000,000 to build locks and dams sufficient to make the river navigable there for the distance of 17 miles. I now yield to the Senator from Wisconsin.

Mr. LENROOT. The Senator would not have the Senate understand that the completion of this dam, without the building of additional dams, will supply navigation upon the Tennessee River?

Mr. HEFLIN. No; I do not mean to say that. But I do mean to say that it will make the river navigable where it is not now navigable for a distance of 17 miles, and that the building of locks and dams to accomplish the same purpose would cost $12,000,000. So by completing the power dam at Muscle Shoals the Government will save $12,000,000 that it would have otherwise had to spend for navigation purposes at this very place.

Mr. President, I agree with Col. Cooper. It is inconceivable to me that the Senate, charged in part with the duty of looking after the great business of the Government, would even think of abandoning this splendid investment and valuable project at Muscle Shoals. I saw the Senator from Utah [Mr. SMOOT] a little while ago smiling and bowing most graciously to the Senate as he extracted $60,000 from the Treasury with which to buy a site for an additional building for the post office at Salt Lake City in his State. No bill has passed Congress authorizing such a project, but the Senator from Utah, alert guardian of the United States Treasury, takes over for a project in his own State $60,000. And now this same Senator wants the Government to throw away $12,000,000 already invested and expended for a good and worthy purpose. He would have us abandon a project which when completed will be the greatest power dam in the world. And this is the property of the United States Government.

How and when was the Muscle Shoals site selected? It was selected by the proper authorities of the Government when our liberties were imperiled and our Government was at war with a foreign country. The item in the bill carrying this appropriation says that the project was authorized under the national defense act. The Government sent its experts down there, as it did to other sections of the country, to select a place to build such a dam and to erect a nitrate plant; and when the experts looked upon the lordly Tennessee at Muscle Shoals in Alabama they said, "This is the most desirable site"; and they were right about it.

No Senator can gainsay that proposition. Then, if the Government acted wisely in selecting that site, and if the Government needs, as it does, such a dam, how can the Senator from Utah seriously make such an argument as he has made here to-day in favor of throwing away the money already spent and abandoning entirely the great work now being done at Muscle Shoals? I repeat, such a course is to my mind inconceivable.

Mr. President, I believe in building up and not in tearing down; I am in favor of carrying on the great constructive work of this Government, for in doing that we are building not only for ourselves but for posterity. All over the world the Governments of any consequence are drawing upon their rivers for power with which to turn the wheels of their industries. Far away in the Old World, on the historic old River Jordan, rich in so many sacred memories, and on whose bosom Elijah cast his mantle and made the waters divide before him as he walked over on dry land to the other side, arrangements are being made to build a power dam so as to utilize the waters of the Jordan for turning the wheels of industry as they generate electricity to light up the homes and cities of the people of the Holy Land.

And yet the Senator from Utah would prevent this wide-awake and progressive Government in the New World from completing this great power dam on the Tennessee River, right in the heart of the phosphate beds of the American Union. Here water power in abundance can be had for manufacturing and lighting purposes, and yet the Senator from Utah would strike down and destroy this great American project now going on to completion.

The Senate has gone on record and it has declared in favor of building and equipping a nitrate plant for the Government at Muscle Shoals, and that bill has gone to the other branch of Congress; and I believe that there are enough Senators in this body to vote for the item to continue this work. Seventeen million dollars! The Senator from Utah says he would rather sink that amount of money now and lose it all than to go on any further with this great project of the Government.

Mr. President, I was told not long ago about a man who was equally as farsighted with reference to an oil field in Texas as is the Senator from Utah in this particular. He had gone on boring and expending money, but had not yet struck oil, and

finally his working force came to him and said: "We have got to have more coal, and we have got to buy some more drills. We think the prospects good for finding oil just a little farther down." He said: "How much will it cost?" and they said: "It will cost about $16,000." He replied: "Well, I believe I will just lay off of it for a while, and maybe give it up entirely"; and a little later on another man came along and bought it, bored a hundred feet, and struck an oil well worth millions and millions of dollars. Let the Government profit by the unfortunate experience of the shortsighted oil man of Texas.

The Senator from Utah would have the Government do what Col. Cooper says is inconceivable—abandon this valuable project, which the Senator himself says is a good business proposition. Some one else has said that when completed this dam for power purposes would be worth $50,000,000. If the Government went into this project in time of war because of necessity, is it not the part of wisdom for us to go ahead and complete it when by doing so we serve so many good and useful purposes by providing nitrates, fertilizer, water power, and navigation? Not only that, but it is admitted that this is a good investment.

The Senator says that this project is wanted for the purpose of supplying power to seven Southern States. I submit that if the Senator were even correct about that, the Government would not only have a great nitrate plant to operate in time of war and to make fertilizers, if it saw fit to do so, in time of peace, but the Government could get its money back and more, according to his own argument, by transmitting electric light and power from place to place in the cotton-growing States. Would the Senator from Utah deny to the people of the United States living in that section these benefits if they are willing to pay for them?

Mr. President, I have voted, and voted very cheerfully, for every appropriation necessary to irrigate the arid lands of the West. I shall continue to do what I can to aid and encourage the farmers of that section. I am opposed to abandoning the program of building airplanes for service in time of war. I have no sympathy with those who advocate such a course.

The airplanes are the eyes of the Army, and for other purposes are indispensable in time of war. If another war shall ever come, I want this Government to be equipped and ready to defend the life of the Nation from the dangers that may threaten it. I stand for adequate preparedness in airplanes, battleships, submarines, and whatever is necessary for the national defense. We need a great nitrate plant, and we have it, and all of it is nearly completed, at Muscle Shoals; and when this dam is completed we will use water power in making nitrates instead of burning coal; and when we do that we will save to the people of the United States in the coal supply 6,500,000 tons per year; and yet the Senator from Utah would have the Government abandon this project and scrap the whole outfit.

Senators, I trust that there are but few in this body who sympathize with that position. Let us, when there is so much to do to build up, not set up the policy of tearing down. Let us carry this project through and complete that dam, and then if war should come again this Government would be free from dependence upon a foreign country for its nitrate supply in time of war.

It will be in position to make fertilizer if found necessary to free our farmer from the clutches of the Fertilizer Trust.

It will own in its right the greatest power dam in the world and it can utilize profitably every horsepower produced.

By completing this dam and using water power instead of coal in making nitrates we will save of the coal supply of the United States 6,500,000 tons annually, and this dam, when completed, will make the Tennessee River navigable there for a distance of 17 miles. I have never known of another Government project that has served so many useful purposes as will this one when completed.

Mr. LENROOT and Mr. SMOOT addressed the Chair.

The VICE PRESIDENT. The Senator from Wisconsin.

Mr. LENROOT. Mr. President, the junior Senator from Alabama [Mr. HEFLIN], who has just spoken, in his argument reminds me of that Member of the House who said that his platform in his home district always was that he would agree to vote for every appropriation and to vote against every tax, and he always got along splendidly. The junior Senator from Alabama has made an eloquent argument about how much we need this and how much we need that and how the Government should do this and do that. If all Senators occupied the same position that he does, in a very short time the Treasury of the United States would be as bare as Mother Hubbard's cupboard was. Whether he has any regard for the Treasury of the United States or not, it is the duty of some Senators to give some consideration to what the financial condition of the country will permit in the way of appropriations at this time.

Both Senators from Alabama talk about $17,000,000 that they say will be lost unless this appropriation goes through. They admit that only $12,000,000 has been expended, but they say the other $5,000,000 is going to be expended whether this appropriation is made or not. These Senators seem to forget that after the 4th day of March there will be a new Secretary of War, who will have some consideration for the wishes of Congress, and if this appropriation is not made one of the first acts of the new Secretary of War will be to carry out the will of Congress and suspend operations upon this dam; so there will not be a loss of $17,000,000, as these Senators would have us believe.

Mr. President, the senior Senator from Alabama [Mr. UNDERWOOD] has reviewed the history of this proposition somewhat. I want to take just a moment in reviewing the history of this particular construction.

It is true that in the national defense act of 1916 $20,000,000 was appropriated to be used by the President, in his discretion, in building a nitrate plant. It is true that in addition to selecting the site at Muscle Shoals for the building of the nitrate plant, which has been built, the Muscle Shoals dam was also approved as the ultimate source of power, and in February, 1918, the President made an allotment to the War Department of $17,000,000 for the purpose of constructing this dam. This appropriation was made in 1916 as a preparedness measure. It was made then because everyone saw the possibility that this country would be engaged in war, and we were becoming prepared for war, and that is the reason why that appropriation was made.

But, Mr. President, not one dollar was expended in the construction of this dam until the war was over. Work was not even commenced until long after the signing of the armistice. The President never had anything further to do with it, so far as the record shows; there is no new order of the President to go on with the construction of this dam since the signing of the armistice; but the War Department has exercised its own authority in acting upon an order of the President, made in time of war as a measure for carrying on the war to a successful conclusion. The War Department has been acting under that old order. It has no new one.

What would any Secretary of War have done that had any regard for the taxpayers of the United States? The reason for the appropriation having gone, a Secretary of War that had any regard for the taxpayers of the United States would have come to Congress for further authority. Why was it not done? I do not know what influences were exerted upon the Secretary of War, but some influence was exerted upon the Secretary of War, because when they started to expend this $17,000,000 appropriation they knew that it would cost $45,000,000 to complete this dam. They had no assurance that there would ever be another dollar of appropriation for that purpose; and the reason why this money was expended was because they expected to get the Congress of the United States in the very situation that it is in to-day, that the Senator from Alabama now urges—that "because there is $17,000,000 allotted to this dam, therefore you have got to go ahead with it. Whether you would or not on its merits, you have got to go ahead with it, because the Government has expended so much money upon it up to this time;" and I suppose, Mr. President, that is going to be influential enough to put this appropriation through, coupled with the camouflage that has been going on with reference to the farmer in connection with this nitrate plant.

It is coming out very gradually, Mr. President. At the time of the debate on the Muscle Shoals nitrate plant we did not hear the admissions that are being made to-day. To-day it is freely admitted that in all probability there can be better uses found for this power than in the manufacture of fertilizer. Why, the junior Senator from Alabama [Mr. HEFLIN] has painted a most eloquent picture of how the completion of this dam is going to save the Southern States six and a half million tons of coal a year, when, of course, if the power is to be used for a fertilizer plant, it can not save them one ton of coal. I wish there had been equal frankness at the time the question of a fertilizer plant was up. Perhaps the result might have been different.

They have been for many, many years trying to get the Government to do this thing, and the Government has refused to do it; and merely because the Secretary of War, in violation of the spirit of the law under which he acts, has spent some money here I am not willing to say by my vote that I will go on here upon a very doubtful proposition. I want to say very

frankly, however, that I do not agree with the Senator from Utah that I am going to vote against this appropriation upon the theory that this should be an absolute rejection; not that. It may be that two years from now I would favor resumption of work upon this dam. I feel very certain, in any event, that there will be no such loss as is suggested by the Senators who have spoken. In the first place, two or three years from now it is inconceivable that the United States will still be paying 6 per cent for money. That is what it is paying to-day.

Senators must realize that with this $10,000,000 appropriation going in here it is going to cost the taxpayers next year $600,000 in interest for this one proposition.

Further than that, the cost of this work to-day is a great deal higher than that work, in my judgment, would cost two or three years hence. I made some examination the other day of the relative prices of certain commodities compared with 1914, and each year since then, to December 31, 1920, and I find two items in that list of commodities whose prices had not fallen at all compared with the prices of agricultural products and of most necessities of life. There were two items which were still away up, and those were steel products and cement, and cement is a very material element in the cost of building this dam.

So that when you come to consider the interest that would be saved, Mr. President; when you come to consider the lower cost of the work, even if it did cost $2,500,000 to suspend work upon this dam now, which has been the estimate before the Committee on Agriculture and Forestry, that easily would be saved in the saving of interest and in lower cost of work when it was completed.

Reference has been made to Col. Cooper, and I join what Senators have said as to his great ability. I want to read what Col. Cooper said in the hearings referred to as to this power being used for fertilizer. He said:

> I am not a fertilizer expert, but just a plain, ordinary business man, and I want to say this, that I would not commit myself to fertilizers or to power or anything else at this time. I would wait until I was approximately ready to do business with somebody and then I would find out what is the best interest of the South. As I take it this is distinctly a southern proposition, and a great many people of the United States are vitally interested in what this power can do, and two years from now, or two years and a half from now, when we are approaching the time when a definite policy ought to be formed, then let the Government find out by competition—I believe in competition—whether it is the best thing to do to go into the fertilizer business or to go into the general power-distributing business. I do not think this is the right time to fix exactly what they are going to do with something that is not ready to function for three years or more.

In other words, this great engineer says, "I predict that we spend $43,000,000 upon a proposition without having any policy or plan as to what we are going to do with it when we get it finished, but trust to competition to find some use for it."

As to the use that will be found for this, I stated in the debate upon the nitrate plant, and I expressed my most sincere convictions, which are the same to-day as they were then, that if this goes on and this $43,000,000 is expended, or $50,000,000 if it is to be fully completed, the farmers of the United States will not get one pound of fertilizer any cheaper than they ever did before. In my judgment, when it is completed it will not be used for the manufacture of fertilizer at all. What will be done with it? We will have made this expenditure of $43,000,000 for 100,000 horsepower, or $50,000,000 for the secondary horsepower, and then we will have one customer for the power that is generated at this dam, and that customer will be the Alabama Power Co., a corporation organized in Montreal, Canada, and British owned.

It has been stated in the testimony that unless we shall sell this power to the companies that are ready to use it—and that means the Alabama Power Co.—the Government will have to expend an additional $29,000,000 for a distribution system.

Anybody can see what will happen. After we have expended the $43,000,000, then the Alabama Power Co. will come and say, "We will pay $10 per horsepower per year." What will be the result? We will take the offer of this company, or spend $29,000,000 more on a doubtful proposition. We will take what we can get. In my judgment that is the meat in the coconut in this bill.

Mr. HEFLIN. Mr. President, does not the Senator think that his argument that the Alabama Power Co. or others will desire it or want the power tends to establish the fact that this will be a very desirable project when completed?

Mr. LENROOT. Certainly.

Mr. HEFLIN. Does not the Senator think it would be better to complete it and let the Government sell the power at a profit if the power plants or people who need power are anxious to get in touch with it—to sell it at a profit?

Mr. LENROOT. Does the Senator think the power companies are anxious for this power?

Mr. HEFLIN. I have not said so.

Mr. LENROOT. Does the Senator think so, I am asking?

Mr. HEFLIN. The Senator from Utah [Mr. SMOOT] makes that argument.

Mr. LENROOT. What is the opinion of the Senator from Alabama about it?

Mr. HEFLIN. My opinion is that when the plant is completed, it will be the greatest power plant in the world, and that it will supply the power we need to make nitrates and for other purposes there, and if a power company should desire power, we would make money in transmitting it.

Mr. LENROOT. Will not the Senator answer the question whether, in his judgment, the power companies of those Southern States will be anxious for this power when it is generated by the Government?

Mr. HEFLIN. I have no information upon the subject.

Mr. LENROOT. What is the Senator's opinion about it?

Mr. HEFLIN. I have nothing to base an opinion on.

Mr. LENROOT. I understood from the Senator that there would be such a demand from these Southern States that this would be an immensely profitable thing for the Government. But now the Senator has not any opinion at all whether anyone will want that power or not.

Mr. HEFLIN. I am satisfied that some concerns would desire to have power if the plant were completed; so that the Government would not lose any money in completing it.

Mr. LENROOT. The Senator and I are getting together. He agrees that they would desire to have this power when the plant is completed. I agree. That is just what I said. If they can get this power, we will say, for $10 per horsepower per year and sell it for $20, of course, they will want it, and the Government will hold the bag. The Government will stand the loss and the power company will make the money. It is very plain, Mr. President, it seems to me; and I want to repeat that, in view of all this testimony, and especially the admissions that are made here to-day as to its being doubtful whether this ought to be used for fertilizer, and would be used for fertilizer, that there is a better and more valuable use for it in the distribution of power in Alabama and Tennessee, we have an additional reason why we should not at this time go ahead with this $10,000,000 proposition.

Mr. JONES of Washington. Will the Senator permit me to make an observation?

Mr. LENROOT. Certainly.

Mr. JONES of Washington. In line with the Senator's suggestion as to who will really get the benefit of this power, I want to read a brief extract from the testimony of Col. Cooper, in whose judgment I have a great deal of confidence and in whose judgment and opinion the proponents of this proposition have a great deal of confidence. On page 18 of his testimony this occurred:

> Senator JONES of Washington. As I understand, Co. Cooper, that when the Government gets this dam completed and the necessary things for the development of power are installed it will not proceed any further?
>
> Col. COOPER. No further. It will not have to proceed any further.
>
> Senator JONES of Washington. What agency do you think will take it over? It would have to be taken over by one agency, would it?
>
> Col. COOPER. Yes. I think that agency will probably be the five or six or seven public utilities of the South operating under the direction of the Federal Power Commission.
>
> Senator JONES of Washington. Are those public utility companies in existence now?
>
> Col. COOPER. They are.
>
> Senator JONES of Washington. Where and what are they?
>
> Col. COOPER. Birmingham; and the Alabama Power Co., the Southern Power Co., and the York, Pa., interests—a great many of them.

Mr. LENROOT. That carries out the statement I have just been making.

Mr. President, in regard to this appropriation, I ask Senators to consider this from a business standpoint. A river and harbor bill has passed the House and sent to the Senate, and because of the condition of the Treasury, it carries only $15,000,000 for maintenance. There are projects, Mr. President, of very great emergency, from the standpoint of commerce, in various parts of the country, which ought to be taken care of if we had the money to do it. There has been no effort upon the part of the House, and I doubt if there will be on the part of the Senate, to add these new items, because the Treasury is not in a condition to stand any such drain. So, granting all that these gentlemen say—and all they do say is that the Government will get back 5 per cent interest on its money in 30 years—we might have a thousand propositions just as meritorious as that. If we are going upon that theory, the United States Treasury will be bankrupt inside of 12 months.

Mr. MCKELLAR. Mr. President, continuing the examination from which the Senator from Washington [Mr. JONES] quoted a minute ago, I want to call the attention of the

Senate to the conclusions Col. Cooper reached about this matter. I read from page 19:

Senator JONES of Washington. Suppose such an agency as that should not be formed and could not get together. Then the Government would have to maintain it and establish distributing systems and everything else.

Col. COOPER. The supposition that they would not proceed in that line is an economic mistake, because it is to their own interests to do it.

Senator SMOOT. They will do it all right.

Col. COOPER. Oh, absolutely; they will do it, and they are going to do it now.

Senator JONES of Washington. Build a plant?

Col. COOPER. No; but they are wanting to form an association to handle this current under this superpower commission that the Government is back of. This is a good thing. There is nothing in this project, as I see it to-day, that is not a very worthy use of public money. I do not think there is anything about it that can be criticized, if you will just stick to the power end of it.

Mr. LENROOT. Mr. President, that corroborates what the Senator from Washington has just stated, and, furthermore, we have in connection with it Col. Cooper's testimony at the same hearing, from which I read, where he said that he did not think the Government should have any policy or plan whatever at this time with reference to the disposition of this power, that it should be put up to competition, and who would be the competitors? He himself said it would be the Alabama Power Co. and two or three of the other public utilities, which if not now controlled by the Alabama Power Co. undoubtedly will be by the time this is ever put up to competition.

Referring to the river and harbor bill, I said there is not very much encouragement, Mr. President, for some of us who are trying to keep the expenses of this Government down to where they should be, to some of us who are even voting against appropriations for projects in our own States that are very desirable, and saying to our constituents that the condition of the Treasury will not permit this expenditure, and that if we intend to secure prosperity in this country one of the first essentials is to economize in the expenditures of the Government—there is not very much encouragement to do that, Mr. President, when we find $10,000,000 chunks thrown away, as proposed in this pending amendment. Yet I expect the combination here is such, Mr. President, that this is going through. I have very little hope, if any, of this amendment being defeated. I think there are some men who have committed themselves to this proposition upon the theory that it will be a great benefit to farmers, who are not so certain of that fact as they thought they were, especially in view of the admissions which have been made in this debate. We do not hear anything to-day about this being absolutely needed for this fertilizer plant.

They have accomplished their purpose in getting a fertilizer bill through the House and getting certain Members committed to it upon that theory, and now the fertilizer plant can go hang so long as they get the Muscle Shoals Dam completed, and eventually the power generated at this dam to go to some utility company that will distribute it to consumers in the adjacent territory.

Mr. SMOOT. Mr. President, I simply wish to tell the junior Senator from Alabama [Mr. HEFLIN] that the Senator from Utah did not know a thing about the $60,000 appropriation referred to by the Senator until it was brought to my attention by the Treasury Department. There was a piece of land west of the post-office building at Salt Lake City that was about to be sold, from an estate, as I remember it, and if it were sold the Salt Lake post office, owned by the Government, could never be enlarged. It asked that the $60,000 be appropriated for the purchase of that land in order that they could secure room which they must have in the immediate future. Since the junior Senator from Alabama seems very much worried about it, all he has to do is to object and out it will go from the bill. It was at the request of the Senator from Utah that the $60,000 was placed in the bill.

Mr. HEFLIN. If the people of Utah need additional property to make the Government building what it ought to be, I wish to assure the Senator that I am for building up that State and not obstructing the project on any ground.

Mr. SMOOT. The Government of the United States building a post-office building for itself is quite a different proposition from the Government going into a speculative proposition and building a water-power dam. The Government of the United States is in no condition financially to advance money at 5 per cent at present to go into a speculative proposition, with no prospect of receiving an average of 5 per cent per annum interest for the next 30 years.

Mr. HEFLIN. I may state to the Senator, if he will permit me, that the man who owns the property adjoining the building in Salt Lake City might profit incidentally by selling it at $60,000.

Mr. SMOOT. Not at all. He can sell it to some one else. There was going to be a building erected on it, and if that were done, then when the time comes that the Government will be compelled to condemn it, it will not only have to pay for the land but pay for the building put upon it.

Mr. FLETCHER. Mr. President, I am impressed with the thought that it will be a very shortsighted policy and a great mistake for the Government not to buy the land. I know they have made similar mistakes elsewhere when they bought a piece of land and afterwards found they needed more land and could not get it.

I was going to ask the Senator from Utah if he does not think we ought to have a public buildings bill? There are numerous instances all over the country, in my own State, as elsewhere, where we need sites for buildings, and we have not been able to get anything for such a purpose practically since 1913.

Mr. SMOOT. I think there ought to be a way of appropriating the money to build the buildings that have already been authorized by the Government to be built, where the land has been purchased. Evidently that has not been the policy, and I can not state how soon it will be.

Mr. McKELLAR. Coming back to the matter in hand, the Senator says it is speculative to spend our money in this way. I understood the Senator to admit a little while ago that it was a good business proposition.

Mr. SMOOT. Even if it were a good business proposition, it is speculative. We do not know what will happen with the dam. We do not know what is going to happen 50 years from now as to the use of electric power as distributed to-day. There may be electricity distributed entirely without wires and the whole system may be changed entirely. It is speculative in that respect.

Another thing I wish frankly to say is that the Government of the United States is in no condition whatever to go into the investment of money now in a project, with 5 per cent profit to be obtained within 30 or 40 or 50 years.

Mr. McKELLAR. That might be true if it had not already been started, and it would not cost us more than $12,000,000.

Mr. SMOOT. It is not going to lose $12,000,000. I will assure the Senator of one thing, that if the appropriation is not made, that $5,000,000 unexpended balance will not be spent after March 4. I am quite sure of that.

The junior Senator from Alabama [Mr. HEFLIN] refers to the fact that the Government of the United States encouraged the building of irrigation projects in the West. That is true, and I will say to the Senator from Alabama that every farmer who gets one drop of reservoired water will pay the Government of the United States every cent of cost of developing it, together with interest.

Mr. HEFLIN. The Senator has been arguing to the effect that if the power were sold at Muscle Shoals, the people who got it would pay for it.

Mr. SMOOT. But with an irrigation project there is not any question about it.

Mr. HEFLIN. Not only that, if the Senator will permit me, but the farmers on the arid lands are simply paying back the money the Government advanced. The Senator admits that the Government would make money on this project.

Mr. SMOOT. I do not admit any such thing when we take into consideration the amount of interest upon the money to be paid. Instead of the Government losing the interest, as upon the proposition here, they are compelling the farmer to pay interest upon every dollar they have advanced to put water upon the arid lands of the West.

Mr. HARRIS. Mr. President, the Senator is arguing that it is all right to appropriate money for the farmers of the West for irrigation and let them pay for it, but it is a different thing when it is proposed to appropriate money for anything in the South for the benefit of farmers all over the country, even though the farmers pay for the fertilizer.

Mr. SMOOT. The Senator from Georgia may put that construction upon it, but that is not what the Senator from Utah has said. The two cases are not the same in any particular. Senators talk about fertilizer. There is no fertilizer question in this proposition. This is water power pure and simple. Col. Cooper said that, as far as the national defense is concerned, he would not spend one cent for it. He said that, as far as fertilizer is concerned, he would not spend a cent for it.

Mr. HEFLIN. Did he not say that he knew nothing about fertilizer?

Mr. McKELLAR. And he said every time that he was strongly in favor of it. The Senator must recall that Col. Cooper, to whom he refers time and again, recommended it.

Mr. SMOOT. Yes; for power purposes; and I have said that time and time again. There is no question about that. But Senators keep throwing in the question of fertilizer. They are not going to deceive the farmer in any such way. This is a

power proposition pure and simple, and the Government of the United States is asked to advance money for the purpose of building that power plant.

I wish to say, as the Senator from Wisconsin [Mr. LENROOT] said, that it will not be many years, if it is completed and the Government of the United States spends its money for a distributing system, before the power plant, if Col. Cooper is correct, will be absolutely under the control of the power corporations of the Southern States. Every Senator knows, if it is let out on bids, who is going to bid for the power. Col. Cooper in his testimony named some of the power companies that will use the power.

Is there any State of the South or is there anyone else who guarantees to the Government of the United States that they are going to pay the money back? Will the power companies of the South guarantee, like the man who irrigates in the West, to pay every dollar the Government invests, with interest as well? No; there is no such proposition as that. Before the money was advanced on the irrigation projects, much of it was obtained from the sale of public lands. Not only that, but the public lands, to which the Government gave title to these people, was put up as collateral security, as well as all their water rights that were secured from the States. In other words, everything that the farmer had in the world was put up as security to repay the Government of the United States every dollar that the Government advanced through the sale of public lands, together with interest upon that sum. It is quite a different proposition from the one under consideration.

Mr. FLETCHER. Have all the payments been made?

Mr. SMOOT. I think there are very few projects in the United States that are not paid up to date in their yearly payments. There may be a very few of them back. I think, perhaps, there are one or two such projects.

Mr. JONES of Washington. If the Senator will permit me, in line with that, the last report that I saw showed that the construction charges of all the projects in the United States due amounted to about $6,500,000, and of that a little more than $6,000,000 had been paid.

Mr. SMOOT. The oil-well story of the Senator reminds me of the actual condition existing. The Senator referred to the oil man who was successful, but he did not tell the Senate that where there is one successful oil man there are 10,000 who are unsuccessful. In other words, on this proposition the Government of the United States, on the basis of the oil-well proposition, stands one chance in ten thousand to be successful.

Mr. HEFLIN. If the Senator will permit me, the Government expert, Col. Cooper, said it is inconceivable that we should even think of abandoning this project and that it is a good business proposition. He had not any doubt about it.

Mr. SMOOT. There is no kind of a proposition that can be started but what there is a doubt about it. The first time I ever heard that this work was going to be swept away by a flood in the Tennessee River was when it was stated on the floor of the Senate here to-day. I do not see why it has not been swept away before.

Mr. HEFLIN. The Senator knows that in building the foundation for a dam away down in the ground cement and concrete and things like that are used. If we abandon it, the woodwork around it will rot away and be washed away and water will get in and wash the whole thing out.

Mr. SMOOT. It was not a question of abandoning it. The Senator from Utah does not for a moment contend that the project ought to be temporarily laid aside, as it were, and in two or three years the same proposition be taken on again. The time to save it, if we are going to save it at all, is now.

Mr. HEFLIN. Then the Senator does not agree with the Senator from Wisconsin [Mr. LENROOT]?

Mr. SMOOT. I do not know to what the Senator has reference.

Mr. HEFLIN. The Senator from Wisconsin said here that it might be laid aside for a couple of years or so.

Mr. SMOOT. We might know more about it by that time, anyway.

Mr. LENROOT. Will the Senator from Utah yield to me?

Mr. SMOOT. I yield.

Mr. LENROOT. The Senator refers to this as being a good business proposition, as testified to by Col. Cooper. I wish to recall to the Senator's mind that Col. Cooper testified that, though the work had cost us $12,000,000, since the war was over every dollar for which it could be sold, in his opinion, would be $3,000,000. If it were a good business proposition, it is strange, indeed, why some one would not be willing to pay more than that for it.

Mr. SMOOT. And when the Senator from Tennessee [Mr. MCKELLAR] comes in and says the water power itself is worth $50,000,000, it is strange that we can not get somebody at least to pay a small part of that $50,000,000 for it.

Mr. HEFLIN. Col. Cooper was speaking about a sale of the project in an incomplete condition.

Mr. SMOOT. If it were completed the Senator knows that there are only a few people who could possibly get the money with which to buy it, and they would be the owners of the Alabama Power Co., and a few more power companies operating there in connection with the Alabama company.

So I say, Mr. President, if we are going on with the work, the proper thing to do is to continue it until it is finished; but if we do, I promise the Senate of the United States there will be more loss in it than there would be if we should discontinue the work right now.

Mr. HEFLIN. Did not the Senator from Utah on a former occasion in a speech on this very subject say that he favored appropriating whatever was necessary to complete the whole project?

Mr. SMOOT. No; the Senator from Utah did not say that. The Senator from Mississippi read here the other day what I did say. I said that we ought, if possible, to secure as cheap fertilizer for the farmer as we could; but when I went into a study of the question as to fertilizer I found, I desire to say to the Senator from Alabama, that there is nothing in the present appropriation that has the remotest connection with fertilizer.

Mr. HEFLIN. I referred to the argument which the Senator from Utah previously made, and I wish to get it accurately.

Mr. SMOOT. The Senator from Mississippi read what I previously said in connection with an appropriation bill when the subject was up, and I stand by that now.

Mr. President, since that statement has been made the proposition for the operation of a fertilizer plant has gone glimmering. So I do not know that it is worth while to take any more time upon the question now. I can not do otherwise than simply repeat what I have said, that I hope at this time the Senate will stop the expenditure of any more money on this project, because now is the time when the loss which will come to the Government of the United States will be the smallest it can possibly be.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. UNDERWOOD. I ask for the yeas and nays on the committee amendment.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. POMERENE (when his name was called). I have a general pair temporarily with the senior Senator from Iowa [Mr. CUMMINS] and therefore withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. I do not think he has voted, and as I can not obtain a transfer I withhold my vote.

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). I desire to state that the senior Senator from South Carolina [Mr. SMITH] is absent on public business. He is paired with the Senator from South Dakota [Mr. STERLING]. If the Senator from South Carolina were present, he would vote "yea."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Maryland [Mr. FRANCE] and will vote. I vote "nay."

Mr. WALSH of Montana (when his name was called). I transfer my pair with the Senator from New Jersey [Mr. FRELINGHUYSEN] to the Senator from Virginia [Mr. GLASS] and will vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and will vote. I vote "yea."

The roll call was concluded.

Mr. SIMMONS. I transfer my pair with the junior Senator from Minnesota [Mr. KELLOGG] to the Senator from California [Mr. PHELAN] and will vote. I vote "yea."

Mr. KNOX. I am paired with the senior Senator from Oregon [Mr. CHAMBERLAIN]. I am, therefore, compelled to withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. KING. I have a general pair with the junior Senator from Missouri [Mr. SPENCER]. In his absence I withhold my vote. If permitted to vote, I should vote "nay."

Mr. MYERS. I inquire if the Senator from Connecticut [Mr. McLEAN] has voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut, and, as I am not able to obtain a transfer, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. McCUMBER (after having voted in the negative). I transfer my general pair with the senior Senator from Colorado [Mr. THOMAS] to the senior Senator from Connecticut [Mr. BRANDEGEE] and allow my vote to stand.

Mr. WILLIAMS (after having voted in the affirmative). A moment ago I transferred my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Oklahoma [Mr. GORE]. Since then the Senator from Oklahoma has come into the Chamber and has voted. I therefore withdraw my vote.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON]; and

The Senator from New York [Mr. CALDER] with the Senator from Massachusetts [Mr. WALSH].

Mr. HARRISON. I desire to announce that on this vote the Senator from Illinois [Mr. SHERMAN] has released the Senator from Virginia [Mr. GLASS] from his pair.

The result was announced—yeas 36, nays 27, as follows:

YEAS—36.

Ashurst	Gronna	McNary	Simmons
Beckham	Harris	Nelson	Smith, Ariz.
Capper	Harrison	Overman	Smith, Ga.
Culberson	Heflin	Pittman	Smith, Md.
Dial	Jones, N. Mex.	Ransdell	Stanley
Fletcher	Kendrick	Reed	Swanson
Gay	Kirby	Robinson	Trammell
Gerry	La Follette	Sheppard	Underwood
Gore	McKellar	Shields	Walsh, Mont.

NAYS—27.

Ball	Hale	McCormick	Smoot
Borah	Johnson, Calif.	McCumber	Sterling
Colt	Jones, Wash.	Moses	Sutherland
Curtis	Kenyon	New	Townsend
Dillingham	Keyes	Page	Wadsworth
Elkins	Lenroot	Phipps	Willis
Gooding	Lodge	Poindexter	

NOT VOTING—33.

Brandegee	Glass	Newberry	Thomas
Calder	Henderson	Norris	Walsh, Mass.
Chamberlain	Hitchcock	Owen	Warren
Cummins	Johnson, S. Dak.	Penrose	Watson
Edge	Kellogg	Phelan	Williams
Fall	King	Pomerene	Wolcott
Fernald	Knox	Sherman	
France	McLean	Smith, S. C.	
Frelinghuysen	Myers	Spencer	

So the committee amendment was agreed to.

Mr. ROBINSON. Mr. President, referring to a topic which was discussed in the Senate late yesterday afternoon, with reference to the confirmation of military nominations for promotions to the ranks of brigadier general and major general, I desire to submit a brief statement and a request for unanimous consent. If the request is not granted, at a more convenient, early date, I shall move that the Senate proceed to the consideration of executive business. That is the only way in which the sense of the Senate may be tested out as to whether these nominations shall be given any consideration whatever.

I wish now briefly to point out that these nominations were made in strict conformity to the so-called Army reorganization act approved June 4, 1920. On page 2, section 4, that act, among other things, provides as follows:

On and after July 1, 1920, there shall be 21 major generals and 46 brigadier generals of the line—

And so forth—

Provided, That major generals of the line shall be appointed from officers of the grade of brigadier general of the line, and brigadier generals of the line shall be appointed from officers of the grade of colonel of the line whose names are borne on an eligible list prepared annually by a board of not less than five general officers of the line, not below the grade of major general: *Provided further*, That the first board convened after the passage of this act may place upon such eligible list any officer of the line of not less than 22 years' commissioned service.

On a former occasion—January 18, 1921—I pointed out the fact that all of these nominations were made in strict conformity to the act of Congress, and that the board which made the selections for the grade of brigadier general consisted of Gens. Liggett, Dickman, Bullard, Harbord, and Summerall. It would be difficult to create in the United States Army a board better qualified to perform the service authorized by the act in the provision which I have just read.

Every officer who has been nominated has distinguished himself by valiant or efficient service. With the exception of two who have been nominated for promotion to the rank of major general, and I believe the same number who have been nominated for promotion to the rank of brigadier general, all of these officers served at the front. All of them have been decorated repeatedly for courageous service in the Army of the United States. While it is true that by reason of the fact that the list is limited to so small a number it has been impossible to nominate for promotion to these grades all officers in the Army who are deserving of promotion, I undertake to say that when the records of these officers are disclosed to the Senate—and they will be disclosed if action is not soon taken—there will not be a Senator who will be willing to assume responsibility for denying merited promotion to any of these officers.

Mr. President, I ask unanimous consent that all remaining military nominations pending before the Senate be referred to the Committee on Military Affairs as in open executive session.

Mr. LODGE. I object.

The VICE PRESIDENT. Objection is made. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 51, line 4, after the word "materials," to strike out "$275,000" and insert "$250,000," so as to read:

National cemeteries: For maintaining and improving national cemeteries, including fuel for superintendents, pay of laborers and other employees, purchase of tools, and materials, $250,000.

The amendment was agreed to.

The next amendment was, on page 52, line 15, before the words "of which," to strike out "60 per cent" and insert "one-half," so as to read:

For expenses of burying in the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent ex-Union soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired and who die in the District of Columbia, to be disbursed by the Secretary of War, at a cost not exceeding $45 for such burial expenses in each case, exclusive of cost of grave, $1,000, one-half of which sum shall be paid out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 56, line 6, under the subhead of "National military parks," after the word "law," to strike out "$49,000" and insert "$45,000," so as to read:

NATIONAL MILITARY PARKS.

Chickamauga and Chattanooga National Military Park: For continuing the establishment of the park; compensation and expenses of civilian commissioner, maps, surveys, clerical and other assistance, including $300 for necessary clerical labor under direction of the chairman of the commission; maintenance, repair, and operation of one motor-propelled and one horse-drawn passenger-carrying vehicle; office and all other necessary expenses; foundations for State monuments; mowing; historical tablets, iron and bronze; iron gun carriages; roads and their maintenance; purchase of small tracts of lands heretofore authorized by law, $45,000.

The amendment was agreed to.

The next amendment was, on page 58, line 20, after the word "pedestals," to strike out "$18,550" and insert "$17,000," so as to read:

For construction and repair of post-and-chain fences, repair of high iron fences, constructing stone coping about reservations, painting watchmen's lodges, iron fences, vases, lamps, and lamp-posts; repairing and extending water pipes, and purchase of apparatus for cleaning them; hose; manure, and hauling same; removing snow and ice; purchase and repair of seats and tools; trees, tree and plant stakes, labels, lime, whitewashing, and stock for nursery, flowerpots, twine, baskets, wire, splints, and moss, to be purchased by contract or otherwise, as the Secretary of War may determine; care, construction, and repair of fountains; abating nuisances; cleaning statues and repairing pedestals, $17,000.

The amendment was agreed to.

The next amendment was, on page 59, line 2, to decrease the appropriation for improvement, care, and maintenance of various reservations, etc., in and around Washington, from "$35,000" to "$30,000."

The amendment was agreed to.

The next amendment was, on page 59, line 21, to decrease the appropriation for care and improvement of East Potomac Park from "$45,000" to "$40,000."

The amendment was agreed to.

The next amendment was, on page 60, after line 8, to insert:

For operation, care, repair, and maintenance of the electric pump which operates the memorial fountain to Admiral Dupont in Dupont Circle, $1,500.

The amendment was agreed to.

The next amendment was, on page 61, after line 9, to strike out:

Sixty per cent of the foregoing sums under "Buildings and grounds in and around Washington" shall be paid from the revenues of the District of Columbia and 40 per cent from the Treasury of the United States.

And in lieu thereof to insert:

One half of the foregoing sums under "Buildings and grounds in and around Washington" shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 63, after line 5, to strike out "60 per cent of which sum shall be paid from the revenues of the District of Columbia and 40 per cent from Treasury of the United States" and in lieu thereof to insert "one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States," so as to read:

In all, $28,500, or so much thereof as may be necessary, one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 64, line 12, to increase the appropriation for continuing the construction of a reflecting pool in West Potomac Park from "$150,000" to "$250,000, to be immediately available."

The amendment was agreed to.

The next amendment was, on page 64, after line 19, to insert:

The appropriation for expenses of dedicating the Lincoln Memorial, contained in the sundry civil appropriation act for the fiscal year 1920, is continued and made available for the same purpose during the fiscal year 1922.

Mr. ROBINSON. Mr. President, may I inquire of the Senator in charge of the bill, or some other Senator familiar with the matter, what is the amount of that appropriation?

Mr. WARREN. Five thousand dollars.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 65, after line 10, to insert:

For removal and reconstruction of a part of the fence around the Botanic Garden made necessary on account of the completion of the Grant Memorial, to be immediately available, $3,000, or so much thereof as may be necessary, to be expended under the supervision and direction of the Director of the Botanic Garden.

The amendment was agreed to.

The next amendment was, on page 66, line 6, in the item for continuing the construction of the Georgetown bridge, after the numerals "$450,000," to strike out:

Forty per cent to be payable out of the Treasury of the United States and 60 per cent out of the revenues of the District of Columbia.

And in lieu thereof to insert:

One half to be payable out of the Treasury of the United States and the other half out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 66, line 18, before the word "improvement," to strike out the word "continuing," and in line 19, before the word "contract," to strike out "in completion of" and insert "under," so as to read:

Hudson River, N. Y.: For improvement, under contract authorization, $100,000.

The amendment was agreed to.

The next amendment was, on page 66, after line 20, to insert:

Willapa River and Harbor, Wash.: For continuing improvement, in accordance with contract authorization, $150,000.

The amendment was agreed to.

The next amendment was, on page 66, line 26, in the item for "flood control," after the words "March 1, 1917," to strike out "to remain available until expended."

The amendment was agreed to.

The next amendment was, on page 67, line 26, under the subhead of "Medical Department," to increase the appropriation for artificial limbs, apparatus, etc., from "$50,000" to "$60,000."

The amendment was agreed to.

The next amendment was, on page 68, line 25, after the words "February 28, 1920," to strike out:

As follows: For interchange terminal dock, South St. Louis, Mo., $400,000; interchange cotton-handling equipment, Memphis, Tenn., $60,000; interchange terminal dock, New Orleans, La., $400,000; interchange storage bins for coal tipple, Cordova, Ala., $40,000; interchange cargo handling facilities, Demopolis, Ala., $25,000; and for operation, $300,000; in all,

The amendment was agreed to.

The next amendment was, on page 78, after line 16, to insert:

Not exceeding $24,000 of that part of the $46,000,000 appropriated in the sundry civil appropriation act for the fiscal year 1921 for medical and hospital services of the Bureau of War Risk Insurance allotted to the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby made available for the erection of quarters for additional surgeons at the Danville and Hampton branches of the National Home for Disabled Volunteer Soldiers.

The amendment was agreed to.

The next amendment was, on page 80, line 20, to decrease the appropriation for work at the Capitol and for general repairs thereof, etc., from "$65,000" to "$40,000."

The amendment was agreed to.

The next amendment was, on page 81, after line 5, to insert:

Maltby Building: The sum of $7,000 is hereby made available out of any appropriation for the Federal Board for Vocational Education for necessary repairs to the Maltby Building during the occupancy of said building by said board, said sum to be expended under the supervision and direction of the Superintendent of the Capitol Building and Grounds.

The amendment was agreed to.

The next amendment was, on page 81, line 18, to strike out:

Forty per cent out of the Treasury of the United States and 60 per cent out of the revenues of the District of Columbia.

And in lieu thereof to insert:

One-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

Mr. KING. Mr. President, may I inquire of the Senator in charge of the bill what the results will be with respect to this amendment if the conferees who are now considering the plan upon which the expenses of the District of Columbia are paid should agree upon different proportions?

Mr. CURTIS. Mr. President, let me answer the question for the chairman of the committee, whose attention has been distracted for a moment. It will be controlled by the action of the House conferees and the Senate conferees on the District bill. If we reach an agreement, then the same agreement will be reached on these items in the District of Columbia bill and in this bill.

Mr. ROBINSON. Will the Senator state, in that connection, what is the probability of an agreement?

Mr. CURTIS. I understand that there have been two meetings, and the representatives of the Senate think that the House and Senate conferees will reach an agreement.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 82, line 16, to increase the appropriation for clerk hire, rent, and other incidental expenses of the district land offices, etc., from "$375,000" to "$400,000."

The amendment was agreed to.

The next amendment was, on page 83, line 1, to increase the appropriation for protecting public lands, timber, etc., from "$500,000" to "$550,000."

The amendment was agreed to.

The next amendment was, on page 83, line 1, in the item for the purchase of motor-propelled passenger-carrying vehicles for the use of agents and others employed in the field service of the General Land Office, etc., after the word "exceeding," to strike out "$25,000" and insert "$35,000," so as to read:

including not exceeding $35,000 for the purchase of motor-propelled passenger-carrying vehicles for the use of agents and others employed in the field service and for operation, maintenance, and exchange of same and for operation and maintenance of a motor boat.

The amendment was agreed to.

The next amendment was, on page 87, line 23, under the subhead "United States Geological Survey," after the words "photographer, $2,000," to strike out "assistant photographer—one $900, one $720," and insert "assistant photographer, $900"; before the words "of class two," on line 25, to strike out the word "three" and insert the word "one"; on page 88, line 1, before the words "at $900 each," to strike out the word "four" and insert the word "two"; on the same line, before the words "messenger boys," to strike out "four" and insert "two"; and in line 2, after the words "in all," to strike out "$28,440" and insert "$22,160," so as to read:

Office of director: Director, $6,000; chief clerk, $2,500; librarian, $2,000; photographer, $2,000; assistant photographer, $900; clerks—1 of class 2, 3 of class 1, 1 $1,000, 2 at $900 each; 2 messenger boys, at $480 each; in all, $22,160.

Mr. KING. Mr. President, may I inquire of the Senator from Wyoming or the Senator from Utah whether figures were submitted by the Interior Department as to the allocation which will be made of the $700,000 for surveying the public lands?

Mr. WARREN. No allocation has been made.

Mr. KING. The officials of that department are at liberty, then, to make such distribution as they please?

Mr. WARREN. The law governs the prices which they pay. The only thing left for them to do is to distribute it in the different States as they think best.

Mr. KING. Appeals have been made, as the Senator knows, from one or more States, calling attention to particular exigencies, particular circumstances, which seem to demand that

they be differentiated, or that they be taken out of the same class as other States.

Mr. WARREN. That is a matter that has to be settled by the Secretary of the Interior, if this matter gets to him; but they are bound by certain prices, by the laws and regulations per mile for level country or mountainous country, and so forth.

Mr. KING. I was not speaking about the price.

Mr. WARREN. That is entirely with the Secretary.

Mr. KING. Then he may allocate it to one State or to a number of States?

Mr. WARREN. He would hardly allocate it all to one State.

Mr. KING. I am speaking of his power.

Mr. WARREN. Of course, he can allocate it as he pleases.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 89, line 11, after the words "of which $25,000," to strike out "may be used" and insert "shall be available only," so as to read:

For gauging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, $180,000, of which $25,000 shall be available only to test the existence of artesian and other underground water supplies suitable for irrigation in the arid and semiarid regions by boring wells.

The amendment was agreed to.

The next amendment was, on page 89, line 18, to increase the appropriation for engraving and printing geologic maps from "$125,000" to "$140,000."

The amendment was agreed to.

The next amendment was, on page 89, line 25, to increase the total appropriation for United States Geological Survey from "$1,605,620" to "$1,614,340."

The amendment was agreed to.

The next amendment was, on page 90, line 8, to decrease the appropriation for general expenses of Bureau of Mines, etc., from "$76,900" to "$65,000."

The amendment was agreed to.

The next amendment was, on page 93, line 21, after the words "passenger-carrying vehicles," to strike out "$50,000" and insert "$132,000," so as to read:

For the enforcement of the act of February 25, 1920, entitled "An act to promote the mining of coal, phosphates, oil, oil shale, gas, and sodium on the public domain," and of the rules and regulations prescribed by the Secretary of the Interior in accordance with the provisions of said act, and for every other expense incident thereto, including supplies, equipment, printing, expenses of travel and subsistence, purchase, maintenance, and operation of motor-propelled passenger-carrying vehicles, $132,000.

The amendment was agreed to.

The next amendment was, on page 95, line 19, to strike out "$1,357,300," and insert in lieu thereof "$1,427,400," so as to read:

In all, Bureau of Mines, $1,427,400.

The amendment was agreed to.

The next amendment was, on page 97, line 15, after the numerals "$1,570,000," to strike out "together with the unexpended balance of the appropriation for this project for the fiscal year 1921," so as to make the paragraph read:

Boise project, Idaho: For operation and maintenance, continuation of construction, and incidental operations, $1,570,000.

Mr. WARREN. The Senator from Idaho [Mr. BORAH] wishes to have the Senate disagree to the committee amendment.

Mr. JONES of Washington. I was about to suggest to the chairman that the amendment should be disagreed to.

Mr. WARREN. I ask that the amendment be rejected.

The amendment was rejected.

The next amendment was, on page 98, under the Minidoka project, Idaho, commencing with line 7, after "$1,735,000," to strike out:

Together with the unexpended balance of the appropriation for this project for the fiscal year 1921.

Mr. JONES of Washington. I think the same action should be taken on this amendment.

The amendment was rejected.

The next amendment was, on page 100, under the Okanogan project, Washington, line 6, after "$33,000," to strike out:

Together with the unexpended balance of the appropriation for this project for the fiscal year 1921.

Mr. JONES of Washington. The same action should be taken on this amendment.

The amendment was rejected.

The next amendment was, on page 102, to strike out lines 6 to 14, inclusive, in the following words:

Reimbursement may be made to the United States by the former owner of land heretofore or hereafter acquired under the reclamation law, to the extent of the amount paid therefor, with a reasonable deduction for damage to the land or for the use thereof if any use is advisable and if the Secretary of the Interior shall find that the whole or any portion of the land is not needed under the provisions of the reclamation law; and the Secretary of the Interior may reconvey title thereto under such terms and conditions as he deems proper.

Mr. ROBINSON. I would like to have an explanation of that amendment. From a cursory reading of it I can not understand its effect. Will the Senator from Wyoming explain the amendment?

Mr. WARREN. Mr. President, there is an injustice under present conditions, as the Senator will see by considering the following example: Parties interested in irrigation may take my farm at some price they fix, and I move away and take another farm and engage in business, and three or four or five years afterwards, after they have used part of it, perhaps, or the land next to it, with reservoirs and ditches, which really may destroy the balance, they come back and ask me to take it back at the price they paid for it. We did not think that was just, and therefore the committee struck out that provision. It will come up in conference, but I can see no good reason why that should remain in the bill.

Mr. ROBINSON. The provision is a change in existing law, I take it, from the Senator's statement.

Mr. WARREN. It is a House provision.

Mr. ROBINSON. I say it is a change in existing law.

Mr. WARREN. I think not.

Mr. ROBINSON. Is there a present law on the subject?

Mr. WARREN. There is no present law which requires a man to give up his property. However, it will go to conference.

Mr. ROBINSON. If there is no present law upon the subject, the provision is a change of existing law.

Mr. WARREN. It does change the existing law.

Mr. ROBINSON. It is new law.

The amendment was agreed to.

The next amendment was, on page 104, line 8, to strike out "$120,630" and insert in lieu thereof "$127,000"; and on line 11 to strike out "$540" and insert in lieu thereof "$570," so as to read:

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including transportation and other expenses, $127,000: *Provided*, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Co., of Portland, Oreg., not to exceed $570 per capita per annum for the care and maintenance of Alaskan insane patients during the fiscal year 1922.

Mr. KING. I wish to make an inquiry of the Senator in charge of the bill. Perhaps I should wait until the amendments are agreed to, however, as I want to ask concerning the item for engineering expenses in Alaska of $4,000,000.

Mr. WARREN. The Senator knows that we provided for a railroad building scheme in Alaska. It is for that purpose.

Mr. KING. My understanding is that we have already expended amounts greatly in excess of that sum.

Mr. WARREN. We have, and we shall expend much more. I do not know whether the Senator voted for the bill or not; but that does not matter.

Mr. KING. I was not in the Senate. If I had been, I should have voted against it.

Mr. WARREN. I believe that, having gone that far, we must finish it as cheaply as we can, and we are appropriating each year what is considered necessary for the economic expenditures. Of course, we have cut some matters down. For instance, we have denied the Secretary of the Interior the privilege of paying an engineer in charge nearly double what we have allowed. We have looked out for other economies. But I think it is a proposition that can neither be neglected nor cut down any further than we have cut it down.

Mr. JONES of Washington. About a year ago, possibly a little more, Congress increased the limit of cost for the construction of this railroad in Alaska by $17,000,000, and we appropriated in the last bill $7,000,000 of that.

Mr. WARREN. This $4,000,000 is within the limit.

Mr. JONES of Washington. This is the estimate for the present year to carry on the work within the limit of cost.

Mr. WARREN. The same as with public buildings.

Mr. KING. Mr. President, I am afraid this entire amount will be wasted. I think it was a very unwise, indeed, a foolish project for the Government to embark upon, and that money, in my opinion, will practically be wasted.

The amendment was agreed to.

The next amendment was, on page 104, line 20, after the word "employees," to insert "repair, equipment, maintenance,

and operation of vessels transferred from the Navy Department," so as to read:

Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, repair, and rental of school buildings; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessel transferred from the Navy Department; and all other necessary miscellaneous expenses which are not included under the above special heads, $325,000, to be available immediately.

Mr. ROBINSON. What is the purpose of the amendment, I ask the chairman. Is this a new arrangement, or has the arrangement been in effect for some time?

Mr. WARREN. The expense of transportation is very, very high. I will not say it is done by reindeer or on the water, but much of it has to be taken from different points by reindeer or dogs. It is hard to get the water transportation oftentimes anyway, because there are no facilities and the rates are exceedingly high. They claim they can save a great many thousand dollars a year by fitting up and using this vessel, which has been allocated to them by the Navy Department, and their arguments seem to be worthy of consideration.

Mr. ROBINSON. Is it proposed that the department shall transport the public generally, or is this for the transportation of officers or employees of the Government?

Mr. WARREN. It is for the transportation of supplies largely. We have to take care of the Eskimos, we have the teachers, and about all there is of Alaska belongs to the Government yet.

Mr. ROBINSON. Is the vessel in operation now?

Mr. WARREN. The vessel is not in operation now, but is lying at Newport, and unless we make an appropriation for it, it will remain there, or at least it can not be carried across and delivered.

The amendment was agreed to.

The next amendment was, on page 106, after line 18, to strike out:

Protection of game in Alaska: For carrying out the act entitled "An act for the protection of game in Alaska, and for other purposes," approved May 11, 1908, including salaries, traveling expenses of game wardens, and all other necessary expenses, $25,000, to be expended under the direction of the governor of Alaska.

The amendment was agreed to.

The next amendment was, on page 107, line 7, to strike out "law clerk, $2,000"; on line 9, after the words "2 of class 4," to strike out the word "three" and insert in lieu thereof the word "two"; and on line 12, after the words "District of Columbia," to strike out "$31,020" and insert in lieu thereof "$27,420," so as to read:

National Park Service: Director, $4,500; assistant director, $2,500; chief clerk, $2,000; editor, $2,000; draftsman, $1,800; accountant, $1,800; clerks—2 of class 4, 2 of class 3 (1 transferred from Secretary's office), 1 of class 2, 1 of class 1, 1 $1,020, 2 at $900 each; messenger, $600; in all, for park service in the District of Columbia, $27,420.

The amendment was agreed to.

The next amendment was, on page 107, after line 12, to insert:

Fighting forest fires in national parks: For fighting forest fires in national parks, or other areas administered by the National Park Service, or fires that endanger such areas, and for replacing buildings or other physical improvements that have been destroyed by forest fires within such areas, $25,000: *Provided*, That these funds shall not be used for any precautionary fire protection or patrol work prior to actual occurrence of the fire: *And provided further*, That the allotment of these funds to the various national parks, or areas administered by the National Park Service, for fire-fighting purposes, shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred, and the Secretary of the Interior shall submit with his annual estimate of expenditures a report showing the location, size, and description of each forest fire, together with the number of men, their classification and rate of pay and actual time employed, and a statement of expenditures showing the cost for labor, supplies, special service, and other expenses covered by the expenditures made from these funds.

The amendment was agreed to.

The next amendment was, on page 109, line 1, in the item for Glacier National Park, Mont., after "$195,000," to insert "of which $25,000 shall be immediately available."

The amendment was agreed to.

The next amendment was, on page 109, after line 17, to insert:

Hot Springs Reservation, Ark.: For labor, material, supervision, and all other necessary expenses incident to the completion of the Government free bathhouse, there is appropriated $60,000, and in addition thereto there is authorized to be expended from the revenue received from the said reservation $25,000, and the limitation of cost of said building is hereby extended to not exceed $275,000.

Hereafter the Hot Springs Reservation shall be known as the Hot Springs National Park.

The amendment was agreed to.

The next amendment was, on page 110, line 24, in the item for Mount Rainier National Park, Wash., after "$150,000," to add "of which amount $25,000 shall be immediately available."

The amendment was agreed to.

The next amendment was, on page 111, line 19, to strike out "$86,000" and insert in lieu thereof "$50,000," so as to read:

Sequoia National Park, Calif.: For administration, protection, maintenance, and improvement, including not exceeding $2,000, to be available immediately, for the purchase, maintenance, operation, and repair of a motor-driven passenger-carrying vehicle for the use of the superintendent and employees in connection with general park work, $50,000.

The amendment was agreed to.

The next amendment was, on page 112, line 12, in the item for Yellowstone National Park, Wyo., after the numerals "$350,000," to insert "of which amount $25,000 shall be immediately available."

The amendment was agreed to.

Mr. POMERENE. The Senate is acting upon committee amendments now?

The VICE PRESIDENT. It is.

Mr. POMERENE. Very well. I desire to offer an amendment on page 114.

Mr. WARREN. After the committee amendments have been concluded the Senator will have an opportunity to offer it.

The next amendment was, on page 114, line 24, to strike out "$1,500" and insert in lieu thereof "$2,200," so as to read:

HOWARD UNIVERSITY.

For maintenance, to be used in payment of part of the salaries of the officers, professors, teachers, and other regular employees of the university, ice and stationery, the balance of which shall be paid from donations and other sources, of which sum not less than $2,200 shall be used for normal instruction, $90,000.

The amendment was agreed to.

The next amendment was, on page 115, after line 7, to insert:

For additions to the home economics building, to include dining hall and kitchens, to provide refrigeration, laundry, bakery, garbage incinerator, all equipment necessary for the buildings, and also to provide for heating apparatus therefor and material and labor required in bringing heat from the central heating plant of Freedmen's Hospital to the buildings, $116,000.

Mr. FLETCHER. Mr. President, what is the reason for the Government making this appropriation now? Is this an entirely new outfit for Howard University?

Mr. WARREN. I presume the Senator knows that there are a number of new buildings asked for there, but this is in the line of an addition, to provide for the immediate present, although I think at least three or four other items asked for, of considerable amount, the committee denied.

Mr. SMOOT. Mr. President, this is the only colored school that is run by the Government of the United States, and about the only place where the colored people can receive an academic education.

I will say to the Senator from Florida that this building is an addition to the buildings which are already being used, and the Senator, I think, has no idea how rapidly the number of students is increasing in Howard University. I think that within the last four years there has been an increase in attendance at Howard University of between 250 and 300 per cent, and they are trying to get along with the buildings they have. Last year they asked for this building, together with three or four other structures. This year they pleaded for them all, and the committee felt that they could not refuse this addition to the buildings, because they can not get the students into the present quarters.

Mr. FLETCHER. Have they a dormitory system?

Mr. SMOOT. They want an appropriation for that purpose, but the committee has not given it to them.

Mr. FLETCHER. I understand that tuition is free, and the Government is paying all the expenses and taking care of them and putting up the buildings also.

Mr. SMOOT. Each student pays a certain amount, but as far as the institution is concerned, we only appropriate what is carried in this bill. The Senator will see that for maintenance we give $90,000.

Mr. FLETCHER. What attendance have they there?

Mr. SMOOT. I did not bring that testimony here, and I can not state it offhand.

Mr. FLETCHER. Very well; I can look that up.

Mr. SMOOT. The Senator will find that within the last year and a half the attendance has doubled.

Mr. FLETCHER. The committee feel that this appropriation is necessary?

Mr. SMOOT. Not only is this necessary but the dormitory and other buildings are necessary. However, we simply felt that we could not make provision for them.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 118, after the words "Attorney General," in line 25, to insert:

And including not to exceed $200,000 for keeping and guarding liquors and property seized and turned over to the Department of Justice or United States marshals to be used in the trial of cases for the violation of the national prohibition act.

The amendment was agreed to.

Mr. WARREN. I move the adoption of the amendment which I send to the desk. We have reduced the total sum $10,000 because of an insertion in the legislative, and so forth, appropriation bill.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 119, line 4, strike out "$2,000,000" and insert "$1,990,000."

The amendment was agreed to.

Mr. KING. May I inquire whether the appropriation of $2,000,000 is approximately the amount heretofore granted?

Mr. SMOOT. It is the existing law.

Mr. WARREN. It is the same as last year.

Mr. KING. Does not the Senator think there could be a reduction, because conditions during the past year were rather abnormal and the Department of Justice was called upon to do many things.

Mr. WARREN. The trouble is that the Department of Justice just now is involved in a great deal of activity in the line of prohibition. Wars may come and wars may go, and there may be heavy expenses, but prohibition is now before us and more expensive in some respects than war. I do not mean by that to disagree with it, but I mean that if we intend to carry out our idea, if we mean to make the country a dry country, we certainly have got to give the tools to do it with to the proper parties, and the Department of Justice is one of those agencies.

Mr. KING. I did not have reference to the question of prohibition, but to the general activities of the department.

The next amendment was, on page 122, to strike out:

Protecting interests of the United States in suits affecting Pacific railroads: To enable the Attorney General to represent and protect the interests of the United States in matters and suits affecting the Pacific railroads, and for expenses in connection therewith, $5,000.

The amendment was agreed to.

Mr. POMERENE. My attention has been called to a provision in one of the appropriation bills which prevents United States district judges from designating clerks or assistant clerks as masters or referees.

Mr. WARREN. That will come up at another place.

Mr. POMERENE. Is it in this bill?

Mr. WARREN. I think it is. At any rate, I know there is an amendment here to that effect which will be offered when we come to it. The Senator from Connecticut [Mr. BRANDEGEE] has an amendment to offer with reference to the very item to which the Senator alludes, and it will be considered in due course.

Mr. POMERENE. Very well.

The next amendment was, on page 124, in line 9, providing assistants to the Attorney General, to strike out "$600,000" and insert "$400,000."

The amendment was agreed to.

The next amendment was, on page 136, after line 2, to insert:

The provision of section 6 of the act entitled "An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," approved June 20, 1918, relative to compulsory retirement shall not apply to an employee of the Lighthouse Service if within 60 days after the passage of this act or not less than 30 days before the arrival of such employee at the age of 70, the Secretary of Commerce shall certify as a matter of public record that by reason of his efficiency and willingness to remain in the Lighthouse Service of the United States the continuance of such employee therein would be advantageous to the public service. In that event such employee may be retained for a term not exceeding two years, and at the end of two years such employee may, by similar certification, be continued for an additional term not exceeding two years: *Provided, however*, That at the end of 10 years after this act becomes effective no employee shall be continued in the Lighthouse Service beyond the age of compulsory retirement defined in the act of June 20, 1918, referred to in this paragraph: *Provided further*, That nothing herein shall exclude or prevent any employee of the Lighthouse Service who shall have reached the age of compulsory retirement within 30 days before or after the date of the passage of this act from enjoying the privileges thereof.

The amendment was agreed to.

The next amendment was, in the items for Bureau of Fisheries, on page 146, line 11, after the numerals "$1,500," to insert "foreman, $1,200"; in the same line strike out "fireman, $720"; and in line 14, to strike out "$5,240" and insert "$5,720," so as to read:

Cape Vincent (N. Y.) Station: Superintendent, $1,500; foreman, $1,200; apprentice fish-culturists—1, $720, 2 at $600 each; engineer, $1,100; in all, $5,720.

The amendment was agreed to.

The next amendment was, on page 150, to strike out:

Steamer *Osprey:* Master, $1,700; engineer, $1,300; cook, $800; 2 firemen, at $840 each; seaman, $800; in all, $6,280.

Steamer *Gannet:* Master, $1,400; engineer, $1,200; fireman, $840; 2 seamen, at $780 each; in all, $5,000.

The amendment was agreed to.

The next amendment was, on page 151, to strike out:

Steamer *Phalarope:* Master, $1,500; engineer, $1,200; fireman, $780; 2 seamen, at $810 each; cook, $870; in all, $5,970.

The amendment was agreed to.

The next amendment was, on page 153, to insert after line 18:

Duluth (Minn.) fish hatchery: For repairs to hatchery, replacement of equipment and machinery, and improvements to water supply, $13,000.

Saratoga (Wyo.) fish hatchery: For construction of quarters for employees, and for establishment and equipment of auxiliary station at Sage Creek, $11,250.

The amendment was agreed to.

The next amendment was, on page 157, to insert after line 5:

For refund to Falik Schimmer of $170.50 deposited with the commissioner of immigration, Ellis Island, N. Y., in behalf of his two daughters, Maike and Eidel Schimmer, said sum having been erroneously covered into the Treasury Department to the credit of miscellaneous receipts, $170.50.

For refund of immigration fine erroneously assessed and collected from N. Galanous & Co., agents National Steam Navigation Co. of Greece, $240.

The amendment was agreed to.

The next amendment was, on page 159, in line 7, to strike out "$70,000" and insert "$50,000," so as to read:

Salaries: For officers, clerks, and other employees in the District of Columbia necessary to collect and account for the receipts from the sale of properties and the receipts from the operation of unsold properties of the United States Housing Corporation, the Bureau of Industrial Housing and Transportation, property commandeered by the United States through the Department of Labor, and to collect the amounts advanced to transportation facilities and others, $50,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $5,000 per annum and only one person may be employed at that rate.

The amendment was agreed to.

The next amendment was, on page 160, to strike out lines 11 to 20, inclusive, in the following words:

Miscellaneous expenses account of property sold: To pay taxes, special assessments, and other utility, municipal, State, and county charges or assessments unpaid by purchasers and which have been assessed against property in which the United States Housing Corporation has an interest and to defray expenses incident to foreclosing mortgages, conducting sales under deeds of trust, or reacquiring title or possession of real property under default proceedings, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses, $20,000.

The amendment was agreed to.

The next amendment was, on page 161, in line 1, under the heading "U. S. Housing Corporation," in the total to strike out "$1,120,000" and insert "$1,080,000."

The amendment was agreed to.

Mr. HARRISON. Mr. President, may I inquire of the chairman of the committee how long he intends to continue the session? I understood that it was the intention to continue until 5 o'clock, and it is now after that hour.

Mr. WARREN. It is desired to continue for probably 5 or 10 minutes more, but not longer than that.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 162, after line 7, to insert:

Senate, contingent expenses: For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, $35,000.

The amendment was agreed to.

The next amendment was, on page 162, after line 13, to insert:

For the Capitol: For continuing the work of restoring the decoration on the walls of the first-floor corridors in the Senate wing of the Capitol, to be expended under the direction of the Superintendent of the Capitol Building and Grounds, $5,000.

The amendment was agreed to.

The next amendment was, on page 162, after line 18, to insert:

For shelving and file boxes for the Senate document room, including personal services and expenses incident to the installation of same, $4,000, to be expended under the direction and supervision of the Superintendent of the Capitol Building and Grounds.

The amendment was agreed to.

The next amendment was, on page 162, after line 23, to insert:

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $50,000.

The amendment was agreed to.

The next amendment was, on page 163, after line 3, to insert:

The next amendment was, on page 163, after line 3, to insert:

For furniture for the Senate Office Building and for labor and material incident thereto and repairs thereof, window shades, awnings, carpets, glass for windows and bookcases, desk lamps, window ventilators, name plates for doors, and committee tables, electric fans, etc., $5,000.

The amendment was agreed to.

The next amendment was, under the heading "Government Printing Office," on page 164, line 24, after the word "Capitol," to strike out "$2,500" and insert "$3,000," and on page 165, line 9, to strike out "$148,590" and insert "$149,090," so as to read:

Office of Public Printer: Public Printer, $6,000; purchasing agent, $3,600; chief clerk, $2,750; accountant, $2,500; assistant purchasing agent, $2,500; cashier and paymaster, $2,500; clerk in charge of CONGRESSIONAL RECORD at the Capitol, $3,000; private secretary, $2,500; assistant accountant, $2,250; chief timekeeper, $2,000; paying teller, $2,000; clerks—4 at $2,000 each, 10 of class 4, 13 of class 3, 12 of class 2, 10 of class 1, 15 at $1,000 each, 6 at $900 each; paymaster's guard, $1,000; doorkeeper—chief, $1,200, 1 $1,200, 5 assistants at $1,000 each; 2 messengers, at $840 each; delivery men—chief $1,200, 5 at $950 each; telephone switchboard operator, $720; 3 assistant telephone switchboard operators, at $600 each; 7 messenger boys, at $420 each; in all, $149,090.

The amendment was agreed to.

The next amendment was, on page 167, line 10, in the item for public printing, public binding, and paper for public printing and binding, etc., to reduce the appropriation from $6,286,890 to $5,826,390.

The amendment was agreed to.

The next amendment was, on page 168, line 1, after the word "sum," to strike out "$7,348,700" and insert "$6,888,700," so as to read:

In all, for public printing and binding, including salaries of office force, payments for holidays and leave of absence, and the last-named sum, $6,888,700.

The amendment was agreed to.

The next amendment was, on page 168, to reduce the item for printing and binding for Congress, including proceedings and debates, from $2,290,000 to $2,000,000.

The amendment was agreed to.

The next amendment was, on page 168, line 15, to reduce the appropriation for printing for the Treasury Department, including printing required by the Federal farm loan act, from $750,000 to $700,000.

The amendment was agreed to.

The next amendment was, on page 168, line 17, to reduce the item for printing for the War Department, its bureaus and offices, from "$450,000" to "$400,000."

The amendment was agreed to.

The next amendment was, on page 168, line 24, to reduce the item for printing for the Navy Department, including not exceeding $50,000 for the Hydrographic Office, from "$250,000" to "$225,000."

The amendment was agreed to.

The next amendment was, on page 169, line 4, to reduce the item for printing for the Interior Department, including not exceeding $25,000 for the publication of the Annual Report of the Commissioner of Education and not exceeding $10,000 for printing miners' circulars, from "$285,000" to "$265,000."

The amendment was agreed to.

The next amendment was, on page 169, line 16, to reduce the item for printing for the United States Geological Survey, for engraving the illustrations necessary for the annual report of the director, and for the monographs, professional papers, bulletins, water-supply papers, and the report on mineral resources, and for printing and binding the same publications, of which sum not more than $45,000 may be used for engraving, from "$150,000" to "$145,000."

The amendment was agreed to.

The next amendment was, on page 169, line 17, to reduce the item for printing for the Civil Service Commission from "$75,000" to "$65,000."

The amendment was agreed to.

The next amendment was, on page 169, line 21, after the numerals "$20,000," to insert "to be immediately available," so as to read:

For the Smithsonian Institution: For printing and binding the Annual Reports of the Board of Regents, with general appendixes, the editions of which shall not exceed 10,000 copies, $20,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 170, line 15, to reduce the item for printing for the Department of Justice from "$40,000" to "$35,000."

Mr. HARRISON. Mr. President, I am about to suggest the absence of a quorum——

Mr. ROBINSON. Will the Senator withhold that suggestion until I can present an amendment?

Mr. HARRISON. I withhold the suggestion.

Mr. ROBINSON. I ask leave to send to the Secretary's desk an amendment to the pending bill, which I desire to have printed and lie on the table.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The amendment proposed by the Senator from Arkansas will be printed and lie on the table.

The amendment submitted by Mr. ROBINSON proposes to appropriate $350,000 to enable the Secretary of Labor to foster, promote, and develop the welfare of wage earners of the United States; to improve their working conditions; to advance their opportunities for profitable employment by maintaining a national system of employment offices; and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, etc.

Mr. HARRISON. Mr. President, I withdraw my suggestion in reference to the absence of a quorum.

Mr. ROBINSON. Mr. President, I suggest to the Senator in charge of the bill that now is a very good time to take a recess or adjournment.

RECESS.

Mr. WARREN. I presume all Senators are as anxious as I am to dispose of the appropriation bill, but we have had a pretty long day, and I move that the Senate take a recess until 11 o'clock on Monday next.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, February 7, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 5, 1921.*

The House met at 12 o'clock noon.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Our Heavenly Father, to-day we write again upon the stone of our memorial, Hitherto hath the Lord helped us. Continue to give us Thy daily ministries, that we may know what is the good and the acceptable way. Deliver us from all bigotry, all narrowness, and at the last, when we can not work any more, catch us when we fall. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SPEAKER PRO TEMPORE FOR SUNDAY, FEBRUARY 6, 1921.

The SPEAKER appointed Mr. BUTLER, of Pennsylvania, to act as Speaker pro tempore during the memorial exercises in honor of the late Representative GARLAND, of Pennsylvania, on Sunday, February 6, 1921.

THE LATE REPRESENTATIVE BOOHER.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that Sunday, February 20, 1921, be set aside as a day for addresses on the life, character, and public services of the late Representative BOOHER, of Missouri.

The SPEAKER. The gentleman from Missouri asks unanimous consent that Sunday, February 20, 1921, be set aside for memorial exercises in memory of the late Representative BOOHER, of Missouri, to follow the exercises for the late Senator MARTIN, of Virginia. Is there objection?

There was no objection.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the purpose of the further consideration of the Army appropriation bill, with Mr. WALSH in the chair.

The Clerk reported the title of the bill.

Mr. ANTHONY. Mr. Chairman, I believe when the committee rose last evening an amendment was pending to strike out the paragraph, offered by the gentleman from Texas [Mr. CONNALLY].

The CHAIRMAN. That is correct. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

Mr. TILSON resumed the chair.

The Clerk read as follows:

ORDNANCE STORES, AMMUNITION.

For the development, manufacture, purchase, and maintenance of airplane bombs; of ammunition for small arms and for hand use for reserve supply; of ammunition for burials at the National Soldiers' Home in Washington, D. C., and of ammunition for firing the morning and evening gun at military posts prescribed by General Orders, No. 70, Headquarters of the Army, dated July 23, 1867, and at National Home for Disabled Volunteer Soldiers and its several branches, including National Soldiers' Home at Washington, D. C., and soldiers' and sailors' State homes, $750,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. This morning I received a letter from an officer at Camp Meade, Md., concerning a young man 16 years of age, who enlisted in the Army and whose dependent parents applied for his discharge because of his minority. This officer tells me regarding this young man, who lives in Nolan County, Tex., that he has given the young man to understand that he will be discharged without honor and that his pay will be forfeited and that he will be turned loose or held at least until money is sent from home to pay his way back to Nolan County, Tex. Upon such representation to the young man that he will be discharged without honor the young man has decided to stay in the Army, but upon his demand, the officer says, an allotment has been made to his dependent parents, to be paid monthly.

Yesterday, as a reason for doing away with the amendment to stop this matter, discharging of such minors without honor, it was stated that these young men might some day come back and ask for a pension, and that we did not want to pay any money out if they should be hurt. So it will be seen how it goes. The officers of the Army would rather charge this Government monthly with an allotment to dependent parents and keep the 16-year-old boy in the Army to do service, when, on the other hand, if they turned them loose they claim they are turning them loose with dishonor, and they admit they can keep them in the service with honor, but if forced to turn them out they go out in dishonor. Nolan County, Tex., is a long way from Camp Meade, Md. It means much to the dependent father and mother of the 16-year-old minor to have to dig up money to pay the boy's way home and have that boy's pay forfeited and have him branded with dishonor from time until eternity.

I have talked with a number of men on the Republican side of the aisle since the gentleman from Ohio, Dr. FESS, said yesterday that he was going to have the amendment stricken from the bill when we got back into the House.

My good friend Dr. FESS is going to find out that some of his privates and second lieutenants on his side, against whom so much criticism has been directed lately because, forsooth, they appear in their places and once in a while ask for recognition respecting measures affecting people in their own districts, are going to vote differently from what he thinks. Why, one prominent gentleman on the Republican side of the aisle had the assurance to stand in his place and state to the Chair that he would like to know what right the Chairman had to recognize an ordinary Member when a member of the committee wanted to be recognized; but, thank God, the gentleman from Connecticut [Mr. TILSON] was in the chair, and the gentleman from Connecticut told that arrogant Congressman that in the House of Representatives every Member stands on an equal footing. I want to say to some of my Republican friends, who are unfortunately privates and second lieutenants here in this House, that the reason they have not just as much right as every other Member is because they do not assert their rights. Assert your rights, like the gentleman from Massachusetts [Mr. WALSH] did, when he first came here, and you will have these fellows looking up to you and have them eating out of your hand just as they are eating out of his hand now. [Laughter and applause.] It is because you sit here and let them run over your rights, that your rights are not upheld.

The CHAIRMAN. The time of the gentleman from Texas has expired.

The Clerk read as follows:

NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS.

For the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or Organized Militia of the several States, Territories, and of the District of Columbia, members of rifle clubs, and civilians, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice throughout the United States, including the reimbursement of necessary expenses of members of the National Board for the Promotion of Rifle Practice, to be expended for the purposes hereinbefore prescribed, under the direction of the Secretary of War, $10,000.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph. What authority of law is there for this?

Mr. ANTHONY. Mr. Chairman, I will state to the gentleman that this paragraph has been carried in the Army appropriation bills for the last 12 years, that I remember, and for many other years, undoubtedly. I think it is based upon section 113 of the national defense act, for the encouragement of rifle practice, where authority for civilian rifle practice is given, and under the interpretation of the word "encouragement" the giving of suitable trophies or medals undoubtedly would be authorized.

Mr. WALSH. How much was expended last year?

Mr. ANTHONY. This amount of $10,000 has been carried from year to year. We have not got the expenditure. We have no record of the expenditure.

Mr. WALSH. Mr. Chairman, I make the point of order that the language of section 113 is not sufficient to warrant the expenditure of money for the purchase and distribution of trophies and medals. If every time they use the word "encourage" in a Federal statute to encourage any branch of industry or any particular line of activity we can spend money for medals and trophies, it seems to me that the interpretation put upon the statute will have to be very closely guarded. Now, there are plenty of other ways of encouraging this very useful activity other than awarding these trophies and prizes. And as the committee is not advised as to the amount expended last year, and apparently it was not of very much importance to the service or they would have had additional facts, I submit that, there having been no reduction, the matter can be dispensed with.

The CHAIRMAN. Has the gentleman a copy of the national defense act? It does not happen to be at the desk.

Mr. ANTHONY. If the Chair will permit, we have the information asked for by the gentleman from Massachusetts. In 1920 there was expended $3,403 for this purpose.

Mr. WALSH. How much was spent in the year 1919?

Mr. ANTHONY. Five thousand and thirty dollars.

Mr. WALSH. And 1918?

Mr. ANTHONY. Three thousand eight hundred dollars and fifty-three cents.

Mr. WALSH. I do not see why the committee did not recommend a reduction, as they have never used $10,000.

Mr. ANTHONY. Those were years immediately following a year when there was not much opportunity for this kind of work. In years before the war they spent $9,993, $9,342, and so forth, showing the entire amount was used.

The CHAIRMAN. The Chair is unable to find in section 113 of the national defense act, referred to by the gentleman from Kansas, any reference whatever to encouragement of rifle practice by the offering of trophies or medals for contests. Is there anywhere specific law authorizing this appropriation to which the gentleman can cite the Chair?

Mr. ANTHONY. On page 76, section 113, is the paragraph entitled "Encouragement of rifle practice."

The CHAIRMAN. Yes; the subheading of section 113 is "Encouragement of rifle practice," but upon reading the paragraph it does not mention anything about trophies or for anything else, except the furnishing of a reasonable number of standard military rifles, such quantity of ammunition as may be available in conducting such rifle practice, and also rifle ranges. In other words, this section deals with the furnishing of facilities for rifle practice and does not in anywise specifically refer to encouragement by means of trophies, medals, or anything of that kind. While the Chair is disposed to make a liberal construction of the rule, it is difficult to find anything in this paragraph upon which to found a favorable construction. Unless the gentleman from Kansas is able to furnish the Chair more substantial assistance than he has thus far, the Chair will be compelled to sustain the point of order. The Chair sustains the point of order.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

ARMY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

AUTOMATIC MACHINE RIFLES.

For the purchase, manufacture, test, repair, and maintenance of automatic machine rifles, or other automatic or semiautomatic guns, including their mounts, sights, and equipments, and the machinery necessary for their manufacture, to remain available until June 30, 1923, $500,000.

Mr. VAILE. Mr. Chairman, I move to strike out the last word. I want to say something on a subject which has been discussed here at considerable length. If it were not such an important matter I would feel like apologizing for taking up the time of the committee further in reference to the matter of the discharge of soldiers without honor who enlisted under age. In June, 1916, as you remember, the National Guard was called out for Federal military service. I was at that time an officer of the National Guard. For a time I was detailed to recruiting service. Into my headquarters there came one morning a fine upstanding boy, a boy about my size. I asked him how old he was. He said he was 18 years of age. He looked large enough to be 18, but his face looked rather young. I asked him, for my own protection, where his parents lived. He said both of his parents were dead. I enlisted him and administered the oath of enlistment. Last summer at Denver that boy came into my office again. He told me he had been discharged from the military service in the Army in 1918, because of fraudulent enlistment, because he had enlisted under age, and that his father had come out to California and got him discharged. He had not asked for his discharge, and had spent about a year and two-thirds in the faithful performance of military duty for the United States. He did not get out by his own volition, but he was gotten out because his family had taken him out. He had, of course, lied to me, the recruiting officer who took him in. There has been a good deal of talk about the careless recruiting officer. I endeavored not to be careless, but it was not the practice to search birth records, especially in distant cities, when the President was asking for men. When this boy came into my office last summer he asked me to help him because he was sick. He had tuberculosis, contracted in the military service of the United States. He could not get compensation, he could not get vocational training, and he could not get a job because it was the custom in my town to ask a young man if he had been in the military service, and when prospective employers saw this young man come into their offices, and when he said he had been but was armed only with a dishonorable discharge they had no use for him and no time for his explanations. The boy was a good soldier. He was faithful and attentive in the performance of his duties. I never saw a better soldier. He was under my command for a number of months.

Mr. BLANTON. Will the distinguished gentleman yield?

Mr. VAILE. Gladly.

Mr. BLANTON. Does the gentleman, who has been an officer in his country's Army, believe that that young man, who performed a year and a half of honorable service for his country, ought to live under a dishonorable stigma all his life?

Mr. VAILE. I do not believe the same stigma should be attached to him that is attached to a man that deserts and is apprehended, and after desertion gets a dishonorable discharge, or to a man who steals from his comrades, or to a man who commits any one of a number of military offenses involving the stigma of moral turpitude. Our history is full of records of men who enlisted under age.

If they served out their enlistment, whether their parents knew about it or not, they got an honorable discharge. This boy, if he had been allowed to serve out his enlistment would have had an honorable discharge. It is not fair to class the two in the same group.

Mr. FIELDS. Under the present regulation, this boy is classed in the same group as a man who had stolen from an officer?

Mr. HARDY of Texas. Does not the gentleman think that we ought to pass a regulation to give those boys an honorable discharge?

Mr. VAILE. I think so. The suggestion was made the other day by my friend from Pennsylvania [Mr. CRAGO] that if we let the amendment stay in it would put honorable discharges of old soldiers on the same footing as discharges of men who were taking advantage of their own wrong in order to get out. Practically it seems to me that the only effect would be that recruiting officers would be still more careful in getting men into the service. They would protect the Government by being very sure that a man was not under age.

Mr. CRAGO. Will the gentleman yield?

Mr. VAILE. Yes.

Mr. CRAGO. Does the gentleman believe that a young man who goes to a recruiting officer, and gets into the Army under 18 years of age, and at the end of 30 days goes to that officer and tells him that he was under age, and wants his pay, that he ought to have it?

Mr. VAILE. If he earned his pay, he ought to have it.

Mr. CRAGO. I am not opposed to a discharge for a man who has gone into the service, if he is under 18.

Mr. VAILE. Suppose he serves half of his service?

Mr. CRAGO. If he serves all of it, or no matter how much he serves, he is not given a dishonorable discharge.

Mr. VAILE. This man was given a dishonorable discharge.

Mr. CRAGO. He is not given a dishonorable discharge for that. He is simply given a discharge that is not an honorable discharge.

Mr. VAILE. His service, when he went in, was as honorable and faithful as any service for the country could be.

Mr. CRAGO. That was the foolish act of his parents.

Mr. VAILE. Was it a foolish act in trying to get him out? It was his parents' act that did it.

Mr. CRAGO. That is it.

Mr. GREENE of Vermont. They took advantage of the fact that he had been fraudulently enlisted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VAILE. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. VAILE. It is true that they did have hold of the fact that it was a fraudulent enlistment, but "fraudulent," it seems to me, is a mighty harsh word to apply to a boy less than 18 years of age whose fraud was committed in an endeavor to serve his country. The same kind of language should not be applied to him that you apply to a man who steals from his comrades or a man who deserts and afterwards is apprehended. The trouble is that you class both of those things in the same way and punish with the same penalty.

Mr. GREENE of Vermont. The law says that if an original entry is wrong, anything that follows it is wrong.

Mr. VAILE. We have corrected a good many of them that were made in good faith.

Mr. FIELDS. Mr. Chairman, I move to strike out the last word.

I judged from the remarks of the gentleman from Pennsylvania on yesterday that a separate vote will be demanded upon the amendment of the gentleman from South Dakota [Mr. JOHNSON] as amended, which provides that the Secretary of War shall be directed to honorably discharge from the Army all soldiers under 18 years of age. Now, what is the situation? Let us analyze the proposition from a practical point of view. First, the Army is going to be reduced. The resolution which passed this House a few days ago, followed by this appropriation bill, insures a reduction in the enlisted personnel. Now, what class of soldiers shall the Secretary of War discharge? If it were left to you, what class would you discharge, and what is the situation with regard to the enlisted personnel of the Army at this time? There is no doubt that a great campaign has been on for recruiting the Army, and there have been at least very zealous efforts on the part of the recruiting officers. I would not charge that all recruiting officers have thrown out every inducement, right or wrong, that they could throw out, to induce boys to enter the service, but there are cases, and many of them, where the matter has been dealt with in the most slipshod way, and these boys of 15, 16, and 17 have been enlisted into the service when in fact the recruiting officers knew that they were under 18 years of age. In many cases their parents have complained, and have even gone to the extent of securing their release with discharge without honor. It is my policy, and it ought to be the policy of every Member of the House, to fully explain to his constituent when he writes to him requesting the discharge of a boy under 18 years of age, that a discharge under those circumstances will be a discharge without honor. Very few of them will proceed, when they have that information, to secure the discharge. But if the parent does insist it puts the boy in a most unfortunate position.

The young man who enlists in the Army, although he may have stated that he was 18 years of age when he was under 18, really was not prompted by ulterior motives, but by patriotic motives. It is one of the indiscretions of youth. But you

should not deal with the tender youth under 18 years of age who, prompted by his patriotism, makes a statement that he is 18 years of age when he is not as you would deal with the man who has committed theft or some other crime through willful design. [Applause.]

Mr. McKENZIE. Mr. Chairman, will the gentleman yield for a question?

Mr. FIELDS. Yes.

Mr. McKENZIE. In the case where a young man does it from patriotic motives, as you say, do you think we ought to write in the law that after he is in 30 days, under the conditions you speak of, he has the right to get out and be discharged and get an honorable discharge?

Mr. FIELDS. I am glad the gentleman from Illinois asked that question, because it brings me to the point I wanted to discuss, and I might have overlooked it. Now, as we are reducing the Army at this time, let us clean the slate, and then I trust if the War Department will not prescribe and enforce a regulation to prevent the enlistment of boys under 18 years without the consent of their parents that the Committee on Military Affairs will bring in a bill providing for regulations by which men shall be enlisted in the future that will make it incumbent upon enlisting officers to ascertain the age of the recruit from somebody besides the boy himself. With our census reports, with the census of the schools in every community, with the data on every hand from which to ascertain the ages of the boys, there is no excuse for any recruiting officer taking into the service a boy under 18 years of age.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. WALSH. I object.

Mr. LONGWORTH. Mr. Chairman, I reserve the right to object.

Mr. FIELDS. I am a member of the Committee on Military Affairs. I have not taken up much time on this bill.

Mr. WALSH. The subject the gentleman is discussing has been discussed and disposed of already.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike out the last three words.

Mr. ANTHONY. Mr. Chairman, I give notice that unless the debate is on the paragraph that has been read, I shall have to ask for the regular order.

Mr. BLANTON. Mr. Chairman, this is an amendment of the gentleman from South Dakota. He ought to be heard on it.

Mr. JOHNSON of South Dakota. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. BLANTON. Mr. Chairman, I want to call the attention of the Chair to the fact that the gentleman from South Dakota has offered an amendment, and ought to be heard on it.

The CHAIRMAN. The gentleman from Texas is out of order.

Mr. KING. Mr. Chairman, a point of order has been raised.

Mr. CONNALLY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. KING. Mr. Chairman, I demand the regular order. The gentleman from South Dakota made the point of no quorum.

The CHAIRMAN. There was some confusion. Did the gentleman from South Dakota make the point of no quorum?

Mr. JOHNSON of South Dakota. I did, Mr. Chairman; but I withdraw the point of no quorum, and move to strike out the last three words.

The CHAIRMAN. The Chair has already recognized the gentleman from Texas [Mr. CONNALLY]. After that the Chair will recognize the gentleman from South Dakota.

Mr. CONNALLY. Under this item for the purchase of automatic machine rifles, can the gentleman from Kansas, in charge of the bill, tell us how many automatic machine rifles the Army now has?

Mr. ANTHONY. Of Browning machine guns, model 1917, we have 61,222; Browning automatic rifles, 80,245; Browning aircraft machine guns, 2,965; Marlin aircraft machine guns, 31,433; Lewis aircraft machine guns, 36,552; Vickers aircraft machine guns, 5,743; Vickers 11-millimeter machine guns, 2,433; Vickers ground type machine guns, 8,291; Browning tank machine guns, 1,806; Marlin tank machine guns, 2,646.

Mr. CONNALLY. In view of the fact that each soldier under this Army of 150,000 would have about two of these guns apiece, what is the occasion for purchasing more?

Mr. ANTHONY. The money is asked for the development of new types of large-caliber machine guns with which it is intended to equip the larger types of aircraft.

Mr. SISSON. In addition to that, if the chairman of the subcommittee will permit, that is for the maintenance of the guns we already have.

Mr. ANTHONY. Yes.

Mr. CONNALLY. I am not asking about the maintenance but about the purchase.

Mr. ANTHONY. The gentleman from Mississippi [Mr. SISSON] is right. We have 273,000 machine guns.

Mr. CONNALLY. Then why purchase more, if the Army is already supplied?

Mr. ANTHONY. That is the purpose of it. We have cut it down to $500,000, which is for the purchase of guns of new types.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from South Dakota moves to strike out the last three words.

Mr. JOHNSON of South Dakota. Mr. Chairman, this amendment just discussed, affecting the enlistment and discharge of young men under 18 years of age, ought to be in the bill, but it ought to be modified. When the matter came up in the House yesterday quite a good many speeches were made about it, and it was the tacit understanding of the members of this committee and the members of the Committee on Military Affairs that the word "honorably" was not to be inserted in the amendment, and that the word "or" would not take the place of the word "and." The gentleman from Arkansas [Mr. WINGO] and the gentleman from New York [Mr. CALDWELL], who made those amendments were not parties to that agreement, and consequently have in no way violated it.

Mr. WINGO. If the gentleman will permit, I was the author of the amendment, and I refused to make an agreement. The gentleman's memory is at fault if he does not recall it.

Mr. JOHNSON of South Dakota. Certainly. The gentleman was not a party to the agreement, and he would not violate the agreement if he had made it.

Mr. WINGO. I specifically refused to make an agreement.

Mr. JOHNSON of South Dakota. My object in offering that amendment was to see that these discharged men secured sufficient money to permit them to return to their homes, receive pay for the time they had put in the service, and be treated with the same courtesy that was given to the conscientious objectors during the war and upon their discharge. It was the kind of an amendment, I will say, that ought to have been discussed by the Committee on Military Affairs of this House, because it is subject to a point of order. I am in sympathy with some of the argument made by the gentlemen who oppose it, but I think when this goes to the Senate they will redraft the amendment so that the discharge that will be given to these boys will state the facts in the discharge, the kind of a discharge which the Secretary of War, as I understand it, later gave to the conscientious objectors.

As the matter now stands there are many places in the United States where a man of military age can not get work with corporations or individuals unless he can show an honorable discharge; and it is true in many industries that a man who has been in the Army can not get work unless he can show an honorable discharge. Now, if the War Department would simply give the kind of a discharge that would show the facts, so that the employer would know that this 17-year-old boy probably had been enticed by some recruiting officer to enter the service, all difficulty would be obviated. I hope the motion will not prevail to strike this out of the bill.

Mr. CRAGO. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CRAGO. I do not want to consume the gentleman's time, but I want to call attention to the fact that that is exactly what they are doing with this blue discharge, which contains nothing on it about a dishonorable discharge.

Mr. JOHNSON of South Dakota. That is all right, and I am perfectly willing to have the amendment go into the bill and leave out the word "honorable" from the discharge.

Mr. SWINDALL. Will the gentleman yield?

Mr. JOHNSON of South Dakota. For a question.

Mr. SWINDALL. I have a letter from a boy under 16 years of age who enlisted in my district——

Mr. JOHNSON of South Dakota. I can not yield to the gentleman for a statement of cases with which I am very familiar and that I want to reach.

Mr. SWINDALL. This boy states that they gave him a dishonorable discharge, not the kind that the gentleman from Pennsylvania refers to.

Mr. JOHNSON of South Dakota. I want to answer the gentleman from Pennsylvania [Mr. CRAGO] and say I do not think

these boys ought to get a blue ticket. We are all very familiar with the dishonorable discharge, the yellow ticket, and I think the discharge that these boys get who were under age ought to be at least as good as the one given to conscientious objectors. I think it ought to be a discharge on white paper——

Mr. CRAGO. I agree with you.

Mr. JOHNSON of South Dakota. A discharge on white paper, just simply stating the fact that the man enlisted, that he was under age, and that under the law which was passed he was entitled to get out. That ought to be done. I can sympathize with the gentleman's viewpoint concerning the sanctity of an oath.

Mr. GREENE of Vermont. May I ask the gentleman a question?

Mr. JOHNSON of South Dakota. Yes.

Mr. GREENE of Vermont. The gentleman spoke about a recruiting sergeant enticing a boy 17 years of age into the Army. If somebody else enticed the same boy to commit murder, the boy would be held responsible and would be hanged.

Mr. JOHNSON of South Dakota. That is true——

Mr. WINGO. One of the troubles is that some gentlemen regard the misstatement of a boy's age as a crime similar to murder. Here is a question I want to ask: Do not the gentleman from South Dakota and the gentleman from Pennsylvania overlook this fact, that while they are familiar with discharges the average man who is employing people thinks of only two kinds of discharge, the one honorable and the other dishonorable, and that it is a stigma on a man if he can not produce an honorable discharge?

Mr. JOHNSON of South Dakota. The gentleman has asked his question. Now, I want to reply to the gentleman from Vermont [Mr. GREENE].

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. I ask for one minute more.

Mr. BLANTON. I ask that the gentleman have two minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman be extended two minutes. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Replying to the gentleman from Vermont [Mr. GREENE], I can not agree with his statement, which might be construed as a comparison of the boy who is enticed to commit a murder and the boy 15, 16, or 17 years old who is induced to enlist for the service of his country. [Applause.] I do not think the gentleman wants to make that comparison.

Mr. GREENE of Vermont. I do not. I only want to say that you are asking sympathy for a boy who is guilty of one indiscretion because he is young and immature, and another boy of the same age and immaturity guilty of one even more gross, and one calling for more deliberation, you hang.

Mr. KING. That makes it worse than it was before.

Mr. WINGO. In Arkansas we do not regard murder as a mere youthful indiscretion, but as a serious crime.

Mr. JOHNSON of South Dakota. In order to get the spirit of this amendment into law I think it ought to remain in the bill as it is, because it is the only way you can get action at this session of Congress. If you leave it in as it now stands, while I am not in sympathy with all of it, then it will go to the Senate committee, whose chairman knows military law perhaps as well as anyone in this House, and he will work out an amendment that I think all of us can agree on, those who are in favor of this amendment as it stands and those who are opposed to the use of the word "honorable."

Mr. DICKINSON of Missouri. Mr. Chairman, I move to strike out the last five words. I do not take up the time of this House much, but I am so deeply interested in this question that I want to say I think that the House ought to remedy this situation by appropriate legislation.

I appreciate the viewpoint of those who want to put all the responsibility on the immature boy who enters the service, and sometimes makes an affidavit that a mature man would not make. I understand also that there is a law imposing a penalty upon an officer who is a party to a youth making an affidavit that he is 18 years old, and entering the service, when he is under 18. That law never would have been enacted were it not based upon the thought that some recruiting officer might exercise an undue influence and go too far in inducing young boys to enter the service. There is no question that some recruiting officers have gone too far in their desire to swell enlistments, but you should not deal with this question with the idea that a mere youth of 15, 16, or 17 is to be held to the same strict accountability as if he were a mature man. [Applause.] You have got to deal with the heart and the soul of the young man who is willing to enter the service and desires to enter it before he has reached the age of 18. [Applause.]

He can not enter under 18, except with the written consent of his parents or guardian. Oftentimes he secures that consent. Sometimes he can not secure it and he makes a false affidavit. Understanding and knowing human nature and knowing the desire of the recruiting officer to respond to the desire of the military department to increase the enlistments in the Army, they seek to make a record, and they sometimes are not careful, when they ought to know and do know that the youth is only 15 or 16 years of age, by his appearance, and that he may be overinduced by the recruiting officer, who ought not to be other than most careful. I know and you know by virtue of the law recently enacted allurements have been held out to young men that if they entered the military service they would secure education, and they have enlisted in the service with that idea.

Sometimes these young men have been allured by the attraction that they will secure an education after they enlist and full opportunity will be given therefor.

I have in my hand a letter where the recruiting officer in my district made a speech before a public school, telling the youths that if they would enter the service they would be permitted to go to school and receive an education. I will ask permission, without taking the time to read it now, to put the letter in the RECORD.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended long enough to have the letter read.

Mr. ANTHONY. I am very sorry, but I am obliged to ask for the regular order.

The CHAIRMAN. The regular order is equivalent to an objection.

Mr. DICKINSON of Missouri. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting the letter.

The CHAIRMAN. The gentleman asks to extend his remarks in the RECORD by inserting the letter. Is there objection?

Mr. McCLINTIC. I object.

The Clerk read as follows:

CHEMICAL WARFARE SERVICE.

For the purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas warfare purposes, including all necessary investigations, research, design, experimentation, and operations connected therewith; purchase of chemicals, special scientific and technical apparatus and instruments; construction, maintenance, and repair of plants, buildings, and equipment and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuel, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriters and adding machines, including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary field schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges, $1,500,000.

Mr. MONTAGUE. Mr. Chairman, I ask the gentleman in charge of the bill what was the sum recommended by the department for chemical warfare?

Mr. ANTHONY. Four million four hundred and fifty-seven thousand dollars.

Mr. MONTAGUE. The amount in the bill is therefore a considerable reduction. But I asked the question that I might attract the attention of the committee to the very serious consideration of how far the House intends to commit itself to the development and extension of chemical warfare.

Mr. ANTHONY. I think it would be safe to say that our Government has taken every precaution to make adequate preparation for defense through the use of chemical warfare, if necessity requires, and that they are fully abreast of all developments that are going on.

Mr. MONTAGUE. I would infer so much from the bill. I wish to call the attention of the committee as to how men's minds change in a short time. Less than seven years ago the intelligence of the people of the world—the moral conscience of the people of the world—was shocked by the use of poisonous gases. I say the conscience of the world. I will go further and say that all the nations of the world, unless Germany and the United States of America constitute exceptions. I make that observation with deep regret, for in July, 1899, the peace congress at The Hague, 27 nations, including Germany, bound themselves not to use or employ asphyxiating deleterious gases in warfare. The United States, of all the great nations there present, whose moral ascendancy we at least thought was secure

and conceded, took, in my judgment, a degrading view on that question. Our representatives, Andrew D. White, Seth Low, Stanford Newell, Capt. Mahan, and Capt. Crozier, voted against the signature of the United States to the treaty of The Hague forbidding the use of asphyxiating gases.

Now, is it necessary in these days of piping economy to employ $1,500,000 in asphyxiating gases? Do we need more than what is necessary for experimentation in order to determine what use we may make of such agencies for defensive purposes? For surely the United States does not desire to embark upon a prodigious program of offensive use of asphyxiating gases.

Mr. BLANTON. What about defensive use?

Mr. MONTAGUE. I am no military critic, and I do not desire to criticize the American Army, the General Staff, or any other instrumentality of that great organization.

I would do what I could to sustain its prestige. I think this is a period in American history when all of the institutions of our Government should have the cordial and hearty support of the American Congress in order that we may not lose that respect for and confidence in our institutions so essential to their maintenance and efficient operation. But it does seem to me, with all respect, that this is a very large contribution to a particular military agency of doubtful efficacy, but not doubtful in violating almost the last vestige of civilized warfare.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. MONTAGUE. Yes.

Mr. GREENE of Vermont. I quite agree with the gentleman's opinion that it is, to use a loose phrase, rather unsportsmanlike to poison men with gases in warfare. But I think there should be coupled with it the idea that we have to meet a thing of that kind with what is produced by the enemy. However, there is a peace-time use for these gases now being developed. If the gentleman has not had it brought to his attention, it may be interesting to know that they are trying it out in its effect on insects and pests of that kind.

Mr. MONTAGUE. But that is not a military use of it.

Mr. GREENE of Vermont. No; but, like many other incidental uses, it comes from military pioneering. They are trying it out on rats in old warehouses and on other pests.

Mr. MONTAGUE. I need not assure the gentleman of my respect for any suggestion he advocates on the subject of our military affairs, but I do wish to ask the consideration of the committee as to how far we shall go in an extension of the use of gases, a use against which, I repeat, the entire world held upon its hands in holy horror seven years ago. There was nothing that shocked the moral conscience of the world, the sensibilities of civilization, quite so much as the use by the Germans of gas upon the British and French troops. We all thought it was an inhuman method of warfare and one that violated the accepted code of civilization. I hope America is not estopped from making the criticism by reason of having refused to enter into The Hague agreement not to employ it. It does seem to me, however, that we should not expend so much money in this business as is carried in the bill.

The CHAIRMAN (Mr. WALSH). The time of the gentleman from Virginia has expired.

Mr. MONTAGUE. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONTAGUE. Mr. Chairman, I repeat that $1,500,000 is a large appropriation for poisonous gases unless we mean to prescribe a policy very offensive and intensive in this sort of warfare. I for one can not permit myself at this time to submit to such extensive use of gas.

Mr. FRENCH. Mr. Chairman, will the gentleman yield?

Mr. MONTAGUE. Yes.

Mr. FRENCH. In the early days of the war, when gas was first used, the mortality on the part of those who were overwhelmed with the waves of gas approached from 35 to 50 per cent; but as a result of experimentation in the line, especially of defense, the mortality was reduced to between 1 and 2 per cent, and that was approximately the percentage of loss at the end of the war. It seemed that those figures abundantly justified the very modest appropriation in this bill upon the part of the Government, if for no other reason than to meet the gas attacks in the future.

Mr. MONTAGUE. Mr. Chairman, I appreciate the gentleman's observations, but I respectfully submit that we can not dispose of this question by percentages or mathematics. In my judgment it is a moral question, a question as to whether or not we will hold a position of leadership in international ethics or go into a contest for the exercise of all of the instrumentalities of war which science may devise and excuse our atrocities by the refinements of the mercy of quick destruction or the permanent disability of human beings. Great, indeed, is barbarism when enforced by science.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. MONTAGUE. Yes.

Mr. CRAMTON. Would not the gentleman make a distinction between the use originally of gas by the Germans against those unfamiliar with it and unprotected and the use of gas upon full notice and against those who have quite effective means of defense?

Mr. MONTAGUE. I would make a distinction as between offensive and defensive use of it?

Mr. CRAMTON. Offensive use as a surprise and offensive use against an antagonist similarly armed. There would be a great difference, I think.

Mr. MONTAGUE. For tanks we give $500,000, for automatic machine guns $500,000, and yet for poisonous gas we give $1,500,000.

Mr. CRAMTON. Oh, no; a large part of that is used for defense against gas. It is for masks, and so forth. They are carrying on very extensive investigations to get the most effective masks to meet attacks of gas.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. SISSON. Mr. Chairman, I rise to oppose the motion to strike out. I do not suppose that anyone is more thoroughly opposed to war than I am, but I have never known such a creature as civilized warfare. I have heard people talk about civilized warfare, but I never have seen an evidence of civilized warfare. When nations engage in war they engage in war for the purpose of killing each other. I am here with no brief to defend our representatives at The Hague for not signing that agreement referred to by the gentleman from Virginia, Gov. MONTAGUE; but I understand those gentlemen said that signing that agreement meant nothing, because if they signed the agreement it would be treated as a scrap of paper when two nations got at war, and as an evidence of the fact that they were right about it Germany did scrap the paper, although she signed the agreement not to use gas. The United States Government is in a position to use more gas and more deadly gas than all of the other nations in the world combined, and while I dislike to contemplate death on the battle field by the rapid-fire gun, where they shoot from 600 to 800 times a minute, mowing down human life, while I dislike to contemplate the air filled with argosies of destruction, yet when my Nation gets into war with any other nation I want my Nation to be in such shape that she can destroy the enemy as rapidly as possible and with as little loss of American life as possible. [Applause.]

Now, it is true that in the very beginning of this gas warfare we were all shocked, but we at once knew that we had to meet it, and we did. But we did more, for we soon developed the most deadly gas in the world. The young gentleman who came before the committee on deficiencies with Army and Navy officers to get the money to manufacture the first gas looked as much like a cherub and an angel as any man I ever saw. He had clear blue eyes, he had rosy cheeks, and as I looked at that young man, 35 years old, who told the Army officers that he could make gas four times as deadly as German gas, and they were asking us for an appropriation for the purpose not only of defense against German gas but for offensive against them, I wondered if that young man, who looked so much like an angel, who had devised a scheme of all schemes that could produce more death with gas than any other man in the world, could have devised this, as it did not harmonize with his face. But I took another thought, that it is perhaps true that with his scientific knowledge, with his kindness, which shone in his glorious face, backed up as it were with a splendid mind, it was to be used to save the lives of American boys and make Germany ashamed and regret the balance of her life that she ever undertook gaseous warfare. But in my judgment, however much we may regret it, it is here to stay. There is no longer the old battle ax; there is no longer the Richard Cour d'Lion of mighty arm. All the wars fought are going to be won or lost along scientific lines. The day of the individual hero is about gone. Wars will be won or lost in the air or under the sea. In my judgment, Gen. Mitchell, by his testimony before this committee, convinced, at least convinced me—maybe because I was easy to be convinced, because I believe in it—I do believe that the future means that the nation that shall control the air will be able to destroy the battleships, will be able to destroy the cities of the country, no matter how remote they be, because I saw the model a few days ago——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I ask for five minutes additional.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SISSON. I saw the model of an aeroplane made of solid metal that proposed to take up 100 passengers, that proposed to go around the world with 12,000 gallons of gasoline and make the trip without stopping. We have just commenced air navigation, and I am unwilling that this appropriation shall be cut lower than this committee cut it. First, because I want us to keep abreast with the world in gas warfare. Second, the problem that is most important now is to devise a gas mask—and our Army officers believe we have it—a gas mask that will be a protection for our soldiers, and I am willing that they shall spend some money to protect the lives of the boys, especially if you expect to conscript them and put them into the war to fight our battles. I have too much love for the life of the American boy to put him into the Army unless he is at least as well equipped and, God help us, better prepared to take care of his own life than the soldiers of the enemy. [Applause.] Now, Gen. Sherman never said anything truer in his life, and we people down South know him. He was that general who was so careless with fire—you all recollect he was a little careless with it—and when he struck us at Chattanooga and went from there to Atlanta and to the sea he did considerable burning, and you will recall that a hue and cry went up through the northern press about the inhumanity of Gen. Sherman making war upon defenseless women and children; you will recall the famous laconic telegram he sent from Georgia—his only answer was when he replied to the communication about how terrible or how hellish his conduct was there—his telegram back to the President of the United States was that "War is hell."

And it is hell, and when we get into war I want America to make it so hellish for the enemy that he will realize he has been through perdition before he gets through with Uncle Sam. [Applause.] Therefore I am unwilling, gentlemen of the committee, that we should take any backward step in this most advanced method of warfare, because we expect to fight the battles of the future not with men but with science, and therefore we have got to be abreast of the times, and the most economical arm of warfare is that developed by gas——

Mr. MONTAGUE. Will the gentleman yield for a brief question?

Mr. SISSON. I will.

Mr. MONTAGUE. If the gentleman wishes to make war more hellish, as the gentleman has suggested most eloquently, would the gentleman subscribe to the poisoning of wells and springs?

Mr. SISSON. No; I would not do that.

Mr. MONTAGUE. How can the gentleman get away from his argument if he will not do it?

Mr. SISSON. I do not want women and children who are not combatants to be killed, but if as a matter of fact I could poison a well and none but the enemy's soldiers drink it, bless your soul, I would poison the well and destroy the enemy's army and save the lives of our own boys. Now, you will say that is cruel, but war is cruel. Human passion when aroused is cruel. The most cruel animal on this earth is the human animal. They have more hatred, they have more vengeance, and the most cruel thing on earth is the cruelty multiplied by the number of units you have in a nation. You take the cruelty of the nation and its cruelty is as multiplied by the cruelty of the number of men engaged in it.

Mr. HUMPHREYS. Is it not a fact that the use of gas is the most humane method of fighting?

Mr. SISSON. One of the most humane methods, because, in the first place, if you have gas the death is more certain, quick, and speedy than it is to leave them wounded and bleeding and dying on the battle field.

Mr. DENISON. Now, as another means of making the death more certain, I wonder if the gentleman from Mississippi would approve the use of poisoned bullets so that the wounded would also die?

Mr. SISSON. As a matter of fact, I must confess I have reasoned about it—and I believe I have got a kind heart—and I do not see very much difference in shooting a man with a bullet that is poisoned and one that is not poisoned. We are trying to kill him anyway.

Mr. FRENCH. Mr. Chairman, I move to strike out the last two words.

I do not want to take much time, and I suppose it is needless for me to say that I am opposed to warfare and especially to everything unusually hellish in warfare. But if we were to examine the different means of bringing death in the recent war we would find the use of shells, the use of mines, the use of certain kinds of shrapnel, the use of bullets on the battle field more disastrous than the use of gas, if we shall omit the very first few months when gas was used by the German armies. If you will examine the casualties at Ypres, and some of the other places where gas was first used, you will find the mortality exceedingly high. The reason it was high was because the British and the French and the Belgian Governments did not know how to meet the gas attacks.

As soon as they did know how they began to scale down the mortality percentage, and after a very few months the percentage of mortality of men put out of commission was reduced far below the percentage of mortality of those who were rendered unable to engage as combatants further by means of bullets or shells or other means of warfare that were employed. The reason why the disaster was so great in the first instance was because those who were fighting against the German Army did not know how to meet the gas attacks. In my judgment, one of the most important problems for our War Department to-day is the problem of working out the means of meeting gas attacks in the future.

Unquestionably what the gentleman from Mississippi [Mr. SISSON] said is true, that in the future science will play an important part in world warfare and unquestionably gas will be used. Nothing can be said in defense of using gas upon innocent people in cities and upon noncombatant populations generally, but I believe that gas will be used in the future in meeting, at least, the attacks of one army upon another. That army will be at a disadvantage that does not know how to meet the attack.

There are various kinds of gases. One of the gases, for instance, the lachrymal gas, produces such an irritation of the eyes that the soldiers against whom it is used are not able to pursue their work. Then you have the sneezing gas; you have gases of deadly character, that, unless the soldiers can be protected from them, will cause death, and horrible death, to those who are in the zones that are overflowed by gas waves as they roll across the lines.

One of the great duties of our Government is to work out means of meeting gas attacks of an enemy. We have at this time devised a very satisfactory kind of gas mask; one that can protect the soldier from the lachrymal gas, one that can protect from the sneezing gas; one that contains also a chest, if you please, a canister that can be filled with one kind or another of chemical, that will neutralize the gas that is rolled across the line by the enemy. The gas mask itself may last many years, but the kind of gas that is used determines the kind of chemical that must be placed in the canister that every soldier must carry with him. And it is up to our Government to be abreast of the times and know what gases can be used, what the possibilities of gases may be, and how to meet by the proper kind of chemical within the canister furnished to the soldier the gas that will be used against him. More than that, the soldier must be taught how to handle the gas mask. We are told to-day that many of the masks used in the mines of this country have proven useless as against gases caused in one way or another in the different mines. And why? In part, because the kind of chemical is not in the canister that ought to be there in the particular instance; and, in part, because the average miner does not know how to put the gas mask upon himself to protect him from the gas that may be in the mines. Our soldiers must know something of gas in warfare; they should have masks; they should know how to use masks. The Chemical Warfare Service of the War Department is an important and it is an economical service of the Government. [Applause.]

Mr. MOORE of Virginia. Mr. Chairman, I rise in opposition to the pro forma amendment.

It seems to me that the general proposition favored by those who stand for some of the provisions of this bill is that we should advertise to the world that we are preparing for war, and go on preparing up to the hilt. Somebody has said that in the most tumultuous days of French history, in the latter part of the eighteenth century, France was a government of emotion tempered by epigrams. We seem to be carrying on a government of emotion, with the epigrams absent.

Prior to the war our military policy was based upon the theory that war was improbable. Our policy now seems to be based upon the probability that war is liable to occur at any moment. I believe that is a mistaken conception forecast. That mistake is the thing that leads gentlemen like my friend from Mississippi [Mr. SISSON] to advocate a magnitude and method of preparation that prior to the World War, and under less excited conditions than now prevail, would be resisted by nearly everybody. If the logic of the gentleman has any strength, there is no limit at which we should stop in our preparation activities. If that is the attitude of the United

States, of course, we may as well proclaim the fact and let it be understood that we are not sympathetic with the desire to reduce armaments and to save this and other nations from the enormous burdens incident to building up and maintaining great military establishments.

Mr. PELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from New York?

Mr. MOORE of Virginia. In just a moment. The logic of the gentleman from Mississippi [Mr. SISSON] goes, for instance, to this point: If he is right, we should not shy off from universal military training. No line can be drawn between the necessity, if the necessity exists, for several of the activities proposed by this bill, and the necessity for making even more complete preparation by drawing all the young men of the country into the same sort of military training that has been so common on the other side of the water. While on that point, I rejoice that the minority party here on a certain day in 1919 met in caucus and proclaimed to the House and the country that it was against the policy of general military training, whether compulsory or voluntary. That action served to stem, in a way, the rising tide of an undesirable sentiment. I hope that the minority, acting concertedly and vigorously in the next Congress, will confront all the champions of militarism with a well-defined policy of antimilitarism. The minority can render no service of more real and lasting value to the country.

The CHAIRMAN. The time of the gentleman from Virginia has expired. All time has expired.

Mr. HUSTED rose.

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent to proceed for two minutes more, in order that I may yield and reply to the two gentlemen from New York [Mr. HUSTED and Mr. PELL]?

The CHAIRMAN. The gentleman from Virginia asks for two minutes more. Is there objection?

There was no objection.

Mr. HUSTED. I do not at all agree with the views of the gentleman from Mississippi [Mr. SISSON] as to the justification for the poisoning of wells. But I should like to ask the gentleman from Virginia if the use of gas in warfare, the legitimate use, is not to put men out of action rather than to kill them or to permanently injure them, and if under present defensive means with the use of modern gas masks that is not the general result, and if in accomplishing that general result we are not advocating a rather humane means of warfare instead of a cruel or inhuman means?

Mr. MOORE of Virginia. From what I know of the subject, no such distinction can be taken. The ultimate purpose is to destroy. The provision in question with reference to gases to be used in conducting warfare, of course, contemplates the discovery of gases of the most effective and deadly character.

The CHAIRMAN. The time of the gentleman from Virginia has again expired. All time has expired.

Mr. HUMPHREYS rose.

The CHAIRMAN. For what purpose does the gentleman from Mississippi rise?

Mr. HUMPHREYS. To strike out the necessary number of words to gain the floor.

The CHAIRMAN. The Chair will state that there are already two motions to strike out words.

Mr. HUMPHREYS. I am opposed to striking those words out. [Laughter.]

The CHAIRMAN. The Chair will state that the time allowed for debate on this paragraph on each side is exhausted.

Mr. HUMPHREYS. I move to strike out the paragraph.

The CHAIRMAN (Mr. TILSON). The gentleman from Mississippi moves to strike out the paragraph.

Mr. HUMPHREYS. Mr. Chairman, I just wanted to make a few remarks about the use of gas. When gas was first used in the recent war the whole world was more or less shocked with what we thought was the horror of it. Perhaps there were several reasons for that, and the first probably was that it was because the enemy had used it, and so in accordance with the usual propaganda it was denounced as inhuman and outrageous. The fact is the sin which Germany committed was not in using the gas itself, but because she had agreed with the nations that she would not use poison gas; and it is interesting to note that when that proposition was made the representatives of the United States refused to commit the United States to that policy, and so it happened that the United States refused to agree not to use poison gas.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS. Yes.

Mr. KNUTSON. When was this agreement supposed to be made?

Mr. HUMPHREYS. Several years before the war broke out in Europe.

Mr. MONTAGUE. In July of 1899, at The Hague.

Mr. HUMPHREYS. That was at The Hague Convention.

Mr. KNUTSON. I am asking for information.

Mr. HUMPHREYS. Yes; it was at The Hague Convention, and the representative of the United States, Capt. Mahan, refused to go into the agreement.

As the war progressed the use of gas became general, and after the war was over we were able to assemble the facts as they developed, and they show that one-third of the battle casualties in the American Army were caused by gas, and less than 4 per cent of the deaths were caused by gas, and also that a smaller proportion of the soldiers who were put out of commission by gas were less permanently injured than of those that were put out of commission by the other offensive means of warfare, with shrapnel, bullets, and so forth. And so it appears that gas is not only the most effective weapon in war but the most humane. It puts the enemy out of commission, yet kills a less percentage of his men than any other means known.

For that reason, despite all that had been said about the use of gas in war, when we came to reorganize our Army after the war we provided for the continuance and for the further development of the Chemical Warfare Service, which is charged with the responsibility and the duty of studying all the various methods of applying this destructive weapon.

Mr. PELL and Mr. MONTAGUE rose.

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. HUMPHREYS. I will yield to the gentleman from Virginia.

Mr. MONTAGUE. Does the gentleman state the fact without qualification?

Mr. HUMPHREYS. Do I state what fact without qualification?

Mr. MONTAGUE. That gas has been less injurious than the other means of destruction.

Mr. HUMPHREYS. The record shows that about one-third, speaking approximately, of our battle casualties were from gas, and only 4 per cent of our deaths were from gas, and that a smaller proportion of the gas casualties resulted in permanent disability than the casualties by bullets, and so forth.

Mr. MONTAGUE. I suppose the gentleman understands that statistics are not always reliable?

Mr. HUMPHREYS. Yes. What is the gentleman's question?

Mr. MONTAGUE. Have we reached the point where we can ascertain the fact that the gentleman seems to think is certain—namely, do we yet know how far gas has destroyed the life or impaired the health of the soldiers of the country? Have we reached the peak? Is not the testimony now to the effect that we must have more hospitals and more asylums for the treatment of soldiers injured by gas? That gas is frequently obscure and slow in disclosing its injuries to the bodies of our soldiers?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HUMPHREYS. The peak of what may be called the consequential disabilities among our soldiers has not yet been reached, but that is not confined to gas cases; it embraces the disabilities caused by all other forms of casualty.

Mr. HUSTED. And is there not always a possibility that if we continue the study of this subject, we may discover a gas which will put the enemy out of commission without inflicting any permanently injurious effect upon the men?

Mr. HUMPHREYS. That may be possible; but we must go by the facts that have already been developed, and these facts are up to date, not prospective, not speculative, that gas is the most humane instrumentality of warfare that was developed by the recent war. Now, let me quote the hearings; and I invite your attention particularly to what is said about tuberculosis being induced by gas. I read from the hearings, page 1091:

CASUALTIES FROM GAS IN THE LATE WAR.

Mr. SLEMP. And did not Germany shock, you might say, the moral sense of the world when she began to use gas?

Gen. FRIES. Yes, sir. There were two reasons for that. In the first place, she agreed not to use it and broke her word. In the second place, the first gas to be used was used against absolutely unprotected troops who knew nothing about it, so that the death rate there was probably 35 per cent of everybody that was gassed, because they had

no protection. Now, that death rate fell from that time down until it reached the low point where just barely 2 per cent of the men that got gassed died; and of those who were wounded—and that was pretty nearly one-third of our casualties in the war—of those wounded only about 2,600 had any disability when they were discharged from the Army.

In other words, only about 4 per cent had any disability at all as against practically 12 per cent for bullets and high explosives, with an additional 3½ per cent of soldiers in the hospitals from other causes. Thus the death rate was about one-twelfth what it was from bullets and high explosives. This low death rate comes about because the men knew how to protect themselves. Protection could not prevent the casualties; they remained high and the men were put out of action from but two to four months. And another thing, the recent statistics of the Surgeon General's Office show that there is apparently no tuberculosis caused by gas—in fact, the statistics of this last year are very interesting; tuberculosis rates in all gas cases in France in 1918 and 1919 was only 2.45 per thousand, but in 1918 among all the men in France wounded and well it was 3.6 per thousand; and in 1919 that went up to 4.3 per thousand.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. LITTLE. Mr. Chairman, I rise in opposition to the motion to strike out.

Mr. ANTHONY. I ask unanimous consent that debate on this paragraph and all amendments thereto close in five minutes.

Mr. MONTAGUE. I should like to offer an amendment to this paragraph, to strike out "$1,500,000" and insert "$1,000,000."

Mr. ANTHONY. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. MONTAGUE. I have no desire to debate the question at all.

The CHAIRMAN. The gentleman asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Chairman, nineteen hundred years ago the Galilean brought a new religion, of peace on earth, good will to men. This great country is the foremost of all Christian nations which follow His lead and suggestion. The whole great Christian Continent of Europe is an exemplification and development of Christian civilization.

From the tenor of most of this discussion and of similar discussions on some of these Army and Navy bills every year it would seem that that splendid Christian civilization reached its loftiest culmination when the Kaiser's army marched through Brussels with banners flying, with drums beating, with bugles blowing, with canteens and caissons filled with poison gas, on its way to burn the towns, destroy the orchards, and ruin the farms of inoffensive France. If that was not the loftiest culmination of Christian civilization as now interpreted, I do not know what most of this argument is founded upon.

We have heard it suggested to-day that it is proper to poison the wells of the soldiers of the enemy. We consider the age of chivalry an age of semicivilization, and Japan and China and other barbaric countries have been to us objects of scorn. Yet when we have reached this stage in our boasted Christian civilization this House devotes a very considerable and sometimes the major portion of its time to trying to devise means to destroy everything that Jesus Christ undertook to accomplish. I think it is time we desist from calling ourselves a Christian Nation, and that we entitle this "A bill to destroy Christian civilization and to do away with the doctrines of the Galilean."

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LITTLE. No.

The CHAIRMAN. The gentleman declines to yield.

Mr. LITTLE. I think we ought to entitle some of these bills "A bill to repeal the Sermon on the Mount and every declaration that emanates from our Sacred Scriptures." This country has many needs more important than that of turning ours into a nation of soldiers. Let us talk of something else besides drums and guns and epitaphs.

Mr. McKENZIE. Will the gentleman yield?

Mr. LITTLE. I have not the time. I am not a member of any church. I do not rise to that lofty altitude—I wish I could—where I would feel confident that I could live up to those great doctrines. But I do feel that a great Christian country, at a time when its heel is upon the neck of the world, if it wants to have it there, at a time when the greatest empire Europe ever had, reached the greatest period of armament that any nation ever reached, and then took the most terrific licking that any nation ever got, largely at the hands of a Republic which had not even begun to spit on its hands to get ready when this war began, it is time that we begin to learn to have a little ordinary common sense and to quit talking about wasting millions and wasting men in getting ready to fight a world no nation of which wants to fight us. When our greatest war ended our greatest soldier, U. S. Grant, sent our soldiers home never dreaming of asking for millions of men and money to prepare for another war, but said "Let us have peace." It is time that we begin to be Christians and to live up to Christian doctrines, or else quit talking about them. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. DEMPSEY. Mr. Chairman, the gentleman from Virginia [Mr. MOORE] and the gentleman from Kansas [Mr. LITTLE] seem to concur in urging that we should make no preparations whatever for the national defense.

Mr. MOORE of Virginia. The gentleman is under an entire misapprehension; I think we ought to observe the rule of reason in this matter.

Mr. DEMPSEY. It seems to me that the gentleman's argument inevitably leads to the conclusion that we should make no preparations in that direction, in spite of his present declaration.

Let us see what the situation is. In order to meet the requirements of the World War we armed and equipped millions of men and sent them abroad. We had an annual expenditure for military purposes reaching into billions of dollars. This bill proposes to appropriate for only 150,000 men and to expend in the aggregate the sum of $331,000,000. What more can the gentleman from Virginia [Mr. MOORE] and the gentleman from Kansas [Mr. LITTLE] ask? Is not that coming down from the peak of war at the end of so short a time as this, as rapidly as any man can reasonably ask, be he a pacifist or be he whatever he may be, or whatever may be his views upon the military question? Is not that coming down as rapidly as he could ask anyone to come down?

Now, let us take the specific item under discussion. In view of experience—because that is the surest guide—we must assume that gas is going to be used in future wars. Is there, then, anyone among us who would urge, in view of the well-known fact that gas will be used by our enemies in any conflict into which we may be precipitated in the future, that the United States should discard gas, should cease to use it, should cease to prepare to use it, should be in a state of woeful unpreparedness to meet that most formidable agency? I do not believe any gentleman will urge that.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. JOHNSON of Washington. It may be interesting to gentlemen to know that there is now in the United States the German, Beyer, who invented the poisonous gases used by the Germans in the war and developed the machinery for their use, and he now comes to the United States and gets in here without a visé on his passport by putting up a small bond.

Mr. DEMPSEY. Let me say, in answer to the gentleman from Virginia, Congress in both branches passed a resolution limiting the Army, which a short time ago embraced millions of men, to 175,000 men. Congress by this bill proposes to limit the Army to 150,000 men, and the gentleman from Virginia says he wants the energetic minority to make history and show what a minority can do. I call the attention of the gentleman from Virginia to the fact that apparently his minority, however active it may be, is not united, because just as we are discussing the question word comes to us that the President has vetoed the resolution for an Army of 175,000 men. So you are at discord; you are not united; it is not a militant minority; it is a minority divided against itself; its views are discordant and its views are unsettled. So, gentlemen, I say that the single question we are discussing is, Will we discard gas on the certainty that our foes will use it; and if we are going to use gas, is not this amount reasonable and modest?

Mr. MONTAGUE. Mr. Chairman, I have offered an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 59, line 22, strike out "$1,500,000" and insert "$1,000,000."

Mr. McCLINTIC. Mr. Chairman, this is a very important subject and I think we had better have a quorum here. I make the point of no quorum.

The CHAIRMAN. The gentleman from Oklahoma makes the point of no quorum. The Chair will count.

Mr. McCLINTIC. Mr. Chairman, I withdraw the point of no quorum.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. MONTAGUE) there were 13 ayes and 25 noes.

So the amendment was rejected.

The Clerk read as follows:

NATIONAL GUARD.

ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD.

For purchase of animals for mounted units, $100.

Mr. DENISON. Mr. Chairman, I move to strike out the paragraph. I want to ask the chairman for some explanation. We have been appropriating money in the millions, and succeeding items call for various large sums, and here is an appropriation that seems to be utterly indefensible.

Mr. ANTHONY. The War Department asked for $2,000,000 for the purchase of animals for the National Guard, but the committee decided that it was not wise to equip the National Guard with animals, and so cut this down to $100, so that we could maintain the language in the bill.

Mr. DENISON. How many animals is it intended to buy with this $100?

Mr. ANTHONY. We do not intend to buy any; we do this simply to keep the language in the bill. The gentleman knows that it is very much harder to get language into a bill than it is to keep it in.

Mr. DENISON. I did not know that.

Mr. CRAGO. Mr. Chairman, I move to strike out the last word. Under the heading of "National Guard" I want to make a brief statement, not in criticism of the gentleman from Kansas, who has labored so well in the preparation of this bill, but to correct an injustice that may be done a splendid officer in the service.

On February 1 the gentleman from Kansas [Mr. ANTHONY], in explaining the bill, said:

> We have already made such provision. The Committee on Military Affairs last year in its reorganization act provided that the Chief of the Militia Bureau should be a National Guard officer selected by the governors of the States. The War Department has made such appointment of a National Guard officer, but I am very sorry to say they did not listen to the recommendations of the governors of the States.

That statement of the gentleman from Kansas is an answer to a question by the gentleman from Texas—if there was not some way by which we could change the sympathy of the War Department toward the National Guard. In justice to the department and also to the distinguished officer of the National Guard who was appointed Chief of the Militia Bureau, Col George C. Rickards, of Pennsylvania, I want to put in the RECORD the exact language of the act providing for the appointment of this officer. It is as follows:

> The Militia Division of the War Department shall hereafter be known as the Militia Bureau of the War Department. After January 1, 1921, the Chief of the Militia Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of present and former National Guard officers recommended by the governors of the several States and Territories as suitable for such appointment, who hold commissions in the Officers' Reserve Corps, who have had 10 or more years' commissioned service in the National Guard, at least 5 of which has been in the line, and who have attained at least the grade of major.

The President, under authority given by this statute, did appoint the gentleman I have named, and this officer is a member of the Officers' Reserve Corps; he has had more than 10 years' commissioned service in the National Guard and has served through these years of service as an officer of the line, and he attained the grade, I believe, of brigadier general in the World War, although he was in command of a regiment most of the time. He was recommended by a number of the governors of the different States.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. ANTHONY. Does not the gentleman believe that from the words he has just quoted—

> recommended by the governors of the several States and Territories—

it was intended that the President should consult with the governors of the States and Territories as to the man who should be placed in that position?

Mr. CRAGO. I would not take that from the language of the act—one man might be recommended by 3 governors, another by 10, and another by 12. I think the act contemplates that the attention of the President shall be called by the governor of a State to the man he regards as one who has the qualifications for this position.

Mr. ANTHONY. I have not the slightest desire to reflect upon the man from Pennsylvania who was appointed in that position.

Mr. CRAGO. I realize that.

Mr. ANTHONY. I call the gentleman's attention to the fact that the governors of 34 States and Territories, in conformity with the law which the gentleman has just quoted, did agree on one man for that office, and that one man was the choice of the representatives of the National Guard organizations. Yet the President of the United States absolutely ignored the 34 governors and ignored our purpose in the language just quoted.

Mr. CRAGO. I want to state further that practically all of the governors of these States and the adjutants general since this appointment have congratulated the appointee and also the department on the appointment. I desire to say that the man appointed was a gallant officer. I have no doubt that the distinguished officer from the State of Kansas would have well filled this position had he been appointed. I have a personal acquaintance with him and I have a high regard for him. I have no criticism to make of his actions. I merely call attention to the fact that the law had been observed in appointing this man as Chief of the Militia Bureau.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last two words. I have no desire to take up the time of the House unnecessarily, but it seems to me that this is a good place to suggest a little something in the way of prophecy. Our old friend Josh Billings said, "Don't profesy onless ye kno." Of course, I can not qualify under that sage admonition, because I am not a seer, but I do say that it is a part of human experience to expect that when we make a law that calls for 48 governors to propose from among their own citizens one man to preside over the military destinies of all men of like condition in the whole 48 States we can look for some politics, we can look for some jealousies, we can look for some disappointments, and we can look for some reaction.

I never favored the idea that the Chief of the Militia Bureau should be a National Guard officer. I have the highest respect for that institution. I served in it in the old days myself, and I have pleasant and tender and grave memories of it, and have nothing in the world but respect for it. But it is human nature to figure that if you get one man from one of the 48 States as Chief of the Militia Bureau he will stay just about long enough for some people in the other 47 States to figure that it is about time to have a change and to have one of their own men put in. Immediately by choosing this man, based on the States' organizations idea, you always put 47 men outside and one man in. You can not avoid it; it is the logic of human experience and circumstance; whereas if you were to have a man who is a professional soldier, who does not do anything else, who hails from any section under the flag to which he happens to have been sent, who has no local environment he may be charged with representing, you would avoid the possibilities of a deal of that mischief.

I believed it was a mistake from a military viewpoint to make this the law, and I believe it will be found to work out as an error of judgment as a matter of policy and as a matter of expediency in government.

The Clerk read as follows:

For transportation of equipment and supplies, $150,000.

Mr. HUDDLESTON. Mr. Chairman, I note that this paragraph has to do with transportation, so that of course the railroads are affected. The amount of it is very trifling, but I am rather surprised that I have not been receiving propaganda in behalf of it. Practically everything that comes into this House that has either a direct or indirect bearing on the railroads is carefully controlled, fostered, discouraged, promoted, or whatever the interests of the railroad may dictate, by an overwhelming propaganda.

I imagine there is no Member of the House who has not been receiving or who has not received to-day letters and telegrams demanding that he support the Winslow bill. Everybody it seems, except Members of Congress, knows that it is proposed to put over the Winslow bill on next Monday on a motion to suspend the rules. The move has been tipped off to all of the selfish interests of the country. They have arrayed themselves, they are marshaled, they are in action. They are bringing pressure to bear upon their Representatives in Congress. The demand is being made that we support the Winslow bill when it is brought forward next Monday.

As in nearly all cases of this kind the propaganda in favor of the Winslow bill is largely based on false premises, largely inspired by misrepresentations, and so forth. If it has any truth back of it at all, it has been discolored, and the people who are writing and telegraphing us are being misled. All of the railroad attorneys, all of the railroad jumping jacks, in the country are demanding that their Representatives vote for this bill. All of the material and supply men are crying out that the Winslow bill must pass so that they can collect the bills for supplies sold the railroads. The truth is that a lot of the railroads, for the deliberate purpose of bringing pressure to bear upon Members of Congress, have refrained from paying their bills when they were able to pay them, and have been telling a lot of lies to the people to whom they owe money for supplies. Many of the railroads that have been making these

representations, that they can not pay their bills, have money in their treasuries and where they have no money they have credit. The truth is that many of the railroads making these representations have already received, under section 209 of the transportation act, large advances and have little more coming to them. They have not only received advances under section 209, but they have borrowed money from the $300,000,000 revolving fund. There is yet money left in that fund, which these railroads can get if they want to pay their bills—a part of that fund.

The railroads are raising a cry of poverty. It is a false cry; it is not true. Wall Street knows what the facts are. The pleas of poverty have not frightened Wall Street. Railroad stocks and bonds are still selling on a strong market from 5 to 25 per cent higher than they were a year ago. The Pennsylvania Railroad Co. floated a $50,000,000 bond loan last April at 7 per cent. They are soon to float another loan much larger. How much are they paying? Only 6½ per cent. The financial conditions, so far as the railroad companies are concerned, are better to-day than last year, yet the railroads say they can not pay for coal and lumber, can not pay the bills that they owe. The statement is essentially false. It is made for the purpose of getting the supply people they owe to bring pressure to bear upon their Representatives in Congress and get them to put through this bill as contemplated next Monday afternoon, without having any opportunity for investigation, without any opportunity for real consideration, without any chance to amend, and with only 20 minutes' debate on each side. That is the scheme of the railroads, and that is what they are going to put over.

Perhaps I am giving Members of Congress information by telling you that it is on the cards to put this Winslow bill through next Monday. Does everybody know that? I am fairly wide awake, and I associate with other Members of Congress who are wide awake, and we have talked about these matters. They did not know and I did not know until I began to get this propaganda from these propagandists who expect to get some money out of our Treasury because of that propaganda. I have been informed by men living hundreds of miles away from the Capitol that it is on the cards that this bill is to be put through the House on next Monday afternoon. Yet Members of Congress outside of the Republican steering committee know nothing about it. The selfish interests have been informed by those in control of the House. Other Members of Congress are expected to jump through the hoop like trained spaniels.

Mr. COOPER. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman is recognized to oppose the pro forma amendment.

Mr. COOPER. Mr. Chairman, it was not my intention to say anything at this time. I tried to get the gentleman from Alabama [Mr. HUDDLESTON] to yield to a question. I want to say to the gentleman from Alabama it is not now and it never was the intention of the Committee on Interstate and Foreign Commerce to consider the Winslow bill and try to jam it through the House without consideration.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word.

Mr. ANTHONY. Is the gentleman going to discuss the bill?

Mr. HUDDLESTON. I would like to say a few words——

Mr. ANTHONY. Mr. Chairman, I shall have to ask for the regular order if that is the case.

The CHAIRMAN. Objection is heard.

Mr. HUDDLESTON. I ask to be recognized.

The CHAIRMAN. The gentleman has been recognized once, and the Chair, exercising his right as a Member of the House, can refuse——

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment. May I make a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. HUDDLESTON. Will the Chair recognize me to offer an amendment to this section?

The CHAIRMAN. The gentleman has already offered one amendment.

Mr. HUDDLESTON. I offered to strike it out.

The CHAIRMAN. Well, the amendment is still pending.

Mr. HUDDLESTON. But I desire to offer an amendment to the amendment if the Chair is willing to assume that it is technically before the committee.

The CHAIRMAN. The gentleman moves to strike out the paragraph. The Chair was not clear whether or not it was a pro forma amendment.

Mr. HUDDLESTON. I will say to the Chair it was a pro forma amendment.

The CHAIRMAN. Then the pro forma amendment is pending, and can not be withdrawn without unanimous consent of the committee.

Mr. HUDDLESTON. Then let us have a vote on it.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

Mr. HUDDLESTON. Strike out "$150,000" and make it "$100,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. HUDDLESTON moves to amend, page 60, line 21, by striking out "$150,000" and insert in lieu thereof "$100,000."

Mr. HUDDLESTON. Mr. Chairman, I ask to be recognized for five minutes.

The CHAIRMAN. The gentleman will be recognized in support of his amendment.

Mr. HUDDLESTON. I do not think it is going to break the railroads——

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not talking to the amendment.

The CHAIRMAN. So far as the gentleman has proceeded, the Chair can not determine.

Mr. BARKLEY. This deals with transportation, and the gentleman mentioned railroads.

The CHAIRMAN. The gentleman will proceed in order.

Mr. HUDDLESTON. If I can proceed in any way at all, I think I will show that I am in order. I do not think a reduction from $150,000 to $100,000 is going to break the railroads. They are not in as bad shape as some may think. At any rate, they are expecting very soon to be in very much better shape because of the passage of the Winslow bill, which is on the cards to be put through the House next Monday afternoon. I would be glad to rely upon the statement of the gentleman from Ohio [Mr. COOPER] that it is not the purpose to put this bill through under suspension of the rules, if I felt that he was authorized to speak——

Mr. COOPER. Will the gentleman yield?

Mr. HUDDLESTON. No; I can not yield.

Mr. COOPER. Just for a question?

Mr. HUDDLESTON. No; I will not yield. I asked the gentleman to yield to me, and he would not do it.

I will be glad to rely on the gentleman's statement if I thought he was authorized on behalf of his committee or on behalf of the leadership of this House to make the statement. But his position, however worthy he may be, is not one of leadership, either of his committee or in the House.

Mr. ANTHONY. Mr. Chairman, I make the point of order the gentleman is not in order.

The CHAIRMAN. The point of order is sustained. The gentleman will take his seat.

Mr. BLANTON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BLANTON. I rise in opposition to the amendment.

The CHAIRMAN. The gentleman will proceed in order.

Mr. BLANTON. Mr. Chairman, I am in favor of upholding this bill now before the House, unless there is something radical in it that ought to be taken out. [Laughter.] I do not believe in taking out of this bill by amendment wholesome items that have been carefully inserted by the committee, unfamiliar to the one who offers the amendment. I take it the gentleman in charge of this bill knows more about it than anybody else in the House. We had an example of that here yesterday, when the item of typewriters was under consideration, back on page 25. This item of $26,108,430 for buying typewriters was involved. And the gentleman from Indiana [Mr. WOOD] got up here and demanded that the Chair recognize him, and he got mad because the Chair did not do it when somebody else was first on his feet, and the gentleman from New York [Mr. SNYDER] got up and said the Chair must recognize the gentleman because he was a member of the great Appropriations Committee, intimating that he had something special to offer to save money. And the Chair, upon that assertion, recognized the gentleman from Indiana [Mr. WOOD]. What did he do? He did not offer to strike out this $26,108,430, all of which could be spent in buying typewriters, or the provision to purchase typewriters, on page 25, but he jumped over to the next page of the bill, page 26, where our distinguished chairman, the eminent gentleman from Kansas [Mr. ANTHONY], in his wisdom had seen fit to limit this appropriation for typewriters to

$10,000. He jumped over to the next page, page 26, where the wholesome limitation was, and struck out the word "purchase" from the limitation, and now, since this great so-called economical feat was accomplished by the gentleman from Indiana, the War Department, if it saw fit, could spend this whole $26,108,430 for typewriters. The gentleman from Indiana [Mr. WOOD] thought he was doing the House and the country and the committee and the chairman a kindness, but he did not know how to do it. He jumped up here half cocked. That was what was the matter.

And the gentleman from New York [Mr. DEMPSEY], a while ago, just because the President has seen fit to exercise his constitutional prerogative and veto a bill, likewise jumped up and said that because the President vetoed it the Democrats have not got any policy. If we have not got any, what kind have you Republicans got, when your distinguished member of the Appropriations Committee had to get two men from New York to help him get recognition from the Chair? He has arranged this bill so that you could spend $26,108,430 for typewriters.

Mr. LAYTON. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LAYTON. The point of order is that the gentleman is not speaking upon this bill.

Mr. BLANTON. Oh, yes; I am speaking on saving money.

Mr. LAYTON. The gentleman is wasting it.

Mr. BLANTON. And therefore I say that I want the gentleman from Kansas [Mr. ANTHONY], the distinguished chairman of this subcommittee, to know that I am one of his right-hand bowers. [Laughter.] And I want him to know that he has my help and protection, and whenever some fellow who has not studied the bill gets up and offers an amendment to strike something wholesome out, I am with the gentleman from Kansas to help him protect his bill. [Laughter.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIONAL GUARD.

ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD.

For purchase of animals for mounted units, $100.
For procurement of forage, bedding, etc., for animals, $1,500,000.
For compensation of help for care of matériel, animals, and equipment, $1,000,000.
For expenses, camps of instruction, $5,500,000.
For expenses, selected officers and enlisted men, military service schools, $200,000.
For pay and allowances, officers, National Guard, detailed with Army, $150,000.
For pay of property and disbursing officers for the United States, $45,000.
For general expenses, equipment and instruction, National Guard, $750,000.
For travel of Federal officers and noncommissioned officers in connection with the National Guard, $75,000.
For repair of Federal property issued to the National Guard, $5,000.
For transportation of equipment and supplies, $150,000.
For expenses, sergeant-instructors, $50,000.
For office rent, etc., inspector-instructors, $9,000.
For pay of National Guard (armory drills), $9,500,000.

Mr. SEARS. Mr. Chairman, I make the point of order.

The CHAIRMAN. For what purposes does the gentleman rise?

Mr. SEARS. To make the point of order that we have not yet voted on the amendment of the gentleman from Alabama.

The CHAIRMAN. The gentleman is correct.

Mr. SEARS. I simply do that because I think it is incumbent upon the gentleman from Kansas [Mr. ANTHONY] to reply to the bouquets that have just been handed to him.

The CHAIRMAN. The gentleman from Florida is correct, and we return to the question of the amendment offered by the gentleman from Alabama. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ARMS, UNIFORMS, EQUIPMENT, ETC., FOR FIELD SERVICE, NATIONAL GUARD.

To procure by purchase or manufacture and issue from time to time to the National Guard upon requisition of the governors of the several States and Territories, or the commanding general, National Guard of the District of Columbia, such number of United States service arms with all accessories, Field Artillery and Coast Artillery matériel, Engineer, Signal, and sanitary matériel, accouterments, field uniforms, clothing, equipage, publications, and military stores of all kinds, including public animals, and a reserve supply of such arms, matériel, accouterments, field uniforms, clothing, equipage, and military stores of all kinds, as are necessary to arm, uniform, and equip for field service the National Guard of the several States, Territories, and the District of Columbia, $5,000,000: *Provided*, That members of the National Guard who have or shall become entitled for a continuous period of less than one month to Federal pay at the rates fixed for the Regular Army, whether by virtue of a call by the President, of attendance at school or maneuver, or of any other cause, and whose accounts have not yet been settled, shall receive such pay for each day of such period; and the 31st day of a calendar month shall not be excluded from the computation: *Provided further*, That the Secretary of War is hereby directed to issue from surplus or reserve stores and matériel now on hand and purchased for the United States Army such articles of clothing and equipment and Field Artillery matériel and ammunition as may be needed by the National Guard organized under the provisions of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by the act approved June 4, 1920. This issue shall be made without charge against militia appropriations.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Against what appropriations are these issues made? The concluding language of this paragraph is that the issues "shall be made without charge against militia appropriations." Now, against what appropriations do these issues come?

Mr. ANTHONY. Against the appropriations on page 60.

Mr. WALSH. Are those militia appropriations?

Mr. ANTHONY. Those are militia appropriations; yes.

Mr. WALSH. This language says that they shall be issued without charge against those appropriations?

Mr. ANTHONY. That is the idea. That language is used in the effort to reduce the amount of money appropriations. We provide that if the National Guard needs arms or equipment or uniforms or matériel of that kind which the Regular Army has on hand as reserve, that matériel shall be issued to them without charge from the money herein appropriated. Heretofore the War Department, to augment the appropriations made by Congress, has been charging the National Guard for matériel on hand, issuing it to the guard, and taking it out of the guard appropriation, and respending it for the purposes of the Regular Army. We are trying to economize here and stop that.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. McKENZIE. Is it not a fact that in the appropriation last year we attempted or endeavored to take care of this very proposition, to have these requisitions filled out of surplus, but the War Department got around the language we had in that appropriation on the ground that it was not surplus? Now, you are trying to reach what they are holding in reserve.

Mr. WALSH. They will get around that, too.

Mr. ANTHONY. I call your attention to the fact that we add the words "or reserve" after the "surplus," so that we could get hold of the immense amounts of matériel that the War Department insists on holding as reserve and refuses to call surplus, although in some branches of the Army they have enough goods on hand to last the Army 10 years, perhaps; but they refuse to include that in the surplus. Now, we have provided that it shall be for the use of the National Guard. It is new legislation, but it will have a very potent effect if it is allowed to stay in.

Mr. WALSH. Who is to determine whether this matériel is surplus or is held in reserve? It is left to the War Department?

Mr. ANTHONY. Yes.

Mr. WALSH. Now, assume that they say that this matériel is surplus and not held in reserve, and that they have not any of it that ought to be issued to the guard. Where will the guard get it, and to what appropriations will it charged?

Mr. ANTHONY. I will say to the gentleman that if it is not surplus it must be reserve.

Mr. WALSH. It may be on hand.

Mr. ANTHONY. If it is not in actual use by the troops——

Mr. WALSH. It need not be in actual use. It could be assigned to them and remain in the warehouse.

Mr. ANTHONY. I think it would be reserve.

Mr. WALSH. It will be left to the War Department to determine that?

Mr. ANTHONY. They hold their matériel in two classes—reserve and surplus—unless it is actually in the hands of troops.

Mr. WALSH. Does the gentleman have any information as to how much of this matériel there is? Has any inventory been submitted to the gentleman's committee or to the Committee on Military Affairs of what this matériel is, and where it is, and why it has not been issued before, without legislation from Congress?

Mr. ANTHONY. In every part of the hearings which the committee held you will find the question directed to the officer, "How much matériel have you on hand for which you are asking this money?" For instance, under the head of "Machine guns," that question was asked of the committee, and we showed you that there were 272,000 machine guns held in reserve. Under every heading you will find an ample amount of matériel of war held in reserve.

Mr. WALSH. Is the gentleman satisfied, as chairman of the subcommittee, that the language he has employed here will preclude the department from carrying out the intention of Congress in the manner in which it expects it to be done and not evaded, as was done in the last two years?

Mr. ANTHONY. In the last two years the War Department has evaded the intention of Congress.

Mr. WALSH. Does the gentleman think this language will preclude any evasion?

Mr. ANTHONY. We think it will preclude it.

Mr. WALSH. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alabama moves to strike out the last word.

Mr. HUDDLESTON. Mr. Chairman, I observe in this morning's Post this statement:

While no agreement is reached, it is the general hope now that in addition to the general appropriation bills, the emergency railroad bill, the hospital bill, the good-roads bill, and perhaps one or two others can be passed before adjournment. The last three named will be taken up in the House on Monday.

That refers to the program of legislation before the House and confirms the statement I made a moment ago that we may expect the Winslow bill to be jammed through here on unanimous-consent day on a motion to suspend the rules on next Monday. Now that is further confirmed by a colloquy that took place between the gentleman from Texas [Mr. RAYBURN] and the gentleman from Wyoming [Mr. MONDELL] at the closing of the session yesterday afternoon, in which the gentleman from Texas [Mr. RAYBURN] asked the gentleman from Wyoming [Mr. MONDELL] if it was proposed to take up that bill. I believe he stated to him that he had heard it was to be taken up. Thereupon the gentleman from Wyoming [Mr. MONDELL] said that was a matter for the Speaker. Of course, the gentleman from Wyoming knew. He simply did not care to commit himself on the proposition. Had it not been intended to take up the bill, he would have told the gentleman from Texas, because he was himself asking that the hours of the House be changed in order to give more time.

I am receiving this propaganda. They say that the measure is coming up Monday; that statement is coming from the selfish interests of the country——

Mr. LAYTON. Mr. Chairman, I rise to a point of order that we now have under discussion in this House the matter of the arming, equipment, and uniforms of the National Guard, and the gentleman is not speaking at all upon that subject.

The CHAIRMAN. The point of order is sustained.

Mr. HUDDLESTON. Mr. Chairman, I make the point of order that a quorum of the committee is not present.

The CHAIRMAN. The gentleman from Alabama makes the point of no quorum. The Chair will count. [After counting.] One hundred Members present, a quorum. The Clerk will read.

The Clerk read as follows:

CIVILIAN MILITARY TRAINING CAMPS.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47–d of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, uniforms, subsistence, transportation, and medical attendance and supplies, or in lieu of such transportation and of subsistence for travel to and from camps, travel allowances at 5 cents per mile, as prescribed in said section 47–d, $1,000,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person who is over 45 years of age: *Provided further*, That used or salvaged uniforms and equipment shall be issued so far as available to persons receiving instruction at said camps.

Mr. HUDDLESTON. I move to strike out, in line 2, page 63, the word "transportation."

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 63, line 2, strike out the word "transportation."

Mr. HUDDLESTON. Mr. Chairman, I do not think that the railroads will seriously object to not receiving any of the money covered by this paragraph. They are expecting to receive funds out of the Public Treasury as the result of the raid which they contemplate making through the Winslow bill, which is to be brought up next Monday afternoon, I understand.

I should be very glad to believe that that bill will not be brought up here, particularly under a motion to suspend the rules. It would be very unfair to put through that bill by suspension of the rules. It is going to cost the Government two or three hundred million dollars if that bill is put through. I could demonstrate this, I think, to the reasonable satisfaction of any Member if I had the time to do it.

I am hoping that the gentleman in charge of that bill and those who are in charge of legislation in this House will not permit a measure so fraught with expense to the Government as that is to come up here and be put through practically without debate and without opportunity for amendment.

Mr. WINSLOW. Will the gentleman yield?

Mr. COOPER. I make the point of order that the gentleman is not discussing his amendment.

Mr. RAYBURN. I think it comes in bad grace from the gentleman from Ohio [Mr. COOPER] to make that point, because he has already discussed the whole thing himself.

The CHAIRMAN. The gentleman from Ohio is within his rights in making the point of order. The Chair is not able, under any reasonable construction of the rule, to hold that the gentleman from Alabama is debating the paragraph before the House, and therefore the Chair sustains the point of order.

Mr. HUDDLESTON. Mr. Chairman, I make the point of order that a quorum of the committee is not present.

The CHAIRMAN. The gentleman from Alabama makes the point of order that there is no quorum present. The Chair will ascertain. [After counting.] Eighty-seven Members present; not a quorum.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise; and on that motion I ask for tellers.

The CHAIRMAN. The gentleman from Kansas moves that the committee do now rise, and on that motion demands tellers.

Tellers were ordered; and the Chairman appointed Mr. ANTHONY and Mr. HUDDLESTON.

The committee divided; and there were—ayes 10, noes 95.

The CHAIRMAN. The committee refuses to rise. A quorum is present. The question is on the motion of the gentleman from Alabama to strike out the word "transportation," in line 2, page 63.

Mr. RAYBURN. Mr. Chairman, I rise to oppose the amendment. We will be able to make some time here this afternoon if the question that I asked the gentleman from Wyoming [Mr. MONDELL] yesterday is answered. That is whether or not there is going to be a motion made on Monday to suspend the rules and pass what is known as the Winslow bill? I see the gentleman from Massachusetts [Mr. WINSLOW] is here.

Mr. MONDELL. I make the point of order that the gentleman is not discussing this bill.

Mr. RAYBURN. I agree with the gentleman that I am not discussing the bill, but this is information that I think Members of the House have a right to have.

Mr. SNYDER. Regular order.

The CHAIRMAN. Debate is proceeding out of order.

Mr. RAYBURN. I know I am speaking out of order, but I am trying to get a little information that I think the House ought to have. If gentlemen do not want to give it, why, it is their responsibility.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Alabama [Mr. HUDDLESTON].

The question being taken, the amendment was rejected.

The Clerk read as follows:

PURCHASE OF ARTICLES MANUFACTURED AT GOVERNMENT ARSENALS.

No part of the moneys appropriated in this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured or produced in each or any of the Government arsenals of the United States for a sum less than it can be purchased or procured otherwise.

Mr. HULL of Iowa. I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 64, line 13, after the word "otherwise," insert "that no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work. Nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment that it is legislation on an appropriation bill and not authorized by law, and I would like to be heard on it.

The CHAIRMAN. The Chair will hear the gentleman briefly, but it has been passed upon many times.

Mr. BLANTON. Mr. Chairman, every time an appropriation bill of this kind comes up in the House of Representatives some

Member on the floor in an attempt to put a certain class of American citizens on a pedestal——

Mr. KING. Mr. Chairman, I make a point of order that the gentleman from Texas is not talking to his point of order.

The CHAIRMAN. The gentleman from Texas will proceed in order.

Mr. BLANTON. Whenever an appropriation bill comes up they have offered just such an amendment as this, and because mistakes have been made in the past, because for years and years a mistake was made making a certain class of individuals believe that they could do things that others could not, the Supreme Court of the United States lately held that all American citizens are alike and have equal rights, regardless of laws we pass exempting classes.

Mr. KING. Mr. Chairman, I make the point of order that the gentleman is not speaking to his point of order, and I ask the Chair to enforce the rules of the House and put the gentleman in his seat.

Mr. BLANTON. The Chair is with the gentleman from Texas, but he can not hear the gentleman from Texas on account of the noise by the gentleman from Illinois. [Laughter.]

The CHAIRMAN. The Chair will hear the gentleman from Texas.

Mr. BLANTON. Mr. Chairman, because the House has permitted such class legislation in the past to go upon an appropriation bill is no reason that we should continue on in the error of our ways without stopping it, and I think it is useless to argue a question of this kind to such a distinguished parliamentarian as the gentleman from Connecticut, who now fortunately occupies the chair.

Mr. WALSH. Mr. Chairman, I make the point of order that the amendment is not germane to the paragraph to which it is offered. While it may be germane to other parts of the bill it is not germane to this paragraph relating to the purchase of articles manufactured in Government arsenals. There is nothing in that that makes it germane to that particular paragraph.

The CHAIRMAN. The Chair thinks the point of order made by the gentleman from Massachusetts is good as far as this paragraph is concerned.

Mr. HULL of Iowa. It was carried in the bill before in the same paragraph last year.

The CHAIRMAN. The Chair has the act of last year before him, and it is carried in that act as a separate paragraph. The Chair sustains the point of order that it is not germane to the paragraph.

Mr. HULL of Iowa. Mr. Chairman, I offer it as a separate paragraph.

The Clerk again reported the amendment, to be inserted on page 64, after line 13, as a separate paragraph.

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment, because even though it is offered as a new paragraph, under the ruling of the House it must be germane to the preceding paragraph. It is not germane to the preceding paragraph and is legislation on an appropriation bill not authorized by law.

The CHAIRMAN. Regardless of what the present occupant of the chair may think of the wisdom of this amendment, it is his duty as Chairman of the Committee of the Whole House on the state of the Union to rule in accordance with the rules of the House and the best precedents made in accord with the rules of the House. This identical amendment has been offered numerous times and ruled upon by numerous able Chairmen who have filled the chair before, and on all occasions, uniformly, so far as the present occupant of the chair now recalls, it has been held that it is a limitation on appropriations made in the act. Therefore the Chair overrules the point of order.

Mr. HULL of Iowa. Mr. Chairman, I want to appeal to you to adopt this amendment in the interest of a better understanding between the workers and the Government. This is a pure limitation, because it limits the number of officers employed in the arsenals. If it was not for this the officers of the arsenals would be increased ten or twenty times. Few men understand what the Taylor system is. No self-respecting workman will work under the Taylor system. I know of no industrial concern in this country that employs it. They tried to introduce it into the arsenal, and where it was introduced it produced inefficiency and increased the overhead expense many, many times by increasing the number of officers.

The proposition is this: A young lieutenant just from West Point with a stop watch in his hand holds it over a young man who is induced by a bonus to increase the production of a certain article. He times every movement. After he is through with that man he goes to an old employee who has worked in that arsenal 10 or 15 years and who produces a better article, but takes a little longer time. He says to the old employee, "You do not do it right; you start with your left hand," because the other man started with his left hand. The result is that the efficient man leaves the employment of the Government. I want to read to you just a short excerpt from a paper read by C. E. Knoeppel, president of the Association of Efficient Engineers of this country.

This was the association that tried this system and here is what he says in an article published September 27, 1919, in the Scientific American about his own efficiency scheme:

> In writings and addresses in the past I have advocated the use of the stop watch. I have used it in my professional work. I have instructed others in its use and have had others use it for me. Some four years ago, however, I began to see evidences of its unpopularity in industry and began to study the entire situation with a view of getting along without it. Since that time the organization of which I am the head has made no use of the stop watch in its regular work of eliminating industrial inefficiency. We see no use for it in the future in so far as we are concerned, for excellent results have been and can be secured without its use.

It is a long article and he winds it up with the following:

> It seems to us, who have studied this question for several years past, that by eliminating the stop watch and making a clean-cut separation between inefficiency in management and inefficiency of the workers the way is paved for a better relationship between the workers and the employers and the increasing of industrial efficiency all along the line.

I do not know that it needs any further evidence than that. I want to tell you that if you try to allow Army officers to put it into your arsenals, as I said before, you will simply increase the overhead expense by increasing the number of officers by probably twenty times, and I want to briefly call your attention to another thing. The amendment which I have sent to the desk is the identical same amendment that is in the naval bill which you will approve next week from the same committee of this House. It has been in the Army bill for at least nine years and it has been in the fortifications bill for at least nine years and in the naval bill for that long. It has the approval, as I understand it, of all of the high officials of the Navy and most of the high officials in the Army. For the development of efficiency in our arsenals and in the interest of humanity, I appeal to you all to urge the passage of this amendment. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment. I am happy to find myself in hearty accordance with the committee that framed this bill, in that it did not make this proposed amendment a part of this bill, and I give my hearty support to the chairman in defending this bill against this vicious amendment. What is this amendment? It is to prevent a Government manager or a Government foreman or a Government superintendent from using any kind of watch or surveillance over Government employees to insure efficiency. That is the sole purpose of the amendment. It is to prevent them from forcing efficiency on the part of the employees. It is to keep our Government from having efficiency. It is a union demand. It is a demand that the unions have been making upon the private employers, and they have even brought it into the Government business, and we have been the dupes of them here for years. We Congressmen have been their playthings. Is it not time that we woke up and became men and legislated for the people as a whole and not for one little class of individuals?

I addressed a large meeting of Government employees in Washington here a week ago, a large audience of them. I called their attention to the fact that they were the playthings of the union leaders here in Washington who are constantly exploiting them. I called their attention to the fact that they had 23 different departments in their employees' union affiliated with the American Federation of Labor, and that none of those 23 departments stood for efficiency. I told them that if they would create a twenty-fourth department and make it stand for efficiency in work for the Government, and weed out all inefficient employees, I would vote to double the salary of every efficient employee of the Government, and I would do it in a minute, and in this morning's Washington Post the union leaders, because the audience who heard me stood up 99 per cent of them and indorsed my speech for efficiency——

Mr. JUUL. Mr. Chairman, will the gentleman yield for a question?

Mr. BLANTON. In just a moment—because most of the employees said that BLANTON'S idea of efficiency was a good thing, and that they were going to stand for it and going to demand it, you find in this morning's Washingon Post that the union leaders come out and say that BLANTON'S speech for efficiency is going to be disregarded, and that they are not going to make

any move for efficiency in Government service. That is exactly what they said this morning and exactly what this amendment means. They are not going to have efficiency in Government service.

Mr. JUUL. Mr. Chairman, will the gentleman yield now?

Mr. BLANTON. I am sorry I can not yield. I have only five minutes. The Supreme Court of the United States has held that you have no right to do this. The Supreme Court has held that a provision of law which you passed, putting this little class up on a pedestal to itself was against the interest of society. It spanked every Congressman who voted for that measure, and yet you just keep on voting for just such an amendment as this, and why? Are you afraid to vote against it? I know that some of you are not, but you want to take the easiest route, the one of least resistance. It is lots easier to swim with the tide than to go up against it. I am one of those who are willing to swim against the tide, if necessary, in behalf of my country. Are you going to let this pass just because unions have forced you to let it pass heretofore?

Mr. KING. Is the gentleman asking a question?

Mr. BLANTON. Some of these days if you do, you are going to find that some slick-faced, fine-looking young fellow in your district is going to be sent here by the people to take your place. The people are tired of it. It was this truckling of our Government to such class interests that put you Republicans in power, and you know it. The name of Calvin Coolidge was the open sesame into political power for you Republican brothers of ours. That name Calvin Coolidge went as a hurricane from one side of the United States to the other as the man who stood for law and order, who stood for no class legislation, who stood for all of the people of the United States. God bless him! If he had not been a Republican, I would have voted for him myself. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLACK rose.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

Mr. KING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KING. Has all debate upon the last amendment closed?

The CHAIRMAN. It has under the rule.

Mr. KING. Then I ask for recognition, for I desire to speak in opposition to the remarks of the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. If the gentleman consults the rule, he will find that a gentleman offering an amendment has five minutes and the gentleman in opposition has five minutes, and that that closes debate on the amendment.

Mr. KING. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] has risen with an amendment.

Mr. ANTHONY. I ask that my request be submitted for debate to close in 20 minutes.

The CHAIRMAN. The gentleman from Kansas interrupted to prefer a unanimous-consent request.

Mr. ANTHONY. I did not mean to take the gentleman from Texas off his feet.

The CHAIRMAN. What is the gentleman's request?

Mr. ANTHONY. That all debate on the amendment and all amendments thereto be closed in 20 minutes.

The CHAIRMAN. Does the gentleman mean the paragraph and all amendments? The gentleman from Kansas asks unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes. Is there objection?

Mr. KING. I object.

Mr. ANTHONY. How much time does the gentleman want?

Mr. KING. Only a few minutes.

Mr. ANTHONY. The gentleman will have time.

Mr. KING. I will withdraw the objection.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. BLACK moves to amend the amendment of the gentleman from Iowa [Mr. HULL] by striking out the words "or other time-measuring device," which occur after the words "stop watch," and by striking out the following language: "Nor shall any part of the appropriation made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages except for suggestions resulting in improvement or economy in the operation of any Government plant," so that the amendment as amended would read:

"No part of the appropriation made by this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government for making or causing to be made with a stop watch a time study of any such employee between the start and the completion thereof, or of the movements of any such employee while engaged upon such work."

Mr. BLACK. Mr. Chairman, this amendment that has been offered by the gentleman from Iowa [Mr. HULL] does three things. First, it prohibits a time study by a stop watch, but it does not stop there, and there is the smoke screen of the thing. In my judgment this stop watch is used as a stalking horse because of the known prejudice against it; and if you will read the amendment it goes further and says, "or other time-measuring device," thereby prohibiting the Government from making any time study of the work that an employee is doing. That provision of the amendment is the principal evil of which I am complaining. Then in addition to that the last proviso prohibits the payment of a premium, bonus, or cash reward to any employee for increased efficiency, thereby allowing the slowest employee to regulate the efficiency of the factory. [Applause.] I do not believe it is fair or just to hold down the employee of superior skill and workmanship and compel him to receive the same pay as the slowest man in the factory. I do not object to the prohibition of the stop watch, although I read the hearings when this proposition was originally up at the time Mr. Tavenner offered it, and if I had time I could show the House that there was not an iota of testimony to support the contention of the gentleman from Iowa [Mr. HULL] that it was abused by the Government.

But I have no objection to that part of the Hull amendment which prohibits it; but I am not going on record in this House to prevent the Secretary of War or the Secretary of the Navy from making any sort of time study of an employee's job. That is going entirely too far. So my amendment would prevent the use of the stop watch, but would still leave the Government free to make a time study by other methods. A year ago we had on the floor of the House an amendment to increase the appropriation for the Bureau of Yards and Docks in the Navy, and when hearings were being held by the Committee on Naval Affairs some members of the committee said to Assistant Secretary Roosevelt and Admiral Parks, "You are not getting the efficiency out of your employees you ought to; you are in here asking for an increased appropriation. Why do you not get more efficiency?" Here is what Mr. Roosevelt said in reply to that:

Last summer my own personal guess—and that is what you might call it—was that we were somewhere between 65 and 70 per cent efficient. That is, we were turning out per day per man 65 or 70 per cent of what we turned out in 1914.

Some member of the committee asked him this question:

Why do not the officials of the Government make a study of the efficiency of these employees?

And Mr. Roosevelt's answer is as follows:

We do not keep time cards, as we are not allowed to do so by Congress.

[Applause.]

Now, gentlemen, the amendment of the gentleman from Iowa [Mr. HULL] goes a great deal further than prohibiting the use of the stop watch. It absolutely prohibits any time study of an employee's job. I would like to know what justification any Member of this Congress can have in criticizing the Secretary of War or the Secretary of the Navy for inefficiency in the arsenals of the War Department or the navy yards of the Navy when Congress itself has taken a rope and tied it around their hands and said, "You shall not make any time study of a job." [Applause.] And I am not going to vote for an amendment like the amendment offered by the gentleman from Iowa. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. KING. Mr. Chairman, I regret very much, indeed, to be forced to arise at this time to enter a protest against the remarks of the gentleman from Texas [Mr. BLANTON], but I have sat upon this floor now, lo, these many months, and have heard the laboring people of this country abused by the gentleman from Texas——

Mr. BLACK. What gentleman from Texas?

Mr. KING. It has gone in the CONGRESSIONAL RECORD and the country may believe that we sanction his attacks.

Mr. BLACK. Will the gentleman yield?

Mr. KING. Not at all just now, in three minutes. I am sure this Congress does not applaud the sentiments of the gentleman from Texas. I refer to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. I will assume the responsibility.

Mr. KING. The gentleman from Texas [Mr. BLANTON], the leader of the Democracy in this House, has just finished a

vociferous, vicious speech against the laboring people of this country, followed with tremendous applause from the Democratic side of this House. That I regret. There is no use beating around the bush. It is a clear question of whether your sympathies and hearts are with the ordinary man, the man who labors, the man who detests having a stop watch held over him, a stop watch, which is only fit for a race horse, held over him like a convict.

If you have any sympathy in your hearts—and I know the Republicans on this side have, because time after time they have refused to allow the stop-watch system to remain in the law, and the Chairman who is presiding, a good Republican himself, has held this amendment to be strictly in order—you will vote against the stop-watch system. There is no use of discussing it. It is a pure question, and you ought to understand it. It is a fair test of whether you have any sympathy at all with the ordinary man. And as to the statement of the gentleman from Texas as to me personally which he made upon the floor of this House just a moment ago, to the effect that "the gentleman from Illinois" was so blind in his mind that he could not see the points made by the gentleman from Texas, I wish to refer to a little passage from Alexander Pope:

> Of all the ills that harass the distressed,
> Sure the most bitter is a scornful jest.
> Fate never wounds more deep a generous heart
> Than when a blockhead's insult points the dart.

[Applause.]

Mr. BLANTON. Is the gentleman speaking about himself? It partly applies to him.

Mr. KING. I do not yield to the gentleman from Texas.

Mr. CARSS. Will the gentleman yield a moment?

The CHAIRMAN. The time of the gentleman from Illinois has expired. The gentleman from Massachusetts [Mr. TAGUE] is recognized.

Mr. TAGUE. Mr. Chairman and gentlemen of the committee, I have listened very attentively to the speeches that have been made in favor of the stop-watch system, and I am frank to say they come from the lips of men who have never seen the stop watch in operation. [Applause.] The gentleman from Texas [Mr. BLANTON] claps his hands, because he does not know any better. [Laughter.] Coming from a laboring community and a district in which is located one of the great navy yards of this country, I refuse to remain silent while the laboring men of that district are represented as slackers and shirkers in the performance of their duty to their Government. I know what the stop watch is, and I know what the card system is, and I assert that there never has been anything attempted in our governmental departments that has brought more dissatisfaction or caused more harm to the Government than this attempt to build up this so-called hypocritical efficiency board that is operating in every department of this Government merely to make jobs for men who can not work with their hands.

Now, Mr. Chairman, as I have said, I have seen the stop watch and card system in operation in the navy yards, and I have seen the men who work in the yards. Has it come to such a pass in this Nation that, after a man has given the best that is in him for 15 or 20 years in the Government service, a stripling of a boy, 20 or 25 years of age, can be brought in and made a standard of service? This is the practice to-day. You may say that it is not so, but I know it is so. Mr. Chairman, the standard is taken from the most active men in the department, and they put the stop watch on the men who made inventions, who did the work for the Government, who lived up to their tasks, and have given the Government the greatest inventions it has to work with to-day.

On account of age and length of service these men slow up in their work, and for this reason they are the first to be discharged. They were the men who were discharged while the stop watch was in operation. When the use of the stop watch was discontinued the service was immediately improved.

Mr. BLACK. Will the gentleman yield?

Mr. TAGUE. Yes.

Mr. BLACK. The Secretary of War, at the time he made the report in 1916, said that no man had been discharged by the system in the War Department.

Mr. TAGUE. I do not care what the Secretary has said. I know better. Every day men are being discharged in the navy yards merely to satisfy the whim of some man who sets up the standard and asks men to follow it, when that man could not follow the standard himself. They have thrashed it out, and I have a case in mind now where a man worked in the navy yards for 22 years, a man who gave to the Government many inventions, and labored hard and zealously for his Government. This man had the standard set on him and his efficiency was marked down. And when the furloughs and discharges came in the navy yard the man who was discharged was the man whose efficiency was marked low, and the young man who had done nothing, except to enter the service for a few months, was given his place. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I have not any particular reason for advocating here the cause of the labor unions. In the last congressional campaign their leaders strenuously opposed me in my district, unjust as such action was, and so I do not rise as their advocate here. But I do desire to say that from my experience in talking to the men who labor in the great Rock Island Arsenal, located in my district, I am convinced that this amendment of the gentleman from Iowa [Mr. HULL] ought to be adopted. I have talked with these men, and I know how they feel about it. I do not believe any man, gentlemen, will work well with a fellow standing behind him with a stop watch. I would not want to do it. There is not a man in this House who would want to do it. It was necessary in the first instance to do something of this kind to stop a practice which was going on in some of the arsenals in the United States. Now, you say that this goes further and prohibits time studies. Perhaps that is so. But I have talked with these men and I have come to the conclusion, from what they tell me and from what I have seen, that more efficient service can be gotten out of them by an ordinary system of employer and employee than there can be by some efficiency or time-card system. This is the principal thing they complain about: During the last war we had about 25,000 men working in the arsenal in my district. They say that if it is permitted the officers of the Army will bring men into their institution, men who are exceptionally fast workers, and they will put them on a job and will measure the work by the work of those men; from that time forward the standards for piecework in that institution are fixed by this man who can work faster than the ordinary man can.

Mr. BLANTON. Will the distinguished gentleman yield?

Mr. GRAHAM of Illinois. I have not the time. This is not a fair standard, and I have found in my experience that such a system is not productive of a good spirit; that it does not build up a good morale in that institution, and I think we had better keep it out.

Mr. CARSS. Is it not possible for the Government to weed out incompetent and inefficient employees, if any there be, without this system?

Mr. GRAHAM of Illinois. Absolutely. There are foremen in these arsenals that have been there for years and years. They know the men better than you and I know each other. If there is a poor man, they know who he is and they can weed him out. They know who the poor men are without the use of a stop-watch system.

Mr. BLANTON. Now will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. BLANTON. Those very unions now have a representative in the gallery, holding a stop watch on every Member of this House. [Applause.]

Mr. GRAHAM of Illinois. That may be so, but they need not hold any on me. They have already done me all the harm they can do. [Laughter.]

Mr. BLANTON. They get action, too. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DALLINGER. Mr. Chairman, the gentleman from Texas [Mr. BLANTON] pretends to be an economist and the watchdog of the Treasury, and yet because he is actuated by a very bitter feeling against men who labor with their hands he opposes this amendment which would be in the interest of real economy in the expenditures of the Government.

Personally I have always been of the belief that it is a mistake to have Army and Navy officers put over the civilian employees of our navy yards and arsenals. If the United States Government is going into the business of manufacturing munitions of war, it ought to do as private employers do—allow a man to start in at the bottom and rise to the top by his efficiency, and have civilian foremen and superintendents who have so risen from the ranks over the other civilian employees. But in our arsenals and navy yards we find Army and Navy officers are put in charge of skilled mechanics with the result that there is constant friction and irritation, and that is one of the reasons why these institutions are inefficient as compared with private plants.

Now, unless this amendment, which has been carried on all these bills heretofore, goes on this bill in the form it has gone on heretofore—because the amendment of the gentleman from Texas [Mr. BLACK] does not help it along the line of economy—you are going to open the door to having a whole lot of addi-

tional officers sent to the arsenals to watch over the civilian employees, and you are bound to have a very large unnecessary overhead expense.

Mr. Chairman, they have an efficiency system in the arsenals and navy yards now. The employees in these plants receive efficiency ratings now, and every day and every week men are discharged because of inefficiency as shown by their ratings. Moreover, for some time a movement has been going on looking to a closer cooperation between the commanding officers of the Government arsenals and the employees. The paragraph in this bill immediately preceding the one that is now proposed provides as follows:

No part of the moneys appropriated in this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can not be manufactured or produced in each or any of the Government arsenals of the United States for a sum less than it can be purchased or procured otherwise—

As a result of this enlightened policy of the Government, all the employees of our Government arsenals are working together to try to manufacture those things as cheaply as they can be manufactured elsewhere, so that the Government will give its contracts to the Government arsenals instead of to outside parties. As a result, we are now developing a healthy feeling of cooperation and a new esprit de corps among the employees of our arsenals. The knowledge that unless the cost of production can be kept down the arsenal will not get the contract, and as a result men will be laid off, is the very best incentive to every employee to do his best work.

It is no time now, Mr. Chairman, in this period of reconstruction, to undo the policy that we have pursued for the last nine years, and to return to the medieval policy of treating our machinists and other civilian employees as mere machines that have no feeling, and as shirkers who can not be trusted and who must be watched every minute by some arrogant and, perhaps, ignorant Army officer who does not know how to deal with men. All progressive and far-seeing employers of labor realize that suspicion and hate must give place to mutual trust and friendly cooperation in the relations between capital and labor. I believe that every man who has studied this problem will agree with me on this proposition.

Mr. Chairman, when I entered this House in 1915 I voted against an amendment of this character. The amendment was adopted, however, and has been carried in every appropriation bill since that time. I am convinced that it is a bad time now to try to restore the Taylor stop-watch system, at least until we shall have had an opportunity to study the results of the new system of cooperation that has been inaugurated and compare them with the results of the old system of distrust and force. I trust the amendment of the gentleman from Iowa [Mr. HULL] will prevail. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ANTHONY. Mr. Chairman, is any more time remaining?

The CHAIRMAN. Three minutes remain.

Mr. UPSHAW rose.

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. ANTHONY. Mr. Chairman, I would like to make a statement. The reason why the committee did not include in the bill the language submitted in the amendment of the gentleman from Iowa are, in the first place, that it was considered legislation, and, in the second place, we had no evidence of any abuses of the kind enumerated, that exist in the arsenals connected with the Army, or which have existed for years, of that kind, and we did not consider it any more necessary to put that into the bill than we did one such as that the men employed there should not commit murder. In the third place, I have always considered the language as political buncombe. There is no election this year, and the committee did not think it necessary to include it in the bill. [Laughter and applause.]

Mr. BLANTON. Mr. Chairman, will the gentleman permit a question?

Mr. ANTHONY. Yes.

Mr. BLANTON. I said the representatives of the unions are in the gallery. The American people are also there with their stop watch, and you had better look out. [Laughter.]

The CHAIRMAN. One minute remains, and the Chair will recognize the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Mr. Chairman, I favor this amendment, for the simple reason that I am opposed to the American Congress going on record as holding under espionage the men in overalls who were so loyal to this Government during the war, and who should be trusted as the friends of honesty everywhere. [Applause.]

The best-governed schools in this country are the schools that govern themselves on the honor system; and if you keep the labor of this country on the honor system there is more inspiration to work than if you stand and hold a watch over them like the whip of a taskmaster to keep them at work. The strength of our Government depends on the fullest faith of its citizens. Let us not pass a law here that will picture Uncle Sam with a suspicious scowl upon his face, putting an everlasting question point after the industry, the honesty, and the patriotism of these proven defenders and builders of the safety, the prosperity, and the happiness of the American people. Of course, I would not stand for one whit of dishonesty or inefficiency on the part of Government employees, but I do call for inspiring faith and fellowship for the American workingman. If I err in any vote on the floor of this House, I want to err on the side of the man in overalls. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on agreeing to the amendment to the amendment.

Mr. JOHNSON of Mississippi. I ask that the amendment be reported.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the amendment to the amendment be read. Without objection, the Clerk will report it.

The Clerk read as follows:

Mr. BLACK moves to amend the amendment of the gentleman from Iowa [Mr. HULL] by striking out the words "or other time-measuring device," which occur after the words "stop watch," and by striking out the following language:

"Nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages except for suggestions resulting in improvements or economy in the operation of any Government plant."

So that the amendment as amended will read:

That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch a time study of any job of any such employee between the starting and the completion thereof or of the movements of any such employee while engaged upon such work.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 26, noes 62.

Accordingly the amendment to the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. HULL].

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 67, noes 27.

Accordingly the amendment was agreed to.

The Clerk read as follows:

For pay of one commandant of cadets (colonel) in addition to his regular pay, $1,000.

Mr. GREENE of Vermont. Mr. Chairman, I make a point of order against the paragraph in lines 4 and 5, in that the use of the word "colonel" after the word "cadets" is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman wish to be heard in support of his point of order?

Mr. GREENE of Vermont. Yes, Mr. Chairman. As I recall the circumstances, it was for many years the practice of the War Department, and countenanced in appropriation bills, to send an officer of the Army to the United States Military Academy at West Point, and then to give him, as commandant or superintendent, and sometimes as an instructor, increased pay or rank, to be held by him while temporarily on that service. There was no authority in law for it, but it was the practice and the custom, and it was regarded as one of the advantageous details.

The Chair will bear in mind that in the passage of what is known as the Army reorganization act, approved June 4, 1920, on page 30 of the current print, section 27a, the law was made to read:

Hereafter no detail, rating, or assignment of an officer shall carry advanced rank except as otherwise specifically provided herein.

That is the law of the Military Establishment to-day.

The CHAIRMAN. Does the gentleman from Vermont believe that the carrying of the word "(colonel)" at this point would cause the officer to be a colonel if he were not a colonel already?

Mr. GREENE of Vermont. It is intended to give him all the emoluments, perquisites, pay, and every other material advantage of the grade and rank of colonel, the very thing which was sought to be avoided and made impossible hereafter in the language of the Army reorganization act that I have just quoted, and the sum of money carried substantiates my opinion, because it makes it possible to do that.

The CHAIRMAN. In the opinion of the gentleman from Vermont does the Army reorganization act repeal the Military Academy act?

Mr. GREENE of Vermont. It repeals it, inasmuch as it says this:

Hereafter no detail, rating, or assignment of an officer shall carry advanced rank, except as otherwise specifically provided herein.

And the places otherwise specifically provided are the chiefs of the various arms of the service, who upon being taken from the line to be the chiefs of the various arms are given the grade of major general.

The CHAIRMAN. Referring to the Military Academy act the Chair finds in section 1874 of the statutes, as it appears in the book which is on the Speaker's desk, this language:

The commandant of cadets shall have the pay of a lieutenant colonel.

Mr. GREENE of Vermont. Exactly.

The CHAIRMAN. Does the gentleman claim that that provision has been repealed, or that it is still the law?

Mr. GREENE of Vermont. Section 52 of the Army reorganization act of June 4, 1920, reads:

That all laws and parts of laws in so far as they are inconsistent with this act are hereby repealed.

The CHAIRMAN. Does the gentleman contend that the language—

Hereafter no detail, rating, or assignment of an officer shall carry advanced rank, except as otherwise specifically provided herein—

would prevent the appointment of a lieutenant colonel to this position?

Mr. GREENE of Vermont. No. If I get the idea of the Chair correctly, the intention of the law was that thereafter there should be no possibility of a preferred position or assignment to be sought by officers because it carried with it an increased grade or rank and pay, and that men should hereafter be assigned to any special duty in the grade they held.

The CHAIRMAN. Wherein does it appear that this officer receives advanced rank? Does the gentleman know that this officer is not a colonel?

Mr. GREENE of Vermont. No; but I do not understand that an appropriation bill bases its provisions upon the identity of the individuals who may carry the law out or to whom it may apply. Its basis is the law for the appropriation itself. If you provide for a colonel the War Department must limit it to an officer of that grade.

Mr. McKENZIE. Mr. Chairman, I might say for the information of the Chair that this very proposition was one of the most strenuously controverted questions on the conference on the Army reorganization bill. After long discussion and determination we succeeded in writing the law as it is written, and the very purpose was to prevent the detail of military attachés or military observers or any other officer in the Army to a grade higher than that he held in the Regular Establishment. I think any effort or attempt to detail a man to West Point or any other place of a lower grade would be in strict violation of law.

Mr. GREENE of Vermont. Mr. Chairman, as suggested by the gentleman from Massachusetts [Mr. WALSH], this carries on the face of it an extension of the authority of the department to take any man, no matter what grade he may hold, and send him to a post where he will have the emoluments of a colonel. It is designed that no matter what grade in the service he may hold he will be a colonel when he gets there and will get the emoluments and pay.

The CHAIRMAN. As the Chair reads the act, a lieutenant colonel may fill this position and that shall be his rank. The attempt to place a colonel in this position would seem to be clearly a change of law, because it makes the commandant of cadets a colonel instead of a lieutenant colonel, as provided by law. The Chair sustains the point of order.

Mr. CONNALLY. Mr. Chairman, I make the point of order against the language "in addition to his regular pay, $1,000." In the act quoted by the Chair it states that the commandant of the Military Academy shall have the pay of a lieutenant colonel. This authorizes an appropriation in excess of that.

Mr. ANTHONY. Mr. Chairman, I think that if that language should be stricken out of the bill, it would mean the entire pay of the commandant of cadets would be $1,000.

The CHAIRMAN. The Chair understands that the language against which the point of order is made is that providing for an addition to the regular pay of the officer.

Mr. CONNALLY. Yes; he would get his regular pay. This is only $1,000 in addition. I am only objecting to the additional thousand dollars, which is not authorized by law.

The CHAIRMAN. The gentleman from Texas makes the point of order against the paragraph?

Mr. CONNALLY. Yes.

The CHAIRMAN. The Chair sustains the point of order to the paragraph.

Mr. BEE. A parliamentary inquiry. Would that result in having no commandant of cadets?

The CHAIRMAN. No; that is provided for by law. The commandant of cadets is paid from another appropriation. He is paid out of the regular pay of the Army. The Clerk will read.

The Clerk read as follows:

For pay of one professor of ordnance and science of gunnery (lieutenant colonel) in addition to pay as major, $500.

Mr. GREENE of Vermont. Mr. Chairman, I renew my point of order to this paragraph.

Mr. ANTHONY. Mr. Chairman, the committee concedes the point of order; there is no law or authority for it.

Mr. GREENE of Vermont. Will the Chair allow me to make a suggestion? As I understand, my friend the chairman concedes the point of order in these paragraphs which will apply down to and including the paragraph in line 11 and even beyond. Now, I think it is only fair to the House to say that inasmuch as this is the first opportunity to bring this matter to the attention of the House and to point out that here is plainly a contradiction and inconsistency with the Army reorganization act, we ought to take this stand here, no matter if subsequently we find some proper means of legislation to put the matter on a proper basis in law. Here is plainly a contradiction in and an inconsistency with the philosophy of the Army reorganization act, which designed, no matter what might be the service to which the man was appointed, that he must go in the grade he held at the time. If they want a man of a higher grade, then they must take a man in the grade they want.

Mr. STEVENSON. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. STEVENSON. Why will not the same rule apply to the master of the sword on the preceding page, who you provide is entitled to the pay and emoluments and allowances of a lieutenant colonel?

Mr. GREENE of Vermont. That position is an anomalous one. It is not carried in the organization of the Army and has do direct relation to the Military Establishment and no coordination with it.

Mr. BEE. He is not usually an Army officer?

Mr. GREENE of Vermont. He is an Army officer in the sense that we have made him one by law, but he is not a part of the tactical organization.

Mr. STEVENSON. I just wanted to find out the situation.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For pay of one professor of law (lieutenant colonel) in addition to pay as major, $500.

Mr. CONNALLY. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For pay of one professor of practical military engineering (lieutenant colonel) in addition to pay as major, $500.

Mr. CONNALLY. Mr. Chairman, I make the same point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BEE. Mr. Chairman, are all of those provisions the point of order is now being sustained against carried in another part of the bill and the pay provided?

The CHAIRMAN. They are all officers of the Army, and their pay is carried in a regular item for pay of the Army.

The Clerk read as follows:

For pay of one quartermaster and commissary of cadets and treasurer, in addition to his regular pay, $600.

Mr. CONNALLY. Mr. Chairman, I reserve the point of order.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last word merely to say what ought to be said in justice to the subcommittee preparing this bill. They themselves have not introduced this policy into the bill. They have followed the language and the practice of the House with regard to this bill for many years. My remarks were not meant to be in any criticism of them whatever. I thought this was a good time to point out the place where we ought to stop and then see what, if any, supplementary legislation might be necessary to cure what may be a mischief in this particular.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. CONNALLY. Is it not true that assignment to West Point in these various capacities, irrespective of the increase in rank, is regarded as a very choice assignment?

Mr. GREENE of Vermont. It is considered a fine encomium upon an officer's proficiency and merit to be sent to West Point as an instructor of cadets.

Mr. CONNALLY. It is much preferable to being out in Arizona on the border.

Mr. GREENE of Vermont. I fancy it might be so considered.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. CONNALLY. Yes; I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For pay of one line officer on duty in quartermaster's department at academy, in addition to his regular pay, $400.

Mr. CONNALLY. Mr. Chairman, I make the same point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For pay of one constructing quartermaster, in addition to his regular pay, $1,000.

Mr. CONNALLY. Mr. Chairman, I make the same point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For increased pay of seven professors, $4,200.

Mr. CONNALLY. Mr. Chairman, I reserve the point of order on that.

Mr. ANTHONY. Mr. Chairman, the increase in pay for seven officers is under the act of May 18, 1920, where we temporarily increased the pay of the officers of the Army. This covers the temporary increase.

Mr. CONNALLY. Why is it particularly carried in this item, when a different part of the bill carries pay of all officers?

Mr. ANTHONY. On page 65 we carried the regular pay for the seven professors, $26,500. This item just read is for their increased pay under the temporary act, and that is the way all of the items are carried throughout the bill.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. CONNALLY. Mr. Chairman, I withdraw the point of order.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. I am very much concerned to know whether the Winslow amendment to the transportation act is likely to be acted on next Monday. I observe that the gentleman from Ohio [Mr. FESS], who is a member of the Committee on Rules, is in the Hall. I am sure that every Member of the House who is present will be glad to know from him whether we may expect that matter to be brought up under suspension of rules on Monday or by special rule.

Mr. LAYTON. Mr. Chairman, I make the point of order that the gentleman is not discussing his amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HUDDLESTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Alabama makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and five Members are present, a quorum.

The Clerk read as follows:

In all, officers on detached service at the academy, $20,700.

Mr. CONNALLY. Mr. Chairman, the amount ought to be corrected, and I reserve the point of order.

Mr. ANTHONY. Mr. Chairman, I move that lines 21 and 22 be stricken from the bill.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

Mr. CONNALLY. Mr. Chairman, I reserve the point of order.

The CHAIRMAN. What is the point of order?

Mr. CONNALLY. I make the point of order that it is not authorized because the items have already been taken out on points of order. It is clearly a résumé, not authorized by law.

The CHAIRMAN. The Chair can not be sure that all of the items that have been stricken out are included in this. It is merely a matter of amendment.

Mr. ANTHONY. Mr. Chairman, I move to strike out the totals, because they are not correct now.

Mr. CONNALLY. I withdraw the point of order.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANTHONY: Page 66, strike out the language in lines 21 and 22.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent to return to lines 1, 2, and 3, at the top of page 66, and that the same be stricken from the bill. They are no longer necessary.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to return to the top of page for the purpose indicated. Is there objection?

There was no objection.

The CHAIRMAN. Is there objection to striking out the lines indicated?

There was no objection.

The Clerk read as follows:

MILITARY ACADEMY BAND.

For pay of Military Academy Band:
One master sergeant, at $88.80 per month, $1,065.60.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. I do that for the purpose of propounding an interrogatory to the gentleman from Wyoming [Mr. MONDELL], the leader of the majority, touching the order of business on next Monday.

Mr. MONDELL. Mr. Chairman, I do not know that it is in order to propound interrogatories to anyone in connection with a discussion of this bill.

Mr. HUDDLESTON. I shall not insist upon the interrogatory if the gentleman does not want to answer it. It is a mere matter of courtesy.

Mr. LAYTON. Mr. Chairman, I demand the regular order.

Mr. HUDDLESTON. I suggest that the House would appreciate knowing whether the Winslow bill is going to come up on next Monday.

The CHAIRMAN. The gentleman from Alabama has risen as he states to propound an interrogatory. The Chair does not know whether it is in order or not until the gentleman has made his inquiry.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas will state it.

Mr. BLANTON. Is there any particular avenue of approach which we must pursue to reach the gentleman from Wyoming?

The CHAIRMAN. That is not a proper parliamentary inquiry. The gentleman from Alabama will proceed in order.

Mr. HUDDLESTON. Mr. Chairman, perhaps my question was lost in the confusion. Of course, I do not press it upon the gentleman from Wyoming. I merely would like to suggest to him that Members of the House, and I believe the country at large, would like very much to know whether we may expect to take up the Winslow bill on Monday by a special rule brought in from the Committee on Rules or by a motion to suspend the rules.

Mr. LAYTON. Mr. Chairman, I make the point of order that the gentleman is not speaking to the matter under consideration.

The CHAIRMAN. The point of order is sustained. The gentleman from Alabama will take his seat, and the Clerk will read.

The Clerk read as follows:

Nine sergeants, at $54 each per month, $5,832.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. I am very anxious, Mr. Chairman, to get some information which, I believe, would be very agreeable to the House and I am sure would be of interest to Members of the House and also——

Mr. LAYTON. Will the gentleman yield?

Mr. HUDDLESTON. In a moment.

Mr. LAYTON. I only want to ask a question.

The CHAIRMAN. Does the gentleman yield?

Mr. HUDDLESTON. I will yield in a moment. And which I am sure will be of great interest to the people of the country since it involves an expenditure and a loss to the Government, as I apprehend, of two or three hundred million dollars——

Mr. MONDELL. Mr. Chairman, I make the point of order the gentleman is not speaking to his amendment.

The CHAIRMAN. The point of order is sustained. The gentleman will proceed, if at all, in order.

Mr. MONDELL. The gentleman is violating the rules of the House. If the gentleman will wait and let us get through with this bill, we are going to try and override a presidential veto. Will the gentleman join us?

Mr. HUDDLESTON. The gentleman is not speeding his bill by refusing the information.

The Clerk read as follows:

Twenty-one corporals, at $44.40 each per month, $11,188.80.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. Since I was not permitted to ask the question of the gentleman from Wyoming [Mr. MONDELL] or the gentleman from Ohio [Mr. FESS], I would like to know whether there is anybody on the Republican side who knows whether this bill is coming up——

Mr. LAYTON. Will the gentleman let me ask him one question?

Mr. HUDDLESTON. I want to ask some questions myself.

Mr. LAYTON. It is in the gentleman's interest.

Mr. HUDDLESTON. I do not want anything done in my interest. I want something done in the public interest, and that is why I want to get this information. My opposition is based on the fact that something is going to be done that will affect the public interest.

Mr. McARTHUR. I make the point of order that this discussion is out of order.

The CHAIRMAN. The gentleman will be in order. The gentleman will take his seat. He is out of order.

SEVERAL MEMBERS. Regular order!

Mr. HUDDLESTON. Mr. Chairman, I do not think anybody made the point of order on me.

The CHAIRMAN. The point of order was made and sustained.

Mr. HUDDLESTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HUDDLESTON. Will the Chair inform me who made the point of order?

The CHAIRMAN. The gentleman from Wyoming [Mr. MONDELL].

Mr. HUDDLESTON. I did not understand him to rise this time. I could not see him if he got up.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

One first sergeant, at $63.60 per month, $763.20.

Mr. HUDDLESTON. Mr. Chairman, I rise to propound a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HUDDLESTON. Is there any way in a parliamentary manner that a Member of this House can propound an inquiry to the leaders of the House and of the majority so as to get any idea as to what the order of business will be on Monday next?

The CHAIRMAN. There is no parliamentary way during the discussion of this bill. The House is in Committee of the Whole House on the state of the Union for the consideration of the Army bill. Nothing else can be properly considered. Anything else is extraneous. Therefore there is no parliamentary way by which the gentleman may propound his inquiry except by unanimous consent.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Mr. Chairman, I call the attention of the Chair to section 3070, on page 148, volume 4, of Hinds' Precedents, House of Representatives, which reads as follows:

Privileged questions often interrupt the regular order of business, but when they are disposed of continues on from the point of interruption.

I submit that the gentleman from Alabama is propounding a perfectly privileged question in asking as to the order of business.

Mr. McARTHUR. Mr. Chairman, regular order.

The CHAIRMAN. The quotation from Hinds' Precedents cited by the gentleman from Texas has no possible application to the consideration of a bill in the Committee of the Whole House on the state of the Union. The Clerk will read.

The Clerk read as follows:

One first sergeant, at $63.60 per month, $763.20.
Forty-seven sergeants, at $54 each per month, $30,456.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. I observe the chairman of the Committee on Rules is in the Hall, and I would ask of him——

Mr. McARTHUR. I make the point of order the gentleman is not discussing the matter under consideration.

Mr. HUDDLESTON. Will he not, for the benefit of Members of the House, tell us what the order of business will be on next Monday?

The CHAIRMAN. The point of order is sustained. The gentleman is out of order and will take his seat, and the Clerk will read.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word.

I have admired the gentleman from Illinois [Mr. MADDEN] and I am sure he will give us the information——

Mr. McARTHUR. Mr. Chairman, I make the point of order that the gentleman is not discussing the matter at issue.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. HUDDLESTON. Mr. Chairman, I make the point of order that a quorum of the committee is not present.

The CHAIRMAN. The gentleman from Alabama makes the point that a quorum is not present. The Chair will count. [After counting.] One hundred and five Members are present, a quorum.

The Clerk read as follows:

In all, Engineer detachment, $58,296.80.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word.

Surely, there is some kind-hearted man——

Mr. McARTHUR. Mr. Chairman, I make the point of order the gentleman is not discussing the matter at issue before the committee.

The CHAIRMAN. The gentleman from Oregon makes the point of order that the discussion is not in order. The Chair sustains the point of order.

Mr. BEE. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BEE. To make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BEE. The gentleman from Alabama [Mr. HUDDLESTON] said he was sure there were kind-hearted men in this House, and the gentleman from Oregon made a point of order against it.

The CHAIRMAN. That is not a parliamentary inquiry. The Clerk will read.

The Clerk read as follows:

One first sergeant, at $63.60 per month, $763.20.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word.

Mr. BARKLEY. Will the gentleman yield?

Mr. HUDDLESTON. I will.

Mr. BARKLEY. On the 3d of January the gentleman from Wisconsin [Mr. ESCH], the chairman of the Committee on Interstate and Foreign Commerce, introduced a resolution——

Mr. McARTHUR. Mr. Chairman, I make a point of order against all this.

Mr. BARKLEY. He said he could not ascertain the information——

Mr. McARTHUR. Mr. Chairman, I make a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GREENE of Vermont. Mr. Chairman, is there any method of getting away from this cuckoo-clock statesmanship?

Mr. HUDDLESTON. Any gentleman on the Republican side who had the brains of a cuckoo could find out what it is proposed to do next Monday.

The CHAIRMAN. The Chairman of the Committee of the Whole is here for the purpose of observing as well as enforcing the rules of the House, both of which duties he is attempting to perform. The Chair can not determine in advance for what purpose a gentleman rises or what motion he intends to make, and therefore must hear the gentleman far enough to determine in each case whether or not he is transgressing the rules.

Mr. QUIN. Mr. Chairman, I move to strike out the last word.

It appears to me that this House in proceeding to appropriate for an Army of 150,000 men is proceeding in the dark, because the information that just came to this House is to the effect that the Chief Executive, President Wilson, has vetoed the resolution whereby the Army was to be reduced to 175,000 men. Whatever action this House may take on this bill, unless the veto of the President of the United States shall be overridden, will be work thrown away.

Mr. McARTHUR. Mr. Chairman, I make the point of order against the discussion of the gentleman from Mississippi.

The CHAIRMAN. The gentleman seems to be discussing the general character of the bill, and has not progressed far enough for the Chair to be certain.

Mr. WALSH. Has the President vetoed this bill?

Mr. MONDELL. Will the gentleman yield?

Mr. QUIN. I will yield.

Mr. MONDELL. I want to assure the gentleman that if the filibuster being conducted by the gentleman from Alabama [Mr. HUDDLESTON] ceases we shall vote on the President's veto of our attempt to reduce the size of the Army this evening. Some of the gentlemen on the Democratic side, some of the militarists over there, are conducting a filibuster in order to prevent us from doing that.

Mr. RAYBURN. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman from Mississippi [Mr. QUIN] will proceed in order.

Mr. QUIN. Mr. Chairman, I think that what I am saying is germane, because of the fact that we are considering at this moment a bill that carries an appropriation for an Army of 150,000 men. And as stated by me the other day, it seems paradoxical when the resolution itself carries 175,000 men and we

are appropriating for 150,000 men. A great many of us want an Army of only 150,000 men, and news comes through the President's veto that we are not to have even the number of 175,000, but 280,000 according to the President's desire. It occurs to me that the people of the United States at this very moment know that in this country, with 4,000,000 young men trained for military duty, with all these cantonments that have been constructed, with all the ammunition and guns piled up over this Republic, 150,000 men in the Regular Establishment, with the National Guard in every State of this Union, are ample for the safety of the Republic.

Mr. McARTHUR. Mr. Chairman, I make a point of order against the discussion.

The CHAIRMAN. The gentleman from Mississippi is not discussing the paragraph now under consideration. The paragraph under consideration——

Mr. QUIN. I will discuss the paragraph——

The CHAIRMAN. The gentleman from Mississippi will desist until the Chair has replied. The paragraph under consideration is in line 6, page 71:

One first sergeant——

Mr. QUIN. Mr. Chairman——

The CHAIRMAN. The gentleman will desist until the Chair has finished.

The item is:

One first sergeant, at $63.60 per month, $763.20.

That is the paragraph before the House for consideration. The gentleman from Mississippi [Mr. QUIN] will proceed in order.

Mr. QUIN. Sixty-three dollars and sixty cents, of course, is a very small item, but how will $63.60 amount to anything if you are going to have an Army above 175,000 men? What will these few sergeants amount to that are included here in this item? And the munificent sum of $63.60, as set out in the item that the Chair says I must discuss, can amount to very little with an Army of 150,000 men. That is a question of expense that I want to impress upon this House at this stage of taxation, with all the burdens of every kind and of every description resting on the taxpayers of this Republic. The American Congress owes a solemn duty to them, and there might be a solemn referendum, if you please, on this House going above an appropriation for an Army of a size that will be oppressive to the people of this country.

This House ought to override the President's veto message.

The time has now come when every section of the United States is looking to the American Congress to give it relief. Some people are calling on us to take off the excess-profits tax. Some are calling on us to take off the tariff tax. Some are calling on us to reduce the income tax. Here we are, by the refusal of the Executive branch of the Government to accept the 175,000 army, called upon to proceed with a program of increasing appropriations which will not only prevent and preclude and inhibit the Congress from taking off any taxes, but will add to the burdens already borne by our long-suffering people. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HUDDLESTON. Mr. Chairman, I rise to oppose the pro forma amendment.

The CHAIRMAN. The gentleman from Alabama rises in opposition to the pro forma amendment.

Mr. HUDDLESTON. Mr. Chairman, I am strong for economy myself, and it is with great hesitation and reluctance that I oppose the motion of the gentleman from Mississippi [Mr. QUIN], which would result in the saving of $763.20 during the next fiscal year.

Mr. QUIN. Mr. Chairman, I withdraw that. That was just a pro forma amendment. [Laughter.]

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi to withdraw his pro forma amendment?

Mr. HUDDLESTON. I object.

The CHAIRMAN. The gentleman from Alabama objects.

Mr. HUDDLESTON. I think the false economy of the gentleman from Mississippi needs to be exposed. [Laughter.] While I have the kindliest feelings for him personally and the highest regard for his judgment, I still feel it my duty to oppose his motion.

What is the use of saving $763.20 on a couple of sergeants when on Monday next we are going to toss away $300,000,000 to the railroads of the country? And we are going to toss it away with no more debate than we are giving to this item.

Mr. McARTHUR. Mr. Chairman, I make the point of order against the discussion of the gentleman.

The CHAIRMAN. The gentleman will proceed to discuss the amendment under consideration.

Mr. HUDDLESTON. Mr. Chairman, it is foolish to strain at a gnat and swallow a camel. The camel is what I object to. [Laughter.] The camel is what the man who stands for real economy ought to object to.

Mr. BARKLEY. Does the gentleman refer to the chairman of the Committee on Rules? [Laughter.]

Mr. HUDDLESTON. I most assuredly do not refer to the distinguished gentleman from Kansas [Mr. CAMPBELL]. I need not say that he has a much better chance to get to heaven than the camel has of going through the eye of a needle. [Laughter.]

Mr. MONDELL. Mr. Chairman, I protest that the gentleman is filibustering. The gentleman from Alabama is conducting a filibuster. The gentleman is not discussing the matter pending before the committee.

Mr. BLANTON. The gentleman is "Campbellflaging." [Laughter.]

The CHAIRMAN. The last point of order made by the gentleman is sustained.

Mr. HUDDLESTON. What is it?

The CHAIRMAN. That the gentleman is not discussing the matter pending before the committee.

Mr. HUDDLESTON. Will the Chairman allow me to proceed in order?

The CHAIRMAN. The Chair has admonished the gentleman a number of times that he is violating the rule.

Mr. HUDDLESTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Alabama makes the point of order that there is no quorum present. The Chair will count. [After counting.] More than 100 Members are present. A quorum is clearly present.

Mr. WINGO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. Whatever was the contention of the gentleman from Alabama [Mr. HUDDLESTON], he was making an argument such as we frequently make as an illustration. Certainly the Chair does not want to establish such a precedent here.

The CHAIRMAN. The gentleman from Arkansas would scarcely contend that the gentleman from Alabama was confining himself to the bill.

Mr. WINGO. The point I was making was this, that he was saying that there was no use in cutting out this item. The Chair might not inquire into the ultimate intention of the gentleman. The only thing to do is to decide on the letter. The gentleman used that as an illustration of the fact that it was no good to try to save $763.20 if you are going to throw away more.

The CHAIRMAN. The Chair has tried to observe the rule faithfully, and he believes that he has done it. The Clerk will read.

The Clerk read as follows:

In all, Coast Artillery detachment, $20,988.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alabama moves to strike out the last word.

Mr. HUDDLESTON. Mr. Chairman, I observe that the gentleman from Ohio [Mr. LONGWORTH] is in the Hall.

Mr. McARTHUR. I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman far enough to see whether he discusses the amendment or not.

Mr. HUDDLESTON. And I have no doubt that the gentleman from Ohio [Mr. LONGWORTH] knows what is going to happen next Monday.

Mr. McARTHUR. I make the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

MISCELLANEOUS.

Travel allowance due enlisted men on discharge, $5,000.

Mr. JUUL. Mr. Chairman, I want to call attention to the fact that I think a correction should be made in lines 13 and 14, "Nine specialists, fifth class, at $8 each per month, $864."

Mr. WINGO. Mr. Chairman, I make the point of order that the gentleman is filibustering and delaying.

The CHAIRMAN. The Chair overrules the point of order.

Mr. WINGO. We have already passed that item. You can not go back.

The CHAIRMAN. The gentleman made the point of order that the gentleman was filibustering. The Chair sustains the point of order.

Mr. WINGO. I make the point of order that you can not go back.

The CHAIRMAN. The Chair repeats that he sustains the point of order.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word.

Mr. WINGO. I would ask the chairman of the committee what information has he got that there is a necessity for this travel allowance for enlisted men on discharge? Is that going to be sufficient—$5,000—if you are going to discharge all these men?

Mr. ANTHONY. That is the amount of money used each year for the number of men stationed there.

Mr. WINGO. This does not include those who are going to be discharged in order to reduce the Army?

Mr. ANTHONY. No. This covers the detachments regularly stationed at West Point, and this provides the average amount of money.

Mr. WINGO. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

Mr. BARBOUR. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from California moves to strike out the last two words.

Mr. BARBOUR. Is there a provision for the travel allowance of candidates for appointment at West Point Military Academy who pass the mental test and are ordered to go to West Point to take the physical examination, and then for some slight physical defect are rejected? Have they to pay their own expenses or are they paid out of this?

Mr. ANTHONY. My impression is that no cadet receives the pay or allowance until he is formally accepted as a cadet.

Mr. BARBOUR. That being the case, he would have to pay his own expenses.

Mr. ANTHONY. That is my impression.

Mr. SMITH of Idaho. But they are not required to go to West Point for this examination.

Mr. ANTHONY. No; they are examined at places near their homes, as a general rule.

Mr. BARBOUR. A case was recently called to my attention where a cadet was ordered to report clear across the continent at West Point, after having been examined at the Presidio at San Francisco, as I understand, and when he arrived at West Point he was rejected for some slight defect in his eyesight, and it cost him something like $600 for his journey. It would seem to me that this was unjust, and that some provision should be made for either examining and accepting cadets near their homes or else paying their traveling expenses.

Mr. ANTHONY. They are usually examined near their homes; and I would think that if that cadet was ordered to travel, he was entitled to travel pay.

Mr. CURRY of California. The cadets are examined at Army posts near their homes, if they wish to be, but that examination is not final. It is simply a test to see whether or not they are likely to be accepted when they arrive either at Annapolis or at West Point. If they are rejected by the medical examiner at West Point or at Annapolis, they are required to pay their own traveling expenses to and from the academy. I do not know whether there is any objection to that, but that is the status of the case.

Mr. BARBOUR. Does not the gentleman think that is a hardship to those who live so far away as the Pacific coast to have to pay their own traveling expenses to the East?

Mr. CURRY of California. It is undoubtedly a hardship, but that has always been the procedure.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For pay of one staff sergeant, $975.60: *Provided*, That the noncommissioned officer on duty under the direction of the personnel adjutant shall have the rank, pay, and allowances of that grade while performing the duty as clerk of the personnel adjutant.

Mr. CONNALLY. Mr. Chairman, I make the point of order to the proviso in lines 11, 12, 13, 14, and 15, page 72, on the ground that it is not authorized by law. It is a provision for creating an additional officer other than is authorized by the Army reorganization act.

The CHAIRMAN. Does the gentleman from Kansas wish to be heard on the point of order? It appears to the Chair to be legislation, unless the gentleman can point out some specific law authorizing it.

Mr. ANTHONY. It is legislation, but it is presumed that, under the direct authority given to operate the academy, the academy shall have the necessary force with which to carry on the work there. This is to give them the necessary force to do the work.

The CHAIRMAN. The language of the proviso, however, goes further than that. It says that the noncommissioned officer on duty under the direction of the personnel adjutant shall have the rank, pay, and allowances of a staff sergeant while performing the duty as clerk to the personnel adjutant. It seems to the Chair that the proviso goes further than the simple assignment of a noncommissioned officer to a certain duty, and undertakes to authorize certain rank, pay, and allowances for that noncommissioned officer while performing the duty of a clerk. Unless there is some specific provision of law the Chair feels constrained to sustain the point of order.

Mr. ANTHONY. The only thing that is out of order is the proviso, however.

The CHAIRMAN. That is all that the point of order is made against. The Chair sustains the point of order to the proviso. The Clerk will read.

The Clerk read as follows:

For pay of two expert civilian instructors in fencing, broadsword exercises, and other military gymnastics as may be required to perfect this part of the training of cadets, $3,000.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HUDDLESTON: Page 73, line 21, after the word "in," strike out the word "fencing."

Mr. HUDDLESTON. Mr. Chairman, there is something distasteful to me about the word "fencing." I do not know about the military application of the word, but in its civil application it is objectionable. It carries the significance of insincerity, indirection, and evasiveness. When a Member of the House asks for information which Members of the House ought to have and are entitled to have, and when he asks it of those who have the information and who are charged with the responsibility of giving out the information and they do not give it, but some other persons backing them up in their conspiracy of silence make points of order which cut off the proper interrogation, I hardly know what it amounts to, unless it be "fencing." I am sorry that the majority leader will not tell us what is going to happen on next Monday with reference to the Winslow bill.

Mr. LAYTON. Mr. Chairman, I make the point of order that the gentleman is doing what he has been doing for an hour and a half——

Mr. BLANTON. That is not a proper point of order. I make that point of order.

The CHAIRMAN. The Chair sustains that point of order. Does the gentleman from Delaware make a point of order?

Mr. HUDDLESTON. Mr. Chairman——

The CHAIRMAN. The gentleman from Alabama will desist until this point of order is settled.

Mr. HUDDLESTON. Can not the Chair get somebody to make a point of order?

Mr. LAYTON. I reckon I can make it.

Mr. HUDDLESTON. You do not make it.

Mr. LAYTON. I make the point of order that the gentleman is discussing a matter that is entirely foreign to his amendment.

The CHAIRMAN. It is clear that the gentleman is not discussing the matter of his amendment. Therefore the Chair sustains the point of order.

Mr. HUDDLESTON. I may be excused for calling it fencing when the leaders of the House refuse to give this information.

The CHAIRMAN. The question is on the amendment.

The question being taken, the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of two expert assistant civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming, $4,000: *Provided*, That these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and to the same allowances with respect to fuel and light as those of a first lieutenant when occupying public quarters.

Mr. WINGO. I make a point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Arkansas will state his point of order.

Mr. WINGO. I make a point of order on the proviso, on the ground that it is legislation not authorized by existing law and is contrary to the express provisions of the Army reorganization act.

The CHAIRMAN. The gentleman from Arkansas makes the point of order against the proviso.

Mr. WINGO. Here is the legislation: It proposes to give the emolument to the officers and civilian employees, which is unauthorized by the present Army law and is certainly not authorized for the dancing masters.

Mr. ANTHONY. I understand the gentleman makes the point of order that this provision is in conflict with the Army reorganization act.

Mr. WINGO. It is not in conflict. It is not authorized.

Mr. ANTHONY. It is language that has been carried from year to year in the Military Academy bill and is a necessary provision to take care of these instructors.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For pay of one custodian of gymnasium, $1,200.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 74, line 13, strike out the word "custodian."

Mr. HUDDLESTON. Mr. Chairman, I imagine one of the things taught in this gymnasium is fencing, and I can not encourage the teaching of that kind of a thing. Indirectly it is evasion, lack of candor, lack of giving a man who calls for it what he is entitled to have, and certainly it is not a thing that we ought to teach in any gymnasium.

Mr. KING. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. KING. The gentleman is not directing his remarks against political fencing in any way?

Mr. HUDDLESTON. I would say that, in my judgment, the worst fencing the majority ever tried is to put over the Winslow bill next Monday by suspension of the rules.

Mr. MOORES of Indiana. Mr. Chairman, I make the point of order that the gentleman is not discussing his amendment.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For pay of two oilers for power plant, $1,440.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the word "oilers."

The Clerk read as follows:

Page 74, line 21, strike out the word "oilers."

Mr. GREENE of Vermont. Mr. Chairman, a point of order. Has that amendment been reduced to writing so that the Clerk can properly report it at the desk?

The CHAIRMAN. It has not been reduced to writing.

Mr. GREENE of Vermont. I ask the Chair that the amendment be reduced to writing.

Mr. WINGO. I make the point of order that the gentleman's point of order comes too late. The gentleman has not used his usual agility and watchfulness at the right time.

The CHAIRMAN. The Chair sustains that point of order.

Mr. GREENE of Vermont. Mr. Chairman, the only notice I had was that there was an amendment offered and the Clerk read one word; there has been no physical sign of the amendment going to the desk.

The CHAIRMAN. The gentleman from Vermont understands that it is customary in the House, and has been for a great number of years, that when there is an amendment containing a few words to allow it to be presented and not reduce it to writing.

Mr. GREENE of Vermont. I quite concede that, but I suggest that when an abuse of the rules is in progress we ought to have an opportunity to insist on the rule.

Mr. WINGO. It is too late; debate has already begun.

The CHAIRMAN. The amendment has been prepared in form and is on the Clerk's desk. The question is on the amendment.

Mr. HUDDLESTON. Mr. Chairman, oilers are very necessary for every power plant. I am sure I do not want to detract anything from the power plant over there by taking away the oilers. The trouble is often due to the fact that no qualifications for the oilers are prescribed. Are they to be good oilers or bad oilers; what kind of oil are they to use? Every machine needs oil and an oiler.

A machine that has not an oiler that will enable it to receive the oil in such a way as to function is in great danger. A machine composed of men needs lubrication, needs oiling, but it needs such oiling as will produce results, and the best way to produce results out of any machine is to understand what is sought by it—what purpose it is trying to perform.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. In just a moment.

Mr. GREENE of Vermont. I thought the gentleman was developing a hot box himself.

Mr. HUDDLESTON. Let us take, for example, such a machine as the steering committee of this House, or the majority leader of this House, who refuses to give information to the Democratic side of the House and to the people of the country what is going to happen to the Winslow bill on next Monday. That machine surely needs oiling.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The Clerk proceeded to read as follows:

For pay of one draftsman in the department of civil and military engineering, $1,200.

For pay of mechanic and attendant skilled in the technical preparation necessary to chemical and electrical lectures and to the instruction in mineralogy and geology, $1,200.

Mr. HUDDLESTON (interrupting the reading). Mr. Chairman, I have an amendment which I desire to offer to lines 22 and 23 on page 74.

The Clerk concluded the reading.

The CHAIRMAN. The Clerk was engaged in reading the paragraph while the gentleman rose.

Mr. HUDDLESTON. The Clerk proceeded to read the next paragraph after I had called the attention of the Chair to the fact that I had an amendment to offer.

The CHAIRMAN. The Clerk had started to read the paragraph before the gentleman rose to address the Chair.

Mr. HUDDLESTON. Oh, Mr. Chairman, I was on my feet.

The CHAIRMAN. The Clerk informs the Chair that that is the fact.

Mr. SISSON. Mr. Chairman, as a matter of fact that is not the fact. The Clerk may think so, but it is not the fact.

The CHAIRMAN. The Chair will take the word of the Clerk. The Chair has found him always reliable.

Mr. SISSON. I know he is reliable, and I know that he is one of the best reading clerks we have ever had, but I think he is mistaken.

The CHAIRMAN. The Chair thought the gentleman should wait until he had finished the reading of the paragraph.

Mr. SISSON. The trouble is that he was then on his feet.

The CHAIRMAN. The gentleman does not lose any of his rights.

Mr. SISSON. Oh, that is all right, then.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment to the preceding paragraph, which I send to the desk.

The CHAIRMAN. The Chair will have the Clerk report the amendment. The Chair simply wished to have the Clerk finish the reading of the paragraph in the reading of which he was engaged.

The Clerk read as follows:

Amendment by Mr. HUDDLESTON: Page 74, line 22, after the word "one," strike out the word "draftsman."

Mr. HUDDLESTON. Mr. Chairman, I do not understand just exactly what the uses of this draftsman are, and therefore I feel like eliminating him unless I can get some further information. What does he draw? Does he draw plans and specifications or does he draw bills?

Mr. WINGO. He draws salary.

Mr. HUDDLESTON. For instance, such as the Winslow bill, which, it is said, is going to be passed on next Monday.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not discussing his amendment.

The CHAIRMAN. It is clear that the gentleman is not proceeding to discuss the amendment before the committee, and any gentleman of the committee has the right to make the point of order. The Chair sustains the point of order. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The amendment was rejected.

Mr. WINGO. Mr. Chairman, I move to strike out the last word in order to get some information respecting lines 24 and 25 on page 74 and lines 1 and 2 on page 75. That item is for pay of mechanic and attendant skilled in the technical preparation necessary to chemical and electrical lectures, and to instruction in mineralogy and geology, and the pay is $1,200. Does the gentleman mean to tell the committee that they have a mechanic teaching mineralogy to these cadets?

Mr. ANTHONY. That is quite evident from the reading of the bill.

Mr. WINGO. It is also evident that they will not be able to get a capable instructor to teach mineralogy for $1,200 a year.

Mr. ANTHONY. This mechanic is an attendant.

Mr. WINGO. I know; but he also has to be skilled in mineralogy. Is there not some error about that?

Mr. ANTHONY. I think not. He has to prepare the experiments and assist in the technical preparation of the instructor. I think he is more of an assistant than an instructor.

Mr. WINGO. The gentleman thinks he is more of what might be called a scholastic valet to the instructor.

Mr. ANTHONY. I would call him a laboratory attendant.

Mr. WINGO. And the gentleman assures the House that they have been able to get a man skilled in mineralogy for that money?

Mr. ANTHONY. I understand that is the case.

Mr. HUDDLESTON. I understand that is the case.

Mr. WINGO. Well, it aroused both my suspicion and my curiosity, and that is the reason I inquired about it. I will withdraw the pro forma amendment.

The Clerk read as follows:

For pay of chapel organist and choirmaster, $1,500.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 75, line 12, after the word "chapel," strike out the word "organist."

Mr. HUDDLESTON. Mr. Chairman, I offer this amendment very largely to get information from the gentleman from Kansas, the chairman of this committee, in regard to the word "organist." I am sure the boys of the academy need the softening influence of music. Generally an organist plays on an organ as a musical instrument, but I do not know whether this organist is going to play on a musical instrument or whether he is going to play on some other kind of an organ——

The CHAIRMAN. The gentleman is not proceeding in order, and the Chair calls him to order directly.

Mr. MADDEN. Mr. Chairman, I desire to call the attention of the Chair to Rule V—

That no dilatory motion shall be entertained by the Speaker.

It is clear to the committee that every motion made by the gentleman is for a dilatory purpose.

Mr. HUDDLESTON. Will the gentleman from Illinois yield? If the gentleman will tell me what is going to be done with the Winslow bill, I will be satisfied, and he will hear no dilatory motions——

SEVERAL MEMBERS. Regular order!

Mr. HUDDLESTON. But I demand to know that.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For pay of one mechanic and attendant skilled in the operation necessary for the preparation of lectures and of material in the department of drawing, to be appointed by the superintendent, $720.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 76, line 7, after the word "of," strike out the word "lectures."

Mr. MADDEN. Mr. Chairman, I make the point of order that under the rules of the House the Chair could not entertain this motion, as it is dilatory.

Mr. CLARK of Missouri. Mr. Chairman, in the entire history of the Congress I never heard of a ruling made ruling out an amendment on the ground that it was dilatory. [Applause.]

The CHAIRMAN. The Chair overrules the point of order of the gentleman from Illinois.

The occupant of the chair has the same rights as the other Members of the House. When, in the opinion of the Chair, a Member is proceeding out of order the Chairman has the same right as any other Member to call him to order. For that reason a few moments ago the Chair did call the gentleman from Alabama to order when sure that he was not discussing the subject matter of the amendment.

Mr. HUDDLESTON. Mr. Chairman, I would like to say to the Chair——

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. HUDDLESTON. There is no purpose, no dilatory purpose in any amendment I have offered.

The CHAIRMAN. The Chair has not accused the gentleman of being dilatory in offering amendments.

Mr. HUDDLESTON. Nor is there any dilatory purpose in any discussion I have carried on, and I do not want to delay this bill. I want to see the bill adopted, I would like to see it adopted to-night, I want to facilitate the passage of the bill, but, Mr. Chairman, this is not the only bill in Congress. There are other bills, and some of them are of more importance than this bill, and——

The CHAIRMAN. The Chair does not care to hear the gentleman.

Mr. HUDDLESTON. I think I am entitled to get some information as to what is to be done with the Winslow bill on next Monday.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. HUDDLESTON. Mr. Chairman, I desire to debate that.

The CHAIRMAN. The gentleman will proceed in order.

Mr. HUDDLESTON. Mr. Chairman, the question is whether we will allow some employee of the academy to prepare lectures for the department of drawing. Lecturing is a very important function, and the proposal to pay only $720 for a whole year for the preparation of lectures is certainly most inadequate. Why, a Member of Congress when he leaves the House sometimes takes the lecture platform and makes that much a night, and here we propose only to give $720 for a whole year's work. I want to say that no man who is fit to lecture can be found to lecture for $720, particularly when he is lecturing on the subject of drafting, because drafting is one of the most important of all the arts and one of the most difficult.

It is hard to draw a bill for Congress, not to speak of drawing a picture. And many men who attempt to draw bills do not succeed in doing what they intend. I have in mind that the gentlemen who drew the Winslow bill——

Mr. MOORES of Indiana. Mr. Chairman, I make the point of order.

Mr. HUDDLESTON (continuing). Knew exactly what they were doing.

The CHAIRMAN. The gentleman from Indiana will state the point of order.

Mr. MOORES of Indiana. That the gentleman is not discussing the amendment before the House.

The CHAIRMAN. The Chair sustains the point of order. The question is on agreeing to the amendment.

The amendment was rejected.

The Clerk read as follows:

For pay of one skilled copyist, confidential stenographer, librarian, typewriter, and attendant in the department of mathematics, to be appointed by the Superintendent of the United States Military Academy, $1,000.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HUDDLESTON: Page 7, line 1, after the word "copyist," strike out "confidential stenographer."

Mr. HUDDLESTON. Now, Mr. Chairman, I see no reason why there should be a confidential stenographer appointed by the Superintendent of the United States Military Academy. He is transacting the public business. Where is there any room for confidence? He has no right to know anything that the public does not know. He has no right to know anything that a Member of Congress does not know, just as the leader of the majority has no right to know when this Winslow bill is coming up without telling all the Members of the House when it is coming up.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not discussing the amendment.

The CHAIRMAN. The gentleman from Illinois makes the point of order that the gentleman from Alabama is not discussing the amendment before the committee. The Chair sustains the point of order. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For fuel and apparatus, namely: Coal, wood, etc., $70,000, of which $10,000 shall be immediately available.

Mr. HUDDLESTON. Mr. Chairman, I make a point of order on the provision which makes the $10,000 immediately available, as it is a change of existing law.

Mr. MADDEN. Mr. Chairman, I do not believe that the point of order will lie, because it is within the power of the Appropriation Committee to report deficiencies, and they can report them on any bill.

Mr. HUDDLESTON. That belongs in the urgent deficiency bill. They can not put it in this one.

The CHAIRMAN. Can the gentleman from Illinois [Mr. MADDEN] cite any authority to the Chair?

Mr. MADDEN. Mr. Chairman, there can be no doubt that it is within the power of the Committee on Appropriations to report deficiencies, and I believe the Chair will find the rulings to sustain the position I take. And I maintain it is not necessary to report a deficiency only on a deficiency bill. If the committee itself having jurisdiction over appropriations has a

right to report deficiencies, it is not necessary to bring them in a deficiency bill. They can report them on any bill they have a right to bring in.

Mr. HUDDLESTON. Mr. Chairman, I withdraw the point of order. I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HUDDLESTON: Page 78, line 5, after the word "namely," strike out the word "Coal."

Mr. HUDDLESTON. Mr. Chairman, I offer this amendment for the purpose of calling attention to the utter inadequacy of the appropriation. Coal is high, very high——

Mr. LONGWORTH. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. I cite the Chair to page 135 of Jefferson's Manual, where is found the following language:

No one is to speak impertinently or beside the question, superfluous, or tediously.

I make the point of order the gentleman comes within the last description. [Laughter.]

Mr. HUDDLESTON. Will the gentleman yield?

The CHAIRMAN. The Chair feels quite sympathetic with the gentleman from Ohio [Mr. LONGWORTH], but is compelled to overrule the point of order.

Mr. HUDDLESTON. The gentleman considers my discussion tedious because I am trying to get information out of him which he has but does not want to give.

Mr. GOOD. Mr. Chairman, I make the point of order the gentleman is not in order. He admits he is trying to get something in the nature of information that is not before the House.

The CHAIRMAN. The gentleman will proceed in order. The Chair will attempt to enforce the rules.

Mr. HUDDLESTON. Mr. Chairman, I am far from admitting that anything I have to say on this subject would be tedious; far from it.

Coal is high, as I said, and the coal operators of the country have only made a net of three or four dollars a ton on the coal they have sold for the past 12 months, and they are unable to extend any further credits.

I happen to know that that is the situation because of some hearings that I read the other day. A gentleman appeared before the Committee on Interstate and Foreign Commerce and made a very pitiful plea.

Mr. MOORES of Indiana. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MOORES of Indiana. The gentleman from Alabama has stated that he is endeavoring to get information in regard to the Winslow bill.

Mr. HUDDLESTON. Oh, no; not now, Mr. Chairman.

Mr. MOORES of Indiana. Under paragraph 7, of Rule XVI, "no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment." I make the point of order on the amendment of the gentleman and the gentleman's speech in its favor.

Mr. HUDDLESTON. I am not now seeking that information. I have sought it, but I have not got it.

The CHAIRMAN. Will the gentleman from Indiana state his point of order?

Mr. MOORES of Indiana. The point of order is that under color of amendment the gentleman is seeking to raise a question of the Winslow bill this afternoon on an amendment to this bill. I want to argue that.

The CHAIRMAN. When the gentleman from Alabama violates the rule the Chair will call him to order, whether the point of order is made by the gentleman from Indiana or any other Member.

Mr. MOORES of Indiana. Section 7, of Rule XVI, provides against seeking to discuss under color of amendment a subject other than the subject under consideration.

The CHAIRMAN. If the gentleman from Indiana will permit the Chair, the Chair would say that the gentleman is discussing an amendment to strike out the word "coal" from this bill.

Mr. MOORES of Indiana. The gentleman has stated that he was trying to get information on the Winslow bill.

Mr. CLARK of Missouri. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. I make the point of order that the gentleman from Indiana is aiding the filibuster. [Laughter.]

The CHAIRMAN. The Chair is inclined to believe that the gentleman from Missouri states the fact, and the Chair overrules the point of order made by the gentleman from Indiana. [Laughter.]

Mr. HUDDLESTON. Mr. Chairman, as I was saying, I was very much impressed with the desperate situation of the coal operators when I read some hearings the other day. They are going to have to charge more than $70,000——

The CHAIRMAN. The gentleman from Alabama is not discussing in good faith the amendment to strike out part of this paragraph.

Mr. HUDDLESTON. I say that the amount is inadequate.

The CHAIRMAN. The gentleman is out of order. The gentleman will take his seat. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For material for hurdles, etc., riding hall, $600.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUDDLESTON: Page 79, line 12, strike out the word "hurdles."

Mr. HUDDLESTON. Mr. Chairman, I beg the gentleman from Kansas [Mr. ANTHONY] to inform me——

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. In just a moment. Of what material are these hurdles made? [Laughter.]

Mr. ANTHONY. I would say that they are made of the same material as the heads of some statesmen. [Laughter.]

Mr. HUDDLESTON. I hope the gentleman is not making a confession to the House. [Laughter.]

The CHAIRMAN. The committee will be in order.

Mr. HUDDLESTON. But if he is making a confession, and assuming that he is, I know that he means wood. [Laughter.] Now, that is not the kind of thing I had in my mind as a hurdle. I had in my mind that there was some obstacle of a more fragile nature, such as furze, or bushes, or something of that kind, or smoke, a sham, a bluff, something like the rules that permit the bringing in of a motion to suspend the rules and pass a bill, as will occur next Monday on the Winslow bill, which will cost the country $300,000,000.

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is out of order.

The CHAIRMAN. The point of order is sustained. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For department of military hygiene, $500.

Mr. HUDDLESTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. HUDDLESTON offers the following amendment: Page 81, line 8, strike out the paragraph.

Mr. HUDDLESTON. Mr. Chairman, of course, I am ignorant of what is meant by the expression "military hygiene," as distinguished from civil hygiene, if there is such a thing as the latter. I had it in my mind that Hygeia was the goddess of health, and that there can be no particular distinction between military health and civil health. Of course, there are other kinds of health than mere physical health, but I assume that this bill does not aim at providing instruction relating to that kind. Now, for illustration, Mr. Chairman, health is the most splendid thing in the world, and we ought to do everything we can to preserve the health of our boys; but there is a mental health as well as a physical health, and there is not a state of mental health when information that the House is entitled to is withheld from it by its responsible leaders. I refer to the Winslow bill——

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not speaking in order.

The CHAIRMAN. The Chair sustains the point of order. The question is on agreeing to the amendment.

The question being taken, the amendment was rejected.

The Clerk read as follows:

For painting, two coats, walls, doors, and ceilings of rooms, third floor, cadet hospital, kitchen, dining room, hallway, and three squad rooms, $600.

Mr. LAYTON. Mr. Chairman, I wish to ask the chairman if for the sake of good English we ought not to modify the language

in line 1, page 83, where it says "for painting, two coats, walls, doors, and ceilings of rooms"?

Mr. ANTHONY. That is the usual language.

The Clerk read as follows:

Provided, That the funds herein appropriated for the Military Academy may be expended without advertising when, in the opinion of the responsible disbursing officer and the superintendent, it is most economical and advantageous to the Government to dispense with advertising: *Provided further*, That the constructing quartermaster, United States Military Academy, is hereby exempted from all laws and regulations relative to granting leaves of absence to employees with pay while employed on construction work at the Military Academy.

Mr. WALSH. I reserve a point of order against the second proviso. Is this proviso put in the bill in the interest of economy?

Mr. ANTHONY. Both provisions are put on in the interest of economy, especially the last proviso. I am informed that where the authorities at West Point undertake construction work and hire day laborers, say, for 30 days, they come under the statute which requires that United States employees be given vacations with full pay during the period of their employment.

Mr. WALSH. When the officers themselves hire men?

Mr. ANTHONY. Yes; and that is the reason we want the exemption.

Mr. WALSH. Can they get the kind of labor that will work under these exemptions?

Mr. ANTHONY. Yes; the quartermaster says he has no trouble at all in getting the labor, but where the men have demanded these vacations they have been allowed them. It looks rather ridiculous for the quartermaster to hire a laborer for 15 days, and then let him obtain 15 days' leave with full pay.

Mr. WALSH. In view of the gentleman's statement, I withdraw the point of order, but do not let Sam Gompers hear about it or we will have trouble.

Mr. McCLINTIC. Mr. Chairman, I make the point of order to the first proviso on page 87. I think we should not allow these funds to be expended without advertising.

Mr. GOOD. Will the gentleman reserve his point of order?

Mr. McCLINTIC. I reserve it.

Mr. GOOD. Did the gentleman hear what the gentleman from Kansas [Mr. ANTHONY] stated about the work that is being done on the West Point Military Academy?

Mr. McCLINTIC. I understood the gentleman from Kansas to make that statement in reference to the second proviso.

Mr. ANTHONY. The law now requires that even for small purchases there must be the usual advertising for bids; and the committee felt that in the case of small purchases it was economy to dispense with the advertising.

Mr. McCLINTIC. In reply to the gentleman I will say that I think the rules and regulations have been too lax relative to the expenditure of money in the War Department, and I do not believe we ought to give them this privilege. For that reason I make the point of order against the first paragraph on page 87.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that the word "further," in line 6, page 87, be stricken out.

The CHAIRMAN. Without objection, the word "further" will be stricken out.

There was no objection.

Mr. CRAGO. Mr. Chairman, I ask unanimous consent to return to page 15 of the bill for the purpose of offering an amendment to an amendment which was adopted.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to return to page 15 to offer an amendment to an amendment. Is there objection?

Mr. MADDEN. I object.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with a recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to; accordingly the committee rose and the Speaker resumed the chair.

Mr. HUDDLESTON. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. Does not the gentleman wish to allow the Chairman of the Committee of the Whole House on the state of the Union to make his report?

Mr. HUDDLESTON. No; I make the point now.

The SPEAKER. The gentleman from Alabama makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and seventy-one Members present, not a quorum.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were ordered to be closed, the Sergeant at Arms to notify absentees, and the Clerk to call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Edmonds	James, Mich.	Radcliffe
Ashbrook	Ellsworth	Johnson, Ky.	Rainey, Ala.
Babka	Elston	Johnston, N. Y.	Rainey, Henry T.
Bacharach	Emerson	Jones, Tex.	Rainey, John W.
Baer	Evans, Mont.	Kendall	Randall, Calif.
Bell	Ferris	Kennedy, Iowa	Ransley
Blackmon	Fish	Kincheloe	Reed, W. Va.
Bland, Mo.	Flood	Kitchin	Riddick
Bowers	Focht	Kreider	Riordan
Brinson	Fordney	Lesher	Robinson, N. C.
Britten	Frear	Linthicum	Rose
Brumbaugh	Gallagher	Lonergan	Rowan
Burke	Gandy	Lufkin	Rowe
Burroughs	Ganly	McCulloch	Sabath
Caldwell	Gard	McDuffie	Sanders, Ind.
Candler	Glynn	McGlennon	Sanford
Cantrill	Godwin, N. C.	McKinley	Scully
Carew	Goldfogle	McLane	Sells
Carter	Goodall	Maher	Small
Casey	Goodwin, Ark.	Major	Smith, N. Y.
Chindblom	Gould	Mann, Ill.	Steele
Clark, Fla.	Graham, Pa.	Mann, S. C.	Stephens, Miss.
Classon	Griffin	Mason	Stiness
Cooper	Hamill	Mays	Strong, Pa.
Costello	Hamilton	Mead	Sullivan
Cullen	Harrison	Merritt	Vare
Currie, Mich.	Haugen	Milligan	Volk
Davey	Hayden	Moon	Watson
Dent	Hersey	Mooney	Welling
Dewalt	Hersman	Morin	Whaley
Dominick	Hoey	Mudd	Wilson, Ill.
Dooling	Holland	Nelson, Wis.	Wilson, La.
Doremus	Hull, Tenn.	Patterson	Wise
Drewry	Hutchinson	Perlman	
Eagle	Jacoway	Porter	

The SPEAKER. Two hundred and eighty-nine Members have answered to their names; a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. TILSON. Mr. Speaker, the Committee of the Whole House on the state of the Union having had under consideration the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, has directed me to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CRAMTON. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BLANTON. Mr. Speaker, I demand a separate vote on the Hull amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en grosse. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. HULL], on which the gentleman from Texas demands a separate vote.

The Clerk read as follows:

Page 64, after line 13, insert as a separate paragraph the following: "That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device, a time study of any job of any such employee between the starting and the completion thereof, or of the movements of any such employee while engaged upon such work, nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash rewards to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant."

The SPEAKER. The question is on agreeing to the amendment.

Mr. BLANTON. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. As many as are in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Five Members have risen, not a sufficient number, and the yeas and nays are denied. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 177, noes 47.

So the amendment was agreed to.

Mr. HUDDLESTON. Mr. Speaker, I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUDDLESTON. When will it be in order to demand the reading of the engrossed bill?

The SPEAKER. After the engrossment and third reading of the bill has been ordered. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. FIELDS. Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. The engrossed bill is not present at the Clerk's desk and can not be read at this time.

LIMITING SIZE OF UNITED STATES ARMY—VETO MESSAGE.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith, without my approval, House joint resolution No. 440, directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the cases of those men who have already served one or more enlistments therein.

The text of the joint resolution discloses that its purpose is to cause a discontinuance of enlistment in the Regular Army until the number of enlisted men shall not exceed one hundred and seventy-five thousand. No provision is made in the resolution for the preservation of any proportionate strength in the combatant corps of the Army and a mere discontinuance of enlistment would, for a long time, preserve the Staff Corps disproportionately enlisted and the combatant corps insufficiently manned to maintain the instruction and training which ought to be assured if an Army of one hundred and seventy-five thousand men is to be efficient in proportion to its aggregate number.

On the fourth day of June, 1920, I signed a bill passed by the present Congress, providing for the reorganization of the Army. Because of the profoundly disturbed condition of the world and in order that full benefit might accrue to the people of the United States from the lessons of the world war as to what, under modern conditions, is required to be the nucleus of an efficient Army, the War Department had recommended an Army of approximately five hundred thousand men. The Congress, after prolonged consideration, determined to authorize, and did authorize, the reorganization of the Army on the basis of an enlisted strength of approximately two hundred and eighty thousand men, including in the organization new arms like the Air Service and the Chemical Warfare Service, the use of which were developments of the war and provision for which is a necessary addition to the prewar strength of the Army. The act authorized for the first time in our history a tactical organization of the Army, resting upon divisions as tactical units, and required the training of the National Guard and the organized reserve in territorial areas of the United States in association with the divisions of the Regular Army. At that time the Congress plainly regarded the provision then made as the minimum which would provide for the added arms and new duties imposed on the Army, and for that efficiency which the peace-time Army of the United States should have as the nucleus of mobilization in the event of a national emergency. I regret that I am not able to see in the condition of the world at large or in the needs of the United States any such change as would justify the restriction upon that minimum which is proposed by the House joint resolution.

WOODROW WILSON.

THE WHITE HOUSE,
5 February, 1921.

The SPEAKER. The question is, Will the House on reconsideration agree to pass the joint resolution, the objections of the President to the contrary notwithstanding?

Mr. WALSH. Mr. Speaker, I rise to propound a parliamentary inquiry. The previous question having been ordered on the Army appropriation bill, and Monday, February 7, 1921, being suspension day, will the vote come on the Army appropriation bill on Monday or not?

The SPEAKER. The Chair does not wish to bind himself by his decision, but his present opinion is that it will not. Monday is a special day.

Mr. MONDELL. Mr. Speaker, we have listened with interest to the President's message. It does not seem to me that the President has presented any arguments that have not already been considered by the House. No new questions are raised, no new arguments are presented. It seems, therefore, that there is no necessity for further discussion, and that the House is ready to vote. I therefore move the previous question.

The previous question was ordered.

Mr. WINGO. Mr. Speaker, I wish to offer a privileged motion.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from Arkansas, that the House do now adjourn.

The question was taken and the motion was rejected.

The SPEAKER. The question is on passing the joint resolution, the objections of the President to the contrary notwithstanding.

The question was taken; and there were—yeas 271, nays 10, answered "present" 1, not voting 141, as follows:

YEAS—271.

Ackerman	Fess	McClintic	Sherwood
Almon	Fields	McDuffie	Shreve
Anderson	Foster	McFadden	Siegel
Andrews, Nebr.	Freeman	McKenzie	Sinclair
Anthony	French	McKeown	Sinnott
Aswell	Fuller	McKinley	Sisson
Ayres	Gallivan	McLaughlin, Mich.	Slemp
Bankhead	Garner	McLaughlin, Nebr.	Smith, Idaho
Barbour	Good	McLeod	Smith, Ill.
Barkley	Goodykoontz	McPherson	Smith, Mich.
Begg	Graham, Ill.	MacGregor	Smithwick
Benham	Green, Iowa.	Madden	Snell
Benson	Greene, Mass.	Magee	Snyder
Black	Greene, Vt.	Mansfield	Steagall
Bland, Ind.	Griest	Mapes	Stedman
Blanton	Hadley	Martin	Steenerson
Boies	Hardy, Colo.	Michener	Stephens, Miss.
Bowling	Hardy, Tex.	Miller	Stephens, Ohio
Box	Harreld	Monahan, Wis.	Stevenson
Brand	Hastings	Mondell	Stoll
Briggs	Haugen	Montague	Strong, Kans.
Brinson	Hawley	Moore, Ohio	Summers, Wash.
Brooks, Ill.	Hays	Moore, Va.	Sumners, Tex.
Brooks, Pa.	Hernandez	Moores, Ind.	Sweet
Browne	Hickey	Mott	Swindall
Buchanan	Hicks	Murphy	Swope
Burdick	Hoch	Neely	Taylor, Ark.
Butler	Holland	Nelson, Mo.	Taylor, Colo.
Byrnes, S. C.	Houghton	Newton, Minn.	Taylor, Tenn.
Byrns, Tenn.	Howard	Newton, Mo.	Temple
Campbell, Kans.	Huddleston	Nicholls	Thomas
Cannon	Hudspeth	O'Connell	Thompson
Caraway	Hulings	O'Connor	Tillman
Carss	Hull, Iowa.	Ogden	Tilson
Christopherson	Humphreys	Oldfield	Timberlake
Clark, Mo.	Husted	Oliver	Tincher
Cole	Ireland	Olney	Tinkham
Collier	James, Va.	Osborne	Towner
Connally	Jefferis	Overstreet	Treadway
Cooper	Johnson, Miss.	Paige	Upshaw
Copley	Johnson, S. Dak.	Park	Vaile
Crago	Johnson, Wash.	Parker	Venable
Cramton	Jones, Pa.	Parrish	Vestal
Crisp	Juul	Peters	Vinson
Crowther	Kearns	Phelan	Voigt
Curry, Calif.	Keller	Purnell	Volstead
Dale	Kelley, Mich.	Quin	Walsh
Dallinger	Kelly, Pa.	Ramsey	Walters
Darrow	Kennedy, R. I.	Ramseyer	Ward
Davis, Minn.	King	Randall, Wis.	Wason
Davis, Tenn.	Kinkaid	Rayburn	Watkins
Dempsey	Kleczka	Reavis	Webster
Denison	Knutson	Reber	Welty
Dickinson, Mo.	Kraus	Reed, N. Y.	Wheeler
Dickinson, Iowa	Lampert	Rhodes	White, Kans.
Donovan	Langley	Ricketts	White, Me.
Doughton	Lanham	Robsion, Ky.	Williams
Dowell	Lankford	Rodenberg	Wilson, Pa.
Drane	Larsen	Rogers	Wingo
Dunbar	Layton	Romjue	Winslow
Dunn	Lazaro	Rouse	Wood, Ind.
Dupré	Lea, Calif.	Rubey	Woods, Va.
Dyer	Lehlbach	Rucker	Woodyard
Echols	Little	Sanders, La.	Wright
Elliott	Longworth	Sanders, N. Y.	Yates
Esch	Luce	Schall	Young, N. Dak.
Evans, Nebr.	Luhring	Scott	Young, Tex.
Fairfield	McArthur	Sears	

NAYS—10.

Bee	Coady	McAndrews	Sims
Bland, Va.	Eagan	Minahan, N. J.	Tague
Campbell, Pa.	Fisher	Pell	Weaver
Cleary	Igoe	Raker	Welling

ANSWERED "PRESENT"—1.

Lee, Ga.

NOT VOTING—141.

Andrews, Md.	Cullen	Gandy	James, Mich.
Ashbrook	Currie, Mich.	Ganly	Johnson, Ky.
Babka	Davey	Gard	Johnston, N. Y.
Bacharach	Dent	Garrett	Jones, Tex.
Baer	Dewalt	Glynn	Kahn
Bell	Dominick	Godwin, N. C.	Kendall
Blackmon	Dooling	Goldfogle	Kennedy, Iowa
Bland, Mo.	Doremus	Goodall	Kettner
Bowers	Drewry	Goodwin, Ark.	Kiess
Britten	Eagle	Gould	Kincheloe
Brumbaugh	Edmonds	Graham, Pa.	Kitchin
Burke	Ellsworth	Griffin	Kreider
Burroughs	Elston	Hamill	Lesher
Caldwell	Emerson	Hamilton	Linthicum
Candler	Evans, Mont.	Harrison	Lonergan
Cantrill	Evans, Nev.	Hayden	Lufkin
Carew	Ferris	Hersey	McCulloch
Carter	Fish	Hersman	McGlennon
Casey	Flood	Hill	McKinley
Chindblom	Focht	Hoey	McLane
Clark, Fla.	Fordney	Hull, Tenn.	Maher
Classon	Frear	Hutchinson	Major
Costello	Gallagher	Jacoway	Mann, Ill.

Mann, S. C.	Patterson	Robinson, N. C.	Strong, Pa.
Mason	Perlman	Rose	Sullivan
Mays	Porter	Rowan	Vare
Mead	Pou	Rowe	Volk
Merritt	Radcliffe	Sabath	Watson
Milligan	Rainey, Ala.	Sanders, Ind.	Whaley
Moon	Rainey, Henry T.	Sanford	Wilson, Ill.
Mooney	Rainey, John W.	Scully	Wilson, La.
Morin	Randall, Calif.	Sells	Wise
Mudd	Ransley	Small	Zihlman
Nelson, Wis.	Reed, W. Va.	Smith, N. Y.	
Nolan	Riddick	Steele	
Padgett	Riordan	Stiness	

So, two-thirds having voted in favor thereof, the joint resolution was passed, the objection of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

Until further notice:

Mr. KAHN with Mr. DENT.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. MASON with Mr. GARRETT.

Mr. MANN of Illinois with Mr. FLOOD.

Mr. GOULD with Mr. RIORDAN.

Mr. FORDNEY with Mr. HAYDEN.

Mr. FOCHT with Mr. HARRISON.

Mr. NELSON of Wisconsin with Mr. JACOWAY.

Mr. ZIHLMAN with Mr. ASHBROOK.

Mr. FREAR with Mr. DREWRY.

Mr. RIDDICK with Mr. HOEY.

Mr. VOLK with Mr. LEE of Georgia.

Mr. SANDERS of Indiana with Mr. BELL.

Mr. CURRIE of Michigan with Mr. DAVEY.

Mr. CHINDBLOM with Mr. KITCHIN.

Mr. EMERSON with Mr. CAREW.

Mr. HUTCHINSON with Mr. EAGLE.

Mr. WILSON of Illinois with Mr. KINCHELOE.

Mr. HERSEY with Mr. SMALL.

Mr. STINESS with Mr. CARTER.

Mr. ANDREWS of Maryland with Mr. WISE.

Mr. PATTERSON with Mr. MCGLENNON.

Mr. MORIN with Mr. BLACKMON.

Mr. ELLSWORTH with Mr. RANDALL of California.

Mr. WATSON with Mr. HULL of Tennessee.

Mr. STRONG of Pennsylvania with Mr. BLAND of Missouri.

Mr. BACHARACH with Mr. EVANS of Nevada.

Mr. VARE with Mr. JOHNSON of Kentucky.

Mr. PORTER with Mr. FERRIS.

Mr. COSTELLO with Mr. DOMINICK.

Mr. KREIDER with Mr. LINTHICUM.

Mr. LUFKIN with Mr. JONES of Texas.

Mr. RANSLEY with Mr. WILSON of Louisiana.

Mr. FISH with Mr. GOODWIN of Arkansas.

Mr. KENNEDY of Iowa with Mr. CANDLER.

Mr. MUDD with Mr. JOHN W. RAINEY.

Mr. ROSE with Mr. SULLIVAN.

Mr. JAMES of Michigan with Mr. MAYS.

Mr. NOLAN with Mr. MAHER.

Mr. RADCLIFFE with Mr. CANTRILL.

Mr. PERLMAN with Mr. DOREMUS.

Mr. GOODALL with Mr. HERSMAN.

Mr. MERRITT with Mr. PADGETT.

Mr. BURKE with Mr. MEAD.

Mr. SANFORD with Mr. MCKINLEY.

Mr. KIESS with Mr. POU.

Mr. REED of West Virginia with Mr. MOON.

Mr. ROWE with Mr. SMITH of New York.

Mr. ELSTON with Mr. CULLEN.

Mr. HILL with Mr. CALDWELL.

Mr. BOWERS with Mr. SABATH.

Mr. SELLS with Mr. WHALEY.

Mr. CLASSON with Mr. GODWIN of North Carolina.

Mr. GLYNN with Mr. CLARK of Florida.

Mr. KENDALL with Mr. GARD.

Mr. MCCULLOCH with Mr. GRIFFIN.

Mr. HAMILTON with Mr. ROBINSON of North Carolina.

Mr. BAER with Mr. HAMILL.

Mr. BRITTEN with Mr. EVANS of Montana.

Mr. BURROUGHS with Mr. BRUMBAUGH.

Mr. EDMONDS with Mr. GALLAGHER.

The result of the vote was announced as above recorded.

BODENSTAB AGAINST BERGER.

Mr. DALLINGER. Mr. Speaker, by direction of the Committee on Elections No. 1, I submit the report on the contested election case of Bodenstab against Berger.

The Clerk read as follows:

Report on the election case of Bodenstab against Berger.

The SPEAKER. This is referred to the House Calendar.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 517. An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38th Stats., 310, Public, No. 77).

EXTENSION OF REMARKS.

Mr. SEARS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MCCLINTIC. Mr. Speaker, I object.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 6 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Sunday, February 6, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

398. A letter from the Secretary of War, transmitting a request for an amendment to the fortifications bill for the fiscal year 1922, to permit completion of contracts made with manufacturers of airplanes prior to June 30, 1920; to the Committee on Appropriations.

399. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation for the relief of the Chinese Government; to the Committee on Claims.

400. A letter from the Secretary of the Interior, transmitting copy of a letter from the Commissioner of the General Land Office, transmitting report of the withdrawals and restorations of public lands in certain cases, as provided by law; to the Committee on the Public Lands.

401. A letter from the Clerk of the House of Representatives, transmitting a communication announcing the transmission of a duplicate copy of H. R. 12469 to the President of the United States.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FIELDS, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 465) for the appointment of one member of the Board of Managers of the National Home for Disabled Volunteer Soldiers, reported the same without amendment, accompanied by a report (No. 1295), which said joint resolution and report were referred to the House Calendar.

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 15945) authorizing an appropriation for the World's Poultry Congress, reported the same with an amendment, accompanied by a report (No. 1296), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the Committee on Agriculture, to which was referred the bill (S. 3944) to create a Federal live stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, reported the same with an amendment, accompanied by a report (No. 1297), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HERNANDEZ, from the Committee on the Public Lands, to which was referred the bill (S. 2728) for the relief of settlers and entrymen on Baca Float, No. 3, in the State of Arizona, reported the same with amendments, accompanied by a report (No. 1298), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14469) to amend an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation, the development of water power, the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1920, reported the same with amendments, accompanied by a report (No. 1299), which said bill and report were referred to the House Calendar.

Mr. DALLINGER, from the Committee on Elections No. 1, submitted a report (No. 1300) on the contested-election case of Henry H. Bodenstab against Victor L. Berger, which said report was referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15297) granting a pension to Nannie Roberts, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUSTED: A bill (H. R. 16021) amending section 97 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. OSBORNE: A bill (H. R. 16022) directing the Secretary of War to cause examinations and surveys to be made of certain rivers and harbors, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. BLAND of Indiana: A bill (H. R. 16023) granting the consent of Congress to the State of Indiana, by its highway commission, to construct a bridge across White River at or near the town of Hazleton, Ind., on the Knox-Gibson County line; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLEY of Michigan: A bill (H. R. 16024) to protect the name and insignia of the World War organizations; to the Committee on the Judiciary.

By Mr. DYER: A bill (H. R. 16025) to authorize the incorporation of companies to promote trade in China; to the Committee on the Judiciary.

By Mr. MOORES of Indiana: A bill (H. R. 16026) to increase the revenues of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: A bill (H. R. 16027) providing one German cannon or fieldpiece for the city of Albion, Mich.; to the Committee on Military Affairs.

By Mr. HAUGEN: Resolution (H. Res. 669) for the immediate consideration of Senate bill 3944; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the State of Idaho, urging the passage of legislation authorizing the patrol of the forest by airplane; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Colorado, urging the help of the National Government in the support and extension of the Colorado State Soldiers' and Sailors' Home; to the Committee on Public Buildings and Grounds.

Also, memorial of the Legislature of the State of Idaho, urging an additional grant of 50,000 acres of land, for the construction and enlargement, repair, or maintenance of a soldiers' home; to the Committee on the Public Lands.

By Mr. FRENCH: Memorial of the Legislature of the State of Idaho, urging the granting of unappropriated public lands within the State of Idaho for the construction and enlargement, repair, or maintenance of a soldiers' home; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FESS: A bill (H. R. 16028) granting an increase of pension to Josiah Holbrook; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 16029) for the relief of Frederick W. Seidell; to the Committee on Claims.

By Mr. IRELAND: A bill (H. R. 16030) for the relief of Floyd Irving Lattin; to the Committee on Claims.

By Mr. McLEOD: A bill (H. R. 16031) for the relief of Joseph Clinton; to the Committee on Claims.

By Mr. McCLINTIC: A bill (H. R. 16032) for the relief of William G. Phelps; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 16033) granting an increase of pension to William A. Hartley; to the Committee on Invalid Pensions.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 16034) granting a pension to Hannah E. Cawthorn; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 16035) granting a pension to Ettie McPeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16036) granting a pension to Lois A. Bentz; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 16037) granting a pension to Sarah H. Y. Barber; to the Committee on Invalid Pensions.

By Mr. RIDDICK: A bill (H. R. 16038) granting a pension to James Duffy; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 16039) for the relief of the owner of the boat *Gaylord;* to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5509. By Mr. BABKA: Petition of the Cleveland (Ohio) Chamber of Commerce, against reductions as mentioned in House bill 15543; to the Committee on Appropriations.

5510. Also, petition of the Chamber of Commerce of Cleveland, Ohio, protesting against the reduction of appropriation for the Bureau of Foreign and Domestic Commerce as approved in House bill 15543; to the Committee on Appropriations.

5511. By Mr. BARBOUR: Petition of California Forest Protective Association, indorsing the Snell bill (H. R. 15327); to the Committee on Agriculture.

5512. By Mr. DICKINSON of Iowa: Petition of Rev. Theo. Wolfram and others of Charter Oak, Iowa, protesting against the occupation of Germany by French territorial troops; to the Committee on Foreign Affairs.

5513. By Mr. ESCH: Petition of the Wisconsin Women's Progressive Association, urging passage of House bills 12749, 10925, 12078, and 11641, and Senate bill 3259; to the Committee on Military Affairs.

5514. Also, petition of the Philadelphia Chamber of Commerce, urging passage of Senate bill 4613, also House bill 14961; to the Committee on Interstate and Foreign Commerce.

5515. By Mr. LINTHICUM: Petitions of Mrs. R. M. Kennedy, George V. McKinney, Mrs. John G. Brogden, Mrs. Harry M. Benzinger, Cathedral Christ Child Society, Mrs. Minnie J. Boggs, and Alumnae Association, Academy of the Visitation, all of Baltimore, Md., opposing the Smith-Towner bill; also, David E. Green, Baltimore Talmud Torah, and J. E. Teal, all of Baltimore, Md., favoring the Smith-Towner bill; also, Maryland State Normal School, Towson, Md., favoring Fess home economics; to the Committee on Education.

5516. Also, petition of William G. Ackenback, of Baltimore, Md., favoring return of trade relations with soviet Russia; to the Committee on Foreign Affairs.

5517. Also, petitions of Charles C. Homer, jr., William C. Robinson & Sons Co., the Kennedy Corporation, and J. Matwick, all of Baltimore, Md., favoring Winslow bill; to the Committee on Interstate and Foreign Commerce.

5518. Also, petitions of Frank Ware, J. Jenkins, Hennegen-Bates Co., Arthur N. Jenkins, John J. West, and McCormick & Co., all of Baltimore, Md., favoring turnover tax system; also, Cloverdale Spring Co., of Baltimore, Md., favoring elimination of 10 per cent tax on net sales of ginger ale, etc.; to the Committee on Ways and Means.

5519. Also, petition of Greenwald Packing Co., of Baltimore, Md., opposing Senate bill 3944; to the Committee on Agriculture.

5520. Also, petition of Rev. William Schouler, of Baltimore, Md., favoring Jones-Miller bill; to the Committee on Military Affairs.

5521. By Mr. McLAUGHLIN of Nebraska: Petition of citizens of Thayer County, Nebr., urging support of Britten resolution providing for an investigation of the conduct of the Senegalese and other colored troops in the occupied zone of Germany and urging the withdrawal of such colored troops from said territory; to the Committee on Foreign Affairs.

5522. By Mr. MORIN: Petition of the Pittsburgh Chamber of Commerce, Pittsburgh, Pa., Mr. A. C. Terry, secretary, protesting against the passage of the Gronna bill as tending to a nationalization of industry; to the Committee on Agriculture.

5523. Also, petition of James Wettach, of Pittsburgh, Pa., protesting in behalf of the meat-packing establishments against the passage of the Gronna and Hutchinson bill; to the Committee on Agriculture.

5524. By Mr. O'CONNELL: Petition of the J. H. Williams & Co., New York, N. Y., protesting against reduction in the consular appropriation bill; to the Committee on Appropriations.

5525. By Mr. RAKER: Petition of Los Angeles Chamber of Commerce, of Los Angeles, Calif., urging protective tariff for the fish-canning industry of the west coast; to the Committee on Ways and Means.

5526. Also, petition of Pacific Coast Borax Co., of San Francisco, Calif., and others, urging the early passage of the Winslow bill (H. R. 15836); to the Committee on Interstate and Foreign Commerce.

5527. Also, petition of El Dorado County Chamber of Commerce, urging the passage of the Rogers-Capper bill for the re-

lief of ex-soldiers and sailors of the late war; to the Committee on Ways and Means.

5528. Also, petition of the foreign commerce department of the Chamber of Commerce of the United States of America, urging adequate appropriations for promoting our foreign trade; to the Committee on Interstate and Foreign Commerce.

5529. Also, petition of John Thorpe, representative of the International Association of Machinists, of San Francisco, Calif., urging that the navy yard and arsenal employees may receive the $240 increase in the legislative, judicial, and executive appropriation bill; to the Committee on Appropriations.

5530. Also, petition of W. B. Cahoone, president of the Bank of Tehama County, Red Bluff, Calif., relating to the salaries of Government employees; to the Committee on Reform in the Civil Service.

5531. By Mr. REBER: Petition of Robert C. Green, of Pottsville, Pa., opposing the proposed increase on jewelry-sales tax to 10 per cent and to taxes of $10 a pound on gold used in the arts; to the Committee on Ways and Means.

5532. By Mr. RIDDICK: Petition of citizens of Great Falls, Mont., urging the recognition of the Irish republic, and urging that Great Britain be pressed to pay her war debt to the United States; to the Committee on Foreign Affairs.

5533. By Mr. ROWAN: Petition of New York Produce Exchange, opposing the Gronna bill (S. 3944); to the Committee on Agriculture.

5534. Also, petition of Retail Dry Goods Association, of New York City, favoring the daylight saving bill, known as the Edge bill; to the Committee on Interstate and Foreign Commerce.

5535. By Mr. VARE: Petition of Major William McKinley Camp, No. 10, United Spanish War Veterans, Philadelphia, Pa., asking that Comrade Frederick A. Rouse be appointed as Deputy Commissioner of Pensions; to the Committee on Pensions.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 6, 1921.*

The House met at 12 o'clock noon, and was called to order by Mr. BUTLER as Speaker pro tempore.

The chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Infinite Spirit, Our Heavenly Father, we would hallow Thy name in thought and deed, that Thy kingdom may come when every heart may be at one with Thee in intent and purpose.

We are met in pursuance of a long-established custom to honor the dead whom we hold sacred which sprang from the heart of man, implanted there by an unseen hand ages ago. Warm of heart, pure of motive, clear of perception, his soul sped in pursuit of the best in life; his countrymen were not slow to discover the inestimable traits of his character, hence he became a leader among men and an honored Member of this House, and left behind him a record worthy of emulation. His spirit lives though it has passed out of the body into a higher realm of usefulness. Solace the hearts of those who knew and loved him, especially his kindred dear, by the light of hope which leads on to eternal love. In Jesus Christ, our Lord. Amen.

THE JOURNAL.

Mr. CRAGO. Mr. Speaker, I ask unanimous consent that the reading of the Journal may be dispensed with.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that the reading of the Journal be dispensed with. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the special order of to-day.

THE LATE REPRESENTATIVE MAHLON M. GARLAND.

The Clerk read as follows:

On motion of Mr. BUTLER, by unanimous consent, *Ordered*, That Sunday, February 6, 1921, at 12 o'clock noon, be set apart for addresses on the life, character, and public service of Hon. MAHLON M. GARLAND, late a Representative at large from the State of Pennsylvania.

Mr. CRAGO. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 670.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. MAHLON M. GARLAND, late a Member of this House from the State of Pennsylvania.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was unanimously agreed to.

Mr. KELLY of Pennsylvania. Mr. Speaker, this ceremony, in memory of our colleague, Congressman GARLAND, brings us face to face with the tragedy which marks the close of every life, a tragedy which is as sad and deep and dark as can be woven of the warp and woof of mystery and death.

It is told of Walt Whitman, the Old Gray Bard of Democracy, that on one occasion he attended the funeral of a neighbor. The aged man, leaning on his cane, looked at the form lying so cold and still. A little girl came and stood on tiptoe by the old man's side, looking wonderingly at the face of the dead.

The poet, who had attained the allotted three score and ten years of life, turned and quietly said: "You do not understand this, do you, my dear?" "No, sir," lisped the girl in startled fashion. "Neither do I, neither do I," said the old man as he walked slowly away.

Neither can any of us understand the old, old mystery of death. We only know that sooner or later the Grim Reaper claims all men as his own. In the end the highest lies down with the lowliest, all alike impotent before the Angel of Death.

Everywhere and always there are farewells for the dying and mourning for the dead. In every life there are memories that are sadly dear; the sound of sobs of sorrow, the subdued tones of grief, the fluttering crêpe, the funeral procession, the weeping circle around the grave, the solemn words above it, the thud of clods upon the coffin, and then the vacant place, the broken home, the deathless memories of loved ones departed from us.

Every day brings new evidence of the truth of the message of that poem which was the favorite of Abraham Lincoln:

'Tis the twink of an eye, 'tis the draft of a breath,
From the blossom of youth to the paleness of death,
From the gilden salon to the bier and the shroud,
Oh, why should the spirit of mortal be proud?

Congressman GARLAND has but gone before in meeting the common fate of all. And as we bow, powerless and mystified before the perplexing puzzle of all the ages, we may thank God that above the solemn toll of the death knell sounds the peal of immortality, oversweeping all pains, all tears, all time, all fears; proclaiming in thunder tones, "Man lives forever. Death is but the golden key that unlocks the palace of eternity."

Congressman GARLAND'S influence will not die, but will go on duplicating and reduplicating itself in many lives. His life and career prove that character is built out of circumstances turned to good account. Out of the same materials that some men have built hovels, he builded palaces, and he hammered and forged all the parts himself.

That America is only another name for opportunity was exemplified in the life of our late colleague. He was not born to wealth, but to struggle. He first saw the light of day in Pittsburgh, and spent almost his entire life in that mighty hive of industry, that workshop of the world. Like the city he loved so well, he was—

Swart with the soot of her furnaces,
He dripped with the sweats of toil.
His fingers throttled the savage waste,
He tore the curse from the soil,
He flung the bridges across the gulfs
That shut us from the To Be
And built the roads for the bannered march,
Of crowned humanity.

At the age of 9 years he began his life as a breadwinner. At the time when children are usually care free, he was toil weary. He labored through the years of play time, while a man's responsibilities rested upon his shoulders.

He made no complaints, but met every hardship with a smile and a spirit that was invincible. He marched along a road where stinging briers and rugged rocks lined the way. Sometimes a chasm cut across his path and a high wall upreared itself before him.

But with undaunted heart and boundless courage he leaped the chasm and scaled the wall, marching on to the goal of his desire, beginning his success where many end in failure.

Debarred by circumstances from securing what we call a higher education, Congressman GARLAND had that far more precious boon—wisdom of the heart. The ancients were right when, long before Harvey, they declared that the heart is the very center of life, the seat of the affections and courage. After all, the heart is the man.

There are those who say that training the mind, developing the brain, and cultivating the intellect are all that are needed in making a man. However valuable all these, it is nevertheless true that all such training only enables a man to do more. It is the heart which determines whether that "more" shall be good or bad.

Kind hearts are more than coronets
And simple faith than kingly blood.

As Congressman GARLAND grew up to maturity he knew instinctively that the closed hand can not receive. His hand was

held out in helpfulness to all with whom he came in contact. He knew instinctively that—

Life is a mirror to king and slave,
'Tis just what you say and do.
Then give to the world the best you have,
And the best will come back to you.

He gave to every interest his very best and the regard and respect of his associates come back to him.

He became a steel worker and performed the arduous tasks that go with steel making in the mighty mills of Pittsburgh. Naturally, he joined hands with his fellow workers. He became a member of the Amalgamated Association of Iron, Steel, and Tin Workers, one of the pioneer international labor organizations of this country.

Steadily he rose in this organization, as his qualities and abilities were recognized by his fellow members. He was elected president of the organization, a position he held for six years. He was always proud of his membership in this union and many times he referred to it in debates in Congress. From these early associations he came to know that the—

Rank is but the guinea's stamp,
The man's the gold for all that.

While in the active ranks of labor, he was also taking a place in public life. He was a neighbor of mine in the little borough of Edgewood and the place he held in the esteem of the residents of his home community was a high testimonial to his merits as a man. He served six years in the council and gave faithful service.

The confidence of his neighbors was followed by the confidence of his fellow townsmen in Pittsburgh. He was chosen to serve in the council of Pittsburgh and on the board of education, and to both positions he gave careful and painstaking attention.

In 1898 he was appointed collector of customs at Pittsburgh and was reappointed by Presidents Roosevelt and Taft. In 1914 he was elected Congressman at large from Pennsylvania and was reelected to each succeeding Congress. On November 2, last year, he was chosen for service in the Sixty-seventh Congress by an amazing majority. The man who has the confidence of his neighbors, of his fellow residents in a great city, and of his fellow citizens in a great State must have qualities of splendid kind.

Within a few weeks after his last triumphant election Congressman GARLAND heard the call and passed to that "mysterious bourn from which no traveler ever returns."

He was a hard-working legislator and rose to the chairmanship of the Mines and Mining Committee in the House. He will be remembered for his activities and his efforts in connection with his duties as a Member of the American Congress.

Those who knew him best will remember him for his great capacity for loyal friendship. If you had asked him the secret of his life, he would have said, "I had friends." He had friends because he was a friend. As in the eastern tales, where the magic words "Open sesame" caused locked doors to fly apart, so the power of the friendships he made caused every door that barred his progress to swing open.

He made of his friendships golden links in the iron chain of life. He found in them a never-failing supply on which to draw stores of kindly counsel, sympathy, and help. He returned payment in full measure and countless kindred souls will remember his friendship as a jewel which no acid of misfortune and adversity could dim.

Congressman GARLAND was for many years a leading figure in a great fraternal organization. He was the highest executive officer for a term and always exerted a commanding influence. Just a short time before his death he visited the home maintained by this fraternity for orphan children. No work was nearer his heart than in seeing that all care and comforts were provided for those who had lost their natural protector.

This interest was indicative of the man who knew life at first hand and who was able and eager, out of his own experience, to devise ways for smoothing the pathway of those who need most the help of kindly hands. If it be true that the drying up of a single tear "hath more of honest fame than shedding seas of gore," then Congressman GARLAND will indeed have a place in the Hall of Fame.

Always he mingled with men in crowded places. Always his hand was outstretched to aid his fellow men.

Some writer has told the story of the priest Philemon, who toiled early and late to acquire wisdom, praying and fasting and meditating. The joys, hopes, sorrows, and labors of mortal existence seemed to him nothing compared to the marvels of the hereafter. And so by degrees the wise priest Philemon forgot the world, forgot men and women and little children, forgot the blueness of the skies, the verdure of the fields, forgot the grace of the flowers growing in the grass, the music of birds singing in the treetops. Forgot, in fact, everything but himself and his fasting and his wisdom. By and by his fame for wisdom spread abroad and crowds gathered about his humble abode and besought his aid. They knelt at his feet and wept and told him of their wounds of body and spirit and asked his help.

But the wise priest harshly repelled them and bade them begone, telling them they had brought their sorrows on themselves and that justice demanded that they should suffer.

Then in a rage he left his habitation and retired to the depths of the forest where the foot of man seldom penetrated. Here in silence and solitude he determined to keep his heart from every worldly influence. One day, as he prayed, lost in a rapture of devotion, a little bird perched on his window and began to sing a song born out of the leaves and grasses and winds of heaven, as sweet a song as ever feathered songster sang.

The wise priest's mind wandered. The singing recalled to him many things he thought long since forgotten. Almost he heard his mother's voice again and the blithe and happy days of youth came back to him as in a dream.

But Philemon recovered himself and in a tempest of rage that his devotions had been disturbed, seized his heavy staff and slew the pretty songster where it perched within his reach, and flung the little ruffled heap of feathers out into the woodland.

As he did so, a great light shone in the room and lo, an angel stood just where the blood of the warbler stained the floor. Philemon heard a majestic voice saying, "Philemon, why hast thou slain my messenger?" And the priest, looking up in fear and wonder, said, "Pray, what messenger? I have killed nothing but a bird that disturbed my devotions."

But the voice, in terrible accents replied, "Remorseless one, knowest thou not that every bird of the forest is mine, and every leaf of the trees is mine? The song of that slain bird was sweeter than thy many prayers, and when thou didst listen to its voice, thou wert nearer Heaven than thou hast ever been. Thou hast rebelled against my law of love. In rejecting love thou hast rejected me, and when thou didst turn the poor and needy from thy doors, even so did I turn my face from thee and refuse thy petitions. Pray no more, fast no more, but love and serve and learn to make thyself beloved by the least and the lowest, and by this thou shalt at last penetrate into the mystery of the Divine."

Those who knew Congressman GARLAND, and who saw in Pittsburgh on his funeral day the friends from all walks and conditions of life gathered to pay the last tribute of respect and affection to their dead friend, know that he was not like the wise priest Philemon, but that he had the wisdom of the heart—the wisdom that is better than the merchandise of silver and the gain thereof than fine gold. He was buried beneath a wilderness of flowers, and yet not all to whom he did a kindness could bring a blossom to his grave. He lives in hearts he leaves behind and that is not to die.

Congressman GARLAND was in love with life, and he was glad for the opportunities of life and helpfulness, and it was this attitude which molded his career and made his life. A smile was natural to him, and he always saw the silver lining of every cloud.

His passing was as he would have had it. Suddenly, without lingering pain, in the very midst of his activities and his plans, he was summoned and obeyed.

Out of this service in commemoration of our colleague, brave and cheerful, no matter what winds of difficulty might blow, each one of us here may get from the life and career of Congressman GARLAND some little good, some kindly thought, some bit of courage for the darkening sky, some gleam of faith to brave the ills of life, some glimpse of lighter sky beyond the mists that lie ahead in the pathway of us all.

And may it be true of us as of our colleague, expressed in the hymn sung at his funeral:

Sunset and evening bell
And after that the dark,
And may there be no moaning of farewell
When I embark.

Mr. CRAGO. Mr. Speaker, we have met to-day and have paused in the regular work of this legislative body in order that we may express an appreciation of one of our number who has answered the last roll call. In order that for all time in the records of this great legislative body may appear this estimate of this Member who has answered the last roll call uttered by his associates; in order that the events of his life may appear in that record, I submit the following sketch which was edited by Mr. GARLAND himself:

MAHLON M. GARLAND, Republican, of Pittsburgh, Pa., was born in that city in May, 1856. While quite young his parents moved to Alexandria, Huntington County, Pa., where he began working at an

early age to assist in supporting a large family. Between the years of 9 and 14 he was employed on a farm, in the steel mills, and drove mules on a canal-boat towpath. Learning the trade of puddling and heating, he joined the Amalgamated Association of Iron, Steel, and Tin Workers, one of the most powerful international labor organizations of that time, of which he became the president, and was re-elected six years in succession. He resigned this office when appointed by President McKinley as United States collector of customs at Pittsburgh in 1898, subsequently being appointed by President Roosevelt in 1902 and in 1906, and again by President Taft in 1910. He resigned to assume his duties as Congressman at large on March 4, 1915. He also served as vice president of the American Federation of Labor; was elected and served two terms in the select council of the city of Pittsburgh; served four years on the Pittsburgh school board; served six years in the borough council of Edgewood, Pa.; was married in 1888 to Mary C. Brown.

Congressman GARLAND departed this life in the city of Washington on November 19, 1920. Just in these few words is described a life that so well illustrates the possibility of this great country of ours. It seems to me that one of the thoughts which should concern us as we attempt to do our work here is to keep in mind the idea of having it always possible in this country for a boy or a girl, born of humble parentage, reared among those who have not been gifted with this world's goods or opportunities, to reach high positions; that America shall always present these opportunities for the future development of its citizens. I doubt if you will find a more typical life of an American boy determined to succeed, fired with ambition and zeal, with a great courage, physical strength, and determination to make of himself a power for good and an influence which would be felt, than that of Congressman GARLAND, which so well exemplified the American spirit. My acquaintance with Mr. GARLAND began many years ago. We were both nominated for the office of Representative in Congress at large from the State of Pennsylvania in the same primary and took part in that campaign, which was also a gubernatorial campaign in our State; we visited practically every county in the State in company with some of the other nominees. We met many people, and I was surprised time and again to find the many, many warm personal friends GARLAND had in the different counties of the State. I shall not dwell at any great length on that phase of his life. He enjoyed meeting people, and he knew how to meet people. Just one instance as a personal touch in our lives. Time and again we would visit in his office or in mine or in the lobby, and on one occasion just after he had returned from Mooseheart, an institution in which he took a great interest, he was telling me of the work there and what they were doing for the little children in that institution, and as he explained this work his eyes filled with tears and he said to me:

You do not know what a pleasure it is to do work of that kind, that you feel will last for years and years and make people happy.

It was an index to the big-hearted man. As I visited the undertaker's establishment here in this city where his body was waiting its removal to his home in Pittsburgh, I could not help but think of all the strength, of all the vigor which was inert and at an end, to think that the one weak spot, the one weak link in the chain must give way and all that force and all that energy and all those purposes and those ambitions be surrendered because of that weak link.

Congressman GARLAND had a religious turn to his nature and had great respect for the things which make for the best interests of civilization. He was not, however, one of those who looked on the matter of preparing for death as the one great thing in life. I say it with all due reverence, not so much in a spirit of criticism of some of our teaching as, rather, one of regret, that I believe we have too much teaching on the theme of how to live in order to get ready to die, instead of teaching us how to live in order to live best. Some people, it seems to me, think the greatest thing in life is in getting ready to leave it. I do not believe this teaching is for the best. I believe we should be told and retold that life, this life, is grand, and good, and noble, that the greatest good in life can only be attained by right living, and that living only to get ready to die is unworthy the full-grown intellect of man.

The life of Congressman GARLAND strongly exemplifies the sentiments expressed by one of the great men of his own city, Dr. Brashear:

It is the human touch that counts in life, the touch of your hand and mine,
That means far more to the sinking soul than bread or shelter or wine;
For with the night the shelter is gone and the food lasts but for the day,
But the touch of a hand or the sound of a voice remains with the soul always.

Closed is the chapter of the life written, and well written, and to-day we express the hope that his life may be an inspiration to those who come after him, and that his example may help those of us who are left to do our duty and to face our responsibilities here with courage and fidelity, as patriotically as he did, as industriously as he did, as whole-heartedly as he did. And when our end shall come may it be said of us, as we say of him, that he did his work and he did it well.

Mr. WALTERS. Mr. Speaker, the life and accomplishments of the late MAHLON M. GARLAND are illustrations of the possibilities accruing under the free institutions of our country. One from Pennsylvania may be pardoned if he asserts that it is among the sons and daughters of our State that occur the more frequent and striking illustrations of the rising to places of influence, power, and importance of men and women born and reared in places which, in theory, preclude such advancement. And, among the myriad of such examples among the children of Pennsylvania there stands out the life and record of our late colleague, MAHLON M. GARLAND.

Born to toil, to labor with hands, our colleague early became a student—not only of books, but of human nature and the problems of life. Choosing employment in the great army of Pennsylvania's steel and iron workers, he soon became prominent in the great organization known as the "Amalgamated," an association of steel and iron workers with a remarkable record of fairness and efficiency. Step by step he rose until his fellow workers were proud to name him as the president of this association, and in that capacity he earned the name of a strict, impartial, and wise executive. Firmly grounded in the faith and principles of the Republican Party, he was freely consulted and his counsels appreciated. Not blinded by partisan prejudice, he earned a proud place in his party's counsels, and his work and that of the great organization he led was recognized by his appointment in the customs service. When the period of the reorganization of the Republican Party in Pennsylvania arrived, MAHLON GARLAND was the practically unanimous choice of the members of the party as a Representative in Congress.

In the Congress, Mr. GARLAND ably defended and promoted the interests of labor, never forgetting or ignoring his responsibilities to all the people. His voice and vote were controlled by no force except his sense of right and justice.

In personal contact, our lamented friend was genial, whole-souled, and most courteous, endearing himself to the whole membership of this body. His passing is mourned by his colleagues and associates in public life, in a great labor organization, and in a body of Americans banded together for mutual benefit and protection.

Mr. NOLAN. Mr. Speaker: I consider it an honor to pay my tribute to the high character and integrity of the late MAHLON M. GARLAND both as to his public service and, greater still, his service to humanity in the rôle of a private citizen. I was closely associated with Representative GARLAND in the House from the time that he was elected to the Sixty-fourth Congress to the time of his death. I had known our late friend for many years in connection with his work in the labor movement as well as in fraternal organizations, and realize that his sterling qualities were the cause of his rapid rise in every movement that he entered. Born in the city of Pittsburgh, Pa., he started out early in life to help support his family, from 9 to 14 years of age working on a farm, also driving mules on a canal-boat towpath. Learning the trade of puddling and heating, he joined the union of his craft, the Amalgamated Association of Iron, Steel, and Tin Workers, which organization had jurisdiction over all of the workers in the steel mills. At that time the Amalgamated Association was one of the most powerful labor organizations in the world. Proceeding steadily, he was elected to various positions of trust in his local union, then the district councils, and finally became president of this great labor organization, serving six years successively, finally resigning this office when appointed by President McKinley as United States collector of customs at Pittsburgh.

Mr. GARLAND was known throughout the length and breadth of the land as a staunch labor leader. Recognizing his sterling worth, the American Federation of Labor elected him as a vice president and a member of its executive council, one of the highest positions within the gift of the American labor movement, Mr. GARLAND occupying this position until the time that he was appointed to public office in Pittsburgh.

Mr. GARLAND served as collector of customs at Pittsburgh from 1898 until 1915, being appointed successively by President McKinley, President Roosevelt, and President Taft, and resigning on March 4, 1915, to begin his honorable service in the American House of Representatives.

Mr. GARLAND'S public service also embraced two terms in the select council of the city of Pittsburgh and four years on the Pittsburgh school board, also six in the borough council of Edgewood, Pa.

Always interested in every constructive movement in the interest of humanity he demonstrated to the last his fealty to the cause of labor, never forgetting his early struggles on the farm, towpath, and steel mills. He served the people of the labor movement long, faithfully, and well in matters affecting their interest. While in public life, and especially as a Member of the House of Representatives, he was always ready with voice, vote, and energy to champion their cause.

The faith of the common people of the State of Pennsylvania was shown whenever he ran as a candidate for Congressman at large in that great State, always receiving a tremendous majority and especially so in the great industrial centers.

Mr. GARLAND'S efforts in behalf of the underdog and those afflicted was not alone confined to the labor movement; he was also interested in the work of a great fraternal order, the Loyal Order of Moose of the World, being one of the early pioneers to join that organization and spread its gospel throughout the land. This organization is noted for its work in taking care of its maimed and afflicted. Its beneficial features have rendered great assistance to thousands of its members all over the land, finally culminating in the establishment of a great institution at Mooseheart, Ill., for the care of dependent children of its deceased members. MAHLON GARLAND took a great part in the work of this organization and its upbuilding and was rewarded by being elected to the highest office within the gift of the Loyal Order of the Moose of the World, that of supreme dictator, and then elected general dictator, serving in this position for four years.

Mr. GARLAND in leaving this earth to appear before that Supreme Being, who, in the final analysis, is called upon to judge us all, leaves behind him millions of Americans in every walk of life who are grieved at his untimely death, and who realize they will miss his great contribution to the cause of human welfare, social and industrial justice, all of whom, I am sure, will join with us here to-day in this chamber in the fervent prayer that his soul may rest in peace. Amen.

Mr. WINGO. Mr. Speaker, I shall not attempt any formal eulogy on either the life or public service of our late colleague. That tribute more properly falls to and has been ably rendered by his colleagues who have preceded me. I wish only in a few words to pay a humble informal tribute to a departed friend.

It may seem strange that between us there existed anything more than the respect and regard that follows joint public service. When I first saw the light of day he had already reached manhood's estate, and learned in the hard school of experience lessons that I would be compelled to master even after he had passed the crown of years. He was born in a busy, throbbing city, I in the open country. He took up the battle of life amid the confusion and rush of a great industrial center, while I started on life's journey amid the quiet, soothing languor of a southern clime. He devoted his energies to industrial work, while mine were devoted to the intricacies of the philosophy of law. He toiled amid the smoke and grime of the furnace glare, I amid the pleasing, though sometime halting, processes of the court guided by the light of precedent. He came from a great State of the North, I from a great State of the South. He was a Republican, I a Democrat.

Yet, following our separate callings and faiths, we met, he as the chairman and I as the ranking minority member of a committee of Congress. In spite of the disparity of our ages, the differences in our life's experiences, and the conflict of our political faiths, I was at once impressed with the strength and force of his character and his quiet yet earnest endeavor to be of real service to his country and his fellow man. We worked in perfect harmony in our committee work, with no thought of partisan difference, he drawing on my knowledge of the forms of law and I on his fund of wisdom acquired by contact with men and life's problems. Notwithstanding the fact that the tide of life had beat heavily in his face and afflictions had come that would have broken the spirit and shaken the resolution of a weaker man, he drove on with quiet force and determination, playing not only a successful part in the political and industrial life of the Nation, but finding time and joy in serving the orphans of the great order to which he belonged and of which he was a directing force.

He was not a noisy, self-advertising public figure, but was of that type that in a silent, forceful way devote themselves unceasingly to their duties, with little thought of reward other than the satisfaction of duty done. He was one of those men who recognized that you must take humanity as it is and that the world could not be transformed or reformed in one day or generation. While he recognized that there are conditions in this country that are bad, and some abuses in our industrial and economic life that should be corrected, yet he had faith that these things could be and should be corrected in the due course of time under the orderly processes provided by our Constitution and form of government.

In spite of these abuses and evils, such is our form of government, such is the spirit of our institutions, such is the order of our economic and industrial life, such are the opportunities in this great land of ours, that the poorest boy, born in humble surroundings, as was our departed colleague, if he have character and integrity and faith, and applies himself with any degree of determination and perseverance to any given calling, can hope to achieve a great measure of success before his life is over. MAHLON M. GARLAND'S life and character typify and exemplify that fact more than the life and character of any other man I have met in my public service. I wish we had more men like him. I wish we had more men who could stand amidst the stress and storm with wide vision and unfaltering faith and hope and see that eventually the tumult and shouting of the hour will pass away, and that the fundamentals will remain, and that by constant effort, by vigilant endeavor, and by intelligent action humanity is ever led onward and upward to a higher and a better faith.

Mr. BURKE. Mr. Speaker, we have assembled here to-day to pay tribute to the memory or our late beloved colleague, MAHLON M. GARLAND.

It is fitting indeed that words of praise and expressions of our esteem for his worth and life work should be voiced. Those of us who knew him best and most intimately knew him to be an honest man, a man of principle; and when we are able to conscientiously say this of any man we pay the highest tribute it is possible for mortal mind to pay.

Actuated by worthy motives, fired with laudable ambition, the life of MAHLON M. GARLAND stands out as a beacon light, and is an inspiration to the youth of America. His early life was a life of poverty, of hardship, and of struggle, but undaunted he faced the battle of life, and surmounted obstacles before which a weaker nature would have quailed and succumbed. To his credit and to his greatness be it remembered that when the pinnacle of success was attained he still retained the priceless and divine gifts of an understanding mind and a warm, generous, human heart. Too often these qualities are lost in the struggle of success, and when they are, success has been a failure.

A man of the people, he ever remained true to the cause of the people. He shared with them the joy of their triumphs, and he felt with them the pain of their sufferings and disappointments. He was ever the friend of the poor and the champion of the lowly. As a National Representative by his voice and vote he was ever found on the side of right. His death was the Nation's loss, and particularly in the great State of Pennsylvania has it left a void. From one end to the other thereof he was known and loved, and his memory remains enshrined in the hearts of the Pennsylvania people.

The world is better for GARLAND having lived in it. He was a doer of deeds, and I do not think it amiss to say that it is men like GARLAND, sturdy, rugged, honest, self-made men—men possessed of human minds, warm, generous hearts, and the spirit of real courage—who have made our country great, who have added luster to its glorious history, and who in the Nation's hour of need prove its strongest bulwark and its most valuable asset.

Mr. Speaker, I have a telegraphic message here from my colleague, Congressman MORIN, which I desire to have the Clerk read into the RECORD.

The SPEAKER pro tempore (Mr. WALTERS). The Clerk will read.

The Clerk read as follows:

Hon. THOMAS S. BUTLER,
House of Representatives,
Washington, D. C.

I regret exceedingly that on account of the serious illness of Mrs. Morin I shall be unable to go to Washington Sunday to attend the memorial services for our late colleague, Hon. MAHLON M. GARLAND, to express my sentiments of his life, his service to his country, and his worth as a man. He was a true friend, a genial companion, a valuable member of the House of Representatives, and a respected citizen of his State. In his death the country has lost a faithful servant.

JOHN M. MORIN,
Member of Congress, 31st District Pennsylvania.

Mr. ZIHLMAN. Mr. Speaker, the Members of the Pennsylvania delegation in the House will speak to-day of Hon. MAHLON M. GARLAND; of his life and work in his home State; of his achievements as a statesman and lawmaker.

It is my intention to speak of him as a friend of the lowly and the needy, for I learned to know and to love him when he was engaged in a great work of organization—a work of merging

men of many callings and classes into a great fraternal brotherhood, founded upon such principles and precepts as would relieve the needy, succor the sick, aid the afflicted, lift the fallen, and bury the dead.

What we may say or do here can not bring him back to life, no more than the flowers dropped upon the casket nor the high anthem pealing above the bier can lift the lid from above the face of the deceased friend or companion.

But they all serve a purpose in life. They serve to soften the gloom of the death chamber and make lighter the burden of bereavement. Touching as these simple rites do the most delicate cords of our nature, they make us better and purer and strengthen the bonds of sympathy that link all human hearts together.

As a gifted poet has said:

There is never a rose in all the world
But makes some green spray sweeter;
There is never a wind in all the sky
But makes some bird's wing fleeter.
There is never a star but brings to heaven
Some silver radiance tender.
And never a rosy cloud but helps
To crown the sunset's splendor.
No robin but may thrill some heart,
His downright gladness voicing.
God gives us all some small sweet way
To set the world rejoicing.

MAHLON M. GARLAND was born amid humble surroundings. He passed up the ladder of life by sheer merit and by persistent and untiring endeavor.

More than 20 years ago he had attained a position of responsibility and leadership among the men with whom he worked—the men who knew and loved him.

His wise council, his vision, his practical sound common sense was sought and was followed by the men with whom he toiled. He endeavored to bring about conditions in the steel mills and among the men in the metal trades which would enable them to do more than eke out a mere existence.

He advocated and persistently fought for a wage which would enable them to comfortably feed and clothe their families, to educate their children, to own their own homes, and to lay aside something for the inevitable old age which must come to every man.

How well he succeeded in that laudable endeavor is to-day a matter of record and history; and amidst the clang and roar of heavy machinery; in the great white lights that shine from the open door of the forges and the furnaces in the mill towns of western Pennsylvania and in neighboring States are men who can testify to the beneficent influence of this strong, broad-shouldered, sturdy representative of the plain people; of whom Abraham Lincoln said:

God must have loved the plain people, for he made so many of them.

Leaving the turbulent arena in which he had won distinction and renown he served with fidelity and honor as a public official in his home city of Pittsburgh, and it is a matter of common knowledge that in all his days of service he never failed to render to the public the highest type of efficient and thorough administration and to merit the trust and confidence reposed in him.

In 1906, when a number of the men with whom he associated began the reorganization of a great fraternal beneficial society, he took an active part in that reorganization; and under their energetic and wise leadership lodges were installed in every State of the Union and in foreign lands.

When the great World War came he advocated and took pride in the establishment of a home for the soldier members abroad; and he visited the home of the order in London and Paris, and came back filled with renewed enthusiasm for the organization of which he was for a time the national head.

No man can leave behind a richer heritage than to be beloved by his compatriots; to know he has contributed to the happiness and welfare of his fellows and to have been an inspiration to mankind; and each life, no matter how humble, has within it some things worthy of emulation. As the poet says:

When I am dead, if men can say,
"He helped the world upon its way.
His ways were straight, his soul was clean,
His failings not unkind nor mean.
He loved his fellow men, and tried
To help them"—then I'm satisfied.

A splendid, stalwart representative of the people has passed into the shadows. At a time when the sun of his life was at its meridian; with days of great usefulness before him; again honored by the people of his native State, looking forward to hours of useful endeavor and accomplishment, the hand of the unseen struck from the darkness of the unknown and the ineffable tragedy of the ages was again enacted.

Out of the darkness he came—and into the darkness is gone.

He leaves behind an unsullied name and a life of worthy endeavor. Thousands of his fellow citizens mourn his demise, and his colleagues here join with his friends and neighbors in expressions of condolence to his family, with them realizing that his life's work was not in vain, and that his deeds will live after him; that he lived and exemplified the words of the gifted poet who wrote:

Let me not hurt by any selfish deed
The heart of friend or foe.
Nor would I pass unseen worthy aid,
Nor sin by silence when I should defend.
Let me to-day look back across the span
Twixt dawn and dark, and to my conscience say,
"Because of some good deed to beast or man
The world is better that I live to-day."

Mr. CAMPBELL of Pennsylvania. Mr. Speaker, from childhood until he died, MAHLON M. GARLAND turned a helping hand. It has been my pleasure to talk with those who were his intimate friends and to learn of his many deeds of helpfulness which have heretofore been unknown. For Mr. GARLAND was a retiring man.

At an age when most boys are participating in those games which lend a romance and enchantment to life, our former colleague entered, through the necessity of circumstances, into a life of toil, from which he never separated himself until relieved from further duty in this world. It was when he was 9 years of age that he first went to work on a farm and helped support the large family of which he was a part.

It has seemed to me that thereafter he made his native State his home and the citizens thereof a part of his family, for he was always serving them. From farm to steel mill was his next step, and later the towpath along the canals of western Pennsylvania gave him his sustenance. Returning to the steel mills he learned the trade of puddling and heating, and through his grasp of industrial conditions as it affected labor he soon rose to a position of eminence in the Amalgamated Association of Iron, Steel, and Tin Workers, which organiaztion he served for six years as president.

But his vision was too broad and comprehensive to prevent his assuming additional duties of community and State. His ability was recognized by that martyred President whose birthday we commemorated only seven days ago, and MAHLON GARLAND was made collector of customs in the city of his birth. This office he filled with such fidelity and proficiency that Presidents Roosevelt and Taft retained him under their administrations.

By reason of his capabilities and faithfulness he was chosen by the electorate of Pennsylvania to represent them in this body from March 4, 1915, until the day of his death. His work in the House of Representatives is too well known to you gentlemen to occasion repetition at this time. We all know how he served as a Congressman at large from the Keystone State with a pride and devotion worthy of the envy of his colleagues.

Education shared with civic and fraternal duties this man's talents, for he served four years on the Pittsburgh school board and then he was a member of the select council of the same city. Nor could his removal to the suburb of Edgewood hinder him from lending his sound advice and wise counsel to municipal affairs. He was elected and served for six years as a member of council of the borough.

Before telling you something of the good he accomplished as the highest officer of one of the most benevolent fraternities in this country, I must not neglect to say that he was a vice president of the American Federation of Labor, a position he won through his splendid service as president of the Amalgamated Association of Iron, Steel, and Tin Workers.

Typifying his love for mankind, our colleague spared nothing in his labor for the development of the Loyal Order of Moose. This organization grew rapidly during his administration as supreme dictator and dictator general, and it was by his efforts that provision was made for taking care of the orphan children of the members.

Those of you who attended the funeral in Pittsburgh will recall that Mr. GARLAND'S pastor said: "He busied himself helping others," and I know the minister must have had in mind this very act of fraternalism as he spoke, for the attendance at the services in the Moose Temple represented every walk of life. Many, too, were there who had benefited by the helpful word and deed of their departed friend and brother.

Mr. GARLAND cherished his home life. He did a good deed for Washington when he purchased a dwelling which had been

permitted by its owners to depreciate, and by his own hands he converted it into a veritable home. Here he lived with his daughter until last summer when she left home upon her wedding day, and it became his wont to reside in the house which he rebuilt.

The best compliment I can pay him is to say he was a man with a big heart and loved his fellow men and did much to bring an education and good home to hundreds of orphans.

Briefly have I endeavored to review the life of one we loved, but I am unable to portray all the worth and merit of a man so accomplished and so filled with sympathy for his fellows. He is sorely missed by the members of the Committee on Mining, of which he was the chairman; he is mourned by his blood relations, and by the children of Mooseheart whom he adopted; his passing is lamented by all who saluted him in the daily pathways of life. The House of Representatives has lost a sincere and conscientious legislator, his daughter a kind and thoughtful father, the little orphans of the Moose home a considerate and devoted helper, and the country a patriotic and true American.

Mr. SHREVE. Mr. Speaker, I am very glad to have the opportunity this afternoon of joining with my colleagues in paying a tribute to the life and character of Congressman GARLAND. I fully agree with all that has been said this afternoon concerning him, and I shall not attempt to repeat those things which have been so eloquently said.

But I do desire briefly to call the attention of my colleagues to one other phase of Mr. GARLAND'S life, and that is this: I knew the Congressman a long time before he came to Congress. In fact I knew him before either of us came to Congress. I remember him well during the time that I was a member of the Pennsylvania State Legislature, when I served as chairman of the Committee on Mines and Mining, and also as chairman of the Committee on the Judiciary. It was first during my service as chairman of the Committee on Mines and Mining that I came to know Mr. GARLAND well. He had been coming to my district for years on political missions, but he came to Harrisburg this time on another sort of mission. There was at that time a strong difference of opinion existing between the coal operators and the miners; a strike was impending, and certain legislation was demanded. Bills to remedy the situation were introduced, and I was selected, as I found out afterwards, as chairman of that committee because I had no knowledge whatever of the subject and had no mines in my district, and therefore could look at the matter impartially. I want to say to you, my colleagues, that after hearing both sides, I was still at a loss to know just what to do, when finally I remembered that Mr. GARLAND came to Harrisburg at times to consult the leaders. I communicated with him, and he became interested in this legislation, and it was only a short time after consulting him that through his influence and others interested all the obstacles had been swept away and we passed a piece of legislation that survived from that time down to the beginning of the World War, when it became necessary to pass other legislation.

And so I probably came in contact with Mr. GARLAND in a different way from most Members, outside of the experience that we have had here in Congress together. I join with my colleague in expressing my high appreciation and great regard for Mr. GARLAND as a Member of Congress. He was efficient, and the things that he did were done well.

There is one thing that can always be said of him—that he was absolutely loyal to his friends. He was loyal to his party, and he was loyal to the great State of Pennsylvania; and, above all, it can always be said that he was loyal to his own city, the great city of Pittsburgh.

I feel that the passing of Mr. GARLAND is a distinct loss to all of us. He was one of the prominent men of Pennsylvania who will be missed. I know of no one to take his place. Surely there is no man that we know of to-day who can take the place made vacant by MAHLON M. GARLAND. In all of the activities of his time, extending back for a long period, beginning, as he did, as a boy, laboring without the opportunities of schooling that many of us had, he made the most of his opportunities, he was successful in his endeavors for the benefit of humanity, he made friends, and he was a loyal friend.

Mr. WATSON. Mr. Speaker, the Members of Congress establish for themselves a positive or passive position in their activities. Each, however, has a specific character, requisite to formulate the laws of the Republic. MAHLON M. GARLAND, without the early advantages of school education, advanced by his natural endowments of discernment, good judgment, and quick apprehension, guided by observations rather than theories. He was born in Pittsburgh, Pa. At a very early age he assisted to support a large family, working on the farm, in the steel mills, and driving mules on the towpath. He always alluded to his boyhood career, in a way characteristic of a true and honest heart. Mr. GARLAND gained the confidence and affection of those who best knew him, because of his deep and sincere interest in their welfare, as was shown in his marked relation to the organizations of labor.

He was elected to the Sixty-fourth, Sixty-fifth, Sixty-sixth, and Sixty-seventh Congresses, representing the State of Pennsylvania as Congressman at large. He was a member of the Committee on Mines and Mining, and served with marked ability and distinction as its chairman.

Mr. GARLAND was a forceful speaker and never failed, when opportunity occurred, to voice his sentiments upon the floor of the House in favor of the American workmen. He was their friend and did much to advance their happiness and mold and better their home environments. I recall a speech he delivered in the House upon the child labor bill, which indicated his character and his loyalty to the workmen superior to that I can express in my language. He said, in part:

> Forty years I have been active in labor matters; for years almost continually in conferences over in Pennsylvania and other States in the iron industries where we met each other, with millions of capital represented on one side of the table and hundreds of thousands of men with their families, directly or indirectly, on the other side. We talked over the condition of employment of labor. I never found the employers desired to enslave child labor. I started early, am sorry I had to do so, for I felt the loss of a chance to go to school all my life, and it has been my endeavor during the time I have been in labor work, as it has all men who are interested in the labor movement, to bring and get a better condition for our children than we had for ourselves.

Mr. GARLAND rendered efficient service to his country, his influence will live, and his memory will be dearly attached to those he aided in the world of labor.

Mr. CRAGO. Mr. Speaker, I ask unanimous consent that all Members who have spoken to-day may have five legislative days in which they may revise and extend their remarks in the RECORD, and that any Member desiring to insert remarks in the RECORD in reference to our deceased colleague may be permitted to do so for the same length of time.

The SPEAKER pro tempore (Mr. BUTLER). Without objection, it will be so ordered.

There was no objection.

The SPEAKER pro tempore. The exercises of the day are completed.

Thereupon (at 1 o'clock and 15 minutes p. m.), in accordance with the resolution already adopted, the House adjourned until to-morrow, Monday, February 7, 1921, at 11 o'clock a. m.

SENATE.

MONDAY, *February 7, 1921.*

(Legislative day of Saturday, February 5, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

Mr. ROBINSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Brandegee	Heflin	Moses	Smoot
Curtis	Johnson, Calif.	Myers	Spencer
Dial	Jones, N. Mex.	Phipps	Thomas
Fernald	Jones, Wash.	Poindexter	Trammell
Gay	Kenyon	Pomerene	Underwood
Glass	Kirby	Ransdell	Wadsworth
Hale	Knox	Robinson	Warren
Harris	La Follette	Sheppard	Willis
Harrison	McCumber	Smith, Ariz.	

The VICE PRESIDENT. Thirty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The names of the absent Senators were called, and Mr. ASHURST, Mr. GRONNA, Mr. KENDRICK, Mr. KEYES, Mr. KING, Mr. LODGE, Mr. MCCORMICK, Mr. MCLEAN, Mr. MCNARY, Mr. SUTHERLAND, and Mr. TOWNSEND answerd to their names when called.

Mr. KELLOGG, Mr. BALL, Mr. NEW, Mr. OVERMAN, Mr. COLT, Mr. FLETCHER, Mr. HITCHCOCK, Mr. LENROOT, and Mr. SWANSON entered the Chamber and answered to their names when called.

Mr. HARRISON. I was requested to announce the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

I was also requested to announce that the Senator from Delaware [Mr. WOLCOTT] and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. DIAL. I wish to announce that my colleague [Mr. SMITH of South Carolina] is unavoidably absent on official business.

Mr. CULBERSON entered the Chamber and answered to his name.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

Mr. ROBINSON. Mr. President, I send to the desk an amendment which I propose to the pending bill, and ask to have the same read.

The VICE PRESIDENT. The Secretary will read the proposed amendment.

The READING CLERK. On page 19, lines 20 and 21, strike out "$33,000,000" and insert in lieu "$50,000,000."

Mr. ROBINSON. This amendment relates to the hospitalization of sick and disabled soldiers.

Mr. WARREN. May I say to the Senator from Arkansas that we have not yet finished with the Senate committee amendments, and this amendment is not now in order.

Mr. ROBINSON. I am not offering the amendment; I merely asked that it be read.

Mr. JOHNSON of California. I wish to introduce a resolution and ask its reference to the Committee on Education and Labor.

Mr. ROBINSON. I yield to the Senator for that purpose.

LABOR TROUBLES IN WEST VIRGINIA COAL FIELDS.

Mr. JOHNSON of California. I submit the following resolution and ask that it be referred to the Committee on Education and Labor.

The resolution (S. Res. 440) was read, as follows:

Whereas conditions of violence in the coal fields of Logan, McDowell, Mercer, and Mingo Counties, of West Virginia, have been so serious as to lead to the calling in of Federal troops; and

Whereas the existence of such conditions, during the present difficult and disturbed period of reconstruction following the Great War, is a menace to orderly democratic government and to the general safety and welfare of the people of the United States: Therefore be it

Resolved, That the Senate Committee on Education and Labor is hereby authorized and directed to make a thorough and complete investigation of the conditions existing in the coal fields of Logan, McDowell, Mercer, and Mingo Counties, of West Virginia, for the purpose of ascertaining the underlying causes of unrest and of proposing constructive measures for the removal of such causes; said investigation to give particular attention to the following points:

1. Whether the conditions existing in said coal fields justified calling in of Federal troops.

2. Whether conditions existing in said coal fields have been caused by agreements and combinations entered into contrary to the laws of the United States for the purpose of controlling the production, sale, and transportation of the coal of these fields.

3. Whether armed guards and other armed forces have been maintained or paid for by private individuals and organizations; and if so, whether such practice was legal and in accordance with sound public policy.

4. Whether citizens of the United States have been arrested, tried, or convicted contrary to or in violation of the Constitution or the laws of the United States.

5. Whether efforts of the United Mine Workers of America to organize the employees of these fields were responsible for the disturbed conditions, and if so, whether such efforts were contrary to law and to sound public policy.

6. Whether or not postal services and facilities have been or are interfered with or obstructed in said coal fields; and if so, by whom.

7. Investigate and report all facts and circumstances relating to the charge that citizens of the United States have been arrested, tried, and convicted contrary to or in violation of the Constitution or the laws of the United States.

Said committee, or any subcommittee thereof, is hereby empowered to sit and act during the session or recess of Congress, or of either House thereof, at such time and place as it may deem necessary; to require by subpœna or otherwise the attendance of witnesses and the production of papers, books, and documents; to employ stenographers, at a cost not exceeding $1.25 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of its proceedings; to have such evidence, record, and other matter required by the committee printed; and to employ such other clerical assistance as may be necessary. The chairman of the committee or any member thereof may administer oaths to witnesses. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee, or any subcommittee thereof, willfully makes default, or who having appeared refuses to answer any questions pertinent to the investigation herein authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

The expenses thereof shall be paid from the contingent fund of the Senate on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee on Contingent Expenses.

Mr. KENYON. Mr. President, that resolution, as I understand, is to be referred to the Committee on Education and Labor. There are only about three weeks remaining of the present session, and, as the chairman of that committee, I wish to say that, while I am not against the resolution, and it is possible that the investigation should be made, yet it is perfectly impossible that the investigation shall be made during this session.

Furthermore, a case is now being tried in West Virginia arising out of the matters involved in the resolution, and I am inclined to think that such an investigation ought not to take place while a case is pending in the court. I wish to say in any event that if the resolution is referred to the Committee on Education and Labor with the intention to have the matter investigated at this session, it would be utterly impossible; and if it be desired that the matter be investigated now, I should prefer that the resolution be referred to another committee.

The VICE PRESIDENT. The resolution must eventually go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JOHNSON of California. I have no objection to the resolution being first referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will first be referred to that committee, to decide if, in their judgment, the investigation should be made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. MAHLON M. GARLAND, late a Representative from the State of Pennsylvania.

The message also announced that the President of the United States having returned to the House of Representatives, in which it originated, the joint resolution (H. J. Res. 440) directing the Secretary of War to cease enlisting men in the Regular Army of the United States except in the case of those men who have already served one or more enlistments therein, with his objections thereto, the House proceeded in pursuance of the Constitution to reconsider the same; and

Resolved, That the said joint resolution do pass, two-thirds of the House of Representatives agreeing to pass the same.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 517. An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public, No. 77); and

S. 4891. An act to amend section 1 of an act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes."

PETITIONS AND MEMORIALS.

Mr. SPENCER. I present to the Senate a concurrent resolution adopted by the General Assembly of the State of Missouri in regard to the volunteer officers' retirement bill, which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD and referred to the Committee on Military Affairs, as follows:

Hon. SELDEN P. SPENCER:

I hereby certify the following concurrent resolution was adopted by the house of representatives and concurred in by the senate of the General Assembly of the State of Missouri:

"*Resolved*, That the Missouri delegation in the Congress of the United States at Washington, D. C., be requested to use their influence and vote for the passage of the bill entitled 'The volunteer officers' retirement bill' now before the House.

"This bill asks the United States Government to fulfill its promises to said officers of the Regular Army of the United States of the same grade. This bill was reported favorably and passed by the United States Senate in the last session, but too late to reach the House. This is simply a matter of justice to the volunteer officers.

"Missouri is interested in this matter and it will be a great comfort to the old veteran officers of the Civil War if passed."

J. F. CHAPIN,
Chief Clerk House of Representatives.

Mr. SHEPPARD (for Mr. CHAMBERLAIN) presented a resolution of the Legislature of Oregon regarding the control of insect depredations threatening adjoining timbered areas in other than Government ownership, etc., which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Senate joint memorial 5.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Whereas damage to standing timber in the State of Oregon through insect depredations is reaching alarming proportions in certain districts of eastern Oregon, far exceeding damage through forest fires, and resulting in actual loss of hundreds of thousands of dollars yearly; and

Whereas private owners of timber have for several years expended considerable sums in an effort to control the spread of insect infestations; and

Whereas very little has been done in Oregon by the Federal Forest Service or other Government departments to prevent spread of infestations from Government-owned to adjoining privately owned timber holdings, thus rendering the work of private owners in a large measure ineffectual; and

Whereas the State of Oregon is largely dependent upon standing timber for tax returns and future upbuilding of the State, thus making it vital that timber resources be carefully guarded against needless destruction: Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That we, your memorialists, the senate and house of representatives of the State of Oregon, in regular session assembled, do respectfully and earnestly petition the Congress of the United States to provide necessary funds and appropriately instruct the United States Forest Service, Department of Agriculture, Bureau of Indian Affairs, and General Land Office, Department of Interior, to take immediate steps looking to control of insect depredations threatening adjoining timbered areas in other than Government ownership.

Resolved, That the chief clerk of the Senate of Oregon be, and he is hereby, directed to forward a copy of this joint memorial, under his certificate and seal, to the Secretary of Agriculture, Secretary of Interior, each Senator and Representative from Oregon to the Congress of the United States, United States forestry commissioner of General Land Office, and Commissioner of General Land Office, and Commissioner of Indian Affairs.

Passed by the senate January 25, 1921.

ROY W. RITNER,
President of the Senate.

Passed by the house January 28, 1921.

LOUIS E. BEAN,
Speaker of the House.

Mr. SHEPPARD (for Mr. CHAMBERLAIN) presented a resolution of the Legislature of Oregon, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Senate joint memorial 4.

To the honorable Senators and Representatives in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas the Government of the United States maintains a Bureau of Animal Industry, which besides cooperating with the several State sanitary boards and sanitary agencies of the several States of the Union, also maintains specialists that are detailed to work out and investigate various animal disease, food, and mineral deficiency problems; and

Whereas in the Wood River Valley, in Klamath County, Oreg., and in other range sections of the West there is present a condition caused either by disease, food, or mineral deficiency that yearly causes the loss of a large number of cattle, and up until the present has not been definitely solved or satisfactorily controlled; and

Whereas the State of Oregon is financially unable to carry the investigation further, and in order that the money already expended may not be wholly lost: Therefore be it

Resolved by the Senate of Oregon (the House of Representatives concurring), That our Senators and Representatives in Congress be, and are hereby, petitioned and memorialized by the Senate and House of Representatives of the State of Oregon to take such steps and action as shall result in the early assignment by the United States Bureau of Animal Industry of a chemist and an animal pathologist to cooperate with the Oregon State Live Stock Sanitary Board and the department of veterinary medicine of the Oregon Agricultural College in finding out the cause and developing a remedy for the aforementioned malady; be it further

Resolved, That after concurrence of the house of representatives herein the chief clerk of the senate shall transmit copies of this memorial to the Senators and Representatives of Oregon in the Congress of the United States.

Passed by the senate January 25, 1921.

ROY W. RITNER,
President of the Senate.

Passed by the house January 28, 1921.

LOUIS E. BEAN,
Speaker of the House.

Mr. WOLCOTT presented memorials of Mrs. J. F. Hoey, Joseph F. Forrest, Mrs. Jane A. Forrest, John H. Forrest, J. T. Gillespie, Mary M. Keenan, P. J. O'Hara, Anna T. O'Hara, Mrs. Hannah Harkins, sundry students and alumnæ of the Ursuline Academy, S. Healy, Joseph P. Healy, and Mrs. S. Healy, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented memorials of Mrs. G. B. Murray, Alice Batterbury, Frank M. Rogers, Peter Rogers, Elizabeth Bradford, and W. F. Lynn, grand knight Santa Maria Council, No. 195, Knights of Columbus, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. CAPPER presented a resolution of Purcell Farmers' Union, Local No. 1117, of Greene County, of Marmaduke, Ark., favoring legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Chamber of Commerce, of Coffeyville, Kans., favoring legislation providing for Federal aid in highway construction and protesting against legislation providing for a national system of highways, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Price, Utah, praying for the enactment of legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. SMITH of Maryland presented memorials of the Knights of Columbus, of Emmitsburg, signed by T. J. Norris, grand knight; Rev. C. O. Rosenstell, of Forest Glen; and the Alumni Association, Loyola College, of Baltimore, all in the State of Maryland, remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. WILLIS presented petitions of sundry members of Athens Central Labor Union, of Athens, and sundry citizens of Cleveland, both in the State of Ohio, praying for recognition for the independence of Ireland, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH, from the Committee on Military Affairs, to which were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1721) for the relief of Jennie Garrett (Rept. No. 761);

A bill (S. 2340) to amend the military record of Richard Parke (Rept. No. 762); and

A bill (S. 4827) to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes (Rept. No. 763).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

A bill (S. 4986) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture; to the Committee on Military Affairs.

By Mr. POINDEXTER:

A bill (S. 4987) for the relief of Frederick W. Seidell; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 4988) granting a pension to Lillian M. Woodard; to the Committee on Pensions.

By Mr. DIAL:

A bill (S. 4989) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture; to the Committee on Post Offices and Post Roads.

By Mr. ROBINSON:

A bill (S. 4990) granting renewal and extension of certain patents to I. H. Larr; to the Committee on Patents.

AMENDMENT OF TRANSPORTATION ACT OF 1920.

Mr. LA FOLLETTE. Mr. President, I offer an amendment intended to be proposed by me to Senate bill 4898, to amend the transportation act of 1920, which is now on the calendar. I ask that the amendment may be printed in the RECORD and lie on the table.

The VICE PRESIDENT. It will be so ordered.

The amendment referred to is as follows:

To amend the transportation act, 1920. On page 2, after line 20, insert the following:

"(C) That no payment of money shall be made to any railroad company under this act except and until it shall be determined by the Interstate Commerce Commission, upon full investigation and finding duly entered thereon, certifying: (1) That such railroad company has not since March 1, 1920, paid or contracted to pay unreasonable and extravagant prices for railway supplies, equipment, repairs, and renewals charged to its maintenance account; or (2) that it has not paid or agreed to pay unreasonable sums as salaries to its officers or directors; or (3) that it has not otherwise managed and conducted its business in a dishonest, inefficient, or uneconomical manner, in violation of the terms of the transportation act of 1920."

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SHEPPARD submitted an amendment relative to the improvement of Houston Ship Channel, Tex., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BALL submitted an amendment relative to the improvement of Charleston Harbor and channels, S. C., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the navy yard, Charleston, S. C., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. SWANSON submitted an amendment providing for an examination and survey of the harbor at Scotland, Va., with the

view of providing a channel of suitable depth and width connecting the wharves at Scotland, Va., with the main channel of James River in that vicinity, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. PHIPPS submitted an amendment relative to the payment of grazing fees on public lands intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. ROBINSON submitted an amendment proposing to increase the appropriation for medical, surgical, and hospital services, medical examinations, funeral expenses, traveling expenses, and supplies, etc., for beneficiaries of the Bureau of War Risk Insurance, etc., from $33,000,000 to $50,000,000, intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and to be printed.

FORT BELKNAP INDIAN RESERVATION LANDS, MONTANA.

Mr. WALSH of Montana submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes, which was referred to the Committee on Indian Affairs and ordered to be printed.

PURCHASE OF FARM LOAN BONDS.

Mr. SWANSON. I desire on behalf of my colleague [Mr. GLASS] and myself to submit an amendment intended to be proposed to the general Agricultural appropriation bill, authorizing the Secretary of the Treasury during the fiscal years ending June 30, 1921, and June 30, 1922, respectively, to buy not exceeding $100,000,000 worth of farm loan bonds issued by any Federal land bank. The occasion for presenting the amendment is brought about by the failure of the Supreme Court to decide a case there pending. I simply desire to call attention to the matter, so that the committee may give it consideration when the bill comes over.

Mr. SMOOT. Did I understand the Senator to ask to have the amendment referred to the Committee on Agriculture and Forestry?

Mr. SWANSON. To the Committee on Agriculture and Forestry; yes.

Mr. SMOOT. That committee had nothing whatever to do with the law creating the Federal farm loan banks.

Mr. McLEAN. I should like to have the proposed amendment submitted by the Senator from Virginia read.

Mr. SWANSON. I think it could well go to the Committee on Agriculture and Forestry, where it may be considered in connection with the general Agricultural appropriation bill.

Mr. McLEAN. I ask to have the proposed amendment stated.

The VICE PRESIDENT. The Secretary will read as requested.

The Assistant Secretary read as follows:

Amendment intended to be proposed by Mr. SWANSON for himself and on behalf of his colleague [Mr. GLASS] to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922. On page —, line —, insert the following:

"The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 13, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm loan bonds issued by such bank.

"Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years, shall be made only upon the recommendation in writing of the Federal Farm Loan Board, and the bonds so purchased shall bear interest at the rate of 5 per cent per annum.

"Any Federal land bank may at any time purchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

"The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act three years from the date of purchase shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest."

Mr. McLEAN. Mr. President, several resolutions similar to the amendment have been referred to the Committee on Banking and Currency, and I think it clear that the amendment intended to be proposed by the Senator from Virginia should likewise be referred to that committee. I will say to the Senator from Virginia, however, that so far as the chairman of that committee is concerned, he has no desire to assume any responsibility that the Senator wants to place on the Committee on Agriculture and Forestry. So if the Senator from Virginia wants the amendment to go to the Committee on Agriculture and Forestry, I shall make no objection.

Mr. SWANSON. I do not think there is a chance of adopting any such provision except as an amendment to the Agricultural appropriation bill. It is simply offered as an amendment, and the question as to whether or not it is relevant will come up when the Agricultural appropriation bill is reported. I ask that the proposed amendment be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Without objection, that order will be made.

SUNDRY CIVIL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

Mr. BRANDEGEE. Mr. President, I wish to make a parliamentary inquiry of the Chair. I simply wish to ask the Chair whether under the rule the recess of the Senate upon Saturday last continuing the legislative day sets aside the provision of the third paragraph of Rule VII as to Calendar Monday? I do not make the inquiry in any spirit of hostility to the consideration of the pending bill; I wish to accelerate the appropriation bills in every possible way; but I think it is desirable that we should not violate the rule, if the present proceeding does violate it.

The VICE PRESIDENT. The Chair is of the opinion that, so far as the proceedings of the Senate of the United States are concerned, to-day is still Saturday, the 5th of February.

Mr. BRANDEGEE. Then, when the rule says that on Monday the calendar shall be taken up, it does not refer to calendar days?

The VICE PRESIDENT. The rule, taken in connection with the other portions of Rule VII, only begins to have binding force and effect at the conclusion of the routine morning business, and as there is no routine morning business to-day the Chair holds that the rule is not in force and effect to-day.

Mr. BRANDEGEE. I am not sure that the Chair is correct; but that is immaterial, and I do not care to question the ruling of the Chair. I merely wish to have the question decided; that is all.

The VICE PRESIDENT. The Chair has ruled the way in which he thinks the Senate will decide.

Mr. JONES of Washington. Mr. President, I simply wish to state for the RECORD that I am not going to make any question about the ruling of the Vice President this morning, but I hope it will not be considered as a precedent in the future. The effect of that ruling would be that by a majority vote the Senate upon any Saturday could set aside the rule providing for the consideration of the calendar on Monday. I do not believe we should establish a precedent of that sort. I simply wish the RECORD to show that. I am not disposed to ask that we proceed with the calendar to-day, but I do not want the ruling that a majority of the Senate on Saturday may set aside the consideration of the calendar on Monday to go unchallenged.

The VICE PRESIDENT. Let us settle the matter now.

Mr. JONES of Washington. There is not any question raised by any Senator now.

The VICE PRESIDENT. But the Chair has ruled on the matter, and the ruling of the Chair will stand as a precedent unless it is overruled.

Mr. JONES of Washington. I do not wish to take up the matter now.

Mr. ROBINSON. In view of the statement of the Senator from Washington [Mr. JONES], I do not think his declaration should go unchallenged or as reflecting the unanimous sentiment of the Senate, for I agree that the ruling of the Chair is correct and is in conformity with the precedents of the Senate extending over a period of many years. So far as I know the position taken by the Chair has never before been challenged. It has been the universal custom of the Senate to suspend other orders by continuing the existence of the legislative day. A great deal more inconvenience would result to the Senate by overthrowing the precedents to that effect and establishing the contrary rule, holding that the legislative day could not be extended except by a two-thirds vote, than would arise under the precedent established by the Vice President's ruling this morning.

Mr. JONES of Washington. I think the Senator from Arkansas misapprehends my position. I did not intend to have it inferred that merely on my statement it would be construed that the Vice President's ruling was wrong.

Mr. ROBINSON. No.

Mr. JONES of Washington. I stated that I did not wish to take the matter up; I do not desire to create any discussion now.

Mr. ROBINSON. I understand that, and I do not intend to discuss the matter at length; but as the Senator from Washington had made a statement expressing his opinion that the ruling of the Chair was wrong, and that he made the statement for the purpose of preventing the ruling of the Chair from becoming a precedent, it might very well be cited in future as an

evidence of the fact that the Senate acquiesced in that determination of the matter and left it undecided.

We all know that when the Chair makes a ruling and any Senator desires to appeal from that ruling and to take the sense of the Senate as to whether or not it is correct, he may do so by an appeal; but I did not want the statement of the Senator from Washington that the ruling of the Chair was wrong and should not be regarded as a precedent to go into the RECORD unchallenged. I think that the Chair has ruled correctly upon the matter, and I agree with the Chair. If the Senator from Washington thinks that ruling is incorrect he ought to take an appeal and give the Senate an opportunity to express itself on the matter.

Mr. JONES of Washington. I was simply expressing my own personal view; I was not expecting to bind any Senator, either now or in the future.

Mr. ROBINSON. Very well, Mr. President; and I was simply doing the same thing, but I want the Senator from Washington, and the Senate as a whole, to understand that the opinion of the Senator from Washington is not the unanimous opinion of the Senate as to the correctness of the ruling of the Chair. I think I have made myself clear on that point.

The VICE PRESIDENT. If the Senator will permit, the Chair, in connection with the discussion which has taken place, will read the rule. It is as follows:

Provided however, That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar except—

And so forth. Because of the recess taken on Saturday there is no morning hour.

Mr. ROBINSON. That is exactly true, and that was the object in taking a recess. If we upset the precedents and the rule now, we shall have a great deal of difficulty hereafter.

Mr. President, I took the floor for the purpose of having read an amendment which when the committee amendments are disposed of I intend to offer to the sundry civil appropriation bill. It relates to the hospitalization of sick and disabled soldiers. That subject, however, has two aspects; first, with respect to the construction of adequate hospital facilities; and, second, with respect to the care and maintenance of the sick and disabled soldiers in and out of the hospitals.

The amendment which I have had read this morning is intended to increase the amount carried in the bill for the maintenance and care of sick and disabled soldiers, and so forth, from $33,000,000 to $50,000,000. The Senator from Kansas [Mr. CAPPER] informs me that he likewise has introduced or will offer an amendment increasing very substantially the amount carried in the bill.

I merely wanted to explain at this time that the amendment which I am now mentioning has only a collateral relation to the amendment which has been discussed heretofore, relating to the construction of additional hospital facilities. When these respective amendments are reached, of course they will be discussed in the Senate.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Office of superintendent of documents," on page 173, line 24, after the numerals "$1,800," to strike out "2 at $1,600 each"; in line 25, before the words "at $1,200 each," to strike out "2 at $1,400 each, 6," and insert "4"; and, on page 174, line 3, to strike out the numerals "$223,793.20" and insert "$215,393.20," so as to read:

OFFICE OF SUPERINTENDENT OF DOCUMENTS.

Superintendent, $3,500; assistant superintendent, $2,500; clerks—2 of class 4, 3 of class 3, 5 of class 2, 8 of class 1, 11 at $1,000 each, 10 at $900 each, 24 at $840 each; cataloguers—1 in charge $1,800, 2 at $1,500 each, 4 at $1,200 each, 1 $1,100, 8 at $1,000 each, 4 at $900 each; cashier, $1,600; librarian, $1,500; foreman, $1,600; assistant foreman, $1,200; labor necessary in making distribution of Government publications, $116,033.20; in all, $215,393.20.

The amendment was agreed to.

The next amendment was, on page 174, after line 3, to insert:

CONGRESSIONAL RECORD Index: For salaries and expenses of preparing the semimonthly and session indexes of the CONGRESSIONAL RECORD, under the direction of the Joint Committee on Printing, as follows: Chief indexer, $3,000; cataloguer, $2,500; two cataloguers, at $1,800 each; in all, $9,100.

Mr. ROBINSON. Mr. President, I should like an explanation of that item, the purpose of it and the effect of it.

Mr. SMOOT. Mr. President, for 40 years the CONGRESSIONAL RECORD has been indexed under contract. The indexer was paid $1.20 per page and he employed the number of people necessary to do the work. From 1912 to 1920 the cost of indexing the RECORD has varied from $13,384.40 to $19,696.80 per year. By this amendment we provide four people to do the indexing under the direction of the Joint Committee on Printing at fixed salaries.

Mr. ROBINSON. What is the total cost of the service now?

Mr. SMOOT. It all depends upon the number of pages in the RECORD.

Mr. ROBINSON. And the total cost of the service, as provided in the bill, will be $9,100?

Mr. SMOOT. The total cost.

Mr. ROBINSON. The Senator is certain that the provision in the bill is adequate to secure efficient performance of the work?

Mr. SMOOT. Absolutely. Not only that but it provides for just as many men and at the same salaries, and in one case $250 per year more than has been paid to the men who did the work.

Mr. ROBINSON. I am not interested in the number of men. I am interested in the efficient and economical performance of the service.

Mr. SMOOT. I assure the Senator that this will do it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 174, after line 24, to strike out:

The duty of preparing, publishing, and distributing the semimonthly and session indexes of the CONGRESSIONAL RECORD shall be performed, beginning with the 1st day of July, 1921, and thereafter, by the superintendent of documents of the Government Printing Office, under the direction of the Joint Committee on Printing. For the performance of this work the superintendent of documents shall assign from time to time from among the persons appropriated for his office such of them as he may deem competent and necessary.

The amendment was agreed to.

The next amendment was, on page 180, after line 2, to insert the following section:

SEC. 3. Any journal, magazine, periodical, or similar publication which is now being issued by a department or establishment of the Government may, in the discretion of the head thereof, be continued, within the limitation of available appropriations or other Government funds, until June 30, 1922, when, if it shall not have been specifically authorized by Congress before that date, such journal, magazine, periodical, or similar publication shall be discontinued.

Mr. KING. Mr. President, may I inquire the reason for the postponement under June 30, 1922?

Mr. SMOOT. Under existing law all publications whose continuance has not been specifically provided for by law by June 30, 1921, will cease on that date. The list has not yet been made up, nor are the departments yet in a position to state just exactly what publications they want continued. Therefore we are changing the date from 1921 to 1922, giving an extension of one year, and I assure the Senator that it is absolutely necessary.

Mr. KING. I wish it might be shortened for six months, because the waste of money in these governmental publications is shocking. Moreover, some of these publications are being utilized not for legitimate purposes. For instance, one of them, published by the Bureau of Education, is utilized for the purpose of advocating the passage of a certain bill which will magnify the power and extend the activities and authority of that organization. I think it is a shame that the public money should be misappropriated in that way and should be utilized by the employees of the Government to advocate policies which will increase their salaries and add to their activities.

Mr. SMOOT. I will say to my colleague that I have had the committee together a number of times, and we have passed on various publications. We have them all under investigation now, and I hope that by the time named in the amendment we shall be able to settle the thing definitely.

Mr. UNDERWOOD. Mr. President, a year ago Congress adopted the policy of stopping these Government publications. I do not think it is wise to continue their publication for another year if that was a correct policy; and I am not disposed to leave this provision in the bill, as it is subject to a point of order, unless the Senator from Utah can give me more light than he has given on the subject.

Mr. SMOOT. Mr. President, the law now provides, as I stated, that if Congress does not specifically authorize before June 30, 1921, the continuation of departmental publications none of them shall be issued. So far we have not been able to agree upon just what should be published, and the departments have not yet agreed, but we have already cut out hundreds of them by order. Just as soon as the list is complete we shall ask Congress to authorize their publication in the future; but we have not now the information that will enable us to say which of them should be stopped on June 30, 1921.

Mr. UNDERWOOD. I was in accord with the Senator's view when he offered this provision originally. If I recollect aright,

the provision went in when this side of the Chamber controlled the committee and we agreed to it.

Mr. SMOOT. That is correct.

Mr. UNDERWOOD. The provision came from the Senator from Utah, though, and not from our side of the Chamber. I thought he was right about the matter that there were too many publications, and I am disposed to think he is right now. They have had six or seven months in which to work out the plans as to which should be kept and which should not be kept.

After the 4th of March, I understand, or certainly within 30 days after the 4th of March, we will have Congress here again, and that will give us at least two months before the 1st of July, which will afford ample time in which to work out plans for the continuation of publications. I see no reason why the matter should go for another year, and for that reason I am disposed to make a point of order against the provision.

Mr. SMOOT. I hope the Senator will not do it. The Senator knows that I would not ask for this extension if I did not think it was really necessary. If the matter can be attended to at an earlier time than this, I assure the Senator that it will be done.

Mr. UNDERWOOD. I will say to the Senator, then, that I am willing to make a compromise with him about the matter if he will keep the compromise. I am not going to make it unless I can have an understanding that it is going to be defended and enforced in conference.

Mr. SMOOT. It would not be in conference. Whatever we put in here would estop us. The House would have to agree to it just as it is.

Mr. UNDERWOOD. No; whatever we put in here the House can change hereafter. If the Senator is willing to make this December 1, 1921, instead of June 30, 1922, I am willing to accept a compromise of that kind, if he will agree that it shall stay that way, and not be changed in conference.

Mr. SMOOT. I will say to the Senator that if there is human power sufficient to bring it about, I shall see that it is carried out.

Mr. UNDERWOOD. The human power exists, because the Senate conferees can yield on the whole provision, and that is what they will have to do right now unless this compromise is made.

Mr. SMOOT. I am perfectly willing to have the compromise made, and will say to the Senator that I shall do everything in my power to bring it about.

Mr. UNDERWOOD. Then I suggest the amendment which I have indicated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out "June 30, 1922," and to insert in lieu thereof "December 1, 1921."

Mr. WARREN. Mr. President, a trade made on the floor may or may not stand. I do not know about that. We do know that this is subject to a point of order, and I am very glad it is changed, and I hope it may remain the way it is now proposed to be changed.

Mr. UNDERWOOD. I will say to the chairman of the committee that I really do not think there ought to be an extension of time, but in view of the statement of the Senator from Utah I have consented to it; and I am sure that a gentlemen's agreement of this kind, made on the floor, will be carried out.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. This completes the committee amendments. The Secretary will state the first amendment passed over.

The ASSISTANT SECRETARY. The first amendment passed over is on page 2 of the bill, the item relative to an archives building.

Mr. ROBINSON. Mr. President, I have received a letter about this building, part of which I want to read:

> I am giving you the gist of the situation as stated to me, and the results of my own observations; the facts can be readily verified by calling up the officials in touch with the matter.
>
> The site chosen is immediately adjacent to city blocks already owned by the Government, but as they are destined at some distant date for other uses it is proposed to buy two more blocks and close the street that divides them. The property owners were approached, and some who were not occupying or receiving high rents for their portions agreed to sell at 50 per cent over the tax appraisal, which I believe is here considered reasonable. The owners of the most valuable portions would not agree to sell, but the Government agents estimated the whole at the rates made for the portion as requiring a half million, expecting to make up the deficit by later request. The building is to start on an appropriation for five millions, with which will be built the entrance wing; the entire building will probably reach fifteen millions before completion and equipment.
>
> My business with the Navy Department took me to the Navy Building at Twentieth and B Streets NW., adjoining its duplicate, the Munitions Building. These two buildings, erected for war needs, are the largest buildings for their kind I have ever seen, and offer an excellent solution of the archives problem for a generation, at least. They are of rigorously fireproof construction, with cement floors, steel windows, fire doors, etc., and are now about one-fourth occupied. One or two clerks or minor officials have a room to themselves, and often have a suite of rooms; I saw drafting rooms larger than the Senate Chamber, with five or six men in each. Figures on the number of employees in these buildings to-day and at the height of war activity would, I am certain, make it obvious that all of the bureaus now in both could be roomily housed in one, leaving the other available for archives. It would require only a comparatively small sum for minor changes, such as replacing wood hallway doors with metal doors, and for metal shelving, which could be reused in any later building, and a half of archives would be immediately available.

Mr. SMOOT. Would the Senator care to give the Senate the name of the writer of the letter?

Mr. ROBINSON. I will put the entire letter in the RECORD, if the Senator from Utah insists. I do not know the gentleman. He states that he is a citizen of Arkansas, and is here on private business with the department. His name is R. R. Williams.

Mr. SMOOT. His statement is so contrary to what I have been told by the Supervising Architect of the Treasury Department, and also by those who have studied the question thoroughly for a number of years, that, of course——

Mr. ROBINSON. The Senator can make his argument upon the matter a little later. I assume the Senator will want to take the floor.

Mr. SMOOT. No; I simply wanted to know who wrote the letter.

Mr. ROBINSON. I have stated that the gentleman who signs his name represents himself as a citizen of Arkansas, visiting Washington on some question in connection with his income tax.

Mr. President, it has been pointed out to me that there are a large number of vacant blocks in the city of Washington owned by the Government which might be available for the purposes of this building. The statement was made in the Senate on Saturday when this item was first reached that this property is to be purchased at its assessed valuation. I have looked into that somewhat, and through the kindness of the Senator from Washington [Mr. POINDEXTER], I have been furnished with the records in regard to the matter.

It appears that real estate in Washington is assessed uniformly on a basis of two-thirds of its market value, and that the property in this item, consisting of two small blocks, is assessed, one block at $158,752.50 and the other at $158,451; so that the total assessed valuation of the property is a little over $300,000. What is termed its legal valuation, however, the figures being intended to represent the full market value of the property, is, in the first case, $238,128.75—that is, as to square No. 294—and as to square No. 295 it is $237,676.50, making, as I believe, the amount carried in the bill for the purchase of the blocks. So it is not proposed to purchase the property at its assessed valuation, but at its full legal valuation, which is one-third more than the assessed valuation.

I do not care to make a point of order against the amendment, but I believe the Senate ought to take a vote on it. The committee have shown a disposition to economize, and I think as to some of the items in the bill they have been unduly economical.

This subject has been investigated by a commission appointed by the Congress, and my information is that this site was reported upon by the commission as a desirable and acceptable site for an archives building. Notwithstanding that I believe there are other sites available, I shall not make the point of order, but, so far as I am concerned, will let the Senate vote upon the amendment.

Mr. POINDEXTER. Mr. President, the suggestion of the writer of the letter, as I understand it, is that one of the temporary buildings erected during the war down near the Mall, in the park, could be used for an archives building. Of course, that building was not constructed with a view to the storage of archives, and is not fitted for it, but it was erected for other branches of the Government service, and it was intended that it should be removed within a short time. Furthermore, in case those buildings should be retained, and archives stored in them, they would be subject to the same conditions of dampness and heat and other circumstances which are now damaging the archives in the places where they are stored at present.

I have, as a part of the report of the Public Buildings Commission, filed December 18, 1917, a very careful estimate of the amount of cubic feet of space occupied by records in the various departments, which would be stored in the archives building, occupying space that is not suitable for their storage where they are at present, in space which is needed for other purposes. The total is 805,007 cubic feet of space, the principal items composing that amount being 364,600 in the Treasury Department, 248,484 in the Department of Justice, 56,956 in the

Navy Department, 36,216 in the Department of Agriculture, 38,883 in the Department of Commerce, and various smaller amounts in other branches of the service, including 12,700 cubic feet in the Interstate Commerce Commission Building

This item, Mr. President, is in pursuance of existing law. It does not change the existing law in any respect whatever, but is in strict conformity with it.

So far as the statement made by the writer of the letter that this building will ultimately cost $15,000,000 is concerned, that is contrary to the facts and contrary to the law. The law under which this appropriation is being made fixes a limit of $1,500,000 for the building. The appropriation contained in the amendment of the Senate committee is for the purchase of a site. A part of the site is already owned by the Government, consisting of Ohio Avenue, which it is proposed to condemn. The land which is to be acquired consists of a lot on one side of that avenue and a lot on the other side of it, the entire tract lying between B and C Streets NW., and Thirteenth and Twelfth Streets.

There are no available sites owned by the Government. That matter has been canvassed with a great deal of care. It was suggested at one time that this archives building be located on the land that has been cleared of buildings lying between the Senate Office Building and the Union Station. The Secretary of the Treasury advises that the land is not adapted for the construction of such a building as is provided for by the act, and, furthermore, it is urged that that land has already, by act of Congress, been cleared of the buildings that were on it in order that there might be an open space in front of the Union Station.

Some other sites have been suggested, near the Library of Congress, and they could be acquired, and they probably would be more desirable than this site, as the archives building would be located very close to the Library of Congress. But whereas this site could be acquired at approximately $3 a square foot, sites near the Library of Congress would cost in the neighborhood of $5 a square foot. This site is held under an option secured by the Secretary of the Treasury at a value which is somewhat less than the value arrived at by taking as a basis of the computation the assessment for purposes of taxation, which is, as has been stated by the Senator from Arkansas [Mr. ROBINSON], two-thirds of the value of the property.

I want to call attention to a letter from a former Secretary of the Treasury, Mr. W. G. McAdoo, addressed to the Speaker of the House of Representatives, in regard to this proposed site. It is dated November 13, 1918, and in explanation of the letter, before reading it, or having it put in the RECORD, I call attention to the fact that the law authorizing this building created a commission for the purpose of approving the site and approving the plans for the building. That commission consisted of the Vice President, the Speaker of the House of Representatives, the Secretary of the Treasury, the Secretary of War, and the Secretary of the Interior. It was presented to the commission by the Secretary of the Treasury, in pursuance of the authority and the direction of the act of 1913, along with the plans and in the performance of the functions of that commission, the site was approved by them. I have here a photographic copy of the original approval from the Office of the Supervising Architect of the Treasury, containing the diagram of the proposed site, which is set out in the report of the Public Buildings Commission, to which the Senator has already referred. The Secretary of the Treasury, in the letter I have just mentioned, said:

> In order to care for the great increase in Government records created by the war it is necessary to act immediately in accordance with the provisions of the legislation of March 4, 1913, authorizing the Secretary of the Treasury to acquire a site and erect an archives building.
>
> The proposal is to build at once a portion of the interior or storage section of the building with a cubical content of 3,000,000 feet, and to leave the construction of the remainder of the storage section and the architectural treatment to be dealt with when times become normal. In this way necessary future expansion has been provided for.
>
> The construction is to be of reinforced concrete. The building is so designed that the regular Government filing cases can be transferred to it together with their contents. Each department may control its own records.
>
> The site is the one suggested in the Congressional Public Buildings Commission's report (S. Doc. 155, 65th Cong., 2d sess.), between B and C, Twelfth and Thirteenth Streets NW. One-third of the land is now owned by the Government—the easterly end of Ohio Avenue. This avenue has already been closed by legislation between Fourteenth and Fifteenth Streets. The full legal value on the assessor's books is $475,805. The department is informed that there exists a likelihood that this site may be purchased for less than that figure.
>
> The portion of the building now to be constructed will cost approximately $1,500,000; i. e., not to exceed the limit of cost. Existing legislation provides for constructing a portion of the building to meet immediate needs.
>
> In view of the urgent necessity of protecting the Government's records from fire and from destruction through lack of storage space, there are hereto attached for your consideration the designs and estimates for a building and site. If the same meets with your approval, it will be greatly appreciated if you will indicate, as a member of the commission provided for by the act of March 4, 1913, your approval of the said designs and estimates and the purchase of the site. Approval by the commission will enable the department to carry out the provisions of the aforesaid act.

It was in response to that letter that the design and the diagram of the site were approved by the commission in the report which I now have on my desk.

The VICE PRESIDENT. May I inquire of the Senator from Washington how the commission proceeded without consulting me about the matter?

Mr. POINDEXTER. I submit the report to the Vice President.

The VICE PRESIDENT. I was on the commission. I do not know why they should go ahead and buy sites without consultation with me.

Mr. POINDEXTER. It contains the signature of the Vice President.

The VICE PRESIDENT (examining paper). It contains my signature as to what the cost will be but not as to the purchase of any ground.

Mr. POINDEXTER. I have just read the letter from the Secretary of the Treasury, submitting the document which I had handed to the President of the Senate.

The need for an archives building has been presented so many times, and the proof of it is so voluminous that I do not consider it necessary to go into that phase of the subject. The effort to carry out the law and to preserve the invaluable records of the Government from destruction by fire and other elements has been going on for a great many years and has finally resulted in the action of the committee in recommending this appropriation.

Reports from the heads of departments indicate the character of records which have been destroyed in numerous fires, some of which have recently occurred; the fact that they can not be replaced; that they are of a value to the Government which can not be estimated in money, many of them having cost the Government millions of dollars to secure. Records of the Coast Survey, records of the Land Office involving titles to patented lands which the Government of the United States has conveyed, records of the Army, and, as has been frequently called to the attention of Congress, such priceless documents as the original copies of the Declaration of Independence and the Constitution of the United States are now being kept in buildings which are inflammable and which on any occasion might be the subject of a fire which would destroy those documents for which this archives building is intended.

There is one other item that is very frequently overlooked in the consideration of the question, and that is not only the need of space for preserving the files of the Government which have now grown to the enormous proportions referred to in the report of the Public Buildings Commission, but the necessity for space for their scientific and orderly arrangement, so that they will be available for the use of the Government and for people who desire to have access to them. They are now heaped up like cords of wood, tied up in bundles, and stored in garrets and cellars, so that they are not only subject to destruction, but they are beyond the reach of the people and the officials of the Government who have occasion to use them. It has been demonstrated on various occasions that the construction of the building would be an act of economy by releasing for more valuable purposes space which is now occupied by the tons and cords of public records which are stored entirely in a condition in which they can not be used. By erecting a building especially adapted for their arrangement and their preservation, much of the space now occupied by them will be available for use by employees of the Government in carrying on the Government work.

Mr. UNDERWOOD. When this item was before the Senate on Saturday I asked the question whether or not the carrying out of the plan contemplated in the amendment intended to close any of the streets or avenues in that section of the city lying south of Pennsylvania Avenue and between there and B Street. I was informed that it did not. I now understand from the statement of the Senator from Washington that it is proposed as a part of the plan to close Ohio Avenue. Is that correct?

Mr. WARREN. I understand that is correct. Of course, it was done some time ago. Perhaps I may have misinformed the Senator as to the closing of streets, but I was not cognizant of the intention to close any street other than what had already been provided for.

Mr. UNDERWOOD. I will say to the Senator that I think the Government, for the purpose of building for the State Department, the Department of Commerce, I think it was, and the Department of Justice, bought three blocks of land lying

between B Street and Pennsylvania Avenue, Fourteenth and Fifteenth Streets. In providing for that purchase there was possibly some legislation looking to the closing of the streets, but it did not relate to the property lying between Thirteenth and Twelfth Streets. Of course, the probabilities are that it would be many years before the property purchased by the Government would be utilized for the purposes contemplated when it was purchased some years ago. I am talking about property lying between Fourteenth and Fifteenth Streets. I desire the Senate to understand what it is doing in the matter if it proposes to close that avenue. It has not been authorized heretofore except possibly between Fourteenth and Fifteenth Streets.

Mr. POINDEXTER. I do not know whether the Senator noticed the letter which I just read from the Secretary of the Treasury. It stated that this avenue between Fourteenth and Fifteenth Streets has already been closed by legislation.

Mr. UNDERWOOD. It may have been closed. I have not looked up the legislation, but I have heard that asserted before. Possibly the authorization to close it may have been incorporated in some legislation of the past, but instead of closing it the Government has very recently paved Ohio Avenue to make an outlet for that section of the town that can not get out on Pennsylvania Avenue now. I say they can not get out; they can not get out without very great difficulty. I refer to all that part of the population of Washington which lies below Pennsylvania Avenue west of Fifteenth Street; and we must bear in mind that south and west of Fifteenth Street and Pennsylvania Avenue there are probably from 20,000 to 30,000 Government clerks working. I am not accurate in my statement, but it is a very large number of clerks. All the clerks who work in the Department of the Interior are employed in that section of the city, and all the clerks who work in the Navy Department and the War Department in what is known as the Munitions Building, on B Street, are employed in that section of the city, and in the temporary buildings there is a large number of other employees who go there to work. Many of them come in their automobiles. I do not suppose it has been intentional, but as a matter of fact that section of the city has been practically cut off. It is very difficult to come eastward on Pennsylvania Avenue because of the congested condition at H and Fourteenth, but it is open. At Fifteenth and Pennsylvania Avenue, at the Treasury Department, it is closed for eastbound traffic.

Mr. POINDEXTER. At that point it is very easy to turn east on C Street to get into Pennsylvania Avenue. There is a very broad open avenue in front of the Treasury Building leading into Pennsylvania Avenue, one of the broadest and one of the most used thoroughfares in the city.

Mr. UNDERWOOD. The Senator can make that statement, but he does not happen to go that way everyday in his car as I do, or he would know the difficulty. When you get to the street that lies between Pennsylvania Avenue and the Treasury Department, there is a narrow congested street leading into Pennsylvania Avenue with restrictions of traffic making it very difficult to go through that way in the crowded hours of the morning and evening. The next street below there, probably C Street, the street that lies one square to the north of the old Emergency Hospital, leads to and stops at the Municipal Building, and one has to turn, to come back into Pennsylvania Avenue, through the congested section at Fourteenth and Pennsylvania Avenue. The next street that one enters has been cut off by a park at about Twelfth or Thirteenth Street. Every means of getting out of that neighborhood seems to have been deliberately cut off by the District Commissioners.

Mr. POINDEXTER. Is not B Street open?

Mr. UNDERWOOD. Of course, B Street——

Mr. POINDEXTER. And C and D Streets?

Mr. UNDERWOOD. C Street is what I am talking about. That is congested and cut off at the eastern end of it. B Street could be opened if we would remove the market. I talked to the Commissioners about that some time ago. Farther up B Street is now used for the open wagon market and they do not want to disturb that market condition. Finally they agreed to pave Ohio Avenue to its junction, I think, with perhaps Delaware Avenue or another avenue that will bring traffic back into Pennsylvania Avenue at about Seventh Street.

If you close this street you are going to cut off practically the only opportunity for people living in that section of town to get out conveniently. I do not say that they can not get out. They can go up to I Street and come out, or they can go through south of the Treasury Department where the traffic is now congested and where it is dangerous for foot passengers and people riding in automobiles. For the purpose of picking out one block on which to erect a building, in order that some one who owns the particular block may sell it to the Government, I think it is entirely wrong to close up that street and further congest the traffic.

It affords practically the only egress there now is from a densely populated section of Washington. More than that, behind it are activities of the Government employing 20,000 or 30,000 clerks who have got to come in there every morning and go out every evening. Of course, if Congress has made up its mind that the block proposed is the only one in the city of Washington which can be used and that, not in itself being large enough, it will be necessary to take an avenue away from the people in order to erect the kind of building that is desired, I can not help myself; but I know that that section of the town is now congested to such an extent that life and property are endangered and that condition ought not to be further permitted.

So far as the erection of the archives building is concerned, I am as heartily in favor of it as is the Senator from Washington. I think that such a building is badly needed; that it is necessary for the preservation of the documents and records of the Government; but I had a great deal rather see Congress take the block which the Government now owns between B and C and Fourteenth and Fifteenth Streets, which was originally purchased for the erection of a State Department building. That land will certainly not be utilized for that purpose for 15 or 20 years to come. Since the War and Navy Departments have moved into their new buildings on B Street there is ample room for the State Department in the old State, War, and Navy Building. We could take the other block without any cost to the Government—the Government owns it now—and could thereby save a half million dollars and it would be a better block on which to erect an archives building. It is a large block, and its utilization would not close any street.

Mr. WADSWORTH. Where is the block to which the Senator from Alabama refers?

Mr. UNDERWOOD. The block about which I am speaking is one which was purchased some years ago for the erection of a State Department building and lies down at the end of Fifteenth Street, just at the entrance to the Mall. It is across the street from the block it is now proposed to purchase. The block of which I am speaking, which the Government now owns, lies between Fourteenth and Fifteenth and B and C Streets. It is directly adjacent to the property which it is proposed to buy and which is narrowed by the angle of Ohio Avenue. The block down between Thirteenth and Fourteenth Streets is a narrow and small block, while the one of which I am speaking is one of the largest blocks in town. It is entirely available for the purpose, and, as I have stated, could be used without costing the Government a nickel.

I am not in favor of being so insistent in reference to the proposition of erecting an archives building that we should determine that there is but one site in the whole city of Washington which may be used, especially in view of the strain and stress on the Treasury. I can not understand why the committee is not willing to take a site which has already been purchased, which belongs to the Government, and which can be used without cost; and at some time in the future—10, 15, or 20 years from now—when it is desired to erect a State Department building, we can buy a new piece of ground and put that building on it.

Besides that, we shall have two other blocks left there which are not being utilized at all. I refer to the blocks on which the theater is now located on Pennsylvania Avenue and the block behind, that on which stands the former Emergency Hospital. Those blocks still belong to the Government and may be utilized for the erection of a State Department building. It is now proposed that, of necessity, we must go down here and buy a new block of land, at a cost of a half million dollars, and close up the only street which can be used in order to afford access to the business district of the town. I think it is all wrong.

Mr. POINDEXTER. If the block which the Senator from Alabama suggests be used it will necessitate the closing of the same street.

Mr. UNDERWOOD. It will not be necessary to close the street at all. The Government owns that block, and there is a large temporary building on it now.

Mr. POINDEXTER. The street has already been closed, so far as the law is concerned; it may not have been physically closed, but it was ordered closed by act of Congress.

Mr. UNDERWOOD. So long as it is not physically closed, the people can use it, and they are using it. However, at the time it was closed by law the present congested condition did not exist; Pennsylvania Avenue at Fifteenth Street was not blockaded; the restriction of traffic by the extensive use of

automobiles had not occurred when that property was bought, and Ohio Avenue was ordered closed.

I do not care to interfere with the committee in its arrangements, but I think it is absolutely a wrong to a large number of people in the town to blockade and congest the streets which they have to use in order to reach their business. I know this is so, because I live in that portion of the town. I know that in order to get out comfortably and not have my car in danger of being run over every morning when coming to the Capitol, I have to come down through the Mall or go clear up to I street. I know that is also true as to thousands of other people. It is not theory with me. I know it is a fact.

I really think the wise thing to do would be to take the other block to which I have referred, which the Government now owns, and erect the archives building on it, and not spend $500,000 for the purchase of more land. The amendment which I offer is to insert a proviso at the end of the paragraph which will read:

Provided, That no streets or avenues shall be closed or utilized for the purpose of the erection of the archives building.

Mr. FLETCHER. Mr. President, may I ask the Senator if there is any objection anywhere, or does the committee find any real reason why they can not avail themselves of the block to which the Senator has referred? It seems to me that is an important matter. If that property is available, why not utilize it and why not amend the provision so as to describe that property as the location for the archives building instead of having to buy another block?

Mr. UNDERWOOD. I agree with the Senator. I think it would be very wise to do that, particularly in view of the fact that we do not want to spend money in these days ill-advisedly. The block is available. I will not say it is unused, because it is being utilized, there being a temporary building on a part of it in which clerks of the Internal Revenue Bureau are being housed, and there are other temporary buildings; but those clerks could be shifted. The cost of tearing down the present temporary structures would be very small, for those structures will fall of themselves in a few years. That property could be utilized and the Government saved the money that is now proposed to be expended for the purchase of another block.

The primary object that I have in mind is to safeguard the right of the people who live in that neighborhood to a means of egress. Congress has no right to go on closing one street after another, thereby preventing them from getting out to the business sections of the town.

I am not a member of the committee, but I should much prefer to utilize the block of which I speak. That could be done, and I do not know why it has not been done.

Mr. FLETCHER. It strikes me that is the very thing to do, and unless I hear some argument against it or some reason to the contrary, I shall feel like voting for an amendment of that kind.

Mr. SMOOT. Mr. President, I was out of the Chamber for a moment. Did I understand the Senator to say that the block on which Poli's Theater is located is not used?

Mr. UNDERWOOD. No; the block of which I was speaking is the one between Fourteenth and Fifteenth and B and C Streets, where a temporary building is now erected which houses clerks of the Internal Revenue Bureau.

Mr. WARREN. The one directly south of Poli's Theater?

Mr. UNDERWOOD. Yes; the block south of Poli's Theater. It adjoins the very block for which it is proposed to pay half a million dollars; it belongs to the Government, and I think the Government itself is not going to use it for many years for a State Department.

Mr. SMOOT. I will say to the Senator that we would have to use a part of a block now proposed to be purchased if the property suggested by the Senator were utilized, because there is not space enough on that property upon which to erect the proposed building.

Mr. UNDERWOOD. I am familiar with the block of which I am speaking, and I will say to the Senate that it is larger than the block which it is proposed to buy with Ohio Avenue thrown in; it has more square feet of space in it.

Mr. POINDEXTER. But the law has fixed upon that property conditions as to its use, namely, that it shall be used for the erection of buildings for the Departments of State, Justice, and Commerce.

Mr. UNDERWOOD. I am aware that the law so requires; but I suggest that we can change the law in that respect, as we did in the case of the Interior Department. The block on which the Interior Department is now located, between E and F and Eighteenth and Nineteenth Streets, was purchased for an archives building; but Congress changed the law and provided for the erection of a building for the Interior Department on that block and took the land for that purpose. There was nothing wrong in that. The block that was originally purchased for the archives building is not as large a piece of land as the block of which I am speaking and which was bought originally for the purpose of erecting a building for the State Department. Nothing can be said against its accessibility, because it lies right next to the piece of land which it is proposed to buy.

Mr. POINDEXTER. I will say to the Senator, if he will allow me, that if he will examine the block he will find that it is not available for use for either one of these purposes without closing Ohio Avenue, which has already been done by law.

Mr. UNDERWOOD. I have examined the block; I go by there pretty nearly every morning. Until the war came on it was occupied by lumberyards. It will not be necessary to close Ohio Avenue in order to erect a suitable archives building on it.

Mr. POINDEXTER. The property is divided by Ohio Avenue; part of it lies on one side and part on the other.

Mr. UNDERWOOD. The Senator is mistaken, I think, because I go by there every morning and am familiar with the locality. I say it will not be necessary to close Ohio Avenue in order to utilize the block, and there will be more space in that block than in the one which it is proposed to buy for the building at a cost of a half million dollars and involving the closing of Ohio Avenue.

I do not wish to interfere with the committee about matters of this kind, but certainly the people who live in that vicinity ought to have some rights, and Congress should not take their rights away from them.

Mr. POINDEXTER. I should like to call the Senator's attention to the suggestion in the report of the Public Buildings Commission, on page 84, as follows:

In 1908 Congress authorized and directed the Secretary of the Treasury to acquire, for the use and accommodation of the Departments of State, Justice, and Commerce and Labor the area south of Pennsylvania Avenue between Fourteenth and Fifteenth Streets, and to include the inclosed streets as a portion of the site. The appropriation was $2,500,000. The price actually paid was $2,459,831.08.

Mr. UNDERWOOD. Mr. President, I have not examined lately the legislation to which the Senator refers, although I am familiar with it. As I said a while ago, I understand that the law authorized the closing of Ohio Avenue, but at the time that was authorized there did not exist the congested condition of traffic which now exists in that neighborhood. In the first place, there were no departments down there. The only departments that might be classed as being there were the State, War, and Navy Departments, to which there is access from Pennsylvania Avenue. Now, however, there is the new Interior Department there, and also the new buildings of the Navy Department, the Munitions Building of the War Department, and a large number of temporary buildings; so that there has resulted a severe congestion of traffic. I know that recently the District Commissioners paved Ohio Avenue, so that the people may find a means of egress without endangering their lives, but now, because apparently it is desired to obtain a particular piece of land and no other piece of land in the District of Columbia is considered available, it is proposed to close up that avenue. I do not think it ought to be done.

Of course, I realize that the provision in the bill is probably subject to a point of order, but I am not going to make a point of order, for I am in favor of erecting an archives building; I have been in favor of it for many years, and I want to see one erected, but I think that we ought not to do so by jeopardizing the rights of people who can not help themselves. I think we ought to attach the amendment I have proposed to the provision, and then if the committee find out that they have not enough land they can either come back to the Senate and ask for further instructions or agree in conference to take the other block. That is really, in my judgment, what they ought to do anyhow, for it would save the Government a half million dollars.

There is not a Senator on this floor who does not know that it will be 15 or 20 years before a building for the State Department is erected on the other block, if it is ever erected. You are just wasting the Government's money and not utilizing the property that the Government has.

Mr. ROBINSON. Which block does the Senator from Alabama propose to use?

Mr. UNDERWOOD. My amendment does not propose to use either, because I am not trying to interfere with the committee; but the one I suggested is the block lying adjacent to this one, but west of it, that already belongs to the Government. The Government bought it years ago and owns it now and can utilize it for this purpose if it wants to—the block between B and C and Fourteenth and Fifteenth Streets.

It is just as big and in fact a little bit larger, in my judgment, than the original block that the Government bought for this purpose, where the Interior Department is now located;

but I hope the Senate will at least agree to the amendment I have offered, providing that they shall not, under the guise of this building, close a street that is necessary for traffic.

Mr. ROBINSON. Mr. President, what the Senator from Alabama has said has confirmed me in the conviction that this is the wrong site for this building. The two blocks, 294 and 295, proposed to be used are really almost triangles, according to the plat presented in the report of the Public Buildings Commission, referred to by the Senator from Washington. The broad end of square 294 abuts on Twelfth Street and the narrow end of square 295 abuts on that street, Ohio Avenue passing between them at an obtuse angle, making both of the blocks almost triangles.

It is manifestly unnecessary to close Ohio Avenue. It would seem to be much better to locate this building up here by the Library Building, where persons who find themselves under the necessity of using the records and books there may have easy access to the records in the archives building. In any event, the location proposed does not seem to me to be a very desirable one, and I am convinced from an inspection of the Public Buildings Commission's report that some of the members of the commission, in approving the plans and specifications, did not intend to commit themselves to this site. As a matter of fact, I am sure that is true.

To close Ohio Avenue will work great inconvenience to the public. To use the block referred to by the Senator from Alabama will not inconvenience the public, and it will save the Government half a million dollars. We can very readily find another site, and perhaps one more appropriately located, for the construction of the judiciary building, if we ever decide to construct that building.

I am convinced that the amendment of the committee should not be agreed to.

Mr. SMITH of Arizona. Mr. President, if the Senator will permit me, what use, if any, is the Government making of the property it is alleged to own near the Treasury Department, and right across Pennsylvania Avenue from the Willard Hotel? Both the department of which the Senator speaks and this one can be easily accommodated there.

Mr. ROBINSON. The Senator lives just across the street from that block, and he knows that it is being occupied now by a theater building and sundry private businesses that might very well give way to a public use, in view of the long period that the Government has owned the property.

Mr. SMITH of Arizona. It seems to me especially desirable in view of the convenience of its location to other public buildings, such as the Treasury Department and the State Department.

Mr. ROBINSON. Yes; that is a very pertinent suggestion.

Mr. KING. Mr. President, from the statements which have been made by the Senator from Alabama [Mr. UNDERWOOD], I confess that I am loath to vote for the amendment, yet I appreciate the necessity of the Government acquiring or building at an early date a suitable archives structure.

I wish that the matter could be left in a little more flexible state. I should like to vote for an amendment directing some commission or authorized governmental agency to make further and adequate investigation to determine upon a suitable site for an archives building, and if, upon such investigation, they shall discover that there is a plot of ground owned by the Government that is available and more suitable than the site referred to in the amendment, directing them to select that, and then report back to Congress and receive authority for proceeding, and, if they fail, making this appropriation available.

If Congress were to be adjourned for a long period of time, I realize that the suggestion which I make would not be feasible; but in view of the fact that Congress is to be in session for the next five or six months, at least, with a very short intermission, the plan which I have suggested could be very readily carried out.

Of course, the committee have given this matter attention, and I am at a disadvantage, as other Senators are, in making practical suggestions. I wish the committee would revise this amendment, and suggest one which would be more in conformity, I think, with the views of the majority of the Senate.

Mr. POINDEXTER. Mr. President——

Mr. KING. I yield to the Senator from Washington.

Mr. POINDEXTER. I want to suggest to the Senator from Utah that the course which he recommends has already been pursued.

Mr. KING. May I inquire of the Senator whether the commission felt that existing law—the law to which the Senator has called our attention—permitted them even to contemplate the selection of that site for the erection of an archives building? I can readily appreciate that that law would stand as a barrier against investigation by them of the feasibility of selecting it as a site. Now, if they felt that they could invade—if I may be permitted that expression—lands owned by the Government, and select a site upon those lands, it may be that they would be very glad to revise the judgment which they have reached, and to make a recommendation entirely different from that which we find embodied in this measure.

Mr. POINDEXTER. They would be confronted by the same condition that confronted them before—that the law segregated that property for another use. I assume that they would not be authorized to consider its use for an archives building unless Congress released it from the purposes for which it was expressly acquired.

Mr. KING. Mr. President, if the Senator will pardon me, I did not make myself clear. I appreciate that fact; and the suggestion which I intended to offer was that they investigate further, with the understanding that they are at liberty to make investigation of the feasibility of erecting this building upon lands already owned by the Government, and if they do find an available site which by law has been dedicated to some other purpose, then make their report to Congress; and if Congress acquiesced in their views they could very promptly repeal the existing law and devote the recommended site to the archives building.

Mr. POINDEXTER. One of the members of this commission was the Secretary of the Treasury. In fact, he was the active member of the commission, and had the initiatory responsibility under the law. The law authorized and directed him to select a site, and then to acquire a site or to purchase it when it was approved by the commission; but the selection in the first instance of a site to be submitted for the consideration of the commission devolved upon the Secretary of the Treasury under the very explicit language which I have just cited, which authorized and directed him to do so.

I am informed that he was exceedingly diligent in making the very inquiry that the Senator from Utah has suggested, as to whether or not there was any available property already owned by the Government that was suitable for this purpose, but without success. Such lands as were owned by the Government either had been devoted by law to some other purpose, or were not suitable for the erection of a building with the opportunities for expansion that are required under the terms of the archives building act. The Senator from Utah realizes the fact that this building must be subject to expansion as the archives of the Government accumulate, and one of the conditions of the site is that there shall be room for that growth.

Mr. KING. Mr. President, I regret very much that I feel constrained to take the action that I am about to take. I am in favor of this archives building, but I am not ready to vote to expend half a million dollars to purchase ground for this building when, from the information which we have, the Government has land which is adequate for this building and perhaps more suitable.

I make the point of order against the amendment.

Mr. WARREN. Mr. President, the point of order would hardly lie against this amendment. It is estimated for. It is provided for by legislation heretofore. It has come in from a regular standing committee, and the appropriation has been recommended. I know of no point of order that can be made against it that would defeat the amendment in that way.

Mr. KING. Does the Senator mean that there is an existing law authorizing this?

Mr. WARREN. The commission that was appointed and the Public Buildings Committee have acted on it. It was some years ago, it is true. The amendment has come in here at times and has been voted out, but the point of order has not been raised, and I think can not be successfully raised, against it. The estimates are here not only for the site but for the building proper; and, as I say, it was considered by the committee and recommended. On what ground does the Senator base his point of order?

Mr. KING. The point of order which I was about to suggest was that the provision was contrary to existing law and had not been properly estimated for.

Mr. WARREN. It is not contrary to existing law and it has been estimated for.

Mr. KING. Then, of course, I concede that my point of order would not be well taken.

Mr. WARREN. Of course, the subject is open to amendment. It is a committee amendment and it is open to amendment, but I do not believe it can be cut out on a point of order.

Mr. KING. I do wish, however, that the chairman of the committee and the members of the committee, who, I know, are desirous of enforcing all possible economies, would accept an amendment under the terms of which the commission would be

required to make further investigation, with a view to ascertaining whether a suitable site for this building is not now owned by the Government, and if they find that there is not such a site, then that this provision may be availed of in order to construct the building.

I wish the committee would propose that amendment. I have such confidence in the attention which they have given to these subjects that I hesitate to offer an amendment myself.

In view of the statement of the Senator from Wyoming, Mr. President, I withdraw my point of order.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Alabama to the amendment of the committee.

On a division, the amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, I would like to state to the Senator from Wyoming that before the bill leaves the Senate I shall offer an amendment along the lines which I have indicated. I do not want to interrupt the proceedings of the Senate now in the further consideration of the bill.

The VICE PRESIDENT. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. The next amendment of the committee passed over begins on page 20, known as the hospital amendment, to which a substitute has been offered by the Senator from Arkansas [Mr. ROBINSON].

Mr. ROBINSON. I have slightly modified the substitute, and I offer it in the language which I send to the desk. I withdraw the amendment heretofore offered and offer the following.

The VICE PRESIDENT. The amendment offered by the Senator from Wisconsin [Mr. LENROOT] is in order, proposing to amend the part of the committee amendment for which the Senator from Arkansas is offering a substitute. The Secretary will state the amendment of the Senator from Wisconsin to the amendment of the committee.

Mr. ROBINSON. If the substitute should not be agreed to, other amendments to the text of the committee amendment would be in order.

Mr. WADSWORTH. Does the Senator from Arkansas ask that his amendment may be read?

Mr. ROBINSON. I will make that request in a moment.

The VICE PRESIDENT. The Secretary will read the amendment of the Senator from Wisconsin to the amendment of the committee.

The ASSISTANT SECRETARY. The Senator from Wisconsin proposes, at the end of line 16, on page 22, to insert:

Three of said hospitals may, in the discretion of the Government lands and buildings commission, be utilized for neuropsychiatric patients and two for tuberculosis patients.

The VICE PRESIDENT. The question is on the amendment to the amendment.

Mr. SMOOT. Mr. President, may the Secretary again read the amendment to the amendment?

The VICE PRESIDENT. It will be again read.

The Assistant Secretary again read Mr. LENROOT's amendment to the amendment of the committee.

Mr. LENROOT. Mr. President, this matter was discussed the other day. I understood the Senator from Arkansas to state that he would offer an amendment which would leave fullest and freest discretion in this matter, and I stated I would be glad to accept the amendment. I had therefore not further attempted to modify the pending amendment. But I do not think the Senator from Arkansas or any other Senator desires to have this language remain as it is, which, at least in my construction, would compel each one of the hospitals to accept both classes of patients.

Mr. ROBINSON. I did not understand that the Senator from Wisconsin expected me to perfect his amendment in the line of the suggestion he made at the time, and I have not attempted to do so. I agree with the Senator from Wisconsin that the language of the committee amendment ought to be modified, and unless it is modified both neuropsychiatric patients and tuberculosis patients will have to be treated in all the hospitals. The suggestion was that the limitation ought to be taken out, and that all the hospitals ought to be available for either class of patients. So I merely suggest to the Senator that he strike out the word "and" in the committee provision and insert the word "or," so that it will read "neuropsychiatric or tuberculosis patients," and then the Public Health Service would have a free hand in the treatment of patients.

Mr. POMERENE. Mr. President, will the Senator allow me to make a further suggestion?

Mr. ROBINSON. I have not the floor.

Mr. LENROOT. I yield to the Senator from Ohio.

Mr. POMERENE. I am very much impressed with the fact that the health or medical authorities should have full discretionary power in this matter, and for that reason I would suggest the striking out of the word "and" and inserting, after the words "tuberculosis patients," the words "or both, as the board may, in its discretion, determine."

Mr. LENROOT. I think that would make the matter clear. I shall be glad to accept that modification.

Mr. POMERENE. My thought was that this power should be lodged in the discretion of the health or medical authorities.

Mr. LENROOT. I would suggest that we make it read the Surgeon General of the Public Health Service.

Mr. POMERENE. That would be better. I am not quite sure that I may offer an amendment at this time, under the rules.

The VICE PRESIDENT. If the Senator from Wisconsin withdraws his amendment, then the Senator from Ohio would be in order in offering an amendment.

Mr. LENROOT. I withdraw my amendment to the amendment.

Mr. POMERENE. Then, I move, in line 9, page 22, to amend by striking out the word "and" and substituting therefor the word "or"; and after the word "patients" to insert the words "or both, as the Surgeon General may determine."

Mr. WARREN. There is no objection to that on the part of the committee.

The VICE PRESIDENT. The Secretary will report the amendment to the amendment.

The ASSISTANT SECRETARY. On page 22, in the proposed amendment of the committee, on line 9, strike out the word "and" before the word "tuberculosis" and insert the word "or"; and after the words "tuberculosis patients" at the end of line 9 insert the words "or both, as the Surgeon General may determine," so as to read:

The appropriations hereinafter made shall include and provide for five hospital plants of fireproof construction for the treatment of neuropsychiatric or tuberculosis patients, or both, as the Surgeon General may determine, and shall be located as follows.

The amendment to the amendment was agreed to.

Mr. WADSWORTH. May I ask the chairman of the committee in charge of the bill if he has given any consideration to the question that may arise with respect to the power given to the Government lands and buildings commission? As I understand it, that commission, which is to be composed of the President of the Senate, two Members of the House to be appointed by the Speaker, the Surgeon General, the Supervising Architect, and a member of the National Home for Disabled Volunteer Soldiers' Board, is to have the power to take any Government property away from an existing executive department and assign it to the Public Health Service or to the Treasury Department. Would not that constitute, in some instances at least, an invasion of the prerogatives of the Chief Executive? Many statutes have been passed, I have no doubt, in the past authorizing the President of the United States to acquire property for the use of one of the departments. Now it is proposed to erect an outside commission, as it were, and authorize that commission to take that property away from the Navy Department, the Interior Department, or the War Department and assign it to the Treasury Department, without permitting the President to have anything to say about it. Would it not be wise, in other words, to put in a qualifying clause at the proper place in that paragraph, on page 23, somewhat to this effect, "with the approval of the President"?

Mr. WARREN. Mr. President, I think there is wisdom in the remarks of the Senator from New York. The chairman of the subcommittee which presented the amendment, the Senator from Washington [Mr. JONES], does not happen to be in the Chamber just now, but I do not believe that the intention of the subcommittee was to exercise any strong-arm business in obtaining sites for the hospitals. I think the intention was, and certainly is so far as I am concerned, to try to utilize those places which the Government owns—and they are very numerous in all parts of the country—and to do it with practical unity and without any differences between the heads of departments and this commission.

But I see the Senator from Washington has returned to the Chamber, and I shall ask him to reply to the Senator from New York, who has suggested the amendment.

Mr. WADSWORTH. I will say to the Senator from Washington that I was calling the attention of the Senator from Wyoming to a certain phase of this subject covered by the committee amendment on pages 22 and 23 with respect to the Government lands and buildings commission. The language as it is printed in the bill gives the commission the absolute power to take property away from one department of the Government and give it to the Treasury Department, as I understand it; or, at least, it gives to the Secretary of the Treasury the right to secure the property, as may be approved by the commission,

thereby depriving the President of the United States, as the Chief Executive and the head of all these departments, of any say in the matter. My suggestion was that some thought be given to that, and that an appropriate qualifying clause should be put in which shall give the President the right to approve or disapprove of the proposed transfer of property under his jurisdiction, because all this property is under the jurisdiction of the President of the United States as Chief Executive, as I understand our structure of government.

Mr. WARREN. I will call the attention of both Senators to what we cut out, and in cutting it out I do not consider that the idea was to empower the commission to do what the Senator from New York fears. The old section 3 read as follows:

The Secretary of the Treasury in securing sites herein provided for may request the Secretary of any other department of the Government to transfer to the Treasury Department such land or lands and buildings under his control, not required for other purposes, as the Secretary of the Treasury may deem suitable, and other departments are authorized to make such transfer to the Treasury Department as may be deemed to be in the interest of the Government.

Mr. JONES of Washington. Mr. President, I see no objection to the suggestion of the Senator from New York, and assuming that the President does have the control of this property, if the Senator will suggest some qualifying language, I will have no objection to putting it in and letting the matter go to conference and be worked out there.

Mr. WADSWORTH. I glanced at it very hastily, and it may not fit, though I think it will. I suggest this amendment, on line 7, page 23, after the word "accept," insert the words "with the approval of the President," so that it will read:

The Secretary of the Treasury shall secure or accept, with the approval of the President, such sites as may be approved by the commission.

And so forth.

Mr. JONES of Washington. I do not see any objection to that suggestion.

Mr. WADSWORTH. I offer that as an amendment to the amendment of the committee.

Mr. WARREN. The amendment to the amendment is accepted on the part of the committee.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The READING CLERK. On page 23, line 7, after the word "accept," insert the words "with the approval of the President."

The amendment to the amendment was agreed to.

Mr. LENROOT. Mr. President, I offer an amendment to the amendment, which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The READING CLERK. The Senator from Wisconsin moves to amend on page 22, by striking out, beginning in line 20, the following: "Two Senators, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker, who shall serve thereon only so long as they are Members of Congress," and inserting in lieu thereof the words "the Secretary of the Treasury," so as to read:

In carrying out the purposes herein authorized there is created a commission to be known as the Government lands and buildings commission, and hereinafter referred to as the commission, to be composed of the Secretary of the Treasury, the Surgeon General of the Public Health Service, the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office, and the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

Mr. LENROOT. Mr. President, as the amendment now stands it provides for a commission, composed of two Members of the House, two Senators, and three administrative public officials, which shall approve the sites. In other words, the legislative end of the commission will always have a majority. Without, of course, intending in any wise to reflect upon Senators or Members of Congress who might be members of the commission, from experience I have had in these matters, especially as a member of conference committees, I feel very certain that it is not in the interest of the selection of sites upon their merits that they be determined by a congressional commission. I do not believe that any Senator or any Member of the House would welcome being placed upon such a commission, because the inevitable result would be that pressure would be brought to bear for one of the hospitals to be located in the State in which the Senator or Member resides. The hospitals ought to be located irrespective of political pressure and political influence. They ought to be located upon their merits. I think, if Senators will reflect for just a moment, they will see that there is great danger of the selections being made, not upon merit, but because of the influence that a member of the commission may have, with pressure from his own State, for the location of a hospital within that State.

I was a member of the first conference committee, I think, that dealt with hospitals since the war, and from experiences that I had as a member of that conference committee, which I do not care to detail, I am led to make the observations that I have made. I hope the amendment will be agreed to so as to leave the selection of the sites to the administrative officers of the Government and free so far as possible from political influence that might be exerted if this were to be a congressional commission.

Mr. SUTHERLAND. Mr. President, I should like to ask the Senator from Wisconsin if it would not be in line with the purpose which he desires to serve if the Surgeon General and the Supervising Architect were left out, because they are both subofficers of the Treasury Department. If we place it in the hands of the Secretary of the Treasury, we might as well leave out the other provisions providing that the Surgeon General of the Public Health Service and the Supervising Architect or the Acting Supervising Architect of the Treasury shall be members of the commission, because they are both subordinate officers of the Secretary of the Treasury.

Mr. LENROOT. That is true, I may say; and yet it has been the experience of the past that the Surgeon General very often has made recommendations for the location of a site that have not been agreed to by the Secretary of the Treasury. It does not follow, because the Surgeon General is in the Treasury Department, that the Surgeon General and the Secretary of the Treasury will always necessarily agree, or that the Surgeon General would follow the wishes absolutely of the Secretary of the Treasury. I think there is more independence than the Senator's remarks would seem to indicate.

Mr. HARRIS. Mr. President, I am a member of the Committee on Appropriations, and I regret exceedingly to differ with other members of the committee. I shall favor the amendment of the Senator from Wisconsin. I do not think this matter of location should be left to a commission. I do not like the way the bill provides for locating the hospitals. There are five hospitals located in various sections of the country, three of them in that part of the country where there is about 20 per cent of the population. The other two are located in the eastern section of the country, where there is 80 per cent of the population. I do not think Congress should designate the location of the hospitals. The soldiers are entitled to the best selection that the Government can make. The selection should be left to men who are not interested in their own States from a political standpoint or any other standpoint. I believe that the Secretary of the Treasury would do what is best for the soldier boys of the country.

If the bill is passed as now drawn, my section of the country, the entire South, would be without one of these hospitals. The soldier boys in that section of the country made as good a record as those of any other section. No braver soldiers ever faced an enemy on a battle field; and yet we are left entirely out of the matter in the selection of the five hospitals, and the men will have to go hundreds of miles from home and away from their families and loved ones. The bill is so written that the South will not have one of the hospitals. It is the only section of the country that is discriminated against. I do not care about one section or the other when it comes to the soldiers. I am in favor of locating the hospitals where they will serve the greatest number of soldiers at the smallest expense to the Government.

I hope the amendment of the Senator from Wisconsin will be agreed to.

Mr. ROBINSON. Mr. President, I heartily concur in the proposed amendment of the Senator from Wisconsin. I would think it better if his amendment contemplated striking out all of the provisions in the bill relating to the creation of a commission. The inevitable result of the creation of such a commission as is carried in the committee amendment is a contest for the location of the hospitals, in which political influence will be invited and will control, and the members of the commission, Representatives in the House and Members of the Senate, would be placed under such pressure from their districts and their States that they would be compelled, as a matter of political expediency, to insist upon the location of those hospitals in their own districts and in their own States.

There is nothing in the duties of a Member of Congress or in the training of the ordinary Member of Congress, whether he serves in the House or in the Senate, that especially fits him for service on the proposed commission. In my judgment almost any business man in the United States, of good character and fair ability, would render better service on a commission of this character than the average Member of Congress, whether a Senator or a Member of the House of Representatives. I do not believe there are many Senators present who

do not agree with that statement. The sole purpose and the sole effect of creating a commission dominated by Members of the Congress is to control the location of the hospitals through political influence. That is the very worst thing that could happen in the matter of the selection of a location for the hospitals.

In the first place, in my opinion, there is no necessity for the creation of a commission to locate the hospitals. The Secretary of the Treasury, with those under him, can discharge that duty better than any commission, for the following reasons: The creation of a commission will necessarily occasion delay. One of the purposes of the legislation is, of course, to meet the urgent demands of sick and disabled soldiers for hospital treatment. If we create a commission of Congress and give it power to make investigation, after making the necessary investigation to enable it to perform its functions intelligently, the end of the next year will approach before that commission is ready to report, in view of the fact that contests will spring up all over the United States for the location of the hospitals and hearings will of necessity be had by the commission. If we place in the Secretary of the Treasury the power to locate the hospitals, he can avail himself of every agency and officer in his department, and of all the information that the department has, and reach a far better and fairer conclusion than is likely to result from the creation of a commission dominated by Members of Congress.

The amendment of the Senator from Wisconsin ought to be agreed to for the reasons that I have stated and for many other reasons. We want the work to go forward just as rapidly as possible. The creation of a congressional commission means delay in every instance. There is not a Senator present who does not know that when we create a congressional commission we postpone the day of action indefinitely, and from the beginning that is one thing that I have been trying to avoid.

I have been ashamed of the fact that my Government has failed to make adequate and prompt provision for hospital facilities for the men who served in the country during the Great War recently closed. I have felt ashamed that the Government has been slow in making the provisions which we all concede ought to be made. Then why incorporate in the bill an amendment which contemplates protracted delay? If the commission is to perform its service efficiently, if Members of the Senate and the House who go on the commission are to do their duty intelligently they must start at the beginning to get the information necessary to determine the proper location of the hospitals. The department no doubt already has much of the information necessary. We want the thing to go forward with plans and specifications and work, instead of waiting for political influences to determine upon the location of the hospitals.

I am earnestly in favor of the amendment proposed by the Senator from Wisconsin, and I agree heartily with the suggestion of the Senator from Georgia [Mr. HARRIS] that there is no necessity for a commission.

Mr. JONES of Washington. Mr. President, it seems to me there has been a very serious confession on the part of several Senators as to the motives that would actuate Senators in discharging responsibilities that might be placed upon them by law. If it had occurred to me for a moment that the effect of the provision would be as intimated by the Senators who have just spoken, I never would have thought to suggest anything of the kind to the committee. I do not yield to any Senator in the desire to take care of the soldiers of the war, and do it just as promptly as possible, especially the disabled soldiers. I do not yield to any Senator in the desire to keep politics out of the matter, either in connection with appropriations or in connection with the location of hospitals. I join with them wholly in that desire, and if I thought for one moment that the commission, with Senators and Representatives upon it, charged with the responsibility of taking care of the soldiers of the country, would allow politics to influence them in the acquirement of these sites, I would not urge the adoption of the committee amendment for one second.

But I have a different opinion than that with reference to Senators and Representatives in Congress. I believe that any Senator and any Representative who might be appointed upon a commission of this kind would do what he thought was for the very best interests of the soldiers and of the Government.

The two things that must be taken into account are not only the interests of the soldiers but the interest of the Government. Assuming that Senators and Representatives would look after the interests of the soldiers uninfluenced by political considerations, uninfluenced by any particular interest for their section or their State, I have an idea that they would do very much toward protecting the interests of the Government. We want hospital sites. We want them as quickly as possible, and in my judgment we will get them much more quickly under a commission of this kind than in any other way. I will admit that with the amendment of the Senator from Wisconsin the provision would be much better than section 3 of the original Langley bill, proposed as an amendment by the Senator from Arkansas [Mr. ROBINSON], because under that section 3 there is no provision under which, if the Secretary of the Treasury should seek a site from the War Department, the War Department could be compelled to turn it over to him. In other words, if the War Department said, "We do not agree with you," that would end it. My observation and experience have been that the War Department never lets loose of anything that it has until it is compelled by law to do so, or else is absolutely compelled by public sentiment to do it. So if the Secretary of the Treasury should determine that land in some military reservation, that has possibly never been used by the Government but is still reserved as a military reservation, was a good site for one of these hospitals and should ask for the land, the Secretary of War would not turn it over to him.

Mr. SMITH of Arizona. If the Senator will permit me, I should like to give him a concrete instance in support of the statement which he has just made. There was a proposition to transfer to the Treasury Department for the care of soldiers Whipple Barracks, located in Arizona. That site is very suitable for the purpose, and there are a considerable number of sick soldiers there now, the buildings there being well adapted to the purpose of caring for them. In connection with a measure proposed by me I was able to secure an expression of the sense of the Senate that those barracks should be turned over to the Public Health Service, but the Secretary of War sent a letter to the chairman of the Committee on Military Affairs, and I think also to the conferees on the bill containing the provision referred to, stating that the War Department at some time might want the barracks, when, in fact, for the last 15 years efforts had been made to get rid of it as a military establishment.

Mr. JONES of Washington. That merely confirms what I have in mind. I have had a little personal experience, not in connection with the care of sick soldiers or anything of that kind, but illustrating the general proposition. There are some lands within my State which have been held as a military reservation for many years—I do not know how long—but have never been used as a military reservation. No suggestions have been made to Congress that they should be so used or should be improved or anything of that sort. Those lands were away off on some of the islands in an outlying section of the State. Some little time ago our State university desired, in connection with certain university work, to be permitted to use a portion of those lands and sought to get the consent of Congress for their use. I introduced a bill for that purpose and it was referred to the War Department, which reported against the bill. What was the reason given for that action? That some day they might need the land for war purposes.

Mr. SMITH of Arizona. That was the same reason as was given in the case which I have cited.

Mr. JONES of Washington. Mr. President, that is the situation which would confront the Secretary of the Treasury under section 3 as proposed by the Senator from Arkansas. If the Secretary sought to secure the use of some of the lands which are used for military purposes, the War Department would say no.

Mr. HARRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES of Washington. I yield.

Mr. HARRIS. The bill provides for the placing of three of the five hospitals on the Pacific coast; but it also specifically provides that two additional hospitals be located, one at Fort Mackenzie, Wyo., and the other at Fort Walla Walla, Wash. It does not specify any other Army posts in other parts of the country; and I wondered if the Secretary of War had recommended that these forts mentioned on the Pacific coast should be selected, or whether these selections were made by the committee. Did the Secretary of War recommend those two locations?

Mr. WARREN. If I may, I desire to answer the Senator from Georgia now, before he proceeds further. The Secretary of War, I understand, has already turned over these posts to the Public Health Service. The Surgeon General has visited the West and has, I know, examined one of them, and since then has been at work on the matter with the War Department to get the officials there to turn the post over, and it has been turned over. However, the provision is inserted in this proposed legislation so that there may be some permanency about the matter and so that after improvements have been made by the Surgeon General

the permits for the use of the property may not be easily or quickly revoked.

Mr. HARRIS. May I ask the chairman of the committee whether the Secretary of War has not turned over other barracks to the hospital service, and why were they also not specifically provided for in the bill?

Mr. WARREN. There are a number which have been turned over by the Secretary of the Navy, but I know of no other which the Secretary of War has formally turned over. We have provided in the bill for some, and I have on my desk here a list of some others that have been spoken of, all of which have passed under the scrutiny and bear the approval of the Surgeon General.

Mr. HARRIS. Mr. President, I have no fault to find with the Pacific coast or with those who are interested in that section; I am going to support them in anything which is of interest to or which may help them, whether it relates to the Japanese question or anything that will aid the soldiers; but I do not understand why the Appropriations Committee, of which I am a member, has written in the bill language under which one hospital will be located in Wyoming and one in the State of Washington, while three of the other five large hospitals for the service generally are to be located in the Rocky Mountains and on the Pacific coast, when 80 per cent of the population of this country is in the other territory, in which there will be only two hospitals.

Mr. WARREN. Mr. President, the other House sent us no legislation whatever in this bill and made no attempt to appropriate for the hospital building plan. The consequence is that the Senate must initiate whatever may be put into the pending bill in reference to the subject, and the matter will then go to conference. That leaves us with no difference as between the House and the Senate, and if the conferees on the part of the House object to the whole or any part of the appropriation, it will go out of the bill.

The House has to-day passed, practically unanimously, the Langley bill, which includes the two posts mentioned, but no other, although in its legislation it has provided for the location of five new hospitals. It was no part of the work of the Appropriations Committee here to undertake to locate specifically those five hospitals. So far as the post in Wyoming is concerned, I have no desire to have it turned over to the Public Health Service if the War Department will regarrison it. It would be a great deal better for us in Wyoming if it were used for military purposes. However, the Surgeon General of the Public Health Service went there and examined it thoroughly and found it was practically a new post and that the buildings were entirely of brick. I say "new," but I mean it had been erected since the Spanish-American War. He found that it was adaptable for hospital purposes. It is not in the Rocky Mountain country exactly; it is quite a distance from the Rocky Mountains, and is highly recommended, and always has been, as a proper place for the treatment of tubercular patients.

As to Fort Walla Walla, that is farther west on the Pacific coast. It is a beautiful spot, I understand, and is not now being used by the military authorities. The Surgeon General very properly wished to use those two places, and they have, I am told, been turned over to him.

Mr. ROBINSON. Will the Senator from Washington [Mr. JONES] yield to me for a statement?

Mr. WARREN. I wish, first, to finish what I have to say, and then I shall yield to the Senator.

Mr. ROBINSON. I thought the Senator from Wyoming had concluded.

Mr. WARREN. I desire further to state that there is a provision in the bill appropriating $5,000,000 to be expended at certain places for which the Surgeon General has asked us to provide, because quicker relief can be furnished by arranging facilities for two thousand seven hundred and odd beds at those particular places. Such provision can be made at locations where we own the land and where the overhead charges are already provided for at an estimated cost per bed of only about half what it would cost to construct new buildings on new locations. The committee has not sought to block in any way the establishment of five new hospitals. We have carried the appropriation for them as the House carried it and have added the $5,000,000 in order to give greater facilities and to provide them more expeditiously as well as more cheaply.

While it may be very unpopular, it may be very unseemly for a Senator to proceed along the line of economy, but in the case of appropriations for hospitals, as in other instances, if we can secure equal facilities at less cost there is no reason why fault should be found. On the other hand, enlarging existing facilities will afford a quicker remedy and an additional remedy.

We propose to appropriate $17,500,000 as against a mere authorization made by the House of $12,500,000.

Mr. ROBINSON. Mr. President, will the Senator from Washington yield to me for a moment?

Mr. JONES of Washington. I yield.

Mr. ROBINSON. I agree with the suggestion of the Senator from Georgia that the provision locating, in general language, five hospitals in various sections of the country is wrong and ought to go out of the bill. It is my intention to offer an amendment to strike out of the committee amendment lines 7 to 16, inclusive, on page 22, just as soon as the amendment of the Senator from Wisconsin is disposed of, and I shall do that whether the amendment of the Senator from Wisconsin prevails or is rejected.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. The Senator from Washington has the floor.

Mr. WALSH of Montana. Will the Senator yield to me for a moment?

Mr. JONES of Washington. I yield.

Mr. WALSH of Montana. Before we pass the question raised by the Senator from Georgia I wish to address a further inquiry to the Senator from Wyoming. I inquired the other day as to why Fort MacKenzie, in the State of Wyoming, and Fort Walla Walla, in the State of Washington, were specifically named in this provision of the bill, as well as Fort Logan H. Roots, in the State of Arkansas. I was answered by the Senator from Arkansas to the effect that an effort had been made to secure the transfer of the fort in his State to the Treasury Department, but that the effort had been resisted by the War Department, and I now learn from the statement of the Senator from Wyoming that that is not the case with reference to Fort MacKenzie, in the State of Wyoming, and Fort Walla Walla, in the State of Washington, but that they have actually been transferred from the War Department to the Department of the Treasury.

Mr. WARREN. Not by deed but by license?

Mr. WALSH of Montana. Exactly. I was wondering why it became necessary to make any such provision as that found in the bill at all, and I was curious to know just exactly what status those posts would have as hospitals as distinguished from the status of others. Take Fort William Henry Harrison, in my State, which has been transferred from the War Department to the Department of the Treasury for similar purposes. Why should it not be also included in this bill specifically, as well as the other posts named?

Mr. WARREN. Mr. President, in answer to the Senator I will say that the matter to which he refers has not been brought to the attention of the Senate, and I think not to the attention of the department, perhaps.

Mr. WALSH of Montana. I think the situation is about the same as that in respect to the two forts named, and why should they be included?

Mr. WARREN. If the Senator will allow me for a moment, in the case of a military post erected for officers and men there is usually a hospital of small capacity; the barracks are usually large buildings which by a little rearrangement of partitions, taking out or adding to them, become very suitable for hospitals. The houses of the noncommissioned and commissioned officers may be used for the surgeons and attendants. On taking over the posts mentioned, of course, an appropriation has to be made, for money has to be provided to adapt the buildings to hospital use.

Some of the military posts were turned over, perhaps, to relieve a particular sudden stress in the section of the country where they were located without the intention of their being used for any great length of time. As for the two posts referred to by the Senator—and I wish to say that I have not the slightest personal interest whether the provision respecting them remains in the bill or goes out of the bill, except in so far as I should like to see adequate provision made for the soldiers—the only reason those posts are mentioned in the bill is because they were already in the House bill, and we did not wish to be put in the position by striking out too much of what the House had provided of making it difficult to secure in conference a fair consideration of this proposed legislation. There may be some other posts which also could be included. For instance, I have here on my desk a memorandum written only last night by the Surgeon General in which he speaks of three or four at other places that could be adapted to hospital use for disabled soldiers. He has examined them and so recommends.

If, however, the Senator thinks there has been any partiality on the part of the committee as to the posts mentioned in the bill he can move to strike out the provision, but I shall oppose such a motion and defeat it, if possible.

Mr. WALSH of Montana. I was simply curious to know exactly what the difference was in the status of various posts. The conditions of which the Senator speaks are those exactly which obtain in the case to which I referred. There is a hospital there of a very small capacity; there are quite extensive barracks, which would have to undergo, no doubt, considerable remodeling in order to make them available for hospital purposes; there are officers' quarters which would be available, after some improvements are made, as residences for the surgeons. Apparently the conditions are identical in the case of every one of these posts. Now, when these posts have actually been taken over, transferred by the War Department to the Public Health Service, why should we legislate upon the subject?

Mr. WARREN. Mr. President, will the Senator permit me? I think Fort William Henry Harrison is of late building, and all equipped, is it not?

Mr. WALSH of Montana. Yes.

Mr. WARREN. Does the Senator know how many troops it was intended for?

Mr. WALSH of Montana. It is a three-company post.

Mr. WARREN. If the Senator pleases, what the committee is trying to do is to utilize all these places so far as it can. There has been uncertainty as to how many of the posts could be used, which is well known in the Committee on Military Affairs, and, I think, it is well known through the press; and there has been a difference between the War Department and Congress as to how large the Army should be. The Congress has said it shall be 175,000, and the President has said no, and the difference is here on the table in the form of a veto message, I presume. Now, when that is settled—and it ought to be settled soon—it will be easier then to take these posts that have been reserved and use them.

When they started to take the two first ones, the reason why I looked with favor upon putting in eight or nine places where there were marine hospitals and others which the Surgeon General nominated, and which he is using, and which he recommended for further use, was that I thought the $10,000,000 or $12,500,000 that would pass the House as to new ones would put us in such a position that in our next bill we could provide liberally, and take in still further properties that the Government owns that would afford every facility for these men, and do it at an early date, rather than have to wait for years to build more new buildings and provide for more improvements and bigger buildings which will some time have to be given up for the purpose for which we build them.

Mr. WALSH of Montana. Of course, with that policy I am in entire accord; but that is not the question that is before us at all. I assume that these three posts are not the only posts that have been taken over and are to be devoted to hospital purposes.

Mr. WARREN. I think there will be still more.

Mr. WALSH of Montana. I simply speak of the one in my State as illustrative. Now, among all the hospitals which have actually been taken over for hospital purposes, including Fort Walla Walla and Fort Mackenzie, why should those two posts be singled out for specific reference in this bill?

Mr. WARREN. So far as the House is concerned, of course I can not answer the Senator. So far as the Senate is concerned, we are asked for appropriations to fit those posts for use. If Fort William Henry Harrison is used for the purpose, I think from the fund which they were given in earlier legislation they will probably have been preparing it for use. They must have been.

Mr. WALSH of Montana. The Senator from Wyoming must not understand that I am making the slightest objection to the appropriation for putting these posts in service.

Mr. WARREN. I wish to say to the Senator, before he takes his seat, that the amendment offered by the Senator from Arkansas strikes out all of these eight or nine places that are now in use, and as to which we can proceed almost immediately and for which we are appropriating some $5,000,000. I hardly think the Senator ought to do that, because it is not traveling in the right direction.

Mr. ROBINSON. Mr. President, the amendment of the Senator from Arkansas does not specifically name the places at which extensions may be had, but it generally provides for the extension of any existing plant in conformity to such plans as the Secretary of the Treasury may provide. It is not accurate to say that the amendment of the Senator from Arkansas prevents the extension of existing plants. It contemplates their extension, and places no limitation whatever upon the sum that may be used, within the total limits of the appropriation, for that purpose.

The amendment reported by the committee limits to $5,000,000 the sum that may be used in enlarging existing plants and making them available for better use, and provides that $600,000 of that sum may be used in remodeling the plants at Fort Mackenzie and Fort Walla Walla; but the amendment of the Senator from Arkansas authorizes a very much larger appropriation than that carried in the committee amendment, and provides that any part of it found necessary may be used in the extension and remodeling of existing plants. It places no limitation upon the Secretary of the Treasury in that particular.

Mr. WARREN. And the Senator would rather put on the Surgeon General all of this traveling about to select locations here and there, which he seeks to avoid, and which I think we ought to avoid for him?

Mr. ROBINSON. That question is directed to the amendment under discussion, the amendment of the Senator from Wisconsin; and I repeat what I said awhile ago, that I think the worst thing that could happen for this cause in which we are all so profoundly interested is to create a congressional commission, or a commission dominated by Members of Congress, to determine the location of these hospitals, for the reasons that I stated awhile ago; and it is no reflection on a Member of Congress to say that if the people of his State bring pressure to bear upon him to locate one of these hospitals there, he is apt to be responsive to that pressure. We all know that that is inevitably what would result. This committee amendment, as reported, invites a scramble for the location of these hospitals, and that is what Congress ought to avoid.

Mr. WARREN. In line with what the Senator says, that does not apply, however, to the eight or nine others of which I speak. The commission would have nothing to do with them.

Mr. ROBINSON. Oh, Mr. President, there is no difference between the Senator from Wyoming and myself regarding the hospitals already located and in process of operation, except that I want the Secretary of the Treasury to have a free hand in remodeling them, to have a free hand in locating other hospitals as well, and I do not want to place any limitation such as is placed in the committee amendment on the extension of the existing plants. I want him to extend them to the sum of $7,000,000 or $8,000,000 if he finds that by doing so he can get greater facilities than he can by constructing new hospitals.

Mr. JONES of Washington. Mr. President, if I may have the floor for just a moment, I think I will conclude in a very few minutes what I have to say.

I want to say that personally I would be perfectly willing to leave the selection of all these sites to the commission, or to whatever agency the Congress deems best to select the sites. I understood in the committee that the real reason why we put a provision in the bill as we did with reference to the various matters that have been discussed was for expedition, in order to get early action, and because the House committee that had charge of this matter had reported a bill that we understood the House would pass very soon, and which I was informed just a moment ago it has passed to-day; and so we put this provision in this appropriation bill, thinking that it would expedite the matter in a legislative way.

Walla Walla was in the bill in the House. What reasons were presented, what special influences were presented there to get it in, I do not know. Personally, I would just as soon have it left out of this bill, as far as that is concerned. I know that it is a good place; I am satisfied that it will appeal to the Surgeon General as a proper place for the use that we desire to put it to; but I would be perfectly willing to leave that to the representatives or agencies of the Government that select these places. It was put in here because it was included in the House bill. We thought it would hasten legislation to accomplish what we all desire to do. In other words, we thought we were doing just what the Senator from Arkansas is anxious to do—to hurry this matter along. Apparently, instead of hurrying it along, it is delaying it by discussion and all that sort of thing, and probably attempts, because some posts are put in, to put in other posts. I should be glad, also, since the matter has come up, if Congress would direct the turning over of a great many of the posts in this country to the Surgeon General for this use, and name the posts, and I should like to see them name the post in Montana that the Senator from Montana has mentioned, if the Senator is satisfied that that post is not required for military purposes and that it would be a good thing for purposes along this line; and this brings me to the real reason why I urged in the committee the incorporation in the bill of this provision regarding the commission.

Mr. WALSH of Montana. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. WALSH of Montana. I will join with the Senator with respect to that if there is any post in the country which is not being used for military purposes, and which the people of the

locality would like to have used for these purposes, and the War Department is averse to turning it over, such as the tract of land in the Senator's State. It occurs to me that this Congress would very appropriately consider whether they ought not to enact a law directing such posts to be turned over.

That, however, is not what I am complaining about. I am talking about posts that have actually been turned over and that are now used for hospital purposes. I am inquiring why we should legislate with respect to certain of these without making the legislation applicable to every other post.

Mr. POINDEXTER. Mr. President——

Mr. JONES of Washington. Let me suggest to the Senator that Walla Walla has not been turned over as yet.

Mr. WALSH of Montana. Then I have misunderstood the Senator from Wyoming, because I understood him to say that both of them had been turned over.

Mr. WARREN. I was under the impression that there had been a formal turning over, but no occupancy yet. In fact, there is no occupancy at Mackenzie. I have the word of the Surgeon General only. Of course I can not say but that he might have been mistaken.

Mr. JONES of Washington. I do not understand that there has been even a formal turning over of Walla Walla to the Surgeon General. My impression is that the War Department has expressed a willingness to do it.

Mr. WALSH of Montana. We might very appropriately hear then, it seems to me, the reasons why we should turn over or provide for the turning over of Fort Walla Walla, as we heard the reasons for turning over the post in the State of Arkansas advanced by the Senator from that State.

Mr. OVERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from North Carolina.

Mr. JONES of Washington. I yield first to my colleague [Mr. POINDEXTER]. I think he rose first.

Mr. POINDEXTER. Mr. President, I rose for the purpose of stating what my colleague subsequently stated. His understanding is the same as my understanding in that regard—that the purpose of the mention of Fort Walla Walla is to accomplish immediately, on account of the emergency existing, the opportunity to use the facilities there for treating these disabled soldiers; but it can not be done without a law being passed upon the subject. It might be done by the creation of a commission and authorizing the commission to select it; but, of course, that would entail delay. Fort Walla Walla is, according to the very latest information I have—and it is quite recent—under the care of a sergeant of the Army as a caretaker. I am informed that heretofore the War Department, instead of indicating a willingness to allow it to be used by the Public Health Service for hospital purposes has taken a contrary attitude, and said that if that should be done it ought to be done by law; that they would not authorize its use, and doubted their authority to authorize its use.

Mr. WALSH of Montana. If the Senator will pardon me further, the junior Senator from Washington came into the Chamber but recently. The fact has been disclosed in the debate that transfers of a large number of these posts have already been made by the War Department to the Treasury Department, and they have been turned over to the Public Health Service. Apparently, with respect to all of these, the War Department considered that it had adequate authority, and I have no doubt it had.

We ought to be apprised, it seems to me, before we legislate with respect to Fort Walla Walla, what the course of the negotiations with the War Department has been touching that matter and what attitude the War Department takes with respect to it.

Mr. POINDEXTER. I assume, of course, that all that has been inquired into. I myself attended a meeting a few days ago at which the Surgeon General of the Public Health Service was present, at which he urged this legislation, at which he submitted the report of the inspector of his service recommending the use of Fort Walla Walla for this service, and stated they had not been able to obtain it for that use. That was the unanimous information that came from all those who attended the meeting, including the Member in the House from the district where Fort Walla Walla is situated.

Mr. WALSH of Montana. It occurs to me, then, that before we act on the matter, we ought to hear the other side of the case, hear what reasons are urged by the War Department for declining, if they have declined, to turn it over.

Mr. POINDEXTER. That was all inquired into, and they said that while they did not know of any use to which it might be put, there might be some use the War Department would need it for at some future time. The House, I am informed, to-day passed House bill 15894, of which section 4 is as follows:

That the Secretary of the Treasury is hereby authorized and directed to take over immediately Fort Mackenzie, Wyo., and Fort Walla Walla, Wash., with all lands, buildings, and equipment belonging thereto, for the uses contemplated by this act, and to make such alterations, additions, and repairs to the same as may be necessary, and the Secretary of War is directed to turn over said properties to the Secretary of the Treasury for said uses and purposes.

Mr. JONES of Washington. Mr. President, it is my understanding—and it was inquired about in the committee—that this bill is simply a step toward providing ample facilities to take care of the ex-soldiers. Personally, I would be willing to have a provision in the bill along the lines of the amendment the Senator from Arkansas [Mr. ROBINSON] proposed, to adopt a program that would be ample, which would cost seventy-five or eighty million dollars. We would not be expected, however, to authorize the expenditure of that amount of money in this bill. That would not be necessary, because they could not spend that much in the next year, and there is no question but that Congress will appropriate from time to time whatever amount of money is estimated for that purpose.

I think I can understand the position of the Senator from Arkansas, which was very much my position, that it would be well in this legislation to authorize a program that would take care of the ultimate needs of these soldiers. I inquired with reference to that in the committee, and it seemed to be the general opinion of the members of the committee that that was not necessary, that it was clearly understood that this is the beginning of such a program, without naming it; that this appropriation, according to the Surgeon General, is all he could expend during the next year; that it is simply one step in the program that would be necessary; and that in the next year we will take the next step, whatever it may be, whatever may be necessary.

Mr. ROBINSON. Mr. President, at the appropriate time, to the committee amendment proposing to appropriate and make available for immediate use $17,500,000, I intend to offer an amendment to authorize an additional sum of $12,500,000, so that the authorities in charge of this work may proceed with it as rapidly as possible, that plans and specifications may be made, and contracts may be made, wherever that can be done advantageously. I agree that it is not necessary to appropriate at this time more money than can be expended in the construction and extension of hospitals, but my purpose is to make the authorization for all hospital facilities that are urgently needed, and that will carry an authorization of at least $30,000,000; indeed, it might be a larger sum than that.

In addition to that I have offered an amendment, which has no relation to the construction or extension of hospitals, but does have relation to the maintenance and care of the men in the hospitals, as well as out-patients, increasing the amount in this bill from $33,000,000 to $50,000,000. But, of course, that will come up as a separate amendment, after the committee amendments are disposed of.

I wanted to make clear to the Senator from Washington [Mr. JONES] that I agree with him that we ought not to limit our authorization at this time to the sums which will be expended in the coming year, for the simple reason that if we do that, at the end of the year we will be exactly where we are now. There will be the same lack of hospital facilities, with no anticipation of advance, and with complaints coming from every part of the country that the soldiers are being neglected.

Mr. JONES of Washington. My idea along those lines is very much in accord with that of the Senator from Arkansas. I have had some doubts myself as to the wisdom of adhering to the provision in the bill limiting the activities of the Surgeon General or the Treasury Department to $17,500,000, without in some legislative way recognizing the future development of the program, and, possibly, as the Senator suggests, wherever it is necessary during the year, and it is found advantageous, to make contracts going into next year, that they should have authority to do it.

Mr. OVERMAN. Mr. President, as the Senator from Washington will remember, I differed with him in the committee as to his amendment providing for a commission composed of Congressmen to locate these hospitals. It ought to be done by the health authorities and the Secretary of the Treasury. I was opposed to naming the location of any hospitals in the amendment, but was in favor of letting the Secretary designate them. I think Walla Walla will be selected, as well as the other places mentioned, but I am opposed to naming them, because the hospitals ought to be located where they will be most convenient for the ex-soldiers and those affected.

For example, this is to establish hospitals to take care of insane soldiers. The Secretary of the Treasury and the Public Health Service know where the hospitals ought to be located, and I am afraid if we turn over all the old abandoned posts for hospital purposes, we will send all the patients to one section of the country, because there are many posts in certain sections of the country, for example, where troops were held to fight Indians, and so forth, which have been abandoned, or will be abandoned, which might be all right for hospitals, but which would not be all right when we consider the convenience of these poor insane boys. They ought to be in hospitals where their families could at times see them, and where they would not be absolutely ruined by homesickness, because not able to see their friends and relations. I am willing to leave it to the Secretary of the Treasury and the Public Health Service to say where the hospitals ought to be located.

Fort Mackenzie may be all right, and probably is, and it has been turned over. Fort Walla Walla is all right. But why name them in the bill? Let us leave the discretion with the Secretary of the Treasury. I understand the Senator from Wisconsin [Mr. LENROOT] has offered an amendment to strike out the provision for a commission to be appointed by the Congress, and I am heartily in favor of that, and will vote against the amendment offered by the Senator from Washington [Mr. JONES], to have a congressional commission to look after it. I think that is all wrong.

Mr. JONES of Washington. Mr. President, of course, if that is the Senator's opinion, I have no complaint to make of it.

Mr. OVERMAN. I just wanted to state the reason why I differed with the committee on that matter. I did not vote for it.

Mr. JONES of Washington. There is another point I want to make with reference to the naming of these places in this bill. It is in the interest of time. The Surgeon General approves these places that are specifically named. Those who are willing to allow this matter to go to the Surgeon General it seems to me should welcome the specification of these places in this bill, because it will save any time that might be necessary in making any investigation to determine whether these are the proper places or not.

With reference to the suggestion of the Senator from Georgia, with respect to the general provisions of this bill, as to location of one of these hospitals in the Central Atlantic States, and others in other States, personally I care nothing about that provision. I would be perfectly willing to leave the location of these places, without any specifications of that kind, to whatever agency we determine in this bill shall locate them, whether it be by the commission, as reported by the committee, or as proposed to be amended by the Senator from Wisconsin [Mr. LENROOT], or that it shall be finally left to the Secretary of the Treasury. I would be perfectly willing to leave it without any limitation as to one being in this territory and another in that territory and another in some other territory. It does not seem to me that we have any reason really to haggle over matters of that kind. I believe that whatever agency is selected, authorized by Congress, will do what it thinks is the right thing for the soldier, and that is all we want.

Now, Mr. President, I want to make just one or two statements with reference to some other reasons why I urged this commission as it is provided for. It has been stated that this was my amendment in the committee. That is true. I conferred with quite a number of members of the committee, talked to them about what I had in mind, and they agreed with me, and thought it would be a good thing, and a majority of the committee thought so.

I want simply to state why I think it would be a good thing to have a commission of this kind. As I said at the beginning, I assume that there will not be any politics in the matter. If I had any doubt about that I would be against the proposition, and any Senator, of course, who thinks politics would move this commission will vote against it, and I think he ought to. I do not think there will be any politics in the action of that commission. I believe that the Vice President will appoint Senators and the Speaker of the House will appoint Representatives who will look solely to the interests of the soldiers and the interests of the Government. I may be entirely wrong about that. I may have too much confidence in the patriotic action of the Senators and their desire to protect the soldiers, to the neglect even of their personal interests. But I never thought about that. These are some of the reasons that moved me. This is a time for us to save all we can for the Government consistent with efficient administration. I believe we have much Government land throughout the country which could and should be used for these hospital sites, and wherever we have Government land that is not imperatively needed for some other purpose which is suitable, I think it ought to be used for these purposes. I have not any hope from past experience that any department of the Government will yield up any of the land or sites it may control for this purpose, unless it is almost forced to do it by legislation, or by such a state of public sentiment that it does not feel it can resist.

So I thought if we had a commission, and represented on that commission the legislative branch of the Government, the commission would view the situation, view the various properties of the Government, and follow very largely, of course, the adivce of the Surgeon General as to the desirability from a health standpoint, then look at the interests of the Government from the financial standpoint. If the Surgeon General said some certain site, for instance, was good for the soldiers from a health standpoint, then the commission, rather than buy land at a large expenditure, would say to the department having control of it, "You turn that land over to the Secretary of the Treasury for the purpose of building these hospitals."

I thought that might save the Government a great deal of money. Of course, if we should name the sites in the bill, then it would not be necessary, and to the extent we name the sites in the bill it makes it unnecessary.

Then there is another provision in the bill which I consider of great importance, the one authorizing this commission to pass upon the plans and specifications for these buildings. I think that would save the Government a great deal of money without interfering with the efficiency of these hospitals in the least. I think it is the disposition of Government officials having charge of the construction of Government buildings and property not to economize but to erect showy buildings.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. JONES of Washington. Certainly.

Mr. ROBINSON. Does the Senator think that the opinion of a Member of Congress, who is not an architect and who has no technical knowledge of plans and specifications, would be of very great value in arriving at conclusions on this subject? Would it not be better to leave it to officers of the Government who are in the habit of passing upon those matters and to whom they are familiar? I say frankly, with no intention of reflecting upon the intelligence of others or comparing theirs with mine, that I would not consider myself qualified to pass upon plans and specifications for hospital buildings without a great deal of study and certainly without the advice of medical men and men experienced in hospital construction and hospital operation.

Mr. JONES of Washington. There is nothing of that kind proposed, because on the commission, as a member, is the Surgeon General, who passes upon them from the health standpoint.

Mr. ROBINSON. Yes; but——

Mr. JONES of Washington. Just a moment, please. On the commission is the Supervising Architect, who will give his views, and the commission will have the benefit of those views. I think I am just about as competent as an architect is to pass upon the outside of a building, the character of the outside of it, and how big it ought to be constructed, and I think I could save the Government money. I do not wish to be a member of the commission and I am not thinking of that at all, but I think I could save the Government a great deal of money, not only in the construction of these buildings but in the construction of other Government buildings, if Congress would just keep its finger upon the plans and specifications for a little while.

I now yield to the Senator from Arkansas.

Mr. ROBINSON. The Senator overlooks the fact that the amendment of the Senator from Wisconsin [Mr. LENROOT] contemplates that the commission shall be composed of technical experts and the Secretary of the Treasury. My question was whether the opinion of a Member of Congress ordinarily would be of very much value concerning plans and specifications. The Senator has said that he is just as competent as anyone to pass upon the outside of a building, and that may be true, but the outside of a building is not of very much importance when it comes to providing hospital facilities.

Mr. JONES of Washington. That is the reason why I thought I was about as competent as anyone to pass upon it.

Mr. ROBINSON. The Senator by a process of indirection has reached the same conclusion that I asserted, and that is that Members of Congress on the commission would not be of very great value in so far as determining plans and specifications is concerned.

Mr. JONES of Washington. Of course, that is the Senator's opinion and he is entitled to it. I do not know, but I think that every Senator must be impressed with the fact that governmental agencies do not make very much effort to economize in governmental expenditures. This is especially true where they are constructing buildings or erecting structures of

any particular kind. At any rate, I have not seen very much evidence of it. It seems to me that they take about the most expensive way they can find for the construction of a building or any other structure that may be necessary.

Mr. ROBINSON. Will the Senator yield for another question?

Mr. JONES of Washington. Certainly.

Mr. ROBINSON. In view of the appropriations made and being made by the Congress, does not the Senator think his observation would apply to the Congress quite as much as to the executive departments?

Mr. JONES of Washington. I have done what I could to cut down appropriations in all appropriation bills I have had anything to do with this session. I have come to the conclusion that the only way to economize is to economize, that the only way to reduce an appropriation is to reduce it, that the only way to get them down is to cut them down.

Mr. ROBINSON. I think that declaration is quite democratic.

Mr. JONES of Washington. I find it to be true that the very moment it is learned that we are reducing an amount in an appropriation bill representatives of the various departments affected are down here talking to us, telling us how they are going to be ruined, their forces going to be disrupted, their business disastrously affected, and all that sort of thing. There has been, so far as I know, but one man who came before the Appropriations Committee in the hearings on the sundry civil bill who has manifested any desire or inclination to economize and try to get along in his department at less expense than heretofore. I am inclined to think that he has been treated more unjustly probably than almost anyone else and that we have left out too much for him.

I have explained what I hope to secure by means of the proposed commission. I may be entirely mistaken about it. I may be entirely wrong, but I urge it here, as I urged it before the committee, for practically the very reasons that are urged here by the Senators who are opposing it in order to get quick action. I believe that Members of Congress on the commission would act promptly in these matters, probably much more promptly than a departmental head who is seeking in every way possible to get up particular sorts of plans and all that kind of thing and who is not accustomed to acting quickly and promptly but takes his time with reference to these matters. I may be mistaken in that. Senators and Representatives might dillydally and delay and put off for weeks and months. I think it would mean economy. It may be that the Secretary of the Treasury and those under him who are preparing plans and specifications trying to get elaborate grounds and get them fixed up in this shape or that, having this sort of ornamentation and that on the buildings, would economize far more than the congressional commission might.

Mr. ASHURST. Mr. President, will the Senator yield to me for a question?

Mr. JONES of Washington. Certainly.

Mr. ASHURST. If the Senator had a sick friend or, unfortunately, an ill relative, would he consult a physician or four politicians?

Mr. JONES of Washington. I can not see the pertinency of that question at all. My good friend from Arizona may see it, but I can not.

I am not seeking here to leave to a commission the question of whether these men are sick or well; not a bit of it. I would like to see this matter left to men who would say, "Let us act promptly in the matter," and to say to the Secretary of War, "Turn over these military posts to the Surgeon General, and do it right away." Let him go on with the construction of his buildings under plans and specifications which may have been prepared of the most modern character, but leave off all sorts of ornamentation, and that sort of thing. Let us get some genuine hospitals.

Mr. SMITH of Arizona. Mr. President——

Mr. JONES of Washington. I yield to the Senator from Arizona.

Mr. SMITH of Arizona. Along the line in which the Senator is speaking, I do not think we could find greater wisdom than in the transfer to the proper medical department, if I may so denominate it, of suitable places for hospitals. I do not wish to have it understood that by my former interruption of the Senator I was making criticism of any particular Secretary of War.

Mr. JONES of Washington. No; not at all. It had reference to the general policy of the department.

Mr. SMITH of Arizona. It was an expression of the general proposition. There is no authority to turn anything over. I do not question it, because it is so necessary, but there ought to be in the bill or somewhere else a requirement that those not used for military purposes, that can be used economically for hospital purposes, should be turned over by that department, by deed or by proper transfer of authority of the particular department.

Mr. JONES of Washington. Mr. President, I am not going to take further time on the proposition. However, I do wish to call attention to section 3 of the so-called Langley bill and the fact that under that provision there is no real authority to compel anything to be done with reference to the transfer of properties. It reads:

SEC. 3. That the Secretary of the Treasury, in securing sites herein provided for, may request the Secretary of any other department of the Government to transfer to the Treasury Department such lands or lands and buildings under his control, not required for other purposes, as the Secretary of the Treasury may deem suitable—

He may request this of the other departments—

and other departments are authorized to make such transfers to the Treasury Department as may be deemed to be in the interest of the Government.

He may request this of the other departments, and the other departments are authorized to make such transfers to the department as may be deemed to be in the interest of the Government.

Mr. SMITH of Arizona. But they are not required to do it.

Mr. JONES of Washington. No; they are not required to do it, and there is no one authorized to require them to do it. What will be the procedure under that? The Secretary of the Treasury will probably see some particular tract of land which he would like to have and he will write a letter to the Secretary of War, and the Secretary of War will write back and say, "I do not think it is in the public interest to do that," and that will end it, and there will be nothing done. But where will my friend, the Senator from Arizona, get land upon which to build the hospitals? If we can not get it from the Government agencies, then we will have to buy it, and that will cause negotiations and all that sort of thing and a tremendous expenditure on the part of the Government.

Mr. President, if the Senate is not going to adopt the provision for a commission, then it should adopt something that will make the request of the Secretary of the Treasury effective, if he considers it in the public interest that some particular piece of Government property shall be taken for this purpose. I hope that that will be done, at any rate. I have no special pride in the provision. If it does not appeal to Senators, that is all right. It does appeal to me, and it appeals to me in the interest of time, in the interest of economy, and in the interest of taking care of these soldiers of ours. If it does not appeal to other Senators, then I shall be glad to accept whatever does appeal to them, because we are all after exactly the same thing. Sometimes it seems to me that Senators rather proceed on the theory that we are not all after the best interests of the soldier. I do not think the discussion should be placed upon that basis at all. It ought to be upon the assumption that every Senator is just as earnest and just as anxious as any other Senator to make full and ample provision for every disabled soldier of the United States Government.

Mr. WADSWORTH obtained the floor.

Mr. THOMAS. Mr. President, will the Senator yield to me just a moment?

The PRESIDING OFFICER (Mr. MCNARY in the chair). Does the Senator from New York yield to the Senator from Colorado?

Mr. WADSWORTH. Certainly.

Mr. THOMAS. I wish to reserve the right, when the bill comes into the Senate, to move a reconsideration of the vote agreeing to the amendment found on page 38, line 3, and also the amendment found on page 48, line 22.

Mr. WADSWORTH. Mr. President, the Senator from Wisconsin [Mr. LENROOT] has offered an amendment changing the personnel of the proposed commission. The offering of that amendment brings up the whole question of the commission, for the Senate to decide whether we are to have one or not, as I assume, and if so, what sort of a commission.

Much has been stated in the discussion as to the disposition of Government property which is not needed for purposes for which it was originally designed and is needed and can be used for the purposes of the Public Health Service. There is no doubt whatsoever that there is a good deal of that kind of property. Much of it is under the War Department. The committee amendment, however, as reported by the committee, attempts to set up an outside commission which could dispose of that property without the consent of the President of the United States, a thing which is utterly impossible in my view.

An amendment to the commission provision has already been accepted and agreed to providing, in effect, that the Secretary

of the Treasury shall secure or accept, with the approval of the President, such sites as may be approved by the commission. In other words, the President of the United States is the final authority in the matter. I can see no use in erecting any other kind of authority under the law, even advisory. Why not leave to the President of the United States the sole jurisdiction over this question, as he must have under the Constitution? Why erect a commission, and, especially, why put Members of the Senate and House upon it to make this survey which in the last analysis must go before the President and be approved by him before anything can be done?

The functions ascribed to the commission are pretty important, if the commission is to be erected just as the committee proposes, and especially notable is that function provided for in the last sentence of the paragraph on this question, to wit, that all plans and specifications for the construction of buildings and preparation of land for use authorized herein shall be approved by the commission. It is proposed that there shall be two Senators and two Members of the House of Representatives on the commission. They can not pass upon the plans for the buildings or the preparation of the land without visiting the site. That is, they can not pass upon them with any degree of reliability in their judgment. There would, then, be two Members of the Senate and two Members of the House of Representatives visiting Walla Walla and other far-away Army posts and other Government properties all over the country. They would have to take part in the selection of all these sites. For weeks would they be on the road. Any commission which was formed under this proposal would have to spend most of its time traveling in order to pass intelligently upon the plans for the buildings and the preparation of the lands as well as the selection of the sites.

I am as anxious as is anyone else to take away from the War Department and other departments of the Government those properties which they do not really need and turn them over to other departments of the Government which can make better use of them. Certainly if the Public Health Service can make better use of a piece of Government property than can the War Department, it ought to have it; but who is going to determine that question in the last analysis? There are only two powers that can do it.

The Congress could pass an act reciting one by one the Government properties which might be turned over or which must be turned over. In order that the Congress might do that intelligently, we should have to name a committee of Congress to tour the country and examine all the properties and report to Congress which ones, in its judgment, should be turned over to the Public Health Service. It would take months to bring about any decision of that sort.

The only other authority which could rightly be used in the disposition of Government property, when Congress authorizes it in general terms, is the President of the United States; and if we want to save time, if we want to do this thing effectively, we shall simply authorize the President of the United States, in his discretion, to turn over any Government lands or buildings to the Public Health Service, under the jurisdiction of the Secretary of the Treasury, which, in his judgment, can be better used for the care of patients of the War Risk Insurance Bureau than for the use to which that property is being put to-day. In any event, he will have to approve whatever is done. Why not lodge the authority with him solely, in the first instance, save time, have it more effectively done, and, incidentally, avoid the danger of injecting geographical or local politics into the selection of the sites?

Mr. POMERENE. Mr. President——

Mr. WADSWORTH. I yield.

Mr. POMERENE. I desire to ask the Senator a question. The Senator made the statement that he should like the property, which was under the care of the Secretary of the Treasury, to be thus turned over for this specific purpose?

Mr. WADSWORTH. No.

Mr. POMERENE. Did the Senator mean the Secretary of the Treasury or the Secretary of War?

Mr. WADSWORTH. I said that the property should be turned over for the use of the Public Health Service under the jurisdiction of the Secretary of the Treasury, because he is the head of that department.

Mr. POMERENE. Does the Senator mean by that the property whch may now be under the control of the Secretary of War?

Mr. WADSWORTH. Yes; or of any other department of the Government.

The trouble with the committee's original amendment is that it would allow an outside commission to take any building or piece of land which is owned by the Government of the United States and, regardless of the Chief Executive, place it under the Treasury Department. Under the language of the amendment it might be possible—of course, this is a ridiculous stretching of the possibilities—to take the White House and make a hospital of it.

Mr. WARREN. Did not the amendment which was proposed by the Senator from New York carry?

Mr. WADSWORTH. Yes; that objection has been corrected, but I think the very acceptance of that amendment illustrates the point I am trying to make; that it is the President alone, or Congress, who can finally make disposition of the property; and Congress can not do that without having an enormous survey made of the entire United States by a committee of Congress. Therefore, if I may have the attention of the Senator from Wisconsin——

Mr. JONES of Washington. Will the Senator from New York yield to me for just a moment?

Mr. WADSWORTH. I yield.

Mr. JONES of Washington. On reflection, I do not believe that the amendment which the Senator from New York proposed and which I accepted, so far as I was concerned, is really necessary. In my judgment, if Congress shall enact this provision and it shall be approved by the President, that will provide for the disposal of the property and how it shall be disposed of, and the President will have exercised his discretion when he approves the bill. I have no objection to the provision being inserted, but that is the way it now strikes me. By the provision we authorize and direct the transfer of the property whenever the commission decides that it should be used by the Public Health Service. If the President signs the bill making such provision, it is a disposal of the property under the Constitution.

Mr. ROBINSON. The proposal the Senator from Washington just made would mean that if the President thought that Fort Mackenzie ought not to be turned over to the Treasury Department, in order to prevent its being turned over, he would have to veto this entire bill, which, of course, he would never do.

I express the opinion that as to particular properties, where an investigation has been made, and where Congress, after a full investigation of the matter, or acting on full information, believes that the transfer should be made, there is no objection to promptly ordering that transfer; but the general authority, as stated by the Senator from New York [Mr. WADSWORTH], ought certainly to be modified so as to comprehend an approval by the President or action by the President. Otherwise the activities of the Government in other departments might be needlessly embarrassed by the taking by the Treasury Department of property actually needed by some other department of the Government and in some instances property indispensable for its purposes.

Mr. WADSWORTH. Mr. President, I am in complete sympathy with the purpose of the Committee on Appropriations in making use of Government property in the way proposed, but I have grave doubt as to the efficacy of using a commission in bringing that about. Commissions spell delay and red tape. I have never known a commission to act promptly. This is to be an ex officio commission with a sort of mixed membership. Four of the members, being Members of Congress, have plenty to do right here in the Capitol. It is therefore very doubtful whether they would be of any real benefit to the commission, for they could not spend the time traveling about the country examining sites. If we adopt the change suggested by the Senator from Wisconsin, that still leaves an ex officio commission made up of subordinates of the President of the United States. What is the use of naming subordinates of the President of the United States when the President must take the responsibility in the long run? I was going to ask, in view of this situation, if the Senator from Wisconsin would be willing to withdraw his amendment for the time being in order that I might offer a substitute for the entire paragraph relating to the creation of a commission and its powers?

Mr. LENROOT. Mr. President, inasmuch as the Senator's proposal would then be in order, I think it would be better to have the amendment proposed by me acted upon, and then have the Senator offer his substitute.

Mr. WADSWORTH. Very well.

The PRESIDING OFFICER (Mr. KENYON in the chair). The question is on the amendment of the Senator from Wisconsin [Mr. LENROOT] to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is now on agreeing to the amendment as amended.

Mr. WADSWORTH. I offer the following as a substitute for the language between line 17, on page 22, and line 16, on page 23, inclusive.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The READING CLERK. In lieu of the paragraph from lines 22 to 23 in the committee amendment it is proposed to insert the following:

In carrying out the purposes herein authorized the President is authorized and empowered, in his discretion, to assign for the use, permanent or temporary, of the Public Health Service, under the jurisdiction of the Secretary of the Treasury, such lands or buildings now owned by the United States which, in his judgment, can be used more efficiently for the care of patients of the Bureau of War Risk Insurance.

Mr. WADSWORTH. Mr. President, I have no particular pride of authorship in the amendment, but I suggest that it may solve the whole question.

Mr. ROBINSON. Mr. President, the amendment to the amendment is offered as a substitute for the committee amendment commencing in line 17, on page 22, and extending down to line 16, on page 23, is it not?

Mr. WADSWORTH. Yes.

Mr. ROBINSON. Mr. President, the whole subject has been discussed. I am heartily in favor of the amendment of the Senator from New York to the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York to the amendment reported by the committee.

Mr. LENROOT. I should like to ask the Senator from New York a question. As I recollect his amendment, it only authorizes the President to assign certain sites which the Government now owns. If limited to that, where will be the authority to acquire any new sites for hospitals or who will secure them?

Mr. WADSWORTH. Mr. President, it seems to me that another part of the committee amendment takes care of that situation, by implication, at least.

Mr. JONES of Washington. On page 21 there is a provision which reads as follows:

The Secretary of the Treasury is authorized to provide additional hospital and out-patient dispensary facilities for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, (1) by purchase, gift, or lease of existing plants—

And so forth. I think that will cover that.

Mr. LENROOT. That is true.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. NEW. Mr. President, if it be in order at this time, I move to amend by inserting, on page 21, line 4, before the words "Louisville, Ky.," the words "Evansville, Ind."

Mr. ROBINSON. May I inquire whether there is now in operation a hospital at that place?

Mr. NEW. There is a marine hospital at that place, which has been turned over to the Public Health Service and is now being used by it.

Mr. ROBINSON. I wish to ask the chairman of the committee, with the indulgence of the Senator having the floor, whether his committee intentionally omitted Evansville from the bill or whether it investigated the matter and found that it should not be included?

Mr. WARREN. The matter was not presented to us at the time by the Surgeon General. I now, however, have in my hand a letter from the Surgeon General addressed to me as chairman of the committee, dated February 6, in which he says:

In handing you the memorandum of hospitals owned by the Government, which could be expeditiously and economically expanded, I did not mention Fort Bayard, N. Mex., which the Public Health Service holds under revocable license from the War Department. Senator JONES has called my attention to this omission, and Senator NEW has also called my attention to Evansville, Ind. We are also just beginning the erection of some frame portable buildings at the Pittsburgh (Pa.) Marine Hospital.

You and the committee have been so courteous in this matter that I dislike to impose further upon you, but, if it be practicable, I would like to suggest adding Fort Bayard, N. Mex., $750,000; Evansville, Ind., $100,000; Pittsburgh, Pa., $250,000, making a total additional of $1,100,000 to the amount made immediately available for adding to existing capacity of Government-owned hospitals.

I wish to say that if this matter had been before the committee, if I understand the temper of the committee correctly we would have included the places indicated, and, perhaps, others. I wish to say now, on my own account—I can not speak for the committee, because I have not had an opportunity of consulting other members since the letter from the Surgeon General came in half an hour ago—that I should be glad either to move, in lieu of the Senator's motion, or have him make a motion to include all of the places mentioned by the Surgeon General and the amounts set forth by him as being necessary to cover the improvements. They are all the places mentioned by him as being available and desirable for immediate use.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. NEW. Yes.

Mr. McKELLAR. I just want to state that in the city of Memphis, Tenn., we also have a marine hospital which can be used for such a purpose, and I was wondering if the Senator from Wyoming and the Senator from Indiana would be willing to insert that in the amendment offered?

Mr. WARREN. Mr. President, if the Senator please, I think in all these cases we ought to have the advice of the Surgeon General about them, and I think we ought not to go further now than those he has specifically recommended, but my disposition is that all of those matters should be looked up in the near future.

Mr. McKELLAR. Would the Senator be willing to have it go in now, and then discuss the matter in conference?

Mr. WARREN. What would be the Senator's suggestion? I did not quite catch it.

Mr. McKELLAR. The marine hospital at Memphis, Tenn.

Mr. WARREN. Are they using it now?

Mr. McKELLAR. They are using it now, as I understand.

Mr. WARREN. Has the Senator any idea how many beds could be added there?

Mr. McKELLAR. No; I have not. I could not give any information about that.

Mr. WARREN. I would be perfectly willing to add it, and let it go to conference, except for the fact that it has not yet been asked for by the Surgeon General.

Mr. KING and Mr. LENROOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield; and if so, to whom?

Mr. NEW. I yield to the Senator from Utah for a question.

Mr. KING. I should like to ask the chairman of the committee if it would not be wiser to have general authority conferred upon the President, or the Secretary, or the Surgeon General, wherever we shall conclude to lodge the authority, to take over for the purposes contemplated by this amendment any hospitals now owned and controlled by the Government? Why specify the Memphis hospital, or the Evansville hospital, or any other? Why not give them authority, within the limits of the appropriation, to take over such hospitals as they deem necessary, and which are available for the imperative needs of the ex-service men?

Mr. ROBINSON. Mr. President——

Mr. WARREN. Mr. President, will the Senator from Indiana yield to me?

Mr. NEW. Certainly.

Mr. WARREN. In answer to that question, and also as to this whole matter, I wish to say to the Senator from Arkansas that we all know that we are near the end of an administration. We all know that in all probability we shall have very soon the nominations of the Secretaries of the various departments, and shall proceed to confirm them. We all know the rush that will be made for this office or that, so I feel certain that where we have the matter in safe hands, with the Surgeon General, and he makes these propositions, if we carry the matter out exactly as we have it, and add the others, the Surgeon General without all that delay and vexation can proceed, and he will have hospitals completed and the beds occupied weeks and perhaps months before we would otherwise be able to arrive at the same conclusion.

Mr. NEW. Mr. President, I am perfectly willing to accept the substitute for my motion offered by the Senator from Wyoming; and in saying that I should like to say to the Senate that, noticing the omission of Evansville from this list, I called up the Surgeon General of the Public Health Service and asked him about inserting Evansville in the list. He said he would be very glad to have it inserted, and that it should be so inserted, to which he added that when he was asked by the committee to name the places at which these expenditures were to be made he had done it from memory, having no memorandum before him, and that through inadvertence he omitted these places. He did not say to me that he was going to follow it up with a letter to the chairman of the committee, but he has done so, and that is the letter that the Senator from Wyoming has just read. I think that is the situation, and I think it is perfectly manifest that that omission was made, as the Surgeon General says, through inadvertence, and that it should go into the bill.

Mr. HARRIS. Mr. President, may I interrupt the Senator?

Mr. NEW. I yield to the Senator from Georgia.

Mr. HARRIS. I should like to know whether the Evansville Public Health Hospital, if that is its name, is owned by the Government? The Government has a number of hospitals leased. When it is a question of making permanent improvements I do not think the Government would act wisely in expending money on rented land until it has been definitely decided

to purchase the property. I think some of the leased hospitals are most desirable, more so than many of those owned by the Government. Under the amendments to the bill the Surgeon General and the Secretary of the Treasury can improve and acquire the most desirable leased hospitals, and I favor this.

Mr. NEW. I think it is owned by the Government. They are brick buildings which were in the possession of the marine hospital service before being turned over to the Public Health Service, which now controls them.

Mr. HARRIS. I should be glad to see Evansville included, provided the Government owns the land.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Indiana.

Mr. NEW. As amended.

The PRESIDING OFFICER. The Chair understands that the Senator from Indiana accepts that amendment, and makes it part of his amendment.

Mr. NEW. I accept the amendment offered.

Mr. WARREN. Then I send to the desk an amendment, which I ask to have stated, to see if it covers the ground.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The READING CLERK. On page 21, line 4, after the word "Kentucky," it is proposed to insert the following:

Fort Bayard, N. Mex.; Evansville, Ind.; Pittsburgh, Pa.; and Memphis, Tenn.

Mr. WARREN. This will require, of course, an enlargement of the sum of $5,000,000 to about $6,250,000, and if that amendment is adopted I shall offer another amendment later.

Mr. LENROOT. Mr. President, I do not think the Senate ought to legislate in this way. It really confirms the objection that I made to a congressional commission. The Senator from Tennessee, having noticed the Senator from Indiana offering an amendment to include a hospital in his State which has been recommended by the Surgeon General, the Senator from Tennessee gets up and offers an amendment to include one in his State which has not been recommended.

I am in favor of adopting as amendments those that have been considered by the Surgeon General. I am willing to vote for all of them; but if every Senator is going to get up here and offer an amendment to include a hospital in his State—which, remember, is a direction to the Secretary of the Treasury to expend money either in new buildings or in additional buildings at these various places—I say it is not the way to legislate.

Mr. McKELLAR. Mr. President, the hospital in Tennessee is in exactly the same position as the hospital in Indiana and the one in St. Louis, I believe.

Mr. LENROOT. Is that included in the Surgeon General's letter?

Mr. McKELLAR. No; but he was not asked about it, and since he said that it was inadvertent that the others were left out, surely he means the same thing about all of the hospitals.

Mr. LENROOT. Oh, he does not, I am sure. We have dozens of hospitals that are not included here that are owned by the Government, the Public Health Service; and where are you going to stop?

Mr. THOMAS and Mr. ROBINSON addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Wisconsin yield?

Mr. LENROOT. I yield to the Senator from Colorado.

Mr. THOMAS. Mr. President, I merely wish to interrupt long enough to ask the Chair if there is still time for me to include a hospital in Denver, Colo.

The PRESIDING OFFICER. The Chair thinks there is.

Mr. ROBINSON. Mr. President, will the Senator yield for a statement?

Mr. LENROOT. I yield to the Senator from Arkansas.

Mr. ROBINSON. All this illustrates the necessity and importance of using general language that will enable the Government to avail itself of the privilege of extending any hospital that it is now using and owns. It appears that the provision reported by the committee omitted through the inadvertence of the Surgeon General, who stated the matter from memory, a number of these hospitals that were intended to be embraced. Now, why should we not use general language, such as is incorporated in the France bill, and such as is embraced in the amendment that I have proposed, authorizing them to extend or enlarge any plant that they own or may acquire? Why limit it to specific places?

I apprehend, as stated by the Senator from Wisconsin, that there are a number of other hospitals being used by the Government that the Government may desire to enlarge and continue to operate; but under this committee provision you can not enlarge one of them or extend it without additional legislation unless it is specifically named here, and we have the spectacle of a contest here as to what places shall be included. Why not give them the power to enlarge any hospital that they have if the service needs it? Why limit it to a few places or to a given number of places?

Mr. WARREN. Mr. President, in answer to that I wish to say this: You can put off a thing from day to day, but the struggle comes some time. In this case the situation is the same as it is with public buildings. It has come to a pass now where we can no longer pass a public-buildings bill except in the form of an omnibus bill which names certain amounts and which carries very many buildings.

We are to-day scuffling as to whether we will or will not put in the names of certain places. It is easier to leave it to one man. What kind of a life will he lead, with all the Senators and Representatives in Congress at his heels here, in locating these different institutions or in enlarging them? We might as well take a part of this responsibility on our hands, locate a few of them with the intention of taking the others as he may recommend them, and set him to work at once to relieve this situation.

All this loud talk about relief relieves nothing unless you get somebody to work at once. That is why we want to get the Surgeon General in such a situation that he no longer has to wait for anybody, so that he may not have to spend hours in the morning seeing Senators and listening to them about this place or the other in which they want to locate a hospital.

Mr. NEW. Mr. President——

Mr. LENROOT. I yield to the Senator from Indiana.

Mr. NEW. So far as I am concerned, there is certainly no contest here for the inclusion of any place. I directly asked the Surgeon General if there was any reason why Evansville had been omitted from that list. He said there was not any other reason for it than that he had failed to remember it when he was asked to put down the names of the places that he wanted included in that list. He did not submit that list in writing; and he said that in doing it, in making a hasty memorandum for the committee, he had overlooked those two or three places, and that they should be included in the bill. As I said before, he did not say to me that he would write to the chairman of the committee, and I did not ask him to do so. That he did of his own accord, and it is at his request that these other places were named.

Mr. McKELLAR. Mr. President——

Mr. LENROOT. I yield to the Senator from Tennessee.

Mr. McKELLAR. All I have to say about the Memphis, Tenn., hospital is that it is not a question of locating one there. It has already been located there; there is no doubt about that; and it does seem to me that it ought not to be precluded because the matter of improvement is withheld from that and given to others.

Mr. LENROOT. Mr. President, it seems to me the Senate ought to see very clearly that the Surgeon General's Office presumably has made certain recommendations to take care of as many soldiers as equitably as possible within the appropriation of a certain amount of money. Now, if Senators are going to get up here, without recommendation from that office, and say: "We want to direct this hospital to be enlarged," or, "We want to direct that hospital to be enlarged," certainly Senators must see that they will be doing injustice to some soldiers, when the department has taken into consideration the entire country, and has made recommendations to take care of them as equitably as possible.

Mr. President, I have no objection to including every one that the Surgeon General has recommended, and I will vote for this amendment; but I am opposed to the amendment of the Senator from Tennessee, because if it is adopted I do not see how the Senate can refuse to adopt a dozen more which will be offered upon the same basis as that of the Senator from Tennessee.

Mr. ASHURST. Mr. President, I submitted some observations on this question on the 3d of this month, and I pointed out, without any intention of reflecting upon the author of the Langley bill, the serious vice of that bill. It is unmistakably manifest. Consider for a moment, on page 22, the following language:

The appropriations hereinafter made shall include and provide for five hospital plants of fireproof construction for the treatment of neuropsychiatric and tuberculosis patients and shall be located as follows: One in the Central Atlantic Coast States, one in the region of the Great Lakes, one in the Central Southwestern States, one in the Rocky Mountain States, and one in southern California.

The committee had a delicate and difficult task with which to grapple, and, taking the subject by its four corners, the committee did exceedingly well. Let me illustrate: At Tucson, Ariz., in the southern part of the State there is United States Public Health Service Hospital No. 51. It is a United States Public Health Service hospital. Under the present provision of

the committee, although the Surgeon General desires to do so, he would not be permitted to increase the present capacity of that hospital.

The location of the additional hospitals should be left to the discretion of the Surgeon General.

That official, before he acts, would, of course, call for and follow the opinion and the advice of the trained physicians who are under him. So it seems that the more we debate the subject the more powerful becomes the argument that we ought not in such a serious matter attempt to name the hospitals; we ought to permit the Treasury Department, through the Surgeon General of the Public Health Service, to have a wide latitude, so that he can exercise his discretion not only as to the location but as to whether there shall be additional facilities at a particular hospital.

Mr. POMERENE. Mr. President, may I have the attention of the chairman of the committee for a minute? I would like to ask the chairman of the committee what special reason there is for naming certain of these hospitals, as at Boston, New York, Perryville, Whipple Barracks, and so forth?

Mr. WARREN. There is not any reason perhaps for naming anything anywhere if you want to put all the money in a bag and say nothing about it. But these matters, as I said, were investigated, and it was estimated how much they would cost, how many beds could be furnished, and it amounted to approximately 2,750 beds, in the first place, and perhaps over one-half as many more in the two military posts last named, and just as I have stated. I want to see this work done right away without any further delay and to get these men into these hospital beds right away. If we pass the bill with this amendment in it, the Surgeon General will make an authorization; there will be no further brake on him, and he can go ahead.

Mr. POMERENE. Mr. President, I want to ask a further question——

Mr. FLETCHER. In this connection I want to ask if it is not true that the hospitals at all these places named are now being used?

Mr. WARREN. They are all Government property, and they are all now in use.

Mr. POMERENE. It turns out that there are some other places being used. I want to ask another question as preliminary to the making of a motion. What special reason is there for the proviso:

Provided, That not exceeding $600,000 of the amount herein appropriated is authorized to be expended at Fort Mackenzie, Wyo., and Fort Walla Walla, Wash., in providing and greatly increasing hospital facilities thereat.

What special reason is there for stating that sum?

Mr. WARREN. There are two posts with satisfactory accommodations for housing, we will say, in one case a thousand men, perhaps in the other more; but to make it applicable to hospital uses you have to take those barracks and install partitions, and so forth, and perhaps do some outside work in the way of providing water and electricity, and so forth. You have to fit the other portions for the help not only for the surgeons, but for the nurses and all the other lesser help. No post built for a military post only has any hospital facilities larger than for the number of men quartered there.

Mr. POMERENE. I can understand that; but was the committee of the opinion that it would be proper to expend the $600,000 for these purposes at these particular posts?

Mr. WARREN. So much as might be necessary. As I have explained—and perhaps I ought not to observe it—they have already provided separately for that in the bill which came to us from the House. I am trying to get something so that when we get to conference it can not be knocked out by the swipe of a hand as being entirely outside of anything the House has shown any disposition to expend.

Mr. POMERENE. It has been demonstrated that an error was made in naming these hospitals and not naming some others, and it is also suggested that because some others were named which ought to have been named, still others should be added for which there is no recommendation at all, and as a substitute for the amendment I move to strike out all after the word "purposes," on line 1, page 21, to and including the word "Kentucky," on line 4.

Mr. WARREN. I think there is an amendment to the amendment pending.

The PRESIDING OFFICER. There is an amendment to the amendment pending. The motion is out of order.

Mr. POMERENE. I offer this as a substitute.

The PRESIDING OFFICER. There is an amendment to the amendment pending now.

Mr. POMERENE. I think the Chair is correct.

Mr. WARREN. That would not be in order.

Mr. POMERENE. I offer it for this reason: It will then give to the proper authorities full authority to expend this money at any place now being used, or that has been used, by the Public Health Service, so that they can take care of the places named here, or any others, including Memphis, if that is a proper place. I do not know about that. There may be still other places.

Mr. McKELLAR. I want to assure the Senator that Memphis is a proper place. It is one they use now.

Mr. POMERENE. I have not seen any place named in Ohio as yet. I do not know whether there is such a place as that there, but there might be.

Mr. WARREN. If Ohio is left out, then for goodness sake let us put it in. Let us get Ohio in somewhere, dead or alive.

Mr. POMERENE. It will be pretty much alive after a while.

Mr. THOMAS. Mr. President, I am sorry my attention was not called to this provision earlier, because I am sure if it had been, by camping day and night with the Surgeon General of the Public Health Service I could have secured the incorporation in his list of my home city of Denver. We have a very large hospital there which has been used in part by the Public Health Service, and we have a climate the knowledge of whose healing properties has been general throughout the world for a great many years. It is the most attractive and salubrious climate in the world for tubercular patients. We have, in addition to that great public hospital, several tuberculosis sanitariums, all of which have been built there because of the advantages, climatic and otherwise, which that hospitable and dry atmosphere offers to those suffering from that terrible malady.

I am very sure, Mr. President, that if the Surgeon General had had any time whatever for reflection he would, without any solicitation of mine, have intuitively and instinctively and inevitably included the city of Denver, State of Colorado, in his list. It is in all probability a future calamity not only to the people of my city and to the ex-soldiers suffering with tuberculosis, but also to the people of the United States, that the city of Denver has not been included in this list. I can readily see, Mr. President, that the exclusion of it, by implication at least, will result in the exhaustion of this enormous appropriation long before the officers of the Government reach the Missouri River in their journey westward, and I am very sure that there is no place east of the Mississippi River which can compare with the climate of my State for tuberculosis.

There is another reason why I think Denver should be included. My State went Republican last year by 68,000 majority. It is the first time it has given its electoral vote to the Republican candidate since 1904, and the second time it has given that sort of a result since 1888. I think my friends on the other side should encourage this political aberration—for I hope it will eventuate in nothing more serious—by recognizing the need for sweetening us a little bit and enabling us to come in and have the great city of Denver associated with the great city of Boston, and New York, and Perryville, and Norfolk, and Whipple Barracks, and Chicago, and Lake City, Fla., and Atlanta, and Louisville, and Memphis, and all the other places which are actuated only by the principle that actuates me, a desire to help the ex-soldiers.

So I ask leave to amend the amendment, if it is possible, by inserting somewhere in the list of favored places the present Republican city of Denver, Colo. I do not care whether it appears alphabetically, whether it is like Abou Ben Adhem, to lead the list, or whether like Zebulon, to end it; just so it is there. [Laughter.]

The PRESIDING OFFICER. The amendment, the Chair will say to the Senator, is out of order, as it would be an amendment in the third degree.

Mr. THOMAS. That is my misfortune in being so late.

Mr. ASHURST. On the 3d of February, Mr. President, I said as follows:

Surely Congress will not make a pork-barrel bill out of a hospital bill. I thought we had passed the day of the pork barrel.

The attempt on the part of Congress to locate hospitals and to deprive the Surgeon General of any discretion in the premises will not be in the interest of general welfare.

Mr. GLASS. Mr. President, it seems to me that this proposal involves a substitution of the uninformed judgment of Congress for the professional judgment of the Surgeon General of the Public Health Service. The Senator from Arkansas [Mr. ROBINSON] said awhile ago—and I think properly said—that the commission proposed by this bill, upon which there are to be Congressmen, if the amendment prevails, would not be competent to determine questions of architecture or questions relating to the effective equipment of hospitals. But now it is proposed to substitute the judgment of the Senate—totally uniformed upon these details—for the judgment of the Surgeon General,

formed and frankly expressed at a time when he was free from importunate demands from Members of Congress for the location of these hospitals in their respective States. This problem should be put above a scramble for public buildings. We are dealing with a thing that vitally concerns men disabled while fighting for their country. The committee conceived, and believes now, that the Surgeon General specified these particular hospital extensions because he had made an intelligent survey of the whole country, and deemed these particular points the proper points and the urgent points for the expenditure of these sums and the extension of these hospital facilities.

If we strike out these definite points, accepting the suggestion made by the Senator from Ohio [Mr. POMERENE], it means that we shall hammer over old brass and that the Secretary of the Treasury will be importuned to locate these permanent structures at points not urgently requiring improved hospital facilities as may be recommended by the Surgeon General, free from extraneous considerations.

If we do not proceed in this orderly fashion, my friend the Senator from Tennessee [Mr. MCKELLAR] will swiftly point out to the Surgeon General the urgent necessity of having an extension made at Memphis. The distinguished Senator from Colorado [Mr. THOMAS], who wittily suggests that the Republican city of Denver should be taken care of, will immediately call upon him with wholesome advice. Perhaps I shall want him to consider some points in Virginia, and so on. It seems to me this will make for delay and confusion.

Therefore, I think the committee has acted wisely in proceeding upon the advice of the Surgeon General, and I shall vote for the amendments proposed by the committee, which are based upon the judgment of the Surgeon General, and against any that are not specifically recommended by the Public Health Service.

Mr. POMERENE. If I may suggest to the Senator from Virginia, I think the sole reason I had in mind in proposing the amendment which I did was to avoid the possibility of excluding some place which had already been determined upon by the Surgeon General. The record of debates thus far shows that by some means Evansville and Fort Bayard were omitted. If my amendment is agreed to, the Surgeon General can immediately recommend every one of those places and no other places.

Mr. GLASS. If the Senator will permit me, I assume that when the attention of the Surgeon General was called to the fact that Evansville had been omitted and he said to the Senator from Indiana [Mr. NEW] that it had been inadvertently omitted, the Surgeon General, in his own mind and upon his data and records, reviewed the entire situation. That is indicated by his letter to the chairman of the Committee on Appropriations, in which he not only includes Evansville, but includes two other points which were inadvertently omitted. Hence, I think that we may safely assume that the Surgeon General, for present emergencies, has covered the whole ground. I think it would be wise for the Senate to adhere to the recommendations of the Surgeon General.

Mr. LENROOT. Mr. President, I wish to ask the Senator from Wyoming, inasmuch as the Presiding Officer has ruled, and properly ruled, that amendments to the pending amendment are not in order because in the second degree, whether or not he would be willing to modify his amendment so as to exclude Memphis, in order that we may vote upon the proposition exclusive of Memphis?

Mr. WARREN. I have just consulted the Senator from Tennessee [Mr. MCKELLAR], and I think he will be willing to have us pursue that course. It is entirely in reason, if we are following the recommendation of the Surgeon General at this time, of course, to follow it exactly, and unless some objection is made, I shall move to modify by striking out that part of the amendment.

The PRESIDING OFFICER. The amendment now pending is that offered by the Senator from Wyoming to the amendment of the committee. The Senator from Wyoming can modify his amendment as he pleases.

Mr. WARREN. I ask that it be modified in accordance with the memorandum which I send to the desk.

The PRESIDING OFFICER. The proposed modification will be stated.

The ASSISTANT SECRETARY. Strike out the words, "Memphis, Tenn.," so that it will amend the committee amendment on page 21, at the end of line 4, after "Louisville, Ky.," by inserting "Fort Bayard, N. Mex., Evansville, Ind., Pittsburgh, Pa."

The amendment to the amendment was agreed to.

Mr. WARREN. In order to perfect the matter, I send to the desk an amendment to increase the amount from $5,000,000 to $6,100,000. That is to correspond with the estimate of the Surgeon General.

The PRESIDING OFFICER. The proposed amendment to the amendment will be stated.

The ASSISTANT SECRETARY. On page 21, line 5, strike out "$5,000,000" and insert in lieu thereof "$6,100,000."

The amendment to the amendment was agreed to.

Mr. POMERENE. Mr. President, I gave notice of an amendment which I intended to offer a moment ago, but as the amendment just agreed to includes only those places which have already met with the approval of the Surgeon General I shall not press my amendment further.

Mr. ROBINSON. Mr. President, I move the adoption of the following amendment: On page 22, strike out lines 7 to 16, inclusive, all the language in that paragraph of the committee amendment. This is the provision in the committee amendment granting authority to construct five hospitals and to locate them in five general sections of the country—one in the Central Atlantic Coast States, one in the region of the Great Lakes, one in the Central Southwestern States, one in the Rocky Mountain States, and one in southern California.

This feature of the committee amendment has already been discussed somewhat at length. It can serve no beneficial purpose. If it made definite the location of the hospitals and prescribed that those hospitals should be located in certain places or near certain places, it might be urged in behalf of it that the presence of the provision in the legislation would expedite the location of the hospitals and the making provision for the facilities necessary for sick and disabled soldiers. But the description of the location is so general and indefinite that while it accomplishes no useful purpose, it imposes an unwarranted and unnecessary limitation upon the Secretary of the Treasury in the location of the hospitals.

The Senator from Georgia [Mr. HARRIS] has already pointed out that under the arrangement effected three of the hospitals will be required by law to be located in territory where 20 per cent of the population of the United States exists. I am perfectly content that that should be done if upon investigation it is found necessary and in the interest of the service to do it. But I am unwilling to commit myself—and I think other Senators are unwilling to commit themselves—to that result unless it is necessary.

The Secretary of the Treasury, with the agencies and information which he already has available, can speedily locate hospitals necessary for the urgent requirements of the service. If five are required, he ought to be permitted to locate that number; but if seven are required, if the service would be improved by establishing seven new hospitals, he ought not to be prevented by law from doing that. If the extension of existing hospitals with three additional hospitals would meet the requirements of the service better, then he ought not to be required to build five new hospitals. No beneficial purpose is being accomplished whatever. We are not eliminating the scramble for the location of the hospitals by adopting these provisions for locations so general and indefinite that there is still left an opportunity for much controversy and dispute about the matter.

Therefore I move to amend by striking out that provision, thus leaving the Secretary of the Treasury free to provide as many hospitals as may be necessary; to locate them where the interests of the service require that they shall be located, thus relieving him, in so far as possible, from the contests which will arise about the location of the hospitals in the various regions.

I would like to have some one sponsor for this provision in the bill justify it. The Senator from Washington [Mr. POINDEXTER], in a very intelligent discussion of the matter, said that the only reason in the world for it being there, so far as he knew, was that it was in a bill in the House of Representatives that some one else said was going to pass, and which, as a matter of fact, has passed the House of Representatives to-day. But I submit that is not sufficient justification for inevitable impairment of the service which would result by the adoption of the provision.

Mr. OVERMAN. Mr. President——

Mr. ROBINSON. I yield to the Senator from North Carolina.

Mr. OVERMAN. I wish to ask the Senator from Arkansas or any other Senator if he can tell me which are the Central Atlantic Coast States?

Mr. ROBINSON. It might require the Secretary of the Treasury quite a little while to determine what States are embraced within the general description contained in the bill. I am not an expert on geography, but, so far as I know, the description is not a scientific one, and it is not one that is universally recognized by geographers. We are writing into the provision a requirement that the Secretary of the Treasury shall first determine what States are embraced in the five areas designated. Take the description "region of the Great Lakes." I would like for some Senator, who is willing to rise in his place

and stand sponsor for the bill, to say just exactly what territory would be comprehended in "the region of the Great Lakes." It is a very general description, and it has not the slightest value in so far as the legislation is concerned.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield.

Mr. ASHURST. Along that line I was going to make an observation. For instance, reference is made to "the Central Atlantic Coast States." Would that include Boston, or would it not? The testimony is that a large number of ex-soldiers in the New England States require hospitalization.

Mr. ROBINSON. It probably would not include Boston in any construction of the language that I might be required to make. While I do not know exactly what comprises the Central Atlantic Coast States, I rather think it would not include Massachusetts and probably would not include Florida, because they are certainly not in the center of the Atlantic coast so far as I understand the geography of the United States.

All this discussion illustrates the absurdity of the provision. If we are legislating upon the subject in the interest of the service, if we are trying to do what is right and best for the sick and disabled soldiers of the Nation, let us strike out this provision and give the Government authorities, charged with the location of hospitals, the right to construct as many of them as may be necessary within the limits of authorization, and the right to locate them where they will be most serviceable to the patients who are to receive treatment in them.

Mr. ASHURST. It is generally known that as to one or two hospitals located in New England and not in Central Atlantic Coast States the leases on such hospitals will soon expire; the leases can not be renewed; it can not be done although it has been attempted. This very bill would preclude the Surgeon General from constructing a hospital in the very region where soldiers now are being hospitalized, and where the leases on existing private hospitals will terminate on the 1st day of July.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas [Mr. ROBINSON] to the committee amendment proposing to strike out, on page 22, the clause from line 7 to line 16, both inclusive, as amended.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the committee amendment as amended.

Mr. WARREN. The amendment to the committee amendment which has just been adopted will, I think, necessitate a further amendment of the committee amendment, on page 24, line 9, by striking out the language "$2,500,000 for each of the five plants," so that it would read:

> There is appropriated for the purposes herein provided the sum of $12,500,000, or so much thereof as may be necessary.

I move that amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment proposed by the Senator from Wyoming will be stated.

The ASSISTANT SECRETARY. On page 24, line 9, of the committee amendment it is proposed to strike out "$2,500,000 for each of the five plants," so as to read:

> There is appropriated for the purposes herein provided the sum $12,500,000, or so much thereof as may be necessary.

Mr. ROBINSON. I desire to offer a substitute for the committee amendment. The amendment involves the big question presented by the committee amendment.

Mr. WARREN. I have a further amendment which I desire to offer to the same clause.

The PRESIDING OFFICER. Let us first dispose of the pending matter.

Mr. ROBINSON. Very well.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Wyoming to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. WARREN. Now, Mr. President, I send to the desk an amendment to the amendment, to which I invite the attention of the Senator from Arkansas.

The PRESIDING OFFICER. The amendment proposed by the Senator from Wyoming to the amendment of the committee will be stated.

The ASSISTANT SECRETARY. On page 24, line 10, after the word "necessary," it is proposed to insert "to be immediately available and to remain available until expended."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Wyoming to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on the committee amendment as amended.

Mr. ROBINSON. Mr. President, I now desire to present an amendment increasing the authorization for the construction of hospitals which is carried in the bill. The committee amendment segregates the authorization into two amounts. The last amount is $12,500,000, and the provision of the amendment as to the first amount, which was a limitation on the expansion or enlargement of the hospitals now owned by the Government and specifically named on page 21 of the bill, if I remember rightly, was modified to provide $6,500,000.

Mr. WARREN. It is modified so as to provide $6,100,000, which would make the bill carry for hospital purposes an appropriation of $18,600,000.

Mr. ROBINSON. Mr. President, the authorization in the bill is $18,600,000. The first item of appropriation—$6,100,000—can only be used for the enlargement or extension of existing plants which are owned by the Government. The $12,500,000, in theory of law, may be used for any other purpose which is authorized by the committee amendment. We have stricken out of the committee amendment the requirement that there be five new hospitals constructed, to be located in different sections of the country, so that the $12,500,000 as carried in the bill would be available, if the provision should prevail as it now stands, for the acquisition of new sites anywhere and for the construction of new hospitals upon them during the coming fiscal year.

The amount is wholly inadequate to meet the requirements of the service. The Secretary of the Treasury estimated that an authorization of $35,000,000 would be required to supply additional accommodations necessary for those who are now known to require them. It is true that a portion of that amount can not be expended within the coming fiscal year, but the value of making an authorization sufficient in amount to enable the Secretary of the Treasury to provide for all sick and disabled soldiers who need hospital facilities must be apparent to everyone. Unless we do that, Mr. President, or attempt to do it, we shall be confronted with the very same proposition during the coming year that has arisen during the present year. If we authorize only such sums as may be expended during the coming year, manifestly that amount will be inadequate to meet the requirements of sick and disabled soldiers now needing hospital facilities. It requires months, in many instances five or six months, to procure a location and to prepare the necessary plans and specifications for hospitals such as are contemplated by the legislation we are now enacting. If we want to do something substantial and to relieve the embarrassments of the service, we ought to make an additional authorization. It will not be necessary to appropriate the amount to be expended for another year, but we ought to enable the Secretary of the Treasury to go forward and make, as was suggested by the Senator from Washington during his remarks, contracts, plans, and specifications, particularly wherever advantageous contracts and specifications may be procured. It seems to me that that declaration is perfectly self-evident.

The Secretary of the Treasury in his report, speaking on this subject, says:

> In summarizing the need for the construction of hospitals to meet the requirements of ill and disabled ex soldiers and sailors, to whom the country owes so much, I should point out that, according to the best estimates obtainable, there will probably be a need of a total of something like 30,000 permanent beds in the United States. It seems fitting in every sense that the National Government should adequately provide for the needs of these men, and I know of no way by which this can be done except by the construction of permanent, suitable institutions, particularly for those who suffer from tuberculosis or nervous and mental disorders. The Nation earnestly desires that the medical and hospital needs of her heroic sons be met in a manner that will show America's appreciation of the glorious service they rendered to their country. I am satisfied that the need can not be met unless adequate provisions be made in permanent Government institutions.
>
> The estimates which are being submitted to Congress contemplate an expenditure of approximately $35,000,000 for the construction of hospitals to meet the imperative demands of the situation, and, in my judgment, this sum is by no means excessive to care for this real emergency and the immediate obligations of the Federal Government. I earnestly urge that the Congress appropriate the necessary funds for this purpose at the earliest practicable date.

The estimate of the Secretary of the Treasury, as will be seen, is that to meet the urgent and immediate requirements of this service the expenditure of $35,000,000 must be authorized. The committee proposes to authorize the expenditure of $18,600,000, doubtless on the theory that that is as much as can be expended during another year; but the difficulty about the matter lies in the fact that if we only authorize the amount carried by the committee's provision we will never catch up with the requirements of the service or even approximate that accomplishment.

Mr. President, I have on my desk telegrams and letters, resolutions adopted by the General Assembly of the State of Arkansas, and resolutions adopted by various local posts of the American Legion, by the State organizations of ex-soldiers, and by civic organizations, urging the real importance of making ade-

quate provision now for the immediate demands of those who require hospital treatment.

I think Congress will fall far short of its duty if it fails to make an authorization in the neighborhood of the estimate made by the Secretary of the Treasury. We will have accomplished only partial relief if we authorize only $18,600,000 for this purpose.

The provisions reported by the committee contemplated that nothing should be done for additional hospital facilities except the enlargement of the existing plants named in the bill and the construction of five certain hospitals. We have stricken out the requirement and limitation as to the five hospitals, and, according to the language of the amendment as it now stands, the Secretary of the Treasury is at liberty to provide just as many hospitals as may be needed and locate them wherever they will serve best the purposes of the service. That is right; but if we only retain the authorizations contained in the bill, he will not be able to proceed at once with the construction of the hospitals that we know are required.

Therefore I move, in lieu of $12,500,000, on page 24, to insert the following:

In addition to the sum of $6,100,000 herein appropriated, the Secretary of the Treasury is authorized in his discretion to enter into contracts for the purpose of carrying out the provisions of this act within the limit of cost hereby fixed, to wit, the sum of $30,000,000, of which sum $18,500,000 is hereby appropriated for the fiscal year ending June 30, 1922, and which said sum so appropriated shall become immediately available upon the approval of this act.

The effect of the amendment, Mr. President, is to make an authorization of $30,000,000.

Mr. WARREN. Mr. President, the Senator's figures are not quite right unless he wants to exceed the amount he states. If he wants to make it $30,000,000 he should make the sum $11,400,000.

Mr. ROBINSON. Mr. President, I will change the figures "$30,000,000" to "$25,000,000," and let it stand at that. Strike out "$30,000,000," and let it stand at "$25,000,000." In addition to the $6,100,000, I want to authorize at least $25,000,000 more, so that it will read:

In addition to the sum hereinbefore authorized, to wit, $6,100,000, the Secretary of the Treasury be and he is hereby authorized, in his discretion, to enter into contracts for the purpose of carrying out the provisions of this act within the limit of cost hereby fixed, to wit, $25,000,000, of which sum there is hereby appropriated $18,500,000.

Mr. WARREN. Mr. President, may I ask the Senator if he takes notice of the fact that on lines 8 to 10, on page 24, there is $12,500,000 appropriated?

Mr. ROBINSON. I am striking out that sum. I am moving this sum in lieu of that.

Mr. WARREN. The Senator is inserting this sum in lieu of that?

Mr. ROBINSON. Yes. Strike out "$12,500,000," and insert in lieu thereof the following language——

Mr. JONES of Washington. Mr. President, will the Senator allow me to make a suggestion?

Mr. ROBINSON. If the Senator will let me dictate the language, I know what I want.

Mr. JONES of Washington. I just wanted to suggest that in the river and harbor bill there are provisions like I think the Senator wants made. Why would not this meet what the Senator wants? As I understand, lines 8, 9, and 10 actually appropriate $12,000,000, or whatever increase is made. Why do we not say there:

And in addition thereto the Secretary of the Treasury is authorized to enter into contracts for additional expenditures in the aggregate not exceeding—

So many million dollars. I do not know just how much the Senator wants.

Mr. ROBINSON. The difficulty of the matter is that the figures have been changed since I have prepared my figures here.

Mr. JONES of Washington. Yes; I know.

Mr. ROBINSON. I want to authorize $31,100,000.

Mr. JONES of Washington. Now, I just say:

In addition thereto—

That is, in addition to the amounts already appropriated herein; in addition to the amounts the Senator wants that will bring it up to the sum he wants—

the Secretary of the Treasury is authorized to enter into contracts in addition thereto in an amount not exceeding—

So many dollars.

Mr. ROBINSON. The present appropriation ought to be $6,100,000, plus $12,500,000—that will make it—the total authorization to be $31,100,000.

In addition to the sum already appropriated, $18,600,000 is hereby appropriated for the fiscal year ending June 30, 1922.

Mr. JONES of Washington. The Senator wants to authorize contracts in addition, now, of $12,500,000?

Mr. ROBINSON. Yes. The Senator from Utah is working at one thing and I am working at another.

Mr. JONES of Washington. The addition of $12,500,000 makes the $31,100,000.

Mr. WARREN. Mr. President, will the Senator allow me to read a provision?

Mr. ROBINSON. Just a moment. I have it now:

In addition to the sum hereinbefore appropriated, to wit, $6,100,000, the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to enter into contracts for the purpose of carrying out the provisions of this act within the limits of cost fixed hereby, namely, $31,100,000, of which amount there is hereby appropriated for the fiscal year ending June 30, 1922, $12,500,000, which shall become immediately available upon the approval of this act.

I thank the Senator from Utah for his assistance.

Mr. WARREN. Now, may I ask the Senator just how much he wishes to appropriate and authorize altogether?

Mr. ROBINSON. Thirty-one million one hundred thousand dollars.

Mr. WARREN. If the Senator will just let me read him the short way to do that, I suggest leaving the appropriation on page 24 as it has been changed, to make the $12,500,000 applicable everywhere, and adding to that this proviso:

That authority is hereby given to enter into a contract or contracts for the purposes authorized herein, subject to future appropriations, in addition to the appropriations contained herein, amounting in the aggregate to $12,500,000.

That, added to the $12,500,000, and the $6,100,000——

Mr. ROBINSON. That will accomplish it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas.

Mr. LENROOT. Mr. President, I should like to ask the Senator from Arkansas a question. I was absent from the Chamber for a few moments. Has the language of the amendment specifying the locations been stricken out?

Mr. ROBINSON. No.

Mr. WARREN. Yes.

Mr. LENROOT. Then, if this amendment were adopted, to what would it apply?

Mr. ROBINSON. Oh, yes; I misunderstood the Senator.

Mr. WARREN. As to the five, it has all been stricken out.

Mr. ROBINSON. I misunderstood the Senator's question. We struck out the language locating five hospitals in different sections of the country.

Mr. LENROOT. But was the number of five retained? That is what I am getting at.

Mr. ROBINSON. No; the number was left to the discretion of the service, which I think is proper. We just struck out that limitation.

Mr. KIRBY. Mr. President——

Mr. ROBINSON. I yield to the Senator.

The PRESIDING OFFICER. The Senator from Wisconsin is entitled to the floor.

Mr. ROBINSON. I thought I had the floor.

Mr. LENROOT. A vote was about to be taken, and I secured the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is entitled to the floor. Does he yield to the junior Senator from Arkansas?

Mr. LENROOT. I do.

Mr. KIRBY. It seems to me, having stricken out entirely the provision relating to the construction or establishment of five hospitals for insane people and for tuberculosis patients, should we not now put that back in—at least, this much of it—so that the appropriation hereinafter made shall include a provision for five hospitals of fireproof construction for the treatment of these two kinds of patients?

Mr. ROBINSON. No; we do not want any limitation, or at least I do not want any limitation, on the right of the Secretary of the Treasury to build as many hospitals as may be necessary, and to locate them wherever he pleases, and to put any sick or disabled soldiers in them that may be found consistent. We do not want that limitation used.

Mr. KIRBY. But what I was driving at was this: You say "for the hospitals already provided" here, when there is no provision made about it.

Mr. ROBINSON. No; the Senator does not understand that there is authority in another portion of the amendment to select sites.

Mr. WARREN. The amendment will apply on page 24, after line 10.

Mr. ROBINSON. Yes; I know. The junior Senator from Arkansas is discussing one thing and I am discussing another.

I offer the amendment which I send to the desk, Mr. President.

Mr. LENROOT. I yield for that purpose.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 24, after line 10, and after the amendment already agreed to at that place, which inserted the words "to be immediately available, and to remain available until expended," it is proposed to insert the following:

Provided, That authority is hereby given to enter into a contract or contracts for the purposes authorized herein, subject to future appropriations by Congress, in addition to the appropriations contained therein, amounting in the aggregate to $12,500,000.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Arkansas.

Mr. LENROOT. Mr. President, in the first place I should like to suggest to the chairman of the committee that it seems to me the words "subject to future appropriations by Congress" would destroy the entire value of the authorization, because no contract would be made by anyone subject to future appropriations by Congress. There must be an absolute appropriation.

Mr. ROBINSON. Of course, that language ought to go out. Strike out the language "subject to future appropriations by Congress."

Mr. WARREN. Mr. President——

Mr. ROBINSON. What I want to do, and what I think the amendment did, that I finally stated, was to make an additional authorization of $12,500,000.

The PRESIDING OFFICER. Will the Senator designate the words he strikes out?

The ASSISTANT SECRETARY. It is proposed to strike out the words "subject to future appropriations by Congress."

Mr. WARREN. Mr. President, allow me to say that we are getting very far afield, indeed. The purpose of the sundry civil bill is not to authorize expenditures for the future. We are assuming here the duties of other committees. The Rivers and Harbors Committee, the Committee on Public Buildings and Grounds, and others do the authorizing. This committee does the appropriating. We always put in in the first part of this bill or other bills the public buildings that are needed from year to year, but they are all authorized by another committee and at another time. We do the same with rivers and harbors. Now, it seems to me that if Senators have any confidence in themselves and in the future they ought to know that we all intend to provide for this very thing all that is sufficient to provide for, and it is not wise to button it down so that we will appropriate when we do not know beforehand where we are going to come out. We may want more than that. I shall be only too ready to vote more than that money if it is needed.

Mr. ROBINSON. I am sure we will want more, but I agree with the Senator from Wisconsin that it serves no very useful purpose if the Secretary of the Treasury could not go forward with those contracts and with this work.

Mr. WARREN. Are we appropriating money in this bill or are we authorizing without making appropriations?

Mr. ROBINSON. This bill contains a great deal of legislation, Mr. President—legislation of far less importance than the provision that is now offered.

Mr. WARREN. Suppose we authorize it; then when will it be appropriated?

Mr. ROBINSON. It will be appropriated whenever it is needed to be appropriated.

Mr. WARREN. It provides for an appropriation now.

Mr. ROBINSON. No; I think not.

Mr. WARREN. How does the Secretary proceed to expend the funds under the law except as the money is appropriated?

Mr. ROBINSON. He would not expend the funds, but he could make contracts to the limit of $12,500,000, in addition to the funds that are appropriated in this bill; and that is what I want.

Mr. WARREN. Then we would have to appropriate the money for it.

Mr. ROBINSON. Yes, if he made the contracts; and that is exactly what I want. If the Senator imagines that I am playing with the proposition, he is mistaken. I do not, in my amendment, propose the appropriation now, because it is not necessary to do that. But I want the Secretary of the Treasury to have the power to go ahead and prepare to meet the requirements of the men who need this hospital service.

Mr. WARREN. And when it comes a time to appropriate it, then it will be the same as with the public-buildings proposition and we shall have to provide it that year or some other year.

Mr. ROBINSON. I want it to be on such a basis that the Government will be obligated to carry out the contracts of the Secretary of the Treasury, of course.

Mr. LENROOT. Mr. President, I do not think this authorization should be made, for just one reason, which is wholly in the interest of the disabled soldiers. It ought to be the aim and purpose in this legislation to secure the greatest hospital facilities at the end of the next fiscal year that it is possible to secure with the money we appropriate. But if this authorization is to be made and these contracts are to be permitted to cover a two years' program, it is sure to follow that a part of this $18,500,000 will be used on the 2-year continuing program and not for the completion of as many hospitals as possible in the next fiscal year. Contracts will be made covering the two years if this amendment is agreed to, and at the end of this next year there will not be as great facilities for the care of these soldiers as if the amendment is not adopted. Of course, Mr. President, no one believes for a moment but that at the time the next appropriation bill is passed we will be ready to appropriate at least as much as the Senator will authorize in this amendment.

Mr. ROBINSON. The difficulty about the matter is that in the meantime a delay will have occurred that will be avoided if we agree to this amendment. The Secretary of the Treasury, if the amendment is agreed to, will begin, of course, to provide for the construction of hospitals.

Mr. LENROOT. He will begin with a 2-year program, and contracts will be let for a 2-year program, which will mean that at the end of the next fiscal year you will not have as great facilities as if this authorization is not made.

Mr. ROBINSON. I do not think that follows at all, because in all probability no new hospitals will be completed within the fiscal year.

Mr. LENROOT. Oh, yes.

Mr. ROBINSON. It is entirely improbable that a great hospital can be put in operation during that time.

Mr. LENROOT. If we have to wait 15 months for a hospital, it is not very encouraging for the disabled soldier.

Mr. ROBINSON. Mr. President, it requires from five to six months to locate a site and prepare plans and specifications for one of these hospitals. That has been the experience of the past, and if we wait and only make the authorizations now of such sums as will be actually expended during the coming fiscal year we will be no nearer up with the requirements of the service at the end of that time than we are now. What I want to do is to enable the work to go forward as speedily as possible.

Mr. LENROOT. Is it the Senator's purpose to use a part of this $18,500,000 for hospitals the actual construction of which is not to begin until 1923?

Mr. ROBINSON. The entire sum of $18,500,000 is made immediately available, and it is expected and desired that the Secretary of the Treasury will go forward with the expenditure of that sum just as rapidly as possible, and there is no reason in the world why before that sum is expended plans should not be in process of preparation and sites being procured for additional hospitals.

Mr. LENROOT. And that will have to come out of this $18,500,000?

Mr. ROBINSON. It will not.

Mr. LENROOT. Where will it come from?

Mr. ROBINSON. Out of the appropriation Congress is obligated to make by the proviso I have just spoken of.

Mr. LENROOT. The Senator utterly mistakes his amendment. There is an appropriation of $18,500,000. The Secretary can spread it over the entire two years' program. He can use the $18,500,000 for the preparation of plans for a hospital that he does not intend to begin the construction of for two years, and that is the reason I object. Every dollar of this sum should be used for the completion of hospitals at the earliest possible moment.

Mr. ROBINSON. And it will be. The sum is made immediately available.

Mr. LENROOT. It will not be, under the Senator's amendment.

Mr. ROBINSON. The proviso makes an additional authorization of $12,500,000, and at the beginning of the next fiscal year, if appropriations in the meantime are made or required, the work will be advanced far enough to hasten the completion of the additional hospitals contemplated by the $12,500,000 authorization.

Mr. SMOOT. Mr. President, not only should the Senate take into consideration what the Senator from Wisconsin [Mr. LENROOT] has said, but at this time to authorize the making of contracts for building hospitals at the prices prevailing to-day, for which an appropriation is not to be made for another year, or perhaps longer, is a very poor business proposition. I know it will be very well for those who desire to build these hospitals to get the rates now prevailing for everything that would be required to go into the structures, but I have not a doubt, Mr. President, if this authorization is not made, and if

the $18,500,000 provided for now in the bill for immediate appropriation is used, and just as quickly as possible to procure the plans and get the work under way, when the next appropriation is made the contracts will be let for at least 25 per cent less. Why not save 25 per cent to the Government of the United States, when it will not interfere at all with taking care of the disabled soldiers?

I think 25 per cent of the $18,500,000 is worth saving, and there may be more than a 25 per cent decrease in the building costs in the United States within the next 15 months. If indications are to be relied upon, I am quite sure it will be that much, and it may be even greater.

So, Mr. President, when we make a direct appropriation for the enlargement of the hospitals amounting to $6,100,000 and a further appropriation for building hospitals of $12,500,000, it seems to me that is all that can be expended within the next year profitably, not only to the ex-soldiers, but to the Government itself. Then I am positive that at the end of the year, when the next appropriation bills come up, or, if necessary, a bill carrying the amount outside of a regular appropriation bill before the appropriation bills pass, $12,500,000, or whatever is necessary to take care of hospitalization for the ex-soldiers, will be granted by Congress at any time.

It is not a question of the amount of money; it is a question as to when to make the appropriation; and if we do not authorize these contracts to be entered into now for buildings to be built 15 or 18 months later, the amount of the contracts at the end of 15 months, if entered into, will be 25 per cent less than if entered into to-day.

REDUCTION OF ARMY—VETO MESSAGE.

Mr. WADSWORTH. Mr. President, I have been assuming for some time past that the discussion of the pending committee amendment would come to a close and the Senate would act upon it finally. But up to this point, of course, I have been somewhat disappointed.

I desire to remind the Senate that there is a message upon the Vice President's desk from the House of Representatives, carrying with it the veto message of the President of the United States addressed to the joint resolution passed by the Congress suspending recruiting in the Army until by the process of discharge the Army shall be reduced to 175,000 men. I am exceedingly anxious that that shall be acted upon to-day by the Senate.

Mr. LODGE. It must be.

Mr. WADSWORTH. Indeed, it must be acted upon to-day. I was going to ask the chairman of the committee in charge of the appropriation bill if he would have any objection to that message being laid before the Senate now and a roll call had upon it? I feel quite certain that there will be no discussion.

Mr. WARREN. If I am permitted to do so, I willingly consent.

The VICE PRESIDENT. The Chair has power to lay the message before the Senate at any time. The Chair lays before the Senate the action of the House of Representatives and the message of the President, which will be read by the Secretary.

The Assistant Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES,
Saturday, February 5, 1921.

The House of Representatives announced that the President of the United States having returned to the House of Representatives, in which it originated, the joint resolution (H. J. Res. 440) directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the case of those men who have already served one or more enlistments therein, with his objections thereto, the House proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said joint resolution do pass, two-thirds of the House of Representatives agreeing to pass the same.

Veto message of the President of the United States:

To the House of Representatives:

I return herewith, without my approval, House joint resolution No. 440, directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the cases of those men who have already served one or more enlistments therein.

The text of the joint resolution discloses that its purpose is to cause a discontinuance of enlistment in the Regular Army until the number of enlisted men shall not exceed one hundred and seventy-five thousand. No provision is made in the resolution for the preservation of any proportionate strength in the combatant corps of the Army and a mere discontinuance of enlistment would, for a long time, preserve the Staff Corps disproportionately enlisted and the combatant corps insufficiently manned to maintain the instruction and training which ought to be assured if an Army of one hundred and seventy-five thousand men is to be efficient in proportion to its aggregate number.

On the 4th day of June, 1920, I signed a bill passed by the present Congress, providing for the reorganization of the Army. Because of the profoundly disturbed condition of the world and in order that full benefit might accrue to the people of the United States from the lessons of the World War as to what, under modern conditions, is required to be the nucleus of an efficient Army, the War Department had recommended an Army of approximately five hundred thousand men. The Congress, after prolonged consideration, determined to authorize, and did authorize, the reorganization of the Army on the basis of an enlisted strength of approximately two hundred and eighty thousand men, including in the organization new arms like the Air Service and the Chemical Warfare Service, the use of which were developments of the war and provision for which is a necessary addition to the pre-war strength of the Army. The act authorized for the first time in our history a tactical organization of the Army, resting upon divisions as tactical units, and required the training of the National Guard and the organized reserve in territorial areas of the United States in association with the divisions of the Regular Army. At that time, the Congress plainly regarded the provision then made as the minimum which would provide for the added arms and new duties imposed on the Army, and for that efficiency which the peace-time Army of the United States should have as the nucleus of mobilization in the event of a national emergency. I regret that I am not able to see in the condition of the world at large or in the needs of the United States any such change as would justify the restriction upon that minimum which is proposed by the House joint resolution.

WOODROW WILSON.

THE WHITE HOUSE,
5 February, 1921.

Mr. KIRBY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Lenroot	Smith, Md.
Ball	Hale	Lodge	Smoot
Borah	Harris	McKellar	Spencer
Brandegee	Heflin	Moses	Sterling
Capper	Henderson	Nelson	Sutherland
Curtis	Johnson, Calif.	Overman	Swanson
Dial	Jones, N. Mex.	Phipps	Thomas
Dillingham	Jones, Wash.	Poindexter	Townsend
Elkins	Kellogg	Pomerene	Trammell
Fernald	Kendrick	Ransdell	Wadsworth
France	Kenyon	Robinson	Walsh, Mont.
Gay	Keyes	Sheppard	Warren
Glass	Kirby	Simmons	Willis
Gooding	Knox	Smith, Ga.	Wolcott

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present. The question is, Shall the joint resolution pass, the objections of the President to the contrary notwithstanding?

Mr. THOMAS. Mr. President, before the vote is taken I should like to inquire of the chairman of the Committee on Military Affairs whether the appropriations made for the Military Establishment justify at present an enlistment in excess of 175,000?

Mr. WADSWORTH. Does the Senator mean the appropriations for the current fiscal year?

Mr. THOMAS. Yes, sir.

Mr. WADSWORTH. The appropriations for the current fiscal year were deemed to be sufficient to pay 175,000 men and not in excess of that number.

The VICE PRESIDENT. If there is to be no discussion, the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence I withhold my vote. If permitted to vote, I would vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Rhode Island [Mr. GERRY] and vote "yea."

Mr. POMERENE (when his name was called). I have temporarily a general pair with the senior Senator from Iowa [Mr. CUMMINS]. On this question I understand his vote to be the same as my own. I accordingly feel privileged to vote. I therefore vote "yea."

Mr. FERNALD (when Mr. REED's name was called). I wish to announce that the Senator from Missouri [Mr. REED] is absent on business of the Senate.

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. WALSH of Montana (when his name was called). I have a pair with the Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. WOLCOTT (when his name was called). I have a pair with the Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. That Senator is absent, and I withhold my vote.

Mr. FERNALD. I transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. NEW. I desire to announce the absence of my colleague [Mr. WATSON] on account of illness. If he were present, he would vote "yea."

Mr. CURTIS. I have been requested to announce the absence of the Senator from New Mexico [Mr. FALL] on account of illness. If present, he would vote "yea."

I desire also to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Massachusetts [Mr. WALSH];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He is absent, and I therefore withhold my vote. If permitted to vote, I would vote "yea."

Mr. KNOX. Noting the absence of my pair, the Senator from Oregon [Mr. CHAMBERLAIN], I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. LA FOLLETTE. I have been requested to announce that the Senator from Nebraska [Mr. NORRIS] is absent on account of illness. If present, he would vote "yea."

Mr. SUTHERLAND. I have an opportunity to transfer my pair with the Senator from Kentucky [Mr. BECKHAM] to the Senator from Nebraska [Mr. NORRIS], which I do. I am therefore privileged to vote. I vote "yea."

The roll call resulted—yeas 67, nays 1, as follows:

YEAS—67.

Ashurst	Hale	McKellar	Smith, Ga.
Ball	Harris	McLean	Smith, Md.
Borah	Heflin	McNary	Smoot
Brandegee	Henderson	Moses	Spencer
Capper	Hitchcock	Myers	Sterling
Colt	Johnson, Calif.	Nelson	Sutherland
Curtis	Jones, N. Mex.	New	Swanson
Dial	Jones, Wash.	Overman	Thomas
Dillingham	Kellogg	Phelan	Townsend
Elkins	Kendrick	Phipps	Trammell
Fernald	Kenyon	Pittman	Underwood
Fletcher	Keyes	Poindexter	Wadsworth
France	La Follette	Pomerene	Walsh, Mont.
Gay	Lenroot	Ransdell	Warren
Gooding	Lodge	Robinson	Willis
Gore	McCormick	Sheppard	Wolcott
Gronna	McCumber	Simmons	

NAYS—1.

Kirby

NOT VOTING—28.

Beckham	Frelinghuysen	Newberry	Shields
Calder	Gerry	Norris	Smith, Ariz.
Chamberlain	Glass	Owen	Smith, S. C.
Culberson	Harrison	Page	Stanley
Cummins	Johnson, S. Dak.	Penrose	Walsh, Mass.
Edge	King	Reed	Watson
Fall	Knox	Sherman	Williams

The VICE PRESIDENT. On the question, Shall the joint resolution pass, the objections of the President to the contrary notwithstanding? the yeas are 67 and the nays 1. This being more than a two-thirds vote in favor of the passage of the joint resolution, it is passed.

Mr. KING subsequently said: Mr. President, I understand that during my absence temporarily from the Chamber on official business the veto by the President of the joint resolution relating to the reduction of the size of the Army was up for consideration and his position was not sustained. I rise for the purpose of announcing that if I had been present I should have voted in the affirmative upon the question, Shall the joint resolution pass, the objections of the President to the contrary notwithstanding?

MILK RIVER VALLEY GUN CLUB—VETO MESSAGE.

Mr. MYERS. Mr. President, I move that the Senate now proceed to the consideration of the presidential veto, which is on the table, of the bill (S. 793) authorizing the issuance of patent to the Milk River Valley Gun Club.

This is a small bill and will take only about 10 minutes, I think, to consider and override the veto if the Senate should so decide. I simply wish an opportunity to explain the bill to the Senate in a brief statement and then let it be voted on. I move that the veto message be laid before the Senate.

The motion was agreed to.

Mr. MYERS. I presume the question now automatically becomes, Shall the Senate pass Senate bill 793, notwithstanding the presidential veto thereof? I ask that the Secretary may read the veto message of the President.

The VICE PRESIDENT. It has been read once.

Mr. MYERS. It is very short. I ask that it may be read again for the information of the Senate.

The VICE PRESIDENT. It will be read.

The Assistant Secretary read as follows:

To the Senate:

I return herewith without my approval S. 793, an act authorizing the issuance of patent to the Milk River Valley Gun Club, which proposes to direct the Secretary of the Interior to issue patent to the Milk River Valley Gun Club for 76.69 acres of land in Montana for a game preserve.

In my opinion the legislation proposed is not in the public interest and is objectionable, because it would, by a special act of Congress, pass title to a tract of public land to a private interest for a private purpose. Moreover, I am informed that the lands in question are used by ducks and other game birds as a resting place and breeding ground, and the turning over of the land to a private gun club would be likely to destroy its use for this purpose and seriously affect the birds and waterfowl, which existing laws seek to protect.

I think, therefore, that the bill should not become a law and that the tract should be made a Federal bird reservation for the protection of the birds which now frequent the lands.

WOODROW WILSON.

THE WHITE HOUSE,
3 February, 1921.

Mr. MYERS. Mr. President, I desire to make a brief statement in connection with the bill. I introduced the bill at the request of some very reputable gentlemen of high standing, prominent citizens of the State of Montana. It affects about 76 acres of public land in northern Montana. The country there is to a considerable extent swampy, and in this immediate vicinity is covered with shallow pools of water a good part of the year. The tract involved is not a lake and it is not a pond; it is really a marsh more than anything else. It is covered with water to a shallow depth for a part of the year, and it is such land that it is not suitable for agricultural purposes. It is not fit for homesteading, and can not be cultivated. That is quite a duck-hunting community, and a number of gentlemen who are sportsmen wanted to get title to a small piece of land—one of the tracts which is covered partially with water during a good part of the year—in order that they might erect a clubhouse on it and put some boats on it and facilitate the sport of hunting ducks there in season.

So I introduced in the Senate a counterpart of this bill, which was referred to the Senate Committee on Public Lands. I first introduced the bill in the Sixty-fifth Congress. It passed the Senate of that Congress, but failed to get through the House. I introduced a similar bill, the pending bill, in the Sixty-sixth Congress. On the first occasion the bill, after having been referred to the Senate Committee on Public Lands, was by that committee referred to the Interior Department, as is usual and customary, for the advice and views of that department. The department wrote back a letter, indorsing the bill, but suggesting a few amendments. I will read the letter of the Assistant Secretary of the Interior on that subject. It is short. It is addressed to me, as chairman of the committee at that time, and is as follows:

MY DEAR SENATOR: I am in receipt of a communication from the clerk of the committee dated August 23, 1917, transmitting for report and expression of my views Senate bill No. 2460, entitled "A bill authorizing the issuance of patent to the Milk River Valley Gun Club," for certain lands therein described within the Milk River irrigation project, Montana.

I have carefully considered the bill and suggest that in line 5 after the word "Club" there be inserted, if the club is incorporated, "incorporated under the laws of the State of ——."

The land if sold should be required to bear its proportionate cost of the construction of the works for the irrigation of the Milk River project, and therefore, in my judgment, there should be inserted after the word "acre," in line 9 of page 1, the following: "and the further payment of $50 per irrigable acre for the construction of irrigation works for the Milk River irrigation project, the irrigable area being fixed at 30 acres;" and after the word "acres," the last word in the above quotation, there should be inserted the purpose for which the land is to be used—that is, if it is to be a game preserve the words "for game preserve" should be added.

In line 8, page 2, after the word "ninety-five" insert "and the patent shall also reserve to the United States right of way for canals, ditches, and telephone lines heretofore or hereafter constructed by the

authority of the United States: *Provided*, That if the land is ever used for any purpose other than that herein authorized title thereto shall revert to and revest in the United States."

I think the Government should reserve the right to construct canals, etc., across the land, as this may be necessary in connection with the irrigation of other land within the Milk River project, and I do not believe that the gun club should be allowed to use the land at any time for any purpose not covered by the bill.

If amended as suggested, I have no objection to the enactment of the bill into law.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

The suggested amendments were practically all made, and the bill was favorably reported by the committee and passed by the Senate, but failed to pass the House. It was reintroduced in the present Congress, again referred to the Public Lands Committee, and by the committee again referred to the Interior Department. The Assistant Secretary again wrote in regard to the matter, to the chairman of the committee, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 23, 1919.

Hon. REED SMOOT,
Chairman Committee on Public Lands,
United States Senate.

MY DEAR SENATOR: I am in receipt of copy of S. 793 for report.

The bill is entitled as follows: "A bill authorizing the issuance of patent to the Milk River Valley Gun Club."

The bill proposes to issue patent to the Milk River Valley Gun Club of certain lands in Montana. This bill is practically the same as S. 2460, introduced in the last Congress, and which was the subject of my report to your committee of September 27, 1917, and which was printed in Senate Report No. 346, Sixty-fifth Congress, second session, copy herewith.

The amendments suggested in my report have been made in the present draft of the bill, with the exception of the insertion of the reference to the incorporation of the club.

In its present form I see no objection to the enactment of the bill.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

Mr. McCUMBER. Mr. President——

Mr. MYERS. I yield with pleasure.

Mr. McCUMBER. May I ask the Senator merely two questions in regard to this matter?

Mr. MYERS. Certainly; I yield to the Senator for that purpose.

Mr. McCUMBER. The first question is, Is this land subject to homestead or other private entry?

Mr. MYERS. It is, I believe, subject to such entry, but it is not fit for it. The Interior Department so says.

Mr. McCUMBER. It is subject to it?

Mr. MYERS. Yes, sir.

Mr. McCUMBER. So that it may be taken as agricultural land?

Mr. MYERS. Yes; it might be, if anybody wanted it, but it never has been entered, and never will be, because it is not susceptible of cultivation.

Mr. McCUMBER. It may be so taken if anyone desires to take it at the present time?

Mr. MYERS. Yes; I presume so, if anybody wanted to homestead a marsh.

Mr. McCUMBER. Any member of the club could take it as such land, could he?

Mr. MYERS. I suppose he could if he cared to do so.

Mr. McCUMBER. Now, the second question I wish to ask the Senator is this: Is it a private concern to which this land is to be assigned?

Mr. MYERS. It is.

Mr. McCUMBER. And it could make its own rules as to the killing of the ducks on that preserve, and give privileges to its own members which would be refused to others, and could take this particular section, now public land, for the particular and private use of a private club? Is that correct?

Mr. MYERS. It could make rules not inconsistent with the game laws of the State of Montana.

Mr. McCUMBER. The members of the club could hunt during the open season on that land and they could exclude anyone else from hunting there during the open season if they saw fit?

Mr. MYERS. Yes; I suppose they could. There are thousands of other acres, however, in the vicinity just like this tract, and there are scores of other marshes just as good as this for hunting purposes, where people may go and shoot ducks if they wish to.

Mr. BORAH and Mr. LODGE rose.

Mr. MYERS. I yield first to the Senator from Idaho, who first rose.

Mr. BORAH. Is there any precedent for this line of legislation?

Mr. MYERS. There are many precedents for such sales of land. Of course, the land in this instance is to be sold to a club; but for the selling of land to municipal corporations for parks, recreation grounds, community centers, and water supply purposes and various uses there are many precedents.

Mr. BORAH. I understand that; but are there precedents for granting land for a game preserve to private parties?

Mr. MYERS. I do not know of any precedents of that particular character. The club, I will say, will pay full value for the land. It will pay for all it will get. If there be no exact precedent, I see no harm in making one.

Mr. LODGE. The statement of the bill is that it is to be turned over to the game club for a game preserve; and the President in his veto message says:

> Moreover, I am informed that the lands in question are used by ducks and other game birds as a resting place and breeding ground, and the turning over of the land to a private gun club would be likely to destroy its use for this purpose and seriously affect the birds and water fowl, which existing laws seek to protect.

That hardly conforms to the statement of the Senator from Montana that the members of the club are subject to existing laws. If it became their private property, would not the members of the club have a right to kill?

Mr. MYERS. The club could not authorize anyone to go there and kill ducks out of season or in any other way contrary to the laws of the State of Montana. It could not override the laws of the State of Montana. We have game laws in Montana.

Mr. LODGE. Do those laws cover private reserves?

Mr. MYERS. Oh, yes; they cover all property. One can not kill ducks out of a certain season anywhere in Montana.

Mr. LODGE. Then, what does the President mean by saying that if the land is turned over to a gun club it will destroy its value as a resting place for birds?

Mr. MYERS. I do not know. I think he is entirely mistaken. The result of the passage of this bill would be to protect wild fowl. As it is now, anybody can go there out of season and slaughter ducks to any extent; people can go there and kill them in violation of law; they can kill them in excess of the number allowed by law; and the only chance to punish one who does that now would be in the event some one should happen to catch him at it. The premises are now entirely unprotected from violators of the law. This bill, if enacted, would have exactly the opposite effect to that suggested by the President. It would put the premises under the care of people who are interested in preserving wild fowl and seeing that game laws are obeyed.

Mr. BORAH. Mr. President——

Mr. MYERS. I yield to the Senator.

Mr. BORAH. I really do not see the advantage of having the land in question granted to the individuals composing the gun club. The questions of preserving the game, the manner in which it shall be killed, and so forth, are subject to State law, are they not?

Mr. MYERS. Yes; they are subject to State law, but somebody has to see that laws are enforced.

Mr. BORAH. What additional benefit will they derive by reason of having the land granted to them?

Mr. MYERS. They can help to enforce the game laws of the State of Montana. As I have said, so long as this is open public land anybody can go there out of season and kill ducks contrary to law.

Mr. BORAH. No——

Mr. MYERS. I want to answer the question, and it will take me a few more sentences to answer it. As it is now, people can go to this marsh and kill wild fowl in excess of the quantity allowed by law, and may do it in season or out of season; but if the land is turned over to the gun club, composed of men who are sportsmen and who are interested in seeing the game laws of the State of Montana upheld and obeyed, they would undoubtedly put a caretaker there, and if anybody went there to kill ducks contrary to law, he would be informed against and would be arrested. So, if the land were granted to the gun club, it would help to enforce the law.

Mr. BORAH. That would be true if they killed ducks out of season anywhere in Montana.

Mr. MYERS. But it would be necessary to catch the culprit. If there were no caretaker employed to look after the property, who, I ask, would stay there at his own expense day and night to guard against anybody killing ducks unlawfully?

Mr. BORAH. I do not know how it is in Montana, but throughout the Western States there are a number of game wardens and deputy game wardens; in fact, there are perhaps entirely too many.

Mr. MYERS. But they can not be everywhere at the same time.

Mr. BORAH. No; but it seems to me, Mr. President, they can come near enough to being everywhere to protect the game in one part of the State as well as another; and it occurs to

me—and I simply suggest this for the consideration of the Senator—that the only possible advantage that may be derived from this grant is the fact that it will give those to whom the grant runs an opportunity to exclude other people from the enjoyment of a particular part of the preserve. If that is the effect of the proposed legislation, I think the President's veto is correct.

Mr. MYERS. The members of the gun club would become owners of the land; they would pay the United States Government full value for it; in addition they would pay to the Government for the benefit of the reclamation project of which the land is a part the full assessed value per acre of the construction cost of the reclamation project, even though they did not get any benefit from such payment. They are to pay $1.25 an acre for the land; they are to pay, further, $50 an acre for such portion as the Secretary of the Interior may find is just and proper for the construction of the reclamation project in the vicinity. They are to become the owners of the land; they are to pay taxes on it; they would doubtless erect a clubhouse, drain a portion of the land, and put boats on the pond. If they go to that expense, they are entitled, it seems to me, to have the hunting privileges of the land to themselves and such others as they may admit to it upon application; but there are hundreds, yes, I dare say, thousands of acres of other land around there that are partially covered by water, just as good as this tract for hunting purposes, which the public would be free to visit at any time for hunting purposes. This bill would not deprive anybody of the privilege of hunting in that vicinity.

Mr. TOWNSEND. Mr. President, I understand the land in question is subject to location, so that the members of the gun club could acquire it under the general laws, could they not?

Mr. MYERS. They might if they could go there and cultivate the required area and put it in crops, but I do not believe they could find the required acreage susceptible of cultivation. You can not cultivate a marsh and you have to cultivate a certain proportion of land to homestead it. It is public land, but the report of the Secretary of the Interior says it is not suitable for homestead entry. Nobody would take it for homestead purposes in a hundred years.

Mr. HENDERSON. Mr. President, may I ask a question right along the line of the question asked by the Senator from Michigan?

Mr. TOWNSEND. Just a moment. If these people bought this property under the regular homestead law, they would have a right to keep trespassers off of the land, would they not?

Mr. MYERS. Certainly, they would.

Mr. TOWNSEND. So I can not understand why there is any particular advantage in having a special act giving these people the privileges which they would already have, every one of them, if they located the land.

Mr. MYERS. It enables them to get title to the land, to put up a clubhouse, to regulate the conduct of people on the land, to put a caretaker there, and to see that the game laws of the State of Montana are enforced on that particular tract of land. This is the only way they can get title to it. It is wholly unfeasible to homestead the land. I will say more; it is impossible.

I yield now to the Senator from Nevada.

Mr. HENDERSON. Did I understand the Senator to say that this land was located in a reclamation project that was under way there?

Mr. MYERS. It is.

Mr. HENDERSON. And at present is it open to entry as open public domain?

Mr. MYERS. If you could go there and enter a pond, it would be; yes. Nobody has ever wanted to do it so far, and nobody ever will.

Mr. HENDERSON. But at the present time it is in a reclamation project that has been withdrawn from entry?

Mr. MYERS. It is.

Mr. HENDERSON. So that the land is not, then, subject to entry, as the Senator from Michigan thought, because it is in a project that has been established by the Government, and the land is withdrawn from entry at the present time, as I understand.

Mr. MYERS. It is not subject to ordinary homestead entry at $1.25 an acre. It is subject to entry at a certain prescribed price, under the homestead laws of the United States; but the party who enters it must at the same time enter into a contract to pay his proportionate share of the construction of the Milk River reclamation project. It is subject to reclamation project homestead entry.

Mr. RANSDELL. Mr. President——

Mr. HENDERSON. Let me finish for a moment.

Mr. MYERS. I yield further to the Senator from Nevada; then I will yield to the Senator from Louisiana. I can only yield to one at a time.

Mr. HENDERSON. Do the officials of the Reclamation Service interfere with or object to hunting on these ponds or lakes?

Mr. MYERS. Not that I know of.

Mr. HENDERSON. They grant the privilege to anybody who wants to hunt there, do they?

Mr. MYERS. They do not grant any privilege at all. People may just go on the land and go to shooting, if they can find anything to shoot at.

Mr. HENDERSON. At all times?

Mr. MYERS. Yes.

I now yield to the Senator from Louisiana.

Mr. RANSDELL. Mr. President, I was going to ask the Senator if this little piece of ground, 76 acres, is susceptible, in his judgment, of being made part of a material game preserve, a sufficient number of acres so that game could be cared for and it could be made a success as a game preserve, as, for instance, in my own State, where we have two or three hundred thousand acres turned into a game preserve, where there are a great many ducks and game of every kind and sort raised and cared for?

Mr. THOMAS. Including lame ducks?

Mr. RANSDELL. Yes; including a good many lame ducks. In other words, 76 acres seems to me to be a very small area out of which to make a game preserve of any kind. If it is attached to other lands, where you could get a good, large area, possibly you could make a successful preserve out of it.

Mr. MYERS. This is all they want. This is all they are asking.

Mr. RANSDELL. I am not asking that. Is there much other land around there that could be turned into a preserve, and is the community trying to make a game preserve there? Is it contemplated at all?

Mr. MYERS. No; the community is not trying to do anything of the kind. The President of the United States suggests that. He is the only one who suggests it, and he has never been on the land, while I have been in that vicinity. Nobody contemplates such a thing so far as I know.

I will ask the privilege now of completing my statement without any more interruptions. It seems that I have to argue this case to a rather incredulous jury, and you can not make an argument to a jury with constant interruptions. I will ask the privilege of completing my statement. Then, when I complete it, I shall be glad to answer all the questions that can be asked.

As I was saying, this bill passed the Senate and went to the House, was referred to the House Committee on the Public Lands, and was reported favorably by the House Committee on the Public Lands. The House committee recommends some changes in verbiage, and makes this report:

> The committee understand that there is, in fact, no land in the area desired by the gun club which can be improved by irrigation, but in view of the report of the Acting Secretary of the Interior on S. 2460, introduced in the Sixty-fifth Congress, by which report it was recommended that the gun club pay for the irrigation of the irrigable area from the Milk River irrigation project, the committee has thought it wise to leave this question to be determined by the Secretary.

The committee then recommends the passage of the bill, and simply sets forth the two letters from the Assistant Secretary of the Interior to the Senate committee that I have read.

This bill provides that the gun club shall pay $1.25 per acre for the land, and make a—

> further payment of $50 per acre for a part of the tract, to go to pay the cost of the construction of the Milk River irrigation project. The sum of $50 per acre is to be paid for such area as may be determined by the Secretary of the Interior. It provides that said Milk River Valley Gun Club shall pay for patent and tender full payment within six months from the date of such determination.

After requiring full payment for the land and the proportionate share of the construction charges of the reclamation project, it provides further—

> That if the land is ever used for any purpose other than that herein authorized, title thereto shall revert to and revest in the United States.

This bill has been twice favorably recommended by the Senate Committee on Public Lands. It has been once recommended by the House Committee on the Public Lands. It has been twice recommended by the Interior Department. The Senate has unanimously passed it, and the House has unanimously passed it. The Senate has passed it unanimously twice, and the House once, and there has never been any objection that I know of, or any solicitude about it.

Was the Senate committee wrong in recommending it? Was the House committee wrong in recommending it? Was the Senate wrong in passing it? Was the House wrong in passing it? Was the Interior Department wrong in twice saying that it had no objection to the bill, that no objection could be found to it, and is the President right, after all of that, in finding some objection to it?

I do not know from what source comes the President's advice. He has been advised, of course, by some one. I think the President has been advised by somebody who is not acquainted with the premises. If the President's advice comes from anybody in the Interior Department, then the Interior Department has completely reversed its attitude in regard to this bill, because it has twice said that it had no objection to it.

I have great respect, of course, for the President of the United States and for his opinion about anything. I respect his motives in everything that he says or does; but I believe I know more about this particular matter than the President of the United States does. I believe I am more familiar with it; and the sum and substance of it is simply this:

Here is a tract of about 76 acres of land, partially covered with water, that technically is subject to homestead entry under the laws pertaining to the Milk River reclamation project, so that a person might enter it under the homestead laws, but upon condition that he pay so much per acre and pay his proportionate share of the construction cost of that project; but nobody has ever entered it, and nobody ever will do so. The Interior Department says it is not fit for entry; that it is not agricultural in its nature; that it is not susceptible of cultivation; and there are thousands of other acres around there, more or less covered with water, that the public will always have access to for hunting purposes. Ducks can and do go to those other places just as well as to this place. If this particular tract were the only place in that community where ducks ever flocked, then I would say that it should not be turned over to this club; that it should not be given a monopoly of the duck hunting there; but there are thousands of acres in that section covered by water just as much as this land, where ducks can and do flock just as they do on this land, and the public will always have free and ready access to the thousands of acres of other land, because nobody is going to enter any of them at public entry.

The gentlemen who have gotten this up are sportsmen who are interested in the preservation of game and the enforcement of the game laws of Montana. They want to get title to this land, and they are to pay the full value of the land, the full proportionate share of reclamation construction costs, and they will get title and pay taxes on it as long as they use it for club purposes; and whenever they cease using it for club purposes they are to lose their money and it is to go back to the United States Government. If this bill becomes a law they will undoubtedly erect a clubhouse at this particular spot, put some boats there, and put a caretaker in charge; and, as far as this particular spot is concerned, the game laws of the State of Montana will be enforced there, because you can depend upon it that there will be a caretaker there who will make it his business to see that nobody shoots ducks out of season, that nobody slaughters ducks ruthlessly or in excess of the number allowed by law, and that the laws are obeyed absolutely, and that if anybody tries to violate the law on these premises or in that particular section of the country he will be arrested and prosecuted, whereas at present there is nobody in charge to see to it. Anybody can go there now at any time he wants to and kill ducks out of season and in excess of the number allowed by law, and the only way in which anyone could be punished for it would be if somebody by chance should learn of it and file an information against the violator; so that this bill, if enacted, would aid in the enforcement of the law and would aid in the preservation of game and fowl.

As far as being a breeding place for wild fowl is concerned, there are thousands of other acres around there that are also breeding places. Furthermore, the gentlemen who are interested in this club are not the sort of men to go there and kill ducks during the breeding season, nor to allow anybody else to do it if they know it. They are true sportsmen, interested in the propagation of fowl, and for a breeding place this spot would be much better protected, under this bill, than it is now; so I think the President has simply been misinformed. I do not think he understands the conditions. I do not think this bill, if enacted, will do the public or anybody else any harm, and it will go a long way toward preserving the wild fowl of that section and enforcing the game laws of the State of Montana.

Mr. WILLIAMS and Mr. FLETCHER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Montana yield, and if so, to whom?

Mr. MYERS. I yield to the Senator from Mississippi. He arose first.

Mr. WILLIAMS. Mr. President, of course, the game laws of this country, like those of Great Britain, are founded upon the idea of the preservation of game. I should like to ask the Senator this question, because I know very little about the matter: Will the enactment of this bill result in an exclusive privilege to any one company or corporation or set of people for hunting over a given area?

Mr. MYERS. It will result in the exclusive privilege to the members of this club and such other persons as they may see fit to grant a permit for the use of 76 acres out of thousands of other acres of the same kind of land in that section of the country.

Mr. WILLIAMS. I did not ask how many acres, or out of how many.

Mr. MYERS. I simply threw in that gratuitous information. I am answering liberally.

Mr. WILLIAMS. I asked whether the enactment of this bill would result in an exclusive privilege to a company or corporation to hunt game over a certain area?

Mr. MYERS. Yes; a certain area—76 acres—because they would own the tract. It would be theirs.

Mr. WILLIAMS. Whatever it is, if it is 2 acres only.

Mr. MYERS. When there are thousands of other like acres in the same vicinity, it could not result in a monopoly, because if any one of these men entered that land by homestead entry, and acquired title to it, it would result in the exclusive right to him and his family and friends to hunt on those premises.

Mr. WILLIAMS. Absolutely; and it would be perfectly fair to open it for homesteading, or to sell it at an upset price, or to sell it to the highest bidder; but for the Government to grant the exclusive privilege of hunting over a given area is absolutely anti-American.

Mr. MYERS. It is not an exclusive privilege of hunting. It is selling the land at full value to these people. They are to acquire title to it and become the owners of it.

Mr. WILLIAMS. Yes; but the contract of sale contains an exclusive privilege of hunting later on over a certain area of land.

Mr. MYERS. No; the contract would not contain that provision. The law would give it, just as the law would give it to an individual who entered it.

Mr. THOMAS. It is exclusive in the sense that any patent from any individual or number of individuals is exclusive, and no more.

Mr. MYERS. Just the same; no more nor less.

Mr. THOMAS. Does not the grant of this land bring it within the jurisdiction of the State and subject it to State taxation?

Mr. MYERS. It would, undoubtedly, of course.

Mr. THOMAS. And in its present condition it is not so, is it?

Mr. MYERS. It pays no taxes and is not valuable to anybody for anything. So that I submit on this statement of the matter the bill should be passed notwithstanding the veto. The Senate has twice passed this identical bill, upon the recommendation of the Interior Department, which is supposed to and does rigidly safeguard the public lands of the country, and I can see no reason for Senators to become exercised about it now.

The VICE PRESIDENT. The question is, Shall the bill pass, the objection of the President notwithstanding? The roll will be called.

The Assistant Secretary proceeded to call the roll.

Mr. GLASS (when his name was called). I transfer my general pair with the senior Senator from Illinois [Mr. SHERMAN] to the Senator from Kentucky [Mr. STANLEY] and vote "nay."

Mr. KNOX (when his name was called). Repeating the announcement of my pair that I made on the last vote, I withhold my vote.

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I do not know how he would vote, and I withhold my vote. If I were at liberty to vote, I would vote "nay."

Mr. STERLING (when his name was called). Making the same transfer of my pair as on the preceding vote, I vote "nay."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. I transfer that pair to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. WOLCOTT (when his named was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence I withhold my vote. If permitted to vote, I would vote "yea."

Mr. HENDERSON. Has the junior Senator from Illinois [Mr. MCCORMICK] voted?

The VICE PRESIDENT. He has not.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois, and in his absence I transfer my pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer my pair to the junior Senator from Maryland [Mr. FRANCE] and vote "nay."

Mr. DILLINGHAM (after having voted in the negative). May I inquire whether the Senator from Maryland [Mr. SMITH] has voted.

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I withdraw my vote, as I have a general pair with that Senator.

Mr. HARRISON. I have been requested to announce the absence of the Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

Mr. CURTIS. I desire to announce that the Senator from New York [Mr. CALDER] is paired with the Senator from Massachusetts [Mr. WALSH] and the Senator from New Jersey [Mr. EDGE] is paired with the Senator from Oklahoma [Mr. OWEN].

The roll call resulted—yeas 9, nays 47, as follows:

YEAS—9.

Dial	Nelson	Poindexter	Spencer
Jones, Wash.	Phipps	Smith, Ga.	Thomas
Myers			

NAYS—47.

Brandegee	Hitchcock	McCumber	Smoot
Capper	Jones, N. Mex.	McKellar	Sterling
Colt	Kellogg	McNary	Sutherland
Curtis	Kendrick	Moses	Swanson
Elkins	Kenyon	New	Townsend
Gay	Keyes	Overman	Trammell
Glass	King	Phelan	Wadsworth
Gooding	Kirby	Pittman	Walsh, Mont.
Gronna	La Follette	Ransdell	Williams
Hale	Lenroot	Robinson	Willis
Harris	Lodge	Sheppard	Wolcott
Henderson	McCormick	Simmons	

NOT VOTING—40.

Ashurst	Fall	Johnson, S. Dak.	Sherman
Ball	Fernald	Knox	Shields
Beckham	Fletcher	McLean	Smith, Ariz.
Borah	France	Newberry	Smith, Md.
Calder	Frelinghuysen	Norris	Smith, S. C.
Chamberlain	Gerry	Owen	Stanley
Culberson	Gore	Page	Underwood
Cummins	Harrison	Penrose	Walsh, Mass.
Dillingham	Heflin	Pomerene	Warren
Edge	Johnson, Calif.	Reed	Watson

The VICE PRESIDENT. On the question, Shall the bill pass, the objections of the President to the contrary notwithstanding? The yeas are 9 and the nays are 47.

Mr. MYERS. Mr. President, I suggest that hereafter I think the Senate would save time if it would consult the President before passing bills.

SUNDRY CIVIL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The ASSISTANT SECRETARY. In the amendment of the committee, on page 24, line 10, at the end of the amendment to the amendment already agreed to, insert the following proviso:

Provided, That authority is hereby given to enter into a contract or contracts for the purposes authorized herein, in addition to the appropriations contained therein, amounting in the aggregate to $12,500,000.

Mr. JONES of Washington. I am afraid that will not accomplish what the Senator from Arkansas desires. The words "in the aggregate," I am afraid, would include the other amounts appropriated.

Mr. ROBINSON. Confusion has arisen as to the purpose of the amendment, and I will restate the amendment. I propose to amend by adding the following:

And in addition to the sums herein appropriated the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to enter into contracts for the purpose of providing hospital facilities in amount not exceeding $12,500,000.

I will state the purpose of the amendment, a number of Senators having come in since the question was first presented.

As we have now framed it, the amendment carries $18,600,000 for the construction of hospitals and for the extension and enlargement of hospitals. My amendment proposes to authorize contracts in addition to that sum to an amount not to exceed $12,500,000 to meet the urgent and immediate demands of the service.

The Secretary of the Treasury estimated the amount required at $35,000,000, and the total amount that will be authorized, if my amendment prevails, will be nearly $4,000,000 less than the amount estimated for by the Secretary of the Treasury.

Upon the amendment I demand the yeas and nays.

Mr. WARREN. Mr. President, I have only a word to say. We have provided here for the appropriation of $18,600,000, and we shall be only too ready to appropriate that much more, probably. But, in my judgment, we ought not at this time to authorize the making of contracts at the prices we have been paying on contracts lately made with the Government, and right in the face of the fact that while the bottom has been reached in raw materials of nearly all kinds, and we are back to antewar times, the drop has not yet reached the consumers, it has not yet fully reached "the high cost of living" or labor, and it has not yet reached prices of building and other material. All of that is bound to occur in the next two or three months, and there is plenty of time to take care of all of that as needed, without paying the extra millions of dollars we shall have to pay if they enter into contracts at this time. I am ready to vote.

Mr. KENYON. Mr. President, if I felt that this provision would help the soldiers one particle I would be willing to vote for it; but I do not believe it will. I believe it will be injurious to the soldiers, because, as the Senator from Wisconsin has suggested, it will mean a 2-year program. It will not make for present speedy efficiency in helping the soldiers.

Secondly, the contracts, as has been suggested by the Senator from Wyoming, will be at a much higher rate now than they could be made for at a later date. It will cost the Government more money than it need cost them to efficiently care for the soldiers. I do not believe that the soldiers themselves would ask this of the Government. Consequently I propose to cast my vote against the proposition.

Mr. GLASS. Mr. President, I desire to call the attention of the Senator from Iowa to the fact that the Senate itself last week or the week before declined to authorize contracts for extensions of public school buildings in the District of Columbia, when it was shown that thousands of children are excluded from the schools because of the present condition of building operations, the high cost of materials, and the high cost of labor. Like the Senator from Iowa, I should very gladly vote for the increased appropriation, or even for the full amount suggested by the Secretary of the Treasury, if I thought it would bring relief to the ex-soldiers. In my judgment it will not bring relief to the ex-soldiers, but will entail very large additional cost to the Government.

Mr. ROBINSON. Mr. President, the undisputed facts are that 10,000 additional beds are required to meet the immediate demands of the service. Throughout the United States there are thousands of soldiers who are unable to secure hospital facilities. There are hundreds confined in insane asylums and in jails. If we now merely authorize the construction which will be accomplished during the coming fiscal year and limit the authority of the Secretary of the Treasury to the making of contracts for that construction, at the end of another year we will be exactly where we are now, but if we permit him during the coming fiscal year to make additional contracts we will shorten the time required to catch up with his hospitalization work.

Mr. GLASS. Mr. President——

Mr. ROBINSON. Just a moment, please. I realize the importance of economizing in the appropriations made by Congress, but the sundry civil appropriation bill carries appropriations for hundreds of millions of dollars. It carries appropriations that might very well be deferred in view of the condition of the Public Treasury. It carries additional authorization.

The Secretary of the Treasury, who is intrusted with the responsibility of supervising the work, and the Surgeon General of the Public Health Service both declare that in order that they may speedily make provision necessary for men requiring hospital treatment they need more than the sum carried in the amendment now pending and that they require $35,000,000. We can not delay hospital construction until the price of material has gone down to an extent to satisfy Senators. We must provide the necessary hospital facilities for the men as speedily as possible. There is nothing incumbent upon the Secretary of the Treasury to let the contracts immediately. He is merely authorized in the bill to make, during the coming fiscal year, additional contracts for hospitals in addition to those contemplated by appropriations carried in the act. He is vested with discretion in the matter.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Arkansas yield? If so, to whom?

Mr. ROBINSON. I must yield to the Senator from Virginia, who first addressed me.

Mr. GLASS. I merely desire to express my amazement at the statement made by the Senator from Arkansas that there are thousands of ex-soldiers neglected and in jails and in insane asylums. I recall the fact that I personally catechized the Surgeon General of the Public Health Service when he was before our committee, and he told me explicitly that he knew of no ex-soldier who was being subjected to neglect. He said the hospital facilities were not as ample and not of that nature that the Public Health Service would desire, but he explicitly stated that he knew of no single ex-soldier who was being subjected to neglect.

Mr. ROBINSON. Notwithstanding the fact that the knowledge may not have come to the Surgeon General of the Public Health Service, I assert, after an extended investigation of the matter, that there are thousands of soldiers scattered throughout the United States who need and require hospital facilities.

Just a few days ago I called the attention of the Surgeon General of the Public Health Service to the fact that there are 19 ex-service men confined in the asylum for the insane at Little Rock, Ark. He said that he did not know of their existence, but he immediately issued an order for their transfer to some other place. There has been printed in the RECORD at the instance of my colleague [Mr. KIRBY] a joint resolution passed by the Legislature of the State of Arkansas making the declaration that in that State there are thousands of men being neglected for want of hospital service. That is true, as indicated by the statement of the Senator from New York [Mr. WADSWORTH], in that State. It is true, if the Senators will investigate, as to every State in the Union. There are thousands of them. The number it is expected will increase to approximately 30,000 within the next few years. Then, with men who bared themselves to the dangers of death on the battle field and who experienced injuries and sickness in the camps in the military service of the United States, why should we practice economy and deny to them speedy provision, in order that they may be hospitalized?

Mr. WARREN. Mr. President——

Mr. ROBINSON. I should yield first to the Senator from South Carolina.

Mr. DIAL. I desire to ask the Senator if it is not also true that building material, in a great portion of the country, and labor as well, have greatly declined, although not perhaps to the point where the cost is equal to the prewar prices?

Mr. ROBINSON. That is true. It is also true that material and labor have already declined and are still declining in many sections of the country, but we can not wait with this work; we can not leave these men to suffer and to die until building material reaches the lowest possible price.

Mr. ASHURST. No more than Gen. Dawes, who gave such manly testimony the other day, would have waited until the price of ether went down before they etherized the wounded soldiers.

Mr. ROBINSON. I now yield to the Senator from Wyoming.

Mr. WARREN. The Senator certainly has different information from that which I have. I agree with the Senator from Virginia [Mr. GLASS] that we are not in a close position as to beds to-day. If there are any soldiers uncared for to-day there are beds for their accommodation. I have before me an instance—and this is only one of many instances—a letter just received from the president of a soldiers' home. We have been providing certain facilities in soldiers' homes by moving the old soldiers from one home to another. I have evidence from the Surgeon General that it has been abundantly satisfactory and he is satisfied with the facilities and expects to use them still further, and we hope to provide further room. The letter states:

> Part of the conversion has been completed. We are ready to receive patients and have been since the latter part of December.

That is two months ago. I have a letter received from another source, stating that there are 458 beds available for patients and only 191 occupied, with patients coming in in a small but steady stream; 52 admitted since January 1; and that they have notice of 15 or 20 more to arrive about February 15.

There are other places similarly situated. It is probably true, as the Senator says and as the Secretary of the Treasury says, that when we meet the peak some years hence, I believe eight years hence, we may need great quantities of beds, I suppose. We have been furnishing beds, not all of them in newly constructed, immense buildings, to accommodate all of the men. It is true that there may be a man suffering in Arkansas or one in Wyoming or at some other place who has not been reached, but that is not because we have not provided money enough, for we have done that.

Another thing. There is no man that I know of on the Appropriations Committee who does not stand ready to appropriate at the proper time not only the amount mentioned, but far greater amounts. But at this particular time, while matters are proceeding and while we are voting $18,600,000 to be made available until expended, why undertake to tie us to something that we can attend to three months or six months from now or at some other time?

Mr. ROBINSON. For the simple reason that the $18,600,000 is scarcely half adequate to meet the urgent requirements of the service and not the number that is mentioned in the letter of the Surgeon General of the Public Health Service:

> In round numbers, 10,000 beds are urgently needed, of which the beds for tuberculous and neuro-psychiatric patients are of the greatest urgency. These additional beds will serve only to meet the present needs of the increase expected within the present fiscal year.

Ten thousand additional beds will be required to meet the needs of the service during the present fiscal year, and yet the appropriation carried in the committee amendment is scarcely half adequate to meet those requirements.

Mr. WARREN and Mr. JONES of New Mexico addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, to whom?

Mr. ROBINSON. I yield first to the Senator from Wyoming.

Mr. WARREN. There are three places which we provide by name for those who are mentally deranged, and they are the objects of chief need, really.

Mr. ROBINSON. I now yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I agree with the very earnest spirit which is manifested by the Senator from Arkansas. I think we ought to provide every facility necessary to take care in comfort of the disabled soldiers. But there are one or two things to which I would like to call the attention of the Senator from Arkansas.

The appropriation for the additional hospital facilities provided in the first paragraph of the bill has now been increased to $6,100,000. In talking with the Surgeon General and with his chief assistant on Saturday it was estimated that additional beds could be provided at some of those places, where there are extensions to be made, at a cost not exceeding $1,000 per bed. The original idea of the Surgeon General, as I understood it, or of some one connected with the War Risk Insurance Bureau, was that there should be new hospitals erected, and it was estimated that the expense per bed would be about $3,000. At that figure, to take care of 10,000 additional beds, $30,000,000 additional would be required; but here is an appropriation of over $6,000,000 to construct extensions to existing hospitals, which can be constructed at a very much less cost than $3,000 per bed.

The administration buildings are already erected and the water supplies have already been provided. So it will be much less expensive to provide for additional beds at those places where there are existing hospitals. If the estimate of the Surgeon General that it will cost only a thousand dollars a bed is approximately correct, then we are providing in this bill under the first paragraph for about 6,000 additional beds. Then the $12,500,000 under the second clause for new construction would provide additional accommodations for between four and five thousand more. So it seems to me that we are making ample provision here for the present necessities of the situation.

There is another consideration I should like to call to the attention of the Senator from Arkansas. I may be in error, but if I understand the situation the additional $12,500,000 proposed by his amendment will be added to the $12,500,000 already provided in the bill for new construction. If that be so, I think that is wrong, for after we make extensions to the existing hospitals the possibilities are that we shall find that we can make further extensions and provide additional beds at a much less cost than it is possible to provide them through new construction alone. Personally, I have had some hesitation about voting for the construction of the new hospitals outright. We have a number of hospitals over the country now, and I know we can extend them, at least some of them, almost indefinitely. I believe that by adding to existing facilities we can provide additional beds as they become necessary at a very much less cost than by spending money now in totally new construction.

Mr. ROBINSON. Mr. President, the undisputed record shows that patients are increasing at the rate of 1,000 per month. If that rate of increase approximately continues, by the end of the coming fiscal year we shall have 10,000 more sick and disabled soldiers for whom to provide hospitals that are not taken into account by the committee amendment. So the committee amend-

ment, even in the view placed upon it by the Senator from New Mexico, is totally inadequate to meet the requirements of the service.

Mr. HARRIS. Mr. President——

Mr. ROBINSON. I yield to the Senator from Georgia.

Mr. HARRIS. The Secretary of the Treasury will not have to expend the money unless the Surgeon General tells him that it is needed for hospitals.

I wish to say further, by way of reply to a statement made a while ago by the Senator from Virginia, that the Surgeon General's statement before the committee was that there are a number of soldiers now in private hospitals who are not receiving such treatment and care as the Surgeon General would like to accord them.

Mr. LENROOT. Will the Senator from Arkansas yield to me?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. ROBINSON. I yield to the Senator from Wisconsin.

Mr. LENROOT. I understand the Senator's purpose in offering his amendment is to enable the Secretary of the Treasury to make contracts for hospitals to be constructed during the fiscal year following the ensuing one?

Mr. ROBINSON. I do not object to his proceeding with the construction of them. I should like for him to proceed with the construction of them, if he can do so.

Mr. LENROOT. Very well. The Senator does not think that the Secretary can make a contract without first securing a site, does he?

Mr. ROBINSON. No.

Mr. LENROOT. Nor without having plans and specifications for the new hospitals?

Mr. ROBINSON. Certainly not.

Mr. LENROOT. Where, under the Senator's theory, is the money to come from for the sites and specifications and plans for the new hospitals except out of the $18,600,000 now appropriated for use this year?

Mr. ROBINSON. Why, Mr. President, there is a general provision in the amendment authorizing the acquisition of new sites, either by purchase, lease, or gift. The Secretary will make a contract for one of those sites, proceed with the preparation of his plans and specifications, and then come to Congress and ask for the necessary appropriation in conformity with this authorization. We would save six months in that way.

Mr. LENROOT. How is the Secretary going to get his plans and specifications without paying for them?

Mr. ROBINSON. If he has the authorization, he can make a contract for them. That is the value of the authorization.

Mr. LENROOT. Oh, but he can not make a contract for the building unless the plans and specifications are completed.

Mr. ROBINSON. Certainly not, but he can contract for the plans and specifications, just as he can contract for the site and just as he can contract for the buildings. There is no trouble about that. The needs of the service will not be met by the appropriation contained in the committee amendment. It is doubtful to my mind whether the amendment which I have offered is adequate to meet the requirements of the service, because of the constantly increasing number of sick and disabled soldiers who require hospitalization.

It is no reflection upon the Surgeon General of the Public Health Service to say that he does not know of soldiers who are being neglected, but I say that there are hundreds, aye, thousands of them who have not received hospital treatment, but who will need hospital treatment, and, as suggested by the Senator from Georgia, this Government can not be hurt by anticipating the requirements of the service and by speeding up in its hospitalization program. I ask for the yeas and nays upon the amendment, Mr. President.

Mr. LENROOT. Mr. President, the Senator from Arkansas must not try to place those of us who are opposed to his amendment in the position of opposing all that can be done for the disabled soldiers. Although I am sure the Senator does not so intend, the fact is that if his amendment shall be adopted, there will be less money and less hospital facilities afforded the soldier in the next fiscal year than if the amendment stands as it has now been adopted by the Senate. His amendment will result necessarily in taking a part of the $18,600,000 that will be utilized for the completion of hospital facilities for the next fiscal year and putting them over into the fiscal year following, where the soldiers will get no benefit from them until the end of the fiscal year.

Mr. SMOOT. Mr. President, I have before me the estimate of the Treasury Department as to the amount of money which is required for this purpose. We have heard that the estimate was for $35,000,000. The estimate is for $35,000,000, but of that amount $5,000,000 is for furniture and equipment. No one has suggested, neither the Secretary of the Treasury nor the Surgeon General has suggested, at any time that there be appropriated more than $30,000,000.

Do not let us run off and lose our heads. The amendment proposed by the Senator from Arkansas provides more than the $30,000,000. I think, in view of what was told the committee, that $12,500,000 could be profitably expended during the coming fiscal year. What have we added to it? We have added $6,100,000 more to that. I think it is unwise, as I have said, to authorize the expenditure of $12,500,000 more to be used in entering into contracts; for, as previously stated, I have no doubt that building costs, including material and labor, within the next 12 months will be 25 per cent lower than they are to-day. Why not save the 25 per cent, when to make the additional appropriation now will not benefit a single solitary soldier?

I know we do not take very much notice of money; I know that $4,000,000 is not thought very much of; but, Senators, the time is now here when we have got to notice $4,000,000 or $5,000,000 or even $1,000,000. If the returns showing the business profits for the year 1920, upon which we have made our estimates, continue to show decreases in the same proportion as those which have already come in, we are going to fall short over $500,000,000 in the estimated revenue of the Government for the coming year.

If the money could be profitably expended, I should vote for a larger appropriation, but I say to Senators now that all the information I can get is to the effect that every soldier who has made application has been taken care of. Mind you, men detailed from the Public Health Service are traveling all through the United States; they are in every State in this Union looking out for the ex-soldiers and calling their attention to the benefits they may receive.

I do not say that every soldier who is to-day in a hospital is being treated as I should like to see him treated or as the Government of the United States ought to treat him; but I do say that, if reports as presented by officials of the Government can be relied upon, the soldiers are taken care of. I have a letter here from Gen. George W. Wood calling attention to the fact that at the Marion Home there is now room for soldiers suffering from mental disorders to the extent of 458 beds.

I think that we ought to look at this matter in a reasonable light and do what we think is best both for the Government and the soldiers. That is all that I ask. I know, Mr. President, that $18,600,000 is all that can profitably be expended within the time limit of this appropriation. I wish that amount to be made immediately available, and I understand the Senator from Wyoming has already suggested such an amendment.

Mr. WARREN. I have, and the amendment has been agreed to.

Mr. SMOOT. The Senator from Wyoming informs me that such an amendment has been agreed to.

I say again, Mr. President, do not let us lose our heads over this matter. Let us vote for the $18,600,000; let the proper authorities get to work, enter into contracts, proceed with the program, and complete that program for this year; and when it shall be completed, I want now in advance to say that I will thank the officials of the Treasury Department for having accomplished it.

Mr. GLASS. Mr. President, I wish to say that there is no member of the committee who does not sympathize with the spirit of the position taken by the Senator from Arkansas [Mr. ROBINSON]; nor did the committee primarily have in view the mere question of economy. It had before it the question of an orderly method of meeting the present emergency, and it acted upon the testimony of the Public Health Service—of the Surgeon General himself and his coadjutors.

Mr. ROBINSON. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. GLASS. I yield.

Mr. ROBINSON. Does the Senator from Virginia state that the Surgeon General regards the provision in the committee amendment as adequate to meet the requirements of the present emergency?

Mr. GLASS. The immediate requirements; I so understand.

Mr. ROBINSON. I wish to state that I have offered the amendment after a prolonged conference with the Surgeon General and others in his office, who represent to me that some such provision as this is absolutely necessary.

Mr. GLASS. Mr. President, I wish to repeat what I stated a while ago, that when the Surgeon General appeared before

the Committee on Appropriations I personally asked him if he knew of any cases of neglect, and his response to me was that he did not know of a single case of neglect; that they were taking care, as best they could, of every case brought to their attention, and he left me with the very distinct impression that this program of the committee would meet the emergency in an orderly way.

I stand prepared to double the appropriation proposed by the committee if the funds may immediately be used to good purpose; but the investigation of the Appropriations Committee, after having before it the Surgeon General and his assistants, convinced the committee that the amount embodied in the bill now under consideration is ample for all requirements for the ensuing year.

I am not a little amazed at the statement of the Senator from Arkansas that there are thousands upon thousands of soldiers who are being neglected and who are crowding the insane asylums and the jails of the country. That assertion is absolutely contrary to the statement made to the committee by the Surgeon General himself.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. GLASS. I do.

Mr. ROBINSON. I will read, with the Senator's permission, a part of a resolution adopted by the American Legion at Helena, Ark. The same matter was brought to the attention of the general assembly of that State, which adopted the concurrent resolution to which I have already referred:

> Whereas it was further found that there are 18 insane ex-soldiers now confined in the State Hospital for Nervous Diseases at Little Rock, Ark., and on account of the overcrowded condition of the institution these soldiers are forced to associate and be confined with the criminal and pauper insane of the State.

This is no fault of the officials of the institution, as they are prohibited by law from accepting additional compensation from the Federal Government other than a nominal charge.

Mr. GLASS. Mr. President, did I not understand the Senator from Arkansas to say a while ago that the instant this case was brought to the attention of the Surgeon General provision was made by the Public Health Service for these unfortunate people, and that they were transferred elsewhere?

Mr. ROBINSON. Yes; but it discloses the fact that the Surgeon General does not know of all the cases of soldiers who are being neglected. There is an instance of 18 in one body who were confined among criminals by reason of the want of adequate hospital facilities that had not been brought to his attention for months after they had first been confined there; and when they were brought to his attention he did act promptly. I am not complaining, as I said before, of the Surgeon General; and in addition to those who are confined in private institutions and in State institutions and in jails, there are thousands of others who have not yet made application. Many of them are not in a condition to make application. Many of them do not know what process is necessary to get their claims for hospital treatment considered; and the Surgeon General recognizes that the increase is at the rate of 1,000 per month, which shows that all of those entitled to hospitalization have not brought their claims to his attention. It is not a case of fault upon his part. The difficulty inheres in the situation itself.

Mr. GLASS. Mr. President, the startling dereliction indicated by the Senator from Arkansas, if it actually exists, is with the State authorities and not with the Public Health Service. The committee must rely upon the authentic statements of the Public Health Service in its deliberations and in its determination of these matters. It can not depend upon the unsupported supposition that there are thousands upon thousands of people being neglected. The attention of the Public Health Service certainly has never been drawn to such neglect, for the Surgeon General himself states that he knows of no cases of neglect. If we had these hospitals already erected, they would be useless if ex-service men are not making application for treatment.

Mr. ROBINSON. But they are.

Mr. GLASS. It is inconceivable to me that these ex-service men are being thus shamelessly neglected throughout the country, and yet, according to the Surgeon General, are not making application for treatment.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia further yield to the Senator from Arkansas?

Mr. GLASS. I do.

Mr. ROBINSON. With the Senator's permission, they are making application at the rate of 1,000 per month. The Legislature of the State of Arkansas a few days ago adopted a concurrent resolution containing, among other declarations, this statement:

> Whereas it is a fact that thousands of Arkansas's unfortunate disabled soldiers, sailors, and marines, to whom we owe everything, are without adequate hospitalization, and it is an imperative necessity to provide immediate adequate care for them; therefore—

And so forth. There is a declaration.

Mr. GLASS. Mr. President, right there arises a question of fact as to whether there are thousands of ex-service men in the State of Arkansas who are being neglected. I should be distressed to death to believe that there are either thousands or hundreds of ex-service men in the State of Virginia who are being subjected to criminal neglect and being put in the jails and insane asylums. I should be ashamed of my State if I could think that there is any such frightful condition there. And I prefer to think that the situation in Arkansas is not accurately described by the legislature of the State. I am more disposed to rely upon the explicit statement of the Surgeon General of the Public Health Service, who has in every State and in nearly every county of every State a responsible representative charged with these matters. We most assuredly can not rely on mere suppositions or on resolutions passed by a legislature.

If the Legislature of Virginia were to make to me the official declaration that there are thousands of ex-service men in that State who risked their lives for their country and who now are wandering about, or incarcerated in jails, or brought into contact with the criminal insane, and would not itself make instant provision for such a horrible situation, I should have little respect for the General Assembly of Virginia. State legislatures should not wait upon a derelict and dilatory Public Health Service at Washington if any such state of affairs exists.

To repeat what seems to me conclusive of the question here, the committee was obliged to rely upon the Surgeon General of the Public Health Service for its information; and I very sincerely trust that that public official is more accurate in his estimate of the situation than the Legislature of the State of Arkansas.

Mr. PITTMAN. Mr. President, I think there is a question of accuracy involved. The Senator from Virginia [Mr. GLASS] says that he is acting upon the advice of the Surgeon General. Taking his own statement as to what the Surgeon General said, all that I got out of it is that he said he knew of no soldiers that are not being taken care of. That is a statement of fact. On the other hand, it is evident that there are some that are not being taken care of.

Mr. GLASS. Is it in evidence?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Virginia?

Mr. PITTMAN. Just a second. The further statement that the Senator from Virginia made as showing that he was relying on the Surgeon General's report was that he gained the impression from everything the Surgeon General said that this was sufficient. Now, mind you, the Senator did not state the language of the Surgeon General in that particular, while he did state the language in the other particular.

Mr. GLASS rose.

Mr. PITTMAN. I will ask the Senator to wait a second. In answer to that, the Senator from Arkansas [Mr. ROBINSON] states to-day on this floor that he has conversed with the Surgeon General, and that this amendment is offered on the advice of the Surgeon General, and that the Surgeon General says that this character of amendment is absolutely essential. Unless I am unwilling to believe the correctness of the Senator's statement, therefore, I have to take the stand that the Senator from Arkansas is acting upon the advice of the Surgeon General rather than the Senator from Virginia and the Senator from Utah.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Wyoming?

Mr. PITTMAN. Not yet. I shall be through in a minute, and then I shall take my seat.

I want to say that the conclusions to be derived from a certain statement of evidence which sometimes depends upon suppositions as to the meaning of the officer depends upon the frame of mind that the judge is in. A person's conclusions are very frequently guided by his desires. The main desire so far appearing in this matter, from the statements of those who oppose this provision, is economy. I agree with the Senator from Arkansas that this is no case for economy.

Mr. GLASS. Mr. President, I very distinctly disclaim for myself that that was my attitude, and the imputation of the Senator from Nevada [Mr. PITTMAN] to the effect that members

of the committee do not desire to make ample provision for ex-service men is utterly gratuitous as far as I am concerned. I think the spirit of committee members in this matter is just as patriotic and characterized by quite as great solicitude as that of other Senators who properly have the interests of ex-service men at heart. Hence I resent the suggestion of the Senator from Nevada that members of the Appropriations Committee do not desire to make ample provision for these men. The committee did not desire to do anything wasteful in providing for them. Merely to make an impression of anxious concern, the committee was not disposed to authorize construction that may not immediately be put into execution.

Speaking for myself again, I simply desired to do in an orderly way that which careful inquiry seemed certainly to require. The committee did not think it desirable to get into a fever of excitement or vehemently to protest solicitude for the men who fought for their country and deserve the tenderest consideration of the Congress. We assumed that everybody would cheerfully impute to us at least a decent regard for public opinion.

I did not mean to create the impression that the Surgeon General said the appropriation in this bill would complete the program for hospitalization, but only that he seemed to think we were reasonably well meeting the exigency for the ensuing year.

Mr. WARREN. Mr. President, will the Senator allow me to interrupt him a moment?

Mr. GLASS. I will.

Mr. WARREN. I desire to say that the Senator is absolutely right as to the statements of the Surgeon General when he appeared before the committee; and not only that, but in talking with him I ascertained that he had not receded from his position that for some years before we reach the peak we will need these larger amounts. He has said, however, that a smaller amount by $1,100,000 than the bill now contains would cover every necessity for the year and run them a long way into the next year; but I assume that the Secretary of the Treasury or Surgeon General, or any other officer of the departments who is seeking more money than he thinks the Congress will allow, if the question were put to him, "Would you not rather have us appropriate more?" might say "Yes," but he certainly gave us every assurance that he was satisfied with what we proposed to do in this bill before these additions were made.

Mr. GLASS. Not only that, but the Senator from Wisconsin [Mr. LENROOT] clearly pointed out a while ago that the amendment now proposed would result in curtailing the immediate and urgent requirements of the Public Health Service rather than in extending its facilities, because if these contracts are entered into now you would have to take a part of the appropriation made for extensions in order to pay for plans and specifications and preliminaries of every conceivable description.

There is a vast different between wanting eagerly to economize and objecting strenuously to waste; and that is the difference between the committee and its critics on the floor here to-day. The committee has not wanted primarily to economize, but has wanted to proceed in a way that would prevent waste. The committee has not wanted to refuse to expend money to take care of ex-service men, but it simply proposes to expend it in a way that will more certainly and more speedily, in its judgment, take care of these ex-service men and safeguard the Treasury.

Mr. SIMMONS. Mr. President, does the Senator think the provision for the purchase of sites necessarily involves the expenditure during the coming fiscal year of any particular sum of money?

Mr. GLASS. It is meaningless if it does not mean that.

Mr. SIMMONS. Is it meaningless? Would not that simply mean this, that there is an authority here to select a site, and there is an authority here to make a contract for a site, but no authority to pay the money for the site? Is not that a common transaction? A man makes a contract to buy a piece of land, to be paid for in the future. Would not that be the nature of the contract the Surgeon General would make about this land?

Under this authorization he would enter into a contract to take this particular tract of land as a site for the building of a hospital, with the understanding that the money was to be paid out of the authorization when Congress appropriated the money. And, likewise, would not that be the case with reference to the contract for the specifications? There is a contract for the specifications, the architect proceeds to make his specifications, but he does not expect to get the money for his specifications until the Government makes the appropriation. I am simply putting a question.

Mr. GLASS. The Senator from North Carolina is a good business man. If he were proceeding in his own behalf, would he make a contract at this time, when prices of building materials are excessive, and the prices of labor in the building craft are excessive, for the construction of a building at some future time?

Mr. SIMMONS. That is another and a very distinctly different question from the one I was raising. The Senator from Virginia said it would be necessary, if these contracts were made, to subtract that amount of money from the amounts we appropriated for hospitals to be constructed.

Mr. GLASS. No; the Senator misunderstood me.

Mr. SIMMONS. Then I certainly did misunderstand the Senator. That is what the Senator from Wisconsin said, as I understood him.

Mr. GLASS. Not at all. I think the Senator from Wisconsin said that you must take a part of this appropriation of $18,000,000 to pay for the plans and specifications that would be prepared for future construction, if authorized and not appropriated for.

Mr. SIMMONS. Undoubtedly that would be so, if it was necessary to pay for the plans and specifications in advance, or cash at the time they were made. But the point I was making was that it would not be necessary to do that; that they would not have to be paid for until the money was ultimately appropriated under the authorization.

Mr. GLASS. As a matter of fact, I will say to the Senator, of my own personal knowledge the Supervising Architect's Office, which has been cut down in this bill, is already overcrowded with work, and if it should be called upon to prepare additional plans and specifications it would have to go out and hire architects to do the work, and the only way to go out and get architects is to pay them, and you would have to take part of this appropriation that the committee has recommended for immediate, urgent needs and pay for plans and specifications and options upon sites for future construction.

I shall now yield the floor. I simply rose to resent the imputation that the Committee on Appropriations had primarily any desire to economize at the expense of the suffering and distressed ex-service men. It is an impeachment of the committee that never should have been made upon the floor of the Senate, and it is one that has no justification in truth, because the Committee on Appropriations has as tender a solicitude——

Mr. ROBINSON. Does the Senator imply that I impeached the committee and charged that the committee had no disposition to take care of these men?

Mr. GLASS. No. I have said I thoroughly sympathize with the attitude of the Senator from Arkansas in his view of the facts, which differs so widely from my own; and I have said also that I sympathize entirely with the spirit manifested by the Senator from Arkansas.

Mr. ROBINSON. I did say that I thought this provision was inadequate, and I still think so.

Mr. GLASS. I can very readily conceive how a Senator may think that; but I do not participate in that view.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas [Mr. ROBINSON] to the amendment of the committee.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. DIAL (when his name was called). I have a pair with the Senator from Colorado [Mr. PHIPPS], which I transfer to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the junior Senator from Kentucky [Mr. STANLEY] and vote "nay."

Mr. KENDRICK (when his name was called). I have a pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Rhode Island [Mr. GERRY] and vote "nay."

Mr. McKELLAR (when his name was called). On this question I am paired with the junior Senator from Utah [Mr. KING] and withhold my vote.

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I do not know how he would vote on this question, and I therefore withhold my vote. If permitted to vote, I would vote 'yea."

Mr. STERLING (when his name was called). Making the same announcement of my pair and its transfer as on the last vote, I vote "nay."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PEN-

ROSE]. I am informed that upon this particular proposition he would vote "nay." I therefore feel at liberty to vote. I vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my general pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. THOMAS. I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. I am informed that if he were present he would vote in the negative. I therefore feel at liberty to vote. I vote "nay."

Mr. FLETCHER (after having voted in the affirmative). I find that my pair, the Senator from Delaware [Mr. BALL], is not present and has not voted. I transfer my pair to the Senator from Tennessee [Mr. SHIELDS] and let my vote stand.

Mr. HENDERSON. Has the junior Senator from Illinois [Mr. MCCORMICK] voted?

The PRESIDING OFFICER. He has not.

Mr. HENDERSON (after having voted in the affirmative). I have a general pair with the junior Senator from Illinois, and in his absence I withdraw my vote.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut, which I transfer to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. LODGE. I have a general pair with the Senator from Georgia [Mr. SMITH], and the Senator from Maryland [Mr. SMITH] has a pair with the Senator from Vermont [Mr. DILLINGHAM]. By arrangement we transfer our pairs, and we are both at liberty to vote. I vote "nay."

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer my pair to the junior Senator from Idaho [Mr. GOODING] and vote "nay."

The PRESIDING OFFICER (Mr. CURTIS). The Chair desires to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Massachusetts [Mr. WALSH].

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN].

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. HARRISON. I wish to announce the absence of the Senator from Oregon [Mr. CHAMBERLAIN] on account of illness. As has been stated, he is paired with the Senator from Pennsylvania [Mr. KNOX].

I also desire to announce that if the junior Senator from Massachusetts [Mr. WALSH], who is temporarily absent on official business of the Senate, were present and at liberty to vote, he would vote "yea."

The result was announced—yeas 25, nays 29, as follows:

YEAS—25.

Ashurst	Harrison	Ransdell	Trammell
Capper	Heflin	Reed	Underwood
Dial	Kirby	Robinson	Walsh, Mont.
Fletcher	La Follette	Sheppard	Wolcott
France	Myers	Simmons	
Gay	Phelan	Swanson	
Harris	Pittman	Townsend	

NAYS—29.

Curtis	Kendrick	New	Thomas
Elkins	Kenyon	Overman	Wadsworth
Glass	Keyes	Poindexter	Warren
Gronna	Lenroot	Smith, Md.	Williams
Hale	Lodge	Smoot	Willis
Jones, N. Mex.	McNary	Spencer	
Jones, Wash.	Moses	Sterling	
Kellogg	Nelson	Sutherland	

NOT VOTING—42.

Ball	Fall	Knox	Pomerene
Beckham	Fernald	McCormick	Sherman
Borah	Frelinghuysen	McCumber	Shields
Brandegee	Gerry	McKellar	Smith, Ariz.
Calder	Gooding	McLean	Smith, Ga.
Chamberlain	Gore	Newberry	Smith, S. C.
Colt	Henderson	Norris	Stanley
Culberson	Hitchcock	Owen	Walsh, Mass.
Cummins	Johnson, Calif	Page	Watson
Dillingham	Johnson, S. Dak.	Penrose	
Edge	King	Phipps	

So Mr. ROBINSON'S amendment to the amendment of the committee was rejected.

RECESS.

Mr. WARREN. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 3 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 8, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 7, 1921.*

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

God Almighty, be good unto us to-day and bless us, and cause Thy face to shine upon us. May we hearken unto the call of duty. Revive in us our best energies and rekindle upon the hearthstones of our hearts a holy passion for the love of our country. Clothe us with cleanliness, and reveal unto us the glory of hidden purity, and at evening time may we be found seeking only an honorable rest. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, February 5, 1921, and of Sunday, February 6, 1921, was read and approved.

CALL OF THE HOUSE.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. It is clear that there is no quorum present.

Mr. MANN of Illinois. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Ferris	Kreider	Randall, Calif.
Ashbrook	Focht	Lesher	Reed, W. Va.
Babka	French	Lonergan	Riordan
Baer	Gallagher	Lufkin	Robinson, N. C.
Bee	Gandy	McCulloch	Rubey
Bell	Ganly	McDuffie	Sabath
Benson	Gard	McGlennon	Sanders, Ind.
Blackmon	Garrett	McKinley	Sanders, La.
Bland, Mo.	Goldfogle	McLane	Sanders, N. Y.
Bowers	Goodall	Maher	Sanford
Britten	Goodwin, Ark.	Mann, S. C	Scully
Burke	Gould	Mays	Small
Butler	Graham, Pa.	Moon	Smith, N. Y.
Candler	Greene, Vt.	Mooney	Smithwick
Cantrill	Hamill	Mudd	Steele
Carew	Harrison	Neely	Stephens, Miss.
Carss	Haugen	Nelson, Wis.	Stiness
Casey	Hersman	Nolan	Sullivan
Chindblom	Hicks	O'Connor	Tague
Clark, Fla.	Hoey	Oliver	Towner
Classon	Hulings	Overstreet	Venable
Coady	Humphreys	Padgett	Walters
Costello	Hutchinson	Patterson	Watkins
Currie, Mich.	James, Mich.	Perlman	Whaley
Davey	Johnson, Ky.	Peters	Wilson, Ill.
Dent	Kahn	Phelan	Wilson, Pa.
Dooling	Kennedy, Iowa	Radcliffe	Wise
Eagle	Kettner	Rainey, Ala.	Yates
Edmonds	Kincheloe	Rainey, Henry T.	
Ellsworth	Kitchin	Rainey, John W.	
Emerson	Kraus	Ramsey	

The SPEAKER. Three hundred and eight Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call. The question is on agreeing to the motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4879. An act to amend section 1 of the act of Congress approved March 2, 1895 (28 Stats. L., p. 907), and to extend restrictions against alienation of lands allotted to and inherited by certain Quapaw Indians, and for other purposes; and

S. 4886. An act to extend the time of the Hudson River Connecting Railroad Corporation for the completion of its bridge across the Hudson River, in the State of New York.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4924. An act to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America

over the property and persons of the town site or territory known as United States Housing Corporation project 150A, located in Norfolk County, State of Virginia, and called Cradock; to the Committee on Public Buildings and Grounds.

S. 2682. An act for the relief of Blanche Winters; to the Committee on War Claims.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 8881. An act for the relief of the First National Bank, of New Carlisle, Ind.

SUSPENSION DAY—CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. To-day is suspension day. The Clerk will call the Calendar for Unanimous Consent.

JUDICIAL DISTRICT OF ALASKA.

The first business on the Calendar for Unanimous Consent was the bill (S. 4205) to amend section 4, chapter 1 of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. WALSH. I ask that the bill be reported. We could not hear its purport from the reading of the title.

The SPEAKER. The Clerk will report the bill.

The text of the bill was read.

Mr. BLANTON. I object, Mr. Speaker.

Mr. JOHNSON of Washington. Will the gentleman withhold his objection for a moment?

Mr. BLANTON. Mr. Speaker, I will reserve it for a moment in order to ask the gentleman a question.

Mr. VOLSTEAD rose.

Mr. BLANTON. There are how many people in Alaska?

Mr. JOHNSON of Washington. Fifty thousand.

Mr. BLANTON. Are we providing in this bill four Federal district judges for 50,000 people?

Mr. JOHNSON of Washington. No. We already have the judges. This is a rearrangement of the boundaries, in the effort to better handle the public business. The gentleman will remember that practically 98 per cent of all Alaska is Federal domain. This bill does not increase the number of judges. It merely changes the boundaries of the districts.

Mr. BLANTON. The four judges are already there?

Mr. JOHNSON of Washington. Yes.

Mr. BLANTON. I do not want to get rid of them. Mr. Speaker, I withdraw my objection.

Mr. WINGO. Mr. Speaker, reserving the right to object, what are the changes proposed? What is the necessity for them?

Mr. VOLSTEAD. I want to say this: The judges up there have agreed to this proposition, and the Attorney General has recommended it, and there is no opposition to it. Mr. GRIGSBY, the Delegate, is in favor of it. It is all a matter of unanimous consent.

Mr. WINGO. Mr. Speaker, it is impossible to hear anything. I ask the gentleman what is the reason for it, and what is the necessity?

Mr. VOLSTEAD. The trouble is that in some sections now it is almost impossible to reach the courts, and the object is to make it possible for the people in the Territory to reach the courts more conveniently. This legislation has the general agreement of the people up there, has the approval of the judges, the Attorney General, and the Delegate from Alaska, and, so far as I know, there is no one opposing it.

Mr. WINGO. Well, with great respect for the gentleman's conclusion, what I wanted is the basis for his arrival at his conclusion. What is the basis of it which caused him to reach the conclusion?

Mr. JOHNSON of Washington. In the bill the boundaries of the four judicial districts are based on the centers of population. The bill indicates the four centers of population.

Mr. WINGO. Has there been some sudden change in the last few months?

Mr. JOHNSON of Washington. The boundary lines made many years ago were found in the course of practice to be not quite desirable, transportation being very bad.

Mr. VOLSTEAD. There is no communication by boat or otherwise as to some of the territory now in the various divisions, and it is for the purpose of making it easier for them to reach those various divisions.

Mr. WINGO. Was there communication by boat at the time the present boundaries were fixed?

Mr. JOHNSON of Washington. Very slow. I have seen marshals, witnesses, prisoners, and all going perhaps 350 miles by boat to get to court. The judges in Alaska agree that the boundaries fixed in this bill, which has passed the Senate, are more desirable, and the provisions in this bill are recommended by the Attorney General.

Mr. WINGO. Does the gentleman say that the only change is to rearrange the boundaries of the divisions?

Mr. VOLSTEAD. Quite so.

Mr. WINGO. How many divisions have they?

Mr. VOLSTEAD. Four districts.

Mr. WINGO. How many divisions?

Mr. VOLSTEAD. I could not say.

Mr. WINGO. At how many places do they hold court?

Mr. VOLSTEAD. Four places.

Mr. WINGO. One place in each district?

Mr. JOHNSON of Washington. As I understand it, at one place in each district and at the capital. I think in the first district, in southeastern Alaska, they hold court at Juneau, according to this bill, and somewhere else.

Mr. WINGO. The gentleman from Washington [Mr. JOHNSON] and the gentleman from Minnesota [Mr. VOLSTEAD] assure the House that the only change provided for in this bill is the rearranging of the lines of the districts?

Mr. JOHNSON of Washington. As recommended by the Attorney General.

Mr. WINGO. As recommended by the judges and by the Department of Justice, and no other changes are provided?

Mr. VOLSTEAD. No other changes are provided.

Mr. WINGO. I withdraw my reservation.

Mr. McCLINTIC. Reserving the right to object, I wish to ask why this bill appropriates $7,500 a year for each of these four judges, if they are already provided for by law?

Mr. VOLSTEAD. This is simply a reenactment of the statute, and, of course, in changing the statute we reenacted the portions which were unchanged.

Mr. McCLINTIC. I notice on page 5 it authorizes the court to employ interpreters and stenographers, and leaves it to the Attorney General to pay their salaries. What I should like to know is, is there not some provision of law at the present time that specifies the salary to be paid to interpreters and to court stenographers?

Mr. VOLSTEAD. This is the law as it is on the statute book now. It simply repeats the old law in that respect.

Mr. McCLINTIC. In other words, they already have that right? The Attorney General was given that right heretofore?

Mr. VOLSTEAD. That is my understanding, that there is no change in the law except in the boundaries of the districts.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 4 of chapter 1 of Title I of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, which section also constitutes section 363 of the Compiled Statutes of the Territory of Alaska, 1913, be, and the same hereby is, further amended so as to read as follows:

"SEC. 363. There is hereby established a district court for the District of Alaska, with the jurisdiction of district courts of the United States and with general jurisdiction in civil, criminal, equity, and admiralty causes; and four district judges shall be appointed for the district, each at an annual salary of $7,500, who shall during their terms of office reside in the divisions of the district to which they may be respectively assigned by the President. The court shall consist of four divisions, which shall also be recording divisions.

"Division No. 1 shall consist of all that part of the District of Alaska lying east of the one hundred and forty-first meridian of west longitude.

"Division No. 2 shall consist of all that territory lying west of a line commencing on the Arctic coast at the one hundred and forty-eighth meridian; thence extending south along the easterly watershed of the Colville River to a point on the Rocky Mountain divide between the headwaters of Colville River on the north and west and the waters of the Chandlar River on the south; thence southwesterly along the divide between the waters of the Colville River, Kotzebue Sound, and Norton Sound on the north and west and the waters of the Yukon on the south to the one hundred and sixty-first meridian of west longitude; thence along said meridian to a point on the summit of the divide between the Yukon and Kuskokwim Rivers; thence extending easterly along the divide between the waters of the Yukon, Iditarod, and Innoko Rivers on the north and the waters of the Kuskokwim River on the south, to the summit of Mount McKinley; thence southwesterly along the divide between the waters of the Kuskokwim River and Bay on the north and west and the Gulf of Alaska and Bristol Bay on the south,

to the westerly point of Cape Newenham; the said division to include all the islands lying along and off the coast of this division, between Cape Newenham and the point where the one hundred and forty-eighth meridian, west longitude, intersects the northern line of the Territory."

With the following committee amendment:

Amend, on page 3, line 5, after the word "point," by striking out the remainder of that line and all of the language down to and including the word "Territory," in line 18, and inserting in lieu thereof the following:

"Midway between the Yukon River and the Kuskokwim River, thence southwesterly to the point of intersection of the sixty-first parallel of north latitude with the shore of Bering Sea; the said division to include all the islands lying north of the fifty-eighth parallel of north latitude and west of the one hundred and forty-eighth meridian of west longitude, excepting Nelson Island, all islands in Kuskokwim Bay, all islands in Bristol Bay, and all islands in the Gulf of Alaska north of the fifty-eighth parallel of north latitude."

The SPEAKER. The question is on the committee amendment.

Mr. WINGO. Mr. Speaker, there was so much confusion I could not understand the reading of the amendment. Does it simply change the boundaries?

Mr. VOLSTEAD. It changes the boundaries. It was discovered after the bill passed the Senate that there was a mistake in the boundaries given.

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The Clerk read as follows:

Division No. 3 shall consist of all that territory lying south and west of the line starting on the coast of the Gulf of Alaska at the one hundred and forty-fist meridian of west longitude; thence northerly along said meridian to a point due east from Mount Kimball; thence west to the summit of Mount Kimball; thence southwesterly along the southerly watershed of the headwaters of Tanana River; thence westerly along the divide between the waters of the Gulf of Alaska on the south and the waters of the Yukon on the north to the summit of Mount McKinley; thence continuing southwesterly along the divide between the waters of the Kuskokwim River and Bay on the north and west and the Gulf of Alaska and Bristol Bay on the south to the westerly point of Cape Newenham; the said division to include the Alaska Peninsula, the Aleutian and Pribilof Islands, and all islands along and off the coast of this division, between Cape Newenham and the point where the one hundred and forty-first meridian, west longitude, intersects the northern line of the territory.

Division No. 4 shall consist of that part of the District of Alaska lying east of the second division and north of the third division, and all islands along the north coast of said division east of the one hundred and forty-eighth meridian of west longitude.

With the following committee amendment:

Amend by striking out the period in line 17, page 4, and inserting in lieu thereof the following: "also the Nelson Islands and all islands in Kuskokwim Bay."

The amendment was agreed to.

The Clerk read as follows:

One general term of court shall be held each year at Juneau, and such additional terms at other places in the first division as the Attorney General may direct. One general term of court shall be held each year at Nome, and such additional terms at other places in the second division as the Attorney General may direct. One general term of court shall be held each year at Valdez, and such additional terms at other places in the third division as the Attorney General may direct. One general term of court shall be held each year at Fairbanks, and such additional terms at other places in the fourth division as the Attorney General may direct. Each of the judges is authorized and directed to hold such special terms of court as may be necessary for the public welfare or for the dispatch of the business of the court at such times and places in their respective districts as any of them, respectively, may deem expedient, or as the Attorney General may direct; and each shall have authority to employ interpreters and to make allowances for the necessary expenses of his court and to employ an official court stenographer at such compensation as shall be fixed by the Attorney General. At least 30 days' notice shall be given by the judge, or the clerk, of the time and place of holding the several terms of the court.

Mr. WINGO. Mr. Speaker, I notice that it speaks of divisions. Are the districts divided into divisions or do you refer to the districts as divisions?

Mr. VOLSTEAD. I will show the gentleman a map showing the various divisions.

Mr. WINGO. The point I am asking about is this: Is Alaska simply divided into divisions and not into districts?

Mr. VOLSTEAD. I think it is. I am not prepared to say as to that.

Mr. WINGO. I was under the impression that ordinarily a division means a part of a district, the court being held in each division, though all may be in the same district.

Mr. VOLSTEAD. That may be true.

Mr. WINGO. And yet I notice the description here is of divisions; but you do not have any boundaries of districts.

Mr. MANN of Illinois. There is only one district—the district of Alaska.

Mr. WINGO. They have just made Alaska one district with four judges?

Mr. MANN of Illinois. Yes.

Mr. WINGO. And then they make different subdivisions just like they subdivide the districts on the continent?

Mr. MANN of Illinois. Yes.

The SPEAKER. The question is on the third reading of the bill.

The bill as amended was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

MEDICAL, SURGICAL, AND HOSPITAL SERVICES AND SUPPLIES.

Mr. LANGLEY. Mr. Speaker, I move to suspend the rules and pass, with the amendments incorporated therein, the bill which I send to the Clerk's desk.

Mr. SNYDER. Mr. Speaker, I thought the Chair was going to recognize me.

The SPEAKER. The Chair will recognize the gentleman later. The gentleman moves to suspend the rules and pass a bill with amendments, which the Clerk will report.

The Clerk read the bill (H. R. 15894) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to provide additional hospital and out-patient dispensary facilities for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, (1) by purchase, gift, or lease of existing plants, (2) by construction on sites now owned by the Government or on sites acquired by purchase, condemnation, gift, or otherwise, or (3) by such remodeling or extension of existing plants and their equipment, owned or acquired by the United States, as may be necessary economically to adapt such plants to the uses and purposes herein provided, such hospitals and out-patient dispensary facilities to include the necessary buildings with their appropriate mechanical equipment and approach work, including roads and trackage facilities leading thereto; for the accommodation of patients, officers, nurses, and attending personnel, and for storage, laundries, vehicles, and live stock, and including necessary furniture, equipment, and accessories, and the Secretary of the Treasury is hereby authorized to accept gifts or donations for any of the purposes named in this act.

SEC. 2. That the authorization of expenditures hereinafter made shall include and provide for five hospital plants of fireproof construction for the treatment of neuro-psychiatric and tuberculosis patients and shall be located as follows: One in the Central Atlantic Coast States, one in the region of the Great Lakes, one in the Central Southwestern States, one in the Rocky Mountain States, and one in southern California: *Provided*, That all of said hospital locations shall be as convenient as practicable for transportation facilities and for securing expert consulting service.

SEC. 3. That the Secretary of the Treasury, in securing sites herein provided for, may request the Secretary of any other department of the Government to transfer to the Treasury Department such lands or lands and buildings under his control, not required for other purposes, as the Secretary of the Treasury may deem suitable, and other departments are authorized to make such transfers to the Treasury Department as may be deemed to be in the interest of the Government.

SEC. 4. That the Secretary of the Treasury is hereby authorized and directed to take over immediately Fort Mackenzie, Wyo., and Fort Walla Walla, Wash., with all lands, buildings, and equipment belonging thereto, for the uses contemplated by this act, and to make such alterations, additions, and repairs to the same as may be necessary, and the Secretary of War is directed to turn over said properties to the Secretary of the Treasury for said uses and purposes.

SEC. 5. That the Secretary of the Treasury is hereby authorized, in his discretion, to employ for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereinafter authorized for construction purposes, at customary rates of compensation, exclusively to aid in the preparation of the plans and specifications for the above-named objects and for the supervision of the execution thereof, for traveling expenses, field-office equipment, and supplies, commercial printing in or out of the District of Columbia, incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding 3 per cent of the limit of cost for construction: *Provided*, That all of the above-mentioned work shall be under the direction and supervision of the Secretary of the Treasury.

SEC. 6. That the foregoing hospitals and other facilities shall be available for veterans of the War with Spain, the Philippine insurrection, and the Boxer rebellion suffering from neuro-psychiatric and tubercular ailments and diseases.

SEC. 7. That there is hereby authorized to be appropriated for the purposes herein provided the sum of $2,500,000 for each of the five plants provided for in section 2, and the total sum of $500,000 for the two forts mentioned in section 4.

SEC. 8. That the Secretary of the Treasury is hereby authorized to enter into an agreement with the commission for military hospital of the State of New York, pursuant to the provisions of chapter 958 of the Laws of 1920, State of New York, to lease and thereafter to lease, in accordance with the provisions of said act, subject to appropriation by the Congress of the United States, the hospital to be known as the New York Military Hospital to be constructed by said commission, when said hospital shall have been completed and ready for occupancy.

The SPEAKER. Is a second demanded?

Mr. RUCKER. I demand a second.

Mr. LANGLEY. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky has 20 minutes and the gentleman from Missouri [Mr. RUCKER] has 20 minutes.

Mr. LANGLEY. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I object.

Mr. LANGLEY. I ask the Speaker to kindly advise me when I have used five minutes.

Mr. Speaker, I shall detain the House for only a few moments, and I trust, in view of the condition of my voice and of the fact that I have promised to yield to other gentlemen the larger portion of the brief time permissible for debate under the rules, that my colleagues will interrupt me as little as possible. Since there are several angles to this proposition, and because of the widespread interest in and discussion of it, which has included some criticism, I have done what I have not usually done in the minor part which I have taken in the discussions in this body—I have reduced my remarks to writing.

It is not my purpose, Mr. Speaker, to indulge in any criticism of anybody in or out of Congress, but I desire to state that the Committee on Public Buildings and Grounds, of which I have the honor to be the chairman, is not in any way responsible for the delay in providing proper hospital service for our disabled ex-service men. The record will show that quite the contrary is true and that the blame for whatever delay that may have occurred can not be laid at its door. We were prepared, after extensive hearings, to report early in the last session a hospital bill which it was believed would meet the immediate exigencies of the situation at that time.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. LANGLEY. I yield to the gentleman from Mississippi, but I hope he will make his question very brief.

Mr. JOHNSON of Mississippi. I notice that the South is not provided for at all in this bill. Why is it that there is no hospital to be located in the South?

Mr. LANGLEY. The gentleman's statement is not quite accurate. We provide for the location of one hospital in the Central Southwestern States. Moreover, this is merely the initiation of an extensive hospital building program, and undoubtedly all sections of the country will be taken care of ultimately. If the gentleman will read section 1 of this bill he will observe that there is ample authority given by that section to the Secretary of the Treasury to acquire and improve all hospitals in every section of the country that may be available for this purpose, and to improve and make additions to them. This includes existing plants in the South. There was no purpose to discriminate against the South on the part of the committee.

Mr. ASWELL. Will the gentleman yield?

Mr. LANGLEY. I have but very little time and I wish my friend from Louisiana did not feel compelled to interrupt me.

Mr. ASWELL. Does this bill give any advantage to existing hospitals?

Mr. LANGLEY. It does; yes.

Mr. ASWELL. Where does the money come from?

Mr. LANGLEY. I am coming to that in a moment, if Members will permit me.

Mr. LAZARO. Will the gentleman yield?

Mr. LANGLEY. Briefly, but I must decline further interruption or violate my promise to members of the committee and other colleagues who have asked for time.

Mr. LAZARO. Is it the gentleman's understanding that where there are hospitals well located treating a limited number of patients that they will add to those hospitals before they will start new ones, so that early treatment will be given to as many as possible?

Mr. LANGLEY. The purpose of the committee was to do everything to expedite as much as possible the early treatment of these patients, and it is in favor of any action that will aid in accomplishing that end. The gentleman will find in section 1 abundant authority given to the Secretary of the Treasury to do that, provided he is given the necessary funds, which I have no doubt Congress will do.

Mr. LAZARO. The idea I had is this: That where you have a personnel of trained men and the hospital is well located and can only treat a limited number on account of the small amount of money available, would it not be better to add to that hospital rather than to start a new one, which will consume more time?

Mr. LANGLEY. The committee wants to aid in doing both; that is, to utilize all existing available and suitable plants and also construct new ones as quickly as possible. As I was going to say, before that action was taken it was represented to the committee that there were many beds available for immediate use in the 10 National Homes for Disabled Volunteer Soldiers and that there were also a number of unoccupied Army posts which could be utilized with some rehabilitation for hospital purposes. The committee had in its possession at that time evidence which rendered it doubtful in their minds as to whether any considerable relief would be afforded through these channels, but, being anxious to economize as much as possible, further hearings were held to determine the exact situation, which we thought we already understood fairly well. These hearings were not only exhaustive, but frequently cumulative, even to the point of irritation of some of our committee members. Among others who appeared before the committee were Secretary of War Baker, Secretary of the Treasury Houston, Surg. Gen. Cumming of the Public Health Service and several of his staff, Col. Cholmeley-Jones, Director of the Bureau of War Risk Insurance, Gen. George H. Wood, president of the board of managers of the National Homes for Disabled Volunteer Soldiers, a number of specialists on tubercular and neuropsychiatric diseases—who, of course, never agreed—and representatives of the American Legion and others. I can not go into all the details now, but it appeared that there were about 10,000 vacant beds in the national homes and some Army posts that might be available for hospitalization, in addition to a number of private hospitals already under contract, some of which were not entirely filled, and still others for which negotiations were in progress. I wish I had the time to go into all the difficulties and complications, administrative and otherwise, which developed in these hearings. As a net result the Public Health Service made a revised estimate that an authorization of $10,000,000 would meet the situation instead of the $15,000,000 which it had previously asked for the succeeding fiscal year.

Thereupon, a bill authorizing the former amount for new construction was introduced by me and promptly reported to the House at the last session by the committee. Every Member of this body knows that the legislative situation soon became such that it was impossible to get that bill passed before adjournment of that session. We secured a special rule for the consideration of that bill at this session, but before it was reported to the House our attention was called to the fact that the need for additional hospital facilities had grown much greater, and also that out of the 10,000 vacant beds in the national homes, the Public Health Service had been able to secure only about 1,700; that the estimate that 10,000 beds were available in the national homes was based upon accommodations for well men; and that if the entire space were used not more than 4,000 sick men could be accommodated in them at the most. The Secretary of War declined to grant more than temporary use of any Army post, which meant that patients might have to be moved elsewhere at any time, and he declined to permit the use of any of them for any tubercular patients at all, although these cases were of the most urgent character. We thereupon decided to report a more liberal bill, which is the one now under consideration. It carries an authorization of only $13,000,000, it is true, but in section 1 there will be found abundant authority granted to the Secretary of the Treasury to purchase, enlarge, and improve any existing plants if he gets the requisite funds. Twelve and a half millions of this amount is provided for the construction of five new plants, and the other half million for improvements, and so forth, of the Walla Walla and Mackenzie Army posts, which are transferred from the War Department by a specific provision in the bill. The reason that the committee did not authorize an appropriation for other existing plants was that it had not yet obtained from the Public Health Service sufficient data as to the other plants to enable it to fix the amounts of the appropriations needed for them. At the same time the general authority carried in section 1 renders it unnecessary to get further authority through this committee. All that the Secretary of the Treasury will have to do is to convince the Appropriations Committee of the feasibility of the proposition and the amount needed.

A distinguished statesman in another body has referred to this as a pork-barrel bill. It is anything but that, and it was the express purpose of the committee to avoid that very thing; and so, instead of naming the cities or States where these new hospitals should be located, as the Public Health Service recommended, and which would have made it subject to that criticism, the bill designates certain zones within which they are to be located, and the committee took into consideration the climate and the needs for hospitalization in convenient localities as developed in the hearings, and framed the bill so as to give the Secretary of the Treasury the widest possible discretion in locating them.

Some effort has been made, much to my regret, to divert this question into political discussion. The committee had no such

thought, and I would be ashamed of myself if I felt that I had permitted such a consideration to influence me in the performance of my public duty in the face of such a grave and urgent situation.

In view of the fact that I have been a member of the Committee on Public Buildings and Grounds for a good many years, and for two years its chairman, some gentlemen may assume that I have seen to it that there are several public buildings in my district, and they will doubtless be surprised when I say that there is not a single one in the district, although several are badly needed. As a patriotic Kentuckian, I naturally feel that Kentucky is the greatest State in the Union, and also that the mountain section is the greatest part of it, and that this would be an ideal place for one of these hospials, but I made no effort to get one of them located there by this bill, as it is merely the beginning of a great hospital-building project which may ultimately cost many times the amount authorized by this bill. We will take our chances later. I think public buildings, river and harbor improvements, and many other propositions involving great expenditures, many of which are being given preference over these hospital needs, should wait until we properly provide for these men who left their homes and their avocations and risked their lives and lost their health in making the sacrifice, without which these other matters might not have been of very much service to our Republic.

I am a party man and believe in party government to the maximum of what is patriotic and to the best interests of our country, as I view them, but I think we should stop this fooling and quibbling and this playing politics, if anyone is doing it, and stop yielding to local and selfish interests and provide as speedily as possible for these disabled heroes of the Nation. [Applause.]

I have said this much because I want this House, the American Legion, and all of our soldiers, and the people of the country generally to understand the truth and just how I stand and feel on this hospital subject. [Applause.]

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. LANGLEY. No; I am sorry, but I can not yield. The gentleman can ask his question of the gentleman from Nebraska [Mr. ANDREWS], to whom I am to yield time and who is thoroughly familiar with the whole subject. Mr. Speaker, I reserve the balance of my time.

Mr. RUCKER. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, there is no more pressing problem confronting Congress than the hospitalization of our soldiers. There is nothing that touches the hearts and consciences of the people more than the question, which should be solved and solved promptly, fully, and completely by Congress, of providing adequate facilities for the hospitalization of these soldiers free from any sectional discrimination or political trade or trafficking. I think I speak advisedly when I say that the objection on the Democratic side is not to the bill—we shall all vote for it as being the best thing we can get—but the thing the Democrats in this House do resent is that while the gentleman in charge of the bill deprecates partisanship and sectionalism and logrolling, yet as a matter of fact the bill is brought here under suspension of the rules of the House, so that the Democratic side of this House and no man on the Republican side of the House who wants to go further and offer amendments so as to meet the whole problem by a broad constructive bill instead of the piecemeal bill is denied the opportunity to do so. [Applause.]

I challege you to throw the bill open under the general rules of the House and give us adequate time for discussion on both sides, Republicans and Democrats, give Members of the House, without regard to political faith or section, a right to offer amendments that will completely, wholly, and adequately take care of the hospitalization of our soldiers in every section of the country. If you do that you will find the hearty support of all the Democrats of this House. [Applause.]

Let us examine the bill. It provides for five locations in addition to the amendment that covers the New York proposition. It provides for only one tuberculosis hospital. Is that denied? Just one. Any man who has studied the problem of taking care of tuberculous patients in this country knows that it is folly to provide just one tuberculous sanitorium located in one part of the country to take care of all tubercular patients from all parts of the country.

Mr. ELLIOTT. Will the gentleman yield?

Mr. WINGO. I have not the time to yield under this gag rule. I say it is folly to take a man from my district to certain parts of the country, just as it would be folly to take a tuberculous patient from some parts of the country and bring him to the tuberculous sanitorium in my State.

Why is it that with millions to spend for every other purpose you can not at least give the soldiers the benefit of the doubt and provide for all the hospitals necessary to meet their needs? Why do you limit it? The gentleman says that you are going to have one in the Central Southwest. Will some gentleman tell me where the Central Southwest is? I will tell you where it is, so far as this bill is concerned. It is a point in a certain city that lies away west of my congressional district, and everybody knows where you are going to locate that, and the gentleman who will profit politically by it has filled the newspapers of his State full of claims of what he has been able to do in getting a hospital under this bill. We shall vote to take care of the soldiers of New York; we shall vote to take care of the soldiers of New England; we shall vote to take care of the soldiers of the Rocky Mountains. In other words, we, the Democrats, shall vote to provide hospitalization for the soldiers in every section, and protest against making this a sectional bill by excluding one section of this country, which it does. Let us appropriate sufficient money, let us give the authority to those who know something about it ample funds and tell them to give the soldiers complete hospitalization in every section of the country. [Applause.]

Mr. RUCKER. Mr. Speaker, I yield three minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Speaker, the need for hospitalization for soldiers in the Northwest is very similar to what it is in other parts of the country. The supervising director of the Public Health Service in the Northwest states that there is need to-day for more than a thousand beds to take care of the disabled men in the thirteenth district, which includes Oregon, Washington, and Idaho. Fortunately we have there in old Fort Walla Walla, an old military reservation which has not been used for more than 10 years, splendid buildings and 611 acres of land, the best of water, fire protection, roads, walks, everything of that kind, all of which can be occupied within 30 to 60 days after the transfer is made from the War Department to the Treasury Department for hospital purposes. I hold in my hand photographs showing the splendid barracks that are idle and that have been idle for many years, and which can be utilized for hospital purposes. The State Legislatures of Washington and Oregon and, I believe, of Idaho have sent memorials to Congress asking that this transfer be made. The State legions of Washington, Oregon, and Idaho, as well as the local legions throughout the Northwest, are unanimous in requesting that this transfer be made. Every civic organization makes the same request. The plant at Fort Walla Walla would be valued at something like $1,000,000.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. MILLER. The War Department has no possible use for this plant?

Mr. SUMMERS of Washington. The War Department has not used it even during the Great War when we had 4,000,000 men in arms. They have not used it for 10 years. It is in the hands of a caretaker and is an expense to the Government. It will accommodate several hundred disabled men and is very greatly needed at this time.

The SPEAKER. The time of the gentleman from Washington has expired.

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. McCLINTIC. Mr. Speaker, I object.

Mr. RUCKER. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, there are three things necessary for the cure of tuberculosis—climate, altitude, and out-of-door fresh air. You let one of our millionaire New Yorkers who becomes so unfortunate as to have one of his sons afflicted with tuberculosis, and having access to the best medical skill in the world, he sends his son as speedily as possible to the extreme Southwest—Arizona, or New Mexico, or certain parts of Colorado or certain parts of west Texas, where they have a chance of getting well. But when we go to provide for the soldier boys of the country the political Congressmen in the House of Representatives, in spending $13,000,000 of the people's funds in the name of the soldier in a bill that when offered as it is now under suspension of rules you can not change by the dotting of an "i" or the crossing of a "t" and upon which you have only 20 minutes for debate to a side—you make iron-clad provisions so we can not send them where the soldier boy can recover from the dread disease with which he is afflicted. It is a shame upon the committee, because you can not cure tuberculosis in the parts of the United States where you seek to place these hospitals. I say more crimes are committed in the name of the soldier nowadays than in almost all the other names put together.

Mr. LANGLEY. Will the gentleman yield?

Mr. BLANTON. I am sorry; the gentleman had 20 minutes and I have but 3. Why can not you bring in a bill and open it up to the judgment of this House? Why can not you bring in a bill here—you know we are all going to vote for this one, even though we can not amend it, because I would vote for this bill regardless of its terms if it furnished any kind of relief to the disabled soldiers of our country. But locating these hospitals as political pork-barrel allotments is not going to cure tuberculosis. We have to-day in Houston, Tex., where I was born, in the hospitals there boys from almost every State in this Union suffering with tuberculosis. They are dying because the Army surgeons have not got sense enough to send them where they can recover. Houston, Tex., is not the climate for tuberculosis, while western Texas is the place. They are writing me every day, and you ought to see that they are taken out of Houston and out of New York and out of these other places and sent where they would have a chance to get well. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LANGLEY. Mr. Speaker, I yield one minute to the gentleman from Michigan [Mr. McLEOD]. [Applause.]

Mr. McLEOD. Mr. Speaker and gentlemen, if there ever was a time when I truly want to speak it is now, and on this bill. If this appropriation can not be granted through gratitude or in paying an honest debt, then, for God's sake, grant it for the sake of humanity. While we are here to-day and while the rest of you have been here for the past year heroic ex-soldiers are dying and have died. The men who offered themselves up for the sake of all our constituents, and gladly did it, are imploring every one of us to-day to give them some form of relief. Is it necessary that more die for lack of attention from us or will we go forth and grant aid which is within our powers, so that in the future we can sleep with a clear conscience and know that at least we have done that which we know is right.

Gentlemen, the condition is deplorable; the condition is ridiculously unhumanitarian. Thousands of these brave, unfortunate men have no place to be hospitalized; they must wait until vacancies occur in the few hospitals we have before they can get attention and treatment.

Gentlemen, I say that after this bill is discussed you will be so familiarized with prevailing conditions that there will be no excuse for prolonging further—to allow the most humanitarian appropriation that has even been requested from this body. [Applause.]

In the past Congress appropriated large sums of money to furnish our boys with armor and munitions to go forth and fight our battles. Now we request that Congress will appropriate a small sum of money in comparison for these same boys to wage a battle for their lives, and for which the previous battles were responsible. Is this not a just request and is it not just and important legislation? I say that it is the most just and important legislation that has yet come before Congress.

Mr. Speaker, if there remained but one day in which this Congress might legislate, that day, it seems to me, could be spent in no better way than in the consideration and passage of this bill to provide hospitals for the men disabled in the late war.

The story persists in history that once upon a time Darius, King of the Persians, in the course of an expedition against the Scythians crossed the Danube River, and upon being forced to retreat, stole away under cover of darkness and left his sick and wounded soldiers in camp to be the next day captured and slaughtered by the enemy.

If it were counted for shame against a barbarian king in a barbarian age that he abandoned his sick and wounded on the battle field, how much more will it be counted for shame against a great and wealthy Nation in an age of light and civilization if it permit the men disabled in its service to stagger from the battle field, unbefriended, to poverty, sickness, suffering, and death.

Unless we bestir ourselves to do something for these men, history's finger of scorn will be pointed at us. Their condition at the present time is enough to arouse pity in hearts of stone and bring blushes of shame to even the most callous faces. Approximately 100,000 ex-service men have broken down since the end of the war with the wounds and sicknesses of service. They have come to the Government for hospital treatment and care, as Congress provided that they should, and they have passed through the miserable makeshift system of hospitalization we temporarily set up for them under the Bureau of War Risk Insurance and United States Public Health Service. By far the greater number of the 100,000 were farmed out at $3 a day for such left-over treatment as might he had in private institutions run for profit. As an example of how inadequate and almost criminally negligent the system has been, let there be cited the instance of the eight shell-shocked veterans sent by the Public Health Service to a little hospital in New York for feeble-minded and idiotic children, where these great husky veterans of St. Mihiel and the Argonne had to sit in tiny chairs made for infants and accommodate themselves to nursery conveniences. There might be cited further instance after instance where these men, who are the real heroes of the war, have been subjected to treatment such as a country would not ordinarily allow to be meted out to its drunks, degenerates, beggars, and criminals.

Nearly 100 veterans, about all of them tubercular and most of them gassed or wounded on the other side, were sent for treatment to a place at Markleton, Pa., situated in a low, marshy river bottom, with a lot of railroad tracks and cinder piles hard by. A great tuberculosis expert sent there to examine the place, after the boys finally protested, said that "they might as well have sent them to a coal mine for treatment." F. W. Galbraith, jr., national commander of the American Legion, after visiting the place, demanded that the men be removed. He said that their condition there was "unbelievable"; that men "were dying off like rats in a hole, with moldy clothing on their backs."

They sent 60 ex-service men, all either suffering from tubercular or mental disorders, to a place out in Illinois called Sunnybrook Farm. Conditions there became so bad that the American Legion sent the Illinois State commander to investigate, and among other things he reported:

We found the kitchen filthy. There was lack of sanitation. Floors were dirty, and the condition of the ice box and the food in it was indescribable. There was total absence of sex segregation. The clothing worn by the inmates was dirty and a bad odor was given off by their bodies. The rest of the place was in keeping with the places thus far mentioned.

The following wire was sent to the Public Health Service:

Conditions at Sunnybrook Farm such that it is absolutely unfair to keep disabled ex-service men there. The American Legion, Department of Illinois, demands immediate removal of these disabled veterans from such surroundings.

To which the Public Health Service wired back:

This office cognizant of conditions at Sunnybrook Farm. Patients have been ordered to be removed and will be as soon as other beds found available. Feel sure all patients will be removed by December 1.

The story of what happened at Tucson, Ariz., where ex-service men from all parts of the country who had contracted tuberculosis in the service and who could not get treatment from the Government got on trains and went down there to try to get well is another good illustration of how these men are not getting the hospital care and treatment they are entitled to by law as well as by common decency and justice. At one time there were more than 500 of our disabled veterans there practically without shelter, and all the Government could give them, any of them, was an old band stand and dance hall in a deserted amusement park and some tents. The American Legion finally got together there, and, with the governor of the State himself helping to wheelbarrow the rocks for the foundation, built a hospital for these men in 48 hours.

If such instances as these are not sufficient to convince one of the need of adequate Government hospitals for the war's disabled, individual witnesses could be summoned from one end of this land to the other who by their heart-wringing stories of neglect, destitution, and suffering would sweep away the last remaining doubt.

Just the other day there was brought to my attention a tragic case out in the great wheat country of the West. It is about a young boy, who in the spring of 1918, with head held high, went to France "to jest at dawn with death." There was great rejoicing when he came home with the American Expeditionary Forces, supposedly sound. Six months afterwards, however, it was noticed that he had become the victim of moods and spells of a depressing and mentally unsound nature. Finally, about eight months ago, the mother took the boy to the local office of the Public Health Service and had him examined, where it was determined that he was mentally disabled as a result of his service in France and entitled to treatment.

The Public Health Service promised treatment as soon as a place could be found. That was eight months ago. In the meantime the boy ran wild, and in the midst of one of these spells took a high-powered automobile and made way with it. He was arrested and promptly sentenced to four years in the State penitentiary. Upon arrival there, it was found that he was a mental case, and he was sent to the State insane asylum, where he is now behind the bars with the other criminal insane. An effort is being made now to get the governor to pardon the boy, but that can never blot out from that poor broken lad's mind the horrors he has lately gone through with nor make up to him the treatment he should have been given by a great and grateful Government.

Right here in Washington, under our very noses, not long ago a shell-shocked ex-service man was arrested and sent to jail for three months for stealing something to eat when he was hungry. His discharge paper, showing service on three battle sectors, was taken away from him as was the gold watch his mother gave him when he went to war. When they turned him loose, some kind-hearted policeman took him to the headquarters of the American Legion, and he was started on the long red-tape route necessary to get him hospital treatment. He is probably still waiting for us to pass this bill and set up a hospital in which he can get treatment instead of jail sentences.

One of the most pitiful letters I ever read was written on Christmas Day last by one of our disabled men suffering with tuberculosis. Unable to get any satisfactory hospital treatment from the Government, he had gone to try to get well himself on his own hook:

This is the blackest Christmas I ever spent. I am among total strangers without funds or health. I wish they had done with me as they do with a worn-out horse, then I would not suffer like this—

He writes.

It is useless to dwell longer on cases like those I have mentioned. I could cite them for hours and not exhaust the supply of them which have been called to my attention. I am sure that practically every Congressman knows of just such cases in his own district. These men are the casuals of the great unfinished battle that the disabled American soldiers, sailors, and marines are still waging against the grim reaper, death. They are the thousands of Yanks for whom the war did not end on November 11, 1918; for whom the long battle field of pain and suffering seems to stretch on and on into the valley of the shadow. Vividly one of them has cried out in these lines:

GOING WEST THIS WAY.

The trouble about going west this way
Is the inch by inch our souls must creep,
Up through the ramparts of darkness to day,
Up through the fields of pain to sleep.

The men who went west, like a lightning flash,
In that high bright hour of crimson flame,
Rode the steeds of death in a valiant dash,
To the high-towered land without any name.

God, but it's different to lie on a bed
And watch through the dark for a lingering dawn,
Held down by pain as by shackles of lead,
When our feet would be up on the way and gone.

What dreams come to us in the hush of the night,
When the world has forgotten and we are alone,
How we charge, strong limbed, in the midst of the fight
Toward far away hills we have marked as our own.

The trouble about going west this way
Is the dragging pace that our feet must keep,
Up through the valleys of night to day,
Up through the hills of pain to sleep.

Mr. Speaker, I can not understand how any Member of Congress can vote against this bill. It provides what should have been in existence long ago, Government hospitals for these disabled men who spent their strong young bodies in the service of their country. There are to-day 23,000 disabled ex-service men under treatment by the Government, and about one-half of them are in private institutions run for profit, in State insane asylums along with the criminals, paupers, and drug addicts, in county poor farms, and at times in jails. Both the Secretary of the Treasury and the Surgeon General of the Public Health Service have reported to us that 10,000 beds are urgently needed for these men. The need instead of growing less will grow greater—is growing greater every month. Reports of admissions and discharges of disabled ex-service men to and from hospitals for the last six months in 1920 show that 5,000 men are breaking down every month, whereas only 3,500 get better and leave the hospitals—a steady increase of 1,500 of these men every 30 days. Not only the 23,000 men under treatment to-day but about 60,000 disabled men who will come to the Government for treatment during the next 12 months will all suffer unless we do something. I am for this bill, and I am for it 100 per cent strong. If there is any objection to it at all, it should be on the grounds that it does not carry more money for more hospitals for these boys. I wish that the bill carried three times as much money for three times as many hospitals. I would vote for it with even more pleasure and pride than I shall vote for it as it is. There is no finer kind of economy that I know of than the economy of saving to the Nation the lives of as many of these men as possible.

Mr. Speaker, the ingratitude of republics may be a proverb, but it is a proverb which the Congress of the United States should make plain to the world shall not apply with reference to this Nation and her disabled veterans of the World War. The surest investment we can make for the national safety, for the perpetuation of American ideals, the Declaration of Independence, and the Constitution is now to decently and gratefully mete out justice to the men who carried the flag victoriously through the Nation's latest and gravest peril. It is well to remember that even as republics have been ungrateful so have they gone down into dust and oblivion. Rome was secure upon her seven hills until she became ungrateful to her legions, and then there came a day when the Huns and the Goths and the Vandals from the northland swept down upon her. The old bugles blew in the streets of the city and upon the vine-clad hills near by. But the plowman stood to his furrow, the tradesman to his trade, the youth to his playing. The cry went out "The barbarians are coming!" and instead of mailed armies of defense there came in response the reply, "Let them come; they may be more grateful masters than those we now have." And so the barbarians came down upon Rome and burned and pillaged and sacked it to the ground. And now men can only speak of "the grandeur that was Rome." Let us of America take warning against the danger of neglecting our disabled heroes.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection.

Mr. McCLINTIC. Mr. Speaker, I object.

Mr. RUCKER. Mr. Speaker, I yield three minutes to the gentleman from Louisiana [Mr. LAZARO]. [Applause.]

Mr. LAZARO. Mr. Speaker and gentlemen of the House, I call the attention of the Congress to the importance of giving the soldiers early treatment so we can cure as many as possible, especially the mental and tubercular cases, because we know that those cases must have early treatment, otherwise they can not be cured. Feeling that way, I shall vote for this bill; but, to be frank with you, gentlemen of this House, I believe you are making a serious mistake. If you really want to do something for these tubercular and mental cases among the ex-service men, who have done so much for their country, I think the only thing to do, the proper thing to do, is to appropriate the money they need and leave it to the medical authorities to say where those boys shall be treated. It is not a question of localities or of buildings; it is a question of early treatment, and it ought to be left to the men who know how to treat those cases to say where they should be treated. I believe we should have more time to discuss this bill and an opportunity to amend the bill.

Mr. ROSE. Will the gentleman yield?

Mr. LAZARO. And under the rule, of course, we have not that opportunity to amend the bill, and the only way we can do anything at all is to vote for the bill as it is, and therefore I shall vote for it. I now yield to the gentleman from Pennsylvania.

Mr. ROSE. I merely desire to ask the gentleman whether or not he believes that the members of the medical profession itself would agree upon the location of the hospitals for the treatment of tuberculosis?

Mr. LAZARO. I believe the medical authorities who have charge of this money could select a commission composed of experts, especially in these tuberculosis cases, who would make a rapid survey and then decide where this money should be spent and where these boys should be treated. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LANGLEY. Mr. Speaker, how much time have I?

The SPEAKER. Four minutes.

Mr. RUCKER. Did the gentleman from Louisiana use all of his time?

Mr. LAZARO. I will yield back any time remaining.

The SPEAKER. The gentleman used all of his time.

Mr. LANGLEY. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, there seems to be a misunderstanding between Members of the House as to why New York State offered to build a hospital and rent it to the Federal Government. I want to say to the membership of the House that that was not a matter of our own initiative. The only reason that we are doing this is because we were requested by the Director of War Risk Insurance to do this in order that we might get quicker action in furnishing hospital facilities to the New York soldiers and others very much in need of it at the present time.

Our State has appropriated the money, has cut all the red tape, and will build this hospital in 10 months. The site has already been selected, and the probabilities are that the hospital will be ready to accommodate a thousand men before the

Government hospital property has even been started. In order to get the full information before the House, I would like to insert in the RECORD the original letter from R. G. Cholmeley-Jones, the Director of War Risk Insurance, and a short message from our governor to the legislature. I ask, Mr. Speaker, to extend my remarks as indicated.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I object, Mr. Speaker.

Mr. CULLEN. I hope the gentleman from Oklahoma will not object to that, because it is very important.

Mr. SNELL. Mr. Speaker, I hope this will not be taken out of my time.

The SPEAKER. The time of the gentleman has expired. [Laughter.]

Mr. SNELL. I appreciate the courtesy of the gentleman from Oklahoma.

Mr. RUCKER. Mr. Speaker, I yield three minutes to the gentleman from Oklahoma [Mr. McCLINTIC].

Mr. McCLINTIC. Mr. Speaker, I regret very much that this bill does not permit of any amendment. To my own knowledge there are a number of Government buildings located in different portions of the United States that are at present not in use and that could be utilized for hospitals. Out in the western part of Oklahoma the Commissioner of Indian Affairs recently abolished an Indian school which is located only a few miles from the Wichita National Game Preserve. The altitude is high, the climate is fine, and no better conditions could be found at any place for the location of a tubercular hospital than there. At the present time we are compelled to send our boys who are suffering from this dreadful malady to Houston, Tex., and to other places where the climate is not good.

While I am going to vote for this bill, I am sorry indeed that it is not possible to introduce an amendment so that buildings that are already constructed and not in use could be utilized for tubercular hospitals.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. SNELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SNELL. To ask unanimous consent that the gentleman from Oklahoma [Mr. McCLINTIC] may be allowed to extend his remarks in the RECORD.

Mr. McCLINTIC. I object, Mr. Speaker. [Laughter.]

Mr. RUCKER. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. CULLEN].

Mr. CULLEN. Mr. Speaker, I want to follow along the argument presented by my distinguished colleague from New York [Mr. SNELL], and I ask the privilege of reading this communication. I could explain it, however, without reading it, if I had more time. I shall have to hurry my reading:

STATE OF NEW YORK, EXECUTIVE CHAMBER,
Albany, September 20, 1920.

To the Legislature:

My attention has been called to a grave situation in relation to the care and treatment of veterans of the World War who have become mentally disabled. There are 845 ex-service men and women suffering from mental disorders being cared for in State institutions. Their average age is under 25, and in most cases they are suffering from the early stages of the disease; whereas the age of the average other patients in the State hospitals is above 55 years, and in most cases the disease is chronic.

These disabled men and women of the World War can not receive the proper treatment under the present system. They should be segregated into one institution at the earliest possible moment, in which event, I am informed, a great majority of them may be cured.

The following communication received by me from R. G. Cholmeley-Jones, Director of the Bureau of War Risk Insurance of the United States Government, explains the situation in detail, viz:

TREASURY DEPARTMENT,
Washington, August 19, 1920.

Hon. ALFRED E. SMITH,
Governor of the State of New York, Albany, N. Y.

MY DEAR GOVERNOR: In the Government's program for the care and treatment of its disabled veterans of the World War much difficulty has been experienced in the securing of adequate hospital facilities. This has made it necessary for the Government to send a very large number of the sick and disabled men to private, State, and county hospitals and sanatoriums.

At the present time there are about 19,000 disabled ex-service men and women scattered in more than a thousand hospitals throughout the United States. In New York, for instance, on August 1, there were reported 1,850 disabled men and women in 147 hospitals. This scattering of patients in such a large number of hospitals and sanatoriums makes proper governmental supervision of their treatment and cure most unsatisfactory not only to the Government but to the patients themselves.

The problem of the care of the mentally sick veterans has proven particularly complex and difficult, and in many localities it has been found impossible to secure hospital facilities of proper construction under medical administration in conformity with the best type of modern practice.

In New York State, for example, on August 1 there were reported 845 ex-service men and women suffering from mental disorders who were being cared for in 39 hospitals and sanatoriums, including State institutions. The Government is expending at the present time about $400,000 for the care of approximately 443 patients in New York State hospitals annually. At this same rate were all the ex-service men suffering from mental and nervous disorders in New York State cared for by New York State hospitals the Government would be expending for such cases more than $770,000 annually.

The situation as regards the care and treatment of these mental patients of the World War affects very much the World War veterans of New York State—not because the rate of insanity is higher in New York State than in other States but because of the very large quota of troops furnished by New York State in the recent war.

It is the bounden duty of the Government so to prepare itself at the earliest possible moment that it may properly care for the mentally diseased veterans of the World War in special psychiatric hospitals. This task must be approached with a profound regard for the rights of the disabled soldier and his relatives. In the State of New York the hospitals for the insane are not charitable institutions in the strict sense of the word, yet they are so regarded by many relatives of the ex-service men, and on this account there is a little reluctance to make use of them.

Of far greater importance, however, is the fact that medically and socially the insane ex-service man presents problems far different from those for which the great institutions of your State were created and are maintained. The average age of the ex-service men in the New York State hospitals is under 25 years, while, I am informed, the average of the other patients is above 55 years. The ex-service insane man is in the early stages of the disease and therefore has a greater opportunity for recovery under suitable treatment. The civilian patients, on the other hand, in the New York State hospitals represent very largely the terminal stages of insanity. Buildings, methods of treatment, recreation, and occupation which are suitable for the treatment of the somewhat elderly and more chronic patients are obviously not equally well adapted for young ex-soldiers.

The Government of the United States is without adequate hospital facilities in the State of New York for the reception and care of its insane beneficiaries in their State. A considerable time would of necessity elapse before the Government could construct such facilities even though it were considered wise to do so and the appropriations had been made by Congress and were now available. It therefore becomes necessary for the Government to seek the assistance of the State of New York. To this end I would invite your consideration to a plan calculated to meet the immediate emergency, at the same time making adequate provisions for the future care and treatment of the civilian patients of New York State, since in the interim the Government would have sufficient opportunity for developing its facilities for the care and treatment of the sick and disabled veterans.

If the State of New York would immediately undertake the completion of the Marcy division of the Utica State Hospital so that it could receive these beneficiaries at a per diem rate to be agreed upon by the Government of the United States and the State of New York, the immediate problem would be greatly simplified.

I would recommend that an appropriation be secured from the Legislature of the State of New York during its forthcoming special session for the construction and equipment of a 1,000-bed hospital for the insane, to be located at a strategic point, and to be erected and outfitted in accordance with the best views of modern psychiatrists. Further, that the governor be authorized to enter into a contract with the United States whereby the Government shall take over and operate this institution under lease for a term of years contingent upon congressional appropriations.

In this way the institution would be gradually paying for itself, the rentals constituting a credit in the treasury of the State, and upon the relinquishment of the property by the Government the State would be in possession of a modern institution at little or no cost, which would be an excellent addition to the already admirable system of State hospitals at a time when, in all human probability, there would be a great need for such an institution by the State.

I sincerely hope you will regard this proposal as sufficiently practical to include it in your message to the special session of the State legislature, in order that the matter may be given consideration at the earliest practical moment.

If it meets with your approval, and at such time as is convenient to you, the Surgeon General of the United States Public Health Service and I will be very glad indeed to call upon you in order that all of the important details may be gone into very thoroughly.

Sincerely yours,

R. G. CHOLMELEY-JONES, *Director.*

I therefore recommend an appropriation for the construction and equipment of an additional hospital to take care of these disabled veterans of the World War, and also recommend the enactment of legislation authorizing the governor to enter into a contract with the United States Government to take over and operate such hospital.

ALFRED E. SMITH.

Mr. Speaker, as a result of Gov. Smith's appeal, my State appropriated $3,000,000 to build a hospital on the site at Creedmoor and building operations have already started. I hope this bill will receive the unanimous vote of the Congress. [Applause.]

Mr. RUCKER. Mr. Speaker, how much time have I remaining?

The SPEAKER. One minute is remaining to the gentleman.

Mr. RUCKER. I confess I am not a good mathematician, and therefore have not kept accurate track of the time, possibly.

I yield to the gentleman from Texas [Mr. PARRISH] the balance of my time.

Mr. PARRISH. Mr. Speaker and gentlemen of the House, I wish to say that I am very much in favor of this bill. I sincerely trust that politics will never be allowed to creep into any measure that seeks to relieve the disabled soldiers and those suffering from disease. The chairman of the committee has just said that this is but the beginning of a plan that will relieve all these men. May I not earnestly suggest that now is the time to pay the debt, and now is the time to appropriate

the necessary money to take care of all of these men, and discharge the obligation that the Nation owes to these young men who have suffered and who have become afflicted with diseases, and who demand now, not in the future, the attention of the American Government, so that this relief may speedily be given them? This is a note that America owes, and it is payable now and not at some future time. [Applause.]

Mr. LANGLEY. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker and Members of the House, I think it is most unfortunate that any man should get up on the floor of this House and assume to advise not only this body of men but the soldiers who are suffering from tuberculosis and other diseases, thereby carrying the message to those suffering boys that we are not providing facilities in those localities where they can be properly treated and cured. We had before our committee the best tuberculosis experts in the country, and they all claimed that it was not a matter of climate and location alone; that under proper conditions, treatment, and surroundings, almost regardless of climatic conditions, these men could be cured. I want to call the attention of Members of this House and the country at large to the fact that Liberty, N. Y., and Saranac Lake, N. Y., were pioneers in this work; that thousands have been cured there, and that thousands will be cured in this new hospital to be located in the State of New York under the terms of this bill. [Applause.]

The reason why the Legislature of the State of New York appropriated $3,000,000 for a hospital is obvious. The people of the Empire State do not intend to neglect their soldiers, especially those who now find themselves afflicted with disease and in need of hospital treatment. The State of New York furnished 367,864 men for the World War, which is 9.79 per cent of our entire Army. This proposed hospital will have served thousands of men before the other hospitals proposed in this bill are erected and ready for occupation. It is highly important, therefore, that this measure should receive the support of every Member of this House.

Mr. LANGLEY. Mr. Speaker, I yield my last minute to the gentleman from Indiana [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker and gentlemen of the House, we are all heartily in favor of this bill.

I was somewhat amused at the ignorance which the gentleman from Texas [Mr. BLANTON] displayed as to the health conditions existing in the State of New York. The fact is that the rich people of New York, from charitable feelings, have built in that State the finest tuberculosis sanitarium in the world, and it is the first institution of the kind that ever was built in the world for the open-air treatment of tuberculosis. The fact also is that there are more soldiers up in that part of the country waiting for treatment for this dread disease than in any other part of the country, and the people in New York State are entitled to have sanitariums erected there for the treatment of their own people. And not only that, gentlemen, but the biggest share of the money that comes from the people of the United States to build these hospitals comes from the taxpayers of that State. [Applause.]

The SPEAKER. The gentleman's time has expired. All time has expired. The question is, Will the House suspend the rules and pass the bill?

The question was taken.

The SPEAKER. Two-thirds, in the opinion of the Chair, having voted in favor thereof——

Mr. BLANTON. Mr. Speaker, I think we ought to have a record vote. I call for a division.

The House divided; and there were—ayes 239, noes 0.

So the bill was passed.

AMENDMENT OF TRANSPORTATION ACT OF 1920.

Mr. ESCH rose.

The SPEAKER. The gentleman from Wisconsin is recognized.

Mr. ESCH. Mr. Speaker, I move to suspend the rules and to pass the bill (H. R. 15836) to amend the transportation act of 1920.

The SPEAKER. The gentleman from Wisconsin moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15836) to amend the transportation act, 1920.

Be it enacted, etc., That the transportation act, 1920, is hereby amended by adding after section 211 a new section, to read as follows:

"SEC. 212 (a) In making certifications under section 204 or section 209, the commission, if not at the time able finally to determine the whole amount due under such section to a carrier or the American Railway Express Co., may make its certificate for any amount definitely ascertained by it to be due, and may thereafter in the same manner make further certificates until the whole amount due has been certified. The authority of and direction to the Secretary of the Treasury under such sections to draw warrants is hereby made applicable to each such certificate. Warrants drawn pursuant to this section, whether in partial payment or in final payment, shall be paid: (1) If for a payment in respect to reimbursement of a carrier for a deficit during the period of Federal control, out of the appropriation made by section 204; (2) if for a payment in respect to the guaranty to a carrier other than the American Railway Express Co., out of the appropriation made by subdivision (g) of section 209; and (3) if for a payment in respect to the guaranty to the American Railway Express Co., out of the appropriation made by the fifth paragraph of subdivision (i) of section 209.

"(b) In ascertaining the several amounts payable under either of such sections, the commission is authorized, in the case of deferred debits and credits which can not at the time be definitely determined, to make, whenever in its judgment practicable, a reasonable estimate of the net effect of any such items, and, when agreed to by the carrier or express company, to use such estimate as a definitely ascertained amount in certifying amounts payable under either of such sections, and such estimates so agreed to shall be binding in final settlement."

The SPEAKER. Is a second demanded?

Mr. SIMS. I demand a second, Mr. Speaker.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. SIMS. Reserving the right to object, Mr. Speaker, I want to see if the gentleman from Wisconsin will agree to some extension of the time. There are many that want to have something to say on this bill, and only 20 minutes are allowed. Will the gentleman from Wisconsin agree that the time be extended on both sides, to be equally divided? Twenty minutes on a side is not sufficient for either side. Would the gentleman suggest an extension of time, to be divided?

Mr. ESCH. I am willing to ask for an extension of 10 minutes on each side. That would make 20 minutes in addition to the 40 minutes already allowed both sides.

Mr. SIMS. It would be 30 minutes, all told, on either side?

Mr. ESCH. Yes.

Mr. SIMS. Mr. Speaker, I do not object to that.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend the time to 30 minutes on a side. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I understand the gentleman from Wisconsin——

Mr. KEARNS. I object.

The SPEAKER. Objection is made.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. I understand the gentleman from Wisconsin is in favor of the bill, and also the gentleman from Tennessee [Mr. SIMS].

The SPEAKER. The gentleman from Tennessee is opposed to it.

Mr. BLANTON. Very well.

Mr. KEARNS. Mr. Speaker, I do not withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin that a second be considered as ordered?

There was no objection.

The SPEAKER. The gentleman from Wisconsin has 20 minutes, and the gentleman from Tennessee has 20 minutes.

Mr. ESCH. Mr. Speaker, I ask to be notified when I have used seven minutes.

The SPEAKER. Very well.

Mr. ESCH. Mr. Speaker, under the Federal contral act the Government guaranteed, as the compensation to the railroads for the use of their property during Federal control, the average annual railway operating income based upon the three years which preceded July 1, 1917. That guaranty continued during the 26 months of Federal control, but the railroads did not earn the guaranty to the extent of over $600,000,000.

When the transportation act was passed, becoming effective March 1, we included a provision that the guaranty provision of the Federal control act should be continued for a period of six months, terminating on the 1st of September. We put in that provision because we knew that the railroads had not earned the compensation during the 26 months of Federal control by hundreds of millions of dollars. We knew they had not earned it for any of the 26 months of Federal control, save 3. We knew that there were pending applications with the Director General of Railroads for increases of wages for shopmen and yardmen and switchmen and other organizations. We knew that those applications had not been acted upon by the Director General of Railroads. We knew that these men had been put off from time to time on promises that their wages would be increased. They were not increased during Federal control. We knew therefore that we had to provide for such an emergency.

One thing we did not know, however, was that the Railroad Labor Board, which was created by the transportation act,

would not be appointed by the President for six weeks after the law became operative. We did not know that within one month after Federal control ended there would be a strike, an unlawful strike, under the leadership of Mr. Grunau, of Chicago, involving from 40 to 60 per cent of the yardmen and switchmen in the great freight-producing centers of the United States.

Those things we did not know. But the transportation act by guaranteeing the standard return for the six months enabled the carriers to operate notwithstanding these severe handicaps. We find now that the guaranty will amount to something like $600,000,000 for the railroads and $31,000,000 for the American Railway Express Co.

I understand that it will be charged here that the Government ought not to have made such a guaranty. Without it the transportation system of this country would have failed before the six months would have expired. We could not have anticipated this unlawful strike, which crippled and cramped the transportation of the country and lessened the revenues of the carriers. We could not have anticipated the strike of the coal miners, when whole coal regions stopped operations for weeks, thus lessening the transportation of the carriers and thus reducing their revenues.

The $600,000,000 required to make good the guaranty is chargeable in part to the order of the Railroad Labor Board of July 20, 1920, increasing the pay of these yardmen, switchmen, and shopmen who had been promised increases under Federal control and the pay of other employees by $618,000,000, retroactive to the 1st of May, 1920, which meant that for four months of the six months of the guaranty period the railroads had to pay over $200,000,000 additional wages. The guaranty provision is a legal obligation. This bill seeks to permit the payment of what is left unpaid of that guaranty by means of partial payments.

Under subsection (h) of section 209 of the transportation act there has been paid to the carriers by way of advances the sum of $264,000,000 and to the American Railway Express Co. $19,700,000, leaving unpaid something like $340,000,000. If this bill passes this balance may be paid in partial payments.

The SPEAKER. The gentleman has consumed the time indicated by him.

Mr. ESCH. I will take two minutes more. The Interstate Commerce Commission, believing that the language of the law we had passed justified partial payments, issued certificates therefor. The Comptroller of the Treasury, however, held that they could not be issued, and the Secretary of the Treasury followed the decision of the Comptroller of the Treasury, which decision was confirmed by a decision of the Supreme Court of the District of Columbia. After that decision the Interstate Commerce Commission did not feel warranted in issuing certificates for partial payments. That left $340,000,000 due to the carriers and the express company, but not payable to them until the carriers could make out a statement of the whole amount which the Government owed them under the guaranty section.

The result will be a delay of weeks, months, and in some cases years; because, as you know, any railroad company can not on a given date make a final statement. There are deferred items of debits and credits arising out of personal injury cases, loss and damage claims, reparations, and things of that kind, which, going through the channels of the courts, will take years for final settlement. So if this decision of the Comptroller of the Treasury is sustained and final statements must be made before certificates can be issued, it may take many months and in some cases years before settlements can be made.

In the meantime, what is happening? The railroads can not pay for supplies.

The SPEAKER. The gentleman has consumed his two minutes additional.

Mr. ESCH. I will take one minute more. The supply people can not pay their employees. As a result many institutions have cut down their working forces and some have shut down their plants, because they can not get the money which the railroads claim is due them under the terms of the transportation act. In this bill we simply want to give the Interstate Commerce Commission the right to issue certificates for partial payments and have them honored by the Treasury Department, so that the railroads can get this money, so that unemployment can be reduced, and so that this money can be put into circulation, and so that business may be restored. [Applause.]

I reserve the remainder of my time.

Mr. SIMS. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. BARKLEY] five minutes.

Mr. BARKLEY. Mr. Speaker, I voted in the committee for the favorable reporting of this measure to the House. I would like to be able to support it on its passing through the House, but when I voted for reporting it in the committee I do not think there was a member of the committee, including those on the majority side, who anticipated that an effort would be made to jam this bill through the House on a suspension of the rules, without debate that amounts to anything, and without any opportunity to amend it. I dare say that in the history of Congress there has never been an appropriation measure of $340,000,000 put through the House of Representatives without debate and without an opportunity to amend it. [Applause.] That is what this practically amounts to, a direction to the Secretary of the Treasury to pay out of the Treasury immediately practically $340,000,000.

We have never yet passed a bill under suspension of the rules providing that the Government shall pay its other obligations without an opportunity for Members of the House even to state the reason for their support of the bill or to offer an amendment to it. If we consider an appropriation providing for the ordinary expenses of our Government, every Member of the House of Representatives has an opportunity to offer an amendment by which the interests of the Government may be protected. I have in mind one or two amendments which ought to be adopted to safeguard the Government, and which I shall offer, if given a chance. But under this proceeding no Member has the slightest right to offer it. We must accept it as it is or not at all.

Mr. TEMPLE. Will the gentleman yield?

Mr. BARKLEY. I have only five minutes.

Mr. TEMPLE. There is no appropriation contained in this bill.

Mr. BARKLEY. There is no appropriation, no; but it directs the Secretary of the Treasury to pay out the money upon certificates issued by the Interstate Commerce Commission, and some of these certificates are now lying in the Treasury Department, having been issued by the Interstate Commerce Commission before the Treasury declined to pay them. This bill nowhere protects the interests of the United States Government. Under subsection (h) of section 209, which authorized the Secretary of the Treasury to pay out advancements as recommended by the Interstate Commerce Commission during the six months' guaranty period, it was provided that before these advancements should be made by the Secretary of the Treasury he should have the power to require the railroads involved to give bond that if the Government under the advancement paid more than was due the road would pay back the excess with interest at the rate of 6 per cent.

Mr. SNYDER. Will the gentleman yield?

Mr. BARKLEY. I can not yield.

Mr. SNYDER. The gentleman knew all these things when he voted the bill out of the committee?

Mr. BARKLEY. Of course I knew all these things when I voted the bill out of the committee, but I voted the bill out of the committee with the distinct understanding, as every member of that committee always does, that I had the right to offer amendments, or that any Member of the House would have the right to offer amendments, if the bill came up as any other bill, for any other interest outside of the railroads would have come up under similar circumstances. [Applause.]

Mr. REAVIS. Did the gentleman offer an amendment in the committee?

Mr. BARKLEY. I think I offered the amendment in the committee, and the chairman of the Interstate Commerce Commission made the statement that it was agreeable, so far as the commission was concerned. Whether I offered it or not, such an amendment was offered, and I voted for it. But even if it was not offered, we should have the right to offer any amendment now.

Now, on the 26th day of January this bill was reported to the House. On the 31st of January the gentleman from Wisconsin [Mr. ESCH] introduced into this House a resolution, H. Res. 663, for a rule under which this bill could have been brought in and considered under debate, and under the right of amendment on the part of any Member of the House. I understand that the gentleman from Massachusetts [Mr. WINSLOW], who is the author of the bill, himself expected that this bill would be brought in under a rule. Why is it not here under a rule? The Rules Committee has had this resolution before them for a week. They have known that this proposition was pending before the House of Representatives. Why is it that the Rules Committee have not brought in this bill with a rule which would give us debate and give us an opportunity to offer amendments to the bill? I have been told that the members of the Rules Committee were inclined to bring in a rule that would give ample consideration and opportunity for amendment, but I have been told that, on the contrary, the steering committee, or those who are in charge of the majority in this

House, have prevented the Rules Committee from bringing in a rule that might give us an opportunity for debate.

It is nothing short of an outrage that this bill is brought in under these conditions. There are many Members on both sides of the House who want to support it. I myself will support it under proper conditions, but I will not vote to suspend the rules and pass this bill without debate or amendment, and I trust that there will be enough votes on both sides to defeat it and force the Rules Committee to bring in a rule to open it up for debate, so that we can all offer amendments to it.

Mr. Speaker, I ask unanimous consent to revise my remarks.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to revise his remarks. Is there objection?

Mr. WALSH. I shall object to the House giving unanimous consent to something the gentleman has a perfect right to do.

The SPEAKER. Of course, the gentleman has the right to revise his remarks.

Mr. BARKLEY. I withdraw the request.

Mr. SIMS. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I voted for the passage of the Esch-Cummins bill, and I have no apology to make now for doing so. I voted to report this bill to the House for consideration, and I have no apology to make for that. But when I voted to report this bill to the House I thought then, as I have always thought, that that committee, or much of its procedure in this House was left to the members of that committee. If the gentleman from Massachusetts [Mr. WINSLOW], the author of this bill, and the gentleman from Wisconsin [Mr. ESCH], had had their way, I am sure that what we voted for in the committee would have happened in this House, and that was that we would report this bill to the House for its consideration.

I think that the main purpose of this bill is good and should be enacted into law, but I think that there are some amendments that ought to be adopted. In a bill of this great character this House should at least have an opportunity to consider it, to discuss it, and to offer amendments to it.

This committee has always been under the leadership of great chairmen, a nonpartisan committee. It would be to-day if the gentleman from Wyoming had not taken charge of the management of the bill. [Applause.] Last week I made a courteous request of the gentleman from Wyoming to know if it was on the program to bring this bill up and ram it down the throats of the House to-day under suspension of the rules. I thought then that the gentleman from Wyoming had the information. I do not agree that the gentleman from Wyoming's shoulders are stooped by carrying any great load of information, but I think such as he has with reference to the procedure of the House he ought to give the House.

I want time on the bill to discuss some matters coming up with reference to the general transportation system of this country. You need not think that if you vote this bill down to-day that it will not come up for consideration in this Congress. This move here to-day is made in the face of everything that has been agreed to in our committee since its organization for fair consideration. This move is made in order to protect the leadership of this House, the members of the Rules Committee, because they are afraid to report a rule for a bill and not report it on other matters. They are saying that they will not report a rule on this bill and that therefore they will not report any rules at all. I voted for the Esch-Cummins bill, but when I voted for it I went the limit. If the railroads of this land can not operate under the generous provisions of that law, we have got to do something else in the future. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. WINSLOW. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER. Mr. Speaker, I shall not take up very much of the time of the House in trying to discuss the bill we have before us for consideration. I am of the opinion that this bill is of vital importance and should be considered and passed by Congress as speedily as possible. There is only one question involved in this measure and that is whether or not the railroads shall receive from the Government partial payments of money due them under the six months' guaranty provision of the transportation act, known as the Esch-Cummins railroad law, which provided for the return of the railroads to private operation. These payments are undisputed by the Interstate Commerce Commission. If these partial payments are not made by the Government the railroads will be compelled to wait until they can make a final accounting, and a great many of the roads are not ready or able at this time to submit final accounting on account of undetermined items such as loss and damage matters. The Interstate Commerce Commission in its last annual report recommends legislation of this character. I quote from page 30 of this report, in which the commission says:

> The immediate payment to some of these carriers of the amounts or parts of the amounts which we can now determine to be certainly due them under the guaranty provisions of the transportation act, 1920, is vital to their meeting operating expenses, fixed charges, and other obligations which they must meet in order properly to serve the public as common carriers.

I want to call the attention of the Congress to certain phases of the minority report on this measure which was filed by the gentleman from Tennessee [Mr. SIMS].

Of course most Members of the House well know the attitude of the gentleman from Tennessee [Mr. SIMS] relative to the private operation of our railroads. He is against private ownership and operation of the transportation systems of our country and he would return the railroads to Government control and operation to-day, if it were in his power to do so. And I am of the opinion that the gentleman from Tennessee, in the minority report which he has filed against this bill, is trying to discredit the private operation of railroads and their management by picturing them as grasping corporations of greed and avarice that should be branded with the term "plutocratic dollarism," as he calls it in his report.

The gentleman from Tennessee has made some astounding misstatements of facts, which I, as one member of the committee who favors the passage of this bill, can not let get by unchallenged. In part of his report the gentleman from Tennessee says:

> That such a deficit could arise during six months—all spring and summer months—with no strikes, no flood, no fires, no let-up in traffic, is so astonishing as to challenge our credulity.

Mr. Speaker, the gentleman from Tennessee, Judge SIMS, knows that a very short time after the railroads were returned to private owners there was started and carried on for several months one of the most disastrous unlawful railroad strikes our country has ever experienced. In certain parts of our country, especially in the big industrial centers and in the larger cities of Chicago, Cleveland, and Pittsburgh, railroad transportation was for many weeks almost at a standstill. During this strike there was a great stagnation of freight. Miles and miles of cars loaded with merchandise, building material, coal, and other products glutted the railroad tracks, sidings, yards, and terminals. The loss of revenue to the railways by reason of this unlawful strike amounted to millions upon millions of dollars. And yet the gentleman from Tennessee in his minority report tries to tell us that there were no strikes during this period.

Mr. Speaker there is another item of expense which the railroads had to meet during the six months' period that I want to bring to the attention of the gentleman from Tennessee [Mr. SIMS]. Some time toward the close of the month of July, 1920, the Railway Labor Board granted an increase in the wages of railway employees which amounted to the sum of over $600,000,000 annually, and this increase was retroactive to May 1, 1920. So that the additional expense to the railroads for wages from May 1 to September 1, 1920, when the guaranty period ended, was over $200,000,000. I am not criticizing the Railway Labor Board for this decision, for I believe that the railway employees were entitled to an increase in wages at that time, but I am of the opinion that by reason of the wage increase and the unlawful strike during the six months' guaranty period the deficit incurred by the railroads was more than double what it would have been had these two important events not occurred. And while I hold no brief for the railroads, I think it is manifestly unfair to the cause of successful private operation for the gentleman from Tennessee [Mr. SIMS] to make in his report such misleading statements in his earnest and ambitious desire to discredit the railway operators and private ownership of our transportation systems.

The SPEAKER. The time of the gentleman from Ohio has expired. [Applause.]

Mr. SIMS. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Speaker, the railroads are like a beast of prey, which having gorged itself upon its victim now returns with a new appetite to gnaw the bones.

Section 209 of the Esch-Cummins Act—the transportation act of 1920—guarantees that for six months following the approval of that act the net earnings of the railroads shall equal the compensation paid by the Government under Federal control, and that any deficiency in such earnings shall be paid from the Public Treasury. Section 204 extends this vicious guaranty to those railroads which were never under Federal control. The guaranty is not conditioned on efficient or economical management, nor even upon honest management. The railroad managers were left free to enter upon an orgy of extravagance, waste, and dishonesty. The Treasury foots the bill.

EARNINGS SHOULD NOT HAVE BEEN GUARANTEED.

The earnings of the railroads should never have been guaranteed. They are conducting a private business. There is no more reason why the Government should guarantee their profits than the profits of a farmer, merchant, or other business man.

Few people of the country knew that the guaranty was given. There are even Members of Congress who were ignorant of the fact. The guaranty ought not to have been given. It constituted a betrayal of the public interests. It can not be excused nor justified. The railroads profited from Federal control. They received profits which they could not have earned in private control. The net profits of some of the railroads under Federal control were enormous; for instance, the Union Pacific received 12.8 per cent upon their investment, and the Atchison, Topeka & Santa Fe 10 per cent. Numerous others received from 6 to 10 per cent. The guaranty gave them the same profits, and on top of that the opportunity for waste, extravagance, and graft. For instance, it gave to the Union Pacific a net earning of 12.8 per cent no matter how wasteful and dishonest was its management.

The guaranty ought not to have been given. The Government got nothing from the guaranty; not a cent of benefit went into the Treasury; it was merely a donation to the railroads.

But the guaranty was given. Perhaps it will be said that it constitutes a contract which the United States is bound to perform. I am willing to perform our contracts, unwise though they may be. I opposed the transportation act with all my strength, but I will live up to that act. I will give the railroads all we promised them. I will perform their oppressive bond, but I insist that they take their pound of flesh exactly as it was agreed upon—that they cut it when and where the contract stipulates. They shall not cut their pound of flesh in advance, it is not "so nominated in the bond."

GUARANTY NOT YET DUE.

By the terms of the guaranty advances to meet current expenses were authorized during the six months' period, but no payments can be made after the six months except a payment in full upon a final ascertainment of the amount due. Many railroads received advances under the guaranty; these advances aggregated, under section 209, $260,391,874, and, under section 204, $622,877.49. The balances which they may be entitled to receive are not yet due and will not be due until there is a final settlement, which in the case of some railroads may be postponed for several years, and during that time no interest thereon will accrue. The Winslow Act proposes to anticipate the payments not yet due under the guaranty and to pay to the railroads in advance and without deduction of interest the sums which it may be estimated will be found due them upon a final settlement. In its most favorable light it proposes a cold gift to the railroads of the interest which will accrue on the deferred payments. It proposes that a debtor shall now pay his note due several years hence without discount and without deduction for unaccrued interest. No man can deny this statement.

But my opposition to the Winslow bill, which proposes to pay now what may be estimated to become due in the near future, is not based upon mere sentiment nor yet merely upon the loss of interest by anticipating payment. I realize that if the railroads are compelled to wait for their money until there is a final settlement we will have a final settlement soon.

The railroads will file their claims without delay; we will pay the amounts in sight as due; and that will be the end of the matter. But the guaranty does not limit the time within which final settlements must be made. Claims may be made 10 years hence if the Winslow bill is passed and we pay the railroads their present claims. Final settlements will be delayed indefinitely. Partial payments will be claimed from time to time. The matter will be drawn out, and not only hang over for many years, but added claims will be made. New items will be presented. Aggregations will be swelled to the limit, and in the end the Public Treasury will be plundered for perhaps $200,000,000 more than if final settlements now were made. The Winslow bill stands to cost the people not only long delay and vexation, but a loss of perhaps $200,000,000 of public money.

A BILLION-DOLLAR GIFT TO RAILROADS.

When the transportation act was passed it was estimated that $400,000,000 would cover the cost of the guaranty. But already the guaranty has cost $261,140,751.49, and additional claims are already made of about $370,000,000. The estimated cost of the guaranty has already jumped from $400,000,000 to $631,000,000. Under the Winslow Act the total will reach $800,000,000 to $900,000,000. Think of it! A cool gift of almost $1,000,000,000 from the public funds to the railroad interests of the United States.

Mr. SIMS. Mr. Speaker, it has been pointed out forcibly, clearly, and distinctly by gentlemen who have preceded me that no such bill as this ought to be considered under suspension of the rules. There is ample reason why it should not be so considered. This bill provides potentially for $400,000,000 to be taken out of the Treasury upon the issuance of a certificate by a commission, without any further action or consideration by the Appropriations Committee of this House, without even the estimate being filed and considered by any appropriating committee, the appropriation being automatic under the transportation act. Not even an amendment can be offered. What is the matter with the bill? Is it so good that no Member of the House should be permitted to even offer an amendment to it? I have two amendments which, if I were permitted to do so, I should like to offer, and they are in the interest of both the railroads and the country. One of them I would offer on page 1, line 12, of the bill by striking out, after the word "certified," all of the rest of the paragraph and inserting the following:

Said certificate shall bear interest at the rate of 6 per cent per annum from date of issuance until paid.

That would give the railroads the right to collect 6 per cent per annum from the time the certificate is issued until finally paid. Then I would add the following proviso at the end of the bill:

Provided, That all claims under the guaranty provisions of the transportation act not certified by the Interstate Commerce Commission prior to January 1, 1922, shall be forever barred.

There ought to be a limitation as to when these claims can be audited and final amount payable definitely ascertained.

If paragraph (h) had not been put into the law, no railroad would claim that it could get anything at all until after the guaranty period had expired. Paragraph (h) was put in to aid them to pay fixed charges and operating expenses during the guaranty period, as applications for an increase in wages and also of an increase in rates were pending, which it was supposed would take about the time of the guaranty period to finally adjust and determine. It was therefore provided that if the commission should certify that a certain sum would be payable to a railroad and that it was necessary for the railroad to have enough of that amount to pay fixed charges and operating expenses, the Secretary of the Treasury from time to time might advance such an amount. Every railroad that made such application and showing to the commission during the guaranty period under paragraph (h) got its money. That is where the $260,000,000 went, including the amount advanced to the American Railway Express Co. They are now claiming that there are loss and damage claims that they have not yet adjusted. That may be true; but if we are going to pay money out of the Treasury, why not wait until you know what the amount is going to be. These railroads could sell every one of these certificates that bears interest at the rate of 6 per cent, at par, the moment they are offered. But there is a joker in this bill. Advancements under paragraph (h) could be made only on condition, first, that the advance was necessary to pay fixed charges and operating expenses of the road, and, second, that the carrier should give a contract with security that in case the advance exceeded the amount that would be payable to the railroad finally the excess should be paid back to the United States with 6 per cent interest.

This bill provides no protection to the Government in case of ercess payments on certificates. It provides that the Interstate Commerce Commission certificates must be paid in full and no return whatever to the Government is provided for such excess of payment. Many railroads will get money under this guaranty that are now insolvent. Much of this money is paid to railroads as an increase in deficits over prior deficits. Not a dollar can be gotten back in case more is paid than turns out to be owing to such insolvent roads. Why did you a few months ago think that the public deserved the protection of a contract with security to return excess of advances, and now provide that no return of the excess on the certificates for payment of guaranty is to be secured, as was required for excess advances during the guaranty period?

If this motion to suspend the rules and pass this bill is not adopted, we can immediately adopt a rule that will give proper time for general debate and leave the bill open to amendments. I would vote for such a rule myself, but this motion ought to be defeated. [Applause.]

Mr. WINSLOW. Mr. Speaker, we have had rather an effusive and elaborate line of statements aimed at this bill, but so far as I recollect no speaker has undertaken to show that it is not without merit; none has undertaken to show that it is not a sane and wise bill, in so far as it goes. I want to answer my two

distinguished and friendly colleagues on the committee, the gentleman from Kentucky [Mr. BARKLEY] and the gentleman from Texas [Mr. RAYBURN]. The gentleman from Kentucky, much to my surprise, undertook to give out the thought to this body that this bill amounts to a new appropriation.

Nothing of the kind. It simply clarifies an agreement between the Government of the United States and the carriers as to the payment of Government debts agreed to by debtor and creditor. Under the provision of the general transportation act, 1920, the Government was to pay, under a guaranty provision, such and such sums. The Treasury Department has seen fit to interpret the law to mean that a balance must be struck to a nicety before any payment is made to any carrier, regardless of its need, right to payment, and regardless of common commercial practice.

Mr. MONTAGUE. Will the gentleman permit me——

Mr. WINSLOW. No, sir; pardon me. I recognize my associate on the committee, and I will yield to him briefly.

Mr. MONTAGUE. I understand from the gentleman's position that the bill does not enlarge or diminish the existing guaranty, but simply enables the Government to make several payments instead of one payment in settlement of such guaranty?

Mr. WINSLOW. Stated with absolute accuracy. Now, the query is this: With the railroads in the condition they are in they can not pay their supply houses, and those creditors run into the thousands in this country; they extend clear into the wood lot. If the carriers can not pay their creditors, the next creditor in line can not be paid, and so on and so on. The mines of Indiana, I have been told, in some instances have already been shut down, and many operatives have been thrown out of work because the mine owners can not collect the money due them from railroads to enable them to pay their operatives; and so it goes. It is a straight business, horse-sense proposition. Do we want the Government of the United States, working under our direction and under our legislation, to hold up commercial activities, and, particularly at this time, keep money from creditors to whom it is due? There is not a business man in the United States who does not at one time or another, even in good times, make advance payments to his creditors. Here we have millions of men throughout the United States unemployed begging for something to do. Would we withhold $300,000,000 which the Government has and which if put into ordinary commercial productive channels would insure work to many, many thousands of men immediately? Will this Congress take the position that it will not tell the Treasury Department to pay its bills with money already appropriated, with no change of contract whatsoever, even if we, the Government, pay on account? It is only a business proposition. If you have any business sense at all, my friends, you will try to stimulate the productive activities of the United States, and nothing will help more than the payment of these $300,000,000, more or less. We know well that a sum of $300,000,000 of cash turned into trade channels now is worth, with its attending credit, a billion dollars to keep the wheels of industry going. Let us go to it and put business in motion and set an example for the country. [Applause.]

The SPEAKER. The time of the gentleman has expired; all time has expired. The question is, Will the House suspend the rules and pass the bill?

Mr. BARKLEY and Mr. RAYBURN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 220, nays 111, not voting 98, as follows:

YEAS—220.

Ackerman	Crago	Freeman	James, Va.
Anthony	Cramton	Fuller	Jefferis
Bacharach	Crowther	Glynn	Johnson, S. Dak.
Begg	Cullen	Good	Johnson, Wash.
Benham	Curry, Calif.	Goodykoontz	Johnston, N. Y.
Benson	Dale	Graham, Ill.	Jones, Pa.
Bland, Ind.	Dallinger	Green, Iowa	Kearns
Bland, Va.	Darrow	Greene, Mass.	Kendall
Boies	Davis, Minn.	Greene, Vt.	Kennedy, R. I.
Briggs	Dempsey	Griest	Kiess
Brinson	Denison	Hadley	King
Brooks, Ill.	Dickinson, Iowa	Hamilton	Kraus
Buchanan	Donovan	Hardy, Colo.	Langley
Burdick	Drewry	Hawley	Lankford
Burroughs	Dunbar	Hays	Layton
Butler	Dunn	Hernandez	Lea, Calif.
Byrns, Tenn.	Dupré	Hersey	Lehlbach
Caldwell	Dyer	Hickey	Linthicum
Campbell, Kans.	Eagan	Hicks	Little
Campbell, Pa.	Eagle	Hill	Longworth
Cannon	Echols	Holland	Luce
Cantrill	Elliott	Houghton	Lufkin
Christopherson	Elston	Howard	Luhring
Cleary	Esch	Hudspeth	McAndrews
Coady	Evans, Mont.	Hull, Iowa	McArthur
Cole	Fairfield	Husted	McDuffie
Cooper	Fess	Igoe	McFadden
Copley	Foster	Ireland	McKenzie
McKinley	Newton, Mo.	Riddick	Temple
McLaughlin, Mich.	Nicholls	Rodenberg	Thompson
McLaughlin, Nebr.	O'Connor	Rogers	Tilson
McLeod	Ogden	Rose	Timberlake
McPherson	Olney	Rowan	Tinkham
MacGregor	Osborne	Rowe	Towner
Madden	Padgett	Sanders, N. Y.	Treadway
Magee	Paige	Scott	Valle
Mann, Ill.	Park	Sells	Vare
Mansfield	Parker	Shreve	Vestal
Mapes	Parrish	Siegel	Volk
Martin	Pell	Sinnott	Walsh
Merritt	Peters	Slemp	Ward
Michener	Phelan	Small	Wason
Miller	Porter	Smith, Idaho	Watkins
Minahan, N. J.	Pou	Smith, Ill.	Watson
Monahan, Wis.	Purnell	Smith, Mich.	Webster
Mondell	Rainey, Henry T.	Snell	Wheeler
Montague	Ramsey	Snyder	White, Kans.
Moore, Ohio	Ramseyer	Stephens, Ohio	White, Me.
Moore, Va.	Randall, Wis.	Stiness	Williams
Moores, Ind.	Ransley	Strong, Kans.	Winslow
Morin	Reber	Strong, Pa.	Wood, Ind.
Mott	Reed, N. Y.	Sullivan	Woods, Va.
Murphy	Reed, W. Va.	Sweet	Woodyard
Neely	Rhodes	Swindall	Yates
Newton, Minn.	Ricketts	Taylor, Colo.	Zihlman

NAYS—111.

Almon	Doughton	Lazaro	Steagall
Anderson	Drane	Lee, Ga.	Stedman
Andrews, Nebr.	Evans, Nebr.	McClintic	Steenerson
Aswell	Fields	McKeown	Stephens, Miss.
Ayres	Fisher	Major	Stevenson
Bankhead	Flood	Mason	Stoll
Barbour	Frear	Mead	Summers, Wash.
Barkley	Gallivan	Milligan	Sumners, Tex.
Bee	Garner	Nelson, Mo.	Swope
Bell	Garrett	Oldfield	Tague
Black	Godwin, N. C.	Oliver	Taylor, Ark.
Blanton	Hardy, Tex.	Quin	Thomas
Bowling	Hastings	Raker	Tillman
Box	Haugen	Rayburn	Tincher
Brand	Hayden	Reavis	Upshaw
Browne	Hoch	Robsion, Ky.	Venable
Byrnes, S. C.	Huddleston	Romjue	Vinson
Caraway	Hull, Tenn.	Rouse	Voigt
Carss	Humphreys	Rubey	Volstead
Carter	Jacoway	Rucker	Weaver
Clark, Mo.	Johnson, Miss.	Sanders, La.	Welling
Collier	Jones, Tex.	Schall	Welty
Connally	Keller	Sears	Wilson, La.
Crisp	Kelly, Pa.	Sherwood	Wingo
Davis, Tenn.	Kleczka	Sims	Wright
Dickinson, Mo.	Lampert	Sinclair	Young, N. Dak.
Dominick	Lanham	Sisson	Young, Tex.
Doremus	Larsen	Smithwick	

NOT VOTING—98.

Andrews, Md.	Ellsworth	James, Mich.	Nolan
Ashbrook	Emerson	Johnson, Ky.	O'Connell
Babka	Evans, Nev.	Juul	Overstreet
Baer	Ferris	Kahn	Patterson
Blackmon	Fish	Kelley, Mich.	Perlman
Bland, Mo.	Focht	Kennedy, Iowa	Radcliffe
Bowers	Fordney	Kettner	Rainey, Ala.
Britten	French	Kincheloe	Rainey, John W.
Brooks, Pa.	Gallagher	Kinkaid	Randall, Calif.
Brumbaugh	Gandy	Kitchin	Riordan
Burke	Ganly	Knutson	Robinson, N. C.
Candler	Gard	Kreider	Sabath
Carew	Goldfogle	Lesher	Sanders, Ind.
Casey	Goodall	Lonergan	Sanford
Chindblom	Goodwin, Ark.	McCulloch	Scully
Clark, Fla.	Gould	McGlennon	Smith, N. Y.
Classon	Graham, Pa.	McKinley	Steele
Costello	Griffin	McLane	Taylor, Tenn.
Currie, Mich.	Hamill	Maher	Walters
Davey	Harreld	Mann, S. C.	Whaley
Dent	Harrison	Mays	Wilson, Ill.
Dewalt	Hersman	Moon	Wilson, Pa.
Dooling	Hoey	Mooney	Wise
Dowell	Hulings	Mudd	
Edmonds	Hutchinson	Nelson, Wis.	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. HARRELD and Mr. EDMONDS (for) with Mr. MANN of South Carolina (against).

Mr. WILSON of Pennsylvania and Mr. WALTERS (for) with Mr. ROBINSON of North Carolina (against).

Mr. FOCHT and Mr. CHINDBLOM (for) with Mr. GOODWIN of Arkansas (against).

Until further notice:

Mr. KAHN with Mr. DENT.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. PATTERSON with Mr. KINCHELOE.

Mr. HUTCHINSON with Mr. EVANS of Nevada.

Mr. DOWELL with Mr. BRUMBAUGH.

Mr. EMERSON with Mr. DOOLING.

Mr. BRITTEN with Mr. JOHNSON of Kentucky.

Mr. FORDNEY with Mr. GARD.

Mr. ANDREWS of Maryland with Mr. WISE.

Mr. WILSON of Illinois with Mr. ASHBROOK.

Mr. KNUTSON with Mr. MAYS.

Mr. RADCLIFFE with Mr. SCULLY.

Mr. GOODALL with Mr. DAVEY.
Mr. SANFORD with Mr. RIORDAN.
Mr. KINKAID with Mr. O'CONNELL.
Mr. HULINGS with Mr. SMITH of New York.
Mr. MUDD with Mr. KITCHIN.
Mr. FISH with Mr. OVERSTREET.
Mr. TAYLOR of Tennessee with Mr. BABKA.
Mr. JUUL with Mr. CANDLER.
Mr. BAER with Mr. SABATH.
Mr. SANDERS of Indiana with Mr. CAREW.
Mr. BOWERS with Mr. MOONEY.
Mr. PERLMAN with Mr. GRIFFIN.
Mr. BROOKS of Pennsylvania with Mr. RANDALL of California.
Mr. NELSON of Wisconsin with Mr. MCKINIRY.
Mr. KELLEY of Michigan with Mr. RAINEY of Alabama.
Mr. COSTELLO with Mr. HERSMAN.
Mr. JAMES of Michigan with Mr. HARRISON.
Mr. GOULD with Mr. MCLANE.
Mr. NOLAN with Mr. HOEY.
Mr. MCCULLOCH with Mr. LESHER.
Mr. KREIDER with Mr. MOON.
Mr. KENNEDY of Iowa with Mr. FERRIS.
Mr. BURKE with Mr. CLARK of Florida.
Mr. FRENCH with Mr. GANDY.
Mr. ELLSWORTH with Mr. JOHN W. RAINEY.
Mr. CLASSON with Mr. MCGLENNON.
Mr. CURRIE of Michigan with Mr. BLACKMON.

Mr. FISH. Mr. Speaker, I wish to vote "yea."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. FISH. No, sir. I do not know, Mr. Speaker, whether this is permitted or not, but I was in my office, and only two bells rang in the Office Building.

The SPEAKER. That is the gentleman's misfortune. The gentleman was not present and listening, and therefore can not vote.

The result of the vote was announced as above recorded.

Mr. MONDELL. Mr. Speaker, I did not get clear the statement of the vote.

The SPEAKER. The result was—yeas 220, nays 111.

Mr. ESCH. Mr. Speaker, I ask for a recapitulation.

The SPEAKER. The Chair thinks that is a reasonable request. The House will be in order, and the vote will be recapitulated.

The Clerk recapitulated the vote.

The SPEAKER. No corrections having been made, the vote will stand.

Mr. HUDDLESTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HUDDLESTON. I rise to propound the unanimous-consent request that I may be permitted to ask the gentleman from Wyoming [Mr. MONDELL] when we may expect this Winslow bill to be brought up again.

FEDERAL AID IN CONSTRUCTION OF POST ROADS.

Mr. SELLS. Mr. Speaker, by direction of the Committee on Roads, I call up the bill (H. R. 15873) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes, and I move to suspend the rules and pass the bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 15873) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes.

Be it enacted, etc., That for the purpose of carrying out the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplemental thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums:

The sum of $100,000,000 for the fiscal year ending June 30, 1922.

The aforesaid additional sum shall be expended in accordance with the provisions of such act: *Provided*, That the aforesaid additional sum, together with any sums apportioned to any State under the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplemental thereto, and not heretofore withdrawn from the principal fund, as provided by section 6 of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919, shall be available for expenditure in that State for the purpose set forth in such acts until two years after the close of the respective fiscal years for which any such sums become available, and any amount so apportioned remaining unexpended at the end of the period during which it is available for expenditure under the terms of such acts shall be reapportioned in accordance with the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916: *Provided further*, That in each State in which the percentage of total land area to which the title of the United States is unqualified or exempt by act of Congress from taxation in said State exceeds 10 per cent of the total area of all lands in the State the Secretary of Agriculture may reduce the ratio of cooperation required, but not to below one-half that which the total of the patented, tax exempt, and national forest land bears to the total area of all lands in the State.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000,000 for the fiscal year ending June 30, 1922, for national forest roads and trails.

The said appropriations for national forest roads and trails to be available until expended by the Secretary of Agriculture for the survey, construction, and maintenance of roads or trails within, partly within, or contiguous to the national forests when such roads or trails are necessary for the use and development of the resources of the national forests or desirable for their proper administration, protection, and improvement or for the extension of important main highways.

SEC. 3. That any person, firm, corporation, member of any highway commission, or employee thereof that makes any false statement or representation as to the character of material used or quality of work performed in the construction of any project approved by the Secretary of Agriculture under the provisions of said act, with the intent to defraud the United States, shall upon conviction be imprisoned not to exceed five years or pay a fine not to exceed $10,000, or be punished by both imprisonment and fine.

SEC. 4. That the Secretary of Agriculture shall make annual report to Congress of the amounts expended hereunder.

Mr. WALSH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. WALSH. That it is not in order to make the motion under a suspension of rules to pass this bill, because it has been reported in violation of Rules XX and XXI, as amended, in that in section 1 it makes an appropriation of funds heretofore appropriated by Congress. In the rural post roads bill of 1916——

The SPEAKER. To what part does the gentleman refer?

Mr. WALSH. Page 2, section 1, making available the appropriations of the post roads bill of 1916, the Post Office bill of 1920, approved in 1919, and making available for expenditure for two years moneys previously appropriated and, but for the passage of this act, coverable into the Treasury. And a bill making available moneys which but for the bill would return to the Treasury of the United States, and making that sum available in addition to sums authorized in the bill under consideration is, in effect, appropriation and is contrary to Rules XX and XXI.

The SPEAKER. Is there any reason why Rules XX and XXI should not be suspended?

Mr. WALSH. Not taking away the right of a point of order under that rule. The point of order can be made at any time. The bill has been reported in violation of that rule, and if the point of order is made it prevents the motion to suspend the rule as to that bill, because the bill has been improperly reported by a committee that has exceeded its jurisdiction.

Mr. CRISP. Mr. Speaker, I would like to be heard on the point of order.

Mr. Speaker, I shall take only a moment of time, but I do not think there is anything in the point of order that my good friend from Massachusetts [Mr. WALSH] has made.

Now, what is a point of order? A point of order is that there is some objection to your method of procedure in the consideration of the bill; that it is in contravention of some rule of the House.

Now, under the general rules of the House certain committees have jurisdiction of certain legislative matters, and if those matters are reported from some committee other than the one having jurisdiction under the rule a point of order would lie against them except when called up under a motion to suspend the rules.

Now, my good friend says the legislative effect of this resolution is legislation, that it makes available for this road fund certain appropriations that would lapse into the Treasury but for this legislation. That is correct, but the rules of the House, Mr. Speaker, provide for legislation by the suspension of the rules. It is not necessary, where a motion to suspend the rules is made, that the legislative matter may have ever been before any committee of this House. If the Speaker should recognize me to move to suspend the rules, I could draft right here a resolution providing legislation and offer it, and it would be in order for consideration by the House and no point of order would lie against it, notwithstanding it had never been to any committee whatever.

Now, the motion before the House is to suspend every rule of the House. It suspends the rule authorizing points of order against matters because they were not at first considered by some committee; and I am sure the Speaker, in his long and distinguished service here, has many times seen enacted, by a motion to suspend the rules, legislation that has never been to any committee of the House whatever.

I could talk on, Mr. Speaker, but I would but repeat what I have said, and I do not care to take up the time of the House. I am thoroughly convinced that the point of order of my distinguished friend is without merit. Mr. MAPES, of Michigan, has just called my attention to a precedent which upholds the position I take. I refer you, Mr. Speaker, to section 6862, Hinds' Precedents.

Mr. WALSH. Mr. Speaker, if the Chair will indulge me a moment further, I recognize the force of the argument of the distinguished gentleman from Georgia [Mr. CRISP], who has as sound a knowledge of parliamentary law as any other gentleman in the House. But I wish to direct his attention to this fact, that this rule was passed and became effective July 1, 1920, and in the rule itself it is provided that this particular point of order can be made at any time. It must have been had in contemplation when that phraseology was included in this new rule that the rules of the House provided for a suspension of the rules.

Mr. Speaker, the point I am making is this, that the motion to suspend the rules of the House does not take away the right to make a point of order specifically provided for in a rule subsequently adopted, to the effect that a committee shall not have authority to report a bill, not to take up for consideration a bill but to report a bill; and the gentleman has called up for consideration a bill which has been reported, and on that bill he has moved to suspend the rules and pass the bill.

Now, under the phraseology of these Rules XX and XXI, I submit that a motion to suspend the rules can not brush aside the right to make a point of order and confer, for the purpose of that particular legislation, the right to report any appropriation.

Mr. CRISP. Mr. Speaker, will the gentleman yield for a question?

Mr. WALSH. Yes.

Mr. CRISP. Does my friend contend that the new rule, changing the jurisdiction as to certain appropriation matters, has any superior force or strength or privilege over any other rule of the House?

Mr. WALSH. Why, I contend, Mr. Speaker, that in so far as the rule applies to the action of the committee on a bill prior to its consideration in the House, as to what the committee may do in reporting a bill and bringing it up before the House, it does have superior force, and that it can not be suspended by a motion to suspend the rules under the ordinary procedure of the House, because that bill is subject to a point of order as being upon the calendar improperly and the committee exceeded its jurisdiction.

Mr. CRISP. Mr. Speaker, will the gentleman yield for another question?

Mr. WALSH. Yes.

Mr. CRISP. Does not my friend recognize that this very motion moves to suspend the very rule he is relying on, as well as any other rule in the House?

Mr. WALSH. No; I do not recognize anything of the kind.

Mr. CRISP. That is the effect of the motion to suspend the rules and agree to pass this bill.

Mr. WALSH. I can not agree with my distinguished friend from Georgia. It moves to suspend the rules relating to the passage of any particular measure, but it does not suspend the rules as to jurisdiction belonging to any particular committee. This bill was called up from a committee by the gentleman from Tennessee [Mr. SELLS]. He mentioned the number of the bill and also the calendar number when the bill was reported by the Clerk.

I submit that a motion to suspend that rule does not take away the right of a Member to make the point of order that the jurisdiction of the committee has been exceeded.

Mr. McARTHUR. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Certainly.

Mr. McARTHUR. Does the gentleman think that the Committee on Appropriations had jurisdiction of this legislation?

Mr. WALSH. Oh, the gentleman knows that in this very bill the committee has carried an authorization to make an appropriation which gives the Committee on Appropriations jurisdiction to appropriate; but this language is an appropriation. That is all I desire to submit, Mr. Speaker.

Mr. CRISP. Mr. Speaker, if the Chair is not ready to rule, I will say that the gentleman from Michigan [Mr. MAPES] has presented me with a decision on all fours with the position I take.

The SPEAKER. The Chair is going to overrule the point of order.

Mr. CRISP. That is in accord with the contention I make. [Laughter.]

The SPEAKER. The Chair would state that, in his judgment, the reason why the point of order is not valid is that the rule allowing suspension suspends all rules. The Chair thinks that applies to the rule relied upon by the gentleman from Massachusetts [Mr. WALSH] as well as others. It is not necessary that the bill should have been reported by the committee. The gentleman from Tennessee [Mr. SELLS] moves to suspend the rules and pass the bill which the Clerk had reported, and the Chair thinks that suspends every rule, and the point of order does not lie. Is a second demanded?

Mr. STEPHENS of Mississippi. I demand a second.

Mr. McARTHUR. Mr. Speaker, a parliamentary inquiry. Had the Clerk finished the reading of the bill?

The SPEAKER. Yes; the reading of the bill had been completed. The gentleman from Mississippi [Mr. STEPHENS] demands a second. Is the gentleman opposed to the bill?

Mr. STEPHENS of Mississippi. No, sir; I am not.

Mr. DUNN. I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DUNN. Yes.

The SPEAKER. The Chair thinks he ought to recognize a gentleman opposed to the bill. The gentleman from New York [Mr. DUNN] is on the committee. The gentleman demands a second.

Mr. SELLS. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects. The Chair appoints as tellers the gentleman from Tennessee [Mr. SELLS] and the gentleman from New York [Mr. DUNN].

The House divided; and the tellers reported—ayes 137, noes 20.

The SPEAKER. A second is ordered, and the gentleman from Tennessee [Mr. SELLS] has 20 minutes, and the gentleman from New York [Mr. DUNN] has 20 minutes.

Mr. SELLS. Mr. Speaker, the time allotted for the consideration of this bill will preclude anything like a thorough discussion of the road problem and the wisdom of Federal cooperation with the States in road construction. In reporting this measure the committee does not assume that it solves the question or that the plan it submits is ideal. We have thought it best to provide for a continuance of the work during the next fiscal year, leaving to a later Congress any changes in the system which circumstances may render necessary.

To defer action at this session of Congress would be dangerous, and might defeat all road construction in many of the States, where further legislative action is necessary to enable them to become beneficiaries under the existing system. The legislatures of probably two-thirds of the States are in session now, and until Congress decides this question none of them can act intelligently or provide adequately for a continuing program.

In submitting a brief report on this bill, I called attention to the fact that the benefits accruing are not so much the actual aid rendered as the stimulus afforded to the various States and their subdivisions to provide for themselves the funds necessary to secure national aid. The first appropriation made by Congress in 1916 for this purpose was $75,000,000, followed by another in 1919 for $200,000,000, or a total of $275,000,000. And yet in 1919 alone so great was the incentive of the national road act that the States themselves provided an aggregate fund of $400,000,000, followed by an expenditure of probably $500,000,000 in 1920. During the nearly five years since these appropriations were first available more than 20,000 miles of public roads have either been constructed or let to contract, on which the Federal Government has expended or agreed to expend approximately $150,000,000, or an average of about $7,000 per mile.

Opponents of this measure will no doubt emphasize the fact that there still remains in the Treasury $117,000,000 unexpended and unallotted, and seek to show that a further appropriation at this time is unnecessary. The committee is strongly of the opinion that such a conclusion is unwarranted. At hearings before the Roads Committee it was shown by numerous State highway commissions throughout the country that practically every dollar of Federal moneys appropriated will have been allotted by the close of the present fiscal year.

Federal funds apportioned to the States are not considered as allotted until projects submitted by the States have been actually approved by the National Bureau of Roads. Before any State may submit a project a thorough survey must have been made and submitted for approval to a national highway engineer and the funds provided for the payment of

the State's share in the cost of construction. If the State is cooperating with the counties within its jurisdiction, the same process must be repeated. And I might add that while the Federal Bureau of Roads deals directly with no smaller units than the States themselves, as a matter of fact the counties in a majority of the States provide the funds necessary to secure national aid. If a county is required to furnish any portion of the fund, in every instance at least a year must elapse, and in most cases more than a year, before proper surveys can be completed, the plan of county, State, and Federal cooperation perfected, and the final contract for construction awarded and approved by the Federal department. And until all of these successive steps have been completed the record in the Bureau of Roads shows the allotment still available. So any conclusion that there is still an available balance of $117,000,000 unpledged and unallotted is wholly incorrect, for from this must in equity be deducted the cost of such projects as may be in course of preparation for final submission.

Mr. JOHNSON of Mississippi. Will the gentleman yield for a question?

Mr. SELLS. Yes.

Mr. JOHNSON of Mississippi. Is there anything in this bill that changes the existing law whereby the States are to participate in this appropriation?

Mr. SELLS. Nothing of any material nature.

I desire to file as a part of my remarks a table compiled from the records of 47 States showing the status of this work on January 15, the unexpended and unallotted balances due each of them, and the probable date when the Federal appropriations will be exhausted:

Status of Federal aid funds for roads compiled from reports of State highway departments, Jan. 15, 1921.

State.	Amount of Federal aid available for contracts Dec. 31, 1920.	Federal aid funds put under contract since Dec. 31, 1920.	Federal aid funds which will be put under contract by Apr. 1, 1921.	Amount of Federal aid for new contracts, Apr. 1, 1921.	Mileage at $20,000 per mile.	Date when all Federal aid funds will be absorbed by contracts.	Federal aid apportionment under Sells bill, 1921.
Alabama	$4,146,589.58	$141,858.64	$2,000,000.00	$2,004,723.94	100	July 15, 1921	$2,104,883.51
Arizona	1,330,892.69	650,679.00	500,000.00	386,213.69	19	July 1, 1921	1,373,644.16
Arkansas	2,132,310.47		84,191.47	2,067,619.00	103	Apr. 1, 1921	1,685,178.09
California	4,987,034.57		3,137,034.57	1,800,000.00	90	July 1, 1922	3,054,675.51
Colorado	2,965,890.14	32,030.00	1,755,759.17	1,178,130.97	85	Oct. 1, 1921	1,755,759.17
Connecticut	864,961.70			864,961.70	43	July 1, 1922	613,349.43
Delaware	162,674.83	162,674.83		(1)	None.	(2)	162,674.81
Florida	915,918.48	915,918.48		(1)	None.	(2)	1,147,447.92
Georgia	1,531,287.62	1,531,287.62		(1)	None.	(2)	2,697,150.95
Idaho	391,250.86	319,250.86		(1)	None.	(2)	1,226,049.93
Illinois	1,135,328.97	962,473.97	173,855.00	(1)	None.	(2)	4,365,057.91
Indiana	4,715,924.61		2,500,000.00	2,215,924.61	−12	July 1, 1922	2,687,053.27
Iowa	2,140,009.14	473,200.00	1,030,000.00	635,809.14	−32	Dec. 31, 1921	2,881,328.74
Kansas	3,602,611.07	828,282.00	500,000.00	2,274,329.07	113	....do.....	2,871,244.62
Kentucky	2,979,384.79		1,500,000.00	1,479,384.79	−74	....do.....	1,951,755.43
Louisiana	109,501.57		109,501.57	(1)	None.	(2)	1,362,231.13
Maine	1,160,686.57			1,160,683.57	58	June 30, 1921	960,230.16
Maryland	521,363.07		521,363.07	(1)	None.	(2)	835,998.61
Massachusetts	2,210,243.09	121,416.30	155,360.00	1,932,463.79	93	Oct. 1, 1921	1,472,788.83
Michigan	3,651,657.55	294,729.00	1,590,000.00	1,856,928.55	−93	Mar. 1, 1922	2,891,657.97
Minnesota	1,083,203.02		359,109.23	704,093.79	30	May 15, 1921	2,842,089.33
Mississippi	3,139,812.29	160,000.00	300,000.00	2,679,812.29	−134	Dec. 31, 1921	1,807,557.17
Missouri	6,318,478.71		513,810.00	5,804,668.71	290		3,387,899.60
Montana	2,441,363.31	356,100.00	335,000.00	1,753,239.31	87	Dec. 31, 1921	2,005,993.13
Nebraska	2,611,635.66			2,611,635.66	130	Dec. 31, 1922	2,133,741.98
Nevada	2,301,897.18		200,000.00	2,101,897.18	105	(3)	1,276,344.43
New Hampshire	233,231.99		8,500.00	224,761.99	11	Oct. 1, 1921	414,838.98
New Jersey	1,818,272.02	346,640.00		1,471,632.02	73	June 30, 1923	1,187,553.45
New Mexico	2,514,643.61		330,000.00	2,184,643.61	109	(3)	1,598,487.85
New York	12,801,615.67		1,000,000.00	11,801,615.67	590		4,971,893.11
North Carolina	1,423,894.68	212,000.00	310,000.00	901,894.68	45	July 1, 1921	2,279,053.30
North Dakota	2,587,555.70		1,125,000.00	1,462,555.70	73		1,535,227.80
Ohio	5,142,955.71		1,000,000.00	4,142,955.71	207	July 1, 1921	3,703,246.81
Oklahoma	3,955,484.60						2,302,478.33
Oregon	411,717.23	42,000.00	100,000.00	269,717.23	13	May 1, 1921	1,576,152.03
Pennsylvania	1,830,291.29	397,291.29		1,433,000.00	71		4,591,945.05
Rhode Island	191,085.13	100,000.00	91,085.13	(1)	None.	(2)	233,253.87
South Carolina	2,273,920.50	515,767.05	236,247.70	1,521,905.75	76	July 1, 1922	1,436,019.04
South Dakota	2,181,729.04	200,000.00	700,000.00	1,281,729.04	64	Dec. 31, 1921	1,615,779.44
Tennessee	2,520,565.98	476,365.00	550,000.00	1,494,139.98	− 75	July 1, 1921	2,281,913.90
Texas	7,798,589.77	2,059,453.90	2,251,015.77	3,488,120.10	−173	June 1, 1921	5,851,508.45
Utah	1,124,881.38	163,031.13	546,272.41	414,954.29	20		1,123,575.66
Vermont	743,181.73		500,000.00	243,181.73	12	Oct. 1, 1921	450,077.09
Virginia	2,775,393.28	91,000.00	1,000,000.00	1,684,393.28	84	Dec. 31, 1921	1,977,673.83
Washington	108,257.83	48,257.83	60,000.00	(1)	None.	(2)	1,444,627.79
West Virginia	16,509.45	16,509.45		(1)	None.	(2)	1,060,152.77
Wisconsin	4,094,599.67	75,000.00	750,000.00	3,269,599.67	84	Dec. 31, 1922	2,544,945.35
Wyoming	808,249.17		500,000.00	308,249.17	15	July 1, 1921	1,233,715.84
Total	117,059,370.00						

[1] All contracted.
[2] Already absorbed.
[3] Jan. 1, 1923, unless ratio of cooperation is changed.

The above statement shows that there are 10 States which have no Federal funds whatsoever for additional contracts. There are also 25 States which have Federal funds to contract only from 11 to 100 miles of road, at $20,000 per mile. Reports of contracts made since Dec. 31, 1920, have not been received from Oklahoma.

This report shows that 10 of the 48 States have already contracted for the expenditure of their respective allotments, and that at the present rate of progress 13 additional ones will be without funds after the close of the present fiscal year ending June 30 next. Only eight States will have an unallotted balance to their credit at the close of the present calendar year.

The only question then which is presented in the consideration of this bill is this: Did the Congress of 1916 and 1919, which provided this plan of cooperation, err in judgment, and have the results justified its wisdom? Personally, I believe that our action has been wise and approved by a vast majority of the American people. There have been in some instances graft, incompetency, inefficiency, and a thousand kindred ills. But the fact remains that progress has been made and that every State in the Union has been encouraged and stimulated to take up earnestly this great work. And the sums expended have been by comparison utterly insignificant. For the fiscal year ending June 30 last Congress appropriated for all purposes $5,686,000,000. Of that amount $168,000,000 was expended for public improvements, and about one-half of that sum was for road construction, or only 1½ per cent of the total appropriations of Congress for that year.

Could this bill be presented to the American people for an expression of their judgment, an overwhelming majority would give it their indorsement. And I hope that the day may soon come when their judgment and desires in the matter of appropriation and expenditure of their own money may find expression in the action of this Congress.

I reserve the remainder of my time.

The SPEAKER pro tempore (Mr. SNELL). The gentleman has used 10 minutes and reserves 10 minutes. The gentleman from New York [Mr. DUNN] is recognized for 20 minutes.

Mr. DUNN. Mr. Speaker, I feel rather embarrassed in presenting this matter to the House, because of the lack of busi-

ness acumen, you might say, that has been displayed by the committee.

In the first place, early in Decemebr a flock of delegates came to this city and asked for a hearing, which was more like a deafening than a hearing. The Committee on Roads heard them on the subject of additional appropriations for good roads. In spite of the fact that it was shown that there was $200,000,000 balance to the Federal road fund, and in spite of the fact that there had been only $47,000,000 paid out of the original appropriation. they insisted with great clamor that this additional appropriation be made at this time.

Previous to this hearing I had taken up the matter with the Chief of the Bureau of Roads in the department, and I asked him to give me the exact amount of cash that had been spent or paid out to the States on account of road building. He reported that up to November 30, 1920, the amount paid out on this account had been $47,300,000, that some roads were in the course of construction, but that the time for them to be finished was not definite, and therefore he could not report just what the payments would be on that construction.

In the meantime I asked him to give me the figures on how much road construction had been completed up to the 1st of January, 1920. He gave me the figures at something less than $25,000,000 of Government appropriations that the States had received on account of construction of completed roads.

During the spring and summer of 1920 there was about $22,000,000 more paid out for completed construction, and he reported a balance not paid to the States on November 30 of about $26,000,000. Why that balance was not paid to the States, or why the States had not called for the balance did not appear to me, so in my calculations I did not deduct it from the amount of the original appropriation.

Everyone knows something about good roads. We have a great many roads in this country which are not good, but there are a sufficient number of good roads so that people understand the value of them. There is no argument against them. The question is whether in the present financial situation in this country, when we are committed to economy, and when we are faced with so many unpaid debts, and when so many supply bills are not acted upon, we shall pass this $100,000,000 of an extra appropriation with a balance of $200,000,000 remaining in the Treasury unexpended and $117,000,000 not yet even allotted.

Mr. ASWELL. Will the gentleman yield?

Mr. DUNN. No; I will not yield. No plans have been put in for that amount of money.

Mr. WILLIAMS. Will the gentleman yield?

Mr. DUNN. For a brief question.

Mr. WILLIAMS. A complete allotment has been made.

Mr. DUNN. But no agreements between the bureau and the States, covering this $117,000,000, have been made. There is a question about these allotments to which I wish to call attention. There are agreements subject to execution, projects favored, spread on the books, so that the States will get the money without any lapse the 1st of July. The Bureau of Roads informs me that no lapse of money will occur until after June 30, 1922, on account of the nonparticipation of the States. In my State of New York I had the pleasure of voting $50,000,000 which, with the previous amount that was appropriated, has not yet, I believe, been entirely spent. Most of these roads that have been built were built for five to seven or ten thousand dollars a mile, and they were very good roads at the time, but they now have gone to pieces to such an extent that it took $9,000,000 last year to resurface those roads, and it needs far in excess of that amount for this year.

This good-roads question is one that ought not to come up now in this short session, with no statement from the Bureau of Roads except the report that has been made. In the last conference I had with the Chief of the Bureau of Roads I said, "You have now, in round numbers, an unexpended balance of $200,000,000. The States have got to appropriate 135 per cent in addition to meet that fund. How many million dollars' worth of road construction can be completed from now on under the present conditions provided they meet the unexpended Federal appropriation?" He said, "Around a half a billion dollars."

Now, we speak rather flippantly of a hundred million dollars lately in this House. The interest on $100,000,000 at 5 or 5½ per cent will pay the expenses of this Congress for a year.

Mr. SNYDER. Will the gentleman yield?

Mr. DUNN. Yes.

Mr. SNYDER. How long would it take to spend that half a billion dollars which you claim is now available on the basis of the amount that has been spent per annum for the last four years?

Mr. DUNN. It would take around 10 years, perhaps.

Mr. MADDEN. On the basis of the present cost of roads, $40,000 a mile. That would build 12,000 miles of road.

Mr. LINTHICUM. The gentleman says we are appropriating $100,000,000; we are only authorizing it.

Mr. DUNN. When the original bill passed the House the limit per mile of Government participation was $10,000. That has since been raised to $20,000 a mile, and an effort is being made to raise it to $30,000. Does anybody know what a joy-ride road costs a mile? The Pennsylvania delegation last year said it cost $62,500, against $40,000 the year previous.

Now, to go on and build these roads at the present price of materials, the high cost of construction, and add to this already large amount of unexpended money would be little short of ridiculous.

Mr. JONES of Texas. Is it not true that a great many of the States have issued more than enough bonds to take up the Federal allotment?

Mr. DUNN. They may have done so; there is no reason why they should not, but you can not have roads manufactured in a factory; you can not buy them in a department store. It takes long and continued labor to build them.

Mr. JONES of Texas. Does not that emphasize the fact that we ought to authorize them a little ahead?

Mr. DUNN. We have got plenty ahead for future construction; there is $500,000,000 available, or which will be available if the States meet requirements, which can not be spent for two years, as far as we can learn from people well qualified to state what length of time it takes for this construction. You can not work every day in the year; you can not work over half the time, and 18 months' work means 3 years of construction, really.

I do not know how this House will look at it, but to me it is not a business proposition at this time. We owe large amounts of money, we do not know where we can raise the money to pay for these roads and to pay for our large supply bills. We are going to work months on those items. We came here committed to economy. We talk about a business administration. Is that a verbal smoke screen? We are up against it for money, and every other country is looking to us to help them out. We are passing appropriations without scarcely a thought, and we are voting away the peoples' money. The cost of building a mile of this road would build six comfortable homes for people. The figures I have given to the committee I have taken the trouble to glean from the Bureau of Roads. I think the gentleman has been very clever, I think he has given me honest figures, and I believe they can be verified if any Member wishes to do so. I have nothing against the good roads' proposition, but I am talking about adding appropriations to the large balance which remains unexpended.

Mr. ASWELL. Will the gentleman yield?

Mr. DUNN. I decline to yield. Everyone knows that arrangements can be made to take up this matter later on. We do not need to do it in the short session. It is a poor scheme to keep passing these large appropriations without waiting to see whether they are really necessary or not.

I respectfully submit that this measure should not be passed at this time. I have no false idea about how this will be treated, but I did want to express my opinion of the matter before it was finally closed. I reserve the remainder of my time.

Mr. ASWELL. Mr. Speaker, the gentleman from New York [Mr. DUNN], the distinguished chairman of the Committee on Roads, has the right to take any position he sees fit. He has done exactly what every member of that committee expected him to do. He has voted against road building every time, although he is on the Roads Committee. He did not preside at the meetings of that committee when this bill was reported. He has been bitterly opposed to road building, and his statements are incorrect when it comes to the fact of the matter. If this appropriation, this bill, does not pass this House now, 26 States of this Union will be forced to suspend road building at the end of this fiscal year, and everyone who has investigated honestly knows that to be the fact.

The SPEAKER pro tempore. The time of the gentleman from Louisiana has expired.

Mr. DUNN. Mr. Speaker, I yield four minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, this calls for a further appropriation from the Federal Treasury, although it is only an authorization in this bill. I have yet to hear a single argument advanced why this legislation can not wait. The gentleman from Louisiana [Mr. ASWELL] says that 26 States will fail to get any benefit of this unless it is passed this year. The gentleman from Louisiana knows that there is not a single one of those 26 States whose legislatures may not be in session during the next year.

Mr. ASWELL. Mr. Speaker, the gentleman does not mean to misquote me, does he?

Mr. WALSH. I do not.

Mr. ASWELL. I said the 26 States would exhaust their present funds at the end of this fiscal year.

Mr. WALSH. The gentleman said that 26 States would have to stop road building.

Mr. ASWELL. Precisely, and I still say so.

Mr. WALSH. Oh, yes; they will have to stop road building unless Uncle Sam goes into the Treasury and helps them out, and you will find that there is not a governor of any of the States who will not call a special session of the legislature if there is a chance to get into the Federal Treasury for funds, because they always take opportunity to do that. Where are those 26 States? Name some of them.

Mr. ASWELL. Louisiana is one of them.

Mr. WALSH. Yes; Louisiana is one, and probably Texas is another, probably Georgia another, and perhaps Florida another—Florida, which has participated to the extent of 16 per cent under the existing law. I say that when we come to appropriate $100,000,000 in one lump we ought to give more consideration to it than can be given under a suspension of the rules; and, furthermore, that this can well wait.

If this bill passes, its most earnest advocates have no expectation of its becoming a law before the 4th of March. It will probably have to come in here again and be reconsidered by a committee and again passed by this House. I was opposed to the original law, but I am willing to admit that some of the arguments I advanced against that law were not well balanced and that benefit has come from road building under Federal auspices and Federal participation. I submit we ought to proceed to use up the money unexpended and unallotted to complete these contracts that are outstanding and wait until we know a little more about where we are going to be with our finances and where we are to get the money to continue this work before we authorize another $100,000,000 appropriation.

Mr. BLANTON. Will the gentleman yield?

Mr. WALSH. I believe you will find——

Mr. REED of New York. Will the gentleman yield?

Mr. WALSH (continuing). That if you get the facts that the States have already appropriated vast sums of money for road construction, and that some of the States, particularly the ones who bear the heavy burdens of taxation, will continue to build roads whether the Federal Treasury contributes or not, and that the time is here for us to practice a little economy instead of rising on the floor here and preaching it and calling attention to it. Here is a chance to save $100,000,000, which we can if we do not pass this bill.

Mr. BLANTON. Will the gentleman yield?

Mr. WALSH. No; I decline to yield.

The SPEAKER. The time of the gentleman has expired.

Mr. DUNN. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, the gentleman from New York [Mr. DUNN] seems to me in the very able statement he has made to have covered the situation very well, indeed. I think ample appropriations still remain unallotted under the good-roads law. One hundred million dollars may perhaps look small in comparison to the other expenses that we are involving this country in from day to day, but I submit that to-day that $100,000,000 can well be saved on this particular appropriation. The members of the Committee on Ways and Means are sitting continuously to find money to finance this Government, and it is just such appropriations as these that are continually troubling the Treasury. There is one feature that the gentleman from New York did not bring out. If we appropriate $100,000,000 under this bill, it means that much more appropriations in the States, and it means that a form of tax-exempt securities would be offered to the people of the country. The municipal security being tax exempt is troublesome enough now, and it permits the tax dodger to invest his large income. It seems to me that feature alone ought to prevent the passage of this bill at this time.

Mr. BLANTON. Will the gentleman yield?

Mr. TREADWAY. I have only two minutes.

Mr. BLANTON. I have not any. [Laughter.]

Mr. TREADWAY. The gentleman has a good deal of time always on the floor.

Mr. BLANTON. I sit here and deserve it.

Mr. TREADWAY. The gentleman has ample——

The SPEAKER. The time of the gentleman has expired.

Mr. SELLS. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, the bill under consideration authorizes an appropriation of $100,000,000 to aid the several States of the Union in the construction of good roads.

The gentleman from Massachusetts [Mr. WALSH], who has just preceded me in opposition to this bill, says that this appropriation for good roads should wait. A few minutes ago some Members from New York and Massachusetts were urging the Members of this House to authorize a payment to the railroads of the country of more than $300,000,000, and told us that the railroads could not wait. My friend Mr. WALSH, who opposes this measure, voted for the railroad bill. I voted against it. The railroads could not wait. They had to have three hundred millions now. [Applause.]

Mr. SNYDER. They need it.

Mr. ROBSION of Kentucky. I insist that we vote this one hundred million for roads. It will reach every home in America and do good to all people. [Applause.] This House can not follow the leadership on the question of roads of our distinguished friend from New York [Mr. DUNN], who is the chairman of our Committee on Roads. As I understand him, he is now and has always been opposed to the proposition of Federal aid for roads. He is against this bill. He is the only member of our Committee on Roads who is opposed to Federal aid for roads, and he is opposed to this bill. If every member of the Roads Committee entertained his views, there would be no necessity of a road committee in the House of Representatives, because the committee would never bring out a road bill.

Our distinguished chairman in his speech says that this appropriation for roads is not needed, as there is now in the Treasury more money than can be used within the next two years. His statements are very misleading and he is very much in error. This appropriation should be made now, and if it is not made at the present session of Congress the road work of the Nation will be greatly crippled. The National Highway Association's representatives and others who appeared before our committee urged action at this session. My own State of Kentucky urges action now.

About 93 cents out of every dollar of the billions that are appropriated by Congress go to pay for past wars and the maintenance of the Army and Navy. About 1 cent out of every dollar goes for the construction of good roads. Some gentlemen would deny to the American people this 1 cent out of each dollar of the taxes paid in by them to help build good roads. I insist upon this appropriation because it will do more good to more people and will be of greater service to all the people than any money spent by the Federal Government. It means better farms, better schools, better farmers, better churches, better homes, and better citizens. [Applause.]

Mr. SELLS. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Speaker, national aid to roads is now an adopted national policy. Both Democratic and Republican Parties in their recent platforms declared for a continuation of liberal appropriations for the road building of this country. The Committee on Roads, of which I am a member, held extensive hearings on this bill and it comes before the House under a unanimous report. Every Member of this House who is really in favor of national aid to road building ought to vote for this bill, because the $100,000,000 authorized will be needed the next fiscal year to carry on road construction. I do not expect Members of this House who are opposed to national aid to roads to vote for this bill. They did not so vote in 1916 when we passed the first bill on this subject, but the American people, as shown by the expression of their representatives in the two great national platforms in 1920 and in many other ways, believe in this policy of national aid to roads.

All of the States have availed themselves of national appropriation—31 States by direct appropriation and 17 through counties. Forty-one State legislatures will have adjourned before the 15th of next month. It is important that this bill pass in order that those States may know what provision to make in reference to road funds. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SELLS. I yield the remainder of my time to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman is recognized for two minutes.

Mr. MONDELL. Mr. Speaker, the Republican platform adopted at Chicago has a paragraph which begins as follows:

> We favor liberal appropriations in connection with the States in the construction of highways.

I consider it my duty when the opportunity arises to help carry out the pledges of my party. [Applause.] We make no appropriation in this bill. We simply carry in the bill an authorization that we have been making for a number of years past. My hope is that it will not be necessary to make any considerable appropriation during this Congress. It is probable, however, that some few States, perhaps half a dozen, have so very nearly used up their allotment that it may be necessary to make something of an appropriation in order to allow those

States to continue their development. Having started on this development of highways in cooperation with the States, it is our duty, under the pledges of the platforms of both parties, to continue it, and I hope that the gentlemen who think that $750,000,000 or $800,000,000 a year is not too much for Military and Naval Establishments will not find that they can not in good faith vote for this sum for a real work of construction. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. STEPHENS of Mississippi. Mr. Speaker, I believe I have one minute, which I yield to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Speaker, in line with what the gentleman from Wyoming [Mr. MONDELL] has just said, I could show, if time permitted, that while at the beginning of the next calendar year there will remain unexpended and unpledged a balance of the $275,000,000 heretofore appropriated, the matter can not be looked at in solido, but must be looked at from the point of view of the several States, where the conditions of construction and contract for construction greatly vary. All of the money has, of course, been allocated.

The vital fact is that unless this appropriation is made, in some States work or the negotiation of contracts will be halted, because they have already absorbed their allocations by actual expenditures or contracts to which expenditures have been pledged. Those States are Delaware, Florida, Georgia, Idaho, and Illinois. Other States have gone so far in absorbing their allocations that they will be compelled to let up on contracts during the first half of the next fiscal year in the absence of an appropriation. Some of those States are Alabama, Arizona, Arkansas, Colorado, Connecticut, and Louisiana.

I may say to my distinguished friend from Massachusetts [Mr. WALSH] that unless we make the appropriation the State of Massachusetts, so far as Federal aid is concerned, will be put in a doubtful position by about the 1st of October next.

The SPEAKER. The question is, Shall the House suspend the rules and pass the bill?

The question was taken; and the Speaker announced that, in the opinion of the Chair, two-thirds had voted in the affirmative.

Mr. WALSH. Mr. Speaker, I ask for a division.

The House proceeded to divide.

Mr. ASWELL. Mr. Speaker, I ask for the yeas and nays.

The question was taken; and there were—yeas 278, nays 58, not voting 93, as follows:

YEAS—278.

Ackerman	Darrow	Holland	Mansfield
Almon	Davis, Minn.	Howard	Mapes
Anderson	Davis, Tenn.	Huddleston	Martin
Anthony	Denison	Hudspeth	Mays
Aswell	Dewalt	Hull, Iowa	Mead
Bankhead	Dickinson, Iowa	Hull, Tenn.	Michener
Barbour	Dickinson, Mo.	Humphreys	Miller
Barkley	Dominick	Igoe	Milligan
Bee	Doremus	Ireland	Minahan, N. J.
Begg	Doughton	Jacoway	Monahan, Wis.
Bell	Dowell	James, Va.	Mondell
Benham	Drane	Jefferis	Montague
Benson	Drewry	Johnson, Miss.	Moore, Ohio
Black	Dunbar	Johnson, S. Dak.	Moore, Va.
Bland, Ind.	Dupré	Johnson, Wash.	Murphy
Bland, Va.	Eagle	Jones, Pa.	Nelson, Mo.
Blanton	Echols	Jones, Tex.	Newton, Minn.
Boies	Elliott	Juul	Newton, Mo.
Bowers	Elston	Kearns	Nicholls
Bowling	Esch	Keller	O'Connor
Box	Evans, Mont.	Kelly, Pa.	Ogden
Brand	Evans, Nebr.	Kendall	Oldfield
Briggs	Evans, Nev.	Kettner	Oliver
Brinson	Fairfield	Kiess	Osborne
Britten	Ferris	King	Padgett
Brooks, Ill.	Fess	Kinkaid	Park
Browne	Fields	Kleczka	Parrish
Buchanan	Fisher	Knutson	Peters
Butler	Flood	Lampert	Porter
Byrnes, S. C.	Fordney	Langley	Pou
Byrns, Tenn.	Foster	Lanham	Purnell
Caldwell	Frear	Lankford	Quin
Campbell, Kans.	Fuller	Larsen	Rainey, Ala.
Campbell, Pa.	Garner	Lazaro	Rainey, Henry T.
Cannon	Garrett	Lea, Calif.	Raker
Cantrill	Godwin, N. C.	Lee, Ga.	Ramsey
Caraway	Goodykoontz	Linthicum	Ramseyer
Carss	Graham, Ill.	Little	Randall, Wis.
Carter	Green, Iowa	Longworth	Ransley
Christopherson	Griest	Luhring	Rayburn
Clark, Mo.	Hadley	McArthur	Reavis
Cleary	Hamilton	McClintic	Reber
Coady	Hardy, Colo.	McDuffie	Reed, W. Va.
Cole	Hardy, Tex.	McFadden	Rhodes
Collier	Hastings	McKenzie	Ricketts
Connally	Hawley	McKeown	Riddick
Cooper	Hayden	McKinley	Robsion, Ky.
Copley	Hays	McLaughlin, Mich.	Rodenberg
Crago	Hernandez	McLaughlin, Nebr.	Romjue
Cramton	Hersey	McLeod	Rose
Crisp	Hersman	McPherson	Rouse
Cullen	Hickey	Madden	Rowan
Curry, Calif.	Hoch	Major	Rubey
Rucker	Steagall	Taylor, Tenn.	Weaver
Sanders, La.	Stedman	Temple	Webster
Schall	Steele	Thompson	Welling
Scott	Steenerson	Tillman	Welty
Sears	Stephens, Miss.	Timberlake	Wheeler
Sells	Stephens, Ohio	Tincher	White, Me.
Shreve	Stevenson	Towner	Williams
Sims	Stoll	Upshaw	Wilson, La.
Sinclair	Strong, Kans.	Vaile	Wingo
Sinnott	Strong, Pa.	Vare	Wood, Ind.
Sisson	Sullivan	Venable	Woods, Va.
Slemp	Summers, Wash.	Vestal	Wright
Small	Sumners, Tex.	Vinson	Young, N. Dak.
Smith, Idaho	Sweet	Voigt	Young, Tex.
Smith, Ill.	Swindall	Volstead	Zihlman
Smith, Mich.	Swope	Watkins	
Smithwick	Taylor, Colo.	Watson	

NAYS—58.

Andrews, Nebr.	Greene, Mass.	Mason	Snell
Bacharach	Greene, Vt.	Merritt	Snyder
Burdick	Griffin	Moores, Ind.	Stiness
Burroughs	Hicks	Mott	Tague
Crowther	Houghton	Olney	Tilson
Dale	Husted	Paige	Tinkham
Dallinger	Kennedy, R. I.	Parker	Treadway
Dunn	Kraus	Pell	Volk
Dyer	Layton	Phelan	Walsh
Eagan	Luce	Reed, N. Y.	Ward
Fish	Lufkin	Rogers	Wason
Freeman	McAndrews	Rowe	White, Kans.
Gallivan	MacGregor	Sanders, N. Y.	Winslow
Glynn	Magee	Sherwood	
Good	Mann, Ill.	Siegel	

NOT VOTING—93.

Andrews, Md.	Ellsworth	Kahn	Patterson
Ashbrook	Emerson	Kelley, Mich.	Perlman
Ayres	Focht	Kennedy, Iowa	Radcliffe
Babka	French	Kincheloe	Rainey, John W.
Baer	Gallagher	Kitchin	Randall, Calif.
Blackmon	Gandy	Kreider	Riordan
Bland, Mo.	Ganly	Lehlbach	Robinson, N. C.
Brooks, Pa.	Gard	Lesher	Sabath
Brumbaugh	Goldfogle	Lonergan	Sanders, Ind.
Burke	Goodall	McCulloch	Sanford
Candler	Goodwin, Ark.	McGlennon	Scully
Carew	Gould	McKinley	Smith, N. Y.
Casey	Graham, Pa.	McLane	Taylor, Ark.
Chindblom	Hamill	Maher	Thomas
Clark, Fla.	Harreld	Mann, S. C.	Walters
Classon	Harrison	Moon	Whaley
Costello	Haugen	Mooney	Wilson, Ill.
Currie, Mich.	Hill	Morin	Wilson, Pa.
Davey	Hoey	Mudd	Wise
Dempsey	Hulings	Neely	Woodyard
Dent	Hutchinson	Nelson, Wis.	Yates
Donovan	James, Mich.	Nolan	
Dooling	Johnson, Ky.	O'Connell	
Edmonds	Johnston, N. Y.	Overstreet	

So (two-thirds having voted in the affirmative) the rules were suspended, and the bill was passed.

The Clerk announced the following additional pairs.

On the vote:

Mr. CHINDBLOM and Mr. FRENCH (for) with Mr. LEHLBACH (against).

Until further notice:

Mr. HARRELD with Mr. TAYLOR of Arkansas.

Mr. WOODYARD with Mr. NEELY.

Mr. YATES with Mr. AYRES.

Mr. COSTELLO with Mr. THOMAS.

Mr. KENNEDY of Iowa with Mr. GANLY.

Mr. WALTERS with Mr. CASEY.

Mr. DEMPSEY with Mr. BLAND of Missouri.

Mr. PERLMAN with Mr. WHALEY.

Mr. HUTCHINSON with Mr. MAHER.

Mr. MORIN with Mr. JOHNSTON of New York.

Mr. FOCHT with Mr. DONOVAN.

Mr. KELLEY of Michigan with Mr. HAMILL.

Mr. HAUGEN with Mr. GOLDFOGLE.

Mr. GRAHAM of Pennsylvania with Mr. GALLAGHER.

Mr. EDMONDS with Mr. LONERGAN.

Mr. ESCH. Mr. Speaker, am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. ESCH. I wish to vote.

The SPEAKER. Was the gentleman present in the Hall, listening?

Mr. ESCH. I was.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. ESCH, and he voted "yea."

The result of the vote was announced as above recorded.

Mr. SELLS. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the bill may have five days in which to revise and extend their remarks.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that all Members who have spoken on the bill may have five days in which to revise and extend their remarks. Is there objection?

Mr. MADDEN. I object.

The SPEAKER. Objection is made.

ABANDONMENT OF CAMP FUNSTON.

Mr. STRONG of Kansas. Mr. Speaker, I move that the rules be suspended and House resolution 625 be passed.

The SPEAKER. The gentleman from Kansas moves that the rules be suspended and House resolution 625 be passed.

Mr. SNELL. Reserving the right to object, Mr. Speaker, I would like to ask what that proposition is.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolution (H. Res. 625) requesting the War Department to furnish information to the Committee on Military Affairs regarding the abandonment of Camp Funston and providing that pending the furnishment of such information and action thereon that no action toward the wrecking and abandonment of said camp be taken.

Resolved, That the Secretary of War be, and he is hereby, requested to delay such movement of troops from Camp Funston as to cause the abandonment of said camp and not to cause the removal or destruction of any of the buildings or improvements at Camp Funston prior to June 30, 1921; and it is further requested to submit to the Committee on Military Affairs of the House of Representatives all the facts and information upon which the War Department based its decision to abandon Camp Funston and to remove the troops to other camps.

Resolved further, That the Seretary of War is hereby requested to inform said Committee on Military Affairs of the specific reasons why said camp is to be abandoned and the reasons for the necessity for its abandonment at this time; also what the intentions of said department are regarding the buildings and improvements at said camp, and if it is the decision of the War Department to wreck said camp, or any part thereof, and the intention of the War Department as to the policy and manner which the equipment, buildings, and material of said camp, if wrecked, are to be disposed of.

Resolved further, That the Secretary of War is hereby requested to furnish the Committee on Military Affairs information regarding the present capacity of the camps to which the troops ordered removed from Camp Funston are to be stationed and whether or not the stationing of such troops at such camps will require additional improvements at said camps.

Resolved further, That pending the furnishing of said information herein requested to the Committee on Military Affairs, and until consideration and action shall be taken by said committee and the Congress of the United States, that no action shall be taken by the War Department toward the wrecking, destruction, removal, or disposition of Camp Funston or any of the buildings or improvements at said camp.

Mr. BLANTON. Mr. Speaker, I demand a second.

Mr. STRONG of Kansas. I ask unanimous consent, Mr. Speaker, that a second be considered as ordered.

The SPEAKER. The gentleman from Kansas asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. STRONG of Kansas. Mr. Speaker and gentlemen of the House, Camp Funston was one of the great camps at which the Seventh, Tenth, and Eighty-ninth Divisions were trained during the war. It is located within 5 miles of the geographical center of the United States. It is situated on a Government-owned reservation of 20,000 acres, 16,000 acres of which are rolling prairie, where troops may be drilled and maneuvered at all seasons of the year. This camp and entire reservation is drained by the Kansas River, which runs through its southern border. The great transcontinental route of the Union Pacific Railroad Co. runs through this camp. During the war and after the location of the camp the railroad company constructed 22 miles of double track to connect with the Missouri, Kansas & Texas Railroad, running south toward Mexico. About 20 miles of sidetracks were constructed in order to make the entrainment of troops prompt and efficient. During the war from 150,000 to 200,000 troops were trained at this camp.

When this camp was constructed it was planned to make it a permanent camp, and buildings, consisting of about 1,215 in number, were constructed on cement foundations. Hard-surfaced roads, electric light, water, sewer, and telephone systems were built, all costing millions of dollars. After the war was over and during last summer a great deal of money was spent in developing a camp school there and in reroofing many of the buildings and in improving them and fitting the camp as division headquarters for the Seventh Division.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. WALSH. Is this a joint resolution or simply a House resolution?

Mr. STRONG of Kansas. This is a House resolution.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. STRONG of Kansas. I will.

Mr. BLANTON. Have the hearings on this resolution been printed?

Mr. STRONG of Kansas. I do not know about that. The resolution was reported unanimously by the Military Affairs Committee.

Mr. BLANTON. Are there any hearings on it?

Mr. STRONG of Kansas. I appeared before the committee and presented the facts and statements and evidence which had been placed in my possession.

Mr. BLANTON. Was anybody else heard on it?

Mr. STRONG of Kansas. Yes; I think some members of the committee who had knowledge of the facts addressed the committee. Mr. HULL of Iowa appeared in behalf of the camp at Fort Dodge, Iowa.

Mr. WALSH. I am not talking about the Fort Dodge one. I am talking about the Kansas one.

Mr. STRONG of Kansas. I do not think there was anyone else there but myself and the committee.

Mr. BLANTON. Was the letter from the War Department filed with the hearings?

Mr. STRONG of Kansas. I think it was. After the resolution was sent to the War Department the clerk of the committee sent me a copy of the letter received in reply, which I received several days before the hearing.

Mr. JOHNSON of Washington. Do I understand the gentleman to say there were 1,800 building at this camp which had cement foundations?

Mr. STRONG of Kansas. Over 1,200 buildings; 1,215, I think.

Mr. JOHNSON of Washington. Did the other cantonments throughout the United States have cement foundations?

Mr. STRONG of Kansas. I do not know.

Mr. JOHNSON of Washington. Have the buildings in the other cantonments had reroofing done on them?

Mr. STRONG of Kansas. I do not know as to that. But a great deal of money was spent last summer on these buildings at Camp Funston, and this camp has cost the Government many millions of dollars, as it was supposed it was to be a permanent camp; but on the 1st of December, 1920, the War Department issued an order to wreck the camp and remove the troops.

A protest was of no avail, and this resolution was introduced and the facts presented to the Committee on Military Affairs, which reported unanimously in favor of the resolution after adding an amendment requesting the War Department to defer the wrecking of the camp until June 1, for the reason that they have a committee which is making an examination of all camps, and they felt—and I hope the House will feel—that this great camp should not be wrecked until the Committee on Military Affairs shall have had an opportunity to examine all the facts and make some recommendation to the House regarding all the Army camps. If they are to be wrecked, then they should be wrecked in such a way that the Government would derive the largest amount of money therefrom.

Mr. McKENZIE and Mr. BEGG rose.

The SPEAKER. Does the gentleman yield; and if so, to whom?

Mr. STRONG of Kansas. I will yield first to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Can the gentleman tell us the reason the War Department gave for abandoning this camp?

Mr. STRONG of Kansas. They gave no good reason, other than they thought the troops should be brought to Camp Meade to be close to the Capitol—I suppose, because they felt we needed some protection.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. STRONG of Kansas. Yes; I now yield to the gentleman from Illinois.

Mr. McKENZIE. Is it not a fact that Camp Funston is located on the Fort Riley Reservation?

Mr. STRONG of Kansas. It is.

Mr. McKENZIE. It is the great cavalry school of our Military Establishment?

Mr. STRONG of Kansas. It is.

Mr. McKENZIE. And is it not a further fact that the War Department has divided the country into corps areas, and that in each one of these corps areas a great cantonment is being reserved as a drill ground for the National Guard and such Regular troops as may be in that area, and in this particular area they selected Camp Pike, in the State of Arkansas, and that it is a question yet to be determined by the Committee on Military Affairs whether it will be a part of wisdom to retain Camp Pike or Camp Funston as now located on a military reservation?

Mr. STRONG of Kansas. I think those are the facts. But inasmuch as the War Department only last summer seemed to think that Camp Funston should be retained, and they expended a great amount of money there, and then, as I said, on the 1st of December decided to abandon and wreck it, it seems to me that this House should take this action and stop any wreckage of the camp until the committee should make investigation and report. I have been against a large Army and have always voted for retrenchment and economy. I am not asking in this resolution to retain Camp Funston as a permanent camp. I am only asking that it shall not be wrecked until a committee of this House has an opportunity to examine into

all the facts and conditions and decide what is the best thing to be done with all the Army camps. I yield to the gentleman from Vermont [Mr. GREENE] 10 minutes.

Mr. GREENE of Vermont. Mr. Speaker, it is many years since the Congress or the country has had anything like a detailed inventory of the real estate holdings of the War Department, maintained for the purposes of the Military Establishment. Previous to the World War the military activities were not sufficiently conspicuous or extensive, perhaps, to cause much public interest or concern in this detail; but we are all familiar with the history of the legislation and the policies of the War Department during the World War and the fact that under blanket appropriations and under various other forms of authorization the War Department has from time to time acquired miscellaneous pieces of real estate and various other properties scattered from one end of the country to the other, all of which are now being maintained by one degree or another of expensive overhead in the supposed interest of the Military Establishment. This, it is needless to suggest to you, has resulted in piling up an aggregate overhead of maintenance expense for the Military Establishment since the war that is in no wise comparable with the usual normal expense of that kind under prewar conditions.

The Committee on Military Affairs some time ago authorized the subcommittee of which my colleague, the gentleman from Illinois [Mr. MCKENZIE], is chairman to make a careful survey and inventory of all real estate, camp sites, forts, and other properties of that kind held by the War Department for the use of the Military Establishment in every part of the country. That subcommittee is now proceeding in its work by making a thorough canvass of all these holdings in each one of the nine corps areas into which our continental United States is now divided.

We are attempting to bring together by this careful survey and inventory such figures as will for the first time in many years inform the House and the Congress as to just the character, kind, and extent of military properties of this nature this country now possesses. We further hope to be able to recommend to the House, after we have concluded this survey, what parts of this property may well be abandoned or turned to other uses in order to reduce in an economical and at the same time a practical way this enormous overhead for the maintenance of the Military Establishment.

It is because this survey is now under way that the Military Committee has felt justified in asking the Secretary of War temporarily to retain Camp Funston, which is covered by this House resolution 625, and Fort Dodge, which is covered by another House resolution soon to be brought to your attention. We simply ask that the action of the War Department in disposing of or wrecking this property shall be stayed until the subcommittee can look into the situation in connection with its general survey of all similar properties and discover and recommend to the House what in its own judgment is the better one, two, or three, or whatever the number may be of the properties, to be retained for the permanent use of the Military Establishment in each corps area. It is intended to be a simple, businesslike inventory and survey, with the idea of bringing things down to a practical business basis.

Mr. JUUL. Will the gentleman yield for a brief question?

Mr. GREENE of Vermont. Certainly.

Mr. JUUL. What will be the effect of the request for delay coming from the House?

Mr. GREENE of Vermont. It depends, of course, on whether this passes or not. The War Department does not seem to take hints.

The SPEAKER. The time of the gentleman from Vermont has expired.

Mr. GREENE of Vermont. May I have two minutes more?

Mr. STRONG of Kansas. I yield to the gentleman two minutes more.

Mr. STEVENSON. Will the gentleman allow me to ask him a question?

Mr. GREENE of Vermont. Certainly.

Mr. STEVENSON. Are there any other camps that are being dismantled in the same way in which these two are?

Mr. GREENE of Vermont. None have been brought officially to the attention of the committee, nor has any action to my knowledge been asked upon any other than these two.

If the House will indulge me just a moment further, I only want to suggest this one thing: The other day I offered an observation on the floor to this effect, that the so-called burden of "militarism" which some of our friends seem to think is confronting our country is by no means caused by the expense of maintaining the soldiers in the Regular Army.

It is largely caused by certain activities and overheads of interior administration within the War Department and the Military Establishment; but, unfortunately, the expense of these overheads and these activities being totaled with the cost of the pay and maintenance of the soldiers, the total is so alarmingly large that some of our friends divide this amount by the number of soldiers, and they say, as a result of their arithmetic, that the cost of the maintenance of a soldier is so much per capita. As a matter of fact, I am sure you will all discover that there are other sources of expense creeping into this thing, and if we could eliminate all that are not practicable, useful, and profitable under the circumstances, it would by so much reduce what is thus called the per capita cost of maintaining the personnel of the Army. That is why the other day I tried to remind gentlemen on the floor that it was mistaken economy to cut off the number of men in the Army, thereby expecting materially to reduce the total expense. It is the wrong way to treat it. It is the wrong principle to invoke, and it only succeeds in making an inefficient and unworkable Army so far as its numbers are concerned.

Mr. BLANTON. Mr. Speaker, the great question that the American people are continually propounding to Congress is, When is the Congress of the United States going to put this country back to normal and on a peace basis? Every time you go to one of the departments and ask them why they do not help us put the country back on a peace basis their reply immediately is, "Every time we try, we must cut from some Congressman something that he wants carried on with respect either to his constituency or his district. We have either got to discharge some of his constituents or we have got to take something out of his district for which the country is spending money. Every time we try to do that, that Congressman comes in and stops us. He will not let us discharge the surplus clerks and employees, because they are his constituents. He will not let us stop this expenditure of money in his district, because his people want it spent there and carried on month after month to get the benefit of it." We all know that the Secretary of War wants an Army of 500,000 men. I do not agree with him and Congress does not agree with him. We have tried to reduce his large Army ideas. Against my vote the majority placed the maximum of the Army in a bill at 280,000 when I wanted it 100,000, and the Secretary of War has been trying to recruit men up to that maximum and now has 237,000 men.

But even with his idea of 280,000 men in the Army he has been trying to retrench in some other ways, because early in January he ordered Camp Funston dismantled and ordered the men brought away, because he wanted to stop the expenses going on down there. The Government has already spent $800,000 sending men there, bringing them back, sending them back and forth and forth and back, and the Secretary of War is seeking to stop it.

As soon as he ordered Camp Funston dismantled and the men taken away, we find the Kansas Representative [Mr. STRONG], in the pockets of whose constituents there will be some emptiness when the money is stopped being spent there, rushing in with a resolution that has about 15 "whereases" in it, and he goes before the erstwhile great Military Affairs Committee and seeks to have the Secretary of War's order set aside, and on his own unsupported statement gets the committee to report out his resolution without any further hearing. He is putting his interests or the financial interests of his constituents against the solemn judgment of the War Department in trying to stop the expenses of the War Department.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. GREENE of Vermont. We have heard a great deal of the solemn judgment of the War Department, and we thought it was right to withhold this until we have some solemn judgment on it ourselves.

Mr. BLANTON. When the judgment of the War Department is good I follow it, and when it is bad I do not.

Mr. GREENE of Vermont. We are trying to determine some things for ourselves, and not taking the judgment of the War Department until we do.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. MANN of Illinois. How does this resolution withhold action by the War Department? Is not this a simple House resolution?

Mr. BLANTON. In my judgment it will not have any effect on the Secretary of War at all. It would take some joint action by the Senate also.

Mr. MANN of Illinois. I have wondered in passing the House resolution, which the President can not veto, if we could thereby accomplish more than we could accomplish by passing a bill through the House and the Senate and then sending it to the President, which he could veto? If we can legislate

without giving the President a chance to veto, we ought to have tried that the other day. [Laughter.]

Mr. BLANTON. I agree with the gentleman, because his judgment is sound. I was discussing the foolish side of the resolution in order to show the foolish policy of the Republican side of the House. I want to show what a foolish policy my friends over there have. If the Secretary of War will not pay any attention to the solemn piece of legislation passed by the House and the Senate and signed by the President, whereby we directed him through our appropriation to cut the Army down to 175,000 men, and he is still recruiting it up to 280,000, what attention is he going to pay to a simple House resolution? He will probably throw it in the wastebasket, if he pursues his former way of carrying out his own ideas.

But he also decided that it was for the good of the country to take the troops away from Fort Dodge, Iowa, and dismantle that camp, to retrench expenses, and get back to normal. As soon as he sought to do that you find the gentleman from Iowa [Mr. DOWELL] coming in here with a similar resolution with a lot more of whereases, going before the committee and saying you must stop the Secretary of War; it is Democratic money being spent in a Republican district, and our Republicans there must get the benefit of it. The committee without any hearings, without giving the War Department a chance to come before it, and give their side of it, and show that the War Department had good judgment in the matter and good reason for this proposed retrenchment—the committee reported the resolution out. Our distinguished Speaker did not like to do this, but he is carrying out the policy of the steering committee to stop public money from being taken away from the Republican districts, and he agreed to recognize these gentlemen to move to suspend the rules and pass these House resolutions to stop the Secretary of War. That is the Republican policy under the new régime. That is not the kind of legislation that the Democracy of this country has been in the habit of passing in days gone by.

Mr. GOOD. The gentleman from Texas has criticized the Secretary of War as much as anyone; what would the gentleman do? We all know that the Secretary of War is not carrying out the provisions of the law, but what would the gentleman have us do? Would he have us impeach him?

Mr. BLANTON. I know that when we have tried to apply the snickersnee on the gentleman from Wyoming's district, concerning feed for his elk, and taking his surveyors general away, the majority leader came in here and made us put these items back in the bill, which the distinguished chairman of the Appropriations Committee had caused to be taken out. When it comes to taking money out of their districts, my friends do not want any snickersnee applied. When it comes to voting $350,000,000 for railroads you find every Republican standing up.

Mr. GOOD. The gentleman knows that the Secretary of War is a Democrat——

Mr. BLANTON. Oh, I do not approve of everything that the Secretary of War does.

Mr. GOOD. How is Congress to curb the spirit of the Secretary of War in overriding the resolution of the last Congress? How would the gentleman stop it?

Mr. BLANTON. When it comes to the policy of fixing the size of the Army, a big thing like that, the Secretary handles it himself, but when it comes to a little item of saving millions of dollars of the people's money, he leaves that to some of his subordinate lieutenants, and his subordinate lieutenants in their wisdom have seen fit to try to save the people's money and dismantle these unnecessary camps at Funston, Kans., and Fort Dodge, Iowa, and get back to normal. When they recommend this, however, when they seek to take these men away from these camps, seek to dismantle them to save public money and get us back on a peace basis, we find our good friend from Kansas [Mr. STRONG] and our good friend from Iowa [Mr. DOWELL], backed up by the economical chairman of the Committee on Appropriations [Mr. GOOD], coming back here and saying, "You must stop the Secretary of War, boys, because it is money spent in a Republican district and we are going to keep it."

Mr. GOOD. Oh, the gentleman is mistaken. I have never said anything of the kind. I think we ought to dismantle all of these camps that there is no need for.

Mr. BLANTON. I am not a mind reader, but I was just reciting what the gentleman had in his mind——

Mr. GOOD. Oh, the gentleman is mistaken. The gentleman was criticizing the Secretary of War, and all I had in my mind was what has been in my mind for a long time, and that is how can we stop the Secretary of War enlisting men, as he has been doing, at the rate of 1,000 a day.

Mr. BLANTON. Oh, the gentleman knows how to do it if he would, but he must not get me away from the subject so far. I am discussing the economical policy of saving public money by dismantling surplus war camps and getting back to a peace basis. Is the gentleman from Iowa in favor of getting back on a peace basis?

Mr. GOOD. Of course I am.

Mr. BLANTON. Does anyone on the Democratic side want any time from me? If not, Mr. Speaker, I reserve the remainder of my time.

Mr. McKENZIE. Oh, I would like to ask the gentleman from Texas a question.

Mr. BLANTON. Very well.

Mr. McKENZIE. I think the gentleman from Texas is unduly exercised over this matter.

Mr. BLANTON. No; I am not.

Mr. McKENZIE. The truth about it is that there is a subcommittee of the Committee on Military Affairs which is making a complete survey of all of the real estate owned and controlled by the Military Establishment, with the end in view of bringing a report into this Congress asking that all unnecessary real estate——

Mr. BLANTON. Oh, just a minute.

Mr. McKENZIE. Let me finish my statement.

Mr. BLANTON. That is too much of a speech. The gentleman is a lawyer and a parliamentarian, is he not?

Mr. McKENZIE. Oh, really, the gentleman flatters me too much.

Mr. BLANTON. And he knows that this little old frivolous House resolution will have no effect whatever upon the Secretary of War—a common ordinary House resolution.

Mr. McKENZIE. I might agree with the gentleman from Texas as to that if he makes it apply to the Secretary of War, but I am speaking now of the Congress. We only hope to get a chance to bring in a resolution recommending the abandonment of not only perhaps these camps but many other camps in the country.

Mr. BLANTON. Oh, the gentleman from Kansas [Mr. STRONG] has time and will yield to the gentleman. I yield now to the gentleman from Kentucky [Mr. FIELDS] for three minutes.

Mr. STRONG of Kansas. Will not the gentleman from Texas yield to me for a question?

Mr. FIELDS. Mr. Speaker and gentlemen, this resolution is pure political bunk, and that is all there is to it. It does not bind, and it can not bind, the Secretary of War to do anything. It is merely a House resolution, and we can not direct executive action by a House resolution, and no Democrat ought to vote for it and on the other side no Republican should vote for it. Gentlemen have at times criticized the War Department for extravagance, but I want to know where you are going to draw your line of consistency if on the one hand you criticize the War Department for not getting back to normalcy and then attempt to stop the Secretary of War every time he makes an effort to get back to normalcy. I suppose if every cantonment in this country was in a congressional district represented by a Republican the hands of the Secretary of War would be tied or an effort would be made to tie them every time he attempted to disband a camp.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Just one thought before I am interrupted. The gentleman from Kansas [Mr. STRONG] said this bill was reported unanimously. Perhaps it was. I did not happen to attend the meeting of the committee when it was reported out, but it is a proposition of political bunk for the benefit of a particular Member of Congress. I trust that no Democrat in this House will put himself in the ridiculous position of indorsing a course of that kind, and the Republican membership of the House ought not to do so, either. This resolution ought to be defeated.

On the one hand you are criticizing the War Department for its failure to retrench, and then when an effort is made to abandon a camp that the War Department deems inadvisable to retain Members are ready to vote to tie the hands of the War Department, if this resolution could do such a thing.

Mr. MONTAGUE. Mr. Speaker, I will ask the gentleman from Texas to yield to me for a moment?

Mr. BLANTON. Mr. Speaker, I yield to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. Mr. Speaker, may I ask the gentleman from Illinois [Mr. McKENZIE] a question?

Mr. McKENZIE. Certainly.

Mr. MONTAGUE. Has there been any other resolution investigating the removal or closing down of any other camps in the country except this one?

Mr. McKENZIE. Yes. That is what I wanted to ask the gentleman from Kentucky [Mr. FIELDS]. I wanted to ask him if he did not vote last year for an extension of time to take care of Camp Gordon at Atlanta, Ga., and Camp Eustis.

Mr. MONTAGUE. Were they reported to the House?

Mr. McKENZIE. Certainly, they went through the House.

Mr. HASTINGS. Were they passed?

Mr. McKENZIE. Yes; and I think the gentleman from Kentucky voted for both of them.

Mr. FIELDS. Oh, yes; and the committee made an investigation and reported, but the gentleman knows that we are not going to keep all of the camps in the country.

Mr. McKENZIE. I hope not.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken.

Mr. FIELDS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on suspending the rules and passing the resolution.

The question was taken; and there were—yeas 181, nays 112, answered "present" 3, not voting 133, as follows:

YEAS—181.

Ackerman	Elston	Lazaro	Rowe
Almon	Esch	Lee, Ga.	Schall
Anderson	Evans, Nebr.	Little	Scott
Andrews, Nebr.	Fess	Longworth	Sells
Anthony	Fish	Luce	Shreve
Ayres	Fisher	Luhring	Siegel
Bankhead	Foster	McDuffie	Sinclair
Barbour	Frear	McFadden	Sinnott
Bee	Freeman	McKenzie	Slemp
Begg	Fuller	McKinley	Smith, Idaho
Bell	Glynn	McLaughlin, Mich	Smith, Mich.
Benham	Green, Iowa	McLaughlin, Nebr.	Steagall
Bland, Ind.	Greene, Vt.	McLeod	Stephens, Ohio
Bland, Va.	Griest	McPherson	Strong, Kans.
Boies	Griffin	Madden	Strong, Pa.
Bowers	Hadley	Magee	Summers, Wash.
Bowling	Hamilton	Mansfield	Sumners, Tex.
Brand	Hardy, Colo.	Mapes	Sweet
Briggs	Haugen	Merritt	Swindall
Brinson	Hawley	Michener	Temple
Brooks, Ill.	Hernandez	Miller	Thompson
Browne	Hersey	Monahan, Wis.	Tilson
Burdick	Hickey	Moore, Ohio	Timberlake
Burroughs	Hicks	Moores, Ind.	Tinkham
Butler	Hoch	Mott	Towner
Caldwell	Howard	Murphy	Upshaw
Campbell, Kans.	Hull, Iowa	Newton, Minn.	Vaile
Campbell, Pa.	Husted	Newton, Mo.	Vare
Christopherson	Ireland	Oliver	Vestal
Cole	Johnson, Wash.	Osborne	Voigt
Cooper	Juul	Padgett	Volk
Copley	Kearns	Paige	Volstead
Crisp	Kelley, Mich.	Peters	Webster
Crowther	Kelly, Pa.	Purnell	Wheeler
Curry, Calif.	Kendall	Rainey, Ala.	White, Kans.
Dale	Kennedy, R. I.	Ramseyer	White, Me.
Dallinger	Kettner	Randall, Wis.	Williams
Darrow	Kiess	Ransley	Winslow
Dempsey	King	Reber	Wood, Ind.
Denison	Kinkaid	Reed, N. Y.	Wright
Dickinson, Iowa	Kleczka	Reed, W. Va.	Yates
Donovan	Knutson	Rhodes	Young, N. Dak.
Dowell	Lampert	Ricketts	Zihlman
Dunbar	Langley	Riddick	
Dyer	Lankford	Rogers	
Elliott	Layton	Rose	

NAYS—112.

Aswell	Drewry	Linthicum	Sanders, N. Y.
Bacharach	Dunn	Lufkin	Sears
Barkley	Dupré	McClintic	Sims
Benson	Eagan	McKeown	Sisson
Black	Evans, Mont.	MacGregor	Smithwick
Blanton	Fairfield	Major	Stedman
Box	Fields	Mann, Ill.	Steele
Britten	Flood	Martin	Stephens, Miss.
Buchanan	Garner	Milligan	Stevenson
Byrnes, S. C.	Garrett	Minahan, N. J.	Stoll
Byrns, Tenn.	Godwin, N. C.	Montague	Swope
Cantrill	Greene, Mass.	Neely	Taylor, Ark.
Caraway	Hardy, Tex.	Nelson, Mo.	Taylor, Colo.
Carss	Hastings	O'Connor	Tillman
Carter	Hersman	Ogden	Treadway
Clark, Mo.	Houghton	Oldfield	Venable
Cleary	Huddleston	Park	Vinson
Condy	Igoe	Parker	Walsh
Collier	Jacoway	Parrish	Wason
Connally	James, Va.	Pell	Watkins
Cramton	Johnson, Miss.	Phelan	Watson
Davis, Minn.	Jones, Pa.	Pou	Weaver
Davis, Tenn.	Jones, Tex.	Quin	Welling
Dewalt	Keller	Raker	Welty
Dominick	Kraus	Rayburn	Wilson, La.
Doremus	Lanham	Romjue	Wingo
Doughton	Larsen	Rouse	Woods, Va.
Drane	Lea, Calif.	Rubey	Young, Tex.

ANSWERED "PRESENT"—3.

Crago	Goodykoontz	Rucker

NOT VOTING—133.

Andrews, Md.	Bland, Mo.	Cannon	Classon
Ashbrook	Brooks, Pa.	Carew	Costello
Babka	Brumbaugh	Casey	Cullen
Baer	Burke	Chindblom	Currie, Mich.
Blackmon	Candler	Clark, Fla.	Davey
Dent	Hays	Mann, S. C.	Rowan
Dickinson, Mo.	Hill	Mason	Sabath
Dooling	Hoey	Mays	Sanders, Ind.
Eagle	Holland	Mead	Sanders, La.
Echols	Hudspeth	Mondell	Sanford
Edmonds	Hulings	Moon	Scully
Ellsworth	Hull, Tenn.	Mooney	Sherwood
Emerson	Humphreys	Moore, Va.	Small
Evans, Nev.	Hutchinson	Morin	Smith, Ill.
Ferris	James, Mich.	Mudd	Smith, N. Y.
Focht	Jefferis	Nelson, Wis.	Snell
Fordney	Johnson, Ky.	Nicholls	Snyder
French	Johnson, S. Dak.	Nolan	Steenerson
Gallagher	Johnston, N. Y.	O'Connell	Stiness
Gallivan	Kahn	Olney	Sullivan
Gandy	Kennedy, Iowa	Overstreet	Tague
Ganly	Kincheloe	Patterson	Taylor, Tenn.
Gard	Kitchin	Perlman	Thomas
Goldfogle	Kreider	Porter	Tincher
Good	Lehlbach	Radcliffe	Walters
Goodall	Lesher	Rainey, Henry T.	Ward
Goodwin, Ark.	Lonergan	Rainey, John W.	Whaley
Gould	McAndrews	Ramsey	Wilson, Ill.
Graham, Ill.	McArthur	Randall, Calif.	Wilson, Pa.
Graham, Pa.	McCulloch	Reavis	Wise
Hamill	McGlennon	Riordan	Woodyard
Harreld	McKinley	Robinson, N. C.	
Harrison	McLane	Robsion, Ky.	
Hayden	Maher	Rodenberg	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the resolution was rejected.

The Clerk announced the following additional pairs:

General pairs:

Mr. TINCHER with Mr. RUCKER.

Mr. SNELL with Mr. NICHOLLS.

Mr. MONDELL with Mr. MOORE of Virginia.

Mr. REAVIS with Mr. HUMPHREYS.

Mr. SNYDER with Mr. HAYDEN.

Mr. MASON with Mr. CARTER.

Mr. GOOD with Mr. GALLIVAN.

Mr. FORDNEY with Mr. SHERWOOD.

Mr. RODENBERG with Mr. TAGUE.

Mr. FOCHT with Mr. WILSON of Pennsylvania.

Mr. STEENERSON with Mr. FERRIS.

Mr. HARRELD with Mr. DICKINSON of Missouri.

Mr. CHINDBLOM with Mr. HOLLAND.

Mr. STINESS with Mr. OVERSTREET.

Mr. JOHNSON of South Dakota with Mr. OLNEY.

Mr. PORTER with Mr. SMALL.

Mr. FRENCH with Mr. HUDSPETH.

Mr. WOODYARD with Mr. BABKA.

Mr. HILL with Mr. ROBINSON of North Carolina.

Mr. GRAHAM of Illinois with Mr. HENRY T. RAINEY.

Mr. WARD with Mr. MCANDREWS.

Mr. SMITH of Illinois with Mr. ROWAN.

Mr. RAMSEY with Mr. SULLIVAN.

Mr. CANNON with Mr. JOHNSON of Kentucky.

Mr. LEHLBACH with Mr. MEAD.

Mr. TAYLOR of Tennessee with Mr. O'CONNELL.

Mr. ECHOLS with Mr. GOODWIN of Arkansas.

Mr. MCARTHUR with Mr. HULL of Tennessee.

Mr. ROBSION of Kentucky with Mr. MAYS.

Mr. JEFFERIS with Mr. CULLEN.

Mr. HAYS with Mr. BRUMBAUGH.

Mr. RUCKER. Mr. Speaker, I want to change my vote from "no" to "present." I am paired.

The name of Mr. RUCKER was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WALSH). A quorum is present; the Doorkeeper will open the doors.

The doors were opened.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER pro tempore. The Clerk will report the next bill on the Unanimous Consent Calendar.

LEASING OF HOSPITALS.

The next business on the Calendar for Unanimous Consent was House joint resolution 411, authorizing the Secretary of the Treasury to enter into an agreement to lease or to execute lease for hospitals acquired or to be constructed by the State of New York or other States of the United States of America for the care and treatment of beneficiaries of the Bureau of War Risk Insurance.

Mr. LANGLEY. Mr. Speaker, that subject having been covered by the resolution passed to-day, I wish to withdraw it.

Mr. WINGO. Is this resolution identical in its terms to the bill that was brought up under suspension?

Mr. LANGLEY. Section 1 of this resolution was omitted in the bill passed to-day.

Mr. WINGO. What about the other sections?

Mr. LANGLEY. The committee does not care to press section 2.

Mr. WINGO. What is section 2?

Mr. LANGLEY. It provides for general cooperation between all the States and the Federal Government on the same plan provided in section 1 for New York State.

Mr. WINGO. Mr. Speaker, I make the point of order that the motion is not in order, it not being an item in that bill. It is not in order.

Mr. LANGLEY. Mr. Speaker, then I object to the consideration of House joint resolution 411.

The SPEAKER pro tempore. The gentleman from Kentucky objects, and the Clerk will report the next bill.

PAROLE AND PROBATION SYSTEM, UNITED STATES COURTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14136) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913, and for the establishment of a probation system in the United States courts, except in the District of Columbia.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. BLANTON. Mr. Speaker, may we have the bill reported?

The SPEAKER pro tempore. Without objection the Clerk will report the bill.

The Clerk proceeded to read the bill.

Mr. BLANTON. I object, Mr. Speaker.

Mr. HUSTED. Will the gentleman withhold his objection?

Mr. BLANTON. I thought we would save time. There are several more pages. I object in order to save time.

Mr. SIEGEL. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 14136.

The SPEAKER pro tempore. The gentleman from New York is not recognized for that purpose.

Mr. SIEGEL. I wanted to say, Mr. Speaker, that I had an understanding with the Speaker——

Mr. WINGO. I object. These gentlemen's agreements are contrary to the rules.

Mr. SIEGEL. Mr. Speaker, I make the point that there is no quorum, then.

The SPEAKER pro tempore. The gentleman from New York makes the point of no quorum. The Chair will count.

The Chair proceeded to count.

Mr. SIEGEL. Mr. Speaker, I withdraw the point of no quorum.

CHOCTAW AND CHICKASAW SANATORIUM, TALIHINA, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12157) to amend act of Congress approved June 30, 1913.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12157) to amend act of Congress approved June 30, 1913.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN of Illinois. I think, Mr. Speaker, where a bill has no more title than this it ought to be reported to the House.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act of Congress approved June 30, 1913 (38 Stat. L.), authorizing the Secretary of the Interior to reserve and set aside four sections of the unallotted lands belonging to the Choctaw and Chickasaw Tribes of Indians in Oklahoma, for the purpose of providing land on which to build a sanatorium or sanatoria for the benefit of the Indians, is hereby amended to provide that the Secretary of the Interior be, and he is hereby, authorized to sell at the original appraisement value, and convey to the State of Oklahoma a portion of this reserve not now used nor may be needed for the proper operation of the tribal institutions thereon, and as may be agreed upon by the Secretary of the Interior and the State health commissioner, not to exceed one section of said reserve, for the purpose of providing a site on which the State shall build sanatoria for the treatment of both white and Indian citizens of said State.

Also the following committee amendment was read:

On page 2, line 1, after the word "used," strike out the words "nor may be" and insert the word "or."

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, in cases of this kind I think it has been quite customary to provide that the title shall revert to the United States if the land is not used for the purpose indicated. Can the gentleman from Oklahoma [Mr. CARTER] give information as to how definite the proposition of the State of Oklahoma is in this connection?

Mr. CARTER. If the gentleman will notice, this is Indian land and not public land. The health authorities of the State of Oklahoma have provided for a sanatorium to be erected on 640 acres of land somewhere in this community. This is about the only available land, the title to all the other Indian lands having passed to private ownership.

Mr. CRAMTON. Has the erection of such an institution been authorized and money appropriated?

Mr. CARTER. Oh, no. This simply authorizes the sale of the land to the State, the State to pay the Indians for the lands at the appraised value.

Mr. CRAMTON. The gentleman did not understand my question. Has the erection of the institution by the State been authorized by the legislature?

Mr. CARTER. It has.

Mr. CRAMTON. And the money has been appropriated by the legislature?

Mr. CARTER. The money has been appropriated and they are ready now to go to work.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the bill for amendment.

The bill was again reported.

The committee amendment was also reported.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CARTER, a motion to reconsider the vote by which the bill was passed was laid on the table.

COAL AND ASPHALT DEPOSITS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15011) authorizing the Secretary of the Interior to offer for sale the remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to offer for sale under rules and regulations to be prescribed by him the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations in the State of Oklahoma.

Also the following committee amendment was read:

Page 1, beginning with line 4, strike out the following language: "offer for sale under rules and regulations to be prescribed by him the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations in the State of Oklahoma."

And insert in lieu thereof the following:

Reappraise and offer for sale the remainder of the segregated coal and asphalt deposits in the Choctaw and Chickasaw Nations in the State of Oklahoma, under rules and regulations to be prescribed by him in accordance with the act of February 8, 1918 (U. S. Stats. L. 40, p. 433), as to terms and conditions of payment; and the unexpended balance appropriated by said act of February 8, 1918, is hereby reappropriated and authorized to be expended out of the Choctaw and Chickasaw tribal funds for this purpose.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read for amendment, with a committee amendment, as follows:

Page 1, line 4, strike out the words "offer for sale under rules and regulations to be prescribed by him the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations in the State of Oklahoma," and insert in lieu thereof the following: "Reappraise and offer for sale the remainder of the segregated coal and asphalt deposits in the Choctaw and Chickasaw Nations in the State of Oklahoma, under rules and regulations to be prescribed by him in accordance with the act of February 8, 1918 (40 U. S. Stat. L., p. 433), as to terms and conditions of payment; and the unexpended balance appropriated by said act of February 8, 1918, is hereby reappropriated and authorized to be expended out of the Choctaw and Chickasaw tribal funds for this purpose."

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that the amendment is not in order. I must say I am rather surprised that the Committee on Indian Affairs would bring in an amendment appropriating money, when the Committee on Indian Affairs has had so much to say about the new rule. [Laughter.]

Mr. CARTER. Well, I will state to the gentleman——

The SPEAKER. The Chair sustains the point of order.

Mr. CARTER. Of course, it is subject to a point of order. I will offer an amendment to authorize it.

Mr. MANN of Illinois. The Chair has sustained the point of order. Otherwise I might have withdrawn it.

Mr. CARTER. I was in hopes the gentleman would withdraw it. Will the gentleman withdraw it?

Mr. MANN of Illinois. It is too late. It has been sustained.

Mr. CARTER. Mr. Speaker, I move to amend by eliminating the objectionable word "reappropriated," on line 5 of page 2, and striking out the word "expended," in line 6, and inserting the word "appropriated." If the gentleman from Illinois has any objection to that, I would like to leave it subject to his suggestion.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER: Page 2, line 5, strike out the word "reappropriated," and, in line 6, strike out the word "expended" and insert in lieu thereof the word "appropriated."

Mr. MANN of Illinois. That has all gone out.

The SPEAKER. Yes. The committee amendment has all gone out. The gentleman will have to offer a new amendment.

Mr. CARTER. The language to which the gentleman makes objection——

Mr. MANN of Illinois. No; I made a point of order on the amendment.

Mr. CARTER. The entire amendment?

Mr. MANN of Illinois. Yes.

Mr. CARTER. What I offer is the exact language stricken out with the changes I have suggested. Mr. Speaker, may we have the Clerk read it that way? That was the amendment I offered.

Mr. MANN of Illinois. The Clerk may know what the gentleman intends to do, but I am free to say I do not.

The SPEAKER. The Clerk will report the amendment of the gentleman from Oklahoma.

The Clerk read as follows:

Amendment offered by Mr. CARTER: Page 1, line 3, after the word "authorized," strike out all of lines 4, 5, 6, and 7 down to and including the word "Oklahoma," and insert in lieu thereof the following language: "reappraise and offer for sale the remainder of the segregated coal and asphalt deposits in the Choctaw and Chickasaw Nations in the State of Oklahoma, under rules and regulations to be prescribed by him in accordance with the act of February 8, 1918 (U. S. Stats. L., 40, p. 433), as to terms and conditions of payment; and the unexpended balance appropriated by said act of February 8, 1918, is hereby authorized to be appropriated out of the Choctaw and Chickasaw tribal funds for this purpose."

Mr. BLANTON. Mr. Speaker, will the Chair permit a parliamentary inquiry?

The SPEAKER. Yes.

Mr. BLANTON. Although I wish to avoid the possibility of its being held as a precedent, I have no objection to this bill as now amended; but where a bill is reported by a committee and brought up in the House under suspension of the rules in violation of amended Rule XX and Rule XXI and the Chair sustains the point of order made from the floor, does not that wipe out the bill from consideration before the House?

The SPEAKER. The point of order was made only against the amendment.

Mr. BLANTON. But if it had been to the bill itself, the bill would have to go back to the committee, would it not?

The SPEAKER. Yes; if the point of order had been made in general terms. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

Mr. HASTINGS. Mr. Speaker, I was going to ask my colleague if in the amendment in line 7 the word "and" and in the next line of the amendment the words "offer for sale" ought not to be stricken out, and the word "sell" substituted, so that it would read "reappraise and sell the segregated coal and asphalt deposits," and so forth?

Mr. CARTER. That would be a better conclusion, I think, than the bill as it is now.

Mr. Speaker, I move to amend by striking out, in lines 7 and 8, the words "offer for sale" and inserting the word "sell."

Mr. MANN of Illinois. The gentleman offers an amendment to his amendment, then?

Mr. CARTER. Yes.

Mr. MANN of Illinois. I should like to know, just for curiosity, why, after due consideration, the gentleman from Oklahoma introduces a bill which provides that the Secretary is authorized to offer for sale, and then the Committee on Indian Affairs, after careful and exhaustive consideration of this subject, moves an amendment in which it uses the same language, and then when some gentleman on the floor facetiously suggests different language, the gentleman is perfectly willing to adopt it. Has the bill had no consideration at all?

Mr. CARTER. Yes; the gentleman will notice that the bill had some consideration, because it was amended by the committee.

Mr. MANN of Illinois. I assumed that it had, although I do not think that is any proof of it.

Mr. CARTER. The gentleman from Illinois, as a course, knows the difference between the words. It just simply brings the thing to a conclusion when we direct him to sell, whereas directing him to offer for sale does not.

Mr. MANN of Illinois. If the words "offer for sale" do not mean that the Secretary has the right to consummate the sale, then I do not understand the English language, as the gentleman did not when he introduced the bill, and the committee did not when it reported the bill.

Mr. CARTER. I think it is really the difference between tweedledee and tweedledum. I am not going to insist on it if the gentleman objects.

Mr. MANN of Illinois. I wondered why the committee, having given careful consideration to the subject, should be so willing to switch on the floor.

Mr. CARTER. If the gentleman objects to it, I shall not insist on the amendment.

Mr. MANN of Illinois. I shall not object.

The SPEAKER. The question is on the amendment of the gentleman from Oklahoma.

Mr. MANN of Illinois. The vote, I take it, is on the amendment to the amendment.

The SPEAKER. The Chair did not understand the gentleman to offer an amendment to the amendment.

Mr. CARTER. Yes; I offered an amendment to the amendment, but I said I would withdraw it if the gentleman from Illinois made any objection to it. He did not express any.

The SPEAKER. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Mr. CARTER moves to amend the amendment by striking out the words "offer for sale" and insert in lieu thereof the word "sell."

The amendment to the amendment was agreed to.

The SPEAKER. The question is on agreeing to the amendment as amended.

The amendment to the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. CARTER, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARLINGTON MEMORIAL AMPHITHEATER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8032) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Virginia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. I should like to have the bill reported.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That a commission is hereby created, to be composed of the Secretary of War and the Secretary of the Navy, which shall submit annually to the President, who shall transmit the same to Congress by the first Monday in December, recommendations as to what, if any, inscriptions, tablets, busts, or other memorials shall be erected, and what, if any, bodies of deceased members of the Army, Navy, and Marine Corps shall be entombed during the next ensuing year within the Arlington Memorial Amphitheater, in the Arlington National Cemetery, Virginia: *Provided*, That no memorial shall be placed and no body shall be interred in the grounds about the Arlington Memorial Amphitheater within a distance of 250 feet from the said memorial.

SEC. 2. That the Secretary of War shall be the chairman of the said commission and the officer in charge of public buildings and grounds in the District of Columbia shall be its executive and disbursing officer. The commission shall keep full and accurate records of all its proceedings and transactions in regard to proposed memorials submitted for its consideration, and is authorized to employ such assistants as may be necessary to enable it to discharge properly the duties imposed upon it.

SEC. 3. That no inscription, tablet, bust, or other memorial shall be erected nor shall any body be entombed within the Arlington Memorial Amphitheater unless specifically authorized in each case by act of the Congress. Applications for such authority shall be submitted in all cases through the commission created by this act.

SEC. 4. That no inscription, tablet, bust, or other memorial as herein provided for shall be erected to commemorate any person who shall not have rendered conspicuously distinguished service in the United States Army, Navy, or Marine Corps, nor shall the body of any such person be entombed in the Arlington Memorial Amphitheater; nor shall any such memorial be erected or any body be entombed therein within 10 years after the date of the death of the person so to be commemorated, unless specifically otherwise provided by act of Congress in individual cases.

SEC. 5. That the character, design, and location of any such inscriptions, tablets, busts, or other memorials when authorized as herein provided shall be subject to the approval of the commission herein created, which shall in each case obtain the advice of the Commission of Fine Arts.

SEC. 6. That the commission herein created is authorized to expend the sum of $3,000, or as much thereof as may be necessary, to defray its expenses during the fiscal year ending June 30, 1920.

SEC. 7. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

With the following committee amendments:

Page 2, line 10, after the word "officer," strike out the remainder of line 10 and all of lines 11 to 15, inclusive.

Page 2, line 19, after the word "Congress," strike out lines 20 and 21.

Page 3, line 12, strike out all of sections 6 and 7.

Mr. BLANTON. I reserve the right to object, Mr. Speaker. I should like to ask the gentleman in charge of the bill a question. Is there anyone here in charge of the bill? If not, I object to its consideration, Mr. Speaker.

Mr. MANN of Illinois. I ask unanimous consent, in the absence of the author of the bill, that it may remain on the calendar.

Mr. BLANTON. I have no objection.

The SPEAKER. Without objection, the bill will retain its place on the calendar.

There was no objection.

The SPEAKER. The Clerk will report the next bill.

MEDICAL, SURGICAL, AND HOSPITAL SUPPLIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14315) to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, suffering from neuro-psychiatric and tubercular ailments and diseases, and for other purposes.

Mr. LANGLEY. Mr. Speaker, that is not the bill which was passed this morning, but is the bill for which the other one was a substitute, and that being the more liberal bill, we passed it. I think this bill ought to be stricken from the calendar. I suggest that it be laid on the table.

The SPEAKER. Without objection, the bill will be laid on the table.

There was no objection.

SUPERINTENDENT OF THE FIVE CIVILIZED TRIBES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15159) changing the designation of the Superintendent for the Five Civilized Tribes to the Third Assistant Secretary of the Interior, defining his duties, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. JOHNSON of Washington. Reserving the right to object——

Mr. CRAMTON. Mr. Speaker, if we want to economize time, I feel that this is too important a measure to be considered on this calendar. I shall object eventually. I will reserve the objection if the gentleman from Washington wishes me to do so.

Mr. JOHNSON of Washington. I have no desire to have the gentleman reserve his objection. I simply want to know how the Third Assistant Secretary of the Interior is to be appointed, and how this commissioner is appointed?

Mr. CRAMTON. Then, if the gentleman does not wish me to reserve the objection, I will object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that the bill remain on the calendar.

Mr. WALSH. But to go to the foot of the calendar?

Mr. HASTINGS. Yes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

There was no objection.

DISPOSITION OF ABANDONED LIGHTHOUSES AND LIFE-SAVING STATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8545) to provide for the disposition of abandoned lighthouses and life-saving stations.

The Clerk read the bill with the committee amendments.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

Mr. SMITH of Idaho. Will the gentleman reserve his objection? We have similar legislation in regard to abandoned military reservations.

Mr. WALSH. The lighthouses are under the jurisdiction of the Secretary of Commerce, and I do not believe that we can give the Secretary of the Interior the right to sell lighthouse reservations and to determine whether they are needed.

Mr. SMITH of Idaho. It only applies to those that have been abandoned.

Mr. WALSH. It says that those that are no longer needed. That does not mean necessarily that they are abandoned.

Mr. SEARS. Will the gentleman withhold his objection?

Mr. WALSH. I will reserve the objection.

Mr. SEARS. Mr. Speaker, this bill in July, 1918, passed the Senate, and a favorable report was made by Mr. Vogelsang. This year it was reported by the Committee on Public Lands of the House with a favorable report by Franklin K. Lane, Secretary of the Interior.

Mr. MANN of Illinois. Was this bill referred to the Secretary of Commerce?

Mr. SEARS. It was referred to the Secretary of the Interior.

Mr. MANN of Illinois. He would have the sale of the property, but that has nothing to do with this; what we want to know is whether the department that has jurisdiction over the property was consulted? This authorizes the Secretary of the Interior to sell any lighthouse stations in the United States.

Mr. SMITH of Idaho. The Secretary of the Interior could not certify that they were not needed?

Mr. MANN of Illinois. He is the only one that could certify to it under this bill.

Mr. SEARS. When this bill was referred to the committee, the gentleman from Oregon [Mr. SINNOTT] being chairman, I requested that the bill be referred to the proper department and get a report, and that was done.

Mr. SMITH of Idaho. I call the gentleman's attention to the fact that line 3 of the bill, page 1, provides that where reservations of the public land for lighthouse or life-saving purposes are no longer needed for that purpose the Secretary of the Interior may, and so forth.

Mr. MANN of Illinois. "Are no longer needed." They are all public land?

Mr. SMITH of Idaho. They are not public land.

Mr. MANN of Illinois. There is not a lighthouse in the United States that is on private land.

Mr. SMITH of Idaho. No; the title is in the Government, in the Secretary——

Mr. MANN of Illinois. But we take it away from him. What I want to know is whether the bill had been referred to the Secretary of Commerce, who has jurisdiction over the Life-Saving Service?

Mr. JOHNSON of Washington. I would like to ask the gentleman what is the process of complete abandonment of a lighthouse station? How is it made complete?

Mr. SEARS. The only station that I remember is where Congress ceased to make an appropriation; I tried to get them to revive it, but was not able to get my good friends to do it.

Mr. WALSH. Mr. Speaker, I think I will renew my objection.

The SPEAKER. Objection is made.

SURVEY OF PUBLIC LANDS IN FLORIDA.

The next business on the Calendar for Unanimous Consent was the bill (S. 578) providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That it shall be lawful for the properly credited agent or official of the State of Florida having in charge the adjustment of its school grant to apply to the Commissioner of the General Land Office for the survey of any townships or parts of townships of public land unsurveyed in any of the surveying districts of said State, with a view to satisfy the grant in aid of schools made to said State of Florida by the act of March 3, 1845, and other acts amendatory thereto to the extent of the full quantity of land called for thereby; and upon the application of said agent or official the Commissioner of the General Land Office shall proceed to have the survey or surveys so applied for made as in the case of surveys of other public lands; and the lands that may be found to fall within the limits of such townships or parts of townships as ascertained by the survey shall be reserved upon the filing of the application for survey from any adverse appropriation by settlement or otherwise, except under rights that may be found to exist of prior inception, for a period to extend from such application for survey until the expiration of 60 days from date of filing of the township plat of survey in the proper district land office, during which period of 60 days the State may select any of such lands not embraced in any valid adverse claim for the satisfaction of its school grant, as aforesaid, with the condition, however, that the agent or official of the State, within 30 days from the date of such filing of the application for survey, shall cause a notice to be published, which publication shall be continued for 30 days from date of first publication, in some newspaper of general circulation in the vicinity of the lands likely to be embraced in such townships or parts of townships giving notice to all parties interested of the fact of such application for survey and the exclusive right of selection by the State for the aforesaid period of 60 days, as herein provided for, and after the expiration of such 60 days any lands which may remain unselected by the State and not otherwise appropriated according to law shall be subject to disposal under general laws as other public lands: *Provided*, That the Commissioner of the General Land Office shall give notice immediately of the reservation of any township or parts of townships to the officials of the local land office of the land district in which the land is situated of the withdrawal of such townships or parts of townships for the purpose hereinbefore provided: *Provided further*, That the agent or official of the State of Florida hereinbefore mentioned is authorized to advance money from time to time for the survey of the township or townships, or part

thereof withdrawn, at such United States depository as may be designated by the Commissioner of the General Land Office, and the money so advanced shall be reimbursable.

With the following committee amendment:

Page 3, line 17, after the word "reimbursable," insert: "*Provided further*, That nothing herein shall be deemed to authorize the Commissioner of the General Land Office to survey any lands within the exterior boundaries of the Everglades, as defined in Everglades patent No. 137, issued to the State of Florida by the United States under the swamp land act of 1850."

The SPEAKER. The question is on agreeing to the committee amendment.

Mr. WALSH. Mr. Speaker, I move to strike out the last word, in order to ask the gentleman from Florida in charge of the bill what it is intended to accomplish under the second proviso on page 3. That second proviso is:

That the agent or official of the State of Florida hereinbefore mentioned is authorized to advance money from time to time for the survey of the township or townships, or part thereof withdrawn, at such United States depository as may be designated by the Commissioner of the General Land Office, and the money so advanced shall be reimbursable.

Mr. DRANE. Mr. Speaker, as I understand it, that is the ordinary procedure. I may be mistaken about it, but my understanding is that when land is being surveyed in a given State the payment is immediately made for the expense of that by the United States Land Office out of its current funds, which in time are reimbursable from the Treasury of the United States.

Mr. WALSH. This permits the Florida official or agent to advance the money.

Mr. DRANE. The United States official in Florida, yes; to take it out of his current fund.

Mr. WALSH. But this says the agent or the official of the State of Florida.

Mr. DRANE. Not of the State of Florida.

Mr. WALSH. Here is what it says:

Provided further, That the agent or official of the State of Florida—

And so forth.

Where does the reimbursement come from? From the Treasury of the United States?

Mr. DRANE. I understand now what the gentleman means. The bill may be incorrectly drawn in this, that at the time the bill was originally drawn—and I am only handling it for the gentleman from Florida [Mr. CLARK], because he is absent—whoever drew the bill drew it with the idea that there was a surveyor general in the State of Florida. Since the report from the Secretary of the Interior called attention to the fact that in 1908 the office of the surveyor general was discontinued and the land business of the Government was put into the hands of the register of the land office, it may be that the language of the bill is faulty in that respect.

Mr. WALSH. Does not the gentleman think it should be amended?

Mr. DRANE. I do.

Mr. WALSH. Has the gentleman an amendment to offer?

Mr. DRANE. I have not, and I would be glad to have the gentleman offer one.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DRANE. Yes.

Mr. BLANTON. The gentleman from Florida must have overlooked a bet in respect to his State, because he will remember that not long ago, on the recommendation of the Secretary, we sought to do away with, and did do away with temporarily, all of the surveyors general, and after we had put them out of the bill the distinguished gentleman from Wyoming [Mr. MONDELL] came in and had 13 of them put back into the bill. The gentleman should have had his put back into the bill at the same time, because the gentleman from Wyoming was looking out for Wyoming.

Mr. DRANE. We do not need one down there and have not for a good many years, and naturally would not want him if we did not need him.

Mr. SEARS. Mr. Speaker, as I understand it, this bill is intended to correct the supposed errors of a survey made in 1911. As I understand it, there are now seven cases in the United States court, and they are trying to get a correct survey that they can go by.

Mr. MONDELL. Mr. Speaker, may I suggest to the gentleman from Massachusetts, if he will yield, that at most the language that he refers to is superfluous. It certainly can not do any harm. Evidently it was drawn, as the gentleman from Florida [Mr. DRANE] suggests, by some one who had in mind the old procedure for the survey of land, where application was made to the surveyor general under the old system. This survey would be made by the Commissioner of the General Land Office with his regular surveying force, and would be paid for out of the Federal Treasury, out of the surveying fund. It would not cost very much at most and it would do no harm if the State of Florida saw fit to advance the money for the survey as provided here. No harm could come from the language of the bill, but under the present practice it is not necessary.

Mr. DRANE. My own impression was that the committee had drafted such amendments as had been suggested in the letter from the Secretary of the Interior and the Commissioner of the General Land Office.

Mr. MONDELL. That is the language that would have been required at one time under the old practice covering all surveys.

Mr. WALSH. Oh, yes; but it is not required now, and we ought not to complicate legislation and possibly throw it open to uncertain interpretation in the future.

Mr. MONDELL. I think the gentleman from Florida would have no objection to striking it out.

Mr. DRANE. No; I have no objection whatever.

Mr. WALSH. I have no objection to the general purpose of the bill, but I do not think we ought to carry that language in there. I move to amend the bill, Mr. Speaker, by striking out—page 3, line 11—all after the word "provided," where it first occurs in the line, down to and including the word "reimbursable," in line 17.

Mr. SMITH of Idaho. Mr. Speaker, I rise to oppose the amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 11, after the word "provided," where it occurs the first time, strike out the remainder of the paragraph, down to and including the word "reimbursable," in line 17.

Mr. WALSH. Mr. Speaker, as I understand it now, this will not in any way hamper the surveys or the carrying on of the activity of the department, and that there is money available here under which those surveys can be made. Under the operations of the general land law the agent of the Land Office can make the survey and pay for it, and then it will be reimbursable under the general fund.

Mr. DRANE. That is what was suggested in a very long report here.

Mr. WALSH. That is the understanding I had of the matter.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was agreed to.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks on the Philippine question.

Mr. JOHNSON of Washington. Mr. Speaker, I shall have to object to that.

The SPEAKER. The gentleman from Washington objects.

Mr. KING. I waited a long time to get this in.

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken, and the committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks made to-day. Is there objection?

Mr. JOHNSON of Washington. Mr. Speaker, I am sorry, but I shall have to object.

The SPEAKER. The gentleman from Washington objects.

Mr. SEARS. Mr. Speaker, I ask unanimous consent that the bill H. R. 8545 retain its place on the calendar.

The SPEAKER. The gentleman from Florida asks unanimous consent that the bill referred to retain its place on the calendar. Is there objection?

Mr. WALSH. If the gentleman will ask that it go to the foot of the calendar I shall not object, but I do object to its retaining its place on the calendar.

Mr. SEARS. Mr. Speaker, I realize the congested condition and also the hopelessness of ever reaching it if it goes to the foot, because of the inability of the majority to work smoothly, so I do not care whether it stays on or not.

AMENDMENT OF THE SEAMEN'S ACT OF 1915.

The next business on the Unanimous Consent Calendar was the bill (H. R. 12396) to amend an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, this is a bill of such tremendous importance that I think it should not come up in this way, and I object.

Mr. SCOTT. Will the gentleman withhold his objection for a moment?

Mr. BLANTON. I will; but I intend to object later.

Mr. SCOTT. I hope the gentleman will not make that as a positive statement, because the gentleman will recall that last year——

Mr. BLANTON. Just one minute. The gentleman knows that it is important——

Mr. SCOTT. It is very important. It will not take any time at all, because I hope there will not be any objection, if the gentleman will hear me.

Mr. BLANTON. We are used to passing $340,000,000 bills in 40 minutes.

Mr. SCOTT. Will the gentleman indulge me to make a statement?

Mr. BLANTON. I would if there were not other men who are waiting to get bills up.

Mr. MONDELL. Will not the gentleman from Texas give the gentleman from Michigan a couple of minutes to explain the bill?

Mr. BLANTON. I will reserve it a few minutes.

Mr. SCOTT. Mr. Speaker, I will preface my remarks by saying that I have been in Congress six years, and this is the first time I have had a bill on the Unanimous Consent Calendar. I am confident that if this bill is understood it will not have opposition. It is of vital importance to the people who live in Michigan, and in consequence of its importance I have presumed to put it on the Unanimous Consent Calendar and also on the House Calendar in the hope that I might obtain its consideration and disposition at this session of the Congress.

I called your attention to this same measure nearly a year ago in the conference report on the shipping bill. Here is the situation: Under the law as it now stands the passenger boats are only allowed credit for the lifeboats and life rafts that they carry. In other words, during the summer they are compelled to carry life rafts and boats sufficient to accommodate 50 per cent of the passengers. Our ships run 3 miles from shore and can get to shore in 15 minutes. Before the 15th of May and after the 15th of September they are obliged to carry life boats and rafts sufficient to accommodate everybody on board. That is humanly impossible if the ship carries passengers above 50 per cent of its actual carrying capacity before May 15 or after September 15.

Mr. BLANTON. Will the gentleman permit a question?

Mr. SCOTT. Yes.

Mr. BLANTON. The gentleman says that the boats go only 3 miles from shore. Does not the gentleman remember that a picnic boat capsized close to a bank and that the whole bunch of children, hundreds of them, were drowned?

Mr. SCOTT. Yes; I remember that very regrettable incident. But if they had had 5,000 lifeboats on that ship they could not have saved them. The passenger ships have always and now carry life-saving appliances, life belts, suits, and other life-saving devices, more than sufficient to accommodate everybody on board. The operation of the present law precludes the people who live in northern Michigan from traveling on the boats that run up there, and the result is that the ships that run up Lake Huron are for the benefit of the summer tourists, and we who live there are penalized because we live in Michigan.

Unless we get the permission that will enable passenger ships to carry a reasonable number of passengers from May 1 to October 15, our people will not be able to travel on the boats in the spring or fall. I thought if the situation was understood by the House there would be no opposition. The committee of which I am a member has reported this bill three times unanimously.

Mr. BANKHEAD. Mr. Speaker, I want to say to the gentleman from Texas [Mr. BLANTON] that I trust he will not object to the consideration of this bill. The Committee on the Merchant Marine and Fisheries gave it very careful and mature consideration, and it is a most meritorious measure, and very important to the shipping interest that the gentleman from Michigan has testified about.

Mr. BLANTON. I am open to conviction, but I would like to ask the gentleman from Alabama if the committee gave this as much serious consideration as they did the House resolution a while ago that sought to retain war-time camps in peace times?

Mr. SCOTT. That is not the same committee.

Mr. BANKHEAD. We had nothing to do with that.

Mr. BLANTON. I want to know if your committee gave this careful consideration?

Mr. BANKHEAD. Yes.

Mr. BLANTON. And the gentleman has investigated the matter and indorses the bill?

Mr. BANKHEAD. I absolutely did so, or I would not indorse the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915, be, and the same is hereby, amended as follows:

"SEC. 2a. That in all merchant vessels of the United States of more than 100 tons gross operating on the Great Lakes where the trip run is eight hours or less, excepting those navigating rivers, harbors, bays, or sounds exclusively, the provisions of section 2 of this act shall not apply except that at all times nine hours shall constitute a day's work: *Provided*, That in all merchant vessels of the United States of more than 100 tons gross operating on the Great Lakes where the trip run is more than 8 hours and less than 16 hours, except those navigating rivers, harbors, bays, or sounds exclusively, the sailors, oilers, water-tenders, and firemen shall be divided into at least two watches, which shall be kept on duty successively for the performance of ordinary work incident to the sailing and management of the vessel.

"SEC. 13a. That on the Great Lakes, if able seamen are not obtainable, certificated lifeboat men may be used in lieu thereof in a number not to exceed 25 per cent of the deck crew.

"SEC. 14a. That on the Great Lakes the requirements set forth in section 14 of this act shall be applicable during the intervals from May 1 to October 15, inclusive, instead of from May 15 to September 15, inclusive, and from October 15 to May 1 instead of from September 15 to May 15, respectively, as provided in section 14."

Also the following committee amendment was read:

Page 2, strike out all of section 2a and section 13a.

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The question being on the engrossment and third reading of the bill, the bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. SCOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

APPLICATION OF RECLAMATION LAW TO IRRIGATION DISTRICTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2702) to provide for the application of the reclamation law to irrigation districts.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, with the general purpose of this bill I think I am quite in harmony, but after quite a lengthy and careful study given to the proviso amendment on page 4, I have been unable to follow the language of the amendment. I think it is entirely too complicated and involved for the House to understand in the time remaining to-day, and I think I will simply conserve the time of the House by objecting now.

Mr. RAKER. I hope the gentleman will not do that.

Mr. CRAMTON. Well, I think nobody can read that language on page 4 and be sure of what they are getting at. I have given it mature consideration.

Mr. RAKER. I would like the gentleman to reserve his objection.

Mr. WALSH. If the gentleman from Michigan is going to yield to the blandishments of the gentleman from California, I shall have to object.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill may go to the foot of the calendar.

The SPEAKER. The gentleman from California asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from California makes the point of order that there is no quorum present.

Mr. MONDELL. The gentleman is hurting his own side.

Mr. GARNER. I can not help it.

Mr. RAKER. You can help it by at least giving a man a chance to explain a decent bill.

Mr. WALSH. Mr. Speaker, I did not object. I simply said that since the gentleman from Michigan [Mr. CRAMTON] was inclined to withdraw his objection I would reserve mine.

Mr. RAKER. For many days and weeks I have made no objection.

Mr. WALSH. I was simply saying to the gentleman from California that I did not want to interpose my objection to pre-

vent his answering the suggestion of the gentleman from Michigan.

Mr. MONDELL. Mr. Speaker, I make this suggestion to the gentleman from California [Mr. RAKER], who is generally very reasonable, and to all other gentlemen: That if an objection is going to be made to a bill, there is no use in taking time in discussing it, because there are other bills on the calendar in which many gentlemen are interested.

Mr. RAKER. I have confidence in the Members of the House that when convincing facts are presented a man who is undertaking to make objection will not object.

Mr. MONDELL. But when the gentleman has been informed that somebody is going to object, he should not make a point of order that there is no quorum present.

Mr. RAKER. I was just saying that——

Mr. WALSH. Well, I guess I shall object.

Mr. MONDELL. I had hoped, Mr. Speaker, that we could run on until 6 o'clock and that we could pass some of these bills.

Mr. RAKER. Every time the other fellow's bill gets through and mine does not, and under the circumstances, while it is not right——

Mr. ANDERSON. Regular order, Mr. Speaker.

Mr. RAKER. Do not be too hurried. I will withdraw the point of order under the circumstances.

The SPEAKER. The point of order that there is no quorum present is withdrawn. The Clerk will report the next bill.

POST-OFFICE SITE, SPRING VALLEY, ILL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2328) relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. LANGLEY. Mr. Speaker, I reported that bill for the gentleman from Illinois [Mr. IRELAND], who is present, and he would like to make an explanation of it.

Mr. BLANTON. Mr. Speaker, I reserve the right to object.

Mr. IRELAND. Mr. Speaker, may I ask unanimous consent that the report on the bill be read? It is short. It will take up less time of the House and serve as a preface to my remarks.

The SPEAKER. Objection is reserved.

Mr. IRELAND. Let me just briefly explain that this bill is designed to grant authority to enable the Government, through the Treasury Department, to accept title to land for a post-office site for which an appropriation was made in the Sixty-third Congress, with coal reservations. I introduced this bill in the Sixty-fifth Congress and again in the Sixty-sixth Congress, and I have been advised by the gentleman from Florida [Mr. CLARK] then chairman of the Committee on Public Buildings and Grounds, and by the gentleman from Kentucky [Mr. LANGLEY], the present chairman of that committee, that this custom has often been followed, especially in the State of Pennsylvania, where many coal rights are reserved.

Now, for the purposes intended it is of no advantage for the Government to retain those coal rights, and at the suggestion of the Secretary of the Treasury——

Mr. BLANTON. Does it appropriate any more money?

Mr. IRELAND. No, indeed, sir.

Mr. BLANTON. Will it cause any more money to be appropriated?

Mr. IRELAND. Not a dime.

Mr. BLANTON. Mr. Speaker, I withdraw my reservation.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized, in his discretion, in the acquisition, by purchase, condemnation, or otherwise, of a suitable site for a post office at Spring Valley, Ill., pursuant to authority granted by the public building act, approved March 4, 1913 (37 Stat. L., 62d Cong., 3d sess., p. 877), to accept title to land reserving or excepting all ores or minerals on or in such lands, with the rights of mining the same.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. IRELAND, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. IRELAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks on the bill. Is there objection?

Mr. McCLINTIC. I object.

PENSIONS FOR STATE MILITIA IN THE CIVIL WAR.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13312) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARNER. Mr. Speaker, I do not think this bill ought to pass under the circumstances that exist to-night, and I object.

Mr. LANGLEY. Mr. Speaker, I realize that the gentleman from Texas correctly states the situation, that we could not pass the bill to-night, and while I deeply regret it, I ask unanimous consent, with a view to advancing the parliamentary status of the bill, that it be rereferred to the Committee on Invalid Pensions.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the bill be rereferred to the Committee on Invalid Pensions. Is there objection?

There was no objection.

BRIDGE ACROSS MISSISSIPPI RIVER, ST. PAUL, MINN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13606) granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of St. Paul, Minn., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation, at or near the point where Sibley Street, in said city of St. Paul, crosses the Mississippi River in the county of Ramsey, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. KELLER, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS SANTEE RIVER IN SOUTH CAROLINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15015) to authorize the building of a bridge across the Santee River in South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. STOLL. Mr. Speaker, I ask unanimous consent that the Senate bill, S. 4949, on the Speaker's table, be substituted for the House bill.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that the Senate bill on the Speaker's table be substituted for the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The bill, S. 4949, was read as follows:

Be it enacted, etc., That the State highway department of South Carolina and the Santee River Bridge Commission be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Santee River at a point suitable to the interests of navigation and at or near a point known as Murray's Ferry, between the counties of Berkeley and Williamsburg, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. STOLL, a motion to reconsider the vote by which the bill was passed was laid on the table.

On motion of Mr. STOLL, by unanimous consent, H. R. 15015 was laid on the table.

BRIDGE ACROSS THE PEEDEE RIVER IN SOUTH CAROLINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15016) to authorize the building of a bridge across the Peedee River in South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. STOLL. I ask that the Senate bill, S. 4950, on the Speaker's table, be substituted for the House bill.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that the Senate bill on the Speaker's table be substituted for the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The bill (S. 4950) was read, as follows:

Be it enacted, etc., That the State Highway Department of South Carolina and the Peedee Bridge Commission be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Peedee River at a point suitable to the interests of navigation, and at or near a point known as Mars Bluff Ferry, between the counties of Florence and Marion, in the State of South Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. STOLL, a motion to reconsider the vote by which the bill was passed was laid on the table.

On motion of Mr. STOLL, by unanimous consent, H. R. 15016 was laid on the table.

BRIDGE ACROSS WATEREE RIVER IN SOUTH CAROLINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15017) to authorize the building of a bridge across the Wateree River in South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent that the Senate bill on the Speaker's table be substituted for the House bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the Senate bill be considered in lieu of the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The bill (S. 4951) was read, as follows:

Be it enacted, etc., That the State Highway Department of South Carolina and the properly constituted authorities of Richland and Sumter Counties of that State be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Wateree River at a point suitable to the interests of navigation, and at or near a point known as Gerners Ferry, between the counties of Sumter and Richland, in the State of South Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. MONTAGUE, a motion to reconsider the vote by which the bill was passed was laid on the table.

On motion of Mr. MONTAGUE, by unanimous consent, H. R. 15017 was laid on the table.

EXTENSION OF REMARKS.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to withdraw the objection I made to the extension of remarks by the gentleman from Michigan [Mr. McLEOD] and the gentleman from Illinois [Mr. KING].

Mr. SEARS. Reserving the right to object, Mr. Speaker, I will couple with that a request for unanimous consent to extend my remarks on the Miami Chamber of Commerce in reference to Miami Harbor.

The SPEAKER. The Chair will put all three requests together. Is there objection to the extension of remarks by the gentleman from Illinois [Mr. KING], the gentleman from Michigan [Mr. McLEOD], the gentleman from Florida [Mr. SEARS]?

There was no objection.

BRIDGE OVER THE WITHLACOOCHEE RIVER.

The next business on the Calendar for Unanimous Consent was the bill (S. 4587) granting the consent of Congress to the counties of Brooks and Lowndes, in the State of Georgia, to construct a bridge over the Withlacoochee River.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the counties of Brooks and Lowndes, in the State of Georgia, and their successors and assigns, to construct or rebuild, maintain, and operate a bridge and approaches thereto across the Withlacoochee River at a point suitable to the interests of navigation at or near Ousley, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. MONDELL. Mr. Speaker, there are six bridge bills on the calendar, and I ask unanimous consent that we take up those bills. I imagine that there is no objection to them, and if after passing them we can go further, well and good, but I think the bridge bills ought to pass.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the remaining bridge bills be taken up irrespective of their place on the calendar. Is there objection?

There was no objection.

BRIDGE ACROSS THE HUDSON RIVER.

The next business taken up on the Calendar for Unanimous Consent was the bill (H. R. 15131) to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer and the city of Cohoes, in the county of Albany, in the State of New York.

The bill was read, as follows:

Be it enacted, etc., That the State of New York, the cities of Troy and Cohoes and the counties of Rensselaer and Albany, their successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Hudson River at a point suitable to the interests of navigation between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, in the State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PARKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE TUG RIVER, MINGO COUNTY, W. VA.

The next business taken up on the Calendar for Unanimous Consent was the bill (H. R. 15271) granting the consent of Congress to authorize the Majestic Collieries Co. to construct a bridge across the Tug River at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Majestic Collieries Co., of Majestic, Ky., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tug River at a point suitable to the interests of navigation, at or near Cedar, the county of Mingo, State of West Virginia, to the Kentucky side, in the county of Pike, in the State of Kentucky, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The following committee amendment was read:

Page 1, line 6, after the word "Tug," insert "Fork of Big Sandy."

The committee amendment was agreed to.

Amend the title so as to read: "A bill granting the consent of Congress to authorize the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River, at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. MANN of Illinois. Mr. Speaker, I would like to suggest that the word "authorize" in the title should be stricken out. I think it should be a bill granting the consent of Congress to construct the bridge.

The SPEAKER. Without objection, the title will be amended in accordance with the suggestion of the gentleman.

There was no objection.

The amended title was agreed to.

On motion of Mr. FIELDS, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE NEWARK BAY, STATE OF NEW JERSEY.

The next business taken up on the Calendar for Unanimous Consent was the bill (S. 4515) to extend the time for the construction of a bridge across the navigable waters of the Newark Bay, in the State of New Jersey.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved August 8, 1919, to be built by the Central Railroad Co. of New Jersey across the Newark Bay between the city of Elizabeth and the city of Bayonne, N. J., are hereby extended two and five years, respectively, from the date of approval of this act.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. ACKERMAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS NORTH BRANCH OF SUSQUEHANNA RIVER, PA.

The next business on the Calendar for Unanimous Consent was joint resolution (S. J. Res. 186) to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge across the North Branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the authority granted in the act of Congress approved September 7, 1916, entitled "An act to authorize the county of Luzerne, State of Pennsylvania, to construct a bridge across the North Branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa.," is hereby renewed and extended to permit the commencement of the construction of said bridge within one year, and its completion within three years, from the date of the passage of this resolution, as provided under section 6 of the act of Congress approved March 23, 1906, being an act to regulate the construction of bridges over navigable waters.

With the following committee amendment:

Page 2, after line 6, insert as a new section the following:

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

BRIDGE ACROSS LAKE ST. CROIX, WIS. AND MINN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15418) authorizing the Prescott Bridge Co. to construct a bridge across Lake St. Croix at or near the city of Prescott in the State of Wisconsin.

Mr. ESCH. Mr. Speaker, I ask unanimous consent to substitute for this bill S. 4737, an identical bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, is it the purpose to conclude the session when we finish the consideration of the bridge bills?

Mr. MONDELL. It is my impression that the House would be inclined to have an adjournment motion made at that time, after we get through with the bridge bills.

Mr. BANKHEAD. Some of us have been waiting here to get certain measures taken up, but if that is the intention we do not want to wait here any longer.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to substitute Senate bill 4737 for this bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That authority is hereby granted to the Prescott Bridge Co., a corporation organized under the laws of the State of Wisconsin, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Lake St. Croix at a point suitable to the interests of navigation, at or near the city of Prescott, in the county of Pierce and State of Wisconsin, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the bill H. R. 15418 lie on the table.

The SPEAKER. Is there objection?

There was no objection.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS SUSQUEHANNA RIVER AT HARRISBURG, PA.

The next business on the Calendar for Unanimous Consent was the bill (S. 4541) to extend the time for the construction of a bridge across the Susquehanna River at Harrisburg, Pa.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk reported the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the reconstruction of a bridge authorized by act of Congress approved October 19, 1918, to be reconstructed by the Philadelphia, Harrisburg & Pittsburgh Railroad Co., its lessees, successors, and assigns, across the Susquehanna River at or about 4,250 feet west of Philadelphia, Harrisburg, and Pittsburgh Junction, Harrisburg, Pa., to a point in the borough of Lemoyne, Cumberland County, State of Pennsylvania, in accordance with act of Congress approved March 23, 1906, are hereby extended one and three years, respectively, from the date of approval of this act.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

BRIDGE ACROSS HEADWATERS OF MOBILE BAY, ALA.

The next business on the Calendar for Unanimous Consent was the bill (S. 4603) to revive and reenact the act entitled "An act to authorize the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, to construct a bridge over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakely Island, in Baldwin and Mobile Counties, Ala.," approved October 5, 1917.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk reported the bill, as follows:

Be it enacted, etc., That the act approved October 5, 1917, authorizing the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, to construct, operate, and maintain a bridge or bridges and trestles over and across the navigable channels of the mouth of Mobile River from Bay Port, in township 4 south, range 2 east, on the east shore of the waters of Mobile Bay, in Baldwin County, Ala., on a direct line, to a point on Blakely Island, in Mobile County, on the east shore of Mobile River, opposite the municipal docks of the city of Mobile, Ala., at a point or points suitable to the interests of navigation, be, and the same is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge, or bridges and trestles herein authorized, be commenced within one year and completed within three years from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS LITTLE CALUMET RIVER, ILL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15750) to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object, and I do not intend to do so, but the next bill on the calendar is what is known as the Sheppard-Towner maternity bill, to protect the mothers and children of the country.

Mr. MANN of Illinois. That is not the next bill on the calendar. That is not a bridge bill.

Mr. BLANTON. I understand, but I want to ask the gentleman from Wyoming—if we do not pass this Sheppard-Towner bill in this session, the legislatures of the various States will not be in a position to meet the requirements of that act, and it would become noneffective in most States.

I want to ask the distinguished gentleman from Wyoming whether or not it is his intention after we take up these important bridge bills and pass them to give us a chance to pass that bill?

Mr. KING. Mr. Speaker, there is nothing before the House to talk on, and I ask for the regular order.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the county of Cook, a civil division of the State incorporated and organized under the laws of the State of Illinois, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Little Calumet River at a point suitable to the interests of navigation, at or near the village of Burnham, in Cook County, Ill., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MANN of Illinois, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE DELAWARE RIVER.

The next business on the Unanimous Consent Calendar was the bill (S. 4787) granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Delaware River Bridge Joint Commission, acting in behalf of the States of Pennsylvania and New Jersey and the city of Philadelphia, to construct, maintain, and operate a bridge and approaches thereto across the Delaware River at a point suitable to the interests of navigation at or between Green Street and South Street in Philadelphia, Pa., and points approximately opposite in Camden, N. J., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. DARROW, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE OVER THE RIO GRANDE RIVER.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 15769) to authorize the construction of a bridge across the Rio Grande River, between the cities of Del Rio, Tex., and Las Vacas, Mexico.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Del Rio and Las Vacas Bridge Co., a corporation organized and created under and by virtue of the laws of the State of Texas, be, and is hereby, authorized and empowered to construct, own, maintain, and operate a street railway bridge over the Rio Grande River between the cities of Del Rio, Tex., and Las Vacas, Mexico, at such point as may be most convenient to said corporation, and to build and lay on and across said bridge ways for the passage of animals, foot passengers, and vehicles of all kinds, for the transit of which said corporation may charge a reasonable toll, which charge shall be subject to a reasonable revision and regulation, from time to time, by the Secretary of War.

SEC. 2. That said bridge shall be built of good substantial materials, and of such strength and dimensions as may be sufficient to render the passage of all such vehicles, animals, and persons, as are herein mentioned, perfectly safe at any and all times.

SEC. 3. That Congress reserves the right to withdraw the authority and power conferred by this act in case the free navigation of said river shall at any time be substantially or materially obstructed by said bridge, or for any other reason, and to direct the removal or necessary modifications thereof at the cost and expense of the owners of said bridge; and Congress may, at any time, alter, repeal, or amend this act. The right is reserved to the United States for the establishment of a postal telegraph across the bridge.

SEC. 4. That the consent of the proper authorities of the Republic of Mexico shall have been obtained before said bridge shall be built or commenced.

The committee amendments were read, as follows:

Page 1, line 6, strike out the word "own," and at the end of the line strike out the words "street railway."

Mr. MANN of Illinois. Mr. Speaker, I ask that all the committee amendments be reported at once.

The SPEAKER. Is there objection?

Mr. RAKER. Reserving the right to object—and I shall not object—I want to ask the gentleman from Texas a question. This bridge is on the international line, and the same rules and regulations provided for the bridge at El Paso will be enforced at this bridge?

Mr. HUDSPETH. Yes; the same rules and regulations.

The SPEAKER. Is there objection to the request of the gentleman from Illinois that all amendments be read at once? [After a pause.] The Chair hears none.

The Clerk read as follows:

Page 1, line 7, after the word "bridge," insert the words "and approaches thereto," and strike out the word "River."

Page 1, line 8, strike out the word "such" and insert "a."

Page 1, line 9, after the word "point" strike out the balance of the paragraph and insert in lieu thereof the words "suitable to the interests of navigation, in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906."

Page 2, strike out all of sections 2 and 3.

Page 2, renumber section 4 to read "Sec. 2." Add section 3, to read as follows:

"SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved."

Line 2 of the title strike out the word "River."

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "To authorize the construction of a bridge over the Rio Grande, between the cities of Del Rio, Tex., and Las Vacas, Mexico."

On motion of Mr. HUDSPETH, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS COLUMBIA RIVER, OREG. AND WASH.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 4825) to extend the time for the construction of a bridge across the Columbia River between the States of Oregon and Washington at or within 2 miles westerly from Cascade Locks in the State of Oregon.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Reserving the right to object, what is the calendar number?

Mr. JOHNSON of Washington. It is House Calendar 284; it is a Senate bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation at or near a point within 2 miles westerly from Cascade Locks, in the county of Hood River, State of Oregon, authorized by the act of Congress approved February 3, 1920, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the vote by which the bill was passesd was laid on the table.

BRIDGE ACROSS THE HUDSON RIVER IN THE STATE OF NEW YORK.

Mr. PARKER. Mr. Speaker, I ask unanimous consent to take up the bill S. 4886, which is identical with House bill 15949. It is a bridge bill, and it is not on the Unanimous Consent Calendar. It is on the House Calendar. It is exactly in the same position——

Mr. BLANTON. Is it on the Speaker's table?

Mr. PARKER. It is on the Speaker's table. I ask that that bill be substituted for the House bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the time for the completion of the bridge of the Hudson River Connecting Railroad Corporation, under the provisions of the acts approved, respectively, March 13, 1914, and August 9, 1916, be extended to the 13th day of March, 1922.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PARKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Also, by motion of Mr. PARKER, a similar House bill, H. R. 15949, was ordered to lie on the table.

MATERNITY BILL.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to take up the bill S. 3259, the Sheppard-Towner maternity bill. It is the bill of next importance on the calendar.

Mr. MERRITT. I ask that the calendar be read in the regular order now, Mr. Speaker.

ADJOURNMENT.

Mr. LARSEN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Georgia moves that the House do now adjourn.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. LARSEN. Division, Mr. Speaker.

The House divided; and there were—ayes 7, noes 32.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum in order to get a new shift.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. Evidently no quorum is present.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 6 minutes p. m.) the House, under its previous order, adjourned until Tuesday, February 8, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

402. A letter from the Secretary of War, transmitting a list of 90 leases granted by the Secretary of War under authority of the act of Congress approved July 28, 1892, during the calendar year 1920; to the Committee on Expenditures in the War Department.

403. A letter from the Secretary of War, transmitting from the Chief of Engineers fourth report under section 10, act of March 2, 1919, as to river and harbor contracts that have become inequitable and unjust; to the Committee on Rivers and Harbors.

404. A letter from the Comptroller of the Currency, transmitting volume 1 of the text of the annual report of the Comptroller of the Currency for the fiscal year ending October 31, 1920; to the Committee on Banking and Currency.

405. A letter from the Acting Secretary of the Navy, transmitting statement in connection with authorization for outfits on first enlistment in the Navy; to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HUSTED, from the Committee on the Judiciary, to which was referred the bill (H. R. 15977) authorizing suits against the United States in admiralty for collisions caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes, reported the same with amendments, accompanied by a report (No. 1301), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 16040) to provide for the transfer of the naval seaplane known and designated as *NC–4* to the Smithsonian Institution; to the Committee on Naval Affairs.

By Mr. SIMS: A bill (H. R. 16041) to amend the transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. PELL: A bill (H. R. 16042) to exempt the President and Vice President of the United States from income tax on money received from the Treasury of the United States; to the Committee on Ways and Means.

By Mr. DYER: A bill (H. R. 16043) to authorize the incorporation of companies to promote trade in China; to the Committee on the Judiciary.

By Mr. VOLK: Resolution (H. Res. 671) requesting that the Secretary of the Treasury submit to the House of Representatives certain information regarding the loan by the War Finance Corporation to the Brooklyn Rapid Transit Co.; to the Committee on Ways and Means.

By Mr. BUTLER: Resolution (H. Res. 672) for the immediate consideration of House bill 15994; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the State of Illinois, urging the passage of House bill 13558, providing for the establishment of 14 regional offices of the War Risk Bureau and as many suboffices as deemed necessary; authorizing the Post Office Department to collect premiums on Government insurance; and relieving from payment of premiums all disabled men in receipt of hospitalization after discharge from military service. Also urging the passage of House bills 10835, 14315, and 14557, and Senate bill 4357; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Arizona, favoring the calling by the President of the United States of the principal nations of the earth into a conference to discuss plans for an international disarmament; to the Committee on Foreign Affairs.

By Mr. HERSEY: Memorial of the Legislature of the State of Maine, favoring Federal aid for highway improvement; to the Committee on Roads.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon, asking aid from the Federal Government in fighting the insect depredations in the timbered areas other than those owned by the Government; to the Committee on Agriculture.

Also, memorial from the Legislature of the State of Oregon, asking the assignment of a chemist and an animal pathologist for the Oregon Agricultural College; to the Committee on Agriculture.

By Mr. PETERS: Memorial of the Legislature of the State of Maine, urging the prompt passage by Congress of the McArthur bill, providing for continuance of Federal aid for public highway improvement; to the Committee on Roads.

By Mr. STEENERSON: Memorial of the Legislature of the State of Minnesota, protesting against duty on lumber; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 16044) for the relief of Joseph Maier; to the Committee on Claims.

By Mr. HICKS: A bill (H. R. 16045) to authorize the appointment of an ordnance storekeeper in the Army; to the Committee on Military Affairs.

By Mr. O'CONNOR: A bill (H. R. 16046) for the relief of Alfred Gregory Lee; to the Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 16047) granting a pension to John E. Evans; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5536. By Mr. BARBOUR: Petition of Maderia (Calif.) Branch No. 43, American Association for the Recognition of the Irish Republic, regarding treatment of American sailors in Cork, Ireland, and the debt of the British Government to the United States; to the Committee on Foreign Affairs.

5537. Also, petition of Placer County (Calif.) Farm Bureau, regarding a tariff on dried and canned fruits; to the Committee on Ways and Means.

5538. By Mr. CANNON: Petition of citizens of Illinois praying for an amendment of the Volstead law; to the Committee on the Judiciary.

5539. By Mr. CARSS: Petition of Josephine Widener, 311 East Fifty-eighth Street, New York City, regarding the Britten resolution (H. J. Res. 433); to the Committee on Foreign Affairs.

5540. Also, petition of H. J. Werden, 311 East Fifty-eighth Street, New York City, and Joseph J. Albrecht, favoring the Britten resolution (H. J. Res. 433); to the Committee on Foreign Affairs.

5541. Also, petition of Buffalo Brake Beam Co., Buffalo, N. Y., favoring the Winslow bill (H. R. 15836); to the Committee on Interstate and Foreign Commerce.

5542. By Mr. FULLER: Petition of Henry G. Bubeck and 35 others, of La Salle, Ill., favoring an amendment to the Volstead Act to permit the manufacture and sale of beer and light wines, and opposing the Sunday blue laws; to the Committee on the Judiciary.

5543. Also, petition of the International Association of Machinists, Washington, D. C., favoring an amendment to the Army appropriation bill against the Taylor system of scientific management; to the Committee on Appropriations.

5544. Also, petition of Hupp & Sowers, of Streator, Ill., favoring a 1 per cent tax on sales; to the Committee on Ways and Means.

5545. By the SPEAKER (by request): Petition of representatives of the Farm Bureau Federations of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, South Dakota, Kansas, and Nebraska, urging the need of an appropriation of sufficient volume to carry on the work of collecting and disseminating statistical information vital to the farmer, breeder, and feeder; to the Committee on Agriculture.

5546. Also (by request), petition of a meeting of the unemployed of Oklahoma City, Okla., urging a resumption of trade with soviet Russia; to the Committee on Foreign Affairs.

5547. Also (by request), petition of certain employees of the Steamboat-Inspection Service, favoring House bill 15746; to the Committee on the Merchant Marine and Fisheries.

5548. Also (by request), petition of Council of the City of Cleveland, Ohio, requesting the immediate recognition of the republic of Ireland by the United States of America; to the Committee on Foreign Affairs.

5549. By Mr. JOHNSTON of New York: Petition of Chamber of Commerce of the State of New York, favoring simplification of suits in admiralty against the United States Government; to the Committee on the Judiciary.

5550. Also, petition of Chamber of Commerce of the State of New York, regarding further restrictions on traffic in narcotic drugs; to the Committee on Interstate and Foreign Commerce.

5551. By Mr. KELLY of Pennsylvania: Petition of Bring Home the Soldier-Dead League, McKeesport, Pa., Pittsburgh district, opposing any legislation in favor of the Fish resolution, and favoring the return to America of the bodies of all American soldiers, sailors, and marines who died on foreign soil; to the Committee on Military Affairs.

5552. By Mr. KENNEDY of Iowa: Petition of De La Salle Council, No. 619, Knights of Columbus, Keokuk, Iowa, opposing the Smith-Towner bill; to the Committee on Education.

5553. By Mr. KENNEDY of Rhode Island: Petition of members of Rhode Island District No. 10, Irish National Foresters, protesting against the deportation of Lord Mayor O'Callaghan, of Cork, Ireland, from the United States; to the Committee on Immigration and Naturalization.

5554. By Mr. LAMPERT: Petition from citizens of Reedsville, Wis., protesting against the Smith-Towner bill; to the Committee on Education.

5555. Also, petition of voters of Neenah, Wis., requesting an amendment to the Volstead Act permitting the manufacture and sale of beer and light wines; also protesting against the so-called Sunday blue laws; to the Committee on the Judiciary.

5556. Also, petition of citizens of Menasha, Wis., requesting amendment to the Volstead Act, permitting the manufacture and sale of beer and light wines; also protesting against the so-called Sunday blue-law legislation; to the Committee on the Judiciary.

5557. By Mr. McLAUGHLIN of Michigan: Petition of residents of Suttons Bay, Mich., protesting against the occupation of Germany by French Negro troops; to the Committee on Foreign Affairs.

5558. By Mr. MADDEN: Petition of sundry citizens of Chicago, Ill., favoring beer and light wines and opposing the Sunday blue laws; to the Committee on the Judiciary.

5559. By Mr. NEWTON of Minnesota: Resolution by the Minnesota State Legislature, urging the United States Congress to refrain from placing a duty on lumber imported from the Dominion of Canada; to the Committee on Ways and Means.

5560. Also, resolution of the Northwestern Lumbermen's Association, opposing and protesting against placing a duty on lumber imported from Canada; to the Committee on Ways and Means.

5561. By Mr. O'CONNELL: Petition of Chamber of Commerce of the State of New York, favoring simplification of suits in admiralty against the United States Government; to the Committee on the Judiciary.

5562. Also, petition of Chamber of Commerce of the State of New York, advocating further restrictions on traffic in narcotic drugs; to the Committee on Interstate and Foreign Commerce.

5563. By Mr. PETERS: Petition of Mrs. William G. Ellis and 18 others, of Gardiner, Me., opposing the Smith-Towner bill; to the Committee on Education.

5564. By Mr. SNYDER: Petition of various clergymen and laymen resident in the thirty-third district of New York, opposing the Smith-Towner bill; to the Committee on Education.

5565. By Mr. STINESS: Petition of Catholic Club of Providence, R. I., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5566. By Mr. TINKHAM: Petition of Massachusetts Federation of Churches, Boston, Mass., favoring world disarmament and no increased appropriation for armament; to the Committee on Appropriations.

5567. Also, petition of members of Charles Stewart Parnell Council of the American Association for the Recognition of the Irish Republic, protesting against the deportation of Lord Mayor O'Callaghan; to the Committee on Immigration and Naturalization.

5568. By Mr. YATES: Petition of Julius Kespohl, of Quincy, Ill., protesting against the reduction of appropriation for encouraging of horse breeding to $100,000; to the Committee on Appropriations.

5569. Also, petition of Woman's Home Missionary Society, Methodist Episcopal Church, Sycamore, Ill., by Mrs. Frank Millet, temperance secretary, favoring the Sheppard-Towner bill and similar legislation; to the Committee on Interstate and Foreign Commerce.

5570. Also, petition of Free Sewing Machine Co., Rockford, Ill., by Mr. V. M. Johnson, general manager, proposing as an emergency measure that the Payne-Aldrich tariff of 1909 be substituted for the Underwood Act of 1913; to the Committee on Ways and Means.

5571. Also, petition of Illinois Manufacturers' Association, Chicago, by Mr. G. R. Meyercord, president, urging a larger appropriation than $567,760 for the Bureau of Foreign and Domestic Commerce; to the Committee on Appropriations.

5572. Also, petition of Rev. Unar Blough, pastor Church of the Brethren, Pleasant Mound, Ill., favoring the Fess-Capper bill (H. R. 12052); to the Committee on Education.

5573. Also, petition of the Whig Journal, Quincy, Ill., by A. O. Lindsay, asking at least $2,000,000 as an appropriation for the development and use of the upper Mississippi River; to the Committee on Rivers and Harbors.

5574. Also, petition of Tonk Manufacturing Co., Chicago, urging the passage of the Winslow measure; to the Committee on Interstate and Foreign Commerce.

5575. Also, petition of Johnson Bros. Coal Co., Chicago, protesting against Senate bill 4828; to the Committee on Interstate and Foreign Commerce.

5576. By Mr. YOUNG of North Dakota: Petition of Towner Post, No. 34, American Legion, of Towner, N. Dak.; Johnson-Melary Post, No. 115, American Legion, of Hettinger, N. Dak.; and Raymond B. Thorne Post, No. 30, American Legion, of New Rockford, N. Dak., favoring legislation to provide better hospital facilities for disabled war veterans, etc.; to the Committee on Ways and Means.

5577. By Mr. ZIHLMAN: Petition of Baltimore Chapter of the American Officers of the Great War, opposing the Army reorganization bill; to the Committee on Military Affairs.

5578. Also, petition of the Rotary Club of Baltimore, Md., favoring a "turnover tax"; to the Committee on Ways and Means.

SENATE.

TUESDAY, *February 8, 1921.*

(Legislative day of Saturday, February 5, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harrison	McNary	Smith, S. C.
Brandegee	Heflin	Nelson	Smoot
Capper	Jones, Wash.	New	Townsend
Dial	Kellogg	Overman	Trammell
Dillingham	Kendrick	Ransdell	Walsh, Mass.
Fernald	Kenyon	Reed	Warren
Gay	King	Robinson	Williams
Glass	La Follette	Sheppard	Willis
Gooding	Lenroot	Simmons	
Gronna	McKellar	Smith, Ariz.	
Harris	McLean	Smith, Ga.	

Mr. SMOOT. I was requested to announce that the Senator from Vermont [Mr. PAGE], the Senator from Washington [Mr. POINDEXTER], the Senator from Maine [Mr. HALE], the Senator from Illinois [Mr. MCCORMICK], the Senator from New Hampshire [Mr. KEYES], the Senator from Delaware [Mr. BALL], and the Senator from Maryland [Mr. SMITH] are engaged in a hearing before the Senate Committee on Naval Affairs.

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The roll of absentees will be called.

The reading clerk called the names of the absent Senators, and Mr. CURTIS answered to his name when called.

Mr. SMITH of Maryland, Mr. MCCORMICK, Mr. BALL, Mr. POINDEXTER, Mr. HALE, Mr. KEYES, Mr. FRANCE, Mr. COLT, Mr. WOLCOTT, Mr. SPENCER, Mr. UNDERWOOD, Mr. WADSWORTH, Mr. MCCUMBER, Mr. CULBERSON, Mr. HITCHCOCK, Mr. SWANSON, Mr. PITTMAN, and Mr. BORAH entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed without amendment bills of the Senate of the following titles:

S. 4515. An act to extend the time for the construction of a bridge across the navigable waters of the Newark Bay, in the State of New Jersey;

S. 4541. An act to extend the time for the construction of a bridge across the Susquehanna River at Harrisburg, Pa.;

S. 4587. Granting the consent of Congress to the counties of Brooks and Lowndes, in the State of Georgia, to construct a bridge over the Withlacoochee River;

S. 4603. An act to revive and reenact the act entitled "An act to authorize the Gulf Ports Terminal Railway Co., a corpora-

tion existing under the laws of the State of Florida, to construct a bridge over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the Bay and Blakely Island, in Baldwin and Mobile Counties, Ala.," approved October 5, 1917;

S. 4737. An act authorizing the Prescott Bridge Co. to construct a bridge across Lake St. Croix, at or near the city of Prescott, in the State of Wisconsin;

S. 4787. An act granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J.;

S. 4825. An act to extend the time for the construction of a bridge across the Columbia River, between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon;

S. 4886. An act to revive and reenact the act entitled "An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River, in the State of New York," approved March 13, 1914;

S. 4949. An act to authorize the building of a bridge across the Santee River, in South Carolina;

S. 4950. An act to authorize the building of a bridge across the Pedee River, in South Carolina; and

S. 4951. An act to authorize the building of a bridge across the Wateree River, in South Carolina.

The message also announced that the House had passed with an amendment the joint resolution (S. J. Res. 186) to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge across the North Branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa., in which it requested the concurrence of the Senate.

The message further announced that the House had passed with amendments the bill (S. 4205) to amend section 4, chapter 1, of Title I, of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had passed bills of the following titles, in which it requested the concurrence of the Senate:

H. R. 2328. An act relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.;

H. R. 12157. An act to amend an act of Congress approved June 30, 1913;

H. R. 12396. An act to amend an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea," approved March 4, 1915;

H. R. 13606. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River;

H. R. 15011. An act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma;

H. R. 15131. An act to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York;

H. R. 15271. An act granting the consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River, at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.;

H. R. 15750. An act to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county;

H. R. 15769. An act to authorize the construction of a bridge over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico;

H. R. 15873. An act to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes;

H. R. 15894. An act to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes; and

H. R. 15943. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. ASHURST presented the following joint memorial of the Legislature of Arizona, which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD:

House joint memorial 1.

To His Excellency Woodrow Wilson, President of the United States of America, and to the Senate and the House of Representatives of these United States in Congress assembled:

Your memorialist, the Fifth Legislature of the State of Arizona, respectfully represents that

Whereas the frightfulness of the World War, its tragedies, its untold horrors, its hardships, its sufferings, and its terrible consequences are fresh in the memory of all men; and

Whereas the whole world to-day is staggering under the burden of debt directly due to that herculean struggle; and

Whereas we are convinced that only through the abandoning of warfare may peace and prosperity be restored generally throughout the earth; and

Whereas this condition can be brought about only by a mutual agreement among the great powers of the world to lay aside forever the means and instruments of waging war; and

Whereas such step can be taken only through adoption of a general policy of disarmament; and

Whereas we are informed that a request is to be made by the Congress upon the President of the United States to call the principal nations of the earth into a conference to discuss plans for an international disarmament: Now, therefore, be it

Resolved, That the Senate and House of Representatives of the State of Arizona do most urgently represent to the Congress and the President of these United States, memorialized to, the great gravity of such proposed action as requested of the President, together with our profound conviction of the great wisdom of such action and the immeasurable good which may come of it; and be it further

Resolved, That copies of this memorial and of these resolutions be presented to His Excellency the President of the United States, to the Speaker of the House of Representatives, to the Secretary of the Senate, and to each of our Representatives in Congress, with the urgent prayer that the matters referred to therein be accorded deep and favorable consideration.

Adopted by the house January 18, 1921.

P. O'KEEFE,
Speaker of the House.
OSCAR ZAPF,
Chief Clerk of the House.

Adopted by the senate January 27, 1921.

H. B. WILKINSON,
President of the Senate.
ROY N. DAVIDSON,
Secretary of the Senate.

Approved January 27, 1921.

THOMAS E. CAMPBELL,
Governor of Arizona.

Mr. McLEAN presented a resolution of the Connecticut Civil Service Reform Association, of New Haven, Conn., favoring legislation providing for the appointment of prohibition agents under civil-service rules, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Chamber of Commerce of Norwich, Conn., praying for the enactment of legislation providing for daylight saving, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Club of New Milford, Conn., praying for the enactment of legislation increasing the appropriation for home economics in the Department of Agriculture, which was referred to the Committee on Agriculture and Forestry.

He also presented memorials of Right Rev. John J. Nilan, Bishop of Hartford; sundry parish priests of Waterbury; Santa Maria Circle No. 27, National Daughters of Isabella, of Waterbury; and Rev. Jean Roux, pastor of St. James Catholic Church, of Danielson; all in the State of Connecticut, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented resolutions of the New England Workers' Association, of Waterbury, and Excelsior Lodge, No. 259, International Association of Machinists, of Derby, both in the State of Connecticut, favoring the resumption of trade relations with soviet Russia, which were referred to the Committee on Foreign Relations.

He also presented a petition of G. S. Pratt, scout executive, of Bridgeport Council Boy Scouts of America, of Bridgeport, Conn., praying for the enactment of legislation to consolidate the Bureau of War Risk Insurance, the Public Health Service, and the Federal Board for Vocational Education, which was referred to the Committee on Finance.

Mr. TOWNSEND presented telegrams in the nature of memorials from the Women's Literary Club, of Pontiac; Hancock Council, No. 692, Knights of Columbus, of Hancock; and the

Catholic Order of Foresters, of Hancock, all in the State of Michigan, remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Suttons Bay, Mich., protesting against present conditions in the occupied zone of the Rhine in respect to the presence and action of French colonial troops, which was referred to the Committee on Foreign Relations.

Mr. SMITH of Maryland presented petitions of the Principals' Association of Baltimore, and the Parents-Teachers Club of Tench Tilghman School, No. 13, of Baltimore, both in the State of Maryland, praying for the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented a memorial of Daughters of Isabella, Court Hagerstown, No. 273, of Hagerstown, Md., remonstrating against the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

Mr. BALL presented memorials of Alice Batterbury, Frank M. Rogers, Elizabeth Bradford, Peter Rogers, J. F. Haly, Mrs. J. F. Haly, P. J. O'Hara, Eleanor F. Berry, Mrs. Jane A. Forrest, Anna T. O'Hara, J. F. Gillespie, John P. Forrest, John H. Forrest, Joseph A. Forrest, Mrs. S. Healy, Joseph P. Healy, and S. Healy, all in the city of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented memorials of Helen M. Casey, Agnes M. Horty, Mary L. Horty, and Mary E. Peach, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. WILLIS presented a resolution adopted by a citizens' mass meeting at Newark, Ohio, favoring the recognition for the independence of Ireland, which was referred to the Committee on Foreign Relations.

He also presented petitions of priests of St. Agnes Church, of Cleveland; sundry members of the Holy Name Society of Holy Name Parish, of Cleveland; and Mansfield Trades Council, of Mansfield, all in the State of Ohio, praying for the recognition of the independence of Ireland, which were referred to the Committee on Foreign Relations.

Mr. WOLCOTT presented memorials of Helen M. Casey, Agnes M. Horty, Mary L. Horty, and Mary E. Peach, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. CAPPER presented resolutions of the Flowerdale Local, No. 1701, of the F. E. and C. U. of A., of Harper County, of Anthony, Kans.; Tyler Local Union No. 3229, of F. E. and C. U. of A., of Tyler, Ark.; and Pike County Farmers' Union, No. 58, of Delight, Ark., favoring legislation to prohibit gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

Mr. SHEPPARD (for Mr. CHAMBERLAIN) presented a joint memorial of the Legislature of Oregon, which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF OREGON,
Office of the Secretary of State.

I, Sam A. Kozer, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of senate joint memorial No. 6, with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state February 3, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof, I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 3d day of February, A. D. 1921.

[SEAL.] SAM A. KOZER,
Secretary of State.

Senate joint memorial 6.

To the honorable Senators and Representatives in Congress assembled:

Whereas a condition of great suffering exists in many parts of Europe, particularly among the women and children; and

Whereas the various European Governments are unable to relieve the distress; and

Whereas the American people are now being appealed to by Herbert Hoover, chairman of the European Relief Council, for assistance in keeping helpless children alive until another harvest, to which a universal and hearty response is being made, notwithstanding the frequency of other appeals of a similar nature; and

Whereas the contributions made by the American people will be expended for foodstuffs and clothing; and

Whereas the War Department of the United States has for many months widely advertised the sale of surplus food and clothing owned by the United States Government at prices not only far below their cost to the Government, but also below the retail cost of similar commodities, and with further great discounts, which discounts are being taken advantage of by dealers and speculators for profit: Now, therefore, be it

Resolved that the Congress of the United States be and it hereby is memorialized to enact appropriate legislation to the end that said condition of distress be relieved so far as possible by said supplies of food and clothing; be it further

Resolved, That the secretary of state be and he is authorized and directed to transmit a copy of this memorial to each Senator and Representative in Congress from Oregon.

Passed by the senate, January 28, 1921.
(Signed) ROY W. RITNER,
President of the Senate.

Passed by the house, February 2, 1921.
(Signed) LOUIS E. BEAN,
Speaker of the House.

Indorsed: Senate joint memorial No. 6. Introduced by Senator Hare.
JNO. P. HUNT,
Chief Clerk.

Filed February 3, 1921.
SAM A. KOZER,
Secretary of State.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2252) making an appropriation to pay the State of Massachusetts for expenses incurred and paid at the request of the President in protecting the harbors and fortifying the coast during the Civil War (Rept. No. 764); and

A bill (S. 3487) for the relief of Clarence L. Reames (Rept. No. 765).

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SPENCER:

A bill (S. 4991) for the relief of Kristina Furjak; and

A bill (S. 4992) for the relief of William E. Lewis; to the Committee on Claims.

By Mr. PHELAN:

A bill (S. 4993) granting a pension to Albert Kirkbride (with accompanying papers); to the Committee on Pensions.

A joint resolution (S. J. Res. 253) suggesting that American supplies be purchased, as far as practicable, with American funds contributed for foreign relief; to the Committee on Foreign Relations.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on January 27, 1921, approved and signed the bill (S. 3994) validating certain applications for and entries of public lands, and for other purposes.

DISTRICT COURT FOR ALASKA.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4205) to amend section 4, chapter 1 of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes.

Mr. NELSON. I move that the Senate disagree to the amendments of the House of Representatives to the bill, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Vice President appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. KELLOGG, Mr. BRANDEGEE, and Mr. WALSH of Montana conferees on the part of the Senate.

SUSQUEHANNA RIVER BRIDGE.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 186) to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge across the North Branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa., which was, on page 2, after line 3, to insert, "The right to amend, alter, or repeal this act is hereby expressly reserved."

Mr. KNOX. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 2328. An act relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill.; to the Committee on Public Buildings and Grounds.

H. R. 12157. An act to amend an act of Congress approved June 30, 1913; to the Committee on Indian Affairs.

H. R. 12396. An act to amend an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; and

H. R. 13606. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River; to the Committee on Commerce.

H. R. 15011. An act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma; to the Committee on Indian Affairs.

H. R. 15131. An act to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York;

H. R. 15271. An act granting the consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.;

H. R. 15750. An act to authorize the construction of a bridge across the Little Calumet River in Cook County, State of Illinois, at or near the village of Burnham, in said county; and

H. R. 15769. An act to authorize the construction of a bridge over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico; to the Committee on Commerce.

H. R. 15873. An act to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes; to the Committee on Post Offices and Post Roads.

H. R. 15894. An act to authorize an appropriation to enable the Secretary of the Treasury to provide medical, surgical, and hospital services and supplies for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes; to the Committee on Appropriations.

H. R. 15943. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes; to the Committee on Military Affairs.

NATIONAL ASSOCIATION FOR CONSTITUTIONAL GOVERNMENT.

Mr. THOMAS. Mr. President, I have received to-day from Dr. David Jayne Hill a letter protesting, and I think properly so, against the inclusion of the National Association for Constitutional Government in the lobby list of the Literary Digest which I read into the RECORD the other day. I ask permission to have this letter inserted in the RECORD without reading.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The letter referred to is as follows:

NATIONAL ASSOCIATION FOR CONSTITUTIONAL GOVERNMENT,
Washington, D. C., February 7, 1921.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

DEAR SENATOR THOMAS: Referring to the article in the Literary Digest of October 30, 1920, made a part of the RECORD in your speech in the Senate on February 2, I note that under the heading "Watchful lobbies and lobbyists that camp in Washington" the Digest includes the National Association for Constitutional Government.

Permit me, very respectfully, to call your attention to the fact that the National Association for Constitutional Government is in no sense a lobby or under the control of lobbyists, never having in any case attempted any form of direction action upon any department of the Government. It is strictly an educational institution designed to explain and defend the existing constitutional system on which the Government of the United States is based and particularly the Constitution of the United States, which every officer of the Government has sworn to defend. This association is not in the service of any private or corporate group or interest. Its reason for existence is the necessity, felt by more than a thousand American citizens who contribute to its support and by the officers without remuneration who serve it, of explaining in quarters where it seems necessary to explain and defend our existing system of government against the attacks of those who for different motives are working to destroy it.

You will, I think, consider it not improper for me to make the above statement in order that you may be informed of the error of classing the National Association for Constitutional Government with the associations and other groups in which the writer of the article has placed it.

Respectfully, yours, DAVID JAYNE HILL.

SUNDRY CIVIL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The pending amendment is the committee amendment as amended on pages 21, 22, and 23 of the bill.

Mr. LENROOT. I offer the amendment to the amendment, which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The READING CLERK. On page 21, line 15, after the word "authorized," insert "within the limits of the appropriations made herein," so as to read:

The Secretary of the Treasury is authorized within the limits of the appropriations made herein to provide additional hospital and outpatient dispensary facilities for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation.

The amendment to the amendment was agreed to.

Mr. ROBINSON. Mr. President, I offer, to be incorporated after the last line of the committee amendment, an amendment to the committee amendment. I ask the attention of the chairman of the committee and the Senator from Utah [Mr. SMOOT] to the language of the amendment to the amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The READING CLERK. Add at the end of the amendment heretofore agreed to, at the end of line 10, page 24, the following:

That hereafter, in addition to the officers of the regular corps now authorized, there shall be 350 additional medical officers commissioned in said corps, and medical officers of the Public Health Service who have a total of not less than three years of satisfactory service in the Army, Navy, or Public Health Service, a part of which service must have been between April 6, 1917, and November 11, 1918, may be commissioned in the regular corps of the Public Health Service by the President, by and with the advice and consent of the Senate, in the several grades of the Public Health Service in accordance with regulations prescribed by the President: *Provided*, That no medical officer shall be commissioned or promoted under this act until after passing before a board of regular commissioned officers of the Public Health Service such examination as the President may prescribe: *Provided further*, That medical officers of the Public Health Service shall have the same grades and pay and allowances according to grades which are now or may hereafter be provided for medical officers of the Army, excepting retirement for age.

Mr. ROBINSON. Mr. President, there are now in the——

Mr. WARREN. Mr. President, I do not wish to take the Senator from his feet, but I must make a point of order against the proposed amendment to the amendment. It is extreme legislation.

Mr. ROBINSON. In all probability the amendment to the amendment is subject to a point of order, and if the Senator from Wyoming insists upon the point of order I am inclined to think it will be sustained. However, I have adopted the policy of not making points of order against amendments the provisions of which I am satisfied ought to be adopted. I wish to take a little time to see if I can convince the chairman of the committee that this proposed legislation ought to be enacted.

Mr. WARREN. Mr. President——

Mr. ROBINSON. I yield to the Senator.

Mr. WARREN. If the Senator desires to present this matter, it should be done in the regular way by legislative action before it is taken up on an appropriation bill.

Mr. ROBINSON. That is true, but the difficulty about the matter is that Congress has not legislated, and, in view of the urgency of many other questions, there is but little likelihood that it will legislate concerning it during the present session or in the early future. As a result of the failure of Congress to legislate—and the Senator from Wyoming seems to admit that it ought to legislate upon the subject—the service will suffer.

Mr. WARREN. No, Mr. President, I do not say that Congress ought to legislate; but if the matter is to be presented to Congress it ought, of course, to be put in shape before being presented, and that would only be by proper legislation.

Mr. ROBINSON. It has been put in shape; and if the Senator will permit me I will make a statement showing the necessity of the incorporation of this provision.

There are now in the Public Health Service 200 regular medical officers; there are also approximately 800 reserve officers. If this amendment be agreed to, it will still make necessary the retention and employment of a large number of reserve officers. There is not the slightest likelihood that the number of officers required to perform the service will be diminished in the early future; on the contrary, the number is going to increase as the needs of the service increase for some years to come.

The work can be performed through regular medical officers more expeditiously, more efficiently, and at less cost than it can be accomplished through reserve officers. One who occupies the status of employment in this service of a reserve officer realizes that his employment is in a sense temporary; that he is liable to be displaced. The result is that the service finds itself paying more in order to secure the aid of reserve officers than those officers would be willing to accept if they were given the status that is contemplated by the amendment. There is not any doubt that a larger number of officers will be required in addition to those now authorized than the amendment provides for. There is not any doubt in my mind that if Congress investigates the subject and legislates upon it it will create many more officers than are contemplated by the amendment. Then why wait? Why not incorporate the amendment in the bill?

The Surgeon General has stated to me, and authorizes me to state to the Senate, that he feels an overwhelming responsibility in connection with this service; that he is almost overwhelmed by it; and he appeals to Congress to give him this additional help and this additional authorization.

I desire some Senator to take the trouble to give a single substantial reason, in view of the admitted fact, why we should not legislate now. We are constantly legislating on appropriation bills whenever we think the matter presented is urgent enough to justify disregard of the rule forbidding legislation on a general appropriation bill.

Since I began service in the Senate eight years ago a single general appropriation has not passed that did not contain legislation in violation or in disregard of the rule to which I have referred. So it simply becomes a question of fact whether the proposition presented is important enough and urgent enough to justify Senators, in their opinion, in disregarding a rule which they have made for their own procedure. Therefore I appeal to the Senator from Wyoming, in view of these facts, not to make a point of order against the amendment, but to let the Senate express its will on the subject.

Let me make merely one additional statement. There are now in operation under the Public Health Service 60 hospitals of all kinds. There are also 1,200 contracts with private hospitals. Those 60 hospitals now operated by the Public Health Service are constantly being increased in number, and under legislation which the Senate enacted on yesterday the number of hospitals will be increased. Consequently the number of officers required for their proper administration is also increased.

If it be true, as stated by the Surgeon General, that regular officers can be procured at less expense and that upon the whole case their services will be more satisfactory, then why not give him regular officers? If there were a question as to whether or not the amendment provided more officers than are admittedly needed a point of order might be justified; but when the amendment calls for only approximately half of the number of officers actually needed, when the opinion of the Surgeon General is to the effect that by the adoption of the amendment—which he prepared—the service will be greatly improved, I can not comprehend why a Senator would feel justified in making a point of order against the amendment. I should like to have the Senate vote on the amendment, if the Senator from Wyoming will be kind enough to permit it to do so.

Mr. SMOOT. Mr. President, I wish that a full Senate were present, as I should like to make a statement in reference to this matter and call the attention of the Senate to what is going on in the Public Health Service. Before very much more money is appropriated for that service I desire a thorough investigation of it to be made.

We all know the Surgeon General. I think he is a perfectly honest man; but he is surrounded by men who have no respect whatever for any action taken by Congress, and, if the program which has been mapped out by them shall be carried out, God have mercy upon the Treasury of the United States. They are violating the law to-day.

Senators, do you know what they are doing in the Public Health Service? About a month ago I wrote to the Secretary of the Treasury and asked him to send me all of the regulations for the government of the United States Public Health Service. In answer to that letter I was sent a copy of the printed regulations. The printed regulations were not what I wanted. I wanted the regulations that were approved on March 29, 1920, and when I asked for them in a letter I was told that they were not printed; that they were only in mimeographic form. I requested, then, a copy of those regulations in mimeographic form, and I received a copy. The Senators should know what is taking place under said regulations. For instance, take the one item of four persons termed administrative assistants. Those employees are not commissioned officers nor have they been confirmed by the Senate; they have never been appointed by the President of the United States; they are not medical officers within the terms of the law, and yet we find those administrative assistants paid salaries, paid longevity, paid commutation, and, in addition, given the congressional bonus. Is there any law for it? No. What is the result? I find in the Marine Hospital Division administrative assistants, one of the first class, length of service two years and nine months; salary, $2,000; longevity pay, $800; commutation, $623.80; total salary, $3,423.80.

Here is one of the second class of nine months' service: Salary, $1,800; longevity pay, $180; commutation, $623; bonus, $240; or a total of $2,843.80.

Mr. SMITH of Arizona. And longevity did not mean long service.

Mr. SMOOT. It meant service in this instance of nine months at a clerk's desk.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I yield to the Senator from Washington.

Mr. JONES of Washington. I ask the Senator if there is any law under which they are authorized to pay longevity and allow commutation of quarters, and so on?

Mr. SMOOT. No; that is what I am objecting to and what I am calling the attention of the Senate to.

Mr. JONES of Washington. I wanted to make that clear.

Mr. SMOOT. I have spent many days looking this question up. Only last Sunday I went into the details of the report which I received in answer to a letter addressed to the Secretary of the Treasury requesting the information. The situation is awful. Why, Mr. President, they are doing the same thing for nurses and for clerks. Where are we going and what will the end be?

Take the superintendent of nurses. How is she paid? With a service of 1 year and 10 months she receives a salary of $2,460, her commutation is $780, her bonus is $240, and her total salary is $3,480.

The assistant nurse, with a service of 1 year and 3 months, receives a salary of $1,770, a commutation of $780, a bonus of $240—receiving $2,790. Commutation means in lieu of quarters.

Mr. SMITH of South Carolina. Why do they get commutation?

Mr. SMOOT. Why, they are allowed so many rooms, and if they do not take the rooms they are given $65 a month extra, and, of course, they do not take the rooms, and get the commutation.

Mr. SMITH of Arizona. What authority of law is there for that?

Mr. SMOOT. None whatever.

Mr. SMITH of Arizona. No authority of law?

Mr. SMOOT. None whatever.

Mr. JONES of Washington. Mr. President, will the Senator advise me how it happens that the comptroller passes these accounts and authorizes the payments in accordance with this regulation, when there is no authority for it?

Mr. SMOOT. Mr. President, I have that matter under investigation right now, and I do not want to make statements until I find out definitely, but I have been told why this has been done, but have not concluded my investigation.

Mr. SMITH of South Carolina. Does not this come under the law regulating Army service?

Mr. SMOOT. The law specifically provides for medical officers. Commissioned medical officers are appointed by the President, and they are confirmed by the Senate of the United States.

Why, take the France bill, asking for 828 more officers. If granted, it will allow employees I have referred to to be appointed commissioned officers.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. SMOOT. Yes; I yield.

Mr. ROBINSON. The appointment of regular medical officers would relieve much of the criticism that the Senator is making against the present service.

Mr. SMOOT. Yes; I am perfectly aware of that.

Mr. ROBINSON. I may be anticipating the Senator, but why would the Senator oppose the authorization of additional medical officers? The statute then would fix their compensation according to their ranks and their grades; and if such a condition as is described by the Senator from Utah exists in the Public Health Service, to the extent that we authorize medical officers where they are needed we would relieve that condition.

I want to say, in justice to the Surgeon General and to the Public Health Service, that while I have no knowledge of the

matters of which the Senator from Utah is speaking, and have not investigated the expenditures of that service, I have been informed by the Surgeon General and by others in his office that the failure of Congress to authorize the necessary officers to handle this work has imposed great embarrassment and great difficulties upon the service; and the Surgeon General, as I have stated before, feels a very great responsibility in the matter, and wants this amendment very much, indeed, insisting that it will help and relieve him from some of the difficulties, at least, that have grown up under the system now in force in the Public Health Service.

Mr. SMOOT. I have a great deal of sympathy with the Surgeon General. He is, no doubt, an honest man.

Mr. ROBINSON. Mr. President, if the Senator will pardon me, my acquaintance with the Surgeon General does not justify the imputation of the remarks of the Senator from Utah that while he is good and honest, he is incompetent, inefficient, and the easy tool of crooks who are surrounding him in the service. I think the Senator, in making a charge of that sort——

Mr. SMOOT. I have not made such a statement.

Mr. ROBINSON. The Senator did in the beginning.

Mr. SMOOT. No; I have not made any charge that he is the tool of crooks.

Mr. ROBINSON. If the Senator will pardon a further interruption, the Senator did say a few moments ago, in the beginning of his address—I recall it distinctly, and I know that the RECORD will show that the Senator said it—that while the Surgeon General was a good man, he was surrounded by very bad characters.

Mr. SMOOT. No; I did not.

Mr. ROBINSON. The Senator did not use the word "crooks," but he used other language which may be very modestly comprehended within the term "bad character"—men who had no regard for the law and no regard for the service.

Mr. SMOOT. I did say men who had no regard for the law.

Mr. ROBINSON. Now, Mr. President, I think the Senator ought to be a little more specific in that declaration. I know officers in the Public Health Service who are just as conscientious in the performance of their duty and just as desirous of maintaining their reputations as public officers as the Senator from Utah can be and as I myself can be, and I would not think of taking advantage of my privilege as a Senator to make a general charge of that sort. If I knew officers in the Public Health Service who were abusing their relationship with the Surgeon General as the Senator from Utah has stated, I would name those officers and take the responsibility of my statement, and I would thus relieve the other officers in that service who are just as good and dutiful as the Senator from Utah from the odium of a general charge which I know can not be substantiated against all the officers in that bureau.

Mr. SMOOT. Nor have I said it, and I want an investigation; and when that investigation is made I am quite sure that it will bring out some very, very interesting results.

The pending amendment offered is a modification of the France amendment, and of course the Public Health Service want these officers. Why, Mr. President, do you know where we are drifting to? When these employees are commissioned officers, as soon as they reach the age of 64 they are retired, and it will not be long until we have a retired list of officers of the Army and the Navy and the Coast Guard and the Public Health Service that will be burdensome on the taxpayers of this country to carry.

Why, take the Coast Guard in this bill, and what do we find? In that little service we find that there are retired commissioned officers to the number of 71, costing the Government $210,054 a year. We find that there are 508 retired warrant officers in the Coast Guard, receiving an annual compensation of $534,600. Has it come to this that we must take employees and commission them as officers of the Public Health Service or the Coast Guard and use them for common, ordinary clerks, so that they can be paid longevity, commutation, and paid, after they reach the age of 64, three-quarters of their annual pay?

I am admonished by the chairman of the committee that he would like to get through with this bill to-day. This is too long a subject to discuss thoroughly at this time, but it is only another evidence of the fact that the law is nothing compared with department regulations.

Why, take the War Risk Insurance Bureau. The Senator from Mississippi [Mr. WILLIAMS] was one of the subcommittee that agreed upon the law creating it, and the law relating to compensation to the soldiers. The law provided that where there was a total disability, the soldier was to receive $100 a month as long as he lived. We all agreed to it; we all voted for it; we all thought it was a provision that ought to be made by law to take care of the soldier that had offered his life, and through that offer had become totally disabled to perform manual labor. What happened? There is a regulation put in operation now that if a soldier had a leg broken, and he remained in the hospital six months and one minute, no matter whether he completely recovers within one month afterwards and able to go to work, he is to draw a compensation of $100 a month as long as he lives. Neither the Senator from Mississippi [Mr. WILLIAMS] nor the Senator from Georgia [Mr. SMITH] nor the Senator from Utah had any such idea when that law was passed; but regulations are greater than laws. Department heads now are greater than the Congress of the United States, and regulations are made to take money out of the Treasury of the United States.

Mr. President, for the RECORD I want to read that regulation. It is Regulation No. 57, a copy of which I received the other day:

> Where the disabled person is on the date of the issuance of this regulation, or hereafter shall be, either an inmate of a hospital or asylum during a continuous period of six months or more; or on the date of the issuance of this regulation is, or hereafter shall be, rated as totally disabled or totally and temporarily disabled for a continuous period of six months or more, and be unable to follow continuously any substantially gainful occupation during such six months; and in addition at the time of the medical examination hereinafter prescribed shall be found then to be in such physical or mental condition as to require further hospitalization or otherwise unable to follow continuously any substantially gainful occupation.

Mr. President, I am told that that regulation is costing the Government of the United States, and has for the last two months, from the date that it was put in operation, nearly a million dollars a day—a mere regulation!

Mr. OVERMAN. Mr. President, how does it pass the comptroller? Has the Senator inquired whether he regards a regulation as a law?

Mr. SMOOT. Why, Mr. President, I take it for granted that this regulation has been decided upon by Mr. Cholmeley-Jones and his assistants and put in operation, and the comptroller O. K's the claim, and they recognize the rating of disability given by the board created in that bureau.

Mr. OVERMAN. There is no authority for it.

Mr. SMOOT. There is another peculiar thing in the way of regulation in connection with that which I do not believe was intended by Congress, although I can not say that with authority. There are certain accidents or disabilities which come to a soldier in war, and they have been rated as to the percentage of total disability. For instance, if a soldier loses an arm, it has been decided that that is 84 per cent disability; in other words, when a soldier loses an arm he gets $84 a month instead of $100. But now we have a regulation that if the soldier who has an 84 per cent disability should have a varicose vein he gets 10 per cent more, which would make 94 per cent; and if, perchance, he should have something the matter with one eye and received a rating on that of 6 per cent, that would make 100 per cent, and he would draw $100 a month as long as he lived.

I know it is very popular indeed to give every conceivable advantage to the soldier; but remember, Mr. President, there are millions of them coming whom we will have to take care of in some way, and we ought at least to adhere strictly to the law.

Mr. President, I think the amendment offered by the Senator from Arkansas is a very unwise one at this particular time.

Mr. ROBINSON. Mr. President, the Senator from Utah almost had a stroke of apoplexy when denouncing the activities of the Public Health Service. If it be true that for lack of adequate regular officers the Public Health Service has been compelled to pay larger salaries than it would otherwise have to pay, then I want to ask the Senate why the argument of the Senator from Utah does not intrench rather than overthrow my position, and why it does not support rather than defeat this amendment?

As illustrative of the temper and spirit the Senator from Utah displayed during the course of his remarks in attacking some mysterious, unnamed, and unknowable person associated with the Public Health Service, he declared that this amendment authorized retirement for age of public health officers, and the greater part of his criticism was directed against such a provision. He went ahead to refer to the number of officers who are retired in the Coast Guard Service, and pictured the detriment that would come to the Treasury of the United States if employees of the Public Health Service, or any considerable number of them, were granted a regular status.

But, Mr. President, the Senator from Utah was furnished with an exact copy of my amendment. My amendment expressly excepts the officers authorized under this provision from retirement.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Massachusetts?

Mr. ROBINSON. I yield.

Mr. WALSH of Massachusetts. I think it ought to appear in the RECORD just what public authorities support the amendment the Senator has offered.

Mr. ROBINSON. I shall be very glad to have them stated.

Mr. WALSH of Massachusetts. I would like to add, in addition to the public officials whom I know the Senator is about to name, that the officers of the American Legion heartily support the amendment he has offered.

Mr. ROBINSON. I thank the Senator for his suggestion. The Secretary of the Treasury yesterday sent to the chairman of the Committee on Appropriations not only a letter appealing for additional authorization for hospital purposes, but a letter appealing for this authorization for additional officers, and during the course of this debate, and before the bill is passed, I intend to put that letter in the RECORD and show where the Secretary of the Treasury and the Surgeon General of the Public Health Service stand upon these questions.

A controversy arose yesterday in the Senate in which the declaration was made that the Surgeon General had, inferentially at least, stated that the amount carried in the committee amendment is adequate for immediate requirements. The fact is that he had dispatched a letter to the chairman and members of the Committee on Appropriations, expressly declaring that there is urgent need for the authorization for these officers, and, as suggested to me by my friend the Senator from Massachusetts [Mr. WALSH], while the appropriation is helpful, it would be far more helpful if the Congress would provide the necessary officers to properly disburse it and control its expenditures. Congress is not practicing economy by perpetuating the conditions which exist in the Public Health Service. It would practice economy if it gave these regular officers the status of regular officers, and placed upon them the responsibility that attaches to such positions.

Mr. President, not only have the Secretary of the Treasury and the Surgeon General of the Public Health Service appealed for this legislation and this authorization, but the American Legion, representing directly sick and disabled soldiers, has indorsed this provision.

Now we are told by the Senator from Utah that because of the fact that the Public Health Service has been unable to secure regular officers, owing to limitations of law, they have been compelled to pay excessive salaries. Whether that condition exists or not, I do not know. The Senator from Utah usually investigates matters before he makes such declarations. But if it is a fact, it is an enforcement and a justification of my amendment.

What objection has the Senator from Wyoming [Mr. WARREN], now that the matter has been discussed, and the Senate understands it, to letting the Senate vote on it? Why take advantage of a technicality in the rules of the Senate and deny this body the privilege of registering its will concerning it? All I ask is that the Senator from Wyoming withdraw or fail to make the point of order, and let the Senate vote upon the question.

If the Senate shall authorize additional hospitals, multiplying and increasing the burdens to fall upon the Surgeon General, he should be given additional aid for the performance of those duties. If the Senate thinks that is not the way to proceed, I can not help it. But now that we have deliberated the matter, why not let us vote on it? The only reason is that the Senator from Wyoming knows what the action of the Senate will be. The whole subject has been discussed, and we understand it. The Senator from Utah has not only discussed it but he has discussed a great many other subjects. In order properly to administer this service, the head of it and the Secretary of the Treasury tell the Senate that these officers are urgently needed and that their authorization will result in economy. Then why not grant the authorization?

Mr. WARREN. Mr. President, I make the point of order, and ask for a decision upon it.

The VICE PRESIDENT. The point or order is sustained.

Mr. McKELLAR. Mr. President, I send to the Secretary's desk an amendment which I offer to the amendment of the committee.

The VICE PRESIDENT. The Secretary will read the amendment to the amendment.

The READING CLERK. On page 22, line 6, insert:

The Surgeon General of the Public Health Service is hereby authorized, by and with the approval of the Secretary of the Treasury, to sell or exchange in full or part payment for other sites in the same localities the premises now occupied by and in connection with the marine hospitals at St. Louis, Mo., and at Memphis, Tenn., or either of them, as in his judgment the public service may require.

Mr. FLETCHER. Mr. President, a parliamentary inquiry. Have all the committee amendments been disposed of?

Mr. LENROOT. This is an amendment to the pending committee amendment.

Mr. WARREN. All the committee amendments have not been disposed of.

Mr. FLETCHER. I am not opposing the amendment to the amendment, but I did not know just the status. I have some amendments that I shall desire to offer after the committee amendments have been disposed of.

Mr. LENROOT. Mr. President, I make the point of order against the amendment of the Senator from Tennessee that it is general legislation.

The VICE PRESIDENT. The point of order is overruled.

Mr. McKELLAR. Mr. President, I merely wish to say in connection with this proposed amendment that after the colloquy which took place about the Memphis situation yesterday, I talked with the Surgeon General, and he suggested that the reason why the hospital at Memphis and the one at St. Louis were not included was that they desired to change the locations of those two hospitals, and at his suggestion I prepared this amendment. I submitted it to the chairman of the Committee on Appropriations, who seemed to have no objection to it, and I hope it may be agreed to.

The VICE PRESIDENT. Just one moment; the Chair desires to make an inquiry. Is there any law which provides for the sale of such property?

Mr. LENROOT. Not by the Public Health Service; not in this department.

The VICE PRESIDENT. Then the Chair overrules the point of order on the ground that the amendment is not general, but applies to two small pieces of land. It does not apply to all the land held by the Public Health Service.

Mr. LENROOT. Mr. President, in regard to this amendment, it seems to me the question is whether the Senate of the United States is going to use the misfortune of the disabled soldiers to create a new kind of pork barrel; because that is exactly what is involved here. If this amendment is in order, any Senator can go to the Surgeon General and get the same kind of a reply, and there is just as much reason for every Senator getting another amendment in the bill to take care of his own State as there is for the amendment of the Senator from Tennessee. We have a hospital in my State—Wisconsin. I would have just as much reason to offer the same kind of an amendment, and I have no doubt I could get the consent of the Surgeon General, if I went to him to have it done.

But how does it affect the soldier? The hospital at Memphis, Tenn., I am informed, accommodates, or has accommodated, 85 beds. The Senator from Tennessee has spoken eloquently about taking care of the soldiers. But what does he propose to authorize the Secretary of the Treasury to do? To sell this hospital, deprive the soldiers of 85 beds, and use the proceeds for the purchase of land.

Mr. McKELLAR. Mr. President, if the Senator will permit me, he is entirely mistaken about the matter. The hospital at Memphis has been used since the time of the Civil War, or before. It was established there before the Civil War, as I recall. It has been there for over a half century. The location is not just what they want. They want a different location, and they want the right to exchange their property for other property that can be better utilized for the soldiers. They do not give up the beds at all. There is nothing of that kind involved. It merely gives the Surgeon General the right to use this property in the very best possible way for the soldiers.

Mr. LENROOT. It can not be used for the soldiers if exchanged for land.

Mr. McKELLAR. It does not provide that it is to be exchanged for land.

Mr. LENROOT. Yes; it does.

Mr. McKELLAR. It merely provides for an exchange of the property for other hospital property.

Mr. LENROOT. Very well. Does the Senator then propose by the amendment that we shall authorize even the exchange of this property for other buildings that were not built for hospital purposes, that were never equipped for hospital purposes, for buildings that will afford some great profit to some real estate broker?

Mr. McKELLAR. Oh, no; there is not the slightest idea of that sort. If I felt that that was to be the department's policy, if I felt the department was going to engage in a matter of that kind with some real estate broker, as the Senator intimates, I would vote to abolish the Public Health Service. I would not take that stand about it. The truth of the business is that the Department of Public Health desires to utilize this property and this hospital in the best possible way. It desires to sell the prop-

erty, if necessary, to obtain another hospital site in the city of Memphis that would be better adapted in every way to the uses of the soldiers, and could be more economically carried on. There is no ulterior purpose in the matter, as the Senator suggests. The desire is to give the best hospital facilities for the soldiers.

Mr. LENROOT. The Senator knows very well that it is not to be expected that they would secure another hospital in exchange for this hospital. The Senator knows very well that the purpose of his amendment is to do away with the existing hospital and buy a lot of land for the Public Health Service, on which there would be a large commission for some real estate broker. The net result would be the expenditure of the funds from the sale of the existing hospital at Memphis for land, and in the meantime 85 soldiers will have lost the benefit of hospitalization. That is the proposition in a nutshell. Shall we use the misfortune of the soldier to make this a pork barrel?

Mr. McKELLAR. Will the Senator yield again? The Senator says that is the proposition in a nutshell. The Senator does not know what the proposition is at all, evidently. I do not know what information he has that makes him talk about it as he does. The Government has a very large body of land there that is not utilized, half a dozen times as much as it needs for hospital purposes, and it has a hospital on it, but the hospital is a very small affair, and the property is valuable. The Government wants to dispose of the property and have a larger hospital. That is the purpose of it.

Mr. LENROOT. Then, does not the Senator corroborate exactly what I said?

Mr. McKELLAR. Not at all. The Senator misunderstands me.

Mr. LENROOT. The proposition, therefore, that the Senator now states is to sell that hospital, deprive the soldiers of the 85 beds now there, and use the money to begin the building of a new hospital.

Mr. McKELLAR. Oh, quite the contrary. The Senator does not understand the proposition, and I need not argue it further with him.

Mr. LENROOT. I do not think the Senator can argue anything about it. It is very plain what the purpose of the Senator is. The purpose is not to take care of the immediate needs of the soldiers. The purpose is apparent. If the amendment be agreed to, there is no reason why 47 other amendments should not be agreed to, giving each State a little piece of pork in the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Tennessee to the amendment of the committee.

Mr. McKELLAR. On that question I demand the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. ASHURST (when his name was called). Mr. President, before I vote I wish to be recognized for a moment. I have no doubt the proposition made by the Senator from Tennessee is worthy, but it illustrates the very vice against which I have been speaking for three or four days and demonstrates that the matter should be left wholly, solely, simply, and exclusively to the Surgeon General. I vote "nay."

Mr. DIAL (when his name was called). I am paired with the Senator from Colorado [Mr. PHIPPS]. In his absence, I withhold my vote.

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Rhode Island [Mr. GERRY], and vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. In his absence I am not privileged to vote and therefore withhold my vote.

Mr. WALSH of Massachusetts (after having voted in the negative). On this question I am paired with the Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from California [Mr. PHELAN] and allow my vote to stand.

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. SMITH of South Carolina (after having voted in the affirmative). Has the Senator from South Dakota [Mr. STERLING] voted?

The VICE PRESIDENT. He has not.

Mr. SMITH of South Carolina. I have a general pair with that Senator. I transfer that pair to the Senator from Kentucky [Mr. STANLEY] and allow my vote to stand.

Mr. KING. I wish to announce that the Senator from Montana [Mr. WALSH] and the Senator from South Dakota [Mr. STERLING] are detained at a hearing before the Committee on the Judiciary.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Iowa [Mr. CUMMINS] with the Senator from Ohio [Mr. POMERENE];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 19, nays 45, as follows:

YEAS—19.

Beckham	Kirby	Reed	Smith, S. C.
Fletcher	McKellar	Robinson	Spencer
Harris	Nelson	Shields	Trammell
Harrison	Pittman	Simmons	Underwood
Heflin	Ransdell	Smith, Ga.	

NAYS—45.

Ashurst	Gooding	Lenroot	Smith, Md.
Ball	Gronna	Lodge	Smoot
Borah	Hale	McCormick	Sutherland
Brandegee	Henderson	McCumber	Swanson
Capper	Jones, N. Mex.	McLean	Thomas
Culberson	Jones, Wash.	McNary	Townsend
Curtis	Kellogg	Moses	Wadsworth
Dillingham	Kendrick	Myers	Walsh, Mass.
Elkins	Kenyon	New	Willis
Fernald	Keyes	Overman	
France	King	Poindexter	
Gay	La Follette	Sheppard	

NOT VOTING—32.

Calder	Gerry	Norris	Smith, Ariz.
Chamberlain	Glass	Owen	Stanley
Colt	Gore	Page	Sterling
Cummins	Hitchcock	Penrose	Walsh, Mont.
Dial	Johnson, Calif.	Phelan	Warren
Edge	Johnson, S. Dak.	Phipps	Watson
Fall	Knox	Pomerene	Williams
Frelinghuysen	Newberry	Sherman	Wolcott

So Mr. McKELLAR's amendment to the amendment of the committee was rejected.

Mr. ROBINSON. Mr. President, I offer an amendment to the amendment, which I send to the desk and ask to have read.

The VICE PRESIDENT. The Secretary will read the proposed amendment to the amendment.

The ASSISTANT SECRETARY. On page 21, line 7, of the committee amendment, it is proposed to strike out "$600,000" and insert in lieu thereof "$850,000"; on the same page, line 8, after the word "Wyoming," to insert "Fort Logan H. Roots, Ark."; on line 12, after the word "Wyoming," to insert "Fort Logan H. Roots, Ark."; and, in line 11, to strike out the words "and directed."

Mr. ROBINSON. Mr. President, I desire the attention of the Senate while I very briefly state the purpose and effect of the amendment. On a former occasion I discussed in the Senate the subject of Fort Logan H. Roots. In the pending bill as reported by the committee there is a provision authorizing and directing the Secretary of the Treasury to take over Fort Mackenzie, Wyo., and Fort Walla Walla, in Washington, for use as hospitals. It appeared during the course of the debate that recently the Secretary of War had indicated his acquiescence in the use of those two forts for hospital purposes; that the discussion of the matter had been protracted; and in the case of the fort in Wyoming it had extended over something like a year. Hence, of course, there is no necessity for legislating as to those two forts. If the statement is correct, legislation is unnecessary.

Mr. JONES of Washington. Mr. President——

Mr. ROBINSON. If the Senator will just let me proceed a moment, I will yield to him.

Mr. JONES of Washington. I wish to say a word with reference to that particular matter.

Mr. ROBINSON. The provision in the bill is rather extraordinary in another particular. It not only authorizes the Secretary of the Treasury to use these two forts, but it compels him to take them over. Now I yield to the Senator from Washington.

Mr. JONES of Washington. I merely wish to State that one of the Representatives from the State of Washington told me this morning that the Public Health Service had made two formal requests of the War Department for the transfer of Fort Walla Walla, but that those requests had been denied.

Mr. ROBINSON. So that Fort Walla Walla is in exactly the same situation as is Fort Logan H. Roots, as I will show in a few moments.

I do not believe that the provision of law which we wrote in the bill respecting the forts mentioned in the bill ought to compel the Secretary of the Treasury to take them over and use them as hospitals. I think that if before he takes them over and proceeds to remodel them conditions should change so as to make it unnecessary to use them or make it desirable to use them for the purposes for which they were originally intended, the language of the provision ought to be left open so that that could be done. However, I make this proposition, and I do not believe that any Senator will gainsay it: If those forts are not needed for military purposes and are not in use for military purposes and are not likely to be required for such purposes within a reasonable future time, then if they are desirable and acceptable to the Secretary of the Treasury, he ought to be permitted to use them. That is a plain proposition, and that is exactly what my amendment proposes to do both as to forts which are already mentioned in the bill and as to Fort Logan H. Roots.

I discussed at length the other day the Fort Logan H. Roots proposition. It is a very remarkable one, and I do not intend to go into the details of the subject at this time further than to state the facts. The chairman of the Committee on Military Affairs, before which committee a bill was pending which I had introduced at the instance of the General Assembly of the State of Arkansas, the American Legion organizations in Arkansas, and civic organizations there, wrote a letter to the Secretary of the Treasury making inquiry about the situation at this fort, its present use, and the use which is contemplated of it. I am going to put the letter of the chairman of the committee, the Senator from New York [Mr. WADSWORTH], in the RECORD in full. The Secretary of War wrote a letter in reply, which I shall also put in the RECORD in full.

The Secretary of War, as stated by the Senator from Wyoming [Mr. KENDRICK] on a former occasion in the Senate, took the view of the matter that is comprehended by my amendment; but the General Staff, anticipating a probable large increase in the Army, wanted to hold all of these forts for future possible military purposes. So the Secretary of War sent to the chairman of the Military Affairs Committee a letter lamely objecting to the bill.

I propose to put his letter into the RECORD, and Senators who take the trouble to read it will see what I mean by the use of the word "lamely." He said that the future requirements of the Army may make it necessary to use Fort Logan H. Roots, although its use as a fort is not in immediate or early prospect; he did not know about it. He said further that the buildings at Fort Logan H. Roots were now being used as officers' quarters for officers who are stationed at Camp Pike, implying—he did not specifically so declare—that sufficient officers' quarters were not available at Camp Pike.

Mr. President, during the war at one time there were 70,000 soldiers stationed at Camp Pike, with the officers necessary for their command. The average number stationed there was from thirty to forty-five thousand, with the officers necessary for their command. They were quartered at Camp Pike throughout the period of the war, except that a few officers were quartered at Fort Logan H. Roots. Not one-half of the buildings at Camp Pike are now occupied. There are kept there from three to seven thousand soldiers; there have not been more than 7,000 soldiers at Camp Pike since a short time after the armistice; so, to my personal knowledge, there are officers' quarters available, or buildings which could be readily made available for officers' quarters, at Camp Pike adequate for four times the number of officers who are there or who in all probability will be sent there in the near future. So the only question that remains for consideration is whether the post may in the remote future be required for military purposes.

The action of the Senate yesterday in overriding the President's veto on the joint resolution reducing the Military Establishment to 175,000 indicates that the plan of the General Staff for a much larger Army is not likely to be executed in the early future, and that not one of the three forts mentioned will be required for military purposes for many years to come.

Fort Logan H. Roots was used as a base hospital during a large part of the war period when soldiers were being concentrated at Camp Pike and sent forth to various embarkation points. It would cost very little to remodel it so as to make it available for a hospital, and it is in a desirable location.

I had a telegram from Lee Kelly, commander of the American Legion of Arkansas, this morning stating that the representations which I made in the Senate yesterday as to the number of men sick and disabled who have been unable to receive hospital treatment is more than justified by the facts. The commander wired me that a survey made of the sick and disabled soldiers in Arkansas recently showed that more than 150 men afflicted with tuberculosis and needing hospital treatment at this time have been unable to procure such treatment. That statement shows that, in addition to that 150 men, there are 1,800 other men in the State of Arkansas, former service men, who are suffering from either disease or injury, the greater number of whom will probably require hospital treatment in the early future.

Mr. SHEPPARD. Mr. President, will the Senator yield to me for a moment?

Mr. ROBINSON. I yield to the Senator from Texas.

Mr. SHEPPARD. In Texas it has recently become necessary to establish a 62-bed hospital by private subscription to take care of ex-service men who can not be cared for by the facilities at the command of the Government. That hospital, established by private funds, is in operation at Kerrville, Tex.

Mr. GLASS. Mr. President——

Mr. ROBINSON. I yield to the Senator from Virginia.

Mr. GLASS. Mr. President, I have been furnished this morning with the official statement, which I hold in my hand, by the Director of the War Risk Insurance Bureau, which shows that in district 14, which comprises Arkansas, Oklahoma, and Texas, there are 1,150 available Government beds, of which only 202 are now occupied. In the State of Texas, at Fort Sam Houston alone, there are available 850 beds, of which only 4 are now occupied. At Hot Springs, in Arkansas, there are available 100 Government beds, of which only 19 are occupied. So these official statistics do not seem to conform with the general statement which has been made about thousands of soldiers in that particular district being without hospital facilities.

Mr. ROBINSON. Mr. President, the Senator from Virginia is laboring under an erroneous assumption. There is not one soldier in a thousand who knows anything about districts or anything about hospitals located in remote places. I myself did not know in what district the State of Arkansas was located. It simply means that these men have not had their applications presented, and that they are still to be provided for. My amendment does not require the Secretary of the Treasury to use the forts if they are not needed; it merely permits him to do so if they are needed.

Mr. SHEPPARD. Mr. President, will the Senator permit me to say a word further?

Mr. ROBINSON. I yield to the Senator.

Mr. SHEPPARD. The Texas representative of the American Legion, Mr. R. G. Story, of Tyler, Tex., was in my office this morning, and he told me there were 4,000 tubercular ex-service men in Texas who were without hospital facilities. As I said a few moments ago, it has become necessary to provide a hospital by private subscription.

Mr. ROBINSON. Mr. President, in view of that statement just made by the Senator from Texas, it seems to be perfectly apparent that there is a greater demand for hospital service in the State of Texas alone than is provided for or possible in the entire district to which Texas belongs.

Mr. SMITH of Georgia. Mr. President——

Mr. ROBINSON. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. Are not the men who need hospital relief those who have been mustered out of the service?

Mr. ROBINSON. In almost every instance.

Mr. SMITH of Georgia. Is it not true that the hospital facilities belonging to the cantonments are under the charge of the War Department and that the men mustered out of the service can not be put in them without legislation?

Mr. ROBINSON. That is true as to that class of hospitals, of course, but it is not true as to the Public Health Service hospitals.

Mr. SMITH of Georgia. I understand; but the large amount of unoccupied space is found in connection with cantonments, and they can not be used by soldiers who have been mustered out of the service without some legislation.

Mr. ROBINSON. That is true.

Now, Mr. President, I want to put into the RECORD the letters to which I have referred, and a number of telegrams, resolutions, and memorials reflecting the necessity for increased hospital facilities, and disclosing the availability of this fort as a hospital. The Surgeon General of the Public Health Service and the Director of the War Risk Insurance Bureau have twice applied to the Secretary of War for a transfer of this hospital, and it has been denied, just as it was in the case of Fort Walla Walla, Wash., for no other reason in the world than that in the remote future, when the Army may be increased, it may be required as a military post.

Mr. JONES of New Mexico. Mr. President——

Mr. ROBINSON. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I am inclined to believe that there is a situation here which is not fully appreciated by the Senate, and it seems to me that very careful consideration should be given to the statements which have just been made by the Senator from Arkansas and the Senator from Texas. If those statements are true—and, of course, I have no doubt of it at all—it is apparent that there is something wrong with the statements which have just been furnished us by the Director of the Public Health Service.

It seems to me that that may arise from this difficulty: The director unquestionably is giving us a correct statement of the facts as they appear in his office; but it is apparent that there are thousands of these ex-service men who have not reported to the Public Health Service, and that there is something wrong about the method of acquainting them with the facilities for hospital treatment.

If these people are really in need of hospital treatment, whether they have made their wants known or not, it seems to me that Congress should take cognizance of that fact and enlarge these facilities in every way, and then go a step further and provide some means whereby it may be made known to these people that these facilities exist and are being provided, so that they may be cared for at public expense.

Referring to the statement made by the Senator from Texas [Mr. SHEPPARD] that people by private subscription are taking care of a great many of these disabled soldiers, of course, that is commendatory, so far as those people are concerned, but it ought not to be left there. The Government ought to take care of that situation, and we ought not to have it said that there is a condition here which calls upon the private charity of the people of this country to take care of these disabled men. If this situation exists, as it now appears must be the case, the Senate ought to take cognizance of that fact and remedy it in some way.

The amendment of the Senator from Arkansas and this bill as a whole will not take care of a situation which seems to be so wide in its scope as indicated by the figures stated here by the two Senators this morning, because what exists in Texas and Arkansas unquestionably must exist in various other States; and it seems to me if we are to take cognizance of any such statements as those made here this morning we ought to do very much more in this bill than we have attempted to do.

Mr. GLASS. Mr. President——

Mr. ROBINSON. That is exactly the position which I took on yesterday; and I apprehend that before many months pass the Senate will go very much further than it is going in this bill. It will be compelled to do so out of respect for the sentiment of the people of the United States.

Right in line with the suggestion made by the Senator from New Mexico that the Director of the Bureau of War Risk Insurance, as reflected by the record read by the Senator from Virginia, either has little grasp of the actual conditions as they exist or has not the facilities to obtain the necessary information respecting the subject, I pointed out yesterday that there were 18 sick and disabled soldiers confined in the Hospital for the Insane at Little Rock, where the criminal insane are also confined, and who were being cared for in that institution practically at the expense of private citizens, who had never been heard of by either the Surgeon General or the Director of the Bureau of War Risk Insurance; and I have telegrams, and will put some of them in the RECORD, showing that in various counties in that State there are former service men who are suffering from meningitis who are confined in loathsome jails. Of course, the Director of the Bureau of War Risk Insurance does not know about these cases. Of course, the Surgeon General does not know about these cases.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. ROBINSON. I yield to the Senator with pleasure.

Mr. ASHURST. I have already vexed the ears of Senators in pointing out that at Public Health Hospital No. 51, near Tucson, Ariz., ex-service men by the dozen who were ill were walking around the streets in need of hospitalization. The charitably disposed and humane persons of Tucson took up subscriptions and assisted in building temporary quarters, but I am advised that the situation is not much alleviated, as the Public Health Service has not the funds to increase the capacity of the hospital there.

Mr. GLASS. Mr. President——

Mr. POMERENE. Mr. President, will the Senator from Arkansas permit me to address a question to the Senator from Arizona?

Mr. ROBINSON. I yield for that purpose.

Mr. POMERENE. The Senator has referred to these patients in Tucson. Are they at this time in the service, or have they been mustered out?

Mr. ASHURST. Most of them were mustered out a year ago.

Mr. JONES of New Mexico. Mr. President, I think it only fair that a statement should be made as to the probable cause of the condition which exists at Tucson. There is no provision of law, so far as I know—and I am advised that there is none—which enables the Public Health Service to designate the places to which these patients shall go. Tucson is a very favorable climate, especially in some months of the year, in the wintertime, and these tubercular patients voluntarily seek that section of the country as a place to spend at least a short time during the year.

Mr. ASHURST. Exactly. The Senator is correct.

Mr. JONES of New Mexico. It has been impracticable for the Public Health Service to provide facilities there to accommodate the unexpected influx of such patients, and there is a question of good judgment as to the extent to which the Government should go in providing mere temporary quarters for patients of that sort. Unquestionably an unusual number have gone into Tucson and the southern part of Arizona, and I may say that the same thing obtains in certain sections of New Mexico. How far the Government should go in anticipation of that condition and trying to meet it is a doubtful problem, in my judgment. I think it ought to be said in extenuation of the action of the Public Health Service that certainly existing legislation does not contemplate the providing of permanent quarters for a mere temporary situation.

Mr. GLASS. Mr. President——

Mr. ROBINSON. I yield to the Senator from Virginia.

Mr. GLASS. The Senator from New Mexico has stated a part of what I had risen to say. It will be recalled that the Surgeon General, when he appeared before our committee, made the explanation as to the congestion at Tucson that scores of these persons had come there on their own initiative, and not by the suggestion of the Public Health Service.

I find, Mr. President, that I inadvertently made a mistake in quoting figures. I said there were 850 available beds at Fort Sam Houston, in Texas, and only 4 occupied. The facts are, as furnished me by the War Risk Insurance Bureau, that there are 200 available beds at Fort Sam Houston and only 117 occupied; but at Houston, Tex., there are available 850 Government beds, only 4 of which are occupied. It is surely an extraordinary situation if in any community of Texas these soldiers are dependent upon private charity with 846 available beds in one of the largest cities of the State.

I not only think these disabled soldiers should be treated justly, but I think they should be treated generously, and I am willing to vote to appropriate the last dollar in the Treasury to take care of the wounded and disabled soldiers. I think it is exceedingly unfortunate that we may not arrive at some definite information as to the state of facts; and I am only apparently in antagonism to suggestions that have been made here, because I rise in justification of the committee. The committee acted on the best available official information, and not upon general, current reports. If these figures are not accurate, surely we ought to be able to get accurate information.

I want to say that last night, in conversation with me, the Surgeon General said that the Public Health Service or the War Risk Insurance Bureau, or both, have in nearly every county of every State in the Union an authorized representative charged with the duty of looking after disabled soldiers and reporting the conditions in his particular community; and the Surgeon General is disposed to think that the information of the War Risk Insurance Bureau and that possessed by the Public Health Service is more nearly accurate than current reports.

Mr. POMERENE. Mr. President, will the Senator yield to me to ask a question of the Senator from Virginia?

Mr. ROBINSON. I yield to the Senator.

Mr. POMERENE. The Senator from Virginia has just read some statistics which have been furnished him by the War Risk Bureau. Are former soldiers who have been mustered out admitted now to these hospitals? Do these figures relate only to those who are now in the service, or will they shed any light upon the question as to whether there are soldiers out of the service now who are needing this medical treatment?

Mr. GLASS. I happen to know personally that soldiers who are mustered out of the service, but who were disabled during the war, are admitted to hospital treatment under Government auspices; that the hospital service of the Government is available to those who have been mustered out.

Mr. POMERENE. I have no definite information upon the subject, except that I know from my correspondence that constant complaints are being made because there are ex-soldiers throughout my own State who ought to have the privilege of hospital treatment and do not have it.

Mr. GLASS. Does the Senator know that they have applied for hospital treatment?

Mr. POMERENE. I do not know that. I have been very much interested in the subject, as all other Senators have been, and I realized that the Committee on Appropriations was going to make some provision for them. I am not a member of that committee, and I have not given much attention to the subject, but it is one which appeals to the hearts of all of us, and I would rather be a little overgenerous than not to make proper provision for those men, under the present circumstances.

Mr. GLASS. I think that ought to be the attitude of all Senators, and I think it is. All I want to know is the real requirements, and I shall cheerfully vote the last dollar that is needed, if I am assured that it is needed.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Wyoming?

Mr. ROBINSON. I yield.

Mr. WARREN. If I understood the question of the Senator from Ohio, he was inquiring as to how men in the service and men out of the service were accommodated. All of those in the Army, until they are finally discharged, are, of course, taken care of in the Army hospitals, and treated by Army surgeons. After they are discharged, if they are disabled, of course they are entitled to go to the Public Health Service hospitals, and the Government has turned over to the Public Health Service many of the Army and Navy hospitals, and they are undertaking to care for those who may be reached by the Public Health Service.

As to the old soldiers, if I understood the Senator's inquiry, they have access to the hospitals at the soldiers' homes and, of course, they have their pensions; in fact, in this bill we open up those hospitals to the soldiers who served in the Spanish-American War and all other wars. The doors are open all the time to ex-soldiers.

Mr. POMERENE. What is the Public Health Service doing toward getting accurate data with respect to the number of these soldiers who are out of the service and who really ought to have this medical treatment?

Mr. WARREN. There are in every State and, so far as I know, in the different counties and in the cities those who represent the Public Health Service. In fact, they have arrangements made whereby surgeons or physicians examine such men as apply. A man may be in the interior part of a very distant State and may make inquiry, and he will be told to go to the doctor in the city where he is. That doctor is paid a fee out of the fund we have allowed for examining the men, and he sends a statement to the War Risk Bureau or to one of the other branches to which it may be sent and the man is taken care of.

Mr. ROBINSON. Mr. President, the discussion has been diverted from the amendment immediately under consideration. I would like to have the attention of Senators, and particularly the attention of the Senator from Virginia [Mr. GLASS]. I will say to the Senator from Virginia that I have just said that the discussion has assumed a very broad range during the last few minutes and has veered away from the amendment immediately under consideration.

There was sent to me this morning, through the kindness of the Surgeon General, a statement showing that all I said on yesterday as to the immediate requirements of this service for increased hospital facilities is more than justified. On another occasion I may make use of that in the Senate. I do not now desire to cloud the pending amendment, or the propositions necessarily involved in that, with a general discussion.

The pending amendment relates to a provision in the sundry civil bill at page 21. There the Secretary of the Treasury is authorized and directed to take over and use two forts. The statement was made in the Senate yesterday, as Senators will recall, that the Secretary of War had acquiesced in or consented to this transfer. The Senator from Montana pointed out that it was very singular, if that was the case, that this provision should be in the bill, since there could be no necessity for it if the Secretary of War had given consent. This morning the Senator from Washington [Mr. JONES] stated on the floor that, just as in the case of Fort Logan H. Roots, the Secretary of War made a report refusing to turn over Fort Walla Walla, for the reason that the requirements of the military service in the remote future might make necessary the use of Fort Walla Walla as a military post. So that Fort Logan H. Roots and Fort Walla Walla and Fort Mackenzie are substantially on the same basis.

I do not believe that the Secretary of the Treasury ought to be required to take over any one or all of these forts. I think, in view of the fact that Congress knows that the War Department does not need them, and that it has no early use in prospect for them, and that they may be valuable for hospital use, we ought to permit him to take them and use them.

So I propose to strike out of the provision in the bill the words "and directed," so as to leave the Secretary of the Treasury authorized but not required to take these forts and Fort Logan H. Roots. So that if the amendment which I offered prevails, the Secretary will have the power to take them and use them if he wants to; but if conditions change, and he finds that it is either unnecessary or undesirable, or if it subsequently appears that another use can be made of these forts that is of greater value, in view of the other hospital facilities provided for in the bill, he may permit that to be done.

The point I am making is that we ought to strip this subject of anything except what is best for the service. The Surgeon General and the Director of War Risk have found that all three of these forts are needed for the service, and they have at least twice asked the Secretary of War to turn them over for that purpose. But the Secretary in each instance has refused to do so, unless in the case of Fort Mackenzie he consented; and that consent, if given at all, was given only after a year's discussion of the matter; he has refused to do so on the theory that the Army may be increased in the future, and that these military posts may be needed for the purposes for which they were originally designed.

Fort Logan H. Roots has not been used as a fort for 10 years. It is a very valuable property. It can be made available, if necessary, for probably 1,500 beds at very little cost. It was used as a base hospital during the war, and a great many soldiers received treatment there. It would require less remodeling and less expenditure for remodeling than perhaps any other plant that could be obtained that was not originally designed for hospital purposes. So I say, if in view of the fact that the only use contemplated for Fort Logan H. Roots is as officers' quarters for officers stationed at Camp Pike, when, as a matter of fact, there are quarters at Camp Pike available, or which could readily be made available at little expense, for five times the number of officers stationed there or required to be stationed there, we ought to give the Secretary of the Treasury the option of using Fort Logan H. Roots, as well as Fort Mackenzie and Fort Walla Walla, but we ought not to requre him to take any of them.

Mr. SMITH of Arizona. I suggest to the Senator that the title to this property will always be in the Government, and if any war necessity should arise it would be easy enough for us, by a war measure, to convey the property back to the Army if it was necessary, or more necessary than the use to which we now propose to put it.

Mr. ROBINSON. All the Senator from Arizona has stated is true.

Mr. GLASS. May I ask why we should not direct the Secretary to do it, then, if we know that it should be done? If we do not, even if the Secretary of the Treasury should, for reasons satisfactory to himself, agree with the Secretary of War, we would not gain the benefit of such a transfer.

Mr. ROBINSON. That is true; and the only reason why I thought he ought to be authorized rather than directed was that conditions might change, and he might subsequently conclude, for just reasons, that he did not need them, that he could get along without them.

Mr. GLASS. In this play of policy I should think that the Secretary of the Treasury would be more apt to yield his view to that of the Secretary of War than otherwise, and if the forts are really needed, I should say that we should give the direction instead of the authorization.

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from New Mexico?

Mr. ROBINSON. I yield.

Mr. JONES of New Mexico. There is another thought in this connection which I do not believe has been emphasized sufficiently. It is that in order to construct new hospitals it will require time.

Mr. ROBINSON. That is true.

Mr. JONES of New Mexico. In the present emergency beds can be provided at Fort Logan H. Roots much more quickly than by entering into new construction, and I have not the slightest doubt but what it can be done at very much less expense. We are proposing in this bill, in the construction of five new hospitals, to spend about $2,500,000 on each one. I believe the estimate is that each of those hospitals, after it is constructed, will not provide more than a thousand beds; in other words, about $2,500 or perhaps $3,000 for the additional beds.

Mr. ROBINSON. My information is that $250,000 will make available approximately 1,000 beds at Fort Logan H. Roots.

Of course, my information is not technical, but that enforces the suggestion the Senator from New Mexico is making.

Mr. JONES of New Mexico. And that can be done, of course, in a reasonably short time.

Mr. ROBINSON. It can be done very quickly, and in proof of that fact, it has not been very long since the fort was used as a base hospital, and the buildings, with the exception of a few that are now being used for officers' quarters, can be very readily and easily made available for hospital purposes. What the Senator has suggested is true.

Mr. JONES of New Mexico. Then if the only obstacle in the way of the use of these forts as hospitals is the prospect existing in the mind of the Secretary of War that at some future time they may be required for war purposes, I believe the amendment should be made to this bill. But I am inclined to agree with the Senator from Virginia that we ought to have the direction here that it shall be done.

Mr. ROBINSON. Mr. President, I merely wish to state that, in view of the suggestions made by the Senator from Virginia [Mr. GLASS] and the Senator from New Mexico [Mr. JONES], I do not know that I ought to insist upon striking out the words "and directed." I do not know that I shall do it. The suggestion met with the approval of some Senators about me.

Mr. SIMMONS. Mr. President, I do not believe the Senate could occupy its time any better than it is now occupying it in the discussion of this question. I think enough has been disclosed here to show that there is a most deplorable inadequacy in present accommodations for sick and disabled soldiers. I can not understand why there is any objection on the part of the committee to accepting the amendment which the Senator from Arkansas offers.

On yesterday when we were discussing the question it was my understanding that the committee itself, through its chairman and through the Senator from Utah [Mr. SMOOT], who was assisting the chairman in the management of the bill, based its opposition to the proposition of the Senator from Arkansas, made on yesterday, solely upon the ground that we could not reasonably expend during the next fiscal year more than $18,000,000. I wish to ask the Senator from Arkansas if that was not the ground upon which they opposed his amendment yesterday, namely, that they could not expend during this fiscal year for hospital purposes more than $18,000,000, and if it was not contended that the $18,000,000 was not as much as was needed, but that they did not grant more because no more than that amount could be expended in that fiscal year?

Mr. ROBINSON. That is certainly true. No one who is informed will contend, with all the provisions of the bill as now contemplated carried out, that at the end of the fiscal year there will be adequate facilities for all who require hospital facilities. The statement of the Surgeon General, sent to me this morning, shows that in all probability they will not be adequate.

Mr. SIMMONS. Then we have two admissions. We have the admission that at present the requirements are so great that it is necessary to spend $18,000,000 within the next year in constructing additional hospitals. We have the further admission that the $18,000,000 would not be sufficient to construct as many hospitals as we ought to construct, but the committee limited it to $18,000,000 simply because they can not expend within that period of time more than that sum. In that condition, constituting a virtual admission that we are in great need of hospital facilities, when the Senator from Arkansas makes it plain that here is a particular fort not needed for military purposes and not used for military purposes, that was used during the war as a base hospital, that is all ready for occupancy with a slight expenditure in the way of improvements and capable of accommodating, I believe the Senator said, about 1,100 sick soldiers, why the committee should refuse to accept an amendment to allow, for that is all it means, the Secretary of the Treasury to commandeer and take this over for the purpose of supplementing the inadequacy of hospital facilities is more than I can understand.

Mr. WALSH of Montana. Mr. President, I think we ought beyond question to agree to the amendment proposed by the Senator from Arkansas, but I do not feel that we are in possession of sufficient information with respect to the matter now to override the determination of the War Department, if such a determination has been made, that these posts ought to be retained by the Army. It occurs to me that we ought to authorize the Secretary of the Treasury to take them over, but not to direct him, because, of course, a direction to the Secretary of the Treasury to take them over would be a direction to the Secretary of War to surrender them into the possession of the Secretary of the Treasury.

Of course, the question as to whether a particular post is needed for military purposes at the present time or is likely to be needed at some time in the immediate future is one that obviously requires considerable careful study. An appropriation bill is hardly the place, as it seems to me, to arrive very correctly at a just conclusion with respect to that matter. I do not think we have heard sufficient to enable the Senate to determine whether Fort Walla Walla ought to be continued in the Department of War or ought not to be. The same applies to Fort Logan H. Roots, in the State of Arkansas. I do not believe that in the present situation of affairs, with the determination to reduce the Army to 175,000, any resistance arbitrary or unreasonable in character will be offered by the Department of War.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. WALSH of Montana. Certainly.

Mr. LENROOT. I should like to ask the Senator if he recollects that we have already adopted an amendment giving to the President authority to transfer any sites to the Public Health Service, either temporarily or permanently, as he sees fit?

Mr. WALSH of Montana. Exactly. I am heartily in favor of the amendment offered by the Senator from Arkansas in its present form, but I believe the word "directed" ought to be taken out of the committee amendment, so that it will read "that the Secretary is authorized to take them over," and so forth.

Mr. GLASS. Mr. President, I wish to have it understood that my suggestion to the Senator from Arkansas was upon the assumption that he was entirely accurate in his statement that the forts referred to are absolutely not needed for military purposes, and that some of them have not been used for years for military purposes.

Mr. WALSH of Montana. The Senator will understand that the Department of War still is not convinced that they may not be needed or desirable for use in the future.

Mr. GLASS. That is true. I imagine it will be very easy to convince the Secretary of the Treasury that the War Department is right in its estimate of the situation, so that if we are convinced here that the forts will not be needed for military purposes and we know that they are needed by the Public Health Service, I think we ought to give the direction.

Mr. WALSH of Montana. The point I am making is that we have not heard sufficient evidence really to arrive at a just conclusion. We have heard the views of the Senator from Arkansas in the one case and the Senator from Washington in the other case.

Mr. GLASS. My suggestion was based upon the statement of the Senator from Arkansas.

Mr. ROBINSON. In order to obviate the differences between my friends on this proposition, I will ask that the provisions of the amendment be segregated and that we vote first on that part of the amendment inserting "Fort Logan H. Roots." Then we can take a separate vote on whether we shall strike out the words "and directed."

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none. The question is on the first branch of the amendment to the amendment proposed by the Senator from Arkansas.

Mr. WARREN. Mr. President, on the part of the committee I can not accept the amendment, because we have refused all those that were not directely asked for by the Surgeon General in letters to the committee or memoranda handed to it. The two posts that are named specifically in the bill came to us from the House, and we have added all of the others that came up in the manner I have stated, so I can not accept the proposed amendment.

Mr. ROBINSON. Will the Senator permit me to call his attention to the fact that there was no provision in the bill whatever respecting hospitalization? It is true that the House passed a separate bill yesterday, while we were considering this bill, which embraced the two forts indicated, but Fort Walla Walla is in exactly the same condition as Fort Logan H. Roots. The Secretary of War has refused to assent to it. I ask that the Senate agree to the amendment to the amendment which I have proposed.

The VICE PRESIDENT. The question is on agreeing to the first part of the amendment offered by the Senator from Arkansas to insert after the word "Wyoming," page 21, line 12, the words "Fort Logan H. Roots, Ark."

Mr. WARREN. On that question let us have the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. FERNALD (when his name was called). I transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. McCORMICK]. In his absence I withhold my vote.

Mr. KENDRICK (when his name was called). I make the same announcement as to the transfer of my pair that I made a moment ago and will vote. I vote "yea."

Mr. POMERENE (when his name was called). I have a pair with the senior Senator from Iowa [Mr. CUMMINS]. I do not know how he would vote, if present. I therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WALSH of Massachusetts (when his name was called). On this question I have a pair with the Senator from New York [Mr. CALDER]. I therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. WALSH of Montana (when his name was called). I transfer my pair with the Senator from New Jersey [Mr. FRELINGHUYSEN] to the Senator from Texas [Mr. CULBERSON] and will vote. I vote "yea."

Mr. WOLCOTT (when his name was called). I have a pair with the Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

The roll call was concluded.

Mr. MYERS. I inquire if the Senator from Connecticut [Mr. McLEAN] has voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a general pair with that Senator, and therefore withhold my vote.

Mr. POMERENE. On the call of the roll I reserved my vote because of a pair which I had with the Senator from Iowa [Mr. CUMMINS]. I now understand I can make a transfer of that pair to the junior Senator from New Mexico [Mr. JONES]. I make that transfer, and will vote. I vote "yea."

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the senior Senator from Nevada [Mr. PITTMAN] and will vote. I vote "yea."

Mr. WOLCOTT (after having voted in the affirmative). On the roll call I transferred the pair I had with the Senator from Indiana [Mr. WATSON] to the senior Senator from Tennessee [Mr. SHIELDS], who has since entered the Chamber and voted. I therefore am compelled to withdraw my vote.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The roll call resulted—yeas 27, nays 35, as follows:

YEAS—27.

Ashurst	Heflin	Pomerene	Smith, S. C.
Beckham	Kendrick	Ransdell	Stanley
Fletcher	Kirby	Robinson	Swanson
Gay	La Follette	Sheppard	Trammell
Glass	McKellar	Shields	Underwood
Harris	Phelan	Simmons	Walsh, Mont.
Harrison	Pittman	Smith, Ga.	

NAYS—35.

Ball	France	King	Smoot
Borah	Gooding	Lenroot	Spencer
Brandegee	Gore	Lodge	Sterling
Capper	Gronna	McCumber	Sutherland
Colt	Hale	McNary	Thomas
Curtis	Jones, Wash.	Moses	Wadsworth
Dillingham	Kellogg	Nelson	Warren
Elkins	Kenyon	New	Willis
Fernald	Keyes	Poindexter	

NOT VOTING—34.

Calder	Henderson	Newberry	Smith, Ariz.
Chamberlain	Hitchcock	Norris	Smith, Md.
Culberson	Johnson, Calif.	Overman	Townsend
Cummins	Johnson, S. Dak.	Owen	Walsh, Mass.
Dial	Jones, N. Mex.	Page	Watson
Edge	Knox	Penrose	Williams
Fall	McCormick	Phipps	Wolcott
Frelinghuysen	McLean	Reed	
Gerry	Myers	Sherman	

The VICE PRESIDENT. On the portion of the amendment of the Senator from Arkansas to insert the words "Fort Logan H. Roots, Ark.," the yeas are 27 and the nays are 35. That portion of the amendment is rejected. The question recurs on the remainder of the amendment. [Putting the question.] The ayes have it, and the amendment is agreed to.

Mr. WARREN rose.

Mr. LENROOT. Mr. President, has the entire amendment been acted upon?

The VICE PRESIDENT. The Chair put the question and nobody voted against it.

Mr. LENROOT. I desire to offer two perfecting amendments to the committee amendment when the amendment of the Senator from Arkansas shall have been disposed of.

Mr. ROBINSON. The question was on the remainder of the amendment offered by myself. I offered an amendment which contained two or three provisions. The first provision not being agreed to, the question recurred on the remaining provisions and they were agreed to. That is the parliamentary status.

Mr. WARREN. Mr. President, I am satisfied there was a misunderstanding with reference to the vote just taken, and I hope the vote whereby the amendment was agreed to may be reconsidered. The vote as taken was certainly misunderstood by many Members of the Senate.

The VICE PRESIDENT. Is there objection to the reconsideration of the vote by which the amendment was agreed to? The Chair hears none, and it is reconsidered. The question now is on agreeing to the amendment.

Mr. ROBINSON. Mr. President, the amendment inserting the words "Fort Logan H. Roots" not having been agreed to, the portion of the amendment which increases the authorization for use in connection with those forts from $600,000 to $850,000 is withdrawn. I shall, however, ask for a vote on the remaining portion of the amendment, which is to strike out the words "and directed."

Mr. President, by almost a strict party vote the Senate has rejected an amendment which contemplated giving the Secretary of the Treasury discretion to take over a military fort that is not needed for military purposes and to use it, if necessary, for hospital purposes. That use could have been accomplished at an expenditure of less than $250,000, and 8,000 beds or more would have been made available for that purpose.

Fort Logan H. Roots is in exactly the same situation as are the other forts carried in this bill. The committee reported a provision directing the Secretary of the Treasury to take over Fort Mackenzie, Wyo., and Fort Wala Walla, Wash. Yesterday the statement was made in the Senate that the reason the committee had pursued that course was found in the fact that the Secretary of War had consented to it. The Senator from Montana [Mr. WALSH] then, however, pointed out that it was a very singular procedure; that, if the Secretary of War had consented to turning over the forts to the Secretary of the Treasury for hospital purposes, additional legislation was necessary or required, because the existing law authorized the transfer.

This morning it developed that the Secretary of War, in regard to one of the forts included by the committee in the bill, namely, Fort Walla Walla, had done just what he did in connection with Fort Logan H. Roots; he had refused to turn over that fort. So the Senate now puts itself in the attitude of making a political issue of this subject. By a strict party vote it has required the Secretary of the Treasury to take a fort located at Walla Walla, Wash., for use for hospital purposes; it has refused to permit the Secretary of the Treasury to take a fort located at Little Rock, Ark., when by doing so he could save the Government a large sum of money and could procure 1,000 beds or more, if they are needed.

Mr. President, the Senator from North Carolina during the course of his remarks on this amendment pointed out the fact that not a single ground or reason had been presented in the Senate why this amendment should not be agreed to. The Senator from Wyoming said that he could not agree to it, because the House of Representatives had sent him the other two provisions. That was not a correct or even approximately correct statement of the parliamentary situation. When the House of Representatives passed the sundry civil appropriation bill, it made no provision for additional hospital facilities. After this matter was agitated in the Senate some days ago, the Senate Committee on Appropriations brought in the committee amendment which has been the basis of our deliberations here; and it incorporated, in anticipation of the possible action of the House of Representatives, a provision not only permitting the Secretary of the Treasury to take over two forts but requiring him to do so.

I should like to have the Senator from Wyoming, the chairman of a great committee of the Senate, tell the Senate why he insists upon forcing the Secretary of the Treasury to take a fort in his own State and refuses to permit him to take a fort in another State, when the reasons touching the subject are identical.

Mr. WARREN. Mr. President, does the Senator want me to answer that question?

Mr. ROBINSON. Yes; I do want the Senator to answer it.

Mr. WARREN. I have already answered it, because I said we were only putting in those posts that were asked for by the

Surgeon General in his communications to the committee; and we have ruled out Memphis because it does not come in that way, and Fort Logan H. Roots for the same reason. Now, the Senator is on his feet the third day assuming to act as the personal representative of the Surgeon General of the Public Health Service. If he is unable to obtain the recommendation necessary in these three days, there is no reason why an exception should be made for Fort Logan H. Roots that we could not make for Memphis or for any Army post.

Mr. ROBINSON. Mr. President, the statement by the Senator from Wyoming that I am the personal representative of the Public Health Service, and that I have been unable to obtain from him a statement that he needs this fort, is unjustified. I stated, and I have put into the RECORD the letter of the War Risk Insurance Bureau and the letter of the Surgeon General stating that they have twice asked for this fort, that they still desire it, and that with a little expense it can be made available; and I decline to ask the Surgeon General to make any further statement regarding the matter. The Senate committee and the chairman of the committee have put themselves in the attitude of pushing forward one proposition, and putting back and resisting another identical with the one pushed forward, except as to location. My proposition now is that the Secretary of the Treasury ought to have the right to use all three of these forts. He ought not to be compelled to use any of them. I think the words "and directed" ought to be stricken out.

Mr. President, I ask permission to have printed in the RECORD the various memorials, resolutions, letters, and telegrams to which I have referred in the course of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

LITTLE ROCK, ARK., *January 1, 1921.*

Hon. JOSEPH T. ROBINSON,
United States Senate, Washington, D. C.:

I earnestly recommend transfer, by congressional action, Fort Logan H. Roots from War Department to Interior Department for use as United States Public Health Service hospital in order to provide immediate hospitalization for 2,000 disabled ex-service men. Buildings and grounds available for immediate occupancy. Roots is now ungarrisoned, and has been for past 10 years, except for caretaker detachment. State health authorities urgently recommend selection of this site, in which all patriotic and welfare organizations concur. It is imperative that determined steps be taken to relieve deplorable conditions and provide adequate hospitalization of disabled men. Suggest you initiate legislation in your House.

CHARLES H. BROUGH, *Governor.*

—

CIVITAN CLUB OF HELENA, ARK.,
January 13, 1921.

Resolution.

Information has been received by this club that at the present time there are quite a number of insane ex-service men in the State Hospital for Nervous Diseases at Little Rock, and on account of lack of facilities it has been necessary to confine these ex-soldiers in wards with the criminal insane, and which is not the proper treatment these men deserve, for they gave their full measure of devotion to their country and wear the badge of honor of service and sacrifice: Now, therefore, be it

Resolved, That the Representatives in Congress be requested and earnestly urged to use their best efforts to have Fort Logan H. Roots, which is not now used, turned over to the Public Health Service and made into a hospital, that these patients and other ex-service men who are denied hospital treatment on account of crowded conditions may be given suitable treatment and care that is befitting the heroes of the Nation.

Unanimously adopted this 13th day of January, 1921.

HELENA CIVITAN CLUB,
JOHN C. SHEFFIELD, *President.*

Attest:

E. B. DUDLEY, *Secretary.*

—

Resolutions passed by the Luke Box Post, No. 110, American Legion, at a meeting held at Hazen, Ark., January 13, 1921:

Whereas we, the members of the Luke Box Post, No. 110, of the American Legion, have discussed the benefits and the advisability, and in accordance with resolutions passed at the State convention of the American Legion at Helena, Ark., August 16 and 17, 1920, to secure Fort Logan H. Roots as a United States Public Health hospital for our disabled men; and

Whereas there are no practical reasons for further retaining Fort Logan H. Roots for war purposes and that Fort Logan H. Roots has practically been abandoned for the past 10 years, except for a small caretaker's attachment; and

Whereas the governor, the State commander, various welfare organizations, and the legislative committee have made every effort to cause the War Department to relinquish Fort Logan H. Roots for the above purpose, and so far the War Department have been unwilling to do so: Be it

Resolved, That we earnestly petition our Senators and Representatives to cause the enactment of necessary legislation to transfer Fort Logan H. Roots from the War Department to the Interior Department for use as a United States Public Health hospital for our disabled men; and be it further

Resolved, That copies of these resolutions be sent our Senators and Congressmen, urgently requesting them to use their influence and good office in effecting this transfer, and that copies be sent to the American Legion department headquarters.

M. W. VAN SICKLE, *Commander.*

Attest:

WM. MARAK, *Secretary.*

HELENA BOARD OF TRADE,
OFFICE OF SECRETARY,
Helena, Ark., January 14, 1921.

Hon. JOE T. ROBINSON,
Washington, D. C.

DEAR SENATOR: I am just in receipt of a communication from Mr. L. J. Wilkes, jr., commander of the local post of the American Legion, in which he advises that his organization has just discovered a number of ex-service men suffering from shell shock and wounds in the head who are now being cared for at our State Hospital for Nervous Diseases.

As you doubtless know, our State hospital at best is in an overcrowded condition without the addition of these boys, and it does seem unfair to them that after having offered everything they had to offer for our country they should be forced to mingle with paupers and the criminal insane.

Fort Logan H. Roots at the present time is unoccupied, and a more desirable location could hardly be secured in which these boys might be located and treated.

This organization, as well as myself personally, is thoroughly in accord with the movement which is being started by the American Legion to the end that the Government will be requested to turn Fort Roots over to the Public Health Service as a hospital for the treatment of ex-service men suffering from nervous afflictions contracted while in the Army, and I sincerely hope that you will use your very best efforts toward accomplishing this fact.

Assuring you of my highest esteem, with kindest personal regards, I am,

Sincerely, yours, JOS. L. SOLOMON, *President.*

—

ARKANSAS DEPARTMENT THE AMERICAN LEGION,
HEADQUARTERS EXECUTIVE COMMITTEE,
Little Rock, December 16, 1920.

Mr. JOE T. ROBINSON,
Washington, D. C.

MY DEAR MR. ROBINSON: I inclose copy of resolution adopted at the State convention of the American Legion at Helena, directing that every effort be made to obtain Fort Logan H. Roots, Ark., as a United States Public Health Service hospital, in order to provide adequate and suitable hospitalization for the thousands of disabled ex-service men and women in Arkansas.

The various patriotic and civic organizations such as the Rotary Clubs, Lion's Clubs, Knights of Columbus, Arkansas Public Health Association, Federation of Women's Clubs, Red Cross, Young Men's Christian Association, and Young Women's Christian Association, including such prominent health authorities as Dr. C. W. Garrison, State health officer, State board of health; Dr. Robert P. Harris, United States Public Health Service; Dr. C. F. Pettus, county health officer; Dr. John Thames, city physician of Little Rock; and others of our State, including the board of commerce of Little Rock, through their representatives, at a recent meeting of the committee appointed by the governor to look into the matter of providing adequate hospitalization for the disabled ex-service men and women of Arkansas, unanimously indorsed the movement to obtain Fort Logan H. Roots as a United States Public Health Service hospital.

I have made every possible effort to effect the relinquishment of Fort Logan H. Roots by the War Department, but from the inclosed letter to Mr. Abel Davis, chairman of the hospitalization committee, Chicago, Ill., from Mr. R. G. Cholmeley-Jones, director Bureau of War Risk Insurance, it is apparent that nothing short of congressional action will relieve the existing frightful conditions regarding the lack of suitable and adequate hospitalization for our disabled ex-service men and women.

I also inclose copy of letter from Hon. H. S. Cummings, Surgeon General United States Public Health Service, in which he admits the lack of a sufficient number of hospitals and the suitability of many existing hospitals for our disabled.

Fort Logan H. Roots has been practically abandoned for the past 10 years. It is, as you know, ideally situated, centrally located, and would provide hospitalization for 2,000 ex-service men and women of Arkansas and adjacent States.

I am confident I can rely on your hearty efforts in securing the transfer of Fort Logan H. Roots from the War Department to the Interior Department at an early date, as it is imperative that immediate relief be given our disabled men and women.

With kindest personal regards, I am,

Very truly,

LEIGH KELLEY,
Department Commander.

—

TREASURY DEPARTMENT,
Washington, December 9, 1920.

Mr. ABEL DAVIS.
Chairman Hospitalization Committee,
Chicago Title & Trust Co., Chicago, Ill.

MY DEAR MR. DAVIS: I wish to acknowledge your letter of December 3, 1920, inclosing a letter from Mr. Leigh Kelley in reference to Fort Logan H. Roots, Ark.

On November 3, 1920, at the request of the Surgeon General United States Public Health Service and myself, the Secretary of the Treasury addressed a letter to the Secretary of War calling attention to the desirability of the Public Health Service securing Fort Logan H. Roots to be used as a hospital for War Risk patients, and asking that, if possible, authority be given to transfer it to the Public Health Service.

On November 23, 1920, a letter was received from the Secretary of War, which reads as follows:

"I have the honor to acknowledge the receipt of your letter of November 3, 1920, requesting that Fort Logan H. Roots, Ark., be turned over to the Public Health Service in accordance with the provisions of Public act 326, Sixty-fifth Congress, approved March 3, 1919.

"In this connection I beg to inform you that this is a permanent post, and it is not the policy of the War Department to dispose of or transfer any permanent posts. A study is being conducted to determine the use to be made of all permanent posts for the increased Army now being organized under the authority of recent legislation. It has been decided to use Fort Logan H. Roots to house part of the —— Division."

I feel that this is very unfortunate, as, no doubt, Fort Logan H. Roots is admirably equipped for the care of War Risk patients.

I shall continue to use my efforts in cooperating with the Surgeon General in his effort to obtain the hospital, and I have not as yet entirely given up hope of obtaining it.

You may be assured of my earnest desire to cooperate with you and the legion in every way in the interests of ex-service men.

Very sincerely, yours, R. G. CHOLMELEY-JONES,
Director.

THE AMERICAN LEGION,
RICHARD L. KITCHENS POST, NO. 41,
Helena, Ark., January 18, 1921.

Resolution.

Whereas there has been brought to the attention of this post and the other posts of this State by the Department of Arkansas the glaring need of a hospital for the treatment of sick and wounded soldiers of the World War;

Whereas it was further found that there are 18 insane ex-soldiers now confined in the State Hospital for Nervous Diseases at Little Rock, Ark., and on account of the overcrowded condition of this institution these ex-soldiers are forced to associate and be confined with the criminal and pauper insane of the State. This is no fault of the officials of the institution, as they are prohibited by law from accepting any additional compensation from the Federal Government other than the nominal charge;

Whereas we fully realize the urgent need of more hospital facilities for not only these but other wounded and sick soldiers, and as Fort Logan H. Roots is not now being used by the Government and is an ideal place as to healthy location and with buildings and facilities ready for immediate use and which would be of very little cost to the Government to make minor repairs: We therefore

Resolve, That Richard L. Kitchens Post, No. 41, American Legion do urgently urge our Representatives in Congress to use their best efforts to have the Federal Government consider and investigate the converting of Fort Logan H. Roots, Little Rock, Ark., into a hospital for the treatment of wounded and sick ex-soldiers and same turned over to the Public Health Service; be it further

Resolved, That copies of this resolution be sent to Senator ROBINSON, Senator KIRBY, and Congressman CARAWAY, and to the press of Phillips County.

Passed this the 18th day of January, 1921, at a regular meeting of this post held at the Phillips County courthouse.

L. J. WILKES, Jr., *Post Commander.*

Attest:

THOS. H. JACKS, *Adjutant.*

—

JANUARY 22, 1921.

The SECRETARY OF WAR,
Washington, D. C.

MY DEAR MR. SECRETARY: I transmit herewith S. 4875, transferring Fort Logan H. Roots to the Secretary of the Treasury for the use of the United States Public Health Service, by Senator ROBINSON.

Please furnish the Committee on Military Affairs the following information:

1. What use is now being made of Fort Logan H. Roots, and how long has the same been so used?

2. State somewhat in detail the character of buildings at Fort Logan H. Roots which are now unoccupied and number of same.

3. Say whether, in your opinion, Fort Logan H. Roots should be retained as a permanent Army post and whether it is practicable to use the same temporarily for a hospital for sick and disabled soldiers.

4. Are hospital facilities at Camp Pike, Ark., adequate to meet the requirements of that camp?

It is claimed by former Gov. Brough, of Arkansas, commander of American Legion for Arkansas, many local posts of said legion, and many business organizations in Arkansas that hundreds of former service men in that State are suffering for lack of hospital facilities, and that Fort Logan H. Roots should be availed of either temporarily or permanently for these purposes.

I will be glad to have you advise the committee fully regarding this matter.

Very truly, yours, ——— ———.

—

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
OPERATIONS DIVISION,
Washington, February 1, 1921.

The CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

SIR: I have the honor to acknowledge receipt of your letter of January 22, 1921, transmitting S. 4875, transferring Fort Logan H. Roots, Ark., to the Secretary of the Treasury for the use of the United States Public Health Service.

In reply to the questions asked in your letter, I beg to advise you as follows:

1. Detachments of the Quartermaster Corps, Signal Corps, and Medical Department have been stationed at Fort Logan H. Roots since the early days of the war. In addition, a few months ago, this post was placed under the commanding general at Camp Pike, Ark., to be used for quartering officers for whom no quarters were available at Camp Pike, and for such other purposes as he saw fit.

2. In this post there are 15 sets of officers' quarters, 5 noncommissioned officers' quarters, barracks for 4 companies, 1 stable for 42 animals, and 1 hospital of 12 bed capacity, all built of brick. The total capacity is 280 men, and there are 1,050 acres in the reservation.

Of these buildings, one double barrack building for two companies, one single barrack building for one company, and one wooden semipermanent nurses' quarters are at present unoccupied.

3. This post was built for one battalion of Infantry. Before 1916 there were 30 regiments of Infantry and every permanent post was filled to its capacity. Now there are 65 regiments of Infantry. It is therefore apparent that every permanent post will be required and the surplus over their capacity will have to be housed in cantonments. It is not believed that this post could be used as a hospital for sick and disabled ex-soldiers without considerable remodeling. The disabled might be quartered in the barracks, but the hospital accommodations for the sick would be insufficient.

If these buildings were remodeled, it would require additional time and expenditures to put them back in proper shape to be used by troops, and a temporary occupation by the United States Public Health Service would probably become permanent.

A study is now being made by the War Department of all holdings, housing facilities, and activities of the Army, and a similar inquiry is being conducted by a subcommittee of the Committee on Military Affairs of the House of Representatives, with a view to a reduction to the minimum required. Until this study and this inquiry have been completed and until the size of the Army and the appropriations for it have been definitely determined, I believe it unwise to dispose of any permanent construction.

4. The hospital facilities at Camp Pike, Ark., are adequate to meet the probable requirements of that camp.

I therefore recommend that S. 4875 be not passed.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

—

HELENA, ARK., *January 20, 1921.*

Hon. JOE T. ROBINSON,
Senate Office Building, Washington, D. C.:

It is the wish of this club that you use influence to help American Legion, this State, in effort to obtain more suitable quarters for insane ex-service men now stationed at State institution.

HELENA ROTARY CLUB.

—

EXECUTIVE CHAMBER, STATE OF ARKANSAS,
Little Rock, January 8, 1921.

Hon. JOE T. ROBINSON,
The United States Senate, Washington, D. C.

MY DEAR MR. ROBINSON: Supplementing my telegram of January 1, I would appreciate if you will interest yourself in the matter of providing adequate hospitalization for the unfortunate disabled men of our State, to whom we owe everything.

I have wired his excellency, the Hon. Woodrow Wilson, President; the Surgeon General, United States Public Health Service; the Director of the Bureau of War Risk Insurance; Hon. Newton D. Baker, the Secretary of War; and the Committee for Aid to Disabled Veterans, calling their attention to the fact that thousands of our Arkansas disabled men are without adequate hospitalization and the imperative necessity to provide adequate hospital facilities for them.

It appears that the War Department is unwilling to relinquish Fort Logan H. Roots where immediate hospital facilities are available for our disabled, although, as you are aware, Fort Logan H. Roots has practically been abandoned for the past 10 years, except for a small caretaker detachment, and there is no apparent necessity for its retention for military purposes by the War Department.

I would most earnestly urge you to introduce necessary legislation for the transfer of Fort Logan H. Roots from the War Department to the Interior Department for use as a United States Public Health Service hospital.

It is imperative for the Government to provide immediate hospitalization for the unfortunate thousands of our disabled ex-service men and Fort Logan H. Roots can be converted into a hospital with very little, if any, expenditure almost overnight, and it is urgently recommended by the various welfare organizations and State health authorities that you initiate proper legislation to bring this about.

I know that you have the interest at heart of our splendid young men, who are broken down in health or crippled for life, and I am confident that you will do your utmost in seeing that these unfortunate men from our State are taken care of expeditiously by our Government.

With kindest personal regards.

Cordially.

CHARLES H. BROUGH,
Governor.

—

LITTLE ROCK, ARK., *January 11, 1921.*

Hon. JOE T. ROBINSON,
United States Senate, Washington, D. C.:

As commander of the Arkansas Department, American Legion, I call to your attention inadequate care given ex-service psycopathic patients at the State hospital for nervous diseases at Little Rock. The capacity of this institution is approximately 1,500 whereas it has 3,500 inmates. Owing to this overcrowded condition at the institution no segregation of ex-service men can be attempted. These unfortunate insane disabled are placed in wards with paupers and criminals. The board of control of this institution advises that no release can be given. Under State laws the maximum which can be accepted for the care of disabled ex-service men is 50 cents per day, although the Government authorizes $3 per day. In view of these deplorable conditions I urgently recommend immediate legislative action be taken for the transfer of Fort Logan Roots from War Department to Interior Department for use as United States Public Health Service Hospital in order to provide the humane and considerate care due these disabled men by our Government.

LEIGH KELLY.

The PRESIDING OFFICER (Mr. KENYON in the chair). The question is on the amendment of the Senator from Arkansas [Mr. ROBINSON] to the amendment of the committee. [Putting the question.] The noes appear to have it.

Mr. ROBINSON. I demand the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], and am compelled to withhold my vote. If at liberty to vote, I should vote "nay."

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I therefore withhold my vote.

Mr. WALSH of Massachusetts (when his name was called). On this question I am paired with the Senator from New York [Mr. CALDER]. If at liberty to vote, I should vote "yea."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the Senator from Texas [Mr. CULBERSON], and vote "yea."

The roll call was concluded.

Mr. KENDRICK. I make the same announcement as to the transfer of my pair, and vote "nay."

Mr. FERNALD. Making the same announcement as before, I vote "nay."

Mr. DIAL. I have a pair with the Senator from Colorado [Mr. PHIPPS], which I transfer to the Senator from New Mexico [Mr. JONES], and will vote. I vote "yea."

The result was announced—yeas 24, nays 36, as follows:

YEAS—24.

Ashurst	Harrison	McKellar	Simmons
Beckham	Heflin	Pittman	Smith, S. C.
Dial	Hitchcock	Ransdell	Stanley
Fletcher	King	Robinson	Trammell
Gore	Kirby	Sheppard	Underwood
Harris	La Follette	Shields	Walsh, Mont.

NAYS—36.

Ball	Gooding	McCumber	Spencer
Capper	Gronna	McNary	Sterling
Colt	Hale	Moses	Sutherland
Curtis	Jones, Wash.	Nelson	Swanson
Dillingham	Kellogg	New	Thomas
Elkins	Kendrick	Overman	Townsend
Fernald	Kenyon	Poindexter	Wadsworth
France	Keyes	Smith, Ariz.	Warren
Gay	Lenroot	Smoot	Willis

NOT VOTING—36.

Borah	Gerry	McLean	Pomerene
Brandegee	Glass	Myers	Reed
Calder	Henderson	Newberry	Sherman
Chamberlain	Johnson, Calif.	Norris	Smith, Ga.
Culberson	Johnson, S. Dak.	Owen	Smith, Md.
Cummins	Jones, N. Mex.	Page	Walsh, Mass.
Edge	Knox	Penrose	Watson
Fall	Lodge	Phelan	Williams
Frelinghuysen	McCormick	Phipps	Wolcott

So Mr. ROBINSON'S amendment to the amendment of the committee was rejected.

Mr. WARREN. Mr. President, I wish to say that within the last hour a letter has reached me from the Secretary of the Treasury calling my attention to what might be a necessity in the way of providing for turning over from the War Department medical and other fixtures, implements, furniture, and so forth. The need comes about in this way: In the bill as first drawn we had a clause that would have been the same as section 3 in the Langley bill which covered this matter; but in the committee it was stricken out and a different section put in its place, which has since been stricken out. So, in order to convey the proper authority and to cover the matter as the Secretary wishes, I send to the desk an amendment dealing with the subject. The matter has been partially covered by the amendment already adopted, offered by the Senator from New York [Mr. WADSWORTH]. The amendment I send to the desk is simply to add to that and to make it more nearly as requested by the Secretary.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming will be stated.

The READING CLERK. After the word "insurance," in the amendment adopted, presented by the Senator from New York [Mr. WADSWORTH], insert the following:

And the Secretary of War is hereby authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such mechanical and construction and miscellaneous material, and such hospital furniture and equipment, including hospital and medical supplies, motor trucks and other motor-driven vehicles in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals.

The amendment was agreed to.

Mr. LENROOT. I offer the amendment to the amendment of the committee, which I send to the desk.

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment.

The READING CLERK. On page 22, after line 6, add the following:

The Secretary of the Treasury shall secure or accept, with the approval of the President, such sites as he shall deem necessary to carry out the provisions of this act.

Mr. LENROOT. Mr. President, this is merely a perfecting amendment. In striking out the provision relating to a commission there was also stricken out the authority of the Secretary of the Treasury to purchase new sites, with the approval of the commission, and this is merely to restore that authority to the Secretary of the Treasury, with the approval of the President.

The amendment to the amendment was agreed to.

Mr. LENROOT. I offer another amendment to the amendment of the committee, which I send to the desk.

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment.

The READING CLERK. On page 24, line 8, after the word "provided," insert the following:

in addition to the sum of $6,100,000 hereinbefore appropriated.

Mr. LENROOT. That is likewise merely a perfecting amendment. As the amendment originally provided, $12,500,000 was appropriated for the purpose of building new hospitals. That part of it has been stricken out, so the language reads:

There is appropriated for the purposes herein provided the sum of $12,500,000, etc.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the committee amendment as amended.

The amendment as amended was agreed to.

Mr. WADSWORTH. Mr. President, I desire to inquire of the chairman of the committee if he would have an objection to my offering an amendment at this time, which can not be considered, it is true, as an amendment to any committee amendment, but which relates entirely to the question of hospitals which we have been discussing so long, so that this subject can be cleared up and we can proceed with the rest of the bill. The chairman realizes, probably, that the amendment I have in mind is the one providing for Federal cooperation with the State of New York in the matter of the military hospital to be situated on Long Island. I realize that it is out of order.

Mr. WARREN. Mr. President, the Senator from New York has other duties to perform of a very arduous nature, and unless objection comes from some other quarter I will have no objection to his disposing of that now. As I understand him, it will take but little time.

Mr. WADSWORTH. I shall not desire to debate it myself. I explained the situation to the Senate the other day. I will state to the Senator from Wyoming that I want to offer it in two sections.

Mr. WARREN. I may say this, so that Senators may know what they are to vote upon. The War Risk Insurance Bureau asked the State of New York to make some proposition whereby New York might build a hospital and rent it to the United States Government for the care of insane patients. The State of New York appropriated $3,000,000 for that purpose, and that money now stands to the credit of that project. But the Committee on Appropriations of the Senate, before which the proposition was laid, voted not to accept it, and the State of New York is undoubtedly within its rights in asking that it may come before this body, and it is my desire that it may come before the Senate and be voted on, as it was a proposition made in good faith, and, whatever may become of it, the dignity of the great Empire State is entitled to have this acted on by the full Senate.

I may say that the House has already acted upon it in committee, and it is on their calendar. But the Committee on Appropriations of the Senate refused to entertain it.

Mr. WADSWORTH. Permit me to say, supplementing what the Senator from Wyoming has just said, that the House passed this unanimously yesterday as an amendment to the Langley bill.

Mr. WARREN. I knew it was on the calendar in second place. Then I correct myself; the House has passed it.

Mr. WADSWORTH. I will have to make one small correction. I offer the following amendment, Mr. President, to be inserted in the bill at the end of the committee amendment which has just been disposed of.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 24, following the amendment heretofore agreed to, insert:

The Secretary of the Treasury is hereby authorized to enter into an agreement with the commission for military hospital of the State of New York, pursuant to the provisions of chapter 958 of the Laws of 1920, State of New York, to lease and thereafter to lease, in accordance with the provisions of said act, subject to appropriations by the Congress of the United States, the hospital to be known as the New York Military Hospital, to be constructed by said commission, when said hospital shall have been completed and ready for occupancy.

Mr. WADSWORTH. Mr. President, just one word, supplementing what I said the other day. I have here a copy of a letter written by the Director of War Risk Insurance, addressed to the Senator from Arkansas [Mr. ROBINSON], a portion of which I want to quote as bearing upon this particular problem. He said:

Take, for instance, in the second district, which includes New York, Connecticut, New Jersey, there are approximately 2,742 ex-service men and women in hospitals as of January 20, 1,321 being cared for in State, county, or private hospitals, and 1,421 in hospitals owned or operated by the Government, being divided as follows (approximately):

One thousand and eighty-seven suffering from tuberculosis, 423 of which are in State, county, or private hospitals, and 664 in hospitals owned or operated by the Government.

Eight hundred and ten suffering from nervous and mental diseases, of which 775 are in State, county, or private hospitals, and 35 in hospitals owned or operated by the Government.

Eight hundred and forty-five general medical and surgical patients, of which 123 are in State, county, or private hospitals, and 722 in hospitals owned or operated by the Government.

The thing I want to emphasize, Mr. President, is that of the 810 ex-service men who are suffering from nervous and mental diseases, only 35 are being cared for in hospitals owned or operated by the Federal Government. All the rest, 775 of them, are scattered all over that region, in hospitals good, bad, or indifferent. If this amendment of mine is agreed to, we shall

get 1,000 beds in the shortest possible time, to take care of mental and nervous cases.

In view of the fact that this involves an official action by the State of New York, I feel in duty bound to ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], and in his absence I withhold my vote.

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK] and not being able to obtain a transfer, in his absence I withhold my vote.

Mr. KENDRICK (when his name was called). I make the same announcement as to the transfer of my pair as on the previous vote, and ask that that announcement may stand for the day. On this question I vote "nay."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote.

Mr. WALSH of Massachusetts (when his name was called). I have a pair with the Senator from New York [Mr. CALDER]. In his absence I am not at liberty to vote. If I were permitted to vote, I would vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from California [Mr. PHELAN] and vote "nay."

Mr. WOLCOTT (when his name was called). I have a pair with the Senator from Indiana [Mr. WATSON]. In his absence I transfer that pair to the senior Senator from Missouri [Mr. REED] and vote "nay."

Mr. WALSH of Montana. I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. GAY. I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. In his absence I withhold my vote.

Mr. DIAL. I have a general pair with the Senator from Colorado [Mr. PHIPPS]. He is absent, and I withhold my vote.

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the junior Senator from Idaho [Mr. GOODING] and let my vote stand.

The result was announced—yeas 20, nays 38, as follows:

YEAS—20.

Capper	Harrison	McLean	Sutherland
Colt	Heflin	New	Underwood
Elkins	Hitchcock	Poindexter	Wadsworth
Fernald	Keyes	Smith, Ga.	Warren
France	Lodge	Sterling	Willis

NAYS—38.

Borah	Kendrick	Pittman	Stanley
Brandegee	Kenyon	Ransdell	Swanson
Culberson	King	Robinson	Thomas
Curtis	Kirby	Sheppard	Townsend
Dillingham	La Follette	Simmons	Trammell
Fletcher	Lenroot	Smith, Ariz.	Walsh, Mont.
Gronna	McCumber	Smith, Md.	Williams
Hale	McKellar	Smith, S. C.	Wolcott
Jones, Wash.	Nelson	Smoot	
Kellogg	Overman	Spencer	

NOT VOTING—38.

Ashurst	Gay	Knox	Phelan
Ball	Gerry	McCormick	Phipps
Beckham	Glass	McNary	Pomerene
Calder	Gooding	Moses	Reed
Chamberlain	Gore	Myers	Sherman
Cummins	Harris	Newberry	Shields
Dial	Henderson	Norris	Walsh, Mass.
Edge	Johnson, Calif.	Owens	Watson
Fall	Johnson, S. Dak.	Page	
Frelinghuysen	Jones, N. Mex.	Penrose	

So Mr. WADSWORTH's amendment was rejected.

Mr. SMITH of Georgia. Mr. President, I understand that an amendment has been agreed to, offered by the Senator from New York [Mr. WADSWORTH], which authorizes the President to transfer any of the military space, or space belonging to the War Department, to the Public Health Service for hospital purposes. I wish to suggest that the Board for Vocational Education have and will have increasing numbers of men just out of actual hospital care who will require a continued care of a semihospital character. I believe that the Government has in the control of the War Department a large amount of space that could be used for all of these needs. I wish to suggest the desirability of giving the President the right to transfer to any of these services any unoccupied space that the Government has connected with the War Department. Instead of scrapping it and buying something else, getting practically nothing from the sale of what we have and paying probably a high price for what we need, or a high rental, if the President were given the general authority to control and transfer the use of these properties, it would be an economical as well as a wise arrangement. I had thought that he had such authority, but the opinion of those administering the service is that he has not. If he had the right to transfer to any of these services to be rendered to the injured soldiers any unused space belonging to the War Department, and providing even for its temporary use, it would be a very substantial economy. If the amendment of the Senator from New York does not cover the subject, I shall try to find a place at which such an amendment could properly be added, and I think the committee would not object to it.

Mr. WARREN. Was the Senator in the Chamber when the chairman of the committee offered an addition to the amendment offered by the Senator from New York?

Mr. SMITH of Georgia. No; I was not.

Mr. WARREN. I think the two amendments together comprehend what the Senator has in mind.

Mr. SMITH of Georgia. I would be glad to see them. I have personal knowledge of the situation with reference to the Vocational Education Board. I know they have been looking around with the view of renting, not hospitals but semihospital space, space for those who are not absolutely tubercular patients, but who have been classed as substantially cured, and still require continued attention and continued semihospital care. I understood the amendment as drawn did not reach that line of service. I believe the President should have that authority; and if we can find the space we can save money by using it for these purposes. I should be glad to look at the amendments and confer with the chairman of the committee on the subject.

The PRESIDING OFFICER. The next amendment of the committee which was passed over will be stated.

The READING CLERK. The next committee amendment passed over is, on page 33, to insert lines 9 to 17, both inclusive. The amendment was passed over upon the request of the Senator from Tennessee [Mr. MCKELLAR] and reads:

COUNCIL OF NATIONAL DEFENSE.

For expenses of the Council of National Defense; for the employment of a director, secretary, chief clerk, and other expert, clerical, and other assistance; equipment and supplies, including law books, books of reference, newspapers, and periodicals; subsistence and travel; and printing and binding done at the Government Printing Office, $75,000: *Provided*, That no salary shall be paid to any officer or employee of the council in excess of $6,000 per annum.

Mr. MCKELLAR. Mr. President, this is a Senate committee amendment which the House did not put in the appropriation bill. The Senate will recall that in 1916——

Mr. WARREN. May I say to the Senator that the House did put this in the bill as there drawn, and it went out, I believe, on a point of order, as did many other items which we have added as apparently Senate committee amendments. These went out in the House because of the contention that every one of these items must rest upon specific law. I think a dozen provisions that went out are replaced in this bill, and this is one of them.

Mr. MCKELLAR. I do not see how it could have gone out on a point of order for the reason that the act of 1916 provides specifically for a Council of National Defense. It possibly went out on a point of order in the House on the ground that the appropraition is for an entirely different purpose from that expressed in the act creating the Council of National Defense.

Mr. WARREN. Will the Senator allow me a moment? It is possible that this item did not go out on a point of order. There are so many of these items that I have to look up each one of them to ascertain, but most of them went out on a point of order. It may have gone out otherwise.

Mr. MCKELLAR. I do not know how it could have gone out on a point of order, unless, as I stated a moment ago, the act does not provide for the expenditures that are proposed to be made here. In other words, the duties of the present Council of National Defense, so called, are entirely different from those duties that are provided for in the law creating the Council of National Defense. I quote from the original law as to the powers and duties of the Council of National Defense:

That it shall be the duty of the Council of National Defense to supervise and direct investigations and make recommendations to the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to

points of defense; the coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad; the utilization of waterways; the mobilization of military and naval resources for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method, and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government; the requirements relating thereto, and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation.

It is easy to see that the purpose of the act was to look after an expected war. That time has now passed, happily. The so-called Council of National Defense is now engaged in other business. I wish to quote what the Secretary of War said, at page 420 of the hearings, as to what its purpose is now:

The plan, therefore, of the council for the present is to continue largely with two things: One is the reducing to order and study for such practical value as there may be in it the records left by the great emergency war bureaus, so that the permanent lessons can be extracted and made available, and the continuation of the work of the interdepartmental board which brings together the several departments through their active executives and correlates their work.

I quote again from page 421:

My own notion about the directorship of the council is it ought to be a man of a large imaginative and generalizing mind who would keep in his own mind the idea of the correlation of the national resources against the happening of an emergency, and that it ought not to be a man who would be especially interested in details or in statistics, or things of that sort, but a man who would be brooding over and extracting the lessons from our experience upon the general subject of the correlation of the national resources.

In this vague and indefinite way the Secretary of War undertakes to give a reason for continuing the Council of National Defense. The Council of National Defense consists, as we all know, of six Cabinet officers. They have not had a meeting since the war. They had very few before the armistice. It is not a body. Those connected with it during the war have long since gone. The gentleman now acting as director—and a very nice gentleman, too—was one of the clerks during the time of war. The amendment of the committee provides $75,000 of useless expense.

If there ever was a subject upon which we could economize this is that subject, because practically all the work that is being done by the council is a mere duplication. It operates under the name of the Council of National Defense. It is not a council of national defense at all, but a body of well-meaning gentlemen, I have no doubt, who have, to a large extent, simply been left over from the war.

The $75,000, as shown by the proof, will merely be sufficient to pay the salaries of the several officers and clerks in the so-called council. They are responsible to nobody; they report to nobody; they are doing work that is already being done by the various other departments. For instance, they propose to do some work in reference to railroads and waterways; but we have a department in the Government which looks after the railways, which secures all necessary information in regard to the railways. So, in the case of the waterways, there is a division of the War Department that looks after the waterways of the country and secures for us all the available information. So it is with all of the work of the so-called Council of National Defense, which is a misnomer. There is no such thing as a council of national defense. As I have stated, it has never met since the war, and it very seldom met before the war. It was of doubtful utility during the war, and, surely, now that the war is over, it ought not to be provided for in this bill.

Of course, the provision was not subject to a point of order; the Senator from Wyoming is mistaken about that; but the House thought it ought not to be in the bill, and it was not put in the bill as it came from the other House. For these reasons, I think the Senate ought to strike the provision out.

Mr. President, I wish to call attention to another matter. I quote from the testimony of Mr. Ellsworth, which throws some light on this subject. He says:

The appropriation which we asked for last year, Mr. Chairman, was cut 75 per cent. In other words, when we asked for $300,000 we got $75,000, and our pay roll on the 30th of June alone was at the annual rate of $117,000. Now, in order to comply with the wishes, as shown by the appropriation given us, we had to cut our force materially from what we really needed. We cut our force from 64 on the 30th of June to our present number of 43, so that our salary roll, as it is to-day, is at the rate of $79,845 a year.

The salary roll alone is $79,845 a year, although Congress has limited the appropriation to $75,000.

That reduction has been made gradually, so that we have used perhaps more than the monthly rate in gradually getting down to what we have. There is available now about $49,000 to finish the year, and I figure that that will just continue our pay roll on its present basis until the 30th of June, without anything for printing, travel, telephone, or any miscellaneous expenses. For that reason—

And I call especial attention to this—

For that reason we have asked or sent in an estimate for a small deficiency appropriation of $50,000 to finish up the year.

Mr. President, here is the situation: They asked for $300,000 but got $75,000. Nevertheless they proceeded right along and have sent in a deficiency appropriation of $50,000. This is a body, I repeat, which is responsible to no one, which reports to no one, and which duplicates work that is being done in other departments probably much better than it it done by the council, though I do not intend to reflect upon the gentlemen who are connected with it. I have no doubt they are doing the very best they can, but they are doing a useless service. Now, if Senators on the other side of the Chamber want economy, I do not see how they can afford to vote for the amendment.

I wish to call attention to something else. The council asked for $300,000, received $75,000, and then proceeded to ask for a deficiency, according to this proof. I have been told that they were not going to ask for it. My recollection is that last year they asked for a deficiency, notwithstanding the plain provision of the law. I think it is well for us to recall what the law is in reference to deficiency appropriations. During the war such appropriations were very popular, of course, and probably we had to have them; but now that we have peace we ought not to have deficiency appropriations, especially when the law prohibits them. I now read from section 3679 of the Revised Statutes:

No executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law.

Leaving out a part of the statute and coming to the penalty, I quote that, as follows:

Any person violating any provision of this section shall be summarily removed from office, and may also be punished by a fine of not less than $100 or by imprisonment for not less than one month.

Mr. President, these gentlemen are really violating the law. If we do not give them what they ask, they go ahead and spend the money anyhow, and then ask for a deficiency appropriation, or announce their purpose to do so. I do not think we ought to spend the people's money on an organization of this kind, which is absolutely duplicating work carried on by other departments. The time for the exercise of this authority and power having gone by, there being no necessity for this body whatsoever—they can serve no useful purpose—it is a waste of the people's money to expend the $75,000 herein provided for. I therefore hope the amendment will not be agreed to, and I ask for the yeas and nays on it.

Mr. STERLING. Mr. President, just a word. I wish to express my thorough sympathy with the views expressed by the Senator from Tennessee in regard to this amendment. I had myself intended to present the matter and call the attention of the Senate to my own objections to the amendment.

It seems to me, Mr. President, that the appropriation of $75,000 for the National Council of Defense is a needless and expensive luxury. The Senator from Tennessee has already referred to the law under which this council was created. It was created by the act of August 29, 1916, when the European war had been more than two years in progress and when our participation in that war was imminent. There was a reason then for the enactment of legislation of this character, but with the end of the war, or at least after this long a time since the war closed, there can not be a single act which the Council of National Defense can perform which is provided for in the act creating that council.

The act provides:

That it shall be the duty of the Council of National Defense to supervise and direct investigations and make recommendations to the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense.

That is the first function named in the act creating the council. Of course, they are not performing that duty now. Are they performing a single function provided for in this paragraph, which prescribes their duties? The act further provides:

The coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroads; the utilization of waterways; the mobilization of military and naval resources for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method and means of production and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements

relating thereto, and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation.

So, Mr. President, each and every function of the National Council of Defense and each and every duty as prescribed in the act creating that council has been, by virtue of the ending of the war, done away with, and there is no necessity for continuing in existence the Council of National Defense.

The only thing that I know the Council of National Defense is doing is putting forth a daily information digest, a copy of which we find, I think, on our desks each and every day. They, or certain officials or clerks acting in the name of the council, have resolved themselves into a sort of public information bureau, which is no part of their duties as provided for in the original act.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Connecticut?

Mr. STERLING. I yield to the Senator.

Mr. McLEAN. Do the members of the council draw any extra pay?

Mr. STERLING. The members of the council do not and the members of the advisory commission do not, I think.

Mr. McLEAN. Are there any officers or employees that are now drawing the salary provided in the amendment, namely, $6,000 a year?

Mr. STERLING. I think, Mr. President, that there are. This amendment is to provide now "for the employment of a director, secretary, chief clerk, and other expert clerical and other assistance." It seems to me that the amendment is simply designed to keep up an institution or an organization with a view to an appropriation for the payment of salaries.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 33.

Mr. WARREN. Mr. President, I merely wish to say a few words in regard to this matter; it is not a question about which I care to consume much of the time of the Senate.

The Senator from South Dakota entirely misapprehends the situation if he thinks there is not always necessity for coordination between the Army, Navy, and other Government services. Furthermore, we are always seeking information which may be needed in defensive or offensive operations, and we always have provided some method for obtaining such information. The Council of National Defense provides another means along that line. We used to call a somewhat similar organization "the board of strategy," but perhaps that board has gone out of existence long ago.

The Council of National Defense is one of those agencies which we can do without, just as we can do without any more gun emplacements or any more cannon or anything of that kind. We could do without the council just as we could do without the War College; it is one of those institutions which, no doubt, can be dispensed with for the time being, although it will probably cost us more later on to obtain the information in case of need. Of course, we all realize how sadly out of joint we were at the time we entered the war so far as concerns the question of securing information in regard to the outfitting of our forces, because we had been too negligent—I do not wish to say parsimonious—and perhaps too saving in looking out for the future and having some vision as to what we would do if attacked. That is about all I wish to say upon the subject, except to add that those interested in it, especially the Secretary of War, are exceedingly anxious that some agency along the line of the Council of National Defense may be provided.

As to what that council has done, I doubt very much whether the Senator from South Dakota is fully informed as to its activities, and I do not know why he should be. I will say, however, that as other commissions have been closed out their duties in a number of instances have been turned over to the Council of National Defense for settlement. As we all remember, we had a Bureau of Information, at the head of which was Mr. Creel. Mr. Creel, for some reason unknown to me and perhaps to others, resigned, I believe, while he was across on the other side and while the League of Nations was being discussed there.

Reports came from abroad—and they were published in the newspapers here—that there was money over there in different banks, and that no one seemed able to determine where it should go; that it had been sent over there for certain purposes, and had in some instances been in the hands of our representatives and in other instances in the hands of foreigners.

I took it upon myself to address a letter to the then Secretary of the Treasury, Mr. GLASS, and he responded that they had no information on the subject, as that was reported directly to the Executive. Money had been furnished from the fund which we had voted to the President, in addition to regular appropriations by Congress; so when the Bureau of Information went over to the Council of National Defense the then assistant director—they now have only a director, who happens to be the same man who formerly was assistant—took it up to see what could be done. The consequence was that we found unsettled accounts in this and foreign countries. We found amounts that were awaiting calling in. We found debts amounting to hundreds of thousands of dollars, that had to be paid, for transportation, and so forth. We found in different places checks for large amounts weeks or months of age. We found, for instance, several cases where this film show that was arranged for and shown to Senators and Members of the House in this city—the President was there and a great many others—was taken to certain cities, and there were arrangements made for showing it for a profit, if it could be had, to this publicity fund, and in some cases there were quite large amounts to be collected and in others there had been losses. I remember one case where they were to have a division after a certain expense, which brought us sixteen thousand dollars and something. It was not paid, and the director finally had to threaten to sue before he got it, because they entered the defense that it had not been shown as it was promised, and was not delayed until some convenient date, as they had requested, and so forth.

The amount of it is that something like $1,250,000 or more was turned into the Treasury of money first that was left unexpended of the $5,000,000 or so, and an additional $1,000,000 and all of these collections, less the expenditure. That is not entirely closed up yet. Where our money went to Russia we have been able to recover some of it only. All was left in an unfinished state, naturally. You will remember that every morning we had a publication from the Bureau of Information giving certain facts and figures. I think it was furnished gratis for a while, and then they asked for subscriptions at a certain price, and very many people—I think some thousands of them—paid for a year in advance. Those people had to be protected. Either a certain amount of money had to be returned or the publication continued, and that was in addition to the higher class of work that the Secretary of War, who was the chairman of that board, and others wish to have done.

Mr. McKELLAR. Mr. President, I believe that is about the only good thing I ever heard about the Bureau of Public Information since it was created, and that is that it has been wound up; and I think it is very much to the credit of the body of people who are controlling it—they are not a board—that they did wind up the Bureau of Public Information. It never ought to have been permitted, just as this Council of National Defense was of very doubtful propriety. But the Senator gives as a reason why we should make this appropriation for the work of this body—it is not a council; the council has been dissolved—that it will look after this thing in the future. Why, the testimony is just the other way. It has practically been wound up, and will be wound up before June. The present appropriation runs to June, and the work will be completed long before that time. I have no doubt it has already been completed. It was practically completed last November.

I read from the testimony. I am talking about the Bureau of Public Information now:

> The CHAIRMAN. For this year, how much of the appropriation is being expended for the work of the Council of National Defense as distinguished from other activities you are carrying on, such as the winding up of the Bureau of Public Information?
>
> Mr. ELLSWORTH. There are only three salaries charged to that.
>
> The CHAIRMAN. You are getting that work pretty well cleaned up?
>
> Mr. ELLSWORTH. Yes, sir; that is very nearly cleaned up, and we expect to finish it in the next two or three months.

This was in November, and it is doubtless already cleaned up.

> We have got all the money in as assets of the committee, and what we are doing now is to wind up the accounts of people who have had money advanced to them that we have not been able to get settlements from.

Mr. President, it is not a question of continuing the Council of National Defense, because that has already been discontinued. The Council of National Defense consisted of six Cabinet officers. They quit functioning. They did not meet. They never did meet, as a matter of fact. They met on one occasion, as I am informed, and appointed an advisory board, as provided under the act.

The advisory board has been discontinued. There is no longer any advisory board. All that are left down there are the chief clerks and some underclerks. They are nice men. I have not a word to say against them. They are no doubt doing in a very creditable manner what comes to their hands to do; but what they are doing is merely duplication of work done in other departments.

It is ridiculous for us to go on and appropriate money all of which goes to salaries. They have not enough to pay anything else. They can not do any real work except to look after

papers of some sort. They have no order or system about what they do, because they do not do what the act requires. They only do what may be turned over to them, and the only work we know of that has been turned over to them is the winding up of the Bureau of Public Information, in accordance with their own testimony, and that has already been done.

Mr. President, it seems to me that we ought to vote down this amendment; that it ought not to be adopted. This wasteful and useless expenditure of the public money ought to stop.

Mr. OVERMAN. Mr. President, the Committee on Appropriations of the House of Representatives took testimony in regard to this matter and thought that this appropriation ought to be continued. So did the Senate Committee on Appropriations. The Secretary of War testified before our committee that he had made the Council of National Defense the depository of all the great records of the war. They are there, and there are continual inquiries from business men about matters connected with the war, and they are furnishing information to them, and they are furnishing information all the time to the War Department and to the Navy Department as to where they can buy copper and steel and leather, and so forth. That is one of the things that went on during the war, and they are continuing that.

We asked the Secretary of War whether there was any duplication of work. I do not know whether there is or not. The Senator from Tennessee says there is. The Secretary of War says there is not. I do not know upon what basis the Senator made the statement.

Mr. McKELLAR. Mr. President, if the Senator will yield for a moment, I read the law which sets forth the duties of the Council of National Defense—not the clerks in the employ of the council, but the council itself, which has long since been dissolved.

Mr. OVERMAN. I heard the Senator from South Dakota [Mr. STERLING] read the law, and I say this is within the law, because Mr. Ellsworth in his testimony before our committee said:

> For instance, we take the record of the investigations that are carried on by the other bureaus and bring them together for a small research staff of statisticians who can bring this information together and so prepare it that the needs of the various Government bureaus for the different war supplies can be so arranged that we can designate to the War Department where they shall go for their supplies of copper or steel or leather; the same to the Navy Department and the same to the other branches of the Government.

Under the law, as I have heard the Senator read it, that was one of the requirements. If so, they are within the law. I do not think this will last very long; but the Secretary of War says it ought to go on for another year or two, because of the vast records that are on deposit in this very bureau. He has made it the depository for those records, and they ought to be somewhere, so that if a man wants information he can go and see where these records are.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. OVERMAN. Yes, sir.

Mr. McKELLAR. I want to call the Senator's attention to the fact that in the Army appropriation bill we provide what shall be done with these records and how information shall be obtained from them. It is a mere duplication of work. The statement of the Secretary of War that it is not a duplication of work can not be taken as against the obvious facts given by these witnesses who have testified about what they are doing now, and comparing it with the law which tells them what they have a right to do.

Mr. OVERMAN. Here is what the Secretary of War says:

> The Council of National Defense is now the depository of vast records of all kinds of war boards and bodies which have been disbanded, and their records are pertinent to so many departments that an interdepartmental agency for their custody seems necessary. Mr. Ellsworth, who is the acting director, can tell you something about the frequency with which those records are consulted.

And he goes on and says there is no duplication.

Mr. McKELLAR. If the Senator will yield, surely the Senator will not contend that the authority to look after these records, and to give information concerning them, is in the original act creating the Council of National Defense.

Mr. OVERMAN. All the information I have on the subject is found in the testimony of the Secretary of War.

Mr. McLEAN. Mr. President, I should like to ask the Senator from North Carolina if he knows how many men are now employed to furnish this information and what compensation they get?

Mr. OVERMAN. It is very small. They are under the civil service. They are paid very small salaries.

Mr. McLEAN. This bill provides salaries up to $6,000 a year.

Mr. OVERMAN. I think that is the salary of the director, Mr. Ellsworth, who has been a very valuable man. He is the man that collected all this money that was left over by Creel. I do not think there is a more valuable man in the department than Mr. Ellsworth, and he ought to have $6,000, and he is the only one who is drawing that much. The others are clerks, getting from $1,000 up to $1,800 a year.

Mr. McKELLAR. Mr. President, in answer to the question of the Senator from Connecticut, I call attention to the testimony of Mr. Ellsworth, on page 421 of the House hearings:

> We cut our force from 64 on the 30th of June to our present number of 43.

They have 43 employees there that they are paying now $79,845 a year as salaries, when as a matter of fact the appropriation last year was $75,000, and that is the mount of the one proposed here.

Mr. McLEAN. I understnd from the Senator from North Carolina that all that this force does is to furnish information with regard to certain records.

Mr. OVERMAN. To gather the records, segregate them, put them together, and simplify them systematically, so that they can get this information. I do not know, really, what they do.

Mr. McKELLAR. Provided somebody asks for the information. There is no evidence here that anybody ever asks for the information, and if they wanted the information they would not go to this body. They would go to the War Department, where they could get it and where appropriations are made for the purpose of securing it.

The PRESIDING OFFICER. The question is on the amendment of the committee, to insert, on page 33, lines 9 to 17, inclusive, on which the yeas and nays is demanded.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DIAL (when his name was called). I have a pair with the junior Senator from Colorado [Mr. PHIPPS], which I transfer to the senior Senator from Nevada [Mr. PITTMAN], and vote "nay."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote. I do not know how he would vote.

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. In his absence I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER]. I understand his position in regard to this question is the same as mine, and I will therefore vote. I vote "yea."

Mr. WALSH of Massachusetts (when his name was called). I have a pair with the junior Senator from New York [Mr. CALDER] and in his absence withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from California [Mr. PHELAN] and vote "nay."

The roll call was concluded.

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the junior Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. McCORMICK. I have a standing pair with the junior Senator from Nevada [Mr. HENDERSON], which I transfer to the junior Senator from Maryland [Mr. FRANCE], and vote "nay."

Mr. KNOX. I transfer my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the senior Senator from North Dakota [Mr. McCUMBER] and vote "nay."

Mr. WOLCOTT. I have a pair with the senior Senator from Indiana [Mr. WATSON], which I transfer to the junior Senator from Kentucky [Mr. STANLEY], and vote "yea."

Mr. WALSH of Montana. I have a general pair with the senior Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK], and vote "nay."

The result was announced—yeas 21, nays 41, as follows:

YEAS—21.

Colt	Hale	Ransdell	Thomas
Curtis	Jones, N. Mex.	Sheppard	Warren
Gay	Jones, Wash.	Smith, Ga.	Wolcott
Glass	Kirby	Smith, Md.	
Goodling	Lodge	Spencer	
Gronna	Overman	Swanson	

NAYS—41.

Ashurst	Heflin	McLean	Smith, S. C.
Ball	Johnson, Calif.	McNary	Sterling
Brandegee	Kellogg	Moses	Trammell
Capper	Kendrick	Myers	Underwood
Dial	Kenyon	Nelson	Wadsworth
Dillingham	King	New	Walsh, Mont.
Elkins	Knox	Poindexter	Williams
Fletcher	La Follette	Reed	Willis
Gore	Lenroot	Robinson	
Harris	McCormick	Shields	
Harrison	McKellar	Simmons	

NOT VOTING—34.

Beckham	France	Norris	Smith, Ariz.
Borah	Frelinghuysen	Owen	Smoot
Calder	Gerry	Page	Stanley
Chamberlain	Henderson	Penrose	Sutherland
Culberson	Hitchcock	Phelan	Townsend
Cummins	Johnson, S. Dak.	Phipps	Walsh, Mass.
Edge	Keyes	Pittman	Watson
Fall	McCumber	Pomerene	
Fernald	Newberry	Sherman	

So the amendment of the committee was rejected.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. The next amendment of the committee passed over is the total for the Federal Trade Commission, found on page 38, line 3, where the committee proposes to strike out "$900,000" and in lieu to insert "$800,000."

Mr. JOHNSON of California. Mr. President, I know how persuasive the arguments for economy are at the present time and I realize that the committee's desire is to present a bill here carrying the least possible amount.

But I realize, too, Mr. President, that the worst sort of economy is that which may impair efficiency or in any degree interfere with the legitimate activities of an arm of the Government, and because I think I realize that fact and because I believe that the amount originally allotted to the Federal Trade Commission is by no means excessive, I trust that the committee amendment will not be agreed to, and that the original amount of $900,000 given to the Federal Trade Commission for its work will be the determination of the Senate upon the question.

I have been told, Mr. President, that the reason for this cut is economy, and because like cuts have been made in the appropriations for various other commissions, and inasmuch as it would seem, if the same cuts were made in regard to all commissions, that we ought not seriously to complain about the diminution of the amount allowed the Federal Trade Commission, I have had a very brief examination made of some of the cuts upon which this particular cut, it has been asserted, has been predicated.

The House, as Senators observe from the bill, allowed the Federal Trade Commission $900,000. The Committee on Appropriations of the Senate cut that to $800,000, a cut of $100,000, or about 11 per cent. It was asserted to me when I began to inquire about the matter that the Interstate Commerce Commission had suffered a like reduction in amount; that $300,000 had been eliminated from the amount asked by the Interstate Commerce Commission, in pursuance of the very laudable plan of the committee to enforce economy.

But it is likewise asserted to me, Mr. President, that the Interstate Commerce Commission, it is true, while allowed $300,000 less in the bill presented to the Senate than the amount allowed by the House, is reduced in reality from the amount allowed the Interstate Commerce Commission last year but $100,000, and therefore the reductions in the appropriations for the two commissions are quite the same, while the percentage of reduction is in the case of the Federal Trade Commission more than 11 per cent, and in the case of the Interstate Commerce Commission but 2.13 per cent. The Interstate Commerce Commission appropriation is $4,593,000. The reduction, therefore, in the appropriation for the Interstate Commerce Commission is by no means commensurate with the reduction that is made in the appropriation for the Federal Trade Commission.

Then, again, in answer to the assertion that all along the line these reductions have been made, it is recalled to me that there is no reduction at all in the appropriation for the national park division and in the appropriation for the Geodetic Survey there is no reduction at all.

So that the principal reduction in the appropriations for commissions would appear to be, in matter of percentage at least, the reduction that has been applied to the Federal Trade Commission.

But all this, Mr. President, while more or less persuasive upon the argument of economy, is not in the last analysis the method upon which appropriations should be determined. The question is, Does the Federal Trade Commission perform its work and, performing its work, ought it to be allowed the sum it demands—$900,000—appropriately to do that work?

That is the question after all. We make this question whether there has been a like reduction in appropriations for other commissions; whether or not the reduction in this case is in line with others. The work of the Federal Trade Commission, I realize, has met with many an animadversion in this Chamber. Perhaps we do not agree with some things that may have been done by the Federal Trade Commission, but, nevertheless, I dare assert that the Federal Trade Commission has done a monumental work and has been of lasting and of permanent benefit to the Government in its research and in its economic lines. I recall that the Federal Trade Commission, as has been so often claimed, does not voluntarily enter into business transactions or interfere with business. It acts when called upon, and only when called upon, and it then does its duty as it sees that duty. It has before it now cases pending which indicate that the appropriation which is asked by it is none too great.

I have heard it asserted upon the floor of the Senate that its salaries are excessive and extortionate, but the facts are that the administrative officers of the commission average $1,300 per year, its economic department average $2,000 per year, its attorneys average $3,000 per year. Its chief counsel receives $8,000 per year. The chief counsel of the Interstate Commerce Commission receives $10,000 per year. The chief counsel of the Federal Reserve Board receives $9,000 per year. I think that a comparison of the particular salaries that are paid by the Federal Trade Commission will demonstrate that, generally speaking, they are less than those paid by the other commissions for which very liberal appropriations are made.

I desire to recall just for an instant one kind, and this is but one angle, of the work being done by the commission, one kind of economic investigation, not made in the first instance at the behest of the commission but by order of one of the coordinate branches of the Government or by order of the President himself. During the last fiscal year they conducted an investigation of farm implements, an investigation of the grain trade, an investigation of sugar, Wyoming oil, coal costs, coal bulletins, flour milling costs, all at the instance and suggestion and command of the various departments of the Government. There are to be conducted before the end of the fiscal year an investigation of milk, the grain trade, cotton yarn, shoes, lumber costs, coal costs, wheat prices, and California oil. These were economic investigations, only a very small part of the work that is done by the Federal Trade Commission.

The cases upon its dockets now number hundreds. They are increasing, as the record shows, and because they are increasing, because of the work that has been done, because the hundred thousand dollars additional that was allowed and that is now asked will play no real part in the program of economy, I trust that the figure will be placed at the sum originally fixed in the bill.

Mr. JONES of New Mexico. Mr. President, there have been some reductions by the committee which I believe ought not to be granted. Of course we all want to economize at this time, and wherever a reduction in the expenses of the Government can be made we all want to make it. But here is a case where it seems to me it is not wise to make any reduction whatever. The Federal Trade Commission is greatly reduced now from what it has been in the past. As stated by the Senator from California [Mr. JOHNSON], a large part of its work is being done at the request of the Congress itself. It does not employ men simply for the purpose of giving them positions. If the record were presented to the Senate it would appear that at times the number of employees is somewhat large, and at other times very greatly reduced, dependent upon the immediate work in hand.

It is not a commission which is built up for the purpose of routine work, work which will command yearly salaries for a large number of people. Of course there is a regular work for the Federal Trade Commission which grows out of hearings upon complaints brought before the commission. The commission is charged with the duty of seeing to it that there is no unfair competition in the country. Cases of that sort are brought before the commission upon application of some citizen of the country who thinks that his business is being interfered with. It is largely to cases of that sort that the commission is devoting its time and attention. That class of work is piling up on the commission, because they have not the facilities now to perform the work as expeditiously as the public demands require.

I do not believe there should be any reduction in the appropriation for the Federal Trade Commission. I think its force now is reduced as low as it should be and that the great service of seeing to it that there is no unfair competition in the country should be carried on. We are all agreed to that. Here is the commission which has done remarkable work in that direction in the past. Why should we cripple it now? I do not believe that we should.

While I am on my feet I wish to offer a suggestion about another commission, and that is the Tariff Commission. I do not believe this is the time to reduce the appropriation for the Tariff Commission. It is proposed, in an amendment which will come up a little later, to reduce the appropriation for the Tariff Commission from $300,000 to $250,000. Here we are

facing legislation upon the tariff question such as we have never been called upon to face before. The situation is an emergent one. It involves vital interests of the country. The Tariff Commission has been furnishing us information. It is true that it has been called a free-trade commission, but I think that is very unjust, because the commission does not presume to do more than furnish facts. I do not believe it should be in the mouth of anyone to say that they have gone further than to furnish facts. If ever the country needed facts upon these great questions, this is the time. We are facing this most important legislation and we want all the light we can get. This great Federal Trade Commission is seeking to preserve fair competition in business at home. Why should we now cripple these commissions, both concerned with such vital interests of the country?

Mr. SIMMONS. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator from North Carolina.

Mr. SIMMONS. I wish to ask the Senator if we did not have the Federal Trade Commission to investigate the various questions which are from time to time referred to that commission, and if we did not have the Tariff Commission to investigate the tariff question, would we not have to organize more congressional investigating committees than we have now? I know that a great many of the questions which we have referred to the Federal Trade Commission, if we had not had that instrumentality for making the investigation, would have required the organization of a congressional investigating committee and the reference of those questions to such a committee. I wish to ask the Senator from New Mexico if, in his opinion, the Federal Trade Commission is not better equipped for making such investigations and if an investigation made by it or its organization is not more likely to develop the fact than would be possible at the same expense by an investigating committee appointed by Congress?

Mr. JONES of New Mexico. I am extremely glad the Senator from North Carolina has asked the question.

Mr. SIMMONS. If the Senator will pardon me just a moment further, carrying the inquiry to the Tariff Commission, if we would rely upon our reports from the Tariff Commission, if we give that commission the confidence to which it is entitled, could we not greatly curtail these long and expensive investigations and hearings, as we call them, by some of our committees?

Mr. JONES of New Mexico. It has fallen to my lot to be a member of some of the investigating committees, and it has also fallen to my lot to be a member of the Senate Committee on Finance, which has been investigating questions bearing upon the tariff of the country. I wish to say that there can be no question, as intimated by the Senator from North Carolina, but that such a body as the Federal Trade Commission can do much more effective work and do the work more cheaply than can be done by an investigating committee appointed by the Senate or the House.

The principal thought, however, which I wish to impress upon the Senate is that when the Federal Trade Commission undertakes to investigate a subject, it itself gathers the facts. When we have a committee of the Senate appointed to carry on an investigation, in the great majority of instances we only get witnesses who come to the committee with their personal grievances. They come with biased testimony. They come for the purpose of impressing their own thought upon the committee. There is no impartiality about it. But let the Federal Trade Commission, with its corps of experts, take up the subject and we can generally rely upon the results which they find. The same is true of the Tariff Commission.

It seems to me we may well take a calm view of the situation. Just imagine what the situation will be this summer when the Finance Committee undertakes to pass tariff legislation. Who will be brought there if we do not have a tariff commission? Who will come here? I apprehend that in ninety-nine cases out of a hundred there will be men come here who have a particular purpose to accomplish, who want some specific advantage out of the legislation of the country. Does not the Senate want some tribunal equipped for the purpose to gather information so that it may act in an intelligent way?

I do not think it is necessary to argue the question any further. We need the Federal Trade Commission to examine these domestic questions. It has the equipment. We can not examine into these questions unless we have a body equipped for the purpose and unless we have men who are trained for the purpose of making such examinations, accountants, cost accountants, people to ascertain the facts concerning the trade. We have to have these experts, and if we do not have the Federal Trade Commission we are simply crippling an arm of the Government as essential to its prosperity as any other.

Mr. President, I do not care to discuss these matters any further, but I sincerely trust that the appropriation for the Federal Trade Commission shall not be reduced from the amount which the House fixed. In my judgment, $900,000 in itself is not as great as the appropriation should be, but at least let us keep it where the House has put it. Likewise when we come to the Tariff Commission let us keep the appropriation for it at the amount fixed by the House.

Mr. THOMAS. Mr. President, when the Clayton bill was before the Senate for final adoption, I voted against it. If my memory serves me aright, it was that bill which created the Federal Trade Commission. If that act were before the Senate for repeal, I should vote to repeal it, not because of the fact that it created the Federal Trade Commission but for other reasons, to which it is not necessary for me now to refer.

I have some question about the success of the Federal Trade Commission. I think it has attempted honestly and fairly to investigate many, in fact a great majority, of the subjects which have been brought to its attention and which under the law it is required to consider. There is no evidence which to my mind is convincing of the proposition that the commission has not attempted, fairly and impartially, to investigate all the subjects to which its attention has been directed. The fact that it has made investigations of large business concerns has necessarily created a great deal of friction, and has caused much resentment and many bitter criticisms both as to its purposes and intentions and as to the methods of its procedure. That is perfectly natural, and indicates, whatever else it may indicate, that that commission is trying to probe matters to the bottom.

I do not think the commission has yet been in office long enough for the country to determine whether it is sufficiently useful to be perpetuated or not, but I do not think that obstacles should be thrown in the way of its action which may hamper and cripple and interfere with the performance of its obligations and which will afterwards be used as an excuse for its abolition. In other words, if we are first to deprive it of the necessary funds and then condemn it because it has not functioned as it should have functioned, we will be merely placing obstacles in its way to be used afterwards as an excuse for its ultimate destruction.

I know personally a great many of the gentlemen who have been connected with the Federal Trade Commission and who now compose its membership. I think they are first-class men. I know none of them against whom any imputation as to their integrity or capacity can be made. They are, perhaps, not the most capable investigators that the country could furnish, but they are certainly as capable and as competent as any that could be obtained for the compensation which the Government gives them.

They have had heretofore, if I am not mistaken—and if I am, I hope I shall be corrected—the sum of $900,000. It is a large sum of money, but when it is considered that the jurisdiction of the commission is coextensive with the limits of the United States and it also may be utilized for the purpose of inquiring into trade abuses in our foreign commerce, the amount of money which is given to it in order to enable it to function is relatively small. Unless my memory is at fault, it has been the policy of the Senate Committee on Appropriations to cut down this appropriation every time the appropriation bill has come to the Senate. I know the committee is desirous of economizing as far as possible. I have no question that, in its judgment, the amount of money provided is sufficient. I am told that it is not; and I do not think, as I have before stated, we should create an agency of this kind and then interfere with and cripple it by refusing it the financial aid that it must possess.

We have the habit, Mr. President, of ourselves investigating many of the conditions which properly belong to the body which is known as the Federal Trade Commission. A committee of the Senate to-day is and for some time has been probing what are called the housing situation and the coal situation. That committee has virtually an unlimited power of expenditure; no boundaries are placed upon their capacity for expenditure, provided the scope of the investigation requires it. Who would for a moment think of limiting them? I question the propriety of a double investigation, but that is beside the proposition. We have authorized it; it is going ahead, and is in the hands of an extremely capable committee. I do not know what it will cost, but I venture the assertion that it will proportionately cost very much more than the $900,000 for the Federal Trade Commission, which is designed to cover the cost of all investigations. So much, Mr. President, for that.

Now a word as to an amendment of the committee on page 48 of the bill referring to the Tariff Commission. I had occasion a year ago to protest against the reduction of the $300,000

appropriation then made for the Tariff Commission to $50,000, and the Senate, after some discussion, very properly, in my judgment, restored the provision as it came from the other House. The Tariff Commission is not a popular body with a great many. Many Senators on the other side of the Chamber and many on this side opposed its creation, and they gave some very substantial reasons for their position; I am not prepared to say that some of them were not almost conclusive.

I considered, however, that it was the part of wisdom to create this commission, believing then and believing now that, if composed of impartial investigators of fairly good capacity, they not only could but they would supply Congress with very much needed and very valuable statistical information regarding many subjects coming within the purview of our tariff legislation, and with which Members of the House and the Senate ex necessitate are unfamiliar. I think up to this time that commission has vindicated its usefulness. It does not pretend to make a high-tariff report or a free-trade report, nor any sort of a report beyond giving facts without any recommendations.

Mr. POMERENE. Mr. President, will the Senator yield to an interruption?

Mr. THOMAS. I yield.

Mr. POMERENE. The Senator a moment ago referred to the efforts on the part of Senators to increase the appropriation of the Tariff Commission.

Mr. THOMAS. To decrease the appropriation.

Mr. POMERENE. I am not quite sure as to the way in which that question came up.

Mr. THOMAS. It came up just as it comes up now.

Mr. POMERENE. I refer to a year ago.

Mr. THOMAS. It came up then just as it comes up now.

Mr. POMERENE. I know that the Tariff Commission has been very much crippled because of the fact that it has not had sufficient funds. It has been called upon at different times to secure information which they could only obtain by an increased staff, which they were not able to provide. I agree with the Senator that it would be a very great mistake to cripple either the Tariff Commission or the Federal Trade Commission.

Mr. THOMAS. The commission has been condemned within the last fortnight as a free-trade commission by the Senator from North Dakota [Mr. MCCUMBER]. I do not think that the Senator really intended to be unjust and uncharitable toward the commission, yet I am constrained to believe that such is the attitude which his language indicates he occupies toward it. The Senator's criticism is doubtless based upon certain facts which have been embodied by the commission in its Tariff Information Series No. 20, referring to agricultural staples and the tariff. I am sure that I might—and I have read this document carefully—with equal propriety reproach the commission with being a high-tariff commission, because it furnishes quite as much material for arguments in favor of the agricultural clauses of the pending emergency tariff bill as it furnishes for arguments in opposition to it; it gives the facts; but the outstanding fact is that the Tariff Commission has given to the Finance Committee and to the Senate a document consisting of 190 pages that is crammed with information of the most valuable character, information that is absolutely reliable, and information that can not be obtained from any other source, except by going through the same painful processes and collating it from the various departments having to do with the subject.

It is one of the most creditable collections of practical detailed facts relating to great industries I have been able to secure during my eight years of service on the Senate Finance Committee. It is not perfect; there are some things in it that do not satisfy me, although I make no question about their accuracy.

I have here also a letter to the Committee on Finance on the woolgrowing industry, consisting of 34 pages; one to the Finance Committee on the wheat and flour trade, consisting of 19 pages; a survey of the American cottonseed oil industry, comprised in 26 pages; a survey of the American coconut-products industry, of 37 pages; a survey of the American bean industry, of 32 pages; a survey of the American soya-bean oil industry, of 22 pages; a survey of the American peanut-oil industry, of 18 pages; a survey of the American onion and garlic industry, of 21 pages, comprising only a part of the information gathered by the industry of the Tariff Commission and its subordinates, and immensely useful to every man concerned in the pending emergency tariff legislation.

Mr. SIMMONS. Mr. President, I suggest to the Senator that there are similar surveys—I have a batch of them half a foot thick in my office—with reference to many of the other important paragraphs of the tariff laws.

Mr. THOMAS. Yes.

Mr. FLETCHER. There is a volume of several hundred pages, nearly a thousand pages, I think.

Mr. THOMAS. Yes. That is what might be called their general work; but this work to which I am now referring is directly serviceable to the committees in the first instance, and to the Senate and the House in their consideration of the specific proposals of legislation.

There are, of course, gentlemen like the Senator from Utah [Mr. SMOOT], who seems to me to find his whole happiness in life in working all the time. I believe that if he ever sleeps at all he dreams about his work, and if his dreams awaken him he gets up and goes at it. Now, he does not need this help, perhaps, as much as I do. I could not work that way if I would, because I am not strong enough; and, unfortunately for the Senate, there are very few Members of this body, either now or heretofore, possessing the capacity for industry and the love for it that has characterized the public service of my friend the Senator from Utah; but the rest of us need it. Moreover, I have always been humanly weak enough to rely upon others to do as much of my work as possible; and when I discover an institution, like this commission, which not only does it but is almost as fond of work as my friend the Senator from Utah is, I want to encourage it.

The members of this commission, as far as I know, are more inclined to tariff duties than they are to revenue duties. One of its members is a citizen of my city, a man whose friendship I have always highly appreciated, and of whose abilities there is no question. I refer to Mr. Costigan, one of the most valuable and esteemed citizens of the city of Denver, public-spirited, and ready to contribute to the public service his capacity and his time wherever called upon. Mr. Costigan is a protectionist. He never told me so. I have listened to his addresses frequently before he became a member of this commission, and I have taken a great deal of pride in the fact that the recommendations which I made of him to the President have been vindicated by his work and his devotion to duty since his appointment.

I do not know intimately the other members of the commission. Dr. Taussig, the eminent first chairman of the commission—a publicist of world-wide reputation, who, unfortunately, was obliged to resign his post—perhaps came nearer to complying with my understanding of what a tariff-for-revenue man means than any other member of that commission; but the Senate, from the time of the creation of the commission, has seemed determined to limit its usefulness by crippling its financial support. They tell me that $300,000 is barely sufficient for them to make any showing at all, and that $250,000 will mean such a limitation upon their usefulness as to make it questionable to what extent they may be able to serve the public.

The Senator from New Mexico [Mr. JONES] very pertinently called attention to the enormous work confronting the Committee on Finance and the Ways and Means Committee in the next Congress, because it has been given out—and I have no doubt the statement is well founded—that tariff legislation will be the conspicuous feature of the work of the next Congress. That means, of course, the substitution all along the line of a revenue bill the percentage of whose duties will be very much higher than those now prevailing. We all know how changes in the tariff—that is, local changes, changes regarding specific items—tend to disarrange and to embarrass the whole schedule of duties. For example, the bill that is the unfinished business of the Senate not only disarranges but in some instances completely overthrows the prevailing schedules, to the dismay of a great many business men, and to the utter confusion of many of our lines of manufacture. Such conditions sometimes happen, even after the most careful deliberation, as the result of a systematic tariff revision.

To avoid these, and also to simplify and relieve very largely the duties of these committees, the work of the Tariff Commission, in my judgment, is more indispensable than ever. Next year will be the crucial test of its usefulness, and it ought to be given full opportunity as regards appropriations for the exercise of its powers, that it may contribute to the best of its ability to good legislation; and both protectionists and those who are not protectionists, I think, agree that this legislation, whatever it may be from a party standpoint, ought to be economically as good as possible. As I say, this is only a part of their work; but if this vast amount of statistical information is necessary for an emergency bill, what amount will be essential for the proper consideration of a general tariff revision?

The Senator from New Mexico [Mr. JONES] called attention a few minutes ago to the fact that those who come before the committees for information are interested parties. They either want a tariff, and want it badly, or they are opposed to certain tariff duties, and are opposed vigorously, and for selfish reasons.

Now, I do not mean to say that because a man is selfish he can not tell the truth; but I do say that the tariff legislation of the past, and doubtless to a great extent of the future, has been and will be largely disfigured by the intrusion of the selfish element in all applications for relief. The commonest question I have heard during the last two years of those appearing before us is, "How much duty do you want?" and, generally speaking, the amount stated by the applicant for Government favors is considered as the estimate of what he should have.

I do not mean to say that disinterested people do not come before the committees. They do, occasionally; but it is the man whose personal interest is at stake who is necessarily driven to an appearance before the committee. If he wants the Government to go into partnership with him, he certainly is coming to Washington to urge it and give good reasons for it. If he does not want the Government to go into partnership with somebody else, he is impelled by similar motives in the opposite direction.

This commission is supposed to be impartial, and I believe it is. It is prohibited from making recommendations, and it never has, so far as I know; but its faculty—because it has built up a staff of experts, and the amount which they receive for the work which they do is very moderate—makes it, I repeat, the most desirable and the most indispensable aid which the Government can possibly furnish to those who legislate upon this mighty subject.

I hope, therefore, that the appropriations fixed by the House for these two commissions will remain in the bill, and that the Senate will reject the two amendments to which I have directed its attention.

Mr. SMOOT. Mr. President, I think it is due the Senate to know just why the Senate committee took the action it did in cutting the appropriations for the Federal Trade Commission, the Interstate Commerce Commission, the Tariff Commission, and some of the other commissions that pay their employees from lump sums.

The Appropriations Committee thought that the sentiment of the Senate was in favor of economy. We have heard so much about it, we have talked about it so much here on the floor, that the committee actually believed that was the sentiment of the Senate. There is only one way to economize, and that is not to appropriate money.

In this bill the Senate must have noticed that we have taken out of the statutory roll many employees; but just as soon as we touch the appropriation of a commission whose employees are paid from a lump sum, there is not a Senator but that is approached and asked to vote against the change.

I want to be perfectly frank in regard to the Federal Trade Commission, because that is the first one that was cut, and say to the Senate that Mr. Thompson, the chairman of that commission, was before the Senate Appropriations Committee. He wanted $900,000, the same amount that was given him last year. He said he needed the $900,000; and there is not an estimate made, Mr. President, but that the ones making the estimate will assert that they need the amount asked for. The estimate made for the Federal Trade Commission was for $1,000,000. The House gave them $900,000, the same as they received the present fiscal year. When Mr. Thompson was before the committee we impressed upon him the fact that the committee was going to try to cut the expenses of the Government, and we asked him if he would not assist the committee in doing so. We told him that we intended to cut the appropriations for all commissions paid from a lump sum, and we decided to do that because of the information received when we asked each one of the commissions and some of the departments to furnish the committee with a list of salaries being paid out of lump-sum appropriations.

I think the Senator from Iowa [Mr. KENYON] has a list of the employees paid by the Department of Justice, and I hope he will call the attention of the Senate to that list. Then I would like to ask any Senator in this Chamber if he thinks it is proper and right that we should continue to permit not only the number of attorneys employed but the unheard-of salaries that are being paid.

Mr. JOHNSON of California. In the Department of Justice?

Mr. SMOOT. In the Department of Justice. The committee asked for a list of all the employees paid from a lump sum employed by this commission.

Mr. POMERENE. Since the question has been raised, may we not have those salaries stated, so that we may know what they are?

Mr. SMOOT. I will come to that. Now, take the employees of the Federal Trade Commission paid from the lump-sum appropriation. To begin with, there is a chief clerk at $3,250 and a disbursing clerk at $2,880. If Senators will read this bill they will find that for chief clerks in the many divisions and bureaus of the Government we have appropriated $2,250 each. I am not objecting to the salary of this chief clerk, although the heads of the departments come before the committee and say, "When my chief clerk is on the statutory roll he is paid $2,250, but chief clerks when paid from a lump sum receive $3,250."

Mr. POMERENE. Mr. President, has not the commission which was appointed some time ago to investigate the question of salaries recommended very substantial increases for all clerks?

Mr. SMOOT. I have not the report before me to give the information in detail.

Mr. POMERENE. I think the Senator will find that the salaries, most of them, have been increased, and I think very properly so.

Mr. SMOOT. The Senator says their salaries have been increased. I know they have not been increased in this bill.

Mr. POMERENE. I mean, the recommendations have been made. I did not mean to say they had been increased.

Mr. SMOOT. I misunderstood the Senator, then. I will call attention to the attorneys and examiners. Of attorneys and examiners there are 33, and the salaries aggregate $124,760, or an average of $3,781. Of special attorneys, that is, attorneys alone, there are 7. The amount paid is $25,690, or an average of $3,670, beginning with a special attorney at $5,000. Then there is a special examiner at $7,500, two special examiners at $5,000, and two special examiners at $3,000, a total of five, with an average paid the examiners of $4,700.

Of special experts there are four, beginning with $5,000, and the average is $2,830.

Of special agents there are 28, and the average is $2,728.

Mr. President, so that I may take in all of the draftsmen, multigraph operators, a general mechanic, laborers, telephone operators, messengers, assistant messengers, and messenger boys, I want to say that there are 311 employed by that commission. The amount of compensation out of that lump sum is $660,020, or an average for everyone in the employ of the commission of $2,123, including messenger boys and assistant messengers and all of the laborers and employees.

We thought, Mr. President, that if we appropriated $800,000, and the salary list alone of all of the employees was $660,020, the other expenses attached to the bureau, the difference between $660,000 and $800,000, or $140,000, would be sufficient on an economic basis to take care of it.

Mr. Thompson told the committee that he would try to get along with the $800,000. I am sure that if he tries, he can get along with it. I have not the least doubt of it, and I have not the least doubt when we take the Interstate Commerce Commission the same thing can be done. We cut that commission $300,000, and we cut $50,000 off the Tariff Commission, and it was because we thought that of all times in the history of our Government the heads of these commissions and the heads of our departments ought to try to economize now, and we asked them to do it; we have pleaded with them to do it. But you appropriate the money requested, and there never will be any kind of reduction in the expenses of the Government. That is just as sure as we are here.

Mr. SIMMONS. Did the Senator say that this $100,000 cut is to apply to the lump sum?

Mr. SMOOT. Entirely so.

Mr. SIMMONS. Is it proposed to reduce the number of employees at all, or is each one of them to have his salary scaled?

Mr. SMOOT. That is left entirely with the commission.

Mr. SIMMONS. Eight hundred thousand dollars is now allotted in a lump sum?

Mr. SMOOT. In a lump sum.

Mr. SIMMONS. And it is proposed to reduce that to $700,000?

Mr. SMOOT. No. For the present fiscal year it was $900,000, and the House gave them the same for the coming fiscal year as for the present fiscal year.

Mr. SIMMONS. That is the total appropriation; I am talking about the lump sum.

Mr. SMOOT. That is all, with the exception of the commissioners, with salaries of $10,000, and one secretary.

Mr. SIMMONS. The Senator said a hundred thousand was cut off the lump sum. What was the lump-sum appropriation?

Mr. JOHNSON of California. Nine hundred thousand.

Mr. SIMMONS. I thought that was the total appropriation.

Mr. SMOOT. It is, but there are five commissioners provided for at $10,000 each.

Mr. SIMMONS. All the rest are paid under the lump sum?

Mr. SMOOT. Yes; paid under the lump sum.

Mr. SIMMONS. This, then, is a proposition to cut down the salary of everybody in proportion to this reduction of $100,000?

Mr. SMOOT. It is for the commission to decide whether they want to cut the salaries, or get along with a less number of employees and less expense for running the commission.

Mr. POMERENE. If the Senator will allow an interruption, the Senator from Utah has criticized this appropriation because it was a lump sum, and because of the abuses which accompany lump-sum appropriations. In that behalf I am somewhat in sympathy with him. But he leaves the lump-sum appropriation.

Mr. SMOOT. We have asked if it were not possible to put the employees on statutory rolls, and the chairman and every member of the commission since its organization have said it is impossible to do so.

Mr. POMERENE. I think there is a good deal of force in that objection, and my sympathies run along the same lines as those of the Senator from Utah. But I am not in sympathy with the criticism of salaries of these lawyers and these investigators.

Mr. SMOOT. That is another question.

Mr. POMERENE. I know it is another question, but it is a very pertinent question. You have the average salary of these lawyers running about $3,100 and a fraction over, according to the figures given by the Senator from Utah. But these lawyers and these investigators have to come up against the best ability in the United States. You have an investigation going on, let us say, of the packers, and they have to meet the keenest lawyers rich corporations can employ, and if you cut these salaries, in my judgment you will get a lower order of attorneys to do this business, and I think it would be false economy to do it.

Mr. SMOOT. Of course, Mr. President, in a case like that the attorney who would get $2,460 would not be selected, and there are 33 of the attorneys and examiners.

Mr. SMITH of South Carolina. Was the hundred thousand dollars proposed to be left off less than what they had last year or less than what was estimated for?

Mr. SMOOT. Less than what they had last year. I suppose when this comes to a vote the committee amendment will be disagreed to. I do not think the Senate wants to cut appropriations; it looks that way, at least. But I again say that Mr. Thompson, the chairman of the commission, did ask for the $900,000, and he did say to the committee that he would try to get along with the $800,000.

Mr. POMERENE. What else could he say, under the circumstances?

Mr. SMOOT. I am very thankful for that much, because he is about the only one we have had before the committee who has ever said they would try to get along with a reduction.

Mr. POMERENE. At the same time, did he not also say to the committee that it would very materially cripple their work?

Mr. SMOOT. No; he said he was fearful it would. If the Senator had had the experience we have had on the Appropriations Committee with officials asking for appropriations, he would know what it meant.

Mr. POMERENE. Mr. President, I have a great deal of sympathy with the Senator and the committee in their work, but I do not believe that it is good economy to cripple these commissions; and I think that is what is going to happen if the committee's views prevail.

Mr. SMOOT. The Senator thinks that, I am quite sure, but I would not do a thing to cripple any commission. I would not do a thing to cripple the Interstate Commerce Commission, and I would not do a thing to cripple the Tariff Commission. If we are going to have them at all, the necessary appropriations ought to be made. But I think the time has arrived now when we must cut the expenses of the Government.

Mr. UNDERWOOD. Mr. President, will the Senator give me some information?

Mr. SMOOT. Yes; if possible.

Mr. UNDERWOOD. I know the Senator was one of the chief advocates of the establishment of the Tariff Commission, and I understand now the Senator is in favor of reducing the amount of appropriations from the estimates. In all human probability before next summer is past the party in charge of the Government will attempt a revision of the customs tariffs. I think the Senator will agree with me about that?

Mr. SMOOT. There is no doubt about that, in my mind.

Mr. UNDERWOOD. I want to ask the Senator if he is advised whether the party that will revise and rewrite the tariff laws will wait until they get a report from the Tariff Commission on their work?

Mr. SMOOT. As far as the provision in the bill is concerned, it will not affect any work of the Tariff Commission, because the bill does not take effect until June 30 of this year, and I am in hopes the tariff bill will be passed and become a law before June 30.

Mr. UNDERWOOD. That is not probable. It has never happened before. What I want to know is not with reference to the bill. The Tariff Commission is in existence now. I am not combating the view of the Senator with reference to the particular appropriation. What I would like to find out is for my own information. The Senator is a member of the Finance Committee, and I would like to have him tell me whether it is his purpose, when the bill comes to the Finance Committee, to await an investigation and report of the Tariff Commission before action is taken?

Mr. SMOOT. If they have any information on any question, I presume the committee will ask for that information; but if they have not, I do not think we are going to hold up a tariff bill until we hear from the Tariff Commission.

Mr. UNDERWOOD. Then why do we continue the Tariff Commission at all?

Mr. SMOOT. To gather information that has been reported here as having been gathered in the past, as stated by the Senator from Colorado.

Mr. UNDERWOOD. I am not reflecting on the work that the commission has done. It has had some very able men on it, and I think the work it has been doing has been well done, but most of its work has been theoretical and not practical. I am sure the Senator will agree with me about that, that it has not gone to the real questions that are involved in the writing of a tariff bill. They have theorized outside of that domain.

Mr. SMOOT. I will say frankly to the Senator that they have not gone to the fundamentals as I would have done had I been a member of the commission.

Mr. UNDERWOOD. I think anyone who ever had anything to do with a great tariff bill knows they have not done that.

Mr. SMOOT. I think, of course, for the amount that we have appropriated for the Tariff Commission, they do collect certain information, and they do collect it for the Congress of the United States. A great deal of that information could not be collected by each individual Member of the House and the Senate. That is a fact.

Mr. UNDERWOOD. Certainly, but the Senator agrees with me that it is not information which goes to the fundamentals in the writing of a customs tariff bill. The Senator also says that the Finance Committee will not wait for a report from the Tariff Commission. I have no doubt that if the Tariff Commission were given the opportunity and time to go into a study of the various questions that it is necessary for a commission to study to properly write a tariff bill, that they could give information that would be valuable; but that takes time, of course.

Mr. SMOOT. They have an appropriation, I will say to the Senator, of just the amount they are asking, which covers their requirements up to June 30 next.

Mr. UNDERWOOD. They have not secured that information yet.

Mr. SMOOT. I will say to the Senator that I hope by June 30 we shall have a new tariff bill in operation.

Mr. UNDERWOOD. But this is what I want to know from the Senator. If the Tariff Commission have not, in the four or five years they have existed, furnished information that will be useful in meeting the fundamental questions that are involved in writing a tariff bill, and if the Senator does not propose to wait in the future for them to secure that information, I should like to be informed of the reason for the existence of the Tariff Commission?

Mr. SMOOT. There are a great many things that they can do and a great deal of information that they can gather.

Mr. UNDERWOOD. I know there is a great deal of work they can do, but that is not what they were created for.

Mr. SMOOT. The Senator knows that it was impossible for the Tariff Commission, in the unsettled condition of the affairs of the world, to really get at the fundamentals that we have to have or ought to have in writing a tariff bill.

Mr. UNDERWOOD. In the center aisle of this Senate, in which I now stand, I informed the Senator from Utah of that fact three or four years ago when the Tariff Commission was created. I then said that it was impossible, in the disturbed business conditions of the world, for any commission appointed to get at the fundamental facts necessary or to be of use in writing a tariff bill. More than that, I am willing to say that I do not think we can get the information now, because it will be a year or two before business conditions settle and become stable so that we shall have a permanent basis upon which we can write fixed and conclusive and permanent tariff legislation.

Mr. SMOOT. I have seen some information that came from the Tariff Commission, I will say to the Senator, that was very beneficial not only to myself but to everybody else interested in the question.

Mr. UNDERWOOD. I am not criticizing the work they have done. I am not criticizing that at all. I simply say their work does not cover the scope they were appointed to cover.

Mr. SIMMONS. Mr. President——

Mr. SMOOT. I yield to the Senator from North Carolina.

Mr. SIMMONS. I agree entirely with the Senator from Alabama and the Senator from Utah that changed conditions, as they relate to the making of a tariff, will make it necessary for the Tariff Commission to obtain certain information that they have not yet been able to obtain and that they could not positively up to this time have obtained, because conditions are new. But, eliminating the new conditions which existed during the period of the war when we were not engaged with tariff legislation and tariff agitation, the Tariff Commission was diligently at work ascertaining facts as they applied to the tariff, and they have given us the benefit of those very expensive and comprehensive inquiries that will be of great value to us in the making of the tariff. Of course, we will need some additional information by reason of changed conditions, but I can not conceive of more valuable information than was possible of obtainment under conditions that existed in war time than the bulk of the information that the Tariff Commission has sent to the committee having charge of tariff legislation in Congress.

Mr. SMOOT. In relation to the Interstate Commerce Commission, I have here a list of their employees. It is quite in excess of the salaries paid by the Federal Trade Commission. It may be necessary to some extent, but the Interstate Commerce Commission starts out with a chief counsel at $10,000; director of service, $10,000; director of finance, $10,000; director of traffic, $10,000; assistant counsel, $6,500; assistant counsel, $5,000; attorney examiners, four at $6,000.

Mr. SIMMONS. That is the Federal Trade Commission?

Mr. SMOOT. No; it is the Interstate Commerce Commission. I was going on with the Interstate Commerce Commission, because I think we ought to take a vote on one, and if we are going to increase the one, then we ought to increase the others. The committee have done what they thought was the proper thing to do, and did not make the cut until they examined the list of employees and the salaries that were paid them. We thought, after examination, that the small cut that was made in the appropriation for the commissions paid from a lump sum was not excessive, and only an effort on the part of the committee to see if the Senate of the United States really wanted to economize to meet the situation that I am quite sure is coming to the United States during the coming fiscal year.

The list is too long to print in the RECORD, but there are many positions paid $10,000, and some above that, so we thought perhaps there could be a revision of the salaries more in conformity with conditions that will exist in the country during the coming year.

Mr. McLEAN. Mr. President——

Mr. SMOOT. Just a moment. During the war there were a number of commissions created, a great many of them in fact, and nothing would satisfy Congress but to pay the commissioners $12,000 or $10,000, and they are receiving those salaries to-day.

Mr. McLEAN. Have the total expenses of the commissions increased during the last 8 or 10 years?

Mr. SMOOT. For the present fiscal year, I will say to the Senator, we made an appropriation for the Interstate Commerce Commission of $1,600,000. The committee thought that it was unwise and unjust and unfair to increase the appropriation for that commission over and above the existing amount appropriated for the present fiscal year.

Mr. McLEAN. What was appropriated for the present fiscal year?

Mr. SMOOT. $1,600,000. The House allowed $1,900,000, and the Senate committee have cut the appropriation for the Interstate Commerce Commission to the same amount that was appropriated for the present fiscal year.

Mr. KENYON. May I ask the Senator a question?

Mr. SMOOT. Certainly.

Mr. KENYON. I understand that the Interstate Commerce Commission have the same amount this year that they had last year.

Mr. SMOOT. They have; that is, I mean, with the Senate taking $300,000 off of the House provision.

Mr. KENYON. And the same amount that the commission had last year?

Mr. SMOOT. Yes.

Mr. KENYON. Still the Federal Trade Commission are given $100,000 less than they had last year?

Mr. SMOOT. That is true.

Mr. LENROOT. Does not the transportation act increase the activities of the Interstate Commerce Commission and make necessary very much greater expenses?

Mr. SMOOT. I can not say how much expense was attached to that.

Mr. POMERENE. In one particular especially we have authorized the Interstate Commerce Commission to pass upon all securities that may be issued by railroads. That is simply one branch, and I might refer to others. We have increased their activities very greatly.

Mr. SMOOT. I think that statement is correct. I think the activities of the Interstate Commerce Commission have been increased, and therefore we did not undertake to cut them below what we appropriated for them for the present fiscal year.

I do not know that there is any necessity of saying anything more upon the subject. If the Senate thinks that the committee have made a mistake in trying to equalize, at least to a small degree, between the statutory salaries paid by the old departments and those paid by the commissions and boards that have been created in late years, all they have to do is disagree to the amendments proposed by the committee. But I say again that I think if we disagree to one, we ought to disagree to all, and let them all be treated alike.

Mr. SIMMONS. I would like to ask the Senator from Utah if the appropriation to the Interstate Commerce Commission is made in a lump sum?

Mr. SMOOT. It is made in a lump sum with the exception of the salaries for the 10 commissioners, who, of course, are enumerated in the law, and the secretary, who receives a salary of $7,500.

Mr. SIMMONS. Early in the Senator's statement he read the salaries paid by the Federal Trade Commission to attorneys and experts. I suppose they are fixed by the commission?

Mr. SMOOT. They have the right to do that. They can pay them anything they want to.

Mr. SIMMONS. A little later the Senator read the salaries paid by the Interstate Commerce Commission to lawyers and experts.

Mr. SMOOT. Yes; a few of them.

Mr. SIMMONS. The Interstate Commerce Commission fixes those salaries, does it not?

Mr. SMOOT. It fixes them at any figure it sees fit.

Mr. SIMMONS. I notice this fact. I am not meaning to say that the Interstate Commerce Commission does not require, probably, a little higher quality of talent and higher class of experts, but I notice a very marked difference between the salaries paid by the Federal Trade Commission for attorneys and experts and those paid by the Interstate Commerce Commission for attorneys and experts. I think the difference must have been very nearly twice as much in favor of that class of employees in the Interstate Commerce Commission.

Mr. SMOOT. Not twice as much, I will say to the Senator.

Mr. SIMMONS. Not that much; no; but it was certainly half as much more.

Mr. SMOOT. The highest-paid attorney on the Federal Trade Commission is $8,000, and there is only one.

Mr. SIMMONS. The average is only $3,000, I believe.

Mr. SMOOT. $3,781.

Mr. SIMMONS. Most of the attorneys of the Interstate Commerce Commission are paid $7,000 or $8,000, and some of them as high as $10,000, as I remember it.

Mr. SMOOT. They get higher salaries, I will say to the Senator.

Mr. SIMMONS. Very much higher; and yet, according to the Senator—I have not inquired into it myself—when we make the reduction in the salaries or in the appropriations for salaries of the Federal Trade Commission, we cut off, I believe the Senator said, 11 per cent——

Mr. SMOOT. Yes.

Mr. SIMMONS. While when we make the reduction in the appropriation for salaries of the Interstate Commerce Commission employees we cut off, I think the Senator said, only 2 per cent.

Mr. SMOOT. That is the only difference between what was appropriated for last year and this year. If we cut $300,000 off of an appropriation of $1,900,000, as proposed by the House, we simply reduce it to the same figure that was appropriated for the present fiscal year.

Mr. JOHNSON of California. If the Senator will permit me, that is not a cut in the appropriation. It is a reduction from the excess allowed by the other House.

Mr. SMOOT. I wanted the Senator from North Carolina to know the difference. It is not on the same basis of computation.

Mr. SIMMONS. No; but the idea which I wished to convey was that with the salaries paid by the Federal Trade Commission very much less for similar service than those paid by the Interstate Commerce Commission, it seems to me that when a reduction of fixed salaries is to be made it ought to be less in

the case of the Federal Trade Commission than in the case of the Interstate Commerce Commission.

Mr. SMOOT. I do not think it is necessary for me to say anything more at this time.

Mr. FLETCHER obtained the floor.

Mr. McCUMBER. Will the Senator from Florida yield to me for just a moment, in order to make a motion?

Mr. FLETCHER. I yield.

Mr. McCUMBER. I move that when the Senate adjourns to-day it adjourn to meet to-morrow at 11 o'clock.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The question is on the motion of the Senator from North Dakota.

The motion was agreed to.

Mr. FLETCHER. Mr. President——

Mr. WARREN. Will the Senator yield to me for just a moment?

Mr. FLETCHER. I yield.

Mr. WARREN. Mr. President, I wish to say to the Senate that the existing situation is very serious, if not actually alarming, as to the state of business before Congress. We have only three weeks remaining of the present session and not a single appropriation bill has become a law; in fact, not a single one is yet ready to be presented to the presiding officers of Congress for their signatures. Unless we can curb some of the long speeches which are being made in the Senate we certainly shall lose—I do not know how many—appropriation bills. We might, perhaps, by meeting early in the morning and by remaining late in the evenings crowd on sail and reach some earlier conclusion of the appropriation bills. I feel that, in the interest of legislation, after to-morrow, unless we can get along a little faster, we shall have to ask for evening sessions.

Mr. POMERENE. Mr. President, if the distinguished chairman of the Committee on Appropriations will not object to some of the appropriations which Senators want we shall economize a good deal of time.

Mr. WARREN. Mr. President, the galleries require a great deal of attention, as the Senator from Ohio knows, and there is a certain amount of entertainment to which they are entitled and which Senators desire to accord to them.

Mr. UNDERWOOD. I suggest that we might go into executive session and thereby avoid the consumption of some time.

Mr. WARREN. We may have to do that yet, let me say to the leader of the minority side of the Chamber.

Mr. FLETCHER. Mr. President, I am perfectly willing that the Senate shall go into executive session for the consideration of this entire bill or for any other purpose. Of course, while the observations of Senators as to the necessity for haste come just as I obtain the floor, they can not possibly have any reference to any consumption of time on my part, for I have not consumed 15 minutes, I think, up to this time in the consideration of the pending bill. I quite agree with the Senator from Wyoming [Mr. WARREN] that there has been a frightful, a shameful waste of time here; I quite agree that we have had too much talk, incessant talk, boring everybody, tiring everybody, getting nowhere. I quite agree with the Senator as to that, and I wish we might find some way to stop it; but I have not yet indulged in it.

I have risen now, Mr. President, simply to say that I quite agree with the observations made by Senators who have preceded me in opposition to these amendments. I shall not repeat their arguments, and I may not add to them. I favor the provisions in the bill as it came from the House and object to the committee amendments which have been proposed as to the Federal Trade Commission, as to the Tariff Commission, and as to the Interstate Commerce Commission. I do not believe those proposed reductions ought to be made.

For the Federal Trade Commission the other House allowed $000,000, and the Senate committee proposes to reduce that to $800,000. The estimates call for the appropriation of a million dollars. That body is doing an immensely valuable public work and is doing it in pursuance of law and as required by law. I do not think it ought to be crippled. I believe that it would be a great mistake to reduce their appropriation to the amount proposed by the Senate committee. The salaries of its attorneys and examiners which have been referred to by the Senator from Utah [Mr. SMOOT] are very low. I think the Senator found that the chief counsel for that commission, the principal legal advisor of the commission, only receives $5,000 a year; that their other attorneys receive $3,200; their examiners, $3,200; and the like. Those are very low salaries and no one ought to complain of them. Those men ought to get more; their salaries ought to be increased. I do not see how the commission can do its work and employ such men as are necessary in this very important technical work for such salaries as those.

As to the salaries which are proposed to be paid the attorneys for the Interstate Commerce Commission and its other employees, they seem to be somewhat higher, according to my understanding of what the Senator from Utah read; but I can see in that case where there is need of high-class attorneys and men of exceptional and special ability in the direction of the particular work which they are doing. All three of these commissions are doing a particular kind of work, calling for expert knowledge and ability and training. It can not be expected that these commissions can secure the services of men who could do that work thoroughly and efficiently unless they are paid decent salaries.

The estimate in the case of the Federal Trade Commission was for $1,000,000. The other House has not been overgenerous in providing appropriations. I think I may say that without any undue reflection or any impropriety. They have allowed the commission $900,000, and the Senate committee proposes to strike $100,000 from that appropriation and to allow only $800,000. I think that would be a mistake.

The proposal is to reduce the appropriation for the Interstate Commerce Commission from $1,900,000 to $1,600,000; in other words, to reduce it by $300,000. There never was a time in the history of the country when the work of these three important commissions was more highly desirable and demanded than to-day. The Interstate Commerce Commission never had such responsibilities on it since the date of its creation as it has to-day. The same thing is true as to the Federal Trade Commission and the Tariff Commission in their respective fields. As has been said here, the Tariff Commission is doing splendid work, which requires men of peculiar training and expert knowledge and of great ability in order that the information they furnish Congress may be trustworthy and of real value.

I can understand how the Appropriations Committee wishes to reduce appropriations. Of course, one way of reducing appropriations is to change nine to six and to change ten to eight, and that sort of thing; but that is not economizing; that is not saving money for the public; that is not in the interest of the country. It seems to me it is merely changing figures, and apparently reducing the appropriation. We have got to take care of these agencies of the Government which are performing this great public work by providing them with sufficient funds to enable them to do the work which Congress expects of them, which the country requires of them, and which by act of Congress itself they are required to do. I think it would be a mistake to agree to the committee amendment in each of these instances.

Mr. KENYON. Mr. President, after I conclude the brief remarks I desire to submit on the pending amendment I shall join with the other Senators who, having concluded their remarks, denounce any further discussion of the subject.

As a member of the committee, I feel some embarrassment in relation to the amendment. Between an earnest devotion to economy and a thorough belief in the work of the Federal Trade Commission, I find it somewhat difficult to make up my mind as to the proper vote.

I was not present in the committee when this amendment was adopted; I was not a member of the subcommittee; but when I heard of the adoption of the amendment I felt it was a deliberate attempt to cripple the Federal Trade Commission. I do not apply that remark at all to the chairman of the committee; but there is a very intense feeling, as everyone knows, in this country against the Federal Trade Commission; there is a deep-seated animosity on this floor on the part of many Senators to the Federal Trade Commission, and there has been much criticism of its work, as has been evidenced here in the last few months. I sometimes think that if the Federal Trade Commission would do nothing, would be good, would not interfere in any way with crooked business in this country, perhaps it would not be in so much trouble most of the time; but, made up of men earnestly devoted to public duty, fearless and courageous, as they have been, in finding out and exposing to the people of this country some of the methods of crooked business, it has had to run the gantlet of criticism and even of abuse, just as anybody who goes up against not big business but crooked business in this country does. So, perhaps, I was oversuspicious about the reduction of this appropriation; but my mind went back some years ago, when we had a fight on this floor over the reduction of the appropriations for the Federal Trade Commission, as a consequence of which the amount desired was restored to the bill.

I am committed to the amendment to the extent that, if we are to follow a policy of economy, which we must do somewhere and somehow, and other commissions, such as the Interstate Commerce Commission and the Tariff Commission, are to have

their appropriations reduced, in pursuance of the general policy of rigid economy, for my part I am willing that the appropriation for the Federal Trade Commission shall be reduced; but if the Federal Trade Commission is to be singled out and its work crippled and it is to be treated differently from the other commissions, then I am not willing by my vote to indorse that kind of a policy.

It rather appears from the testimony that many Senators believe that we are reducing the appropriations in the case of the other commissions below the point of efficiency, and, accordingly, they desire to restore the original appropriations.

I wish to say now in this connection while I have the opportunity and in reply to some statements of the Senator from Maine [Mr. FERNALD] in his speech on the packer bill as to the work of the Federal Trade Commission, that in no year since its existence, save one, has it spent more than the appropriations allowed it by Congress; in other words, it has only had one deficiency, contrary to the experience we have had with most bureaus and commissions of the Government; it has never spent for printing any sum other than that included in the appropriations for it, in which respect it has been different from many of the commissions and departments of the Government; and there has never been a year in which it has not turned back to the Treasury some money left from the appropriation provided for it.

The Senator from Maine [Mr. FERNALD], in his speech on the packer bill, said that the Federal Trade Commission has cost approximately $7,500,000 since it was organized. The facts are that this commission since its organization in 1914 has spent $5,306,058.71, which was $591,945.37 less than the funds available by appropriations and allotments.

The Senator from Maine said in that address, as I remember it, that $1,055,000 was allowed by Congress in 1920, and yet that the Federal Trade Commission, regardless of that large amount, spent an additional $150,000. The facts are, Mr. President, that the Federal Trade Commission did not spend the $150,000 in addition to its appropriation, as claimed by the Senator from Maine. The facts are as follows:

In the year 1920 the chairman of the House Appropriations Committee asked the commission to come before the Appropriations Committee, and asked them if there was not something they could do to help solve the question that was then troubling the country, namely, the high cost of living, and see if they could not do something to cut it down. It was suggested by the commission that one of the first steps in bringing down the high cost of living was to ascertain what were the actual costs to the producer of the various basic commodities, among them coal, steel, lumber, and so forth. That action was taken by the House committee without any initiative or request upon the part of the Federal Trade Commission, and subsequently Congress appropriated this $150,000. The commission commenced on its work to find out what the various commodities were costing. It was met, however, with injunctions from various business concerns in the country, which stopped the work of the commission, and it notified Congress that it would turn back the $150,000, and it did; so that statement on the part of the Senator from Maine is not correct.

The Senator from Maine stated, too, that since the organization of the commission in 1914 it has spent $70,639 for printing and binding. As I stated before, the commission has spent since its organization, covering a period of seven years, $117,639, or an average of less than $17,000 annually, strictly within its appropriations, in printing its annual report and other publications.

This commission did valuable work during the war. It saved more than the amount of its appropriation in the way of investigating cost prices of things that the Government was compelled to buy. On a single purchase in 1918 of medicated gauze for the medical department of the Army the commission found costs on which was based a price that saved the Government over $1,000,000 on one item, and in the investigation of many war materials it caused a reduction to the Government in the prices of much more than any amounts that have ever been appropriated for the Federal Trade Commission.

This commission is one of the most useful branches carrying on the work of this Government. I believe it is a commission in which the average, everyday people of this country have tremendous confidence, and from which they believe that everyone will receive a square deal. It ought to have enough money to do its work, and do it properly and efficiently.

It is true, as the Senator says, that Chairman Thompson was before the committee. I felt rather sorry for him. He was interrogated rather sharply, and he did say that they would try to wiggle through on the $800,000. I have talked with him since, and I know—patriotic man that he is—that he realizes the condition of the finances of the Government. I know that he is willing to try to get through on this $800,000, and if these other commissions are to be held to the cuts within the bill, for my part I would feel like standing by the committee arrangement, but if they are not, then I would not want to do so. As the Senator from Utah [Mr. SMOOT] says, all of them should be treated alike; but I understand that the reduction of the Interstate Commerce Commission still gives them exactly the same amount of money that they had last year, while the reduction of the Federal Trade Commission gives them $100,000 less than they had last year, so that the two commissions have not been treated exactly alike.

Mr. SMOOT. Mr. President, I want to say in passing that the estimate of the Interstate Commerce Commission was $2,160,000, but the House cut it to $1,900,000, while the estimate of the Federal Trade Commission was $1,000,000.

Mr. KENYON. Mr. President, I am not going to take up the time of the Senate further; but inasmuch as a good deal of the opposition to the Federal Trade Commission has arisen because of their investigation of the packers and inasmuch as they are continually pursued by the packers, it might be appropriate to place in the RECORD a statement concerning a dividend—it may be a little foreign to this exact subject—of one of the packers, a stock dividend the other day of 1,233 per cent.

I think I ought also to put in a defense of this, as published in the Public Ledger, of Philadelphia, the defense being, in substance, that it was a very foolish time, while the matter of the packers was under discussion in Congress, to declare this kind of a stock dividend. I may do that later. When the Federal Trade Commission are compelled to meet the kind of lawyers that can be employed by those who are declaring stock dividends of 1,233 per cent they are compelled to have the very best they can secure, and that costs money.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Iowa yield to the Senator from Arkansas?

Mr. KENYON. I do.

Mr. ROBINSON. Does the Senator know whether, by declaring that enormous stock dividend, the packing corporation escaped the payment of taxes which would have been due the Federal Government if the dividend had been declared in the usual form?

Mr. KENYON. The Senator knows that as well as I do, and he is evidently answering his own question in asking it. The stock dividend by Morris & Co. seems to have been a modest one of only $37,000,000 as given by the Chicago Tribune.

Mr. ROBINSON. The total capitalization at that time was something like $3,000,000—a little over $3,000,000, I think.

Mr. KENYON. I think so.

Mr. ROBINSON. The Supreme Court, prior to the stock dividend being declared, had held that stock dividends were not subject to a certain class of taxes.

Mr. KENYON. There are other things that I should like to talk about, if I did not feel that I was taking up time, as to the warfare against the Federal Trade Commission by certain interests in this country; but at some future time I am going to take up that matter and analyze it, especially as all the Senators, I think, have received letters from the Chamber of Commerce of the United States protesting against the packer bill, and protesting against any regulatory measures, which I shall not go into at this time. I shall try to show, when opportunity presents itself, the part played by the packers in the Chamber of Commerce of the United States. It will develop, I think, that some of the attorneys of the packers are officers of the chamber of commerce and some of the packers are directors. It will be well for the people of the country to know just who are the controlling spirits of the much acclaimed chamber of commerce. At a future day I shall address myself to that subject.

Mr. WARREN. Mr. President, I do not rise to discuss this matter, except to say that the debate so far has seemed to cover three different items—the Tariff Commission, the Federal Trade Commission, and the Interstate Commerce Commission. I think they are equally deserving or not deserving. The committee's only object was economy and an effort to save expense. They have laid the matter before the Senate. It is for the Senate to decide. I only ask that there may be placed in the RECORD—I shall not ask to have it read—a letter just received from the chairman of the Interstate Commerce Commission, Mr. Clark, in which he expresses for the commission the reasons why he considers that they should have more money, and states the duties that have been added to those they have had heretofore.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, February 7, 1921.

Hon. FRANCIS E. WARREN,
Chairman Committee on Appropriations, United States Senate.

DEAR SENATOR: The commission has noticed that your committee reported an amendment to H. R. 15422, being the sundry civil appropriation bill for the fiscal year ending June 30, 1922, in line 25, on page 38, reducing from $1,900,000 to $1,600,000 the appropriation carried in the House bill for the general fund from which all expenses of the commission must be paid, except those specifically provided for in separate appropriations.

The commission has requested me to write you inviting attention to the fact that the transportation act very largely increased the jurisdiction and duties of the commission. Among the important items of added or new jurisdiction may be mentioned supervision of issuance of stocks and bonds, passing upon applications for certificates of public convenience and necessity for the construction of new road or abandonment of existing road and very largely amplified jurisdiction over questions of service and physical operation of roads and very exacting and important duties in ascertaining and certifying the amounts due the carriers under the guaranty provisions of the transportation act. Necessarily these new duties involve additions to our forces and providing funds therefor. Intelligent consideration and determination of questions involving issuance of stocks or bonds and determination of the Government's obligation to the carriers and the carriers' indebtedness to the Government and various important questions of physical operation or service require men of capacity, unquestioned integrity, experience, and industry. We note that in the debate on the floor of the Senate some reference was made to the salaries paid by the commission. We have never expended a dollar in this or in any other direction which we did not feel was fully justified in the interests of the service. Securing accountants of desired capacity and character has been unusually difficult during the last two or three years and is at the present time. We have not in any instance fixed a salary that did not seem to be imperatively necessary in order to induce men to enter the service rather than to accept offers from outside the Government service which from the sole point of salary were more attractive.

It is essential if the commission is to perform its duties in an efficient manner that questions affecting the finances of the carriers or their service to the public shall be considered and disposed of promptly. A question of financing, if handled with promptness, can be carried through, while often if there is serious delay in securing authority the money market conditions have so changed that when the authority is given it is impossible to float the issue.

We have always attempted to be conservative in our estimates and to conserve the public funds. It is a matter of common knowledge that the Congress recognized the fact that the commission was rather overloaded with work before the transportation act was passed and these additional duties were placed upon it. Congress, of course, desires the commission to do its work in a thorough and creditable manner and with that promptness which the character of the work makes indispensable, and we therefore desire to bring these matters to your notice in the hope that the importance and merits of the situation may be recognized by withdrawal of the amendment referred to and restoration of the appropriation carried in the House bill. We are in full sympathy with the policy of economy in every reasonable and appropriate way, and at the same time feel that we are in accord with the sentiment which undoubtedly actuates yourself and your committee that economy shall not be exercised at the expense of proper and appropriate conduct of the public business.

May I not on behalf and at request of the commission express the hope that these matters will have your consideration, and that that further consideration will lead to affirmative action along the line I have suggested?

Yours, very truly, EDGAR E. CLARK, *Chairman.*

Mr. WALSH of Montana. Mr. President, bearing in mind the admonition given us a short time ago by the Senator from Wyoming, I desire to submit a few observations upon the pending amendment.

Reference has been made, in connection with the work of the Federal Trade Commission, to what might be characterized as the spectacular portion of its duties—the investigations carried on by it, either under the general law or under the special authorizations by Congress. These authorizations have been quite frequent recently. I might say, in this connection, that recently a very decided effort was made in the Senate to impose upon this commission the very extensive and onerous duties created by what is known as the packer bill—a testimonial, I take it, to the high character of the commission. It is singular that it was those who were originally opposed to the creation of this commission who, as a rule, sought thus to impose these additional duties upon it.

I wanted to speak, however, for a few moments about its more ordinary and perhaps more important duties—the duties conferred upon it by section 5 of the act creating the commission, and the subsequent sections providing for injunctions against unfair practices in competition. This is not work of a character that ordinarily engages the attention of the public; but it is discharging in that connection a very important work, as disclosed by its report, a copy of the last report being now before me, that lists an enormous number of proceedings now pending before the commission under section 5 to restrain unfair practices in competition.

To show how important this was to every household in the country, I refer to some of those that are listed. For instance, taking them at randon, we find Complaint No. 30, Federal Trade Commission against the Western Clock Co. Charge: Attempting to eliminate competition in the sale of certain alarm clocks by fixing the resale prices and refusing to sell to those who fail to maintain such prices.

Complaint No. 87, Federal Trade Commission against the Crescent Manufacturing Co. Charge: Stifling and suppressing competition in the manufacture, marketing, and sale of baking powder, spices, tea, coffee, and flavoring extracts, by fixing resale prices and refusing to sell to those who did not agree to maintain such specified standard resale prices.

Complaint No. 89, Federal Trade Commission against L. E. Waterman Co. Charge: Stifling and suppressing competition in the manufacture, marketing, and sale of fountain pens.

Complaint No. 90, Federal Trade Commission against Cluett, Peabody & Co. Charge: Stifling and suppressing competition in the manufacture, marketing, and sale of men's collars, by fixing and maintaining resale prices.

Complaint No. 123, Federal Trade Commission against the American Can Co. Charge: Price discrimination and price fixing on condition that the purchasers shall not use or deal in the product of competitors.

Complaint No. 126, Federal Trade Commission against the Ironite Co., Master Builders' Co., and United Products Co. Charge: Stifling and suppressing competition in connection with the manufacture and sale of cement and concrete hardener.

Complaint No. 159, Federal Trade Commission against the United Rendering Co. and others. Charge: Stifling and suppressing competition in the business of refining animal fats, and the manufacture and sale of products therefrom.

Complaint No. 184, Federal Trade Commission against the Enders Sales Co. Charge: Stifling and suppressing competition in the sale of safety razors and blades by fixing and maintaining resale prices.

So, Mr. President, the proceedings reach to almost every article of production in the household, the effort being to reestablish competition.

I have referred to cases which are pending. I want now to call the Senate's attention to a few disposed of by the commission, the first among them being Complaint No. 15, the Federal Trade Commission against Curtis Publishing Co. Charge: Using unfair methods of competition by refusing to sell its periodicals and publications to any dealer who will not agree with respondent that he will not sell or distribute the periodicals or publications of certain competitors with respondents to other dealers and distributors, in alleged violation of section 5 of the Federal Trade Commission act.

It is well known that the Curtis Publishing Co., of Philadelphia, publishes the Saturday Evening Post, the Ladies' Home Journal, and the Country Gentleman, and they exact of newsdealers, or did exact of newsdealers, all over the country an agreement that they would not deal at all in the productions of other competitors, and if they violated the agreement they were deprived of the right to sell these standard periodicals, which were in demand, practically putting themselves out of business. That charge was found to be sustained by the Federal Trade Commission, and an order was entered requiring the respondents to cease and desist from the practices complained of.

I refer to this case particularly, Mr. President, because some time ago one of the Senators from the State of Pennsylvania denounced roundly the Federal Trade Commission as an obstacle to business in this country engaged in unwarranted interference with business operations, and remarked that he had more letters complaining of its pestiferous action in restricting business operations than he had perhaps upon every other subject coming to his table. I dare say that some of the complaints made were from the companies thus proceeded against.

I shall refer to just one more, the case of the Federal Trade Commission against the Winstead Hosiery Co. Charge: Using unfair methods of competition by false and misleading advertisements tending to deceive the public into the belief that underwear manufactured by respondent is composed wholly of wool, whereas, in fact, is contains but a small amount of wool, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing, an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Mr. President, I have no doubt at all that all these companies thus proceeded against have joined in the chorus of denunciation of the Federal Trade Commission, and, unfortunately, some Senators have listened to their complaints, and I have no doubt that may have been induced, at least in the past, however it may be at the present time, to withhold adequate appropriations for the work of this commission on account of complaints thus received. I think, Mr. President, the existence of these

complaints is a testimonial to the good work that is being done by this commission.

I trust the amendment proposed by the committee to cut down this appropriation will not be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next committee amendment passed over.

The READING CLERK. The next amendment passed over, which was passed over at the request of the senior Senator from Utah [Mr. SMOOT], is on page 38, to insert lines 4 to 17, both inclusive, as follows:

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

For expenses of the board, including personal services in the District of Columbia and elsewhere, books of reference and periodicals, printing and binding, traveling, and other necessary expenses, $40,000.

For assisting the States in protecting the military and naval forces of the United States against venereal diseases, $300,000: *Provided*, That no part of this amount shall be expended in assisting reformatories, detention homes, hospitals, or other similar institutions in the maintenance of venereally infected persons.

In all, Interdepartmental Social Hygiene Board, $340,000.

Mr. WARREN. Mr. President, as to this item I am not quite certain what my colleague on the committee, the Senator from Utah [Mr. SMOOT], wishes to present. But I want to say that there is propaganda that extends clear across the country, I suppose, and that there are letters and circulars and lobbyists, doctors and others, on both sides of the question whether this matter of the treatment of venereal diseases shall be put all together under the Public Health Service or whether the Interdepartmental Social Hygiene Board, which we created, shall go on and work with the States in trying to clean up the country.

In war times it was brought before the Committee on Military Affairs and put in such a light, as to the effect upon the Army, and as to the condition the men were in when they were examined to go into the service, and as to the constant dangers that surrounded them in certain parts of the country, that they made it evident to that committee that they should ask for very large appropriations—something like $2,000,000—and this board was encouraged to take up the work.

That committee provided for the matter for two years, and then it was passed over to the Appropriations Committee. The matter last year came up in much the same way that it comes now, only in larger volume. We appropriated $80,000 for the management and the working out of the problems, and we appropriated then $150,000 directly and appropriated also certain sums which might be used in connection with the universities, if they would pay their portion, and with the States if they would pay theirs.

The House committee put into the bill half as much as we have here, or $40,000, for the management and $300,000 for assisting the States in protecting the military and naval forces of the United States and others against venereal diseases, and so forth. The amendment provides:

That no part of this amount shall be expended in assisting reformatories, detention homes, hospitals, or other similar institutions in the maintenance of venereally infected persons.

On the other hand, the Public Health Service has $200,000 to devote to that purpose, except that it is not indicated that it shall be for soldiers or sailors in preference to anyone else.

The two sides of the question are, Shall we put the amount all under one head; and if so, shall we give it to the Public Health Service, or shall this part be knocked out and leave the Public Health Service without an increase? I think the following up of this purifying of humanity, if you please, ought to be carried on in one or the other of those agencies. I am not disposed to be partial to either one.

This went out on a point of order in the House, as I remember, and it is now before the Senate. It is a matter about which doctors disagree very violently, as they do at times, and as lawyers sometimes do, I suppose. For instance, Dr. Young, a very celebrated physician and surgeon of Johns Hopkins, is very anxious, as are a great many doctors and others with him, to have this under the Interdepartmental Social Hygiene Board. On the other hand, doctors of high note are advising us to take the other course. In fact, I have on my desk a telegram received less than two hours ago from one of the most talented physicians and surgeons with whom I am acquainted in the country, one of the physicians employed to aid the wounded President Garfield after the murderous attack of an assassin. So we have the matter before the Senate, and it is for the Senate to settle.

Mr. SMOOT. Mr. President, my attention was called to this matter by a number of doctors of the Public Health Service. What they desire is to have stricken out, on page 38, the whole of the matter under the Interdepartmental Social Hygiene Board, and to insert, on page 32, line 2, the latter part of the item under the Interdepartmental Hygiene Board. That would save $40,000 provided for expenses of the board, "including personal services in the District of Columbia and elsewhere, books of reference and periodicals, printing and binding, traveling, and other necessary expenses," and would simply provide, under the Public Health Service—

For assisting the States in protecting the military and naval forces of the United States against veneral diseases, $30,000: *Provided*, That no part of this amount shall be expended in assisting reformatories, detention homes, hospitals, or other similar institutions in the maintenance of venereally infected persons.

If it is satisfactory to the Senate, I think that would be very satisfactory to those who are deeply interested in this quesion.

Mr. FLETCHER. The Senator proposes to insert that on page 32 and to strike out all the other provisions?

Mr. SMOOT. Yes; to strike out all on page 38 relating to the Interdepartmental Social Hygiene Board, and to insert, after line 2, page 32 of the bill, the second paragraph in the provision found on page 38.

Mr. President, I move that the bill be so amended.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 38, inserting lines 4 to 17 inclusive, the provision with respect to the Interdepartmental Social Hygiene Board.

The amendment was rejected.

The VICE PRESIDENT. The question now is on the amendment on page 32, after line 2, to insert the language found in lines 10 to 15, inclusive, on page 38, as follows:

For assisting the States in protecting the military and naval forces of the United States against venereal diseases, $300,000: *Provided*, That no part of this amount shall be expended in assisting reformatories, detention homes, hospitals, or other similar institutions in the maintenance of venereally infected persons.

The amendment was agreed to.

Mr. UNDERWOOD. I desire to inquire whether the committee amendments have been finished?

The VICE PRESIDENT. We are endeavoring to find out now. Are there any more committee amendments?

The READING CLERK. The next amendment passed over is, on page 41——

Mr. TOWNSEND. Mr. President, may I inquire what was done with the Interstate Commerce Commission amendment?

Mr. WARREN. That was agreed to without a cut, as I understand it.

The VICE PRESIDENT. That is what the record shows. Let us get this straight, if there is any way of ascertaining it.

The READING CLERK. On page 38, line 3, Federal Trade Commission, the amendment in line 3 was disagreed to.

Mr. WARREN. That is right.

The READING CLERK. The amendment on page 48, line 22, relating to the Tariff Commission was agreed to, and the amendment on page 38, line 25, relating to the Interstate Commerce Commission, striking out $1,900,000 and inserting $1,600,000, was disagreed to.

Mr. WARREN. I think this is the case: I think the other day when we were at that point in the bill there was an agreement made as to the one, and therefore it did not come up with others in this group. I may be mistaken, but I think we shall have to move a reconsideration if it is the wish of the Senate to put it back.

Mr. THOMAS. I understand that is disagreed to as an amendment. The Secretary announced the amendment on page 48, line 22, had been agreed to. We are talking now about the Tariff Commission.

Mr. WARREN. The Tariff Commission amendment was agreed to with the cut.

The VICE PRESIDENT. The record shows it was agreed to and that the Senator from Colorado [Mr. THOMAS] reserved a separate vote on it in the Senate.

Mr. THOMAS. I remember doing that, but I was afterwards informed that both of them had been passed over.

Mr. ROBINSON. I ask unanimous consent that the vote by which the Senate agreed to the amendment referred to be reconsidered, in view of the statement of the chairman of the committee that all three amendments were to take the same course. With that understanding I make that motion.

The motion to reconsider was agreed to.

Mr. SMOOT. On page 38, line 25, the amendment reducing the Interstate Commerce Commission appropriation from $1,900,000 to $1,600,000 should be disagreed to.

The amendment was rejected.

Mr. SMOOT. On page 48, line 22, relating to the Tariff Commission, $300,000, the committee report to reduce the amount to $250,000. That amendment should be disagreed to.

The amendment was rejected.

The VICE PRESIDENT. The next amendment of the committee passed over will be stated.

The READING CLERK. The next amendment passed over is to insert, on page 41, lines 8 to 24, both inclusive, the item for a national advisory committee for aeronautics, passed over at the request of the junior Senator from Utah [Mr. KING].

The amendment was agreed to.

The READING CLERK. The next amendment passed over is, on page 47, to strike out lines 5, 6, and 7 and insert lines 8, 9, and 10, passed over at the request of the senior Senator from Ohio [Mr. POMERENE].

Mr. POMERENE. The amendment which I had in mind, perhaps, does not relate to the amendment offered by the committee. If there is no objection, I will now offer an amendment increasing the appropriation in line 5 from $125,000 to $133,000.

Mr. WARREN. There is another amendment here that has not been passed upon by the committee, perhaps.

Mr. POMERENE. I asked to have that passed over, thinking at the moment that there was some relation between the amendment which I propose to offer and the committee amendment. I have no objection to the committee amendment.

Mr. WARREN. Then let us agree to the committee amendment.

The amendment was agreed to.

Mr. POMERENE. We might as well take up my amendment now. I move to amend, on page 47, line 5, by striking out "$125,000" and inserting in lieu thereof "$133,000." This means an increase of $8,000 in the appropriation. I will state the reason for the amendment. There are in the employ of the Smithsonian Institution for the Zoological Gardens 1 sergeant of police, 10 policemen, 21 keepers, and 2 gardeners. These men are receiving now compensation at the rate of only $80 per month, except the sergeant of police, who receives $85 a month.

My purpose is to increase the appropriation $8,000, because that will grant an increase to each of these officers of $20 per month, making the compensation $100 per month, except the sergeant, and it would make his salary $105 per month. This would make their compensation, except that of the sergeant, $1,440 a year. The United States park policemen have been receiving $1,360 per annum, but have an allowance in the sum of $80 each year for uniforms.

Mr. WARREN. Will the Senator allow me?

Mr. POMERENE. Certainly.

Mr. WARREN. My attention was diverted, but as I understand it the Senator wants to add $8,000 to the total amount.

Mr. POMERENE. Yes.

Mr. WARREN. That is his amendment?

Mr. POMERENE. That is the amendment.

Mr. WARREN. I am inclined to accept that and let it go to conference.

Mr. POMERENE. Very well.

The amendment was agreed to.

Mr. POMERENE. I have another amendment. On page 124 I move to strike out the proviso beginning on line 24 and ending at line 5 on page 125. The proviso reads as follows:

Provided further, That no clerk or deputy clerk or assistant in the office of the clerk of a United States district court shall receive any compensation or emoluments through any office or position to which he may be appointed by the court, other than that received as such clerk, deputy clerk, or assistant, whether from the United States or from private litigants.

May I remind Senators that there have been no increases in the salary of these clerks or assistants except perhaps the bonus? Federal judges occasionally have an opportunity to appoint masters in chancery or referees. This enables the court to give these clerks a service to perform by which they can to some extent increase their compensation. I know at least one of the judges in my own State has written to me about this. I know that the clerks are overworked and underpaid, particularly underpaid. Many of them can not meet their expenses unless they can have some outside remuneration. In any event, the judge, it seems to me, is better able to determine whom he should appoint as referee or master in chancery than the Congress of the United States. I think it is only just, not only to the clerks but to the judges themselves that they should be unhampered in the naming of masters or referees.

Mr. WARREN. The matter has been before the committee in an amendment offered by the Senator from Connecticut. I do not understand that there is any opposition on the part of the Committee on the Judiciary, which has provided the salaries in earlier legislation for certain officers of the court. I am inclined to accept the amendment and to let it go to conference.

Mr. POMERENE. Very well.

Mr. BRANDEGEE. Mr. President, I have just come on the floor. Is the amendment under discussion that proposing to strike out the proviso with reference to the appointment of clerks of Federal courts as masters and referees?

Mr. POMERENE. It is.

Mr. BRANDEGEE. I was going to offer the same amendment, if the Senator from Ohio had not done so.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. POMERENE. I have another amendment. On page 46 or 47 there is appropriated——

Mr. ROBINSON. Will not the Senator let that go over until to-morrow?

Mr. POMERENE. Yes; it can go over until to-morrow, if the Senator from Wyoming desires to have the Senate adjourn. I shall be very glad to submit the amendment to-morrow.

Mr. BRANDEGEE. I have an amendment that I would like to propose. I think it would only take a moment or two.

Mr. SIMMONS. I have a couple of amendments that I want to propose. I do not think they will take very long.

Mr. POMERENE. If the Senator from Wyoming is going on with the bill, I would like to offer this particular amendment, because I have an engagement in the morning.

Mr. WARREN. The chairman of the committee is waiting to hear the amendment.

Mr. POMERENE. On page 114, in the appropriation for the Columbia Institute for the Deaf, the bill provides as follows, beginning on line 8:

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, $90,000.

I happen to be one of the trustees of this institution. The board of trustees some weeks ago had a meeting in which they carefully canvassed the financial situation.

Mr. WARREN. Mr. President, I have had this matter under consideration. We are giving the institution the same appropriation it had last year. The appropriation does not become available until next July, and we know that by that time prices will be lower, and they ought to get along with even less money than for the current year. However, if the Senator will accept it, I will offer him a compromise and accept an amendment increasing the amount $5,000, and let the matter go to conference.

Mr. POMERENE. Mr. President, I was inclined to offer an amendment to increase the appropriation by $15,000. Three thousand dollars is absolutely necessary, because of the increased price of coal. There are many employees of the institution who are getting $40, $50, and $60 a month, with their keep, and the president of the institution feels that there ought to be an increase in those salaries especially. There ought to be an increase in the salaries of all of the members of the faculty; but we will forego that. I should be glad, however, if the Senator would consent to make the increase $10,000, at least, and let the matter go to conference.

Mr. WARREN. I could not do that. I am stretching the point even in offering to make it $5,000. That will be all that we can possibly protect in conference, and I know the Senator from Ohio would rather have $5,000 and protect that and have that agreed to in the other House than to put in an appropriation with which we shall have trouble.

Mr. POMERENE. Mr. President, the Senator looks so very solemn that I——

Mr. WARREN. It is a pretty solemn occasion when the Senator from Ohio attacks the Treasury of the United States in that manner.

Mr. POMERENE. Mr. President, if it is understood that the $5,000 will be kept in the bill, I had, of course, rather have that than nothing; but I am afraid it will be necessary to come back to Congress for an additional appropriation. The inadequacy of the appropriation is simply going to cripple the faculty and the institution. Many of those men are getting less pay than are those in other similar institutions in the country. However, I will accept the proposition of the chairman of the committee.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. SIMMONS. Mr. President, I have a little amendment which I wish to offer, and I hope the Senator from Wyoming will agree to it. I send to the Secretary's desk an amendment to be inserted at the end of line 13, on page 14.

The VICE PRESIDENT. The amendment proposed by the Senator from North Carolina will be stated.

The READING CLERK. On page 14, at the end of line 13, it is proposed to insert:

That the Secretary of the Treasury be, and is hereby, authorized and empowered to acquire by purchase, condemnation, or otherwise certain additional land across the alley, which joins the east side or rear of the present site of the customhouse, appraisers' stores, etc., building at Wilmington, N. C., as an addition to said present site, and to pay for

such additional land from the unencumbered balance of the appropriations heretofore made for the acquisition of a site and the erection of the customhouse, appraisers' stores, etc., building in said city.

Mr. SIMMONS. Mr. President, I will state to the Senator from Wyoming——

Mr. WARREN. I shall have to make the point of order against that amendment, but I do not wish to cut off the Senator from North Carolina from the floor.

Mr. SIMMONS. I know the amendment is subject to a point of order, but I hope the Senator from Wyoming will not insist upon it after he hears the statement which I am about to make. There is lying directly beside the magnificent building which the Government has recently constructed at Wilmington—I believe it is generally admitted to be the finest customhouse building in the South—a number of old dilapidated buildings that not only immensely detract from its splendid appearance but which are a menace to it. The citizens of the town have been moved by that consideration for some time and have written me repeatedly in reference to the matter. The chamber of commerce has likewise sent me resolutions urging me to obtain the consent of the department for the application of the unused portion of the appropriation heretofore made for the purpose of buying this little strip of land and demolishing the buildings upon it. I have taken the matter up with the department and I think the department would gladly have taken the action desired but for a ruling of the Comptroller of the Treasury. I wish to read in this connection a letter addressed to me by Mr. J. H. Moyle, Assistant Secretary of the Treasury, in which he says:

This matter—

Referring to the matter of buying this little strip of land and removing these buildings—

This matter has been under consideration by the department several times since the customhouse site was enlarged to its present dimensions. While such further enlargement would be desirable from the standpoint of improving the appearance of the Government building and affording more open space as a protection from fire in adjacent structures, the additional land is not absolutely essential, and for this reason the department has taken no steps toward its acquisition.

There is an unencumbered balance of about $40,000 (not $72,000, as your correspondent states) of the limit of cost for this building. This money, however, is not available for the reason that, under the rulings of the Comptroller of the Treasury in similar cases, it would be necessary to obtain further legislative authority to enable the department to expend such balance for additional land, because a sufficient site to accommodate the building as planned has already been acquired.

The amendment only asks authority because of the ruling of the Comptroller of the Treasury to use this unexpended balance to purchase this little strip of land and remove the buildings there, which are a menace to this magnificent property of the Government. I hope the Senator from Wyoming will not make the point of order against the amendment, but will let it go into the bill.

Mr. WARREN. Mr. President, I am unable to do that, because there are dozens of matters pertaining to public buildings, the purchase and sale of lands and streets, and so forth, which we have been unable favorably to report, even when an appropriation for the purpose has been estimated for. This item, however, has not been estimated for; it has not been authorized by any law; and the adoption of the amendment in this instance would probably plunge the Government into a maelstrom of expenditure and of buying and selling property. There is no safe ground upon which an amendment of that kind may be based. I therefore make the point of order against it.

The VICE PRESIDENT. The point of order is sustained.

Mr. BRANDEGEE. I offer the amendment which I send to the desk.

Mr. SIMMONS. I have another amendment, but I hardly think it could be disposed of this afternoon. And if the Senator from Utah and the Senator from Wyoming think it can not be disposed of this evening, I will yield to the Senator from Connecticut.

Mr. SMOOT. I am quite sure that the amendment to which the Senator from North Carolina refers can not be disposed of to-night if it leads to any discussion, and I am quite sure it will do so.

Mr. WARREN. I do not know what is the character of the amendment to which the Senator from North Carolina refers, but I do know that unless we can dispose of it by 6 o'clock it will be compelled to go over.

Mr. SIMMONS. I will say to the Senator that it is the amendment with reference to the Coast Guard Service about which I spoke to him. The amendment might take some little time.

Mr. WARREN. If the Senator from North Carolina please, we might first let some of these other matters be disposed of.

Mr. SIMMONS. If the Senator thinks the amendment could not be disposed of this afternoon, I shall not offer it.

Mr. TOWNSEND. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Michigan.

Mr. TOWNSEND. I move to strike out the item beginning in line 11, on page 47, and ending in line 14, on page 48. I do this simply for the purpose of putting the matter into conference. I think the purchase of the piece of land covered by the provision is certainly ill advised. It is a strip of land on the southeast corner of Rock Creek Park. I am inclined to believe that when the conference committee looks into it, as I trust they will, they will find that there is a disposition on the part of some individuals who own a small piece of land there to sell it to the Government, although its acquisition will be without any benefit to the park, but will leave a very abrupt jog in its boundary line. Under present conditions, the land which is proposed to be taken over is really an addition to the park and can not be made more beneficial by purchase.

I call attention to this matter because I have looked over the situation, and I am satisfied that there has been some mistake. Therefore I move to strike the provision out of the bill in order that the matter may go to conference and the facts may be more fully ascertained.

Mr. SMOOT. Mr. President, Mr. Walcott, the Director of the Smithsonian Institution, is very anxious that this item remain in the bill. I have not the plat of the property here——

Mr. TOWNSEND. I have.

Mr. SMOOT. And if the Senator will allow the matter to go over until to-morrow I will bring the plat with me and also other information.

Mr. TOWNSEND. I am afraid I shall not be able to be present to-morrow, but I am perfectly willing to allow the matter to be voted on to-morrow, with the understanding that the motion to strike from the bill the portion I have indicated shall be then pending. I repeat I have looked into the matter myself; I have the plat here, and I can not understand why there should be any effort made to obtain that little strip of land which will leave the boundary of the park in worse condition than it is now.

Mr. SMOOT. But if houses are erected upon it, it will not be a very nice thing for the park.

Mr. TOWNSEND. If any additional houses are erected on it, they will be in connection with houses which have been built there already and which are really an addition to the park. I am perfectly willing to let the matter go over until to-morrow and let the Senate vote on it then.

Mr. TOWNSEND subsequently said: I ask consent to have printed in the RECORD, in connection with the remarks made by me a few moments ago in reference to the matter to which I then called the attention of the Senate, a statement which has been furnished me, in order that the Senate may see it to-morrow.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

The sundry civil bill (H. R. 15422) provides, commencing at line 6, page 43, and ending on line 12, page 44, for the purchase, by condemnation or otherwise, of lots Nos. 800 to 803 and 805 to 810, of block No. 2585 west, in the District of Columbia, the Secretary of the Treasury being authorized and directed to purchase any of said land that he can obtain by agreement with the owners thereof at prices not greater than one and one-half times the present assessment, or to institute condemnation proceedings for such land as he may be unable to acquire by agreement with the owners. It is further provided that the land so acquired shall become a part of the National Zoological Park.

Allen C. Minnix, a structural and civil engineer of Washington, D. C., purchased lots 805 to 810, inclusive, over six months ago for a sum in excess of double one and one-half times the assessed value of these lots. The property was acquired by Mr. Minnix with the intention of erecting thereon a home for himself. Finding that he had sufficient ground upon which to erect two residences, he contracted to sell a portion of the property and to erect thereon a residence for the purchaser. Plans and estimates for these two residences have been prepared with the intention of commencing construction in the spring of this year. These two homes will exceed $30,000 in value, when completed.

Lots 800 to 803 are of no value for the purpose of placing buildings thereon, as there is a very decided slope to the land, and there is not sufficient level ground upon which to erect buildings.

The plan, if any there be, for extending the southeastern line of the Zoological Park to Adams Mill Road is impractical, because there are erected upon lots located in the block bounded by Adams Mill Road, Ontario Road, Irving Street, and the Zoological Park valuable dwellings. The expense of obtaining such property by condemnation or otherwise would be greatly in excess of any benefit to be derived from the taking.

The taking of the lots referred to in the bill would merely result in extending the present line of the park in a jog (as shown in attached plat) to include these lots and is not apparently in accord with any purpose to eventually take the entire frontage on Adams Mill Road.

There is no apparent necessity for the taking of this land. It is impossible to even speculate upon what use this land could be put to for the purposes of the Zoological Park. It is sloping land on the edge of the present lands of the park, and it is submitted that the value of this land to the park for practical purposes is nil. As shown above, and upon the inclosed plat, the taking of this land would merely add a jog in the present boundary and give a small frontage on Adams Mill Road, the balance of which frontage it would be impractical to take because of the buildings erected thereon.

The erection of these residences will complete the line of buildings fronting on Adams Mill Road, and when completed will add a finished appearance to the present line of buildings. The erection of these residences and the beautifying of the side yards will result in more of an improvement to the property than would the extension of the park fence. The fact that the two houses are to cost more than $30,000, which will be erected upon these lots, is evidence of the fact that the

erection thereof will constitute more of a benefit than would result from the taking of this land for park purposes.

The taking of these lots would work a hardship upon the owner, and would be a gross injustice to him, which can not be said to be justified by the supposed improvement of the park for the benefit of the public. These lots, by reason of their location, affording a wonderful view across the park, and accessibility to stores, schools, and churches, can not be duplicated in the District of Columbia at any price. They were not purchased for speculation, but with a bona fide intention of being used for residence purposes. This is established by the fact that a portion of the property has been contracted to be sold, and agreements have been entered into for the erection of these residences, and plans and estimates made with a view of commencing operations in the spring of 1921. The present assessment of the land is 25 cents per square foot, and the figure at which the property was authorized to be taken by agreement is 37½ cents. The owner paid in excess of this price, and one-half of the land is contracted to be sold for $1.15, indicating that the House committee was apparently not correctly advised of the value of the property. The fact that two houses, to be worth in excess of $30,000, are to be erected on this property indicates that the land is worth even more than the last figure of $1.15. Such facts as the desirability of the location of the property for residential purposes, prospective value when such residences are erected, and the natural objection of the owner to the taking of his home sites would hardly be considered by the jury if it were necessary to resort to condemnation proceedings. The owner would be at a decided disadvantage in establishing the real value of this property in condemnation proceedings.

These facts were not brought to the attention of the House committee when it was considering the bill, due to the fact that the owner had no knowledge that such proposed action was ever contemplated. It is apparent that the House committee was not acquainted with the real facts.

It is submitted that this provision be eliminated from the bill for the following reasons:

1. The taking of the land is not in accordance with any practical plan for extending the Zoological Park line, and would merely cause a jog in the present line.
2. There is no necessity for the taking of this land.
3. The erection upon lots 805 to 810 of two dwellings as contemplated will be an improvement to the park and adjacent property.
4. The taking of this property would work an unjustifiable hardship upon the owner of lots 805 to 810.

(1) Because the lots can not be duplicated in Washington.
(2) Because the proposed agreement price is wholly inadequate.
(3) Because the owner could not establish his actual loss in condemnation proceedings.

Mr. BRANDEGEE. Mr. President, I send to the desk an amendment which I desire to propose. I ask to have it come in the bill on page 17, after line 2, at the close of the paragraph of the bill relating to the Coast Guard.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 17, after line 2, it is proposed to insert the following:

For central heating and power plant, quarters for commissioned officers and warrant officers, remodeling and relocating certain buildings, providing facilities for small boats, filling and grading and retaining walls, and purchase of additional necessary land at the Coast Guard Academy, New London, Conn., $281,345.

Mr. BRANDEGEE. Mr. President, I offer that amendment for this reason: The Coast Guard Academy is in my home city. I have here the estimate of the Secretary of the Treasury for this item. It was a supplemental estimate sent to the Senate, but it was not before the House committee. I ask that the report of the Secretary of the Treasury containing the estimate and the reasons therefor made by the commandant of the post and indorsed by the Secretary of the Treasury may be printed in the RECORD in connection with my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

TREASURY DEPARTMENT,
Washington, January 15, 1921.

SIR: I have the honor to transmit herewith for the favorable consideration of Congress a supplemental estimate of appropriation, in the sum of $281,345 for central heating and power plant, quarters for commissioned officers and warrant officers, remodeling and relocating certain buildings, providing facilities for small boats, filling and grading and retaining walls, and purchase of additional necessary land, at the Coast Guard Academy, New London, Conn.

The necessity for the appropriation and the reasons for the submission of the estimate at this time are fully set forth in the letter of the Commandant of the Coast Guard accompanying the estimate.

Respectfully,

D. F. HOUSTON, *Secretary.*

The PRESIDENT OF THE SENATE.

TREASURY DEPARTMENT,
OFFICE OF COAST GUARD,
Washington, January 15, 1921.

Subject: Supplemental appropriation.

The SECRETARY OF THE TREASURY.

SIR: I have the honor to state that there is need for additional funds for the Coast Guard, and I transmit herewith an estimate of an additional amount required for the next fiscal year, as follows:

For central heating and power plant, quarters for commissioned officers and warrant officers, remodeling and relocating certain buildings, providing facilities for small boats, filling and grading and retaining walls, and purchase of additional necessary land at the Coast Guard Academy, New London, Conn $281,345

In your annual report for the fiscal year ending June 30, 1920, you stated:

"Steps should be taken without delay to improve conditions at the Coast Guard Academy. A board was recently convened to canvass this matter. It was instructed to present a carefully considered plan for the improvement of buildings and grounds and to suggest the necessary additions to equipment. This academy need not be large, but it should be a model of its kind."

Estimates for the necessary improvements at the Coast Guard Academy have not been previously submitted because the cost involved has just been ascertained.

All prospective commissioned line and engineer officers undergo their cadet training at this academy, and to fit these young men to become efficient officers is its primary function. Furthermore, such preliminary training of enlisted men as is possible in the Coast Guard is conducted at the Coast Guard Academy. The material needs of the academy have been carefully considered by a board appointed by the Commandant of the Coast Guard, and these needs, with the estimated costs thereof, may be summarized as follows:

Central heating and power plant, $70,000. There are now seven separate heating plants installed and necessary to heat the various buildings. The economic waste incident to this situation is apparent. It is recommended that a central heating and power plant be provided to furnish electric light to and to heat all the different units.

Remodeling buildings for the use of cadets, $8,850. There are two substantial frame structures at the academy that were built by the Navy in 1918 for use as barrack buildings for enlisted men. With certain necessary alterations they can be made to serve admirably for quarters, mess rooms, classrooms, etc., for the cadets.

Quarters for commissioned officers, $100,000. There is now one building, containing four sets of quarters, designed to accommodate four officers and their families. Provision should be made for 12 commissioned officers and their families. All officers attached to the academy or to the training system, or connected with any other activities pertaining to the academy, should reside within the limits of the reservation. It is recommended that there be constructed four sets of double quarters to accommodate eight officers and their families.

Quarters for warrant officers, $4,000. There are now four small frame cottages that will accommodate four warrant officers and their families. These buildings should be relocated and one additional small frame cottage should be built.

Razing buildings, $2,720. These are certain old buildings that should be removed when the improvements to the academy are effected.

Relocating buildings, $1,300. This is to provide for moving two wooden outbuildings to new sites on the reservation.

Facilities for mooring small boats, $2,000. There is in the reservation a small cove admirably adapted to mooring the small boats used for training and drill purposes. It is necessary to construct a landing stage and to provide mooring buoys, etc.

Purchase of additional land, $75,000. The welfare of the academy urgently demands the acquisition by the Government of a tract of water-front land lying just north of and adjacent to the academy property.

For filling and grading, $17,475. It will be necessary to fill and grade the land that it is proposed to acquire in order to bring the grade of this land in conformity with that of the present property.

Total estimated cost, $281,345.

In my opinion, the needs of the Coast Guard Academy and its importance to the Government fully justify an appropriation in the amount above set forth.

Respectfully,

W. E. REYNOLDS,
Commandant.

Mr. BRANDEGEE. Inasmuch as the House Members had no opportunity to consider this matter, because the Secretary of the Treasury did not submit the estimate to them, I will ask that the Senator in charge of the bill may let it go to conference. If the House Members do not think it a meritorious proposition, or if it is inconsistent with the policy they have adopted as to the matters which this bill should contain, of course, I shall not expect the Senate conferees to insist upon it, but I feel it my duty to offer it and to ask the chairman of the committee if he will not let it go to conference for the purpose of testing the opinion of the House Members?

Mr. WARREN. Mr. President, the amendment of the Senator from Connecticut was before the committee, but at that time we had not to my knowledge any communication from the Treasury Department in relation to the subject matter. After we had concluded our consideration of the bill, however, we did receive an estimate from the department, and a very urgent appeal in behalf of the proposed improvement. I doubt if the amendment can stand in conference, but I am disposed to allow it to be added to the bill as the Senator has asked and let it go to conference and we shall then do the best we can with it.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

The amendment was agreed to.

Mr. UNDERWOOD. Mr. President, I desire to offer an amendment to the bill on page 69, line 8. This amendment does not increase the appropriation carried in the bill for inland and coastwise waterways, but it does increase the amount that may be paid to the clerical force in Washington.

The bill provides that $17,680 of the total appropriation may be expended for the clerical force here. I am assured by those in charge of this bureau of the Government that the following clerical force is absolutely necessary for them to carry on their work: One auditor and distributing agent, at $4,000; one naval architect and designer, at $7,000; one traffic expert, at $4,000; one chief clerk, at $2,800; six stenographers, $8,000; two clerks, $2,400; two messengers, $1,800; making a total of $30,000.

Mr. President, last year this Inland Waterways Commission had assigned to it a number of reserve officers who performed the services without their salaries being charged to the commission. Since the 1st of January those men have been cut out, because they have been retired from service. I think this

matter is of importance. After making an appropriation of more than a million dollars for carrying on this service, I do not think it should be hampered by not having a sufficient clerical force.

I want to ask the chairman of the committee to let this amendment go to conference, where he can give it consideration. My amendment is to make it a lump sum. I merely gave the details for the information of the Senate.

Mr. WARREN. Mr. President, I will say to the Senator from Alabama that when the witness, Col. Ashburn, was before us his time was devoted largely to asking us to make this appropriation $5,000,000 larger than it is for the purchase or building of boats, which the committee felt was not necessary in view of the many boats we have had built, so that this subject did not come up; but when I look at the amount of the appropriation, $1,225,000, and the smaller amount that is permitted to be used for the employment of experts, clerks, and so forth, I am inclined to accept the amendment of the Senator.

Mr. UNDERWOOD. I will say to the chairman of the committee that I got my figures from Col. Ashburn. I move that the figures "$17,680" be made to read "$30,000."

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. TRAMMELL. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 20, line 10, after the word "personnel," it is proposed to insert the word "chaplains," so that, if amended, it will read:

For necessary personnel, chaplains, regular and reserved commissioned officers—

And so forth.

Mr. WARREN. Mr. President, my attention has been called by another Senator to the same word, which I understand is asked to be inserted at another place in the bill.

Mr. McLEAN. Page 29.

Mr. TRAMMELL. I should like to say that the amendment which I propose inserts the word "chaplains" in two different places; also on page 29, in the proper line.

Mr. WARREN. May I ask the Senator how many chaplains he is advised are to be provided for?

Mr. TRAMMELL. No particular number is contemplated. It is just contemplated that they will have the number required for the service.

Mr. WARREN. Are they now in service?

Mr. TRAMMELL. I will state that this matter was brought to my attention by an ex-service man who has been in one of the hospitals, and he advised me that they had discontinued the chaplain service for the reason that it was not legal for them to be paid out of the funds appropriated to be used under the direction of the Public Health Service.

Mr. WARREN. Are these the chaplains that are in the Reserve Army force; are they regularly commissioned Army chaplains or service chaplains, or is this to take part of the money and go out and engage civilian ministers of the gospel of various denominations?

Mr. TRAMMELL. This is to provide the necessary chaplain service in the way that may be directed according to the discretion of the Public Health Service. I have not gone into the details of the matter. I merely made inquiry of the Surgeon General when the subject was brought to my attention.

Mr. McLEAN. Mr. President——

Mr. TRAMMELL. I should like an opportunity to make about a two-minute statement before I have to yield, if the Senator will permit me.

Mr. WARREN. The Senator from Connecticut has some letters on the same subject, and probably from the same sources.

Mr. TRAMMELL. I shall be glad to yield in just a moment. I think a Senator might have an opportunity to talk for about one minute without being interrupted.

The matter was brought to my attention by an ex-service man at a hospital. I made inquiry of the Surgeon General, and he wrote me as follows:

I beg to acknowledge receipt of your letter of the 29th ultimo, relative to chaplain service provided in the United States Public Health Service hospitals.

In reply, it is desired to advise you that no chaplains are now being appointed, and it has been necessary to terminate the services of those on duty, as the department concluded that paying the compensation of chaplains could not legally be done out of the appropriations of the Public Health Service.

That is the history of the case.

Mr. WARREN. How are they provided for now?

Mr. TRAMMELL. According to this letter, they are not provided for, and I am seeking to have them provided for.

Mr. SMOOT. That is, they are not provided for in the District of Columbia, but they are provided for out in the field; and I know, of course, that a great many of them would like to live in the District of Columbia.

Mr. McLEAN. Mr. President——

Mr. TRAMMELL. I yield to the Senator.

Mr. McLEAN. There are only six of these hospitals to which this amendment will apply, and it applies to chaplains already in the service. The Secretary of the Treasury has retained the services of these chaplains and has paid them, but he has not changed his view with regard to his authority; and he has suggested to me that while there is money enough, no need for any extra appropriation, the amendment suggested by the Senator from Florida is necessary if he is to continue these chaplains in the service any longer.

Mr. TRAMMELL. That is my understanding.

Mr. McLEAN. As the men in these hospitals are seriously ill, some of them seriously wounded, some of them afflicted with fatal diseases, the death rate is very high; and it seems to me that the least the Government should do would be to continue the services of the chaplains that are now in these six hospitals. That is as far as the amendment will reach, if my information is correct.

I have here a letter from the Secretary of the Treasury suggesting this amendment.

Mr. WARREN. May I ask the Senator if the amendment of the Senator from Florida accomplishes what he wants?

Mr. McLEAN. The amendment offered by the Senator from Florida covers precisely the ground that would be covered by the amendment I intended to propose.

Mr. WARREN. My inquiry has been merely to ascertain between the two Senators just what was wanted. Of course, we want these young men to be kept in the straight and narrow way and in the fear of God, and I am not going to oppose the amendment. It can go in, so far as the chairman of the committee is concerned.

Mr. SMOOT. Mr. President, I simply want to make the statement that the letters I have received and the information that has come to me state that this amendment will provide for the chaplains in the District of Columbia, and the reasons why they say they want the chaplains here in the District of Columbia is to keep in touch with the chaplains all over the United States. They have an organization, and there is much information in the War Department or the Treasury Department that should go to them, and this is to be an office created here in the District of Columbia to give information that they think chaplains would like to have in all parts of the United States.

This is the beginning of a new bureau. I do not know how large it will grow; but it will grow, Mr. President, after this amendment is put in, if it is agreed to.

Mr. GLASS. Mr. President, the Senator from Utah must be mistaken about the matter, because this does apply to chaplains outside of the District of Columbia. I have had a letter from Hampton, Va., where the Public Health Service has a chaplain, asking me to suggest this very amendment; because unless it is suggested, as stated by the Senator from Connecticut [Mr. McLEAN] upon the authority of the Secretary of the Treasury, the Secretary of the Treasury will have no sanction of law to pay these chaplains.

Mr. SMOOT. Let me read what the provision is, if this amendment is to be incorporated in the bill. This is the provision:

The allotments made by the Bureau of War Risk Insurance to the Public Health Service for the care of beneficiaries of that bureau by the said service shall also be available for expenditure by the Public Health Service on that account for necessary personnel—

Now they want to put in "chaplains"—

regular and reserve commissioned officers of the Public Health Service and clerical help in the District of Columbia and elsewhere, maintenance, equipment, leases, fuel, lights, water, printing, freight, transportation and travel, and maintenance and operation of passenger motor vehicles.

Mr. President, the statement I made is based upon the statement of a chaplain, who told me what the work was that was to be done if the amendment was agreed to, and that they were to be here as a kind of clearing house in the District of Columbia for the other chaplains throughout the United States. That is what the chaplain told me.

Mr. McLEAN. Mr. President, the Secretary of the Treasury says that if this amendment is adopted it will result in retaining the services of the chaplains now on duty at the hospitals in Boston; New York City; New Haven; Fort Stanton, N. Mex.; Fort Bayard, N. Mex.; and Greenville, S. C. Chaplains were formerly on duty at these hospitals, including Markleton, Pa., which is understood to be closed; and that is all that the amendment applies to, in the opinion of the Secretary of the Treasury.

Now, I am sure I do not know; the Senator from Utah may be right about this matter; but I think it no more than the duty of Congress to let this amendment go to the committee of conference, because if the Secretary of the Treasury is right certainly Congress ought not to decline to continue the service of these chaplains in these hospitals outside of the District of Columbia.

Mr. GLASS. As a matter of fact, heretofore chaplains have been paid out of this fund, under the ruling of the Secretary of the Treasury.

Mr. McLEAN. The Senator is right.

Mr. GLASS. But the ruling has been changed, and the present occupant of the position interprets the law differently, and says he can not pay them under the law unless they are specifically included.

Mr. TRAMMELL. Mr. President, so that my position may not be misunderstood, I merely wish to state that my object was to provide chaplain service for the hospitals. I did not apprehend that it was contemplated that it would be the beginning or the entering wedge for any bureau here in Washington for the purpose of having chaplains trained all over the country. In fact, I do not approve of any such proposition. The amendment was offered due to the fact that under a change of ruling on the part of the department, as stated by the Senator from Virginia, they will not allow chaplain service in the hospitals. My sole object is to provide chaplain service for the hospitals.

Mr. McLEAN. The Secretary has said that unless this amendment is adopted he will withdraw the chaplains from further service in hospitals.

The VICE PRESIDENT. Let the amendment provide for chaplains at hospitals, then.

Mr. TRAMMELL. I would like to propose that amendment.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 20, line 10, after the word "personnel" and the comma, insert "chaplains for hospitals," so as to read:

The allotments made by the Bureau of War Risk Insurance to the Public Health Service for the care of beneficiaries of that bureau by the said service shall also be available for expenditure by the Public Health Service on that account for necessary personnel, chaplains for hospitals, regular and reserve commissioned officers of the Public Health Service, and clerical help in the District of Columbia and elsewhere, maintenance, equipment, leases, fuel, lights, water, printing, freight, transportation and travel, and maintenance and operation of passenger motor vehicles.

The amendment was agreed to.

The VICE PRESIDENT. The same amendment should be made on page 29, and the Secretary will state the amendment.

The READING CLERK. The Senator from Florida proposes, on page 29, line 7, after the word "including," to insert the words "chaplains for hospitals and," so as to read:

For medical, surgical, and hospital services and supplies for beneficiaries (other than war-risk insurance patients) of the Public Health Service, including chaplains for hospitals and necessary personnel, regular and reserve commissioned officers of the Public Health Service, etc.

The amendment was agreed to.

Mr. SPENCER. Mr. President, I offer the amendment I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 60, in line 12, after the numerals "1920," insert:

And provided further, That section 201 (c), transportation act, 1920, be amended by striking out the words "whose constitution prohibits the ownership of such terminal facilities by other than the State or a political subdivision thereof," and insert in lieu thereof the following: "municipality or transportation company; or to expend such moneys for necessary terminal improvements and facilities upon property leased from States, cities, or transportation companies under terms approved by the Interstate Commerce Commission, or otherwise, in accordance with any order rendered by said commission under subheading (a), paragraph 13, section 6, interstate commerce act."

Mr. SPENCER. Mr. President, this amendment was drawn by the War Department. The purpose it has in view is simply this: The terminal facilities in the inland waterways navigation are largely floating docks. Of course, in order to make them effective, they must be connected with the railroad lines, generally by rails up an incline.

The land over which these connecting inclines are made is generally owned either by the city or by transportation companies. Under the present law they have no power to make their terminal facilities effective, and the Secretary of War believes, and I quite concur with him, that this amendment is necessary to make effective an appropriation for the terminals, provision for which immediately precedes it in this bill, and that is the only purpose.

Mr. JONES of Washington. This is a change in the transportation act, and it occurred to me to ask if the Senator had conferred with the chairman of the Interstate Commerce Commission with reference to it?

Mr. SPENCER. I have not. It is a change technically, but it is a necessary change, in order to make the appropriation which was made for terminals effective. It has to do with the War Department in its engineering department, in the handling of the inland-waterway transportation.

Mr. JONES of Washington. It does not make any substantial change in the interstate commerce act?

Mr. SPENCER. It does not. It simply allows cooperation between the inland-waterway transportation and municipalities and transportation companies in the handling of the waterway transportation. It does not make any change in the act.

Mr. JONES of Washington. If that is the purpose, I am in hearty accord with it.

Mr. WARREN. Mr. President, this proposition came to us late in the committee's consideration of the bill, with explanations from the Secretary of War which seem to be entirely satisfactory. Of course, it is subject to a point of order as being legislation on an appropriation bill, but the necessities of the case may call for unanimous consent, and I myself shall offer no objection.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I offer the amendment which I send to the desk, referring to line 16, page 135, of the bill.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 135, after line 16, insert the following:

Purchasing site for and constructing and equipping a lighthouse depot for the seventh lighthouse district, $250,000.

Establishing and improving aids to navigation in Tampa Bay, Fla., $17,500.

Mr. WARREN. Mr. President, I will have to make a point of order against the amendment. It is not estimated for, and it should come up in another way at another time. We can not consider it now.

The VICE PRESIDENT. The point of order is sustained.

Mr. FLETCHER. I simply call attention to the fact that this matter is provided for in the act approved June 5, 1920, which provided:

For establishing and improving aids to navigation in Tampa Bay, Fla., $17,500.

For purchasing site for and constructing and equipping a lighthouse depot for the seventh lighthouse district, $250,000.

That is in the act of June 5, 1920, and no appropriation has ever been made for it.

It is also in the annual report of the Commissioner of Lighthouses, and this item was set forth. I do not understand the contention of the chairman that it has never been estimated for. It is in the report of the Commissioner of Lighthouses, set out on page 71, and the reasons are given why it should be appropriated for. It is also in the report of the Secretary of Commerce for 1920. Both of these items are referred to, and the reasons for them are set out. I will not take up the time to argue the matter, because I know that Senators want to hurry. But in the report of the Commissioner of Lighthouses for the fiscal year ending June 30, 1920, there is recited a condition existing in Key West which makes it necessary for the building of this depot, on account of the method they have there of coaling ships, and so forth, and the inflammable houses they are now using. Of course, if the chairman of the committee insists upon this point of order, and the President holds that the point of order is well taken, I can not press it further.

The VICE PRESIDENT. Does the Senator from Florida say there is a law——

Mr. FLETCHER. The act of June 5, 1920, provided for the establishment of this station.

Mr. WARREN. If the Senator will permit me, I want to say to the President that I spoke inadvisedly when I said it had not been estimated for and that there was no law covering it, because 28 of these lighthouses have been recommended to be built, I find upon investigation, and we have put none of them into this measure. It was the decision of the committee at the time that we could not enter into that line of appropriation in the present bill. I withdraw the statement that it was not estimated for.

The VICE PRESIDENT. When was that law passed?

Mr. FLETCHER. It was approved June 5, 1920.

The VICE PRESIDENT. At a prior session.

Mr. FLETCHER. Yes.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. JONES of Washington. I think the Chair misunderstood the chairman of the committee. The chairman of the committee stated that an estimate has been sent down.

The VICE PRESIDENT. An estimate has been sent down for this item?

Mr. WARREN. On investigation, I find that an estimate did come in for 17 lighthouses at one time and 11 lighthouses at another, which were not put in by the committee, not because they had not been estimated for, as I just said.

Mr. FLETCHER. It is provided for in the law.

Mr. WARREN. I have no objection to its being voted on on its merits. I withdraw the point of order.

The VICE PRESIDENT. Having been estimated for, the Chair is of opinion that it is in order, but not because it is in the law.

Mr. FLETCHER. I understand that. I want a vote on it. I think the measure ought to be adopted, because what is the use of providing for these projects if we never go on and carry them through? We are making appropriations now for another year, and this work ought to be done. There is no use putting it off any longer that I can see, and certainly the necessity of it is shown by the report of the lighthouse commissioner and of the Secretary of Commerce. I ask for a vote.

On a division, the amendment was rejected.

Mr. FLETCHER. Mr. President, I have one more amendment that I would like to offer. It is on page 153, after line 24.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 153, after line 24, insert:

Marine biological station, Key West (Fla.): For the completion of the marine biological station at Key West, Fla., including the construction of buildings, purchase and installation of equipment, and improvement and protection of grounds, $110,000.

Mr. WARREN. I make a point of order against that amendment on the ground that it was not estimated for and has not been authorized. It was not presented to the committee.

Mr. FLETCHER. The marine biological station is provided for by act of Congress in 1911, amended in 1914. Work was begun on it in 1918, and there it stays.

Mr. WARREN. Public buildings have been authorized by law for the last 10 years, but we can not allow them to come in here without estimates for the amount necessary to build them. The authorization passed, but the appropriations are quite another thing. I make the point of order against the amendment.

Mr. FLETCHER. Let me make just a brief statement. The appropriation of $25,000 was made to begin the work. The entire site has been donated. Work has been done in the way of digging canals and building sea walls, and the people there have contributed the land and have spent over $20,000 of money. The Government now fails to make an appropriation to build the station. I notice that the committee can see its way clear to provide for a fish hatchery at Duluth, Minn., and another one at Saratoga, Wyo., but here is one that was started in 1914, and the whole work is stopped and they refuse to appropriate money to carry it on.

Mr. WARREN. If the Senator has any question about the Wyoming matter, we can strike it out. It came into the bill through the regular appropriation channels.

Mr. FLETCHER. I do not question the merits of it, but this is equally meritorious and the work ought to be carried on. The people themselves have contributed the site and have spent over $20,000 building a sea wall and making improvements.

The VICE PRESIDENT. Is it true that it has not been estimated for?

Mr. FLETCHER. The Fisheries Commissioner estimated for it, and the Secretary of Commerce, I think, was induced, on account of the demands for economy and that sort of thing, not to include it in his estimate for this year. I presume it is correct that it has not been estimated for. Of course, I can not help that, but I know the Secretary of Commerce is in favor of the station being established and wants it established, and it ought to be established.

The VICE PRESIDENT. Did it come from the Secretary of the Treasury as an estimate?

Mr. FLETCHER. It was not estimated for, I think, by the Secretary. It was recommended in the report of the Commissioner of Fisheries to the Secretary of Commerce.

Mr. WARREN. The Senator knows the law well. The estimate has to come from the Secretary of the Treasury.

The VICE PRESIDENT. The Chair will have to sustain the point of order.

Mr. JONES of Washington. Mr. President, on page 141, after the word "each," in line 2, I move to insert the words "3 at $900 each." I have talked with the chairman and other members of the committee and they feel that the Coast and Geodetic Survey appropriation was cut by the House a little too much, and we really ought to provide these three additional clerks. I ask that the amendment be agreed to.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 141, line 2, after the word "each," insert "3 at $900 each."

The amendment was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, communicated to the Senate the intelligence of the death of Hon. FRED L. BLACKMON, late a Representative from the State of Alabama, and transmitted the resolutions of the House thereon.

EMERGENCY TARIFF.

Mr. WARREN. I move that the Senate proceed to the consideration of House bill 15275, the unfinished business of the Senate.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

DEATH OF REPRESENTATIVE FRED L. BLACKMON.

Mr. UNDERWOOD. Mr. President, I ask that the resolution just received from the House of Representatives may be laid before the Senate.

The VICE PRESIDENT. The Chair lays the resolution of the House of Representatives before the Senate, which will be read.

The reading clerk read the resolutions of the House, as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
February 8, 1921.

Resolved, that the House has heard with profound sorrow of the death of Hon. FRED L. BLACKMON, a representative from the State of Alabama.

Resolved, That a committee of 18 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

Mr. UNDERWOOD. Mr. President, the Senate has just heard the announcement of the death of my friend and colleague, Hon. FRED L. BLACKMON, a Representative in Congress from the State of Alabama. He died leaving many friends to mourn his loss and left a record behind him of public duty well performed that will be an honor to his State and a credit to his people.

I offer the following resolutions and move their adoption.

The resolutions (S. Res. 441) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. FRED L. BLACKMON, late a Representative from the State of Alabama.

Resolved, That a committee of six Senators be appointed by the Vice President to join the committee appointed by the House of Representatives to take order for the superintending of the funeral of Mr. BLACKMON at Anniston, Ala.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The VICE PRESIDENT appointed as the committee under the second resolution Mr. UNDERWOOD, Mr. HEFLIN, Mr. DIAL, Mr. KING, Mr. FERNALD, and Mr. CURTIS.

Mr. UNDERWOOD. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 9, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 8, 1921.*

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Our blessed Heavenly Father, we thank Thee for all strength and all wisdom that give us enlargement of understanding, purity of temper, nobility of purpose, and large range of hope and love. Oh, every life has its burden, every heart has its prayer. Read ours, and see what is best for us; then enlarge them, and finally bring them to a beautiful fruition. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 517. An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public, No. 77).

ARMY APPROPRIATION BILL.

The SPEAKER. The unfinished business is the Army appropriation bill, which has been ordered to be engrossed and read a third time. The question is on the third reading of the engrossed bill.

The engrossed bill was read.

The SPEAKER. The question is on the passage of the bill.

Mr. JONES of Texas. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from Texas offers a motion to recommit. Is the gentleman from Texas opposed to the bill?

Mr. JONES of Texas. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. JONES of Texas moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith, with the following amendment: Page 15, line 22, after the word "Staff," strike out the figures "$72,678,659" and insert the following: "$70,000,000: *Provided*, That no part of this appropriation shall be used to pay men hereafter enlisted, except such as may be necessary from time to time to bring the total number of enlisted men up to not more than 150,000."

The SPEAKER. The question is on agreeing to the motion to recommit.

Mr. BLANTON. Mr. Speaker, I offer an amendment to the motion to recommit. I ask that it be amended by adding the following to the motion.

The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BLANTON moves to amend the motion to recommit by adding the following: Page 15, line 4, after the word "Staff," strike out the figures "$42,000,000" and insert in lieu thereof the figures "$30,000,000" and add the following: "*Provided*, That no part of this appropriation shall be used to pay any officer hereafter commissioned except such as may be necessary from time to time to bring the total of Army officers up to not more than 1 general, 14 major generals, 31 brigadier generals, 400 colonels, 450 lieutenant colonels, 1,497 majors, 2,994 captains, 2,844 first lieutenants, and 2,694 second lieutenants."

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry with relation to that last amendment. Was not that voted on in the committee?

The SPEAKER. The Chair is unaware that it was.

Mr. LONGWORTH. I make the point of order that that was voted on in the committee.

Mr. GOOD. Mr. Speaker, I move the previous question on the motion to recommit and the amendment.

The SPEAKER. A point of order is pending.

Mr. BLANTON. Mr. Speaker, will the Chair permit a unanimous-consent request, that the two propositions be voted on at once in one vote; that the motion to recommit and the amendment I offered to it be voted on at once in one vote?

Mr. MANN of Illinois. I object.

Mr. McCLINTIC. Mr. Speaker, did not the gentleman from Ohio [Mr. LONGWORTH] raise a point of order to the last amendment?

The SPEAKER. Yes. That is still pending.

Mr. BLANTON. The Chair held such an amendment to be in order, Mr. Speaker.

Mr. LONGWORTH. I withdraw the point of order, Mr. Speaker.

Mr. BLANTON. I ask unanimous consent, if the Speaker will permit, that both the motion to recommit and the amendment be voted on in one vote as if it were one motion to recommit.

Mr. MOORE of Virginia. I object.

The SPEAKER. Objection is heard.

Mr. CLARK of Missouri. Mr. Speaker, does not the House proceed on this double-headed motion to recommit by first voting on the motion to amend?

The SPEAKER. Yes. The question is on the motion of the gentleman from Iowa [Mr. GOOD] to order the previous question.

The previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from Texas asks for a division.

The House divided; and there were—ayes 3, noes 19.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. As many as favor the amendment offered by the gentleman from Texas [Mr. BLANTON] will, when their names are called, answer "yea," those opposed will answer "nay."

The question was taken; and there were—yeas 58, nays 271, not voting 99, as follows:

YEAS—58.

Almon	Doughton	McKeown	Sherwood
Aswell	Drewry	Major	Sisson
Blanton	Fields	Mansfield	Steagall
Bowling	Gallivan	Mays	Stephens, Miss.
Box	Garner	Milligan	Tague
Briggs	Hardy, Tex.	Monahan, Wis.	Taylor, Ark.
Buchanan	Hastings	Nelson, Mo.	Thomas
Caraway	Howard	Oldfield	Tillman
Carss	Hudspeth	Oliver	Watkins
Carter	Jacoway	Parrish	Wilson, La.
Clark, Mo.	Johnson, Miss.	Quin	Wingo
Crisp	Jones, Tex.	Romjue	Wright
Davis, Tenn.	Lanham	Rouse	Young, Tex.
Dickinson, Mo.	Lankford	Rubey	
Dominick	McClintic	Rucker	

NAYS—271.

Ackerman	Fess	Lesher	Rogers
Anderson	Fish	Linthicum	Rose
Andrews, Nebr.	Fisher	Little	Rowe
Anthony	Flood	Longworth	Sanders, N. Y.
Ayres	Fordney	Luce	Schall
Bacharach	Foster	Lufkin	Scott
Benkhead	Frear	Luhring	Sears
Barbour	Freeman	McAndrews	Sells
Barkley	Fuller	McArthur	Shreve
Begg	Garrett	McCulloch	Siegel
Bell	Glynn	McDuffie	Sims
Benham	Good	McFadden	Sinclair
Benson	Goodykoontz	McKinley	Sinnott
Black	Graham, Ill.	McLaughlin, Mich.	Slemp
Bland, Ind.	Green, Iowa	McLaughlin, Nebr.	Smith, Ill.
Bland, Va.	Greene, Mass.	McLeod	Smith, Mich.
Boies	Greene, Vt.	McPherson	Snell
Bowers	Griest	MacGregor	Snyder
Brand	Griffin	Madden	Stedman
Brinson	Hadley	Magee	Steele
Britten	Hamilton	Mann, Ill.	Steenerson
Brooks, Ill.	Hardy, Colo.	Mapes	Stephens, Ohio
Browne	Harreld	Martin	Stevenson
Burdick	Hayden	Mason	Stoll
Burroughs	Hernandez	Mead	Strong, Kans.
Butler	Hersey	Merritt	Strong, Pa.
Byrnes, S. C.	Hersman	Michener	Sullivan
Byrns, Tenn.	Hickey	Miller	Summers, Wash.
Caldwell	Hicks	Minahan, N. J.	Sweet
Campbell, Kans.	Hill	Mondell	Swindall
Campbell, Pa.	Hoch	Montague	Swope
Cannon	Holland	Moore, Ohio	Taylor, Colo.
Christopherson	Houghton	Moore, Va.	Taylor, Tenn.
Cleary	Huddleston	Moores, Ind.	Temple
Coady	Hull, Iowa	Mott	Thompson
Cole	Hull, Tenn.	Murphy	Tilson
Collier	Humphreys	Neely	Timberlake
Connally	Husted	Newton, Minn.	Tincher
Cooper	Hutchinson	Nicholls	Tinkham
Copley	Igoe	Ogden	Towner
Crago	Ireland	Olney	Treadway
Cramton	James, Va.	Osborne	Upshaw
Crowther	Jefferis	Padgett	Vaile
Cullen	Johnson, Ky.	Paige	Vare
Curry, Calif.	Johnson, S. Dak.	Park	Venable
Dallinger	Johnson, Wash.	Parker	Vestal
Darrow	Jones, Pa.	Pell	Vinson
Davis, Minn.	Juul	Peters	Volk
Dempsey	Kahn	Phelan	Volstead
Denison	Kearns	Porter	Walsh
Dewalt	Keller	Pou	Wason
Dickinson, Iowa	Kelly, Pa.	Purnell	Watson
Doremus	Kennedy, R. I.	Radcliffe	Weaver
Dowell	Kiess	Raker	Webster
Drane	King	Ramsey	Welling
Dunbar	Kinkaid	Ramseyer	Welty
Dunn	Kleczka	Randall, Wis.	Wheeler
Dupré	Knutson	Ransley	White, Kans.
Dyer	Kraus	Rayburn	White, Me.
Eagle	Kreider	Reavis	Williams
Echols	Lampert	Reber	Wilson, Pa.
Elliott	Langley	Reed, N. Y.	Winslow
Elston	Larsen	Rhodes	Wood, Ind.
Esch	Layton	Ricketts	Woods, Va.
Evans, Mont.	Lazaro	Riddick	Woodyard
Evans, Nebr.	Lea, Calif.	Robinson, N. C.	Young, N. Dak.
Evans, Nev.	Lee, Ga.	Robsion, Ky.	Zihlman
Fairfield	Lehlbach	Rodenberg	

NOT VOTING—99.

Andrews, Md.	Bee	Burke	Casey
Ashbrook	Bland, Mo.	Candler	Chindblom
Babka	Brooks, Pa.	Cantrill	Clark, Fla.
Baer	Brumbaugh	Carew	Classon

Costello	Goodwin, Ark.	McKinley	Riordan
Currie, Mich.	Gould	McLane	Rowan
Dale	Graham, Pa.	Maher	Sabath
Davey	Hamill	Mann, S. C.	Sanders, Ind.
Dent	Harrison	Moon	Sanders, La.
Donovan	Haugen	Mooney	Sanford
Dooling	Hawley	Morin	Scully
Eagan	Hays	Mudd	Small
Edmonds	Hoey	Nelson, Wis.	Smith, Idaho
Ellsworth	Hulings	Newton, Mo.	Smith, N. Y.
Emerson	James, Mich.	Nolan	Smithwick
Ferris	Johnston, N. Y.	O'Connell	Stiness
Focht	Kelley, Mich.	O'Connor	Sumners, Tex.
French	Kendall	Overstreet	Volgt
Gallagher	Kennedy, Iowa	Patterson	Walters
Gandy	Kettner	Perlman	Ward
Ganly	Kincheloe	Rainey, Ala.	Whaley
Gard	Kitchin	Rainey, Henry T.	Wilson, Ill.
Godwin, N. C.	Lonergan	Rainey, John W.	Wise
Goldfogle	McGlennon	Randall, Calif.	Yates
Goodall	McKenzie	Reed, W. Va.	

So the amendment was rejected.

The Clerk announced the following pairs:

Mr. CHINDBLOM with Mr. JOHN W. RAINEY.

Mr. EDMONDS with Mr. KINCHELOE.

Mr. SANDERS of Indiana with Mr. MOON.

Mr. FOCHT with Mr. ASHBROOK.

Mr. GOODALL with Mr. RIORDAN.

Mr. HAUGEN with Mr. FERRIS.

Mr. DALE with Mr. CLARK of Florida.

Mr. COSTELLO with Mr. BLAND of Missouri.

Mr. HAWLEY with Mr. BEE.

Mr. YATES with Mr. O'CONNOR.

Mr. SANFORD with Mr. KITCHIN.

Mr. NEWTON of Missouri with Mr. SMALL.

Mr. MUDD with Mr. DENT.

Mr. BROOKS of Pennsylvania with Mr. DAVEY.

Mr. JAMES of Michigan with Mr. GANLY.

Mr. WALTERS with Mr. CANTRILL.

Mr. ANDREWS of Maryland with Mr. WISE.

Mr. NELSON of Wisconsin with Mr. BRUMBAUGH.

Mr. BAER with Mr. GOLDFOGLE.

Mr. WILSON of Illinois with Mr. GODWIN of North Carolina.

Mr. PATTERSON with Mr. SMITHWICK.

Mr. VOIGT with Mr. EAGAN.

Mr. GOULD with Mr. HARRISON.

Mr. KENNEDY of Iowa with Mr. SMITH of New York.

Mr. REED of West Virginia with Mr. SUMNERS of Texas.

Mr. NOLAN with Mr. GALLAGHER.

Mr. BURKE with Mr. MOONEY.

Mr. STINESS with Mr. GARD.

Mr. HAYES with Mr. ROWAN.

Mr. PERLMAN with Mr. SABATH.

Mr. WARD with Mr. GANDY.

Mr. GRAHAM of Pennsylvania with Mr. WHALEY.

Mr. CLASSON with Mr. OVERSTREET.

Mr. SMITH of Idaho with Mr. CAREW.

Mr. ELLSWORTH with Mr. GOODWIN of Arkansas.

Mr. MCKENZIE with Mr. HOEY.

Mr. HULINGS with Mr. SANDERS of Louisiana.

Mr. KENDALL with Mr. O'CONNELL.

Mr. CURRIE of Michigan with Mr. RANDALL of California.

Mr. MORIN with Mr. MCKINLEY.

Mr. EMERSON with Mr. MCLANE.

Mr. FRENCH with Mr. HENRY T. RAINEY.

Mr. KELLEY of Michigan with Mr. MCGLENNON.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The noes have it. The amendment is not agreed to. The question is on the motion to recommit offered by the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent that the motion may be again reported.

The SPEAKER. Without objection, the motion to recommit will be again reported.

The Clerk read as follows:

Mr. JONES of Texas moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment: Page 15, line 22, after the word "staff," strike out the figures "$72,678,659" and insert the following: "$70,000,000: *Provided*, That no part of this appropriation shall be used to pay men hereinafter enlisted except such as may be necesssary from time to time to bring the total number of enlisted men up to not more than 150,000."

The SPEAKER. The question is on agreeing to the motion to recommit.

Mr. CLARK of Missouri. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Missouri demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 111, nays 220, not voting 97, as follows:

YEAS—111.

Almon	Doughton	Lazaro	Sherwood
Aswell	Drewry	McClintic	Sisson
Ayres	Evans, Mont.	McDuffie	Small
Bankhead	Fields	McKeown	Smithwick
Barkley	Flood	MacGregor	Steagall
Bell	Frear	Major	Stedman
Black	Gallivan	Mann, Ill.	Steele
Blanton	Garner	Mays	Stephens, Miss.
Bowling	Garrett	Mead	Stevenson
Box	Hardy, Tex.	Milligan	Stoll
Brand	Hastings	Montague	Sumners, Tex.
Briggs	Hayden	Moore, Va.	Taylor, Ark.
Brinson	Howard	Neely	Taylor, Colo.
Browne	Huddleston	Nelson, Mo.	Thomas
Buchanan	Hudspeth	Oldfield	Tillman
Byrnes, S. C.	Hull, Tenn.	Oliver	Upshaw
Byrns, Tenn.	Humphreys	Padgett	Vinson
Caraway	Jacoway	Park	Voigt
Carss	James, Va.	Parrish	Watkins
Carter	Johnson, Ky.	Quin	Weaver
Clark, Mo.	Johnson, Miss.	Randall, Wis.	Welty
Collier	Jones, Tex.	Rayburn	Wilson, La.
Connally	Kearns	Robinson, N. C.	Wilson, Pa.
Crisp	Keller	Romjue	Wingo
Davis, Tenn.	Lampert	Rouse	Woods, Va.
Dewalt	Lanham	Rubey	Wright
Dickinson, Mo.	Lankford	Rucker	Young, Tex.
Dominick	Larsen	Sears	

NAYS—220.

Ackerman	Fess	Little	Robsion, Ky.
Anderson	Fish	Longworth	Rogers
Andrews, Nebr.	Fisher	Luce	Rose
Anthony	Fordney	Lufkin	Rowe
Bacharach	Foster	Luhring	Schall
Barbour	Freeman	McAndrews	Scott
Bee	French	McArthur	Sells
Begg	Fuller	McCulloch	Shreve
Benham	Glynn	McFadden	Siegel
Benson	Good	McKenzie	Sims
Bland, Ind.	Goodykoontz	McKinley	Sinclair
Bland, Va.	Graham, Ill.	McLaughlin, Mich.	Sinnott
Boies	Green, Iowa.	McLaughlin, Nebr.	Slemp
Bowers	Greene, Mass.	McLeod	Smith, Ill.
Britten	Greene, Vt.	McPherson	Smith, Mich.
Brooks, Ill.	Griffin	Madden	Snell
Burdick	Hadley	Magee	Snyder
Burroughs	Hamilton	Mapes	Steenerson
Butler	Hardy, Colo.	Martin	Stephens, Ohio
Caldwell	Harreld	Mason	Stiness
Campbell, Kans.	Hersey	Merritt	Strong, Kans.
Campbell, Pa.	Hersman	Michener	Strong, Pa.
Cannon	Hickey	Miller	Sullivan
Cantrill	Hicks	Minahan, N. J.	Summers, Wash.
Christopherson	Hill	Monahan, Wis.	Sweet
Cleary	Hoch	Mondell	Swindall
Coady	Holland	Moore, Ohio	Swope
Cole	Houghton	Moores, Ind.	Tague
Cooper	Hull, Iowa	Mott	Taylor, Tenn.
Copley	Husted	Murphy	Temple
Crago	Hutchinson	Newton, Minn.	Thompson
Cramton	Igoe	Newton, Mo.	Tilson
Crowther	Ireland	Ogden	Timberlake
Cullen	Jefferis	Olney	Tincher
Curry, Calif.	Johnson, S. Dak.	Osborne	Tinkham
Dallinger	Johnson, Wash.	Paige	Towner
Darrow	Jones, Pa.	Parker	Treadway
Davis, Minn.	Juul	Pell	Vaile
Dempsey	Kahn	Peters	Vare
Denison	Kelley, Mich.	Phelan	Vestal
Dickinson, Iowa	Kelly, Pa.	Porter	Volk
Dowell	Kennedy, R. I.	Pou	Volstead
Drane	King	Purnell	Walsh
Dunbar	Kinkaid	Radcliffe	Wason
Dunn	Kleczka	Rainey, Henry T.	Watson
Dupré	Knutson	Raker	Webster
Dyer	Kraus	Ramsey	Welling
Eagan	Kreider	Ramseyer	Wheeler
Eagle	Langley	Ransley	White, Kans.
Echols	Layton	Reavis	White, Me.
Elliott	Lea, Calif.	Reber	Williams
Elston	Lee, Ga.	Reed, N. Y.	Winslow
Esch	Lehlbach	Rhodes	Wood, Ind.
Evans, Nebr.	Lesher	Ricketts	Young, N. Dak.
Fairfield	Linthicum	Riddick	Zihlman

NOT VOTING—97.

Andrews, Md.	Doremus	Hawley	Mooney
Ashbrook	Edmonds	Hays	Morin
Babka	Ellsworth	Hernandez	Mudd
Baer	Emerson	Hoey	Nelson, Wis.
Bland, Mo.	Evans, Nev.	Hulings	Nicholls
Brooks, Pa.	Ferris	James, Mich.	Nolan
Brumbaugh	Focht	Johnston, N. Y.	O'Connell
Burke	Gallagher	Kendall	O'Connor
Candler	Gandy	Kennedy, Iowa	Overstreet
Carew	Ganly	Kettner	Patterson
Casey	Gard	Kiess	Perlman
Chindblom	Godwin, N. C.	Kincheloe	Rainey, Ala.
Clark, Fla.	Goldfogle	Kitchin	Rainey, John W.
Classon	Goodall	Lonergan	Randall, Calif.
Costello	Goodwin, Ark.	McGlennon	Reed, W. Va.
Currie, Mich.	Gould	McKinley	Riordan
Dale	Graham, Pa.	McLane	Rodenberg
Davey	Griest	Maher	Rowan
Dent	Hamill	Mann, S. C.	Sabath
Donovan	Harrison	Mansfield	Sanders, Ind.
Dooling	Haugen	Moon	Sanders, La.

Sanders, N. Y.	Smith, N. Y.	Whaley	Yates
Sanford	Venable	Wilson, Ill.	
Scully	Walters	Wise	
Smith, Idaho	Ward	Woodyard	

So the motion to recommit was rejected.

The following additional pairs were announced:

Until further notice:

Mr. RODENBERG with Mr. MANSFIELD.

Mr. HERNANDEZ with Mr. HAMILL.

Mr. GRIEST with Mr. CASEY.

Mr. KIESS with Mr. KETTNER.

Mr. HAWLEY with Mr. DONOVAN.

Mr. PATTERSON with Mr. CANDLER.

Mr. WALTERS with Mr. MANN of South Carolina.

Mr. REED of West Virginia with Mr. BABKA.

Mr. SANDERS of New York with Mr. JOHNSTON of New York.

Mr. WOODYARD with Mr. RAINEY of Alabama.

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COMMITTEE ON MILITARY AFFAIRS.

Mr. KAHN. Mr. Speaker, by direction of the Committee on Military Affairs, I ask unanimous consent for leave to that committee to sit during the sessions of the House for the remainder of this session.

The SPEAKER. The gentleman from California, by direction of the Committee on Military Affairs, asks unanimous consent that that committee may sit during the sessions of the House for the remainder of the session. Is there objection?

Mr. BLANTON. Reserving the right to object, and I shall not object, because I am glad that the Committee on Military Affairs has at last agreed to investigate Bergdoll, which it can do with nominal expense.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

TO AMEND THE TRANSPORTATION ACT.

Mr. CAMPBELL of Kansas. Mr. Speaker, I present a privileged report from the Committee on Rules.

The Clerk read as follows:

House resolution 663.

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15836) entitled "A bill to amend the transportation act, 1920"; and, after general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be controlled equally between those for and against the bill, the bill shall be read for amendment under the 5-minute rule; that at the conclusion of the consideration of the bill for amendment the committee shall rise and report the bill to the House, with such amendments as may have been agreed to, and the previous question shall be considered as ordered on the amendments and the bill to its final passage without intervening motion except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. SIMS. Mr. Speaker, I would like to ask the gentleman from Kansas a question. The bill only has one section and two paragraphs so that debate under the 5-minute rule will be limited.

Mr. CAMPBELL of Kansas. That will be for the Chairman of the Committee of the Whole and the committee.

Mr. SIMS. The question I want to ask the gentleman is——

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

The SPEAKER. This is the regular order.

Mr. SIMS. Would not the gentleman from Kansas consent to 40 minutes debate on a side?

Mr. CAMPBELL of Kansas. I will state to the gentleman that I have just made a motion for the previous question, which would give the gentleman from North Carolina 20 minutes and 20 minutes on this side, and I presume that will be used in discussing the merits of the bill. I would not feel like amending the rule at this time.

Mr. Speaker, the rule provides for not exceeding one hour of general debate, one-half to be controlled by those favoring and one-half by those opposed, and it provides for amendment under the 5-minute rule in order to give the House an opportunity to consider the matter at this time. I have no disposition to discuss the matter further, and I reserve the balance of my time.

Mr. POU. Mr. Speaker, the justification for this rule is the recorded vote of this House on yesterday, which indicated almost a two-thirds sentiment in favor of the passage of this bill. In view of that vote the Committee on Rules felt justified in taking prompt action. I know it to be a fact that at least two or three railroads in our section of the United States are in dire need of the money that is coming to them.

I can not find any possible excuse if I wanted to do so for voting against either the bill or the rule. I believe this House wants speedy action, and I believe we can do nothing better to stimulate business than to pass this bill. We owe the money. The railroads need it. Let us pay now.

I yield five minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, as I said yesterday, I have no objection to bringing this matter before the House under a rule, providing sufficient general debate was allowed in its consideration on account of its great importance. Therefore I stand committed to this method of procedure. However, a bill that requires immediate payment of about $400,000,000 out of the Treasury of the United States, which has not a dollar in it which is not already appropriated, and not a dollar in it that was put in there except by borrowing through the issuance of certificates of indebtedness bearing 6 per cent interest if maturing in one year, and on others maturing in less time not less than 5½ per cent, is certainly of sufficient importance to warrant its consideration in this way. Why should we advance the payment of estimates on guaranty that are not yet definitely determined and can not be at the present time?

Therefore I have favored, and I favor now, rather than to make an absolute payment out of the Treasury and force an additional sale of three or four hundred million dollars of certificates of indebtedness, the interest on which must be paid out of the pockets of the people, that the bill be amended so as to provide that interest at the rate of 6 per cent shall be paid to the carriers holding certificates from the date of issuance of same until final payment. Then I would strike out the other part of the bill providing for payment out of the several appropriations named, and add at the end of the bill a proviso that no amount shall be paid of the guaranty unless a certificate be issued for same prior to January 1, 1922. The reason for that is because the bill provides for compromises by way of estimates of deferred credits and debits, so as to bring about a final settlement of the guaranty claim of any carrier, which ought to be done as soon as possible.

The Interstate Commerce Commission is perhaps the ablest commission in the service of the Government, and I would as soon trust its estimates and guesses as anyone's; but we know that the House of Representatives does not make a business of having an automatic appropriation to pay estimates of any department of the Government—not even of the Congress itself—without some opportunity to know what those estimates are based on and whether they come within the provisions of the law. Under my amendment these certificates would bear interest at 6 per cent from the date of issuance until finally paid. Should a railroad that needs money have a certificate authorized by Congress on which it will get 6 per cent interest, it can easily borrow the money at 6 per cent by using its 6 per cent certificate. If the Government can borrow, the railroads can borrow upon a Government guaranty certificate. It enables the commission to go ahead under the latter portion of the bill and adjust undetermined debits and credits and give one certificate finally for all of it. The railroads do not lose anything. The time for determining the amount of the guaranty ought to be limited.

It should be remembered that the House, after long consideration, inserted paragraph (g) and paragraph (h). Paragraph (g) did not provide for any guaranty certificate to be issued until final settlement, but we provided in paragraph (h) that the commission might—not must—issue certificates for advancements during the period from time to time in such amounts as would enable the applying carrier to pay operating expenses and fixed charges during the guaranty period. However, before they were paid the Secretary of the Treasury, even in limited and restricted amounts, was required to take a contract with security that the carrier receiving these advances, in case the advance was in excess of the final amount due, should repay the Government the excess with 6 per cent interest from the time the payment was made. This bill does not apply the provisions of paragraph (h) to the payments authorized under it, but makes them absolute, with no security whatever to pay back one dollar of excess in case the commission by mistake issues a certificate for more than the carrier is entitled to.

I appeal to the chairman of the Committee on Appropriations or to any man who has ever served on that committee that it is a bad policy to allow a commission, the head of a department, or any other agency of government to make mere estimates and have those estimates paid with no provision for a

return of the excess, with no time prescribed as to when these estimates shall cease to be made.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. POU. Mr. Speaker, I yield the gentleman two minutes more.

Mr. SIMS. Mr. Speaker, the amendment I propose to offer at the end of the bill simply provides a limitation until the 1st of January, 1922, for issuing certificates, giving nearly a year in addition to the time that has already run. If the carriers can not make a definite showing as to their claims in that time, they ought not to have their claims paid.

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. DEWALT. Is it not safe to assume that the Interstate Commerce Commission will not issue certificates in excess of the amount that the railroads actually have due them?

Mr. SIMS. It is to be in part on an estimate. The Interstate Commerce Commission did actually issue a certificate under paragraph (h), and I have the letter to show it, which was not paid, and afterwards issued a final certificate which showed that the estimate made in the first instance exceeded the final amount payable. It is utterly impossible for them to know, and it is better to pay interest on these certificates and not have final adjustment until the whole claim is finally determined. The bill provides for the determination by compromise, by agreement, and certainly the taxpayer ought to have some protection against what may be paid to a railroad without security that is utterly insolvent, and it is practically admitted that many are insolvent, for they say they can not borrow a dollar now to pay for supplies and other operating expenses.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, this rule merely makes in order curative legislation that is to clarify what the Congress thought when it passed the transportation act was already in the bill and also what the Interstate Commerce Commission thought was in the bill; but in the rigidity of governmental administration, where a good deal of red tape must be observed, without criticism, the comptroller did not see fit to recognize what we thought was in the bill and what the Interstate Commerce Commission thought was in the bill. That is not a criticism of the comptroller, but here is the situation: What we thought was in the bill is not there, in the judgment of the man whose judgment is final in the matter.

This legislation is simply to clarify it and make it what we thought originally it was. Therefore we bring in a measure to permit the Government to pay the railroads what now is due them without waiting through technical construction until the end of the period of six months when the full amount is due. This being the period of readjustment the business of the country is inevitably slowing down, and we are trying to get away from the war to a peace basis. This readjustment is necessarily interrupting the current of war-time activities and it is bound to cause an immense amount of suffering to the railroads under the burdens of Government operation, and in turn to the people who will be laid off in the shops and from the railroad activities. If the money is not paid them they can not continue the work. Therefore I am not surprised that there is no objection seriously to the bill or the rule as originally brought in, because it was thought that there was not much objection to it. Since there is a desire to have longer debate and wider discusssion than suspension would permit I did not hesitate to vote for the rule when it was asked. Therefore it seems to me that we are now doing nothing more than making clear in the law what we felt was in the law when the bill was passed, and what the Interstate Commerce Commission thought was in the law when they undertook to administer it. That is the reason I shall vote for the rule without any violence to my sense of justice, and also for the bill when it comes up for action.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I am very glad to vote for this rule. My objection yesterday to the consideration of the bill was the form and the manner in which it was proposed to consider it. I thought then that if the motion to suspend were voted down we would have an opportunity to consider the bill which we have at this early time. For some days the committee considered this bill, not only through hearings but in executive session, and I can not find any reason why I should oppose this bill or at least the main points in it. I think that the present time is the most serious one that has confronted the general transportation in this country in more than two decades. I think at this time that we should give to the railroads these partial payments that they may, under the most favorable circumstances that we can present them, try to perform their functions as carriers. I believe, Mr. Speaker, that the American people are willing to pay the cost, the actual cost, of an efficient transportation system. I do not believe that they are willing or should be called upon to pay more than the actual cost of that transportation, and the service that they get.

I therefore want to give the railroads of this country a chance to operate their properties upon a sane basis, as free from entanglements with the Government as is possible to make it. I do not want the cry again raised in this land that was raised with so much persistence only a few years ago, that the Government must take the railroads. I said on this floor more than a year ago I opposed every form of Government ownership or operation of railroads, because I believed then and believe now that to add 3,000,000 employees upon the civil-service roll of this Government, with the power and the influence that they and their connections would have, would destroy ultimately our form of government. I want to give private ownership a fair chance, and then if under liberal laws they can not operate it will be time to consider something else. I do not know what others think at this time, Mr. Speaker, but to me, after much consideration of not only the condition of the country at this time but the time when we return to normal, I believe that the railroad rates at the present time are more than the traffic will bear even in normal times. I do not know what those charged with authority will do about reducing those rates, but I say they must be reduced or else the commerce of this country will be stifled. Therefore I hope by giving the railroads this money that we owe them, that is a fair and legal obligation against the Government, that they may be able by effecting economies and a little more honesty in their operations to have an efficient transportation system in this land at a lower cost than we are getting it to-day.

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Will the gentleman from North Carolina use the rest of his time?

Mr. POU. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. CANTRILL] the remainder of my time, which I believe is six minutes.

The SPEAKER. Six minutes.

Mr. CANTRILL. Mr. Speaker and gentlemen of the House, it is a foregone conclusion what will happen to this rule, and I shall not take up the time of the House in discussing the rule or the railroad bill. The question of greatest importance before the country to-day is raising the money to pay the great appropriations that are before this Congress, and if gentlemen on the Republican side of the House will pardon the suggestion—because the responsibility of raising the money is on the majority side—I wish in all seriousness and in all good faith to make a suggestion to the House, and especially to the members of the Ways and Means Committee, as to the raising of some revenue for the Government.

The gentleman from Massachusetts [Mr. TREADWAY] yesterday said that the Committee on Ways and Means was working day and night trying to find some way to raise revenue for the Government. I wish to make a suggestion to you, and to make it in all seriousness. In my opinion the majority side of this House, if it sees fit to do so, can prepare a bill taking over the tobacco business of the country, which will easily provide a revenue of a billion dollars a year for the Government and at the same time render a great service to the producers of tobacco and to the consumers of tobacco in our Nation.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. CANTRILL. I do.

Mr. GREEN of Iowa. I do not fully understand the gentleman. Does he mean to take over the business, including the operation of factories?

Mr. CANTRILL. I will say to the gentleman from Iowa that the Senate of the United States has passed a bill taking over the meat industry or the packing business of the country, which bill is now before this House, and for the consideration of which a rule has been asked from the Rules Committee. A bill is being prepared in the Senate, known as the Calder bill, to take over for Government control the coal industry of the Nation. There is no revenue that comes to the Government from the operation of these two bills. The manufacture of tobacco is a Government monopoly in many of the civilized countries of the world, but it is a private monopoly in the United States to-day. There are four or five manufacturing concerns that control the entire tobacco manufacturing industry of this Nation. Next to the income tax, the tobacco tax produces more revenue to the United States than any other single

item. As I am informed, the taxing of tobacco now is producing nearly $400,000,000 in revenue, and I am here to say that if the Ways and Means Committee will take up this matter and carefully look into it, it will find, if it will pursue the same principle of legislation that is being advocated in other measures now pending before this Congress, the tobacco business can be put under Government operation and raise a billion dollars a year revenue and at the same time protect the interests of the tobacco growers and of the tobacco consumer as well. There is produced annually in round numbers in the United States about 1,250,000,000 pounds of tobacco each year. The tobacco producers of this Nation to-day, in every State in the Union where tobacco is produced, are selling their tobacco at much less than the actual cost of production. The present prices being paid by the four or five large manufacturing concerns of tobacco are bankrupting the tobacco growers in every State where tobacco is grown, and in the face of these extremely low prices paid to the producer these four or five manufacturing concerns, which constitute in reality the Tobacco Trust of this country, are raising the prices of manufactured tobacco to the consumers of the Nation higher than ever before in the history of the trade. To raise the tax above the present level on manufactured tobacco and still leave the manufacturing business in the hands of private manufacturers would work a tremendous hardship on the tobacco producer. But if the Government would take over the entire business of manufacturing tobacco, then a reasonable price would be assured to the producer and a reasonable price would be guaranteed to the consumer, and a plan could be easily worked out which could be made to produce in the neighborhood of a billion dollars revenue to the Government.

The Government to-day is confronted in the tobacco business with an absolute private monopoly and trust, and let me offer the suggestion that if the gentlemen on the majority side of the House wish to take over any private business to operate for a profit to the Government and raise revenue, there is a very fertile field in this particular line. I submit the proposition to the wisdom and judgment of the members of the Committee on Ways and Means. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. ESCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15836) to amend the transportation act of 1920.

The motion was agreed to.

The SPEAKER. The gentleman from Illinois [Mr. MANN] will take the chair.

Mr. MANN of Illinois assumed the chair amid applause, the Members rising.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15836) to amend the transportation act, 1920.

Be it enacted, etc., That the transportation act, 1920, is hereby amended by adding, after section 211, a new section to read as follows:

"SEC. 212. (a) In making certifications under section 204 or section 209 the commission, if not at the time able finally to determine the whole amount due under such section to a carrier or the American Railway Express Co., may make its certificate for any amount definitely ascertained by it to be due and may thereafter in the same manner make further certificates until the whole amount due has been certified. The authority of and direction to the Secretary of the Treasury under such sections to draw warrants is hereby made applicable to each such certificate. Warrants drawn pursuant to this section, whether in partial payment or in final payment, shall be paid: (1) If for a payment in respect to reimbursement of a carrier for a deficit during the period of Federal control, out of the appropriation made by section 204; (2) if for a payment in respect to the guaranty to a carrier other than the American Railway Express Co., out of the appropriation made by subdivision (g) of section 209; and (3) if for a payment in respect to the guaranty to the American Railway Express Co., out of the appropriation made by the fifth paragraph of subdivision (i) of section 209.

"(b) In ascertaining the several amounts payable under either of such sections the commission is authorized, in the case of deferred debits and credits which can not at the time be definitely determined, to make, whenever in its judgment practicable, a reasonable estimate of the net effect of any such items, and, when agreed to by the carrier or express company, to use such estimate as a definitely ascertained amount in certifying amounts payable under either of such sections, and such estimates so agreed to shall be binding in final settlement."

Mr. WINSLOW. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. DEWALT].

Mr. DEWALT. Mr. Chairman and gentlemen of the committee, I think it is entirely safe to say that if the arteries of the human body are clogged the physical condition of the human body is deteriorating. In other words, there can be no sustenance to the body unless the blood circulates freely through the veins and arteries. Let me use that as an illustration in regard to this bill. I do not think there is anyone who can safely contradict the assertion that the transportation system of the United States is comparable with the arterial system of the human body. If you check transportation or impede it, the inevitable consequence of such impediment is that you destroy the life blood of commerce. Having that in view, I am quite willing to support the provisions of this bill.

During my service of six years on the Committee on Interstate and Foreign Commerce, and particularly during the last four years of such service, the membership of that committee, including myself, were thoroughly imbued with the idea that there was absolute necessity for the relief of the railroad system of the country. The provisions of the Esch-Cummins bill, in part and in large measure, remedied the evils then existing, but in spite of that legislation there remains now this impediment to what I call the arterial system of commerce.

There is undoubtedly due under the law the sum of over $300,000,000 to these railroad companies, and there is no reason on earth why this money is not paid, except that of a pure technicality. It resolves itself, then, gentlemen, in my opinion, simply to a question of debit and credit. In the first place, does the Government owe the money? In the second place, is the Government able to pay the money? And, third, if the ability is there, should this technicality stand in the way of payment? I think the answer to those propositions is clear. The Government is able to pay; the Government should pay, because it owes the money, and, therefore, is a technicality in law to stand in the way of a just payment of a debtor to a creditor?

Now, how far does this go? The railroad companies of this country are in large measure the creditors of those who transport goods, and they must receive their moneys through fares and rates. In order that service may be rendered, they must have proper equipment, and they in turn become the debtors of those who furnish the equipment. The great steel producers of the country have been furnishing to the railroad companies of the nations steel rails upon credit, and I am assured by those who know, and who speak with authority, that they are now obliged to go into the banks and raise credit upon their notes, simply because the Government does not pay the railroads that which is justly due them.

I have heard it said in the course of a few remarks in regard to this bill—— [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SIMS. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman and gentlemen of the committee, the gentlemen who have advocated the immediate passage of this bill point out that it is a very simple problem of determining the amount that is due and then paying it. But it may turn out, gentlemen, to be a more difficult problem than is expected. I call the attention of the committee particularly to what in my opinion is serious oversight, and that is the failure to provide against errors creeping into the estimates upon which the partial payments are made. I am not against a fair bill, but I think that in a measure of this importance—carrying with it, as it does, an appropriation, or appropriations to come, of upward of a billion dollars—we ought to exercise the same caution, the same care, and the same judgment that we would exercise in executing a contract in our own private affairs.

For instance, if you are building a house and enter into an agreement with the builder to pay him certain partial payments as the work progresses, what would you think of a lawyer who would draw the contract so as to compel you to make partial payments until the aggregate total was paid to the builder before the accounts between you were finally adjusted and determined? You would not consider he was acting faithfully in your interest. I have an amendment to propose which will safeguard the Government to the modest extent of 10 per cent, and I suggest that in these partial payments paid to the railroads we ought to reserve at least a 10 per cent holdback until the accounts between the Government and the companies are finally adjusted. I shall offer that amendment in due course.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back two minutes of his time. Is there any further debate? If not, the Clerk will read.

Mr. WINSLOW. Mr. Chairman, I yield three minutes to the gentleman from Connecticut [Mr. MERRITT].

The CHAIRMAN. The gentleman from Connecticut is recognized for three minutes.

Mr. MERRITT. Mr. Chairman, as was brought out by the gentleman from Pennsylvania [Mr. DEWALT], this is not a question of new legislation, not a question of new appropriation, but simply the question of paying the honest debts of the Government; and the determination of the honest debts of the Government is made by the Interstate Commerce Commission. It is not an arbitration. The determination is made by the commission acting as a court, by officers of the Government, who take all facts into account, and who decide what amount, if any, is due.

I ask your careful attention to the terms of the certificate which the Interstate Commerce Commission gives for these partial payments. It is this:

The commission has ascertained and hereby certifies to the Secretary of the Treasury that the amount of * * * is necessary to make good to said carrier the guarantee provided by section 209 of the transportation act of 1920.

The commission hereby certifies that such amount of * * * can not be reduced by further accounting or otherwise, and there may be, upon further investigation, additional amounts found due to said * * * Railroad Co. to make good to said carrier the guaranty of section 209 of the transportation act of 1920, and which if and when so ascertained by the commission will be certified to the Secretary of the Treasury.

So the Interstate Commerce Commission certifies that there can not be an amount less than they certify. Therefore there is no risk; there is no sense in asking for any bond, any more than there is in asking a bond for payment of any other judgment, and no sense in taking security for any part of the partial payments.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. MERRITT. Certainly.

Mr. MONTAGUE. As I understand it, there is no bond required if there were only one final payment.

Mr. MERRITT. None.

Mr. MONTAGUE. And you simply ask that the same rule apply here?

Mr. MERRITT. Certainly.

Now, referring to the remarks of the gentleman from Pennsylvania [Mr. DEWALT], I think it may be of interest to the committee to listen to some of the accounts that are held up. I have just picked out two or three from the testimony.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. MERRITT. May I have one minute more?

Mr. WINSLOW. I yield to the gentleman one minute more.

Mr. MERRITT. Mr. Rea, president of the Pennsylvania, testified that there was due to that railroad on traffic balances over $10,000,000, and from the United States about $40,000,000. The Rock Island testified that they themselves owe $6,000,000, and there is due to them $8,000,000 and due from the Government $13,000,000. The Baltimore & Ohio are holding back $6,000,000 or $7,000,000, which they would like to pay their creditors.

Now, whether or not the railroads are being run economically is shown by this one fact, with which I will close, that the railroads in 1920 under private management, with LO more equipment, moved 15,000,000,000 ton-miles more freight than in 1918, which was the previous high record. [Applause.]

The CHAIRMAN. The time of the gentleman from Connecticut has again expired.

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. MCKEOWN] three minutes.

The CHAIRMAN. The gentleman from Oklahoma is recognized for three minutes.

Mr. MCKEOWN. Mr. Chairman and gentlemen, I suppose it would be considered idle to offer the amendment under the present situation in the railroad business, as gathered from the reports which come to us; but I propose to offer an amendment to this bill, that on page 2, in line 22, after the word "settlement," we strike out the period and add the following: "*Provided*, That no carrier nor the American Railway Express Co. receiving a partial settlement under this act shall declare any dividends before paying all valid judgments pending unsatisfied against such carriers or the American Railway Express Co."

Now, when you are going to pay these gentlemen an advance of money, they ought not to be permitted—whether their condition justifies it or not—to declare dividends with a lot of judgments unsatisfied while the judgment creditors are told they can not be paid until they get their money from the United States. There is nothing wrong in safeguarding the advances in this bill by that language, because you know what it would mean under the circumstances if you turned this money over to them and they declared a dividend to their stockholders while the judgment creditors, men who have final valid judgments, are not paid because they do not get the money and have not had a final settlement with the United States Government. They can well afford, at the high rates of interest now, to let the judgments remain unsatisfied, and use the money at 6 per cent. They would be glad to use it now under the situation of the financial market. And for that reason, if you are going to turn this money over and make a partial payment to them on the amount finally due, then you ought to provide that the stockholders ought not to have a dividend until the judgments are paid.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. WINSLOW. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. WEBSTER].

The CHAIRMAN. The gentleman from Washington is recognized for five minutes.

Mr. WEBSTER. Mr. Chairman, after giving this bill as full consideration as I am capable of giving it and after listening to all that has been said upon it pro and con, I must confess I have been unable to discover a single substantial objection to it.

The simple issue presented is this: Shall the language of the transportation act of 1920 be so perfected as to avoid the effect of a highly technical construction of its terms, to the end that substantial honesty may be practiced by the Government of the United States?

What member of the Committee on Interstate and Foreign Commerce, when this bill was in the course of drafting, would have objected to the provisions of the Winslow bill if they had been incorporated in that act? What member of that committee or of this Congress will have the temerity to assert that when this bill finally passed the Congress it was his understanding that partial payments of the guaranty were denied?

If it would have been permissible to have contained this language there without objection, why should there be any quibble over inserting this language now? This contemplates no increased appropriation. It adds nothing to the obligation of the Government. It in no way enhances any burden already resting upon the Government. It merely authorizes the Government to practice the everyday, common-sense, honest method of paying its obligations in installments rather than in gross.

It has been suggested here by the gentleman from Tennessee [Mr. SIMS] that the measure of the gentleman from Massachusetts [Mr. WINSLOW] involves some question of interest. For my own part I have not been able to follow that argument. I can understand that if the payment is not to be made until the final ascertainment of the entire amount is had interest will begin to run from that time; but it also follows that the Government at that time will be called upon to issue its certificates of indebtedness to raise the money with which to pay. If, on the other hand, these partial payments are made as provided in this act and certificates are issued to raise money with which to make that payment, can anyone say with certainty that the time in the one instance will be any different from the time in the other? It is a plain proposition, it seems to me, that involves the old idea of much ado about nothing. I submit that the decision of the court having the construction of this statute before it was a highly technical one, turning almost entirely upon a definition of words, which is always a doubtful method of ascertaining the meaning of a statute. It wholly overlooks the great canon of construction that the dominant thought and purpose of the legislation must be kept in mind in construing the terms of an act. I do not believe that any gentleman on this floor, I do not believe that any member of the committee which had the transportation act under consideration will say that if his attention had been called to the fact that partial payments were denied under that bill he would have objected at that time to amending it.

I do not believe that any Member of the committee or of this Congress understood that partial payments were not contemplated by that act. This bill seems to me to present a mere technical proposition, and for that reason I thought if any measure could be passed under suspension of the rules, that this was peculiarly a measure of that sort. I was very glad to vote to suspend the rules and pass it yesterday, and I shall be very glad to give my vote to it to-day, to the end that these railroad companies may have what is due them.

Mr. KELLY of Pennsylvania. Will the gentleman yield?

Mr. WEBSTER. I can not yield in the short time that I have remaining. Some of the arguments here, if followed to their logical conclusion, would amount to the repudiation by the Government of its obligation. The Government owes this money, and in common honesty it ought to pay it, and the sooner the better for everybody concerned.

Mr. SIMS. I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Chairman, so far as the general provisions of this bill are concerned, providing for partial payments to the railroads of the amounts due them under the guaranty, I can see no objection to providing for such partial payments. As a matter of fact, I think it did not occur to the members of the various committees which were considering the transportation act, and it did not occur to the conferees as far as I recall, either on the part of the House or the Senate, whether partial payments would be possible or not. The subject was never mentioned in the conference as to whether under the language of the transportation act partial payments were possible. That is neither here nor there. Under the guaranty provisions which are carried in sections 204 and 209 of the transportation act there will be something more than $600,000,000 due the railroads by the Government. Of that amount $254,000,000 has already been paid in the form of advancements paid during the six months' guaranty period or immediately thereafter, as provided in subsection (h) of section 209 of that act. That leaves now due to the railroads, according to the statement of the Interstate Commerce Commission in its last annual report, something like $346,000,000. The question which we are called upon to settle here is whether we will immediately authorize and direct the Secretary of the Treasury to pay this amount to the railroads, or hold up the entire balance until all the accounts between the Government and the railroads can be settled. My own opinion is that the Treasury Department was justified in its interpretation of the act, and that the court was correct in its interpretation; because while there is a difference of opinion, yet the section which authorizes payments to the railroads before the expiration of the six months' guaranty period contains nothing about partial payments, and does say that the amount as soon as practicable thereafter shall be determined and the Secretary of the Treasury shall pay it upon certificate of the Interstate Commerce Commission. That undoubtedly contemplated a final payment.

Now, I suppose there is no question but that the railroads as a whole need the money that is due them. There may be some that do not need it. There were some which did not apply for advances during the six-month period. There are a few which did not accept the terms of the transportation act and accept the guaranty provided as the law required. So that so far as the general purposes of this bill are concerned, to make it possible for the Secretary of the Treasury to pay these railroads partial payments pending the settlement of the entire amount due them, I can imagine no objection unless it be upon the part of some man who does not want them to receive it under any circumstances. But I desire to make one or two suggestions which I may embody in amendments a little later, when we get to the bill under the five-minute rule.

There is no question that the Government is ultimately going to have to pay this money. If the Government does not pay it now under partial payments, the railroads may have to borrow perhaps an equal amount and pay interest on it. If the Government pays it, the Government may have to borrow the money, for I assume that there is not $340,000,000 otherwise unappropriated lying in the Treasury waiting for this bill to become a law to be paid out to the railroads. Somebody will have to borrow the money. Now, the Government owes the money, and the question of equity and justice which appeals to Members, admitting that the Government owes the money, is whether it is right and proper for the Government to retain it and refuse to pay it to the railroads and compel them to borrow the money and pay interest upon it or whether it is better and wiser and more honest and just for the Government itself to borrow the money, assuming that it has to do it, in order to meet this obligation.

Now, in subsection (h) of the original transportation act there was a provision for advancing money to the railroads during the guaranty period that was based on the idea that it would take fully six months for the Interstate Commerce Commission to adjust the rates.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. WINSLOW. Mr. Chairman, I yield to the gentleman from Kentucky three minutes more.

Mr. BARKLEY. That provision was based on the idea which I think prevailed at that time, that it would take at least six months for the Interstate Commerce Commission to readjust the rates for the roads to begin to receive the benefit at the increased rates. In providing for the advancement of that money by the Government the law provided that the Secretary of the Treasury should require the roads to give a bond, so that if it turned out that they advanced more money than was due the roads they would pay back the excess with interest from the date of the payment.

I think, as a matter of fact, that while the payments are to be partial payments they are nothing more nor less than an advance to the roads until the ultimate amount is found to be due; so I think that the same safeguard ought to be thrown around these payments. I think when the railroad with the certificate of the Interstate Commerce Commission goes to the Secretary of the Treasury and asks for a partial payment on an account that is as yet undetermined the Secretary of the Treasury ought to be authorized to require a bond that if in the final settlement it turns out that the partial payments amount to more than the road was entitled to, or would be entitled to under final payment, the road should pay back to the Government the excess, with interest from the date of payment; and especially ought that safeguard to be thrown around it in view of the provisions of subsection (b), which provides that the Interstate Commerce Commission and the railroads may get together and settle all outstanding accounts for loss, damage of property, personal injuries, and so forth, that go to determining the net operating income of the railroads as a basis for settlement, and, in view of the fact that they can do it to each one and that that settlement shall be final, I think that that provision ought to be incorporated providing for a bond.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. HARDY of Texas. Does not subsection (b) foreclose the Government in any error forever thereafter?

Mr. BARKLEY. That is my understanding.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. BLAND of Indiana. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I object.

Mr. BLAND of Indiana. Mr. Chairman, one-third of the coal produced in the United States is consumed by the railroads. I come from a coal-producing section. The railroads owe the coal operators of my State $5,000,000. In my district alone I know they owe my constituents $1,849,000. Many of these men are poor men—coal miners who have gone into the coal business and have everything invested. The pay rolls can not be met unless the railroads pay the operators, and unless they can get coal the railroads can not operate. The Indiana operators to whom the railroads owe so much can not further furnish coal unless paid for. We are up against hard facts and not theories. Some mines have shut down because they could not get money to meet their pay rolls. The coal bills of the railroad companies are their largest bills, because they consume so much coal; and therefore the coal communities are the hardest hit by the delay in the Government paying the railroads. These railroads should be paid the money which the Government owes the railroads and has on hand, so that the business of the country can go on. Transportation will inevitably break down unless this money is paid. Mr. Chairman, I again ask unanimous consent to extend my remarks in the RECORD.

Mr. McCLINTIC. In order to be consistent I must object.

Mr. WINSLOW. Mr. Chairman, how much time has been consumed?

The CHAIRMAN. The gentleman from Massachusetts has consumed 19 minutes and the gentleman from Tennessee 11 minutes.

Mr. SIMS. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, in order to induce coal operators and other supply men as referred to by the gentleman from Indiana [Mr. BLAND] to bring pressure to bear on Representatives in Congress in behalf of this bill the railroads have withheld payments from them. They have failed to make payments which they might well have made; they have raised the cry of poverty. That is a part of the propaganda upon which this bill is based.

A SELFISH-INTEREST MEASURE.

The Winslow bill is a typical selfish-interest measure. Conceived by selfish interests, pressed by selfish interests and their class and business associate, the public—unrepresented and voiceless—is the inevitable victim. I was amused to read the hearings held on the bill. There was first Alfred P. Thom, general counsel Association of Railway Executives, and following him Thomas DeWitt Cuyler, chairman Association of Railway Executives; Samuel Rea, president Pennsylvania Railroad; M. L. Bell, counsel for Rock Island; Daniel Willard,

president Baltimore & Ohio; William J. Hobbs, vice president Boston & Maine; H. S. Marks, general counsel American Express Co.; Byrd M. Robinson, president American Short Line Railroad Association; Otis B. Kent, attorney Merchant & Miners Transportation Co. These spoke for the railroads. With all the adroitness of the best brains in the market, the case for the railroads was presented. The railroad supply concerns were represented by Frank W. Knoxson, secretary Railway Business Association, and Charles D. Drayton, attorney for supply concerns which had fallen for the poverty cry of the railroads and want to collect their bills and to sell more supplies. Mr. Clark, of the Interstate Commerce Commission, also appeared, and a letter from the Secretary of the Treasury was read. Who represented the great American public? Nobody. Who opposed the plea of the railroads? Nobody. No champion of the masses, of labor, or of the general public was heard. The representatives of selfish interests had it all their own way.

Prior to its passage, speaking in opposition to the transportation act, I ventured to predict that every Congressman who voted for that measure would be defeated if his constituents found him out, and that the only thing that could save him was ignorance on the part of his constituents. Notwithstanding the greatest conspiracy for silence upon the part of the press, public men, and the molders of opinion ever known before, many constituencies found out enough to defeat candidates or to reduce their majorities. But the people as a whole have not yet found out what was done to them by the transportation act. Their channels of information are blocked and the truth is only gradually filtering through. But light is coming and the people will yet avenge themselves upon those who put over the transportation act and upon those who are willing to act as jumping jacks to the railroad interests.

Mr. WINSLOW. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I confess I am not able to follow the line of reasoning of the gentleman from Alabama [Mr. HUDDLESTON]. Of course, it is quite apparent that he has not any particular love for the railroads, and his arguments, both to-day and heretofore, seem to me to indicate that underneath his expressed sentiments there is a perfect willingness to see all of the railroads of the country go into bankruptcy or into the hands of receivers as a preliminary step to the nationalization of the railroads.

Mr. Chairman, this bill if it accomplishes nothing else may serve to illustrate to the Members of the House and to the country the great importance of the transportation system to the industrial life of the Nation. There came before the committee representatives of coal-mining interests who told us that unless relief was given along the lines provided for in this bill large coal interests would be compelled to close their business. The railroads are unable to pay the coal companies from whom they are buying their coal, and as a result the coal mines can not continue to operate; they in turn are indebted to the banks who are crowding them, and by reason of the fact that they can not collect their coal bills from the railroads the banks are being more or less embarrassed. This unfortunate condition ramifies the entire industrial life of the Nation more or less, and it therefore is of great importance, particularly at this time.

If I understand it, the question involved is this: The Government owes this money to the railroads. The gentleman from Alabama [Mr. HUDDLESTON] says that we ought to compel the railroads to come cringing to Congress upon their knees. I can not follow that line of thought. I do not think anyone ought to be compelled to come to Congress cringing upon their knees. I would not have respect for them if they did so, and I can not understand the mental attitude of anyone who expects anybody, especially any great business interest of the country, to come to Congress cringing and begging upon their knees for something which the Government owes them.

This is a debt, an obligation of the Government to the railroads. Why do I say that? The transportation act provided that this guaranteed return should be allowed only to those railroads who filed their written acceptance by March 15 last; and that before they can receive the benefits of the guaranty, they must agree that if they, during the six months' period, should earn more than the standard return, they will pay it into the Treasury of the United States. There is, therefore, a mutual agreement through a written acceptance on the part of the railroads which constitutes a mutual obligation. Every railroad that is entitled to the benefit of this guaranty has made a written agreement that if its net operating income during the six months' guaranty period should exceed the standard return during the corresponding months of the test period, it will pay such excess into the Government Treasury. Since this is an actual obligation which the Government owes to the railroads, I think we ought to be willing to pay it in partial payments, as is provided for by this bill, since we can thereby materially assist the railroads when they need assistance.

Mr. HASTINGS. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. HASTINGS. How many companies have turned in any amount over and above the standard return?

Mr. DENISON. I am unable to answer that.

Mr. HASTINGS. I did not know whether the gentleman had the information.

Mr. DENISON. I have not the information, but my judgment is that on account of the unusual conditions which developed during the six months' period, none of them will be compelled to turn any money into the Treasury, although I am not advised as to that. But at any rate none of them could tell in advance whether they would have to do so or not, and they did enter into this agreement which constitutes a legal obligation on the part of the Government.

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On February 5, 1921:

H. R. 14122. An act to authorize the sale of a portion of the Copper Harbor Range Lighthouse Reservation, Mich., to Houghton and Keweenaw Counties, Mich.

On February 6, 1921:

H. R. 1789. An act for the relief of Thomas P. Darr;

H. R. 1790. An act for the relief of John K. Ashley, jr.;

H. R. 6221. An act conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the Osage civilization fund claim of the Osage Nation of Indians against the United States; and

H. R. 11066. An act for the relief of the Shipowners & Merchants Tugboat Co.

On February 7, 1921:

H. R. 12333. An act for the relief of Albert T. Huso.

On February 8, 1921:

H. R. 3210. An act for the relief of Joseph A. Prat.

TO AMEND THE TRANSPORTATION ACT.

The committee resumed its session.

Mr. SIMS. Mr. Chairman, I yield two minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, I voted for the Cummins-Esch bill, and I have not the slightest desire to evade any obligation or responsibility which it imposes upon the Government, and if it could be shown to me that the United States Government assumed any obligation to pay this guarantee in partial payments after the six months' guaranty period had expired I would readily vote for the present bill, but in turning to section 209, paragraph (g), I find the obligation is stated as follows:

> The commission shall as soon as practicable after the expiration of the guaranty period ascertain and certify to the Secretary of the Treasury the several amounts necessary to make good the foregoing guaranty to each carrier.

Mr. MONTAGUE. Will the gentleman yield for a question?

Mr. BLACK. In one moment. Now have we any reason to believe that the Interstate Commerce Commission will not discharge their duty as soon as practical after the expiration of the guaranty period and ascertain what is due to these railroads and certify to the Secretary of the Treasury and thereupon it will become his duty to make the payments and no additional legislation will be necessary. I am not apprehensive that there will be any undue delay on the Government's part in making good its obligation. Therefore, I shall vote against this bill.

Mr. MONTAGUE. The language that the gentleman has read that as soon as practicable——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. Mr. Chairman, how much time on the other side is unexpired?

The CHAIRMAN. The gentleman from Massachusetts has 6 minutes remaining, and the gentleman from Tennessee has 10 minutes remaining.

Mr. SIMS. Does the gentleman propose to use that six minutes in one speech?

Mr. WINSLOW. Yes.

Mr. SIMS. Mr. Chairman, I was greatly surprised to hear good lawyers say that there was only a technical objection to paying under paragraph (g) the guaranty amount the ascertainment of which could not commence until after the six months

expired, as the gentleman from Texas [Mr. BLACK] has just shown you. There was never an utterance or intimation of any witness who was before that committee for or against the railroads that in getting this bonus or gift, this largess, which depends upon no service, no compensation, no mutual obligation, no contract relation, that they could then be enabled to get this bonus by installments. In other words, when you undertake to determine the amount of the guaranty that any carrier should receive, should it be done by piecemeal and by dribs? Nobody dreamed that any such demand would be made.

Mr. DENISON. Will the gentleman yield?

Mr. SIMS. Not now. In paragraph (h) the thought of the members of the committee who voted for this bill was that during the six months' guaranty period advances only should be made upon the estimated amount that would go to the railroads limited by the necessities of paying fixed charges and operating expenses.

But never once did they think that payment might be made on the guaranty claim as such in advance of the determination of the full amount of the claim. There was permission, although the guaranty was an absolute gratuity, that advances might be made to the applying carriers during the six months if the commission determined that the amount to be advanced was absolutely necessary to enable the carrier to pay fixed charges and actual operating expenses during that time. Now they come and say that objection to paying by installments is only technical. When this guaranty was put in the transportation act, it was at a time the farmer was receiving from $1.50 to $2 a bushel for corn and did not expect to receive any less; when wheat was worth from $2 to $2.50 and $3 a bushel and the farmer did not expect it to go lower for a long time; cotton was worth 40 cents a pound, and hogs were worth $20 a hundred; everything the farmer made was worth from two to three times what it is now.

Now, when this largess, this gift, this bonus, this unearned contribution was authorized the burden it imposed in effect was not half what it is now proving to be to the taxpayer, and especially to the farmer and stock raiser. Why not live up to the plain meaning and purpose of the act and wait until all questions involved by way of set-offs and counterclaims are fully adjusted between the carriers and the Government, and have only one certificate issued, covering the final and full amount of the bonus claimed by a carrier? Such a course of procedure will cause the carriers to exercise diligence in presenting all items claimed by them to be covered by the guaranty, and in this way hasten the day when the Government will get a final settlement of this whole gift enterprise project. Perhaps by that time the farmer will have paid his share of the taxes to be collected in order to pay this bonus—his products will be worth much more than they are now.

Forty class 1 roads did not apply for the guaranty; over 600 class 1 roads did apply. They never dreamed of ever earning one cent over and above that guaranty. And it was said before our committee when I asked the question of a gentleman who appeared before it, calling his attention to the fact that the great Southern system, which did not run through a densely populated country, did not serve large cities, where great traffic originated—he answered that the Southern was going to sue the Government for $84,000,000, leaving the inference that failing to apply for the guaranty had something to do with bringing the suit. A gentleman might say, "I will give you a present next Christmas of $100." What would you think of a man, after he had been promised the present, if he should a month before Christmas say, "My necessities are great and I will have to borrow some money and pay interest on it, and therefore I want you to give me a part of that present now"?

Such monumental gall has never been presented before any legislative body by other than a grasping corporation to force the payment of a gratuity in advance of the maturity of the gratuity. The law is as plain as language can make it. The courts have so decided and the Comptroller of the Treasury has so decided. They come and ask us to save them from paying interest on borrowed money by making the taxpayers pay it for them. Some of the witnesses go far enough to say so. They say, "The Government has power to levy and collect taxes, and we have not. The Government can borrow money cheaper than we can, and that is one of the reasons they should give us our Christmas present before Christmas." How can any conscientious man claim that we honestly owe one dollar? A promise to make a gift is not a vested property right. No obligation was incurred on account of the gift by the carriers. Suppose we had not made it?

Mr. BRITTEN. Will the gentleman yield?

Mr. SIMS. I beg the gentleman's pardon, but I could not yield to his colleague.

Mr. BRITTEN. All right.

Mr. SIMS. Now, I am only asking that we do not pay this bonus in advance, when the Treasury is now over $2,000,000,000 in debt on account of certificates of indebtedness. Now, shall it issue three or four hundred millions more, which will tend to increase the interest that every borrower in the United States will have to pay? But some people want to avoid taxes, because these certificates of indebtedness are not taxable; some of them no doubt are for this measure, and wish that certificates be issued rather than that the railroads should borrow money to pay interest that the people should have to sell their cotton, corn, and wheat at less than actual cost of production in order to give the railroads money which they themselves acknowledge they have paid out in dividends.

I read here from the statement of Mr. Rea, the president of the Pennsylvania Railroad Co., who appeared before the committee and made this statement. He says:

> The carriers, relying upon the receipt of the guaranty, conducted their business as usual and declared their customary dividends as if the money was in hand, and necessarily had to maintain their credit.

And he admits that his railroad, which he claims should have $99,000,000 under the guaranty, had already received $59,000,000 during the guaranty period by way of advancements under paragraph (h).

Now, how does it appear to the people of this country that we will advance the date upon which a gratuity was to be received by the railroads so as to give them the money in advance of the date provided in the terms of the gift itself, which became binding on the railroads by reason of voluntary acceptance by them by way of application for the gratuity? To do so we make it necessary for the Government to sell certificates of indebtedness on which the taxpayers must bear the burden of increased amount of taxes to meet the interest on the Government certificates in order that this increased bonus may be paid before it is due by the law upon which its foundation rests.

Mr. Chairman, by way of reply to the argument presented by some gentlemen that paragraph (g) of section 209 of the transportation act authorized partial payments on the guaranty claim in advance of a final determination by the Interstate Commerce Commission of the total amount due a carrier, I make a part of my remarks the decision of the Supreme Court of the District of Columbia in the mandamus suit brought by the Grand Trunk Western Railway Co. against David F. Houston, Secretary of the Treasury of the United States, as follows:

[In the Supreme Court of the District of Columbia. United States ex rel. Grand Trunk Western Railway Co., a corporation, v. David F. Houston, Secretary of the Treasury of the United States. At law. No. 64722.]

DECISION OVERRULING DEMURRER TO ANSWER.

This is a petition for a writ of mandamus directing the Secretary of the Treasury to draw a warrant in favor of petitioner.

The question to be decided is whether the transportation act, 1920, provides that the amount due a carrier under the guaranty of railway operating income contained in section 209 shall be ascertained by the Interstate Commerce Commission and certified to the Secretary of the Treasury for payment partially and from time to time until the total amount is ascertained or whether the total amount must be determined before any payment falls due.

Section 209 reads, in part, as follows:

"(a) * * *.

"The term 'guaranty period' means the six months beginning March 1, 1920.

"* * *.

"(c) The United States hereby guarantees—

"(1) With respect to any carrier with which a contract (exclusive of so-called cooperative contracts or waivers) has been made fixing the amount of just compensation under the Federal control act, that the railway operating income of such carrier for the guaranty period as a whole shall not be less than one-half the amount named in such contract as annual compensation." * * *

There follow other provisions for measuring the "amounts" guaranteed, respectively, in cases of roads not having such contracts, there being several bases for computations, as well as provisions of a general nature, specifying items that shall and others that shall not be taken into account.

Subsection (d) of section 209 provides, in part, that if during the guaranty period as a whole the railway operating income of a carrier is in excess of the minimum income guaranteed the carrier shall "forthwith pay the amount of such excess into the Treasury of the United States."

Subsection (f) reads:

"(f) In computing railway operating income, or any deficit therein, for the guaranty period for the purposes of this section. * * *

"(5) The commission shall require the elimination and restatement of the operating expenses and revenue (other than for maintenance of way and structures or maintenance of equipment) for the guaranty period, to the extent necessary to correct and exclude any disproportionate or unreasonable charge to such expenses or revenues for such period, or any charge to such expenses or revenues for such period which under a proper system of accounting is attributable to another period."

Subsection (g) places upon the Interstate Commerce Commission the duty of estimating how much is due a carrier under the guaranty and of certifying the fact to the Secretary of the Treasury. It is as follows:

"(g) The commission shall, as soon as practicable after the expiration of the guaranty period, ascertain and certify to the Secretary of the Treasury the several amounts necessary to make good the foregoing guaranty to each carrier. The Secretary of the Treasury is hereby authorized and directed thereupon to draw warrants in favor of each

such carrier upon the Treasury of the United States for the amount shown in such certificate as necessary to make good such guaranty. An amount sufficient to pay such warrants is hereby appropriated out of any money in the Treasury not otherwise appropriated."

The commission delivered to the petitioner herein a certificate, as follows:

CERTIFICATE OF INTERSTATE COMMERCE COMMISSION UNDER SECTION 209 (G), TRANSPORTATION ACT, 1920.

"To the SECRETARY OF THE TREASURY OF THE UNITED STATES:

"1. The Interstate Commerce Commission, hereinafter called the commission, hereby certifies that the Grand Trunk Western Railway Co., a corporation of the States of Michigan and Indiana, hereinafter called the carrier, is a carrier as defined in paragraph (a) of section 209 of the transportation act, 1920, in that it is a carrier by railroad whose railroad or system of transportation was under Federal control at the time such Federal control terminated at 12.01 a. m. on March 1, 1920; that the carrier filed with the commission on or before March 15, 1920, a written statement that it accepted all of the provisions of said section 209.

"2. The commission has ascertained and hereby certifies to the Secretary of the Treasury that the amount of five hundred thousand dollars ($500,000) is necessary to make good to said carrier the guaranty provided by section 209 of the transportation act, 1920.

"3. The commission hereby certifies that such amount of five hundred thousand dollars ($500,000) can not be reduced by further accounting or otherwise, and there may be, upon further investigation, additional amounts found due to said Grand Trunk Western Railway Co. to make good to said carrier the guaranty of section 209 of the transportation act, 1920, and which if, and when, ascertained by the commission will be certified to the Secretary of the Treasury.

"Dated this 24th day of November, 1920."

The Secretary of the Treasury refuses to issue a warrant for the amount mentioned in the above certificate claiming that his duty to issue warrants does not arise until the total amount guaranteed has been ascertained and certified.

The petitioner argues that the intention conveyed by the use in subsection (g) of the words "several amounts" and of the word "warrants" is that payment of more than one amount is to be made to each carrier; also that the use of the word "amount" and the word "certificate" instead of "amounts" and "certificates" in the phrase "for the amount shown in such certificate as necessary to make good such guaranty" does not indicate that only one payment was intended because part of the total amount due is just as necessary to make good the guaranty as is the whole amount.

The first inquiry is, of course, what is guaranteed? There is no guaranty of "several (meaning 'more than two'—see Webster's Dictionary) amounts" to one carrier, but of "the amount" or "an amount" ascertained as directed. There being many carriers there are many amounts to be certified. If Congress intended that there should be more than one amount paid to each carrier, why did it use the word "several"? That intention would have been expressed more simply and directly by the use of the word "amounts" alone. Consequently the word "several" should be given a meaning, if possible, which adds something to the sense of the subsection and it has been construed to mean "respective" (Brown *v.* Hawkins, 26 R. I., 400). Webster's Dictionary and the Century Dictionary define "several" as meaning "separate," "distinct," "particular." Neither Webster nor the Century defines "several" as meaning "respective," but the latter defines "respective" as meaning "several," "particular." Giving the meaning "respective" to the word "several" results in harmony between the first sentence of subsection (g) and the phrase in the next sentence "for the amount as shown in such certificate as necessary to make good such guaranty"; "several" distributes the "amounts" one to each carrier and so is not superfluous.

In a memorandum filed on behalf of the petitioner it is argued as follows:

"* * *. Also, the Secretary is directed to draw 'warrants' [in the plural] in favor of 'each' carrier [in the singular]. There is, of course, to be but one warrant for each certificate, so the words 'for the amount [in the singular] shown in such certificate [in the singular] as necessary to make good such guaranty' are entirely consistent with the relator's theory."

It seems that the petitioner, having argued that the use of the plural—"warrants"—demonstrates that the word "several" in the previous sentence means more than two, is, on the other hand, contending that in the sentence where it appears "warrants" means "warrant"; that is to say, a warrant for each certificate. In other words, the petitioner seeks to interpolate the word "each" before the word "certificate," and says that the meaning then is a warrant for each of more than one certificate. But the act provides that the Secretary shall "draw warrants in favor of each such carrier." So, without any interpolation of a word and giving to the word "each" the meaning which the petitioner admits it may have, the act provides for one warrant in favor of each carrier.

But if Congress intended that more than one warrant should issue to each carrier, it does not follow that the petitioner's contention is sound, for section 209 (f) contains a similar provision where only one amount is to be certified—in the case of the American Railway Express—the provision reading:

"(f) * * *.

"The commission shall, as soon as practicable after the expiration of the guaranty period, certify to the Secretary of the Treasury the amount necessary to make good the foregoing guaranty to the American Railway Express Co. The Secretary of the Treasury is hereby authorized and directed thereupon to draw warrants in favor of such company upon the Treasury of the United States for the amount shown in such certificate as necessary to make good such guaranty. An amount sufficient to pay such warrants is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Clearly only one amount is provided for and only one certificate but more than one warrant. Congress may have had in mind some convenience of the carriers designated in subsection (g) and of the express company in providing for the issuance of more than one warrant for a single amount carried, or maybe some convenience or practice of the Treasury Department; but be that as it may, the language is plain, and the court is not concerned to ask why it was used. Similar language relating to a similar subject matter used in different parts of a statute should be similarly interpreted, if possible. Therefore the contention of the petitioners as to the meaning of "several amounts" is not supported by the provision for "warrants."

Petitioner to be consistent in its literal interpretation must claim that Congress determined that in order to make good the guaranty it would be necessary for the commission to certify several amounts as being due each carrier, for only what is necessary is to be carried; or, to put it another way, that the payment of more than one amount is necessary to make good the guaranty of a single amount. Such a construction would be unreasonable.

Without undertaking to follow step by step the legislative history of the Senate bill and of the House bill, which went into conference and resulted in the act under consideration, it may be noted that the Senate bill contained the following:

"The commission shall as soon as practicable after the expiration of the period of such guaranty certify to the board hereinafter created, or to the Secretary of the Treasury if it be not then organized, the amount of the actual railway-operating income, as defined in section 1 of the act of March 21, 1918, of the several carriers during such period and the amount of such guaranty, showing in the certificate the amount of the excess or deficit, as the case may be, of such income as compared with such guaranty; and the said board if it be then organized, or otherwise the Secretary of the Treasury, is hereby authorized and directed thereupon to draw warrants in favor of the several carriers upon the Treasury of the United States which shall be paid out of any funds therein not otherwise appropriated for the amount of any deficit shown in respect to it in such certificate: *Provided, however*, That if, during the period the guaranty is in force, the railway-operating income of any carrier exceeds the amount of the guaranty, it shall forthwith pay such excess into the Treasury of the United States: *Provided further*, That in computing the actual railway-operating income for the purpose of this section the commission shall not allow as operating expenses, for maintenance of way and structures, or for maintenance of equipment, respectively, for any month of the period covered by such guaranty, more than the monthly proportion of the amount fixed by the commission as the amount applicable for such maintenance of way and structures or such maintenance of equipment under the proviso in section 5 of paragraph (a) of the standard contract, but the cost of fire insurance may be included in such expenses."

and that the House bill read:

"(b) The United States hereby guarantees to each carrier that its railway operating income for the guaranty period as a whole shall not be less than the average of its railway operating income for the three corresponding periods of six months each during the test period. If during such corresponding periods in the test period, averaged together, the carrier had no railway operating income, the guaranty shall be the amount by which any deficit in railway operating income for the guaranty period as a whole exceeds the deficit for the three corresponding periods during the test period, averaged together.

* * * * * * *

"(e) The commission shall, as soon as practicable after the expiration of the guaranty period, certify to the Secretary of the Treasury the amount of the railway operating income of the several carriers during such period and the several amounts necessary to make good the guaranty to each. The Secretary of the Treasury is hereby authorized and directed thereupon to draw warrants in favor of each such carrier upon the Treasury of the United States, which shall be paid out of any moneys in the Treasury not otherwise appropriated, for the amount shown in such certificate as necessary to make good the guaranty."

Neither bill indicates an intention to provide for partial payments, and the act as passed so far as concerns the question here to be decided shows merely changes in phraseology and rearrangement without changes of purpose except in one particular, and that is that while both bills provided that the commission should certify to the Secretary of the Treasury the amount of operating income of each carrier the Senate bill provided further that any excess of such income over the guaranteed amount should be paid to the United States. The act provides for the payment of any excess, and while there is no express direction for certification it is the duty of the commission to ascertain whether there is an excess. (Subsection (f).) In other words, Congress intended a complete accounting and it is obvious that a carrier whose earnings were in excess of the guaranty is not bound to pay until the amount of such excess is definitely ascertained. There is no reason for finding that the obligation of the United States is to be treated differently.

That Congress was completely alive to the immediate and future needs of the carriers upon their passing from the period of Federal control is evident. First, there is in section 209 the guaranty of operating income during the first six months after the control ended; then a provision for advances by the United States from time to time during the guaranty period of sums not in excess of the amount estimated to be necessary to make good the guaranty; and finally the provision of section 210 (a) for loans "for the purpose of enabling carriers by railroad subject to the interstate commerce act properly to serve the public during the period immediately following the termination of Federal control, * * * application for such loans to be made within two years from such termination." If Congress had intended that the amount of deficit in operating income should be ascertained piecemeal and paid from time to time, it certainly would have made its intention perfectly clear, just as it did in regard to advances "from time to time" during the guaranty period.

It was stated upon argument as a further reason to support the petitioner's contention that items entering into the calculation of operating income, such as claims for damages for personal injuries, may not be determinable for several years after the expiration of the guaranty period. But it must be assumed that this fact was known to Congress, and its direction to the commission is to ascertain the amount guaranteed "as soon as practicable."

The provision of section 500 declaring it to be the policy of Congress "to foster and preserve in full vigor both rail and water transportation" is cited, but in view of the other provisions of that section imposing certain duties on the Secretary of War, this declaration is not to be taken as a rule of interpretation of what are claimed to be verbally ambiguous provisions of the act relating to matter specifically provided for.

In view of the interpretation of the statute indicated above, it is not necessary to decide whether the direction therein to the Secretary of the Treasury to draw warrants imposes a purely ministerial duty, performance of which may be ordered by a writ of mandamus.

The demurrer to the answer is overruled.

WALTER I. MCCOY, *Chief Justice.*

DECEMBER 31, 1920.

Mr. WINSLOW. Mr. Chairman, I yield six minutes to the gentleman from Wisconsin [Mr. ESCH].

Mr. ESCH. Mr. Chairman, paragraph (g) of section 209 contains the paragraph which authorizes the making of partial payments to the roads. I want to read it in order to show the justification for the making of such payments:

The commission shall, as soon as practicable after the expiration of the guaranty period, ascertain and certify to the Secretary of the Treasury the several amounts—

Using the plural—

necessary to make good the foregoing guaranty to each carrier.

These several amounts are necessary to make good the foregoing guaranty to each carrier. The natural implication would be that there would be more than one warrant for each carrier. It goes on and says further:

The Secretary of the Treasury is authorized and directed thereupon to draw warrants—

In the plural—

in favor of each such carrier upon the Treasurer of the United States.

The strong inference is that the language of the transportation act justified the Interstate Commerce Commission in certifying the partial payments. And the commission was surprised when the Comptroller of the Treasury handed down a decision to the effect that one final settlement must be made, with only one certificate. Surely we who had helped to frame this act, when we framed this subsection understood and believed that the right of making certificates for partial payments was unquestioned, and the commission, making a like interpretation, followed that practice and issued more than one certificate. But be that as it may, we are trying now to clarify that section so that partial payments may be certified for the purpose of enabling the carriers to meet their honest obligations, in order that those who had sold materials and supplies to the carriers might get the money with which to pay the labor that they had employed, in order that unemployment might be diminished.

The gentleman from Tennessee has introduced a bill, H. R. 10041, which perhaps he may offer as a substitute to the pending bill. It differs from the pending bill in that it contains at the end of the first paragraph a clause to the effect that "the said certificate shall bear interest at the rate of 6 per cent per annum from date of issuance until paid." In other words, the Government, unless the commission had certified the amount of a partial payment, shall not pay the carrier in cash the amount of the partial payment, but shall issue to it a certificate of indebtedness bearing 6 per cent interest.

In other words, I, a debtor, go to you, a creditor, and you tell me, "I can pay you, not in cash, but in the form of a certificate, with 6 per cent interest." How will that profit your Government if it shall pay these partial payments through certificates carrying 6 per cent interest, when the Treasury Department can now sell certificates of indebtedness for 5½ per cent? It seems to me to be a most unbusinesslike proceeding. The gentleman from Tennessee put that proposition up to Chairman Clark, of the Interstate Commerce Commission. Mr. SIMS asked, "If we could pay the railroads interest on the balance found due them from the 1st of September, or the time the guaranty ceased, to the time of payment, whether it be long or short." Mr. Clark said:

As a business principle, I should say "No." A manufacturer has a certain amount of capital. He employs it in his business. He sells his product and he expects the purchasers to pay for it. When his purchasers say, "No; we won't pay; we have had your goods, but we won't pay you now, but we will pay you interest on it," in a short time he has all his capital out at interest and he has nothing with which to pay his employees and keep his factory going. That seems to me to apply to a business, however large it may be, whether it reaches the proportions of the aggregate of the railroads or even the Government itself.

It is not a good principle, and, moreover, these carriers when they have certificates of partial payments are entitled to cash from their Government. The Interstate Commerce Commission is made the governmental agent to make the audit. We have reliance upon the ability and the integrity of the commission to make the audit, and when that commission certifies that the Government owes a given carrier so much money that carrier ought to be allowed to demand it in money and not in certificates of indebtedness. It is a debt of honor under the law, and should be so treated.

There is some misunderstanding here with reference to the second paragraph of the bill in that it is said it will involve large expenditures. Let me state, gentlemen, that paragraph (b) of the bill relates only to deferred payments of debits and credits arising out of personal injury claims, loss or damage claims, and reparations. All of those put together will not amount to more than from 3 to 5 per cent of the aggregate amounts which the carriers can claim under the guaranty section, so that we do not have to feel any large concern with reference to those. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time of general debate has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the transportation act, 1920, is hereby amended by adding after section 211 a new section to read as follows:

"SEC. 212. (a) In making certifications under section 204 or section 209, the commission, if not at the time able finally to determine the whole amount due under such section to a carrier or the American Railway Express Co., may make its certificate for any amount definitely ascertained by it to be due, and may thereafter in the same manner make further certificates, until the whole amount due has been certified. The authority of and direction to the Secretary of the Treasury under such sections to draw warrants is hereby made applicable to each such certificate. Warrants drawn pursuant to this section, whether in partial payment or in final payment, shall be paid: (1) If for a payment in respect to reimbursement of a carrier for a deficit during the period of Federal control, out of the appropriation made by section 204; (2) if for a payment in respect to the guaranty to a carrier other than the American Railway Express Co., out of the appropriation made by subdivision (g) of section 209; and (3) if for a payment in respect to the guaranty to the American Railway Express Co., out of the appropriation made by the fifth paragraph of subdivision (i) of section 209."

Mr. SIMS. Mr. Chairman, I wish to offer an amendment to what has been read.

The CHAIRMAN. The gentleman will suspend until the entire section is read.

Mr. SIMS. I can offer it anyway after the section is read.

The CHAIRMAN. The Clerk will proceed with the reading of the section.

The Clerk concluded the reading, as follows:

(b) In ascertaining the several amounts payable under either of such sections, the commission is authorized, in the case of deferred debits and credits which can not at the time be definitely determined, to make, whenever in its judgment practicable, a reasonable estimate of the net effect of any such items, and, when agreed to by the carrier or express company, to use such estimate as a definitely ascertained amount in certifying amounts payable under either of such sections, and such estimates so agreed to shall be binding in final settlement.

Mr. SIMS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIMS: Page 1, line 12, after the word "certified," strike out lines 12 and 13, and on page 2, strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, and insert: "Said certificates shall bear interest at the rate of 6 per cent per annum from the date of issuance until paid."

Mr. SIMS. Mr. Chairman, I have explained this heretofore, but if this amendment is adopted there will not be any need of partial payments on the particular certificates, and then that portion of the bill which follows authorizes the Interstate Commerce Commission, in ascertaining the several amounts payable under either of said sections in the case of deferred debits and credits which can not at the time be definitely determined, "to make, whenever in its judgment practicable, a reasonable estimate of the net effect of any such item, and when agreed to by the carrier or express company, to use such estimate as a definitely ascertained amount in certifying amounts payable under either of such sections, and such estimates so agreed to shall be binding in final settlement."

Now, if this amendment is adopted, there will be no payments at all out of the Treasury of the certificates until after the Interstate Commerce Commission and the railroads have settled by this method all these deferred debits and credits; and the commission, I understand, is satisfied that they can make reasonable and economical adjustments of these matters if they are permitted to do so.

Then if the commission does that, the certificates for the amount under these sections can be issued, others having been issued and bearing interest at 6 per cent per annum, and thereby the railroads are losing nothing, and then as soon as these matters are estimated certificates can be given for the payment of these debits and credits and that carrier's claim can be fully ascertained and entirely settled and all covered in one final payment, including accrued interest, if any.

Now, if we pay these certificates as issued by the Interstate Commerce Commission, there is no inducement to compromise on the part of the railroads, because they get all that the commission can see they are sure to get anyway, and then, as there is no limitation on the time when final certification must be made, the claim can hang on indefinitely.

Now, as a matter of good management and good administration, the one certificate ought to cover the whole transaction, and when we give them 6 per cent interest the Government will not lose anything. The only objection I have heard made to that is that the Government is paying them more interest than it has to pay now; but that is a mistake, because they are not going to have this thing done in 12 months. The Government

has to pay 6 per cent on 12 months' time money, and therefore the Government will not be losing anything. The railroads will have the certificates and they can be used as collateral and they can borrow the money on them at the same rate of interest that the certificates bear. Remember, too, that they will not be subject to taxation. They can get the cash needed from the banks on the 6 per cent interest-bearing certificates. The banks have taken over two billions of certificates of indebtedness from the Government and hold them now, or so many as they have not sold to the public. If these certificates are issued in behalf of the carriers bearing 6 per cent interest, there is no doubt as to the ability of the carriers to use them as collateral security for loans from the banks.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. SIMS. Not for a statement.

Mr. TAYLOR of Tennessee. All right.

Mr. SIMS. Now, this is no injustice to the taxpayers. It is good administration. It will lead to a final adjustment of these matters, which ought to be done, and when on the other side the carriers are getting money without having earned it, without having made any additional investment, without added effort, without additional expense, the people who have got to pay it ought to have some leverage on the carriers to bring about a complete and early settlement of all claims of the carriers. It is good administration. It is good legislation, and it does not hurt the carriers a particle, because they will be getting interest on that which we never agreed to pay interest.

There is not an item in that law that would indicate that we were to pay interest; but for fear we are going to have to take money out of the pockets of the people who would have to raise it by selling corn and cotton and wheat at less than it cost to produce same, unless the railroads get that much graft out of this that never was contemplated and never intended to be included in the act, it is better to pay interest than to face payment at this time. Paying partial payments in this case means nothing except to pay the bonus before it is payable by the act. Besides, it is not a debt, it is a gift. Now, if we are going to give them something in advance, let us give them interest rather than the whole claim. It will not take so much money out of the Treasury to pay the interest only, because perhaps we may have something against them on final settlement which we can set-off against it. I think, Mr. Chairman, this is a just and proper amendment that does not impair the railroads in any vested right, moral right, or any other kind of a right which they have under the six months' guaranty provisions of the act.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MONTAGUE. Mr. Chairman, as suggested in an interrogatory propounded by me on yesterday, the act of Congress in relation to the guaranty now under consideration is not affected at all by the pending bill, so far as the obligation of that guaranty is concerned. The bill does not enlarge it; it does not expand it; it does not contract it; its nature and character remains undisturbed by this bill. The sole question is whether, under an existing obligation which the Government has entered into, we shall meet that obligation by installments or partial payments. That is the only question.

Mr. BLANTON. Will the gentleman yield right there?

Mr. MONTAGUE. Let me proceed for a moment or two. I imagine there is no question in the mind of any Member that partial payments are permissible within the period of the six months provided by the statute. There can be no doubt that during the six months prescribed by statute it was permissible to pay in partial payments. Then why should there have been a question about paying after six months, unless there be something in the statute to negative that construction by express language?

Mr. HUDDLESTON. Will the gentleman yield?

Mr. MONTAGUE. Not now.

Mr. HUDDLESTON. I want to call the attention of the gentleman——

Mr. MONTAGUE. The gentleman will pardon me. I should like to yield, but I have only five minutes. I contend that if partial payments are authorized during the six months, partial payments for the same identical obligations or accounts, accounts of the same nature and character, are authorized afterwards unless there be something in the language of the act that plainly negatives or prohibits such a construction. I endeavored to elicit from the gentleman from Texas [Mr. BLACK] by a question which I was not able to complete because of the expiration of his time, the argument that was suggested by the chairman of the committee [Mr. ESCH], namely, that in paragraph (g) of section 209, in express language, partial payments are contemplated. Now, I ask the committee if there is any judicial body which has so understood or construed this paragraph and the bill? I do not mean a judicial body in a technical sense, but a body which has thus far acted in a judicial manner. What does the Interstate Commerce Commission say? Mr. Clark, the chairman of that commission, may be quoted. I do not know Mr. Clark personally; I have met him most casually. I have heard him before the committee of which I am a member, and I pause to say that I doubt if the Interstate Commerce Commission has had an abler member upon it than this gentleman. His knowledge of the complex questions which that commission has to deal with is extraordinary. Never having been a lawyer, he nevertheless states the propositions and questions involved, questions of a most intricate legal character, with a lucidity and succinctness deserving the approval of those who have the highest appreciation of the bench. Now, what does Mr. Clark say? I read from the hearings:

> We never conceived that there was any question of our power to certify an amount certainly due to a carrier under paragraph (g) of section 209, even though it was not a final and complete certificate, until the Secretary of the Treasury declined to recognize certificates of that nature which we did issue.

He declared that the commission never conceived that there could be any controversy about the meaning of the language. Every member of the commission accepted the meaning of the act as authorizing the issuance of installment or partial certificates. Now, if I am correct in that, then this bill simply carries into the law what was thought by most competent authority to have been already contained in it. Therefore the only question really before the committee is this: Does this bill safeguard the Treasury of the United States? What does Chairman CLARK say about that?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONTAGUE. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. BLANTON. Now, will the gentleman yield, since we have granted him five additional minutes?

Mr. MONTAGUE. If the gentleman will not take up all my time.

Mr. BLANTON. The gentleman says this does not enlarge the former act. We are advancing $340,000,000 before it is due, thereby giving the railroad companies the benefit of 5½ per cent interest which the Government has to pay for its money.

Mr. MONTAGUE. I do not agree with that interpretation. If a partial amount is plainly due, that much money is due and ought to be paid. [Applause.] We ought not to invoke technical language to get rid of an obligation of the Government. Now, Mr. Clark further says:

> After considering this matter very carefully we incorporated in our annual report the recommendations, three in number, one applying to section 209 and one to section 204, that we should be authorized to issue these partial-payment certificates and that the Secretary of the Treasury should honor them. Now, that does not at all go to the idea expressed upon the floor this morning, that the bill will cover confused accounts. What the commission recommended was, in their opinion and within their authority, the issuance of partial certificates as partial payments on account, and when in their judgment such certificates were correct beyond question, beyond peradventure, the Government would be fully protected against overpayments.

Continuing this phase of the subject, I asked Mr. Clark this question:

> Mr. MONTAGUE. You would reserve such a margin as not to jeopardize the interest of the Government?
>
> Mr. CLARK. That would be our purpose. It would be our purpose to protect the interest of the Government, beyond question.

I submit to the committee that the industrial and economic exigencies of this country necessitate the utilization of the credits of the Nation as far as possible. It is apparent that when a sum is due and the commission shall have so certified, these certificates will be a tremendous contribution in liberalizing and freeing our credits for general use.

I again repeat that the Interstate Commerce Commission itself will safeguard the interests of the Government beyond, as Mr. Clark says, any peradventure, and will always reserve sufficient margins to protect the interests of the Government from any possible overcharge, so if we pay what we owe, what we must eventually pay, what is the harm?

Mr. HASTINGS. Will the gentleman yield?

Mr. MONTAGUE. I will yield to the gentleman from Oklahoma.

Mr. HASTINGS. The Esch-Cummins bill provided that during the period of guaranty the Government was protected by a bond. Why was not that carried forward into this bill?

Mr. MONTAGUE. I was not discussing the question of bonds.

Mr. HASTINGS. The point I was getting at was if it was thought necessary at that time to protect the Government by a bond given for advancements during the period of guaranty, why was not it put into this bill?

Mr. MONTAGUE. I do not understand that the gentleman states it correctly that these are advancements; they are payments on account of money due, and no bond will be required.

Mr. BARKLEY. If the gentleman will permit, the law required that for advancements during the six months' period they were required to give bond for repayment of any excess.

Mr. MONTAGUE. The gentleman is correct, but that does not pertain to the final account.

Mr. BARKLEY. Oh, no.

Mr. MONTAGUE. And if we are not required to give it on a final account, why should we on a partial account?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. DEMPSEY. Mr. Chairman and gentlemen, the sole objection that I have heard urged here is that by this bill the House proposes to pay to the railroads something in advance of the time when it is due. It does not seem to me that gentlemen who urge that objection have read the terms of the bill, because it does not provide on its face anything of the kind. On the contrary, by express terms, it provides only for the payment of those sums which are definitely ascertained to be due, not something that it not due; an immature obligation, not something that is to become due in the future; but only those debts that have already matured. Even the deferred debits referred to in subdivision (b) are due, but owing to litigation or like cause the amounts can not be definitely ascertained or determined.

Take the language of the bill; this is the provision:

In making certifications under section 204 or section 209, the commission, if not at the time able finally to determine the whole amount due under such section to a carrier or the American Railway Express Co., may make its certificate for any amount definitely ascertained by it to be due, and may thereafter in the same manner make further certificates, until the whole amount due has been certified. The authority of and direction to the Secretary of the Treasury under such sections to draw warrants is hereby made applicable to each such certificate. Warrants drawn pursuant to this section, whether in partial payment or in final payment, shall be paid: (1) If for a payment in respect to reimbursement of a carrier for a deficit during the period of Federal control, out of the appropriation made by section 204; (2) if for a payment in respect to the guaranty to a carrier other than the American Railway Express Co., out of the appropriation made by subdivision (g) of section 209; and (3) if for a payment in respect to the guaranty to the American Railway Express Co., out of the appropriation made by the fifth paragraph of subdivision (i) of section 209.

(b) In ascertaining the several amount payable under either of such sections, the commission is authorized, in the case of deferred debits and credits which can not at the time be definitely determined, to make, whenever in its judgment practicable, a reasonable estimate of the net effect of any such items, and, when agreed to by the carrier or express company, to use such estimate as a definitely ascertained amount in certifying amounts payable under either of such sections, and such estimates so agreed to shall be binding in final settlement.

Now, that is all that this bill provides. It is all that it attempts to deal with. It does not deal at all with the amounts that are yet to become due. They are not advance payments. There is no provision for advance payments. Let us see whether the bill is going to be effective, because that question follows and our legislation will be entirely ineffective unless the sums are due. It can not interfere with any amount not due, because it does not attempt to provide for them. Let us see the situation. When we passed the Esch-Cummins bill we provided that if the railroads did not earn the standard returns during the six months following their return to their owners that we would pay them the difference. That is exactly that legislation.

Now, when does the amount become due? That depends on two things: First, when did the six months' period begin, and have the six months' period expired? The amount would become due the instant the six months' period expired, and there is no doubt but that it has expired.

Now, the gentleman from Tennessee [Mr. SIMS] makes two objections. First, he assumes that the Interstate Commerce Commission is to make some fatal error and he wants to defer that judgment. Is the question to be referred to some other body? Is it to be referred to the Supreme Court? Why, if it is to be determined anyway, in the end, by the Interstate Commerce Commission—you have the same commission, you have the same facts, and is the gentleman assuming that on the same state of facts the same body will give an erroneous judgment at one time and a correct judgment at another? How does the gentleman propose to do away with the result of these errors which he assumes will creep in if we have judgment now? His remedy is this: We will issue certificates of indebtedness now, and we will distribute those broadcast to all of our citizenship.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent for an extension of two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DEMPSEY. What does the gentleman propose after a confiding public has come in and purchased these certificates? They are to be issued on his suggestion. We are then to find out there is a mistake and the Government is to repudiate these certificates which it has issued.

Is not that a marvelous remedy for gentlemen sitting here in a solemn way to propose, that we defraud our own citizens on these certificates, which are to be issued after a solemn investigation, and which the gentleman who leads the minority commends as being so good that everybody will buy them as soon as they are issued? He will be ready to repudiate as soon as he finds that the Interstate Commerce Commission has made some mistake. This is simply providing for a case of that kind.

It is conceded by everyone that they can ascertain now definitely and certainly what 90 per cent of this indebtedness is, that it can be figured by ascertaining and striking a balance, and that at the outside there will not remain over 10 per cent in dispute. It is a solemn obligation undertaken in a most solemn way by the highest tribunal in the land, the lawmaking body. It is due. Ninety per cent is definitely ascertained and known, and why should we, then, not pay the 90 per cent?

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Why should we seek an indefinite extension because there happens to be somewhere from 2 to 10 per cent about which there may not be any substantial, but may be some, dispute which requires possibly arbitration or further consideration?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. REAVIS. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for one minute. I want to ask him a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. REAVIS. The gentleman states that 90 per cent of the amount has been definitely ascertained.

Mr. DEMPSEY. I understand from the chairman of the committee, who has given the matter very careful, very painstaking study, that the amount is not 90 per cent, but that it is somewhere near 98 or at least 95 per cent. I was stating it conservatively.

Mr. REAVIS. I want to ask a question. I notice in subdivision (b) of the bill that it says that where the amount has not been ascertained an estimate shall be struck, and the payment shall be made on an estimate. Suppose we pay more under the estimate than is really due, what protection has the Government?

Mr. DEMPSEY. You have just the same protection that you will have in any event. As I stated before, you have the same body, the Interstate Commerce Commission.

Mr. REAVIS. I know——

Mr. DEMPSEY. Wait a moment until I finish. You have the same body, you have the facts, and yet you say that you will have a different decision at a different time; that they will probably be wrong now, but they are certain to be right in the future. That is your sole argument.

Mr. REAVIS. Let me follow that by a suggestion further from the bill. It says that whenever an estimate has been agreed to by the railroads it becomes binding. If we pay more under the estimates than we owe, and they agree to it, what has the Interstate Commerce Commission to do with it?

Mr. DEMPSEY. Why, the Interstate Commerce Commission issues a certificate upon the facts, and its decision is made upon all of the data obtainable.

Mr. REAVIS. But if we pay more than is due?

Mr. DEMPSEY. We are just as likely to be right now as at any time in the future.

Mr. HUDDLESTON. Mr. Chairman, it seems to me that the argument of the gentleman from Virginia [Mr. MONTAGUE] is based on an erroneous premise. No partial payments on account of this guaranty whatever are authorized by the transportation act. No partial payments, either during the six months' period or after it, are authorized.

What is authorized? It is that during the six months' period advances may be made to the carriers on account of the guaranty, which advances are paid to the carriers upon a bond with security to make refunds in a proper case. There is no authority under the law to make advances after the expiration of the six months' period. Therefore it seems to me that the position of the gentleman from Virginia is not well taken.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. I wanted to call the gentleman's attention to that and give him a chance to answer when he had the floor. He did not yield to me.

Mr. MONTAGUE. I will answer it now, if the gentleman will yield.

Mr. HUDDLESTON. I have only five minutes.

Mr. MONTAGUE. But I had only five minutes and the gentleman had spoken an hour.

Mr. HUDDLESTON. No, no; I had spoken only five minutes. I will yield the courtesy to the gentleman that he refused to me.

Mr. MONTAGUE. I understand the gentleman to say that advances *of money* were authorized. That comes out of the Treasury, does it not?

Mr. HUDDLESTON. Certainly.

Mr. MONTAGUE. Then I submit that that is a distinction without a difference. It is a partial payment.

Mr. HUDDLESTON. The gentleman perhaps may not perceive it, but I see both the distinction and the difference, and I hope that other Members of the House may also do so.

The railroads cry for help and pretend that their chiefest concern is to give employment to labor. This pretense comes with poor grace from the interests which have evaded the labor sections of the transportation act. The typical railroad attitude toward labor is shown by the statement of the Railroad Labor Board of December 17, 1920, from which I quote:

> It has come to the knowledge of this board that certain carriers have intimidated and coerced individual employees seeking the redress of grievances, refused to confer with their employees thereon, have discharged representatives of organizations who sought a conference pursuant to the act, and have refused to refer disputes to this board for its decision. Such carriers have disobeyed the letter and spirit of the act and are violators of the law which it is the duty of all citizens faithfully to support and obey.

They say that they want Congress to pass the Winslow Act so that they may give employment to labor. Remember that they are now seeking to destroy the national labor agreements; remember that some of them have made sensational cuts in wages without consulting their employees or the Labor Board; remember that some of them discharged thousands of their shop employees so that they might let cost-plus contracts for repairs to outside concerns owned by the same men. Remember that after having strenuously insisted upon the adoption of the labor sections of the transportation act against the bitter opposition of the employees, many of the railroads have flouted those sections with the deliberate purpose of destroying labor organizations and breaking the back of labor's self-respect. Such shameless hypocrisy discredits any claim that the railroads might make in their desire for legislation.

If the railroads want a donation of public money so that they may be enabled to give men work, I reply that I prefer to give charity direct to the suffering and not to trust a rapacious interest to pass on to the needy the few crumbs that may fall from their table. If we are to make a donation for the benefit of labor, let us give it direct to labor and not make it by such extreme indirection that the worker will receive it by being given work at starvation wages. If we are to practice the paternalism which the interests behind the railroads have fought so viciously when others were the supposed beneficiaries and spend public money to give men work, I say let us give them work at wages fixed by Congress and upon public work, so that the general public may receive some benefit. I would not be guilty of sending my rich neighbor a fine turkey merely to enable him to pass on the bones to a starving child.

THE FALSE CRY OF POVERTY.

The railroads cry poverty and assert that, notwithstanding the increases in rates by which they take an additional $1,600,000,000 every year from the pockets of the people, they are about to go into bankruptcy. They demand further money direct from the Public Treasury. But it is not in the Treasury. The Treasury owes more than two billions in short-term certificates falling due monthly. More must be borrowed within a few days to meet current expenses. What the railroads demand is that the Treasurer of the United States shall go out and borrow three hundred or four hundred millions in order to anticipate the payments which may become due under the guaranty. They do not consider that the public credit will be impaired—that the value of Liberty bonds will be further depreciated; that the distress of other borrowers will be aggravated. In their selfish desire for money for themselves they are willing to threaten the whole financial structure.

But the railroads' cry of poverty is a false cry. They do not need money nearly so bad as they represent. In April, 1920, the Pennsylvania sold its bonds at 7 per cent. That railroad is now floating an immense bond issue at 6½ per cent. The financial world does not credit the railroad cry of poverty. The Washington Star, which is a sort of organ of financial interests, on January 15, referring to the Winslow bill, said:

> Very likely the testimony before the House Committee on Interstate Commerce yesterday to the effect that the railways were seriously crippled by not receiving money due from the Government had something to do with the hesitation in this class of stocks. Still there was not the least weakness. It was obvious that the case of the railroads was being made out as bad as possible in order to hasten relief action.

Wall Street knows the condition of the railroads and Wall Street holds railroad stocks and bonds at from 5 to 25 per cent above the prices this time last year. The railroads are merely taking advantage of the figures for two months' temporary business depression to frighten Congress into opening the Treasury door.

AN INSPIRED PROPAGANDA.

The railroads are refusing to pay their bills for materials. They tell the material men that they have not got the money to pay, and ask them to urge upon their Congressmen to vote for the Winslow bill. The material men have responded, and as the result there is not a Member of Congress who has not received urgent requests from every railroad-material concern in his district to vote for the bill. With characteristic duplicity the railroad interests resort to this typical fraud upon Congress in order to get what they want. It is a railroad hold-up of the usual kind. The material men have probably written their Congressmen in good faith. They have been deceived. They do not know that some of the railroads which have asked them to bring pressure to bear on Congress have already had large advances under the guaranty, and there is little left to them under it. Others have borrowed money from the revolving fund; others have funds in their treasuries, and still others can borrow at low rates. In working a fraud on Congress these railroads have started out by lying to the material men. Through the material men and other interests which expect a secondary benefit strong pressure is being exerted in behalf of the Winslow bill. It is always thus when selfish interests are involved. They call in their affiliates, pressure is begun—nobody represents the great unorganized public; it is voiceless and without champion—so greed and rapacity drag down their prey.

The railroads know how to be arrogant as well as to be servile. They know how to plead strength as well as weakness. They are armed on all sides for all kinds of experiments and adventures. They are bullies to those who may be bullied, flatterers to those who may be flattered, cunning when strategy is required, bold when demands will be submitted to. They are like wrestlers, pure opportunists, taking advantage of any movement of the adversary. No principles restrain them. They are concerned with ends, not means. They ask for the Winslow bill arrogantly because the money is due them, servilely because they are poor, hypocritically that they may give work to labor, piteously for that they did not draw the original guaranty clause with sufficient cunning so that the comptroller's decision was unexpected.

But brushing away the smoke of the disguise we see the Winslow bill in the clear light as a cynical proposal to donate public money to the railroads, not to pay them what is owing, but to anticipate a debt not yet due—not to pay the agreed amount, but to enormously swell it so that the Government will lose several hundred millions in the end.

The railroads do not need the Winslow bill if they are willing to have final settlements now. A railroad may present its final claim to-day to the Interstate Commerce Commission and get the money on it. But that is not what they want. They are seeking an advantage not given them by the law. They are asking that, for the first time in legislative history, a discrimination in favor of a railroad as a creditor shall be made by the United States as against all other creditors of every kind and class.

In his letter to the committee, the Secretary of the Treasury said:

> The guaranty provided in section 209 for the six months following the return of the roads to private control is not a compensation for any service rendered by the carriers to the Government or people of the United States which the carriers would not have been bound to render without the guaranty. The compensation to which the carriers may be entitled for the use of their property during the period of Federal control is adequately provided for elsewhere. I can think of no reason why the claims of the carriers in respect to this bountiful act of the Government should be relieved from the application of the safeguards erected for the benefit of the Government in its accounting system and its usual and orderly procedure for payment of claims in the same manner as such safeguards and procedure are applied to claimants for compensation for property or services rendered the Government.

The Secretary also said:

> Upon the policy of authorizing to be made to a class of claimants who announce their claims as being vast, but have not as yet committed themselves as to the amount, partial payments of public money to sustain them while they expend effort and money in the preparation and

support of claims against the Government for losses sustained in their own management of their own property I do not venture to express an opinion. This is a matter for Congress.

The Secretary, together with Chairman Clark, of the Interstate Commerce Commission, seemed to feel that as public officers it was improper to advise what action Congress should take on the bill. But Members of Congress are charged with the duty as representatives of the people to oppose measures expressing bad public policy or in derogation of the general public welfare. In that capacity we must approach this measure without fear or favor.

DO NOT COME WITH CLEAN HANDS.

The railroads' proper attitude in presenting this measure is that of cringing, for they ask a favor—they ask, as I have said, a donation. Those who come asking favors should come with clean hands. The railroads should come with a showing that they have faithfully lived up to the transportation act, but this they have not done. They have evaded the law, have openly violated it, and have grossly abused it. They pushed with all their strength for the insertion of the labor sections of the transportation act. They wanted to be free from fear of strikes they said. The employees bitterly opposed those sections. They regarded the sections as violating fundamental principles of American liberty. The employees warned Congress that they would accept our action upon those sections as the test of our friendship—they answered at the polls Members who had opposed their interests here. Members who thus estranged their friends by supporting the labor sections are now amazed to find that the railroads themselves, who insisted upon their action, have ignored and violated the labor sections and appear to wish them repealed. The railroads have evaded the labor sections. Some of them have engaged in open conflict with their employees. They have reduced their working forces, closed their shops discharging thousands, and contracted necessary repairs to outside concerns, in part for the purpose of destroying labor organizations and breaking the back of labor opposition.

But the hands of the railroads are fouled by other conduct than in respect of labor. The guaranty was not conditioned on efficient or honest management. There has been gross waste and deliberate extravagance. The railroads have contracted repairs to outside concerns on vicious cost-plus contracts and by other wasteful agreements which have resulted in costs for repairs of from 50 to 500 per cent above what the cost would have been in the railroad shops. The public foots this bill under the guaranty.

GUARANTY SWELLED BY FRAUD.

But the guaranty has been swelled by other means than waste, extravagance, and dishonesty. At once upon the return of the railroads the executives entered upon a colossal program of repairs and renewals of way, bridge building and extensions, replacements and additions. Many, many millions were spent in reconstruction and other work—they put the railroads in better shape than they had ever been. More substantial bridges were built, roadbed widened, new rails laid, new sidings, new ties—more substantial than before. In this way the guaranty was swelled vastly beyond what was fair and right because wherever possible all these costs were charged against operation. Work of this kind was done on many roads during the guarantee period of from two to three times any previous similar period. It is said that work of this kind during the six months' guaranty was more than twice what it was during the following six months—all was charged to operation, all made a part of the railroads' claim for reimbursement under the guaranty, all to be paid for from the Public Treasury. And yet those who have been guilty of this plundering of the Treasury seek further favors from Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ESCH. I move that all debate on the pending amendment close in 15 minutes.

The motion was agreed to.

Mr. GOODYKOONTZ. Mr. Chairman, the gentlemen who are opposing this measure are what are commonly known as the "Plumb Planners." They are the ones who would like to see the whole American railway system collapse, break down, and fail, but their argument loses sight of the fact that the railroads are in the grasp of Uncle Sam; that the organizations are bound hand and foot, and can not issue one dollar's worth of stock, one dollar's worth of bonds, or raise the charge for freight unless the Government, acting by its agent, the Interstate Commerce Commission, permits it to be done. The transportation bill as drafted and brought on this floor contained a clause, which some called a guaranty, providing that the railroad owners should be allowed a reasonable income upon their investment until such time as the Interstate Commerce Commission could revise and fix the rates in order that these properties might continue to perform their public function as carriers, and not go into bankruptcy. So that the so-called "gift," the so-called "bonus," the so-called "largess," terms used by members in opposition to the pending bill, was in reality the means provided by Congress to save these properties from disruption and disintegration, and to save them from the hand of the socialist who would take them over and operate them at the tremendous loss in revenue that obtained during the period of governmental control. [Applause.] But this Congress is an honorable body, and will be faithful in the fulfillment of the country's obligation to the railway companies and the people. The carriers do not have to come here "cringing," but they come openly challenging at our hands, as a matter of honor, their just rights involved in this bill, and I believe that the majority of this body stands ready and willing to accord these rights according to the terms and tenor of the measure that we have heretofore enacted into law—the transportation act. [Applause.]

The deficit in operation was largely due to increase of wages made retroactive. The railroads are owned by the American people. The heavy hand of regulation must not be used to destroy the greatest railway system in the world.

Mr. BLANTON. Mr. Chairman, when I voted for the Esch-Cummins bill I did so in my country's extremity, as that was the only means of getting the railroad properties back into the hands of their lawful owners and save this country from bankruptcy. My limit was reached when I voted for that bill, and I am not going to be instrumental in passing a greater burden on to the Joneses. One thing further: I am not a Plumb planner. The gentleman from West Virginia [Mr. GOODYKOONTZ] says that everybody against this bill is for the Plumb plan. He knows I am not for the Plumb plan, but I am against the Winslow bill. I am also against the foolish amendment offered by the gentleman from Tennessee [applause], that would have us pay in addition to the $340,000,000, 6 per cent interest more upon most of it for about two years, which interest is even more money than the Government has to pay, because it has to pay 5½ per cent for its cash. What have we already had to pass on to the Joneses? Why, during the war we had Mr. McAdoo, the Director General of Railroads, first to hand out of the Treasury $764,000,000 in so-called annual increase in railroad wages, which we passed on to the Joneses. Then a little later we had Director General Hines pass $67,000,000 more in annual railroad wage increases on to the Joneses, and then in the dying hours of Congress we passed $34,000,000 in wage increases more on to the Joneses. Then we created the railroad board, with all of its incidental expenses, and its decision later on passed $680,000,000 more in increased railroad wages on to the Joneses. The time has come when somebody in behalf of the Joneses ought to get up and say something to stop it. Before we passed the Esch-Cummins law if you wanted to go to Texas you would have to make your reservation a week in advance to get even an upper berth on this 4.50 train to St. Louis and the Texas special from there to my home State. Now you can get on any of the fast trains all over the country and you will find practically empty Pullman coaches with two or three passengers, and the railroads have said to the country that they must take off many unnecessary trains and must decrease their force at least 33⅓ per cent to prevent bankruptcy, yet these surplus railroad employees that the Government put on in war time refuse to be discharged, and now that the railroads attempt to decrease their employees and take off unnecessary vacant trains, the arrogant organized employees come before the country saying that the railroads can not turn them off; that they will cause a nation-wide strike, and that the railroads must keep them on the pay roll even if we have to again increase freight and passenger tariffs, thus again passing it all on to the Joneses, and instead of meeting that condition, instead of passing the Poindexter bill, that passed the Senate when nobody was observing, but has since been held up there—instead of doing something for the Joneses, you Republican brethren of ours are still bringing in these $340,000,000 items of tax burdens on the people and keeping it up. Oh, you claim you are the friends of the people, but the people have not yet found you out, but they are slowly finding you out. Why, we had an unveiling ceremony in this House this morning. We unveiled you Republicans on the other side of the aisle by having two record votes, so that you fellows who have been cussing the Secretary of War for wanting a big Army—we gave you a chance to vote for a small one this morning, and every last one of you stood up and voted for a big Army as against a small one.

You can not fool the people always. The Joneses are finding you out. We are going to have lots of unveiling ceremonies here from now on. We are going to unveil you every time you

fail to keep your promises that you made on the hustings to the people. You are not keeping your promises in this Winslow bill, and you can not keep them in voting for the amendment of my friend from Tennessee [Mr. SIMS]. I am for the Joneses.

Mr. HUSTED. Mr. Chairman, the gentleman from Alabama [Mr. HUDDLESTON] is the only gentleman who has attacked this bill upon the floor of this House with any degree of bitterness. His purpose is very obvious. He evidently wants the management of the railroads under private ownership and under private control to fail, in order that the Federal Government may be obliged to take them over and that we may have the Government ownership and the Government control of railroads, with all the loss to the taxpayers of this Nation which such a proceeding would involve. And in order to bring about that condition he wants the United States Government to defer the payment of a just obligation to the railroads until the railroads are forced into receivership or into bankruptcy. And that is just what the result will be if this Government does not come to the rescue of the railroads in this emergency.

To-day they are in a serious condition. There are railroads to-day that have enjoyed the highest credit in this country, that owe many, many millions of dollars on merchandise account, and there are railroad companies that never were behind in their payments before that owe millions of dollars upon traffic balances. From the standpoint of getting this country, however, upon a business basis, I submit that this is the most important measure which has been before the Congress at this session. If we can get the railroads out into the market, the houses that supply the railroad companies will be enabled to do business and will be enabled to give employment to the hundreds of thousands of workers that are out of employment in this country, we should do so. This bill should pass, and it should pass without amendment. It should not only pass this House, but for the welfare of the Nation and the people of the Nation it should be enacted into law just as speedily as possible. [Applause.]

Mr. SIMS. Mr. Chairman, some gentlemen refer to the fact that I want to pay 6 per cent interest on the certificates when the Government can borrow at a lesser rate. They are evidently speaking without knowledge. My amendment does extend the time to January 1, 1922, in which to issue certificates, and the Government has to pay 6 per cent interest on money borrowed for one year. Therefore I think that the certificates that under the bill will have to be paid immediately will cost the Government 6 per cent on the money it will have if payment is to be made immediately, so why not let the certificates themselves bear interest at the rate of 6 per cent? The gentleman from New York [Mr. DEMPSEY] said they would be scattered all over the country. They are not money. Railroads could borrow on them if they have got any credit at all. I will say to gentlemen that $340,000,000 will not equal one-half the loss as claimed by the railroads during the private control for the six months' guaranty period. They claim a deficit of over $100,000,000 a month, according to their own statements. It will not put them in a rosy condition, according to their own statements. It will do the railroads but little good if they are in as bad a fix as you say they are.

The CHAIRMAN. The question is on the amendment of the gentleman from Tennessee [Mr. SIMS].

The question was taken, and the amendment was rejected.

Mr. BARKLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARKLEY: At the end of line 14, page 1——

The CHAIRMAN. The Chair will call attention to the fact that there are only 13 lines on page 1. The gentleman probably has a printed bill, different from the one reported.

Mr. BARKLEY. It is on page 2, at the end of the first line.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 1, page 2, insert: "Before making such payment or drawing such warrant, unless it be upon a final settlement, the Secretary of the Treasury shall require the carrier to execute a contract on such security as the Secretary of the Treasury may determine, that upon final determination of the amount of the guaranty under sections 204 and 209, such carrier will repay to the United States any amounts which it has received from such partial payment in excess of the guaranty, with interest at the rate of 6 per cent per annum from the time such excess was paid."

Mr. BARKLEY. Mr. Chairman, this amendment carries out the provision which the transportation act carries in subsection (h) of section 209, which authorizes the commission to certify advancements to the Secretary of the Treasury where it is necessary to pay fixed charges and operating expenses. As you will recall and as has been stated here over and over again to-day, during the first six months of private operation the law provided if any railroad accepted the guaranty and filed application with the Interstate Commerce Commission for an advancement upon the guaranty, in order that it might pay the fixed charges and meet operating expenses, the Interstate Commerce Commission should certify such amount as it thought necessary to the Secretary of the Treasury, and the Secretary was thereupon to make the payment. The law provided that not only——

Mr. WINSLOW. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. WINSLOW. I would like to ask the gentleman if he feels that the two conditions are comparable? No. 1, the provision in the section, is referred to, which required a deposit or bond or some security, a condition which we have in this bill.

Mr. BARKLEY. I may have to ask an additional time.

Mr. WINSLOW. I hope it will be granted. Under the provision of the transportation act the amount arrived at and which could be put forward as an advance was the estimated amount, and for that reason of estimate, in order to protect the Government, the conditions of the bond or security to cover are provided in the law.

Now, in this instance we have another situation. Whatever amounts will be paid under the bill before us will represent agreed-upon amounts, which have been carefully canvassed, and which have been worked out to the satisfaction both of the debtor and the creditor. That is a very different situation, indeed.

Mr. BARKLEY. Mr. Chairman, the difference is more in form than in substance. Under the original act, which I was discussing, the carrier which sought the advancement was not only required to give a bond such as I provide for in my amendment, but the carrier was also required to give security for the whole amount paid by the Government.

Mr. WINSLOW. Will the gentleman kindly read the law which covers that point, in his judgment?

Mr. BARKLEY. It is practically in the same language as the amendment which I have offered.

Mr. WINSLOW. Will the gentleman kindly read it?

Mr. BARKLEY. I read:

The Secretary of the Treasury, on receipt of such certificates, is authorized and directed to make the advances in the amount at the time specified in the certificates upon the execution by the carrier of a contract secured in such manner as the Secretary may determine, that upon final determination of the amount of the guaranty provided for by this section such carrier will repay to the United States any amount which it has received in excess of the guaranty.

Mr. WINSLOW. "In excess of the guaranty." That is not like what the gentleman represented. The gentleman stated it was to cover the whole principal sum.

Mr. BARKLEY. They are not required to give security as if they were borrowing upon a promissory note, but they were required to give bond for the return and payment of any excess which later on might be found to be due, after the six months' time expired and the commission and the railroads had sat down at the table and determined the amount due. The gentleman says this is a different situation.

Mr. EVANS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. EVANS of Nebraska. Will it not be necessary to strike out all of lines 21 and 22 on page 2, after the word "section," in order to make your amendment operative as to those debts?

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. BARKLEY. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BARKLEY. Now, this amendment of mine is particularly important, it seems to me, in view of subsection (b) of this bill. Subsection (b) attempts to make it possible for the railroads and the Interstate Commerce Commission to estimate, to make a reasonable estimate, of any outstanding deferred items of debit and credit as between the Government and the railroads. Now, let us suppose that during the period of the guaranty a man has been injured or killed upon a railroad and a lawsuit has been brought against the railroad for recovery. Suppose that lawsuit is for $20,000 damages. The railroad will come to the Interstate Commerce Commission and will say, "The average percentage of recovery upon our road for a period of time is a certain amount"—we will say $5,000 in such cases—"and therefore we ask that the Interstate Commerce Commission will estimate with us what the jury would probably return a verdict for upon the trial of that case." The Interstate Commerce Commission, we assume, will

agree that $5,000 will be a reasonable estimate upon that recovery.

Mr. WINSLOW. Does the gentleman's amendment apply only to that class of cases?

Mr. BARKLEY. My amendment applies to all partial payments that may be made, but in forming partial payments the Interstate Commerce Commission, of course, will include in its certificate all sorts of claims. They will include these items of settlement on a reasonable estimate of the outstanding debits and credits, so that the amendment covers these as well as the payments provided for in the first subsection of the bill.

Now, we will change it from a personal injury case to a property damage case. Suppose that a shipment of freight is damaged. That is a part of the considerations that are taken into account by a railroad in determining its net income. The Interstate Commerce Commission does not offer evidence as to that, but the railroad will bring its evidence before the Interstate Commerce Commission, and, based upon the railroad's evidence, they may be able to reach a reasonable estimate. But suppose it turns out afterwards that there is a mistake, and suppose that the railroad has put something over the Interstate Commerce Commission in arriving at the estimate. Then under the language of this bill that estimate which has been arrived at must be a final settlement as to that item, and the Government has no recourse to offset that claim against another claim that may be adjusted in the future. Therefore I think it is very important to require that the railroads shall be required to give bond, so that if they are overpaid the excess shall be returned to the Government.

Mr. WINSLOW. Does the gentleman contend that we are to undertake to provide for bonds to recover any excess that the Government might pay to the carrier in such a case in final settlement?

Mr. BARKLEY. Of course, that might be necessary if there were any doubt of the Government's ability or willingness to pay. But if it should be determined that the railroad had been paid less than it was estimated it should be paid I think the Government would be under obligation to pay it. I doubt seriously if these debits and credits ought to be binding upon either the railroad or the Government except when the railroad makes its final settlement.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. DENISON. Then, there would be no compromise, and the railroads and the Government would have to wait until the final settlement was determined. The purpose of this bill is to encourage early settlements.

Mr. BARKLEY. This bill will not encourage early settlements. If you strike out the language making it final as against both the railroads and the Government, you will leave them free to offset these claims against each other. But if you leave the language like it is you have this situation: Every road will insist on settling each one of these items at a time, and when one of them has been settled the Government is bound by that settlement. Therefore the Government can not use any particular item as an offset against some other item that will arise on a different claim.

Mr. DEMPSEY. Will the gentleman yield for a short question?

Mr. BARKLEY. I will.

Mr. DEMPSEY. The gentleman's argument really applies only to the items embraced in section (b).

Mr. BARKLEY. It applies to all of them; and I think the language in that section makes this amendment all the more necessary in order to protect the Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARKLEY. I have been interrupted so much that I ask for three minutes more.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. DEMPSEY. The gentleman's amendment is addressed entirely to section (b). Would it not better be placed as an amendment to section (b) instead of an amendment to section (a)?

Mr. BARKLEY. I do not think so, because it applies to the partial payments, and subsection (b) provides, of course, for partial payments upon these estimates; but they may be included in any partial payment on either account as well. They do not have to have a certificate for each individual case. They may settle a dozen claims and include them all in one certificate. So it applies to the provisions of the whole bill.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. BARKLEY. I yield to the gentleman.

Mr. EVANS of Nebraska. The gentleman has not yet answered the question that I asked. Will not the concluding words of paragraph (b) prevent the gentleman's amendment from being operative as to estimates so agreed upon? It says they shall be binding in the final settlement.

Mr. BARKLEY. It would be binding—yes—and it would prevent the amendment from operating in so far as final settlement was concerned, but it would not prevent the Government recovering any excess paid on the total amount, as based on the final settlement, if it should be determined that there had been an overpayment.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. BARKLEY. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. I want to ask the gentleman if he is not mistaken about the fact that his amendment ought to be applied to section (b), for the reason that if the Government and the railroads agree to settle, that determines the matter and it is not open to future investigation?

Mr. BARKLEY. No; I think the amendment I have offered is in the right place, because it comes in where the Secretary of the Treasury is directed to pay. Now, in all seriousness I ask, what objection can there be to requiring the roads to give this bond? I have been told that if this bond is required some of the smaller railroads can not give it. If they could give bond in order to get the advancement during the first six months, they can give bond in this case; and any railroad in the United States that can not give bond to pay back to the Government any overpayment which it receives ought not to receive the partial payment.

I hope this amendment will be adopted. It will safeguard the interests of the Government, whereas under the bill as now drawn there is no safeguard whatever. [Applause.]

Mr. DENISON. Mr. Chairman, I should like to say just a word in opposition to the gentleman from Kentucky and to answer a question which he asked. He said, "What objection can be made to this proposed amendment?" And he himself anticipated the objection.

It was stated before our committee that the objection to this provision in the original bill requiring security was that it worked a hardship upon the very roads that the Government was endeavoring to assist. Now, every one of us knows that the wealthy roads can easily furnish security when they are called upon to do so. Those roads, indeed, would not have to give security, because they are financially responsible; but the small roads, the so-called weak roads, have already hypothecated all of their available security for loans, and they are the ones that can not give this additional security. Therefore the amendment that the gentleman from Kentucky offers will work a hardship upon the very roads that we want to help, if we can.

Mr. BEE. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. BEE. I will ask the gentleman if it is not true that the large payments the Government will have to make will be under the first section, and that these estimated amounts are not going to be so very large?

Mr. DENISON. That is exactly true. And then, gentlemen of the committee, it seems to me Congress can very well depend upon the Interstate Commerce Commission to protect the interests of the Government. The Interstate Commerce Commission is the tribunal which we have intrusted with the authority to make these final settlements, and if we can depend upon them to protect the interests of the Treasury in making final settlements, it seems to me we can very well do so in making partial settlements.

Mr. BARKLEY. I desire to say that my amendment, as far as I am concerned, presupposes no lack of confidence in the Interstate Commerce Commission.

Mr. DENISON. I should think it does.

Mr. BARKLEY. But the Interstate Commerce Commission is liable to make mistakes as well as anybody else, and these accounts will be audited by individuals in the Interstate Commerce Commission. Does the gentleman think that the Government should be protected if it should occur that a mistake was made?

Mr. DENISON. We have got to reach settlements some time. I was informed this morning that the accounting department of the Interstate Commerce Commission is the finest accounting institution of its kind in the United States, if not in the world; and if we can not depend upon it to safeguard the interests of the Treasury in making these settlements, then we ought to endeavor to provide some tribunal upon whom we can depend.

Mr. SUMNERS of Texas. With regard to the entirely ascertained amounts, I can see the force of the gentleman's position, but with regard to those amounts which everybody admits can not be ascertained, which must be guessed at in large measure,

does not the gentleman think it would be fair to the country and fair to Congress when we come to that on this bill that there should be some sort of a provision here under which, if the Government does overpay, it can get its money back?

Mr. DENISON. Now, the answer to that is that the Interstate Commerce Commission is not going to do any guessing on anything.

Mr. SUMNERS of Texas. They have to; this is a guessing section.

Mr. DENISON. An estimate is not a guess. They will not submit any estimates until they are reasonably certain of their accuracy.

Mr. BARKLEY. How would the Interstate Commerce Commission estimate the amount due in a lawsuit for personal injury?

Mr. DENISON. The Interstate Commerce Commission would not do that.

Mr. BARKLEY. That is a part of the auditing of the debits and credits of the railroads.

Mr. DENISON. The gentleman is assuming that the Interstate Commerce Commission will go ahead and estimate down to the last dollar. They are not going to do that; they will leave a reasonable margin; they testified that they would do that before our committee. They said they would leave a reasonable margin for the protection of the Treasury.

Mr. BARKLEY. I am speaking of the law that gives them the authority to guess on the loss that the railroad will sustain in a personal injury where a man had his leg cut off and in which the man may not recover anything.

Mr. DENISON. I think to require the railroads to give security to protect the Government against mistakes that the Government itself might make would be a hardship on the roads, and we ought not to require it.

Mr. BEE. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. BEE. As I understand, we owe the railroads a great deal of money, and the paying of that money will save them from bankruptcy that confronts them. What is the necessity of section (b) at all? Why can not the railroads wait after they have been tided over this condition? Why is it necessary that the Government should pay them on estimates when the railroads do not need it?

Mr. DENISON. Some railroads do need it.

The CHAIRMAN. The time of the gentleman from Illinois has expired and all debate on the amendment is exhausted.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. I do this for the purpose of commenting on the remarks of the gentleman from Illinois [Mr. DENISON], made in general debate, and on the remarks of the gentleman from New York [Mr. HUSTED] and the gentleman from West Virginia [Mr. GOODYKOONTZ], both of whom I hope are in the room.

These gentlemen have imputed insincerity to those who are opposing this bill, not directly but by insinuation. They have in effect insinuated that I, for example, wanted the railroads driven into bankruptcy so as to promote Government ownership of railroads.

Mr. Chairman, there is not the slightest foundation, in fact, upon which this argument might have been made. It is my observation that gentlemen who resort to arguments of that kind usually do so because they are lacking in enough judgment and information on the subject to be able to discuss it from any other standpoint. I have heard nothing in the remarks of these gentlemen which would give a different impression of their situation. Such arguments, Mr. Chairman, are unparliamentary. They are unworthy not only of the gentlemen who make them but of the forum in which they are made.

The gentleman from Illinois [Mr. DENISON] and the other gentlemen [Mr. HUSTED and Mr. GOODYKOONTZ] have supply concerns in their districts. They have railroad officials, railroad attorneys, and perhaps have stockholders and others selfishly interested in this measure in their districts. All such interests are supporting this bill. It would be just as legitimate, it would be just as fair and gentlemanly, for me to say that they are inspired by selfish motives in their advocacy of the bill, and that they are insincere in advocating it.

My opposition to this bill is based on information and reason. I have arguments to make on its merits. I am not driven to the extremity to which these gentlemen are so as to have to resort to arguments based upon personalities. I will not say that these gentlemen are insincere. It would be unparliamentary to do so. Those who are sincere naturally assume that other gentlemen are honest and inspired by honorable motives.

Mr. DENISON. Will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. DENISON. I want to correct the gentleman's impression. I did not mean to insinuate or infer that the gentleman was not sincere; I think he is sincerely opposed to the bill.

Mr. HUDDLESTON. The gentleman made an imputation that I was trying to force the railroads into bankruptcy.

Mr. DENISON. No; I did not. I said that that was my judgment of the effect.

Mr. HUDDLESTON. The gentleman does not realize the difference between the expression that he says he used and the one that I say he used.

Mr. DENISON. I think the gentleman is sincere in thinking that; I think he sincerely wants to force the railroads into bankruptcy.

Mr. HUDDLESTON. Then it would follow that I am insincere in my argument that this is a vicious measure and will operate to rob the Treasury of the United States.

Let me say that it should be sufficient for the gentleman from Illinois if his own motives are pure. He should give others credit for the same honor that he has. I am willing to accord to gentlemen who speak on the floor of the House under their responsibility as representatives of the people of the United States that they want to do what is fair, right, and honest.

The gentleman from Illinois was not offending for the first time in what he said this morning. When the Esch-Cummins bill was being discussed the gentleman made similar imputations. It was unworthy then and it is unworthy now. I trust that the gentleman will hereafter confine himself to arguments on the merits of measures instead of basing them on some personal factor which exists only in his own imagination.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER. Mr. Chairman, the amendment which the gentleman from Kentucky [Mr. BARKLEY] offers was thoroughly discussed by the committee during the consideration of this bill. I want to read you what Mr. Robinson, representative of the short line roads, said relative to this question:

> If a law should be enacted requiring the short lines and weak roads to guarantee repayment to the Government in case of a mistake by the Government itself, it would be a very serious burden. Most of these short lines have no collateral which the Secretary of the Treasury will accept. They will, therefore, have to induce bonding companies to go their bond, and in addition to paying a large premium they will have to guarantee the bonding company that the money will be repaid. The roads in the greatest need will be prevented from getting money due them if they are required to give bond.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I have only a minute. I am sure that if the amendment of the gentleman from Kentucky [Mr. BARKLEY] is agreed to the weaker roads, these roads that have no collateral, these roads that can not give bonds, will suffer by it.

Mr. BEE. Mr. Chairman, will the gentleman yield for a question?

Mr. COOPER. Yes.

Mr. BEE. Does not the gentleman think that if the Government of the United States should pay in excess of what they owe the railroads, the Government of the United States ought to have the right to institute the necessary proceedings to recover from the railroads the amount improperly paid, and in that event would not the Government of the United States be entitled to judgment and execution to collect the amount?

Mr. COOPER. The gentleman from Ohio is agreed and is entirely willing to let the Interstate Commerce Commission make a settlement of these payments for our Government. They are the authority that has the power to negotiate questions of this kind. I am not afraid that the Interstate Commerce Commission will permit any overpayments on these partial payments which the railroads are now asking.

Mr. BEE. But the gentleman does not answer the question. Ought not the Government to have the right, and would it have the right under paragraph (b) to recover back from the railroads any amount paid in excess of what the railroads were entitled to receive? Ought they not to have that right?

Mr. COOPER. As I said before, I believe the Interstate Commerce Commission can take care of that, and that there will be no overpayment, and they will protect the Government.

Mr. BEE. Does the gentleman from Ohio think the Congress of the United States ought to abdicate its power and put it into the hands of the Interstate Commerce Commission?

Mr. COOPER. No; I do not believe the Congress ought to pay anything not owing to the railroads.

Mr. BEE. Does the gentleman think we ought to abdicate our power to hold the reins to the Interstate Commerce Commission?

Mr. COOPER. No; I do not; but I believe that the Interstate Commerce Commission is qualified to take care of this matter and fully protect the Government against any overpayment to the carriers.

The CHAIRMAN. The time of the gentleman from Ohio has expired. Debate on the pending amendment has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. UPSHAW. Mr. Chairman, I move to strike out the last word.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent to modify my amendment.

Mr. ESCH. Mr. Chairman, I move to close all debate on the pending amendment.

The CHAIRMAN. The gentleman from Kentucky submits a unanimous-consent request.

Mr. BARKLEY. I yield for the motion of the gentleman from Wisconsin.

The CHAIRMAN. The gentleman from Wisconsin moves that all debate on the pending amendment be now closed.

The motion was agreed to.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent to modify my amendment very slightly in verbiage. I ask to be permitted to insert before the word "that" the word "providing," so that it will read "providing that," and instead of the words "has received" to insert the words "may receive."

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to modify his amendment in the manner which the Clerk will report.

The Clerk read as follows:

Modified amendment: After the word "determined" and before the word "that" insert the word "providing"; and strike out the words "has received" and insert in lieu thereof the words "may receive."

The CHAIRMAN. Is there objection to the modification?

There was no objection.

Mr. ESCH. Mr. Chairman, I would ask the gentleman from Kentucky if this does not make it mandatory on the Secretary of the Treasury, so that he has no discretion in the matter?

Mr. BARKLEY. Yes; it is mandatory.

The CHAIRMAN. Debate is exhausted. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. BARKLEY) there were—ayes 65, noes 115.

So the amendment was rejected.

Mr. DEWALT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. DEWALT: Page 2, line 22, strike out the word "binding" and insert the words "prima facie, but not conclusive, evidence of their correctness in amount."

Mr. DEWALT. Mr. Chairman, I have heard a good deal of talk about sincerity, and possibly some one might accuse me of being sincere in my insincerity. What I mean by that is this: I am heartily in favor of the provisions of this bill, and think they are absolutely necessary for the preservation of the commerce of the Nation, but at the same time I am very jealous of the rights of the Treasury Department, while at the same time desiring to do justice to the railroad companies. The phraseology of section (b) on page 2 is—

(b) In ascertaining the several amounts payable under either of such sections, the commission is authorized, in the case of deferred debits and credits which can not at the time be definitely determined, to make, whenever in its judgment practicable, a reasonable estimate of the net effect of any such items, and, when agreed to by the carrier or express company, to use such estimate as a definitely ascertained amount in certifying amounts payable under either of such sections, and such estimates so agreed to shall be binding in final settlement.

I think that word "binding" goes too far. In other words, if there should be an excess amount paid upon these unadjusted claims, and that payment was based upon an estimate made by the Interstate Commerce Commission, and then agreed to by the express company or by the carrier, it would be binding and conclusive, regardless of any errors that might afterwards be ascertained. It seems to me that that goes further than any court of equity would compel us to go, and that as a legal proposition in any court we would not be able to sustain it. Therefore, I seek to insert these words after the striking out of the word "binding," so that it will read:

And such estimates so agreed to shall be prima facie, but not conclusive, evidence of their correctness in amount.

Mr. GRIFFIN. Mr. Chairman, I have an amendment at the desk which I offer as a substitute to the amendment of the gentleman from Pennsylvania [Mr. DEWALT].

The CHAIRMAN. The gentleman from New York offers a substitute, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GRIFFIN as a substitute for the amendment offered by Mr. DEWALT: Page 2, line 21, after the word "sections," strike out the comma, insert a period, and strike out the words "and such estimates so agreed to shall be binding in final settlement."

The CHAIRMAN. The gentleman's amendment is not a substitute. It would be in order to move to strike out, and the other amendment will be voted upon first.

Mr. GRIFFIN. Mr. Chairman, I am in hearty agreement with the gentleman from Pennsylvania as to the disease from which the patient is suffering. Lawyers, I presume, have a right to differ as the doctors do about the remedy. He believes that we ought to lengthen the clause by inserting after the word "binding" a proviso that such determination shall be prima facie evidence——

Mr. DEWALT. Will the gentleman allow me to interrupt him?

Mr. GRIFFIN. I will.

Mr. DEWALT. I do not propose to insert after the word "binding," but I propose to strike out the word "binding."

Mr. GRIFFIN. Well, after striking out the word "binding" he would add the words "and such estimates so agreed to shall be prima facie evidence only" and not binding. In other words, he wants to use the words "prima facie" instead of "binding." Now, the effect of that is to throw the burden of proof on the party complaining of the error, fraud, or mistake. This is a very doubtful relief or alleviation of the clause used in this paragraph.

My amendment proposes to strike out the entire clause, "and such estimates so agreed to shall be binding in final settlement." Why say anything at all about it? If the commission determines that there is a reasonable amount due to the railroad companies, that ought to be enough. It is not necessary to say it is either binding or prima facie, because if you do you are going to tie the Government as well as the railroads or express companies, whereas, if you do not say anything at all, you leave it to equity and common sense.

Mr. SUMNERS of Texas. Has the gentleman considered the effect of the word "definitely," in line 19, in connection with his amendment?

Mr. GRIFFIN. Not particularly.

Mr. SUMNERS of Texas. I suggest that the gentleman better consider that.

Mr. GRIFFIN. The gentleman calls my attention to the term "definitely," in line 19. The paragraph reads, skeletonized, that the commission is authorized in certain contingencies to make, whenever in its judgment practicable, a reasonable estimate of the net effect of any such items, and when agreed to by the carrier or the express company to use such estimate as a definitely ascertained amount in certifying amounts payable under either of such sections.

Of course, that has nothing to do with the amendment proposed by the gentleman from Pennsylvania or myself. It is the words "reasonable estimate" in this paragraph which make it vicious, and in calling the attention of the committee to its danger let me say that this so-called "reasonable estimate" when once definitely ascertained may be used as a definite, specific binding factor in the final audit, and it will certainly prove a very serious detriment to the interests of the Government.

Mr. DENISON. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Pennsylvania. As I understand the proposition, the final provision of the paragraph is to enable the Interstate Commerce Commission and the various roads to arrive at final settlements as early as possible. Now, this provision is just as favorable to the Government as it is to the roads; as a matter of fact, in my judgment, it will be more favorable to the Government, because from what I have been told by those connected with the Railroad Administration the railroads are all very anxious to arrive at an early settlement. They are willing to compromise in order to get anything like what they think the Government ought to pay them; so, if there are any mistakes made in these estimates, they will more than likely be in the Government's favor, rather than against the Government.

Mr. DEWALT. Will the gentleman allow me?

Mr. DENISON. This provision of the bill is intended to arrive at a full final settlement as early as possible instead of leaving it open. I will yield to the gentleman.

Mr. DEWALT. There is one principle of law that is certainly correct, that where two parties have entered into an agreement, and that agreement is a written agreement, it can not be altered or changed unless upon the ground of fraud, accident, or mistake. Now, all I am asking in this amendment is this, that this finding of the Interstate Commerce Commission, agreed to by the carrier, if you please, can not be binding upon either party, but it shall be open upon the ground of either fraud, accident, or mistake, and it is simply a legal principle applied to the bill.

Mr. DENISON. If that should be done, Mr. Chairman and gentlemen, it seems to me there will be claims coming in against the Government in favor of some of these railroads until most of us have passed away; if we can do anything to expedite final settlement with the railroads, it ought to be done. I am afraid the amendment offered by the gentleman from Pennsylvania will simply leave the matter open for claims against the Government to be reopened and reconsidered year after year by the courts. I can not agree to the gentleman's legal proposition that this provision as to a prima facie finding being necessary to allow a showing of fraud or mistake.

Mr. DEMPSEY. Will the gentleman yield?

The CHAIRMAN. Debate on the amendment is exhausted.

Mr. McCLINTIC. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

Page 2, line 21, after the word "shall," strike out the balance of the paragraph and insert the words "shall not be binding until a final settlement is made."

Mr. McCLINTIC. Mr. Chairman, I have offered this amendment with the hope that it will clarify the language, so we might know just exactly what the bill would provide for, in case anything arises in the future which would cause a difference of opinion relative to any financial settlement between the railroads and the Government. Everyone knows that any legislation that deals with the railroads is always carefully scrutinized by some person who hopes to find dynamite in the bill. I want to vote for this measure, but I want it amended, so I will not be criticized in the future if something should arise which would show that the Government had not been properly dealt with and that the Government had been called upon to pay out a sum of money that was not just and correct. For this reason I hope that the chairman will be willing to accept my amendment, so we may know that until final settlement is made that no estimate or approximate estimate will be final.

Mr. MERRITT and Mr. SUMNERS of Texas rose.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Chairman, this matter was discussed very fully in the committee, and Mr. Clark, of the Interstate Commerce Commission, was questioned about it. He said this:

In transactions which involve such a multitude of detail, scattered over so broad a jurisdiction and involving so intricate a business, it is almost impossible to reach an adjustment which can be said to be in every particular exactly accurate. It has not been possible during Federal control, any more than it is possible under private control, for the responsible officers to personally supervise every activity and every action of every employee, which may result in slightly affecting one way or other the operating results.

The director general, acting as agent for the President under authority conferred upon him by the Congress, is authorized to make adjustments and final settlements with the roads for the compensation due them for the use of their properties during the period of Federal control. Adjustments, as I am informed, have been made which involve some element of compromise as between the Government, represented by the director general, and the railroads which has been accepted as final settlements. It seems to us that it is more businesslike and better all around for the commission to have like authority with regard to these items of deferred debits and credits and reach some understanding with the carriers which will be accepted as a final settlement and close the matter up, assuming, of course, that the commission would be very careful to protect the interests of the Government to every reasonable extent.

Now, Mr. Chairman, it seems to me that covers this whole question from a business point of view. It is going to be much cheaper, and I am sure it will be better both for the Government and the railroads to have these things settled quickly, and in the end the Government will spend less money than it will if they are strung along, when the mere accounting will cost the Government more money than any possible differences in the settlements. As a business proposition, I hope the bill will pass as presented.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Oklahoma [Mr. McCLINTIC].

Mr. McCLINTIC. Mr. Chairman, I ask that it be reported.

The CHAIRMAN. Without objection, the Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. DEWALT], the substitute offered by the gentleman from Oklahoma [Mr. McCLINTIC], and the motion to strike out offered by the gentleman from New York [Mr. GRIFFIN].

The Clerk read as follows:

Amendment offered by Mr. DEWALT: Page 2, line 22, strike out the word "binding" and insert the words "prima facie but not conclusive evidence of their correctness in amount."

Substitute offered by Mr. McCLINTIC: Page 2, line 21, after the word "shall," strike out the balance of the paragraph and insert the words "not to be binding until the final settlement is made."

Amendment offered by Mr. GRIFFIN: Page 2, line 21, after the word "sections," strike out the comma and insert a period, and strike out the words "and such estimates so agreed to shall be binding in final settlement."

The CHAIRMAN. The question is on the substitute offered by the gentleman from Oklahoma [Mr. McCLINTIC].

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Pennsylvania [Mr. DEWALT].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. DEWALT. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 70, noes 96.

Mr. DEWALT. Mr. Chairman, I ask for tellers.

Tellers were ordered; and Mr. WINSLOW and Mr. DEWALT took their places as tellers.

The committee again divided; and there were—ayes 116, noes 95.

So the amendment was agreed to.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to withdraw my substitute.

The CHAIRMAN. The gentleman from New York asks unanimous consent to withdraw his substitute. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. McKEOWN: On page 2, in line 22, after the word "settlement," strike out the period and add the following: "*Provided*, That no carrier nor the American Railway Express Co. receiving partial settlement under this act shall declare any dividend before paying all final and valid judgments pending unsatisfied against such carrier or the American Railway Express Co."

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, you are providing in this bill for making a partial payment in advance of final settlement of the claims of the railroad companies against the Government. There are a number of final judgments now throughout the country whose settlement is being delayed upon the plea that the United States Government owes the railroads and does not pay them. Now, in order to safeguard these judgment creditors, if you are going to make an advance payment to the railroad companies, then the railroad companies ought not to stay, put off, or delay the payment of the final judgments. And it is not right to take the money out of the Treasury of the United States and pay it out in dividends to the stockholders in these railroad companies without paying the judgment creditors, because the use of the money at 6 per cent is a very nice thing now at the rate of interest at which bonds and securities are being offered on the market. In other words, the use of the money at 6 per cent is very nice for the companies to use if they can delay the payment of their judgments by telling their creditors to wait until they can get a final settlement from the United States. I think if you are going to pay in advance they ought, in fairness and justice to the judgment creditors, pay them before they can declare a dividend to their stockholders. Some man may say that the railroads are not going to pay any dividends. There will be some railroads that will pay dividends. Some of them, in order to keep up their organizations and keep things going, are going to pay dividends, and they will take some of this money of the taxpayers to pay with, and tell the judgment creditors that they must wait until they can get a final settlement so that they can pay the judgments.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Oklahoma [Mr. McKEOWN].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. McKEOWN. Division, Mr. Chairman.

The committee divided; and there were—ayes 44, noes 105.

So the amendment was rejected.

Mr. PELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PELL: Page 1, line 9, between the words "for" and "any," insert "90 per cent of."

Mr. PELL. Mr. Chairman and gentlemen of the committee, we can safely disregard opposition which is merely malicious; that is to say, opposition which is inspired only by a desire to injure the railroads. But there seems to be a great deal of very serious feeling here to the effect that it is possible that the Government may be badly "done" by some of the operations of this bill in its present form. Now, it appears to me that if we allow the Government merely to pay out 90 per cent of what under the best estimates of the Interstate Commerce Commission appears to be definitely due, leaving 10 per cent unpaid, that would be an ample guaranty against any future loss.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. PELL. Yes.

Mr. SNYDER. Does the gentleman mean 90 per cent of each claim or 90 per cent of all of them?

Mr. PELL. Ninety per cent of the total claims of each railroad.

Mr. SNYDER. Then you propose to hold 10 per cent back on each claim?

Mr. PELL. Approximately that, until the final accounting.

Mr. SNYDER. Then you do not want any of the claims settled?

Mr. PELL. No; until the final account with each railroad is made up I would hold back 10 per cent as a guaranty that the Government would not suffer any loss.

Now, in a great many cases a debt can be proved, but the offset may be considerably greater, and there may be no method for us to get our due. I am offering this amendment in the interest of justice; I do not want either the Government or the railroads to get more than their rights. Now, I propose to vote for this bill, whether this amendment goes through or not, but it seems to me that this amendment would be an improvement and to a certain extent safeguard the interests of the United States and not in any way injure the railroads. They would get 90 per cent of the money immediately, which is what they want, and the interests of the Government would be absolutely protected.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. PELL. Certainly.

Mr. CANNON. The gentleman wants to hold out 10 per cent. Why not go further and hold out 30 per cent?

Mr. PELL. I think 10 per cent would be enough. I want to give the railroads all we can, with proper protection to the Government of the United States.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

Mr. BARKLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARKLEY: At the end of the paragraph (b) insert the following: "Before making such payment or drawing such warrant based upon such estimate, unless it be upon a final payment, the Secretary of the Treasury may require the carrier to execute a contract, with such security as the Secretary of the Treasury may determine, providing that upon final determination of the guaranty under sections 204 and 209 such carrier will repay to the United States any amount which it may receive from such partial payment in excess of the guaranty, with interest at the rate of 6 per cent per annum from the time such excess was paid."

Mr. ESCH. Mr. Chairman, is not that the amendment which we have just voted down?

Mr. BARKLEY. That is practically the same thing, but there are some differences between this and the other one. This applies only to payments under subsection (b), these estimates that are provided, and it gives the Secretary of the Treasury discretion rather than making it mandatory.

Mr. Chairman, I offer that amendment. The necessity for it, it seems to me, is emphasized by striking out the provision carried in the amendment of the gentleman from Pennsylvania [Mr. DEWALT]. Prior to that amendment these estimates were final. They were binding between the Government and the railroads. The adoption of that amendment leaves them entirely open, so that they are subject to future adjustment. Surely nobody will contend that in making those payments by the Treasury Department, based upon estimates, which are not to be a final settlement, there should be any objection to the adoption of this amendment.

Mr. ESCH. It seems to me the adoption of the amendment of the gentleman from Pennsylvania makes it less necessary.

Mr. BARKLEY. No; because there may be a variable amount paid under these estimates. I can see no reason why, in paying out money on these disputed claims which are held in abeyance, the Government ought not to be given the protection of a bond for the payment of any excess, if it saw fit.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. BARKLEY].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BARKLEY. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 46, noes 95.

So the amendment was rejected.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 2, line 13, strike out all of subdivision (b).

Mr. JONES of Texas. Mr. Chairman, I move to strike out the entire subsection (b), because it seems to me that it is a sort of guessing contest, and I believe that too much money is involved to have the Government pay it out on estimates which, after all, are just a more or less intelligent matter of guessing.

There is a story to the effect that in a certain frontier part of the country they did not have any scales with which to weigh their hogs, so they adopted a scheme of taking rail fences, which were a numerous article in that country, and, balancing a rail on the top of a fence, they would tie up the hog by the hind feet on one end of the rail and a sack of rocks on the other end. Then they would keep on putting in rocks and more rocks and still more rocks until the hog and the rocks exactly balanced. Then they would take the whole thing down and guess at the weight of the rocks, and, of course, they knew the weight of the hog when they had guessed the weight of the rocks.

My friends, it is absurd to talk of the United States Government paying money to the railroads, a guaranty that is given to no other business on the face of the earth, on mere estimates. There is ample provision made in the first section of this bill for any payment of any sum that may be definitely ascertained.

And surely the Congress does not intend to vote money from the Treasury of the United States when it can not be definitely ascertained. Now, I think there is some question as to whether or not the Government should have given the guaranty at all; but most assuredly, when you concede the justice of that claim, then the rights of the people of the United States should be considered to the extent of demanding that the Interstate Commerce Commission know something about what it is doing when it pays out the money to the railroads. It seems to me that in view of the provisions in the first part of this measure that if the Interstate Commerce Commission can not ascertain definitely all that may be due, they are permitted to pay such items and such sums as they can ascertain are due—it is unwise to go further and provide that they shall pay sums when they do not know whether they are due or not. In many instances—and I dare say in most instances—if this money is paid, it will be paid to those companies and those roads from which it will be impossible for the Government ever to regain what may be unjustly paid or which may not be due. For that reason I think the merits of the bill, such as it may have, will not be interfered with by striking out subsection (b).

The bill carries hundreds of millions of dollars. This money must be paid by the taxpayers. Such claims as are definite and certain may be paid under the first section. Such sums as are not yet susceptible of definite ascertainment may well await such time as they may be made certain. Any business concern would require as much.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. JONES of Texas) there were—ayes 29, noes 105.

Accordingly the amendment was rejected.

Mr. SIMS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIMS: Page 2, line 22, after the word "settlement," add the following: "That all claims under the guaranty provisions of the transportation act not certified by the Interstate Commerce Commission prior to January 1, 1922, shall be forever barred."

Mr. SIMS. Mr. Chairman, I am not strenuous about the exact date, but there ought to be some limitation on the issuance of these certificates, so that both the Interstate Commerce Commission and the carriers will use reasonable diligence in trying to settle these claims and get them all settled and paid off by a definitely fixed date.

Mr. SWEET. Will the gentleman yield?

Mr. SIMS. I yield to the gentleman from Iowa.

Mr. SWEET. Does the gentleman's amendment relate to the time of filing with the Interstate Commerce Commission, or to the time when the Interstate Commerce Commission issues its certificates?

Mr. SIMS. It means that no certificate shall be issued by the Interstate Commerce Commission for a guaranty later than January 1, 1922. It gives them all this year.

Mr. SWEET. That simply means repudiation, does it not?

Mr. SIMS. Oh, not at all. It only means that there shall be some expedition in getting this matter settled. The commission have expressed themselves as being extremely anxious to get this matter off their hands. This is as to the guaranty. It has nothing whatever to do with the other rights of the railroads. All this does is to limit the time within which these guaranty claims may be certified and paid, so that we may have some expedition and get through with them. Unless there

is some limitation, nobody knows what it is going to lead to or when it will end.

Mr. WEBSTER. Will the gentleman yield?

Mr. SIMS. I yield to the gentleman from Washington.

Mr. WEBSTER. Under the provisions of the gentleman's amendment, even though a claim should be filed with the commission between now and January 1, 1922, if the commission should fail to certify it before that date the claim would be barred. In other words, the gentleman puts upon the holder of the claim the responsibility for any delinquency of the commission.

Mr. SIMS. Of course, the commission being a public official body, it is to be presumed that it will discharge its duty. I never would have thought there would be any question about that, but I am perfectly willing——

SEVERAL MEMBERS. Vote! Vote!

Mr. SIMS. I have the floor. You can show your contempt in some other manner and at some other time. I do not want the commission to refuse arbitrarily to certify these claims, or that they shall be lost on that account, but it is nothing but good legislation that a limitation be placed as to the time when these certificates may be issued. It ought to be done, and if this amendment in its phraseology is not satisfactory, of course, I will accept any amendment; but under the provisions of this bill they can issue certificates 20 years from now. This thing ought to be ended. We ought to know some time or other when this matter is going to end. That is good legislation.

It is the desire of the Interstate Commerce Commission that they get through with this thing. I do not mean that they have suggested this amendment, but I know they are anxious to finish up this work, and the railroads ought to be anxious to get what is coming to them. They have had five months now since the guaranty period expired, and my amendment proposes to give them practically another year. This amendment or some other similar amendment ought to be adopted. It is nothing but good legislation. It is nothing but justice to the public. If any gentleman has an amendment to offer that will accomplish the same purpose, I have no pride of authorship in the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. SIMS].

The question being taken, the amendment was rejected.

Mr. GRIFFIN. Mr. Chairman, I wish to offer amendments.

The CHAIRMAN. The gentleman from New York offers amendments, which the Clerk will report.

The Clerk read as follows:

Amendments offered by Mr. GRIFFIN: Page 1, line 9, after the word "for," insert the words "90 per cent of."

Page 1, line 12, after the word "certified," strike out the period and insert a semicolon and the following: "final payment of the 10 per cent remaining to be paid only when deferred debits and credits are fully audited and determined."

Mr. GRIFFIN. Mr. Chairman and gentlemen, if this bill consisted only of the first paragraph, I would not be so concerned about this amendment that I propose. The first paragraph is very carefully drawn, drawn with considerable acumen, and I might say with some degree of disingenuousness. Mark the language of this first paragraph. And I note that in the talks upon this measure to-day men with tears in their eyes have emphasized the fact that it is only a question of how much money we owe the railroads, that it is due them, and that you are playing fair when you insert the proviso "definitely ascertained." Of course, if the amount is definitely ascertained there is nothing to do but to pay it. That ought to satisfy any skeptic. That qualification is found in the first paragraph, which states:

In making certifications under section 204 or section 209, the commission, if not at the time able finally to determine the whole amount due under such section to a carrier or the American Railway Express Co., may make its certificate for any amount definitely ascertained by it to be due.

"Definitely ascertained to be due." That sounds good, that sounds reasonable. But do they really mean "definitely ascertained"? Now, you have got to read the whole bill together. Go to the second paragraph and you will find out how the amount is going to be "definitely ascertained" as to how much is due.

In paragraph B we find this: "The commission is authorized in case of deferred debits and credits which can not at the time be definitely determined." Mark that language: "Which can not at the time be definitely determined." And yet men have said it can be determined. "To make whenever in its judgment practicable a reasonable estimate of the net effect of any such items." What items? Debit and credit items, of course. In other words, your "definitely ascertained" turns out only to be a reasonable estimate. "A reasonable estimate," if you please, but nevertheless an estimate, gentlemen, and upon that estimate you propose to pay the railroads partial payments up to the extent of 100 per cent.

Now, my amendment proposes that you put yourself in the place of the Government and reserve 10 per cent to safeguard the Treasury of the United States against possible error, fraud, deceit, or mistake.

Mr. SWEET. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. SWEET. The gentleman means in his amendment 90 per cent of the amount definitely ascertained?

Mr. GRIFFIN. Yes.

Mr. SWEET. What does the 10 per cent apply to?

Mr. GRIFFIN. I reserve 10 per cent so that the Treasury will be protected.

Mr. SWEET. What is it 10 per cent of?

Mr. GRIFFIN. My amendment does not use the term "10 per cent." It says in making partial payments you shall pay them up to 90 per cent of the so-called "reasonable estimate," and the Government will reserve 10 per cent.

Mr. SWEET. Ten per cent of the total amount?

Mr. GRIFFIN. Ten per cent of the "reasonable estimate" found to be "definitely ascertained." My amendment proposes in the estimate of the partial payments that you shall pay the railroads 90 per cent of the amount which the commission finds due at the specific time each partial payment is figured, keeping back 10 per cent until the final determination.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The CHAIRMAN. Under the order of the House the committee will rise and report the bill to the House with an amendment.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MANN of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15836) to amend the transportation act of 1920, and he reported the same back with an amendment.

The SPEAKER. Under the rule the previous question is ordered. The question is on the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. DEWALT: Page 2, line 32, strike out the word "binding" and insert the words "prima facie but not conclusive as to their correctness in amount."

The question was taken; and on a division (demanded by Mr. ESCH) there were 121 ayes and 116 noes.

Mr. ESCH. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 183, nays 157, not voting 88, as follows:

YEAS—183.

Almon	Drane	Kleczka	Padgett
Andrews, Nebr.	Drewry	Kraus	Park
Anthony	Dupré	Lampert	Parrish
Aswell	Eagan	Langley	Pell
Ayres	Eagle	Lanham	Phelan
Bankhead	Evans, Mont.	Lankford	Pou
Barbour	Evans, Nev.	Larsen	Quin
Barkley	Fairfield	Lazaro	Rainey, Ala.
Bee	Fields	Lea, Calif.	Raker
Bell	Fish	Lee, Ga.	Ramseyer
Black	Fisher	Lesher	Randall, Wis.
Bland, Va.	Flood	Luhring	Rhodes
Blanton	Frear	McAndrews	Robinson, N. C.
Bowers	French	McClintic	Robsion, Ky.
Bowling	Gallivan	McDuffie	Romjue
Box	Garner	McKeown	Rouse
Brand	Garrett	McLaughlin, Mich.	Rubey
Briggs	Godwin, N. C.	McLaughlin, Nebr.	Rucker
Brinson	Griffin	McPherson	Sears
Browne	Hardy, Tex.	Magee	Sherwood
Buchanan	Hastings	Major	Siegel
Byrnes, S. C.	Haugen	Mansfield	Sims
Byrns, Tenn.	Hays	Martin	Sinclair
Caldwell	Holland	Mason	Sisson
Campbell, Pa.	Howard	Mays	Small
Cantrill	Huddleston	Mead	Smithwick
Caraway	Hudspeth	Milligan	Steagall
Carss	Hull, Tenn.	Minahan, N. J.	Stedman
Carter	Humphreys	Monahan, Wis.	Steele
Christopherson	Igoe	Montague	Steenerson
Clark, Mo.	Jacoway	Moore, Va.	Stephens, Miss.
Collier	James, Va.	Moores, Ind.	Stoll
Connally	Johnson, Ky.	Mott	Sullivan
Cramton	Johnson, Miss.	Neely	Summers, Wash.
Crisp	Johnson, S. Dak.	Nelson, Mo.	Sumners, Tex.
Cullen	Jones, Tex.	Newton, Mo.	Swindall
Davis, Tenn.	Keller	O'Connor	Swope
Dewalt	Kelly, Pa.	Ogden	Tague
Dickinson, Mo.	Kettner	Oldfield	Taylor, Ark.
Dominick	King	Oliver	Taylor, Colo.
Doughton	Kinkaid	Overstreet	Taylor, Tenn.

Temple	Upshaw	Welling	Woodyard
Thomas	Vinson	Welty	Wright
Tillman	Voigt	Wilson, La.	Young, N. Dak.
Tincher	Watkins	Wilson, Pa.	Young, Tex.
Tinkham	Weaver	Wingo	

NAYS—157.

Ackerman	Foster	Luce	Sanders, N. Y.
Anderson	Freeman	Lufkin	Schall
Bacharach	Fuller	McArthur	Scott
Begg	Glynn	McFadden	Sells
Benham	Good	McKenzie	Shreve
Benson	Goodykoontz	McKinley	Sinnott
Bland, Ind.	Graham, Ill.	McLeod	Siemp
Boies	Green, Iowa	MacGregor	Smith, Idaho
Britten	Greene, Mass.	Madden	Smith, Ill.
Brooks, Ill.	Greene, Vt.	Mann, Ill.	Smith, Mich.
Burdick	Griest	Mapes	Snell
Burroughs	Hadley	Merritt	Snyder
Butler	Hamilton	Michener	Stephens, Ohio
Campbell, Kans.	Hardy, Colo.	Miller	Stiness
Cannon	Hawley	Mondell	Strong, Kans.
Cleary	Hernandez	Moore, Ohio	Strong, Pa.
Coady	Hersey	Morin	Sweet
Cole	Hickey	Murphy	Thompson
Cooper	Hicks	Newton, Minn.	Tilson
Crago	Hoch	Olney	Timberlake
Crowther	Houghton	Osborne	Towner
Curry, Calif.	Hull, Iowa	Paige	Treadway
Dallinger	Husted	Parker	Vaile
Darrow	Hutchinson	Patterson	Vare
Davis, Minn.	Ireland	Peters	Volk
Dempsey	Jefferis	Porter	Volstead
Denison	Johnson, Wash.	Purnell	Walsh
Dickinson, Iowa	Jones, Pa.	Radcliffe	Wason
Dowell	Juul	Ramsey	Watson
Dunbar	Kahn	Ransley	Webster
Dunn	Kearns	Reavis	Wheeler
Dyer	Kennedy, R. I.	Reber	White, Kans.
Echols	Kiess	Reed, N. Y.	White, Me.
Edmonds	Knutson	Reed, W. Va.	Williams
Elliott	Kreider	Ricketts	Winslow
Elston	Layton	Riddick	Wood, Ind.
Esch	Lehlbach	Rodenberg	Zihlman
Evans, Nebr.	Linthicum	Rogers	
Fess	Little	Rose	
Fordney	Longworth	Rowe	

NOT VOTING—88.

Andrews, Md.	Doremus	James, Mich.	Rainey, Henry T.
Ashbrook	Ellsworth	Johnston, N. Y.	Rainey, John W.
Babka	Emerson	Kelley, Mich.	Randall, Calif.
Baer	Ferris	Kendall	Rayburn
Bland, Mo.	Focht	Kennedy, Iowa	Riordan
Brooks, Pa.	Gallagher	Kincheloe	Rowan
Brumbaugh	Gandy	Kitchin	Sabath
Burke	Ganly	Lonergan	Sanders, Ind.
Candler	Gard	McCulloch	Sanders, La.
Carew	Goldfogle	McGlennon	Sanford
Casey	Goodall	McKinley	Scully
Chindblom	Goodwin, Ark.	McLane	Smith, N. Y.
Clark, Fla.	Gould	Maher	Stevenson
Classon	Graham, Pa.	Mann, S. C.	Venable
Copley	Hamill	Moon	Vestal
Costello	Harreld	Mooney	Walters
Currie, Mich.	Harrison	Mudd	Ward
Dale	Hayden	Nelson, Wis.	Whaley
Davey	Hersman	Nicholls	Wilson, Ill.
Dent	Hill	Nolan	Wise
Donovan	Hoey	O'Connell	Woods, Va.
Dooling	Hulings	Perlman	Yates

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. CLASSON with Mr. HAYDEN.

Mr. YATES with Mr. KINCHELOE.

Mr. MCCULLOCH with Mr. RAYBURN.

Mr. VESTAL with Mr. SCULLY.

Mr. WILSON of Illinois with Mr. NICHOLLS.

Mr. HILL with Mr. STEVENSON.

Mr. COPLEY with Mr. WOODS of Virginia.

Mr. HARRELD with Mr. DOREMUS.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. McKEOWN. Mr. Speaker, I offer the following motion to recommit, which I send to the desk.

The Clerk read as follows:

Mr. MCKEOWN moves to recommit the bill H. R. 15836 to the Committee on Interstate and Foreign Commerce with instructions to that committee to report the same forthwith, with an amendment as follows: On page 2, in line 22, after the word "settlement," strike out the period and add:

"*Provided*, That no carrier nor the American Railway Express Co. shall declare a dividend after receiving a partial payment under this act until such carrier or express company shall first make settlement of all valid final judgments unpaid at the time of payment to such carrier or express company."

Mr. ESCH. Mr. Speaker, on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken.

Mr. McKEOWN. Mr. Speaker, I demand a division.

The House proceeded to divide.

Mr. McKEOWN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Oklahoma demands the yeas and nays. As many as are in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Fifty-seven Members; not a sufficient number, and the yeas and nays are refused. The question is on agreeing to the motion to recommit, on which the gentleman from Oklahoma demands a division.

The House divided; and there were—ayes 74, noes 189.

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. Will it be in order after this announcement of the vote to make a demand for a yea-and-nay vote?

The SPEAKER. It has already been refused. The motion to recommit is disagreed to. The question is on the passage of the bill.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. REAVIS. Mr. Speaker, I demand the yeas and nays on this vote.

The SPEAKER. Sixty-one gentlemen have arisen, not a sufficient number, and the yeas and nays are refused.

Mr. KETTNER. The other side?

Mr. BLANTON. Mr. Speaker, I ask for the other side. Sixty-one is one-fifth of the membership present.

The SPEAKER. It is one-fifth of those present. So the Chair thinks the easiest way is to count those present. [After counting.] Three hundred and eleven Members are present. Not a sufficient number, and the yeas and nays are refused and the bill is passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

GENERAL DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15962, and, pending that motion, I ask the gentleman from Montana [Mr. EVANS] if we can agree upon time. I ask unanimous consent that the time for general debate be equally divided between the gentleman from Montana [Mr. EVANS] and myself.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the time for general debate be equally divided between himself and the gentleman from Montana [Mr. EVANS]. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. Has the gentleman asked unanimous consent relative to the time of general debate?

Mr. GOOD. No; I have not, because I think we can get along with about two hours of general debate. That can be fixed tomorrow morning.

Mr. McCLINTIC. Then the only request is in reference to the division of time?

The SPEAKER. That is all. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question is on the House resolving itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15962, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15962, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Chairman, inasmuch as the deficiencies provided for in this bill for the Postal Service amount to $57,561,948.39, I may be pardoned for occupying a few minutes of the time of the committee. This totals more than one-

fourth of the total of the bill. The total of the bill is given at $203,000,000. The first important item of deficiency is under the First Assistant Postmaster General, for temporary and auxiliary clerk hire, $7,000,000. I have no doubt that is a proper item. The next is for screen-wagon, city delivery, and collection services, $4,000,000. This will make the appropriation for motor vehicle service nearly $20,000,000. When the parcel post was established in 1913 this item amounted to about $2,000,000, so that there has been an enormous increase in the expense of Government owned and operated vehicle service, which has been substituted for the contract service in the last three or four years. In the office of the Second Assistant Postmaster General the first item is $35,650,000, inland transportation by railroad routes. That is the largest item of deficiency.

Last year there was a hearing on the third deficiency bill in which the Post Office Department asked for $8,000,000 deficiency on account of the remaining four months of that fiscal year in which the railroads were operated by the owners. The first eight months in the fiscal year they were operated by the Railroad Administration, and therefore the increased rates granted by the Interstate Commerce Commission did not apply as to this appropriation, and in asking for that appropriation they said that the increased rate would amount to $30,000,000 per year, and that for the one-third of a year that was remaining they would get along with $8,000,000. This year we appropriated $59,886,000, and they are now asking for $35,000,000 more. I examined the hearings before the Committee on Appropriations to see why this abnormal increase in this item was asked. They said it was because of the increased rate for railway mail pay granted by the Interstate Commerce Commission. Still last year they only estimated that that would amount to $30,000,000 a year and they only asked for $8,000,000, which would be at the rate of $24,000,000 a year. Now they are asking for nearly $36,000,000. That can not be explained by reason of the increased volume, although there has been considerable increase. The last one-third of fiscal year 1920 was under the increased rates, and yet the expenditure was only at the rate of $83,000,000, while now they ask for a deficiency that will make the total of nearly $96,000,000, the same as they are asking for next year.

They also stated that they had entered into contracts under the clause of the appropriation act which said that where the service by air could be obtained at no higher rate than transportation by rail, they could enter into contracts for carrying the mail in that way. These contracts, however, although they should have been performed, have not yet been performed. The date fixed for the beginning of the service was January 31, but they have granted them additional time, as I understand, awaiting the action of Congress. There was no further explanation before the Appropriation Committee. So last Saturday I called a meeting of the Committee on the Post Office and Post Roads and held a hearing on this subject. At that hearing it was explained that this contract service cost upwards of $5 per mile, and they carried from 250 to 400 pounds of mail. They admit that it cost more than carrying it by rail. They claim there is economy in another direction, namely, in the saving of car space. I put experts on the stand and it was figured out that these contracts which call for $685,000 per year will cost 90 times as much as it would to carry the mail by railroad. And it also appeared that the saving in car space would be insignificant, less than $25,000 a year at the very utmost.

So that it would appear from this evidence that they have not let these contracts in accordance with the authority given them by Congress, for that authority was on condition that it should be rendered at no higher rate of pay than charged by the railroads. And I hold the opinion that, in estimating, they have no right to take into consideration the saving in clerk hire and such things in the Railway Mail Service, because this thing relates to transportation of the mail and transportation of mail by aeroplane is analogous to transportation of mail by railroads in what they call the closed-pouch service. Even allowing that it costs more than in the distributing-car service, there is no comparison between the cost.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. STEENERSON. Yes.

Mr. MADDEN. Does the gentleman know of any place where they have saved in hire of clerks?

Mr. STEENERSON. No; the testimony is that they have not.

Mr. MADDEN. We authorized 2,725 additional clerks in the last appropriation bill and 800 carriers, and there were 800 additional carriers put on during the year. That makes about 4,300.

Mr. STEENERSON. The gentleman is correct. But the most astounding explanation that was forthcoming for the carrying on of this air mail service was found when we asked Mr. Corridon, now the Chief of the Railway Adjustment Bureau in the Post Office Department, by what authority they were now conducting a Government-operated air-mail line between Washington and New York and between Chicago and Minneapolis and another line. They are conducting those and paying it quarterly or monthly out of the appropriation for the railway mail transportation, and their excuse was this section in the current Post Office appropriation law, which they claim is permanent law:

That the Secretary of War is authorized hereafter, in his discretion, to deliver and turn over to the Postmaster General, without charge therefor, from time to time, such motor vehicles and airplanes and parts thereof, and machinery and tools to repair and maintain the same, as may be suitable for the use of the Postal Service, and the Postmaster General is authorized to use the same in the transportation of the mail, and to pay the necessary expenses thereof, including the replacement, maintenance, exchange, and repair of such equipment, out of any appropriation available for the service in which such vehicles or airplanes are used.

Now, mark those words, "out of any appropriations available for the service in which such vehicles or airplanes are used." There is not now any appropriation for airplane service, except one, and that is from New York to San Francisco, where we appropriated one million and a quarter of dollars. Outside of this contract service, which I have already explained, there is another provision for carrying mail over the ocean, or water, to be paid out of the appropriations for transportation of mail by steamboats. Of course, that has nothing to do with this. So there is no appropriation for any route between New York and Washington, or anywhere else, except this transcontinental route; and when the Post Office bill was reported to the Senate and for the first time the transcontinental route was put in there and authorized, the chairman of the committee explained that that was the only air line that Congress was going to authorize. And we all believed that that was the only line.

Mr. MADDEN. And it was the only one we did authorize, was it not?

Mr. STEENERSON. It was the only one we did authorize; but they claim they can use this clause to justify them in taking the money out of the appropriation for inland transportation of mail by railroads. And they have done so to the tune of $485,000, and it will be $800,000 before we get through with the fiscal year.

The law is well established. Congress alone under the Constitution has authority to establish post offices and post roads. But the mere existence of that power in Congress does not constitute an exercise of it. Before there can be a post road established Congress must declare what is a post road. It has declared various things to be post roads. It has declared that all roads—public roads over which the mail is carried—are post roads. It has declared that the inland waters of the United States are post roads. But it has never anywhere declared that the air in general was either a "route" or a post road. It could do so, and that would justify the expenditure of money on any route that the Post Office Department might establish. Not having declared the air in general to be a post road—either a post road or a post route—there is no authority whatever for the Postmaster General to spend one dollar in maintaining mail service except on the route that Congress in the act for the current year has described; that is, from New York to San Francisco. It is an illegal expenditure of money, and if the matter is ever brought, as I believe, to the Comptroller of the Treasury, or into the courts, it will be so held. There is absolutely no authority, because this section 3 of the current appropriation act is not sufficient.

I will here insert the statutes on the subject:

[Postal Laws and Regulations.]

SEC. 1305. The following are established post roads:

All the waters of the United States, during the time the mail is carried thereon.

All railroads or parts of railroads which are now or hereafter may be in operation.

All canals during the time mail is carried thereon.

All plank roads during the time the mail is carried thereon.

The road on which the mail is carried to supply any courthouse which may be without a mail, and the road on which the mail is carried under contract made by the Postmaster General for extending the line of posts to supply mails to post offices not on any established route, during the time such mail is carried thereon.

All letter-carrier routes established in any city or town for the collection and delivery of mail matters.

2. All public roads and highways while kept up and maintained as such are hereby declared to be post routes. (Act Mar. 1, 1884.)

NOTE.—Prior to the act of March 1, 1884, all post roads were established by specific acts of Congress; but inasmuch as all public roads and highways, while kept up and maintained as such, are now post routes, this is no longer necessary.

SEC. 1307. The Postmaster General shall provide for carrying the mail on all post roads established by law as often as he, having due regard to productiveness and other circumstances, may think proper.

Congress, in addition to the establishment of "post roads" as above, has established "post routes" between designated points in States and

Territories, has declared certain bridges to be "post routes," and "all public roads and highways while kept up and maintained as such" to be "post routes." (Acts of Mar. 6, 1882, 22 Stat., 13; Mar. 3, 1883, 22 Stat., 572; June 27, 1882, 22 Stat., 114; Feb. 22, 1883, 22 Stat., 432; Mar. 3, 1883, 22 Stat., 460; Mar. 1, 1884, 23 Stat., 3.)

As to those "post routes" not "established by law," it authorizes as follows:

"The Postmaster General may, when he deems it advisable, contract for the transportation of the mails to and from any post office; but where such service is performed over a route not established by law, he shall report the same to Congress at the meeting next thereafter, and such service shall cease at the end of the next session of Congress, unless such route is established a post route by Congress." (Sec. 3975, Rev. Stat.)

It will thus be seen that only temporary service is authorized on a "route," whereas the Postmaster General has authority to establish or contract for permanent service on a "post road."

Now I shall move to reduce, unless the chairman of the committee will do so, this appropriation by at least a million and a half dollars, because evidently that is the amount they expect to use for this illegal purpose, and if we grant this deficiency it amounts to a sanction and a legalization of it. There is the difficulty. If this appropriation had been segregated, and if you had put in here $1,500,000 for aerial mail service, or to pay these contracts, specifying the routes, a point of order could have been good against it; we could have eliminated it on a point of order, because it is not authorized by law. But we can not do it here, because here is a general appropriation bill, and there is $35,000,000 of deficiency in the appropriation for the transportation of inland mails by railroad routes, and they expect to use the increase they will get from the deficiency appropriation for this illegal purpose. Therefore the only remedy that I can see, if we do not want to sanction an illegal use of the public funds, is to reduce the appropriation so that they can have only enough to satisfy the authorized expenditures of the Post Office Department in the transportation of the mail by railroads.

Of course, the appropriation for a transcontinental route is there, and they do not claim any deficiency there. They say they do not propose to create a deficiency. It is $1,250,000, and it is ample to carry on that service until the end of the fiscal year, so that there will be no hardship if we reduce the estimate, because the Government is carrying on this service itself, under the assumed authority of this section 3, which does not authorize it. They are drawing warrants on the Treasury based on this section.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. CONNALLY. Do I understand the gentleman from Minnesota to be opposed to any kind of air mail service?

Mr. STEENERSON. Not at all. I was the first man in Congress to propose it.

Mr. CONNALLY. Then why is the gentleman complaining about the Post Office Department establishing at least an experimental air service?

Mr. STEENERSON. It is a sacred principle that no department should spend public money except as authorized by Congress.

Mr. CONNALLY. Did not Congress make an appropriation for this?

Mr. STEENERSON. No; Congress did not authorize it.

It is illegal on its face, as unauthorized by law. As to the second class of air mail, the contract service, there is a different question involved. The clause in the current Post Office appropriation act, under which contracts involving $689,000 annual outlay, is as follows:

For inland transportation by railroad routes, including increases hereinafter provided, $59,886,822: *Provided*, That not to exceed $1,250,000 of this appropriation may be expended for pay of freight and incidental charges for the transportation of mail conveyed under special arrangement in freight trains or otherwise: *Provided further*, That the Postmaster General may contract with any individual, firm, or corporation for an airplane mail service between such points as he may deem advisable, and designate, in case such service is furnished at a cost not greater than the cost of the same service by rail, and shall pay therefor out of the appropriation for inland transportation by railroad routes.

The testimony before the Post Office Committee, extracts from which I insert, shows that Government-operated airplanes carrying from 250 to 400 pounds of mail cost $1.35 per mile, which, with maximum load, will amount to $6.75 per ton-mile as against 10 cents per ton-mile, estimated cost in a distributing car, or sixty-seven times as much. Mr. Ryan, president of the Railway Mail Association, said the cost was ninety times as high by Government-operated planes. According to figures given by Mr. Egge, of the air mail service, before the Appropriations Committee it costs 2.4 cents for every letter carried, or 4 mills more than the total postage.

The contracts entered into by the department with Mr. Lawson under the above-quoted provision to carry mail from Pittsburgh to St. Louis, New York to Atlanta, and New York to Chicago are at a lower rate than it costs on Government-operated lines, as will appear from Mr. Ryan's analysis. He gives total annual cost by Lawson contracts for 1,500 pounds of mail on these routes as $685,000 per annum, and by rail $84,492.12, or an excess of $600,507.88.

No service has yet been performed under these contracts, and in view of the above facts it is to be hoped they will be canceled and vacated as illegal and void. At this time, when postal revenues fall far short of paying running expenses of the service, it would seem the height of folly to throw away $600,000 on such an enterprise.

It will set a bad example, for if one city or two cities get this service every other city of importance will want it, and there will be millions wasted. The transcontinental line was given chiefly for military reasons, and these do not apply to air service in general.

[Statement of Edward J. Ryan, president of the Railway Mail Association.]

I have a statement here which I would like to read:

Contracts are reported to have been executed by the Second Assistant Postmaster General and the Lawson Airplane Co. for aerial mail service on the following routes, 306 round trips per annum:

New York and Chicago, via Pittsburgh, 908 miles	$238,000
New York and Atlanta, via Washington, D. C., 861 miles	300,000
Pittsburgh and St. Louis, via Indianapolis, 620 miles	147,000

The above mileage is railroad mileage between the designated points.

Contracts for transporting mail by airplane operated by individuals, firms, or corporations may be made under provision of law approved April 24, 1920, which reads as follows:

"That the Postmaster General may contract with any individual, firm, or corporation for an airplane mail service between such points as he may deem advisable and designate, in case such service is furnished at a cost not greater than the cost of the same service by rail, and shall pay therefor out of the appropriation for inland transportation by railroad routes."

Under such provision the cost of such service must not exceed the cost of the same service by rail.

The maximum capacity of any plane in use is 1,500 pounds. Very few of the planes are of such capacity, and reported loads now carried are under 500 pounds. Giving the air service the benefit of the maximum load of 1,500 pounds, let us compare the cost of such service by rail on the routes selected for air service. According to the report of the Interstate Commerce Commission, the average load of a 60-foot storage car is 12,500 pounds. One thousand five hundred pounds of mail transported by mail in a baggage car, which would be similar service to that performed by aerial service, would require a 7-foot unit of space of closed-pouch service. The cost of a 7-foot unit of closed-pouch space is 6¼ cents per mile of service. The annual cost of such service on routes selected for aerial service is:

New York and Chicago, via Pittsburgh, 908 miles; 7-foot unit of closed-pouch space, $113.50 round trip; 306 trips per annum, $34,731.

New York to Atlanta, via Washington, D. C., 861 miles; 7-foot unit of closed-pouch space, $85.12 round trip; 306 trips per annum, $26,046.

Pittsburgh and St. Louis, via Indianapolis, 620 miles; 7-foot unit of closed-pouch space, $77.50 round trip; 306 trips per annum, $23,715.

New York and Chicago air service	$238,000.00
New York and Chicago rail service	34,731.00
Excess cost of air over rail service	203,269.00
New York and Atlanta air service	300,000.00
New York and Atlanta rail service	26,046.12
Excess cost of air over rail service	273,953.88
Pittsburgh and St. Louis air service	147,000.00
Pittsburgh and St. Louis rail service	23,715.00
Excess cost of air over rail service	123,285.00
Total cost of air service	685,000.00
Total cost of rail service	84,492.12
Unauthorized expenditure	600,507.88

When this service is inaugurated there will no doubt be a report that a reduction in rail service has been possible on account of such aerial service. To offset the cost of such aerial service will necessitate the withdrawal of two 60-foot storage cars on each of these routes. The average loads of such cars is 25,000 pounds of mail, against the maximum load of 1,500 pounds of mail that can be carried by plane.

Table of the average loads carried in the several units of authorized mail space based upon a special weighing of the mails during the week, April 12 to 18, 1917, inclusive.

	Pounds.
Full railway post-office cars, 60-foot	5,079
Apartment mail cars, 30-foot	1,675
Apartment mail cars, 15-foot	536
Mail storage cars, 60-foot	13,114
Mail storage space, 30-foot	6,575
Mail storage space, 15-foot	3,726
Mail storage space, 7-foot	1,998
Mail storage space, 3-foot	795

The Second Assistant Postmaster General stated to the Senate Post Office Committee in January, 1920, that the saving in rail transportation on the New York to Atlanta route would be $331,894 per annum. This would more than equal the cost of two 60-foot cars, with a liberal allowance for reduction in clerk hire, which in reality would be very little if a reduction in distributors only equaled the withdrawal of 1,500 pounds of mail. To carry the same amount of mail as could be carried by trains would require about 15 planes. The cost of air service would therefore be about ninety times that of rail service.

A study of existing air routes indicates that the reduction in corresponding rail routes has no relation to the amount of mail transported by plane. Distributing cars on the New York and Chicago railway post offices have been withdrawn that never carried one pound of the mail that was put on the planes.

Mr. PAIGE. Have you any figures showing the difference in the time of delivery at these places?

Mr. RYAN. I have a rough sketch. Take the line from New York to San Francisco, train 35, leaving New York at 8.40 p. m., say, Monday night, the airplane leaving at 6.30 the next morning. According to the latest information that train gets into Chicago the next evening at 8.02 p. m., while the plane gets there at 8.27 in the afternoon; the plane leaves at 6.30 and gets to Chicago at 8.27. Now, the train leaves Chicago at 8.40 and gets to Omaha at 9 o'clock next morning, while the plane leaves Chicago at 6 o'clock in the morning and gets to Omaha at 11.40 a. m., so that the same connection out of New York by train gets to Omaha before the plane, because the plane stops overnight at Chicago. The train arrives at 9.40 and the plane at 11.40.

Mr. HARDY. The plane simply catches up with the train ahead?

Mr. RYAN. Yes, sir. The train leaves Omaha at 9.40 and the plane at 11.40 and get to Cheyenne, the train at 8.57 and the plane at 4.25; then out of Cheyenne the train leaves at 9.12 and the plane at 5.30, and the arrival in San Francisco, the train at 12.30 p. m. and the airplane at 6.23 p. m. The saving in time as we have figured it out, practically the catching of the first delivery in the morning and the catching of the second delivery in the afternoon, because the airplane getting in at 6.25 the night before is too late to make delivery, whereas the train getting there at 12.30, the mail goes out that afternoon.

I would like to see them operate the airplanes right. I have no objection to them carrying mail; it is perfectly all right, but I think there ought to be a better report of some kind on the actual cost of the proposition, so that Congress would know exactly what is happening in the operation of the airplane routes. Let the Army operate the airplane routes, and let the department have available for them such mail as they can expedite, and let the Army get the experience to have it available for national defense. I have no objection to the carrying of mail by airplane routes, but I do not like to see reports submitted about its efficiency and the amount of car space saved by it, because I can tell you that you can take 400 pounds of mail and put it on the 1,000-mile run between New York and Chicago, where we have three distinct crew changes, changes at Syracuse and Cleveland, large trains and large crews, and I do not believe that from New York to Chicago, with the extent of the service and the number of men involved, they would ever know they had that 400 pounds of mail.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request.

There was no objection.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Iowa moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CANDLER of Mississippi (at the request of Mr. VENABLE), indefinitely, on account of illness in his family.

To Mr. STEENERSON, for two days, on account of important public business.

SURVEYS OF RIVERS AND HARBORS.

Mr. OSBORNE. Mr. Speaker, by direction of the Committee on Rivers and Harbors I submit a privileged report, and I ask that the minority report may be filed within the next five days.

The SPEAKER. The gentleman from California submits a privileged report, which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 16022) directing the Secretary of War to cause examinations and surveys to be made of certain rivers and harbors, and for other purposes.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union.

Mr. MANN of Illinois and Mr. GARRETT reserved all points of order on the bill.

The SPEAKER. The gentleman from Illinois and the gentleman from Tennessee reserve all points of order. The gentleman from California [Mr. OSBORNE] asks unanimous consent that the minority of the Committee on Rivers and Harbors may have five days in which to file minority views. Is there objection?

There was no objection.

DEATH OF REPRESENTATIVE BLACKMON, OF ALABAMA.

Mr. ALMON. Mr. Speaker, it becomes my painful duty to announce the death of my colleague, Hon. FRED L. BLACKMON, of the fourth congressional district of Alabama. At a future time I shall ask the House to set aside a day for exercises in memory of the life and character and public services of our late colleague. In the meantime I offer the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 676.

Resolved, That the House has heard with profound sorrow of the death of Hon. FRED L. BLACKMON, a Representative from the State of Alabama.

Resolved, That a committee of 18 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. ALMON. I move the adoption of the resolution.

The resolution was agreed to; and the Speaker appointed as the committee on the part of the House Messrs. DENT, ALMON, OLIVER, STEAGALL, HUDDLESTON, BANKHEAD, MCDUFFIE, RAINEY of Alabama, BOWLING, BELL, RAMSEYER, ROUSE, RADCLIFFE, SISSON, JONES of Pennsylvania, LEE of Georgia, JACOWAY, and VENABLE.

ADJOURNMENT.

Mr. ALMON. Mr. Speaker, I offer the following further resolution.

The SPEAKER. The gentleman from Alabama offers a further resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That as a further mark of respect, this House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p. m.) the House adjourned until Wednesday, February 9, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

403. A letter from the Secretary of War, transmitting from the Chief of Engineers fourth report under section 10, act of March 2, 1919, as to river and harbor contracts that have become inequitable and unjust (H. Doc. No. 997); February 7, 1921, referred to the Committee on Rivers and Harbors; February 8, 1921, ordered to be printed.

406. A letter from the Secretary of the Navy, transmitting copies of reports of useless executive papers on the files of navy yards and naval stations that have been disposed of; to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 16008) granting certain lands to Converse County, Wyo., for a public park, reported the same with an amendment, accompanied by a report (No. 1302), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LEHLBACH, from the Committee on Reform in the Civil Service, to which was referred the bill (H. R. 15858) supplemental to an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes" (Public, No. 215, 66th Cong.), approved May 22, 1920, reported the same with amendments, accompanied by a report (No. 1303), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15934) to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein, reported the same without amendment, accompanied by a report (No. 1304), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. OSBORNE, from the Committee on Rivers and Harbors, to which was referred the bill (H. R. 16022) directing the Secretary of War to cause examinations and surveys to be made

of certain rivers and harbors, and for other purposes, reported the same with amendments, accompanied by a report (No. 1305), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM of Illinois, from the Select Committee on Expenditures in the War Department, submitted a report (No. 1307) on the activities of the War Department in acquiring leather goods and equipment during the war, which said report was referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15526) granting a pension to Sarah M. Youngs, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PORTER: A bill (H. R. 16048) to authorize the establishment and maintenance of post-lantern lights and other aids to navigation on the Allegheny River, Pa.; to the Committee on Interstate and Foreign Commerce.

Also (by request), a bill (H. R. 16049) to amend the act approved February 7, 1916, entitled "An act to provide for the maintenance of the United States section of the International High Commission; to the Committee on Foreign Affairs.

By Mr. KING: A bill (H. R. 16050) to amend section 4 of the act of May 9, 1902, in regard to adulterated butter; to the Committee on Agriculture.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 16051) imposing income taxes in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LINTHICUM: A bill (H. R. 16052) to protect fish not remaining the entire year within the waters of any State or Territory, and authorizing the Department of Commerce to define the seasons and regulate the manner and conditions under which they may be taken or destroyed; to the Committee on the Merchant Marine and Fisheries.

By Mr. REAVIS (by request): Joint resolution (H. J. Res. 467) designation of first week in April as "national corn-meal week"; to the Committee on Agriculture.

By Mr. PORTER (by request): Joint resolution (H. J. Res. 468) creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru; to the Committee on Foreign Affairs.

By Mr. FISH: Resolution (H. Res. 673) directing the Secretary of the Treasury to furnish the House of Representatives certain correspondence with foreign Governments; to the Committee on Ways and Means.

By Mr. STEVENSON: Resolution (H. Res. 674) providing for the consideration of House bill 15904; to the Committee on Rules.

By Mr. TOWNER: Resolution (H. Res. 675) for the immediate consideration of House bill 10925; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the State of Idaho, urging the passage of the McCumber bill, providing for the monthly payment of pensions to soldiers of the Civil War; to the Committee on Invalid Pensions.

By Mr. FULLER: Memorial from the Legislature of the State of Illinois, urging the passage of House bills 13558, 10835, 14315, and 14557, and Senate bill 4357, as recommended by the American Legion; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Memorial of the Legislature of the State of California, relative to the protection of the poultry industry in this country; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, relative to naturalization and property rights of aliens; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 16053) granting a pension to Esther H. Drake; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 16054) granting a pension to Cynthia Luttrell; to the Committee on Invalid Pensions.

By Mr. MAJOR: A bill (H. R. 16055) granting a pension to John M. Jackson; to the Committee on Invalid Pensions.

By Mr. HENRY T. RAINEY: A bill (H. R. 16056) granting a pension to Newton Ernest McElvain; to the Committee on Pensions.

By Mr. RIDDICK: A bill (H. R. 16057) for the relief of L. A. McMullen; to the Committee on Claims.

By Mr. SLEMP: A bill (H. R. 16058) to authorize the Commissioner of Patents to investigate the extension of a patent issued to Earnest W. Ladd, Hunter Arnold, William H. Rohrer, Harry L. Wheatley, B. M. McQuinn, and Thomas J. Farrar; to the Committee on Patents.

By Mr. TOWNER: A bill (H. R. 16059) granting an increase of pension to Millard F. Lash; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5579. By the SPEAKER (by request): Petition in reference to the plebiscite in upper Silesia; to the Committee on Foreign Affairs.

5580. Also (by request), petition of Kewanee Boiler Co., favoring House bill 15551; to the Committee on Coinage, Weights, and Measures.

5581. By Mr. CLASSON: Petition from citizens of the city of Appleton, Wis., requesting an amendment to the Volstead Act permitting the manufacture and sale of beer and light wines, also protesting against the so-called Sunday blue laws; to the Committee on the Judiciary.

5582. By Mr. DICKINSON of Iowa: Petition of sundry citizens of Charter Oak, Iowa, protesting against the occupation of Germany by French territorial troops; to the Committee on Foreign Affairs.

5583. By Mr. ESCH: Petition of American Chamber of Commerce of the Philippine Islands, favoring an amendment to the income tax law; to the Committee on Ways and Means.

5584. Also, petition of Rev. J. B. Durch, pastor St. Theresa's Church, Union Center, Wis., protesting against the Smith-Towner bill; to the Committee on Education.

5585. By Mr. FULLER: Petition of Barber-Colman Co., of Rockford, Ill., and the Western Glass Co., of Streator, Ill., favoring the passage of the Winslow bill, for partial payments of moneys due the railroads under the transportation act; to the Committee on Interstate and Foreign Commerce.

5586. Also, petition of John Holm and 68 others of Rockford, Ill., favoring beer and light wines and protesting against the Sunday blue laws; to the Committee on the Judiciary.

5587. Also, petition of Rev. M. Gensler, rector of Sts. Peter and Paul Church, and congregation, of Leonore, Ill., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5588. By Mr. GALLIVAN: Resolution of Michael J. Perkins Post, No. 67, American Legion, South Boston, Mass., George F. Daly, adjutant, recommending that the Congress of the United States take proper action for the collection of interest, long overdue, on loans to foreign Governments, in order to provide funds for the payment of adjusted compensation to World War veterans; to the Committee on Ways and Means.

5589. Also, resolution of Mayor MacCurtin Council of the American Association for the Recognition of the Irish Republic, West Newton, Mass., protesting against the deportation of Lord Mayor Donal J. O'Callaghan, of Cork, Ireland; to the Committee on Foreign Affairs.

5590. Also, resolutions adopted by Michael Davitt Council, American Association for the Recognition of the Irish Republic, 349 Tremont Street, Boston, Mass., Michael A. O'Reilly, corresponding secretary, beseeching the Congress of the United States to take proper action to stop the atrocities perpetrated on the oppressed people in Ireland by the British Government; also protesting against the deportation of Lord Mayor Donal O'Callaghan, of Cork, Ireland; to the Committee on Foreign Affairs.

5591. By Mr. HUTCHINSON: Petition of Mr. Fred Bickel, jr., and sundry other citizens of Trenton, N. J., protesting against the occupation of German territory by French colonial troops; to the Committee on Foreign Affairs.

5592. Also, petition of Mr. Oscar Hoehne and sundry other citizens of Trenton, N. J., protesting against the occupation of German territory by French colonial troops; to the Committee on Foreign Affairs.

5593. By Mr. LAMPERT: Petition of the Trades and Labor Council of Fond du Lac, Wis., to establish trade relations with the Russian Government; to the Committee on Foreign Affairs.

5594. Also, petition from 600 Knights of Columbus members of Manitowoc, Wis., protesting against the Smith-Towner bill; to the Committee on Education.

5595. By Mr. LEHLBACH: Petition of sundry citizens of the tenth district of New Jersey, protesting against the occupation of Germany by the French colonial troops; to the Committee on Foreign Affairs.

5596. By Mr. O'CONNELL: Petition of Citizens' Medical Reference Bureau, New York, in opposition to compulsory medicine; to the Committee on Interstate and Foreign Commerce.

5597. Also, petition of the American Chamber of Commerce of the Philippine Islands, asking for an amendment of the income tax laws; to the Committee on Ways and Means.

5598. By Mr. OSBORNE: Petition of Thomas L. Cheek and 43 other citizens of Venice, Calif., requesting an amendment to the Volstead enforcement law and protesting against the so-called Sunday blue laws; to the Committee on the Judiciary.

5599. By Mr. PAIGE: Petition of sundry citizens of the third district of Massachusetts, opposing the Smith-Towner bill; to the Committee on Education.

5600. Also, petition of city council of the city of Fitchburg, Mass., relative to the exorbitant prices now being charged for coal; to the Committee on Interstate and Foreign Commerce.

5601. By Mr. RAKER: Petition of Maud I. Murchie, State supervisor of teacher training for home economics for the State of California, of Sacramento, Calif., and Agnes E. MacPherson, chairman home economics department, southern branch, University of California, urging support of the Fess bill, providing additional funds for home economics education; to the Committee on Education.

5602. Also, petition of Henry McManus, of Hot Springs, S. Dak., relative to the salaries of Congressmen, Senators, and the Vice President; to the Committee on Appropriations.

5603. By Mr. SNYDER: Petition of Knights of Columbus, of Ilion, N. Y., against the enactment of the Smith-Towner bill; to the Committee on Education.

5604. By Mr. TAGUE: Petition of commissioner of agriculture, A. W. Gilbert, of the department of agriculture of the State of Massachusetts, asking that the appropriation for controlling the European corn borer be put back to $400,000; to the Committee on Appropriations.

5605. Also, petition of Michael Davitt Council, American Association for the Recognition of the Irish Republic, asking American recognition of the Irish republic and protesting against the deportation of Lord Mayor O'Callaghan; to the Committee on Foreign Affairs.

5606. Also, petition of the American Stay Co., of East Boston, Mass., regarding the packers' bill (S. 3944); to the Committee on Agriculture.

5607. Also, petition of members of the Mayor MacCurtain Council of the American Association for the Recognition of the Irish Republic, West Newton, Mass., protesting against the deportation of Lord Mayor O'Callaghan; to the Committee on Immigration and Naturalization.

5608. Also, petition of the St. Alphonsus Association, of Boston, Mass., and 5,000 citizens of St. Joseph's Church, of Boston, Mass., against the Smith-Towner bill; to the Committee on Education.

5609. Also, petition of Chamber of Commerce of the Philippine Islands, asking an amendment to the income tax laws; to the Committee on Ways and Means.

5610. By Mr. TINKHAM: Petition of certain citizens of Tollesboro, Ky., protesting against the right to vote being denied to certain classes of citizens; to the Committee on the Census.

5611. Also, petition of Maj. John McBridge Council of American Association for the Recognition of the Irish Republic, Roxbury, Mass., asking the dismissal of Admiral Sims from the United States Navy; to the Committee on Naval Affairs.

5612. By Mr. YOUNG of North Dakota: Petition of the Frank X. Sczygiel Post, No. 32, of the American Legion, at Marion, the Gerald A. Hoskin Post, American Legion, at Oberon, and the Florence Kimball Post, No. 7, American Legion, at Lisbon, all in the State of North Dakota, favoring the enactment of legislation to provide better hospitalization facilities, etc., for disabled war veterans; to the Committee on Ways and Means.

5613. Also, petition of Northwestern Lumbermen's Association, of Minneapolis, Minn., favoring an amendment to the transportation act and protesting against the proposed duty on lumber imported from Canada; to the Committee on Interstate and Foreign Commerce.

5614. Also, petition of grain growers of North Dakota, in convention at Fargo, N. Dak., favoring the development of an economical method of marketing farm products; to the Committee on Agriculture.

SENATE.

WEDNESDAY, *February 9, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, we bless Thee for all the mercies with which Thou art crowning our days. We look to Thee for help in the duties awaiting us, and ask where there is sorrow that there may be the balm of Thy presence and helpfulness. Amid all the contingencies of life may we know that a good and gracious God directs our ways to His own glory and for our good. We ask it in Christ's name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Saturday, February 5, 1921, when, on request of Mr. MCKELLAR and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FINAL ASCERTAINMENT OF ELECTORS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting, pursuant to law, certificates of the governors of Mississippi, Tennessee, and Texas of the final ascertainment of electors for President and Vice President in their respective States at the election November 2, 1920, which were ordered to lie on the table.

REPORT OF THE COMPTROLLER OF THE CURRENCY.

The VICE PRESIDENT laid before the Senate a communication from the Comptroller of the Currency, transmitting, pursuant to law, his report for the fiscal year ended October 31, 1920 (being vol. 1), which was referred to the Committee on Finance.

DAMAGE CLAIMS FOR RIVER COLLISIONS (S. DOC. NO. 378).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a communication from the Secretary of War, submitting an estimate of appropriation in the sum of $1,200.11 to pay claims for damages by river collisions, river and harbor work, which have been adjusted and settled by the Chief of Engineers, United States Army, which was referred to the Committee on Appropriations and ordered to be printed.

PUBLIC-LAND WITHDRAWALS AND RESTORATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of withdrawals and restorations of public lands, which was referred to the Committee on Public Lands.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the bill (H. R. 15836) to amend the transportation act, 1920, in which it requested the concurrence of the Senate.

The message also announced that the House had passed with an amendment the bill (S. 578) providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view to satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a joint resolution of the Legislature of Minnesota, which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

A joint resolution relating to duty on lumber. (Introduced by Mr. Neuman).

Whereas the present housing shortage is a matter of deep national concern, the stimulation of home construction being a vital need of the Nation, and anything that would add to the already high cost of building should fail of legislative sanction; and

Whereas the cost of lumber production in the United States is lower than in any other country in the world, the American mill therefore needing no tariff to protect it; and

Whereas a duty placed on lumber imported from Canada would operate to increase the cost to the ultimate consumer and thereby permit the increased financial burden to thousands of farmers and home builders of this country for the benefit of a selected few; and

Whereas such a tariff is against the best interests and general welfare of the public, would compel excessive depletion of our own timber resources, and would invite retaliatory measures on the part of Canada to the extreme detriment of all lines of manufacture: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Senate and House of Representatives of the United States be, and they hereby are, urged to refrain from placing a duty on lumber imported from the Dominion of Canada; and be it further

Resolved, That the chief clerk be, and he is hereby, instructed to mail a copy of these resolutions to each Member of the United States Senate and House of Representatives from Minnesota.

OSCAR ARNESON,
Chief Clerk House of Representatives.
GEO. W. PEACHEY,
Secretary of the Senate.

ST. PAUL, *February 2, 1921.*

Mr. WARREN presented a telegram in the nature of a petition (signed by E. C. Bowman) of the Farm Bureau of Sheridan County, of Sheridan, Wyo., praying that the appropriation be increased for distribution of thoroughbred stallions throughout the country by the Federal Remount Service, which was referred to the Committee on Military Affairs.

Mr. LODGE presented a petition of the Lowell Trades and Labor Council, of Lowell, Mass., favoring immediate resumption of trade relations with soviet Russia, which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Thomas Ashe Council, American Association for the Recognition of the Irish Republic, of Holyoke, Mass., protesting against deporting the lord mayor of Cork, Ireland, D. J. O'Callaghan, which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Massachusetts Federation of Churches, of Boston, Mass., favoring the disarmament of all nations, which was referred to the Committee on Foreign Relations.

Mr. MOSES presented a memorial of Rev. J. H. Cormier, representing several hundred Catholic and non-Catholic citizens of Salmon Falls, N. H., remonstrating against the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

Mr. MYERS. I present telegrams in the nature of memorials in opposition to the Smith-Towner educational bill from St. Mary's Branch of the National Council of Catholic Women, of Helena; Isabel McGrade, of Libby; Mr. and Mrs. Samuel Tefeau, of Libby; Mr. and Mrs. F. Parsyck, of Libby; and Mr. and Mrs. P. J. Shea, of Libby; all in the State of Montana, which I move be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. TOWNSEND (for Mr. NEWBERRY) presented memorials of Branch No. 110, L. C. B. A., of Detroit; Rev. D. J. Breault, of Houghton; Rev. A. Wolny, pastor of St. Joseph's Church, of Houghton; Rev. H. Tran, pastor of Mount Carmel Church, of Franklin Mine; A. Cubr, president of the St. Stephen Bohemian Roman Catholic Society, of Detroit; and P. C. Ryan, pastor of St. Mary's Church, of Adrian, all in the State of Michigan, remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented a petition of the Rotary Club, of Sault Ste. Marie, Mich., praying for the enactment of legislation to improve the facilities and service of the Bureau of War Risk Insurance, and to further amend and modify the war-risk insurance act, which was referred to the Committee on Military Affairs.

Mr. WOLCOTT presented petitions of Kate Dougherty, Rosalie F. Pool, Paul Dougherty, Z. A. Pool, C. W. Zolper, James A. Horty, Cecilia M. Hamill, Lucy Peach, Nan A. Neary, Pauline E. Piebling, William J. Reader, jr., Ellen V. O'Dwyer, and Helen Gleeson, all of Wilmington, Del., and sundry citizens of Milford, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. WILLIS presented a memorial of sundry citizens of Cleveland, Ohio, remonstrating against the extension of loans to Great Britain, which was referred to the Committee on Finance.

He also presented memorials of sundry citizens of Marietta, Columbus, St. Bernard, Kalida, and St. Stephen, all in the State of Ohio, remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. BECKHAM, from the Committee on Military Affairs, to which was referred the bill (S. 4912) to authorize the appointment of an ordnance storekeeper in the Army, reported it with amendments and submitted a report (No. 767) thereon.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them without amendment and submitted reports thereon:

A bill (S. 4991) for the relief of Kristina Furjak (Rept. No. 768); and

A bill (S. 4992) for the relief of William E. Lewis (Rept. No. 769).

Mr. McCUMBER, from the Committee on Pensions, reported a bill (S. 5002) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title and, with the accompanying report (No. 770), placed on the calendar.

He also, from the same committee, to which was referred the bill (H. R. 15546) to repeal certain portions of an act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," approved June 5, 1920, reported it without amendment and submitted a report (No. 771) thereon.

He also, from the same committee, to which was referred the bill (H. R. 15901) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it favorably with amendments and submitted a report (No. 772) thereon.

SUSPENSION OF NAVAL BUILDING PROGRAM.

Mr. POINDEXTER. Mr. President, I submit a report from the Committee on Naval Affairs, and ask that it may be printed in the RECORD and as a Senate document.

Mr. SMOOT. Mr. President, the Senator does not want the report printed as a public document, does he?

Mr. POINDEXTER. Yes. It is on the Borah resolution. I think it ought to be printed as a Senate document. It is a very important resolution.

Mr. SMOOT. It is not very often that reports of committees are printed as public documents.

Mr. POINDEXTER. It is nearly always done if the report is upon a special matter, under a special direction of Congress or upon a special resolution of the Senate.

Mr. SMOOT. They are usually printed as committee reports, but if the Senator wants it done I have no objection.

Mr. KING. Mr. President, may I inquire of the Senator from Washington whether this is the report of the Committee on Naval Affairs that he has just offered?

Mr. POINDEXTER. Yes.

Mr. KING. I do not know whether or not it is necessary to obtain permission from the Senate, but I should like to have an additional day or two in which to file a minority report. I give notice, at least, that if I can find time I shall file a minority report in addition to the report submitted by the majority of the committee.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Washington? The Chair hears none, and it will be so ordered.

The report is as follows:

[Senate Report No. 766, Sixty-sixth Congress, third session.]

SUSPENSION OF THE UNITED STATES NAVAL BUILDING PROGRAM.

Mr. POINDEXTER, from the Committee on Naval Affairs, submitted the following report (pursuant to S. Res. 433):

The Committee on Naval Affairs, which was directed by a Senate resolution adopted on January 25, 1921, to report to the Senate whether in its opinion it is practical and also a sound policy to suspend the naval building program now in progress for a period of six months have considered the questions contained in the resolution and report that in the opinion of your committee it is not practical and is not a sound policy to suspend the naval construction program of the United States now in progress for a period of six months, nor at all, and submit in support of this recommendation the following data and information, including a letter from the Chief of the Navy General Board to the Secretary of the Navy, as follows:

FEBRUARY 2, 1921.

Hon. CARROLL S. PAGE,
Chairman Committee on Naval Affairs,
United States Senate.

MY DEAR MR. CHAIRMAN: I am in receipt of your communication of the 26th ultimo inclosing a copy of Senate resolution No. 433, introduced by Senator BORAH and adopted by the Senate, "directing the Committee on Naval Affairs to report to the Senate as to the policy of suspending the present naval building program for six months to the end that investigation may be had as to what constitutes a modern fighting navy."

On the 22d of January I addressed a letter to the General Board, directing the board to make study and investigation with reference to the type of ship which will form the main strength of the navies of the world in the future. I called their attention to the prediction that the time would come when the battleship will no longer form the backbone of the fleet, but that ships of the air and ships of the submarine type will be the main strength of the navies of the future. I requested them to take this matter under consideration and submit the mature judgment of the board after investigation.

In answer to this letter to the General Board, I am in receipt of a letter from the Chief of Operations, Admiral Coontz, conveying with his approval the report of the General Board, signed by Rear Admiral Charles J. Badger, chairman of the executive committee.

I am sending this to you as chairman of the Committee on Naval Affairs of the Senate and the committee with my approval.

Sincerely, yours,

JOSEPHUS DANIELS.

FEBRUARY 2, 1921.

From: Senior member.
To: Secretary of the Navy.
Subject: Design of battleships.
Reference: (a) Department's letter of January 22, 1921.
Inclosure: (A) Copy of reference (a).

In compliance with the letter of the Secretary of the Navy, dated January 22, 1921, the General Board has carefully considered the question of design in construction of battleships and of their value in the composition of the fleet.

2. For 20 years the General Board has been charged with the duty of recommending to the Navy Department the proper types of ships for the Navy, each in due proportion. Particularly since the close of the recent war activities more than two years ago the General Board has devoted itself to a study of changes proper to adopt in the composition of the fleet in view of the experience of four years of war. The important facts regarding the naval operations of the war are already generally known, and further delay of six months or any other period for the study of types of ships is neither necessary nor advisable.

CONCENTRATION OF POWER IS SOUND TACTICS.

3. Concentration of power in attack is the fundamental basis of all warlike operations, ashore and afloat. Naval concentration of power has been in the main fighting ships of a fleet from the ancient galley period to the present time, and the strength of navies has always been based upon the number and power of its ships of the fighting line; that is, of its battleships.

4. Types change as advance is made in the mechanical arts, arts and sciences, and in invention; but the general principle of concentration of power in ships that can take and keep the sea at all times and in all weathers, that can deliver and receive the heaviest blows, and that can overcome the strongest ships that may be brought against them will continue as long as navies exist.

5. The rapid progress during the last half century in naval construction and maritime inventions in motive power, ordnance and armor, in torpedoes, explosives, and accessories has so increased the power and consequent cost of battleships as to make their acquisition and maintenance a financial burden of first importance to any nation, however rich. Naturally, any scheme, proposition, or invention which appears to offer a less expensive, shorter road to victory is most attractive and generally finds enthusiastic supporters.

SURPRISE, RUSE, AND STRATAGEM VERSUS KNOCKOUT BLOWS.

6. It will be found on analysis that the arguments against the expensive capital ship are based upon the old fallacy that war can be cheaply won by hitting, dodging, and running. This belief is usually advanced by the weaker opponent, who endeavors to substitute surprise, ruse, and stratagem for powerful, knockout blows. At times it influences stronger nations, who see, or hope they see, some short and more economical road to success, due to new inventions, than that afforded by the slower, normal advance in naval methods and material.

7. Time and again the naval policy of maritime nations has been influenced by these arguments. Reliance upon speed and commerce destroying had its day, until it became evident that speed without punch was insufficient to win a war.

8. In the early eighties, when the automobile torpedo began to develop as a weapon of fair accuracy, the immediate doom of the battleship was prophesied. A single torpedo launched from a boat costing less than $100,000 was to destroy a battleship costing millions. The answer to this soon came in increased underwater protection, torpedo defense batteries, and in the larger, faster, better armed, and more costly torpedo-boat destroyer, which drove the smaller torpedo vessel from the sea and took permanent place in the auxiliary forces of the fleet, at enhanced cost to its construction and maintenance.

9. Much was expected in the late war of large, fast, well-drilled squadrons of torpedo-boat destroyers that would launch a flock of torpedoes against the capital ships in battle formation with fatal effect. At the battle of Jutland, when these tactics were tried out they failed. Several ships were hit but not destroyed. The British battleship *Marlborough* after being torpedoed remained in the line and got safely back to port. The German ship *Seydlitz* had the same experience. Only one ship, of an older type, the *Pommern*, is reported to have been sunk, and that at night and after the battle. Nothing was accomplished in the battle in the way of destruction of capital ships by torpedoes, though great numbers were launched. Destroyer met destroyer, light cruiser light cruiser, and the battleships held their places in the line. The most serious damage to the ships in this battle was due to the great gun.

10. The fast light cruiser, raider, commerce destroyer, were again tried out in the World War. The Von Spee squadron, the *Emdem*, and a few other vessels of similar types brought a certain amount of distinction to the German Navy, but as the German battle fleet could not support them they eventually succumbed to superior British force which commanded the sea. Speed and dodging again failed.

11. To-day the opponents of the battleship are basing their arguments upon the present and prospective, especially the prospective, development of submarines and aircraft. It is the old battle of words over again, like that of the torpedo against the big ship, the gun against armor, speed against concentrated fighting power. We are asked to accept hopes for accomplishment.

12. During the late war the submarine, a new weapon never before tried in war, received enormous development. Its employment against certain types of vessels, particularly slow, unprotected merchant vessels, was entirely unexpected. The submarine is the most successful weapon in its qualities of concealment and surprise yet advanced. It came very near winning the war for Germany. But, as always, necessity and invention combined found means to meet the menace and reduce it to controllable limits.

13. The successful employment of the destroyer and other speedy vessels with their depth bombs, the motor boat with its listening devices, submarine against submarine, developed a defense against submarine attack to a point where it was successfully met. It took a long time, but again surprise and dodging failed.

14. The capital ship survived this, perhaps the most serious danger to which it has yet been exposed, and further improvements in underwater protection as well as in other ways have greatly minimized it. As a matter of fact, throughout the war though the cruising ground of the grand fleet was infested by submarines, eventually brought to a high state of perfection by the Germans, not a single battleship of that fleet was sunk or even very seriously injured by submarine attack. The protective measures adopted were successful and the grand fleet frequently traversed the North Sea and adjacent waters unharmed and at will. There is no reason to believe that the defense along these lines will not continue to keep pace with the offense.

AVIATION.

15. Finally come the bomb and torpedo carrying aircraft to contest the supremacy of the capital ship, as well as of all surface vessels. Great things, not yet accomplished, are predicted for the inventors and enthusiastic supporters of these new weapons, but if past experience has any value, it may be as confidently predicted that equally fertile invention will provide means for meeting the future development of these weapons and that they, like their dangerous predecessors, will continue to be only adjuncts of the fleet. Already aircraft have been successfully employed in war against aircraft.

16. No one can foretell what the developments in aviation may bring in the modification of present accepted types of surface vessels, but it may be confidently asserted that changes of type due to this influence will be slow and will not seriously affect the value of the ships now built or to be built in the near future. Changes in military characteristics of battle and other surface ships are frequent in these days of progress in invention, but no revolutionary change is to be expected. Secrecy as to basic characteristics can not be maintained, and means of defense move in parallel lines and at about equal speed with those of offense.

17. The unlikely may happen, and the protective measures and devices needed for the survival of the capital ship may outweigh and overshadow the value of such ships as primary weapons. Before such a condition is reached, however, the new weapons now under trial will have to attain a general efficiency far in excess of anything they now possess. Predictions are one thing, actualities are another. It would be the height of unwisdom for any nation possessing sea power to pin its faith and change its practice upon mere theories as to the future development of new and untried weapons. As yet the protected gun is the most generally effective weapon in existence for naval use. But that fact does not relieve us of the necessity of developing to the utmost new weapons and inventions as rapidly as possible.

18. At the present time the defense of surface ships against aircraft attack, whether by bombs or torpedoes, seems fairly well solved. It consists mainly in meeting aircraft with aircraft. The limitations of aircraft are such that there is no reason why both sides, properly prepared, should not have aircraft at hand when the time and place for their use arises. Victory in the air will then depend upon the greater efficiency in personnel and material in the air service. Hence the need for immediate training and preparation in aviation.

19. Aviation development over the land has progressed far more than over the water. The difficulties of the effective use of aircraft over water against ships are incomparably greater. During the war the damage to surface vessels from aircraft was practically negligible. It is easy to lay a bomb on the deck of a ship, explode it from a safe place, and then exclaim in wonder at the damage it has caused. But it is a very different matter to place that same bomb from the air when under gunfire or attack from other planes. The same is true of the torpedo launched from aircraft. The characteristic weaknesses of the torpedo under the necessary conditions of operation make a hit from the air difficult under the best of conditions, but conceding that it can be done, tests under peace conditions must of necessity be inconclusive as to actual performance under war conditions.

20. There is no doubt, however, that the future employment of aircraft in connection with naval operations will introduce new problems of attack and defense of far-reaching importance. They will become increasingly valuable adjuncts of the fleet.

21. The General Board, in its annual report, dated September 24, 1920, stated as follows:

"It is not too much to say that the influence of seaplanes upon scouting and information gathering duties may revolutionize former naval practice along these lines, though the General Board does not believe that the necessity for surface vessels of the scout or cruiser type will be in any great degree impaired by the use of aircraft as information gatherers.

"Surface vessels will always be needed for use under weather and other conditions when aircraft could not be employed—for the patrol of sea routes, the protection of lines of communication, escort of convoys, screens for fleets, and numerous other duties for which aircraft are not suited.

"Airplane carriers are a development of the war. They are to carry airplanes in considerable numbers from which aircraft may fly and return as to a base. * * * Such vessels should be considered as an absolutely essential type in a modern fleet. For the United States Navy they are urgently needed * * * for training the air and the fleet personnel in the use of aircraft in connection with fleet organization and operations."

COMPOSITION OF THE MODERN FLEET.

22. The composition of a war fleet is becoming more and more complex. It follows the law of increase in size and cost, as do all great modern organizations. But the principle is the same now as in the days of Nelson and before. Ships of different types had to be provided for the duties which the state of naval warfare then demanded. Hence, the ship of the line (battleship), in which the main reliance was placed for the destruction of enemy sea power. Frigates, sloops, and smaller craft were provided for information gathering, blockading, ocean patrol, convoying, commerce destroying, and the clearing of the seas of enemy craft of similar types, besides store and supply ships for fleet maintenance.

23. To-day the fleet organization is still based upon the great fighting ships, with such auxiliaries as modern progress has made necessary for the prosecution of naval warfare. As new weapons have been invented or old ones have been increased in power means have been found to meet them. The defense has kept pace with the offense, and victory depends, as before, upon efficient organization, the number and power of the fighting ships, and upon the training and effectiveness of the personnel.

THE BATTLESHIP—THE BASIS OF SEA POWER.

24. Comment has been made from time to time in the press and elsewhere upon the comparatively little actual fighting done in the late war by the battleship fleets, and the conclusion has been drawn that because of their apparent inactivity they were of no use and could be dispensed with. The important service which they performed was neither generally understood nor appreciated. In reality it was upon the potential fighting power of these ships that the activities of all other naval craft was based. Throughout the war it was the grand fleet at Scapa Flow or thereabouts which controlled the movements

of the enemy ships. It was the sea power vested and latent in the battleships which exercised the pressure upon the enemy which kept the sea routes open to the Allies and kept the German High Sea Fleet in its defended harbors until the morale of its personnel was sapped and the offensive power of that fleet destroyed by inaction.

FLEET AND ARMY ORGANIZATION COMPARED.

25. In the organization and operation of an army main dependence is placed upon the slow moving but potentially powerful infantry. Upon it is based the activities of all subsidiary branches of the service—artillery, cavalry, engineers, aircraft—all. Its masses may and generally do lie well behind the advance lines, and not until the necessary preparations have been made by the advanced forces, which it supports, or the movements of the enemy's infantry or other conditions make it necessary or advisable, does it advance to give battle. Upon the size and fighting power of the great masses depends victory or defeat.

26. Similar conditions obtain in the organization and operations of a fleet. The battleship fleet represents the infantry masses in which reside the final and decisive fighting power. The cruisers and destroyers, the submarines and aircraft, all the various subsidiary forces, like those of the Army, base their activities upon the battle fleet which, when the time is opportune, exerts its full power upon the enemy. Similar types will meet similar types, but it is upon the most powerful type of all, the battleship, that the decision will depend.

THE BATTLESHIP PARAMOUNT.

27. The General Board in its annual report dated September 24, 1920, stated as follows:

"Nothing that occurred during the World War has served to change the opinion of the General Board as to the vital importance in war of the battleship, the ship that can at once give and take heavy blows."

28. Numerous citations in support of this position might be made from the most distinguished fleet commanders and other experienced officers of the late war. But perhaps it will suffice to quote the British naval opinion as contained in the statement of the First Lord of the Admiralty explanatory of the navy estimates, 1920–21, when presented to Parliament.

REMARKS ON THE CAPITAL SHIP.

"There has been some criticism of the maintenance in commission of the present type of vessels, especially in regard to the capital ship. A contrary policy has been openly advocated, this policy being based, it is presumed, on the idea that the battleship is dead and that submersible and air vessels are the types of the future. The naval staff has examined this question with extreme care, and as a result we profoundly dissent from these views.

"In our opinion the capital ship remains the unit on which sea power is built up.

"So far from the late war having shown that the capital ship is doomed, it has on the contrary proved the necessity for that type. On the German side the whole of the submarine campaign against merchant vessels was built up on the power of the high-sea fleet. On the British side the enemy submarines in no way interfered with the movements of capital ships in carrying out operations; destroyer screens, new methods of attack, and altered tactical movements defeated the submarine.

"Nor at present could the Board of Admiralty subscribe to the statement that aircraft have doomed the capital ship. Aircraft are certainly of the highest importance in naval tactics as regards reconnaissance, torpedo attacks, and artillery observation, but their rôle in present circumstances is that of an auxiliary and not of a substitute for the capital ship. The past history of this question must be taken into account; many times has the doom of the battleship been pronounced. The introduction of torpedo craft was believed in certain quarters over 20 years ago to have settled its fate. The Board of Admiralty at the time refused to be carried away by the attractiveness of the idea of building small, cheap torpedo craft instead of battleships, and they proved to be right. History has shown that the introduction of a type to destroy the capital ship has been quickly followed by the evolution of countermeasures which sustain its power.

"We therefore believe that the battleship must remain the principal unit, and that the fleet tactics and tactical training must be carried out with the battle squadron as the main unit. Nevertheless, it must be emphasized that although the battleship remains, its type may require to be altered. Advances in electricity, in the internal-combustion engine, and in science generally will inevitably necessitate an eventual change of type, and it is one of the principal functions of the naval staff to keep continuous watch on scientific development, with the object of insuring that the type of capital ship design meets the requirements of the future. It is even possible that the present battleship will change to one of semisubmersible type, or even of a flying type, but such types are visions of the far future, not practical propositions of the moment. By gradual evolution and development the types forecasted may arrive, but the immediate abandonment of the capital ship in favor of a visionary scheme of aircraft and submarines would leave the British Nation destitute of sea power and without the means of progressive training."

29. Certainly there is nothing in that statement, representing the best professional opinion of responsible authority in Great Britain, which throws any doubt upon the value of the battleship.

"We therefore believe that the battleship must remain the principal unit." The statement recognizes that the advance in science generally may require an eventual change of type and that continuous watch on scientific development must be exercised, but there is nowhere any indication that such changes will occur except by "gradual evolution and development." This gradual evolution and development in types has been going on steadily. The battleship of 1920 is a very different creation from that of 1900.

30. Especial attention is invited to the concluding sentences of the statement, as follows:

"It is even possible that the present battleship will change to one of a semisubmersible type, or even of a flying type, but such types are visions of the far future, not practical propositions of the moment. By gradual evolution and development the types forecasted may arrive, but the immediate abandonment of the capital ship in favor of a visionary scheme of aircraft and submarines would leave the British nation destitute of sea power and without the means of progressive training."

31. Much has been made in the public press and elsewhere of the fact that the British Government is not at present building any capital ships. The conclusion is frequently drawn that this cessation is due to doubts as to the efficiency of that type; that the battleship is dead, etc. Nothing in the above-quoted statement by the First Lord of the Admiralty indicates any such belief. Probably the reasons may be found in the economic situation and to the fact that the British Navy, being now far superior in numbers and power to that of any other, can afford to wait until financial conditions have improved.

POLICY OF EQUALITY IN SEA POWER.

32. The United States naval building program since 1903 has consistenly tended toward equality of sea power with the strongest. It has been directed against no nation or group of nations. Its continuation has been solely on the ground of national safety.

33. The great merchant fleet that we are now making every effort to create and establish renders more necessary than ever a powerful Navy for its protection. In all history it will be found that no nation has ever been able to establish and maintain a large merchant marine without a corresponding navy to assist and protect it.

34. The building program authorized in 1916 will, if completed, give us for the first time in the Nation's history substantial equality in power, if not in numbers of ships, for our battle fleet.

35. In urging that this equality in power be the continuing naval policy of the United States there is no thought of instituting international competitive building. No other nation can in reason take exception to such a position. In assuming it the United States threatens no other nation or nations by the mere act of placing itself on an equality with the strongest. In can not be justly construed as a challenge. There is no good reason why the United States should not enjoy the trust of other nations to the same extent as she is expected to repose trust in them. A policy of equal or substantially equal armaments may well tend to diminish their growth and lessen the danger of sudden war.

36. The General Board, having kept in touch with naval progress along all lines, reiterates its belief in the battleships as forming the principal units of the fleet. Without them the United States can not hope to cope with existing navies. The board strongly urges that the policy which has characterized our building program since 1903, of eventually creating a navy equal to the strongest, be continued, and that no rest period or limitation of armament be agreed to which will modify the authorized building program of 1916 in numbers, general types, and date of completion. The ships recommended in that program are thoroughly modern, and there is no reason to believe that the developments in submarine and air warfare will seriously detract from their value for many years to come.

37. The completion of that program should not deter us from developing to the utmost new or partly developed weapons—that is, submarines, aircraft, and aircraft carriers—and from making such additions to the fleet as will enable us successfully to develop and use surface, subsurface, and air methods of warfare to the best possible advantage should the necessity ever arise. In the future, as at all times previous to the World War, we shall, in all probability, have to rely solely upon our own state of preparedness.

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THE SECRETARY OF THE NAVY,
Washington, January 22, 1921.

To: President General Board, Navy Department.

It seems to be evident that this Congress is not disposed to authorize the construction of any capital ships, and due to the amount of construction work in hand the department has not urged the authorization for any battleships other than those which are now under construction.

The department feels, however, that the question of design in construction of battleships is an important one and demands continued study and investigation. It is noted that this is extensively discussed in the public press, both in America and England, and particularly in England, in regard to the type of ship which will form the main strength of the navies of the world in the future. Some well-known writers are expressing their opinion that the battleship will, at an early date, no longer form the backbone of the fleet, but that ships of the air and ships of the submarine type will be the powerful ships of the future.

The department desires that this matter be taken under consideration by the General Board and analyzed from the different points of view and a report on this general subject be submitted early in February.

JOSEPHUS DANIELS,
Secretary of the Navy.

Your committee indorses and approves in the main the observations and conclusions of the foregoing letter. The value and importance of submarines, aircraft, and high explosives are admitted, and the committee recommends that the scientific study and development of all of these means of naval warfare be actively continued. Depth bombs, mines, aerial torpedoes, and high-explosive shells fired from great guns, whether of the howitzer or other types, are all important agencies of attack and defense at sea, and intensive study of their potential uses should be continued with a view of utilizing them to the greatest possible advantage.

If we assume, however, a naval power armed with all these devices, and with destroyers and swift light cruisers, but with no battleships or battle cruisers—and an enemy power equipped with all these and with battleships and battle cruisers in addition—there can be no doubt that in any conflict the power equipped with capital ships would be victorious over its enemy not so equipped. The rival forces of light craft, whether on or below the surface or in the air, would neutralize each other, leaving the power which possessed the heavy ships, armed with great guns, in undisputed control of the sea.

This was substantially the situation at the close of the late World War, with the capital ships of the Allies dominating all the seas of the world, controlling communications, isolating the enemy, cutting off his supplies, and creating a condition which by its effect upon the armies of the belligerents was the predominant influence in crushing the Central Powers and bringing victory to America and the Entente Allies.

As aircraft, artillery, and cavalry are but auxiliaries to the infantry in warfare on land, so the chief function of aircraft, submarines, and light surface craft is that of auxiliaries to the main line heavy fighting ships. In this capacity they are valuable and indispensable, but the nation which depended upon them alone would be completely at the mercy of the nation which possessed all these and heavy fighting ships in addition.

Situated as is the United States, with oceans separating it from other great powers, its first line of defense must necessarily be its Navy, and so long as it has a battle fleet which can hold the sea against attack, both its continental territory and its island possessions, as well as its commerce and the rights and interests of its citizens upon the high seas, are secure—regardless of the comparative size of the armies of the world. On the other hand, if from lack of heavy ships

of the line or other weaknesses, its Navy can not hold the sea against attack, then, even though it might have the greatest army in the world, its island possessions would fall away from it, its commerce would be destroyed, its coasts blockaded and subjected to constant attack.

In view of this importance of sea power to the United States, and the fact that without it we would be at the mercy of other nations, it is the opinion of your committee that this country should maintain a navy at least equal to that of any other power. The lessons of history teach us with indisputable truth that we can not afford to depend for the maintenance of our rights and the defense of the lives and commerce of our citizens upon the mercy, generosity, or good will of other powers with rival and conflicting interests or ambitions.

For these reasons we are of the opinion that there should be no suspension of the present building program of the Navy, which, as at present laid out, is, at the most, only designed to place us upon a footing of equality with any other power upon the sea.

Temporarily to stop work upon ships now being constructed would lead to a complete disorganization of the working forces now engaged upon them, to a deterioration of material, and to a general dislocation of contracts and engagements which would entail enormous losses upon the Government, and make a resumption of the program difficult and costly.

It is estimated by the technical experts of the Navy that the actual loss which would result from a six months' suspension of this work would be between $15,000,000 and $25,000,000. Large numbers of workmen would be thrown out of employment, with consequent distress to themselves and their families, compelling them to seek other employment, and rendering difficult or impossible the reassembling of these forces should work upon the ships be resumed. Any such result would give an immense advantage to such other powers as would continue uninterruptedly the construction of their fleets or those already supplied with superior naval power.

It is the opinion of this committee that the United States should have under its control a sufficient force to protect and preserve both its material possessions, the policies it has established, the lives and rights of its citizens, and the principles upon which its government is founded.

Battleships as a constituent part of our fleet are essential to this power, and any interruption or "building holiday" in the work now provided for would seriously retard and might wholly prevent its attainment.

Other powers have not abandoned the battleship as the chief arm of the navy fighting line. The continued reliance of Great Britain upon this arm of the naval service is set out in the address of the First Lord of the Admiralty quoted in the letter of the Navy General Board. Other powers are proceeding with an extended program of battleship construction.

In the building program of 1916 however, 12 of the destroyers and 6 of the submarines therein authorized have not been let to construction contract. These 18 vessels if constructed would cost approximately $55,000,000. As stated above, the authority for their construction has already been given and the Secretary of the Navy is already authorized by law to make contracts therefor, although appropriations for them have not been made. The Navy General Board has advised the committee that in consideration of the remaining number of destroyers and submarines authorized in the 1916 program, and in view of the development of aerial naval warfare during and since the late World War, it would be advisable to substitute 2 airplane carriers in place of the 12 destroyers, and 6 submarines of the program for which contracts have not been let, at approximately the same cost as these vessels would entail if the original program should be carried out. Upon a thorough consideration of the entire matter, the committee recommends that the 12 destroyers and 6 submarines just mentioned for which contracts have not been let be eliminated from the program and at the same time and as a substitute therefor authority be given for the construction of two airplane carriers of the most modern type and equipment and most advantageous size.

The members of the committee are as anxious to bring about a reduction of armaments and relief from the burdens which those armaments impose upon the nations of the earth as anyone can be, but no disarmament would be of any value unless it was general and, in the case of the great maritime powers, universal. Unhappily this is not the case at the present time, and we must deal with conditions as they exist. For one nation to leave itself exposed to attack while another is preparing all the engines of war would be not only folly but the greatest danger to the peace of the world that could be imagined. We earnestly hope that an agreement may be reached among the nations for a general reduction of armaments, but at the present moment universal disarmament has not been established, and the United States can not leave itself undefended if it is threatened from any quarter. To do so would be a wrong to the American people and no service to the cause of peace.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 4994) to extend rediscount privilege to farm loan bonds, promote their sale, and for other purposes; to the Committee on Banking and Currency.

By Mr. HEFLIN:

A bill (S. 4995) for the relief of Maj. Francis M. Maddox, United States Army; and

A bill (S. 4996) for the relief of Eugene K. Stoudemire; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 4997) for the relief of Herbert E. Mellstrup (with accompanying papers); to the Committee on Claims.

By Mr. CALDER:

A bill (S. 4998) authorizing an appropriation for the World's Poultry Congress; to the Committee on Agriculture and Forestry.

By Mr. LODGE:

A bill (S. 4999) granting a pension to James Percival (with accompanying papers); to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 5000) directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River; to the Committee on Commerce.

By Mr. KING:

A bill (S. 5001) to authorize the Secretary of the Treasury to purchase bonds of farm loan banks in order to stabilize the market for such bonds; to the Committee on Banking and Currency.

By Mr. ELKINS:

A joint resolution (S. J. Res. 254) for the bestowal of the congressional medal of honor upon the unknown, unidentified British and French soldiers buried in Westminster Abbey, London, England, and the Arc de Triomphe, Paris, France; to the Committee on Military Affairs.

By Mr. CALDER:

A joint resolution (S. J. Res. 255) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States; to the Committee on Immigration.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McCUMBER submitted an amendment proposing to appropriate $1,200 to pay Robert W. Farrar for extra and expert services rendered to the Committee on Pensions during the sessions of the Sixty-sixth Congress, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Pensions and ordered to be printed.

Mr. WARREN submitted an amendment proposing to increase the appropriation for the encouragement of the breeding of riding horses suitable for the Army, etc., from $100,000 to $250,000, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. SHEPPARD submitted amendments proposing to increase the appropriation for the Air Service from $19,200,000 to $19,500,000, and also to increase the appropriation for experimentation, conservation, and production of helium from $100,000 to $400,600, intended to be proposed by him to the Army appropriation bill, which were referred to the Committee on Military Affairs and ordered to be printed.

Mr. WOLCOTT submitted an amendment providing for a survey of Wilmington Harbor (Brandywine Creek), Del., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing a survey of Little Creek, Kent County, Del., with the view of providing a direct outlet from the nearest southern bend to Delaware Bay, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

ASSISTANT CLERK TO COMMITTEE ON CLAIMS.

Mr. SPENCER submitted the following resolution (S. Res. 442), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That S. Res. 42, agreed to June 6, 1919, being a resolution authorizing the Committee on Claims to employ an assistant clerk during the Sixty-sixth Congress, first session, at the rate of $2,200 per annum, said compensation to be paid out of the miscellaneous items of the contingent fund of the Senate, and which resolution was extended and continued in authority by S. Res. 218, agreed to on November 10, 1919, until the end of the Sixty-sixth Congress, be, and the same is hereby, further extended in full force and effect until the end of the Sixty-seventh Congress.

HOUSE BILL REFERRED.

The bill (H. R. 15836) to amend the transportation act, 1920, was read twice by its title and referred to the Committee on Interstate Commerce.

SURVEY OF PUBLIC LANDS IN FLORIDA.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 578) providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof.

The amendment of the House was, on page 3, line 7, to strike out all after the word "*Provided*," where it first occurs, down to and including line 13, and to insert:

Provided further, That nothing herein shall be deemed to authorize the Commissioner of the General Land Office to survey any lands within the exterior boundaries of the Everglades, as defined in Everglades patent No. 137, issued to the State of Florida by the United States under the swamp land act of 1850.

Mr. FLETCHER. Mr. President, I have examined the amendment and also read the discussion in the House. I move that the Senate concur in the amendment.

The motion was agreed to.

RELIEF OF DISTRESS ABROAD.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

To the Senate:

Supplementing my message of January 31, 1921, I transmit herewith a report from the Secretary of State, accompanied by additional papers pertinent to the Senate resolution of January 3, 1921, requesting the Secretary of State to obtain and report to the Senate certain information with respect to the distressful conditions of women and children in foreign lands.

WOODROW WILSON.

THE WHITE HOUSE,
9 February, 1921.

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DEPARTMENT OF STATE,
Washington, February 7, 1921.

The PRESIDENT:

In further response to the Senate's resolution of January 3, 1921, requesting the Secretary of State "to obtain through consular officers or other official representatives of the United States in foreign lands, accurate information as to the actual conditions, and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies, and transmit the same to the Senate at the earliest possible moment" and further "to ascertain, if possible, and report to the Senate what the various Governments in which such suffering exists are doing looking toward the alleviation of such distressful conditions," the undersigned, the Secretary of State, has the honor to lay before the President, with a view to their transmission to the Senate, if his judgment approve thereof, papers pertinent to the resolution additional to those accompanying the report of the Acting Secretary of State dated January 11, 1921, and of the Secretary of State dated January 31, 1921, and transmitted to the Senate by the President on February 1. These consist of telegrams from the American commissioner at Constantinople, the American chargé d'affaires at Sofia, and the American minister at Prague dated respectively January 25, 25, and 29, 1921.

Respectfully submitted.

BAINBRIDGE COLBY.

Inclosures: As stated above.

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[Telegram from American commissioner, Constantinople, Jan. 25, 1921.]

SECRETARY OF STATE,
Washington, D. C.:

32. Following from American consul at Beirut, January 25.

Your January 18, 5 p. m. The present organization of the Near East Relief workers in Syria, excluding Aleppo district, is composed of 20 American personnel and 186 native personnel, and maintains orphanages, hospitals, rescue homes, and a sanitarium containing 3,012 orphans and refugee women. General relief is given to 1,363 extra persons. The legitimate call for charity excepting the orphans mentioned above is practically nil. There is a great shortage of labor in Syria and the people have for years been educated to expect relief. No figures are obtainable as to the exact extent of French relief measures, but the method employed is to place needy persons under the care of various French religious societies. The French authorities are capable and have intimated their willingness to assume the American work in this section. A further report will be sent as soon as the French statistics are completed.

BRISTOL.

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[Telegram from American representative at Sofia, Jan. 25, 1921.]

SECRETARY OF STATE,
Washington, D. C.:

2. January 25, 1 p. m.

The conditions in Bulgaria are good and the Government is willing and able to handle the situation without help from outside. However, there are 7,000 Russian refugees, including 1,600 women and 700 children, mostly destitute. Of this number, 2,000 are unable to work; 4,000 could work, but are unemployed and are consequently dependent upon foreign charity, as the Bulgarian Government can not assist, and little is being done by private charity. Five hundred tons of supplies are being furnished by the American Red Cross, and its representatives recently made investigations in the country and should be prepared to report as to future needs of refugees. There should be an American representative in the country to supervise the distribution of American supplies.

WILSON.

[Telegram from American minister at Prague, Jan. 29, 1921.]

SECRETARY OF STATE,
Washington:

9. January 29, noon.

Department's circular telegram of January 7. There is need of food and clothing for women and children in the mountain districts of western and northern Bohemia north of Trencin Slovak, in some parts of the Carpathian Russian district, and in industrial areas where there is great unemployment. The war has made 400,000 widows and orphans. In some parts of western Bohemia deaths outnumber the births in a ratio of 3 to 1, and 60 per cent of the children examined in the clinics show evidence of malnutrition. The feeding of the children helps the morale of the unemployed. The miners in several districts have agreed to work Sundays and endeavor to increase production from 20 to 30 per cent if they are given additional food and clothing. The people are industrious and anxious to work.

I have been in touch with the work of American relief organizations since its beginning, and in my opinion the European children's fund is carefully handled, with proper regard for American interests, and with a view to turning the work over to local agencies as early as possible. The food distributed is delivered from America at Hamburg. From Hamburg all expense of transportation is paid by the Czecho-Slovak Government. The American contribution totals $4,004,000 and the contribution of the Czech Government $887,000 in cash. The Czechs pay the salaries of 4 Americans and 15 Czechs, besides 10,000 native workers. In the beginning there were 40 Americans on the roll. In addition to cash contributions, the Czechs assume payment for transportation, preparation, donation of local foodstuffs, bureaus, etc., indicating complete cooperation on the part of the Czechs and aid equivalent to the support given by Americans.

American relief organizations formerly fed 500,000 children one meal daily; this number is now reduced to 250,000 requiring such aid.

Independent observers report that the Czecho-Slovak Red Cross is making excellent progress in taking over work begun by American Red Cross. Other reports severely criticise its methods, but it is continually improving.

Having once extended relief, America should not withdraw at this time. The food situation generally is good except in the districts mentioned above, but the Government is having great difficulty in obtaining an adequate supply of flour.

Constructive assistance from America in the way of long-term credits for raw materials and diplomatic aid in obtaining prompt distribution of Austro-Hungarian rolling stock would greatly reduce the need for charity, and would be appreciated by a population which is proud of its independence and has no desire to be regarded as an object of charity. A complete report is being sent in a dispatch dated January 25.

CRANE.

ORDER OF BUSINESS.

The VICE PRESIDENT. The morning business is closed. The calendar under Rule VIII is in order.

Mr. ROBINSON. I ask unanimous consent that the call of the calendar be resumed where it was left off on the last occasion when the calendar was called, which is on page 12 of the printed calendar, commencing with Calendar No. 659.

Mr. McCUMBER. I understand that the Senator from Wyoming [Mr. WARREN] desires to go on with the sundry civil appropriation bill this morning.

Mr. ROBINSON. I have no objection to that procedure, but under the rule, of course, this is the order of business; and no request having been made to set aside the regular order of business, I think we might proceed until the Senator from Wyoming appears and makes a contrary request.

Mr. McCUMBER. Will the Senator yield to me to request that the unfinished business be laid before the Senate, and then I will yield to any other business that is appropriate?

Mr. ROBINSON. I have no objection to the request of the Senator from North Dakota.

The VICE PRESIDENT. Without objection, the unfinished business will be laid before the Senate.

The READING CLERK. A bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. LODGE. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Dillingham	Harris	Kenyon
Borah	Fernald	Harrison	Keyes
Calder	Fletcher	Heflin	King
Capper	Glass	Henderson	Knox
Curtis	Gooding	Johnson, Calif.	Lodge
Dial	Hale	Jones, Wash.	McCumber

McKellar	Phelan	Smoot	Underwood
Moses	Robinson	Spencer	Walsh, Mass.
Myers	Sheppard	Sterling	Warren
Nelson	Simmons	Thomas	Wolcott
Overman	Smith, Ariz.	Townsend	

Mr. FERNALD. I wish to announce that the Senator from Missouri [Mr. REED] and the Senator from Wisconsin [Mr. LA FOLLETTE] are absent on business of the Senate.

Mr. HARRISON. I was requested to announce that the Senator from Oregon [Mr. CHAMBERLAIN] is detained on account of illness.

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The roll of absentees will be called.

The reading clerk called the names of the absent Senators, and Mr. GRONNA, Mr. JONES of New Mexico, Mr. KENDRICK, Mr. MCCORMICK, Mr. MCLEAN, Mr. MCNARY, Mr. NEW, Mr. POINDEXTER, Mr. SMITH of South Carolina, Mr. WALSH of Montana, and Mr. WILLIS answered to their names when called.

Mr. GAY, Mr. TRAMMELL, Mr. COLT, Mr. FRANCE, Mr. RANSDELL, Mr. STANLEY, Mr. KELLOGG, Mr. SWANSON, Mr. LENROOT, Mr. SUTHERLAND, Mr. POMERENE, and Mr. CULBERSON entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-six Senators have answered to the roll call. There is a quorum present.

SUNDRY CIVIL APPROPRIATIONS.

Mr. McCUMBER. I ask unanimous consent that the unfinished business may be temporarily laid aside for the consideration of the business which was before the Senate last evening.

Mr. KING. I object.

Mr. ROBINSON. I hope my friend from Utah will be kind enough to withdraw his objection. I wish to have disposed of some amendments in which I am interested, as I may be compelled to leave the Chamber on account of illness in my family. The amendments to which I refer relate to the sundry civil appropriation bill.

Mr. KING. I was under the impression that it was the desire of our friends upon the other side of the Chamber to speedily prosecute the bill which is before us as the unfinished business—the emergency tariff bill—but in view of the request of the Senator from North Dakota [Mr. MCCUMBER], supplemented by the appeal of my friend from Arkansas [Mr. ROBINSON], I withdraw the objection.

The VICE PRESIDENT. Is there any further objection? There being no further objection, the unfinished business is temporarily laid aside, and the Chair lays before the Senate House bill 15422.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

Mr. ROBINSON. Mr. President, I desire to offer an amendment to the pending bill. To follow the committee amendment which was agreed to on yesterday, after line 10, on page 24, I move to insert the following:

> The Secretary of the Treasury is authorized and directed to take over immediately Fort Logan H. Roots, Ark., with all lands, buildings, and equipment belonging thereto, for the uses contemplated herein: *Provided*, That not exceeding $250,000 of the amount herein appropriated is authorized to be expended at Fort Logan H. Roots, Ark., in providing and increasing hospital facilities thereat.

This amendment in a different form was presented on yesterday. It was then discussed very fully, and also on a previous occasion. The Senator from Wyoming [Mr. WARREN] indicated at that time that because the information had not been received by the committee that the Surgeon General needed or desired this fort for the uses of the Public Health Service he would not consent to it. That information has been furnished the members of the committee, and I now ask that the amendment may be agreed to.

Mr. WARREN. Mr. President, I have looked the matter up, and I shall not object to the amendment being incorporated in the bill.

Mr. LODGE. I do not object to the amendment, but I should like to know what it is. There was so much conversation on the floor when the amendment was read that it was impossible to understand it.

Mr. ROBINSON. It is an amendment proposing to authorize the Secretary of the Treasury to take over Fort Logan H. Roots, in Arkansas, for hospital purposes.

Mr. LODGE. I have no objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ROBINSON. I have one other amendment which I desire to propose, and I ask the attention of the chairman of the committee to the amendment.

I submitted this amendment and had it printed on February 5. It relates to the employment service. In an informal conference with the chairman of the committee I was informed that if the amount of the amendment should be reduced to the amount which was reported, as I understood the chairman, by the House of Representatives in the bill, and which was stricken out in the other House on a point of order, the objection would not be made to the insertion of the amendment. While I think the full amount carried in the amendment as introduced is required for the purposes of the service, and while I think the service could use a great deal more, in view of all the facts surrounding the controversy I am willing to accept that proposition as a basis of compromise. Therefore I modify my amendment so as to carry the sum of $250,000, if that is satisfactory to the members of the committee, and I have reason to believe that it is.

Mr. THOMAS. Let the amendment be read.

Mr. WARREN. I did not quite understand the amount proposed by the Senator from Arkansas.

Mr. ROBINSON. As I have modified the amendment it carries an appropriation of $250,000.

Mr. WARREN. The sum should be $225,000, the same as last year.

Mr. ROBINSON. But I understood the Senator from Wyoming to say that he would be willing to consent to the amount that was reported by the House committee.

Mr. WARREN. That was objected to by the Senate committee.

Mr. ROBINSON. Very well; I will accept that amount. I will modify the amendment, and instead of an appropriation of $250,000 make it $225,000. In that connection I think it proper to say that I do not believe that sum will be adequate for all the requirements of the service and that the full amount carried in the amendment as originally submitted ought to be appropriated, but I realize the effort that is being made to reduce expenditures and, for my part, I am willing to effectuate that arrangement, if it can be done.

The VICE PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The ASSISTANT SECRETARY. At the proper place in the bill it is proposed to insert the following amendment:

EMPLOYMENT SERVICE.

To enable the Secretary of Labor to foster, promote, to develop the welfare of the wage earners of the United States, to improve their working conditions, to advance their opportunities for profitable employment by maintaining a national system of employment offices, and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station, together with their per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; supplies and equipment, telegraph and telephone service, and printing and binding, $225,000.

Mr. THOMAS. May I ask the chairman of the committee whether any estimate has been made for that item?

Mr. WARREN. Oh, yes; estimates have been submitted; it is an old matter.

Mr. ROBINSON. Estimates have been submitted for an amount very much larger than that carried by the amendment.

Mr. WARREN. The estimate is for a very large amount. I myself have grave doubt as to the value of the work, but it is one of those matters for which Congress has seen fit to make appropriation. I do not object to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of New Mexico. Mr. President, I should like to have information regarding the effect of the amendment which was adopted awhile ago on the motion of the Senator from Arkansas providing for taking over Fort Logan H. Roots. The amount of $250,000 was authorized to be used for the purpose of putting that property in satisfactory condition. I should like to inquire if the general amount made available for the purpose of increasing hospital facilities at certain forts was also increased?

Mr. ROBINSON. It was not increased. I should be very glad to have it increased if the chairman of the committee should desire that it be done. This amount, I will say, is available out of the $12,500,000 appropriated for general hospital purposes.

Mr. JONES of New Mexico. Then, it will not come out of the $6,100,000 appropriation?

Mr. ROBINSON. No; it follows the committee amendment on page 24, proposing to appropriate $12,500,000.

Mr. JONES of New Mexico. Very well.

Now, I should like to inquire of the chairman of the committee whether it will not be advisable to change the statement on page 20 of the bill, lines 23 and 24, regarding the number of additional beds which are to be provided. If that has been changed, I do not recall it, although we have added to the number authorized by the bill.

Mr. WARREN. It is not intended to state an exact number, but an approximate number; there may be provided 3,000 beds, or the number may not be much in excess of 2,000. The number of beds will be whatever they find it will be possible to provide in view of the conveniences at the various places and the money that we vote.

Mr. JONES of New Mexico. I quite agree that the language may be construed as the Senator states, but in order to avoid confusion in the interpretation of the provision on the part of the Public Health Service, I should like to suggest the advisability of striking out the reference to the number of beds. Since the committee amendment was prepared we have added other places.

Mr. WARREN. That provision referred to by the Senator was brought in very much as a whereas is put in a resolution—in order to indicate what the Public Health Service believed they could do, and to show upon what basis the committee took up the consideration of certain places and named them in the bill. I do not know that I have any particular objection to striking out the provision so long as we understand, as we do understand, that the intention of the Public Health Service is to reach the number provided for if they can reach it with the money that they have in hand and with due regard to the conveniences at the various places.

Mr. JONES of New Mexico. I think that we have added quite materially to the number of beds provided under the bill, and it would seem to me that to put the number in the bill now would rather be misleading. My judgment is it would be wise, after the word "building," the last syllable of which is on line 23, page 20, of the bill, to strike out down to and including the word "beds" on line 24. That would eliminate the statement as to the number, but it would still leave authorization for the buildings for hospital purposes. I will leave the matter, however, to the judgment of the chairman of the committee; but it seems to me that it would be advisable to strike out those words.

Mr. WARREN. This whole hospital provision is entirely new, inserted in the bill by the Senate, and will have to go to conference. My opinion is that there will be more trimming done there, but if the Senator insists upon it I will not object to have it remain on account of its going into conference, in order to show the House on what we base this proposed legislation.

Mr. JONES of New Mexico. Inasmuch as the matter will go to conference, I will not press the suggestion.

Mr. WARREN. If we can not add, at least we can strike out in conference.

Mr. MOSES. I offer an amendment which I have heretofore sent to the desk and had printed.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. At the end of the bill it is proposed to add a new section, to be known as section 4, as follows:

SEC. 4. That the President of the Senate appoint three Members of the Senate, and the Speaker of the House three Members of the House, who shall constitute a select joint committee to investigate the Harriman geographic code system, which has been acquired and adopted for use by the War Department, and to consider whether or not the use of the said system should be extended to and adopted by the other executive departments and administrative branches of the Government; and to appraise the value of said invention or system, or the use thereof to the United States Government, and determine what would be a just compensation for said system, or the use thereof.

Mr. WARREN. Mr. President, the Senator can hardly expect me to allow that amendment to go into the appropriation bill without previous legislation authorizing it. It is legislation and has not been estimated for and is foreign to the purposes of this measure.

Mr. MOSES. It carries no appropriation.

Mr. WARREN. I shall have to make the point of order against the amendment, although if the Senator wishes to say anything I do not desire to cut him off, and will withhold the point of order.

Mr. MOSES. If the Senator intends to make the point of order, very well; it is needless for me to discuss the amendment.

The PRESIDING OFFICER. The point of order is sustained.

Mr. McKELLAR. Mr. President, on page 89, in line 11, I move to strike out the figures "$180,000" and to insert in lieu thereof "$250,000."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 89, line 11, in the item for gauging streams and determining the water supply of the United States, it is proposed to strike out "$180,000" and in lieu thereof to insert "$250,000."

Mr. McKELLAR. Mr. President, this provision, as it now reads, for gauging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, and so forth, carries an appropriation of $180,000. I desire to increase this sum to $250,000; and I will read in that connection a letter from the State geological survey, Nashville, Tenn.:

STATE OF TENNESSEE,
STATE GEOLOGICAL SURVEY,
Nashville, January 17, 1921.

Hon. KENNETH MCKELLAR,
United States Senate, Washington, D. C.

DEAR SENATOR MCKELLAR: The development of the potential water powers of Tennessee and the mineral resources of the State depend on an extensive and thorough program of stream gauging followed up by topographic maps.

As you know, the United States Geological Survey has engaged in this work in the different States, and in Tennessee does this work in cooperation with the State geological survey. The Government is at present handicapped by lack of funds to carry on this work. The present appropriation which the United States Geological Survey has for this work is $180,000 for stream gauging and $330,000 for topographic mapping. The director asked for an increase of $120,000 and $270,000, respectively. These sums were contained in the original sundry civil bill, but the House Appropriation Committee cut out both increases, leaving both sums as they were formerly.

The failure of the House to recommend the amount requested for stream gauging and topographic mapping will be a severe handicap to the development of water powers and mineral deposits of Tennessee if it is not rectified when this bill comes before the Senate. What this work has meant to Tennessee in the past is shown in one instance by the following quotation from a letter recently written by Mr. James W. Rickey, of the Aluminum Co. of America, on November 23, 1920, from his Pittsburgh office:

"It will be quite agreeable to us and I believe it will be advisable for you to state that had it not been for the stream-flow records that have been taken by the Government on the Little Tennessee River and its tributaries since 1898 it is doubtful if our company would have undertaken this pretentious development. It would seem to me that in making this statement you will have an opportunity to bring out very forcibly the beneficial results that have accrued in this particular case and use this as an argument for securing larger Government appropriations for studying the stream flow of the rivers throughout the country. I believe the Engineer Department at large appreciates this, but, unfortunately, we can not make our Congressmen and Senators view the matter in the proper light."

I feel certain that Mr. Rickey is mistaken in his last statement that our Senators and Congressmen do not appreciate this matter in its proper light. In this one instance, that of the Aluminum Co. of America, several millions of dollars have been spent in Tennessee in building one of our great industrial villages at their plant, where aluminum ingots and rolled sheets are now being made in one of the largest plants of its kind in the world.

Any increase over the old appropriation that the Senate can give for this work will mean much to Tennessee in the program for work that has been planned by the United States Geological Survey and the Tennessee geological survey for the coming two years, so as to get more complete data on developing additional water powers within our State.

Very truly, yours,
WILBUR A. NELSON,
State Geologist.

I will say, further, that in this one instance the information gathered in the course of this stream-gauging work has resulted in this great plant investing down in the eastern part of my State over $3,000,000. It employs thousands of people. It has all come about through the information given by this stream-gauging work of the Geological Survey; and I want to ask the chairman of the committee if he will not agree to this increase for that purpose.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. McKELLAR. I yield.

Mr. THOMAS. It seems to me, if this enterprise has been so very valuable to Tennessee, that that great State ought to bear part of the expense, and that any deficiency in this appropriation might well be made up by an appropriation by the Tennessee Legislature.

Mr. McKELLAR. Mr. President, the Tennessee Legislature has appropriated for this very purpose, and it is cooperating with the Government. Of course, the incident that I speak of is a past incident. The work has already been done. There is no question of that character raised here. It is for the examination of the streams generally throughout the country for the purpose of letting the people know just what they have. The incident that I have related merely suggests what good may come of an appropriation of this kind. The Geological Survey has asked for a larger amount, and I wish to ask the chairman of the committee if he will not agree to this larger sum. The present appropriation for stream gauging is $180,000. I have introduced an amendment for $250,000, and I hope the chairman of the committee will accept it.

Mr. WARREN. Mr. President, this is the situation: The estimates will cover the amendment offered, but the estimates all through on all these items for the Geological Survey are more than we have allowed and more than the House has allowed. The House in this case allowed just what was appropriated for the purpose last year. The subject, of course, is one of great interest and has been to me and others; but economy compels us, in my mind, to adhere very closely to the liberal figures the House has given.

I can not, therefore, accept the amendment. If the Senate wants to vote upon it and vote it in or out, I shall abide by its decision.

Mr. McKELLAR. May I ask the Senator if he will not agree that the figures of $250,000, instead of $180,000, may go in, and then let the matter be worked out in conference?

Mr. WARREN. I should prefer not to take that course, as there are so many of these other things. I would rather have the Senate express itself on the matter by a vote.

Mr. McKELLAR. Very well. Then I ask for a vote on the question.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Tennessee.

On a division, the amendment was rejected.

Mr. CALDER. Mr. President, I send to the desk an amendment to be inserted after line 12, page 69.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 69, after line 12, it is proposed to insert the following:

Provided further, That at the end of 30 days after the passage of this act the authority conferred upon the Secretary of War under section 201 of the transportation act, 1920, to operate for commercial purposes boats, barges, tugs, or other transportation facilities upon the New York State Barge Canal shall cease, and thereafter there shall be no such operation by the Secretary of War or any other agency of the United States. The Secretary of War shall within said 30 days, or as soon thereafter as practicable, dispose of all boats, barges, tugs, and other transportation facilities purchased or constructed for use upon the said canal, giving to proposed purchasers who intend to use the same upon the said canal the first opportunity to buy, and, pending final disposition, the Secretary of War may lease the same for such use. If the Secretary of War and any such proposed purchaser are unable to agree with respect to price and the proposed purchaser is willing to fix a price by arbitration, the Secretary of War shall select one arbitrator, the proposed purchaser one arbitrator, and the two thus chosen shall select a third. The award may be made by a majority of the arbitrators, and when made shall be final.

Mr. CALDER. Mr. President, this amendment is in exactly the same language as a joint resolution passed by the Senate last May, introduced by my colleague [Mr. WADSWORTH], at whose request I have offered this amendment.

The War Department has been operating barges and tugs on the Mississippi and Black Warrior Rivers and the New York State Barge Canal. The New York State Legislature have petitioned Congress to have the operation of these barges discontinued on the barge canal. They believe that there will be a more effective use of the canal if the barges are operated by private people; and I therefore offer this amendment, affecting as it does only the New York State Barge Canal. It simply discontinues the operation of the Government vessels on that waterway.

Mr. UNDERWOOD. Mr. President, I do not know whether the chairman of the committee wants this legislation on this appropriation bill or not; but if he does, I am not willing to consent to it.

I will say to the Senator from New York that, of course, I have no objection to the Senator and his colleague determining for their own State the question as to whether or not they want this barge line operated. I am not going to interfere with that part of it; but when the Senator puts in his amendment a provision that the barges that are being operated on that canal must be sold to people who want to continue to operate them on that canal, narrowing the sale of the barges down to a very few people, and putting such restrictions around the matter that they must go to these particular bidders, I can not consent to that. These barges were built for the benefit of the United States Government; and if we have no further use for them on the canal, if the Senator does not want the Government to operate them on the barge canal in New York, there are plenty of other places where we are building barges now, and I want greater latitude for the director of this service to use those barges where they may be needed. They can be used now on the Warrior River; they can be used on the Mississippi River; and to force the sale of Government property at a sacrifice when there is need for it in other places is something to which I am not willing to consent.

I shall not, however, go into that question until I find out whether the chairman of the committee is going to allow this legislation to go on this bill.

Mr. WARREN. Mr. President, of course, this is legislation of a highly legislative character. It could be admitted, if at all, only because the Senate had passed on it heretofore; but in a matter of legislation of that kind, of course, settling it in the Senate will hardly guarantee its going into a purely appropriation measure. While I may have supported the proposal in the past, and might again support it on the floor in a bill dealing with it directly, I shall have to object to its going into this bill at this time.

I make the point of order that the amendment is legislation.

Mr. CALDER. Mr. President, I have nothing to say upon the point of order. It seems to me, however, having already passed the Senate, that the amendment is in order.

The VICE PRESIDENT. There seems to be some law at the present time that authorizes the Secretary of War to operate for commercial purposes boats, barges, tugs, or other transportation facilities upon the New York State Barge Canal, and the Chair assumes at other points, too; and this is an amendment to that law. The Chair sustains the point of order.

Mr. POMERENE. Mr. President, on yesterday the Senate adopted an amendment relating to the increase in the compensation for the Zoological Park police and other employees, and it was accepted before the case was completely put before the Senate. I have in my hand a memorandum furnished me at my request by the Superintendent of the National Zoological Park. It contains a brief discussion of their compensation, and so forth, as compared with other similar employees of the Government. As the matter will be before the conference committee, I ask unanimous consent that it may be incorporated in the RECORD for the information of the conferees.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

NATIONAL ZOOLOGICAL PARK.

ESTIMATED ADDITIONAL COMPENSATION FOR POLICEMEN, KEEPERS, AND GARDENERS.

An increase of $20 per month for policemen, keepers, and gardeners is asked. This is additional to the regular pay roll as estimated in preceding sheets, and includes the only increases for position and title asked for this year.

At present the sergeant of police receives $85 per month, and the policemen, keepers, and gardeners $80 per month each, basic pay.

This increase would amount to:

1 sergeant of police	$240.00
10 policemen, at $240	2,400.00
21 keepers, at $240	5,040.00
2 gardeners, at $240	480.00
Increase per annum	8,160.00

It would make the pay of these men per month—

	Present basic.	Increased to—	And bonus.
Sergeant of police	$85.00	$105.00	$125.00
Policemen, keepers, and gardeners	80.00	100.00	120.00

This is $1,440 per month, total compensation for private policemen, keepers, and gardeners. The United States park police receive $1,360 per annum (no bonus), but have an allowance per man of $89 for uniforms. Our policemen and keepers are required to purchase their uniforms out of their salaries, there being no lump fund for this purpose. This would still leave the Zoological Park policemen at $9 per annum less than United States park policemen, as it will be difficult for them to provide uniforms, caps, overcoats, and shoes for $80 per year.

The salaries recommended for these positions by the Reclassification Commission are as follows:

	Per annum.
Sergeant, National Zoological Park police	$1,800
National Zoological Park policemen	1,560
Keepers	1,440
Gardeners	1,500

Late in the session of last spring a special supplementary estimate was submitted to the Congress, at the request of Senator POMERENE, for increases in the pay of park policemen sufficient to bring the salaries up to those paid the United States park police. As now included, this request for increase covers that item but includes further the keepers and gardeners, as we believe these underpaid and overworked men should receive a like increase in compensation. Police, keepers, and gardeners have always received about the same salaries, and it would be unfortunate to raise one class without like increase for the others.

Mr. CALDER. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 158, line 20, strike out "$525,000" and insert in lieu thereof "$575,000."

Mr. CALDER. Mr. President, this is an amendment to the provision in the bill which provides an appropriation for conducting the Naturalization Bureau in the Department of Labor for the next fiscal year. The present appropriation is $525,000. That is the same as the appropriation of last year.

This office, Mr. President, is self-sustaining. We naturalize citizens in different States, some in the Federal courts and many in the State courts. In New York State 90 per cent of those naturalized are naturalized in the State courts. The

practice is to permit the clerk of the court to retain one-half of the naturalization fees collected up to $6,000. That is, they may retain one-half of $6,000, or $3,000. After that all the fees are turned in to the Department of Labor and then placed in the Treasury of the United States, and the Department of Labor may award to the different clerks of the courts any sum they like out of this appropriation of $525,000.

Naturalization is increasing every year. The first quarter of the present fiscal year it was 20 per cent greater than in the corresponding quarter of the year before, and really we need a very much larger sum than the amount I have suggested. An estimate was submitted for $300,000 more than is recommended by the committee. I have asked for only $50,000 more. I do know we need relief in the large cities of the country, particularly in New York.

Mr. WARREN. Mr. President, knowing, as I do, the activities and the returns that are made, and this being a rather small portion of the estimate, on the statement of the Senator from New York I have no objection to the amendment offered by him.

The amendment was agreed to.

Mr. RANSDELL. Mr. President, I send an amendment to the desk which I offer.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 67, line 1, under the item for the Mississippi River, strike out "$6,670,000" and insert in lieu thereof "$10,000,000," so that the line will read:

Mississippi River, $10,000,000.

Mr. RANSDELL. Mr. President, this is an item to increase the amount of the appropriation for the Mississippi River Commission. That commission, as is probably very well known to the Senate, was created in 1879, and it has been operating on the river since that time. Its original jurisdiction was from the city of Cairo, Ill., to the Head of the Passes.

More recently its jurisdiction was extended to Rock Island, Ill. It now has charge of the river for a distance of some 1,571 miles. Its special duty is to protect, as nearly as possible, the lands adjacent to the Mississippi River from devastating floods, to control the regimen of the river, to prevent the caving of the banks, and, in a general way, to look after that mighty stream, which is the Nation's sewer, as it drains practically one-half of the North American Continent.

The task of controlling the Mississippi River is an immense one, and much success has been had by the Mississippi River Commission in that task. I shall not make a speech in a general way about it. I wish merely to give a little idea of the magnitude of the task involved, to look after that mighty stream for over 1,571 miles, to keep the banks from caving, to look after navigation, to insure a channel of not less than 250 feet wide and 9 feet in depth from Cairo down, to safeguard from overflow something like 29,000 square miles of the best land on this continent.

The States and local communities are obliged to contribute very liberally to the task. The change which I suggest by the amendment is authorized by the flood control act approved March 1, 1917. I hold the act in my hand. The important passage reads as follows:

That for controlling the floods of the Mississippi River and continuing its improvement from the Head of the Passes to the mouth of the Ohio River the Secretary of War is hereby empowered, authorized, and directed to carry on continuously, by hired labor or otherwise, the plans of the Mississippi River Commission heretofore or hereafter adopted, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $45,000,000: *Provided*, That not more than $10,000,000 shall be expended therefor during any one fiscal year.

The debates and all the evidence in connection with this act show that it was the contemplation of Congress that to do the work effectively the National Government must contribute at the rate of at least $10,000,000 annually. The act was passed March 1, 1917, and a few days thereafter war was declared by this country; so that every year——

Mr. GAY. Mr. President, I ask for order in the Chamber.

The VICE PRESIDENT. It seems to be impossible to maintain order this morning.

Mr. RANSDELL. I think I can make those hear me, Mr. President, who are willing to hear me, and the others I can not make listen anyhow. So I am entirely satisfied to talk to those who will listen.

I started to say that the act was passed March 1, 1917, contemplating this expenditure of $10,000,000 per annum. War was declared very shortly thereafter, so that in the appropriation act of that year, instead of giving $10,000,000 for this work an appropriation of $6,000,000 was made. The war progressed for some time, and it was extremely difficult to have the work done advantageously on account of high prices and shortage of labor. The next year an appropriation of $6,670,000 was made, instead of the $10,000,000 contemplated. The next year the appropriation was again $6,670,000, and the fourth year it was $6,670,000. In other words, since that law was passed we have had four annual appropriations, the first being $6,000,000 and each of the other three $6,670,000. There was probably a very good reason for that small appropriation originally, because it was extremely difficult to have the work done. Contractors were loaded up with Government contracts, they were interested in a variety of things, and if larger sums had been appropriated it is probable they would not have been expended.

I shall now refer to the report of the Mississippi River Commission, and I may say to Senators who have not followed this matter that the Mississippi River Commission annually makes a very clear and full report to the Chief of Engineers of the Army, which is published as a part of his annual report. The report sent to Congress last December shows, on page 1969, that on the 1st of July, 1919, the commission had to its credit $21,942,006, an accumulation for the years of the war, during which time, as I have said, it was almost impossible to expend the money advantageously. It was not spent sooner because it could not be spent wisely.

On the 1st of July of the following year—July 1, 1920, seven months ago—the report shows that the commission had expended and contracted for the expenditure of a total of thirteen million and some hundred thousand dollars, leaving a balance on hand at that date of $8,091,000.

I trust Senators will follow me in those figures. One year and seven months ago—July 1, 1919—there were over $21,000,000 on hand. During the next 12 months something over $13,000,000 was spent. On July 1, 1920, there was a balance of a little over $8,000,000 on hand to carry on this great work, in which the States and communities were participating. They are obliged to put up $1 for levee building for every $2 the National Government puts up. They are also obliged to furnish rights of way and pay for any damages that occur; and in some instances the damages to property are very considerable and the rights of way for the new levees are very costly. So the task of the local people is considerably more than would appear on the face.

With $8,091,000 to the credit of this work seven months ago, what is the present situation? In order to obtain that information, I wrote to the president of the Mississippi River Commission, Col. Charles L. Potter, and I would like to read the letter he has just written to me, which is not long, dated January 29, 1921. I wrote him and also telegraphed, asking him to give me the present status of expenditures, and to state whether or not his commission really needs the $10,000,000 provided for in my amendment to the bill. Here is what he said:

WAR DEPARTMENT,
MISSISSIPPI RIVER COMMISSION,
OFFICE OF THE PRESIDENT,
St. Louis, Mo., January 29, 1921.

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.

DEAR SENATOR: I have your telegram of yesterday asking for information as to the funds needed on the Mississippi River under the pending sundry civil bill.

The improvement of the Mississippi is a big work, and economy demands that it be done as rapidly as funds can be economically and judiciously expended. This may be discussed under two heads:

Firstly, we have a large and very expensive plant—

That plant has been accumulating, Senators, since 1879. It has cost a great deal of money. Col. Potter continues:

With such a plant, economy demands that it be employed as near continuously as possible. Our overhead expense is just as large whether we are expending $6,670,000 or $10,000,000 per annum.

Mr. President, I can not hear myself talk. I will wait until the conversation ceases and then go on.

The VICE PRESIDENT. The Chair has endeavored to keep order this morning, but it seems to be impossible.

Mr. RANSDELL. I will wait until the Senators finish talking. I am in no hurry at all; we have plenty of time. When they get through I will start, and not before, Mr. President. I am entitled to a little consideration. I do not often address the Senate, and this is a very important subject.

I would like Senators who are now listening to know that this is not what I say, but what Col. Charles L. Potter, president of the Mississippi River Commission, an eminent engineer of the United States Army, has to say:

Our plant is deteriorating whether employed or unemployed; the interest on the investment and insurance (not tangible, but they must be counted) run on whether the plant is working or idle; and some of the force necessary for operation must be employed to care for the plant while lying idle.

The $6,670,000 provided in the sundry civil bill of a year ago is now practically all expended or tied up in contracts; our plant will be idle in a very short time; the district engineers are out of funds and asking for more.

Senators, seven months ago there were $8,091,000 on hand. Nineteen months ago there were $21,000,000 on hand. It is gone; it has been expended. The commission has practically nothing. The plant will be idle, the president says—

and I assure you that your announcement that the sundry civil bill will be taken up in the Senate next week has a joyous sound to us on the river.

Mr. KENYON. The money appropriated in the bill will not be available now in any event.

Mr. RANSDELL. I understand it will be.

Mr. KENYON. The Senator understands that it will be available?

Mr. RANSDELL. It will be available immediately, as soon as the bill becomes a law. Col. Potter continues:

With funds available at an early date and with the great probability of a low flood this year (enabling us to get ready for the season's work, which should begin unusually early) we will be in excellent shape to do a lot of work, and if we can get $10,000,000 we can make things fly.

Secondly, we are getting our levee system into shape. As you know, it is largely a question of enlarging existing levee lines. But those levee lines are at many places threatened by caving banks.

I will say to Senators that a great deal of the money has to be expended to build bank revetments to prevent the very expensive levees from caving into the river, and some of this work is to prevent entire towns from caving into the river.

Mr. KENYON. May I ask the Senator whether his amendment makes the money immediately available?

Mr. RANSDELL. My understanding is that the construction of the department is that the money is available as soon as appropriated. That is the way the comptroller has been ruling.

Mr. KENYON. I do no see how that can be the case under the law. On page 66 of the bill the money is said to be appropriated in accordance with the provisions of the flood-control act approved March 1, 1917.

Mr. RANSDELL. The provisions of the act make it available as soon as appropriated, as I understand it. If there be any doubt about it, I would like to have that cleared up, because whatever amount is appropriated ought to be available at once.

Mr. SMOOT. I will say to the Senator that it is available at once under the flood-control act. All appropriations made under that act are immediately available, and therefore this appropriation would be immediately available.

Mr. RANSDELL. That is my understanding of it. I thank the Senator from Utah for his explanation. It is certainly imperative that whatever they get should be immediately available, as they are out of money now. Col. Potter continues:

As you know, it is largely a question of enlarging existing levee lines. But those levee lines are at many places threatened by caving banks. Our funds are not sufficient to do all the bank work necessary to protect them. A sudden development in caving may threaten the line to such an extent that we have to throw the levee back, not having funds to protect it by bank revetment. We can protect only the most important levees, where it would be necessary to throw the line far back if the front line were carried away. Your own Lake Providence revetment is a good illustration. Had the Mississippi River broken into Lake Providence, as it undoubtedly would had we not held the bank, your levee line would now be along the south side of the lake and across to Pilchers Point, throwing out all of the Wilsons Point territory and having a bad effect on the regimen of the river from Pilchers Point to Lake Providence and below.

I will say to the Senate that Lake Providence was safeguarded many years ago by a revetment which has held perfectly and the town is well protected now, as are others on the river. Had that revetment not been put in, the entire town would have gone into the river and been destroyed, and something like 25 very valuable plantations would have also been thrown out and completely destroyed.

Every revetment we can put in to protect the existing levee line saves that much more levee and reduces the yardage necessary to complete the levee system. If we had the funds to revet these banks (and they will finally have to be revetted after we have possibly lost two or three levee lines), many of these expensive relocations could be avoided; we would soon complete the levee line, and in the end we would save a lot of money.

We now, six months after we were able to get to work last year, are practically out of funds; we have excellent opportunity to get ready for this season's work; we have little or no prospect of a flood, and should get to work very early; but if we get only the $6,670,000 this year I fear we shall be forced to shut down early next fall and lose a great part of the best working season—plant idle, force disorganized and scattered.

We are earnestly hoping that you can get $10,000,000, and get it early. If you do, and we have no adverse conditions, we will show you that we can expend it judiciously, can do good and necessary work with it, and in the end it will result in great economy.

Very respectfully,

CHAS. L. POTTER,
Colonel, Corps of Engineers, United States Army,
President Mississippi River Commission.

The sum of $10,000,000 was recommended by the Mississippi River Commission and approved by the Chief of Engineers. So it is before us with the approval of the authorities designated to examine such matters and approve or disapprove. The report of the Engineers shows that they had on hand, as I said twice before, quite a large sum 19 months ago, and they spent or had under contract over $13,000,000 during the following 12 months. In the last seven months they have spent the balance on hand of about $8,000,000, and now they are practically out of funds. It is a great work, a most expensive one, and certainly the commission ought to be given the money to carry it on.

Mr. KENYON. What is the balance on hand now?

Mr. RANSDELL. Col. Potter says there is practically nothing on hand.

Mr. KENYON. How much is it? "Practically nothing" is rather an elastic term.

Mr. RANSDELL. I can only give you what the letter of the president of the commission says. Their report shows that July 1, 1920, the balance available was $8,091,119. Col. Potter writes me on the 29th day of January as follows:

The $6,670,000 provided in the sundry civil bill of a year ago—

Which is a part of that $8,000,000, I would say—

is now practically all expended or tied up in contracts. Our plant will be idle in a very short time. The district engineers are out of funds and asking for more.

I will say to the Senator that this money is expended by district engineers located at New Orleans, La., Vicksburg, Miss., and Memphis, Tenn. There are four districts on the river from St. Louis down. The first and second districts extend some little distance below Memphis. They are under one engineer. The third district goes from there down a little below the city of Vicksburg, and the fourth district from there to New Orleans. These district engineers are out of funds. I had a letter from my brother, Judge F. X. Ransdell, several days ago, written from Providence, saying that he had been to the upper end of East Carroll Parish where the commission was doing some splendid work with a wonderful dirt-moving machine, moving the earth very inexpensively; that the machine was idle, and they did not have money to carry the work on. That is testimony entirely independent of Col. Potter, who says they are out of funds, that the money has been expended, and that they are very anxious to get more funds.

Mr. KENYON. I am not asking my question in a controversial spirit.

Mr. RANSDELL. I understand the spirit in which the Senator is asking the question.

Mr. KENYON. Can the Senator tell us about the contracts, or the amount of money covered by contracts outstanding?

Mr. RANSDELL. I will explain that as best I can to the Senator.

Mr. KENYON. And also how busy will the contracts keep the force?

Mr. RANSDELL. The levee work is done in two ways. It is let out by contract at so much per yard to men who have their own levee or dirt-moving outfits. In some instances that outfit is composed of mules and wheel scrapers; in other instances of big dirt-moving machines. Those machines are very powerful. They have a great cable running from the machine, which is located on the land side of the levee, 400, 500, 600, and as much as 800 feet out toward the river bank. A great bucket drops down from the cable, takes up from 5 to 9 cubic yards of earth, is then pulled in by another cable held up over the levee, and the contents are dropped down at the point desired. Those machines cost $140,000 to $150,000. They are a great development and improvement over the old method. They can work where the mule teams can not stand up, where it is entirely too wet to work by teams. They can cross wet, boggy places where the teams can not go. They can work 24 hours a day, if necessary, and it is not practical to work mules more than 9 or 10 hours.

Contracts have been let to some of these contracting firms, but in no instance, as I understand it, do the contracts run beyond the working season. They are practically all completed now. The commission does not give continuing contracts running for two or three years, as is done in the excavation of rocks and very difficult material in the ordinary river and harbor work. The Mississippi River Commission has never adopted the plan of making continuing contracts. They always worked from one season to another season, using up all available funds during the current fiscal year. From all the information I have, these contracts are practically completed. Just how much may remain still to be done on them and for which the money is held, I can not say. The letter to which I have referred shows that it is practically all expended, and certainly in my own locality, where the work is being done by wages, with big machines which move the dirt very cheaply, there is practically no money left.

Just a word or two more. I do not wish to tire the Senate. I can not conceive of a much more important work to a very great portion of our Nation than this, extending as it does from Rock Island, Ill., to the Gulf of Mexico, 1,571 miles. I can not conceive, Mr. President and Senators, if we are going to do that work, why we ought not to make sufficient appropriation to carry it along in a businesslike manner. There is a very extensive plant which I have tried to describe.

The States and localities, under the law to which I have referred, contribute very liberally. They are ready to contribute and anxious to put up their part. The money can not be spent by the Government unless the States put up their part also. It is a cooperative proposition, so why not carry it along in the manner contemplated by the flood control act? We will have to do it some time. It would certainly save very much if we could be allowed to carry it along in a businesslike, systematic manner. I earnestly hope that the Senate will agree to the amendment which I have proposed.

Mr. LENROOT. Mr. President, it seems to me, if the amendment is to be agreed to, and if we are now to appropriate the full amount provided for in the flood control act, it will practically be noted by the Senate to the Commerce Committee that a policy is to be pursued different from that which Congress has adopted, and which I think it did intend to follow this year, of cutting down all appropriations except those that are absolutely necessary, which means that many projects which have been adopted and are very important, will be cut out. This amendment, if adopted, is going to mean an increase not only of $4,000,000, but an additional appropriation of $40,000,000 or $50,000,000, because, considering the state of the Treasury, the appropriation of $6,670,000 for the Mississippi River is very much more liberal than any other appropriation made by Congress under like circumstances. The limitation in the original flood control act was $10,000,000 per year. No one then dreamed that the Treasury would be in such a condition as it now is. If Congress is going to economize at all, the pending amendment ought not to be adopted, because the appropriation in the bill of $6,670,000 is very liberal indeed for this purpose.

Mr. SPENCER. Mr. President, not very long ago I was walking on the levee which protects the city of Caruthersville. There are many thousand acres of adjacent farm property. On the left of that levee, still visible, were the remnants of another levee that had been built and destroyed. On the right of the existing levee a great new levee was being hastily constructed—it being the third levee—to protect that place. That levee was made necessary, why? Because the revetment work a little farther up on the Mississippi River, which would have protected the situation and entirely obviated the necessity of the new levee, had for lack of funds been allowed to go unfinished.

It costs $10,000,000 annually to keep the flood-control work in operation on the Mississippi River, with its more than 1,500 miles of length. The greatest extravagance in regard to the operation of the inland waterways system of which I can think is to appropriate an inadequate amount for the control of the banks of the Mississippi River.

I had a friend who made a loan upon a farm of 160 acres near where the Mississippi and Missouri Rivers come together. When the three-year period of the mortgage was up and it was time to renew the loan, the farmer who owned that farm made no objection to the terms of renewal; so my friend's suspicions were somewhat aroused, and he went to look at the 160-acre farm upon which three years before he had made the loan. When he got there he, of course, found that the farm had been acquired by some one who was not a resident of Missouri; that the 160-acre farm had disappeared; that all that was left was a part of the barn and about 100 square feet of land. Why was that? It was because the revetment work upon the river, which this appropriation is intended to safeguard, was allowed to remain unfinished.

One might as well try to economize by buying 2 yards of material with which to make a suit of clothes for a big man as to attempt to make an inadequate appropriation for the flood control of the Mississippi River. We have been fooling with the matter for years. We make a small appropiration; that is exhausted, and the work is destroyed by the next flood. If for three years we would continue the appropriation of $10,000,000 annually, which was in the contemplation of Congress when the flood control act was passed in 1917, the whole problem would be solved. I very much hope that we may now commence upon a program which will adequately take care of the flood-control problem on the Mississippi River.

Mr. LENROOT. Will the Senator yield to me?

Mr. SPENCER. I yield.

Mr. LENROOT. The Senator does not mean to say that an appropriation of $6,670,000 is not a substantial appropriation, does he?

Mr. SPENCER. It is a very large sum of money, but it is absolutely inadequate to conduct the flood-control work on the Mississippi River.

Mr. LENROOT. It will require several years——

Mr. SPENCER. If I may answer the Senator from Wisconsin further, I ask into whose hands have we put this matter? We have put it into the hands of trusted engineers whose life work it is. They come to the Senator from Wisconsin and to me, neither of whom knows the details of the work, and they say: "Here is the problem: We can not manage it without an appropriation of $10,000,000 a year." The Senator from Wisconsin replies: "Is not $6,670,000 a large appropriation?" The engineers say: "It is; but it is inadequate for the work that is to be done." That is the whole problem.

Mr. LENROOT. It does not require any expert knowledge to understand where there is a limitation of $10,000,000 a year in a law providing for a certain purpose that $5,000,000 a year can be utilized for doing half of the work. That is merely common sense.

Mr. HARRISON. Mr. President, this whole matter was thrashed out in Congress in 1917, when the flood-control legislation was under consideration. Congress, after very full consideration of the question, passed the flood control act. That act, in the interest of the general welfare, provided for the expenditure of $10,000,000 a year for flood control on the Mississippi River.

Mr. LENROOT. Will the Senator from Mississippi yield to me?

Mr. HARRISON. Yes.

Mr. LENROOT. The Senator from Mississippi must be familiar with the law; and his statement is not correct. The law does not say that $10,000,000 shall be spent, but that not more than $10,000,000 shall be spent in any one year.

Mr. HARRISON. Of course, the Senator from Wisconsin is grabbing at a straw; but Congress authorized the expenditure of $10,000,000 a year.

Mr. LENROOT. No; the sum of $45,000,000 was authorized to be expended, and then a limitation was made that not more than $10,000,000 shall be spent in any one year.

Mr. HARRISON. But it was the judgment of Congress that that was the reasonable amount to be expended each year to carry on this improvement and to protect the people along the river from floods.

Mr. LENROOT. It was the judgment of Congress that not more than that amount should be expended in any one year.

Mr. HARRISON. Absolutely; and if the judgment of Congress had been that it should have been $6,670,000 a year they would have provided that not more than $6,670,000 a year should have been expended; in their wisdom they placed in the law the provision that $45,000,000 could be expended, but not more than $10,000,000 in any one year, taking it for granted that future Congresses would appropriate $10,000,000, and indicating that, in their judgment, it would be wise to expend not more than that amount every year. So, after that fight had been made, we believed that each year the Congress would appropriate $10,000,000 to carry on this great work. It seems to me, under the present conditions, it would be a very unwise policy for Congress to cut this appropriation below $10,000,000.

Since 1917, when the act was passed, we have had to face in this country peculiar and unprecedented conditions. Materials have been high; labor has been high; we all know the conditions which have arisen; and the committees of Congress, both in the House and in the Senate, cut the amount below $10,000,000 to the amount of $6,670,000 because of those peculiar war conditions that confronted the country.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. HARRISON. Yes.

Mr. LENROOT. Does the Senator think that the financial condition of the country is better to-day than it has been during any year since 1917?

Mr. HARRISON. I know that the Senator from Wisconsin would 20 years from now use the same argument in the effort to cut down this appropriation that he is now using and that he used in 1917 against the bill and in 1918 to reduce the appropriation. So I presume that it would be a forlorn hope upon my part to attempt to convince the Senator that there ought to be a larger appropriation.

That the amount of $20,000,000 referred to by the Senator from Louisiana had accumulated in July, 1917, was due to the fact that the men who composed the commission were wise

economists, and because of the high cost of material and the high cost of labor did not expend the money during those years, and so it accumulated; but the work was not done, the improvements were not made, and the people living along the banks of the Mississippi River were not protected from flood.

It seems to me that if there is ever to be a time when Congress should begin to appropriate to carry out its promise that was written in the act of 1917, namely, to appropriate for five years not over $10,000,000—and I repeat that that act carried a promise that the Congress was going to appropriate $10,000,000 for those years—now is a good time to begin this work. If the reports which have come to those of us who are interested in this matter are correct not only should the representatives in the Senate and House of those who live along the banks of the Mississippi be interested in this matter but the whole country should be interested in it. The Senator from Pennsylvania and the people from Pennsylvania should be interested, because if the Mississippi River is improved and its channel is deepened so that commerce may flow on it, it will help the people in the vicinity of Pittsburgh, Pa., in Ohio, in Indiana, in Kentucky, and elsewhere throughout the United States to get their products to the sea. So at this time, when some people are so anxious to appropriate large sums for and to vote for legislation to aid the common carriers of the country, to increase the freight rates of the American people, to charge higher rates for passenger fares, and practically to guarantee certain amounts to the railroads, it seems to me that we should at least be wise enough and generous enough to make appropriations for river and harbor improvements that will enable the waterways of the country to meet the railroads in competition and give the people cheaper freight rates. Unless sufficient appropriations are made money which is spent oftentimes does not do any good. For instance, let me read from a report of one of the engineers. He says:

> The total cost of the levee retirement this year at Riverton—
>
> One of the places along the river—
>
> including cost of right of way, will be more than $200,000. The amount of needed revetment is not reduced by that retirement.

In other words, we are placed in the attitude of spending $200,000 to retire the levee at that place, when, if they had the necessary funds, they could put in revetment and save that much money. There is no economy in expending several hundred thousand dollars to retire the levee, for it will be necessary to provide revetment work in the course of time. So the Congress should spend the money that it promised in the act of 1917 to appropriate for carrying on revetment work and other improvements to protect the people living along that river and also aid in navigation.

This is only one case. The total cost of the levee retirement, this engineer says, this year at Cottonwood will be about $137,000. The amount of the needed revetment is not reduced by the retirement.

In other words, the policy that has been pursued of not appropriating a sufficient amount of money makes it necessary for them to expend $137,000 at that place for retirement, when, if they had the money in hand, they could use it for revetment work and save that amount of money to the taxpayers of the country.

It is not necessary for me to say—I could cite other cases—that all of this money comes out of the Federal Treasury. The people of my State alone along the Mississippi River have taxed themselves to the amount of approximately $100,000,000 for holding back the flood waters of the Mississippi and protecting themselves from overflow and destruction, and the same thing is true in Arkansas and Louisiana and in other States along the river. Under the act of 1917, wherein you promised that you would appropriate year by year to the amount of $45,000,000, at the rate of not more than $10,000,000 a year, you held out to them the hope that you were going to do it, and in that very law you said that for every two dollars that the Government should put up the people along the protected area should put up a dollar. Why, last year in my State alone, in the Delta of Mississippi, they put up $1,000,000 and the Federal Government expended only $500,000.

Mr. McCORMICK. That is fair.

Mr. HARRISON. Oh, yes; the Senator says it is fair. We had to do it, because the raging waters were coming down from the north, and they would have left destruction in their wake if we had not expended the million dollars when the Federal Government expended only $500,000; but the promise of Congress was to do differently from what the Senator from Illinois says is fair. They said that for every million dollars the Federal Government put up the States or the localities along the border need put up only $500,000; but we turned it around this last year. We had to do it; and that has been the case for years.

This is a great national problem. It is urgent. It is necessary. It will enable better contracts to be made. It will enable this work to progress that has been hampered for years; and it seems to me, therefore, that the appropriation of $10,000,000 that was held out to us as a hope when the Congress, after full consideration of the question, said that it would be a reasonable amount to be appropriated every year, should be agreed to by the committee and by the Senate at this time.

I sincerely hope the amendment offered by the Senator from Louisiana will prevail.

Mr. McCORMICK. Mr. President, I want to say merely a word in connection with my remarks that the expenditure of $2 by the State for this purpose to $1 by the Federal Treasury was fair.

Mr. RANSDELL. Mr. President, will the Senator permit a correction? I said that the Federal Government on the levee building now was expending $2 and the State $1. I simply wish to be correct in that respect.

Mr. McCORMICK. I merely wanted to make the point that if the States were required always to expend $2 to the Federal Government's expenditure of $1, whether for the pavement of rivers or the pavement of highways, it would be better.

Mr. HARRISON. That may be all right as a general proposition; but I know the Senator is a very just Senator, and gives these matters great consideration, and I know he does not want to make an assertion like that without full deliberation. When it comes down to a great problem like the Mississippi River, the waters of which flow from Pennsylvania, Ohio, and from the States of the Far West, does the Senator think that after the people, not of the whole State of Mississippi, I might say—I am just applying it to my State, but the same thing applies to other States—are taxed to put up these $2, as they did last year, for $1 upon the part of the Federal Government—it is applied just to that levee district that is included in the flood district, not the whole State—does the Senator think that in that instance it is not fair for the Federal Government to put up $2 to that locality's $1, especially after, in the case of the Delta of the Mississippi, they have expended $100,000,000 already in this work?

Mr. McCORMICK. The Senator from Mississippi did not speak of the levee district a moment ago.

Mr. HARRISON. Well, it applies just to the levee district. They tax cotton and everything else they raise in order to raise taxes for this expenditure in that particular locality; and the question of whether it should be two to one upon the part of the Federal Government was all settled by Congress in 1917 in the flood control act. So I take it that the Congress ought to live up to its promises as enumerated in that act.

Mr. WARREN. Mr. President, we have years of plenty and years of famine, as of old. I think that at the present time we are in the twilight between the sunshine of prosperity and, if not famine, certainly tighter times. We know the stringency of funds and the falling off of receipts from taxation. I hope this amendment will not be adopted.

Mr. GAY. Mr. President, the chief of the board of engineers of the State of Louisiana states that the appropriation of $10,000,000 a year on the part of the Government was at the time conceded under normal conditions to be imperative to enable the flood control act to function effectively, yet the amounts so far provided by the Government have never approximated that figure, though the conditions under which operations were carried on were burdened and handicapped by abnormal conditions of the most aggravated character and type. Ten million dollars a year under normal conditions thus became equivalent to only about $5,000,000 at best under abnormal conditions, thus providing for the execution of not more than one-half of the estimates of the engineers.

I want to say that during the past year we have had a low river—the Mississippi River has not reached the stage that usually prevails at this time of the year. The great levee machines which have been so well described by my colleague have been able to continue working, and every effort has been made to bring the levees up to the grade and section required by the commission.

The Mississippi River Commission reports that 76 per cent of this work is now complete, and that it is important to rush the work to completion, and that with the wonderful season we have had, the good weather, the early spring, these machines could continue, and that if they could get the money now it would be a matter of economy, instead of prolonging this work and possibly stopping it by reason of the lack of funds.

The statement was made here on the floor of the Senate that the commission was practically out of funds. I tried to get the exact figures from the Chief of Engineers only a few minutes ago. They have not the exact figures in the report from the

commission. I am told, however, that on the 1st of January very little was available, and that they must have this money at this time in order to continue the work. It would be a disaster if they should have to stop it, particularly when the work is so near completion, and I sincerely hope the Senate will see fit to adopt the amendment for $10,000,000.

COUNTING OF ELECTORAL VOTE.

Mr. LODGE. Mr. President, the hour is approaching when it will be necessary for the Senate to proceed to the Hall of the House of Representatives to take part in the announcement of the electoral vote. I therefore make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Gronna	Lodge	Smith, Ariz.
Beckham	Hale	McCumber	Smith, Ga.
Brandegee	Harris	McKellar	Smith, S. C.
Calder	Harrison	McNary	Smoot
Capper	Heflin	Moses	Spencer
Colt	Henderson	Myers	Sterling
Culberson	Hitchcock	Nelson	Sutherland
Curtis	Jones, N. Mex.	New	Swanson
Dial	Jones, Wash.	Overman	Thomas
Dillingham	Kellogg	Pittman	Trammell
Elkins	Kendrick	Poindexter	Underwood
Fletcher	Kenyon	Pomerene	Walsh, Mass.
Gay	Keyes	Ransdell	Walsh, Mont.
Glass	King	Robinson	Warren
Gooding	Kirby	Sheppard	Williams
Gore	Lenroot	Simmons	Willis

The VICE PRESIDENT. Sixty-four Senators have answered the roll call. There is a quorum present.

Senators, under the order of the Senate adopted in pursuance of the concurrent resolution providing for the counting of the electoral vote for President and Vice President of the United States, the Senate will now proceed to the Hall of the House of Representatives. At the conclusion of the joint session, the Senate will return to its Chamber, whereupon the report of the tellers will be made to the Senate, and the Senate will resume its regular business. This is not an adjournment.

Thereupon (at 12 o'clock and 50 minutes p. m.) the Senate, preceded by the Vice President, the Secretary, and the Sergeant at Arms, proceeded to the Hall of the House of Representatives for the purpose of participating in the count of the electoral vote for President and Vice President of the United States.

The Senate returned to its Chamber at 1 o'clock and 40 minutes p. m., and the Vice President resumed the chair.

Mr. LODGE. Mr. President, in accordance with law, and on behalf of the tellers of the electoral vote on the part of the Senate, I offer the report which I send to the desk, which I ask to be read and printed in the Journal.

The VICE PRESIDENT. The report will be read.

The reading clerk read as follows:

"The undersigned, HENRY CABOT LODGE and OSCAR W. UNDERWOOD, tellers on the part of the Senate, and FLORIAN LAMPERT and WILLIAM W. RUCKER, tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the 4th day of March, 1921:

Electoral votes of each State.	States.	For President. Warren G. Harding, of Ohio.	For President. James M. Cox, of Ohio.	For Vice President. Calvin Coolidge, of Massachusetts.	For Vice President. Franklin D. Roosevelt, of New York.
12	Alabama		12		12
3	Arizona	3		3	
9	Arkansas		9		9
13	California	13		13	
6	Colorado	6		6	
7	Connecticut	7		7	
3	Delaware	3		3	
6	Florida		6		6
14	Georgia		14		14
4	Idaho	4		4	
29	Illinois	29		29	
15	Indiana	15		15	
13	Iowa	13		13	
10	Kansas	10		10	
13	Kentucky		13		13
10	Louisiana		10		10
6	Maine	6		6	
8	Maryland	8		8	
18	Massachusetts	18		18	
15	Michigan	15		15	
12	Minnesota	12		12	
10	Mississippi		10		10
18	Missouri	18		18	
4	Montana	4		4	
8	Nebraska	8		8	
3	Nevada	3		3	
4	New Hampshire	4		4	
14	New Jersey	14		14	
3	New Mexico	3		3	
45	New York	45		45	
12	North Carolina		12		12
5	North Dakota	5		5	
24	Ohio	24		24	
10	Oklahoma	10		10	
5	Oregon	5		5	
38	Pennsylvania	38		38	
5	Rhode Island	5		5	
9	South Carolina		9		9
5	South Dakota	5		5	
12	Tennessee	12		12	
20	Texas		20		20
4	Utah	4		4	
4	Vermont	4		4	
12	Virginia		12		12
7	Washington	7		7	
8	West Virginia	8		8	
13	Wisconsin	13		13	
3	Wyoming	3		3	
531		404	127	404	127

"HENRY CABOT LODGE,
"OSCAR W. UNDERWOOD,
"*Tellers on the part of the Senate.*

"FLORIAN LAMPERT,
"W. W. RUCKER,
"*Tellers on the part of the House of Representatives.*

"The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

"The whole number of the electors appointed to vote for President of the United States is 531, of which a majority is 266.

"Warren G. Harding, of the State of Ohio, has received for President of the United States 404 votes;

"James M. Cox, of the State of Ohio, has received 127 votes.

"The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

"The whole number of the electors appointed to vote for Vice President of the United States is 531, of which a majority is 266.

"Calvin Coolidge, of the State of Massachusetts, has received for Vice President of the United States 404 votes;

"Franklin D. Roosevelt, of the State of New York, has received 127 votes.

"This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 4th day of March, 1921, and shall be entered, together with a list of the votes, on the Journals of the Senate and House of Representatives."

COLD-STORAGE FOODS—CONFERENCE REPORT (S. DOC. NO. 377).

Mr. GRONNA. Mr. President, I submit a conference report on the so-called cold-storage bill, being the bill (H. R. 9521) to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes. The bill has been in conference for almost one year. I ask that the report be printed and lie upon the table. I shall hope to call it up just as soon as the sundry civil appropriation bill has been disposed of.

The VICE PRESIDENT. Without objection, it is so ordered.

SUNDRY CIVIL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Louisiana [Mr. RANSDELL], which will be stated.

The ASSISTANT SECRETARY. On page 67, line 1, strike out "$6,670,000" and insert in lieu thereof "$10,000,000," so as to read:

Mississippi River, $10,000,000.

Mr. McKELLAR. Mr. President, I have only a word to say about the pending amendment. I am very much in favor of the amendment of the Senator from Louisiana proposing to increase the sum to be used this year for levees. The State of Tennessee is not interested in the building of levees along the Mississippi River in one sense; that is, no levees are built in our

State. I believe a very short, 5 or 6 mile, levee has been built in the extreme northern end of the State, a Kentucky levee, built just over the Tennessee line a few miles. But living in Memphis, the head of the levee districts of the Mississippi River, I am for this amendment.

Congress has already provided by law that this work shall be completed, and it is just a question as to when and how soon it shall be done. It seems to me it would be most economical to go ahead and finish the work. It is most necessary for the safety of the levees themselves already built, as well as persons or property now protected by them, that the levees be completed. That it is an important national question can not be gainsaid. There are 29 States drained by that great river. The Nation has recognized it as a national proposition, and provided for it by national law, and directed that it should be completed as soon as possible, and it does seem to me that we ought to appropriate the money so that it can be done not only as expeditiously as possible, but as economically as possible; and it has been demonstrated, in my judgment, that it could be more economically done if done at the earliest possible moment.

Mr. President, these great levees are absolutely necessary to the safety of the people of the great valley of the Mississippi River. The waters of perhaps one-third of the territory of the United States pass through this great basin on their way to the Gulf. It is not right that the people of the valley should alone be made to defend themselves against the surplus or flood waters from other States. The Congress has already decided this question. Let us stand by that decision.

For these reasons, it seems to me, this amendment ought to be agreed to, and we should go ahead and finish the work. Therefore I am going to vote for the amendment, and I hope that our friends on the other side will permit it to be enacted into law.

Mr. GAY. At the time the Senate recessed to attend the joint meeting of the Senate and the House to count the votes for President and Vice President, I had made a statement in regard to the pending amendment. Since that time I have received the figures, in answer to the question of one Senator, as to the amount of money on hand for this work.

On December 31 last the Mississippi River Commission had on hand $5,876,000, of which $3,526,000 was under contract, leaving $2,350,000. During the month of December, 1920, there was expended $1,468,000. It can readily be seen that this money can not hold out very long, if they are able to continue the work, which they are able to do, due to the splendid season they have had.

In commenting further upon this matter, I refer again to the letter of the chief engineer of the State of Louisiana, in which he said:

"To control these waters and pass them safely and harmlessly past our doors to the sea has been a battle of centuries, only just about to be won, if our ammunition, the sinews of war—appropriations—only holds out.

"In no other struggle against annihilation would our country hesitate, no matter what the cost.

"Why should it do so in this instance, where the cause is so just and so much may be gained at comparatively so little outlay?"

Mr. President, this work can be completed in a short time if the commission can go ahead with the work, but if we, through a misapprehension of economy, fail to give the necessary amount to keep the great levee machines and these contracts going, we will imperil that great part of the country, the Mississippi Valley, and we will delay the work at a time when great work can be accomplished.

We need $10,000,000 now. The law as originally passed contemplated that amount. Adopt this amendment and let the work go forward as rapidly as possible.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Wisconsin?

Mr. GAY. I yield.

Mr. LENROOT. According to the figures read by the Senator, if this amendment were adopted the money could not be expended during the next year. Is not that true?

Mr. GAY. No; I do not agree with the Senator at all. I understand it is available at this time.

Mr. LENROOT. It is available, but the law provides that not more than $10,000,000 can be expended in any one year.

Mr. GAY. Yes.

Mr. LENROOT. Therefore not more than $10,000,000 could be expended the next year if this amendment were adopted, and there are $5,000,000 unexpended.

Mr. GAY. The Senator from Wisconsin is mistaken. There is only a little over $2,000,000 unexpended, and the point is, I will say to the Senator from Wisconsin, that they could continue to work, and there would be no delay. It is important that this work should be done at a time when it can be done economically. Much of the year they can not work at all, due to high water.

Mr. LENROOT. The Senator does not get my point. The law prohibits the expenditure of more than $10,000,000 this year, even though a larger amount is appropriated.

Mr. GAY. I will say to the Senator that the law, as I understand it, provides that no more than $10,000,000 shall be appropriated in any one year. If they have money left over from the year previous, it would not interfere with their spending it.

Mr. LENROOT. The Senator is mistaken. The law reads that not more than $10,000,000 shall be expended during any one fiscal year.

Mr. RANSDELL. Mr. President, may I be permitted by my colleague to make further explanation?

Mr. GAY. I yield to my colleague.

Mr. RANSDELL. I have the law in my hand, and the Senator from Wisconsin is correct. It says:

Provided, That not more than $10,000,000 shall be expended therefor during any one fiscal year.

That is, not more than ten million of the forty-five million. I call the Senator's attention to the fact, from the report of the Chief of Engineers, page 1969, that in that sum which they were expending there was $1,531,000 contributed for the control of levees by the local people, and that amount is to be taken into consideration in considering the balance on hand of $8,000,000 on the 1st of July last.

I further call the Senator's attention to the fact that if we give them ten million now, as desired, and add that ten million to the eight million that was on hand the 1st of last July, it would carry them for two full years, and it would be only eighteen million in the two full years, and that would be a strict compliance with the law. It would be within the law.

They have to get ready for this work. It takes time. They have to advertise; they have to let contracts; and while they begin to spend it right away, there will not be much of it spent before the 1st of July. We have to move dirt when it is very dry. There is absolutely no conflict with the law.

Mr. LENROOT. Mr. President, there is no conflict with the law, but the admission now is made that not more than $10,000,000 could be expended during the next fiscal year.

Mr. RANSDELL. And I say there will not be.

Mr. LENROOT. Therefore, not more than $2,000,000 could be expended between now and the 1st of July under the law. So it is very clear that even though this money is appropriated, it could not be utilized within the next 12 months.

Mr. RANSDELL. Mr. President, the Senator seems to ignore entirely that a large amount of the money on hand is from private sources. I ask for a vote, Mr. President, if there is no further debate to be had.

Mr. WARREN. This is such an important matter, Mr. President, that I ask for the yeas and nays.

Mr. LENROOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Lodge	Smoot
Ball	Hale	McCormick	Spencer
Beckham	Harris	McCumber	Stanley
Borah	Harrison	McKellar	Sterling
Calder	Heflin	McNary	Sutherland
Capper	Hitchcock	Moses	Thomas
Culberson	Jones, N. Mex.	Nelson	Trammell
Curtis	Jones, Wash.	New	Underwood
Dial	Kellogg	Overman	Walsh, Mass.
Dillingham	Kendrick	Poindexter	Warren
Elkins	Kenyon	Pomerene	Williams
Fernald	Keyes	Ransdell	Willis
Fletcher	King	Robinson	Wolcott
France	Kirby	Sheppard	
Gay	Knox	Simmons	
Glass	Lenroot	Smith, S. C.	

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

Mr. HARRISON. Mr. President, I merely desire to say before we take the vote, because there may have been some Senators who have entered the Chamber who were not here when the discussion was on, if the proposed increase in the appropriation is granted, we are merely carrying out what the Congress said they would do in the act of 1917. A flood or overflow is liable to come at any time, especially in the season just approaching, and the damage that might be done to property along the Mississippi River would be ten times, perhaps, as much as any appropriation that we might make here.

The proposed amendment is in the interest of economy. It is what the Congress should do. It is in the interest of the improvement of navigation and for the protection of property and security of human life along the Mississippi River. Congress should give us the increase that is asked for in the amendment offered by the Senator from Louisiana [Mr. RANSDELL].

The VICE PRESIDENT. On agreeing to the amendment of the Senator from Louisiana [Mr. RANSDELL], the Senator from Wyoming [Mr. WARREN] has requested the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DIAL (when his name was called). I have a general pair with the Senator from Colorado [Mr. PHIPPS]. He is absent, and I therefore withhold my vote. Ig permitted to vote, I would vote "yea."

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence, I withhold my vote.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. In his absence, I withhold my vote.

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. In his absence, I withhold my vote.

Mr. KIRBY (when his name was called). I have a general pair with the senior Senator from New York [Mr. WADSWORTH]. I transfer that pair to the Senator from Rhode Island [Mr. GERRY] and vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote.

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. In his absence, I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. I transfer that pair to the Senator from Missouri [Mr. REED] and vote "yea."

Mr. DILLINGHAM (after having voted in the negative). I have already voted, but I am compelled to withdraw my vote, as the senior Senator from Maryland [Mr. SMITH], with whom I have a pair, is not present.

Mr. LODGE (after having voted in the negative). I have a general pair with the senior Senator from Georgia [Mr. SMITH], who is absent. I transfer that pair to the Senator from California [Mr. JOHNSON] and allow my vote to stand.

Mr. FERNALD. I transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the junior Senator from Idaho [Mr. GOODING] and vote "nay."

Mr. DILLINGHAM. Since making my previous announcement, I have learned that the Senator from Maryland [Mr. SMITH], being a member of the committee, would vote in the negative on this question. I am therefore at liberty to vote, and I let my vote stand.

Mr. DIAL. I transfer my pair with the Senator from Colorado [Mr. PHIPPS] to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from Vermont [Mr. PAGE] with the Senator from Tennessee [Mr. SHIELDS].

The result was announced—yeas 30, nays 30, as follows:

YEAS—30.

Asburst	Harrison	Robinson	Swanson
Beckham	Heflin	Sheppard	Trammell
Culberson	Henderson	Simmons	Underwood
Dial	Kirby	Smith, S. C.	Walsh, Mass.
Elkins	McKellar	Spencer	Williams
Fletcher	Overman	Stanley	Wolcott
Gay	Pittman	Sterling	
Harris	Ransdell	Sutherland	

NAYS—30.

Ball	Calder	Dillingham	Gronna
Borah	Capper	Fernald	Hale
Brandegee	Curtis	France	Jones, N. Mex.
Jones, Wash.	La Follette	Moses	Thomas
Kellogg	Lenroot	Nelson	Warren
Kenyon	Lodge	New	Willis
Keyes	McCormick	Poindexter	
King	McCumber	Smoot	

NOT VOTING—36.

Chamberlain	Gore	Newberry	Sherman
Colt	Hitchcock	Norris	Shields
Cummins	Johnson, Calif.	Owen	Smith, Ariz.
Edge	Johnson, S. Dak.	Page	Smith, Ga.
Fall	Kendrick	Penrose	Smith, Md.
Frelinghuysen	Knox	Phelan	Townsend
Gerry	McLean	Phipps	Wadsworth
Glass	McNary	Pomerene	Walsh, Mont.
Gooding	Myers	Reed	Watson.

So Mr. RANSDELL's amendment was rejected.

Mr. CAPPER. Mr. President, last week I presented an amendment to the item providing for the care and maintenance of sick and disabled soldiers, proposing to increase the amount from $33,000,000 to $50,000,000. I was prompted to do that after discussion of the subject with the Surgeon General of the Public Health Service and with the national commander of the American Legion. I found them quite disturbed over the fact that, while there is a great increase in the number of disabled service men, apparently the item had been decreased from something like $46,000,000 to $33,000,000.

I know that no one is more deeply concerned in the welfare of the ex-service men than are the members of the Committee on Appropriations. I should like to inquire of the chairman of that committee if this particular item has had due consideration and whether they took into consideration the fact that there will be almost 30,000 disabled service men by the time the new fiscal year begins?

Mr. WARREN. I wish in answer to say to the Senator that we are now voting upon a measure which does not take effect until the 1st of July, and which runs then through the fiscal year. There is no disposition to limit the amount of money necessary, as it is found necessary. When we had before us the very able executive officer who has charge of those matters he said that the amount did not matter so much as that he should know that he was being upheld in what he has been doing; that is, that we should appropriate what we know is only the minimum that he will use, and then in deficiencies provide fully for all the balance needed.

As the Senator knows, we shall be in session all summer, and I promise, so far as I am concerned, that long before the exhaustion of this fund, when the necessity appears, I shall join him and others in seeing that there shall be a sufficient amount appropriated.

Mr. CAPPER. Mr. President, in view of the statement of the Senator from Wyoming I shall not at this time press the amendment to which I have referred; but while we have under consideration the measure which makes appropriations for the care and maintenance of the disabled ex-service men, I wish to call the attention of the Senate to a very important statement which appeared in a recent issue of the American Legion Weekly, based on a very complete investigation which was made by the national officers of the American Legion as to the situation with respect to the probable great increase of disabled ex-service men who will require hospital treatment. This article, which appeared a few days ago under the title of "The unfinished battle," gives the following summary of the situation with reference to the disabled veterans:

America has designed intricate Government machinery for caring for her disabled, has appropriated many millions of dollars for their care and comfort, has set thousands of administrators, doctors, and nurses to the task of their restoration and reconstruction. Yet for all that America is in grave danger of being likened to an army that marches on and does not pay sufficient or adequate heed to its disabled. Very few Americans realize what a prodigious problem the disabled man presents. There are 641,000 men who put on the American uniform during the World War whose discharges from the service show various degrees of disability and who are likely, under laws that now stand, to knock at the Government's door any day and ask for hospital treatment, compensation, or vocational training—one or more of the three. Of this number, 268,802 have already been adjudged 10 per cent or more disabled and entitled to compensation from the Government. More than 125,000 of these, with 10 per cent or more disability, have been declared vocationally handicapped, and 60,000 of them are taking vocational training from the Government.

Altogether more than half a million men have claimed compensation on grounds of disability, and of these, one hundred and sixty thousand-odd claims have been disallowed and half that number with disabilities traceable to the service have asked and received hospitalization from the Government since their discharge; a fourth of these are in hospitals to-day. Five thousand enter and 3,500 leave hospitals every month—a steady, consistent, every-30-days gain of 1,500 infirm men. Dry statistics, perhaps, but remember that every unit in this tremendous total represents a man who played his part in saving his country and who is still paying the price.

Mr. President, I learn from the same source that the disabilities of 513,000 of the 641,000 men discharged as disabled are known to have been classified—46,310 as tubercular, 76,588

as mental and nervous, and the remainder, 390,202, as general; subdivided—75,000 as surgical, 62,869 as eye, ear, nose, and throat, 22,847 as miscellaneous, and 229,388 as medical. These are briefly, in figures, the premises upon which the Government's program of hospitalization, compensation, and vocational rehabilitation for the disabled man must go forward.

Experts estimate that the peak of the problem will not be reached for 10 years and that in the meantime $5,000,000,000 must be spent in its solution. More than a half billion has been spent already. Even this estimate, with its vague intimation of what may be expected, is only tentative, and liable, if anything, to undershoot the mark. Consider that a total of 579,115 invalid claims were allowed in the 36 years following the Civil War for an army of 2,400,000 men, and that, with the same proportion holding good, there will be 1,209,950 disability claims for the 5,041,470 veterans of the World War in the year 1956, and you have a puzzle to work out that it will take Congress and the Government years to untangle.

That ex-service claims for compensation actually to be allowed will mount as high as half a million, that the number of applicants for vocational training will grow from 125,000 to 300,000, and that those who must have hospital care and treatment will increase from 20,000 at one time to 50,000 at one time is a conservative prediction tentatively held by the public health experts.

As shortsighted as we are, we can certainly see the immediate needs of the disabled ex-service man. The Bureau of War Risk Insurance is responsible for seeing that he gets his compensation, the Federal Board for Vocational Education that he gets his vocational training, and both the Public Health Service and the Bureau of War Risk Insurance that he gets bed, doctor, nurse, and treatment in a hospital.

Mr. President, the fact that 5,000 ex-service men with disabilities traceable to their service are falling by the wayside every 30 days is something which seems to me ought to be worthy of the deepest concern and thoughtful attention by every Member of this body. These men are sons of your neighbor and of my neighbor. To them we owe an obligation that we can not afford to ignore. We have written laws upon the statute book which provide for them hospital care and treatment, compensation, and vocational training, and it is manifestly our duty to see that they get the benefit of these laws in their full intent and purpose. The welfare of these men is seriously threatened. To cut the appropriations for their rehabilitation during the coming year by $100,000,000 is to assume a responsibility which I for one do not care to have a part in.

Mr. President, I feel that the matter of hospitalization for these men is of the most pressing importance. On January 15 and February 3 there appears in the RECORD a letter from the Surgeon General of the Public Health Service which should have most serious consideration by Congress. He states "that 10,000 beds are urgently needed for the care of tubercular and mentally diseased ex-service men." He states that on January 1, 1921, there were 19,019 disabled ex-service men under treatment by the Public Health Service as patients of the Bureau of War Risk Insurance—7,586 of them suffering from tuberculosis, 5,690 of them with mental disorders, and 5,743 of them with medical and surgical disabilities. He further discloses the fact that nearly one-half of these men are in contract or leased institutions run for profit. He might have gone further and stated that many of them have landed in State insane asylums along with the criminal and pauper insane; that many of them have been arrested and thrown in jail and then committed to insane asylums; and that some of them have been found in county institutions for the poor.

As a matter of fact, nearly half of these men are scattered all over the United States in more than 1,200 hospitals, State asylums, and institutions where they are put by the Public Health Service and paid for at the rate of approximately $3 a day. This is a most unsatisfactory state of affairs, and there is little wonder that the American Legion and other ex-service organizations are raising a cry for better hospital treatment for these men and for new Government hospitals.

Mr. President, in view of the fact that there will be twice as many disabled men in hospitals during the approaching fiscal year as there were this year, the reduction of the amount to be appropriated for their hospital treatment by $17,000,000 is a piece of economy to which I refuse to subscribe. That $17,000,000 should be put back into the appropriation for the hospitalization of these men during the coming year.

Mr. President, we have heard much about salvage in connection with the World War. There is no more important kind of salvage than the salvage of human lives. Dr. Thomas W. Salmon, a great medical expert, connected with the Rockefeller Foundation, says that at least a half of the 71,237 ex-service men suffering from mental disorders as a result of their service can be restored to a useful place in society by adequate and proper hospital treatment. Experts in tuberculosis estimate that at least one-third of the 38,033 men discharged from the Army with tuberculosis, as a result of service, can have their disease arrested. What this Congress does with reference to the appropriations for hospital treatment during the coming year for these men and for the erection of new hospitals is a life-and-death matter to these men.

Further than that, provision must be made for new Government hospitals into which these men may be gathered from all sorts of makeshift institutions—private hospitals run for profit, county farms, and State insane asylums—and given care and treatment worthy of their fine service and splendid sacrifice. There have been bills pending on the calendar of both the House and the Senate making appropriations for the construction of these hospitals since June 3 last. The France bill appropriating $29,533,000 (S. 3457) is now on the calendar of the Senate. The Surgeon General of the Public Health Service, as I have said before, states that 10,000 beds are urgently needed and estimates that they can be provided at an average cost of $3,000 a bed. Reports from all sources indicate that the present system under which the disabled men are turned over to private and State and county institutions for care under contract is most unsatisfying. The Government should build hospitals and should build them at once, as the men are knocking at the Government's door every day for treatment. We should pass the France bill, and pass it with all the speed possible.

Mr. President, the Government seems to have fallen down completely in its provisions for the care and treatment of disabled ex-service men. The provisions of the health bureau, war-risk insurance, and vocational education seemed to be admirable, and on paper were admirable. In operation the entire machine has broken down; and, in fact, never got well started. There has been no failure connected with the Great War in any branch or department of the Government so abject and shameful as the failure of the care and protection of the soldier. It is a disgrace to the Government that thousands of ex-service men, through disabilities, are to-day in almshouses, asylums, and even in filthy jails, due to the failure of the Government to keep its pledge to provide for their needs. This matter should supersede all others, no matter how urgent they are made out to be, in Congress. The relief of the returned soldier should have precedence over measures for the relief of any other class of the community.

Mr. President, while speaking of the needs of the disabled veterans of the World War, I think, in justice to the ex-service men and women of the country, it should be said that of the five things they are asking from this Congress, four of them are all in the interest of the disabled men.

Of course, we have all heard about the bill which the legion calls the adjusted compensation bill, and which is more generally known as the bonus bill. It was passed last summer by the House and hearings have been held on it recently in the Senate Finance Committee. This bill, as you doubtless know, provides that any veteran may have the optional choice of a cash bonus, land settlement, farm and home aid, vocational training, or Government insurance certificate.

Mr. President, I am one of those who believes that an adjustment of compensation should be made at once to the men and women whose economical fortunes were seriously embarrassed by their war service. I think we should remove the penalty these men and women paid because of their generous service to the Nation. I hope to see this adjusted compensation bill, sometimes called the "bonus" bill, passed by this Congress without delay.

Members of the Senate have perhaps heard far less of the other four things which the ex-service men and women of the country are asking. As said before, they are all in the interest of the disabled. They form, with the adjusted compensation or bonus bill, the entire legislative program of the American Legion, which is the largest organizaton of ex-service men and women, with a paid-up membership of over a million and with a paper membership of approximately twice that size.

The veterans are asking—

(1) That the Senate pass the Wason bill, which was passed by the House at the last session and is now pending in the Senate Finance Committee. This bill provides for 14 regional branches of the Bureau of War Risk Insurance and as many suboffices as necessary, and also to make it possible for ex-service men and women to pay their Government insurance premiums at any post office. It relieves from the payment of premiums on Government insurance all disabled men in hospitals, all disabled men taking vocational training, and all disabled men temporarily unable to follow any gainful occupation. It extends the time in which ex-service men may apply for hospital treatment

from one year after discharge to one year after the passage of this act. This bill is one that not only will greatly improve the efficiency of the Bureau of War Risk Insurance but one that contains many features of justice for the disabled ex-service men.

(2) The bill, for which I am the sponsor in the Senate, introduced in the House by Representative JOHN JACOB ROGERS, of Massachusetts, and upon which hearings have been held by the House Committee on Interstate and Foreign Commerce, is designed to consolidate the three agencies of the Government dealing with the disabled ex-service men. I do not doubt that all Members of the Senate have had practical experience with these bureaus in handling claims of disabled ex-service men of their States, which makes it unnecessary for me to go into any great detail as to the reasons why some such legislation of this kind is necessary.

(3) There is another piece of legislation, the France bill, of which I have already spoken, which forms a part of the legion program. It is legislation providing for the erection of new Government hospitals for the treatment of the disabled. Bills looking to this end are on the calendars of both the House and Senate.

(4) The Stevenson bill establishes the same provision of retirement for disabled officers of the emergency forces as is now enjoyed by officers of the Regular Army, a provision already accorded by Congress to the emergency officers of the Navy. These disabled emergency officers went to the battle front and suffered the same hardships and dangers as did the officers of the Regular Army. It is preposterous that now that it is all over we should discriminate and say to one group of officers: "You may retire on three-fourths pay for life, regardless of the percentage of your disability," and to another group of officers: "You may go back to civil life and get what you can from the Bureau of War Risk Insurance, anywhere from $8 a month to $100 a month, depending upon how badly bunged up you are."

It is all the more preposterous that we should discriminate as between the emergency officers of the Army and those of the Navy. I believe a careful review of the legislative program, which the national legislative committee of the American Legion has formulated and which the American Legion is asking at this session of Congress, will commend itself to Members of this body as a most worthy one. I hope to see the entire program acted upon favorably and promptly.

Four of the five things asked for, as I have already stated, are for the disabled, and the national legislative committee of the American Legion has repeatedly stated to me—in fact, the last national convention of this great organization emphatically so stated—that the disabled men shall come first; that nothing is wanted or desired for the great body of ex-service men and women until their unfortunate comrades who are still fighting the unfinished battle against sickness and wounds are properly cared for.

Mr. President, the disabled ex-service men of the World War have a first mortgage on the affections and fortunes of the American people. Congress has no more sacred obligations than to provide for their rehabilitation. There can be no possible excuse for a country as great and wealthy as ours to allow the men whose bodies and minds were shattered carrying the American flag to victory against an enemy which threatened the safety, honor, and welfare of our Government to now become the wards of charity or the victims of neglect, mistreatment, red tape, and destitution.

Mr. WALSH of Montana. I move an amendment, on page 92, line 15, to strike out the numerals "$200,000" and to substitute therefor "$225,000."

This item, Mr. President, relates to the establishment, maintenance, and operation of mining experiment stations. The estimate for this purpose was $270,000. The bill carries $200,000, the same amount as was appropriated last year. The additional $70,000 was asked for by the Bureau of Mines for the purpose of providing for the establishment and maintenance of an additional mining experiment station as provided for in the act of March 3, 1915.

Eight of these mining experiment stations have been already located—one at Columbus, one at Minneapolis, one at Bartlesville, Okla., one at Seattle, Wash., one at Fairbanks, Alaska, one at Tucson, Ariz., one at Rolla, Mo., and one jointly at Tuscaloosa and Birmingham, Ala.

The greatest mining camp in the United States and, perhaps, in the world, the city of Butte, has until now been neglected. It was the purpose of the Bureau of Mines to establish one of the additional stations in the city of Butte, Mont. From an area there the radius of which does not exceed 1 mile one-fifth of the world's entire production of copper comes. The same region is fast becoming exceedingly important in the production of zinc, and the State of Montana leads in the production of silver, a by-product of the copper ores of that district.

I have on my desk a memorandum from the Bureau of Mines telling of the work of the mining experiment stations, which I ask to have incorporated in the RECORD, but I read in this connection the last paragraph thereof, as follows:

Due to its proximity and contact with one of the greatest mining camps of the world, it is believed that a station established at Butte should give attention to mining rather than metallurgical problems. Moreover, it is believed there is no place in the world where mining problems could be studied to better advantage than at Butte.

The mining experiment stations, Mr. President, bear the same relation to the mining industry as the agricultural experiment stations do to agriculture. They are very appropriately located at places where are located mining schools. The State Mining College is located at Butte, Mont., and the work of the Butte experiment station will be carried on in connection with that institution.

I hope that there will be no objection to the amendment. I have a letter from the Director of the Bureau of Mines saying that if an additional appropriation of $25,000 is granted, it will suffice for the establishment and maintenance for the current year of the station at Butte. I also ask that that letter be incorporated in the RECORD in connection with my remarks.

The PRESIDING OFFICER (Mr. STERLING in the chair). In the absence of objection, the matter referred to by the Senator from Montana will be incorporated in the RECORD.

The matter referred to is as follows:

JUSTIFICATION FOR THE ESTABLISHMENT OF A MINING EXPERIMENT STATION AT BUTTE.

As a rule every mining company is desirous of carrying on its work in such a manner as to prevent waste and protect the life and health of the miner. Those familiar with the work of the Bureau of Mines know it has to do principally with these two things; that is, the prevention of waste and the health of the miner. Therefore, both the mining companies and the bureau are interested in the same lines of work, but that phase in which the mining company is particularly interested is the getting of the ore out of the ground as cheaply as possible, and does not concern itself so much with the subject of waste, except as it relates to profit, whereas the bureau is more concerned with the prevention of waste as it relates to conservation. Nevertheless the bureau realizes that the mining companies can not be expected to take steps to prevent waste unless it be economically feasible to do so. Therefore, it is first necessary to prove to the mining companies, either as regards safety or prevention of waste, that it is for their best interests to inaugurate the changes which have been advocated by the bureau.

For example, in 1916, the bureau's engineers began an investigation in one of the larger mining camps of the country as regards miner's consumption. This investigation was undertaken with the full consent of all of the big mining companies of the district. As a result of this investigation it was soon determined that one of the most essential factors governing underground health conditions, as well as efficiency, was the matter of proper distribution of air. At numerous conferences with the companies' engineers, the bureau's engineers so expressed themselves and also in discussing the subject with company officials, both high and low, until finally the matter became a very live issue.

At first the mining companies' engineers opposed the suggestions of the bureau's engineers, but when they carefully studied the subject themselves became convinced that they had not given the subject the careful study it should have had, and so informed the directors of their companies, and as a result, some two years after the work had begun, such changes were made in the ventilating system of the mines of one company as were needed to make better health conditions underground, which in turn assure the company increased capacity of its workmen, as well as a feeling among them that the company was looking out for their best interests.

As a result of this work every mining company of the district fell into line. For example, in one mine fans have been installed for the first time where the workmen claim carbide lamps were used because candles would not burn. In another mine, known as the hottest in the district and where the men could only work for a short time because of the stagnant and humid heat, fans have been installed and it is now one of the well ventilated mines of the district.

DUST.

In cooperation with representatives from the Public Health Service the bureau has proved conclusively that dust and fine particles in mines contribute to a great extent to the high death rate from miners' consumption and materially decrease the efficiency of the working forces. It was estimated, and this estimate was finally accepted as conservative by the officials of the company, that miners' consumption was costing the company $2,500 per day in decreased efficiency of workers, pensioners, etc.

USE AND HANDLING OF EXPLOSIVES.

In a large majority of the mines of the country the method of handling explosives is dangerous and costly. This is true of even the very largest of the mining companies, who continue to have open magazines at all levels, and all miners are able to help themselves to as much dynamite as they desire at any time. The bureau has argued for the adoption of closed magazines and those mines which have adopted such magazines state that they save money by doing so. The bureau not only advocates closed magazines, with supervision over powder distribution, but also over the use of tamping materials. In some mines where the use of tampers and supervision of placing of holes has been adopted the claim is made of a saving of 20 to 25 per cent of explosives, which, if applied to all of the mines of one of the largest mining companies of the West, would amount to a saving of nearly $300,000 per year. This saving would make it possible to mine an even lower grade of ore. Therefore, the bureau is not only interested in having methods adopted which will result in safety, but likewise in a saving of money, for the mining of a lower grade ore means increasing the ore reserves of the country to just that extent.

A great many other phases of the work in which the bureau is interested may be mentioned, but enough has been said to give some idea

of the plan which the bureau carries out in connection with work of this kind. It does not attempt to compel the mining companies to do this, that, or the other thing, but endeavors to cause them to recognize the cost to themselves of the continuance of bad conditions. However, it must not be understood that the only work which the bureau attempts to do is to show up defective and deplorable conditions in mining camps. It also endeavors to make a study of the many excellent methods of mining which are found in the various camps throughout the country and to disseminate this information to other mining camps.

For example, there is perhaps no mining camp in the country where as much has been spent on mechanical appliances as has been spent in the Butte district. Here thousands of dollars have been expended on mechanical devices, on safety methods underground and on the surface; some companies are experimenting on advanced methods of handling labor, others on the most improved fire prevention and control devices. Therefore the establishment of a station at Butte will permit of the bureau's engineers making a careful study of these, as before stated, and disseminating the information thus obtained, and would also permit of cooperative work being carried on with the mining companies of Butte as regards ventilation, mine fires, dust, best methods of drilling, use and handling of explosives, etc.

All of the above has to do with mining. Particular stress is laid on this subject due to the fact that at several of the other field stations of the bureau special attention is given to metallurgical treatment of ores—that is, to devising methods for the treatment of them—the object being the prevention of waste, by evolving processes which will make it commercially feasible to treat ores too complex or too low grade to be treated by present-day metallurgical processes.

Due to its proximity and contact with one of the greatest mining camps of the world, it is believed that a station established at Butte should give attention to mining rather than metallurgical problems. Moreover, it is believed there is no place in the world where mining problems could be studied to better advantage than at Butte.

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DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, February 7, 1921.

Hon. THOMAS J. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In accordance with your request, I am writing to say that the estimates for the work of the Bureau of Mines during the next fiscal year, as approved by the Secretary of the Interior and the President, included an estimate for the establishment of two new mining experiment stations. Eight of the 10 mining experiment stations authorized by the act approved March 3, 1915, have already been established with an appropriation of $200,000 for the work of these eight stations, i. e., $25,000 for each station. The pending sundry civil bill carrying the appropriation for the work of the mining experiment stations contained no provision for new stations as the bill was reported by the House or as passed by the House or as reported to the Senate. If provision is made for one or both of the two new stations yet to be established under the act of March 3, 1915, the appropriation for "Expenses, mining experiment stations," should be increased by at least $25,000 for each of these stations.

Cordially, yours,
H. FOSTER BAIN,
Acting Director.

The PRESIDING OFFICER. The amendment proposed by the Senator from Montana will be stated.

The ASSISTANT SECRETARY. On page 92, line 15, it is proposed to strike out "$200,000" and in lieu thereof to insert "$225,000."

Mr. WARREN. Is the Senator of the opinion that the amount proposed will cover the matter to which he has referred?

Mr. WALSH of Montana. Yes. The letter which I have asked to have printed in the RECORD so states.

Mr. WARREN. Very well. I shall not object to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Montana.

The amendment was agreed to.

Mr. POINDEXTER. Mr. President, I should like to call the attention of the chairman of the committee to the amendment of the committee in lines 14 and 15, on page 8. The item of $195,000 carried in the House bill was stricken out and the item of $170,000—a reduction of $25,000—was inserted in its place. I have been informed that that was done in pursuance of representations made by the Supervising Architect of the Treasury, in which he advised the committee that the total appropriation carried in the bill, including the item of $195,000 in line 14 for field engineers and of $125,000 in line 11 for the office force of the Supervising Architect's Office, were sufficient, but that they ought to be readjusted; that $25,000 could be stricken from the item of $195,000 and added to the item of $125,000 in line 11. It seems, however, that the committee—whether from inadvertence or whether intentionally I do not know—while striking out the $25,000 from the appropriation for the field force, failed to add anything to the appropriation for the office force, and I should like to move that that be reinserted.

Mr. WARREN. Mr. President, this matter was before the committee; it was duly considered and a good deal of time was spent over it. What the Senator wishes to do in carrying out the wishes that have been expressed to him is to raise the salaries in that office. They have asked for the raise. We have in this bill uniformly carried out the idea that we are going immediately in the new Congress, or very soon, to take up the matter of readjustment and reclassification, which we have legislated for and which we have spent a good deal of money to obtain, and handle that office with all others; but if we commence on the raising of salaries as such in anyone of these offices, the same argument goes all through as to the others, and the whole structure is put in confusion.

As to the cutting-down part, that occurred because of this fact: We have passed no public buildings bills for the construction of new buildings for a long time. There is no prospect of passing any at this session, and the work is slack. Therefore the statement was made before the committee that whatever we did with the other amount, that one could be cut down. I am aware that when the witness before us said that it could be cut down, he had the wish in his heart to retain all of the amount with which to raise the salaries of employees and use all the excess money for that purpose. I find that we have this state of affairs before us: When a man comes before us from a department, we will say, a chief clerk in charge of the clerks and laborers, he will first talk about the shortage of men. When we count up and deal with him as to the number of men, he will say: "Well, we can do without a certain number if we can raise the salaries of others." That is more the way they do, of course, in private business; but until we can rearrange these salaries I shall have to object, so far as I am concerned, to any changes in this bill in the line of raising salaries.

I shall have, therefore, to object to this amendment.

Mr. POINDEXTER. Mr. President, I should like to ask the chairman of the committee what is the theory upon which engineers in the field force are allowed a maximum of $3,500 a year salary, and engineers in the office force are allowed a maximum salary of only $2,500—a thousand dollars difference in the salaries of men of technical training and education who are engaged in practically the same kind of work, except that one is in the office and the other is in the field?

This amount of $3,500 is not fixed as the salary for any particular number of men, but it is the maximum limit to which the department may go in paying the highest-priced men within the classes specified in this clause. It is represented to me that that is an unwarranted discrimination against the office force; that men who have the same qualifications and are called upon to perform equally as high a class of work in one instance are limited to a maximum salary of $2,500, while their brothers, merely because they are in the field are allowed a salary of $3,500.

Mr. WARREN. The Senator evidently does not quite understand that situation.

Mr. POINDEXTER. Perhaps not.

Mr. WARREN. In the first place, it may happen that by education they may be quite similar, but there is a selection of the best men for the most difficult work, which is, of course, in the field, where they have to meet the world; and there is another thing: Those inspectors who have to travel all over the United States are confined by law to a certain per diem allowance, which does not pay a very great proportion of their real per diem expenses, and the balance has to come out of their salaries, so that the net salary which they have left is not so much more than the others receive.

Mr. POINDEXTER. I notice that on lines 4 and 5 provision is made for structural engineers at a maximum salary of $2,500, while in lines 12 and 13 supervising superintendents, superintendents, and junior superintendents are allowed a maximum salary of $3,500 per annum.

Mr. WARREN. From $2,000 to $3,500.

Mr. POINDEXTER. Yes; and the other is from $800 to $2,500. Now, they might need in their office force, and, in fact, I should think that they do need, men of professional training and education as structural engineers. Why should they be put in an inferior class to superintendents of construction?

Mr. WARREN. Mr. President, there is no use in prolonging the argument on my part. I say again that there is a difference. There is a difference in their duties. There is a difference in their responsibilities. They are selected for that purpose, and they have a much larger expense. I am perfectly willing that the Senate shall vote on the matter, of course; but I can not accept the amendment when it deals with a request which has been unanimously turned down after being very carefully considered in the committee.

Mr. POINDEXTER. Mr. President, I move to strike out the figure "2" and insert the figure "3" in line 5 on page 8, so as to equalize the maximum salaries which may be allowed to the office force with those which may be allowed to the field force. I hope the Senator will accept that amendment and allow it to go to conference.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Secretary will state the amendment offered by the Senator from Washington.

The ASSISTANT SECRETARY. On page 8, line 5, it is proposed to strike out "$2,500 per annum" and insert in lieu thereof "$3,500 per annum."

Mr. WARREN. Mr. President, I can not accept that as the wish of the committee, and I hope it may be voted down.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Washington.

The amendment was rejected.

Mr. POINDEXTER. Mr. President, on line 11, page 8, I move to strike out "$125,000" and insert "$150,000," so as to restore the total of these two items to the same amount that was contained in the bill as passed by the House of Representatives.

Mr. WARREN. Mr. President, that is the same thing put in another form. The purpose of it is to raise those salaries. I ask that that amendment may not be agreed to.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 8, line 11, it is proposed to strike out "$125,000" and in lieu thereof to insert "$150,000."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Washington.

The amendment was rejected.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 19, line 16, it is proposed to strike out the word "and" and after the word "papers" in said line to insert the words "and for services in connection therewith."

Mr. STERLING. Mr. President, this adds nothing whatever to the appropriation of $100,000, but the appropriation is in terms "for library books, magazines, and papers," without any regard whatever to the library services that should be rendered; and this amendment is for the purpose of compensating those who render the service of librarians. Of course, these books, papers, and magazines can be used to the best advantage by the soldier boys when there is some direction and some guidance in the matter of their selection and the reading of the books; and the amendment is simply for that purpose.

Mr. WARREN. Mr. President, I understand the Senator thinks that language is not sufficient. I am of the opinion that the language is sufficient. Is this to put on a number of men at certain salaries?

Mr. STERLING. If any salaries are paid, it will be under the $100,000 appropriation. I understand the situation to be this——

Mr. WARREN. Let it go in, and let it go to conference.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from South Dakota.

The amendment was agreed to.

Mr. CALDER. Mr. President, on page 11, lines 12 and 13, the committee reduced the amount of the appropriation for "Public buildings, operating expenses," from $3,800,000 to $3,700,000. I ask unanimous consent for a reconsideration of the vote by which that amendment was adopted.

The PRESIDING OFFICER. The Senator from New York asks a reconsideration of the vote by which the amendment on page 11, line 12, striking out "$3,800,000" and inserting "$3,700,000," was agreed to. Is there objection to a reconsideration?

Mr. WARREN. I object to that. That is all we ought to appropriate for that purpose. If that amount is too small we will hear from it later.

Mr. CALDER. Then I will reserve a separate vote on that amendment in the Senate.

Mr. WARREN. We have given them what they have under current law, and there is no reason why they should have more now.

The PRESIDING OFFICER. The Senator from New York reserves a separate vote on that amendment in the Senate.

Mr. WARREN. I desire to say, in this connection, that those expenses are on the receding scale now, as other expenses are, and we have given as much as was given last year.

Mr. SIMMONS. I would like to ask the Senator from Wyoming, the chairman of the committee, in reference to an amendment I offered yesterday evening.

Mr. WARREN. Has it been printed?

Mr. SIMMONS. It has been printed. It was read from the desk yesterday, and I discussed it, and I asked the Senator if he would not withdraw his point of order and let that amendment go through.

Mr. WARREN. I am not prepared to do that now. I was looking the matter up at the suggestion of the Senator. If the Senator will wait, I will look it up a little further before we finish the bill.

Mr. SIMMONS. Then, Mr. President, while the Senator is investigating that I desire to offer another amendment. I ask unanimous consent for a reconsideration of the vote on the amendment of the committee on line 13, page 15, for the purpose of offering an amendment.

The PRESIDING OFFICER. The Senator from North Carolina asks unanimous consent to reconsider the vote on the committee amendment on page 15, line 13. Is there objection? The Chair hears none, and the vote is reconsidered.

Mr. SIMMONS. I wish now to offer an amendment to strike out "$6,750,000" and insert "$7,000,000," thereby raising the appropriation $250,000.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. In the committee amendment, on page 15, line 13, the Senator from North Carolina proposes to amend the amount proposed to be inserted by the committee, which is $6,750,000, so that it will be "$7,000,000."

Mr. SIMMONS. Mr. President, this is the total allowance proposed by the committee for the pay and allowances prescribed by law for the commissioned officers, cadets and cadet engineers, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks and surfmen, substitute surfmen, and one civilian instructor, authorized for the purpose of constituting the entire force of the Coast Guard.

Mr. WARREN. Mr. President, will the Senator allow me a moment? I notice, with regard to the provision the Senator proposes to amend, that the appropriation last year was $5,776,000. This year the House allowed $6,000,000, and the Senate committee has raised it to $6,750,000; so that it is lacking a very few dollars, less than $50, of being a million more than they had last year. Is not that sufficient to provide for the very laudable purpose which the Senator is about to discuss?

Mr. SIMMONS. I think I will be able to show that it is not.

Mr. President, there were somewhat extensive hearings in respect to this item both in the House committee and the Senate committee. Those hearings disclosed the fact that on account of the act of 1918 the pay of the Coast Guard officers and enlisted men was put upon the basis of the Navy pay, thereby substantially increasing the salaries of the force.

It also was disclosed that during the war all of the force, and during the last fiscal year a considerable portion of the force, were regular sailors, men trained in the service, and therefore efficient in the performance of their duties.

The commander in charge, Commodore Reynolds, stated that those sailors had practically all been retired from the service of the Coast Guard, and he had been compelled to recruit the present force of enlisted men from raw material. He testified that it takes a considerable time, I think probably two years, to train the new men to the point of efficiency of an ordinary sailor. It was stated that by reason of that fact, the enlisted men taken from civil life without training were hardly one-half as efficient as the force the service had during the period of the war.

It is true that the House increased the amount appropriated for last year, and it is true that the Senate added something to that, but both the increase made in the House and the increase made in the Senate committee do not equal the amount which the commandant states will be absolutely necessary to continue this service with efficiency.

Mr. President, the committee of the Senate simply allowed for this service an amount that will be required to maintain the service upon the basis of last year; that is to say, the appropriation recommended by the committee this time takes into consideration a certain number of commissioned officers, a certain number of warrant officers, both active and retired, and 3,751 enlisted men. That is the same number of enlisted men who are now in the service, the same number who were in the service last year, and practically the same number of warrant officers and commissioned officers who were in the service last year. The committee has allowed enough in this bill to pay the expenses of the same force that was employed in this service during the last fiscal year. That is correct, I think. The committee has provided no more, Mr. President. No provision is made for any enlargement of the service. No provision is made for an increase to the extent of a single enlisted man in the service. In other words, the committee has given this great service exactly the same force it had during the last fiscal year. It costs more to maintain the service with that force this year than it did last year, for the reasons I have given, the higher cost incident to the fact that these officers and these enlisted men are put upon the basis of pay in the Navy and the fact that the new men are not as efficient as the former force was.

That fact was made very clear, not only by Commodore Reynolds but by the other officials of the Coast Guard Service who appeared before the committee, and it was the purpose and the intent of the committee, as indicated by the hearings, to allow

no increase in the force employed during the last fiscal year, but to raise the amount, so as to provide for the increased salaries and the lesser efficiency of these men.

This course would be all right, there could be absolutely no quarrel about this disposition of this matter, provided it were not necessary to enlarge this force in order to accomplish the purpose of its inauguration and in order properly and efficiently to perform the functions that are assigned to that great arm of the Government.

I desire that Senators get that point in their minds, because I think every Senator here who lives anywhere along the coast, or who lives off the coast, is deeply interested in having this service maintained to a point of adequacy and efficiency. The committee, therefore, I repeat, while it raised the amount allowed, admittedly and confessedly provided a fund only sufficient to pay for the force that was employed during the last fiscal year and the force that is now in employment by the Coast Guard Service, and made no provision for any enlargement of that service as it now exists, and as it has existed during the past year.

Mr. President, I take it that nobody will question the great importance of this service. The duties of the men of the Coast Guard were stated in the hearings by Commodore Reynolds. According to him, they patrol the coasts, enforce the various navigation laws and laws relating to commerce and revenue, assist vessels in distress, save property, remove derelicts from the path of navigation, cruise in Bering Sea and the Arctic Ocean each season, patrol in the vicinity of the Grand Banks to give warning to vessels regarding ice conditions, patrol the coast during the stormy season of the year to render assistance to vessels in distress, and perform many other duties. The question and the only question I am raising is as to the adequacy of the service, of the force we allowed last year, and which this appropriation provides shall continue without any increase. That is the only question I raise. I assume that everybody will recognize the vast importance of this work.

Mr. President, let me read Senators what Commodore Reynolds said about this. I read from the hearings:

The CHAIRMAN. How many ships have you now in operation?
Commodore REYNOLDS. Of all classes, 67.
The CHAIRMAN. How many are laid up?
Commodore REYNOLDS. There are laid up and out of commission of all classes, 35, and there are 5 under construction.
The CHAIRMAN. Did not the Navy Department turn over some ships to you?
Commodore REYNOLDS. Yes, sir.
The CHAIRMAN. Some of those that are not in commission are undesirable ships that were turned over to you by the Navy Department?
Commodore REYNOLDS. Some of them are. A good many of them are those that we took over from the Navy.
The CHAIRMAN. If you had them in repair or in commission, could you use them?
Commodore REYNOLDS. Yes, sir; all of them.
The CHAIRMAN. Are all of them suitable for your service?
Commodore REYNOLDS. We could use them.
The CHAIRMAN. Are you proposing to put more of those ships in commission as you can get men?
Commodore REYNOLDS. As we can get the men; yes, sir. Some of these are regular vessels of the service that we had prior to the war, but we have been unable to operate them for some time.
The CHAIRMAN. Because you could not get the men?
Commodore REYNOLDS. Yes, sir.
The CHAIRMAN. How many men would you employ if you could get them? Would you employ enough to put all of those 35 additional ships in commission?
Commodore REYNOLDS. Yes, sir; some of the vessels are small and could be operated with but few men.
The CHAIRMAN. You will be able to get all the men you want.
Commodore REYNOLDS. We want a total enlisted force of 5,893 men; we should have in all 518 warrant officers.

Now the bill allows them, instead of 5,893 enlisted men, only 3,751 enlisted men. Because they were not able to employ this year for lack of funds more than 3,751 men, 35 vessels, that Commodore Reynolds stated could be used and were needed in the service, are tied up and out of commission.

Mr. KING. Mr. President, will the Senator permit a question?

Mr. SIMMONS. The committee's proposition here is that the service must be operated as it was last year with something near 2,000 enlisted men less than the commodore declares are necessary in order that the service may be properly performed in the interest of the American people and especially that part of them who go themselves or send their property by the sea. I yield to the Senator from Utah.

Mr. KING. The point has been made to me, and I call the Senator's attention to it in order that I may be enlightened, first, that there is no necessity for 5,000 men; that a very much smaller force could perform all of the work that is required to be performed. Secondly, if I may be permitted, a person who is very familiar with the matter came to me several days ago and stated that some of the work that is being performed by this service could, with the utmost propriety, be performed by some of the naval boats; that many of them were disengaged and many of the sailors were doing nothing; and that these trips out in the ocean, up to Newfoundland and farther out from the coast, ought to be performed by naval boats rather than by the Coast Guard.

Mr. SIMMONS. I do not know how that may be, but I do know that the naval boats are not performing the service, and the people of the country are losing the benefit of the service by reason of the situation I have portrayed. I call the attention of the Senator from Utah to the fact that I am not asking in the amendment for an increase to the extent of 2,000 men, the number that Commodore Reynolds said are needed. I am asking for only 250 additional men.

Mr. WARREN. The Senator says we are losing benefit. Just what is the benefit to which the Senator alludes that we would lose?

Mr. SIMMONS. We are losing the benefit of efficient patrolling of our coast. As I will show the Senator before I get through, the most important point upon the Atlantic coast today, the great center of danger upon the Atlantic coast——

Mr. WARREN. Danger of what?

Mr. SIMMONS. The point that has been regarded for 100 years as the graveyard of the South Atlantic coast is absolutely without the benefit either of patrol or of adequate assistance in case of vessels wrecked or otherwise in distress.

Mr. WARREN. The Coast Guard has been immensely increased in past years, and it seems difficult to tell just what they are to do. Of course, in war times there might be some necessity of a little closer vigil, but I do not understand that we are liable to be exposed to any increasing danger or any other danger that twice as many men might save us from.

Mr. SIMMONS. I have tried to explain to the Senator that I do not think the Coast Guard is a defense service. It is not so specified in the description I have just read from Commodore Reynolds. It is not a defense service. Its functions are entirely different.

I will read again, as the Senator does not seem to have heard what I first read. Describing what the force does, Commodore Reynolds says:

They patrol the coast.

One of the purposes of that patrol is to protect our ports against smuggling. That is one purpose. I will say to the Senator that North Carolina has, connected with the sea by a sand bank an average of less than half a mile in width, an area of 3,000 square miles of navigable waters. Leading into those sounds are three inlets—Beaufort Inlet, Hatteras Inlet, and Ocracoke Inlet. But for the surveillance of the cutter service those vast inland waters would be easily accessible to the smuggler. In fact, I am told that now, by reason of inefficient and inadequate supervision there, with reference to our liquor traffic, the country bordering on those inland waters has become a place for the manufacture of illicit spirits that are taken out through these inlets connecting the sound with the ocean. It is easy to use those waters for such a purpose. In the case of smuggling, more or less of which is always going on, here is a great stretch of the coast with three inlets leading into a body of 3,000 square miles of inland navigable water, where the smuggler could ply his trade with absolute impunity.

That is the first function of the Coast Guard. The next is:

Enforce the various navigation laws and laws relating to commerce and revenue.

Those are the laws about which I have just spoken, laws that are so often violated by the smuggler, laws that would be easily violated by smugglers unless we had some service such as the Coast Guard to protect the country against it.

Assist vessels in distress.

The only governmental service that we have in the country organized and equipped for the purpose of assisting vessels in distress is the Coast Guard Service. This service not only assists vessels in case of wrecks, but assists them also when in distress arising from other causes. When we consider that we have something over 3,000 miles of coast, a large part of it dangerous coast, is it to be said that the Government of the United States is not at all times, in the interest not only of property but of humanity, to provide ample relief measures to those who go down to the sea, whether they go as passengers or send their property as freight?

Commodore Reynolds then says:

The Coast Guard men render assistance to vessels in distress and perform many other duties. We assist in some manner about every department of the Government during the course of the year. By the way, I might interject here that a great many of the men are needed for the shore stations.

Now, who is to determine the question of whether or not the force now in employment and now provided for by appropria-

tion in the bill as amended by the committee is adequate? The fact can not be controverted under any circumstances that the service is now in possession of 35 boats, some of them the best boats in the service, that are now out of commission and tied up at the docks because the service has not sufficient men to operate them. I am prepared to say that some of the boats that have been taken out of commission because of the lack of crews to operate them are absolutely essential to a proper patrolling and policing of our coasts and in order to give reasonable relief facilities to vessels that may be wrecked or get into distress in navigating our coastwise waters.

If I may have the attention of the Senator from Wyoming, the chairman of the committee, let me give him an illustration of the situation: I live in the town of Newbern, which is on the inland waters of which I spoke a little while ago. Newbern is only a few miles from Beaufort Inlet. When I was in the other House of Congress thirty-odd years ago a bill introduced by myself was passed authorizing the construction of a revenue cutter for the purpose of protecting those 3,000 square miles of inland waters and their three inlets from the sea. Navigation in those waters is dangerous. I have been in a storm at sea and I have been in a storm on those inland waters, and I feel and believe that the danger to which I was subjected in the storm upon these comparatively shallow inland waters was infinitely greater than in the storm on the ocean. Vessels navigating those inland waters get in trouble. The Government at this time is operating a regular line of boats, running two or three times a week, through those sounds from the city of Baltimore to the city of Newbern and to the city of Washington, in North Carolina. That line is a regular line, and it incurs these dangers.

The revenue cutter to which I refer was provided for the purpose of patrolling those waters and, in addition, for the purpose of rendering assistance to distressed vessels or to wrecked vessels on the sea outside along the adjacent North Carolina coast. The revenue cutter was afterwards—I think, during the Spanish-American War—taken away and another vessel, especially constructed with a view to the navigation of those inland waters, was provided and was located at Newbern, in close proximity to the dangerous coast of Cape Hatteras and Cape Lookout, in order that it might be there at all times ready to render prompt assistance to vessels navigating that portion of our coast. That vessel was stationed at the port of Newbern and was known as the *Pamlico*. It is a splendid cutter. It remained at Newbern until the beginning of the late war, rendering splendid service not only upon those inland waters but rendering help in case of accident at Hatteras or Cape Lookout, and patrolling the coast from time to time in storms. When the war began that vessel was taken away, because it was said that it was urgently needed in other Government service made necessary by the then existing war conditions.

I know as a matter of fact that Commodore Reynolds has desired for more than a year to return that vessel to Newbern; that he has felt that it is needed there; yet during that period of time he has not been able to return it.

Only a month or two ago when the chamber of commerce of my city communicated with me by resolution impressing me as much as they could with the importance in connection with the navigation of those inland waters as well as in connection with the troubles about the Capes, of returning that vessel, and urged me to use my best endeavor to secure its return, I again applied to the Coast Guard Service, and again the answer came back that, on account of the inadequacy of the money at his command, the commandant was not able to provide a sufficient crew to operate the vessel; that the vessel was ready; that the department was ready to restore it to its former use, but did not have the money with which to provide a crew for it.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Wyoming?

Mr. SIMMONS. Yes.

Mr. WARREN. But the Senator's argument fails to show that there is any reason why the vessel could not be returned.

Mr. SIMMONS. Except that Commodore Reynolds says he has not the money.

Mr. WARREN. Very well; but he had the money in years past, though he then had very much less appropriations than we are giving him now.

Mr. SIMMONS. He has not had sufficient money, as I understand, since the war ended to return the ship to the station at Newbern.

Mr. WARREN. We are providing in this bill $600,000 more than that service had last year.

Mr. SIMMONS. But Commodore Reynolds can not send the vessel back because he has not sufficient crews. There has not been added one single man to his crews in this bill.

Mr. WARREN. We appropriate $600,000 more than was appropriated last year, which he said was for crews; and we are attempting to appropriate here a million dollars, a sum that never has been before reached or anything near it.

Mr. SIMMONS. Does not the Senator know that is disclosed in the hearings before his own committee, that the amount allowed Commodore Reynolds was based upon the employment of 3,751 enlisted men, and that is the same number he had last year?

Mr. WARREN. We are giving the service more than heretofore, and the commandant could employ as many men as he saw fit with the money allowed; but, of course, if the idea is to double the cost, to double the number of men, the Senator's argument is all right.

Mr. SIMMONS. That is not the argument.

Mr. WARREN. To say that the ship was taken away because of a lack of men for the crew is not a suggestion of any force, because it was taken away at a time when they had perhaps two-thirds or a half as much money for the service as now. They had the ship then and kept it there. Now we are giving nearly double the appropriation, and the Senator says that they have not money enough.

Mr. SIMMONS. No, Mr. President. From the hearings, from the questions asked by the members of the committee, and according to the basis upon which they allowed the present increase in the appropriation, it is perfectly clear there will only be permitted the employment of 3,751 men. Provision has been made for the salaries of only that number of men.

Mr. WARREN. We did not say how many men shall be employed. The money is in the commandant's hands to do as he chooses with it.

Mr. SIMMONS. The commodore told the committee that that sum would only enable him to retain his present force.

Mr. WARREN. No.

Mr. SIMMONS. Then the committee figured out how much he had to have to pay each man.

Mr. WARREN. He did not say what the Senator indicates.

Mr. SIMMONS. Mr. President, if it is necessary I can read the testimony.

Mr. WARREN. But we have added since that time $600,000.

Mr. SIMMONS. What the committee did was to estimate the pay of the enlisted men at $1,004, and, after providing for the commissioned officers and the warrant officers, the amount that was appropriated only left enough money to employ 3,751 men, the same number that were employed during the last year. That is absolutely true; there can not be any question about it. The salaries of these men are fixed; it is not a case of a lump sum being provided; commissioned officers receive so much—$2,500 a year, I believe—warrant officers receive so much—I do not remember the amount paid them—and enlisted men receive so much, namely, $1,004. The committee made careful calculations and allowed the commandant of the service enough to pay for the present commissioned force, the present warrant officers, and the present enlisted strength. There can not be any question about that. The commandant can not restore to the service the ship to which I have referred; he can not get the men; he had not the money to pay them last year, and he has this year no more money with which to employ additional men than he had last year. Therefore he can not employ the men necessary to restore the ship to the service.

Mr. WARREN. Does the Senator insist that the commandant will not have, under the amount proposed, $600,000 more than he had last year?

Mr. SIMMONS. But the salaries have increased; the committee made calculations as to the number of enlisted men based upon a pay of $1,004 a year, and upon that basis allowed the commandant enough money to employ 3,751 enlisted men, which is the same force he had last year.

Mr. WARREN. We made no calculation per man; we made no calculation as to the number of men; there is no reason why he can not employ less or more as he sees fit, so far as the law is concerned. As to the advance in pay, the men received the same last year that it is proposed they will receive this year.

Mr. SIMMONS. The report absolutely reeks with inquiries by members of the committee as to the salary paid the enlisted men, as to how many men could be employed with the money allowed; as to the salary of the commissioned officers and the warrant officers, and as to the number of officers who could be employed with the money allowed. The testimony is that the amount allowed by the committee will permit the commandant to employ, paying the salaries fixed by law, not provided for

in a lump sum—he can not control the question of salaries—identically the same force during the coming year that he had the last year.

Mr. President, I say there can be no expansion of the service under those circumstances and not one of the 35 boats which have been tied up and which Commodore Reynolds, who ought to know something about this matter, says are needed can be restored to the service.

Now, let me proceed a little further with the statement I was making in regard to the *Pamlico*. I wish to call the attention of the chairman and the committee—and I hope the chairman will listen to me—and the attention of the Senate also to this matter, because it is vital.

The conditions which now exist and against which Commodore Reynolds desires relief as it applies to the North Carolina coast are these: There is not a single revenue cutter, not a single patrol boat, not a single boat of any kind owned and operated by the Coast Guard Service between the port of Norfolk and the port of Wilmington, N. C.; that is between Cape Henry, near Norfolk, and Southport, near Wilmington, a stretch of over 300 miles of coast. I will ask my colleague if I am not correct about that.

Mr. OVERMAN. I think it is just about that distance.

Mr. SIMMONS. At about the center of that long coast line lies Hatteras with its shoals running 40 or 50 miles into the ocean, and a few miles below lies Cape Lookout with its long shoals running 10, 15, or 20 miles into the ocean. I think I have underestimated rather than overestimated the length of those shoals. Vessels navigating that coast in order to be perfectly safe have to make a detour of nearly 100 miles. It is known of all men that more wrecks have occurred upon the shoals of Hatteras and of Cape Lookout than at any other place on the Atlantic coast. There has not passed a year during my manhood life—and I live within 35 or 40 miles of that place—when those treacherous shoals have not been the cause of wreck after wreck, involving the loss of life and the loss of property amounting to millions upon millions of dollars. And yet, Mr. President, whereas, when this revenue cutter that I am now talking about, the *Pamlico*, was in commission it was within a few miles of those dangerous waters, ready to give relief in case of distress and wreck, now there is no boat within less than a hundred or a hundred and fifty miles of that place whose duty it is to patrol those waters. I am told that one of the chief duties of these Coast Guard cutters is not only to assist in case of wreck, but, in case of stormy weather conditions along the coast, to patrol it up and down, so as to be there promptly and render relief, especially at the danger points; and yet if a vessel is in distress there, it must wait now until a cutter 150 miles away can come to its relief, whether it applies to Norfolk for assistance or to Wilmington.

Mr. President, I have just had a letter from officials of the city of Wilmington telling me that if the *Seminole*, which is the cutter located there, has to patrol and police those waters and go to the relief of vessels stranded around Hatteras and Cape Lookout it will be absolutely necessary that the Government shall send a boat there with a wider range; that the radius of the boat—its cruising radius, I understand that to mean—is inadequate, on account of its very limited coal-carrying capacity, to enable it, even if it were otherwise able, to cover that large area, and therefore it would be necessary to have a better boat there.

Mr. President, I sympathize with the arguments made here in behalf of economy. I believe in cutting down the expenses of this Government wherever we prudently can; but, in the name of Heaven, let us not cut them down in such a way as to deny to the people of this country that protection upon our seacoast that they have always heretofore enjoyed and to which they are entitled.

And, Mr. President, in former times, when our trade with South and Central America and with the West Indian Islands was small compared with what it is now, when that trade was conducted in foreign bottoms, there was not the same argument in favor of the proper relief provisions being made here so far as property was concerned; but now, with our trade with these countries already grown great, expanding every day, carried chiefly in American bottoms, in vessels flying the American flag, representing the money of the Government and of the people as well as private capital, it seems to me that to take away the protection we have heretofore afforded to those who navigate our coastal waters is almost criminal.

I know how the people in my country feel with regard to the lack of protection such as the Government gives through this service, and always has given through this service, at Hatteras and Cape Lookout. They look upon it as absolutely inexcusable. I have here a memorandum from Commander Reynolds in which he says:

> The sum of $6,900,000 is necessary under the item "pay and allowance" to maintain the enlisted force of the Coast Guard at 3,751—

That is where it was last year, and where it is now—

> the number of enlisted men actually in the service on January 11, 1921, which number was used as a basis for our statements in the hearings before the Senate Committee on Appropriations. That number of men did not permit the placing of the *Pamlico* in commission.

I was writing him about the *Pamlico* and inquiring whether or not he would be able to place her in commission.

> If the sum of $7,000,000 be appropriated for pay and allowance, it is thought that we may be able to have a sufficient number of men to justify us in placing the *Pamlico* in commission again.

All I am asking is to add $250,000 to the amount recommended by the committee. There is not a line nor a syllable in the committee's bill as it now stands that permits of any expansion from the present conditions of inadequacy. My amendment does not allow much expansion; but there is a boat up here in Maryland, operating out from Baltimore on the Chesapeake Bay, I believe, known as the *Apache*, that is just like this—in the same situation as the *Pamlico*—a splendid boat, tied up, greatly needed in those waters teeming with commerce. She is tied up because the service has not sufficient money, and sufficient money is not allowed in the committee amendment, to employ a crew to restore her to service.

Mr. President, I should not have taken the time I have taken if I did not feel deeply about this matter. I think the service of the Coast Guard is one of the noblest services that the Government is rendering to humanity. I think it is one of the finest services the Government is rendering for the protection and safety of property. I think to withdraw that service, where it has been long established and where its necessity has been demonstrated by time, is unjustifiable. But, Mr. President, to say that this service is to remain stationary in the face of the development of our foreign trade and its transportation in American vessels, I think, is more than unwarranted. It is inexcusable. It is an apparent economy, I will admit; it reduces the expenditures of the Government $250,000; but it may cost the Government in the loss of one ship, not only flying the American flag but owned by the Government itself, millions upon millions of dollars.

I trust, Mr. President, that the amendment may be adopted.

Mr. McCUMBER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from North Dakota suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harrison	McCormick	Sheppard
Calder	Heflin	McCumber	Simmons
Capper	Henderson	McKellar	Smith, Ga.
Curtis	Hitchcock	McNary	Smith, S. C.
Dial	Jones, N. Mex.	Moses	Smoot
Dillingham	Jones, Wash.	Nelson	Spencer
Elkins	Kendrick	New	Sutherland
Gay	Kenyon	Overman	Swanson
Glass	Keyes	Poindexter	Thomas
Gooding	King	Pomerene	Trammell
Gore	Kirby	Ransdell	Underwood
Hale	Knox	Reed	Warren
Harris	Lodge	Robinson	Willis

Mr. HARRISON. I was requested to announce that the Senator from Massachusetts [Mr. WALSH] is detained on official business.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

Mr. SMOOT. Mr. President, it seems that the Committee on Appropriations can not appropriate enough money to suit the Senate. Whenever an estimate is cut in any way, officials of the department or the division that is cut immediately proceed to the Capitol and undertake to secure the assistance of some one to compel the Senate, if possible, to give them all they demand.

For the Coast Guard there was appropriated last year $5,576,000, and the House, after hearing the statement made by not only Commodore Reynolds but by Lieut. Commander Billard, decided to increase the appropriation to $6,000,000.

The Senate committee, after going into the details carefully and figuring to the very dollar what they said they had now, increased that amount $750,000, and now we are asked to increase the $750,000 by $250,000.

Senators, I want to call attention to the fact that the Senate committee has increased the appropriation over last year $1,174,000. I want the Senate to listen to the details, and I want the Senate to decide then if the committee has not been more than liberal with the Coast Guard. I know, Mr. President, that the Coast Guard sent in an estimate for $9,200,295, an increase

of almost 100 per cent over what they had last year, but after the House had heard the testimony they decided to give them an increase over last year's appropriation and make it $6,000,000. Then the Senate committee has gone them one better and given them $750,000 more.

When they appeared before the Senate committee they changed the amount they asked for from $9,200,000 and said they could get along with about $7,100,000. Then, as a member of the subcommittee, I asked Lieut. Commander Billard to give me an itemized statement as to how that lump sum would be expended and for what purposes. The lieutenant commander said they have 205 active commissioned officers in the service to-day, and the pay of those officers is $1,118,577.

They have 71 retired commissioned officers, and the pay of those retired commissioned officers is $210,054.

They have 508 retired warrant officers, and the pay of those warrant officers is $534,600.

There were 417 warrant officers in the service, not last year but on the day they appeared before the committee, and the pay for those warrant officers amounted to $1,421,500.

They have 3,751 enlisted men, not last July when the present appropriation was made, for at that time they had 3,708; and yet the appropriation for this whole purpose was only $5,576,000, and all the increase there is in the personnel—that is, of enlisted men—is the difference between 3,708 and 3,751, or 43 enlisted men. Yet we are recommending for the Coast Guard nearly a million dollars more, and now they say they can not have the men to run one boat.

Those amounts added together, Mr. President, amount to $6,667,984. The lieutenant commander spoke of some 40 cadets and 5 cadet engineers, and he wanted to add $161,000. Adding the $161,000, Mr. President, would give $6,828,984. On the other hand, there are $152 and $5,160 to be taken off, and $43,463 of difference in the warrant pay, making about $6,780,000.

Mr. President, we gave them $6,750,000, and I want to say to the Senator from North Carolina [Mr. SIMMONS] that I had a great deal of sympathy with the Coast Guard, and I wanted to give to the very last dollar they really needed; I wanted to give all the departments all they actually had to have; not what they asked for, for if we gave what was estimated this year the Treasury of the United States could not meet it. And in making that remark I do not mean the Coast Guard only; that applies to every estimate that came to the Congress.

What caused me to ask as to the details of the number of enlisted men, the number of warrant officers, and the number of commissioned officers was a statement the lieutenant commander made, that he must have the amount asked for or else all but 2,000 enlisted men would be discharged. I could not understand that, and we figured it out in detail, and I have the figures before me now; and in the hearing I asked him if those figures were not true, and if they were not in accordance with the conditions existing in the Coast Guard, and he said they were.

There was one question I forgot to ask him, and perhaps I ought to have asked it. Senators will notice that out of this lump-sum appropriation we have to pay 508 retired warrant officers $534,600, and we have to pay 71 retired commissioned officers $210,054.

Mr. THOMAS. Let me ask the Senator if those commissioned officers are retired because of overage, or for incapacity, or for what reason?

Mr. SMOOT. They are retired at the age of 64, according to law.

Mr. THOMAS. It is an age retirement?

Mr. SMOOT. It is an age retirement. But just think, Senators, of the whole amount appropriated for the Coast Guard, what a large percentage goes to pay retired officers.

Mr. SIMMONS. That is under an act of Congress.

Mr. SMOOT. I know it; I am not commenting on that. But I ought to have asked how many more commissioned officers and how many more warrant officers are to be retired this coming year. That I did not ask, and I can not tell. But I think, Mr. President, that unless there is a large number of retirements, the amount the Senate has put in this bill is all that ought to be carried, and I want frankly to say to the Senator from North Carolina that if the Senate conferees can keep in the bill what they have put in, $750,000 more than the House has given them, I think they will do very well. I am going to stand for the $6,750,000 for that service in conference. I do not mean to defend it here upon the floor, and in conference let it go. I believe the Coast Guard ought to have that amount of money, no matter if the House did allow an appropriation of but $6,000,000, which was $250,000 more than it allowed last year. But the Coast Guard, to do the work we intend it should do, and do it efficiently, ought to have the $6,750,000.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the senior Senator from Utah yield to the junior Senator from Utah?

Mr. SMOOT. I yield.

Mr. KING. I can not expect the Senator to keep in mind the figures during the prewar period, or at least for some period back, but approximately what was the amount appropriated for the Coast Guard, say in 1910, 1911, or 1912?

Mr. SMOOT. It was a small amount compared with what it is now. During the war we did increase the appropriations quite heavily, and even last year, as I said, we appropriated $5,576,000.

Mr. KING. It seems to me there ought to be a return to prewar conditions as soon as possible.

Mr. SMOOT. I do not think we can do that, I will say to the Senator, for the reason that the work of the Coast Guard would not permit it. They are extending work on the Pacific coast and Alaska, and are extending the service generally, and if we are going to keep that service at all, we can not go back to prewar conditions.

Mr. SIMMONS. I would like to say to the Senator that one of the principal items that brought about the increased expenditure in this service is the fact that during the war we put all of the commissioned officers, warrant officers, and enlisted men upon the same basis as the naval force, thereby greatly increasing the amount of expenditure in that connection.

Mr. SMOOT. Last year when we appropriated $5,776,000, the increase was to take care of the increased allowances made to officers and enlisted men. In the amount that I have stated we allow $1,003 for every enlisted man. We allow that in a lump sum.

Mr. SIMMONS. The committee have allowed just what the law allows; that and no more. I wish to say in addition to that——

Mr. SMOOT. I desire to answer that statement first. We allow just what the law allows the enlisted men, but whenever there is a change in number or an enlisted man resigns and goes out of the service, during the lapse of time before his place is filled or he is received back into the service that amount of money is saved out of the lump-sum appropriation.

Mr. KING. If the Senator will pardon me, I voted against the bill to make this an arm of the Navy merely for the purpose of granting allowances and retirements and increase of compensation. I thought it was wrong and an imposition upon the people. If I have any criticism, it is because of the generosity and, indeed, extravagance of the committee in reporting the large sum which the bill carries. If I had my way, I should strike a million dollars from the amount recommended by the committee.

Mr. SMOOT. I think that would be a drastic position to take; and I want to save every dollar that I can to the Treasurer of the United States, too. Perhaps I have been a little tender-hearted with reference to the Coast Guard, but I think they made a pretty good case, and that was the reason why I voted for the $750,000 increase over the House appropriation.

No one has charged that the service is not honorable. No one has intimated that the officers of the Coast Guard are not doing their duty. I recognize that the man who stands at the head of the Coast Guard is a splendid officer. I desire to say that I think a great deal of the present commander of the Coast Guard. He is a very fine man.

I took just what information I could get from them, and I do not believe there is a member of the subcommittee who heard that testimony who does not believe that the figures were absolutely correct. This is one of the cases where I am going to plead with the Senate to stand by the committee, because we have been more liberal here than with almost any other demand made upon the committee.

Mr. OVERMAN. Mr. President, I am a member of the Committee on Appropriations. I do not recollect that Commodore Reynolds was before us.

Mr. SMOOT. He was for just a few minutes.

Mr. OVERMAN. He did not testify before us. He did not give us the information that is here to-day and the information that I have seen since the committee passed upon the item.

There is one thing certain, and that is that the committee, as the Senator from Utah has said, found that the House had not given them enough by $750,000. The matter of the unpatrolled condition of the coast of North Carolina was not brought up and was not understood. The only question raised by Commodore Reynolds's letter is, Shall this long stretch of coast from Norfolk, Va., to Wilmington, N. C., go unprotected, unpoliced, unpatrolled? That is the question.

Commodore Reynolds said—and we gave him about what he wanted for his officers—that he needed more men. He has a

boat now, lying at Newbern, N. C., a good boat that he would like to man in order to patrol the coast, because it is so absolutely necessary. Every Member of the Senate knows that this is the most dangerous of all the coasts of the United States, to wit, from Cape Hatteras to Point Lookout. I need not refer to that. Does that need any protection? Does that need any police patrolling? If it does, the money asked for is needed. Who says it? Commodore Reynolds says it.

Who is Commodore Reynolds? As the Senator from Utah has said, he is one of the best men in the Navy. He did not testify, and that evidence was not before the committee, but the committee gave him $750,000. He now says that he needs $250,000 more. Then let us agree to the amendment so that he can get the boat and man it, and patrol, from Cape Hatteras to Point Lookout, some 300 miles of coast line and sound lines and the great canal down there, so it may be fully protected and policed. Commodore Reynolds says it is absolutely necessary. Who knows? Does the commodore know? Does Commodore Reynolds know it, or does the Senator from Utah know it?

The Senator from Utah did not hear the evidence at the hearings. He did not have that information then, but he has it now over the sign manual of the commodore himself. If the money is needed, let us give it, in order that he may patrol that coast. In his evidence he said that the *Seminole* at Wilmington can not do it, and the revenue cutter at Norfolk can not do it, and therefore he needs a boat near Newbern, right near Cape Hatteras, right near Point Lookout, right at these three inlets in which there is a lot of smuggling done. Let us patrol it and control it, and let us give him the money to do it. If $750,000 was necessary in the opinion of the Senator from Utah on the information he had, then with the other information now before us why not give $250,000 more?

Mr. SMOOT. I desire to say that this is a lump-sum appropriation, and Commodore Reynolds can transfer the boats from any section of the United States to any other section. But suppose we grant that there ought to be an extra boat, suppose we grant that it ought to go to North Carolina, it is not going to cost $250,000 to send that one boat. If that is what the Senators want, let us increase the amount $50,000, because that will take care of it.

Mr. OVERMAN. I do not know how much it will take.

Mr. SIMMONS. I am not asking for just one boat. I made that pretty clear. I just gave that as an illustration of the lack of service at a particular point and the inability to furnish adequate service because they did not have the men to man the boats already in commission.

Mr. SMOOT. I will say to the Senator, then, let us put it in in that way. Suppose he wanted 50 men for that little boat; at $1,000 each it would be $50,000, and that would man the boat all right. He does not have to man a boat——

Mr. SIMMONS. But the Senator says one boat. My position is not confined to one boat.

Mr. SMOOT. That is all we have heard of now.

Mr. SIMMONS. I simply used that as an illustration.

Mr. OVERMAN. The Senator from Utah does not wish to weaken a coast by taking a boat from that place and sending it to the North Carolina coast? He said this is a lump-sum appropriation and that Commodore Reynolds can order the boats wherever he pleases. He does not want to take it from Norfolk or from some place else in order to send it to the coast of North Carolina, surely.

Mr. SMOOT. No; I do not want to do that, but when I know that the service has been run for the present fiscal year with an appropriation of $5,776,000 and that we have given a million dollars more in the pending bill it does seem to me that they could take care of the service. With that million dollar increase, if there is not enough provided and if there is this boat that could be put in service, I am willing to add $50,000; but I think that is all the Senator ought to ask.

Mr. OVERMAN. I merely wish to say to the Senator from Utah in reference to this service that it is absolutely necessary in order to save property, to save life, to protect the coast from smuggling. As we know and have been informed, they are rushing in liquor in small boats through those inlets, and no revenue cutter is there to look out for them. This increased amount is absolutely necessary. Senators are bound to see that they can not get along without it, because they know that the Wilmington and Norfolk boats can not take care of that part of the coast.

I am glad my friend from Utah, who is very generous to the Coast Guard Service, I admit, and has done great work for them, is willing to give us $50,000 for the boat which is tied up there that these men desire to use for this purpose. As to the other parts of the service I do not know. My colleague knows about them, but I know that it is absolutely necessary that we police that great coast line there, the most dangerous in the world, as everybody knows and admits.

Mr. SMOOT. The Senator knows we have already increased the amount a million dollars.

Mr. OVERMAN. Yes; and the Senator from Utah admitted that we need a million dollars more. He knows that the service was crippled or he would not have given that much. I remember that the Senator went very deeply into the question of the payment of warrant officers and enlisted men, but the Senator did not go into this question because Commodore Reynolds was not there to testify about it. Therefore, this is newly discovered evidence so far as I am concerned, and that is the reason why I am differing with the committee and asking them to give us the additional money upon newly discovered evidence, that of the chief of the department, who, as the Senator from Utah said, is one of the best men in the Government service.

Mr. REED. Mr. President, I should like to ask the Senator from North Carolina, before he takes his seat, at what point on the coast line the smuggling to which he refers is taking place?

Mr. OVERMAN. I do not know. I am only told that there is a great deal of smuggling on that coast.

Mr. REED. There is apt to be something of a movement over to that coast since the Senator has made the admission.

Mr. OVERMAN. That may be; I do not know. I know there are charges that smuggling is going on along the coast and through those inlets, and the Coast Guard ought to be enabled to stop it.

Mr. SIMMONS. Mr President, I do not wish at all to be misunderstood. My colleague is entirely right. While the testimony of Commodore Reynolds was given in the House hearings upon the points that I have brought out, it does not seem to have been presented to the Senate Committee on Appropriations. I wish briefly to repeat my statement.

This is not a one-boat proposition. I explained that at the time I referred to the *Pamlico* and the local situation along the North Carolina coast. I used the *Pamlico* merely as an illustration of the inadequate service that this arm of the Government is furnishing at this particular time, because it does not have sufficient money to hire men to constitute a crew for that particular boat.

The Senator from Utah [Mr. SMOOT] has laid stress upon the fact that the committee increased the appropriation over the House provision, and that the House increased the amount over the appropriation for the last fiscal year. It is true that the House committee did increase the appropriation over that for the last fiscal year, but here is what Commodore Reynolds said about that:

> That is 2,885, I believe we have figured that out to be—
>
> That is the number of enlisted men—
>
> which would necessitate a reduction of about 900 between now and the 1st of July, which would mean that the next fiscal year we would have to close approximately half of our stations, formerly life-saving stations, and lay up more of our ships, and very seriously cripple us.

Mr. SMOOT. We did not cut them down to 2,500 men, though.

Mr. SIMMONS. The appropriation as increased by the other House, if it had remained at the figures fixed by the House, would have reduced the present force of enlisted men from three thousand seven hundred and fifty-one to two thousand eight hundred and eighty-odd or would have reduced the present force by 900 men, and that at a time when Commodore Reynolds said there were 35 of the ships belonging to the service, and which were needed in the service, lying up idle at the docks, rotting, and performing no service at all, because 3,751 men were not sufficient to man all of them or so many of them as he might urgently need in the service. That is what the House provision would have done. It would have reduced the present inadequate force by 900 men, although it increased the appropriation of last year. I have explained why the financial needs of the Coast Guard Service have increased as much as they have. Commodore Reynolds also explained it fully in his testimony before the House committee.

During the preceding year, when the appropriation was something over $5,000,000, the force of enlisted men was constituted of sailors, trained men, efficient men. Commodore Reynolds said these trained men had retired, that they had gone out of his service, and that he had to recruit the present service from raw material, wherever he could find men, and that these new men have to be trained. He did not desire to mislead the committee, but he told the committee frankly that he had found he had to have two of these raw men to perform the work which formerly had been performed by one trained sailor.

That, together with the fact that all of these salaries were placed upon the Navy basis, increased the expenditures. However, the fact can not be ignored—and the Senator from Utah now concedes it—that with the increase which the Senator says the House made and for which he claims so much credit——

Mr. SMOOT. No; I do not claim any credit.

Mr. SIMMONS. He claims that it would help the service—with that increase, the service as now constituted, which the commander and officer in charge of the service says is inadequate, would have been cut down by 900 men. The Senator's committee——

Mr. SMOOT rose.

Mr. SIMMONS. Just a moment. The Senator's committee increased the appropriation by $750,000, but when the figures are worked out as I have worked them out, and as they were worked out in the hearings before the committee, the increase in the appropriation of $750,000 does not permit the addition to the enlisted force of a single man. So all that the Senator's committee has done is that it has provided an appropriation sufficient to pay for the legal salaries and to keep the force at the size it was last year.

That would be all right if it were not for the fact that the commander in charge of the service says that with that force many of his boats are idle, though they are very urgently needed in the service.

I am simply asking this, not that I may have one boat for North Carolina, but I am asking that we may have an additional appropriation of $250,000, which would permit the commodore to employ the absolutely necessary additional men, enough probably to man 10 or 15 of these boats, possibly only 10 of them, and which would enable him to utilize wherever they are needed the ships which are now tied up. The ship of which I spoke, which was formerly stationed in North Carolina waters, is only one of them. The *Apache*, of which I spoke, which formerly did this work on Chesapeake Bay, is another one of them. Those are two of the best ships in the service.

Mr. SMOOT. I ask for the yeas and nays on the amendment of the Senator from North Carolina.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DIAL (when his name was called). I am paired with the Senator from Colorado [Mr. PHIPPS], and therefore withhold my vote.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the senior Senator from Texas [Mr. CULBERSON], and will vote. I vote "yea."

Mr. KIRBY (when his name was called). I have a general pair with the senior Senator from New York [Mr. WADSWORTH]. I transfer that pair to the junior Senator from Rhode Island [Mr. GERRY], and will vote. I vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote.

Mr. WALSH of Montana (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. FRELINGHUYSEN]. In his absence I withhold my vote.

Mr. WOLCOTT (when his name was called). I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Arizona [Mr. ASHURST], and will vote. I vote "yea."

The roll call was concluded.

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from California [Mr. JOHNSON], and will vote. I vote "nay."

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH]. Upon this question I am released from that pair, and therefore am at liberty to vote. I vote "nay."

Mr. REED. On a previous roll call I neglected to announce the absence at that time on official business of the Senate of the Senator from Maine [Mr. FERNALD], the Senator from Massachusetts [Mr. WALSH], and the Senator from Wisconsin [Mr. LA FOLLETTE]. I desire to make that announcement now and let it go into the RECORD.

Mr. MYERS. I inquire if the Senator from Connecticut [Mr. MCLEAN] has voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with that Senator, and in his absence withhold my vote.

Mr. DIAL. I transfer my pair with the Senator from Colorado [Mr. PHIPPS] to the Senator from California [Mr. PHELAN], and will vote. I vote "yea."

Mr. TRAMMELL (after having voted in the affirmative). I transfer my pair with the Senator from Rhode Island [Mr. COLT] to the Senator from Arizona [Mr. SMITH], and will allow my vote to stand.

Mr. SUTHERLAND (after having voted in the negative). I have a general pair with the junior Senator from Kentucky [Mr. BECKHAM], who is absent. I transfer that pair to the senior Senator from Maryland [Mr. SMITH], and will allow my vote to stand.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Kentucky [Mr. STANLEY], and will vote. I vote "nay."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Vermont [Mr. PAGE] with the Senator from Tennessee [Mr. SHIELDS].

The result was announced—yeas 22, nays 33, as follows:

YEAS—22.

Dial	Kirby	Robinson	Trammell
Gay	McKellar	Sheppard	Underwood
Glass	Overman	Simmons	Walsh, Mass.
Harris	Pittman	Smith, Ga.	Wolcott
Harrison	Ransdell	Smith, S. C.	
Heflin	Reed	Swanson	

NAYS—33.

Borah	Gooding	Lenroot	Spencer
Brandegee	Gronna	Lodge	Sterling
Calder	Hale	McCumber	Sutherland
Capper	Jones, Wash.	McNary	Thomas
Curtis	Kellogg	Moses	Warren
Dillingham	Kenyon	Myers	Willis
Elkins	Keyes	New	
Fernald	King	Poindexter	
France	La Follette	Smoot	

NOT VOTING—41.

Ashurst	Gerry	Nelson	Smith, Ariz.
Ball	Gore	Newberry	Smith, Md.
Beckham	Henderson	Norris	Stanley
Chamberlain	Hitchcock	Owen	Townsend
Colt	Johnson, Calif.	Page	Wadsworth
Culberson	Johnson, S. Dak.	Penrose	Walsh, Mont.
Cummins	Jones, N. Mex.	Phelan	Watson
Edge	Kendrick	Phipps	Williams
Fall	Knox	Pomerene	
Fletcher	McCormick	Sherman	
Frelinghuysen	McLean	Shields	

So Mr. SIMMONS's amendment was rejected.

Mr. REED. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 67, line 1, it is proposed to strike out $6,670,000," and to insert in lieu thereof "$8,000,000," so that line 1 will read as follows:

Mississippi River, $8,000,000.

Mr. WARREN. Mr. President, I hope that amendment will not be adopted.

Mr. KING. Mr. President, I rise to a parliamentary inquiry. My understanding is that an amendment of a similar character was presented heretofore and passed upon by the Senate. In the light of that action, is another amendment permissible?

The VICE PRESIDENT. That was an amendment increasing the amount to $10,000,000. The Chair is of the opinion that the amendment is in order.

Mr. REED. Mr. President, I do not intend to take the time of the Senate to argue this question at any length. My reason for offering it is that on the last vote there was a tie, that vote being taken upon the amount of $10,000,000 instead of this smaller sum; and I had in mind the thought that possibly some of the Members of the Senate who voted against the amount of $10,000,000 might conclude that it is proper to vote for $8,000,000.

The case has been presented by the Senator from Louisiana [Mr. RANSDELL] and others. The letter of the president of the Mississippi River Commission has been read into the RECORD and discloses the fact that this money is necessary, that the present appropriation is exhausted, and that if $10,000,000 is not appropriated the Government work is liable to be swept away by the waters, to the great detriment and loss of the United States. There is no occasion for re-reading that letter. It presents the case as it is seen by the man who is in charge of the work.

Mr. President, every once in a while the Senate gets an economical fit, and cuts every appropriation and pares every proposition, and then in a few days it forgets all about the question of economy and appropriates sums of money with a reckless dis-

regard of the public interest. We seem to be having an economical spell to-day. There are two kinds of economy. One is a real economy, where you are cutting down expenses for things you can do without. The other is that kind of economy which undertakes to cut down expenses when the wise policy is to spend money in order to avoid greater losses. There is the kind of economy that leads a man not to put a new roof on his house when one is needed, permitting the house to go to ruin, when a few dollars would save it. There is the kind of economy, upon the other hand, that leads a man not to buy an automobile when he does not need it.

Mr. President, the first kind of economy that I spoke of is being practiced in this case. The Government has expended many million dollars in improving the Mississippi River; but those improvements are to-day incomplete, and until that project is completed every foot of it is endangered and is liable in many instances to be swept away, resulting in a loss of scores of thousands of dollars, and in some instances many millions of dollars. That being the case, it is mere wastefulness on the part of the Senate not to protect these works; and I appeal to the Senate to allow a sufficient amount of money to carry on the improvements that are now under way and to bring to the country the benefit of a completed project.

Mr. President, Senators are voting against this Mississippi River project who only a few months ago voted for an Army of over 300,000 men, well knowing that every day that Army was in existence it was a mere expense, and that, aside from an absolute necessity, its maintenance was unwarranted. The same Senators recently reduced their demands to 175,000. I look for a time when we shall have a proper regard for economy and that Army will be further reduced. Money spent for an army is money eaten up and destroyed and is wholly inexcusable unless the presence of the Army is necessary; but when you improve one of the great highways of this country you increase the wealth of the country; you make an investment which brings back a return. When you put water upon the arid lands of the West, that is not money wasted; it is an investment that brings back money. When you put money into levees or protect the levees of a great stream, and to protect the adjacent lands from floods, you have given to agriculture the benefit of that vast body of land which otherwise might be rendered worthless. Bonds floated or moneys voted for a project of that kind are in the nature of an investment, bringing back a return; and they have, as the actual figures will show, brought back a return many times the expenditure for every dollar that has ever been put out upon this great stream.

So far as I am concerned, I hope to see our Government pursue a wise, a broad, and a progressive policy with reference to the improvement of all our harbors and all our rivers and all our arid lands. Those projects bring back money. They do not result in money being wasted.

I appeal to the Senate not to jeopardize the work that has already been done and the money that has already been expended upon this great river and to allow this amendment to be agreed to.

Mr. RANSDELL. Mr. President, just a word in support of this amendment.

I was very sorry when, by a tie vote, the Senate declined to accept my amendment giving $10,000,000, instead of $6,670,000, for the prosecution of the work of the Mississippi River Commission on 1,571 miles of that great stream. It is a colossal work, as stated in my first speech here to-day. It takes a great deal of money. The commission needs the full $10,000,000. It would be expended wisely. Not a dollar of it would be misspent. Every dollar would bring big returns, but the Senate has not given us the $10,000,000. The Senator from Missouri [Mr. REED] has offered an amendment raising the amount which the committee proposes to appropriate from $6,670,000 to $8,000,000. That is an addition of $1,330,000. It would do a great deal of good. It would help very materially. I appeal to the Members of the Senate to vote in favor of this amendment. It certainly would be of immense help.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. REED]. [Putting the question.] The ayes seem to have it.

Mr. JONES of Washington. I call for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DIAL (when his name was called). I transfer by pair with the Senator from Colorado [Mr. PHIPPS] to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. In his absence I withhold my vote.

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote.

Mr. ROBINSON (when his name was called). I have a pair with the senior Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the junior Senator from New Mexico [Mr. JONES] and vote "yea."

Mr. SMITH of Georgia (when his name was called). I transfer my pair with the senior Senator from Massachusetts [Mr. LODGE] to the senior Senator from Texas [Mr. CULBERTSON] and vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. I am informed, however, that he would vote "nay" if he were present. I therefore feel at liberty to vote. I vote "nay."

Mr. WALSH of Montana (when his name was called). I am paired with the Senator from New Jersey [Mr. FRELINGHUYSEN] and withhold my vote. If at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM], but I understand he would vote as I do, and I therefore feel at liberty to vote. I vote "yea."

Mr. DILLINGHAM. Making the same announcement that I made on the last vote, I vote "nay."

Mr. FERNALD. Making the same announcement as before, I vote "nay."

Mr. WILLIAMS. I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the junior Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. WOLCOTT. I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the junior Senator from Rhode Island [Mr. GERRY] and vote "yea."

Mr. CURTIS. I wish to announce the following pairs:

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Vermont [Mr. PAGE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from Arkansas [Mr. KIRBY].

The result was announced—yeas 31, nays 28, as follows:

YEAS—31.

Ashurst	Heflin	Robinson	Sutherland
Dial	Hitchcock	Sheppard	Swanson
Elkins	McKellar	Simmons	Trammell
Fletcher	McNary	Smith, Ga.	Underwood
Gay	Overman	Smith, S. C.	Walsh, Mass.
Gore	Pittman	Spencer	Williams
Harris	Ransdell	Stanley	Wolcott
Harrison	Reed	Sterling	

NAYS—28.

Ball	Dillingham	Kellogg	Nelson
Borah	Fernald	Kenyon	New
Brandegee	France	Keyes	Poindexter
Calder	Gooding	King	Smoot
Capper	Gronna	La Follette	Thomas
Colt	Hale	Lenroot	Warren
Curtis	Jones, Wash.	Moses	Willis

NOT VOTING—37.

Beckham	Johnson, Calif.	Myers	Shields
Chamberlain	Johnson, S. Dak.	Newberry	Smith, Ariz.
Culberson	Jones, N. Mex.	Norris	Smith, Md.
Cummins	Kendrick	Owen	Townsend
Edge	Kirby	Page	Wadsworth
Fall	Knox	Penrose	Walsh, Mont.
Frelinghuysen	Lodge	Phelan	Watson
Gerry	McCormick	Phipps	
Glass	McCumber	Pomerene	
Henderson	McLean	Sherman	

So Mr. REED's amendment was agreed to.

The VICE PRESIDENT. The vote whereby the committee amendment on page 15, line 13, was agreed to was reconsidered for the purpose of enabling the Senator from North Carolina [Mr. SIMMONS] to offer an amendment. The amendment to the amendment was rejected. So the question is now on the committee amendment.

Mr. SIMMONS. I desire to offer another amendment to that paragraph.

The VICE PRESIDENT. It is in order.

Mr. SIMMONS. I move to amend, on page 15, line 13, by striking out "$6,750,000" and inserting in lieu thereof "$6-800,000," increasing the amount $50,000.

Mr. SMOOT. I have no objection to that amendment, so far as I am concerned.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WARREN. Mr. President, I give notice that I shall reserve a vote in the Senate on the amendment relating to the Mississippi River Commission.

Mr. SIMMONS. Yesterday I offered an amendment, on page 14, after line 13, to authorize the use of some unused money appropriated for the purchase of a site for a customhouse at Wilmington for the purpose of purchasing a small strip lying alongside the new building. The Senator from Wyoming raised a point of order, and I ask him now if he will not withdraw the point of order.

Mr. WARREN. I have looked the matter up since yesterday, and, as the circumstances are rather peculiar, I shall no longer resist the amendment going into the bill. I am willing that the amendment shall be agreed to.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 14, at the end of line 13, insert:

That the Secretary of the Treasury be, and is hereby, authorized and empowered to acquire by purchase, condemnation, or otherwise certain additional land across the alley, which joins the east side or rear of the present site of the customhouse, appraisers' stores, etc., building at Wilmington, N. C., as an addition to said present site, and to pay for such additional land from the unencumbered balance of the appropriations heretofore made for the acquisition of a site and the erection of the customhouse, appraisers' stores, etc., building in said city.

So the amendment was agreed to.

Mr. GORE. I offer the amendment which I send to the desk, to be inserted in the proper place.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. Insert at the proper place the following:

To enable the President to cause an investigation to be made as to the petroleum resources and the production of petroleum in other countries, $35,000.

Mr. WARREN. Mr. President, of course the Senator knows a point of order could be made, but I do not propose to object, if the amendment is unanimously agreed to.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, yesterday I offered an amendment, on page 32, line 6. I want to give notice that I shall renew that amendment in the Senate.

Mr. HITCHCOCK. Mr. President, I offer the following amendment, which I call to the attention of the chairman of the committee. It provides for the consolidation, at Alliance, Nebr., of the offices of register and receiver. I ask to have it read.

The VICE PRESIDENT. The Secretary will read the amendment.

The ASSISTANT SECRETARY. On page 82, line 2, after the numerals "$450,000," insert a colon and the following proviso:

Provided, That the President is authorized to consolidate the offices of register and receiver at Alliance, Nebr., and by Executive order to require either officer, upon resignation of the other, to give an additional bond and to perform the duties of both offices. All the powers, duties, obligations, and penalties imposed by law upon the register and receiver of said office shall be exercised by and imposed upon the officer remaining in control, whose compensation shall be a salary of $500 per annum, together with the fees and commissions otherwise allowable to both the register and receiver; but the salary, fees, and commissions of such officer shall not exceed $3,000 per annum.

Mr. WARREN. Mr. President, of course both of those offices are provided for in the legislative bill as it passed the House. The Senator from Nebraska has considered, I suppose, that if this be adopted we shall strike out of the legislative bill both of those offices; that is, as they are contained in the appropriation bill; or does he wish to have incorporated in the amendment the amount this one officer receives? I take it that the Senator does not provide for clerks.

Mr. HITCHCOCK. I presume that change may be made in the legislative, executive, and judicial appropriation bill. It is in the interest of economy, and the fees now do not warrant maintaining two offices.

Mr. WARREN. Of course, a point of order can be made against it, as it was not specifically estimated for. But I am loath to make the point on any proposition of this kind, which has a precedent, and also is in the line of economy. I make no objection.

Mr. JONES of Washington. I am heartily in favor of this proposition, but I want Vancouver and Seattle, Wash., inserted in the amendment at the proper place, and I move to amend the amendment to that effect.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. In the amendment of the Senator from Nebraska, after the word "Nebraska," insert the words "Vancouver, Wash., and Seattle, Wash.," so as to read:

Provided, That the President is authorized to consolidate the offices of register and receiver at Alliance, Nebr.; Vancouver, Wash.; and Seattle, Wash., and by Executive order to require either officer, upon resignation of the other, to give an additional bond—

And so forth.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. JONES of Washington. I wish to say in this connection that I think we ought to have a law under which that can be done all through the country.

Mr. KING. Mr. President, when we had under consideration the other day the appropriation for an archives building, the Senator from Alabama [Mr. UNDERWOOD] offered an amendment, the object of which was to prevent, if I interpreted the amendment correctly, the utilization of a portion of an avenue for building purposes. With that amendment, the amendment offered to the bill by the committee was adopted. I gave notice at that time that I should call attention again to the matter, and I do so now.

I send to the desk an amendment which I offer as a substitute for the committee amendment as amended. I ask that the Secretary read the proposed substitute which I offer. I am asking to strike out the committee amendment as amended.

The VICE PRESIDENT. Before doing that, it will be necessary to reconsider the previous vote. Is there objection to reconsidering the vote whereby the committee amendment as amended was agreed to?

Mr. WARREN rose.

Mr. KING. I hope the chairman of the committee will not object. I had called attention to the matter at the time and stated——

Mr. WARREN. I will not object if the matter is to be taken up and voted on immediately.

Mr. KING. I am ready to take it up now and have it disposed of.

The VICE PRESIDENT. Without objection, the vote whereby the amendment as amended was agreed to is reconsidered. The Senator from Utah offers a substitute, which will be read.

The Assistant Secretary read as follows:

Washington (D. C.) Archives Building: To enable the Secretary of the Treasury to carry out the provisions of section 21 of the public buildings act approved March 4, 1913, authorizing him to secure a site for an archives building, he is hereby authorized and directed to take over and appropriate for the uses of said archives building the block of land now owned by the Government, No. 230, according to the map and survey of the District of Columbia, and located between B and C Streets and Fourteenth and Fifteenth Streets NW., and to erect said building on said property. For the working drawings in accordance with the plans prepared by the Supervising Architect and approved as by law provided for said building, $10,000.

Mr. WARREN. I desire to say that the chairman of the committee is not familiar with that particular lot nor with its present occupancy. I should like to know whether it is immediately adaptable and if there is any other governmental activity housed there?

Mr. UNDERWOOD. I can state to the chairman of the committee that I happen to be familiar with the ground, as I said the other day. This lot up to two years ago was used as a lumber yard. The Government bought it four or five years ago to build a State Department on it.

Mr. WARREN. This is a part of the area opposite the Treasury Building, the Willard Hotel and so forth?

Mr. UNDERWOOD. The purchase of the Government started in at the theater on Pennsylvania Avenue opposite the New Willard and ran back to the Mall. This particular block is the block that lies next to the Mall, the one farthest away from Pennsylvania Avenue. There is a temporary building on it now that is being used by some of the clerks in the Internal Revenue Bureau. Of course there are vacant buildings here to which they can be shifted. It is a cheap building. My purpose in offering the amendment was to keep them from closing up Ohio Avenue, but if we are to work on the idea of economy, the Government owns the property and it undoubtedly will not for years build another building on it such as the State Department, which was contemplated when we bought

it. I am in favor of the amendment with the idea of economy, because this is a block just as big as the block provided for in the bill, and it will probably stay there for 20 years without being occupied. At 5 per cent interest that means 100 per cent at the end of 20 years, so that if we want to build an archives building we have now a more available block and in a better neighborhood.

Mr. WARREN. This is the block that is occupied entirely by the Internal Revenue Bureau building, that has pillars at the entrance on each side on Fifteenth and Fourteenth Streets?

Mr. UNDERWOOD. I do not know. There is a white 2-story building of cheap construction.

Mr. WARREN. A very large building?

Mr. UNDERWOOD. Yes; covering this very large block.

Mr. WARREN. Opening one way on Fourteenth Street and the other way on Fifteenth Street?

Mr. UNDERWOOD. Yes.

Mr. WARREN. What shall we do with the internal-revenue employees?

Mr. UNDERWOOD. It is a temporary building, and I do not see that it is worth while keeping them in that building and then to spend half a million dollars for the purchase of the other land. It is a far more available site, and in the interest of economy I think the archives building ought to be placed in that block.

Mr. WARREN. The location is all right.

Mr. UNDERWOOD. The location is better.

Mr. KING. The Senator from Alabama has made such an admirable speech with reference to the matter that unless there is some opposition I shall not detain the Senate further.

Mr. POINDEXTER. This is the lot, I assume, which has been acquired by the Government for the purpose of erecting a commerce building?

Mr. KING. May I say to the Senator, if he will pardon me, that my understanding is that it was acquired years ago for the purpose of erecting a building for the Department of State, but in view of the fact, if I may further have the attention of the Senator, that the Navy Department and the War Department have removed most of their personnel to other buildings, it is quite evident that what is known as the State, War, and Navy Building will be sufficient for many years to come to house the State Department, so there will be no necessity for the utilization of the block to which the Senator is about to refer for such a purpose.

Mr. POINDEXTER. The buildings to which the Senator from Utah refers are temporary war buildings erected in a park with the understanding and with the purpose of removing them as soon as the exigencies of the war had ceased. They will not be available permanently for the use of the State Department or the Department of Commerce.

The lot to which the Senator has referred—I have before me a map furnished by the public grounds commission of the city—is designated as the Department of Commerce lot. It has been set apart for that purpose. At the present time it is occupied by a valuable building occupied by Government employees. Neither the Senator from Utah nor anyone else that I have heard has suggested where those Government employees will be housed if they are removed from the building upon this lot, nor have they suggested why a valuable building that is there in use should be torn down for the purpose of erecting another building on the lot.

Mr. KING. May I say to the Senator that I hope our Republican friends in the coming Congress will materially reduce the personnel in the Government service in Washington. It was charged by Republicans during the campaign, and I do not say this by way of criticism, that there were more than 40,000 clerks in Washington who were unnecessary, and the Republican Party pledged itself not only to a material reduction in the number of Federal employees, but also promised that there would be efficiency and economy in the administration of public affairs. I regret that there are no evidences in support of these preelection promises. It is obvious that with the repeal of the excess-profits tax and as well as much of the war legislation must inevitably result in a great reduction in the number of Federal employees unless the Republican Party is blind to its responsibilities and becomes the ally of incompetency and extravagance. A proper reduction in the Internal Revenue Bureau, as well as other departments and executive and administrative agencies, will call for the vacation by clerks of a number of buildings now in service.

The Senator will recall that we have constructed a large building for the Internal Revenue Bureau opposite the Treasury; it houses hundreds of employees. Certainly that building with such other accommodations as the Government has, there will be no necessity for the maintenance of the building now occupied by employees of the Internal Revenue Bureau for their use.

Mr. POINDEXTER. That is just a deduction on the part of the Senator from Utah.

Mr. KING. I am assuming the Republican Party is going to do something in the matter of separating from the service thousands of unnecessary employees. And I am, of course, assuming that war legislation will be repealed, and the Revenue Bureau relieved from the operations of a revenue system which resulted from the war and in its administration necessarily calls for a great number of employees.

Mr. POINDEXTER. I have no doubt the Republican Party is going to do that, and that after they have done that there will be still a lack of space for the housing of Government activities. Then, too, before the war the Government was renting tens of thousands of square feet of building space for the purpose of housing its activities, at enormous rentals. The Public Buildings Commission that was appointed by Congress reported upon that, and their report was read by the senior Senator from Utah [Mr. SMOOT] a short time ago, in which was pointed out the enormous saving that the Government could effect if it constructed buildings for the ownership of the Government in which to house its activities instead of being compelled to rent them of private owners.

The lot that is covered by the amendment which was agreed to by the Senate for the purpose of constructing an archives building, which was also selected under the authority of the act of 1913, is a part of that property that lies south of Pennsylvania Avenue in the vicinity of the Post Office Department, the New National Museum, and the Public Market, which was marked out in the plans for the improvement and erection of a State Department building and for the future construction of public buildings for purchase by the Government.

Mr. NELSON. Mr. President, does not the Government now own that ground?

Mr. POINDEXTER. Yes; the Government acquired it for the purpose of erecting a Department of Commerce building.

Mr. NELSON. But the other site to which the Senator refers?

Mr. POINDEXTER. No; the Government does not own that. The amendment adopted was for the purpose of acquiring it.

Mr. NELSON. Buying it?

Mr. POINDEXTER. Yes.

Mr. NELSON. Why should the Government buy a lot of land when we have so many pieces of land there? South of the New Willard Hotel we have two or three blocks of property. Why should we go on and buy more in that part of the city?

Mr. SMOOT. The reason why the committee agreed to the amendment was because Congress had authorized the purchase of land for this purpose, and it is only carrying out existing law. I agree with what the Senator says about buying land when we have land already, but the building that is now on the land is housing a great many employees of the Government.

Mr. NELSON. If the Senator will yield to me further, it seems to me, in view of our financial condition and with all that property now owned by the Government, and I think there are three or four squares that we own in the neighborhood there, there is involved the question why we could not utilize some of that land instead of buying more. There has been too much buying of dead property in this city to help out real estate men. I am utterly opposed to it. I trust that the amendment of the junior Senator from Utah will be agreed to.

Mr. OVERMAN. Mr. President, when those squares were bought it was for the purpose of erecting buildings for the Department of Commerce and other departments. I hope we will not change those plans, because they are intended to beautify the city by the erection of buildings for the Department of Commerce and other departments.

Mr. POINDEXTER. The Department of State.

Mr. OVERMAN. Yes; the Department of State.

Mr. POINDEXTER. And the Department of Labor.

Mr. OVERMAN. And the Department of Labor, too. All that land was bought with that idea, and that was the reason why we purchased them at the time. I remember very well the consideration of the matter here. The reason why we bought those lots was for that particular purpose. To beautify the city we began to buy on the south side of the Avenue, and we bought this square to get rid of those old buildings down there. We ought to look at it with that purpose, to add beauty to the city, in mind. We ought to look forward to beautifying the city of Washington. We ought to buy all the land on the south

side of the Avenue and erect Government buildings there, so as to make Pennsylvania Avenue one of the greatest streets in any city in the world.

Mr. POINDEXTER. I should like to suggest to the Senator from Minnesota that I think he has been in accord with the policy of the Government acquiring all the property on the south side of Pennsylvania Avenue.

Mr. NELSON. Not at all. I have never had any such insane delusion.

Mr. POINDEXTER. That has been the general policy.

Mr. NELSON. If the Senator from Washington will examine the old plats of the city of Washington, he will find that that whole area was formerly nothing but a swamp. The Tiber Creek ran down through that section. The Post Office building was erected in a swamp. It never should have been placed in its present location when we had enough higher and dry land in the city of Washington on which to erect it. I am informed that it was located there—I was not a Member of Congress at that time—to placate the owners of certain big newspapers in the city of Washington, who desired the building to be erected in front of their offices so that it would be convenient to them.

Mr. OVERMAN. Mr. President, at one time Congress created a commission of architects to prepare plans for the city of Washington, and most beautiful plans were prepared by them to carry out their ideas. Their plan was to acquire the land on the south side of Pennsylvania Avenue, to tear down the old, unsightly buildings there, and to erect from time to time in their stead magnificent Government buildings for the entire length of the Avenue. If that had been done, instead of erecting the Interior Department Building in a remote locality it could have been erected on an Avenue site, and would have added very much to the beauty of the city.

Mr. NELSON. If Senators will allow me further, I desire to say that it has always been my opinion that the Department of Justice ought to be located here on Capitol Hill in proximity to the great Library of Congress, and also the law library, which could very well be housed in such a Department of Justice building. We do not want the law library away down town; we want it near by. We also want the Supreme Court near by. A new building for the Department of Justice should be erected and it should be sufficiently ample to accommodate the Supreme Court and the law library.

Mr. POINDEXTER. There is not any site on Capitol Hill where such a building could be erected without buying property for it at a much higher valuation than that for which the property proposed to be purchased for an archives building may be bought.

Mr. NELSON. When I first came to Washington we had a nickname for that rusty corner of town, but it is sanctified now because the Government bought four or five blocks there, and the purpose is to sanctify some more of it by having the Government buy more of that land.

It would cost us more, perhaps, to purchase land on Capitol Hill for the purpose, but I have always thought that the Department of Justice, the Supreme Court, and the law library ought to be here opposite the Congressional Library, within reach of Congress. We do not wish to have to run downtown for our law books. We want the Supreme Court to be here, where it can live in the atmosphere of Congress and get some inspiration from Senators and Representatives. [Laughter.]

Mr. POINDEXTER. Mr. President, I am very much in favor of erecting a new building for the Department of Justice; I will vote with the Senator from Minnesota to acquire some of this property to which he refers; and if he will take the leadership and secure the authority of law, the object that he has in view may be carried out, though I think he will find it a very difficult matter to get a sufficient number of Senators and Representatives to agree with him to appropriate the money for the purpose.

The property which has been designated by the commission which was created by law for the purpose of selecting a site is under an option by the Government at a price which is entirely reasonable, a price which is based upon the assessed valuation of two-thirds the real value, with one-third added to the estimate of two-thirds fixed by the assessor, making what is called the legal value of the property. It is much cheaper than any property that can be bought adjoining the Library of Congress or in the vicinity of that Library. I am in favor of a liberal policy in regard to the acquisition of necessary property and the construction of necessary buildings; but for the Senator from Minnesota and myself to be in favor of that is a very long way from carrying it out.

We have a piece of property here which has been selected under the authority of law; Congress passed the law and appointed a commission, and the commission has selected the property.

Mr. UNDERWOOD. May I ask the Senator from Washington a question?

Mr. POINDEXTER. I yield.

Mr. UNDERWOOD. I am advised on direct authority that the commission named in the archives building bill did not select this property, but that some other commission than the one contemplated in the law to provide for the erection of an archives building made the selection.

Mr. POINDEXTER. I am aware that the Vice President has stated that he did not know that the property was being selected. I do not know anything about that; all I know is that the Secretary of the Treasury has furnished me with a report, to which is attached the signatures of the members of the commission, in which this particular property is platted and designated. I know that the Secretary of the Treasury, who had the initial authority under the law of selecting the property to be submitted to the commission for their approval, did select it.

Mr. UNDERWOOD. I understand that the commission has not selected this property. The main object I had was to prevent the blocking of streets. I wish to remind the Senator that my amendment prohibiting the closing of Ohio Avenue has been adopted. I drove through that section yesterday morning. If the Senator will go down and look at it in connection with the amendment which was adopted at my suggestion on day before yesterday, providing that Ohio Avenue shall not be closed, he will find that the Government will have practically no available property left, because Ohio Avenue constitutes a large portion of the area on which it is proposed to erect the archives building. Ohio Avenue cuts through the block cater-cornered; it is about 200 feet wide; and it leaves merely a fringe on each side. On the basis of the Government closing Ohio Avenue the property will be sold at a very high price to the Government. If the Senator would go and look at the block he would find there are a few broken-down old factory buildings on it. It is in a very much less convenient location than the one on Fourteenth Street, which the amendment of the Senator from Utah suggests; and I can not see any reason in the world why the Fourteenth Street site should not be selected.

I believe we ought to have an archives building, but I see no reason why we should not utilize land already belonging to the Government, on which there is located only a temporary building, which was erected during war times, a building of the cheapest kind of construction, which, in any event, will be removed very soon. It is a good location; it is a better location than the one which the Senator from Washington has suggested.

The proposed archives building will, I have no doubt, be ornamental; it is not going to disfigure the appearance of the neighborhood. It will be very properly placed at the end of Fourteenth Street just above the entrance to the Mall. It is more adjacent to the Treasury Department, to the State, War, and Navy Departments, and to the Munitions Building, and to practically every department in Washington except the Post Office Department, than is the block of land the purchase of which the Senator is urging, and it will cost nothing. The Senator wants to spend $496,000, nearly half a million dollars, while the amendment proposed by the Senator from Utah eliminates that expense entirely.

Mr. POINDEXTER. Mr. President, the fact that there are old tumble-down buildings on this property is a great advantage to the Government in buying it, because if the buildings on the site were expensive ones, naturally the Government would have to pay for those expensive buildings. This property is obtainable at its present value with the old buildings on it, and the Government has an opportunity to get it at that value.

I do not know what the Senator's attitude is toward the general policy, which I have understood has been recognized by Congress, of improving that section of the city with Government buildings and acquiring property in that vicinity, removing tumble-down buildings and erecting in their place creditable public buildings.

Mr. UNDERWOOD. The Senator has overlooked the proposition to which I called his attention—that it is not possible to erect an archives building on the site proposed without closing Ohio Avenue, for Ohio Avenue constitutes a great portion of the land area on which it would be designed to erect the building. The Senate, however, has already determined—and properly determined—that Ohio Avenue shall not be closed. The amendment as it now stands provides that it shall not be closed. The amendment of the Senator from Utah offers an exceedingly available block as a site for the proposed archives building which will not necessitate the closing of Ohio Avenue,

whereas in the case of the committee amendment, unless Ohio Avenue is closed, the property is practically not available.

Mr. POINDEXTER. The Senator from Alabama says that if we do not close Ohio Avenue there is no other property left. That is rather an exaggeration, to say the least.

Mr. UNDERWOOD. I mean there is very little property left.

Mr. POINDEXTER. There is all the property left that has been described in the plats. The plats show Ohio Avenue; they give its width and show the number of square feet in the remaining property. The valuation which has been referred to does not relate to Ohio Avenue; it relates to the remaining property which adjoins Ohio Avenue within the block.

Mr. UNDERWOOD. But there will not be enough ground there, if Ohio Avenue is not closed, upon which to erect an archives building.

Mr. POINDEXTER. I think very likely that is true; but Ohio Avenue, as was pointed out yesterday, has been already authorized to be closed one block farther east, and the Congress would have the privilege at any time in the future, if it became necessary, to rescind the action taken two days ago and again to order Ohio Avenue closed.

Mr. UNDERWOOD. That is just what I am trying to point out to the Senator. The Senate has already determined by its vote that Ohio Avenue shall not be closed. If we spend half a million dollars to buy these broken-up pieces of blocks and the Congress still adheres to the proposition that it is not going to close Ohio Avenue, the Government will have nothing for its money.

Mr. JONES of Washington. Mr. President, I wish to ask my colleague a question on that very matter. I have been thinking about it somewhat since yesterday and expected to be able to look over the property myself, but I have not had an opportunity to do so. As I understand, Ohio Avenue cuts in two the block which it was intended to acquire for the site for the archives building. Originally it was proposed to vacate Ohio Avenue and make it a part of the ground upon which the building would be constructed. The Senate by its amendment prohibits the closing of Ohio Avenue; so I understand that leaves us with two portions of a block upon which to erect the proposed archives building. Those portions of the block are separated by a wide avenue. How could there be constructed such a building as is desired upon those two pieces of property with Ohio Avenue still in existence?

Mr. POINDEXTER. The only way it could be constructed would be by closing up that avenue, and that would be a matter subject to the control of Congress.

Mr. JONES of Washington. But we have expressly said that that shall not be done.

Mr. POINDEXTER. I voted against that part of the amendment.

Mr. JONES of Washington. But the majority seems to have voted for it.

Mr. POINDEXTER. I understand that, so far as the present action is concerned; but it does not preclude Congress from taking future action.

Mr. JONES of Washington. I appreciate that; but upon the basis of the action of the Senate it would seem that if we allow it to stand we would get nowhere toward providing an archives building, because we have not the land upon which it could be properly constructed. That is what is worrying me about it.

Mr. POINDEXTER. I think the Senator is entirely right. We can take the property subject to the contingency of securing future action by Congress for the purpose of closing up Ohio Avenue; and if we do not secure that action, we can not erect an archives building on the site referred to; but we will have a property which, I think, is in line with the policy which has been generally recognized as a proper policy in the development of the city of Washington.

Mr. JONES of Washington. I am heartily in accord with that policy. I myself once introduced a resolution looking toward the condemnation and acquirement by the Government of all the property on the south side of Pennsylvania Avenue. That was many years ago, and if action had been followed along that line, we would probably have obtained property a great deal cheaper, and had it now for use; but it hardly seems to me the wise thing for us to go on and buy these pieces of property when we have declared that we will not vacate Ohio Avenue.

Mr. KING. Mr. President, a casual examination of the map showing the two lots proposed to be purchased and their relation to Ohio Avenue, and also showing the block owned by the Government and which my amendment names as the location of the archives building, will convince Senators of the impropriety of following the recommendation of the committee. As pointed out by the Senator from Alabama if Ohio Avenue is maintained as a street—and it ought to be, permit me to say parenthetically—then it is obvious that the two little strips on either side of it, for which we are asked to pay nearly half a million of dollars, would be utterly unsuitable for an archives building. No building suitable for governmental purposes could be erected thereon, so that the Government would have on hand additional real estate but which would be of no benefit to it. Doubtless the purchase for $490,000 of this property would be advantageous to the owners of the same. I have no doubt they would rejoice to get this large amount for two little strips of land.

Mr. President, it seems to me that there can be no arguments against this amendment, therefore I shall not take the time of the Senate to discuss that matter.

The VICE PRESIDENT. The question is on the amendment, in the nature of a substitute, of the Senator from Utah.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I give notice that I shall reoffer, when the bill is in the Senate, the amendments which I offered yesterday, one, at page 135, with reference to the establishment of aids to navigation and for the purchase of a site and equipping a lighthouse, and the other, at page 153, after line 24, for a marine biological station.

Mr. KING. Mr. President, I desire to make an inquiry of the chairman of the committee before I move to reconsider the action of the Senate in regard to the item on page 38, "Interdepartmental Social Hygiene Board," the item of $40,000 for expenses of the board, including personal services in the District of Columbia and elsewhere.

Mr. SMOOT. That is out entirely.

Mr. KING. I was absent from the Chamber at the time that action was taken. May I inquire of the Senator whether the remaining item, $300,000, is out?

Mr. JONES of Washington. The $300,000 item is in; the $40,000 item is out.

Mr. SMOOT. It is under the heading of the Public Health Service.

Mr. JONES of Washington. It is on another page of the bill.

Mr. KING. I refer now to the item of $300,000 for assisting the States in protecting the military and naval forces of the United States, and so forth.

Mr. SMOOT. The $300,000 has been transferred to the Public Health Service.

Mr. KING. Was that added to the appropriation in the very large sums carried by the bill for the Public Health Service?

Mr. SMOOT. It was.

Mr. KING. Mr. President, I move to strike out the figure "3" and insert the figure "2."

The VICE PRESIDENT. It will be necessary to reconsider the action on the amendment in order to do that.

Mr. KING. I ask that the action of the Senate on the amendment may be reconsidered for the purpose of tendering this amendment.

The VICE PRESIDENT. The Senator from Utah moves that the vote whereby the amendment was agreed to may be reconsidered.

On a division, the motion was rejected.

Mr. WARREN. Mr. President, while that subject is before us, I desire to ask whether the Secretary has stricken out lines 16 and 17, which read:

In all, Interdepartmental Social Hygiene Board, $340,000.

I think that should be stricken out. If it has not been stricken out, I ask that the Secretary may strike it out; also, that he may correct the totals in all the items of the bill.

The VICE PRESIDENT. It is stricken out; and, without objection, that order will be made.

Mr. KING. Mr. President, on page 28, line 9, I move to strike out "$840,000," and to insert in lieu thereof "$600,000," so that it will read:

For pay of all other employees (attendants, and so forth), $600,000.

Before the motion is put, I wish to invite attention to the fact that the appropriations for the Public Health Service are stupendous; and, in addition to this item of $840,000, many of the appropriations preceding it are larger. I do not understand the necessity of such a large sum in addition to the amounts carried in the other items in the bill for this Federal agency. Sooner or later the Government will realize the necessity of curbing the ambitious and projections of this service.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah.

The amendment was rejected.

Mr. KING. Mr. President, it is manifest that this Republican Congress, supported by some Democrats, is determined that

there shall be no retrenchment, no reform, no economy. Confronted by a deficit of $2,000,000,000, we continue in a most reckless manner to pass appropriation bills carrying amounts so vast that we can scarcely comprehend them. The spirit of economy is not here; there is no support given to any plan looking to real economy. Our motto is: "Spend and ask no questions."

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. LENROOT. I should like to ask the Senator whether he has been present during the roll calls to-day in the Senate?

Mr. KING. I have; and have voted "nay" on these efforts to increase appropriations and "yea" in favor of reducing items reported by the committee.

Mr. LENROOT. Did the Senator find the votes to increase the appropriations on the Republican side or on the Democratic side?

Mr. KING. Mr. President, I confess that I did not pay much attention to the side from which the votes for economy came. Senators will recall that during the time I have been in this body I have shown no favoritism in my criticisms of appropriations. I have denounced appropriations favored by my own party, and have not hesitated to condemn it when I believed it failed to observe economy. I know no party when it comes to these questions relating to the public welfare, and when matters of expenditures are involved. If Democrats support appropriations which I think unwise, I shall vote against them.

Mr. LENROOT. If the Senator will yield, that is true; and I want to say that the Senator from Utah [Mr. KING] and the Senator from Colorado [Mr. THOMAS], I think, were the only exceptions on the Democratic side all day long.

Mr. KING. I shall not trouble the Senate now to point out the virtuous Senators on either side, but will assume that all are.

I move, in line 13, page 28, to strike out "$55,000" and to insert in lieu thereof "$40,000." There is an opportunity for the saving of a few thousand dollars. It is so small a sum that my motion will probably be received with merriment.

It is foredoomed to defeat, as are all efforts to relieve the people from the burdens of taxation under which they struggle, but I offer the amendment notwithstanding the anticipated result.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah.

The amendment was rejected.

Mr. KING. I move to strike out, on line 14, page 28, "$135,000" and to insert "$100,000," so that it will read:

For fuel, light, and water, $100,000.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah.

The amendment was rejected.

Mr. KING. Mr. President, on page 31, line 2, I move to strike out the figure "5" and insert the figure "3," so that, if amended, it will read:

In such emergency in the execution of any quarantine laws which may be then in force, $300,000.

Permit me to state that large sums have been appropriated in preceding items for the Public Health Service, and it seems to me that $300,000 for this item is adequate. We can save $200,000. If it is not sufficient, and some epidemic should arise calling for Federal interposition, Congress will be in session, and further appropriations can be made.

Mr. WARREN. Mr. President, will the Senator tell us to what page and line he refers?

Mr. KING. Page 31, line 2, where I move to strike out "$500,000" and insert "$300,000." I think the chairman of the committee ought to join with me in saving a few hundred thousand dollars, and I hope he will accept that amendment.

Mr. WARREN. Mr. President, I am not objecting to these amendments. I am allowing them all to go to a vote of the Senate without making any objection at all.

Mr. KING. The Senator does not object, but I fear he votes consistently against me.

Mr. WARREN. I shall say—perhaps I ought to say with some shame—that I have not voted at all on any one of these amendments.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah.

The amendment was rejected.

Mr. KING. Mr. President, I move to strike out the entire item found in lines 3, 4, 5, 6, and 7 on page 31. It is denominated:

Field investigations: For investigations of diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage, and the pollution of navigable streams and lakes of the United States, including personal service, $300,000.

Of course, the clause "including personal service" is the most important thing. It means the creation of new offices and the employment of a large number of new officials.

Mr. President, there is a determination upon the part of the Public Health Service to take charge of the health of the people of the United States, to go into the States, and to discharge the duties and responsibilities which belong to the citizens and to local communities. The thousands of doctors and other employees of the Public Health Service, not content with what might legitimately come within the scope of Federal activity, are seeking to enlarge their powers and their functions and their jurisdiction and their authority, and we find determined efforts made to enter the States and assume a paternal and bureaucratic guardianship over the people. There is a misconception of the power and authority of the General Government; it is becoming a veritable Frankenstein; individuals, local communities, and the States themselves are being devoured by this huge organism, whose appetite increases as its victories multiply. It is now proposed to have this Public Health Service look after our schools, local and State questions of sanitation, and the health of the individuals. There will be no place left under this oppressive federalism for the individual or the State. We are trying to Russianize this Republic, and govern the people by a lot of petty tyrants and officeholders, who sit at Washington and send out their orders and edicts, by a million agents, to all parts of the land. There must be a halt to this grasping determination of the Federal Government to take over the functions of the States.

The greatest need in this Republic to-day is a revival of the spirit of personal liberty and personal independence and a love of local self-government. We are cursed by bureaucracy and menaced by deadly usurpations of the Federal Government. We are ruled and oppressed by commissions and bureaus and the unnumbered governmental agencies. We are fettered and shackled by the orders and rules and regulations of the thousands of Federal boards and instrumentalities that afflict a long-suffering people. And it is getting worse, and with the increase in Federal power there seems to be a diminishing spirit of resistance to these usurpations. We bow the neck to this new tyrant and submit to a Government not known to the Constitution, of rules and regulations and administrative law. These Federal agencies promulgate rules and prescribe pains and penalties. They take over the police powers of the States and impose their authority upon individuals. I protest against these assaults upon the Republic and the rights and liberties of the people. Gov. Miller, of New York, recently said that we are putting crutches under the arms of the people, trying to make cripples of them, so that they will have no courage, no personal independence, no genuine American patriotism and individualism—essential to their success and to the perpetuity of this Nation. Congress is trying to make each State a ward of the Federal Government, a weak and useless organism, and to enervate the people. Both State and people are to be reduced to a flaccid and colloidal mass which can not function and which, if they are amenable to any force or influence, it will be such as comes from Washington and the agents of the powerful paternalistic agencies created by the General Government.

The item in this bill to which I am directing attention is in line with this policy of having the General Government perform local and State duties. It calls for the intrusion of the Federal Government into the States, to discharge obligations and responsibilities which rest upon the States alone. Mr. President, I call for a vote.

On a division, the amendment was agreed to.

Mr. KENYON. I congratulate the Senator from Utah.

Mr. KING. I thank the Senator. Does the Senator from Wyoming wish to continue?

Mr. WARREN. I do. I desire to have the bill passed to-day. There are only two or three items to come up in the Senate as a whole, and I think we have plenty of time to finish. We must get this bill into conference. We are ready to have it passed.

Mr. KING. Mr. President, I move to strike out—and this item is cognate to the one which we have just stricken out—the item found in lines 12, 13, 14, 15, 16, 17, 18, 19, and 20, on page 31, entitled "Rural sanitation," for special studies of, and demonstration work in, rural sanitation, including personal services, $50,000. Of course, Mr. President, a portion of that is for the "operation of motor-propelled passenger-carrying vehicles." We must have more Federal officials, some of whom have failed in other fields, and send them into the States, and look after "rural sanitation" and the health of the people. Mr. President, the people can take care of their own affairs. A self-respecting, vigorous people are not asking Congress to take care of them. Congress is endeavoring to corrupt the people, and

by appropriations to induce them to betray their States and sell their birthright for a mess of pottage.

Mr. WARREN. The Senator has observed, of course, that the States, in order to get the benefit of that, must put up an equal sum.

Mr. KING. Oh, yes; the States are being corrupted and debauched just as fast as Congress can do it, and we are sending out representatives from these departments to aid in the debauching process.

Only a few days ago one of the representatives of the Public Health Service came to me for letters of introduction to the governors of some of the Western States. He said they were not active enough in responding to the advances made by the Federal Government, and Federal officials must go into the States and carry on propaganda to induce them to match appropriations made by the Federal Government for the discharge of duties which pertain exclusively to the States and to the inhabitants thereof.

Mr. WARREN. Let it go to a vote.

Mr. KING. The Senators having voted affirmatively on the other proposition, to be consistent, they should vote with me on this.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Utah. [Putting the question.] The ayes seem to have it.

Mr. HARRISON. I ask for a division.

The Senate having divided,

The VICE PRESIDENT. On the division it is a tie vote. The Chair votes "aye," and the amendment is agreed to.

Mr. KING. Mr. President, on page 34, line 26, I move to strike out "$30,000" and insert "$20,000." That is an item for furniture, and so forth, for the Employees' Compensation Commission.

The VICE PRESIDENT. It has been reduced to $20,000.

Mr. KING. I was not here when that was done. I am entirely satisfied.

On page 39, lines 27 and 28, and on page 40, lines 1 to 10, inclusive, I move to strike out the item for continuing the work of the commission engaged in valuing the property of interstate railroads. It has been said by some who are entirely familiar with the Esch-Cummins bill that under its operations there was no necessity of continuing the work of appraising the railroads, and I move to strike out that item.

The amendment was rejected.

Mr. KING. On page 43, I move to strike out the figures "$350,000" and insert "$200,000." That is for expenses of the Shipping Board.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 43, line 16, strike out "$350,000" and in lieu thereof insert "$200,000."

Mr. KING. That organization has been so extravagant and wasteful, Mr. President, that I think the time for retrenchment is here.

Mr. RANSDELL. Mr. President, I should like to have some reason for reducing this item for the Shipping Board. I know the Government has spent between three and a half and four billion dollars to build ships in this country, and I know that the Shipping Board has been trying very hard to sell some of those ships and to raise money with which to carry on the business. The committee has undoubtedly gone into this question, and, unless we have some better reason than the idea of a Senator who tells us it is wrong, I do not think we ought to agree to the amendment.

The amendment was rejected.

Mr. KING. Mr. President, I am so encouraged by the manifestations of favor for economy upon the part of both the Republicans and Democrats that I am led to suggest another amendment.

On page 44, line 11, I move to strike out "$55,000,000," the amount given to the Shipping Board, and insert in lieu thereof "$30,000,000," so that it will read "$30,000,000" instead of $55,000,000." I feel persuaded that if Senators would make a little investigation they would support my view. I call for a vote.

Mr. McCORMICK. May I ask the Senator why $30,000,000, rather than $25,000,000?

Mr. KING. Mr. President, from the investigations which I have made, I will say to Senators that that amount of money may be necessary to carry on a rather imperfect and improvident program which has been inaugurated.

The amendment was rejected.

Mr. KING. Mr. President, I have many more amendments to this extravagant bill, which ought to be considered and voted upon by the Senate. Many of the appropriations herein can not be defended, in my opinion, and should be eliminated. But I appreciate, from the attitude of Senators, that any appeal for economy will be in vain. The bill is to be passed as now framed and no assaults will affect it. I appeal, however, to Senators that when the next appropriation bill comes before this body they join with those who believe in economies and in retrenchment and reduce it to such proportions as will be warranted by the condition of the Public Treasury. I do not know what is going to become of the country if this centralizing policy is continued and the Federal Treasury is regarded as inexhaustible and as the fountain from which is to flow a constant stream to water the fields and lives of the people and the States. If we do not return to the path of safety and economy, the future of the Republic is not assured. It is the duty of the party in power in the Congress to curb the ambitions of those who would convert this Nation into a socialistic State, and to apply the principles of morality and policies of economy in the administration of the affairs of the Government. If they fail, their day of triumph will soon end.

Mr. SMOOT. Mr. President, on page 19, following the numerals on line 21, I offer the following amendment.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 19, line 21, after "$33,000,000," insert:

Provided, That no part of the money hereby appropriated shall be used for the payment of commutation of quarters, subsistence, and laundry, or quarters, heat and light, and longevity to any employee other than the commissioned medical officers provided for by statute.

The amendment was agreed to.

The VICE PRESIDENT. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. Certain amendments have been reserved for a separate vote. The question is on concurring in the amendments as to which a separate vote was not reserved in the Senate.

The amendments were concurred in.

The VICE PRESIDENT. The Secretary will state the first amendment reserved.

The ASSISTANT SECRETARY. The first amendment reserved was by the Senator from New York [Mr. CALDER] on page 11, the total sum in lines 12 and 13 under "Public buildings, operating expenses." The committee proposed and the Senate agreed to an amendment striking out "$3,800,000" and inserting in lieu thereof "$3,700,000."

Mr. CALDER. Mr. President, this is for operating expenses of the public buildings. In the main it applies to the payment of wages of cleaners, engineers, mechanics, firemen, and other men and women employed to take care of the public buildings throughout the country.

This group of employees have not had their wages raised for over 20 years. I know that in New York we have laborers in the public buildings who are receiving $720 a year and right alongside of them are post-office laborers receiving $1,200. We have carpenters and painters and mechanics in different lines receiving 25 per cent less than laborers in other departments. The appropriation asked for will hardly pay the expenses of the department for the ensuing year.

The sum recommended by the committee is $47,000 less than the present pay roll, and perhaps before another fiscal year it will be $100,000 less than enough to meet the expenses, with the present salaries, when you come to consider the fact that we are constantly finishing new buildings. I ask that the Senate committee amendment be defeated.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The VICE PRESIDENT. That was the only amendment reserved. The bill is in the Senate and open to further amendment.

Mr. FLETCHER. Mr. President, I reserved the right to offer in the Senate certain amendments which I proposed to the bill as in Committee of the Whole. I offer them again. On page 135, after line 16, I move to insert:

Purchasing site for and constructing and equipping a lighthouse depot for the seventh lighthouse district, $250,000.

Establishing and improving aids to navigation in Tampa Bay, Fla., $17,500.

Mr. President, I wish to say that I offer the amendment to carry out the provisions of existing law. An act of Congress was passed June 5, 1920, providing for these extensions and this aid to navigation in Tampa Bay. Congress has determined that it ought to be built. I submit that it ought not to be in the power of the Committee on Appropriations to say

that Congress shall not do what it determined to do by denying the appropriation necessary to carry it out. That is the situation. Congress has determined absolutely to build this improvement and passed a law to that effect. Now comes along the Committee on Appropriations and say, "We will deny the appropriation to carry out the policy," in effect repealing by their action what Congress has formerly determined should be the law and the course to pursue.

Mr. WARREN. The House did not include that item, and the Senate committee found it with 27 or 28 others of similar nature and felt that they all ought to go over until next year. I am not going to oppose a vote being taken on it if it can be taken at once.

Mr. FLETCHER. I want to have the Senate understand the amendment. I relied on that last night and it did not work very well. I want the Senate to understand the situation. The report says:

The Lighthouse Service storehouse, wooden smithy, and wharf are on property belonging to the Treasury Department, which is situated in the midst of the United States naval station. The wooden storehouse and wharf, which are highly inflammable, are located between the Navy coal sheds and Piers A and B, one of each on each side, and are therefore in an unusually dirty location. The coal dust is practically always in motion, and when the coal conveyors are in operation it blows about in clouds. It finds its way into the depot keeper's quarters and into the storehouse, where the thousands of dollars' worth of property is stored, which it is impossible to keep clean. These coal sheds have been erected since the storehouse was built. Furthermore, there are frequently several Navy torpedo-boat destroyers lying alongside at the Navy piers on each side of the depot wharf, which, in addition to causing a great deal of dirt, are a menace to the lighthouse tenders on account of collision. A new site and wharf are now urgently needed for the efficient and economical work of the district. The Navy Department has repeatedly urged the removal of this depot from its present location in the midst of the navy yard.

Then follows the recommendation of the department. I wish the committee would recognize the wisdom of allowing this item.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Florida.

On a division, the amendment was rejected.

Mr. FLETCHER. I now offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 153, after line 24, insert:

Marine biological station, Key West, Fla.: For the completion of the marine biological station at Key West, Fla., including the construction of buildings, purchase and installation of equipment, and improvement and protection of grounds, $110,000.

Mr. WARREN. That is neither provided for by law nor estimated for.

Mr. FLETCHER. It is provided by law. The amendment carries out the provisions of existing law. The existing law provides for this station and the amendment is offered in pursuance of and for the purpose of carrying out existing law. Appropriation has been made heretofore.

Mr. SMOOT. It was estimated for, was it not?

Mr. FLETCHER. It was not estimated for this year. It has been previously estimated for. It is not in the estimate, but it is to carry out existing law, and that comes clearly within the rule. I insist that here is a situation where, in 1914, Congress provided for the station and put it on the condition that the location should be donated. The people got together and donated the site. They dug canals, built sea walls, spent $20,000 of their own money, and donated the location to the Government. The Government then appropriated $25,000 in 1916 to begin the work, and there the thing stopped.

Is it possible that the Committee on Appropriations will not allow this work to go on? They deny the appropriation when the law provides it and when everything has been done that would require it to be done. The people themselves have donated the site and gone into their pockets and built the sea walls.

Mr. HARRISON. Mr. President, I hope the amendment will be agreed to, so we can rush along and finish the bill to-night and take up the emergency tariff bill and pass it at a very early day.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Florida.

On a division, the amendment was rejected.

Mr. McKELLAR. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 24, insert after the committee amendment the following:

The Surgeon General of the Public Health Service is hereby authorized, by and with the approval of the Secretary of the Treasury, to sell or exchange in full or part payment for other sites in the same localities the premises now occupied by and in connection with the marine hospitals at St. Louis, Mo., and at Memphis, Tenn., or either of them, as in his judgment the public service may require.

On a division, the amendment was rejected.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WARREN. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN conferees on the part of the Senate.

RECESS.

Mr. McCUMBER. I move that the Senate take a recess until to-morrow at 11 o'clock.

Mr. UNDERWOOD. Has the unfinished business been laid before the Senate?

Mr. McCUMBER. I understand it was temporarily laid aside and that it retains its place.

The VICE PRESIDENT. That is true. It will not be displaced by a recess.

Mr. McCUMBER. That is the reason why I did not ask that it be laid before the Senate. I renew my motion that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Thursday, February 10, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 9, 1921.*

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Our Heavenly Father, Thy mercy is without measure, and the gates of Thy love are wide open. Pity us if we forget Thee. Write Thy law in all of our hearts, that it may become a simple rule of conduct.

Comfort the bereaved ones who are to-day in the vale of shadows of their sacred dead, and bear them through the troubled waters of their grief until the mysteries of the night are dissolved into the promises of the morning. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. Evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Davis, Minn.	Jacoway	Oliver
Ashbrook	Dempsey	James, Mich.	Overstreet
Ayres	Dent	Jones, Pa.	Padgett
Babka	Donovan	Kennedy, Iowa	Patterson
Baer	Dooling	Kincheloe	Phelan
Bankhead	Doremus	Kitchin	Porter
Barkley	Eagan	Layton	Radcliffe
Bell	Edmonds	Lee, Ga.	Rainey, Ala.
Benson	Ellsworth	Lehlbach	Rainey, Henry T.
Bland, Mo.	Emerson	Lufkin	Rainey, John W.
Bowling	Evans, Nev.	McCulloch	Ramsey
Brumbaugh	Fairfield	McDuffie	Randall, Calif.
Buchanan	Ferris	McGlennon	Reed, W. Va.
Burke	Focht	McKenzie	Riordan
Caldwell	Fordney	McKinley	Rouse
Candler	Gallivan	McLane	Rowan
Caraway	Gandy	Maher	Sabath
Carew	Gard	Mann, S. C.	Sanders, Ind.
Casey	Goldfogle	Mead	Sanders, La.
Chindblom	Goodall	Minahan, N. J.	Sanders, N. Y.
Clark, Fla.	Goodwin, Ark.	Moon	Sanford
Classon	Gould	Mooney	Scully
Coady	Graham, Pa.	Moore, Va.	Small
Connally	Hamill	Morin	Smith, N. Y.
Costello	Harrison	Mudd	Snell
Crago	Hoey	Nelson, Wis.	Steagall
Crowther	Holland	Nicholls	Steele
Currie, Mich.	Houghton	Nolan	Stevenson
Dale	Howard	O'Connell	Stiness
Davey	Hull, Tenn.	O'Connor	Sullivan

Tillman	Vestal	Whaley	Young, Tex.
Towner	Vinson	Wilson, Ill.	
Vare	Ward	Wise	
Venable	Watkins	Yates	

The SPEAKER. Two hundred and ninety-four Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

ELECTORAL VOTE.

The SPEAKER laid before the House communications from the Secretary of State, transmitting, pursuant to law, authentic copies of the certificates of the final ascertainment of the electors for President and Vice President elected at the election held on the 2d day of November, 1920, as transmitted to him by the governors of said States.

GENERAL DEFICIENCIES.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15962, the general deficiency appropriation bill. Pending that I move that general debate be limited to two hours and a half.

The SPEAKER. The gentleman from Iowa moves that general debate upon the general deficiency bill be limited to two hours and a half.

The motion was agreed to.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the general deficiency appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the general deficiency appropriation bill, with Mr. LONGWORTH in the chair.

The Clerk reported the title of the bill.

Mr. EVANS of Montana. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, I think it is generally agreed that freight rates must come down. The public is becoming thoroughly alive to that fact, and even the railroad owners themselves as well as their employees are beginning to realize it. The question, however, that is bothering is how it may be done. Before rates can be reduced operating expenses must come down, and in order to reduce the operating expenses, the wages of railroad employees must be reduced and the cost of coal and steel to the railways must come down. I think it will be generally admitted that the largest items of the operating expenses of the railroads consists of wages and the cost of coal and steel. It is unfair that these three items should remain out of proportion to the general readjusted prices of the country. The country is going through a difficult period and we can not have prosperity with a lopsided readjustment. I believe that any fair-minded man will admit that the rates which prevailed at the time the railroads were turned back to their owners in March, 1920, were too low for a period of such high prices and were insufficient to pay the operating expenses of the railroads plus a fair return to the capital invested. So it was inevitable that there should be an increase in freight and passenger rates. I do not wish to be understood as saying that the rates which were fixed by the Interstate Commerce Commission were unreasonable at the time they were fixed, but conditions have changed very radically since then.

The fault of the present situation does not lie with the Interstate Commerce Commission or the Railroad Labor Board; nor does it lie with the railroads or their employees. That looks like a rather broad statement to make and will not be accepted by some, because naturally we like to find some one to make the goat. The situation has been brought about by changed conditions, which it would have been impossible for anyone to anticipate, and these changed conditions must be dealt with, and they can not be dealt with by a further increase in the rates to the public. The freight and passenger traffic already has all the burden, and more than it can bear. The regulatory commissions of the Government, the Interstate Commerce Commission and the Railroad Labor Board, have responded to the needs of capital and labor during the period of inflation and mounting costs.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. BLACK. In just a moment. It is the public's turn now. The pendulum has swung back the other way, and it has swung back with a vengeance so great that thousands of farmers and business men have been pushed to the verge of bankruptcy, and unless these regulatory commissions can regulate in the interest of the public at the time that it is necessary for them to do so, then regulation is a failure, because a regulatory system that will only regulate in favor of capital and labor and not in the interest of the general public would be a failure and would have to be discarded. I am making no such accusation against the Interstate Commerce Commission or the Railroad Labor Board. I have no reason to believe they will fail to function in the public interest, now that the time is approaching when necessity demands that they do so.

When wheat was selling for more than $2 per bushel and corn for $1.75, and cattle and hogs in proportion, and cotton at 30 and 35 cents per pound, and cotton seed at $60 per ton, and hay at $25 per ton, these rates were not excessive. They were reasonable and fair enough. But cotton is no longer 30 and 35 cents per pound, but is dragging at one-third that price. Corn is no longer $1.75 per bushel, but is selling in the principal markets at very much less than one-half that figure. Also wheat, cattle, hogs, wool, hay, and practically all raw products have undergone a radical decline. The freight rates, which were reasonable and in proportion during the high-price period, are no longer in proportion now. There must now be another readjustment, and this time it must be to a lower level.

Now I yield to the gentleman from Oklahoma.

Mr. McKEOWN. Does not the gentleman, in view of the fact of the large increases in freight rates, think that the percentage of tax in the revenue bill on freight and passenger rates ought to be reduced or ought to be repealed?

Mr. BLACK. Yes; I do. Now, it is quite clear in order for rates to be reduced, operating expenses must come down. The returns to the Interstate Commerce Commission since the new rates went into effect on September 1, 1920, show that the roads have earned under those rates less than 4 per cent per annum on their valuation of $18,900,000,000, as fixed by the Interstate Commerce Commission, or less than an annual rate of $750,000,000 per annum, which is at least $200,000,000 less than in 1917, the year before they were taken over by the Government. Now, I know that it has been said by some labor leaders, and it has been stated frequently on the floor of the House by certain Members, that the Cummins-Esch bill amounted to a gigantic subsidy to the railroads. The figures of the Interstate Commerce Commission do not bear out that statement. The figures of the commission show that the net earnings to the roads in 1917, immediately before we took them over, were considerably over $200,000,000 more than they now are under the rate of increase granted by the Interstate Commerce Commission, whereas the aggregate amount of wages paid railroad employees is nearly $2,000,000,000 more than it was in 1917, when the roads were taken over by the Government. Part of this increase in wages was granted by the Government during Federal control and part of it by the Railroad Labor Board, which was set up under the Cummins-Esch law. Now, that does not bear out the statement that the Cummins-Esch bill amounted to a gigantic subsidy to the railroads. The fact that the net earnings of the companies are less and the earnings of the employees very much more seems to completely negative such a statement. On February 4 I requested the Bureau of Railway Economics to give me figures as to the aggregate amount paid out for railway wages in 1917 and in 1920, and here are the figures: In 1917 the aggregate amount of wages paid to the employees of railways in class 1 was $1,739,482,142. The figures for 1920 are not yet complete, but they show by multiplying the first quarter for 1920, which is available and which was $795,618,330, by the four quarters of the year that the aggregate expenditure for railway wages in 1920 will be approximately $3,600,000,000. I say that those figures are arrived at by taking the first quarter which is available, $795,618,330, and multiplying it by 4 and adding to that the $400,000,000 which resulted from the wage increase in May, 1920. The May increase, on an annual basis, was about $625,000,000, but only two-thirds of that amount was applicable to 1920, as the increase was in effect only for eight months, from May 1 to December 31. On this same basis unless distinct economies are put into effect in 1921 by a reduction of employees or changes in working regulations or reduction in basic wages, the aggregate amount of wages in this year of 1921 would not be less than $3,800,000,000, as against $1,739,482,142 in 1917.

Now, it must be apparent to all that a pay roll of such staggering proportions can not be maintained under these new and changed conditions. Regardless of the fact that most of us like to see high prices for farm products and high wages for all laboring men, it is conditions which we must face and deal with and it is evident that the business and agriculture of the country can not support such a heavy load at this time.

Mr. BLANTON. Many of the railroads claim that in order to drop the expense of many empty trains that they have been

operating that it is necessary to lay off at least 30 per cent or more of their employees, and the employees come and say that they shall not lay off one of them. What are we doing about it?

Mr. BLACK. Well, I do not wish to be diverted now to a discussion of that question. I have no information about that matter and I am trying to discuss matters which I have studied and investigated.

Mr. LAZARO. Will the gentleman yield?

Mr. BLACK. I will yield.

Mr. LAZARO. In the District of Columbia here we have a commission regulating passenger rates on the two street railway systems. It developed that one was prosperous and the other one was poor, and every time the poor one asks for a raise, which was granted because they had to get it in order to operate successfully, the other one got the benefit of it. I would like to ask the gentleman if that applies to the railroad system of the country?

Mr. BLACK. Well, if the gentleman will remember the Cummins-Esch bill provides that when a railroad gets beyond a 6 per cent earning capacity that a certain percentage of it is recaptured in the public interest and placed into a loan fund to be administered by the Interstate Commerce Commission and to be loaned on satisfactory security to the railroads which are less advantageously situated, and some of the large railroad owners were very much opposed to that proposition, and the gentleman will probably recall that some representatives of these larger roads filed briefs with the House Committee on Interstate Commerce against this provision. But it went into the bill all right and I think is a good provision.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. May I ask for five additional minutes?

Mr. EVANS of Montana. I will yield the gentleman five additional minutes.

Mr. BLACK. Now, not only must the wages of railroad employees be reduced in order that freight rates may be reduced, but the price of coal and steel to the railroads is entirely too high. I have no doubt that there are some coal operators and steel manufacturers who take the position that it is no affair of the public what the railroads pay for coal and steel, but it is.

As to the price of steel rails, the Bureau of Railway Economics said in its letter to me of February 4, 1921:

> We have no complete statistics on the price of steel rails to the railways in 1917 and 1920. However, we think the price paid in 1917 was slightly above the standard market price of $28 per ton. Perhaps in the neighborhood of $30. While in 1920 the price varied from $47 up to $57 per ton.

We are very much interested in these prices. When it is considered that the courts of the country have held that public utilities are entitled to earn a reasonable dividend on their investment after the payment of necessary operating expenses, then it does become a very serious concern to the public that those operating expenses shall be reasonable and just. If there is no way to hold down operating expenses, then there is no way to hold down rates. But of course there is a way, so long as it is properly exercised.

Mr. CARTER. Will the gentleman yield for just a short question?

Mr. BLACK. I do.

Mr. CARTER. Does not the gentleman think that fixing a dividend for the carriers tended to take from them a great incentive to reduce wages?

Mr. BLACK. The Cummins-Esch bill does not guarantee any dividends to any carrier beyond the six-month period, which has already expired. I am glad the gentleman called my attention to that feature, for while it diverts me from what I was saying I want to discuss the matter briefly. The statement has often been made and erroneously made that the Cummins-Esch bill now guarantees a dividend to the railroads. It does not do that. I think I can very quickly prove that it does not. Now, for example, the net earnings of the railroads for the United States for December last were about $23,000,000—bear that in mind, you gentlemen who have criticized the Cummins-Esch bill, and have said that it guaranteed a dividend to the railroads—the net earnings of the roads in December were about $23,000,000, which will be less than 2 per cent per annum on their aggregate value as fixed by the Interstate Commerce Commission, and if there was a guaranty, then somebody would owe and pay the difference.

Now, will anybody contend that the Government of the United States is either legally or morally bound to pay the difference between the 2 per cent and the 6 per cent, which was prescribed as a rule of rate-making? As a matter of fact, the Esch-Cummins bill only prescribes a rule of rate making, and says to the commission, "You shall fix rates in the groups that you designate, which will yield in the aggregate 5½ per cent and an additional one-half per cent under certain conditions to railroads when they are efficiently, honestly, and economically administered." That is what the bill provides on that subject. Only that and nothing more.

Mr. CARTER. The gentleman has stated the situation exactly, as we all understand it. Some of us thought that a guaranty——

Mr. BLACK. Will the gentleman contend it is a guaranty?

Mr. CARTER. I think that question would take a long explanation, and I do not want to take up the gentleman's time. At least the gentleman in charge of the bill at the time on the floor, the gentleman from Wisconsin [Mr. ESCH], admitted to the House that it was a guaranty.

Mr. BLACK. I believe he did do so, but in my judgment it was a very erroneous statement of the effect of the rule of rate making in the bill.

Mr. CARTER. Now, the question I asked was with relation to wages to employees, about which the gentleman was talking. The wages have been increased, according to the gentleman's own statement——

Mr. BLACK. About $2,000,000,000.

Mr. CARTER. About $2,000,000,000 under the Esch-Cummins bill?

Mr. BLACK. No; there was a considerable part of it under Government operation. The wage increases by the Railroad Labor Board under the Cummins-Esch bill, which were granted last summer, retroactive to May 1, 1920, amount in the aggregate to about $625,000,000 per annum. The rest of the $2,000,000,000 was under Government operation.

Mr. CARTER. So that there must be something in the statement that the railroads have not that incentive to reduce wages that they would have when they would not have a fixed dividend income.

Mr. BLACK. They had no power to reduce wages under Government operation, and probably have none now unless such wage reductions are made by the Railroad Labor Board.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. I am sorry I can not have the time to discuss coal and steel further, but I will not ask for another extension of time, as I understand the time of the committee is all taken.

Mr. GOOD. Mr. Chairman, when Congress convened on the 6th day of December last a stupendous task confronted it. In less than three months it was necessary for the Committee on Appropriations and Congress to consider and act upon estimates for appropriations for the next fiscal year aggregating over $4,701,000,000. The House has now arrived at a place in the legislative program of this session where we can fairly estimate the expenditures for next year if the amounts agreed upon by the House shall not be greatly exceeded when the appropriation bills are finally enacted by Congress.

At the outset the Committee on Appropriations realized that it must inaugurate a broad general policy regarding appropriations for the next fiscal year if Congress was to reduce appropriations so that there might be a substantial reduction in taxation. The policy adopted provided for a minimum of new construction and to reduce estimates wherever a reduction could be made without the serious impairment of a necessary Government service. There are those who believe that the Government should embark upon new undertakings and new activities that will necessarily involve very large expenditures. There are many who believe that the practice of the Government of granting State aid for worthy projects ought to be very largely extended. The Committee on Appropriations has consistently urged Congress to refrain from embarking upon new services at this time and has opposed every effort to broaden or extend the Federal-aid provisions, for it has been forced to realize that the Government can meet its expenditures in but two practical ways; first, by levying taxes, and, second, by borrowing money. The taxes must come from the very people who pay taxes in their respective States. We certainly will not borrow money to engage in new enterprises; and the National Government ought not to tax the people of a State to carry on the very work which the State is authorized to do, and for which the local State and county governments have ample authority to lay local taxes.

At the beginning of this Congress the Committee on Appropriations commenced its work with very definite convictions. It realized that there could be no substantial reduction in taxation until there was a substantial reduction in appropriations. Using this premise as a starting point, it has during the past two years labored diligently to bring about a substantial reduction in expenditures in order that Congress might meet the demand for a reduction in taxation. This Congress, if it completes its work of appropriations, will have made appropriations for two fiscal years in all the departments of the Government, and for three fiscal years in most of the departments, eight of

the great supply bills for the fiscal year ending June 30, 1920, having failed to pass when Congress adjourned on the 4th of March, 1919.

In making the appropriations for the year ending June 30, 1920, Congress reduced the executive estimates by $1,685,867,893.54, and for the year ending June 30, 1921, it reduced the executive estimates by $1,312,417,650.39. After deducting all duplicate estimates in the two sessions, the total reduction made for the fiscal year ending June 30, 1920, and the fiscal year ending June 30, 1921, aggregated more than $2,710,000,000.

The total executive estimates submitted to Congress in December with requests for appropriations for the fiscal year ending June 30, 1922, aggregated more than $4,701,000,000. We have now reached the point in our work on these appropriation bills where the results of the policy of economy adopted by Congress can be clearly seen. All of the appropriation bills have been reported to the House with the exception of the fortifications bill, and all of the bills have been acted upon by the House with the exception of the naval appropriation bill and the fortifications bill. How well the House has performed its work on the appropriation bills at this session of Congress is reflected in the following comparative statement:

Statement giving the amounts estimated and the amounts recommended in the regular annual appropriation bills for the fiscal year 1922, as reported to the House by the Committee on Appropriations, and the increase or decrease in the bill as compared with the estimates.

Bill.	Amount.	Estimates.	Increase (+) or decrease (—).
Agriculture	$33,517,459.00	$53,029,384.00	— $19,511,925.00
Army	[1] 331,222,612.62	699,275,502.93	— 368,052,890.31
Diplomatic and consular	8,543,650.79	11,983,848.94	— 3,440,198.15
District of Columbia	19,842,012.99	25,039,044.99	— 5,197,032.00
Indian	9,305,880.00	11,989,703.67	— 2,683,823.67
Legislative, executive, and judicial	112,705,748.75	136,452,634.97	— 23,746,886.22
Navy	395,504,444.23	679,515,731.47	— 284,011,287.24
Pension	265,500,000.00	265,500,000.00	
Post Office	573,964,721.00	585,406,902.00	— 11,442,181.00
River and harbor	15,250,000.00	57,114,915.00	— 41,864,915.00
Sundry civil	383,209,692.41	804,525,484.85	— 421,255,792.45
Fortification (bill not yet reported; estimated)	14,000,000.00	35,676,533.66	— 21,676,533.66
Total	2,162,626,221.79	3,365,502,086.49	—1,202,883,464.70
Permanent annual and indefinite appropriations	[2] 1,335,776,360.87	1,335,776,360.87	
Total	3,498,402,582.66	4,701,286,047.36	—1,202,883,464.70

[1] Includes appropriation for the Military Academy, formerly carried in a separate bill.

[2] Includes $35,000,000 estimated for payment of increased compensation to certain employees ($240 bonus).

The statement assumes that the fortifications bill will not exceed $14,000,000, and I believe that figure will be found to be in excess rather than under the amount which that bill will carry. It is thus seen that while the total requests for money for next year aggregated $4,701,286,047.36, the total amounts reported to the House by the Committee on Appropriations for all the services, including permanent and indefinite appropriations, and including $35,000,000 for bonus to Government employees not estimated for by the departments, is $3,498,402,582.66, or a reduction in the estimates of $1,202,883,464.70. If these bills shall pass before Congress shall adjourn without substantial increases, this Congress will have reduced the executive estimates by an aggregate of almost $4,000,000,000 for three fiscal years.

I hope these bills will pass before this Congress adjourns. [Applause.] These bills ought to pass before the adjournment on March 4, so that the Ways and Means Committee of the House can immediately know the task that is before it. That committee is now studying the question of revenue. It realizes that there must be some reduction in taxation, and that certain taxes which have become burdensome to all our people must be modified and other taxes repealed. That committee will sit during the recess of Congress, and we ought to pass the appropriation bills in the time that remains of this session, so that that committee can take up its work with intelligence. It will then know how much revenue must be raised, and it will be able to cut its goods according to its cloth. It has seemed to me that if we act with moderation and economy, if we keep the appropriations somewhere around $3,500,000,000 for the next fiscal year, including the appropriations for the Postal Service, the work for the Ways and Means Committee and for the next Congress, so far as revenue laws are concerned, will be comparatively easy.

In this connection it is both interesting and instructive to consider where the money comes from with which to pay these tremendous expenses. Last year our receipts, broadly speaking, came from the following sources:

Customs (tariff duties)	$323,536,559.25
Income and excess profits taxes	3,956,936,003.60
Miscellaneous taxes	1,442,213,241.46
Miscellaneous receipts	981,728,633.32
Postal revenues	437,150,212.33
Total receipts, not including public debt	7,141,564,649.96

In the main, the miscellaneous taxes above referred to, aggregating $1,442,213,241.46, were derived from the following sources:

Estates	$103,635,563.24
Transportation	253,244,640.48
Beverages	197,332,105.84
Tobaccos, cigars, etc	295,809,353.44
Admissions, dues, etc	81,918,656.74
Manufacturers' excise taxes	268,469,978.44
Capital stock corporation tax	93,020,420.50
Stamps	84,347,827.49
Oil by pipe lines	8,426,405.68
Telegraph, telephone, radio revenues	26,631,837.20

The miscellaneous receipts, aggregating $981,728,633.32, are made up of a great many items, including profits on coinage, tax on circulation of national banks, interest on public debts, premium on war-risk insurance, interest on farm-loan bonds, Panama Canal tolls, Indian trust funds, and sale of Government property, including surplus military and naval supplies.

The picture of our national finances would not be complete if it did not show in a more general way the cost of the functions of government which are paid for out of the appropriations contained in the table to which I have just referred.

The following is a classification of the principal objects of disbursement, exclusive of the public debt, for the fiscal year 1920, from the general fund of the Treasury, and disbursements for the Postal Service from the postal revenues:

European food relief	$93,236,117.80
Loans to foreign Governments	421,337,028.09
Wheat-guaranty fund	350,000,000.00
War Finance Corporation	150,000,000.00
Bureau of War Risk Insurance	[1] 74,888,559.30
Bureau of Pensions	214,621,763.43
Federal Board for Vocational Education, vocational rehabilitation of soldiers, sailors, etc	34,984,423.90
Federal control of telegraph and telephone systems	12,018,557.68
Federal control of carriers and expenses under the transportation act, 1920	1,038,614,961.18
Shipping Board	469,094,549.35
Expenses of loans	22,122,776.85
Interest on the public debt	1,024,024,440.02
Military Establishment and War Department, civil (exclusive of rivers and harbors)	1,053,694,541.33
Naval Establishment and Navy Department	632,690,267.94
The total of the above items, due principally to expenses incident to past wars and to present national defense, is	5,591,327,926.87
Postal Service (including $418,722,295.05 payable from the postal revenues and $35,698,400 payable from the Treasury) and Post Office Department ($2,680,470.81 payable from the Treasury)	457,101,165.86
All other disbursements of the Government, including the Legislative Establishment and the Departments of State, Treasury, Justice, Agriculture, Commerce, Labor, and Interior, the independent offices, the District of Columbia, and miscellaneous offices	[2] 512,038,442.40
Grand total for disbursements	6,560,467,535.13

Since the signing of the armistice large sums have been disbursed in the payments for war supplies and materials, and in the carrying out as well as in the cancellation of contracts made during the war. The task imposed upon the War and Navy Departments, the Shipping Board, and Emergency Fleet Corporation, and the Treasury Department especially, was very great. But this war hang over, so far as accounts payable are concerned, is largely behind us. Looking at the matter in a broad way, it has seemed to me that if we do not by additional legislation take on new obligations in the way of financing activities heretofore financed by individuals or corporations, and if we do not take on additional Government functions involving large expenditures, we should be able to keep the appropriations within approximately $3,500,000,000. An analysis of the receipts under the war revenue act will, I believe, show that by the repeal of the excess-profits tax there will come into the Treasury under the income-tax provision alone $1,500,000,000 a year. My own opinion is that it will exceed rather than fall below that sum. Unquestionably the excess-profits tax is in a large measure passed on to the consumer, and is one of the elements that have tended to keep living costs excessively high. That tax can be repealed, and it ought to be repealed. It must be repealed if living costs are to be reduced in accordance with the demands of the consuming public.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. GOOD. I will yield for a question.

[1] Net disbursements.

[2] This sum includes many minor objects of disbursement due directly to war purposes which are not readily susceptible of classification under that general head.

Mr. DOWELL. This is a deficiency bill. Will the gentleman explain to the House if it is possible in the regular appropriation bills to make appropriations that will not be exceeded by the departments, and therefore make deficiency bills unnecessary?

Mr. GOOD. Of course, deficiency bills should be avoided. They arise in three practical ways: First, by Congress enacting legislation subsequent to the enactment of an appropriation; second, by the happening of an unforeseen circumstance; and, third, by lax administration and violation of the antideficiency laws. We always have had deficiency bills; we always will have them. I hope we will never be called upon to pass another so large as this one.

It has been stated in the papers that our customs receipts or tariff duties can be raised so that we may expect $500,000,000 a year from that source alone. I doubt very much if our tariff laws can be so modified that they will yield so large a sum. But I do believe that these laws can be revised so that we may expect as much as $400,000,000 per year.

Mr. OLDFIELD. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I yield.

Mr. OLDFIELD. I am very much interested in the statement of the gentleman about the repeal of the excess-profits tax. Where would the gentleman get taxes that would take the place of these excess-profits taxes?

Mr. GOOD. We will not need the revenue brought in by excess-profits taxes if we will cut down appropriations. There is where we can effect a saving. We can avoid the payment of that tax or a substitute tax by a system of economy and national financing of temporary loans, such as our certificates of indebtedness, war savings stamps, and the Victory loans. There will mature within the next three years certificates of indebtedness, war savings stamps, and Liberty bonds of approximately $7,000,000,000. Shall we continue to lay this heavy tax upon American industry so as to pay this indebtedness within the next three years, or shall we refinance these obligations by loans rather than by taxes? I believe our taxes have become such a load upon industry that they are harmful when viewed from the standpoint of national production, and that these maturing obligations can best be met by borrowing the money with which to pay them.

Mr. OLDFIELD. I very much fear that the gentleman's party will place a sales tax to take the place of the excess-profits tax.

Mr. GOOD. If the gentleman's party is so foolish as to place a sales tax on the backs of the American people, it will in his opinion go down to a humiliating defeat, because the people of the United States will not, in his opinion, stand that kind of a tax. [Applause.] A sales tax should be the last resort. During the next few years we will go through an era of great unemployment and social unrest. The man who does not realize that fails to read the signs of the times.

How will the laboring man feel, while out of employment and with a small or with scarcely no income, if he is compelled to pay a tax on everything that he eats and everything that he wears? Not realizing that the excess-profits tax has been passed on to the consumer and that in the past he has been compelled indirectly to pay it, he will become bitter in his resentment at a Congress that repealed a tax required out of excess of earnings only to substitute a direct-consumption tax, which he must pay. Our cost of the great World War must necessarily be paid by the man who has the money or property with which to pay taxes. That cost must be paid, not by a tax exacted from a man because he is hungry or cold, but from a man who has the money with which to pay the tax, and who can pay it with a minimum of hardship. Congress must keep clearly in mind the fact that all taxation must be fair and just, and that in levying new taxes great care should be exercised not to unduly antagonize the man who earns his living by the sweat of his brow. To unduly antagonize labor at this time, when there is so much unrest and when the army of unemployed is increasing so rapidly, might result in disaster.

To recur to what I was discussing, our money with which to pay the cost of government for the next year should, it seems to me, come from the following sources:

Customs	$400,000,000
Income and corporation taxes	1,500,000,000
Miscellaneous taxes	1,250,000,000
Miscellaneous receipts (not including interest on foreign loans)	500,000,000
Postal revenue	500,000,000
Total estimated revenue	4,150,000,000
Total bills as reported, including $14,000,000 for fortifications	3,498,402,582

It will be seen that this leaves a balance of the estimated revenue, over the reported appropriations, of $651,000,000.

It has seemed to me that we ought to repeal the tax on transportation, which last year yielded more than $252,000,000 in taxes on freight and passenger fares. That service is already taxed to the breaking point and these taxes should be repealed. It will not be difficult to find new miscellaneous sources of taxation that would not be burdensome to take their place.

Last year there was taken from bonded warehouses almost 40,000,000 gallons of spirits. These spirits paid a tax of only $2.20 a gallon. They were withdrawn for medicinal purposes, but were used for beverage purposes. We ought to restore the tax of $6.40 a gallon, and by so doing could add to our revenue from this source alone from $50,000,000 to $100,000,000, depending upon the amount of the withdrawals.

We have also a comparatively light tax on tobaccos, cigars, and cigarettes compared with similar tax levied in other countries. Last year we collected approximately $295,000,000 from this source. If we levied the same tax on this class of commodity that is levied by Great Britain, and assuming that that tax would not materially interfere with the consumption, it would bring into the Treasury more than $500,000,000 a year.

So that by repealing taxes on transportation we may find other subjects of taxation, by putting an additional tax on luxuries, that will more than take its place, so far as the revenue derived is concerned.

Again, we have in the United States more than 8,000,000 passenger-carrying automobiles. Practically every one is a luxury, and if we placed a tax upon passenger-carrying vehicles and made the amount of the tax dependent upon the horsepower, a reasonable tax, we could easily collect $200,000,000 from that source. By pending legislation it is proposed to appropriate $100,000,000 for so-called Federal aid for road building throughout the United States. No one is more vitally interested in good roads than the man who drives an automobile. By levying a wheel tax that would yield $200,000,000 a year we could continue Federal aid for good roads at the rate of $100,000,000 a year and still leave available for other Government functions $100,000,000 derived from that source.

It is estimated that next year the postal receipts will bring in $500,000,000 and that the miscellaneous receipts will yield $500,000,000 more. During the past two years the Government has sold a great deal of property, real estate, buildings, and equipment of all kinds, and we have more to sell. We have also sold and will, I hope, continue to sell many of the merchant ships that we acquired during the war. Certainly the miscellaneous receipts will not fall far, if any, below $500,000,000 a year. From these sources alone, therefore, we can foresee an income of not less than $4,150,000,000 a year, which is $650,000,000 in excess of the appropriations as carried by the bills as they were reported to the House. And these bills in the main have not been increased on the floor of the House. I hope they will not be materially increased in the Senate.

The changes in the bills thus far considered by the House from the bills introduced and referred to the House for action have been as follows:

Comparative statement giving the amounts recommended in the regular annual appropriation bills for the fiscal year 1922, as reported to the House by the Committee on Appropriations, and the amount carried in the bills when passed by the House, showing the increase or decrease in the bill compared with amount recommended.

Bill.	Reported to House.	Passed House.	Increase (+) or decrease (−).
Agriculture	$33,517,459.00	$33,668,009.00	+ $150,550.00
Army	[1] 331,222,612.62	331,208,112.62	− 14,500.00
Diplomatic and consular	8,543,650.79	8,409,492.79	− 134,158.00
District of Columbia	19,842,012.99	19,807,012.99	− 35,000.00
Indian	9,305,880.00	8,576,380.00	− 729,500.00
Legislative, executive, and judicial	112,705,748.75	109,781,488.75	− 2,924,260.00
Navy	395,504,444.23	[2]	
Pension	265,500,000.00	265,500,000.00	
Post Office	573,964,721.00	572,714,721.00	− 1,250,000.00
River and harbor	15,250,000.00	15,250,000.00	
Sundry civil	383,269,692.41	382,483,692.41	− 786,000.00
Fortification (bill not yet reported)			

[1] Includes appropriation for the Military Academy, formerly carried in a separate bill.

[2] Bill now pending in the House.

It appears, therefore, at this time, if we can pass the appropriation bills as we ought to pass them, the next Congress will be able to take up the work of revenue legislation with intelligence. It will know immediately when Congress adjourns how much money we will have to raise to pay the expenses of the Government, and I believe the Committee on Ways and Means of the House can, in the next Congress, be trusted to bring in a

bill that will raise that revenue and at the same time repeal these objectionable and burdensome taxes that have contributed so much to make living costs excessively high.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I yield for a question.

Mr. TOWNER. Might not some of the $600,000,000 be added to the revenue of the United States as interest on our foreign loans when we receive interest from the foreign governments?

Mr. GOOD. Yes; that could be done; but as and when interest is received from that source the amount might well be used for the retirement of bonds that were sold in the United States to raise the money needed to make these loans. In my remarks I have left out of consideration altogether the matter of collecting interest from foreign creditors. It is difficult to say at this time how the governments that were allied with us in the war and to whom we have loaned large sums of money will be able to finance their indebtedness. It is difficult to say with any degree of certainty whether they will be able to pay the interest on their obligations or not in the near future.

But from the sources I have indicated, with but $1,500,000,000 of income taxes, as compared with $4,000,000,000 collected last year, it seems to me that we can from these other sources derive sufficient funds with which to pay the cost of government. This means a reduction of 70 per cent in the income and excess-profits taxes, and that reduction ought to bring substantial relief not only to the taxpayer but to the producer as well.

One of the things that we most need in America to-day is increased production. Practically every business concern, be it great or small, is hampered to-day because of a lack of capital. When we require that so large a portion of the earnings of industry shall be paid in taxes, we leave but little available for the growth and expansion of business. If by the repeal of the excess-profits tax we can permit American industry to keep a greater portion of their earnings to take care of their increased capital demands, we shall in a broad and constructive way do much for the upbuilding of a bigger and better industrial America. [Applause.]

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes; I yield to the gentleman.

Mr. STEENERSON. The gentleman has stated that the postal receipts are about $500,000,000?

Mr. GOOD. No; I have given the amount of the postal receipts for last year as $437,150,212.33, but it is estimated that for the next fiscal year the postal receipts will yield approximately $500,000,000.

Mr. STEENERSON. The gentleman is aware of the fact that that is not equal to the disbursements?

Mr. GOOD. No; there will likely be a deficit of from $60,000,000 to $75,000,000.

Mr. STEENERSON. Closer on to $100,000,000.

Mr. GOOD. I would not be surprised if the deficit would amount to the sum indicated.

Mr. STEENERSON. And the gentleman is aware of the fact that ordinarily the Committee on Ways and Means does not frame any laws to provide revenues for that service.

Mr. GOOD. Well, in a broad way, they are supposed to report a revenue measure that will yield enough to take care of all ordinary demands, including any deficit in the Postal Service.

Mr. STEENERSON. The rates are usually imposed upon the recommendations of the Committee on the Post Office and Post Roads.

Mr. GOOD. Yes; and it also depends largely on the action of Congress. Last year Congress increased the pay of employees in the Postal Service, and by that increase I am advised we have added to the postal expenditures for this year something like $80,000,000.

Mr. STEENERSON. That was absolutely necessary.

Mr. GOOD. I do not think it was all necessary. Many of the increases were justified. But the committee has found this situation: Carpenters, plumbers, and mechanics employed by the Treasury Department are working in post-office buildings side by side with similar mechanics employed by the Post Office Department. In the latter case the employees receive as much as 40 or 50 per cent more than the wages paid to similar employees of the Treasury Department. We certainly do need a standardized wage in all of these services, where men are doing similar work, and my observation has been that some of the increases made in the Post Office appropriation bill can not be justified.

Mr. STEENERSON. The gentleman ought to be aware that the complaints from these people in the employ of the Treasury Department are of long standing, and in the opinion of the Post Office Committee the employees did not render as good service if they were reduced to the pittance that is paid some of these custodians of the Treasury Department who have charge of these buildings.

Mr. GOOD. I now desire to discuss briefly the items contained in this bill. Frankly, I do not believe I ever had charge of a bill that was as objectionable as the bill we are now considering. It contains items providing for expenditures in so many instances where I think the expenditure might have been avoided. The total estimates considered by the committee in the preparation of this bill aggregated more than $478,000,000. The bill carries $203,293,476.72, and is $275,433,309.60 less than the estimates considered by the committee. The amounts carried in the bill, in a broad way, fall into seven general classes, as follows:

Internal Revenue	$9,000,000.00
Military Establishment	48,000,000.00
Naval Establishment	61,500,000.00
Potal Service	57,000,000.00
Audited claims	16,000,000.00
Judgments	1,000,000.00
Miscellaneous, aggregating	10,000,000.00

The miscellaneous items include:

Interstate Commerce Commission	$1,532,400.00
Public Health Service	1,514,280.00
Coast Guard	1,405,000.00
National Soldiers' Homes	610,000.00
Pension Office, examining surgeons	400,000.00
Department of Justice	1,325,836.96
Agriculture:	
Forest fires	725,000.00
Gypsy moth	150,000.00
Pink boll weevil	75,000.00
Lighthouse Service	351,362.85
Small miscellaneous	1,948,000.00

A brief examination of each of these classes will show the necessity for appropriations. In the first place, the Internal-Revenue Department found that $21,000,000, carried in this year's appropriation for conducting the income and excess-profits tax divisions, was not sufficient. The department found that it was necessary to do more work connected with the 1917 returns than they had anticipated, and that unless these assessments were made before the 1st of March, 1921, the Government could not make the assessments but would be compelled to bring suit to collect the taxes. The burden of proof would thus shift from the taxpayer to the Government and the incidental cost of making the collections would be very materially increased. They are now collecting from the 1917 and 1918 returns approximately $35,000,000 per month.

Shortly after the 1st of July the Secretary of the Treasury found that he would not be able to place on the assessment rolls all of the assessments that ought to be made for the year 1917 before the 1st of March, unless he very largely augmented his force. He therefore waived the requirements of law as he was authorized to do, so far as an allotment was concerned, and employed an increased force, thus anticipating a deficiency. The Secretary asked for a deficiency of $9,000,000. We have cut that estimate to $8,000,000. That cut was made on the theory that inasmuch as the appropriation for next year is but $30,000,000, if this year's appropriation was increased by as much as $9,000,000 he would have a larger force during the latter part of this year than he can employ out of his appropriation for next year. In stating the appropriation for next year I am assuming that the Senate will agree to the provisions of the House bill. If it does not, then it will, I assume, make changes in our appropriations contained in this bill to correspond with changes it makes in the legislative, executive, and judicial bill in this respect, for the force employed practically during the month of June, 1921, ought to be maintained for the month of July, 1921. I do not know whether we have given the Secretary of the Treasury all the money he needs for this service or not; but I believe we have. I hope we have, for no one, I am sure, will say that we should not give the Treasury Department a sufficient fund to collect these taxes.

I do not know whether the entire force in the Internal Revenue Department is efficient or not. No one can tell. I believe it is headed by a very capable and efficient commissioner. It has been necessary during the last two years to build up a great force. To do this work efficiently requires trained auditors, and one of the things that has very greatly hampered the work is that large concerns, in dealing with the Treasury Department, discover auditors in the income-tax division, for example, doing efficient work, and they offer them more money to enter private employment, and of course they leave the Government service, and the Government is compelled to train new men to take their place. Because of this interferenee it has been necessary all along continuously to take on new recruits from time to time, and when it is necessary for a department to continually break in new men to take the places of trained and experienced men,

the cost incident to these changes is considerable, and the efficiency is not always the best.

Then the department asked $1,600,000 for the enforcement of prohibition. They have available for this purpose, and for the enforcement of the narcotic act, $5,500,000 for this year, and we are giving them $1,000,000 more. Members of the Committee on Appropriations have been wrongfully accused for their failure at all times to appropriate all that has been asked for the enforcement of national prohibition. Personally, I care nothing about the charge or insinuation that the committee is wet because it fails to report all that is requested. A very large majority of the committee voted for the constitutional amendment and for the Volstead Act, but simply because we voted for it did not mean that we are willing to turn the Treasury over to those who are intrusted with the enforcement of the act irrespective of the needs of the service. When we came to this item we looked into it with the same scrutiny and care that we investigated every other item; and we finally concluded that by giving them $1,000,000 we would be giving them a force with which they ought to be able to adequately administer and enforce this law, so far as the enforcement during this year can be carried on by Federal authorities. An examination of the hearings will show that there is in this bureau a force, with salaries, as follows:

11 supervising field agents, at $4,727	$51,999
44 directors, at $3,932	173,000
206 clerks in offices of directors, at $1,287	385,100
215 inspectors, at $2,054	441,610
143 clerks in office of supervising field agents, at $1,306	186,158
1,067 agents and inspectors, at $1,728	1,843,796
450 guards at warehouses, at $1,501	675,450
2,071 bonus employees—bonus paid to them	490,040
Travel expenses, annual	1,407,928
Total	5,655,081
Travel expenses for 5 months	586,218

While I have included the bonus as $490,040 in this statement, it must be remembered that the bonus is not included in the appropriation of $5,500,000, but is in addition to that amount. So that for this fiscal year, with the amount carried in the bill, we will have appropriated for the enforcement of the national prohibition act and the narcotics act, including the amount paid for bonuses, $6,990,400. I resent with all the force at my command the insinuation or charge made by paid lobbyists that the Committee on Appropriations is not in sympathy with the enforcement of the prohibition act.

I do not believe that Mr. Williams's administration of the prohibition law is on a par with his splendid service with regard to income taxes and the other work of his department. And in saying that I do not want to be understood as saying that he is not doing his very best to enforce the law. I realize that he can not give personal attention to all of the details of the rapidly increasing activities of the office of Commissioner of Internal Revenue. The enforcement of the prohibition act was thrown upon his office at a time when he was already overcrowded with work, and the enforcement of that act was, I imagine, very largely left to other administrative officials. That I think was necessary. I do not believe that those who have been intrusted by him with the enforcement of this law have spent the appropriation with that same degree of care that has characterized the expenditures for the collection of internal-revenue taxes. I realize that it was a new law and everything connected with its administration and enforcement was new and that an entire new force had been rapidly called together to administer it. I have discovered some things to which I have called the commissioner's attention, and which he has promised to investigate, that ought not to exist.

For example, I discovered that in a town of approximately 50,000 people there was no officer stationed to enforce the prohibition law. But at a small place, within 15 or 20 miles of that town, where there never had been a saloon, a prohibition officer was stationed to enforce the law. This officer had never been in a small town and it was not contemplated that he would go there. But by designating the small town as his place of duty he would while engaged at work in the large town where he remained all the time be able to draw a per diem of not less than $4 per day or actual expense not in excess of $5 per day. Here, it seemed to me, was not only a case of maladministration, but was a case where an officer who was intrusted to enforce the law started out with the idea that in order to increase his pay he must violate the law.

Mr. VOLSTEAD. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I yield just for a question.

Mr. VOLSTEAD. Has the gentleman any information outside of the one instance where that has been done?

Mr. GOOD. Having found it in one case, and having found where they are doing it in one congressional district, I assume that that is not the exception.

Mr. VOLSTEAD. And still it is absolutely denied in the hearings.

Mr. GOOD. No; it is not. The Commissioner of Internal Revenue, Mr. Williams, a man of very high character and splendid attainments, said he did not know about it but would inquire into it. He agreed with the committee that if that condition existed, it was an abuse that ought not to exist, and that he would see to it that it was corrected. And I have no doubt but that he will.

Mr. VOLSTEAD. Let me tell the gentleman this: I went to see Mr. Kramer in reference to it——

Mr. GOOD. Why did not he come before our committee?

Mr. VOLSTEAD. And he absolutely denied that it is true.

Mr. GOOD. That shows that he does not know about the business with which he has been intrusted.

Mr. VOLSTEAD. I think you do not know what your business is, so far as that is concerned.

Mr. GOOD. That may be true, but that is beside the question. A lady of very high standing in my own town, who for a great many years has given her time to the question of prohibition, called upon me while I was at home during a short vacation to tell me about some of these things. I made a personal investigation. I found there was no agent stationed at Cedar Rapids, a town of 45,000 people. About 22 miles east, at Lisbon, there was stationed a prohibition officer or agent. I was reliably informed that he had never lived at that place, that most of his time was being spent at Cedar Rapids, and while there he was drawing his per diem at not less than $4 per day. I was also advised that another prohibition officer or agent was stationed at Vinton, a town about 40 miles northwest of Cedar Rapids, and that this agent did not live at Vinton but spent his time in larger cities, and while away from his official designated place of duty drew his per diem. If either of these agents had been stationed in the large city in which they performed their work, they would not have been entitled to any expense while at work at the place officially designated as their place of duty. Just think of it; here is a great force costing over $6,000,000 a year appointed to enforce a specific law; and yet when these men start out they are practically told "we will give you for your services as agent and inspector $1,728 a year; but we will place you at some little town where you will not live, and where you will never go; but by placing you there you can draw from $4 to $5 a day additional compensation." Right at the inception of the employment they tell a man who is paid to enforce the law that he must violate the law in order to get additional funds out of the Treasury of the United States. Now, the gentleman says that these are the exceptions; and it may be so, but would it not seem strange that the only exceptions in the United States should be found in the one district in the United States where a little investigation was made?

We looked into these matters as much as we could in the hearings. At the time we did it we knew our course would be criticized. We knew it would draw fire from the gentleman from Minnesota [Mr. VOLSTEAD] and others who get their directions not from constituents, but from dictators here in Washington, who propose to tell Congress just how much shall be appropriated for a given purpose. I do not know what others think about it, but I do not believe that this Congress or any Congress can afford to take the dictation of any man or any set of men with regard to appropriations out of the Treasury of the United States. [Applause.] I think we ought to go into this question of the enforcement of the prohibition act just as we go into every question, and if there is waste and inefficient methods employed in the enforcement of prohibition, we ought to criticize it just as freely as we criticize other expenditures. Personally I think we have given them all that is necessary this year for the enforcement of prohibition, so far as that enforcement can reasonably be carried on for the first year by the National Government. To properly enforce that law everyone knows that there must be the closest cooperation of State and local authorities. I personally know that by building up so large an organization in so short a time a great many men are connected with it who ought not to be connected with it. A great many men, some of whom are in the bureaus here in Washington, do not believe in the enforcement of the law; some are in the field who are not only winking at its violation but actively aiding in the violation of the law. I do think by cutting down this appropriation we will serve notice not only on Mr. Kramer but the 11 district supervisors and the 44 State supervisors, some of whom are not qualified to administer the law, that their failure to enforce the law is under investigation. Weed out the undesirables in this service and the department will have more money than it can properly expend in the enforcement of this law.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. JUUL. You carry $6,000,000 for the enforcement of prohibition?

Mr. GOOD. The amount carried in this bill brings the total for enforcement of prohibition up to $6,500,000, and in addition there will be paid in bonuses about $490,000.

Mr. JUUL. Is there any special item carried in the bill for the suppression of highway robbery? [Laughter.]

Mr. GOOD. No; not in this bill.

Now, take the Military Establishment; we carried $48,000,000, all told. That is made up of several items, and the appropriation is made necessary largely because of the increase in the number of enlisted men. The Secretary of War requested $40,000,000 for the pay of the Army. That estimate was made on the theory that there would be in the service for the year an average of 227,650 men. On the 31st of January last the Army had an enlisted strength of 237,149 men. The War Department was then enlisting at a rate of 1,000 per day, and the separations from the service amounted to about 7,000 a month, leaving a net increase in the service of about 23,000 men per month. It is now estimated that there are approximately 240,000 men in the military service of the United States. It was stated before the committee that if the resolution, which has since been adopted, should become a law by the 1st of February, that the War Department would be able to reduce the size of the Army so that we would have during the year an average of 208,797 enlisted men. It is thus seen that the passage of the resolution reducing the size of the Army to 175,000 enlisted men will have the effect of reducing the average size of the Army for the year about 20,000 enlisted men.

It was the opinion of the committee that we could therefore reduce the estimate of the Secretary of War from $40,000,000 to $24,000,000 for the pay of the Army. It necessarily follows that by reducing the number of the enlisted men by 20,000 that there could be a corresponding reduction in the request for an appropriation for subsistence and supplies. The estimate for this was $32,273,987, while the bill carries $22,000,000 for that purpose. A part of this reduction was also due to recent reductions made in the rations from 54 cents to 42 cents per ration.

The largest reduction in the estimates was made in the Navy Department. This reduction was made possible through the discovery that in the general account of advances for the Navy Department for the fiscal years 1917, 1918, 1919, and 1920, for which requests were made for deficiency appropriations, there were corresponding balances, and if the Navy Department was authorized to use balances remaining for certain objects, to extinguish deficiencies or deficits in appropriations for other objects, they would not need any money at all. It was purely a bookkeeping matter. Everything for which the deficiency estimate was made had been purchased and paid for, but the payment had been made out of the general account of advances, and they were able to make it because there were surpluses in certain appropriations. You must understand that under the law the Navy Department, and recently the War Department, handle their appropriations in a different manner from all other appropriations. Ordinarily when an appropriation is made for a given service that service is given a credit of the amount of the appropriation on the books of the Treasury Department.

Not so with the Navy Department. When the appropriation bill becomes a law, the total amount of the bill is credited to the department in one item and is called general account of advances. When checks are drawn on this appropriation, whether it be for contingent expenses or for transportation and recruiting or for the Bureau of Yards and Docks or Bureau of Supplies and Accounts, for training stations, or for any service, that check is paid out of the general account of advances, and the Treasury Department never knows whether any given appropriation is overdrawn or not. It continues to pay the checks so long as anything remains in the appropriation and credited to the general account of advances. The Committee on Naval Affairs has reported out a bill which, if enacted into law, will permit the Secretary of the Navy to balance his books. Certainly this is a businesslike way to adjust the matter, and the committee therefore was able to reduce the estimates by $114,339,131 for the Naval Establishment because of the proposed legislation authorizing such transfers.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. MANN of Illinois. That bill is not likely to pass at this session of Congress.

Mr. GOOD. No.

Mr. MANN of Illinois. Is it necessary to have the legislation in order to relieve these officers who have made the payments contrary to law, so that in the end a deficit is shown?

Mr. GOOD. Yes; either that or to make appropriations to cover those deficits. We did not feel warranted in doing that. It will be necessary some time. I do not think there is any hurry about it. The accounts are there. The services were secured. Everybody got his money, and the only difficulty is that they have gotten into a little trouble as to the accounts. They had money enough, but they have not expended it along the lines directed by Congress.

Mr. MANN of Illinois. When this bill passes the House and goes to the Senate, I suppose that if the Senate should add an amendment, according to the provisions of the bill reported from the Committee on Naval Affairs, it might possibly be agreed to by the House.

Mr. GOOD. I imagine that is so. Now, there is a large item in the bill for a deficiency in the Postal Department. The total estimates for the Postal Service were $57,500,000. The principal item that goes to make up this total was $35,650,000 for inland transportation by railroads, and the deficiency is due to the order of the Interstate Commerce Commission of December 23, 1919, increasing the compensation of railroads for carrying mails. The bill also carries $7,000,000 for temporary and auxiliary clerk hire. That is made necessary because of the inability of the Postal Service to obtain regular employees to do the work and used temporary employees. The deficiencies in the Post Office Department can in no wise be attributed to any cut by Congress in the requests for appropriations by the department for this year. The total appropriations carried for the fiscal year 1921 to the Post Office appropriation act for similar purposes to those for which deficiencies are provided for in this bill aggregate $92,687,320, while the estimates submitted by the Post Office Department last year for said appropriations aggregated but $88,423,500. In other words, in the appropriation act Congress made no reduction in the estimates for the services in the Post Office Department for which deficiencies are now asked, but, on the other hand, Congress appropriated more money that the Postmaster General asked for those services.

The surplus in the Postal Service about which so much has been said and written is rapidly disappearing, and when all of the expenditures are in that surplus will be turned into a deficit. In determining whether or not there is a deficit in the postal operations, we should not consider as a part of the postal receipts the war revenue derived from the Postal Service. That revenue was not intended for the Postal Service, but was expressly provided to pay a part of the expense to carry on the war. Looking, therefore, at the finances of the Postal Service for the fiscal years 1918, 1919, and 1920, the situation is as follows:

Audited surplus, 1918	$64,126,774.08
Less war revenue	44,500,000.00
Net audited surplus for 1918	19,626,774.08
Audited surplus, 1919	73,734,851.96
Less war revenue	71,392,000.00
Net audited surplus for 1919	2,342,851.96
Audited deficit, 1920	17,270,482.72
1920 items in this bill	2,555,454.31
Total deficit, 1920	19,825,937.03
Audited surplus, 1918	19,626,774.08
Audited surplus, 1919	2,342,851.96
Surplus, 1918 and 1919	21,969,626.04
Less 1920 deficit	19,825,937.03
Net surplus, 1918, 1919, and 1920	2,143,689.01
Estimates submitted in Senate Document No. 373 to pay Railroad Administration for carrying mails during period of Federal control, being from Jan. 1, 1918, to Feb. 29, 1920, covering part of the fiscal year 1918, all of the fiscal year 1919, and part of the fiscal year 1920	65,575,832.03
Deduct net surplus for 1918, 1919, 1920	2,143,689.01
Deficit for the three fiscal years	63,432,143.02
Post Office Department, fiscal year 1917.	
Audited surplus, fiscal year 1917	$9,836,211.90
Audited claims in this bill on account of railroad transportation for 1917	9,377,321.93
Reduces surplus, 1917, to	458,889.97

This sum will be wiped out by additional claims for 1917 which will be certified to Congress later, and a deficit of more than a million dollars for 1917 will result.

Fiscal year 1921.	
Appropriations for fiscal year 1921 for Postal Service, including estimated amount of $41,855,510 to be paid from indefinite appropriation to carry out provisions of reclassification act	$504,434,700.00
Deficiency appropriations for 1921 in this bill	55,003,700.00
Total for 1921	559,438,400.00

The revenues for the service for the fiscal year 1920 amounted to $487,150,212.38. The rate of increase in receipts for the first six months of fiscal year 1921 averaged 19.81 per cent. If this ratio continues during the remainder of the year the receipts for 1921 will aggregate	$523,649,657.39
Total appropriations for 1921 already made or pending	559,438,400.00
Estimated revenues	523,649,657.39
Estimated deficit	35,788,742.61

This deficit will likely be nearer $50,000,000.

Therefore, the approximate known deficits from the foregoing are as follows:

1917	$1,000,000.00
1918, 1919, 1920	63,432,143.02
1921	35,788,742.61
Total	100,220,885.63

I desire briefly to call attention to one of the big estimates for which no provision is made.

Mr. FESS. Would the gentleman yield before entering upon that?

Mr. GOOD. Certainly.

Mr. FESS. There is a general impression that these deficits or deficiencies are created without sanction of law, at least some of them.

Mr. GOOD. The amounts carried in the bill as deficiencies for the Navy Department, the Post Office Department, and many other services are legal deficiencies. Some of them were caused by the enactment of laws after the appropriation bills were enacted, requiring additional expenditures. Many of them, however, are created in violation of law.

Mr. FESS. Well, is not there some way by which we can avoid that?

Mr. GOOD. Some of the deficiencies of the War Department were authorized by law. The War Department is authorized, as is the Navy Department, to create deficiencies for certain purposes, such as clothing, subsistence, forage, fuel, quarters, or transportation. But, generally speaking, all appropriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations, expressly authorized by law, are required to be allotted at the beginning of each fiscal year by monthly or other allotment, so as to prevent expenditures in one portion of the year which may necessitate deficiencies during the latter part of the year. In many of the departments that law is being observed, but in some cases it is not observed. The matter, however, is purely administrative, as the gentleman knows. It is not in the province of Congress to administer the law. When we find that an official has taken the law in his own hands and spends more money than Congress appropriated, we must then decide whether we will grant enough money to continue needed activities for the remainder of the year, or refuse to grant the money and stop the activity. Where the service is a necessary one the committee have reported an appropriation, although they have felt that the law ought to be strictly enforced. It ought to be brought home to every disbursing officer and every officer of the Government who has anything to do with administering appropriations that the antideficiency law should be strictly observed.

Mr. FESS. That is the source of my question. I thought we had some regulation, and whether it is being observed or not, is it our fault; and if it is our fault, how are we going to correct it?

Mr. GOOD. Failure to enforce the law by an administrative official is not the fault of Congress. It makes it very embarrassing for Congress when we must determine whether the Government shall suffer through the failure of some official to strictly enforce the law. To refuse to give the money for a service when the person who had administration of the fund appropriated spent it all during the first nine months might mean that a very needful service would be discontinued.

In this connection, permit me to say that it might be contended that because we cut estimates for this year by $1,312,000,000 there would naturally be a great deficit. Outside of the War Department, where the estimates were for an Army of 576,000 men, and Congress only appropriated for something less than 175,000 men, and outside of the Navy Department, where Congress increased the pay of officers in the Navy and Marine Corps, which required about $30,000,000 to pay the increase provided for after the estimate was made—outside of these two departments the total amount carried in the bill to supply deficiencies is only $2,800,000. In other words, the deficiencies did not occur in those items where Congress cut the estimates, but they were incurred in other services. In those items where we cut the estimates, the deficiencies carried in this bill are but $2,800,000.

Mr. FESS. So it is not true that these are a mere matter of bookkeeping?

Mr. GOOD. Not at all. Take the Navy Department. The gentleman will recall that we appropriated $10,000,000 for fuel and that is just what the Secretary of the Navy asked for. In the first six months the department spent $18,267,412, or more than $8,000,000 in excess of the amount estimated for the whole year. And we are carrying in the bill to make good that deficit $8,267,000 for the first six months, and for coal for the Navy for the second six months $20,000,000, which will give the Navy Department for fuel for the year $30,000,000 instead of $10,000,000, as originally estimated by the department.

The bill also carries for the Military Establishment over $48,000,000, practically all of which was made necessary because the Secretary of War increased the enlisted strength of the Army over 175,000 men.

Mr. FESS. If the gentleman will permit, under the item he has just given, where an appropriation of $10,000,000 was made and they spent $18,000,000, is not that irregular and unlawful?

Mr. GOOD. That is one of the items where the law provides that the Navy Department may make purchases in excess of the appropriations and is a legal deficiency.

Mr. MONDELL. Will the gentleman yield?

Mr. GOOD. I will.

Mr. MONDELL. The fact, as I understand from what the gentleman says, is that as to the essential services that we appropriated for there is only about $2,800,000 of deficit?

Mr. GOOD. Yes; assuming also that Congress had refused to pass the increased pay bill, which took about $65,000,000 or $70,000,000.

Mr. MONDELL. I refer to matters within the estimates. That is a matter entirely outside of the estimates. When the estimates were made that increase of pay was not contemplated, and was not contained in their estimates.

Mr. GOOD. That is true.

Mr. MONDELL. So as to the matters contained within the estimates relating to the essential services of the Government, the deficiency is $2,800,000?

Mr. GOOD. Except the War Department.

Mr. MONDELL. Except where the War Department went defiantly beyond the will of Congress in recruiting?

Mr. GOOD. Yes; but the War Department, the gentleman will recall, did make large estimates for this year. The estimate of that department was for an Army of 576,000 men, and Congress did cut that estimate. And if we eliminate the War Department, we can truthfully say that while the amount carried in this bill is large the deficiencies are not, because Congress reduced the estimates. The bill carries over $203,000,000, of which $48,092,960 is for the Military Establishment, leaving more than $155,000,000 for other services, and of that only $2,800,000 is to supply deficiencies in items where Congress reduced the estimates of the executive departments.

Mr. McKINLEY. Will the gentleman yield?

Mr. GOOD. I will.

Mr. McKINLEY. The gentleman is making a very interesting statement that the country will read, and I want to ask this: Now, as I understand, the post-office appropriations and the post-office receipts will about balance?

Mr. GOOD. No; the post-office receipts for this year, for the first six months, increased about 19 per cent over last year. But the indications are that this rate of increase will not be kept up. If they fall off, as now seems probable, there will be a deficit in the Postal Service, not of $35,000,000 but probably of $60,000,000.

Mr. McKINLEY. Calling it $60,000,000, as I understand, the appropriations, including the $60,000,000, are $1,900,000,000, and to that is to be added about $1,200,000,000 interest and sinking fund, making a little over $3,000,000,000?

Mr. GOOD. For next year; yes. I have tried to show that for next year the total appropriations ought not to exceed $3,500,000,000.

Mr. McKINLEY. And that includes the Post Office Department?

Mr. GOOD. That includes the Post Office Department.

Mr. McKINLEY. Leaving that out, it is about $3,000,000,000?

Mr. GOOD. About $3,000,000,000.

Mr. McKINLEY. The gentleman has stated that the estimates are about $4,000,000,000?

Mr. GOOD. The estimates are $4,701,000,000, including the Postal Service. It is pretty hard to say what the expenditures are going to be for this year; they will be much larger than they will be for next year. We are not yet through with paying war obligations. Since we reported this bill estimates for still more deficiencies have come in. I can not say at this time

what the expenditures will be for this year. The figures I have used have to do with the appropriations for the next fiscal year.

Mr. McKINLEY. For the succeeding year of 1922, for which you are making these appropriations——

Mr. GOOD. Yes. The total amount carried in all of the House bills, including the Postal Service, and estimating the fortifications bill at $14,000,000, is $3,498,000,000.

Mr. McKINLEY. And that includes interest and sinking fund?

Mr. GOOD. It includes everything of that kind.

Mr. McKINLEY. And it brings it up to about $3,000,000,000?

Mr. GOOD. It brings it up to $3,000,000,000, leaving out the Postal Service.

Mr. McKINLEY. But you have stated it will be about $4,000,000,000, as I understood?

Mr. GOOD. I have said the estimates were about $4,701,000,000, and I have said the total amount carried in the House bills aggregates $2,162,000,000, and the permanent and indefinite appropriations, including $35,000,000 for bonus, will bring the total amount carried in the House bills up to $3,498,000,000.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. GOOD. I will.

Mr. MADDEN. There are $800,000 reported in this bill as deficiency for the air mail service in the Post Office Department?

Mr. GOOD. About that amount was included in the estimates for inland transportation.

Mr. MADDEN. Did the gentleman go into the question of whether there was any authority existing in the Postmaster General to create that deficiency?

Mr. GOOD. We did not. We took the gentleman's bill this year, in which there was reported an item of $1,200,000, which went out on a point of order, and assumed that it was necessary, and, therefore, carried the item in the transportation of mails, just as it was carried last year.

Mr. MADDEN. I wish to say that while there was $1,200,000 carried in the bill for the authorized mail routes, $800,000 of a deficiency requested by the department was for an unauthorized route.

Mr. GOOD. That, as I understand, is a question of administration. If they could use the air service as cheaply as transportation by rail, then they were authorized to spend the money in that way.

Mr. MADDEN. The routes that were created, on which this deficiency was based, were never authorized either by appropriation or by law.

Mr. STEENERSON. I want the gentleman to finish. What was the estimate?

Mr. GOOD. I do not have the exact amount before me. My recollection is that we gave exactly what was estimated for. The gentleman can get the exact figures in the report.

Mr. STEENERSON. The gentleman was going to state that a moment ago.

Mr. GOOD. Mr. Chairman, there is one item in the bill that I wish to discuss briefly, and that is the estimate of $95,000,000 for the emergency shipping fund. We have not carried anything in the bill, and we have refused to carry an appropriation for obvious reasons. In the first place, the War Department, it is claimed by the Shipping Board, owes it $208,000,000 on which there have been advances aggregating $53,000,000, leaving it with an account payable against the War Department of $153,000,000.

The War Department has the appropriation and is willing to pay any amount which they are legally required to pay, but the Shipping Board has been unable to furnish the vouchers and to make the showing so that the War Department can make payment on many of their claims. The Shipping Board estimated that it would require $95,000,000 to carry on its operations to the end of the year. Since these estimates were made it has received from the War Department $13,000,000. It has some other credits that it will unquestionably collect before the end of the year, so that if it shall be able to obtain as much as $40,000,000 additional from the War Department, it is the opinion of the committee that it will be unnecessary to make further appropriations for this fiscal year.

I can well understand the embarrassment of the Shipping Board. The members of the board have not been confirmed, and they naturally hesitate to formulate broad policies which must be adopted if we are to have a real merchant marine. They are, therefore, simply marking time, and this is necessarily so. I hesitate to criticize the Shipping Board, because I realize that when criticism is made of a body that it reflects upon the members of the board personally. I have felt that the affairs of the Shipping Board are in a very bad way and that the Emergency Fleet Corporation, which I suppose is the biggest corporation in the world, has in the main been very poorly managed. But in saying this I do not mean to reflect upon the ability of the men who from time to time have been associated in this great undertaking. At times some of the most eminent business and professional men of the country have been connected with this organization.

The difficulty is there have been too many changes in the organization. No one has been allowed to stay in the organization long enough to master it; no sooner would a person show a high degree of efficiency than he was either removed or permitted to resign, and with every change in the personnel there has been a change in policy. All of this is greatly to be regretted, for it has led to confusion and inefficiency all along the line. My own opinion is that we will in the future experience difficulty in securing the right kind of men to manage this huge corporation, with the small salaries which Congress has provided, and it may be necessary to change the law in this respect. For if this service is to succeed we must be able to retain the men after they have become familiar with their duties.

Because of these changes, and because of the magnitude of the transactions, and not because of lack of ability or of hard work, the Shipping Board has not been able to function in a healthy and efficient way. For example, it is unable to present to the War Department the evidence of the War Department's indebtedness to the Shipping Board so that the claims can be paid. The chartering of its boats is on a principle calculated to entail great loss by the Government because of operations. For example, here is a shipping concern with, say, 10 vessels of its own, and it has been able to charter 5 boats from the Shipping Board.

To-day practically all vessels are running at a loss. So the concern owning 10 vessels of its own ties up its own vessels and discharges most of its men and cuts down its loss to the minimum; but the 5 vessels that are chartered from the Shipping Board are found in operation, and the Government pays the loss. This may be an extreme case, but it illustrates a principle that is wrong and the need for more businesslike administration of this great enterprise.

There are, as I recall, 73 boats being constructed for the Emergency Fleet Corporation. They are in various stages of completion, all the way from 15 to 98 per cent completed. To stop work upon them might make the Government answerable in damages, which would greatly increase the cost. It might entail great financial losses upon contractors. It was the opinion of the committee that these boats should be completed, and that in some way the money should be made available to complete the program. It was also the opinion of the committee that the Shipping Board should immediately take prompt action to cut off the loss in the Division of Operations, and in granting new charters the contracts should be so safeguarded that the loss to the Government will in any emergency be reduced to the minimum.

So far as securing funds the committee felt that there is but one thing for the Shipping Board to do, and that is for it to present its vouchers to the War Department and others that are owing the Shipping Board Emergency Fleet Corporation and make its collections, and when it has done this it could then come to Congress, if necessary, for additional new money.

But it is unthinkable for this organization, with these large credits outstanding, to continue its operations on the theory that no matter how inefficiently it may function that Congress will supply the money. The first step for the Shipping Board to take is to settle with the other departments of the Government that are owing it money, and when this settlement has been made there will be ample time for Congress to supply any deficiency in the appropriations.

It has been suggested that the Shipping Board spend several millions of dollars, and the War Department spend several millions more, in auditing the claims of the Shipping Board against the War Department. Obviously this ought not to take place. It seems to me that the War Department should settle with the Shipping Board just as it settled with the Railroad Administration without an expensive audit. It is all Government money. Here are two branches of the Government—the Shipping Board and the War Department. One owes the other some money. The War Department, in this instance, has an appropriation available for this purpose of more than $60,000,000, and these two departments of the Government should get together and agree upon a settlement and adjust their claims, and then Congress can in the future make appropriations with a full knowledge of the outstanding credits of the Shipping Board. Until that settlement is made Congress, it seems to me, will be rather loathe to make deficiency appropriations for this purpose.

Mr. Chairman, there is another reason why the committee refused to make further appropriations at this time for the Shipping Board Emergency Fleet Corporation. It was discovered that some time ago the Shipping Board passed a resolution preventing shipbuilders who had contracts for building ships for the Shipping Board Emergency Fleet Corporation from decreasing wages to any of the employees in the yards. It will be recalled that after we started the program of building these ships, because of the increased cost of living and the increase in wages everywhere, it was necessary to increase the pay of the employees, and their wages were very rapidly as well as generously increased. In many cases they were doubled. These increases were based upon the high cost of living. It seemed strange, indeed, to the committee that those who had contracts for building ships on a cost plus a fee basis should be told by the Shipping Board that the contractor could not reduce his wages at all. I understand that this resolution of the Shipping Board remained effective until a few weeks ago, when the board passed a resolution rescinding the former order. It seems to me it ought to have gone further and required the shipbuilders to decrease wages in view of the fact that the cost of living has been very much decreased in the last few months. But nowhere has the board taken an affirmative position that would bring about some reduction in the cost of these vessels to the Government. The cost of living has been going down and down, and yet these men who are employed by the various contractors building these 73 ships are paid the same wages that they were paid when the cost of living was at the peak.

The committee was gratified over the broad, patriotic view taken by the men who are engaged in building these ships in one of the yards. I hold in my hand a petition signed by more than 10,000 laborers employed in the yards of the New York Shipbuilding Corporation at Camden, N. J., where we have been building 16 of the large passenger-cargo ships. Four or five of these ships have already been completed and the others are nearing completion. These laborers realized that their employers could not get new contracts on the present wage schedule. These laborers also realized that the work on the 11 or 12 Government ships still in the yards would all be completed within three or four months, and when completed, if the corporation did not get new contracts, they would be out of work. They looked at the matter in a practical way, and reasoned that they would rather take a decreased wage now, and thereby enable their employers to secure new contracts for new work, and thus enable them to have continued employment, than to be thrown out of work entirely. And so they came to Congress with this petition, as I feel they had a right to do, asking that the money be made available to complete these ships, and they state in their petition that they are perfectly willing to take a reduction in wages. When the representatives of these men came before the committee they were asked how much of a reduction the laborers in these yards were willing to take, and they stated that they were talking of a 20 per cent reduction. It is almost unthinkable that the men employed in building these ships have sensed the business and industrial outlook before the Shipping Board sensed it, or, at least, before they took action looking toward a resumption of normal activities.

And this is what is necessary all over the country. In every industry and calling wages were increased because of war and war conditions, to meet the increased cost of food and of clothing. Now that the prices of these commodities have gone down, the price of labor must follow. I have here a report just issued from the United States Employment Service of the Department of Labor, dated January 21, 1921. That report shows the percentage of people employed in the different lines of production, as compared with January 1, 1920. It shows that the percentage employed in metal production is 69 per cent, in building trades 47.6 per cent, in textile products and clothing 64 per cent, in the leather group 65 per cent, in the automobile group 30 per cent, in lumber and housing group 67 per cent, and in the clay, glass, and cement group 80 per cent, as compared with January 1, 1920. This report would indicate that more than 25 per cent of the people employed in these industries on January 1, 1920, are out of employment to-day. The percentage of unemployed will increase until we strike something like a reasonable basis.

Here are some advertisements sent out by the Northern Pine Lumber Manufacturers' Association. These advertisements are of the size of an ordinary newspaper, and they are requesting builders in the United States not to buy lumber or to engage in building enterprises until the costs are more reasonable. At first blush it is strange, indeed, that lumber manufacturers whose business depends upon sales take the initiative and advertise all over the United States for people not to buy their products until prices of their products come down. But they are actuated by the same motives that the laborers in the New York Shipbuilding Corporation are actuated by when they say to Congress that they are perfectly willing to take a reduction in their wages in order that they may have continued employment.

Mr. HASTINGS. Will the gentleman yield?

Mr. GOOD. I will.

Mr. HASTINGS. What reason do the lumbermen give for sending out that kind of an advertisement?

Mr. GOOD. Obviously they are looking at the question just as the laborers in the New York Shipbuilding Corporation yards looked at it. They realize that a substantial going business can not be built upon present abnormal prices and that the cost of production must be decreased before business can start in a healthy way. Production costs are too high all along the line. They are coming down, and just in the proportion that they are reduced will the cost of living to the American people be reduced. I suppose lumber manufacturers realize, as they must realize, that building operations will not start in a big way until they can be carried forward on a basis that is reasonable, so far as costs are concerned. And hence they are willing to hasten the day when they can start their business on a sound basis. To start it on a false basis will mean loss and finally disaster. Why is it that there is a lack of employment in America to-day, as shown by the United States Employment Service, of more than 25 per cent as compared with January, 1920? It is because people will not buy at these abnormally high prices. Prices are high because the cost of production is high, and the cost of production is high because labor, which is the principal item in production, is excessively high.

The Committee on Appropriations realized this situation two years ago, and we formulated a policy then that the Government of the United States should not engage in a building program at that time and that our appropriations, so far as public works were concerned, with very few exceptions, should be limited to maintenance items. That was not true with regard to the shipbuilding program, because the contracts had already been let for the ships, while we were at war. What Congress should do first of all, what the administration should have done and should yet do, is to encourage men in a patriotic way to see that it is to their advantage to accept lower wages, because in the end it will mean continuous employment and will mean that the cost of the things they will be compelled to buy out of their wages will be correspondingly reduced.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. SMITH of Michigan. The gentleman speaks of the advertisement of the lumber manufacturers advising the purchasers not to buy lumber until the price was reduced. I would like to inquire whether they have reduced the price of lumber themselves, whether they have not that matter in their own hands?

Mr. GOOD. I have not looked into that question, but I understand that the price of lumber, on the whole, has been reduced by more than 25 per cent. But the price is still prohibitive. The gentleman must know that a tree in the forest is of no great value. It is not until it has been laid low, hauled to the mill, sawed into lumber, placed on the cars and sent to the lumberyards that it becomes of much value. Every one of these operations requires labor, and I suppose that a large part of the price we are compelled to pay for lumber is to reimburse the manufacturer for what he has been compelled to pay in wages in order to produce the lumber. Possibly his profits are too high. If so, in the same spirit the laborer is asked to reduce his wage should we ask the manufacturer and the dealer to reduce his profits. This is absolutely necessary.

I have already consumed more time than I had intended and the discussion has taken a much larger range than I anticipated. When the bill is read under the five-minute rule I shall be very glad to explain any of the items contained in the bill.

The CHAIRMAN. The gentleman from Iowa moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, had come to no resolution thereon.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 1 o'clock p. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 1 o'clock p. m. Before acting upon that request the Chair would suggest to gentlemen that on the counting of the electoral vote the law provides that the seats on the right of the Chair shall be left vacant for the Senate. The Chair is informed by the Doorkeeper that it will require four rows, so that gentlemen will please occupy other seats and leave the first four rows for the use of the Senate. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The SPEAKER. The House will stand in recess until 1 o'clock.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Would you take four rows over here instead of taking three rows clear across?

The SPEAKER. By the law providing for the counting of the electoral vote it has been enacted that the seats on the right of the Chair shall be occupied by the Senate.

Mr. BARKLEY. Is that, Mr. Speaker, on account of the fact that this side of the aisle is preferable to the Senate? [Laughter.]

The SPEAKER. The Chair does not know why it was done.

Thereupon (at 12 o'clock and 48 minutes p. m.) the House stood in recess until 1 o'clock p. m.

The recess having expired, the House resumed its session.

COUNTING THE ELECTORAL VOTE.

At 1 o'clock p. m. the Doorkeeper announced the Vice President and the Senate of the United States.

The Senate entered the Hall, preceded by their Sergeant at Arms, and headed by the Vice President and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The VICE PRESIDENT took his seat as the presiding officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left.

The VICE PRESIDENT. Gentlemen of the convention, the two Houses of Congress, pursuant to the requirements of the Constitution and the laws of the United States, are now in joint convention for the purpose of opening the certificates and ascertaining and counting the votes of the several States for President and Vice President. Under well-established precedents, unless demand shall be made in any case, the reading of the formal portions of the certificates will be dispensed with. After ascertainment has been had that the certificates are authentic and correct in form, the tellers will count and make a list of the votes of the States.

Twelve years ago, upon an occasion similar to this, the then Vice President of the United States, my warm personal friend, Charles Warren Fairbanks, of Indiana, suppressed any manifestation of approval or disapproval upon the part of the galleries or the members of the joint convention, announcing at that time what seemed to me to be a proper statement, that this is a solemn and important occasion in the affairs of the people of America, and it should be discharged with dignity and in silence.

The tellers will please take their places at the desk. The tellers will count and make a list of the votes of the State of Alabama.

Mr. LODGE (one of the tellers). Mr. President, the certificate of the electoral vote of the State of Alabama seems to be regular in form and authentic, and it appears therefrom that James M. Cox, of Ohio, received 12 votes for President and Franklin D. Roosevelt, of New York, 12 votes for Vice President.

The VICE PRESIDENT. If there be no objection, the reading of the formal portions of the certificates will be dispensed with, and the Chair will open in alphabetical order the certificates showing the electoral votes of each State, and the tellers will count and make announcement of the results in the several States.

There was no objection.

The tellers then proceeded to read, count, and announce, as was done in the case of Alabama, the electoral votes of the several States in their alphabetical order.

The VICE PRESIDENT. Gentlemen of the convention, the certificates of all of the States have now been opened and read, and the tellers will make final ascertainment of the result and deliver the same to the President of the Senate.

The tellers delivered to the Vice President the following statement of the result:

The undersigned, HENRY CABOT LODGE and OSCAR W. UNDERWOOD, tellers on the part of the Senate, and FLORIAN LAMPERT and WILLIAM W. RUCKER, tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the 4th day of March, 1921:

Electoral votes of each State.	States.	For President.		For Vice President.	
		Warren G. Harding, of Ohio.	James M. Cox, of Ohio.	Calvin Coolidge, of Massachusetts.	Franklin D. Roosevelt, of New York.
12	Alabama		12		12
3	Arizona	3		3	
9	Arkansas		9		9
13	California	13		13	
6	Colorado	6		6	
7	Connecticut	7		7	
3	Delaware	3		3	
6	Florida		6		6
14	Georgia		14		14
4	Idaho	4		4	
29	Illinois	29		29	
15	Indiana	15		15	
13	Iowa	13		13	
10	Kansas	10		10	
13	Kentucky		13		13
10	Louisiana		10		10
6	Maine	6		6	
8	Maryland	8		8	
18	Massachusetts	18		18	
15	Michigan	15		15	
12	Minnesota	12		12	
10	Mississippi		10		10
18	Missouri	18		18	
4	Montana	4		4	
8	Nebraska	8		8	
3	Nevada	3		3	
4	New Hampshire	4		4	
14	New Jersey	14		14	
3	New Mexico	3		3	
45	New York	45		45	
12	North Carolina		12		12
5	North Dakota	5		5	
24	Ohio	24		24	
10	Oklahoma	10		10	
5	Oregon	5		5	
38	Pennsylvania	38		38	
5	Rhode Island	5		5	
9	South Carolina		9		9
5	South Dakota	5		5	
12	Tennessee	12		12	
20	Texas		20		20
4	Utah	4		4	
4	Vermont	4		4	
12	Virginia		12		12
7	Washington	7		7	
8	West Virginia	8		8	
13	Wisconsin	13		13	
3	Wyoming	3		3	
531		404	127	404	127

HENRY CABOT LODGE,
OSCAR W. UNDERWOOD,
Tellers on the part of the Senate.
FLORIAN LAMPERT,
WILLIAM W. RUCKER,
Tellers on the part of the House of Representatives.

The VICE PRESIDENT. Gentlemen of the convention, the report of the state of the vote as delivered to the President of the Senate is as follows:

The whole number of the electors appointed to vote for President of the United States is 531, of which a majority is 266.

Warren G. Harding, of the State of Ohio, has received for President of the United States 404 votes;

James M. Cox, of the State of Ohio, has received 127 votes.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for Vice President of the United States is 531, of which a majority is 266.

Calvin Coolidge, of the State of Massachusetts, has received for Vice President of the United States 404 votes;

Franklin D. Roosevelt, of the State of New York, has received 127 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 4th day of March,

1921, and shall be entered, together with a list of the votes, on the Journals of the Senate and House of Representatives.

Gentlemen of the convention, the purposes for which this joint convention was called having been accomplished, as presiding officer I dissolve this joint convention, and the Senate will return to its Chamber.

The Senate (at 1 o'clock and 37 minutes p. m.) retired from the Hall, and (at 1 o'clock and 40 minutes p. m.) the Speaker resumed the chair and called the House to order.

DEFICIENCY APPROPRIATIONS.

On motion of Mr. GOOD, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the first deficiency bill, H. R. 15962, with Mr. LONGWORTH in the chair.

Mr. EVANS of Montana. Mr. Chairman, I expect to occupy only a very limited time in the discussion of this bill. I think the Appropriations Committee and the subcommittee that had under consideration this bill have made a genuine, patriotic effort to cut down the expenses of the Government. I believe that is so regardless of politics of the whole House, as well as of the Appropriations Committee, but I notice from time to time an effort is made to take rather too much credit by one of the political parties for the cut that is made in these bills. A criticism is indulged in at times because it was necessary to appropriate a large amount of money for the Army in this deficiency appropriation bill. A criticism is made of the Secretary of War because he enlisted the force of the Army above 175,000 men. If criticism is just anywhere, it should fall upon the shoulders of the Congress of the United States and not on the Secretary of War. Last year we enacted an Army reorganization law which provided for an Army of 280,000 men. At the time the bill was under consideration an effort was made to limit the Army to 185,000 men. That was voted down by this House. It was, therefore, not illogical for the Secretary of War to assume that if the Congress did not want to limit the Army to 185,000 men, it wanted him to enlist the number placed in the bill, namely, 280,000 men.

I have observed at other times, not so much in the discussion of this bill as in other bills, a keen, incisive criticism because it became necessary to appropriate money for the pay of the Army in a deficiency bill. If you will go back and look at the record, you will find that practically every year for the last 20 years it has been necessary to bring in a deficiency appropriation for the pay of the Army. In the year 1900—20 years ago—when the Government was in the control of a Republican Congress and a Republican President, it was necessary to appropriate in the deficiency bill $4,000,000 for the pay of the Army. In 1901 $3,000,000 were appropriated in a deficiency bill for the pay of the Army. In 1902 it was $1,500,000, in 1904, $1,500,000, and in 1905, $1,500,000. In 1907 it was nearly two million, and so on down the line practically every year. If I have permission, I shall put the list of deficiency appropriations in the RECORD, made for the payment of the Army.

Mr. McCLINTIC. Mr. Chairman, will the gentleman yield?

Mr. EVANS of Montana. Yes.

Mr. McCLINTIC. Statistical records of that kind are not extraneous extensions of remarks, but I am not going to object to putting such things into the RECORD, as I said to the gentleman from Iowa [Mr. GOOD].

Mr. EVANS of Montana. Very well. Then, Mr. Chairman, I ask unanimous consent that I may file this brief record with my remarks.

The CHAIRMAN. The gentleman from Montana asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. EVANS of Montana. Mr. Chairman, I am not in sympathy nor in accord with the enlistment of an Army up to 280,000 men. I think 150,000 men in time of peace are sufficient, but Congress said that we should have an Army of 280,000 men, and when an effort was made to reduce that Army to 185,000 men you voted it down. Therefore, I say, the Secretary of War was justified in assuming that Congress meant what it said when it wrote 280,000 men into law and when he enlisted more than 175,000 men.

I am going to speak for a moment on one other subject which is unpopular, a subject which is an unpopular activity of the Government. I speak of the Shipping Board. I want to say in advance that I hold no brief for the Shipping Board. I hold no brief for any gentleman on the Shipping Board or anyone connected with it, but it has been made the butt of the Congress and of the people for months and months. It has been said that the Shipping Board is an extravagant concern. Perhaps it is. The Shipping Board organized under the law the greatest concern ever organized in the same length of time. They spent $3,000,000,000, and some of it I expect was wasted; that is, it was wasted to the extent that we got very little from it, but from the activities of the Shipping Board you have now the only asset that you have gotten from the war. You have 1,380 vessels built by the Shipping Board that will some day be valuable for carrying the trade of this country, provided the Congress and the people do not build around this country a tariff wall that will not let us have any trade. You have 1,380 vessels built by the people's money and that is some sort of an asset. You gentlemen who are always criticizing the Shipping Board should tell me what assets you have out of the money you spent for poisoned gas; tell me what assets you have out of the money that you spent for powder; tell me what assets you have out of the money that you spent for building artillery, or powder factories, or railroads and docks in France, or the billion dollars you spent for aeroplanes; tell me what assets you have out of the money used for building big military camps, or soldiers' uniforms, or railroad transportation. You have none at all, and I am not criticizing that fact; the money was spent as a military necessity. The money spent by the Shipping Board, like the money spent for the war generally, was a part of the war necessities and should be charged off as a war loss. It was nothing more or less than a war loss. We had to win the war, and we spent the money. We had to build these ships and we built a lot of ships, which we can not now use because conditions have changed. We have three or four hundred wooden ships that are practically of no value now; neither are our powder factories or our poison-gas factories. The Shipping Board is criticized because they built wooden ships. The enemy was sinking ships at the time they were building faster than we could build them, and in the judgment of the men in control it was necessary to build some sort of ships. Therefore they built wooden ships as well as steel ships, because they were building all of the steel ships they could.

I am quite in accord with what Gen. Dawes said the other day, that we would have paid horse prices for sheep to haul our artillery in France, if necessary, if the sheep could have hauled the guns to the front. So we spent money for wooden ships and now they are valueless, but if all of the steel ships had been sunk the wooden ones would have been called into commission, and they would have been of value in winning the war. We spent the money as a war necessity; let us charge it off as a war loss and turn our faces to the future.

As I stated, I hold no brief for the Shipping Board, and while I voted to bring this bill in without an appropriation for the Shipping Board, I am not willing that the people who entered into contracts with this Government to build a lot of ships shall go without their money. It was agreed in the committee that in all probability the necessary money to pay these people could be gotten from the War Department. The War Department has a lot of money appropriated by Congress. It is money that the Shipping Board claims is due it. If it is due, the Army should pay it over, and it does not make any difference whether there is an audit of the accounts or not. It is transferring the money from one Government pocket to another. The Shipping Board or some representative of the Government should have the necessary money with which to pay the men who are building these ships. The contracts for them were made in good faith with the Government. Believing that the Shipping Board or some functionary of the Government could get the money necessary to pay contractors who are building these ships from the War Department, I have for my part agreed that this bill might be brought out without an appropriation for the Shipping Board. I dare say if the Army does not provide sufficient funds with which to pay these contractors that a deficiency will be brought in and passed during this Congress to provide money to pay the contractors who are building these ships. Under these conditions I voted to bring in the bill and I support the bill. I believe the bill is as meritorious as any bill reasonably could be brought from the Committee on Appropriations, and I hope it will receive the support of gentlemen upon both sides of the aisle.

List of deficiency appropriations made for pay of the Army beginning with the fiscal year 1900.

Feb. 9, 1900, deficiency, pay of the Army	$14,988,832.61
Mar. 3, 1901, deficiency, pay of the Army	3,000,000.00
July 1, 1902, deficiency, pay of the Army	1,500,000.00
Apr. 27, 1904, deficiency, pay of the Army	1,500,000.00
Mar. 3, 1905, deficiency, pay of the Army	1,400,000.00
Mar. 2, 1907, deficiency, pay of the Army	3,000.00
Mar. 4, 1907, deficiency, pay of the Army	574,951.14
May 30, 1908, deficiency, pay of the Army	240,000.00
May 30, 1908, deficiency, pay of the Army	560,000.00
May 30, 1908, deficiency, pay of the Army	1,250,000.00
Mar. 4, 1909, deficiency, pay of the Army	4,000,316.66
Mar. 4, 1911, deficiency, pay of the Army	453.33
Mar. 4, 1911, deficiency, pay of the Army	250,000.00

Mar. 4, 1913, deficiency, pay of the Army	$7,368.00
Mar. 4, 1911, deficiency, pay of the Army	1,200.00
Aug. 26, 1912, deficiency, pay of the Army	1,800,000.00
Mar. 4, 1913, deficiency, pay of the Army	22,320.80
Mar. 4, 1913, deficiency, pay of the Army	2,897,121.20
May 25, 1914, deficiency, pay of the Army	1,828,663.33
Feb. 28, 1916, deficiency, pay of the Army	1,199,772.62
Mar. 31, 1916, deficiency, pay of the Army	1,577,017.42
Sept. 8, 1916, deficiency, pay of the Army	950,000.00
July 1, 1916, deficiency, pay of the Army	1,648,000.00
Apr. 17, 1917, deficiency, pay of the Army	647,833.33

Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. Mr. Chairman, I did not intend to occupy any time in this debate, but some remarks were made by the chairman of the committee which I think furnish an occasion for saying something. I believe all of you who have taken any interest in the enforcement of prohibition are aware that there has been a persistent effort to misrepresent and discredit in every possible fashion the national prohibition act and the enforcement of prohibition. I had hoped that, so far as this committee was concerned and the House generally was concerned, that they would in a sympathetic fashion try to support and enforce the law, but I am sorry to say that I have some reason to suspect that at least some of the Members are not very enthusiastic. We succeeded a few days ago in getting in this House the approval of a majority, almost a majority of 2 to 1, to an increase by $600,000 the appropriation for next year. I find on this deficiency bill a cut of $600,000. Rather suspicious that the amount of this cut is just the same sum that we added to the next year's budget. I find the chairman now bitter against the prohibition force because of the methods he claims they are using in enforcing the law, and what is his criticism? One or two men down near his home town have been found to be located not at the place where they operate. Well, how long I do not know. Did they stay there a week or a month? He does not claim to know. There is no information on that subject. I went and got the hearings and read them over very carefully, and there is nothing in the hearings to justify the claim; nothing there to show that that is the policy. On the contrary, the commissioner in charge of this matter, when examined by the chairman, said and said emphatically that it was against the policy of the department, and that they had a system of checks to prevent that very thing. I went to Prohibition Commissioner Kramer to satisfy myself whether that sort of a policy was in force. Mr. Kramer told me it is not and that it is against the rules; that they have men whose business it is to keep check on that very thing to see it is not practiced. That apparently is the only thing that is charged against the prohibition force. Now, I do not claim that the prohibition force has been perfect. It could not be. It was built up in a hurry; it had to be; and with the small salaries that are paid it may be possible—yes, probable—that you have some people who are not strictly honest. That is true in every service. The idea of trying to break down prohibition by refusing to appropriate the necessary funds for its enforcement will not deceive anyone, and can not be justified by calling attention to an isolated violation on the part of some officer in the service. The pretense that this refusal to furnish sufficient money can be based on such an excuse is ridiculous.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. I ask for two minutes more.

Mr. EVANS of Montana. I have not got it.

Mr. VOLSTEAD. I ask unanimous consent to extend my remarks in the RECORD. It seems to me on a subject of this kind I ought to have some time to be heard.

The CHAIRMAN. Is there objection?

Mr. McCLINTIC. Mr. Chairman, I object.

Mr. EVANS of Montana. I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, I yield six minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, I think the country will be greatly pleased to read the statement of the chairman of the Committee on Appropriations this forenoon to the effect that there may not be the necessity of some new form of taxation. I have been giving the question of the cost of living, and quite naturally, therefore, the cost of government, considerable study. I have been going into all the channels of information available, because it appeared to me that our biggest problem in readjustment is the tremendous cost of government that has been entailed on us by the war. I do not mention it as a subject of criticism; I mention it as the unavoidable result of war conditions. The question was, how are we going to get to a lower level of the cost of living, which, of course, is another expression for the cost of government? This much is absolutely certain: There is no hope to reduce taxes until we reduce the cost of government. That is axiomatic, and I am of the opinion that there is little hope to reduce the cost of living until we have a basis by which we can reduce the burden of taxes. The question now is whether we can reduce the cost of government to the extent that we need not increase our taxation burden, and whether we would have the freedom to reduce our present taxation system and get away from the war system of taxation. It has been hoped by the country at large that that can be done. Our taxing system, which is justifiable in time of war, is not justifiable in time of peace.

Mr. DUNBAR. Will the gentleman yield?

Mr. FESS. I will yield.

Mr. DUNBAR. Is it not a fact that our taxes now are only two-thirds of what they were during the time of war?

Mr. FESS. Well, taxation is the same, but the amount of taxes will be greatly reduced because of the reduction of business in the country, but the rate of taxation that was adopted in war time is still in vogue.

Mr. DUNBAR. Is not the rate of taxation less than it was during the time of war?

Mr. FESS. We have made no changes in the surtax, we have made no changes in the excess-profits tax except what was written in the law itself.

Mr. DUNBAR. Has not there been a change in the normal tax?

Mr. FESS. Not to my knowledge.

Mr. DUNBAR. Did not we have a budget that required the raising of $6,000,000,000?

Mr. FESS. But that is a reduction of the cost of government; it is not a reduction in rate. There has been no change in taxation, and that is what I am talking about. The people would be willing to bear the burdens of war tax in time of war, but they are fretful in bearing war-time burdens in time of peace. We have the same system of taxation now in 1920 that we had in 1918 when the war was at its height.

Mr. CONNALLY. Will the gentleman yield right there? I do not think he wants to be inaccurate.

Mr. FESS. No; I do not want to be.

Mr. CONNALLY. Is not the gentleman in error? Is it not a fact that in what is the revenue act of 1918, which did not become effective until 1919—we call it 1918, because it passed the House in the fall of 1918, but did not become effective until after the war—the rates of taxation were materially reduced over the previous revenue act, and that that was reflected in the payment of all our income taxes? We paid much less for that year.

Mr. FESS. Nevertheless we still have the excess-profits tax, and we still have the very high range of surtax.

Mr. CONNALLY. I will say to the gentleman, I hope this coming Congress will materially reduce the coming taxes, but I thought he wanted to be correct in his statement that there has been no change since the war, because there has been.

Mr. FESS. I wanted to say to my friend from Indiana [Mr. DUNBAR], that the thing I am calling attention to is as to whether we can revise our present system of taxation, which I know my friend will admit is quite unscientific and ought to be revised without having to supersede it by some other form of taxation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. FESS. The suggestion made by the chairman of the Appropriations Committee was the most surprising in one way and will be the most satisfying in another of any statement that could be made by a responsible chairman of a committee, namely, that we have the trust of reducing the cost of Government to the extent that we may be able to revise our unscientific method of taxation and yet not be called upon to supersede it by some new form of taxation. If that can be done, it is the most encouraging statement that I have heard expressed from the floor of the House on taxation since the close of the war.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. FESS. I yield.

Mr. McKENZIE. I fully agree with what the gentleman is saying about taxation. I want to ask him as one of our leaders in this Congress, if he does not feel that this Congress and the succeeding Congress should studiously avoid creating any new activities by legislation that would incur additional burdens to those we now have to bear?

Mr. FESS. I certainly agree with my friend from Illinois on that.

The Secretary of the Treasury rather startled the country when he first made his statement that it will take some time, indefinite yet, before we can reduce the cost of government below $4,000,000,000. That was a statement that startled

the country, for that is four times the cost of government in 1916, and it is fully six times the cost of government in 1912. The estimates came in for $4,700,000,000 in this Congress, and the chairman has demonstrated satisfactorily, to my mind, that we are able to cut that pretty nearly one and one-half billions and get through without in any way interfering with or injuring the necessary work of the Government. Now, if we can join our efforts and cut the cost of government all along like that, I do see the way by which we will not need to supersede our present form with any other form of taxation other than probably the revision of the tariff, which all will concede ought to increase the impost duties somewhat. But at the same time we will be able to reduce the present system to the extent that we can get rid of the present unscientific method.

I want to compliment the spirit of the committee in their effort to strike at the root of the thing. We talk about the cost of living as one objection and the high burdens of taxation as another objection.

There is positively no way that I see in which we can relieve it except in the cost of government, and that is the business of Congress now at hand.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. FESS. I will.

Mr. STRONG of Kansas. If we are to reduce the cost of government, should we not quit granting aid to the States to assist them in engaging in educational and benevolent work that brings duplication of bureaus here in Washington and which encourages them to look to the United States Treasury for assistance along those lines which are matters that are really State functions?

Mr. FESS. I will say to my friend that one way to reduce the cost of government is to quit making appropriations at all for anything that is new. That would be one way.

Mr. STRONG of Kansas. Does not the gentleman think the States ought to take care of those things that are really State functions?

Mr. FESS. Provided the function is so vast that the State can not do it and the Government must aid it, I would question the wisdom of discontinuance. I know what my friend is driving at, but he can not point to any Member of Congress that is standing with the committee more four-square to prevent introducing new things than the man he is striking at now. [Applause.]

Mr. STRONG of Kansas. Thank you. I am not striking at my friend from Ohio, but I am striking against the growing habit of granting State aid on every benevolent proposition which can better be handled by the States with a great saving to the taxpayers.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to revise my remarks by putting in the RECORD some statements in regard to appropriations and deficiencies.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to revise his remarks by printing certain figures. Is there objection?

Mr. McCLINTIC. They are tables in reference to this bill?

Mr. GOOD. They have reference to things about which I was talking——

Mr. McCLINTIC. In connection with the bill?

Mr. GOOD. Oh, yes.

Mr. McCLINTIC. I have no objection.

Mr. EVANS of Montana. Mr. Chairman, I yield 12 minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the committee, during the history of this body many able men have presided over the Committee on Appropriations, and yet the service of the gentleman from Iowa [Mr. GOOD], the chairman of the committee during the past two years, justifies me in stating that that committee has never had a chairman who was more faithful to the public welfare and never has had one who more intelligently discharged his duties. [Applause.] And yet the Committee on Appropriations can not govern the total amount of appropriations.

The gentleman who has just preceded me, Mr. FESS, referred to the total amount of appropriations, and it caused me to think that if his committee and the other committees of this House will refrain from bringing in legislation authorizing greater expenditures on the part of the Government, we would have more hope of holding down the total appropriations to such an extent as to permit a reduction of taxes. The fact is that with this bill carrying $203,000,000 the appropriations for the current year pass the $5,000,000,000 mark. Direct appropriations carried in the regular supply bills amounted to $4,859,890,327.30. This bill, recommending $203,293,476.72, makes a total of direct appropriations of $5,063,183,804.02.

And yet that does not tell the whole story. I have to specify and say "direct appropriations" in order to make a distinction, for during this Congress we have departed from the custom heretofore prevailing and have resorted to indirect appropriations, appropriating by authorizing the expenditure of unexpended balances, by the sale of assets, and in other methods. I have figured the amount of money that has been made available for expenditure by the departments in these indirect methods and it totals $543,500,000 over and above the direct appropriations, so that the total amount made available to date by this Congress for governmental purposes reaches the figure of $5,606,683,804.02, or more than five times as much as ever was appropriated by any Congress in time of peace in the history of this country.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. I can not just now.

These figures are so stupendous that we can not realize their true meaning. They mean, however, that to meet the expenditures authorized by this Congress for this current year we must levy an average tax of $50 upon every man, woman, and child in America.

My good friend from Ohio [Mr. FESS] was quoted the other day as stating that this Congress would save $1,000,000,000 by reducing estimates, and my good friend from Wyoming [Mr. MONDELL] has frequently stated the case in that way. But reducing the estimates does not reduce the taxes. I want the Congress to stop bothering about reducing the estimates and commence to reduce appropriations and thereby reduce taxes. [Applause on the Democratic side.] The gentleman from Iowa [Mr. GOOD], the chairman of the committee, said we have reduced the estimates here about $270,000,000.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN (Mr. HICKS). The gentleman will state it.

Mr. BLANTON. I make the point of order, Mr. Chairman, that in the discussion of a deficiency bill covering the expenditure of $203,000,000 we ought to have more than 33 Congressmen on the floor.

The CHAIRMAN. Does the gentleman make a point of order that there is no quorum present?

Mr. BLANTON. No; I think I will withdraw it, since I have called attention to it. [Laughter.]

Mr. BYRNES of South Carolina. Mr. Chairman, the chairman of the committee has referred to the Naval Committee reporting legislation to take care of the estimates for the Navy Department. He has induced the Naval Committee to report a bill making funds available for expenditure and thereby avoiding an appropriation. I must say that I know of no man in the House who has the shrewdness of the chairman of the committee in that regard. He has not only rendered great service to the country, but he has rendered greater service to the Republican Party than any other man that I know in this House, because he has, by resorting to this indirect method, enabled my good friend from Ohio [Mr. FESS] and the gentleman from Wyoming [Mr. MONDELL] to go before the country and boast of these reductions of estimates.

The difficulty is that it takes a long time to explain the many methods by which they have camouflaged appropriations, and that is how he is able to get away with it. When he found it was necessary to take care of the deficiencies of the Navy Department, instead of appropriating the money he simply has the Committee on Naval Affairs report out this legislation. You take those paragraphs, and you find that in the first one he says:

> That the unexpended balances of annual appropriations for the fiscal years 1919 and 1920 shall be transferred, after two years from the expiration of the fiscal year for which made, to a fund to be established on the books of the Treasury Department, to which shall be charged expenditures for the fiscal year 1920 and prior years, under appropriations the balances of which have been exhausted.

This simply means that out of funds which were appropriated during the war and which were unexpended and which ordinarily would go into the Treasury June 30 they will now pay this $114,000,000 asked for by the Navy Department. The Navy Department asked for a deficiency of $14,000,000. The gentleman from Iowa saw a way to avoid making that appropriation and yet make the money available, and therefore he had the Committee on Naval Affairs report this legislation, which takes care of $114,000,000. The second paragraph takes care of $300,000,000, and in the third paragraph we take care of $40,000,000, making a total of $454,000,000 taken care of by this legislative device. The amount will not appear in the appropriations, but the money will be made available and will be spent, and the taxpayers, who pay the bill, will never know what the Government is costing them.

The gentleman from Iowa said he was taking care of the Shipping Board. The Shipping Board wanted $90,000,000. He says the War Department owes them $150,000,000. He says that inasmuch as the Shipping Board really needs only $90,000,000 to July 1 we should have appropriated the $90,000,000 and

provided that they shall turn into the Treasury the $150,000,000 due from the War Department. But that would make the total of appropriations larger, so the chairman of the committee simply refrains from making that appropriation, and lets them use the whole $150,000,000, if they can get it, from the War Department. So that if they collect the $150,000,000 they will spend it, instead of $90,000,000, and the country will be out just $60,000,000 on the deal. But it looks like "economy."

Now, let me call your attention to the statement of the gentleman from Ohio [Mr. FESS] as to saving a billion dollars. If you will save a billion dollars, why do you not reduce the taxes a billion dollars? If you are going to save it, why not let the people know it, by reducing the amount of money they are going to pay into the Treasury? You and I know, gentlemen, that this reduction of estimates has been going on for 20 years. There have been only two years in the last 20 years when the estimates did not exceed the appropriations. It will always be so until we shall establish an efficient budget system, because here in this Congress is the only place where an attempt is made to determine the relative importance of the demands of the different departments. We determine not only whether they are meritorious, but also whether they are urgent.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. FESS. What I am concerned about is this: Is there, in the judgment of the gentleman, any chance for us to reduce the cost of Government to the extent that we shall not need to proceed outside of the present system of taxation?

Mr. BYRNES of South Carolina. The gentleman can be just as certain as that he is standing there that it can not be done. You can not reduce taxes when you only reduce estimates; and my purpose in speaking here now is to call the attention of the House to the fact that it is necessary to concentrate your attention upon reducing the appropriations for the next fiscal year below those of the current year, instead of being satisfied with merely reducing estimates. [Applause.] If we do not reduce the appropriations to a most substantial extent below appropriations for the current year, when I tell you that you have made available for expenditure this year more than five and a half billion dollars, how can you reduce taxes? It can not be done.

Mr. FESS. Does the gentleman say that that amount will be required in another year?

Mr. BYRNES of South Carolina. It will not be required if you reduce the appropriations for the next year below those of the current year; but if you satisfy yourselves merely by reducing the sum total of the extravagant estimates, it can not be done; and unless there is some reduction hereafter, far exceeding what has been done to date, there will be no reduction of taxes. And, moreover, bills are being reported from legislative committees requiring the expenditure of large amounts. The Committee on Appropriations has no discretion in the matter. When these expenditures are authorized we will have to appropriate; and unless there is a change between this and March 4 there will be very little reduction, if any, in the total amount of money made available for expenditures during the next fiscal year.

Mr. FESS. Will the gentleman yield for a question?

Mr. BYRNES of South Carolina. Yes.

Mr. FESS. The Ways and Means Committee in having their hearings to get the facts upon which to make a basis of taxation, so that they may revise the system, have a right, have they not, to take the judgment of the Secretary of the Treasury as to the amount of money we must raise?

Mr. BYRNES of South Carolina. The gentleman from Ohio knows that any judgment of the Secretary of the Treasury must be based upon his estimate of what the Congress is going to do; and unless he has some inside information that is not available to us, he is in a hopeless fix when he tries to estimate what this Congress is going to do about appropriating money. There is no way in which he can ascertain it. If your committee reports a bill authorizing the appropriation of $200,000,000, it will have to be met by a bill reported from the Appropriations Committee, and, manifestly, if the Secretary of the Treasury has not taken that $200,000,000 into consideration in any estimate that he has made, he is $200,000,000 short in his estimate, and the Ways and Means Committee will have to find the money.

Mr. MANN of Illinois. This is Wednesday, and this House has already passed this week items of legislation providing for about $450,000,000 of new appropriations that have not yet been made. Does the gentleman think that with that course followed we are likely to reduce appropriations or reduce taxes very much?

Mr. BYRNES of South Carolina. Of course, the gentleman's question answers itself, and it is as clear as anything on earth can be that unless the brake is put on immediately the expenditures during the next fiscal year will be little, if any, below the expenditures for the current year. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Montana [Mr. EVANS] has 21 minutes remaining and the gentleman from Iowa [Mr. GOOD] has one minute remaining.

Mr. EVANS of Montana. I yield five minutes to the gentleman from Texas [Mr. YOUNG].

The CHAIRMAN (Mr. LONGWORTH). The gentleman from Texas is recognized for five minutes.

Mr. YOUNG of Texas. Mr. Chairman, it is not my purpose to discuss the pending bill, but it is my purpose to call the attention of the Congress and the country to the condition of an important piece of legislation that has had the consideration of the country for many, many years. It is what is familiarly known as the packers' legislation. The packers' bill has been passed by the Senate. That bill was reported to the Committee on Agriculture of the House. That committee of the House has reported back a packers' bill, and that bill is now on the calendar for consideration. We have been debating spending the people's money, and I state that now we have an opportunity for this Congress to debate a fundamental proposition that will help the producers of this Nation, upon whom the Nation must depend for the money that we spend. Are you going to have that legislation? You can have it this week if those responsible for power here now will exercise that power. I want the country to know that that exercise of power will determine whether or not the country is to have the relief that has been demanded in the enactment of the packers' law. There are two sources of power now in this House. One is what is known as the steering committee, a concern that has no legal status. Nobody knows where it sits or what its members say. It is concealed from the public. But if reports be true, that steering committee is the supreme power in this House, and the gentleman from Illinois [Mr. MADDEN], the head of that committee, who comes from the city of Chicago, the home of the packers, is exercising a dominant power on that committee, and if it is left to him the country has no hope of getting this relief.

Then the leader of the House, the gentleman from Wyoming [Mr. MONDELL]—it is up to him to act. The country is demanding of him that he act. Committees of Congress have duly considered this bill for months and months. Reports have been made, and the bill has passed the other body. It is here on this floor. It is the duty of the leader of the responsible majority, which must act if we are to have this legislation in the interest of the producers and consumers of this Nation. It is his duty so to handle the parliamentary situation that this bill can be brought to a vote. The country is going to hold him responsible for the power that he now has. Committees of agriculturists, of stockmen, of consumers, have waited on the gentleman from Wyoming, leader of the majority, and they have written to him an open letter, which refers to a conference that representatives of organizations signing the letter had with the gentleman from Wyoming, in which he stated in substance that he is opposed to the packer control legislation, but he believes that if the Gronna bill as it passed the Senate came to a vote in the House it would be passed and go to the President, and also that as a Republican he is anxious to have a Republican President sign the packer control bill when passed by Congress. If he believes that there is a great majority in this House that is ready to pass the Gronna bill, this House is the representative body which is supposed to reflect the sentiment of the people of this Nation. If the leader of the Republican majority thinks that, then it is his duty to report this bill and have it brought up for consideration.

There is one other source of power, and that is the Committee on Rules, of which the gentleman from Kansas [Mr. CAMPBELL] is chairman. If he and his colleagues on that committee stand foursquare for the protection of the stockmen of this country as well as of the consumers, why not grant us a rule making this bill in order? I pledge you that if you grant that rule we will have legislation within 24 hours. How are you going to exercise that power? Answer to the country! [Applause.]

Mr. EVANS of Montana. I yield five minutes to the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Chairman and gentlemen of the House, I want to discuss for just a few minutes the same question that has been discussed by my friend from Texas [Mr. YOUNG], and that is packer legislation. I agree with the gentleman from Texas in all that he has said, but I want to approach the subject from a little different viewpoint. This is an important piece of legislation. It has been before the Congress in one form or another for a number of years. At the beginning of this session many bills were introduced both in the House and in

the Senate dealing with this subject. Extensive hearings have been held before committees of both the Senate and the House. Just a short time ago the Senate passed the Gronna bill. It came over here to the House and was referred to the Committee on Agriculture. That committee took up the bill and considered it carefully for something like a week or 10 days and reported it back to the House with an amendment in the form of a substitute. I remember well the long days of hearings we had in the Agricultural Committee last winter, and I know that there are on the Committee on Agriculture both Republicans and Democrats who are anxious to see this legislation enacted. I know that there are Republicans and Democrats in this House who want it. To-day I want to urge upon all who want this kind of legislation to unite their efforts and let us get the Rules Committee to bring in a rule. This bill is here. It has passed the Senate and all we have to do is to take it up in the House, consider it, and pass it. There is only one way to secure this legislation, and that is to take up the Senate bill reported by the Committee on Agriculture, vote down the substitute, pass the Senate bill just as it passed the Senate, and send it to the President of the United States for his signature. Then you will get the legislation that the people of the country want. If you do not do that, if you pursue any other policy, you will not get any legislation. If you adopt the substitute, you simply send the bill to conference and in the 20 days remaining the bill will die. When the new Congress convenes after the 4th day of March you must begin anew in both bodies, introduce other bills, hold additional hearings, and all of the long, laborious work done by the committees of both House and Senate will be thrown away. My purpose this afternoon is to urge that all Members of this House on both sides who are anxious and desirous of securing this legislation get together and bring force to bear on the Rules Committee that they may bring in a rule. What happened on yesterday? We had a rule reported to bring in a bill which was defeated by only one vote under suspension of the rules the day before. One gentleman, a member of the Rules Committee, stated that the vote the day before when the House voted almost two-thirds for the bill was a sufficient reason for the Rules Committee bringing in the rule. I believe a large majority of the House wants this legislation. Impress this fact upon the Rules Committee, and a rule will be forthcoming.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. GOOD. Mr. Chairman, I yield my remaining time, one minute, to the gentleman from Montana [Mr. EVANS].

Mr. EVANS of Montana. And, Mr. Chairman, I yield the balance of my time to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Chairman, I was very much interested in the financial statement which the gentleman from Iowa made to the House at the beginning of to-day's session, and particularly his statement that unless appropriations and expenditures of the Government were reduced to less than $4,000,000,000 that there would be no possibility of reducing taxes which are now upon the statute books from which the people are demanding relief, and that the party responsible for making the appropriations would be held responsible by the people of the country.

There is no reason, in my judgment, why, with the proper exercise of economy and the determination on the part of the Members of Congress, that they will for the time being abandon certain pet projects which are not absolutely necessary to be carried on at this time—I say there is no reason, in my judgment, why the appropriations can not be reduced to a point much less than $4,000,000,000. It has been more than two years since the signing of the armistice. People are not only expecting but are demanding that the appropriations be reduced and that they be relieved of some of the excessive taxes imposed on them during the war. I think I can promise the Republican majority, who are responsible for the legislation and for the appropriations that are made in this Congress, and also in the next Congress, that in every effort they make toward economy and toward the reduction of expenses they will have the cooperation of the Democratic minority.

I want to say this to the Members upon the Republican side of the Chamber, that if they will follow the advice and leadership of their present able chairman of the Committee on Appropriations, the gentleman from Iowa [Mr. GOOD], there is no question but what these appropriations will be held down to a point that the people may reasonably expect, because I have been a member of the Committee on Appropriations with the gentleman from Iowa for the past 10 years, and I say to you that there is no Member of this House who, in my judgment, has shown a greater desire to practice economy, who has shown more courage, more ability, in committee and on the floor of the House, in his efforts to bring about economy on the part of Congress than has the gentleman from Iowa [Mr. GOOD]. [Applause.]

As was stated a while ago, it is not only a question of reducing appropriations, but Congress must make up its mind to cease creating new activities which call for new appropriations.

I was very much gratified a while ago when in response to a question by the gentleman from Illinois [Mr. MCKENZIE], the distinguished gentleman from Ohio, Dr. FESS, a leader of his party on this floor and in the country, made the statement that, so far as he was concerned, he was opposed to the creation of new activities unless they were absolutely necessary. I recall—and I say this with all due respect to the gentleman from Ohio, because I have a warm personal regard for him—that the gentleman has been one of those Members in this House who in times past has been very persistent in his efforts to pass certain legislation, important, useful, and valuable, but possibly not absolutely necessary at the time, which would impose on Congress the necessity of making large appropriations. There are now bills on the calendar from the gentleman's committee which, if passed, will further greatly increase the expenditures of the Government in the sum of hundreds of millions of dollars each year.

About a year ago Congress made appropriations for this fiscal year. The election was approaching and there were very strenuous efforts made by the majority side, particularly by the majority leader, to show that the administration was unduly extravagant and that the Republican majority in Congress was exceptionally economical, and to prove that statement he and others referred to the estimates submitted by the executive departments, denouncing them as extravagant, and compared them with the actual appropriations made.

I charged then that some of the appropriations were being reduced with the knowledge that it would be necessary after the election and at this short session of Congress to come back and get sufficient money with which to carry on the necessary activities of the Government. I charged then that we would find ourselves in the position at this short session of having brought before us a larger deficiency bill than was ever proposed before in Congress in peace times. We are confronted to-day with the first deficiency bill for this session, carrying more than $200,000,000, a greater amount than has ever been carried in any deficiency bill ever proposed in peace times.

The gentleman from Iowa [Mr. GOOD] vouchsafed in his remarks this morning that there were pending before the committee other large estimates for deficiencies, and he intimated that later on during this session, before we adjourn three weeks hence, he would be under the necessity of proposing another large deficiency appropriation bill. This bill carries, as I said, $203,000,000. Excluding the appropriations for the Army and the Navy, it carries something like $94,000,000 of deficiencies. It may be true, as the gentleman from Iowa says, that these deficiencies do not occur by reason of reductions made in estimates by Congress at the last session. If that be true, then it is a complete answer to the charge made by the gentleman from Wyoming [Mr. MONDELL] and also by the gentleman from Iowa that the executive departments were unduly extravagant in submitting their estimates. It would show that the administration, in its desire to hold down expenses, submitted estimates which were really not sufficient in amount for the ensuing fiscal year.

Mr. MCKENZIE. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. MCKENZIE. Is it not a fact that if the Secretary of War had refused to increase the Army and held it down to the amount appropriated for at the last session of Congress there would not have been a deficiency, so far as the Military Establishment is concerned?

Mr. BYRNS of Tennessee. That is probably true. I was speaking particularly of the estimates outside of those submitted for the Army. I agree with the gentleman. I am opposed to an Army exceeding 150,000 men, and if I had had my way the Secretary of War would not have enlisted above 150,000 men; but I call the attention of the gentleman to the fact—and the gentleman is a member of the Committee on Military Affairs—that his own committee reported to this House and Congress passed a bill authorizing an Army of 280,000 men, in round numbers. The Secretary of War was authorized to enlist that size of Army by express authorization of this House. It is true that later on in the same session and within a few weeks Congress undertook to limit it by making an appropriation——

Mr. MCKENZIE. But is it not true that that authorization in the reorganization bill said that in peace times the enlisted force of the Army should not exceed 280,000 men? It does not say that it shall be 280,000 men.

Mr. BYRNS of Tennessee. I understand; but it made the authorization.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BLANTON. The gentleman from Illinois can not complain, because he and every member of his party yesterday twice voted not to reduce either the Army or the number of officers in the personnel. They had a chance to do it yesterday, and they voted to keep it up as high as possible in both votes.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. HARDY of Texas. On that same question that same bill directed the different branches and departments of the Army to be composed of so and so and directed that they should be so enlisted, making up a total of 280,000.

Mr. BYRNS of Tennessee. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. I regret that I have not the opportunity to discuss some features of the bill which I intended to discuss, but have not been able to do so in the time allotted me.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. All time has expired, and the Clerk will read.

The Clerk read as follows:

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, $1,000,000.

Mr. SNELL. Mr. Chairman, I move to strike out the last word in order to ask the gentleman from Iowa how much money has already been appropriated for the valuation of these railroads and how much longer this appropriation will be carried and what the real benefit to be obtained from the same is?

Mr. GOOD. Mr. Chairman, the amount already appropriated, not including the amount carried in the bill, is $21,050,462. It is supposed that the field work will have been completed with the end of this fiscal year, and that the work of assembling the field notes and completing the valuation will have been completed by the end of this calendar year. Just when the work will be finally completed will depend on what Congress does. The work must continue under the law. Here is what Judge Prouty says with regard to the completion of the work:

The transportation act, as I apply it in my own mind, will require the commission to determine, probably as of December 31, 1921, the value of each individual interstate railroad in this country; and this same transportation act requires the commission to use in the making of that valuation the information collected under the valuation act. It was clearly in the mind of Congress that the figures of the Bureau of Valuation would be available to the commission for the most part by the time it became necessary to use them.

Mr. SNELL. Is it a fact that this valuation changes faster than the people are able to make the valuation under the present system?

Mr. GOOD. No; I think not. Of course, the valuation has changed more rapidly than they could proceed during the war.

Mr. SNELL. I mean as a general proposition, leaving out the war entirely.

Mr. GOOD. That has upset their work to a very large extent, of course. If the valuation of the roads is based only on the cost, you would have one figure, and if it was based on the replacement cost you would have at this time an altogether much larger figure.

Mr. SNELL. And they are doing both.

Mr. GOOD. They are making a valuation, so that both the cost to the railroad companies and the reproduction costs will be known.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. ESCH. Under the valuation act of 1913 the valuation board of the Interstate Commerce Commission must make a valuation, first, of the original cost; second, of the cost of reproduction; and third, of the cost of reproduction, new, less depreciation, but in view of the decision of the Supreme Court handed down last summer in the Kansas City Southern case, the commission under mandamus proceedings must now make a valuation of the acquisition of lands in addition to the present value, and that decision of the Supreme Court will entail additional expenditure of $300,000, which could not have been anticipated by Judge Prouty or by Chairman Clark when they appeared before the Committee on Appropriations a year ago in making the estimates.

Mr. GOOD. Answering the gentleman's question a little further, Judge Prouty says:

Now, if I am permitted to proceed as we are now going, I expect to be able to furnish the commission by the end of the present calendar year with these figures as to every railroad, with possibly a few exceptions, of 500 miles or more in extent; but if this deficiency appropriation and our annual appropriation is materially reduced the accomplishment will be nothing as good as that.

Mr. SNELL. Is it expected that these appropriations will have to be continued indefinitely, if you are going to keep up this work, to make them of value?

Mr. GOOD. I should not think it would require anything like the appropriations required before, because a survey has been made, but some appropriation will have to be made if the work is to be kept current.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. ESCH. In the physical valuation act the commission in doing this valuation work will have to keep current the cost of all additions and betterments and extensions since July 1, 1914, which is the date of the valuation, so that it will not be a very large force to keep current the items of cost.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNELL. Does the gentleman think it is absolutely necessary to continue these appropriations for the good of the commission, of the people, and of the railroads?

Mr. ESCH. There never was a time when this valuation was more necessary in view of the facts contained in the transportation act, namely, that after two years, which will be the 1st of March, 1922, the valuation upon which the Interstate Commerce Commission is to fix rates which will produce the 6 per cent becomes effective, so, according to Judge Prouty's statement, he hopes to make the valuation during the current calendar year.

Mr. SNELL. What have they been doing toward fixing the rate up to the present time?

Mr. ESCH. They made the valuation last March, or rather in April, I think it was, of $18,900,000,000, based largely upon estimates—tentative valuations which have been filed with them by the valuation board. They also took into consideration the other elements of value referred to in the decision of the Supreme Court.

Mr. SNELL. Are those more accurate than the ones they obtained from the railroads themselves?

Mr. ESCH. Yes; those were checked up.

Mr. SNELL. Then the gentleman considers it is absolutely necessary to continue this appropriation?

Mr. ESCH. I do. Unless this valuation is made it will be difficult for the Interstate Commerce Commission to fix the basis for rates.

Mr. CARTER. Mr. Chairman, I move to strike out the last word. I want to get some information about this of the gentleman from Iowa. How long has this physical valuation been going on?

Mr. GOOD. The first appropriation was $100,000 in the fiscal year ending June 30, 1913.

Mr. CARTER. How many men are employed in the physical valuation of the railroads at this time?

Mr. GOOD. I can not state that exactly. We had a complete table in the sundry civil bill hearings—I do not have it before me—giving the entire personnel of the field force and the office force.

Mr. MANN of Illinois. The complete list of names and the salaries will appear in the report of the Interstate Commerce Commission.

Mr. GOOD. The same thing was given in the sundry civil hearings.

Mr. CARTER. It may have been stated over there, but the gentleman stated it so low that we could not hear it over here. What time does the gentleman estimate it will take to finish this work now?

Mr. GOOD. Judge Prouty says it will be completed by the end of this calendar year.

Mr. McCLINTIC. Mr. Chairman, I move to strike out the last two words. Mr. Chairman and gentlemen of the committee, during the discussion of this bill the gentleman from Minnesota [Mr. STEENERSON] gave some very interesting information relative to the air mail service. In my opinion, if the mail service conducted by air service of the Post Office Department is successful, it will only be a question of time——

Mr. MANN of Illinois. Mr. Chairman, I do not make the point of order against the gentleman, although the gentleman is discussing a matter out of order.

Mr. McCLINTIC. Does the gentleman make the point?

Mr. MANN of Illinois. No; I am more courteous than the gentleman.

Mr. McCLINTIC. If the gentleman will permit, a post-office item is contained in this bill, and I hope he will not make the point of order.

Mr. MANN of Illinois. I am not making the point of order.

Mr. McCLINTIC. I thank the gentleman. As I started to say, in my opinion, if the air mail service is successful, it will only be a question of time until it is enlarged similar to the way the Parcel Post System was enlarged, and will ultimately result in a passenger-carrying mail service. A few days ago there was discussed on this floor a very interesting subject, which dealt with a gas which when fully developed will be used, in my opinion, in the passenger carrying service. The gentlemen from Texas [Mr. LANHAM and Mr. PARRISH] gave some very interesting information relative to the utilization of a by-product of natural gas called helium. All of us know that the natural elements above are such that a person operating an airplane is liable to be suddenly confronted with air pockets, wind currents, and changes of temperature. In my opinion, we will never be able successfully to combat the air and its changes until we have developed a machine with a sufficient amount of natural buoyancy which will meet these sudden conditions when necessary. Mr. Chairman, in the question propounded by the gentleman from Oklahoma [Mr. McKEOWN] to the gentleman from Texas [Mr. LANHAM] in regard to helium gas he answered, if my memory is correct, that he was not in favor of allowing private industries to develop this gas, and I want to say to you and to the committee that unless private industries are allowed to develop this natural gas the whole country is liable to suffer. In other words, nothing should be done to retard or hinder those who wish to develop air passenger service.

I am thoroughly of the opinion that if Germany during the recent war had been able to find some gas that was noninflammable and noncombustible that their Zeppelins could not have been brought to the ground when participating in a raid and that country might have won the war. If you will remember, when those Zeppelins were in use that they did more to bring terror to the cities which were bombed than anything ever invented in modern warfare. I am of the opinion that if this Congress withholds or passes any legislation which will prevent private industry from developing helium gas, which is to-day being wasted, that the development of aero passenger service in the future will be seriously retarded. I am hoping that when this subject comes up for consideration at a later date the statements I have made relative to aero passenger service and the development of helium gas will be taken into consideration, so that in the future we may have the benefit of the best brains that can be put forth by private industries to hasten the completion of the discovery of such aero passenger-carrying ships which will be able to meet or combat the natural elements in the air. Helium gas is the only known gas suitable to be used in balloons and passenger-carrying ships that is noninflammable and noncombustible, and its development should not be retarded by legislation.

Mr. SISSON. Mr. Chairman, I rise in opposition to the pro forma amendment. I do it to discuss briefly the item under consideration. I was a member of the subcommittee that appropriated the first money for the physical valuation of railroads. At that time I took the position which I think is sound; that is, instead of putting out the small number of surveying parties, the Interstate Commerce Commission ought to have been given enough money to have made that physical valuation in as short a time as possible. I think this is a very important piece of work, of course made necessary, as you all know, by the decision of the Supreme Court of the United States. Now, what I fear about this is that the first valuations made, commencing some years back, will give rise to litigation in the event the Interstate Commerce Commission shall fix the rates based upon a valuation that they made years ago.

There are two difficulties in the way. One is that railroad mileage may have been increased many times since the valuation was made, and another is that the railroad mileage and equipment may depreciate many times and not be worth half what it was. Therefore, I am afraid that this very valuable service will not be as accurate and as beneficial to us as it would have been if we had made the valuation more quickly.

Mr. SNELL. Will the gentleman yield for a question?

Mr. SISSON. I will.

Mr. SNELL. That is one of the points I wanted to bring out. What value at the present time is the valuation of a railroad that was made eight years ago?

Mr. SISSON. That, of course, is problematical. I can not tell, nor do I believe anyone can tell, what the courts would do with that question if it was in the courts. It would depend entirely on the testimony as to the change of valuation at the time.

I would like to ask the gentleman from Wisconsin [Mr. ESCH], in whose opinion I have great confidence, if in his opinion the valuation made some 8 or 10 years ago will be a safe basis for the commission to fix rates upon now?

Mr. ESCH. As I understand, the valuation was required to be made of a given date. That was July 1, 1914. The great amount of work done by the valuation board since that time consists of sending engineers over every mile of railroad in the United States and over every mile of telegraph line. They have made a list of the ties and the rails, the cubic feet of fill and——

Mr. SISSON. I am thoroughly familiar with that, because that was all gone over when the appropriation was granted.

Mr. ESCH. Now, we have that detail. Then the thing to do is to attach to those elements of valuation the unit of cost, and that they will do when the field work is finished.

Mr. SISSON. That is all true, but I am at a loss to know. I have great confidence in Judge Prouty, but he was not absolutely certain in his testimony a year or two ago as to what valuation the court, or how much value the court, would attach to the valuation made some years ago. In other words, Judge Prouty also believed with the committee—I do not know that the whole commission agreed with him—that the work ought to have been done with more speed and that more surveying parties ought to have been put out for the purpose of making the survey very much quicker.

Mr. ESCH. There is no doubt about that.

Mr. SISSON. But the committee differed with us about it. Now, I think this is one of the most important items that we can now consider. What I fear is that it may lead to this sort of litigation: If the rates fixed by the commission should be favorable to the public, it would mean, of course, that the railroads would attack those rates. Now, if they make rates favorable to the railroads, I do not know just who is going to intervene in the interest of the public, because the commission is presumed to represent the public. Therefore the accuracy of the valuation ought to be such that not only the railroads but the public might know that it is a reasonably fair one. A railroad that permits its rolling stock and its tracks to go down may be very much less valuable than a railroad that is continually improving its rolling stock and tracks. I have been at a loss to know how, in the absence of proof on the part of the Government, we would ever be able to meet successfully in any contest or litigation the proof the railroads had advanced as to change of valuation unless they should make a resurvey of the whole matter and of the money lost. I hope, however, that the survey will be—and I think it will be—of great value. And I think the sooner we conclude it the better.

The Clerk read as follows:

For all authorized expenditures under the provisions of the act of February 17, 1911, "to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," and amendment of March 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotive and tender," including such stenographic and clerical help to the chief inspector and his two assistants as the Interstate Commerce Commission may deem necessary, and for per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, $10,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

Under this head of the Interstate Commerce Commission in the first paragraph we have appropriated $500,000 "for all other authorized expenditures necessary in the execution of laws to regulate commerce," and so on, not itemized in any particular. That would embrace almost anything, and I merely mention that to call attention to the loose and intemperate way we still have of appropriating money. And I might add that for these different matters embraced under this head for the present fiscal year we have already appropriated $1,600,000, and this deficiency of $500,000 is additional to that sum. In the next paragraph, which is for the "investigation of railroad accidents," we appropriate another deficiency of $22,400. This sum is in addition to the $313,600 already carried in the sundry civil bill for this particular paragraph. Then, in the next paragraph, "valuation of railroad properties," we appropriate $1,000,000 deficiency, and this in addition to the $1,750,000 already appropriated, practically all of which has been spent during the present fiscal year.

Mr. GOOD. For valuation.

Mr. BLANTON. Yes. Now, the present paragraph is for "locomotive inspection," $10,000, as a deficiency. And the chairman of the committee knows that we have already appropriated, and it has been spent, most of it, $290,000 under this head for the present fiscal year for such inspection. Now, I

want to show you who it benefits mostly. The people of the United States only indirectly are benefited, but I will show you who it benefits directly.

There is very little testimony given on these items. The hearings on all of them will not cover over two or three pages. But I want to call your attention to the testimony of Mr. Clark, on page 24 of the hearings, with respect to this second paragraph under this head, and for which, as I said, we have already spent $313,600 and are now appropriating as a deficiency $22,400 more.

The chairman of the committee was trying to find out how Mr. Clark was spending this money, and asked him the reason for all this. He said:

We have an engineer physicist, who is a very competent man, and he is doing valuable and helpful work——

Valuable and helpful work to the people directly? No. Here is the way in which it was valuable and helpful:

Helpful to the manufacturers of those things and helpful to the railroads.

So Mr. Clark said.

Most of this money that we are spending under these two heads is helpful mostly to the railroads we learn from the testimony of Mr. Clark. I am wondering when we are going to stop it.

Mr. GOOD. I will say to the gentleman that that is helpful, of course, to the railroads and to the manufacturers who are manufacturing safety appliances. But the old safety-appliance law was not enacted for the benefit of the railroads, but it was enacted to lessen the number of injuries to the public.

Mr. BLANTON. I can not yield further; I have but five minutes——

Mr. GOOD. That is too much——

Mr. BLANTON. And the gentleman has used an hour and a half to-day. It reminds me of a statement I heard not long ago which came directly from an engineer, to show how the people have to pay for these regulatory matters and for certain rules that both the railroads and the employees have for the operation of trains, from which the country suffers daily. The engineer stopped at a little station and found out that there was a bolt loose and lost, that had been lost out of some part of the engine. He had such a bolt in his engine cab box that cost about 8 cents that he could have put in there in three minutes and put it in good, and his engine would have been in first-class shape; but under the rules of his organization he could not touch the bolt, and he could not touch the engine——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BLANTON. He had to stop that engine and that train full of passengers at that little station, and wire in to the next division, some thirty-odd miles, and have them send an engine and a caboose with two mechanics in it, out there to put a little 8-cent bolt into the engine. The train was delayed four hours and a half, and that one little bolt cost the railroad company an immense amount of money, which the people have to pay in the increased tariffs.

For the inspection of these boilers and the inspection of these tenders and the investigation of these railroad accidents the people are paying these tremendous sums when the railroads themselves ought to do most of it. That is the point I am trying to make. The railroad company, after all, is responsible to individuals for every accident. There are big lines, big systems, that have operated for years and have not had an accident or loss of life for years, and that was true before we ever thought of spending these sums of half a million dollars a year in such investigations. I say this is, most of it, unnecessary. We started that a good while ago. We ought now to retrench on it and stop it. It is not a true deficiency, and we ought to stop spending the money.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. MANN of Illinois. I drew and, to use a common expression, "put through" this House what is known as the boiler inspection bill. I did it after a very thorough examination of the subject, even going so far as to crawl into the fire box, with the steam still on in the boiler, where it was pretty hot, to learn how the whole thing was done.

It is to the interest of the railroad company to have boilers that do not explode, but they frequently took the chance, and boilers did explode. I dare say there has been no one thing done by the Government which has been of more value to the people than the laws in reference not merely to boiler inspection on the railroads, but providing for the inspection of other parts of engines and for the various safety appliances required on the railroads.

All of these propositions were fought by the railroad people. They were all, it is true, largely asked for by railroad labor, but they were passed in the interest of the public, and the expense which the public pays is paid for the benefit of the public; and if they could derive as much benefit in a thousand and one other directions as they do in this direction, how happy I would be!

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For 1918, $23,603.41.

Mr. BLANTON. Mr. Chairman, I reserve a point of order. Will the chairman of the committee kindly state whether or not this sum, $23,603.41, is all for items for which there was due authorization of law?

Mr. GOOD. I think there is due authorization of law for all these items. Of course, it is a deficiency. They have expended this money.

Mr. BLANTON. I realize that it is a deficiency, but was it a deficiency that was based upon authority of law? Did they spend the money with due authority of law?

Mr. GOOD. They could not make the payments that would pass the auditor unless there was authority of law for it. I think unquestionably there was authority of law for all the expenditures.

Mr. BLANTON. Did our usually careful chairman look into the matter?

Mr. GOOD. Yes. This has come before us in two ways. Last year it came before us as audited claims. There was a whole bunch of audited claims. They should not have come as audited claims. They were a deficiency. We refused to allow them as audited claims, and they come back now as deficiency appropriations.

Mr. BLANTON. These are not tango items, are they?

Mr. GOOD. I hope not.

Mr. BLANTON. There were some items in the last bill of that kind.

Mr. GOOD. I say that the House, and no Member of the House, had anything to do with these expenditures. They are claims that have come in. They seemed to be regular expenditures. Some of them are in amounts that have been tied up for some time, small claims; and the Government is compelled, as I think the gentleman will understand——

Mr. BLANTON. We had a deficiency bill here less than six or eight months ago. Why should $23,000 go over from 1918 in a deficiency, and $55,000 in 1919, and not be covered in the last deficiency bill? We have passed several deficiency bills since these amounts were incurred.

Mr. GOOD. We provided for several deficiency expenditures that took place during the war. They are for postage and telegraphing and cable messages, and things of that kind.

Mr. BLANTON. There is no high society in it?

Mr. GOOD. I can not say as to that. If there is any "high society in it," the Members of the House were not connected with the expenditure; I know that.

Mr. BLANTON. But they are connected with taking the money out of the Treasury to pay for it.

Mr. GOOD. The gentleman can well understand that if the Government refused to pay bills that were contracted abroad it would not very long have any credit, even though the gentleman and other Members of the House might question the correctness of making the expenditure. The State Department having entered into the contract and having contracted the indebtedness, Congress can do nothing except pay the bill, even though the State Department may have been unwise in contracting the indebtedness. I do not know whether it was wise or not; but the Government can only maintain its credit at home and abroad by paying its contracts.

Mr. BLANTON. There is one bill that has lately been filed for money already expended. Does the gentleman approve of that?

Mr. GOOD. What is that?

Mr. BLANTON. The million and some odd thousands of dollars, filed for expenses abroad, much of it being social expenses. Does the gentleman approve of that claim?

Mr. GOOD. I do not know the claim the gentleman refers to.

Mr. BLANTON. If the gentleman does not know about it, I will not remind him of it.

Mr. MANN of Illinois. Will the gentleman from Iowa yield for a question?

Mr. GOOD. Yes.

Mr. MANN of Illinois. Is it not a fact that when we make up a deficiency appropriation, these deficiency items can not be paid unless they are authorized by law?

Mr. GOOD. That is true.

Mr. MANN of Illinois. This does not authorize new expenditures, as I understand it.

Mr. GOOD. Not at all. It is simply to pay bills that have already been contracted.

Mr. MANN of Illinois. Under law.

Mr. GOOD. Under law. The auditor has passed these bills, and he could not pass them if they were not authorized by law.

Mr. BEGG. I move to strike out the last word.

The CHAIRMAN. Does the gentleman from Texas [Mr. BLANTON] withdraw his reservation of the point of order?

Mr. BLANTON. Yes.

Mr. BEGG. I wish to get a little information from the chairman of the committee [Mr. GOOD], if I may have it. It is on the question of deficiencies in general in the departments. I take it up under this department because I know more about it than I do about any other. When we make a specific appropriation for any item like contingent expenses or salaries of consuls or consular agents, or anything of that kind, what right has the department under the law to spend more than is appropriated, unless it is the moral right to meet an emergency? I should like to have the gentleman's statement on that.

Mr. GOOD. It has no right, except that under the provisions of section 3732 of the Revised Statutes if the expenditure is under an appropriation inadequate for the purchase of clothing, subsistence, forage, fuel, quarters, or transportation in the War Department or the Navy Department, then and in those cases only have the officials the right to create a deficiency.

Mr. BEGG. Then if I understand the gentleman—and I think I do—any expenditure beyond the appropriations, unless we all concede that an emergency arises, by the Department of State or any other department is an absolute violation of law?

Mr. GOOD. There are some modifications of that. The antideficiency law provides that at the beginning of the year there shall be an allotment made by the officer who has the appropriation in charge, and that that allotment shall be by months or quarters, so that there shall be no deficiency in the last quarter. But that is subject to this qualification. I guess I had better read the whole provision——

Mr. BEGG. It is not necessary.

Mr. GOOD. In case the officer finds that in order to efficiently administer a given law he will need more money than the appropriation, then he can waive his allotment, but that waiver must be in writing and submitted to Congress with the reasons therefor, and after that is done then he can create a deficiency.

Mr. BEGG. I understand that, but that is never done, is it?

Mr. GOOD. Oh, yes; very frequently. It is done in a great many cases.

Mr. BEGG. I have never known it to be done.

Mr. GOOD. It is done in very many instances, and has been done as to many of the estimates for deficiencies in this bill.

Mr. MANN of Illinois. If the gentleman from Iowa will pardon me, of course when Congress directs an officer of the Government to do something and he does it and there is no appropriation, that is a legal deficiency.

Mr. BEGG. I understand that absolutely.

Mr. MANN of Illinois. Or if we provide for the salary for an office and do not appropriate the money to pay the salary, there is a legal deficiency.

Mr. BEGG. I understand that.

Mr. MANN of Illinois. The gentleman did not state that.

Mr. BEGG. I understand that.

Mr. MANN of Illinois. But where we appropriate for specific purposes, where there is no direction, they can not spend more than that sum without a further appropriation.

Mr. BEGG. Under the item for contingent expenses or emergencies in the State Department we appropriate $600,000. The gentleman does not hold that that gives them permission to go on and spend $650,000, does he?

Mr. MANN of Illinois. Certainly not.

Mr. BYRNES of South Carolina. In the case in question——

Mr. BEGG. There is no specific case. I am just trying to determine the facts, to see if this body has any check on any department that cares to go ahead and expend beyond the appropriation.

Mr. BYRNES of South Carolina. I know the gentleman will be interested in a statement as to how this particular deficiency arose. Accounts are presented after an appropriation has lapsed, and that is this case according to the hearings. When the accounts were received it was not ascertained what appropriation they belonged to and it was too late to charge them to the exact appropriation to which they did belong.

Mr. BEGG. I was not questioning this specific item. In the last Congress and this two deficiency bills have been brought up. There unquestionably have been emergencies in some and in others there is no emergency, but they go on and spend without any limitation.

Mr. MANN of Illinois. The Government officials can not spend money because there is an emergency; they are not authorized to do that.

Mr. BEGG. I know that they give that as an excuse.

Mr. MANN of Illinois. That is not the way deficiencies are created; there must be more than an emergency. Congress acts in the case of an emergency.

Mr. CLARK of Missouri. I would like to ask the gentleman, the chairman of the committee, a question. Whatever became of the provision put in the law several years ago making it a criminal offense for the head of a department to exceed the appropriation?

Mr. GOOD. That is the act of February 27, 1906; that is the one I referred to a moment ago, the antideficiency law.

Mr. CLARK of Missouri. Did anybody ever enforce it?

Mr. GOOD. There have been a great many violations of it. I suppose during the war it was impossible to strictly enforce it. Take the items under discussion; they were created during the war, but they were in excess of the appropriations for those years. To answer the gentleman's question, I do not know of any criminal prosecution or any punishment ever having been inflicted on anyone for creating a deficiency in violation of law.

Mr. CLARK of Missouri. The war is over, and does not the gentleman think we had better go back and enforce the law henceforth and forever?

Mr. GOOD. I certainly do. If the gentleman from Missouri will look over the hearings, he will find that every person that came before us had his attention called to the antideficiency law, and he was asked why it had not been enforced. The committee has been quite diligent in that respect, not only in this Congress but previous Congresses. I remember when the gentleman from Mississippi [Mr. SISSON] conducted the hearings on the deficiency practically every item that came before him he made the inquiry as to the failure to observe the antideficiency law. We have done it right along. But practically it is an administrative function. Congress can not dismiss a man. Here is a jail sentence provided for as a penalty, as follows:

> Any person violating any provision of the act shall be summarily removed and made to pay a fine of $100 or imprisonment of not less than one month.

I do not know where a single administrative official has ever inflicted a penalty under this provision.

Mr. CLARK of Missouri. The gentleman from Iowa in all probability will have great influence with the incoming administration, and can it not be enforced somehow and in some way?

Mr. GOOD. I think a rather lax method has grown up in all departments with regard to enforcing the antideficiency act.

Mr. FESS. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. FESS. When the attention of these officials was called to the fact that they had violated the law, did they claim that they had not violated the law or did they admit that they had?

Mr. GOOD. Sometimes it was an admission and sometimes they were able to show some reason why it had been done.

The Clerk read as follows:

> Distinctive paper for United States securities: For additional amount necessary to complete the purchase of 129,000,000 sheets of distinctive paper for United States currency, national-bank currency, and Federal reserve bank currency, including transportation of paper, traveling, mill, and other necessary expenses, $110,536.87.

Mr. FESS. Mr. Chairman, I move to strike out the last word. What I desire to call the attention of the committee to does not properly come under this item nor the one preceding; but this morning we talked about the possibility of the interest being paid upon foreign loans. I have been noting in the financial dispatches and discussions of financial questions reference to the fact that the foreign loans have never been put in the form of a bond, but simply in the form of a certificate or due bill, and the question was raised whether until these loans were funded there will be any interest to run, indicating that there may be a claim that the interest does not begin until we put the debt in the form of a bond. Has the chairman of the Committee on Appropriations had any information on that point?

Mr. GOOD. The statement was made at one time before the committee a year or so ago that the obligations were in the

form of demand notes. My understanding is that they draw interest at the rate of 5 per cent per annum.

I think it was Secretary GLASS who made the statement while he was Secretary of the Treasury that some arrangement had been made whereby the foreign countries would not be called upon to pay the interest for the period of three years. I think that that has been allowed to stand in that way; there was a tentative agreement between this Government and other Governments whose demand obligations we had that our Government would not demand interest until about three years after the signing of the armistice.

Mr. FESS. Does the gentleman understand that when they do demand it it will be three years' interest, or does interest begin at the end of the three years?

Mr. GOOD. Oh, it was not a waiver of the interest, as I understand it, but only a postponement of the time of payment. The Secretary would not have such authority. If the gentleman is interested in that I refer him to quite a long and full discussion of the matter in the hearings before the committee on the legislative, executive, and judicial appropriation bill of this year.

Mr. FESS. I hope the gentleman's view is correct, although it has been mentioned in financial circles that there is no interest due until after the debt is put in the form of a funded debt.

Mr. GOOD. If that was the case there would have been no necessity for an agreement on the part of the Secretary of the Treasury that the payment of interest should be postponed for three years.

Mr. FESS. Mr. Chairman, I admit the statement. In connection with this I read a statement put out by a New York bank that has some very interesting items in it:

Significant in considering Great Britain's outlook are the figures recently issued by the Savings Banks' Association of the State of New York which show that the British Empire profited more in a monetary way as a result of the war than any other nation, her estimated wealth now being approximately $230,000,000,000, as compared with $130,000,000,000 when the war started. This gain of $100,000,000,000 is attributed to the wealth added by the Mesopotamia oil fields, the African territory taken from Germany, and the elimination of Germany as a trade competitor, and will serve as an important asset in the recovery and extension of foreign trade.

There has been much interest recently developed in our rights in the Mesopotamia oil fields, as the gentleman will recall. I am wondering whether this statement is true, that $100,000,000,000 represents the additional wealth of one of the Allies, one of our associates in the Great War, and whether there is any real legitimate reason why this interest should not be paid now on the debt that is owing us.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BLANTON. Mr. Chairman, for the purpose of asking a question, I rise in opposition to the gentleman's amendment. I want to ask the chairman of the committee if he does not think it is time for the Government to stop all of this talk that is going on throughout the country to the effect that the United States Government is not going to demand payment for all of these loans due by our allies, and let the people of this country understand, and let the people of all of the foreign countries understand, that the United States Government is going to require them to pay every dollar of loans that we made them during the war? Does not the gentleman think it is time to put a stop to all of this misunderstanding throughout the country?

Mr. GOOD. The gentleman I am afraid is asking me to criticize what the Secretary of the Treasury has done, and I do not want to do that, because I might be accused of being a partisan if I should criticize even the postponement of the payment.

Mr. BLANTON. The time is going to be here in a few days when the gentleman will have to speak for his own Secretary of the Treasury; as to what his own Secretary is going to do.

Mr. GOOD. I hope the time has arrived when we may call upon the countries owing us to pay the interest on their obligations.

Mr. GARRETT. Mr. Chairman, will the gentleman from Iowa permit me to suggest that possibly there are many elements in connection with that matter?

Mr. GOOD. Yes.

Mr. GARRETT. For instance, I should think that the honorable Chairman of the Committee of the Whole House on the state of the Union would want to know about the effect upon our home markets, judging from a speech which he made not long ago. The question has many elements, and I agree with the gentleman from Iowa that for numerous reasons, not confined to those here given, it ought not to be answered at this time.

Mr. BLANTON. I noticed the other day that one of these countries that owes us quite a lot of money, and that is always hollering hard times, spent over $100,000 for a state dance the other night, and if they can waste money in that way they ought to be able to pay the interest on the money that this country let them have in their extremity.

The Clerk read as follows:

For purchase of file holders and file cases for use of the accounting offices of the Treasury Department, $3,000.

Mr. KELLY of Pennsylvania. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question in respect to the policy of such items as are contained in this paragraph:

For the purchase of file holders and file cases for use of the accounting offices of the Treasury Department, $3,000.

What is the necessity for expenditure of $3,000 for that item?

Mr. GOOD. That is largely for files for checks. The expenditures have been so great and the number of checks drawn upon the Government so large, that the amount appropriated for this purpose has not been sufficient. More than that, the cost has been very much greater. Formerly we appropriated $6,000 a year, $4,000 in 1915 and 1916, and then $5,000. This year we have $12,000 available. The department does not have containers to put these checks in. Many of these are war-risk checks, and the gentleman can see that it takes almost as many checks for new service as we ordinarily would have for all other purposes.

Mr. KELLY of Pennsylvania. I understand that, but the other departments—the War Department and several commissions and bureaus—had unlimited files and file cases that should have been transferred to the Treasury Department for that purpose. Why was that not done?

Mr. GOOD. These are a box the size of a check and my impression is that they are of pasteboard. The checks are placed in them and filed away. It takes a great many of them, and the file cases used by the War Department in many instances are still being used. They have files in them, and until those files are relieved of all matter that will not be preserved those cases would not be available.

Mr. KELLY of Pennsylvania. I have been informed that there are in storage houses in certain places in New York thousands and hundreds of thousands of these file cases, desks, and all kinds of office furniture. What is the policy of the Government with regard to that surplus furniture?

Mr. GOOD. Under the law all surplus file cases and furniture are turned over to the General Supply Committee, and when an appropriation is made the department that gets the appropriation must go to the General Supply Committee, and if there is a case or a desk or anything of that kind that is desired, which is in stock, that department pays for it out of that appropriation to the General Supply Committee.

Mr. KELLY of Pennsylvania. I undersand that this $3,000 will follow that same course?

Mr. GOOD. Yes; but there are no cases of this kind in stock. These are simply pasteboard boxes.

The Clerk read as follows:

Hospital construction, Public Health Service: For the completion of hospital buildings in Cook County, Ill., $400,000.

Mr. GOOD. Mr. Chairman, at the end of line 8 there was an amendment asked for by the Public Health Service and also by the Committee on Public Buildings and Grounds which I have omitted to offer. I ask unanimous consent to return to that for the purpose of offering the amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to line 8 for the purpose of offering an amendment. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

On page 14, after line 8, insert as a new paragraph the following:
"The limitation of $210,000 for technical services, etc., contained in section 10 of the act entitled 'An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines,' approved March 3, 1919, is increased by the sum of $11,400."

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman tell me what is the purpose of that?

Mr. GARRETT. Mr. Chairman, I reserve the point of order. Is that an increase in the limitation?

Mr. GOOD. It increases the limit of cost. The committee refused to give the item because it was legislation. We referred the matter to the Committee on Public Buildings and Grounds. At Dawson Springs, Corpus Christi, and Cook County, Ill., where the inspectors and assistant inspectors are doing work the department does not have enough within the limitation to pay for the inspectors. They say they will have to discharge their inspectors and the work will have to go on without inspectors unless this increase in the limit is permitted. It does not carry

an appropriation, but increases the limit of expenditure for inspection by $11,400. The matter was presented to the committee and the department asked for it, but the committee felt that it was not a deficiency in that sense and yet the committee did feel that perhaps a great deal more money would be saved by keeping the inspectors doing inspection work rather than take them off their jobs. I understand the Building and Grounds Committee want it inserted in the bill.

Mr. GARRETT. If the gentleman will yield, this is really a limitation on a statutory act.

Mr. GOOD. It increases the limitation by $11,400.

Mr. GARRETT. I withdraw the reservation of the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

PUBLIC BUILDINGS, OPERATING EXPENSES.

Operating force: For such personal services as the Secretary of the Treasury may deem necessary in connection with the care, maintenance, and repair of all public buildings under the control of the Treasury Department, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, $12,000.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I would like to have the attention of the gentleman from Iowa. I have read the hearings on this particular item, and, as I understand, it gives, on page 225 of the hearings, a list of the towns where it is intended to put in additional watchmen. Is that the understanding?

Mr. GOOD. We give none of them. It was for an increase in the number of watchmen and in other places, and also an increase of salaries——

Mr. WINGO. I understand that is right. It is to increase the salaries and to increase the number of watchmen in the cities.

Mr. GOOD. Yes.

Mr. WINGO. The reason I ask about it is this: In the city of Fort Smith the custodian there, who is the postmaster, received instructions to close the building unless he had a labor watchman which he has not now. Well, you can not close the building. It would be folly to do it. You have not only the post office there, a very large post office, growing very rapidly, but you also have the United States court there; you have the revenue headquarters there; you have the prohibition-enforcement officers there; you have the civil-service secretary force there; you have the post-office inspection headquarters there; you have the Weather Bureau there; you have the district judge of the United States, whose personal office is in that building; you have the United States district attorney; you have the home office of the United States marshal; you have a good many people who are necessarily in there at night a good deal. Now, when the question was asked, because you can not close the building up, why he gave the order if he did not have a labor watchman, the official responsible immediately put the blame on Congress, that the Congress will not appropriate, and therefore there is not enough money. Now, I presume from the hearings they did not make any request for any additional watchmen for cities that have no watchmen at the present time but those which have had them heretofore, and the excuse he gave, recognizing the necessity for the watchman there, was that he could not do this with the appropriation, because Congress did not give enough money. That is not exactly a candid excuse to give to the postmaster.

Mr. GOOD. No; I think not. But I will say to the gentleman in 1915 they had $2,650,000 for this purpose, and for this year they have $3,700,000 and asked for $845,000 additional. Now, all we gave them was this. We did not give that amount to increase their force or to increase the pay. To have given that would be to increase the allowance by 100 per cent since 1915, which we have not done in any other service in the field. That we did not feel was a deficiency, but they did require, as stated, $12,000. There was a deficiency in their regular force at the end of the year of $12,000, and we gave them that.

Mr. WINGO. My position is this: I recognize the position of the committee, and what I say is not in criticism of the committee, but there are special reasons which there is no use in going into; but the prime reason for the order which was given is that a danger is now present in that building at Fort Smith because of the headquarters of certain elements in a town not far away from there, so there is a present danger which should be guarded against. Now, the only excuse which is given is not that a watchman is not needed, not that there is no danger there, but that Congress will not let them have enough money. He says we do not appropriate enough to pay persons to be watchmen, and therefore Congress is to blame if that building is destroyed or its property stolen, or its doors are broken open, or whisky is stolen——

Mr. MADDEN. What is whisky doing there?

Mr. WINGO. I do not know that it is stored there; I think there are Liberty bonds, revenue stamps, and other things stored there. The place to take care of it is on the sundry civil bill, and this is a deficiency bill, but I simply wanted to protest against the statement, where Congress is trying to economize, of simply saying to the custodian that the reason we can not meet a public necessity is because Congress is too penurious and will not give us sufficient funds. I withdraw the pro forma amendment.

The Clerk read as follows:

PAY OF THE ARMY.

For pay of the Army, including the same objects, except mileage, specified under this head in the Army appropriation act for the fiscal year 1921, $24,000,000.

Mr. SNELL. Mr. Chairman, I move to strike out the last word, to ask the chairman a question. I would like to ask him how they could make such a mistake in the pay of the Army as to have a deficiency of $24,000,000?

Mr. GOOD. The amount requested for this deficiency was $40,000,000. The appropriation was made for an Army of something less than 170,000 men—just how much less I could not tell the gentleman. I think the officials of the department do not agree as to that, but it was something less than 175,000 men. Now, we have at present about 240,000 men in the Army, and this estimate of $40,000,000 was made on the theory that there would be an average during the year of 227,650 men. Now, when the matter was under discussion, the question was asked:

How much can you get along with for the pay of the Army for the rest of this year if the resolution reducing the size of the Army to 175,000 men shall pass?

And it was stated if that resolution passed by the 1st of February they could get along with about $24,000,000. We have carried that in the bill.

Mr. SNELL. And this is simply because they enlisted a larger Army than Congress authorized?

Mr. GOOD. Largely so. Practically that is what it is for.

Mr. GARRETT. Not than Congress authorized.

Mr. GOOD. Larger than Congress appropriated for.

Mr. CONNALLY. Mr. Chairman, I rise in opposition to the amendment. I wish to suggest to the gentlemen who have just been on the floor that it seems unfair for the charge to be repeatedly made here that the Secretary of War enlisted more men in the Army than were authorized. Gentlemen frequently go down to the departments seeking information, and come back with the charge that everybody down there is "passing the buck," by which is meant they are placing the responsibility somewhere else. This seems to me a plain case in which Congress is "passing the buck" to the Secretary of War. All of us know that in the Army reorganization act we authorized by law 280,000 men to be enlisted. Now, it is true that in the appropriation act for 1921 for the Army it was provided, so gentlemen say, that the appropriation should be for only 175,000 men. In all fairness I submit that an examination of that appropriation act will disclose that Congress simply made a lump-sum appropriation. There is nowhere in that act any legislative limitation to the effect that for that fiscal year the appropriation should be limited to the payment of 175,000 enlisted men. The Secretary of War had no more right to assume that by merely appropriating that lump sum this Congress intended to limit the amount to the payment of 175,000 men than any other head of a department had the right to assume that Congress would not grant a deficiency appropriation when the head of that department should come before the Appropriations Committee. You may take the present bill. What is this bill which we hold in our hands and which we are considering here to-day? It is a deficiency bill, carrying deficiencies for practically every branch of this Government. The heads of the departments knew when you appropriated last year for their various departments that when they came back here and made out a case you would appropriate a deficiency for them, and it is unfair, I submit in all candor, to try to pass the responsibility from the House to the Secretary of War.

I do not want a big Army. I voted, when the Army reorganization bill was before this House, to fix the strength of the Army at a maximum peace strength of 175,000 men, and those of us on the Democratic side of the House pleaded with the majority to fix that as the maximum strength of the Army. But gentlemen on the Republican side of the aisle insisted on fixing the maximum strength of the Army in time of peace at 280,000 men, and because the Secretary of War took your words to mean what they said and went ahead with recruiting, and because he happened to recruit above 200,000, you fill the air with your complaints, and with your recriminations, and with your accusations against the Secretary of War for doing what

you had authorized him by statute law to do. I voted to reduce the Army the other day to 175,000 men, but, in all candor and all fairness, it seems to me Congress ought to admit its own fault when it makes that fault, and acknowledge that it did a foolish thing when it fixed the size of the Army at 280,000 men.

Mr. HUSTED. Will the gentleman yield?

Mr. CONNALLY. I yield.

Mr. HUSTED. In all fairness, do you not think that the authorization, which, of course, is not a direction at all, was limited by the appropriation?

Mr. CONNALLY. I do not.

Mr. HUSTED. Has not that been the practice in the past? The Army in the past has not been enlisted up to its full strength. That is a mere authorization for a maximum number of soldiers in the Army, and when Congress appropriates for two-thirds of that number it does seem to me that a fair interpretation of that appropriation would be to construe it as a limitation upon the authorization and keep the number down.

The CHAIRMAN. The time of the gentleman from Texas [Mr. CONNALLY] has expired.

Mr. CONNALLY. Lack of time precludes me from replying to the gentleman.

Mr. BLANTON. Mr. Chairman, I move to strike out the last two words.

The gentleman from New York [Mr. SNELL] asked the chairman of the committee, in charge of the bill, how was it that the War Department could make a mistake of $24,000,000 with reference to the pay of our men in the Army. I want to ask a question of the chairman that is a little more apropos, and that is, How could the great, distinguished chairman of this committee make a mistake of more than $24,000,000 with respect to the pay of our Army in appropriating only $24,000,000 in this bill as a deficiency? The gentleman knows that for the men we have already recruited, whether the Secretary of War did it lawfully or unlawfully—I do not approve of his doing it; but no matter how he did it, he did it—that for the men we already have in this Army there will be a deficiency on June 30, 1921, of at least $50,000,000, and maybe $70,000,000, instead of $24,000,000.

Mr. GOOD. Oh, no.

Mr. BLANTON. Why does he take two bites at a cherry here? Why does he not come in and appropriate enough money to meet that deficiency at one time and not take it by piecemeal?

Mr. GOOD. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. GOOD. Now, Gen. Lord was asked the question that if the resolution, which was pending, and which has passed, became a law before the 1st of February this year how much he would need instead of the $40,000,000. They asked for only the $40,000,000.

He said they would need $24,000,000, and that the average size of the Army for the year would be 208,797 men. Now, it is very possible that because this resolution did not become a law until the 6th or 7th of February this amount will not be quite enough. But the gentleman is mistaken; there will not be very much more; there can not be very much more.

Mr. BLANTON. The great chairman of this committee is no fool; he knows what the facts are down here; he is a sensible man, of good financial judgment, and he knows that with 240,000 men already in the Army and a Secretary of War who will not turn one soldier loose unless you use a sledge hammer on him—he knows that by June 30 next of this year we shall have a deficiency of at least $50,000,000. Does the gentleman say we will not appropriate any more money than $24,000,000?

Mr. GOOD. I will not. Now I will ask the gentleman a question. If the Secretary of War should continue, in violation of this law, which I do not think he will—if he should continue to enlist men——

Mr. BLANTON. He has stopped that; but we have already got 240,000 men.

Mr. MANN of Illinois. The Secretary will not be in office 30 days longer.

Mr. BLANTON. I hope the distinguished gentleman from Illinois will prevail upon the new Secretary of War after March 4 to turn some of these boys loose and let them go home—these boys who are now in the Army, who were enlisted through the misrepresentations of sleek-tongued recruiting sergeants—and let them go home, because they want to go home.

Mr. MANN of Illinois. If he had as good judgment as the gentleman from Texas and myself, he would let a lot of them go.

Mr. BYRNES of South Carolina. Mr. Chairman, I rise in opposition to the pro forma amendment. I agree with much that the gentleman from Texas [Mr. CONNALLY] has said about the criticism of the Secretary of War. When my friend from New York [Mr. SNELL] asked whether or not it has been the custom prior to this time to have an authorized strength and then to appropriate for a smaller Army, I must say that has been the custom, and it has also been the custom for the Secretary of War to cause a deficiency in this appropriation for every year back to 1900.

Now, my good friend from Wyoming [Mr. MONDELL] said the other afternoon that we could not prosecute the Secretary of War. He shows in that statement a wonderful and rare restraint. He would not prosecute the Secretary for recruiting the Army above 175,000, because he knew that it was not a violation of the law. He knows that as to the pay of the Army the Secretary of War can create a deficiency. The gentleman has shown the same restraint on other occasions, because, as was shown by the gentleman from Montana to-day, there has been a deficiency under this item nearly every year for the last 20 years. From 1900 to 1913, a period of 13 years, there were 18 deficiency bills carrying deficiency appropriations under this item of "Pay of the Army." I do not think the gentleman criticized Secretary Root, and yet during his term as Secretary of War there was a deficiency for pay of the Army every year; and as to Secretary of War Taft, I know that the gentleman showed the same rare restraint and did not prosecute, or offer to prosecute, Secretary of War Taft; and I know when Mr. Dickinson was made Secretary there was a deficiency, and an estimate was sent to Congress and the money was voted with absolutely no criticism.

Mr. SNELL. Mr. Chairman, will the gentleman yield for a question?

Mr. BYRNES of South Carolina. Yes.

Mr. SNELL. What was the size of that deficiency as compared with this?

Mr. BYRNES of South Carolina. In 1900 it was $14,900,000, and $14,900,000 was some money at that time.

Mr. GOOD. That was about the time when we were having considerable trouble along the Mexican border, was it not?

Mr. BYRNES of South Carolina. No. It was after the Spanish-American War, when the conditions were similar to those which exist after this recent war.

Mr. GOOD. I understood the gentleman to say it was in 1914.

Mr. BYRNES of South Carolina. According to the ideas of the gentleman from Iowa, there must have been trouble along the Mexican border from 1900 up to 1914, if that is the explanation of the deficiencies.

Mr. GOOD. I understood the gentleman to say in 1914.

Mr. BYRNES of South Carolina. No. Under Secretary of War Taft and Secretary of War Root, and under every man who has occupied the position of Secretary of War deficiencies have been incurred under pay of the Army, and Congress has appropriated the money without criticism; but only now, when Secretary of War Baker incurs a deficiency, have we heard criticisms.

Mr. GOOD. The criticisms are mostly from the gentleman's side of the House.

Mr. BYRNES of South Carolina. No. The criticism has come mostly from the gentleman's side, and the gentleman's leader, Mr. MONDELL, with rare restraint, said he would not prosecute the Secretary of War.

Mr. MADDEN. He is a very modest man.

Mr. CONNALLY. Well, we are appropriating in the Army bill just passed for only 150,000 men, and yet on the motion to recommit, which showed we are only making an appropriation for 150,000, the Members on the majority side voted against it.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. GOOD. Mr. Chairman, I just want to move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GOOD. In answer to the gentleman from Texas, I said that Gen. Lord had said that he would need only $24,000,000. I think perhaps I have misstated the case somewhat, and I want to correct my statement. In a letter written to the chairman of the committee on January 18, Gen. Lord said:

> I have had a most careful study made of this matter and am convinced that if the strength of the Army be so restricted from the date indicated, namely, February 1, 1921, the amount required to meet the deficiency in "Pay of the Army" will not exceed $25,000,000.

And so the committee felt there was some leeway there, and so we put $24,000,000 in the bill, assuming that perhaps that would be sufficient.

Mr. BEGG. Mr. Chairman, I rise in opposition to the pro forma amendment.

It is rather interesting and entertaining to listen to the efforts of the gentleman from Texas [Mr. CONNALLY] and the

gentleman from South Carolina [Mr. BYRNES] to defend the Secretary of War, who has the reputation in the State from which he hails as being the leading pacifist in our country. So far as I am concerned, and so far as the people at large are concerned, there is absolutely no excuse for such a deficiency as he has produced in the War Department in the face of the circumstances. Trying to shift the burden from one place to another does not make any difference, and the people are not interested whether you place it on this side or the other side.

Mr. CONNALLY. Will the gentleman yield?

Mr. BEGG. I can not now. The deficiency was created in the face of conditions under the like of which no Secretary of War ever created a deficiency before. That was a simple mandate from this body, which from the standpoint of creating the size of the Army is both the legislating and the appropriating power. That mandate simply limited the size of the Army under the possibility of an emergency. I think gentlemen on that side of the House find themselves in a rather embarrassing position. The facts are that Mr. Baker wants to bring into disrepute the whole Military Establishment. He does not want an Army of even 100,000 men, because he is a confessed and rank and open pacifist. We all know what he wants; and in order to satisfy a little pique and to bring disfavor on the whole Army he takes advantage of a technicality—if it is a technicality. The biggest reason he can possibly have is a lawyer's technicality and not a layman's reason.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. BEGG. I yield to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. The gentleman brings a rather serious charge against the Secretary of War.

Mr. BEGG. I think he deserves it.

Mr. BYRNS of Tennessee. Does not the gentleman know that in the recommendations he has made up here and in the action taken in making these enlistments he has acted in accord and in cooperation with the Chief of Staff and all the Army officers, who certainly are not anxious to bring the Army into disrepute?

Mr. BEGG. It does not make any difference to me, and I question the statement of the gentleman. I do not question the gentleman's veracity, but I question the accuracy of his statement when he says Secretary Baker is acting in accord with all the Army officers. Now, the gentleman knows that every military man would have an army of 500,000 or 1,000,000 men if he could get them; but the gentleman also knows that the American people in peace times do not want an Army of 175,000 or 200,000 men; and what is more, we are not going to have it. And I think, so far as I am personally concerned, there can not be too harsh criticism laid at the door of the Secretary of War. I for one absolutely hold him responsible for the condition. I voted last spring for the bill creating the Army, and every other man in the House who voted for it did so with the distinct understanding that there was a possible elasticity in the law, put there to meet an emergency, that elasticity amounting to 100,000 men, and it was fully understood that no Secretary of War would take advantage of that technicality. I grant the technicality; but you gentlemen who are eminent lawyers know that the intent of the lawmakers has much to do in determining the meaning of the law before the courts, and nobody could stand up and defend Mr. Baker in putting his interpretation on the law.

Mr. SUMNERS of Texas. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN of Illinois. Mr. Chairman, I suppose a little contribution to the ideas on this subject will not do anybody any harm.

I think the funniest combination I have ever heard of is Secretary Baker and Gen. March, Chief of Staff. One has no use for an Army of fighting men, but wants to educate all the poor people in the world and make every illiterate a scientist and every farmer boy a mechanic. The other has no use for literacy, but wants everybody to be a fighter; and between the two, like Jack Spratt and his wife, they have licked the platter clean. [Laughter.]

I have no criticism of Secretary Baker for increasing the enlisted force of the Army, though I think he possibly deserves some censure for paying no attention to the evident wish of Congress; but I think the fault largely is on the part of Congress itself. [Applause.] I am going to chide my side of the House, even if I am applauded by the gentleman from Texas [Mr. BLANTON] alone. [Laughter.] Our side of the House having just charged that Secretary Baker was in effect violating the will of Congress, if not the law of Congress, by enlisting a force exceeding 175,000 men, which we had appropriated for, we turn right around and appropriate for an Army of 150,000 and refuse to limit it to that. And if the new Secretary of War should get under the influence of the Army clique during his first year of administration, that side of the House will criticize him. I do not know whether the Army clique will get the new Secretary during the first three months or the first year. They will get him if he stays in office for four years, because that is human nature. [Laughter.] If he keeps up an enlisted force above 150,000 men, the Democratic side of the House will be abusing him next year, just as this side of the House are now abusing Secretary Baker, when both Secretaries in the main are under the direction of the Chief of Staff. [Applause.]

The Clerk read as follows:

TRANSPORTATION OF THE ARMY AND ITS SUPPLIES.

For transportation of the Army and its supplies, etc., including the same objects specified under this head in the Army appropriation act for the fiscal year 1921, $1,932,000.

Mr. STRONG of Kansas. Mr. Chairman, I move to strike out the last word. The other day when we were passing the Army bill and we had under consideration the item for transporting troops I noted that we appropriated $33,800,000 for that purpose. I do not know how much we appropriated last year for transportation of troops, but under this item we have a deficiency appropriation of $1,932,000.

On last Saturday I put into the RECORD the cost of the removal of troops from Camp Funston to Camp Pike and Camp Meade on December 1, the freight and passenger expense of which was over $600,000. These troops had been taken to Camp Funston within a year. Thousands of dollars had been expended at Camp Funston for their comfort and convenience, and a few months afterwards they were taken to other camps at an expense of $600,000 to the taxpayers.

I am advised that at Camp Meade, to which most of them were taken, they are now uncomfortable and soon we will have requests for additional quarters to house them. It does seem that some action should be taken to limit the amount of money that the War Department can spend for the transportation of troops. They send troops from one end of the world to another, keep them a few months, and then bring them back again. There is no end to the amount that they can expend. It does seem to me that there should be legislation limiting the amount of money to be expended for the transportation of troops, so as to stop this unreasonable expense of the people's money?

Mr. MADDEN. What line would the gentleman draw as to how much money could be expended for that purpose?

Mr. STRONG of Kansas. I would say that the men should not be transferred until they had remained at a particular station two or three years.

Mr. MADDEN. But suppose an emergency should arise after they had been there one day, what would the gentleman do?

Mr. STRONG of Kansas. There was no emergency that arose for taking the troops away from Camp Funston, and there is no emergency now anywhere for sending men to Siberia, then to the Philippine Islands, and then to Hawaii, all within a year.

Mr. CONNALLY. Would not a provision be sufficient, in the gentleman's opinion, providing that no troops should be taken away from Camp Funston? [Laughter.]

Mr. STRONG of Kansas. No; but I hate to see hundreds of thousands of dollars spent for no other purpose than to place the troops in southern camps.

Mr. BLANTON. There are two ways of stopping it: One is to limit the appropriation, and the other is to limit the places to which they may come and go. We are trying to cut off two places—Camp Funston and Camp Dodge.

Mr. STRONG of Kansas. But you are not trying to cut off Camp Meade and Camp Pike.

Mr. BEGG. Can this be controlled in any other way than by a proper action taken by the War Department? And will not that be done after the 4th of next March?

Mr. STRONG of Kansas. I do not know, but it seems to me that there ought to be a limit on the amount that the War Department can expend for that purpose in the time of peace.

The CHAIRMAN. The Chair wishes to call the attention of the chairman of the committee to the word "the" in line 24, page 16. Should not that be "this"?

Mr. GOOD. It should, and I offer that amendment.

The CHAIRMAN. Without objection the word "the," line 24, page 16, will be changed to "this."

There was no objection.

The Clerk read as follows:

PANAMA CANAL.

For civil government of the Panama Canal and Canal Zone, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1921, $24,670.

Mr. DUNBAR. Mr. Chairman, I move to strike out the last word. This bill provides for a deficiency appropriation of more than $24,000 for the expense of the operation of the Panama Canal. The Panama Canal is one of the greatest financial liabilities possessed by the United States. It is a liability to the extent of anywhere from $13,000,000 to $20,000,000 a year. That is, if you count the interest on the investment, the cost of construction, and expense of operation. The Panama Canal cost approximately $460,000,000. At 3 per cent that is between $13,000,000 and $14,000,000 annually.

According to the daily report of the Treasurer of the United States as of June 30, 1920, it shows the loss incurred in the operation of the Panama Canal for the current year as $6,000,000. The loss in operation for the previous year was $5,000,000. That added to the investment would make the operating expenses and overhead charges of the Panama Canal something like $20,000,000 a year.

In reading the report of the Secretary of the Treasury I found on one of the pages a paragraph which gave a different expense account. It stated that the loss incurred in the operation of the Panama Canal for the fiscal year of 1920 was $455,000, making a difference between the statement as it appeared in the report and the report as issued by the Treasurer of the United States approximately $5,000,000. I wrote and asked the Secretary why this difference existed, and the reply which I received was not very enlightening. It appears that each year there are book accounts which do not appear in the daily operating expenses. Now, this is what I want to impress on the Congress: The Panama Canal, no matter whether the deficiency is $13,000,000 a year or $20,000,000 a year, is being operated by us at a tremendous financial loss.

There may be some military advantage in our owning the Panama Canal, and to what extent that offsets the financial liability I am not able to state, but it seems to me that the tolls on the Panama Canal should be increased. This afternoon we have been talking about our deficiencies. The tolls on the vessels which go through the Panama Canal should be increased so as to make it self-sustaining. We built that canal, and yet other nations use it more than we use it ourselves. Thirty-two per cent of the tolls which went through the canal last year were from the United States and 38 per cent from Great Britain. The other 30 per cent was paid by the other countries of the globe. The canal is advantageous to the people of the whole world as well as to the United States, but we have to pay the price of operation. The tolls on all vessels that go through the Panama Canal should be increased so as to bring us a revenue of $25,000,000 a year instead of something like six or seven million dollars a year.

Mr. GARRETT. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. GARRETT. Will the gentleman in that connection care to give us his opinion as to whether American coastwise vessels should be permitted to pass through the canal free of toll?

Mr. DUNBAR. If we have a treaty with Great Britain which we entered into, that treaty should be observed, and our vessels should be made to pay toll in accordance with that treaty, but in any event the toll should be increased so as to make the canal self-sustaining.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. DUNBAR. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. GOOD. Mr. Chairman, this item does not involve tolls. It has nothing to do with the expense of the canal.

Mr. DUNBAR. I am aware of that, but it is an appropriation for the canal.

Mr. GOOD. Mr. Chairman, I shall not object, but I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DUNBAR. Mr. Chairman, I am aware that this item of $24,000 has nothing to do with the tolls on the Panama Canal, but I deem it appropriate inasmuch as the chairman of our committee and other members of the committee have this afternoon been discussing the revenues of our Government. Here is an opportunity where they may be increased to the extent that these deficiencies may be reduced and the taxes on other items reduced.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. FESS. Is there any other source of revenue at all except through the tolls?

Mr. DUNBAR. The item as it appears in the daily report of the Treasury is for tolls, and "so forth." I do not know what the "so forth" means, but the only item that is considered as of sufficient importance to mention is the item of tolls.

Mr. FESS. We have several towns of some significance in the Canal Zone and a railroad. Is there any other source of revenue besides the toll?

Mr. DUNBAR. I do not know.

Mr. FESS. Another question I wanted to ask the gentleman, and I am asking for information purely, is this: Is there any other outlay except for the operation of the canal?

Mr. DUNBAR. The outlay mentioned in the report of the Secretary of the Treasury last year stated over $3,000,000 was spent for fortifications.

Mr. FESS. What about the cost of schools and other items that usually go with municipalities? Is that an item of cost to the Government?

Mr. DUNBAR. If the cost of the schools is a liability on account of the Panama Canal, then the vessels that use the Panama Canal should also pay that liability.

Mr. FESS. Is that a cost on the Government of the United States?

Mr. DUNBAR. It is a cost on the Government.

Mr. FESS. I agree with the gentleman that there ought to be some way by which the canal must be made nearer self-supporting.

Mr. DUNBAR. My only object in bringing this before the committee to-day is in order that the Ways and Means Committee may take cognizance of the fact that the Panama Canal, used by the whole world, is being paid for by the people of the United States, and I submit that it should not be so and that the tolls should be raised in order that the operation may be made self-sustaining.

The Clerk read as follows:

The Secretary of the Navy is authorized to pay from the appropriation "Pay, miscellaneous," for the fiscal year 1919, the sum of $57.96 to the Virginian Pilot Publishing Co. and $65.06 to the Ledger Despatch Corporation, both of Norfolk, Va., for their services in advertising for laborers during the week commencing December 15, 1918.

Mr. BLANTON. Mr. Chairman, I reserve the point of order. These are two small items that seem to have gone over since 1918. What authority of law is there for them?

Mr. GOOD. Mr. Chairman, the situation in regard to these two small advertising bills is this: They have the authority of law to advertise. They must advertise for purchases, but they must first get the direct order from the head of the department. They inserted these advertisements and subsequently got the order. Therefore, not having had the order to insert the advertisements before they were inserted, the auditor held up the claim.

Mr. BLANTON. These two items are not anything like the Chicago newspaper items that the gentleman provided for immediately after the return from that city?

Mr. GOOD. Oh, no; the item the gentleman refers to was inserted in the bill over a year ago with respect to the Chicago newspapers.

Mr. BLANTON. I understand; but I refer to the visit that the gentleman made there, when he was so royally entertained.

Mr. GOOD. Oh, no; the gentleman is entirely mistaken about that.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation of the point of order.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 4205) to amend section 4, chapter 1, of Title I, of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. KELLOGG, Mr. BRANDEGEE, and Mr. WALSH of Montana as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. J. Res. 186) to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge over the North Branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa.

The message also announced that the Senate having proceeded in pursuance of the Constitution to reconsider the joint resolution (H. J. Res. 440) entitled "Joint resolution directing the Secretary of War to cease enlisting men in the Regular Army of the United States except in the case of those men who have already served one or more enlistments therein," returned to the House of Representatives by the President of the United States with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the joint resolution;

Resolved, That the joint resolution do pass, two-thirds of the Senate agreeing to pass the same.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 578) providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof.

The message also announced that the Senate had passed the following resolution (S. Res. 441):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. FRED L. BLACKMON, late a Representative from the State of Alabama.

Resolved, That a committee of six Senators be appointed by the Vice President to join the committee appointed by the House of Representatives to take order for the superintending of the funeral of Mr. BLACKMON at Anniston, Ala.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Naval training station, Great Lakes: Maintenance of naval training station: For labor and material, and so forth, including the same objects specified under this head in the naval appropriation act for the fiscal year 1921, $62,000.

Mr. BRITTEN. Mr. Chairman, in line 4, page 23, I move that the sum of $62,000 be increased to $100,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 4, strike out the figures "$62,000" and insert in lieu thereof the figures "$100,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that on a deficiency bill only such amounts as are real deficiencies are in order, and that the gentleman's amendment is out of order, because there is no such deficiency.

The CHAIRMAN. The Chair can not entertain that, because the Chair is not yet advised, and overrules the point of order.

Mr. BRITTEN. Mr. Chairman, my friend is entirely in error in this instance, and I desire to explain to the committee just why I am making this motion. When Capt. Williams, of the Bureau of Navigation, was before the Committee on Appropriations he was questioned about the cost of coal and the necessity for a deficiency appropriation at Great Lakes. The original estimate for the Great Lakes was $198,000. It was prepared by the commandant of the Great Lakes training station and submitted through the Bureau of Supplies and Accounts of the Navy Department. The Secretary of the Navy in his desire for economy arbitrarily reduced that amount to $100,000, and that was the way the deficiency estimate reached the Committee on Appropriations. In questioning Capt. Williams about the coal contract and the price of coal at the Great Lakes it was suggested that coal was cheaper now than it was last year, which is very true. The captain did not understand the contract conditions of purchase of coal at the Great Lakes, and before the committee got through with him they figured out that they could reduce this appropriation by $38,000, based on the estimated reduced price of coal. It is purely problematical.

Some gentleman on the committee was a coal man and suggested that coal really was cheaper now, which is true, but it develops after the reduction was made by the Committee on Appropriations that a contract existed for the purchase of coal at Great Lakes which permits the contractor to deliver up to but not exceeding 75,000 tons and the date of the expiration of that contract is April 1. All of the coal necessary at Great Lakes for a number of months subsequent to April 1 will soon be in their bins and, of course, will have to be paid for, so that the Committee on Appropriations was in error in making the $38,000 reduction. Let me suggest to the committee that if the Great Lakes station is expected to operate under a deficiency appropriation of $62,000, the fire-fighting force at that place—and we have got there $10,000,000 or $12,000,000 worth of buildings of temporary wooden construction—that the civilian fire-fighting force at Great Lakes will have to be discharged and a fire-fighting force made up of enlisted personnel substituted. We will have to detail enlisted personnel to the boiler rooms doing fireman's duty. We have 10 or 12 heating plants at that station. Gentlemen will recall that that station was developed in the course of the war and to meet the necessity for men in the Navy and merchant marine, which had become apparent. We had some 52,000 boys at Great Lakes at one time. It was one of the greatest naval stations the world has ever known. The result is that with its mushroom growth it developed a number of heating plant units, some 16 of them. Now we can not possibly take care of the station unless we have a proper civilian personnel. In other words, if, through lack of funds, we have to discharge them, we may have to take boys out of the training schools and put them in the engine room, put them on the garbage plant, the crematories, the filtration plant, and that is not what the enlisted personnel is expected to do, and no Member of Congress desires to have them do that character of work which takes them out of school. We have two of the most important schools in the Navy established at Great Lakes. We have the greatest ground aviation school there, which now accommodates probably 5,200 boys undergoing training which requires some seven or nine months. We have an excellent radio school there. Now, no one will contend for a moment in the interest of economy that those boys should do ordinary civilian labor, and yet if this appropriation goes through at $62,000 that is exactly what will have to be done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Does not the gentleman think that is a pretty good training for the young fellows, after all?

Mr. BRITTEN. That is not the kind of training they go into the Navy for.

Mr. BLANTON. We fellows who live in Washington and maintain residences have to fire furnaces, attend to the garbage can, and attend to the ashes every morning. It is pretty good training, after all.

Mr. BRITTEN. I will not agree with the gentleman that it is good training.

Let me suggest that in the estimate prepared by the Bureau of Supplies and Accounts for $198,000 for this station as a deficiency estimate, $25,000 was intended to care for the repair of barracks. Those temporary buildings will last from 15 to 20 years if given reasonable care. If they are allowed to go into decay they will not last five years. I maintain it is economy at an institution of that kind to properly protect those temporary structures. After all, they are only temporary, because in the course of 15 or 20 years, as I have said, we will have to renew them. Twenty-five thousand dollars for garbage disposal is desired in this estimate and $3,000 for instruction at radio school—and these reliable estimates are made up by the Bureau of Supplies and Accounts—$88,000 because of the increased cost of coal over last year, $15,000 for steam-pipe covering—and that is an important item; any man who owns a building knows that that saves fuel—$4,000 for the fire fighting and for the filtration plant, $20,000 for the repair of roofs, and $15,000 is scattered over miscellaneous expenditures, making a total of about $198,000.

Now, the Secretary of the Navy cut that amount in two arbitrarily, saying that they might get along with $100,000. As I suggested to the commandant, maybe they can get along with $100,000 by proper economy and by having a company of the boys at the station doing certain maintenance work on the premises. During the war, when we had 50,000 boys up there, there were several companies known as construction troops. They repaired pipes and did steam fitting, electric wiring, carpentry work, plumbing, road work, and all kinds of construction work. That was a good thing, and I suggested to Capt. Wurtsbaugh that he do that very thing now, only on a smaller basis, in order to meet the wishes of Congress for economy. And that is going to be done. But, gentlemen, Great Lakes can not live the balance of this fiscal year on $62,000 if the original request for $198,000 was at all consistent. And it simply means this, that they will have to discharge all of their civilian personnel, and take boys out of school, out of the radio schools and out of the aviation and other schools, and put them at doing civilian work, handling garbage, coal, and making repairs on roads and on buildings. Take a youngster away from mechanical work and set him at carpentry or repair work that he is not qualified to do is not economy. It interferes with his instruction. That is not what he is there for.

I hope the chairman will allow this appropriation to be raised to at least $100,000, which I am certain is economical and will be used to good advantage.

Mr. Chairman, my colleague, Mr. CHINDBLOM, is greatly interested in the Great Lakes station and would have offered this amendment if he were here to-day. He is at home suffering with a bad case of la grippe. He received this night letter from Great Lakes, which I would like to read for the information it contains:

GREAT LAKES, ILL., *February 7, 1921.*

Hon. CARL R. CHINDBLOM,
House of Representatives, Washington, D. C.:

Under existing coal contract, station is required to obtain its supply of coal from contractor up to 75,000 tons, unless contractor fails to make deliveries. Present prospects are that contractor will deliver all coal required. If he does, this coal for the year will cost $75,400 more than last year. Increase over last year is due, first, to largely increased population of station; and second, to poorer quality of coal; and third, to increased price over last fiscal year. Other items which have increased cost of maintenance of station this year are garbage removal, for which the cost per ton is greater than under existing contract, and the quantities are greater, due to doubled population; the cost of maintaining the regimental barracks, such as the cleaning gear in galleys and barracks; the increased cost of equipment for instruction purposes for the greater number of men under instruction. All these are chargeable to maintenance, Naval Training Station, and will raise the cost of this maintenance to at least $100,000 more than the appropriation. In addition to these increased demands, the Bureau of Yards and Docks expresses opinion that that bureau should not pay for electric current purchased from public-service corporation used in lighting the station and furnishing power, even although that bureau originally approved the requisition for this current under the appropriation "Maintenance, yards and docks." Should it be decided that the appropriation for maintaining the training station should pay for electric current, an additional deficiency appropriation of $60,000 is imperatively needed, and unless provided the commandant sees O. K. to retain any part of the civilian force attached to the station for the balance of the fiscal year; that is, those paid from appropriation for maintaining the station, which includes power plant and fire-fighting forces, a large part of clerical force, and other employees who have been on the station for many years and whose retention is considered essential to effect operation. Commandant must take action very soon in dismissing civilians unless deficiency appropriations, amounting to $160,000, are made available quickly. Otherwise, balance available for maintaining the station would not be sufficient to purchase coal and other necessities.

GREAT LAKES.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I am not so much interested in the gentleman's suggestion about the boys not being sent there for the purpose of firing boilers, and I can not really catch his viewpoint as to that any more than I can catch the viewpoint of the gentleman from Texas [Mr. BLANTON], although the gentleman from Texas called attention to the fact that he had to fire his furnace and carry out his garbage can. That is an interesting thing, and I hope that Mr. Berryman, the well-known cartoonist, will not read the RECORD, because I imagine I can see him getting up one of his celebrated cartoons showing the gentleman from Texas in his long-tailed English walking coat, which he so often wears, carrying a garbage can down the alley. And I am afraid it will bring Congress into a more mirthful attitude before the Nation than it is now.

Here is what I want to go to seriously: I have given some study to the question of fuel saving. I think there is a point that the gentleman might have made, and that is this, that the economical operation of the boilers and the fuel plants out there at Great Lakes can not be carried on by the general run of boys brought into that training school. It is economy to have men who know something about handling those fuel plants. We all know that our former colleague, Dr. Foster, gave a great deal of attention to this question, and it was at his instance that we established a Government fuel yard here in Washington, which was built, and which has saved a great deal of money.

I think it would be the part of wisdom to extend the powers of the Government fuel yard here in Washington, under the direction of the Bureau of Mines, so that they could not only purchase for the departments here in Washington, but that every fuel plant of the Government throughout the Nation, Army posts, and naval stations, and everything else, would be required to submit their requisitions to this fuel yard here, and that the purchases would be made here, and that they should have further authority so that they be given some control over the question of the kinds of fuel plants put in. The erection of most of the fuel plants in the public buildings throughout this country is done not from the standpoint of the economical fuel which is available for that particular plant, but in accordance with some architect's whim, or something else, and by consulting these experts and having their advice on plans and the planning for the fuel plant of any public building, they could then recommend a type of plant suitable for the particular building, and they could recommend the arrangement of the fuel most accessible to the supply, so that you could save millions of dollars throughout the country. Not only that, but if they were given the purchasing power, you would stop the scandal of coal and fuel being bought for an eastern Army post from some western coal mine, and the purchase of coal for a western Army post at some eastern coal mine, and all that sort of thing. I think we ought to take these fuel plans and treat them as something that requires expert knowledge, and by making proper appropriations for men who do know something about it you could save millions of dollars on your fuel each year.

Mr. BRITTEN. Mr. Chairman, the gentleman is correct not only as to the character and size of coal, but the Scientific American last week came out with a very clever article in which it was shown that 96 or 98 per cent of all the coal burned in the United States goes up the chimney.

Mr. WINGO. Yes; if you take the average apartment house in the city of Washington—and I make that remark from a knowledge of the apartment house that I live in—and the proprietor knew how, he could cut his fuel bill in two. But in his misdirected desire to save money he is making his fuel bill twice what it ought to be, whereas if he would only go over to the Bureau of Mines he would ascertain what kind of coal he should buy and what kind of coal he should use in that equipment.

Mr. GOOD. Mr. Chairman, this item for the Great Lakes Naval Training Station was gone into by the committee, as stated by the gentleman from Illinois, very carefully. The committee did not want to cast any reflection on the Committee on Naval Affairs which reported out the bill last year. They reported what was supposed to cover the entire situation. After that the price of coal went up, and it went up about a dollar a ton. We found that the price of coal, after the estimate had been made for $100,000, had gone down, and by taking the reduction in the price of coal that has been made and applying that over the balance, we found that they could probably get along, as we thought, with $62,000. That is the reason why we have recommended that sum in the item.

Now, I will say to the gentleman from Illinois [Mr. BRITTEN] that since the committee reported out the bill I have received a letter from the Navy Department that would indicate that they have purchased a part of the coal for the remainder of the year at a higher price. I do not know whether we have cut the amount too much or not. They say they can not possibly get along with less than $88,700. I would not object to an amendment to that extent, but I do not think we ought to appropriate into a deficiency bill maintenance items that were not estimated for by the Secretary of the Navy.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield there?

Mr. GOOD. Yes.

Mr. BRITTEN. I am sure that the chairman desires to be very fair in the premises. Let me suggest that when the appropriation bill was framed last year by the Committee on Naval Affairs we arbitrarily cut the amounts for Great Lakes Training Station and every other training station with a view to securing economy.

Mr. GOOD. We know that last year you had an addition of $75,000. The Secretary asked for only $500,000, and you got an appropriation of $575,000.

Mr. BRITTEN. Yes. I have here a statement from the commandant of the Great Lakes Naval Training Station, in which he said that coal would cost $75,400 more this year than last year. Now, the contract under which the coal was furnished does not terminate or die until April 1 this year. They have had all their coal purchased for this year.

Mr. GOOD. They say, notwithstanding that, that they will not need more than $88,700 for coal.

Mr. BRITTEN. In all fairness to the station, inasmuch as the gentleman realizes that he can not be positive in the premises, I submit that the amount should be increased. The gentleman himself suggested that he would not object to an amendment bringing the amount up to $88,700.

Why not increase the amount about $14,000, and let the item go in at $100,000, just as the Navy Department originally requested? That is the substance of my amendment.

Mr. GOOD. Because that permits them to do something that the Navy Department did not intend they should. If the naval bill goes through as reported, they will have to dismantle some of this plant. We should proceed with great care, therefore, with improvements.

Mr. BRITTEN. Yes; we are going to dismantle a great portion of the plant, and none of these repairs will, of course, apply to that portion of the property that is to be either returned or salvaged.

Mr. GOOD. I do not believe the gentleman's amendment ought to prevail with regard to the $100,000, but I think it is quite possible and, indeed, probable that they will need the $88,700.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. BRITTEN].

The question being taken, the amendment was rejected.

Mr. BRITTEN. I desire to offer an amendment increasing the amount to $88,700.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BRITTEN: Page 23, line 4, strike out "$62,000" and insert in lieu thereof "$88,700."

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. BRITTEN].

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 31, noes 1.

Accordingly the amendment was agreed to.

The Clerk read as follows:

Navy yard, Mare Island, Calif.: For improvements to central power plant and distributing system, $23,600.

Mr. BLANTON. I move to strike out the last word. I want to ask the chairman what is the use of continuing appropriations for this Mare Island Navy Yard, Calif., if the special select committee that we lately sent out there have determined in their report to do away with that navy yard, that is such a distance from the bright lights of San Francisco that the officers who have to stay there have quite a lot of trouble in getting to San Francisco?

Mr. GOOD. We allowed only a very small part of the estimate, and that was for the improvement of the heating plant, which must be made right away.

Mr. BLANTON. The gentleman knows what is in the wind with regard to this yard?

Mr. GOOD. Oh, yes; but that is not involved in this at all.

Mr. BLANTON. In regard to building a navy yard a little closer to San Francisco, for the special benefit of those officers out there.

Mr. GOOD. That matter will come up on another bill, but this is just to make some needed repairs.

Mr. BLANTON. The gentleman is preparing to meet that issue, is he?

Mr. GOOD. Yes; when we reach it.

Mr. HICKS. Will the gentleman from Texas yield?

Mr. BLANTON. I will.

Mr. HICKS. I want to say that probably the gentleman will not be in Congress when Mare Island is given up as a construction yard. The report to which the gentleman has referred does not contemplate that Mare Island shall be given up in the near future as a great construction and repair yard.

Mr. BLANTON. But what about that new base that they are preparing?

Mr. HICKS. That is a naval base, an operating base, entirely distinct and separate in its conception from a great construction yard.

Mr. BLANTON. I want to tell the gentleman that I will be in Congress when that item comes up, and I am going to be on the side of the people in fighting it.

Mr. HICKS. Which side is that?

Mr. BLANTON. That is against the gentleman.

Mr. BRITTEN. On the naval side.

The Clerk read as follows:

Maintenance, Bureau of Supplies and Accounts: The limitation specified in the Naval appropriation act for the fiscal year 1921 on expenditures for pay of chemists and for clerical, inspection, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year 1921, under "Maintenance, Supplies and Accounts," is increased by $750,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against this paragraph, that this change of the limitation is unauthorized by law and is new legislation on an appropriation bill.

Mr. GOOD. The item is not subject to a point of order. Last year's bill fixed a limitation of $3,500,000 that could be used for a given purpose out of the appropriation. Without that limitation they could have expended the total appropriation for that purpose. What we have done here is not to increase the appropriation, but simply to increase the limitation. Now, when that item was up for consideration before, instead of putting on a limitation of $3,500,000 we could have placed a limitation of $4,250,000 and it would not have been subject to a point of order. It has been found that it will be necessary to spend more money for this purpose during the next year, and this simply increases the amount fixed in the limitation of the current appropriation that can be used for a certain purpose.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. The gentleman remembers the fight we had over this item, and he remembers that at the beginning, when this was offered as an amendment to increase this, the Chair sustained the point of order against the whole item, and the limitation was put in after the point of order had been sustained. That is my recollection of it. The gentleman remembers the fight that was made by the gentleman from Massachusetts and it was held up for two or three days. Clearly this is not a deficiency, and I make the point of order that it is not a deficiency.

Mr. GOOD. It seems that where Congress has put on a limitation that to increase the limitation is admissible because it is purely a limitation.

Mr. WINGO. Mr. Chairman, I think the gentleman from Iowa is in error. The facts are that the item deals with current law and the limitation is in the current law. There is no permanent legislation on the question. The point is that in making the current appropriation bill the House put on a limitation for this purpose, that the general sum appropriated should not for this specific purpose exceed three and a half million dollars. So far as this item is concerned and so far as this bill is concerned, it makes no difference whether it is permanent law or current law. There is an "existing law" which this changes. It being a change of law, then, it can only be in order because it is a limitation or a reduction. It is neither, but, as a matter of fact, removes to a certain extent a limitation, and increases instead of decreases. The point of order should be sustained.

The CHAIRMAN. It is not contended that this item is authorized by statute law, but at best only by current law as carried in the appropriation bill of 1921. In that bill, in that provision which generally applies to the Bureau of Supplies and Accounts, there is a proviso which runs as follows:

Provided, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for chemists and for clerical, inspection, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year ending June 30, 1921, shall not exceed $3,500,000.

That is the proviso which this particular item undertakes to amend. It is clear to the Chair that if there is any law at all on the subject, it is current law, and that the intention of this paragraph is to change the existing law.

The Chair is familiar with the rulings holding that items carried in an appropriation bill create law at least for the year in which the appropriation is carried. It seems to the Chair that is an attempt to change the current law, or at least to extend the limitation provided in the current law. It seems to the Chair that if this item in the bill was in order it would be idle to put any limitation on an appropriation bill in current law. The Chair feels compelled to sustain the point of order.

The Clerk read as follows:

Fuel and transportation: For coal and other fuel for steamers' and ships' use, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1921, $20,000,000.

Mr. SEARS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SEARS: Page 24, after line 23, insert as a new paragraph:

"The Navy Department is authorized to pay to Mr. and Mrs. Clifton Cates, of 530 William Street, Key West, Fla., such sum as may be found to be due them by the Government for rent of rooms by Lieuts. Mayer and Myers during the months of April and May, 1918, there being no Government quarters available."

Mr. GOOD. Mr. Chairman, I make the point of order.

Mr. SEARS. Mr. Chairman, will the gentleman reserve the point of order?

Mr. GOOD. I reserve the point of order.

Mr. SEARS. Mr. Chairman, I offer this paragraph although I realize that it is subject to the point of order, with the hope of getting some information. The facts are that in May, 1918, Lieuts. Mayer and Myers, of the Navy, were left at Key West when no Government quarters were available for them. Rooms were rented from Mr. and Mrs. Cates by a Government official of the Navy Department, and these two lieutenants took possession of the rooms. The total amount claimed by Mr. and Mrs. Cates, as I understand it, is $63. They have been trying to get this amount ever since 1918, and while the Navy Department acknowledges that the claim is meritorious, they state that this amount can not be paid without some law, the comptroller having ruled that it can not be paid. I have left the amount open, because the Navy Department may not agree that

$63 is the proper amount, simply with the hope of trying to collect it.

Only yesterday we passed an act appropriating several hundred million dollars in behalf of the railroads of the country, and I voted for the measure, and it does seem to me that some plan should be devised for paying these small claims of private citizens similar to the one included in my motion.

Mr. GOOD. I would say to the gentleman that we had some hearings on the matter, but inasmuch as the amount asked for was indefinite, and as the gentleman's amendment is indefinite, and inasmuch as it is legislation, we did not feel that we ought to enter that realm. If the amount were fixed and the gentleman knew it to be fixed at $63, I would not object to the amendment.

Mr. SEARS. Then, I will ask unanimous consent to modify my amendment by inserting the amount, $63.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to modify his amendment in the manner indicated. The Clerk will report the amendment as modified.

Mr. MADDEN. Mr. Chairman, I make the point of order against the amendment. This is a claim, and it ought to go to the Committee on Claims.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SEARS. Mr. Chairman, I move to strike out the last word. I want to sincerely thank the gentleman from Illinois, a member of the steering committee, for keeping this lady out of what she is justly entitled to and——

Mr. MADDEN. Oh, I make the point of order that the gentleman is not talking to his amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SEARS. Then I make the point of order that there is no quorum present. [After a pause.] I withdraw it, because even though the gentleman from Illinois wants to be mean, I do not.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Repairs of barracks, Marine Corps: Repairs and improvements to barracks, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1921, $150,000.

Mr. HICKS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HICKS for Mr. BUTLER: Page 25, line 25, after the figures "1921," insert: "and including not to exceed $850 for painting the gymnasium at Quantico, Va."

Mr. WINGO. Mr. Chairman, I reserve the point of order on the amendment.

Mr. HICKS. Mr. Chairman, the purpose of offering the amendment is this: In passing let me say that I doubt very much if it is subject to the point of order, for it is for maintenance, but the gentleman has reserved it, and I want to address myself to the amendment. At Quantico, Va., as the members of the committee know, we have a great training camp for marines. There is a gymnasium there, and the foundations were constructed entirely by the enlisted men. They contributed their time and labor during their times of recreation. The cement was supplied them by the department, and they have furnished that gymnasium from canteen and entertainment funds, and included in its equipment is a fine organ which cost the men several thousad dollars. They now want to paint the building. Many of these men are painters by trade; that is one of the things we are teaching them in the vocational training school. They are willing to give their time, from their recreation and rest, in order that the gymnasium may be painted, but they do ask that the paint shall be supplied by the Government. That is all they are asking. They are willing to give their labor and time and paint the gymnasium, and in view of their energy and thrift, always so manifest in the Marine Corps, I feel this amendment should carry. It is a Government building, and if the Government will supply them with the material which will cost $850, they will do the rest.

Mr. WINGO. Will the gentleman yield?

Mr. HICKS. So I sincerely hope the gentleman from Arkansas will not make a point of order against this item.

Mr. WINGO. This is not for painting the Government barracks down there; this is for painting the gymnasium.

Mr. HICKS. This is for the gymnasium which the men use for their own pleasure, and for which they have contributed their money and time.

Mr. WINGO. Is it to be painted inside or out?

Mr. HICKS. It is to be painted on the outside I know. I am not sure whether it is to be painted on the inside also.

Mr. BRITTEN. May I suggest to the gentleman this building was completed out of funds taken out of the Marine Corps canteen? They had no proper gymnasium, no recreation place; they had no organ down there. Marines always care for themselves. It does not make any difference where you see a marine company or detachment, they care for themselves in every direction. This building is constructed of partly new lumber, never having been painted, and should be painted. They need paint, and are willing to apply it themselves.

Mr. WINGO. What size building is it?

Mr. BRITTEN. I do not know; it may be 180 or 190 feet long.

Mr. HICKS. Mr. Chairman, it seems to me that this is a work that is most deserving of our cordial support where men will do this of their own volition, and I believe the gentleman from Arkansas sees the value of this when it can be done at such a nominal expense to the Government.

Mr. BRITTEN. Mr. Chairman, I would like to suggest this is purely a maintenance amendment. The building has never been painted. It ought to be painted and ought to be maintained, the same as the other buildings down there are maintained and painted. The Marine Corps personnel will paint the building——

Mr. WINGO. I will make this trade with the gentleman, that if he will stop talking I will withdraw my reservation.

Mr. BRITTEN. Will the gentelman also be in favor of the amendment?

Mr. WINGO. I will withdraw my reservation of the point of order if the gentleman will stop talking.

The CHAIRMAN. The reservation of the point of order is withdrawn, and the question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Department of the Interior, public buildings.

Mr. McCLINTIC. Mr. Chairman, I now renew my point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty gentlemen are present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Emerson	Kitchin	Reavis
Anthony	Evans, Nev.	Kleczka	Reed, N. Y.
Ashbrook	Fairfield	Lampert	Reed, W. Va.
Ayres	Ferris	Langley	Rhodes
Babka	Fisher	Lankford	Riordan
Bacharach	Focht	Layton	Robinson, N. C.
Baer	Fordney	Lee, Ga.	Rodenberg
Bankhead	Frear	Lesher	Rouse
Barkley	Freeman	Linthicum	Rowan
Bell	Fuller	Lonergan	Rowe
Benson	Gallagher	McAndrews	Rucker
Bland, Ind.	Gallivan	McArthur	Sanders, Ind.
Bland, Mo.	Gandy	McCulloch	Sanders, La.
Boles	Gard	McDuffie	Sanders, N. Y.
Bowers	Garrett	McGlennon	Sanford
Bowling	Glynn	McKinley	Scott
Brinson	Godwin, N. C.	McKinley	Scully
Brooks, Ill.	Goldfogle	McLane	Sells
Browne	Goodall	McLaughlin, Mich.	Sherwood
Brumbaugh	Goodwin, Ark.	Maher	Shreve
Buchanan	Goodykoontz	Major	Siegel
Burke	Gould	Mann, Ill.	Sims
Butler	Graham, Pa.	Mann, S. C.	Small
Caldwell	Griffin	Mapes	Smith, Idaho
Candler	Hamill	Martin	Smith, Ill.
Cannon	Hamilton	Mason	Smith, Mich.
Cantrill	Harreld	Mays	Smith, N. Y.
Carew	Harrison	Mead	Steagall
Casey	Hawley	Minahan, N. J.	Stedman
Chindblom	Hays	Montague	Steele
Christopherson	Hersey	Moon	Stevenson
Clark, Fla.	Hersman	Mooney	Stiness
Clark, Mo.	Hill	Moore, Va.	Sullivan
Classon	Hoey	Morin	Taylor, Tenn.
Coady	Holland	Mudd	Towner
Cole	Houghton	Neely	Upshaw
Cooper	Howard	Nelson, Mo.	Vare
Copley	Huddleston	Nelson, Wis.	Venable
Costello	Hull, Iowa	Nicholls	Vestal
Crago	Humphreys	Nolan	Vinson
Currie, Mich.	Igoe	O'Connell	Voigt
Dale	Jacoway	Oldfield	Volk
Davey	James, Mich.	Oliver	Walters
Dempsey	Johnson, Ky.	Olney	Weaver
Dent	Johnson, Miss.	Padgett	Welty
Dewalt	Johnson, S. Dak.	Paige	Whaley
Dickinson, Iowa	Johnson, Wash.	Parker	White, Me.
Dickinson, Mo.	Johnston, N. Y.	Patterson	Wilson, Ill.
Dominick	Jones, Pa.	Peters	Wilson, La.
Donovan	Jones, Tex.	Porter	Wise
Dooling	Kahn	Pou	Wright
Doremus	Kearns	Radcliffe	Yates
Doughton	Keller	Rainey, Ala.	Young, N. Dak.
Dupré	Kelley, Mich.	Rainey, John W.	Young, Tex.
Echols	Kennedy, Iowa	Ramsey	Zihlman
Elliott	Kennedy, R. I.	Ramseyer	
Ellsworth	Kettner	Randall, Calif.	
Elston	Kincheloe	Rayburn	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 15962, the

general deficiency bill, finding itself without a quorum, he had caused the roll to be called, and that 199 Members, a quorum, had answered to their names, and that he presented therewith a list of the absentees for insertion in the Journal and RECORD.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL.

For inland transportation by railroad routes, $35,650,000.

Mr. STEENERSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STEENERSON: Line 7, page 31, strike out "$35,650,000" and insert "$34,850,000."

Mr. STEENERSON. I understand this is satisfactory?

Mr. GOOD. Mr. Chairman, there was included in this item about $800,000 for airplane service, that they expected to expend. You have simply stricken out that amount?

Mr. STEENERSON. That is all.

Mr. GOOD. I have no objection.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

UNITED STATES HOUSING CORPORATION.

Salaries: For officers, clerks, and other employees in the District of Columbia necessary to collect and account for the receipts from the sale of properties of the United States Housing Corporation, the Bureau of Industrial Housing and Transportation, property commandeered by the United States through the Department of Labor, and to collect the amounts advanced to transportation facilities and others, $35,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $5,000 per annum and only one person may be employed at that rate.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The last two paragraphs, I note, are under the head of salaries, and that work seems to be limited to the collection and accounting for receipts from the sale of property. What is the necessity for so much expense in collecting the amount due?

Mr. GOOD. They are selling all the property, and my understanding is that their total expense for the collection here in Washington, in running the entire establishment, is less than four-fifths of 1 per cent of the amount collected. They are selling all this property, as I said, but they have not sold it all. There is some property in Syracuse and some property in California they are about to sell, and they are getting the houses well disposed of. It has been a tremendous task, as the gentleman can understand, when they are selling this property to persons for homes, and it has meant thousands of individual sales.

Mr. WINGO. Does that include deferred payments, or are they cash sales?

Mr. GOOD. That includes the actual collection, as I understand.

Mr. WINGO. The gentleman did not catch the question. The sales are made in some instances on deferred payments?

Mr .GOOD. I think practically all of the property is sold on deferred payments. Most of it is sold under contract.

Mr. WINGO. And the provisions carried in these two separate items are to cover that accounting and the office force that is incident thereto. It is not a question of litigation at all.

Mr. GOOD. Not at all, except one of these items is to provide for the funds where there is a foreclosure or something of that kind.

Mr. WINGO. There was no particular piece of litigation that you had in mind? It is the current expense of the office force that is looking after the sales that are to be made?

Mr. GOOD. That is correct.

Mr. PARRISH. Does the gentleman know whether they pay any commission in connection with the sale of these houses?

Mr. GOOD. Yes; there have been some commissions paid.

Mr. PARRISH. Does this appropriation cover that item or not?

Mr. GOOD. No; this does not. It is simply for the collection of the money. Wherever there is a commission charge, my understanding is it is paid out of the receipts. They have authority to pay it that way. But I understand their commissions have been very modest.

Mr. WINGO. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Washington, District of Columbia, Government hotel for Government workers: For maintenance, operation, and management of the hotel and restaurant therein, including personal services, $45,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $5,000 per annum, and only one person may be employed at that rate.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. Is this item for the group of buildings down here on the Plaza?

Mr. GOOD. Yes.

Mr. WINGO. And the maintenance, operation, and management of that hotel and restaurant is costing us $5,000 a year in addition to what they get out of it?

Mr. GOOD. No. The estimate is that there will be something of a surplus. The total cost of running the hotel is about $1,000,000 a year, and the income is a little over that. This amount here was made necessary because of the application of the minimum wage law in the District of Columbia, which added $75,000 to their expenses over and above what was estimated.

Mr. WINGO. Possibly my inquiry was predicated upon lack of information of the legislative regulations. As I recall, we simply make the appropriation, but make it payable out of the receipts?

Mr. GOOD. No. The receipts are covered into the Treasury as miscellaneous receipts, and we make a direct appropriation for the expense. So we have a record of the receipts.

Mr. WINGO. So in the current law you appropriate the money that was estimated would cover the expenses?

Mr. GOOD. Yes.

Mr. WINGO. The item of deficiency is because of the increase under the minimum wage law?

Mr. GOOD. Yes; the minimum wage law.

Mr. WINGO. And the receipts that are coming in and that are covered into the Treasury are going to cover all the expenses, even including this?

Mr. GOOD. Yes; and producing a surplus.

Mr. WINGO. Is it the intention to continue this hotel and restaurant indefinitely, or is it intended soon to dispense with them?

Mr. GOOD. I think it is the plan as soon as possible to wreck those buildings. They ought to be wrecked in the near future. Just how long it will be necessary to continue the hotel I can not state.

Mr. WINGO. I can not recall whether the sundry civil bill carried an appropriation for this fiscal year or not. Does the gentleman remember?

Mr. GOOD. An appropriation is carried next year for that service. It is thought that some time next year there will be some disposition made of the whole subject.

Mr. WINGO. To what particular class of employees does that apply?

Mr. GOOD. Practically all of the employees are under the law. Their compensation is fixed by a compensation commission. The waitresses and help of that kind have their salaries fixed.

Mr. WINGO. If the increase costs $45,000, the natural inquiry arises in my mind whether they must not have a big lot of cooks and chambermaids down there to take care of those young ladies.

Mr. GOOD. Yes; they have a great many.

Mr. WINGO. I understand they have 1,800 people there, and the increase, which was a very small percentage after all, would make a $45,000 increase, just for chambermaids and cooks for 1,800 ladies?

Mr. GOOD. My recollection is that about 500 persons are employed.

Mr. WINGO. I say 1,800 guests, and it takes 400 or 500 chambermaids and cooks?

Mr. GOOD. About 1,800 guests are provided with accommodations, and about 500 waitresses and clerks and employees of all kinds are employed.

Mr. WINGO. With that number, I presume, there is no complaint about the treatment they are getting now?

Mr. GOOD. I understand not.

Mr. WINGO. They should be satisfied.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. McCLINTIC. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word.

Mr. McCLINTIC. Mr. Chairman, during the war we had an elaborate housing commission, which had charge of these Government houses. I would like to know if the same housing commission has charge of this Government property?

Mr. GOOD. No. It is under the Secretary of Labor now. The Housing Bureau is now a bureau of the Department of Labor.

Mr. McCLINTIC. Does the gentleman know how long it is intended to maintain these buildings?

Mr. GOOD. No; I will say to the gentleman that I do not know. That will depend somewhat on future legislation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In all, $105,500: *Provided*, That no part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended for the purposes for which appropriations are made herein.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Iowa moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, and had come to no resolution thereon.

COLD STORAGE BILL (S. DOC. NO. 377).

Mr. HAUGEN, from the Committee on Agriculture, presented for printing under the rule the conference report and accompanying statement on the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes.

Mr. WINGO. Mr. Speaker, I reserve all points of order.

The SPEAKER. The conference report is ordered printed under the rule.

Mr. WALSH. What is it?

The SPEAKER. The conference report on the cold storage bill.

Mr. GARNER. Mr. Speaker, I understand the gentleman from Arkansas [Mr. WINGO] reserved all points of order?

The SPEAKER. Yes. That is not necessary.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p. m.) the House adjourned, according to previous order, until to-morrow, Thursday, February 10, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

407. A letter from the Acting Secretary of Agriculture, transmitting supplemental report in connection with claims arising under the provisions of section 9 of "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," on account of road construction in various States; to the Committee on Roads.

408. A letter from the Farm Loan Commissioner, transmitting report by the Federal Farm Loan Board (H. Doc. No. 998); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SNYDER, from the Committee on Indian Affairs, to which was referred the bill (S. 3737) to carry out the provisions of an act approved July 1, 1902, known as the act entitled "An act to accept, ratify, and confirm a proposed agreement submitted by the Kansas or Kaw Indians of Oklahoma, and for other purposes," and to provide for a settlement to Addie May Auld and Archie William Auld, who were enrolled as members of the said tribe after the lands and moneys of said tribe had been divided, reported the same without amendment, accompanied by a report (No. 1308), which said bill and report were referred to the House Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill (S. 3125) authorizing the Secretary of War to transfer certain surplus machine tools and other equipment to the Federal Board for Vocational Education, reported the same with an amendment, accompanied by a report (No. 1309), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LANGLEY, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 15831) to authorize the Secretary of the Treasury to sell a portion of the Federal building site in the city of Duquoin, Ill., reported the same without amendment, accompanied by a report (No. 1310), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 4924) to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America over the property and persons of the town site or territory known as United States Housing Corporation project 150A, located in Norfolk County, State of Virginia, and called Cradock, reported the same without amendment, accompanied by a report (No. 1311), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DYER, from the Committee on the Judiciary, to which was referred the bill (H. R. 16043) to authorize the incorporation of companies to promote trade in China, reported the same without amendment, accompanied by a report (No. 1312), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ESCH: A bill (H. R. 16060) to amend the interstate commerce act by adding thereto a new section, No. 20b, and to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, by adding a new paragraph to section 10 thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of South Dakota: A bill (H. R. 16061) authorizing the bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown French soldier buried in the Arc de Triomphe of the congressional medal of honor; to the Committee on Foreign Affairs.

By Mr. OGDEN: A bill (H. R. 16062) to create a cause of action for compensation in damages for injuries sustained and death resulting from injuries to any person through the wrongful act or omission by an agent, officer, or employee of the United States Government, and to provide the procedure therefor; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: A bill (H. R. 16063) authorizing the readjustment of certain star route and power-boat mail contracts; to the Committee on the Post Office and Post Roads.

By Mr. WILSON of Louisiana: A bill (H. R. 16064) directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers and to report plan for protection of their basins from flood waters of the Mississippi River; to the Committee on Flood Control.

By Mr. ESCH: A bill (H. R. 16065) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGLEY: A bill (H. R. 16066) to authorize the Chief of Engineers, United States Army, to grant permits for certain installations in public grounds under his control in the District of Columbia; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 16067) for the erection of a vault building for the use of the Treasury Department, Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. OGDEN: Resolution (H. Res. 677) directing the Commissioner of Internal Revenue to furnish the House of Representatives certain information; to the Committee on Ways and Means.

By Mr. McARTHUR: Memorial of the Legislature of the State of Oregon, in connection with the sale of supplies by the War Department; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COPLEY: A bill (H. R. 16068) granting a pension to Florence Hall; to the Committee on Pensions.

By Mr. DUNBAR: A bill (H. R. 16069) granting an increase of pension to Alice D. Knight; to the Committee on Pensions.

By Mr. HERSEY: A bill (H. R. 16070) granting a pension to Maurice Roach; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5615. By Mr. CALDWELL: Petition of representatives of the pearl button workers of the Eastern States, New York, favoring a high tariff on pearl buttons and pearl novelties and on cut blanks; to the Committee on Ways and Means.

5616. Also, petition of Henry L. Doherty & Co., of New York, favoring the passage of the Nolan bill; to the Committee on Patents.

5617. By Mr. DYER: Petition of Mrs. Theodore Benoist, Myrtle Wheeler, Maureen King, John A. Mueller and others, C. Schmitz and others, G. S. Wiehms, Luke E. Hart, Julia Ginder, W. E. Lindsey, Mrs. J. H. Boyes, Mrs. Alice McWash, Josephine Behler, Loretto Degenhardt, Beatrice Brown, J. Robson, and William F. Hendrix, all of St. Louis, Mo., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5618. Also, petition of the Mothers' Club, Frank A. Aug, and others, all of St. Louis, Mo., protesting against the Smith-Towner bill; also petition of J. A. Meyer, of St. Louis, Mo., in favor of the Smith-Towner bill; to the Committee on Education.

5619. Also, petition of Mrs. L. E. Thorn, L. A. Peabody, Oliver J. Voelpel, Clara A. Duerr, Mr. and Mrs. J. H. Biermann, Mrs. Helen Risse, Alice P. Moskop, Jennie J. Kuehl, R. J. Pietz, Sadie C. Pounds, Walter N. Gindra, H. Floerchinger, Christina Peters, John E. Massengale, D. M. Haskin, Clara Belle Haskin, Mrs. Charles S. Gerber, Mrs. J. A. Life, Mr. and Mrs. F. R. Thorn, Mrs. Mae F. Meyer, Henry Ries, Mrs. Edward Orr, Ernst Lewitz, Mrs. E. Lewitz, Sabine Coleman, Laura R. Moskop, Magdalene M. Willis, Mrs. Jennie B. Bartlow, A. C. Cecelia Schoknecht, James B. Farrell, Emma Octerbeck, Miss E. Loch, and Lucy M. Hayes, protesting against Capper-Fess bill; to the Committee on Education.

5620. Also, petition of Mrs. Cornelia E. Hildebrand, Lillian Schultz, Matthew Voney, Norma B. Voney, Lillian Voney, O. J. Fickeissen, Dorothy Koetzli, Sadie M. Sankup, and Nat. L. McGuire, all of St. Louis, protesting against the Capper-Fess bill; to the Committee on Education.

5621. Also, petition of Mrs. L. Finger and E. M. Finger, of St. Louis, Mo., protesting against the passage of House bill 160; to the Committee on Military Affairs.

5622. By Mr. DOOLING: Petition of certain citizens of New York City, opposing the Smith-Towner bill; to the Committee on Education.

5623. By Mr. EDMONDS: Petition of the New Century Club of Philadelphia, Pa., urging the passage of House bill 14469; to the Committee on Interstate and Foreign Commerce.

5624. Also, petition of Donald T. Shenton Post, No. 130, the American Legion, Philadelphia, Pa., urging Congress to pass legislation affecting former service men; to the Committee on Interstate and Foreign Commerce.

5625. By Mr. EMERSON: Petition of the Cleveland Chamber of Commerce, of Cleveland, Ohio, protesting against the reduction in the appropriation for the Bureau of Foreign and Domestic Commerce; to the Committee on Appropriations.

5626. By Mr. ESCH: Petition of John H. Barlow, chairman conference of All Friends, Philadelphia, Pa., regarding world disarmament and economic reconstruction; to the Committee on Foreign Affairs.

5627. Also, petition of residents of Sauk County, Wis., favoring beer and light wines and protesting against the Sunday blue law; to the Committee on the Judiciary.

5628. By Mr. GALLIVAN: Petition of Commissioner W. A. L. Bazeley, department of conservation, Commonwealth of Massachusetts, urging favorable action on appropriation of $300,000 in deficiency bill to complete gypsy-moth work in cooperation with the States; to the Committee on Appropriations.

5629. Also, petition of Commissioner Arthur W. Gilbert, department of agriculture, Commonwealth of Massachusetts, urging restoration of an appropriation of $214,000 for white-pine blister rust work; to the Committee on Appropriations.

5630. By Mr. HAYS: Petition of Rev. M. D. Collins and others, of the fourteenth congressional district of Missouri, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5631. By Mr. KENNEDY of Rhode Island: Resolution of the House of Representatives of the State of Rhode Island, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5632. By Mr. LAMPERT: Petition of citizens of Chilton, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5633. By Mr. LONERGAN: Petition of the Connecticut Council of Catholic Women, protesting against the Smith-Towner bill because it is un-American, unconstitutional, and economically and politically unsound; to the Committee on Education.

5634. By Mr. MANN of Illinois: Petition of certain citizens of Chicago, Ill., favoring an amendment to the Volstead law and protesting against the Sunday blue laws; to the Committee on the Judiciary.

5635. By Mr. MERRITT: Petition of the faculty and student body of St. Mary's Theological Seminary, of West Norwalk, Conn., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5636. By Mr. MOONEY: Petition of Cuyahoga County Council, the American Legion, Cleveland, Ohio, representing 31 American Legion posts, urging the immediate passage of S. 4613 and H. R. 14961; to the Committee on Interstate and Foreign Commerce.

5637. By Mr. MORIN: Petition of members of St. Augustine's parish, Pittsburgh, Pa., protesting against the Smith-Towner bill; to the Committee on Education.

5638. Also, petition of the Ladies' Aid Society of St. Paul's Cathedral, Mrs. Joseph Kunkel, president, of Pittsburgh, Pa., protesting against the Smith-Towner bill; to the Committee on Education.

5639. Also, petition of Rev. Philip Knupfer, O. M. Cap, and others, of Pittsburgh, Pa., protesting against the Smith-Towner bill; to the Committee on Education.

5640. Also, petition of the Holy Spirit Greek Catholic Church, of Pittsburgh, Pa., Dr. Thoe M. Vasochik, rector, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5641. Also, petition of members of the Physical Education Club of the University of Pittsburgh, Pa., urging passage of Fess-Capper bill; to the Committee on Education.

5642. By Mr. O'CONNELL: Petition of the White Motor Co., of New York, asking the passage of bills to stimulate foreign trade; to the Committee on Interstate and Foreign Commerce.

5643. By Mr. OGDEN: Petition of the Louisville Real Estate Board, Louisville, Ky., opposing the passage of the Ralston-Nolan bill, H. R. 12397, also H. R. 14157; to the Committee on Ways and Means.

5644. Also, petition of certain citizens of Louisville, Ky., protesting against the occupation of Germany by French colonial troops; to the Committee on Foreign Affairs.

5645. By Mr. PAIGE: Petition of the Outlook Club, of Orange, Mass., protesting against commercializing our national parks; to the Committee on the Public Lands.

5646. Also, petition of Division No. 2, Ancient Order of Hibernians, No. 292, of Fitchburg, Mass.; Charles T. McMurray, Fitchburg, Mass.; Edmond Chapdelain, president of the Association of Catholic Men and Women, West Warren, Mass.; and James H., Nellie L., and Mary A. Sheehan, of Fitchburg, Mass., opposing the Smith-Towner bill; to the Committee on Education.

5647. Also, petition of the Woman's Christian Temperance Union, of Clinton, Mass., indorsing the Smith-Towner and Sheppard-Towner bills; to the Committee on Interstate and Foreign Commerce.

5648. By Mr. SINCLAIR: Petition of the Board of Commissioners of Renville County, N. Dak., asking for the enactment of legislation providing Federal aid for farmers to enable them to plant crops in the spring of 1921; to the Committee on Agriculture.

5649. Also, petition of citizens of western North Dakota, favoring the passage of H. R. 15453, guaranteeing a price of $2.26 for wheat; to the Committee on Agriculture.

5650. By Mr. TEMPLE: Petition of the National Council of Catholic Women, Pittsburgh, Pa.; E. F. Quinn, of Beaver Falls, Pa.; F. A. Stewart, New Brighton, Pa.; Jos. H. Reiman, supreme president, Knights of St. George in the State of Pennsylvania, Pittsburgh, Pa.; and the Charleroi Council, Knights of Columbus, No. 956, of Charleroi, Pa., opposing the Smith-Towner bill; to the Committee on Education.

5651. By Mr. ZIHLMAN: Petition of the Board of Charities of the District of Columbia, favoring a home for the care of the feeble-minded; to the Committee on the District of Columbia.

5652. Also, petition of the American Chamber of Commerce, Manila, P. I., for amendment to revenue act, 1918; to the Committee on Ways and Means.

SENATE.

THURSDAY, *February 10, 1921.*

(Legislative day of Wednesday, February 9, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

WOMEN IN INDUSTRY (S. DOC. 381).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of Labor, submitting a deficiency estimate of appropriation in the sum of $1,200, required by the Department of Labor for "Women in Industry, Department of Labor," fiscal year 1920, which was referred to the Committee on Appropriations and ordered to be printed.

MARITIME ACCIDENT CLAIMS (S. DOC. 382).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of War, submitting certain claims against the Government arising out of maritime accidents and for losses of personal property and destruction of personal property, in the sum of $12,243.61, which was referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, at the conclusion of the routine morning business on Saturday, or as soon thereafter as the opportunity is presented, I wish to bring to the attention of the Senate the bill (S. 1017) to create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes, commonly known as the Smith-Towner bill, and to discuss the provisions of that bill with a view especially of showing that some of the criticisms that have been made with reference to it are in no way applicable, as provisions of the bill prevent the possible result criticized.

I know that a number of Senators have received telegrams in the last few days opposing the bill. They have come, in my judgment, from a misapprehension of its terms. There has been no organized opposition except among some Catholics, who, I think, misunderstand the provisions of the bill, for the criticisms they direct against it are covered by provisions of the bill which free the measure from the very things they fear may occur.

There has just been established a Catholic bureau of education, and I wish to read to the Senate one of the provisions announced in their policy. I do so with a view of showing that the bill as drawn does not differ from their theory of what such a measure should be. My desire is to relieve as far as I can their minds from apprehension with reference to the measure by making clear the terms of the bill.

In the announcement issued by the Catholic bureau of education the fourth paragraph reads as follows:

(4) The bureau of education of the National Catholic Welfare Council believes in public education and the public school system. It will be ready to cooperate in all desirable movements for the improvement of public schools, provided such movements will not curtail the rights of the people to maintain and patronize private and parochial schools.

I will show that the bill will not curtail the rights of the people to maintain and patronize private and parochial schools.

The announcement states further:

It will stand upon the platform that it is the duty of every American citizen to contribute to the support of public schools, but it is his right to send his children to any type of school he may wish, provided such school is truly American in its teachings.

The Smith-Towner bill in no way interferes with the right of any American citizen to send his children to the type of school he may wish, and only requires that a State receiving national aid must require the English language to be the basic language of instruction in the schools of the State.

I ask to print without reading the balance of the paragraph.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

It believes that religious education is an essential part of the general education of every child, whether Catholic or not. It believes that right living and good government depend more upon a knowledge and the practice of the laws of God than upon general education without such knowledge. It believes that morality results from religious convictions rather than knowledge of social diseases. Therefore, it will assist in providing religious education for Catholic children attending public schools, and it will be ready to join with other church organizations in their endeavors to provide religious education for children of their own religious denomination.

THE PATENT OFFICE—CONFERENCE REPORT (S. DOC. NO. 379).

Mr. NORRIS submitted the following conference report, which was ordered to lie on the table and be printed:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 50, and 52.

That the House recede from its disagreement to the amendment of the Senate numbered 51 and to the title of the bill, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"SEC. 7. That section 4921 of the Revised Statutes be, and the same is hereby, amended to read as follows:

"'SEC. 4921. The several courts vested with jurisdiction of cases arising under the patent laws shall have power to grant injunctions according to the course and principles of courts of equity, to prevent the violation of any right secured by patent, on such terms as the court may deem reasonable; and upon a decree being rendered in any such case for an infringement the complainant shall be entitled to recover, in addition to the profits to be accounted for by the defendant, the damages the complainant has sustained thereby, and the court shall assess the same or cause the same to be assessed under its direction. If on the proofs it shall appear that the complainant has suffered damage from the infringement or that the defendant has realized profits therefrom to which the complainant is justly entitled, but that such damages or profits are not susceptible of calculation and determination with reasonable certainty, the court may, on evidence tending to establish the same, in its discretion, receive opinion or expert testimony, which is hereby declared to be competent and admissible, subject to the general rules of evidence applicable to this character of testimony; and upon such evidence and all other evidence in the record the court may adjudge and decree the payment by the defendant to the complainant of a reasonable sum as profits or general damages for the infringement: *Provided*, That this provision shall not affect pending litigation. And the court shall have the same power to increase such damages, in its discretion, as is given to increase the damages found by verdicts in actions in the nature of actions of trespass upon the case; but in any suit or action brought for the infringement of any patent there shall be no recovery of profits or damages for any infringement committed more than six years before the filing of the bill of complaint or the issuing of the writ in such suit or action, and this provision shall apply to existing causes of action. And it shall be the duty of the clerks of such courts within one month after the filing of any action, suit, or proceeding arising under the patent laws to give notice thereof in writing to the Commissioner of Patents, setting forth in order, so far as known, the names and addresses of the litigants, names of the inventors, and the designating number or numbers of the patent or patents upon which the action, suit, or proceeding has been brought, and it shall be the duty of the Commissioner of Patents on receipt of such notice forthwith to indorse the same upon the file wrapper of the said patent or patents and to incorporate the same as a part of the contents of said file or file wrapper; and for each notice required to be furnished to the Commissioner of Patents in compliance herewith a fee of 50 cents shall be taxed by the clerk as costs of suit.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"SEC. 10. That the provisions of section 4934 as herein amended shall take effect July 1, 1921, with reference to the fee for issuing an original patent, and shall apply only to patents issued on applications filed after that date. The fees for issuing original patents on all other applications shall be as now provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an

amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 11. That the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment of, on behalf of the United States, under such regulations and in such manner as the President shall prescribe, inventions, patents, and patent rights which said commission deems it to the advantage of the public to be so accepted, as these may from time to time be tendered it by employees of the various departments or other establishments of the Government except employees of the Patent Office, and to cooperate, as necessity may arise, with scientific or other agencies of the Government in the discharge of the duties herein set out, and the Federal Trade Commission is hereby authorized and empowered to license and collect fees and royalties for licensing said inventions, patents, and patent rights in such amounts and in such manner as the President shall direct, and shall deposit the same with the Treasurer of the United States; and of the total amount of such fees and royalties so deposited a certain per cent, to be determined by the President, shall be reserved, set aside, and appropriated as a special fund to be disbursed as directed by the President to remunerate inventors for such of their inventions, patents, and patent rights contemplated by this section as may prove meritorious and of public benefit: *Provided*, That nothing herein shall be construed to give to said commission or any other governmental agency any authority to engage in the manufacture of any such invention or patented article.

"The Commissioner of Patents is hereby directed to grant all patents and record all assignments and licenses contemplated by this section without the payment of any fee."

And the Senate agree to the same.

G. W. NORRIS,
W. F. KIRBY,
Managers on the part of the Senate.

JOHN I. NOLAN,
FLORIAN LAMPERT,
EDWIN L. DAVIS,
Managers on the part of the House.

PETITIONS AND MEMORIALS.

Mr. McNARY presented the following resolution of the Legislature of Oregon, which was referred to the Committee on Foreign Relations:

UNITED STATES OF AMERICA,
STATE OF OREGON,
Office of the Secretary of State.

I, Sam A. Kozer, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of Senate joint memorial No. 6 with the original thereof adopted by the Senate and House of Representatives of the Thirty-first Legislative Assembly of the State of Oregon and filed in the office of the secretary of state February 3, 1921, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the Capitol at Salem, Oreg., this 3d day of February, A. D. 1921.

[SEAL.]

SAM A. KOZER,
Secretary of State.

Senate joint memorial 6.

To the honorable Senators and Representatives in Congress assembled:

Whereas a condition of great suffering exists in many parts of Europe, particularly among the women and children; and

Whereas the various European Governments are unable to relieve the distress; and

Whereas the American people are now being appealed to by Herbert Hoover, chairman of the European Relief Council, for assistance in keeping helpless children alive until another harvest, to which a universal ard hearty response is being made, notwithstanding the frequency of other appeals of a similar nature; and

Whereas the contributions made by the American people will be expended for foodstuffs and clothing; and

Whereas the War Department of the United States has for many months widely advertised the sale of surplus food and clothing owned by the United States Government at prices not only far below their cost to the Government but also below the retail cost of similar commodities, and with further great discounts, which discounts are being taken advantage of by dealers and speculators for profit: Now, therefore, be it

Resolved, That the Congress of the United States be and it hereby is memorialized to enact appropriate legislation to the end that said condition of distress be relieved so far as possible by said supplies of food and clothing; be it further

Resolved, That the secretary of state be, and he is, authorized and directed to transmit a copy of this memorial to each Senator and Representative in Congress from Oregon.

Passed by the senate January 28, 1921.

ROY W. RITNER,
President of the Senate.

Passed by the house February 2, 1921.

LOUIS E. BEAN,
Speaker of the House.

Indorsed: Senate joint memorial No. 6. Introduced by Senator Hare.

JOHN P. HUNT,
Chief Clerk.

Filed February 3, 1921.

SAM A. KOZER,
Secretary of State.

Mr. McNARY presented two resolutions of the Legislature of Oregon, which were referred to the Committee on Agriculture and Forestry, as follows:

Senate joint memorial 4.

To the honorable Senators and Representatives in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that:

Whereas the Government of the United States maintains a Bureau of Animal Industry which, besides cooperating with the several State sanitary boards and sanitary agencies of the several States of the Union, also maintains specialists that are detailed to work out and investigate various animal disease, food, and mineral deficiency problems; and

Whereas in the Wood River Valley in Klamath County, Oreg., and in other range sections of the West, there is present a condition caused either by disease, food, or mineral deficiency that yearly causes the loss of a large number of cattle and up until the present has not been definitely solved or satisfactorily controlled; and

Whereas the State of Oregon is financially unable to carry the investigation further, and in order that the money already expended may not be wholly lost: Therefore be it

Resolved by the senate of Oregon (the house of representatives concurring), That our Senators and Representatives in Congress be and are hereby petitioned and memorialized by the senate and house of representatives of the State of Oregon to take such steps and action as shall result in the early assignment by the United States Bureau of Animal Industry of a chemist and an animal pathologist to cooperate with the Oregon State Live Stock Sanitary Board and the department of veterinary medicine of the Oregon Agricultural College in finding out the cause and developing a remedy for the aforementioned malady; be it further

Resolved, That after concurrence of the house of representatives herein, the chief clerk of the senate shall transmit copies of this memorial to the Senators and Representatives of Oregon in the Congress of the United States.

Passed by the senate January 25, 1921.

ROY W. RITNER,
President of the Senate.

Passed by the house January 28, 1921.

LOUIS E. BEAN,
Speaker of the House.

Senate joint memorial 5.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Whereas damage to standing timber in the State of Oregon, through insect depredations is reaching alarming proportions in certain districts of eastern Oregon, far exceeding damage through forest fires and resulting in actual loss of hundreds of thousands of dollars yearly; and

Whereas private owners of timber have for several years expended considerable sums in an effort to control the spread of insect infestations; and

Whereas very little has been done in Oregon by the Federal Forest Service or other Government departments to prevent spread of infestations from Government-owned to adjoining privately-owned timber holdings, thus rendering the work of private owners in a large measure ineffectual; and

Whereas the State of Oregon is largely dependent upon standing timber for tax revenue and future upbuilding of the State, thus making it vital that timber resources be carefully guarded against needless destruction: Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That we, your memorialists, the Senate and House of Representatives of the State of Oregon, in regular session assembled, do respectfully and earnestly petition the Congress of the United States to provide necessary funds and appropriately instruct the United States Forest Service, Department of Agriculture, Bureau of Indian Affairs and General Land Office, Department of Interior, to take immediate steps looking to control of insect depredations threatening adjoining timbered areas in other than Government ownership; be it further

Resolved, That the chief clerk of the senate of Oregon be, and he is hereby, directed to forward a copy of this joint memorial, under his certificate and seal, to the Secretary of Agriculture, Secretary of the Interior, each Senator and Representatives from Oregon in the Congress of the United States, United States Forestry Commissioner of General Land Office, and Commissioner of Indian Affairs.

Passed by the senate January 25, 1921.

ROY W. RITNER,
President of the Senate.

Passed by the House January 28, 1921.

LOUIS E. BEAN,
Speaker of the House.

Mr. McNARY presented a resolution which had been introduced in the Legislature of Oregon, favoring a protective tariff upon all poultry products imported into the United States, which was referred to the Committee on Finance.

He also presented a resolution which had been introduced in the Legislature of Oregon, requesting that the Department of Agriculture maintain the frost-warning service for the prevention of frost damage to fruit crops, which was referred to the Committee on Agriculture and Forestry.

Mr. COLT presented a resolution of the Legislature of Rhode Island, which was referred to the Committee on Education and Labor, as follows:

STATE OF RHODE ISLAND, ETC.,
IN GENERAL ASSEMBLY,
January Session, A. D. 1921.

Resolution opposing the passage of the Smith-Towner bill, creating a department of education in the United States.

Whereas there is now pending in Congress an act which it is believed is prejudicial to the best interests of this country and places undue responsibility upon the school authorities of the several States: Therefore be it

Resolved, That the house of representatives hereby opposes the passage of the Smith-Towner bill, so called, providing for a department of education; and be it further

Resolved, That the recording clerk of the house of representatives is hereby directed to forward to Hon. LEBARON B. COLT and Hon. PETER G. GERRY, Senators from the State of Rhode Island, and to Hon. AMBROSE KENNEDY, Hon. WALTER R. STINESS, and Hon. CLARK BURDICK, Representatives from the State of Rhode Island, a copy of this resolution.

Passed February 4, 1921.

A true copy.

Attest: CHARLES H. HOWLAND,
Recording Clerk House of Representatives.

Mr. McLEAN presented memorials of John L. Gaffney, of the Knights of Columbus, Bishop O'Reilly Assembly, of Waterbury; Court St. Francis, No. 44, Daughters of Isabella, of Greenwich; Margaret McLaughlin, secretary Catholic Women's Benevolent Legion, of Stamford, all in the State of Connecticut, remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of White Cross Council, No. 13, Knights of Columbus, of Norwich, Conn., protesting against legislation to create a department of education, which was referred to the Committee on Education and Labor.

He also presented memorials of the Sacred Heart Holy Name Society, of New Haven, Conn., and J. Mallon, secretary of Thomas Ashe Branch, Friends of Irish Freedom, of Waterbury, Conn., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of the administrative council, Connecticut Council of Catholic Women, of Hartford, Conn., protesting against legislation to create a department of education and labor, which was referred to the Committee on Education and Labor.

He also presented memorials of the Monday Club, of Plymouth, and the Council of Jewish Women, of New Haven, both in the State of Connecticut, remonstrating against commercializing the national parks, which were referred to the Committee on Commerce.

He also presented a petition of Niles-Bement-Pond Co., Pratt & Whitney Co., of Hartford, Conn., praying for the enactment of legislation extending temporarily the time for filing applications for letters patent, etc., which was referred to the Committee on Patents.

He also presented a telegram in the nature of a petition of the Manufacturers' Association, of Bridgeport, Conn., praying that an increased appropriation be made for the Bureau of Foreign and Domestic Commerce and the Consular Service, which was referred to the Committee on Foreign Relations.

Mr. CAPPER presented petitions of High Hill Local Farmers' Union, of Bache, Okla.; Farmers' Cooperative Elevators Co., of Linn, Kans.; and Farmers' Educational and Cooperative State Union, of Fremont, Nebr., praying for the enactment of legislation to prevent gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution of Bourbon County Farm Bureau, of Mapleton, Kans., favoring the truth-in-fabric bill, which was referred to the Committee on Interstate Commerce.

Mr. SMITH of Maryland presented a telegram in the nature of a memorial of F. G. Fischer, rector St. Mary's College, of Ilchester, Md., remonstrating against the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

Mr. WOLCOTT presented petitions of Frank J. Horty, Mae A. Hughes, Genevieve G. Jennings, and Marguerite C. Glorins, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

SAMUEL H. DOLBEAR.

Mr. POINDEXTER. From the Committee on Mines and Mining I report back favorably without amendment the bill (S. 4694) for the relief of Samuel H. Dolbear. I ask that the bill be placed on the calendar and that the attached papers be printed in support of the favorable recommendation of the committee.

The VICE PRESIDENT. Without objection, it is so ordered.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. LODGE. From the Committee on Foreign Relations I report favorably with amendments the bill (H. R. 15872) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922, and I submit a report (No. 773) thereon. I give notice that, with the permission of the Senate, I shall ask to have the bill taken up as early as possible to-morrow.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

A bill (S. 5003) for the relief of Hilbert Edison and Ralph R. Walton; and

A bill (S. 5004) to reimburse the depositors of the Freedman's Savings & Trust Co. for losses sustained by its failure, and for other purposes; to the Committee on Claims.

By Mr. FLETCHER:

A bill (S. 5005) to establish a national conservatory of music for the education of pupils in music in all its branches, vocal and instrumental, and for other purposes; to the Committee on Education and Labor.

A bill (S. 5006) to amend section 29 of the act entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920; to the Committee on Military Affairs.

By Mr. GORE:

A bill (S. 5007) amending subdivision B of section 250 of the revenue act of 1918; to the Committee on Finance.

By Mr. CALDER:

A bill (S. 5008) for the relief of Rosen Bros.; to the Committee on Finance.

By Mr. FRANCE:

A joint resolution (S. J. Res. 256) authorizing the President of the United States to undertake negotiations for the purchase of the territories in East, Southwest, and West Africa, and in Oceania over which Germany exercised sovereignty prior to the war; to undertake negotiations with a view to acquiring by purchase or otherwise the cables surrendered under article 244, Annex VII, of the treaty of peace with Germany; to enter upon the negotiation of a treaty of international comity, commerce, and cooperation with the allied and associated powers looking to the development of the human and natural resources of Africa; to urge the fixing by the allied and associated powers of a just and reasonable indemnity to be paid by Germany to said powers; and to negotiate for the settlement of the principal sums and interest that represent the debts now owing by the said allied and associated powers to the United States, and for other purposes; to the Committee on Foreign Relations.

AMENDMENT OF PURE FOOD ACT.

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 10311) to further amend section 8 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended by the act approved March 3, 1913, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WARREN submitted an amendment proposing to increase the appropriation for the investigation and improvement of methods of crop production under subhumid, semiarid, or dryland conditions from $159,000 to $169,000, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate $800,000 to continue the development of a submarine base at the naval station, Key West, Fla., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SHEPPARD submitted an amendment providing that the Auditor for the War Department be directed to credit the accounts of Capt. Frank B. Edwards in the sum of $4,213.56, covering disallowances, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WOLCOTT submitted an amendment providing that an examination and survey be made of the waters and shore lines of the Atlantic Ocean from Cape Henlopen south to the life-saving station at Rehoboth, Del., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BALL submitted an amendment proposing to appropriate $1,500,000 toward the development of a submarine base at San Pedro, Calif., etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate $5,500,000 toward the development of a naval base at Alameda, Calif., etc., intended to be proposed by him to the naval appro-

priation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate $800,000 toward the development of a naval air station at Sand Point, Wash., etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. CALDER submitted the following resolution (S. Res. 444), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That S. Res. 99, agreed to July 17, 1919, authorizing the Committee to Audit and Control the Contingent Expenses of the Senate to employ an assistant clerk during the Sixty-sixth Congress, be, and the same is hereby, extended in full force and effect until the end of the Sixty-seventh Congress, at the rate of $2,000 per annum, to be paid out of the contingent fund of the Senate.

NOMINATIONS OF CERTAIN POSTMASTERS.

Mr. CURTIS. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside for the purpose of considering House bill 15682, the Indian appropriation bill.

Mr. FLETCHER. Mr. President, before that unanimous consent is granted I wish to make a proposal for unanimous consent, which I believe will be readily agreed to, because I can see no possible ground or reason for opposition to it. It is that now, by unanimous consent, as in open executive session, the Senate agree to consider the nominations sent in by the President and to confirm the postmasters named in the list submitted by the Postmaster General, and which appears in the CONGRESSIONAL RECORD of Saturday, February 5. That list is headed "List of offices where former service men, or widows of such, have been nominated for postmasters and their nominations not confirmed, and names of nominees." The names of the postmasters, the locations, and everything are set out in the RECORD. The list appears on pages 2621 to 2623 of the RECORD. It is not a very long list, and I believe there can be no opposition to the unanimous-consent request that as in open executive session the Senate shall confirm the nominations.

Mr. FRANCE. Mr. President, because of the absence of the chairman of the Committee on Post Offices and Post Roads, I must object.

The VICE PRESIDENT. Objection is made.

INDIAN APPROPRIATIONS.

Mr. CURTIS. I renew my request for unanimous consent to lay aside temporarily the unfinished business and take up House bill 15682, the Indian appropriation bill.

Mr. SIMMONS. I wish to inquire of the Senator who will be in charge of the Indian appropriation bill how long it is believed it will take to dispose of that measure?

Mr. CURTIS. The bill should be disposed of in two or three hours.

Mr. SIMMONS. It can be disposed of to-day?

Mr. CURTIS. I know of no discussion to take place on any of the amendments.

Mr. SIMMONS. The only object I have in making the inquiry is that we have had something like a gentleman's agreement that there is to be a vote upon the emergency tariff bill early next week, and I would not like to have all the time this week taken up with appropriation bills, because that would not leave sufficient time for further discussion of the emergency tariff bill.

Mr. CURTIS. I will state to the Senator that if the Indian appropriation bill leads to prolonged discussion, I shall not insist on going ahead with it.

Mr. SIMMONS. I shall not object if it does not take longer than to-day.

Mr. CURTIS. I do not think it will.

Mr. SMITH of South Carolina. Mr. President, will the Senator from Kansas yield to me? I wish to ask unanimous consent out of order to introduce a resolution for proper reference and to offer just a word of explanation of it, if the Senator will allow me. It will not take more than a minute or two.

Mr. CURTIS. I would rather the Senator would wait until the Indian appropriation bill is laid before the Senate and then I shall be glad to yield.

The VICE PRESIDENT. Is there objection to temporarily laying aside the unfinished business and proceeding to the consideration of House bill 15682, the Indian appropriation bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922, which had been reported from the Committee on Indian Affairs with amendments.

Mr. CURTIS. I ask unanimous consent to dispense with the formal reading of the bill, that it be read for amendment only, and that the committee amendments be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. CURTIS. I now yield to the Senator from South Carolina.

THE COTTON SITUATION.

Mr. SMITH of South Carolina. Mr. President, I submit a Senate resolution, which I ask to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate. The resolution is extremely necessary, and I sincerely hope that the committee will report it out at the earliest possible moment.

There seems to be a confusion in the minds of the public in general and in our statistical departments as to the amount and kind of cotton on hand in the United States. I have before me a letter from the Director of the Census giving certain tables showing the amount of cotton available in the country; that is, cotton that was supposed to be carried over from the previous crop into the present crop year. The tables are so startling in their nature and so contradictory that I think it is the duty of this body to see that a matter of such importance to the finances of the country shall be set at rest by authorizing a committee to investigate the matter exhaustively and give the facts to the public.

In submitting the resolution, I ask leave to have printed in the RECORD the tables to which I have referred. They are very few in number, and I desire to have them accompany what I have to say in reference to the matter.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Production, consumption, and exports of American cotton in running bales (exclusive of linters).

Year.	Production.	Consumed in United States.	Exports from United States.
1914–15	15,905,840	5,375,305	8,322,688
1915–16	11,068,173	6,080,618	5,895,672
1916–17	11,363,915	6,470,244	5,302,848
1917–18	11,248,242	6,382,695	4,288,420
1918–19	11,906,480	5,589,820	5,592,386
1919–20	11,325,532	6,002,993	6,545,323

Production, consumption, and export of linters, 1914–1920 (running bales).

Year.	Production.	Consumption.	Exported.
1914–15	832,401	411,845	221,875
1915–16	944,640	880,916	295,438
1916–17	1,300,163	869,702	436,161
1917–18	1,096,422	1,118,840	187,704
1918–19	910,236	457,901	71,534
1919–20	595,093	342,473	53,021

FEBRUARY 3, 1921.

Hon. E. D. SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I now take pleasure in sending you by messenger the information requested at our interview on the 2d instant. You will note that the consumption and exports of American cotton in the United States, when considered with the necessary carry-over, shows a difference of about 200,000 bales per year. This difference is accounted for by a number of factors, the principal ones being the inclusion of the "city crop" in the distribution of figures and an understatement by the ginners of the amount of cotton remaining to be ginned, at the March canvass of each year.

You, of course, realize the difficulties encountered in obtaining information as to the cotton situation in foreign countries. We have secured information from such sources as are available, the footnote showing the sources of each item shown in the table of stocks held.

Trusting that you will find the data of service, I am,

Very truly, yours,

SAM L. ROGERS.

Probable stocks of American cotton on July 31, 1914 to 1920.
[In thousands of running bales.]

Location.	1920	1919	1918	1917	1916	1915	1914
Total	5,402	5,985	4,147	3,844	5,053	7,258	4,283
In American mills	C1,208	C1,252	C1,402	C1,408	C1,490	C1,392	C612
In public storage in America	C1,922	C2,180	C1,689	C838	C1,037	C1,749	C415
In ports and elsewhere in United States	E150	E775	E250	E330	E400	E750	E35
In British mills	H210	H110	H100	H160	H200	H200	(1)

[1] Included in "In continental mills."

Probable stocks of American cotton on July 31, 1914 to 1920—Continued.

Location.	1920	1919	1918	1917	1916	1915	1914
In British ports	G822	G503	G108	G154	G564	G1,198	G618
At sea to United Kingdom	L56	L254	L53	L97	L146	L41	G35
In continental mills	H200	H175	H150	H300	H500	H1,000	H1,780
In continental ports	G354	G292	L95	G229	G324	G605	G575
At sea to Continent	L120	G194	G50	L103	G192	G148	G63
In Japan, Canada, and other countries	E380	E250	E250	E225	E200	E175	E150

NOTE.—Sources of information: C, census; E, estimated; G, Cotton Gazette, Liverpool; H, Hester's Annual Report; L, Liverpool Cotton Association.

Estimated world's production and consumption of cotton, exclusive of linters, in United States.

[Bales of 500 pounds net weight.]

Year.	Production.	Consumption.
1920	.....	18,451,000
1919	19,260,000	15,970,000
1918	17,940,000	17,701,000
1917	17,343,000	20,180,000
1916	18,092,000	21,011,000
1915	17,649,000	19,761,000
1914	23,768,000	.....
6-year total	114,052,000	113,074,000

Mr. SMITH of South Carolina. I find, according to the tables, that they claim there is a carry-over of five million and odd thousand bales when, according to their table of production and consumption, there are not more than half a million bales of cotton that were actually ginned from seed. The table of production and consumption of the world's cotton crop comprises the number of years for which I asked, namely, 1914–1919, inclusive, because the 1920 crop is not yet completed in its marketable form. I asked for tables showing the world's production and the world's consumption. They furnished me with that table, which shows that there are less than a million bales of cotton carry-over out of the world's production. In other words, they state that there were produced in the world 114,052,000 bales and the consumption of the world was 113,074,000 bales.

The production of American cotton for the same period aggregated 72,281,182 bales. The consumption of American cotton, down to and including 1919, was 71,849,015 bales, making a surplus over consumption of 432,167 bales, and yet in the table of the stock on hand it is shown that there are of the American production 5,402,000 bales carry-over into the present incoming crop.

The table as to the world's production and consumption of cotton and the table as to the American production and consumption do not tally with the amount of cotton on hand. In addition to that, Mr. President, our officials report that our sources of information as to the amount of stocks of American cotton held in foreign countries are, other than such facts as the census discloses, the Cotton Gazette, which is a Liverpool organ in the control of the Liverpool Cotton Exchange, the Liverpool Cotton Association itself, and Mr. Henry G. Hester, the statistician for the New Orleans Cotton Exchange, and also, I am informed, the statistician for the Lancashire mills. So the people of America who produce cotton have to rely for their information as to how much there is held in stock, vitally affecting the price of this great American monopoly, on the Liverpool Cotton Exchange, the Liverpool Cotton Association, and Mr. Henry G. Hester, the statistician for the New Orleans Cotton Exchange, and also, as I am informed, the statistician for the Lancashire people.

Mr. SIMMONS. Does the Senator mean to tell the Senate that the Census Bureau, in performing the duty of taking the census of the amount of cotton produced and consumed in this country and in the world, have simply taken the report of the Liverpool company and the report of the New Orleans official to whom the Senator has referred?

Mr. SMITH of South Carolina. All that I can tell the Senator is that in conjunction with another Senator—the Senator from Alabama—I waited upon these gentlemen and we asked them to give us specifically how much cotton was ginned for six years from 1914 to 1919 of the American production, how much was consumed, and how much was exported.

I then asked how much cotton was in stock of the American variety in this country and abroad, how much was produced by the world at large, how much was consumed, and what was the entire stock on hand. I also asked them to give their sources of information. They replied, over the signature of the Director of the Census Bureau, that outside of only two items, concerning which they claim to have gotten information elsewhere, their sources of information as to the American stock held abroad and the world's stock held abroad and the cotton that is carried over from the previous crop into the present crop are the Liverpool Cotton Association, the Liverpool Cotton Gazette, and Mr. Henry G. Hester, of New Orleans. They leave us dependent upon those sources of information as to what is the amount of the product.

Mr. SMITH of Georgia. Will the Senator from South Carolina allow me to interrupt him?

Mr. SIMMONS. Just a moment. Will the Senator from South Carolina tell the Senate as to the two agencies from which he says these figures were obtained by the Census Bureau as the basis for their report, whom they represent, and what interest they represent in reference to cotton?

Mr. SMITH of South Carolina. Every Senator here knows, for it is a notorious fact, the effect which is produced on the English spinning world by the amount of cotton that America may produce, and that the bread and butter of Lancashire, which comprises that coterie of mills in Lancashire, Manchester, Oldham, Leeds—all that group of mills around the Manchester canal, which are represented by the Liverpool Cotton Exchange—depends on the amount of the American production.

We in this country have a monopoly of the spinning cotton of the world, for I state here to-day that there is not a spot on the globe that can grow the variety of cotton which is known as American midland upland. Wherever American seed is taken and planted in other lands, for some reason the peculiarity of the climate makes it produce a cotton that does not even grade approximately with the American variety.

With a monopoly of the production of that variety of cotton, with the balance of trade of America in our favor by virtue of the exportation of cotton, for the world can not get it elsewhere, we are here solemnly told by a Government statistical agency in America that the sources of information as to the amount of cotton on hand affecting the price of America's monopoly are the Liverpool Gazette, the Liverpool Cotton Exchange, and Mr. Henry G. Hester, the world's statistician on cotton, who is located in New Orleans.

Mr. President, there is not a man here but knows that the tendency of everyone is to do as a witness said when being examined in one of the famous cases in South Carolina under the dispensary régime. When asked why it was that his testimony all went in one direction he said, "Whose bread I eat his song I sing." And every Senator in this Chamber knows that wherever there is any doubt at all you give the benefit to your client, and when there is not any doubt and you have not a very good conscience you give it to your client anyway.

I am claiming that it is the duty of the American Congress on so vital a matter as the great balance of trade of this country to see that the amount of cotton held in this country and abroad is known accurately, so that those whom we invite to produce this wealth in order that we may hold the balance of trade in favor of our country shall know just how to conduct their business.

I hope that the committee to whom the resolution may be referred will report it out and allow us to proceed to investigate the subject.

I state here this morning on the floor of the Senate that, knowing the amount of consumption of American cotton up to 1914—the World War, of course, broke up all the established lines of trade and threw all business into more or less chaos—and considering the sources of my information, I do not believe that there is carried over from previous crops into the present crop a million bales of spinnable cotton.

The world was astounded when in 1914 we produced approximately 16,000,000 bales of cotton. The amount that was consumed in that consumption year—and the cry went up all over the country, "Buy a bale and help the distressed southern cotton producers," for the World War had come unexpectedly and the channels of trade were broken up, and embarrassment and confusion in the world's commerce was the result—from August 1, 1914, to August 1, 1915, was 14,800,000 bales of American cotton, the biggest consumption, perhaps, which has occurred in the history of the consumption of American cotton.

Mr. RANSDELL. Mr. President——

Mr. SMITH of South Carolina. I yield to the Senator.

Mr. RANSDELL. I do not know that the Senator has intended by his remarks to reflect at all upon Mr. Henry G. Hester, of New Orleans. I wish to say that I am entirely in

favor of the Senator's resolution and sincerely hope it may be adopted, believing that it will be productive of great good. I desire to add, however, that no man in Louisiana or in the South stands higher than does Mr. Henry G. Hester. For a great many years he has been recognized as the best cotton statistician in the United States. He is the statistician of the New Orleans Cotton Exchange. If he has any connection outside of this country, I do not know of it; he may have; I neither deny nor affirm that proposition; but I do know that he is a man honored and esteemed very highly by the cotton trade in the South, including producers and consumers alike; and certainly no man in the State of Louisiana stands higher. I believe he is a thoroughly honest man, and I believe he reports the facts as he believes them to be.

I repeat I am in favor of the resolution of the Senator from South Carolina; I think the Senate ought to make some investigation, and I hope the resolution will be adopted.

In defense of the Census Bureau I wish to say that I had the matter up in some form with them a short while ago, and was told they had no money with which to make investigations, but that they would be glad to make thoroughgoing, scientific investigations which would really shed light on the subject if they had the money.

Mr. SMITH of South Carolina. Mr. President, so far as casting any reflections is concerned, I have confined myself strictly to the facts, and will let Senators draw their own conclusions. The facts are that the sources of information set down are the Liverpool Cotton Exchange, the Liverpool Gazette, and Mr. Henry G. Hester. Senators may weigh that statement for what it is worth. We certainly are entitled to an impartial and fair statement of the amount of the cotton crop on hand, both for the protection of the consumer and for the protection of the producer.

I have one further word to say, and then I am through. I stated a moment ago that I did not believe that there was carried over in excess of a million bales of cotton of the spinnable variety, that which could be used by the spindles of the world.

Mr. SIMMONS. Does the Senator mean of the world or of the United States?

Mr. SMITH of South Carolina. I mean of the United States crop here in this country. As I have said, we consumed 14,800,000 bales from August 1, 1914, to August 1, 1915. We produced in the year following 1914, namely, in 1915, only 11,060,000 bales. The very next year we consumed in excess of 12,000,000 bales, the amount approximating 13,000,000 bales. In 1916 we produced 11,363,000 bales; and in each of the years 1917 and 1918 little in excess of 11,000,000 bales. In other words, for the six years we produced an average, including the excessive crop year of 1919, of about 12,000,000 bales, or an aggregate of 72,000,000 bales for the six years.

Mr. SIMMONS. Mr. President, the Senator says that, in his judgment, not over a million bales of American cotton have been carried over this year.

Mr. SMITH of South Carolina. Yes.

Mr. SIMMONS. Now, I wish to ask the Senator what is about the average carry-over?

Mr. SMITH of South Carolina. The average carry-over has been about 2,500,000 to 3,000,000 bales, because no one can tell what a crop will make, and the mills have generally——

Mr. SIMMONS. So that the carry-over of this year is less than the average?

Mr. SMITH of South Carolina. It is less than half of the average carry over.

Now, Mr. President, I wish to call the attention of the Senate to another fact. Do you know that in the communication to which I have referred the statisticians have counted in the carry over the production of linters? The ordinary layman does not know what we mean when we say linters. Linters are the little fibers taken off the seed after the cotton has been ginned. It is used for various purposes, such as the making of mattresses and for explosives, but it is not available for the spindle, and yet something like half a million to three-quarters of a million bales, perhaps a million bales, of such cotton are counted in the stock on hand, so that one reading the quantity of cotton carried over would conclude that there was enough cotton carried over possibly to answer the requirements of the mills until the middle of the summer. My contention is that some official body should count the cotton and let the producer and the consumer know how much of it is available for the spindle and how much is either linters or gin cut, water packed, or perished fiber that should not be counted as cotton.

For these reasons I have submitted the resolution, and it involves a matter of such stupendous importance, not only to growers of cotton in the South but to the spindles of the world and to the exchequer of America, that I hope that the committee will report it out at the earliest possible moment.

Mr. SMITH of Georgia. Mr. President, I have examined the figures submitted by the Senator from South Carolina. If you take the figures with reference to the consumption and production submitted by the Census Bureau, the Senator from South Carolina gives a liberal estimate when he fixes the carry-over of the present crop at 1,000,000 bales. Those figures really show practically the consumption of the entire production since July 31, 1914. They are substantially accurate. They are taken by the Census Bureau itself. They are the most reliable figures that are given by the Census Bureau, because they are not taken from foreign journals; they are not based upon estimates; they are not derived from figures furnished by outside sources.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. SMITH of Georgia. I do.

Mr. SIMMONS. Does the Senator mean that there are two estimates—one estimate made by the Census Bureau and given to the public and then another estimate based upon the reports of this Liverpool concern?

Mr. SMITH of Georgia. No. First, there is an estimate by the department of production and consumption, based on their figures year by year, and of production of cotton in the field, and of consumption by our mills and exports. That is one set of figures that they furnish. Comparing those sets of figures, the consumption and export since July 1, 1914, has practically equaled production, and there would be substantially no carry-over. There is another set of figures which they give us, in which they seek to estimate the amount of cotton now in the ports of the world and now in the mills of the world. That estimate is not based on figures accurately taken by the Census Bureau, but they give us, in connection with the estimate, information as to where they obtain it. They tell us that those figures marked "E" are bare estimates, that those marked "G" are from the Cotton Gazette of Liverpool, that those marked "H" are from Hester's Annual Report, and those marked "L" are from the Liverpool Cotton Association.

There is another fact which I wish to bring to the attention of the Senate and the public with reference to this matter. It is entirely a mistake to consider the amount of cotton July 31 of any one year as an amount which is to be added to the production of the ensuing year to show the amount available for a year's consumption.

Cotton does not reach the mills from the fields before the 1st of October of the year it is grown, so there is a two months' consumption to be applied to the carry-over before the coming year's production enters the market. The production of last year must furnish the mills until October 1 of this year before the new crop reaches them for consumption, so that when the carry-over of July 31, 1920, is considered we must deduct from it two months' consumption before we determine the amount of cotton that will be available for the ensuing 12 months.

Let me repeat, because an erroneous system of calculation has entered many estimates that have been published.

The cotton crop does not reach the mills by July 31 of the year it is grown. It has to be picked and ginned, and practically no cotton reaches the mills before October 1; so that the consumption of the mills during August and September comes out of what is called the carry-over July 31, and that amounts to between 2,000,000 and 3,000,000 bales—certainly 2,000,000 bales.

Then there must always be a distribution in the mills, for use throughout the world, of at least 1,000,000 bales of cotton, or they would be without any supply for operation; so that from any carry-over of July 31 there really ought to be deducted 3,000,000 bales before determining what tax would be put upon the incoming crop. And the estimate of the Senator from South Carolina that October 1 of last year there was a carry-over of approximately 1,000,000 bales is a liberal estimate of the amount of surplus.

Again, this statement shows that 1,000,000 bales of cotton treated as a carry-over was of linter, useless for manufacturing purposes.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Carolina?

Mr. SMITH of Georgia. I do.

Mr. SIMMONS. If I understand the Senator—and I want to see if I do understand him—he says that, so far as that part of the census report which relates to American cotton is concerned, it is substantially correct; that there is about 1,000,000 bales carry-over of the American production?

Mr. SMITH of Georgia. Yes.

Mr. SIMMONS. The inaccuracy complained of is with reference to the world's carry-over, including the American crop?

Mr. SMITH of Georgia. Yes.

Mr. SIMMONS. Then the error complained of relates to the estimate as to the production and consumption of cotton made outside of the United States?

Mr. SMITH of Georgia. I do not think that would be accurate. The error complained of is as to the estimates in mills all over the world.

Mr. SIMMONS. That is exactly what I say. That is the inaccuracy. As to the American consumption and production, the figures are correct?

Mr. SMITH of Georgia. I take it for granted they are.

Mr. SIMMONS. As to the production outside of the United States, the figures are not correct.

Mr. SMITH of South Carolina. No; let me explain that. They have given here, in a certain column, the total production. They have given it year by year, and you can add up the figures and get the total. They then give the domestic consumption and export. That is for the six crop years. The table shows, according to those figures, that for those six years there would not be a carry-over of much over a half million bales. Now, in their table as to the stock held in America, which you find in the table that the Senator from Georgia has in his hand, there is something like three and a quarter million bales. Their table of production and their table of export and consumption is on one page, showing that there is perhaps less than a million bales, and in the other table it shows that there is counted by the Census Bureau in mills, in the establishments in this country, something like 3,000,000 bales; and I am anxious to know, if the production and the consumption are about parallel in one set of figures, where do you get your three and a quarter million bales of American cotton in American establishments from that table?

The whole world's carry-over is 5,000,000 bales, including the 3,000,000 American bales, and yet in the world's production and consumption, including the American cotton, there is 114,000,000 bales produced and 113,000,000 bales consumed. If that be true, where do you get your 2,000,000 bales of the world's production outside of America to add to their 3,000,000 bales, making the 5,000,000?

Mr. SMITH of Georgia. And these figures about the situation outside of the United States are entirely based upon the estimates to which I have called attention.

As the Senator says, there are two sets of figures furnished—one production and the other consumption. The consumption consists of consumption in American mills and exports. Those figures show practically no cotton left on hand. They show practically the consumption of the crop since July 31, 1914. If they are right, the other figures must be wrong.

Mr. SIMMONS. The thought I had in my mind was that we are not so much concerned about the carry-over as to cotton produced outside of the United States.

Mr. SMITH of Georgia. No.

Mr. SIMMONS. We are concerned about the carry-over as to cotton produced in the United States.

Mr. SMITH of Georgia. Yes.

Mr. SIMMONS. The carry-over determines, in a measure, the price of our cotton.

Mr. SMITH of South Carolina. That is right.

Mr. SIMMONS. Now, as there is absolutely no place upon the face of the earth where they produce the kind of cotton that we produce in this country, the price of cotton in this country ought not to be affected by a big carry-over somewhere else, because that carry-over is of cotton that does not come into competition with our cotton.

Mr. SMITH of Georgia. That is true; and yet the Senator from South Carolina has called attention to the fact that in their estimates of world production and world consumption also they consume it practically all, that the figures necessarily are somewhere wrong, that the figures of consumption and production as shown by them indicate no more surplus than the mills absolutely would have required until the 1st of October and to leave just a small stock in each mill until it could get more cotton; and these other figures, based largely upon estimates he insists, are incorrect, and the market has been beared by the theory that there is this large carry-over of 5,000,000 bales, when at least one-half of their evidence, and their more accurate evidence—the evidence they have an opportunity to make more accurate by absolute statistical information—indicates that a million bales would be a full estimate of the carry-over for October 1 of last year.

Mr. HEFLIN. Mr. President, I was with the Senator from South Carolina [Mr. SMITH] upon the occasion of his visit to the Director of the Census, and with him requested that this table of cotton statistics be furnished to us. We challenge the correctness of the figures that are supposed to account for the presence of four or five million bales of old cotton. We deny the existence of this cotton in the United States; and when I say "cotton," I mean real cotton, such as is used by the spinning mills of the United States and other countries. We charge that large quantities of this stuff called cotton are linters, and can not be used in the cotton-spinning mills of this or any other country. And yet they are counted as a part of the cotton supply in the United States, and this is done for the purpose of depressing the price of real cotton. These figures are juggled and published, and they constitute a club in the hands of bear speculators with which to beat down the price of cotton.

The price of cotton to-day, Mr. President, is far below the cost of production. The price this morning is not even half of what it cost the farmers of the United States to produce the present crop. A great deal of the stuff accounted for in these statistics is linters, bought by the Government during the war for the purpose of making explosives. Many of these linters have been left out in the weather, and a large amount of this stuff is rotten, and is not fit for any purpose; yet it is being counted in the cotton supply of the United States. It is unfair to the producers of America that that should be done.

Not only that, Mr. President, but a great deal of this cotton has been accounted for two or three times. I want to discuss this feature of the question briefly. Take, for instance, the north end of my own congressional district, right on the Georgia line. The gin reporters on the Alabama side report the amount of cotton on hand at the warehouses and other storage places. Suppose 10,000 bales of this Alabama cotton are accounted for in the ginner's report sent to Washington from a county in my State and placed in the statistics here, and then that same cotton is sold to the cotton mills in Columbus, Ga. When it gets over there, the gin reporter for that county reports it in his account of cotton on hand, and that 10,000 bales of cotton is made to appear as 20,000 bales in the statistics. It had already been accounted for as cotton on hand while it was in Alabama.

Mr. SIMMONS. Mr. President, the Senator has just made a most startling statement. The Senator has stated that in taking the census of cotton production in this country the agent first goes to the ginner and obtains from him a statement as to the number of bales of cotton ginned; that after he has taken a census of the ginneries of the county, he then goes to the town, wherever the warehouses or storehouses are located in which this cotton that is ginned is stored; that he then goes to those warehouses and finds out how many bales are stored in the warehouses, and then adds those bales to the bales that were ginned, when, as a matter of fact, the bales stored in the warehouses were the identical bales that were ginned and accounted for at the ginneries. Does the Senator tell the Senate that that method has been adopted in ascertaining the production of cotton in this country?

Mr. HEFLIN. The Senator understood me in part. For instance, a report comes from my county that 15,000 bales have been ginned. I do not mean that they afterwards find 5,000 bales in the town and add them to the 15,000 bales reported ginned, making 20,000 ginned.

Mr. SIMMONS. That cotton in the storehouses was ginned somewhere in this country.

Mr. HEFLIN. Of course, and reported as cotton ginned.

Mr. SIMMONS. Then they have taken the census of all the cotton ginned at every gin house. Therefore, if they add to that the cotton in storage they must add cotton already estimated as having been ginned.

Mr. HEFLIN. That is true; it amounts to that. But here is the point: For instance, the whole crop of a county is reported as 10,000 bales. The gin reporter going around to warehouses later makes a separate report on the amount of cotton on hand. He makes this report of cotton on hand to the Director of the Census; but now we will say that it has been sold and moved to the State of Georgia, right over the line, and the gin reporter over there, making up the figures as to cotton on hand, reports as cotton on hand in his county that same cotton already accounted for in my State, making it appear as 20,000 bales, when there are really only 10,000 bales in existence. What we are complaining about is that under this confusing and misleading system 2,000,000 bales are made to appear as 4,000,000 bales.

Mr. SIMMONS. That practically means that it is a duplication as to all the cotton ginned that is ultimately stored in warehouses.

Mr. HEFLIN. It is true of a great deal of it.

Mr. SIMMONS. That is what it means.

Mr. HEFLIN. Yes.

Mr. SIMMONS. If that be true, of course, this census is manifestly erroneous, untrue, and misleading, greatly to the injury of the cotton farmers of this country.

Now, has the Senator sufficiently investigated this matter to be able to tell the Senate that that is the practice, or was the practice, of the Census Bureau in taking the census? If it was,

then it absolutely vitiates the value and importance and significance of this estimate.

Mr. HEFLIN. We have a gin reporter for each county, as the Senator knows, and the gin reporter for the county where there is no cotton mill will report the amount of cotton on hand at the warehouses in his county, and that is sent to the Director of the Census, and if that cotton is sold and moved over into the county where a cotton mill is located, then the gin reporter over there reports this same cotton as the amount of cotton on hand at the mill, so that it is reported twice.

So, Mr. President, we charge that there is a lot of misinformation growing out of this very confusing system, and we want to get at the truth; we want to let the farmers of the country know just how much cotton there is in the United States, and we want to let the public know and the spinners know the facts in the case.

In that connection, Mr. President, I want to say that this resolution will give us authority to go to the New Orleans Cotton Exchange and to the New York Cotton Exchange and find out how much dog-tail and other unspinnable cotton is on hand at those exchanges now being tendered on contracts and serving no purpose except to depress the price of real cotton. I have reason to believe that a vast amount of it is being accumulated in New York. I remember on one occasion years ago they shipped 50,000 bales of dog-tail cotton from Liverpool back into the United States to be tendered on contracts in New York, and we want these exchanges so regulated that they will sell spinnable cotton, and so that a spinner can get what he contracts for at the exchange, and I want this commission to report on the amount and the character of cotton on hand at these exchanges.

There is another thing, Mr. President. If these confusing figures stand, you will see a cotton famine this fall, because if the producer believes that there are 5,000,000 bales of old cotton in the United States, and he is already holding a good deal of the crop made last year—if he believes that, you will see the smallest crop produced this year that has been produced in the United States in the last 30 or 40 years, and there will be a cotton famine in the country this fall. The producer is entitled to these facts, the spinner is entitled to these facts, the public ought to know the truth, and that is the purpose of this resolution.

I will not take any more of the time of the Senate this morning. I am sincerely in favor of the adoption of this resolution.

Mr. HARRIS. Mr. President, I have been absent from the Senate attending the meetings of the Appropriations and Immigration Committees and did not hear the statements of the Senators in regard to the cotton situation. There has been great complaint among the cotton growers, and I have taken up the matter of a special census with the Director of the Census on several occasions. I ask to be placed in the RECORD a letter to me from Hon. Thomas J. Shackelford, of Athens, counsel of the American Cotton Association, regarding the amount of low-grade cotton in existence, and the letter from the Director of the Census to me commenting on Mr. Shackelford's letter.

One of the injustices being done the farmer is the great difference in the prices of various grades of cotton, which is beyond all reason. The farmers are losing large sums on account of these unreasonable proportions in the grades. I ask that a letter to me from Hon. William H. Burwell, of Sparta, Ga., commenting on the situation and giving the figures be placed in the RECORD. I have taken the matter up with the Agricultural Department.

There being no objection, the letters referred to were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, February 8, 1921.

MY DEAR SENATOR: I am in receipt of your letter of the 4th instant transmitting a communication from Mr. Thomas J. Shackelford, general counsel of the American Cotton Association, in which he urges that the Census Bureau make an accurate count of all cotton in America, show where it is located, who owns it, and what the grades are.

Similar letters from Mr. J. S. Wannamaker, president of the American Cotton Association, have been referred to the bureau by a number of the Senators from the cotton States, including yourself. In our reply of January 15 to that letter, it was pointed out that warehousemen are not, as a rule, in position to furnish reliable data as to the grades and classes of cotton stored in their respective warehouses, and that as a result the information which the Census Bureau might attempt to collect from them could not and would not be accurate, and might be misleading. As stated further in that letter, it is the province of the bureau to collect accurate data concerning the ginning, consumption, and stocks of cotton, and that the compilation of estimates would tend to discredit the cotton statistics which are now being compiled by us.

Your attention is again called to my suggestion contained in letter of January 15 for the grading and classing of all cotton entering interstate or foreign commerce. I believe that a law requiring this would at the end of a few years meet with the general approval of all factors in the cotton industry.

Having been Director of the Census, you are, of course, familiar with the cotton statistical work of the bureau and of the care exercised in conducting this branch of the bureau's activities. With this knowledge I believe you will agree with me that our entrance in the realm of conjecture and estimate is not desirable.

Very truly, yours,

SAM. L. ROGERS,
Director.

Hon. WILLIAM J. HARRIS,
United States Senate, Washington, D. C.

P. S.—Mr. Shackelford's letter is returned herewith.

—

ATHENS, GA., *January 31, 1921.*

Senator W. J. HARRIS,
Washington, D. C.

DEAR SENATOR: The argument that there is a large carry-over crop is being used in some sections to induce the farmer to cut his acreage, but the bears are also using it to depress the price of cotton.

I am inclosing to you herewith some figures from Dr. Bradford Knapp in reference to the carry-over crop. I can not help but believe that these figures are wrong. The spinners of the world told us in New Orleans in October, 1919, when it was claimed that there was from three to five million bales carry-over crop, that is was a myth, and there was no carry-over crop, and that the world was staring a cotton famine in the face.

I think this question of a carry-over crop should be settled once and for all time. I have no doubt that there is a large amount of unspinnable cotton accumulated all over America, and that this is being counted in the carry-over crop. This unspinnable cotton has been accumulating for 40 years.

I am writing to ask if you can not have the Census Department to make an accurate count of all the cotton that is in America, show where it is located, who owns it, and what the grades are. I believe that such a census will show that there is but a small amount of white cotton in America compared to our spinning capacity.

Many public speakers are now saying that there is enough cotton already in existence to last for two years, and some are saying that the carry-over crop is from ten to twelve million bales. This carry-over crop has been used for years to beat down the price of cotton. I think now is the time to settle this question forever.

The only way to settle it is to have the Census Department to count the number of bales of cotton, show where it is located, show what the grades are, and publish to the world the number of bales of unspinnable cotton, so that this cotton may never again be included in the carry-over crop.

With best wishes, I am,
Sincerely, yours,

THOS. J. SHACKELFORD.

—

SPARTA, GA., *February 1, 1921.*

Hon. W. J. HARRIS,
Washington, D. C.

DEAR SENATOR: Warehousemen, bankers, and farmers in this locality are very much aroused over the excessive differentials now fixed for the several grades of cotton, and a number of them have requested me to write you, calling your attention to the matter and beg that you take some immediate action to remedy the condition, if possible.

Quoting from the Augusta Chronicle of January 31, 1921, you find the differences of the several grades of cotton as follows:

	Cents per pound.
Middling fair	16.75
Strict good middling	16.25
Good middling	15.75
Strict middling	15.00
Middling	13.75
Strict low middling	11.75
Low middling	9.00
Strict good ordinary	8.00
Good ordinary	6.50
YELLOW TINGE.	
Strict good middling	13.00
Good middling	12.25
Strict middling	11.25
Middling	10.25
Strict low middling	8.25
Low middling	6.25
YELLOW STAINS.	
Good middling	11.25
Strict middling	10.25
Middling	8.25
BLUE STAINS.	
Good middling	8.75
Strict middling	6.75
Middling	5.75

By reference to this you will see middling cotton is quoted at 13.75. The next grade below—strict low middling—is 11.75, or a difference of 2 cents in one single grade; and low middling, the next grade down, is 9 cents, or 4½ cents difference between middling.

From the best information there is the very slightest difference between middling and strict low middling, and not a very marked difference between middling and low middling.

Under these differentials the lower grades of cotton—tinges and stains—are practically unsalable, and, if any market can be found, will bring not more than 4 to 6 cents.

You understand that the boll weevil not only destroys a great quantity of cotton before it matures, but the cotton that actually matures is often tinged or stained, and especially is this so where, in addition to the boll weevil, the cotton is raised on red land. Now, when cotton was 30 to 40 cents per pound, a difference of 2 cents did not amount to very much, but it is outrageous to continue these heavy differentials when cotton is quoted on a basis of 13 cents. There is very little cotton, compared with the total crop, that will grade above middling, and you therefore see that if this practice is not discontinued the tremendous loss it will mean to the South.

Our information is that these differentials are fixed in Washington or, possibly, in New York, but in any event there should be some remedy and some way to correct this evil of arbitrarily depreciating the large bulk of the entire cotton crop.

Trusting that you can do something to remedy the matter, I am, with very kindest regards,
Yours, very sincerely,

W. H. BURWELL.

—

SPARTA, GA., *February 2, 1921.*

Hon. WM. J. HARRIS,
Washington, D. C.

MY DEAR SENATOR: Since writing you yesterday the warehouse here has furnished me with the differentials in the Augusta market on January 31, 1914, and January 31, 1916, and I am giving you these for comparison with the outrageous differences that are now made.

You will note in the differentials now between middling and strict low middling is 2 cents. In 1914, when middling cotton was quoted at 13⅜, strict low middling was 13¼, or only one-fourth cent difference, against a difference now of 2 cents. Low middling, 12½, or a difference of seven-eighths of a cent, against a present difference of 7 cents.

Ninteen hundred and sixteen middling was quoted at 11.50; strict low middling, 11.13, or 0.37 cent, or three-eighths cent difference; low middling, 10.75, or three-fourths cent difference.

I wrote a similar letter to Senator SMITH and Congressman VINSON to the one I wrote you yesterday, and I beg that you show Senator SMITH and Congressman VINSON these original quotations, and see if there is not something that can be done at once. These differences are simply criminal and are robbing the South of millions of dollars.

With kindest regards, I am,
Yours, very sincerely,

W. H. BURWELL.

—

Daily market letter, Augusta, Ga.

NEW YORK MARKET.

Months.	Opening.	High	Low.	Close.
	Cents.	*Cents.*	*Cents.*	*Cents.*
March	12.31	12.34	12.26	12.32–12.33
May	12.10	12.11	12.03	12.08–12.09
July	12.01	12.05	11.96	12.05
October	11.50	11.53	11.45	11.50–11.51

Tone steady.

AUGUSTA MARKET.

	Cents.		
Good middling	13¾	Receipts	1,441
Strict middling	13⅜	Last year	626
Middling	13⅛	Stock	85,218
Last year	12¾	Last year	94,081
Strict low middling	13⅛	Sales	908
Low middling	12½	Tone	Quiet.
Strict good ordinary	11¾	Demand	Fair.

REMARKS.

Although Liverpool was four points better than due this morning, New York did not seem inclined to meet the advance, opening only at an advance of three to five points. The ring crowd in New York were inclined to be bearish, although all offerings were absorbed by the large "spot" interest, and prices closed steady at an advance of four to six points.

We still adhere to the belief that until there is decidedly more weakness in "spots" we will see higher prices.

Yours, very truly,

GARRETT & CALHOUN.

JANUARY 31, 1914.

—

AUGUSTA, GA., *January 31, 1913.*

AUGUSTA MARKET.

	Cents.		*Cents.*
Middling fair	12.25	Strict good ordinary	10.25
Strict good middling	12.13	Good ordinary	9.75
Good middling	12.00	Strict middling stains	10.75
Strict middling	11.75	Middling stains	10.25
Middling	11.50	Strict middling tinges	11.50
Strict low middling	11.13	Middling tinges	11.13
Low middling	10.75		

Receipts 647 to 937.

NEW YORK MARKET.

	Open.	High.	Low.	Close.
	Cents.	*Cents.*	*Cents.*	*Cents.*
March	11.77	11.88	11.71	11.73
May	12.02	12.10	11.93	11.96
July	12.15	12.24	12.05	11.96
October	12.18	12.24	12.09	12.10

New York spots, 11.80 to 11.95 cents.

LIVERPOOL MARKET.

Tone, business moderate; prices easier; sales, 7,000; receipts 13,000; American, 13,000. Middling, 7.82 to 7.88. Opened ½ to 1 point down. Closed 12 to 12½ down.

DAILY EXPORT.

Great Britain	49,700
Continent	13,692
All others	6,827
Total	70,219

Sterling demand, 4.76. Saturday exports amounted to 51,045 and to-day's exports totale i 70,219, the largest for the season. Liverpool cables were disappointing this morning. New York opened 13 to 16 points down in response to the decline made by Liverpool, and continued weak during the day's trading. The close was barely steady 19 to 21 points down. Southern spots are steady and very little cotton offered for sale on the decline.

NEELY & WILCOX.

The resolution (S. Res. 443) submitted by Mr. SMITH of South Carolina was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to make an investigation, to ascertain the amount and grades of cotton and wheat now held in this country, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection therewith, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

INDIAN APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922.

The VICE PRESIDENT. The Secretary will proceed with the reading of the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Indian Affairs was, on page 2, line 9, after the word "available," to insert "for expenses heretofore and hereafter incurred in the fiscal year ending June 30, 1921," so as to read:

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the act of February 8, 1887 (24 Stat. L., p. 388), entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey or allotment of Indian lands, $60,000, reimbursable, to be immediately available for expenses heretofore and hereafter incurred in the fiscal year ending June 30, 1921.

The amendment was agreed to.

The next amendment was, on page 2, line 17, after the word "Indian," to strike out "Reservation" and insert "Reservations," so as to make the heading read:

Irrigation of Indian reservations, reimbursable.

The amendment was agreed to.

The next amendment was, on page 3, after line 11, to insert "Owens River Valley projects, California, $2,000; Soboba Reservation, Calif., $750"; in line 15, after the numerals "$2,500," to insert "Tule River Reservation, Calif., $5,000"; and in line 16, after the word "total," to strike out "$35,500" and insert "$43,250," so as to make the paragraph read:

Irrigation district 4: Ak Chin Reservation, Ariz., $4,000; Coachella Valley pumping plants, California, $11,000; Owens River Valley projects, California, $2,000; Soboba Reservation, Calif., $750; Morongo Reservation, Calif., $8,000; Pala Reservation and Rincon Reservation, Calif., $2,500; Tule River Reservation, Calif., $5,000; miscellaneous projects, $10,000; total, $43,250.

The amendment was agreed to.

The next amendment was, on page 5, line 6, after the word "reservations," to strike out "$166,750" and insert "$174,500," so as to read:

In all, for irrigation on Indian reservations, $174,500, reimbursable as provided in the act of August 1, 1914 (38 Stats. L., p. 582).

The amendment was agreed to.

The next amendment was, on page 5, line 20, to increase the appropriation for the suppression of the traffic in intoxicating liquors among Indians from "$20,000" to "$50,000," so as to read:

For the suppression of the traffic in intoxicating liquors among Indians, $50,000.

The amendment was agreed to.

The next amendment was, on page 6, line 1, after the word "sanatoria," to strike out "$350,000" and insert "$415,000," so as to read:

RELIEVING DISTRESS, ETC.

For the relief and care of destitute Indians not otherwise provided for, and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases, including transportation of patients to and from hospitals and sanatoria, $415,000.

The amendment was agreed to.

The next amendment was, on page 6, line 12, after the name "Montana," to strike out "$12,500" and insert "$22,500, of which $10,000 shall be used for removing said hospital to the Blackfeet Agency," and in line 20, after the name "Arizona," to strike out "$10,000" and insert "$15,000," so as to read:

Provided further, That out of the appropriation herein authorized there shall be available for the maintenance of the sanatoria and hospitals hereinafter named, and for incidental and all other expenses for their proper conduct and management, including pay of employees, repairs, equipment, and improvements, not to exceed the following amounts: Blackfeet Hospital, Montana, $22,500, of which $10,000 shall be used for removing said hospital to the Blackfeet Agency; Carson Hospital, Nevada, $10,000; Cheyenne and Arapahoe Hospital, Oklahoma, $10,000; Choctaw and Chickasaw Hospital, Oklahoma, $35,000; Fort Lapwai Sanatorium, Idaho, $40,000; Laguna Sanatorium, New Mexico, $17,000; Mescalero Hospital, New Mexico, $10,000; Navajo Sanatorium, Arizona, $10,000; Pima Hospital, Arizona, $15,000; Phoenix Sanatorium, Arizona, $40,000; Spokane Hospital, Washington, $10,000; Sac and Fox Sanatorium, Iowa, $40,000, of which

sum $5,000 shall be immediately available; Turtle Mountain Hospital, North Dakota, $10,000; Winnebago Hospital, Nebraska, $18,000; Crow Creek Hospital, South Dakota, $8,000; Hoopa Valley Hospital, California, $10,000; Jicarilla Hospital, New Mexico, $10,000; Truxton Canyon camp hospital, Arizona, $10,000; Indian Oasis Hospital, Arizona, $10,000.

The amendment was agreed to.

The next amendment was, on page 7, line 4, after the numerals "$10,000," to insert the following additional proviso:

Provided further, That not to exceed $50,000 of this appropriation may be used for medical and health work among the restricted Indians in the Five Civilized Tribes, including salaries of physicians, field matrons, and other employees, equipment, rent of quarters, medical and surgical supplies, and such other expenses as may be necessary, and not to exceed $5,000 of this amount may be used for purchase of motor-propelled and horse-drawn passenger-carrying vehicles for use of the physicians and other employees herein authorized.

The amendment was agreed to.

The next amendment was, on page 7, line 17, after the word "therewith," to strike out "$1,600,000" and insert "$1,700,000," so as to read:

For support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $1,700,000.

The amendment was agreed to.

The next amendment was, after page 9, to insert:

INDUSTRIAL WORK AND CARE OF TIMBER.

For the purposes of preserving living and growing timber on Indian reservations and allotments, and to educate Indians in the proper care of forests; for the employment of suitable persons as matrons to teach Indian women and girls housekeeping and other household duties, for necessary traveling expenses of such matrons, and for furnishing necessary equipments and supplies and renting quarters for them where necessary; for the conducting of experiments on Indian school or agency farms designed to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, cotton, and fruits, and for the employment of practical farmers and stockmen, in addition to the agency and school farmers now employed; for necessary traveling expenses of such farmers and stockmen and for furnishing necessary equipment and supplies for them; and for superintending and directing farming and stock raising among Indians, $460,000, of which sum not less than $75,000 shall be used for the employment of field matrons: *Provided*, That the foregoing shall not, as to timber, apply to the Menominee Indian Reservation in Wisconsin: *Provided further*, That not to exceed $15,000 of the amount herein appropriated shall be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, cotton, grain, vegetables, and fruits: *Provided also*, That the amounts paid to matrons, foresters, farmers, physicians, nurses, and other hospital employees, and stockmen provided for in this act shall not be included within the limitations on salaries and compensation of employees contained in the act of August 24, 1912.

The amendment was agreed to.

The next amendment was, on page 11, line 18, to decrease the appropriation for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington from "$7,500" to "$7,000."

The amendment was agreed to.

The next amendment was, on page 11, line 25, after the words "public lands," to strike out "$800" and insert "$600," so as to read:

For witness fees and other legal expenses incurred in suits instituted in behalf of or against Indians involving the question of title to lands allotted to them, or the right of possession of personal property held by them, and in hearings set by the United States local land officers to determine the rights of Indians to public lands, $600.

The amendment was agreed to.

The next amendment was, on page 12, after line 5, to insert:

PAY OF INDIAN POLICE.

For pay of Indian police, including chiefs of police at not to exceed $50 per month each and privates at not to exceed $30 per month each, to be employed in maintaining order, for purchase of equipments and supplies, and for rations for policemen at nonration agencies, $200,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 11, to insert:

PAY OF JUDGES OF INDIAN COURTS.

For pay of judges of Indian courts where tribal relations now exist, $7,000.

The amendment was agreed to.

The next amendment was, on page 13, line 2, after the word "appropriation," to strike out the word "shall" and insert "may," so as to read:

That $7,500 of this appropriation may be used for continuing the work of the Competency Commission to the Five Civilized Tribes of Oklahoma.

The amendment was agreed to:

The next amendment was, on page 13, line 4, after the word "Oklahoma," to strike out:

Provided, That not to exceed $15,000 of the amount herein appropriated may be expended out of applicable funds in the work of determining the competency of Indians on Indian reservations outside of the Five Civilized Tribes in Oklahoma.

The amendment was agreed to.

The next amendment was, on page 13, line 8, to insert the following proviso:

Provided further, That not exceeding $3,000 of this amount shall be immediately available for the purchase of a bookkeeping machine with incidental equipment and supplies in the Office of Indian Affairs: *And provided further*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay for certain law books purchased for the Office of Indian Affairs at an expense of $488.70, from the appropriation for general expenses of the Indian Service for the fiscal year ending June 30, 1921.

Mr. HARRISON. Mr. President, may I ask the Senator from Kansas, who is in charge of the bill, a question? I notice that a number of items in the bill, which have been carried heretofore, are added by the Senate committee, but were not carried by the House. Why is that?

Mr. CURTIS. Some of the items have been carried in the Indian appropriation bill for over 30 years, but they were stricken out under the rules of the House by reason of points of order being made on the floor. However, they are items that should go into the bill. As the Senator knows, under the rules of the House an item in an appropriation bill may be stricken out if there is no permanent law authorizing it. That rule does not apply in the Senate. All the items referred to were estimated for.

Mr. HARRISON. So it was just because some Member of the House had everything stricken out where a point of order would lie?

Mr. CURTIS. That is it.

Mr. HARRISON. And those items must be inserted in the Senate?

Mr. CURTIS. That is true.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 13, line 19, to increase the number of Indian Service inspectors from "four" to "six."

The amendment was agreed to.

The next amendment was, on page 14, after line 13, to insert:

INDUSTRY AMONG INDIANS.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $100,000, or so much thereof as may be necessary, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That said sum shall be expended under conditions to be prescribed by the Secretary of the Interior for its repayment to the United States on or before June 30, 1930: *Provided further*, That not to exceed $20,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians, and that no part of this appropriation shall be used for the purchase of tribal herds.

The amendment was agreed to.

The next amendment was, on page 15, after line 18, to insert:

SUPPRESSING CONTAGIOUS DISEASES AMONG LIVE STOCK OF INDIANS.

For reimbursing Indians for live stock which may be hereafter destroyed on account of being infected with dourine or other contagious diseases, and for expenses in connection with the work of eradicating and preventing such diseases, to be expended under such rules and regulations as the Secretary of the Interior may prescribe, $20,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 2, to insert:

DEVELOPING WATER FOR INDIAN STOCK.

For improving springs, drilling wells, and otherwise developing and conserving water for the use of Indian stock, including the purchase, construction, and installation of pumping machinery, tanks, troughs, and other necessary equipment, and for necessary investigations and surveys, for the purpose of increasing the available grazing range on unallotted lands on Indian reservations, $40,000, to be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That the necessity exists on any Indian reservation so far as the Indians themselves are concerned.

The amendment was agreed to.

The next amendment was, on page 16, after line 23, to insert:

That the provisions of an act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, shall also apply to unallotted lands within Indian reservations whenever such lands, or such portions thereof as the Secretary of the Interior may determine, are declared by the said Secretary to be subject to exploration for and disposition of said minerals, in the form and manner provided by said act, except that such lands may only be leased and patents shall not be issued for the same, and except that all moneys received from royalties and rentals from such lands shall be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the reservation where the leased land is located, which moneys shall be at all times subject to appropriation by Congress for their benefit, unless otherwise provided by treaty or agreement ratified by Congress: *Provided*, That such moneys shall be subject to the laws authorizing the pro rata distribution of Indian tribal funds: *Provided*, That the Secretary of the Interior is hereby authorized, in his discretion, to lease unallotted Indian lands containing deposits of potassium, asbestos, precious stones, and other nonmetalliferous minerals under such terms and conditions not inconsistent with such act, as the said Secretary may determine and announce by general regulations as best adapted to the development of such minerals: *Provided*, That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not inconsistent with the provisions hereof

as may be necessary and proper for the protection of the interests of the Indians and for the purpose of carrying the provisions hereof into full force and effect: *Provided*, That the above provisions shall not apply to the Five Civilized Tribes and Osage Nation of Indians in Oklahoma: *And provided further*, That the provisions hereof shall also extend to all Indian residents of the United States, citizens or non-citizens, whom the Secretary of the Interior shall find competent to transact business, and the Secretary is hereby authorized to make leases to such Indians under such rules and regulations as he may prescribe.

Mr. CURTIS. The Senator from Arizona has a substitute to offer for that amendment. I may state that the text of this amendment was put in by mistake and the Senator from Arizona has an amendment which should be substituted for it.

Mr. ASHURST. I present it, and ask that the Secretary may read the amendment.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. Strike out lines 24 and 25, on page 16; strike out all of page 17 and lines 1 to 13, inclusive, on page 18; and in lieu thereof insert the following:

That section 26 of the act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920," approved June 30, 1919 (Public, No. 3, 66th Cong.), be amended as follows:

"That wherever the term 'metalliferous' is used in said section 26 of the above-entitled act, it shall hereafter be defined and construed by the Secretary of the Interior to include magnesite, gypsum, limestone, and asbestos."

The amendment to the amendment in the nature of a substitute was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 18, after line 13, to insert:

That the restricted allotment of any Indian may be leased for farming and grazing purposes by the allottee or his heirs, subject only to the approval of the superintendent or other officer in charge of the reservation where the land is located, under such rules and regulations as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, on page 20, line 18, after the name "New Mexico," to strike out "$35,000" and insert "$50,000," so as to read:

For continuing the development of a water supply for the Navajo and Hopi Indians on the Moqui Reservation, and the Navajo, Pueblo Bonito, San Juan, and Western Navajo subdivisions of the Navajo Reservation in Arizona and New Mexico, $50,000, reimbursable out of any funds of said Indians now or hereafter available.

The amendment was agreed to.

The next amendment was, on page 21, line 16, before the words "of any tribal funds" to strike out "$8,500" and insert "$8,000"; and in line 18, after the name "Arizona," to insert "to be immediately available," so as to read:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $8,000 of any tribal funds on deposit to the credit of the Indians of the Fort Apache Reservation in Arizona, to be immediately available, and to expend the same, in connection with the sum of $7,500 of the funds appropriated in this act for Indian school and agency buildings, for completing the reconstruction, repair, and improvement of the power plant and irrigation system on the Fort Apache Indian Reservation, Ariz., as provided for in the act of June 30, 1919 (41 Stat. L., p. 11).

The amendment was agreed to.

The next amendment was, on page 22, line 12, after the numerals "1916," to strike out "$100,000" and insert "$75,000, to be immediately available," so as to read:

For continuing the construction of the necessary canals and structures to carry the natural flow of the Gila River to the Indian lands of the Gila River Indian Reservation and to public and private lands in Pinal County, reimbursable as provided in the Indian appropriation act approved May 18, 1916, $75,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 22, after line 12, to insert:

Provided, however, That not exceeding $50,000 of the appropriations available for the construction of this project may be used in the purchase of such land, rights of way, constructed or partly constructed canals, and other physical properties deemed necessary by the Secretary of the Interior in connection with such project.

The amendment was agreed to.

The next amendment was, on page 22, after line 18, to insert:

For an investigation by the Secretary of the Interior of the conditions with respect to the necessity of constructing a bridge across the Colorado River at or near Lees Ferry, Ariz., $1,000, or so much thereof as may be necessary for the purpose, and the said Secretary is hereby authorized and directed to cause surveys, plans, and reports to be made, together with an estimated limit of the cost of said bridge, and to submit same to Congress as soon as possible, with his recommendation as to what proportionate part of the cost of the construction of said bridge, if any, shall be paid by the United States.

The amendment was agreed to.

The next amendment was, on page 23, after line 3, to insert:

To provide for water rights for the irrigation of 631 Salt River allotments of 10 acres each, as authorized by the act of May 18, 1916 (39 Stat. L., p. 130), the sum of $65,000, appropriated by said act of May 18, 1916, and the acts of March 2, 1917 (39 Stat. L., p. 975), May 25, 1918 (40 Stat. L., p. 569), and June 30, 1919 (41 Stat. L., p. 10), is hereby reappropriated and shall remain available until expended.

The amendment was agreed to.

The next amendment was, on page 23, after line 13, to insert:

The Secretary of the Interior is hereby authorized to sell and convey at the appraised value of same at the time of sale the land and buildings known as United States Indian day school, located in the southwestern part of the city of Tucson, to school district No. 1, Pima County, Ariz., for use as a public school: *Provided*, That Indian children residing in that district shall be received therein at all times on equal terms with white children.

The amendment was agreed to.

The next amendment was, on page 23, after line 21, to insert:

For the completion of the approaches to the bridges over the Little Colorado and Canyon Diablo Rivers, near the Leupp Indian Agency, Ariz., $5,000, or so much thereof as may be necessary, reimbursable from the tribal funds of the Navajo Indians.

The amendment was agreed to.

The next amendment was, on page 24, after line 3, to insert:

For the purchase of lands for the homeless Indians in California, including improvements thereon, for the use and occupancy of said Indians, $10,000, said funds to be expended under such regulations and conditions as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, on page 25, after line 8, to insert:

For the improvement and construction of roads and bridges on the Yuma Indian Reservation in California, $10,000, reimbursable to the United States by the Indians having tribal rights on said reservation.

The amendment was agreed to.

The next amendment was, on page 25, line 16, to increase the appropriation for the relief of distress among the Seminole Indians in Florida and for purposes of their civilization and education, etc., from "$5,000" to "$8,000," so as to read:

FLORIDA.

SEC. 4. For relief of distress among the Seminole Indians in Florida and for purposes of their civilization and education, $8,000, including the construction and equipment of necessary buildings.

The amendment was agreed to.

The next amendment was, on page 25, line 23, to increase the appropriation for improvement, maintenance, and operation of the Fort Hall irrigation system, Idaho, from "$50,000" to "$60,000."

The amendment was agreed to.

The next amendment was, on page 25, at the end of line 23, to insert the following proviso:

Provided, That all appropriations made for irrigation work on the Fort Hall Reservation are hereby declared to be reimbursable, on a per-acre basis, against the lands benefited, regardless of ownership, under such rules and regulations as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, on page 26, after line 11, to insert:

IOWA.

SEC. 5a. For the construction, maintenance, and operation of a drainage system for lands of the Sac and Fox Indians in Iowa, $10,000: *Provided*, That any moneys expended for this purpose shall be reimbursed out of any funds in the Treasury of the United States to the credit of the said Sac and Fox Indians: *Provided further*, That the Secretary of the Interior is hereby authorized to enter into agreements, or make other suitable arrangements, with owners of adjacent lands benefited by the construction of such drainage system as will insure from such owners payment, on a per acre basis, of a proportionate part of the construction, operation, and maintenance of said drainage system.

The amendment was agreed to.

The next amendment was, on page 27, under the heading of "Kansas," in line 5, after the numerals "$20,000," to insert "for new heating, power, ice, and electric plant, $75,000; for repairs and construction of drain, ditches, and dikes on the Haskell School farm, $18,000, to be immediately available and to remain available until expended"; and in line 9, after the words "in all," to strike out "$172,600" and insert "$265,600," so as to read:

KANSAS.

SEC. 6. For support and education of 750 Indian pupils at the Indian school, Haskell Institute, Lawrence, Kans., and for pay of superintendent, $152,600; for general repairs and improvements, $20,000; for new heating, power, ice, and electric plant, $75,000; for repairs and construction of drain, ditches, and dikes on the Haskell School farm, $18,000, to be immediately available and to remain available until expended; in all, $265,600.

The amendment was agreed to.

The next amendment was, on page 27, under the heading of "Minnesota," in line 20, after the numerals "$8,000," to insert "for water supply, including laying of pipe line to connect with water system of city of Pipestone, $8,000," and in line 22, after the words "in all," to strike out "$54,650" and insert "$62,650," so as to read:

MINNESOTA.

SEC. 8. For support and education of 200 Indian pupils at the Indian school, Pipestone, Minn., including pay of superintendent, $46,650; for general repairs and improvements, $8,000; for water supply, including laying of pipe line to connect with water system of city of Pipestone, $8,000; in all, $62,650.

The amendment was agreed to.

The next amendment was, on page 28, after line 3, to insert:

That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States the sum of $10,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Red Lake Band of Chippewa Indians in the State of Minnesota, and to expend the same in the construction of roads and bridges on the Red Lake Indian Reservation, in said State, including the purchase of material, equipment, and supplies, and the employment of labor: *Provided*, That Indian labor shall be employed as far as practicable.

The amendment was agreed to.

The next amendment was, on page 29, line 20, after the word "support," to strike out "of one or more," so as to read:

The Secretary of the Interior is authorized to withdraw from the Treasury of the United States, in his discretion, the sum of $100,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to use the same for promoting civilization and self-support among the said Indians exclusively for the purposes following: Not exceeding $45,000 of this amount may be expended for general agency purposes at the White Earth, Red Lake, and Leech Lake Agencies: not exceeding $20,000 may be expended, under the direction of the Secretary of the Interior, in aiding in the construction, equipment, and maintenance of additional public schools in connection with, and under the control of, the public-school system of the State of Minnesota, said additional school buildings to be located at places contiguous to Indian children who are now without proper public-school facilities, said amount to be immediately available; not exceeding $15,000 may be expended in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, and the Secretary of the Interior shall annually transmit to Congress at the commencement of each regular session a complete and detailed statement of such expenditures, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior; not exceeding $20,000 may be expended for the support of the Indian hospitals at Fond du Lac, White Earth, and Red Lake, Minn.

The amendment was agreed to.

The next amendment was, on page 29, line 21, to insert the following proviso:

Provided, That the Secretary of the Interior is authorized, as soon as practicable, to turn over to the proper authorities of the State of Minnesota all hospital plants and equipment now or previously used in connection with the Chippewa Indian service the use of which is, or may hereafter become, unnecessary in connection with said service, conditioned upon said State first giving satisfactory assurance that said property will at all times be maintained and used by said State for public purposes and that the Chippewa Indians shall at all times be admitted to all State institutions upon the same terms as citizens of said State.

The amendment was agreed to.

The next amendment was, on page 30, after line 7, to insert:

That the Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, in his discretion, the sum of $5,200, or so much thereof as may be necessary, from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, and to use the same for payment to school district No. 6, Itasca County, Minn., for tuition of Chippewa Indian children attending school in said district during the fiscal year commencing with the year ended June 30, 1914, and ending June 30, 1920, inclusive.

The amendment was agreed to.

The next amendment was, on page 30, after line 18, to insert:

That the Secretary of the Interior be, and he hereby is, authorized and directed to withdraw from the fund in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota according to the provisions of the act of May 18, 1916 (39 Stat. L., p. 137), a sufficient sum to pay per capita to the members of the Red Lake Band of Chippewa Indians of the State of Minnesota living at the date of the passage of this act the sum of $50, this appropriation to be immediately available.

The amendment was agreed to.

The next amendment was, on page 32, line 12, after the word "employees," to strike out "$50,000" and insert "$75,000, of which sum $25,000 shall be immediately available," so as to read:

For support and civilization of Indians at Blackfeet Agency, Mont., including pay of employees, $75,000, of which sum $25,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 33, line 7, after the word "employees," to strike out "$8,000" and insert "$7,000," so as to read:

For the support and civilization of the Rocky Boy Band of Chippewas and other indigent and homeless Indians in the State of Montana, including pay of employees, $7,000.

The amendment was agreed to.

The next amendment was, on page 33, line 11, after the name "Montana," to strike out "$200,000" and insert "$250,000," so as to read:

For continuing construction, maintenance, and operation of the irrigation systems on the Flathead Indian Reservation, in Montana, $250,000 (reimbursable), to be immediately available and to remain available until expended.

The amendment was agreed to.

The next amendment was, on page 33, line 14, after the word "For," to strike out "continuing construction, maintenance," and insert "maintenance," and in line 16, after the name "Montana," to strike out "$40,000" and insert "$20,000," so as to read:

For maintenance and operation of the irrigation systems on the Fort Peck Indian Reservation, in Montana, $20,000 (reimbursable).

The amendment was agreed to.

The next amendment was, on page 33, line 20, to increase the appropriation for continuing the construction, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation, Mont., from "$30,000" and insert "$50,000."

The amendment was agreed to.

The next amendment was, on page 34, line 8, after the words "Secretary of the Interior," to strike out:

Of said appropriation of $200,000 the sum of $150,000 shall be available for construction of a diversion dam on the Big Horn River, and $50,000 for maintenance and operation of said irrigation systems.

Mr. MYERS. Mr. President, I will ask the chairman of the committee, if I may have his attention, what is the object of the amendment proposing to strike out of the bill the provision in lines 8, 9, 10, and 11, on page 34? It has been represented to me that that provision is very necessary, and I should like to know the committee's reason for proposing to strike it out.

Mr. CURTIS. The Assistant Commissioner of Indian Affairs advised us that it was not necessary to specify how the appropriation should be allotted; that the department could use the $200,000 for all necessary purposes. I will state to the Senator from Montana that the matter will go to conference, and if there is any doubt about it the item can be restored.

Mr. MYERS. Does the Assistant Commissioner of Indian Affairs think that a sufficient sum may be used from the appropriation of $200,000 to provide for the construction of the dam on the Big Horn River and to provide for maintenance and operation of the irrigation systems mentioned, and that it would be done without this provision?

Mr. CURTIS. He thinks that it is sufficient to cover any expenditure which may be necessary.

Mr. MYERS. He thinks, does he, that whatever expenditure may be necessary for these purposes will be covered by the appropriation of $200,000 and will be made without a special provision being made for the work?

Mr. CURTIS. That is as I understand the matter. I repeat, if there is any doubt about it, we shall correct it in conference.

Mr. MYERS. I thank the Senator for his explanation and trust he may give the matter adequate attention in conference, and I am sure he will. I do not wish this matter neglected. It is a matter of importance.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 34, after line 11, to insert:

For the purpose of enabling the Secretary of the Interior to settle all unpaid claims against the United States Government to funds derived from sale of patented Indian lands in the Bitter Root Valley, Mont., under the provisions of the act of March 2, 1889 (25 Stat. L., 871), entitled "An act to provide for the sale of lands patented to certain members of the Flathead Band of Indians in Montana Territory, and for other purposes," $1,124.67, the same to be immediately available.

The amendment was agreed to.

The next amendment was, on page 34, after line 20, to insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to school district No. 9 of Glacier County, Mont., for block 35 in Browning town site in the former Blackfeet Indian Reservation, upon filing its application therefor, said block to be used and maintained for public-school purposes: *Provided*, That Indian children shall at all times be received in the school maintained on said block 35 for public-school purposes on equal terms with white children.

The amendment was agreed to.

The next amendment was, on page 35, after line 3, to insert:

For the construction of that portion of the highway from Yellowstone National Park to Glacier National Park within the Blackfeet Indian Reservation, Mont., $25,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 35, line 19, after the numerals "$12,000," to insert "for dining room and kitchen, $24,000; for improvement of domestic water supply and irrigation system, $5,000"; and in line 21, after the words "in all," to strike out "$94,000" and insert "$123,000," so as to read:

For support and education of 400 Indian pupils at the Indian school at Carson City, Nev., including pay of superintendent, $82,000; for general repairs and improvements, $12,000; for dining room and kitchen, $24,000; for improvement of domestic water supply and irrigation system, $5,000; in all $123,000.

The amendment was agreed to.

The next amendment was, on page 36, line 5, after the name "Nevada," to strike out "$10,000" and insert "$8,000," so as to read:

For reclamation and maintenance charges on lands allotted to Paiute Indians within the Truckee-Carson project, Nevada, $8,000, reimbursable from any funds of the Indians now or hereafter available.

Mr. PITTMAN. Mr. President, I should like to ask the chairman of the committee the reason for reducing the appropriation in line 5, page 36, from $10,000 to $8,000.

Mr. CURTIS. We had the Assistant Commissioner of Indian Affairs before us and he stated that $8,000 was all the department needed for the purpose at this time. It was the desire of the committee to give the amount necessary in each instance, and we were advised by the department that the sums here proposed to be appropriated would be sufficient for the purpose. There are only 1,431 acres being irrigated, as the Senator from Nevada probably knows.

Mr. PITTMAN. Very well.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 36, line 14, after the numerals "$8,000," to insert "to be immediately available, and the amount of $7,000 heretofore appropriated for this purpose shall be available until expended; for girls' dormitory, $40,000;" and, in line 17, after the words "in all," to strike out "$120,400" and insert "$160,400," so as to read:

For support and education of 500 Indian pupils at the Indian school at Albuquerque, N. Mex., and for pay of superintendent, $102,400; for general repairs and improvements, $10,000; for enlarging and improving sewer system, $8,000, to be immediately available, and the amount of $7,000 heretofore appropriated for this purpose shall be available until expended; for girls' dormitory, $40,000; in all, $160,400.

The amendment was agreed to.

The next amendment was, on page 36, line 21, after the numerals "$3,000," to insert "for purchase of additional land for school purposes, $3,500;" and, in line 22, after the words "in all," to strike out "$93,400" and insert "$96,900," so as to read:

For support and education of 400 Indian pupils at the Indian school at Santa Fe, N. Mex., and for pay of superintendent, $82,400; for general repairs and improvements, $8,000; for water supply, $3,000; for purchase of additional land for school purposes, $3,500; in all, $96,900.

The amendment was agreed to.

The next amendment was, on page 36, line 26, after the name New Mexico, to strike out "$10,000" and insert "$8,000," so as to read:

For continuing the reconstruction and for operation and maintenance of the irrigation system for the Laguna Indians in New Mexico, $8,000, reimbursable by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, on page 37, line 8, before the word "road," to insert "continuing," so as to read:

For continuing road and bridge construction on the Mescalero Indian Reservation, in New Mexico, including the purchase of material, equipment, and supplies; the employment of labor; and the cost of surveys, plans, and estimates, if necessary, $15,000, to be reimbursed from any funds of the Indians of said reservation now or hereafter on deposit in the Treasury of the United States: *Provided*, That Indian labor shall be employed as far as practicable.

The amendment was agreed to.

The next amendment was, on page 37, at the end of line 21, before the word "reimbursable," to strike out "$6,500" and insert "$5,000," so as to read:

To enable the Secretary of the Interior to provide for the drainage of Pueblo Indian land in the Rio Grande Valley, N. Mex., in connection with operations for the drainage of lands in white ownership, in accordance with the provision contained in section 13 of the act approved February 14, 1920 (41 Stat. L., p. 423), $5,000, reimbursable in accordance with such rules and regulations as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, on page 37, after line 23, to insert:

For construction, operation, and maintenance of an irrigation system for the Indians of the San Juan Pueblo in New Mexico, $15,000, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, at the top of page 38, to insert:

For improvement, operation, and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the San Juan Indian School, $8,000, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

The amendment was agreed to.

The next amendment was, on page 38, after line 5, to insert:

For painting and repairing the steel bridges across the Rio Grande at Isleta and San Felipe, under the southern pueblo jurisdiction, New Mexico, which said bridges were constructed from an appropriation contained in the Indian act for the fiscal year 1912 (36 Stat. L., p. 1062), $8,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 11, to insert:

For the construction of one of the approaches to the steel bridge across the San Juan River at Farmington, N. Mex., which said approach has been destroyed by high water, the bridge having been originally constructed with an appropriation of $25,000 made by the act of February 20, 1917 (39 Stat. L., p. 926), $6,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 38, after line 18, to insert:

For construction and repair of buildings for school purposes for the Pueblo Indians of New Mexico, $45,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 20, to insert:

The Secretary of the Interior is hereby authorized in his discretion, under rules and regulations to be prescribed by him, to accept reconveyances to the Government of privately owned and State school lands, and relinquishments of valid homestead entries or other filings, including Indian allotment selections, within any township of the public domain in San Juan, McKinley, and Valencia Counties, N. Mex., and to permit lieu selections by those surrendering their rights so that the holdings of any claimant within any township wherein such reconveyances or relinquishments are made may be consolidated and held in solid areas: *Provided*, That the title or claim of any person who refuses to reconvey to the Government shall not be hereby affected.

The amendment was agreed to.

Mr. CURTIS. At this point I desire to offer an amendment which was adopted by the Committee on Indian Affairs but which by mistake was omitted, to come in before the amendment just adopted.

The VICE PRESIDENT. The amendment offered by the Senator from Kansas will be stated.

The ASSISTANT SECRETARY. On page 38, after line 20, it is proposed to insert:

For the pay of one special attorney for the Pueblo Indians of New Mexico, to be designated by the Secretary of the Interior, and for necessary traveling expenses of said attorney, $3,000, or so much thereof as the Secretary of the Interior may deem necessary.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 39, line 18, under the heading of "North Carolina," after the numerals "$10,000," to insert "for additions to girls' and boys' dormitories, $20,000"; and in line 19, after the words "in all," to strike out "$50,000" and insert "$70,000," so as to read:

SEC. 15. For support and education of 200 Indian pupils at the Indian school at Cherokee, N. C., including pay of superintendent, $40,000; for general repairs and improvements, $10,000; for additions to girls' and boys' dormitories, $20,000; in all, $70,000.

The amendment was agreed to.

The next amendment was, on page 40, line 3, after the word "employees," to strike out "$13,000" and insert "$16,000," so as to read:

For support and civilization of Turtle Mountain Band of Chippewas, N. Dak., including pay of employees, $16,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 7, to insert the following proviso:

Provided, That not exceeding $6,000 of the amount reappropriated by the Indian appropriation act of May 25, 1918 (40 Stat. L., p. 577), for employees' quarters may, in the discretion of the Secretary of the Interior, be used for the purchase of the Baker cottage and lands adjoining the Bismarck Indian School grounds.

The amendment was agreed to.

The next amendment was, on page 42, line 6, after the numerals "$15,000," to insert "for new buildings and additions to and remodeling of present buildings, $75,000"; and, in line 7, after the words "in all," to strike out "$109,600" and insert "$184,600," so as to read:

For support and education of 550 Indian pupils at the Indian school at Chilocco, Okla., including pay of superintendent, $94,600; for general repairs and improvements, $15,000; for new buildings and additions to and remodeling of present buildings, $75,000; in all, $184,600.

The amendment was agreed to.

The next amendment was, on page 43, line 10, after the words "The sum of," to strike out "$75,000" and insert "$100,000," so as to read:

The sum of $100,000, or so much thereof as may be necessary, is hereby appropriated out of the funds on deposit to the credit of the Osage Tribe of Indians in Oklahoma for the support of the Osage Agency and pay of tribal officers, the tribal attorney and his stenographer, and employees of said agency.

The amendment was agreed to.

The next amendment was, on page 43, after line 15, to insert the following proviso:

Provided, That $20,000 of the amount herein appropriated shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 43, line 18, before the words "thousand dollars," to strike out "Fifty" and insert "Fifty-five," so as to read:

Fifty-five thousand dollars of the funds on deposit to the credit of the Osage Tribe of Indians in Oklahoma is hereby appropriated for necessary expenses in connection with oil and gas production on the Osage Reservation, including salaries of employees, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles.

The amendment was agreed to.

The next amendment was, at the top of page 44, to insert:

That the provision in the Indian appropriation act for the fiscal year ending June 30, 1921, authorizing the expenditure of not exceeding $50,000 from unexpended Osage tribal funds heretofore appropriated for construction of a fireproof office building for Osage Agency is hereby amended to provide that not exceeding $100,000 of such unexpended Osage tribal funds may be used in the construction of such fireproof building, including the removal of the present office building and rearrangement of the interior of same for employees' quarters, said amount to be immediately available.

The amendment was agreed to.

The next amendment was, on page 44, after line 17, to insert:

The Secretary of the Interior is authorized to withdraw from the Treasury of the United States the sum of $45,000 of the funds on deposit to the credit of the Osage Tribe of Indians and to expend the same in the construction of six employees' cottages, said sum to be immediately available.

The amendment was agreed to.

The next amendment was, on page 44, after line 22, to insert:

That the provisions contained in the Indian appropriation act approved March 2, 1917 (39 Stat. L., p. 983), authorizing the use of $5,000 of Osage tribal funds for appraisement of lands in Osage County, Okla., for the purpose of adjustment and settlement of claims for or on behalf of any Osage Indian with respect to assessment theretofore or thereafter made, is hereby amended to provide that an additional sum of not exceeding $17,500 is hereby appropriated from Osage tribal funds for the purpose of employing expert accountants, clerks, and special attorneys, under the direction of the Department of Justice, in pending suits in the Federal courts on behalf of Osage Indians in connection with such assessments, such amounts, or so much thereof as may be necessary, to be expended in the discretion of the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, on page 45, after line 12, to insert:

For continuing the relief and settlement of the Apache Indians lately confined as prisoners of war at Fort Sill Military Reservation, Okla., on lands in Oklahoma to be selected for them by the Secretary of the Interior and the Secretary of War, $42,500, to be expended under such rules and regulations as the Secretary of the Interior and the Secretary of War may prescribe, and to be immediately available.

The amendment was agreed to.

The next amendment was, on page 46, line 13, to increase the appropriation for salaries and expenses of attorneys and other employees engaged in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, etc., from "$50,000" to "$60,000."

The amendment was agreed to.

The next amendment was, on page 46, line 19, after the numerals "$8,000," to insert "for dining hall and equipment, $40,000," and in line 20, after the words "in all," to strike out "$53,000" and insert "$93,000," so as to read:

For the support, continuance, and maintenance of the Cherokee Orphan Training School, near Tahlequah, Okla., for the orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $45,000; for repairs and improvements, $8,000; for dining hall and equipment, $40,000; in all, $93,000.

The amendment was agreed to.

Mr. HARRISON. Mr. President, at the end of line 26, on page 48, I desire to offer an amendment as a new paragraph.

The VICE PRESIDENT. We are considering committee amendments now under an order of the Senate.

Mr. HARRISON. Very well.

The reading of the bill was resumed.

The next amendment of the Committee on Indian Affairs was, on page 50, line 5, after the numerals "$25,000," to insert: "for heating plant, $40,000; for boys' dormitory, $70,000"; and in line 6, after the words "in all," to strike out "$147,400" and insert "$257,400," so as to read:

For support and education of 600 Indian pupils, including native Indian pupils brought from Alaska, at the Indian school, Salem, Oreg., including pay of superintendent, $122,400; for general repairs and improvements, $25,000; for heating plant, $40,000; for boys' dormitory, $70,000; in all, $257,400.

The amendment was agreed to.

The next amendment was, on page 51, line 23, to increase the appropriation for the support of Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, etc., from "$243,000" to "$300,000."

The amendment was agreed to.

The next amendment was, on page 52, line 2, to increase the total appropriation for the support of Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, etc., from "$350,000" to "$407,000."

The amendment was agreed to.

The next amendment was, on page 52, line 5, after the word "buildings," to strike out "$180,000" and insert "$200,000," so as to read:

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, $200,000, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat. L., p. 254).

The amendment was agreed to.

The next amendment was, on page 52, line 10, after the numerals "$8,000," to strike out "to be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe."

The amendment was agreed to.

The next amendment was, on page 52, after line 18, to insert:

TEXAS.

For support of Alabama and Coushatta Indians in Polk County, Tex., $5,000.

The amendment was agreed to.

The next amendment was, on page 54, after line 13, to insert:

For the aid of the public schools in Uintah and Duchesne County school districts, Utah, $12,000, to be expended under such rules and regulations as may be prescribed by the Secretary of the Interior: *Provided*, That Indian children shall at all times be admitted to such schools on an entire equality with white children.

The amendment was agreed to.

The next amendment was, on page 54, after line 19, to insert:

That the Secretary of the Interior is authorized to convey to the State of Utah all the right, title, and interest which the United States has in and to the bridge across the Duchesne River near the town of Myton, and to convey to the county of Duchesne, in said State, the bridge across the Duchesne River near the town of Duchesne, which said bridges were constructed with appropriations contained in the acts of August 5, 1909 (36 Stat. L., p. 124), and March 3, 1911 (36 Stat. L., p. 1074): *Provided*, That the State of Utah and county of Duchesne consent to this arrangement and agree to at all times in the future maintain, repair, and keep in good condition said bridges, free from all expense to the United States or the Indians of the Uintah and Ouray Reservation in Utah.

The amendment was agreed to.

The next amendment was, on page 56, line 13, after the numerals "$250,000" to insert "of which sum $50,000 shall be immediately available," so as to read:

For continuing construction and enlargement of the Wapato irrigation and drainage system, to make possible the utilization of the water supply provided by the act of August 1, 1914 (38 Stat. L., p. 604), for 40 acres of each Indian allotment under the Wapato irrigation project on the Yakima Indian Reservation, Wash., and such other water supply as may be available or obtainable for the irrigation of a total of 120,000 acres of allotted Indian lands on said reservation, $250,000, of which sum $50,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, in the item to carry out the provisions of the Chippewa treaty of September 30, 1854, on page 58, line 22, to insert the following proviso:

Provided, That, in the discretion of the Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation, and under a like appropriation of $10,000 made for the same purpose in the act approved February 14, 1920, may be paid in cash.

The amendment was agreed to.

The next amendment was, on page 59, commencing at line 1, to insert:

The Secretary of the Interior is hereby authorized, in his discretion, to withdraw from the Treasury of the United States the sum of $180,000, or so much thereof as may be necessary, of the tribal funds of the Menominee Indians of Wisconsin, arising under the acts of June 12, 1890 (26 Stat. L., p. 146), and March 28, 1908 (35 Stat. L., p. 51), and to make therefrom a per capita payment or distribution of not to exceed $100 to said Indians entitled thereto under such rules and regulations as he may prescribe, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 60, line 5, to increase the appropriation for continuing the work of constructing an irrigation system within the diminished Shoshone or Wind River Reservation, in Wyoming, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, from "$75,000" to "$100,000."

The amendment was agreed to.

The next amendment was, on page 60, after line 6, to insert:

For the extension of canals and laterals on the ceded portion of the Wind River Reservation, Wyo., to provide for the irrigation of additional Indian lands and for the Indians' pro rata share of the cost of operation and maintenance of the canals and laterals, $20,000, reimbursable as provided by existing law.

The amendment was agreed to.

The next amendment was, on page 61, line 4, after the word "exceeding," to strike out "$1,253,905.30" and insert "$1,335,740," so as to read:

SEC. 25. That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, reimbursement to the United States of the expenditures from reimbursable appropriations, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $1,335,740 from the funds held by the United States in trust for the respective tribes for support and civilization of the Indians under the jurisdiction of the following agencies, to wit:

The amendment was agreed to.

The next amendment was, on page 61, line 8, after the name "Fort Apache," to strike out "$75,000" and insert "$100,000"; in line 9, after the name "Kaibab," to strike out "$2,000" and insert "$4,000"; and in line 10, before the words "San Carlos," to strike out "Pima, $565," so as to make the paragraph read:

Arizona: Colorado River, $4,250; Fort Apache, $100,000; Fort Mojave, $2,450; Kaibab, $4,000; Leupp, $510; San Carlos, $100,000; Salt River, $4,500; Truxton Canyon, $15,000.

The amendment was agreed to.

The next amendment was, on page 61, line 15, after the name "Southern Ute," to strike out "$3,840" and insert "$3,000," and in line 16, after the name "Ute Mountain," to strike out "$10,906.30" and insert "$8,000," so as to make the paragraph read:

Colorado: Southern Ute, $3,000; Ute Mountain, $8,000.

The amendment was agreed to.

The next amendment was, on page 61, line 22, after the name "Red Lake," to strike out "$5,000" and insert "$10,000," so as to read:

Minnesota: Red Lake, $10,000; White Earth, $1,400.

The amendment was agreed to.

The next amendment was, on page 61, line 23, after the name "Crow," to strike out "$150,000" and insert "$175,000," and in line 24, after the name "Fort Belknap," to strike out "$35,000" and insert "$45,000," so as to read:

Montana: Blackfeet, $40,000; Crow, $175,000; Flathead, $20,000; Fort Belknap, $45,000; Rocky Boy, $8,400; Tongue River, $25,000.

The amendment was agreed to.

The next amendment was, on page 62, line 4, after the name "Jicarilla," to strike out "$75,000" and insert "$85,000," and in line 5, before the name "Northern Pueblos," to strike out "$30,000" and insert "$40,000," so as to read:

New Mexico: Jicarilla, $85,000; Mescalero, $40,000; Northern Pueblos, $880; Pueblo Bonito, $1,300; San Juan, $2,670.

The amendment was agreed to.

The next amendment was, on page 62, line 12, after the name "Klamath," to strike out "$75,000" and insert "$90,000," so as to read:

Oregon: Klamath, $90,000; Umatilla, $9,200; Warm Springs, $2,554.

The amendment was agreed to.

The next amendment was, on page 62, line 17, after the name "Goshute," to strike out "$6,264" and insert "$8,000," and in the same line, after the word "Uintah," to strike out "$23,850" and insert "$20,000," so as to read:

Utah: Goshute, $8,000; Uintah, $20,000.

The amendment was agreed to.

The next amendment was, on page 62, line 19, after the name "Colville," to strike out "$30,000" and insert "$40,000," and in line 20, after the name "Spokane," to strike out "$7,740" and insert "$4,000," so as to read:

Washington: Colville, $40,000; Quinaielt, $1,850; Spokane, $4,000; Yakima, $22,000.

The amendment was agreed to.

The next amendment was, on page 62, line 23, after the name "Shoshone," to strike out "$70,000" and insert "$50,000," so as to read:

Wyoming: Shoshone, $50,000.

The amendment was agreed to.

The VICE PRESIDENT. This concludes the committee amendments.

Mr. HARRISON. Mr. President, I desire to offer an amendment in the form of a new paragraph, to be inserted at the end of line 26 on page 48.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 48, after line 26, it is proposed to insert the following paragraph:

Jurisdiction is conferred upon the Court of Claims, and it is hereby authorized and directed to hear, examine, consider, and adjudicate any and all claims of those certain Choctaw Indians and their descendants not heretofore enrolled, and to make up a roll of all said Indians and their descendants to whom privileges were granted and guaranteed under any provision of the treaty of 1830 with the United States and arising under or growing out of any such treaty provision or provisions and fix the amount thereof and the liability therefor, and to render judgment accordingly: *Provided*, That said claims shall be presented within one year from the passage of this act by petition in the Court of Claims by said claimants as plaintiffs against the United States and the Choctaw Nation as defendants, which petition or petitions shall be verified by the attorney employed to prosecute said claim or claims by said Indians or their representative, and in order to expedite business and to avoid multiplicity said court shall have power to try any such suits together or separately, as it may see proper, in all such cases preserving the separate rights of the parties, and shall give judgment according to the rights of the parties. A copy of said petition or petitions shall be served upon the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation, and upon the Attorney General of the United States, and he, or some attorney for the Department of Justice designated by him, is hereby directed to appear and defend the interest of the United States in said cause, either party to have the right to appeal to the Supreme Court of the United States as in other cases. Upon the final determination of said suit or any action brought under this act the Court of Claims shall decree such amount or amounts as it shall find to be reasonable to pay such attorney or attorneys employed by any of such claimants for their services and expenses, in no case to exceed the amount or amounts stipulated in the contract of employment: *It is further provided*, That the Secretary of the Interior is hereby directed to make no further per capita payments to the enrolled members of the Choctaw and Chickasaw Tribes of Indians of Oklahoma, as provided in section 18 of an act approved February 14, 1920, entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921," until the Court of Claims shall determine the liability under this act.

Mr. HARRISON. Mr. President, of course I realize that this amendment is subject to a point of order if it should be made; but I hope neither the Senator from Kansas nor any other Senator will make the point of order against this provision, because of its very great importance.

I shall not go into a discussion of the controversies that have arisen and that have been discussed upon the floor of the Senate for a long time between the Mississippi Choctaws and the Choctaws in Oklahoma, nor of any claim that they may have against the Government of the United States. It is a long history. It has been very fully discussed in past Congresses. It is a question that will remain a mooted one until the courts finally pass upon it; and so I have proposed in this amendment merely to send the question at issue to the Court of Claims and let them pass on it, and during that litigation I have provided that the Secretary of the Interior shall not make any further per capita payments, as under existing law he has a right to do, until the decision is rendered by the court.

Of course, I can go into a full discussion of the matter if the Senator from Kansas does not make the point of order, and I hope he will not make it.

Mr. CURTIS. Mr. President, I feel compelled to make a point of order against this amendment. I want to state, however, that there is a separate measure pending covering this subject, and I think these Indians ought to have the right to go to the Court of Claims. But I think the matter should be presented in a separate bill, and I will have to make a point of order against the amendment on this bill. It is general legislation; it is a claim, and clearly subject to a point of order.

The VICE PRESIDENT. The point of order is sustained.

Mr. JONES of Washington. On behalf of the Senator from Wisconsin [Mr. LENROOT] I present the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The ASSISTANT SECRETARY. Under Wisconsin items, page 57, line 19, after the numerals "$8,000," insert the words "to be immediately available," so as to read:

For support and education of 275 Indian pupils at the Indian school, Tomah, Wis., including pay of superintendent, $63,875; for general repairs and improvements, $8,000, to be immediately available; for completion of additions to school building and girls' building and equipment for same, $8,000: in all, $79,875.

Mr. CURTIS. I have no objection to that amendment.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I desire to offer an amendment after line 26, on page 56.

The VICE PRESIDENT. The Secretary willl state the amendment.

The ASSISTANT SECRETARY. On page 56, after line 26, insert the following:

Satus Creek irrigation project, Yakima Reservation, Wash.: For beginning the construction of diversion dams and distributing systems for irrigating 40,000 acres of land adjacent to Satus Creek, on the Yakima Indian Reservation, Wash., $50,000, the total cost of the project not to exceed $2,500,000: *Provided*, That the cost of this irrigation system shall be reimbursed to the United States by the owners of the land irrigable thereunder in not to exceed 20 annual payments, and the Secretary of the Interior may fix annual operation and maintenance charges, which shall be paid as he may direct: *Provided further*, That if any allottee shall receive patent in fee to his allotment before the amounts so charged against him shall have been paid to the United States, then such amount remaining unpaid shall be and become a lien upon his allotment, and the fact of such lien shall be recited in such patent and may be enforced by the Secretary of the Interior by foreclosure as a mortgage, and should any Indian sell any part of his

allotment with the approval of the Secretary of the Interior, the amount of any unpaid charges against the land sold shall be and become a first lien thereon and may be enforced by the Secretary of the Interior by foreclosure as a mortgage, and delivery of water to such land may be refused within the discretion of the Secretary of the Interior until all dues are paid: *And provided further*, That no right to water or to the use of any irrigation ditch or other structure on said reservation shall rest or be allowed until the owner of the land to be irrigated as herein provided shall comply with such rules and regulations as the Secretary of the Interior may prescribe, and he is hereby authorized to prescribe such rules and regulations as he may determine proper for making effective the foregoing provisions, and to require of owners of lands in fee such security for the reimbursement herein required as he may determine necessary, and to refuse delivery of water to any tract of land until the owners thereof shall have complied therewith.

Mr. JONES of Washington. Mr. President, this provides for the commencement of another unit on the Yakima Indian Reservation. The terms imposed by the language of the amendment are exactly the same as are imposed by law on the other unit on the reservation now under construction and nearing completion.

The Commissioner of Indian Affairs stated in his testimony that really the best Indian irrigation project in the country is the Yakima project. I talked with him over the phone this morning, and he said that last year he had visited every one of the projects, and that the finest one is the Yakima project. On the unit to the north of this about 70,000 acres of land are under ditches, and of that over 58,000 acres are actually cultivated. These lands will be taken and cultivated just as rapidly as they are made available. They are among the most productive lands in the United States. Crops of the value of over $11,000,000 were taken off the lands of this reservation last year that are under irrigation. The lands in this unit are just as good as any other lands on the reservation, and are valued at from $200 to $700 an acre. Greater repayments to the Treasury have been made from this reservation than from any other reservation, and we can not do better than start this work, from every standpoint. I do not care to take the time of the Senate further.

Mr. CURTIS. Mr. President, I dislike very much to oppose this item. It was estimated for and presented to the House, and rejected by the House committee. The Senate committee had to increase this appropriation bill very largely, and we put all in the bill for irrigation we thought we should. We have given to the State of Washington in the bill over $250,000, and I hope the amendment may not be agreed to.

Mr. KING. May I ask the Senator from Washington whether this calls for an appropriation from the Treasury, or whether it really makes a draft upon funds belonging to the tribe?

Mr. JONES of Washington. It calls for an immediate appropriation from the Treasury.

Mr. KING. Of how much?

Mr. JONES of Washington. Of $50,000, which is to be reimbursable out of the returns from the disposition of these lands, and I want to say to the Senator that payments are being made right along with reference to the other lands, and there is no reason in the world why payments should not be made just as soon as these lands are under cultivation, and they will be made; there is no question about it. I am not reflecting on any other projects, but this is one of the irrigation projects from which the Government will get back every dollar, and get it back promptly. It is being reimbursed from the other units, and this land is just as valuable as the other.

Mr. KING. To whom will the lands be sold after the project is completed, to Indians or white settlers?

Mr. JONES of Washington. These lands are allotted to the Indians now. They are not to be sold except under the law which authorizes the sale of what we call "deceased Indian" lands. The Indian will have his water rights and he must reimburse the Government for the distribution of the water on his land. If any of the land should be sold under the law to a private owner, of course he would have to make the payments. It is made a lien on the land.

Mr. KING. Does the Senator expect the Indian to pay the Government for the cost of the dam and the irrigation system and the maintenance and upkeep prior to the time the alienation is effected?

Mr. JONES of Washington. Oh, yes; except where an Indian dies, and then the land is sold under the law governing the disposition of a deceased Indian's lands. As I said awhile ago, these lands are worth from $200 to $700 an acre. My recollection is that the average crop on these lands last year was worth $75 an acre.

Mr. KING. Who owns the lands that have been reclaimed, Indians or white men?

Mr. JONES of Washington. Both Indians and white men; that is, white men have purchased land where Indians died. The Indians own the other land. Many of the Indians are working their lands themselves, but many of them lease their lands and out of the rent these payments are made. I can assure the Senator that there is no question about the reimbursement to the Government. The chairman of the committee, I am satisfied, will confirm that statement.

Mr. KING. If in this locality Indians work their own land, I am sure that is a very unique situation, because the Senator knows that in nearly every place, notwithstanding the enormous expense to which the Government has been put for the reclamation of these lands, the Indians do not work the lands, but just as soon as possible they alienate them, and the lands get into the hands of white men; and the Government is making large appropriations not to benefit the Indians but to benefit some white settlers.

Mr. JONES of Washington. The conditions on this reservation, I think, are probably different from those on almost any other reservation in the country. The climatic conditions are very good, the land is extremely fertile, there are transportation facilities, railroads through the land, and there is a wonderful development there. I do not want the Senator to understand that the great majority of the Indians cultivate the land themselves; they do not. But there are a good many of these Indians who do that. But where they do not do it, the lands are leased to white men. I think that is far better than to have the land idle and unproductive, because the land will produce absolutely nothing without irrigation. The average rainfall over this reservation is about 6 or 7 inches a year, so that nothing can be produced without irrigation. I myself would like to have these Indians cultivate their lands themselves; I would much prefer that. But if they will not do it, then I would like to have the lands cultivated, and have them productive.

More and more the Indians on this reservation from year to year are cultivating their lands. Some of them are just as capable of looking after their affairs as any white man, for that matter. Those Indians largely are cultivating the lands. I think that some different policy ought to be pursued than seems to be followed by the Indian Bureau. I think where Indians are clearly competent to manage their affairs, they ought to be made to take patents to their lands. But that is neither here nor there.

I can not add anything, really. They are the most productive lands in our country, and they are right in the irrigated section, in the Yakima Valley, and probably the Senator from Utah knows about that. They form a part of the land watered by the Yakima River. We have paid $635,000 for a free water right for one-half of the allotment to these Indians, because, at the invitation of the Government, they allowed white men to go in there and dig irrigation canals, and practically appropriate all of the water in the Yakima River, and the Indians were always claiming and asserting a right to have the water in the river. That controversy was finally brought to an end, and the Government agreed to acquire a water right through the Government reclamation system for one-half of the Indians' allotments. Six hundred and thirty-five thousand dollars has been paid, and the water is in the river, or in the reservoirs, ready to be turned out on the land, and the purpose of this is to let that water on the land and make these desert lands productive.

There is not any question but that every dollar expended there will come back to the Government, and it will come back promptly. It does not mean an indefinite time, but it will come back just as rapidly as the funds are coming back from reclamation projects throughout the country.

Mr. KING. Mr. President, I do not want to indulge in a wholesale criticism of the methods adopted by the Government in dealing with Indian tribes; but, as the Senator knows, I have lived in the West, where we are surrounded by Indians; we have a large number in Utah, and in contiguous States. My experience is that all of this mollycoddling of Indians by the Government, and these attempts to make farmers of them, to make them self-supporting, have been failures, and my opinion is that such attempts in the future will be failures. We are spending millions and increasing appropriations every year without getting, in my opinion, satisfactory results. This bill carries an appropriation of more than $2,000,000 in excess of the bill as it passed the House, and, as I recall, it carries a larger appropriation than preceding Congresses have allowed. Year by year we augment the appropriations for the Indians of the United States, and I do not think we are getting any corresponding benefits. The policy announced by the senior Senator from Arizona years ago, and which he has reiterated so often, if adhered to would have been productive of better results.

Mr. CURTIS. Mr. President, the Senator should remember that we changed the policy with reference to irrigation of Indian lands two years ago. Since that time the maintenance

charges have been paid by the white settlers, and some of them have paid their allotments for the project, and some of the Indians have paid for the projects on their reservations. For instance, one of the irrigation projects in the Senator's State has been paid for, as have those on the Crow Reservation in Montana. The money advanced on the irrigation projects in Washington has been paid back faster than from any of the others, and, as the Senator from Washington said, there was raised under the Yakima project last year an $11,000,000 crop. There is no question but what this money will be repaid. We tried to keep this bill down just as much as we could, and had it not been for the great amount carried in the bill this item would have been added. But I feel I am carrying out the wishes of the committee in opposing the amendment.

Mr. JONES of Washington. Mr. President, just a word. I am in favor of holding appropriations down. I have been trying to do that, and I am going to continue to try to do it. I think, however, that sometimes we waste, really, when we shut off some appropriations, and I think this is one case where that is true. This does not carry any considerable amount at this time. It is largely preparatory to the development. This preparation must be made, and, as I have said, this will affect 40,000 acres of the most productive land in the country when water is put upon it.

Water can be put upon it comparatively cheaply. It will repay to the Government every dollar that is expended, and make the lands available to the Indians and productive for them where now they are not productive.

This is not for the purpose of expanding reclamation projects. If this were not an Indian reservation, I would not be urging it at all, but it is a part of the Yakima Indian Reservation, lands which have largely been allotted to Indians. They can raise scarcely a spear of grass upon them without irrigation. It does seem to me, where we are having such great need for production of food products, that where we can do it at such comparatively slight expenditure as we can in this case, in a way that brings back such prompt returns, that we ought to do it. I hope that the Senate will agree to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

Mr. GORE. I offer an amendment to be inserted as an additional section in the bill.

The VICE PRESIDENT. The amendment will be read:

The ASSISTANT SECRETARY. Add as a new section the following:

SEC. —. That section 1 of the act of Congress approved March 2, 1895 (28 Stat. L., p. 907), in so far as the same relates to the allotments of land to the Quapaw Indians and to restrictions against alienation of said allotments, be, and the same is hereby, amended so as to provide that the restrictions which now exist against the alienation of the lands allotted to and allotted lands inherited by the Quapaw Indians named in the letter of January —, 1921, of the Secretary of the Interior, to wit: John Beaver, Mah-hunk-a-zhe-ka, now Beaver; Anna Beaver, now Bear; Arthur Buffalo, Lizzie Cedar, Peter Clabber, Minnie Greenback, now Clabber; Harry Crawfish, Thomas Crawfish, Mary Crawfish, now Skye; Francis Quapaw Goodeagle, Wat-tah-nah-zhe Goodeagle, Khah-Daah, or Grandeagle, now Quapaw; Antoine Greenback, Joseph Greenback, Ho-gom-me, or Goodeagle; Mis-kah-get-tah, Amos Newhouse, John Quapaw, Nellie J. Ball, now Quapaw; Ta-mee-heh, or Quapaw; Benjamin Quapaw, Solomon Quapaw, Frances Quapaw, now Gokey; Julia Stafford, now Shapp; Hah-dah-ska-tun-ka, or Track; Mes-kah-tun-ka, or Track, now Slagle; Flora Young Greenback, now Whitebird; James Xavier, Anna Xavier, now Collins; Wah-she-mah-tah-het Track, now Martha Track Quapaw; Henry Buffalo, Clara May Buffalo, Hazel L. Buffalo, now McDunner; Nora Buffalo, now Brook; William Buffalo, James Amos Valliere; Georgia Alice Valliere, now Hampton; Iva Amelia Valliere, Jesse Daylight, Clayton C. Daylight, Emma Louise Blansett, Alphonso Greenback, jr., Lulu May Greenback, Mary Mollie Greenback, Amy Greenback, Woodrow Wilson Greenback, John Greenback, Alphonso Greenback, sr., Beatrice C. Peters, now Shapp; Juanita Alma Dawes, Agnes Track, Dennis Wilson, Erwin Wilson, Martin Wilson, Mary Wilson, Louise Wilson, Robert A. Whitebird, Helene Irene Whitebird, Thomas Xavier, Elnora Quapaw, and Lucy Lottson Beaver; and including any Quapaw allotted or inherited lands in which any of the said named Indians have any undivided interests, be, and the same are hereby, extended for the further and additional period of 25 years from the date of this act: *Provided, however*, That the Secretary of the Interior may, with or without application of the Indian owner, remove such restrictions, wholly or in part, after he has found such Indian owner to be as competent as the average white man to conduct his own business affairs with benefit to himself, under such rules and regulations as he may prescribe in regard thereto, and concerning terms of sale and disposal of the proceeds for the benefit of the respective Indians: *Provided further*, That all said lands allotted to or inherited by the Quapaw Indians may, when subject to restrictions against alienation, be leased for mining purposes for such period of time and under such rules, regulations, terms, and conditions only as may be prescribed by the Secretary of the Interior, and said lands while restricted against alienation may be leased for mining purposes only as provided herein: *And provided further*, That the production of minerals on said lands may be taxed by the State of Oklahoma in all respects the same as that produced on unrestricted lands, and the Secretary of the Interior is hereby authorized and directed to cause to be paid from out of the individual Indian funds held under his supervision, belonging to the Indian owner of the land, the tax so assessed against the royalty interests of the respective Indian owner in such production: *Provided, however*, That such tax shall not become a lien or charge of any kind or character against the land or other property of said Indian owner.

Mr. GORE. Mr. President, I should like to state that the amendment proposes no appropriation. This has already been reported to the Senate by the Committee on Indian Affairs in a unanimous report, and the bill passed the Senate by unanimous consent.

The amendment is subject to a point of order, but I shall ask the chairman of the committee not to interpose a point of order on account of the importance and the urgency of the matter. It is intended to protect 50 or 60 members of the Quapaw Indian Agency in Kansas. Those Indians are allotted lands on which are located very valuable zinc mines. The lands devolve to the Indians in their own right and title during this year, when the 25-year limitation expires, and the Indians are not qualified to care for that valuable property. This is designed for their protection.

Mr. CURTIS. The bill embracing this item was read and passed by unanimous consent the other day. It extends the restriction limitations on 62 Quapaw Indians. While the matter is subject to a point of order, the bill which passed the Senate may, I am afraid, not pass the House as it passed the Senate. If it is not passed the Indians may lose much of their property. So far as I am concerned I shall not make a point of order against the amendment.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 7, line 25, after the figures "1922" insert the following proviso:

Provided, That this limitation as to attendance shall not apply to the Hope Indian School for Girls at Springfield, S. Dak., which school is hereby reestablished and continued.

Mr. STERLING. If the Senator from Kansas will permit me, I should like to be heard for a few minutes on the proposed amendment. The language which the amendment would amend reads as follows:

Provided, That all reservation and nonreservation boarding schools, with an average attendance of 45 and 80 pupils, respectively, shall be discontinued on or before the beginning of the fiscal year 1922.

Then would follow the language of the amendment which I propose.

I think the language of the bill is identically the same language as that contained in the appropriation act of last year, which passed. I made some attempt at that time to make an exception in regard to Hope Indian School, a school exclusively for Indian girls and the only one in our State, and the only one anywhere so far as I know, though it is possible there may be others.

The school was founded first as a denominational school by Bishop Hare, Episcopal bishop of South Dakota for a great many years, a man highly esteemed and loved by the people of South Dakota for the great work he did among the Indians. He was a man of excellent judgment, a great worker and missionary among the Indians, and did much, indeed, for their welfare. He recognized, however, that all denominational schools should, in the course of time, anyhow, be turned over to the Government or to the Indian Service. During his lifetime the school was turned over to the Indian Service, and until the 1st day of last July has been a continuing school under that service. There is great need for the school. It is unique in its character, but it is doing a work among Indian girls, not only in the State of South Dakota but in northern Nebraska, that can not be duplicated by any other school.

Mr. CURTIS. If the Senator will yield a moment, so far as I am concerned I am perfectly willing to accept the amendment, but I am afraid the conferees on the part of the House will insist that it shall go out of the bill, because it violates the policy adopted by the House.

Mr. STERLING. If the Senator will accept the amendment and allow it to go to conference, that is all right. I wish to put in the RECORD in connection with my remarks excerpts from a letter or two that I have, in order that they may come to the attention of the Members of the House. I read from a letter from a former State superintendent of South D kota, now president of the Springfield Normal School.

Mr. CURTIS. Would the Senator object to printing those instead of reading them?

Mr. STERLING. I do not object and I will ask, if the Senator is in a hurry to proceed with the bill, that the letter to me from Mr. C. G. Lawrence and also the letter from Bishop Hugh

L. Burleson, addressed to the Secretary of the Interior, be printed in the RECORD.

The PRESIDING OFFICER (Mr. HARRISON in the chair). Is there objection? The Chair hears none, and permission is granted.

The letters referred to are as follows:

SOUTHERN STATE NORMAL SCHOOL,
Springfield, S. Dak., May 12, 1920.

Hon. THOMAS STERLING,
United States Senate, Washington, D. C.

DEAR SENATOR STERLING: I have been informed that it has been decreed to close the Hope Indian School for girls located here, and that this will be done in conformity with a ruling of the Commissioner of Indian Affairs to the effect that all Indian schools with an enrollment less than 80 pupils be closed on July 1, 1920.

This school has an enrollment at the present time of 64 pupils, which is the maximum number that can possibly be enrolled in the school.

It seems to me that the school here should be exempted from the ruling of the commissioner because of its peculiarly advantageous location. The school is doing a great work for the Indians, and if it is closed not many of the Indian girls in this section of the country will secure the education they need.

I believe that the best guarantee for the future welfare of the Indians is found in the proper training of Indian girls for intelligent motherhood.

At one time there were four Indian schools for girls in this part of the country, but if Hope School is closed there will not be left a single Indian school for girls which the Indian girls in this section can attend. It is true that they will be given opportunity to attend the regular public schools, but my observation has been that very few of them take advantage of such opportunity. As a result they grow up in ignorance and thus the advancement of the Indian is retarded.

My opinion on this matter is based on my experience as State superintendent of public instruction for four years and on almost daily observation of the training and conduct of the Indian girls enrolled in the local school.

The relations of our normal school with this Indian school have been most cordial, and I feel that the Indian girls have been helped very much by the many occasions when they were invited to attend various exercises at our school.

I am sure that the closing of this Indian school will be in the nature of a calamity for the Indians, and therefore I feel called upon to appeal to you to do all in your power to save this school for the proper education of Indian girls.

With highest regards, I am,
Respectfully yours,

C. G. LAWRENCE.

—

MAY 12, 1920.

To the honorable the SECRETARY OF THE INTERIOR,
Washington, D. C.

MY DEAR MR. SECRETARY: I take the liberty of writing you upon a matter which appeals to me very strongly, namely, the closing of Hope School, Springfield, S. Dak., because of the blanket law passed recently, directing that Indian schools which have maintained an attendance of less than 80 shall be closed.

I am quite certain that none of those who framed this law realized that they were thereby extinguishing Hope School, which is unique in the service it renders to Indian education in South Dakota. It never has had, nor was intended to have, more than 60 in attendance. It is a home school for girls, established originally by Bishop Hara and by him transferred to the Government. It has maintained the best traditions of its founder. I am constantly visiting the Indian schools of the State, and it is my conviction that no other is rendering such effective service as Hope School. I can quite understand that in the case of large Government schools intended for two or three hundred pupils, which have dropped to one-third or less of that attendance, the law may be reasonable; but it certainly was not drafted to abolish a school such as this that is unique among Government institutions in this State in confining its education to girls only. Without criticizing the educational policy of other schools, I can assert from knowledge that this school is giving to the Indian girls what they can not get elsewhere and girls need. The women of the race should have the best possible, and they are the ones who must be reached with careful and discriminating influences. Hope School is making splendid wives and mothers for the future.

I am particularly sorry to see the school abandoned, because it has never done better work than at this moment, and with the closing of so many other schools it will be more than ever needed. I do not believe that the Indian Bureau really desires its abandonment, but perhaps feels compelled to act under the law as it stands; but it seems to me a pity that a general law of that kind, aimed at inefficient schools, should work so evident an injustice.

I understand that the Indian schools can not be carried on indefinitely and that the time must come when the specialized Indian education merges with the general policy of the Nation, but I can not believe that the best interests of the Indians will be served by the abandonment of this school, and inasmuch as I am deeply concerned with the welfare of the Indian race, I feel compelled to enter my appealing protest. The school has a property value of about $38,000, and the running expenses are a little over $20,000. This provides for 60 girls at a very reasonable cost. The money outlay on the part of the Government is hardly enough to consider as a matter of retrenchment.

If it is impossible to exempt the school entirely from the action of the law, could not the enforcement be postponed, say, for another five years, with the understanding that no more enlargements were to be attempted and that at the end of that time the school would close? I believe the service it could render in these five years would abundantly repay the Government.

You, of course, understand, Mr. Secretary, that I am speaking as a friend of the Indian and as a citizen of the State without private ends to serve, but I trust that the opinion of the Bishop of South Dakota, whose people among the Sioux number nearly 50 per cent of the total, may have some weight to prevent what seems to me an unfortunate or, at least, an untimely action on the part of the authorities.

With deepest consideration and respect, believe me to be
Faithfully, yours,

———.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota.

The amendment was agreed to.

Mr. GORE. Mr. President, I desire to offer another amendment, to be added as a new section at the end of the bill. I will ask the chairman of the committee to allow it to go to conference. I wish to say that it does not provide for an appropriation out of the Treasury of the United States, but it does provide for the appropriation of $6,900 out of the Creek treasury, and, as I understand, the money is available. It is to compensate Mr. Turner and another party for services rendered to the tribe. The matter has been favorably reported by the House, but has not been acted on by the Senate.

The PRESIDING OFFICER. The amendment proposed by the Senator from Oklahoma will be stated.

The ASSISTANT SECRETARY. Add at the end of the bill as a new section the following:

SEC. —. That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Clarence W. Turner and Mrs. William B. Hord, widow of William B. Hord, deceased, one-half to each, out of any funds in the Treasury of the United States belonging to the Creek Nation, the sum of $6,967.50, being in full settlement of the claim of the said Clarence W. Turner and William B. Hord, deceased, against the said Creek Nation growing out of services performed by them under an act of the National Council of the Creek Nation approved January 31, 1895, in an effort to secure appropriation by the Congress of the United States of $600,000 of the Creek funds, the same to be made available for the immediate use of the Creek Nation, and of which amount there was appropriated by Congress the sum of $200,000 by the act of March 2, 1895 (28 Stat., p. 894), the said sum of $6,967.50 having been appropriated in favor of said Turner and Hord for said services by an act of the National Council of the Creek Nation, approved November 5, 1900, but not paid.

Mr. CURTIS. I could not hear the reading of the proposed amendment on account of the conversation around me. May I ask the Senator whether it provides payment as authorized by the Creek Council?

Mr. GORE. Yes. The Creek Council passed a resolution, I think, in 1899 or 1900.

Mr. CURTIS. How much is the amount of the claim?

Mr. GORE. Six thousand nine hundred dollars.

Mr. CURTIS. No part of it is to come out of Government funds?

Mr. GORE. No. It comes out of Creek funds, and it is for services rendered to the Creek Tribe.

Mr. CURTIS. I have no objection to the amendment.

The amendment was agreed to.

Mr. POINDEXTER. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be reported.

The ASSISTANT SECRETARY. At the bottom of page 55, under the Washington item, insert the following:

Stevens and Ferry Counties, Wash.: For payment to Stevens and Ferry Counties, in the State of Washington, of their claims under section 2 of the act of July 1, 1892, relating to the payment of local taxes on allotted Colville Indian lands, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $115,767.67, to be immediately available, of which amount the Secretary of the Interior is authorized and directed to pay to said Stevens County $44,309.67 and to pay to said Ferry County $71,458: *Provided*, That there may be deducted from said amount by the Secretary of the Interior such sums as he may find have been paid to said counties for Indian tuition; also the excess, if any, where the rate, based on the value of Indian allotments, may be found to be in excess of the rate on taxable land.

Mr. POINDEXTER. Mr. President, in support of the amendment, I ask leave to have printed in the RECORD, in connection with my remarks, a letter from the Secretary of the Interior, dated December 6, 1920, addressed to the President of the Senate.

The PRESIDING OFFICER. Without objection, permission is granted.

The letter referred to is as follows:

DECEMBER 6, 1920.

The PRESIDENT OF THE SENATE.

SIR: Paragraph 28 of the Indian appropriation bill approved February 14, 1920 (Public, No. 141, 60th Cong., 2d sess.), provides that—

"The Secretary of the Interior is authorized and directed to investigate and report to Congress on or before the first Monday of December, 1920, as to the right of Stevens and Ferry Counties, in the State of Washington, to the payment of taxes on allotted Indian lands under existing law, and to state the amount, if any, to which each of said counties is entitled."

In pursuance of the foregoing I have the honor to report as follows: This report is based on information contained in official reports and from data procured by an official inspector assigned to duty for that purpose.

Claims have been presented by Stevens and Ferry Counties, Wash., aggregating $44,309.67 and $71,460, respectively. These claims are in lieu of taxes which would have been assessed against the allotments of Colville Indians in these counties from 1901 to 1920, inclusive, and are based on section 2 of the act of Congress of July 1, 1892 (27 Stat. L., 62–63), providing for the opening of a part of the Colville Reservation, which reads as follows:

"That the net proceeds arising from the sale and disposition of the lands so opened to entry and settlement shall be set apart in the Treasury of the United States for the time being, but subject to such future appropriation to public use as Congress may make, and that until so otherwise appropriated may be subject to expenditure by the Secretary of the Interior from time to time, in such amounts as he

shall deem best, in the building of schoolhouses, the maintenance of schools for the Indians, for the payment of such part of the local taxation as may be properly applied to the lands allotted to such Indians as he shall think fit, so long as such allotment lands shall be held in trust and exempt from taxation, and in such other ways as he may deem proper for the promotion of education, civilization, and self-support among said Indians."

This departure from long-established custom, in view of the exemption from taxation of Indian allotments while held in trust by the United States, had the effect of encouraging entries upon the lands then opened to settlement.

The first claim was submitted on October 29, 1915, by the county of Ferry. On November 22, 1915, the Board of Commissioners of Ferry County was advised that the provision of the act of July 1, 1892, had been superseded by the act of June 21, 1906 (24 Stat. L., 325–377), under which appropriations aggregating $1,500,000 were made by Congress for the said lands ceded to the Government by the Indians of the Colville Reservation; that the question as to what funds arising under the acts mentioned were available for expenditures for the benefit of the Indians had been submitted to the Comptroller of the Treasury, who, in a decision rendered April 27, 1915, held that all moneys arising from the sale of said ceded lands since June 21, 1906, belong to the United States, and not to the Indians of the Colville Reservation; that there did not appear to be any balance remaining to the credit of the Indians from sales made prior to June 21, 1906, and that there seemed to be no way under existing law by which the claims submitted could be paid. A similar claim was filed later in the year by Stevens County, Wash., and the same reasons for nonpayment existed.

On February 8, 1918, the following bills were introduced in the Senate: S. 3788, entitled "A bill to pay certain taxes in the county of Stevens, State of Washington," and S. 3789, entitled "A bill to pay certain taxes in the county of Ferry, State of Washington."

In the report on Senate bill 3789, this department referred to and inclosed a copy of a letter of April 1, 1918, making an unfavorable report on Senate amendment to H. R. 8696 (then the pending Indian appropriation bill), the provisions of which amendment were identical with Senate bill 3789. In a report on the amendment, the department stated that while the same should not receive favorable consideration the claims against the Government might properly be heard and adjudicated by the department, and the draft of a bill was inclosed which was identical with Senate bill 617, Sixty-sixth Congress, first session, which provided for the payment of $69,511.38, or so much thereof as might be necessary in settlement of the claims of both counties. The department stated that it had no objection to the enactment of Senate bill 617. None of the aforementioned bills were enacted, but the provision in paragraph 38 of the Indian appropriation bill approved February 14, 1920, directed an investigation and report to Congress.

The total area of Stevens County is 1,595,840 acres. Of this area 1,081,890 acres are taxed and 513,950 acres not taxed. The nontaxable land is the Colville National Forest, State land, Indian reservation land, and other Government land. The Indian allotments are in the best section of the county, and those of less value and the waste land are open to homesteaders. This makes the cost of building roads and bridges and maintaining the same a great burden upon the taxpayers, and the benefits of the improvements are shared equally by the Indians. In that part where the Indians are located there are 145½ miles of road built wholly by the county at an initial expense of $14,836.

The entire area of Ferry County is 1,400,000 acres. The total area assessed and taxed is 192,500 acres. The area included in Indian allotments, United States forest reserves, and State lands is 1,347,500 acres. The allotments in the ceded portion are the best in the county, 75 per cent of the allotments being agricultural and 25 per cent grazing and timber land. Ferry County expended from March, 1899, to January, 1920, the sum of $352,412.73 for roads. A very small amount has been paid to the Indians for right of way. Ferry County has built eight permanent bridges, four of which are in conjunction with Stevens County, across Kettle River.

Indian children are allowed to attend the public schools in both counties, although tuition has been paid by the Government for some; but if these two claims are allowed the amounts paid as tuition should be deducted.

In view of the fact that by the terms of the act the Government encouraged settlement upon the ceded lands, that the Indians have shared in the benefits of the improvements made by the white people, that these improvements have also enhanced the value of the Indian holdings, and that the Government must necessarily use the roads and bridges in entering and returning from its own property in these two counties, the department recommends that an appropriation be made of the amounts claimed and that the same shall be paid to the respective counties, subject to any deductions that may be made on account of payments for Indian tuition and for any amounts where the rate based on the value of Indian allotments may be found to be in excess of the rate on taxable lands.

A copy of schedule of claims by the counties of Ferry and Stevens, the reports of the auditors of these counties for the year 1919, and the report of the inspector are inclosed for the convenience of the committee, and their return to this department is requested.

Cordially, yours,

JOHN BARTON PAYNE, *Secretary.*

Mr. POINDEXTER. The amendment is in pursuance of the act referred to in the amendment of July 1, 1892, the act under which the Colville Indian Reservation was opened under section 2 of that act. In last year's appropriation act the Secretary of the Interior was directed to investigate the matter and report to the Senate what amount was owing to these counties. He reported favorably on the proposition and recommended the amount as carried by the proposed amendment.

Mr. CURTIS. May I ask the Senator if the amount is payable out of money derived from the sale of lands in the reservation?

Mr. POINDEXTER. It is payable, according to the amendment, out of any funds in the Treasury not otherwise appropriated.

Mr. CURTIS. I have not had time to read the act to which the Senator refers. If the Senator is willing that the amendment shall go in and the matter go to conference, with the understanding that I may read the act in the meantime, I am perfectly willing, so far as I am concerned, to accept it.

Mr. POINDEXTER. I should be very glad to have that understanding with the Senator. Of course, the Senator will examine the act.

Mr. CURTIS. If I am convinced after examining the act that the amendment carries out the provisions of the act, I shall very gladly stand for it; but if I should be convinced that it does not, I will say that I would not insist upon it.

Mr. POINDEXTER. I will not ask that the Senator insist on the amendment if he is convinced that it is not intended to carry out the act, for I do not think he will have any doubt about it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Washington [Mr. POINDEXTER].

The amendment was agreed to.

Mr. STERLING. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from South Dakota will be stated.

The ASSISTANT SECRETARY. On page 52, line 10, it is proposed to strike out "$8,000" and to insert in lieu thereof "$12,000," so that the clause will read:

For subsistence and civilization of the Yankton Sioux, South Dakota, including pay of employees, $12,000.

Mr. STERLING. Mr. President, I think it quite evident that the appropriation of $8,000 for the Yankton Indian Agency is wholly inadequate. I merely wish to read an excerpt from a letter which was received from the agent himself, who is in charge of the reservation, which was addressed to Hon. C. A. CHRISTOPHERSON, the Representative from the first district of South Dakota. The agent says:

Had we not been able to secure our fuel for this year out of some savings we had from last year, it would have been impossible to continue this agency to the close of the year.

The Indian Office should know that the volume of business is larger here than at any other agency of the State, with the exception of Rosebud, Pine Ridge, and maybe Cheyenne River; yet our allotment of funds is smaller than some other agencies with less than half the Indians and amount of work. It only illustrates the unbusinesslike methods of the bureau and the fact that a little pressure has been exerted in favor of some of the other agencies. I trust you will see that our Yankton Sioux support item will be placed back to $12,000, at least.

Mr. CURTIS. For what increase does the amendment provide?

Mr. STERLING. It provides for an increase of $4,000; that is all.

Mr. CURTIS. If the Senator will make the total $9,000, which was the amount estimated for, I shall be willing to accept the amendment and let it go to conference.

Mr. STERLING. Will not the Senator, please, accept $10,000?

Mr. CURTIS. I shall have to make a point of order on the amendment if it provides an amount above $9,000. The department has only asked for $9,000.

Mr. STERLING. I presume the amendment is subject to the point of order, but $9,000 is a little better than $8,000, and it will help to some extent. So I agree to the modification of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. STERLING. I ask, in connection with my remarks on the amendment, that the marked portions of the letters which I send to the desk may be incorporated in the RECORD.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

There are 2,000 Yankton, 1,100 Santee, and 400 Ponca Indians on the rolls of this agency. We have nearly $800,000 individual Indian money on deposit, we collect and disburse about $500,000 annually, we lease and supervise about 25,000 acres of Indian land involving 1,000 leases, we probate and settle estates involving many thousands of dollars, we look after the health of these Indians and furnish them drugs and supervise their education, and we not only supervise their industrial activities but in many other ways have to look after their welfare. From our appropriation we have to buy the supplies necessary for the agency and the upkeep of the activities here, and the department should either cease attempting to control their affairs or else give us the wherewith to do it right. We can not do credit either to the Government, the Indians, or ourselves in attempting to administer the affairs of this agency on the appropriation we had this year. I would be pleased to have you take up this matter with the committee when preparing the appropriation bill, and also submit it to Senator STERLING and ask his cooperation. I am going to write a short letter to the Senator and suggest some of the points I have submitted herein.

* * * * * * *

I wrote you some time ago giving you a synopsis of the work at this agency, and I would appreciate it very much if you would take up the matter of our appropriation when the bill reaches the Senate and endeavor to have our appropriation increased. You will understand

that personally this does not make any difference with me, but it will make a very great difference with the 3,500 Indians under this jurisdiction and it is their welfare I have in mind.

Mr. ASHURST. I propose the amendment which I send to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arizona will be stated.

The ASSISTANT SECRETARY. On page 19, after line 6, it is proposed to insert the following:

For new buildings and additions to and remodeling of present buildings, $50,000.

Mr. ASHURST. I will consume but a moment in explaining the amendment. A number of buildings on various Indian reservations are in such disrepair that I believe the committee may within a year or so consider the question as to their repair or the erection of new buildings. There are, however, some schools where some of the buildings are in such a complete state of disrepair that the committee should have its attention directed to the matter now. I will ask that the item which I have offered may be adopted and go to conference, and I hope the chairman of the committee will vote with me for the amendment, if it be possible for him to do so. The amendment is not subject to a point of order, because the Department of the Interior has estimated for it. I will read from the House hearings the explanation of the amendment:

The school plant at Phoenix consists of 56 buildings, valued at $428,989. The buildings at this school are old and many of wooden construction. They are badly in need of repairs, as very few repairs have been made for the last few years, which is shown by the depreciation in value of these buildings.

An assembly hall at this school has been needed for many years. The present one will seat only 360 people, and the school has an enrollment of 700 students, with a force of about 60 employees. Each program must be given twice in order to have the entire student body attend. The school should have an auditorium large enough to seat its student body at one time. Fifty thousand dollars is requested for this assembly hall, which sum includes equipment.

Mr. CURTIS. I am willing to accept the amendment and let it go to conference.

The PRESIDING OFFICER. Without objection, the amendment proposed by the Senator from Arizona is agreed to.

Mr. ASHURST. Mr. President, I have another amendment which I wish to propose to the committee amendment. At the bottom of page 23, at the end of line 26, after the word "Indians," I move to strike out the period and to insert the words "to be immediately available." In other words, the amendment to the amendment is in the item appropriating $5,000 to complete the construction of the approaches to bridges across the Little Colorado River and Canyon Diablo, which bridges are entirely on an Indian reservation; and it is hoped by the department that they be constructed before July.

Mr. CURTIS. I have no objection to the amendment.

The PRESIDING OFFICER. Without objection, the vote by which the committee amendment was agreed to will be reconsidered. The Chair hears none, and it is reconsidered. The amendment proposed by the Senator from Arizona to the committee amendment will be stated.

The ASSISTANT SECRETARY. On page 23, line 26, after the word "Indians," it is proposed to strike out the period and insert a comma and the words "to be immediately available."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SMITH of Arizona. At some proper place in the bill, it does not matter where—and, perhaps, it had better come in as an independent section—I propose the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arizona will be stated.

The ASSISTANT SECRETARY. At the end of page 23 it is proposed to insert the following:

To aid the construction of a road across the Papago Indian Reservation, in Pima County, Ariz., now being constructed between Tucson and Ajo, the sum of $100,000 is hereby appropriated, or so much thereof as will make one-third the cost of said road within the reservation, being a distance of 68.1 miles.

Mr. SMITH of Arizona. Mr. President, the amendment does not relate to a railroad but to a wagon road now being constructed, which in many respects will be the most important road in Arizona, for it will run near the international boundary line between the United States and Mexico. Ajo is a thriving mining town of some 2,000 people, I should judge; Tucson has a population of between 20,000 and 25,000 people. A desert stretches between the two places. The Papago Indian Reservation, which was recently established, takes in a large part of Pima County. That reservation was made ten times as large as the necessity of the Indians required. I have attempted several times to have its area reduced, but have been unable to accomplish that desirable end. So the reservation stands there, a body of land 125 miles across. The county of Pima is endeavoring to connect the two points mentioned by a modern road and to carry it on to the town of Yuma and to the Colorado River between Arizona and the State of California.

A report from the present Secretary of the Interior was sent to the House of Representatives and incorporated in remarks recently made on the floor of that body by Representative HAYDEN, of Arizona. In that report the Secretary of the Interior says:

DEPARTMENT OF THE INTERIOR,
Washington.

SIR: I have the honor to transmit herewith for the information of Congress, in conformity with the act of February 14, 1920 (41 Stat. L., 417), a copy of report relative to the necessity of constructing a road between Ajo and Tucson, across the Papago Indian Reservation, in Arizona.

The distance from Tucson to Ajo is 125.4 miles, and the length of that portion of the road on the reservation is 61.8 miles. The estimated cost of the road is $7,000 per mile, or $432,600 for that part on the reservation. However, the road will be built without expense to this service; therefore it will not be necessary to make an appropriation for this purpose.

The excuse is made for not giving Government aid toward the construction of the road, which will be as much for the benefit of the Indians, enabling them to get out of that section to the towns I have indicated, as it will be to the people of the county, that the necessity for the road is such that even if the Government does not lend any assistance the county will build the road at its own expense. Each of the counties of Arizona has already spent for road building several millions of dollars, but in their efforts they are constantly confronted by Government reservations, including forest reservations, Indian reservations, and military reservations, which place a mighty handicap on the entire State.

The report of the Secretary of the Interior proceeds:

The necessary right of way for that part of the road on the reservation was granted on October 8, 1920.

As it is the intention to construct this road by way of Covered Wells, about 10 miles north of the Sells Indian Agency, it is deemed essential to the proper conduct of the business of this agency that a satisfactory branch road be constructed between Sells and the main road, at an estimated cost of $15,000, for which I therefore recommend that funds be appropriated.

Respectfully, JOHN BARTON PAYNE,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

The necessity of the people, despite the great burdens already resting upon them, forced them to undertake the building of the road; but that road will be used by the Government of the United States as often as by the people of the locality, especially in the event the slightest trouble should arise on the Mexican border; and yet, although sixty-odd miles of that road must traverse an Indian reservation, the committee did not even incorporate in the bill a provision appropriating $15,000 to assist in constructive work of the main road from Tucson to Yuma by way of Ajo, opening up into the California system of roads. On the contrary, the gracious suggestion is made that the Government of the United States shall not put up one cent, because it is said in effect that the necessities of the people are such that they will be required to build it without Government aid.

It is a shame for the Government to think of making the people of poor counties in Arizona—for they are poor outside of the towns located within their borders—to build 65 miles of road through an Indian reservation without giving any aid whatever toward its construction.

I only ask that the Government pay one-third; the poor county will pay the other two-thirds, although three-fourths of the mileage is within the Indian reservation. I repeat that the road will be of just as much advantage to the Indians and to the Government as it is to the people there. Therefore, I ask the chairman of the committee and members of the committee, in view of all the circumstances and in the light of the facts revealed by the speech to which I have referred, and which was made on the floor of the House, to permit the amendment to go into the bill.

In order to obtain a right of way across the reservation some individuals, very likely not representing the taxpayers, said that if the right of way were granted they would build the road; but they had no authority to make such a statement, especially in view of the source from which the money must necessarily come.

So it seems to me cruel, to say the least, in view of our necessities to deny all assistance in this enterprise. Fifty-two per cent of our great State is held in Government reservations, not an acre of which can be used by the State for taxation purposes, except the little homes and personal property and the railroads and the mines. That 52 per cent of the area of the State is held in reservations largely to please the esthetic taste of our eastern friends and to enable them on their luxurious travels to enjoy the beauties which nature has so richly lavished on that

particular section. Half of our living, it might be said, is reserved for that purpose, in behalf of the general public, while we can not get a nickle to aid in the construction of a road 60 miles in length through an Indian reservation, which will be for the benefit of the Indians as well as for ourselves. The road is necessary, but there stands in the way the Indian reservation. If the property were in private ownership and were taxable, so that it could be sold for taxes if necessary, we would not be heard asking for aid from the Government; but the Government holds it there, not subject to taxation on the part of the people of the State, and then says that, inasmuch as out of our necessity we shall be obliged to build the road, the Government will not aid in the least toward its construction.

Mr. CURTIS. Mr. President, I am as anxious to see the Government build roads on Indian reservations as any other Senator, but I do not feel that we can make appropriations unless they are estimated for, and I am therefore obliged to make the point of order against this amendment.

Mr. SMITH of Arizona. Mr. President, I was led to believe, and so reported—and this is the explanation, probably, of the amendment being subject to a point of order—the Indian Commissioner in several interviews has always led my colleague and me to believe that the construction of one-third of this road through that Indian reservation would be recommended by the Indian Office. Whether or not that was done I do not know. It may have been turned down by the Secretary.

Mr. CURTIS. It was not done. Had it been done the subcommittee would have taken up the item, and if they had felt it was worthy they would have recommended it. We recommended the amendments that we thought were of advantage to the citizens and to the Indians.

Mr. SMITH of Arizona. I appreciate the fairness, especially, of the chairman of the committee, his broadmindedness, and his knowledge of the surrounding conditions. No man makes a proper appeal to his judgment who does not receive proper recognition; but here is the situation confronting us, and I should like, in a sort of a private interview with the chairman of the committee, to say this:

This road probably can not be finished before the next Indian appropriation bill comes up, and if it is not, I want the hope of some relief from this burden of taxation that we are forced to bear. We have tried to spend our money for other roads in the State, and that poor county has spent millions of dollars. Can we not, in the next appropriation bill, make some provision on this subject and not have the Congress evade the responsibility that is clearly theirs and let us have this appropriation? Of course, the Senator can not promise what will be done in the future.

Mr. CURTIS. Mr. President, as chairman of the committee I can not promise what will be done, but I may say to the Senator—and I think his colleague will bear out the statement—that we gave to the State of Arizona the various estimates that were made after careful consideration of them. We reduced some of the amounts, but I think the Senator's colleague will agree with me that the committee gave all the items estimated for in the Senator's State.

Mr. SMITH of Arizona. I have no doubt of that. I have no complaint to make of the committee.

Mr. CURTIS. If it were estimated for, I do not think there would be much trouble; but I can not pledge the committee's future action.

Mr. SMITH of Arizona. The same thing would have prevailed, no matter how often we had been before the committee urging it, if the estimate had not been made. Under the strict rule, of course, the point of order lies. Inasmuch, however, as I shall probably not be present at the consideration of the next Indian appropriation bill, but shall be succeeded by another supposedly more attentive than I to the public interests, I hope you may listen to his clarion voice when he asks for this at the next session of Congress.

The PRESIDING OFFICER. The point of order is sustained.

Mr. JONES of Washington. Mr. President, I want to ask the chairman of the committee with reference to a certain proposition that I should like to see in this bill; but I am not going to urge it if the Senator does not think we should put it in, because I know that he looks with favor upon the proposition, and, as a matter of fact, he has reported it favorably from his committee.

Early in 1918 certain lands of the Indians of the Nisqually Tribe in the State of Washington were deemed desirable and necessary for the expansion of Camp Lewis in connection with war activities and war needs. Condemnation proceedings were started without the knowledge of the department. When the department heard of them they immediately intervened for the purpose of protecting the rights and interests of these Indians.

A compromise was made over the estimate of the value of these lands by the War Department and the representatives of the Indian Office. The Indians were paid that amount of money; but this compromise was accepted with the clear understanding that if it was found afterwards, upon a more careful investigation, that the Indians were entitled to more compensation for their lands this should be paid. The need of the lands was very urgent, as everybody knows, and they were taken for a part of the site of Camp Lewis. About 25 heads of families were deprived of lands that had been allotted to them under the treaty, I think, of 1854. They claim that they were deprived of certain fishing rights, or that the lands that were given to them in lieu of these other lands were subject to taxation when their original allotments were not subject to taxation, and that certain other rights which they formerly had were not given to them in connection with these lands.

This matter was very carefully investigated, and it was found that the Indians were justly entitled to $85,000 additional. The Indian Affairs Committee has reported the bill favorably, and I want to ask the chairman if he feels that he can accept that amendment to the bill, for if he thinks he can not I shall not propose it.

Mr. CURTIS. I do not feel that I can accept it. There are many Senators who have asked for similar amendments, and they have all been turned down, and I should not feel justified in accepting one and excluding others.

Mr. JONES of Washington. The Senator is certainly correct, and I shall not ask him to do so.

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. KING. Mr. President, just one word before this bill passes.

I do not rise in any critical spirit, because I know how earnest the chairman of the committee [Mr. CURTIS] has been to enforce economy and attempts to carry out the pledges of his party, and reduce the expenditures of the Government to a reasonable basis; but his failure to do so illustrates the impossibility of securing retrenchment and reform. Departments, bureaus, commissions, Federal agencies, and organizations have become so powerful that the legislative branch of the Government is impotent to check their advances and to resist their demands. Never was the potential force of organization and group action more fully demonstrated than in the assaults made by these executive instrumentalities upon the Treasury of the United States. Congress is regarded by them as a mere registering agent of their will. They have for years formulated plans not only for the executive departments of the Government but for the legislative branch. Instead of the executive branch of the Government limiting its activities to an enforcement of the laws, it has, through departments, organizations, commissions, and Federal agencies, become the turgid but powerful stream from which much of our legislation flows. These agencies ascertain where there are limitations, and, if they desire their repeal, demands are made upon Congress and pressure is put behind the same until the limitations are removed. It is easy to perceive what legislation will increase jurisdiction, extend authority, augment power, and multiply the number of offices and officeholders; and those who would benefit by such legislation are persistently engaged in securing it.

Estimates are frequently prepared by organizations within organizations, by bureaus and agencies within departments, and it is an almost unbroken practice for such organizations or agencies to submit estimates which call for larger appropriations and which will permit the assertion of greater power and the entrance into wider fields of activity and the multiplication of the number of employees. These estimates, as I have indicated, are not prepared by disinterested parties, or by individuals whose relation to the Government would be wholly unaffected thereby, but in the main they are the product of combinations and influences which are constantly seeking to magnify executive authority and to recruit the already swollen army of Federal officeholders.

The hearings before committees are practically ex parte. There are no witnesses for the people, for the great body of taxpayers—for those who have to bear the burdens of government. A select few give testimony. They are prepared to make a most favorable showing. They are ready to supply a multitude of reasons for creating new bureaus and extending the activities of those already in existence. They find unlimited pretexts for demanding more positions and higher salaries. The people are at a disadvantage in these hearings. They have not had opportunity to prepare a defense and to offer countervailing testimony to meet the demands of the interested witnesses offered by the executive departments of the Government. Most of the hearings are confined to statements by

officials of the needs of departments and testimony to support the extravagant and indefensible estimates submitted from the executive branches of the Government. It would be a wise policy if Congress could provide some independent authority, amenable only to Congress, to properly check these enormous estimates of executive departments and supply the legislative branch of the Government full information as to the actual necessity, not the theoretical needs, of the departments.

Mr. CURTIS. Mr. President——

Mr. KING. I yield.

Mr. CURTIS. I should like to call the Senator's attention to five lines that were put in this bill on page 18—lines 14 to 19. If those five lines become the law, we ought to dispense with a great many employees. That provision does away with much of the correspondence now conducted by the United States Indian agents. There was one agency where over 7,000 letters were written to the department. I have pointed out that one agency because I happen to remember the number of letters there; but I will state that if this provision goes through it will do away with the work that now requires the services of quite a large number of clerks, not only here in Washington but at the various agencies, and will not injure the service in the least, and will hasten action on matters pending in the department. On that one item alone we ought to save, I am told, in one agency, nearly one-fourth of the employees.

Mr. KING. I congratulate the Senator upon effectuating this reform. I wish others could be brought about; but I do not hesitate to state that this item will be an oasis in the great desert of bureaucratic inefficiency and extravagance. If the Senator attempts reforms in other directions he will be defeated. The Juggernaut of officialdom will crush him, and the procession, strengthened and with increased numbers of Federal employees, agencies, commissions, and instrumentalities, with triumphant tread will pass over his prostrate form, seeking to spread terror among those who may have the temerity to attack their advance.

I have almost despaired of Congress being able to free itself from executive incumbrances and to destroy the vicious bureaucratic power which has the Government in its grasp. With all the demands for administrative reform, but little, if anything, is accomplished. Indeed, I feel confident that a fair survey of executive forces will demonstrate that they are more powerful, more sinister, more far-reaching than ever before, and that never in the history of this Republic have the baneful effects of bureaucracy and paternalism been as manifest as at the present time. Never before have the rights of the States been so brazenly attacked and the efforts to devitalize the people and to bring them under the corrupting influences of Federal appropriations and Federal activities been so audacious, persistent, and successful as during the past few years.

Federal agencies are not partisan. They are not Democratic or Republican. They make war upon both parties when necessary to accomplish their ends, or run with either party when it is believed benefits will be received. There has been no check in the extension of bureaucratic influence and power, no matter which party was in power. Political parties are employed to accomplish the purposes of these destructive forces.

The Senator has attempted, in the preparation of the bill now before us, to limit appropriations, but notwithstanding his efforts he has been unable to keep the appropriations down, and so we are presented with a bill that carries several million dollars more than that passed a year ago. I have not investigated to ascertain the number of employees in the Indian Service, but believe there are approximately 8,000.

Mr. CURTIS. About 6,000.

Mr. KING. I am very glad to learn that the number is less than I had been led to believe were employed. I venture to suggest to the Senator, however, that if he will make a minute examination of the Indian Bureau and all the Indian agencies, he will discover that there are more than 6,000 employees.

Mr. CURTIS. Mr. President, I said to the Senator that there were about 6,000 employees in the Indian Service. That is the figure we got when the bill was up. I want to state, further, that there are now over 300,000 Indians under the charge of the Government. If we can get through the amendment I mentioned, it ought to place several thousand of those Indians outside of the direct care of the Government, with simply enough supervision to see that they are not robbed of their property; and I think that with proper legislation, some of which is pending—we have two measures pending—if we can pass either one at this or the next session we ought to relieve the Government from a charge of about 40,000 or 50,000 Indians who, I think, do not longer need full Government control.

Mr. KING. Mr. President, a few years ago, when I had the honor to serve with the Senator in the House of Representatives, the Indian appropriation bill carried approximately four or five million dollars.

Mr. CURTIS. Mr. President, the bill was about $7,000,000; but if the Senator will look at the bills, he will observe that all these increases have been brought about by irrigation projects which were not then in the bill—that is a new step that has been taken in the service, over my objection—and a policy of encouraging industry among Indians has been adopted, and the loaning of money to Indians from a revolving fund, which, I might state, has been used for the purchase of cattle and in getting Indians to engage in farming and stock raising, and it has been a success.

It has helped and has greatly improved the Indians on various reservations. The Indians on some 80-odd reservations have taken advantage of that revolving fund and great benefit has resulted.

Mr. KING. In 1882 the Indian bill carried $4,500,000, and in 1888 it carried $5,000,000.

Mr. CURTIS. Mr. President, I was not in the House in 1882.

Mr. KING. In 1889 it carried $5,000,000; in 1891 it carried $7,000,000; in 1894 it carried $7,000,000.

Mr. CURTIS. I came into the House in 1893.

Mr. KING. In 1896 it carried $8,000,000 plus; in 1898 it carried $7,000,000 plus; in 1899 it carried $7,000,000 plus; in 1900 it carried $7,000,000 plus; in 1901 it carried $8,000,000 plus; in 1904 it carried $8,000,000 plus; in 1906 it carried $7,000,000 plus; in 1907 it carried $9,000,000 plus; in 1909 it carried $9,000,000 plus; in 1911 it carried $9,000,000 plus; in 1912 it carried $8,000,000 plus.

Mr. CURTIS. May I suggest that at about that time the department began irrigation work on various Indian reservations, and since we have undertaken it we have spent $23,000,000 for irrigation on Indian reservations. Up to the time we passed the act a year or two ago, only $2,000,000 had been returned. Since the act was passed—I would not be sure about the date, but about a year or two ago—they have recovered a great deal of money from the lands under these projects.

Mr. KING. Continuing, in 1913 the appropriation was $8,000,000 plus; in 1915 it was $9,000,000 plus; in 1916 it was $9,000,000 plus; in 1917 it was $10,000,000 plus; in 1918 it was $11,000,000 plus; in 1919 it was $11,000,000 plus; in 1920 it was $11,000,000, and in 1921 it was $10,000,000. Mr. President, for the fiscal year ending the last of June of this year the Indian appropriation was $10,020,555.27. For the coming year the amount of the bill, as it passed the House, was $11,194,035.30. It has been increased by the Senate committee $2,211,709.37, so that the bill as reported to the Senate carries $13,405,744.97.

Mr. CURTIS. May I call the Senator's attention to the fact that, out of that, $1,736,000 is reimbursable? Much of it comes out of the funds in the Treasury, and $3,037,000 comes out of the Indian funds direct. So the bill as a whole, so far as the Indian Service is concerned, appropriates only a little over $8,000,000.

Mr. KING. Mr. President, it might be said with respect to all those other bills that many of the appropriations called for reimbursements, and the gratuities did not absorb the entire appropriations.

Mr. CURTIS. Nearly all of the appropriations were absorbed by gratuity items at that time, and to carry out treaty obligations.

Mr. KING. Mr. President, a survey of the appropriations shows that the amount appropriated year by year for the Indian Service has increased. During the period between 1882 and 1900 it was four or five million dollars per annum. Now it is over $13,000,000. So it is with all departments of the Government. Our expenditures are increasing at a rate entirely disproportionate to the benefits received or to the increase in population. We are building up more bureaus, more executive agencies, more Federal instrumentalities, more commissions, and a more expensive system of administration.

Mr. President, it can scarcely be said that this is a government of law. It would be more accurate to say that it is a government of commissions and by commissions and in the interest of commissions. Statute law is no longer the rule of action. This is the period of administrative law. Bureaus, commissions, and executive agencies have committed to them not only executive but legislative powers, and they make ordinances and regulations and rules which have the force of statute law, and by the courts are enforced by pains and penalties. We are cursed by administrative law, by oppressive rules and regulations and orders issued and enforced by numberless officials, great and small.

In war times there is an increasing tendency to government by commissions and boards and to apply and enforce administrative law. The centripetal forces in this Nation are now in the ascendancy.

Following the Civil War the tendency was to minimize the States and to concentrate power in the hands of the Federal Government. Though the Supreme Court had declared, following a proper interpretation of the Constitution of the United States, that the preservation of the States was essential to the preservation of our form of government, irresistible currents set in to weaken the States and to transfer from the people and the States to the General Government the authority which belonged to them.

The contest now is not the maintenance of the Federal Government. The great struggle is to preserve the States. The World War tended to give us an imperialistic point of view. War is the antithesis of democracy. War suspends law, destroys local self-government, and transfers to one or few hands an authority theretofore exercised by the people. In war we mobilize under Federal authority the resources of the land and bring into mighty armies, controlled by the President of the United States, the millions amenable to military service. It is a difficult task when the war drums cease and when the battle flags are furled and when the ranks are broken for the policies of peace to be reasserted and the rights of individuals and of local communities and of States to again rise to their proper stature. The struggle is now on between the consolidated and powerful Federal Government, dominated by bureaucratic forces, and the rights of the people as individuals, as the sources of power and authority, and the rights of local communities and of the States themselves. And the voices that should be strong for local self-government, for personal liberty, for freedom, and for those principles and policies that make a strong and vigorous democratic people seem to be silent, and the strident cries of the centralized forces in the land either frighten the people into submissiveness or win them to the acceptance of dangerous and destructive policies.

Senators and Representatives coming from the people and the States, whose rights they should vindicate, seem to view with complacency these swift currents which are carrying us into an all-powerful federalism. Unfortunately, appeals are made by many people for increased authority in behalf of the Federal Government. The propaganda carried on by executive agencies and Federal officials is demoralizing the people, breaking down their morale, weakening their moral fiber, and leading them to an acceptance of the dangerous heresy that the Federal Government is the source of power and authority and should superimpose itself upon the States, control their activities, and direct the lives of the people themselves. Appeals to State pride do not always bring response. We talk of the Nation, but not of the States. We speak of the power and greatness of the Federal Government, but forget the sovereigns—the people themselves—the source of all power. The fallacy is accepted that we grow from the top and not from the bottom, and that power comes down from above instead of from the people.

We are led to believe that it is wise to be taxed by the Federal Government in order that, through its commissions and agencies and by means of hundreds of thousands of its employees, the money thus wrung from the people may be passed back to them diminished in quantity if not deteriorated in quality. The absurd view is emphasized, and the people are "fooled" into accepting it, that we should have hundreds of thousands—indeed, millions—of Federal officials to feed and fatten upon the people and tax them in order that there may be expended through the hands of these same parasites the millions taken from the people. The idea seems to be that money collected from the people by themselves and expended in their own communities by their own servants is less beneficial than if collected by Federal officials and transmitted to Washington and then filtered back to the people, though from 20 to 30 or 40 per cent of it may be lost in these various processes.

Mr. President, I referred a moment ago to the ex parte statements made by Federal officials before the committees. Upon these ex parte statements we appropriate billions. The parties making them are interested, as I have said, and their zeal for appropriations, increased salaries, extension of authority and power undoubtedly does have its effect upon their testimony. In courts of justice we always view the testimony of an interested witness with caution. We know the limitations of human nature, and we weigh the testimony of an interested witness—the witness who will be benefited if his story is believed—cautiously, if not skeptically, with a view to getting at the truth.

Representations are made before committees of Congress by these interested witnesses that unless they have millions and billions the Government will cease to function. The most direful predictions are made unless their demands shall be satisfied; and if committees courageously reject their piteous and selfish appeals, immediately there are set in motion influences and sinister forces to compel a reversal of the action of the committees. Senators and Congressmen are besieged, not only by the Federal Government lobbyists and interested agents in Washington but by their own constituents, whose aid is sought, by telegram or otherwise. Many Federal organizations are so perfect that they act automatically. If an appeal for an appropriation is denied, within a short time the constituents of a Senator or Congressman who has been instrumental in securing a rejection of the demand are often appealed to, and they in turn bring pressure upon those who represent them in the legislative branch of the Government to reverse their positions.

In my opinion this course is improper, and if there is not sufficient legislation there should be laws enacted that would prohibit officials and Federal agencies from engaging in this method of lobbying and attempted intimidation in their efforts to secure Federal appropriations.

What is needed now is a leader who will arouse the people to the necessity of putting hooks in the jaws of the Federal Government and of reviving the spirit of personal independence and that love of local self-government which inspired our fathers in the days of the Revolution. What we need is not more government but less government. If evils, actual or fanciful, exist we create a commission and empower it to promulgate rules and regulations which have the force of statutes. No attempt is made to bring the matter to the attention of the people with a view to having them correct the evil. The thought seems to be that statutes bring perfection, abolish wrong, correct errors, change human nature, and transform humanity into perfect beings, or into wretched weaklings who are to be the wards of the State. The idea seems to be to destroy the individual as the means of effectuating reforms. If we can throttle individualism, if we can strike at the integrity of the home, if we can crush aspirations for local self-government, if we can weaken States, if we can convince the people of their inability to govern themselves, and if we can finally create a powerful paternalistic, bureaucratic Government we affect to believe that the millenial era is at hand.

Mr. President, what we need is more democracy and not less democracy, more freedom and less centralization of power. We want to get back to the doctrines of Jefferson. The people should be taught correct principles and then they can govern themselves. We do not want teachers and bureaucratic forces in Washington to send to the uttermost parts of this Republic instructions and directions and policies and orders and regulations and rules.

I wish that in every community organizations could be formed to spread the principles of democracy and to assert the right and the power and the duty of the people to govern themselves. I wish a crusade could be inaugurated in all parts of the land against this accursed spirit of bureaucracy and paternalism which is infecting individuals and States. There are evidences that the Federal agencies are seeking solidarity, and they synchronize in these campaigns which are being conducted to weaken the States and to strengthen the General Government. Congress is becoming so impotent that many believe appropriation bills, if not very much of general legislation, is inspired by the hundreds of thousands of employees of the Government. We sit in this Chamber, according to the view of many, merely to O. K. the bills prepared by Government officials and to, in a grumbling way, assent to the appropriations which they demand. It has been charged that we lack courage to resist these demands. There is much to support the charge. If appropriation committees do happen to cut down an item carrying an appropriation immediately forces are set in operation to secure a restoration of the item to the bill. Senators will bear me out in the statement that it is a miracle to secure a reduction in any item in any appropriation bill in either the House or the Senate. The task is easy to augment appropriations, but it is almost impossible to reduce them. The Senator from Wyoming [Mr. WARREN], in the sundry civil bill which was passed yesterday, attempted to reduce a few items in the bill which passed the House, but in nearly every instance—and I am not sure but in every instance—his efforts were unavailing.

The country is demanding relief from the burdens of taxation pressing upon them. The Republican Party is pledged to economy, and yet any efforts made to effectuate reforms and to bring about economies is resisted. It is resisted by executive agencies and, I am sorry to say, it is resisted by many Members of the legislative branch of the Government. Confronted with a deficit of $2,000,000,000, we proceed, without the slightest con-

cern, in the work of appropriating billions. Our party acts are inconsistent with our professions. Attempts to reduce appropriations meet with disfavor.

Yesterday, in the efforts which I made to reduce appropriations, I encountered opposition from Senators. Mr. President, the saturnalia of extravagance which we participated in during the war has not ended, and so we are maintaining war legislation under which enormous taxes are collected. Notwithstanding the billions wrung from the people, we find an exhausted Treasury and a stupendous deficit. Do we lack courage to reduce expenses and remove the burdens of taxation? It would not be parliamentary to say that there was fear in the legislative branch of the Government, but I may be permitted to say that there is, in my opinion, a lack of appreciation of the serious conditions confronting us and the imminence of financial disaster to the Government.

Mr. President, these statements are not partisan. I think I can truthfully state that upon these questions I know no party. I have condemned my own party for appropriations which I felt to be unwarranted, and I would as quickly challenge waste or extravagance upon its part as I would if the Republican Party failed to support policies of economy and retrenchment.

I sometimes wish that a coalition could be formed for the purpose of saving the Treasury from the annual raids which are made upon it. I hope the Republican Party, flushed with victory, will not forget its promises—promises of economy. I should be glad to aid in any possible way, Senators upon the other side of the Chamber, in executing policies that will conduce to the welfare of the people and relieve them from the onerous burdens from which they now suffer. This is not a time for partisanship, but for genuine Americanism. Our paramount purpose should be to serve the people and preserve our country. If the Republicans will seek wise and just legislation and adopt policies looking to the preservation of this Republic and the maintenance of the rights of the people, I shall be glad to uphold their hands in every possible way. I fear, indeed expect, that they will fail to redeem their promises, that they will permit centralized forces to dominate, and will be swallowed up in the sweeping waves of extravagance now carrying them forward.

Mr. President, I shall vote to reduce appropriations whenever it is possible. I want our disbursements to bear some relation to our receipts. I shall vote to reduce taxes, and I shall make every effort within my power to reduce expenditures. If I thought this bill could be recommitted with instructions to reduce it $1,000,000 or $2,000,000, or, indeed, any amount, I should be glad to submit the appropriate motion. When the District appropriation bill was before the Senate I called attention to the enormous appropriations which it carried and showed that it was larger by several million dollars than that of any prior year. Notwithstanding the facts were not controverted, when I moved to recommit the bill for the purpose of reducing the appropriations the votes in support of the motion were very few.

Mr. President, this appropriation bill will pass, and so will every appropriation bill submitted by our Republican friends. We will go on strengthening the paternalistc forces, aggrandizing the Federal Government, weakening the States, enervating the people, strangling the spirit of freedom manifesting itself in individual and community life; we will fashion a Government along imperialistic lines and surrender to it those precious gifts of freedom and local self-government to secure which our fathers fought and to maintain which our lives should be consecrated. In other nations decentralizing processes are going on. In our Nation centralizing forces are dominant. Will the absorptive and centripetal forces in the land triumph? This vital question is before the American people.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The bill is as in Committee of the Whole and open to further amendment. If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. CURTIS. I move that the Senate request a conference with the House on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CURTIS, Mr. GRONNA, and Mr. ASHURST conferees on the part of the Senate.

RED LAKE AND RED LAKE RIVER IMPROVEMENT.

Mr. NELSON. Mr. President, I ask unanimous consent to call up from the calendar the bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River in the State of Minnesota for navigation, drainage, and flood-control purposes. It is the object of the bill to give the consent of the Federal Government for drainage and flood control of the headwaters of the Red River. The bill has been favorably reported by the War Department and the Department of the Interior, and there is a unanimous report of the committee upon it.

Mr. McCUMBER rose.

Mr. KING. Mr. President, I hope the Senator from North Dakota will not object. We can pass the bill in two minutes.

Mr. McCUMBER. If the Senator will allow me I wish to ask unanimous consent that the unfinished business may be temporarily laid aside for the purpose of considering the drainage bill referred to by the Senator from Minnesota.

The PRESIDING OFFICER. Is there objection? The Chair hears none and the unfinished business is temporarily laid aside. Is there objection to the consideration of the bill indicated by the Senator from Minnesota?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River in the State of Minnesota for navigation, drainage, and flood-control purposes, which had been reported from the Committee on Commerce with amendments.

Mr. POINDEXTER. I should like to ask the Senator from Minnesota whether the bill involves any appropriation from the Treasury?

Mr. NELSON. Nothing except a nominal appropriation for supervising the work. According to the statement of the Chief of Engineers, the only appropriation that the Government will be called upon to make is $15,000, covering a period of several years. The expenses of the work come out of the landowners within the drainage district. It is a district incorporated under the laws of the State of Minnesota, and all the expenses involved, except those for the supervision of the work, to see that it is done conformably to plans approved by the Government engineers, are to be paid by the landowners.

Mr. POINDEXTER. What is the approximate cost of the project?

Mr. NELSON. The figures are found in House Document No. 61, first session Sixty-sixth Congress. The cost of the entire project is $779,000, and the total amount contributed by the Federal Government, according to the estimate, will be $15,000, and that relates to the work of supervision merely.

Mr. POINDEXTER. I suppose the jurisdiction or interest of the Federal Government is based upon its control of navigation.

Mr. NELSON. Yes. These are the headwaters of the Red River of the North, and the Government has a slight interest in the matter of navigation. I will read the concluding paragraph of the report of the Chief of Engineers:

> After due consideration of the above-mentioned reports, I concur in the views of the district engineer, the division engineer, and the Board of Engineers for Rivers and Harbors, and therefore report that it is deemed advisable for the United States to cooperate with the other interests concerned in the improvement of Red Lake and Red Lake River, at a total estimated cost of $779,000 for construction and $12,000 annually for maintenance, the share—

I call that to the attention of the Senator—

> the share of the cost to be borne by the United States in the interests of navigation being $15,000 for supervision of the work during construction and $200 annually thereafter for maintenance and operation. The cooperation of the United States should be conditional upon satisfactory assurances being given by the other interests concerned that they will properly carry out the improvement in accordance with the plans herein proposed, or such modified plans as may be approved by the Secretary of War. Appropriations should be at the rate of $3,000 a year for five years and $200 a year thereafter.

That is the whole expense.

Mr. POINDEXTER. Is there any navigation on the river or the lake?

Mr. NELSON. Not at present, but it is hoped that there may be navigation for small motor boats when the improvement is finished.

Mr. POINDEXTER. In view of the small amount of expense entailed upon the Federal Government, and if there is to be no prolonged debate upon the bill which would delay consideration of the pending emergency tariff bill, I will withhold objection.

The PRESIDING OFFICER. The Secretary will state the amendments of the committee in their order.

The SECRETARY. In section 1, page 2, line 5, strike out the words "of the preliminary survey"; in the same line, strike out the word "Board" and insert the word "Chief"; in line 6, strike out the words "for rivers and harbors"; in lines 12, 13, and 14, strike out the words "in accordance with the act to regulate construction of dams across navigable waters, approved June 23, 1910"; and in line 22, page 2, after the word "river," insert "and for any other property belonging to the Indians

used, injured, or destroyed, in connection with the construction, operation, and maintenance of any of the works provided for herein," so as to make the section read:

That the Red Lake drainage and conservancy district of the State of Minnesota, duly created and organized under the laws of said State and authorized to construct improvements and projects therein, is hereby authorized to deepen, widen, and straighten the said Red Lake River and tributaries thereof, or any portion thereof, as may be deemed necessary, and to fix and regulate the height of water in Red Lake, and to construct and maintain such ditches, drains, dams, dikes, spillways, or other controlling works as may be found necessary and advisable to utilize the said Red Lake for reservoir and flood-control purposes, and to facilitate drainage into said lake and river, as indicated and outlined in the report of the Chief of Engineers to the Secretary of War on March 28, 1919 (H. Doc. No. 61, 66th Cong., 1st sess.), with such modifications and changes as may be found advisable: *Provided*, That detailed plans for such work and improvements shall first be submitted to and approved by the Secretary of War and the Chief of Engineers: *Provided further*, That the deepening, widening, and straightening of that part of Red Lake River within the Red Lake Indian Reservation and all other work necessary or desirable to be done within the Red Lake Indian Reservation shall be done in accordance with plans submitted to and approved by the Secretary of the Interior, provided that due compensation shall be made to the Indians for any lands that may be required for straightening said river, and for any other property belonging to the Indians used, injured, or destroyed, in connection with the construction, operation, and maintenance of any of the works provided for herein: *And provided further*, That before the acceptance of the plans the Red Lake drainage and conservancy board and the Secretary of the Interior shall ascertain and agree upon the maximum and minimum levels between which the water in Red Lake shall be permitted to be fluctuated, and such levels shall not be deviated from without the consent of the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, in section 2, page 4, line 10, to strike out the words—

There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, a sum sufficient to pay the share of the United States as shown by said report, and to pay that part of the cost of said improvements apportioned to the lands within the said Red Lake Indian Reservation, which latter amount shall be reimbursable to the United States under such rules and regulations as the Secretary of the Interior may prescribe.

And insert in lieu thereof:

The Secretary of the Interior is hereby authorized to withdraw from the tribal funds on deposit in the Treasury of the United States to the credit of the Indians of the Red Lake Reservation such sums as may be required and as they may be needed to meet the assessments chargeable against the lands within said Indian reservation as provided for herein, and to expend the same in the payment of said assessments as they become due: *Provided, however*, That all tribal moneys so withdrawn shall be reimbursed to the Red Lake Tribe by the Indian allottees benefited under such rules and regulations as the Secretary of the Interior may prescribe.

In line 8, on page 5, to strike out the words "shall be enforceable" and insert in lieu thereof the words "may be enforced," and in line 10, on page 5, to strike out the words "as soon as" and insert the word "after," so as to make the section read:

SEC. 2. That the Secretary of the Interior is hereby authorized to enter into such contract arrangements as may be found necessary and advisable with the said the Red Lake drainage and conservancy district relative to all work within the Red Lake Indian Reservation as contemplated in section 1 of this act and as to the assessment of lands within the limits of the Red Lake Indian Reservation in said State for their proportionate share of the cost of such improvement and their maintenance and operation. The said the Red Lake drainage and conservancy district is hereby authorized to include within the boundary of the said drainage and conservancy district all lands within the limits of the said Red Lake Indian Reservation located within the Red Lake River drainage basin, and to assess the lands benefited in the same manner and proportion as other lands outside of the limits of said reservation, but within the said drainage district and benefited by such improvement: *Provided*, That all such assessments within the limits of said district shall be on a per acre basis against the lands benefited in proportion to the benefits received: *Provided further*, That the maximum cost to any lands within the boundaries of said reservation shall not exceed $2.50 per acre. All assessments so levied by said drainage and conservancy district shall be in the manner provided by the laws of said State, except as modified by contract with the Secretary of the Interior, and the Secretary of the Interior is hereby authorized to make such regulations for the payment thereof as may be found necessary or desirable. The Secretary of the Interior is hereby authorized to withdraw from the tribal funds on deposit in the Treasury of the United States to the credit of the Indians of the Red Lake Reservation such sums as may be required and as they may be needed to meet the assessments chargeable against the lands within said Indian reservation as provided for herein, and to expend the same in the payment of said assessments as they become due: *Provided, however*, That all tribal moneys so withdrawn shall be reimbursed to the Red Lake Tribe by the Indian allottees benefited under such rules and regulations as the Secretary of the Interior may prescribe: *And provided further*, That the assessment against the lands within the Red Lake Indian Reservation shall become a first lien on said lands and such lien shall be recited in any trust or fee patent that may be issued thereafter, and any such lien may be enforced by the Secretary of the Interior by foreclosure as a mortgage after fee simple patent is issued: *And provided further*, That any fund standing to the credit of any Indian allottee, or which may hereafter be placed to his or her credit, may be used in payment of such lien.

The amendment was agreed to.

The next amendment was, to add at the end of the bill as a new section the following:

SEC. 5. That unless said drainage and conservancy district shall within two years from and after the date of the approval of this act submit to the Secretary of War and the Secretary of the Interior, respectively, satisfactory detailed plans and agreements covering the works authorized to be constructed hereby, then, and in that event, all rights hereunder shall cease and terminate.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PENSION APPROPRIATIONS.

Mr. McCUMBER. Mr. President, I ask unanimous consent that the unfinished business may be further temporarily laid aside for the consideration of House bill 15344, the pension appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15344) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes, which was read, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1922, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $265,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1922, $500,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. McCUMBER. I believe the unfinished business is now before the Senate.

Mr. UNDERWOOD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Alabama suggests the absence of a quorum. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gronna	McCormick	Smith, Md.
Ball	Hale	McCumber	Smith, S. C.
Borah	Harris	McKellar	Smoot
Brandegee	Harrison	McLean	Spencer
Calder	Heflin	McNary	Sterling
Culberson	Jones, N. Mex.	Moses	Sutherland
Curtis	Jones, Wash.	New	Swanson
Dial	Kendrick	Norris	Thomas
Dillingham	Kenyon	Penrose	Trammell
Fletcher	Keyes	Poindexter	Underwood
Gay	King	Ransdell	Walsh, Mass.
Glass	Kirby	Sheppard	Warren
Gooding	Knox	Simmons	Wolcott
Gore	Lodge	Smith, Ariz.	

Mr. KENYON. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is detained from the Senate on official business in the Committee on Manufactures.

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, a quorum of the Senate is present. The bill is before the Senate as in Committee of the Whole, and is open to amendment. The Secretary will state the pending amendment.

The ASSISTANT SECRETARY. The pending amendment is on page 3, line 10, after the word "and," to strike out "three-eighths" and insert "one-eighth," so as to make the clause read:

Cotton having a staple of 1⅛ inches or more in length, 7 cents per pound.

Mr. SIMMONS. Mr. President, the pending bill contains two separate and distinct provisions with reference to cotton and cotton goods. The first is paragraph 16 of the bill which as amended by the Senate committee provides:

16. Cotton having a staple of 1⅛ inches or more in length, 7 cents per pound.

As the bill passed the House this duty applied only to cotton having a staple of 1⅛ inches or more.

That paragraph of the bill, Mr. President, in my judgment, would if adopted do no special good and will do no special harm in itself within the 10 months' life of this because it is

not probable there will be any additional importations of consequence within that time. It will be of no benefit. It is the next paragraph of the bill against which I especially complain; which, in my judgment, is fraught with great evil, and if enacted into law will cost the consumers of cotton goods in this country, including clothing, not tens of millions but hundreds of millions of dollars every year it remains in force. That section reads as follows:

17. Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.

Mr. President, I wish first to discuss the effect of the first paragraph, which imposes a duty of 7 cents a pound on cotton in excess of 1⅜ inches in the House bill and, as amended by the committee, 1⅛ inches in length. It is well understood, there can be no controversy about it, that Egyptian cotton is the only cotton which is imported into this country of greater length than 1⅛ inches, with the exception, perhaps, of a few bales which are imported from Peru, which is, strictly speaking, not cotton, is not sold in competition with cotton, and is not used in the manufacture of cotton goods at all, but is what is known to the trade as "wood cotton," which is used only in the manufacture of certain grades of woolens, chiefly blankets.

Practically, the only cotton of a greater length of staple than 1⅛ inches imported into this country is that coming from Egypt, known as Egyptian cotton. The Senator from Utah suggests sea-island cotton. I do not think there is any sea-island cotton imported into this country now. We usually import between two and three hundred thousand bales of Egyptian cotton. During the last fiscal year we imported into this country something over 400,000 bales of this type of cotton, and as a result we now have on hand more long-staple cotton than our consumptive demands require, and for that reason importations of Egyptian cotton have for the present practically ceased. During the month of December we imported only seven bales of this cotton, showing that we already have enough to supply the demand.

So, Mr. President, during the life of this bill, which is by its terms only 10 months, we need not expect any considerable additional importations of Egyptian cotton. In that situation it seems to me very clear that the staples grown in this country with which Egyptian cotton comes into competition will not during these few months be benefited by the imposition of this proposed duty.

Now, the only cotton grown in this country with which this Egyptian cotton comes into real competition is about 60,000 bales, grown altogether in the States of Arizona and California and known in the trade as American Egyptian cotton. It is true that there are some staples grown in this country longer than 1⅛ inches, but the Egyptian type of cotton does not come into competition with those, or, if at all, only to a slight degree. Egyptian type, whether grown here or in Egypt, is used by American manufacturers chiefly in the manufacture of automobile tires. Probably 15 or 20 per cent of it is used by them in the manufacture of fine counts of cotton goods. So it can be stated as a general proposition that the only cotton of the long-staple variety and quality coming into this country and sold in competition with like cotton grown in this country is the Egyptian cotton, and that the only cotton with which that of American growth comes into competition is the 60,000 bales American Egyptian cotton grown in the States of Arizona and California.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. SIMMONS. Yes.

Mr. ASHURST. If I do not interrupt the course of the Senator's remarks——

Mr. SIMMONS. Not at all.

Mr. ASHURST. The Senator referred to lines 10 and 11 on page 3, line 10 reading as follows:

Cotton having a staple of 1⅜ inches—

I see that the committee has reduced that to 1⅛ inches.

Mr. SIMMONS. Yes.

Mr. ASHURST. I should like to ask the Senator why the amendment is proposed?

Mr. SIMMONS. The amendment was presented by the Senator from Louisiana, and the committee agreed to it. I did not myself see any necessity for it.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. SIMMONS. Yes.

Mr. SMOOT. I will say to the Senator that there are only a few hundred bales of cotton raised in Alabama and part of Mississippi and Louisiana the staple of which reaches 1⅛ inches, and that amendment was proposed to cover those bales.

Mr. SIMMONS. That is true; but what I am saying is that there is none of that type of cotton imported into this country. There is no necessity whatever for it, as the Senator from Utah says.

Mr. ASHURST. No necessity for what—for the amendment or for the cotton?

Mr. SIMMONS. For the amendment. The only cotton that is imported into this country that comes into competition with any cotton grown in this country is Egyptian cotton, and that does come into competition with the American Egyptian type of cotton grown in the Senator's State and in California.

Mr. ASHURST. Since this is the only cotton, if I understand correctly, grown in the United States with which there enters into competition cotton grown in Egypt, the Senator therefore would not oppose an amendment to see to it that that competition was precluded by having this amendment made?

Mr. SIMMONS. I shall have no objection to the Senator making that amendment.

Mr. ASHURST. While the Senator is on this subject, I see that the House sends the bill to the Senate with a duty, on line 11, of 7 cents per pound on this cotton.

Mr. SIMMONS. Yes.

Mr. ASHURST. According to the best figures obtainable—and it is difficult even for the Bureau of Markets of our Department of Agriculture to get accurate data as to the cost of growing a pound of cotton in Egypt—but after a careful investigation it has been ascertained that a pound of Egyptian cotton which enters into competition with the Arizona Egyptian cotton can be produced and laid down in our market for 30 cents a pound. I have therefore introduced an amendment, which is pending, raising the numeral "7" to "30," so that the duty shall be exactly the cost of raising the Egyptian cotton and landing it in our ports.

I should like to have the Senator's views on that, because the Senator is a man of much information on this subject. The duty of 7 cents would be of no value to anybody. If none is going to be imported, it would produce no revenue.

Mr. SIMMONS. It will not produce any revenue, because none will be imported within the 10 months. We have imported all the Egyptian cotton that we need here for a year, and no revenue would be realized either from a 7-cent or from a 30-cent duty.

Mr. ASHURST. Then there would be no harm in making the numeral "30" instead of "7," would there?

Mr. SIMMONS. There would not for this 10 months, because we have more than a year's supply on hand.

Mr. ASHURST. That is what I mean.

Mr. SIMMONS. If the bill stopped with laying a duty on this raw cotton, that would be true while this oversupply exists; but the bill does not stop there. The bill makes the 7 cents duty on imports of Egyptian cotton the excuse for giving the manufacturers of cotton goods a compensatory duty to the full amount of the duty imposed on raw cotton. If the duty on raw cotton is fixed at 7 cents a pound, then this bill proposes to give the manufacturers of cotton a compensatory protective duty, in addition to the protection they have under existing law, of 7 cents a pound. If it is fixed at 30 cents, as proposed by the Senator from Arizona, it will give these manufacturers an additional duty of 30 cents by way of compensation.

That is to say, as these two paragraphs are drawn, whether there are importations or no importations of these foreign types of raw cotton, the American manufacturers of cotton goods will be given an additional protection of 7 or 30 cents a pound, as the case may be, upon every pound of clothing that the people of this country wear; and the result of this innocuous and futile duty levied on raw cotton will, because of this resulting compensatory duty, lay a burden upon the American people of hundreds of millions of dollars.

Mr. McCUMBER. Mr. President, will the Senator allow me to ask the Senator from North Carolina a question?

Mr. ASHURST. The Senator from North Carolina has the floor. I have not the floor.

Mr. McCUMBER. The question is this: If the Senator fears that no benefit will be derived by the growers of this long-staple cotton in the United States for the reason that he suggests, that none will be imported during that time, and we have sufficient for manufacturing purposes in this country during the next 10 months, would the Senator be satisfied with this provision with an amendment that this compensatory duty shall apply only to goods manufactured from cotton imported after this bill goes into effect?

Mr. SIMMONS. I do not think you could make effective a provision of that kind.

Mr. McCUMBER. We could make it if we wanted to.

Mr. SIMMONS. If a compensatory duty is levied, it will have to cover all manufactured goods into which this type of

cotton enters as a component material of chief value that may be imported into this country; and that will operate to raise the price of cotton goods produced in this country, whether out of Egyptian cotton or out of our ordinary short-staple cotton, to the extent of the duty on the foreign product.

Mr. ASHURST. If the Senator will permit a further question, he has stated that in his judgment there will be no importations of this Egyptian cotton within the next 10 months, or something similar to that?

Mr. SIMMONS. We have a sufficient supply on hand.

Mr. ASHURST. Now, my information—and I have been relying upon that information as accurate—is to the effect that over 200,000 bales of this Egyptian cotton are ready to be shipped into the United States. Of course, I have deemed that information to be reliable; but if no importations are to be made into the United States, what possible harm would come from raising the numeral "7" to "30"?

To employ a very much overworked word, "psychological," I believe the psychological effect would be beneficial. If the growers of Egyptian cotton in California and Arizona could feel secure against the competition of cotton from Egypt for 10 months, that Arizona Egyptian cotton which is now a drug on the market would be absorbed and disposed of. So I hope that the Senator will assist me with his powerful influence and his great ability in passing my amendment, raising that duty from 7 cents a pound to 30 cents a pound, if for no other than for the psychological effect. I again employ that much overworked word.

Mr. SIMMONS. Now, if the Senator will let me ask him a question——

Mr. ASHURST. Certainly.

Mr. SIMMONS. First, the Senator insists that the producers of long-staple cotton are entitled to this protection against Egyptian cotton, and I suppose he bases that assertion upon the theory that the price of the long-staple American Egyptian cotton has fallen in the market. I believe he just said that this cotton was not bringing the cost of production.

Mr. ASHURST. Nowhere near the cost of production.

Mr. SIMMONS. Nowhere near the cost of production. I assume the Senator is right about that; I do not know; but when the Senator ascribes that slump or depreciation in price to importations of cotton, I think his assumption is a very violent one.

We produced last year 12,000,000 bales of upland or short-staple cotton in this country. No short-staple cotton has been imported into this country and sold in competition with these 12,000,000 pounds of the ordinary American staple, but notwithstanding the fact that there have been no importations whatever of short-staple cotton, that grade of cotton, short-staple cotton, has fallen in the markets of this country and abroad at a greater proportionate rate than long-staple cotton of the Egyptian has fallen in these markets. Now, if the slump in the price of long-staple cotton is due to importations from abroad, then I ask the Senator, What is the cause of a similar slump in the price of these 12,000,000 bales of short-staple cotton? When we have a parallel of that sort, one type of cotton of which there are importations from abroad falling in market value, and an infinitely larger amount of cotton of a different type of which there are no importations from abroad falling in market value in a greater ratio than that which has competition from abroad, does not the Senator think that in that state of things he should look for some other reasons for these contemporaneous slumps than the importations from abroad? These facts argue that the Senator is mistaken in ascribing the cause of the slump, of which he complains, to these alleged foreign importations or in regarding them as the chief and determining factor in bringing about the decline.

Mr. ASHURST. That is not difficult for the Senator, because I would be presumptuous to place myself against the opinion of the Senator from North Carolina on tariff questions.

Mr. SIMMONS. The fallacy that lies at the bottom of this whole bill is the assumption that the depreciation in farm products in this country is the result of outside competition, and the conclusive proof of that is in the fact, as before argued, that those products which have no competition from abroad have fallen in practically every instance equally as much as those that have, and in many instances very much more than those that have competition from abroad.

Mr. ASHURST. If there be a horizontal fall in the prices of those goods and articles which have no competition, just the same as there has been a fall in the price of those that have competition, to what does the Senator ascribe this great debacle, this enormous drop in prices?

Mr. SIMMONS. I ascribe it to world-wide conditions——

Mr. ASHURST. Exactly; the Senator is right.

Mr. SIMMONS. Applying not only to this country, but to every country upon the face of the earth——

Mr. ASHURST. The Senator is correct.

Mr. SIMMONS. Whether that country is upon a free-trade basis, a revenue-for-tariff basis, or upon a protection basis. The slump has been uniform throughout the world, and therefore it can not be due to tariff duties or importations.

Mr. ASHURST. I agree with the Senator, and the Senator could have added that it was inevitable.

Mr. SIMMONS. And therefore you are attempting here to apply a remedy which can not possibly reach or reasonably affect the causes of the trouble it is sought relief against or to remove.

Mr. ASHURST. But because the slump in prices has come as the backwash of the Great War, and because the slump was inevitable, it should inevitably not follow that because the slump was bound to come we are precluded, if we can do so properly, from taking what appear to be just measures to relieve those who are suffering from it.

Mr. SIMMONS. If the Senator will let me proceed I will try to show him that wherever it is possible by legislation to relieve the farmer in his distressed condition I am disposed even to forego for the moment, as an emergency proposition, many of my preconceived notions with respect to tariff and other things. But I want to tell the Senator that, looking at it from that standpoint, with an earnest and sincere desire to help the farmers of this country, in each and every part of it, I have not been able to find in this bill, with the possible exception of wool and sugar, a single instance where the imposition of the duty proposed will in any appreciable measure benefit the American farmer and producer of the product involved.

Mr. ASHURST. Will the Senator yield to me for another question?

Mr. SIMMONS. Certainly.

Mr. ASHURST. Referring to paragraph 16, lines 10 and 11, if the item were 30 cents per pound instead of 7, would not that be a practical embargo?

Mr. SIMMONS. I should say that would be a practical embargo.

Mr. ASHURST. The information I have—and I believe it to be reasonably correct—is that an embargo on the importation of the long-staple cotton, or Egyptian cotton, would immensely relieve the situation.

Mr. SIMMONS. Mr. President, the industries of this country, the manufacturers of automobile tires, the manufacturers of fine cotton goods, need at least 400,000 bales of long-staple cotton of the Egyptian type. Otherwise they must circumscribe their operations. If we should place an embargo upon Egyptian cotton, necessarily we would confine these manufacturers and producers to the use of the domestic product of this type of cotton, and the domestic production is only 60,000 bales as against a domestic demand for 400,000. Conceive that situation if you can, Mr. President; conceive this Government deliberately placing an embargo upon the importation of the foreign product when we only produce one-eighth as much of the commodity as is needed to supply the domestic requirements. Does not the Senator see that that would, in the case under discussion, give the American producer of this long-staple cotton an absolute monopoly in a market that requires eight times as much as the Senator's State and California produce, and instead of this cotton selling for 75 or 100 cents a pound, as it did during the war, it might leap to five or six hundred cents a pound? Would not that be the natural effect of an embargo under such circumstances?

Mr. ASHURST. No.

Mr. SIMMONS. There are probably only 1,500 or 2,000 farmers engaged in producing this American Egyptian brand of cotton in this country who would be benefited to the enormous extent I have indicated, and does not the Senator think we ought to take into consideration the reflex effect upon the consumers of these cotton goods in the United States?

Mr. ASHURST. Certainly.

Mr. SIMMONS. And not burden them with a raw material that can be produced and sold at a profit at 75 cents, and which, under the condition he seeks to bring about, might command in the domestic markets five or six times that amount, because it could not be brought in from abroad?

Mr. ASHURST. Mr. President, if the Senator will yield to me further, all I seek to do is to place such a duty upon this long-staple cotton, temporarily, as will equalize the difference between the cost of production in the United States and in Egypt. It has been ascertained, so far as may be ascertained, that it

costs about 30 cents a pound to grow it in Egypt and land it in our ports. What possible harm, therefore, could come from an effort to equalize the difference, at least for 10 months?

Mr. SIMMONS. I will answer that by showing, in a very few minutes, that the Senator is altogether wrong about his figures.

Mr. ASHURST. I will thank the Senator.

Mr. McCUMBER. Mr. President, I desire to call the attention of the Senator to some figures of imports as bearing directly on the subject he is discussing. I wish to have the attention of the Senator from Arizona as well. The Senator from North Carolina seems to think that our manufacturers of tires could not get along without purchasing and bringing in this amount of cotton from Egypt. I call attention to the fact that we imported in 1918 from Egypt 95,065 bales, and I have not heard but that our tire manufacturers got along with that many bales of Egyptian cotton. Then, in 1919, we imported 103,380 bales from Egypt; and they got along in 1919. But in 1920 we jumped in two years from 95,065 bales to 438,677 bales. Can any Senator say that that had no influence in driving down the price of long-staple cotton?

Mr. ASHURST. Mr. President, the Senator from North Carolina has been so patient and has shown so much courtesy that I am loath to ask him to yield to me further, but I wish he would for me to make a statement of two or three sentences.

I think the figures read by the Senator from North Dakota are correct, and when it was ascertained, Mr. President, that a large portion of that shipment of Egyptian cotton was on its way, indeed, when it was out on the ocean, on the very highways of commerce, en route here, that information caused the price of Arizona Egyptian cotton to fall within a fortnight from a reasonable price—that is, 60 cents per pound, which it cost to produce it—to absolutely nothing.

Mr. SIMMONS. What has it fallen to?

Mr. ASHURST. I think six or seven thousand bales have been sold at from 15 to 25 cents a pound. But there is practically no market.

Mr. SIMMONS. The short staple, which has no such competition, in my country now is selling for from 7 to 12 cents a pound.

Mr. ASHURST. But it costs 70 cents a pound to raise the Arizona Egyptian cotton.

Mr. SIMMONS. And it costs 30 cents to raise the short staple.

Mr. President, the figures the Senator from North Dakota [Mr. McCUMBER] has read simply confirm the statement I made a little while ago. I said a little while ago that the long-staple Egyptian cotton coming to this country would no longer, at least for the period of the next 10 months, flow into this country; that already a sufficient amount of that cotton has been brought in to more than supply the demands of this country for the next year, and probably for the next year and a half, and that no more of it would come. Now, the Senator from North Dakota says we do not need this enormous amount of cotton that has been brought in from Egypt in the last year. I agree with the Senator. I agree we do not need it. I agree that more has been brought in than we do need, and that the market is glutted now, and will remain glutted possibly for the next 12 months. That, Mr. President, is the reason there is not likely to be any appreciable additional imports for the next 10 months, and therefore the reason why this duty will serve no good purpose, so far as its effect upon the farmers' price is concerned. Here is what the Tariff Commission says about that:

> The import of Egyptian cotton during the fiscal year ending June 30, 1920, was more than double the normal. With the subsequent decline in domestic prices and curtailment of mill consumption the stock on hand of Egyptian cotton has become so much in excess of the requirements as temporarily to stop imports. During the month of October, 1920, the import of Egyptian cotton amounted to only 3,675 pounds, equivalent to 7 bales of 500 pounds each.

It is evident, therefore, Mr. President, that whatever the duty you may put upon this cotton produced in America, it will not be operative, it can not be operative, until it is necessary to bring more Egyptian cotton into this country.

Then it would become operative and the producers of that cotton in New Mexico would get the benefit of it, whatever it might be. But the condition of which the Senator complains has already happened. The cotton has already come in, and has come in in quantities sufficient to supply the market for a long time to come.

Now, the Senator says that he has some information that there are great cargoes of this cotton ready to be shipped, possibly on the way in transit to this country. I have heard that story every time we have had before us a tariff bill. It has a very familiar sound. I remember perfectly well, when we had up the bill to impose a so-called emergency duty upon dyestuffs, that we were told that unless the bill was passed before Christmas, and I think we began consideration of it some time early in December of that year 1919, there would be such a flood of German dyestuffs into the country as would literally wreck and put out of business the American industry then in infancy. We were told that the warehouses of Germany were loaded to the roof with dyestuffs that were manufactured during the war, when those factories had nothing else to do, in order that they might be ready, as soon as they won the war, as they expected to do, to flood the markets of the world and regain the monopolistic control of the world's dyestuffs markets, which they had held before the war began. We did not pass the bill and we have not yet passed it, and not only have we had no German inundation but it has developed that there were no surplus dyestuffs in Germany, and the whole story was but moonshine, and, to use a colloquialism, bunk.

Some one has told the Senator from Arizona, and those are the stories, I say, that come constantly to the Committee on Finance when we are preparing these bills, that several hundred thousand more bales of Egyptian cotton are now ready to come to this country or are on the way. If the Senator will reflect for just a moment he will see how ridiculous that is.

When a country has all of a product that it needs, when a country has more of a product than it requires, that country stops buying and importing that product. The market is supplied, and that ends it. Products seeking a foreign market go to countries where the domestic market is not already supplied.

The Senator says that unless the bill is passed the American Egyptian cotton grown in his State will be placed in competition with this cheaply grown cotton produced in Egypt, produced by labor that does not command more than a fraction of the wages paid in this country, and that the reasonable price of the product produced in his State will be consequently depressed and borne down and the cotton farmers there put out of business. Why, Mr. President, American competition with Egyptian cotton has not just begun. We had competition in this country with Egyptian cotton in 1919, we had it in 1918, and if the effect of the importation of that cotton in 1920 is to destroy the value of like cotton in this country, why did it not have that effect in 1919? The answer to the whole thing is that there has never been a time, and that time has not arrived yet, when Egyptian cotton has not sold in the markets of the world at a higher price than the like type of cotton grown in this country. Both have always been high, without reference to the cost of production. Cotton of the Egyptian type is one article the price of which bears little relation to the cost of production. Why is that so? Because the producers have one of the most remarkable natural monopolies in all the world. This long-staple Egyptian cotton is produced nowhere in the world except in Arizona, California, and Egypt—60,000 bales in these two States of this Union and 1,250,000 bales in Egypt. That is the world production of that type of long-staple cotton.

Great Britain manufactures, and so do certain other European industrial nations, use chiefly or almost entirely high-class cotton goods, high-counts cotton goods. Those cotton goods can not be produced except by the use of this particular long-staple cotton. Great Britain buys three or four million bales of short-staple cotton from us and mixes it with the long-staple that she buys from Egypt, and makes these fine counts. She gets just about enough from Egypt to balance off the amount of short staple she buys from us for use in the production of those fine counts. The greater quantity is low-grade short-staple cotton, the smaller quantity is long staple, but on account of its greater value the component element of chief value in these cotton goods is the long staple, because at prices that obtained before the war, when there was no protection, this cotton sold around 75 cents a pound, which was at that time five times as much as the short staple sold for. In all of these fine goods, which, as I said, constitute the chief cotton-goods production of Great Britain, in practically all of them the long-staple cotton constitutes the component material of chief value. I am laying stress upon that for the purpose of showing, when I begin to discuss the other section of the bill, that upon every pound of these fine-cotton goods which we import from Great Britain, by virtue of the compensatory duty given the cotton manufacturer because of 7-cent duty on his raw material, there will be added an additional duty of 7 cents a pound on the imported finished product which the American consumers of those fine goods will have to pay, and that the reflex action of that will be to raise the price of every pound of the coarser goods, manufactured in this country out of our short-staple cotton, to the extent of 7 cents a pound.

The Senator from Arizona is not satisfied with that. He wants to add 30 cents a pound and thereby add that amount to

the duty on English clothing and English cotton goods brought into this country—not only 30 cents a pound upon the Egyptian cotton in those goods but 30 cents a pound upon the American short-staple cotton in them as well. He would add 30 cents a pound upon every pound of cotton goods manufactured and sold in this country as well as in Europe and sold in this country, although but a very small fraction of the domestic output has in it any Egyptian cotton at all.

I said this was one of the most remarkable monopolies in the world, and it is. Just think about it a moment. Here is a world demand, for the finer cotton goods can not be made without this cotton, and less than 1,500,000 bales to supply this world demand.

Now, let us see about the price. I said a little while ago, and I stated it truly, that the cotton producers of this type of cotton in our country are in no danger from Egyptian competition, because the active world demand for this monopolized staple is so great that it will always keep the price up to a reasonable level. It always has, and it always will do so. I know of nothing that has been able to stand up against the world slump any better than Egyptian cotton.

It does not make any difference about the cost of producing that cotton. I do not care how cheap labor is in Egypt. Having this monopoly, and one country in the world—Great Britain—having a demand greater than the entire output of Egypt, of course the price of Egyptian cotton is maintained and the price does not in any way reflect the labor cost. Where there is a surplus of a product the price does reflect the labor cost. But where there is a monopoly like this, and an active demand, not only for every pound but for many more pounds than are produced in the world, the competition of the consumers of that product constitute a guaranty that the price will be maintained at a high level as compared with general prices. I undertake to say that Arizona producers of cotton are in no more danger of being destroyed as a result of importations of Egyptian cotton than they would be if the cost of producing Egyptian cotton was as great as the cost of producing American cotton. It is not a matter of cost of production; it is a question of consumption, demand, and supply.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. THOMAS in the chair). Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. I yield.

Mr. McCUMBER. If, as the Senator said, Great Britain demands more than the entire crop raised in Egypt, then how does it happen that Great Britain got her supply and there were 438,000 bales shipped into this country from Egypt?

Mr. SIMMONS. When there are two markets bidding for the same thing, both of them get some of it, but the fact that there are two markets for it keeps the price up. Let me read what the Tariff Commission said about this.

Mr. McCUMBER. But the price did not keep up.

Mr. SIMMONS. The prices kept up above the level of other prices. They have kept up very much better than the prices of short-staple cotton. I say the cost of producing this particular grade of cotton in the United States does not vary very much from the cost of producing short-staple cotton. It has kept up better than the price of the short-staple cotton.

Mr. TRAMMELL. Mr. President, will the Senator permit a further inquiry in regard to importations into this country?

Mr. SIMMONS. Will the Senator let me answer the Senator from North Dakota further?

Mr. TRAMMELL. The Senator might answer this inquiry in conjunction with the other one.

If, as a matter of fact, there was an importation into this country of 438,000 bales, why was that necessary unless we were purchasing the Egyptian cotton at a less price than we could buy the same cotton in the markets of our own country? Does not that indicate that it was being purchased at a less price?

Mr. SIMMONS. We only produced 60,000 bales in this country and our normal demand is for 300,000 bales. That answers the Senator's question.

Mr. President, let me read what the Tariff Commission says about the English demand for long-staple cotton, showing that we have an active competitor in the markets of Egypt for that cotton. I quote:

> Long-staple cottons are essential for two purposes: The production of fine counts and the production of yarns of any count where strength and superior wearing qualities are necessary. Of the long-staple cottons that measure over 1¼ inches in length, Egypt is the only large source, having a crop that averages around one and a quarter million bales. England is the main producer of fine yarns, and for a good many years English fine spinners have been searching in vain for a new source of supply, as the demand for long-staple cotton has been exceeding the supply. In recent years the sudden upgrowth of the tire-fabric industry, particularly in the United States, has rendered the situation much more acute by using increasing amounts of long-staple cotton in the production of coarse counts.
>
> In Commerce Reports of February 20, 1920 there are set forth the results of an investigation by the British cotton-growing committee, which shows that while the world is dependent on the United States for its supplies of ordinary cotton, supplemented by coarser grades from India and China, Egypt still remains the only large source of the long-staple cottons needed by English fine yarn mills. The English spinners have been disturbed by the larger amounts of Egyptian cotton required by the expanding tire-fabric industry of the United States, and if the American mills were prohibited access to the long-staple cotton of Egypt the English mills would then be assured a sufficient supply, probably at lower prices, that would enable them to maintain and increase their standing as the world's supplier of fine yarns.

So, Mr. President, it appears not only that there is a monopoly of that product, but all of it is produced in Egypt, except 60,000 bales, and we have the evidence of the Tariff Commission that Great Britain needs every pound of that, and is disturbed that we are getting as large a proportion of its as we are. We have the further statement that unless the American mills are prohibited from buying that cotton Great Britain will not be able to supply her demands.

Is it possible, in view of these conditions, that there should be such a reduction in the price of the Egyptian cotton as to imperil the producers of the 60,000 bales in this country if it is allowed to be imported here? However that may be as a matter of speculation, when we consider the past and examine the statistics we find that the world demand for Egyptian cotton, which the Senator says can be produced at such a low cost in Egypt as compared with the cost of producing the American type, and the monopoly conditions with respect to it has maintained the price of the Egyptian cotton, and it has generally sold slightly above the price of the American cotton of like grade.

Mr. President, as I have said before, there is nothing in the pending bill that can help the farmer who produces the 12,000,000 bales of short-staple cotton. It is not intended to help him; he is not brought within its provisions. I am saying this not because it is necessary to say it but because a propaganda, inaugurated for the purpose of popularizing this legislation, inaugurated for the purpose of creating a protection sentiment among the farmers of the country, inaugurated chiefly for political purposes, in short, is being conducted among the cotton farmers of the South. They are being led to believe that the bill imposes a protective duty upon the character of cotton which they produce. I simply refer to this for the purpose of making it clear that the bill does not provide for the protection of the character of cotton which we in the South grow except the long-staple cotton. It could not under any circumstances afford any relief to cotton farmers generally. If in specific terms it provided a duty of 7 cents a pound, or a hundred cents a pound, on short-staple cotton, such as we produce in the South, it would not help one particle, because we never import, and never shall import, so long as we produce twice as much as we need in this country, any of that character of cotton from abroad.

The truth is, Mr. President, that the price of short-staple cotton in this country is fixed in Liverpool—that is axiomatic in the trade—just as the price of Egyptian cotton is fixed in Liverpool. We can not by the imposition of a tariff any more affect the price of the Egyptian cotton imported into this country delivered duty unpaid at the market than we can affect the price of the short-staple cotton by the imposition of a tariff.

Mr. President, I have said all I care to say with reference to the 7 cents a pound duty on raw cotton. Now, I wish to discuss the section imposing a compensatory duty on cotton goods.

It is the custom of the Republican Party when they impose a duty on a raw material to impose a like compensatory duty on the finished product. It ought to be easy to see that if a duty is imposed upon a raw material which is not imported, or, if imported at all, only to a small extent, it will be ineffective; but if a compensatory duty is imposed upon the finished product of that article and there are large importations of that finished product it will be effective. That is the situation here.

It is proposed to place a duty of 7 cents a pound on raw cotton, which I say can not be effective at least for the next 10 months, and after that time it will be of no benefit except to a relatively few producers. The duty imposed upon that is ineffective for the purpose of protecting against importations of that raw material, but it will operate fully and completely with reference to the protection of the manufactured product.

Mr. President, if it is desired to increase the duty on a product manufactured in this country and at the same time largely imported into this country and difficulty is found in raising the duties because they already seem to be sufficiently high, as in the case of cotton goods, the same purpose can very readily and very adroitly be accomplished by imposing a duty upon the raw material, and then use that duty imposed upon a raw material that does not come into this country, or, if it

comes at all, only in insignificant quantities, as an excuse and a reason for applying a compensatory duty to the manufactured product. That is what is undertaken to be done here.

I do not have the figures at my command now to show the amount of fine-grade cotton goods that we are importing from Europe, but practically all the fine cotton goods now being imported into this country are coming from Europe. We do not produce in this country a large amount of the finer grades of cotton goods, and Europe does not produce a great quantity of the coarser grades of goods such as we manufacture.

Mr. SMOOT. We are now having some importations of cotton goods from China and Japan.

Mr. SIMMONS. Some fine-grade goods may be coming from China and Japan. Practically all the cotton goods that are coming into this country are fine goods; they practically all contain the Egyptian cotton as their component material of chief value, and they are covered by the compensatory duty proposed by this bill. That means—and it can not mean anything else—that when this bill becomes a law it will add 7 cents a pound to every pound of the higher grade of English or European cotton goods that are brought into this country. I do not know how much that would cost the American consumers of cotton goods, but the amount would run up into the tens of millions of dollars. If, however, it stopped there, it would not be so bad; but the effect of that duty upon the European goods imported into this country will necessarily be to raise the price of the coarser goods which our mills produce practically to the extent of that duty. So we are proposing here to do what? For the very slight benefit which 1,500 farmers in Arizona and in California could possibly derive from this duty in connection with the 60,000 bales of raw cotton which they produce, we are proposing to place upon the 105,000,000 consumers of American and English cotton goods in this country a burden of 7 cents a pound upon every pound of the material that enters into the clothes which they wear and upon every piece of cotton fabric which they use in their daily lives.

A tax of millions piled on millions of dollars would be imposed upon the clothes worn by the people for the sole benefit, ostensibly, and only ostensibly, of the producers of 60,000 bales of raw cotton in this country! In my judgment there never was a more preposterous proposition presented to the American Congress than that.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. SIMMONS. I will say to the Senator from Arizona that it would be better if the Government of the United States should buy every pound of cotton produced in his State and pay $1,000 a pound for it than to impose this burden upon the people. They will have to bear the burden of raising the money for taxation; and they would save millions piled upon millions by buying it all and paying the farmers of the Senator's State $1,000 a pound for it—yes; much more than that.

Mr. ASHURST. Mr. President, the Senator says that because the House of Representatives passed a bill and sent it over here laying a duty of 7 cents a pound on Egyptian cotton it is a great burden upon the taxpayers.

Mr. SIMMONS. That is not the burden I am talking about. I am talking about the burden of the compensatory duty on the manufactured product.

Mr. ASHURST. Very well.

Mr. SIMMONS. I am talking about the burden that will be imposed by carrying this 7-cent compensatory duty on to the manufactured goods.

Mr. ASHURST. The Senator does not charge me with introducing that amendment, does he?

Mr. SIMMONS. No; I certainly do not. The Senator has not understood my argument at all.

Mr. ASHURST. I beg the Senator's pardon.

Mr. McKELLAR. Mr. President, I should like to ask the Senator a question.

Mr. SIMMONS. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator says that it is for the benefit of these farmers of Arizona and California to a very large extent.

Mr. SIMMONS. That is, the tax on the raw cotton.

Mr. McKELLAR. Yes; but for the benefit only of this very small class of our people; and then the fact must be taken into consideration that the benefit will not really go to them, because their crops are already largely out of their hands, and this bill is to last for 10 months only.

Mr. SIMMONS. And in addition to that, as I have labored to show here, all the Egyptian cotton that will be required for the next 12 months has already been imported.

Mr. ASHURST. Then, if all the Egyptian cotton that our country will use for the next 10 months is already here, I fail to perceive how the imposition of a duty of 30 cents a pound on any Egyptian cotton would alter the situation. If none would come in, the situation could not be affected.

Mr. SIMMONS. I do not know that it would. I do not say that it would. As to the duty on raw cotton. I see no good in it and no special evil in it. What I am fighting is the compensatory duty that follows as a result upon that duty of 7 cents a pound on raw cotton.

Mr. ASHURST. If the Senator assumes that because we levy a duty of 30 cents a pound or 7 cents a pound on the raw cotton, it must inevitably follow that we are going to levy a similar duty upon the manufactured products.

Mr. SIMMONS. But the bill says so. The Senator has not read the bill. The bill says so.

Mr. ASHURST. I did not introduce any amendment providing for a duty of 30 cents a pound on the manufactured product.

Mr. SIMMONS. No; but the bill does that very thing. Here is what the bill says. That is the section I have been reading from. The Senator has not understood my argument at all. The bill says that it shall be carried into the manufactured product. Following the paragraph imposing a duty of 7 cents on raw cotton is this:

> Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound in addition to the rates of duty imposed thereon by existing law.

Adding to the rates on manufactured cotton goods under the existing law 7 cents a pound.

Mr. ASHURST. But, to discuss my amendment, which runs only to the raw cotton, not to the manufactured product.

Mr. SIMMONS. The Senator knows that I have not been discussing his amendment altogether. When I was discussing his amendment he and I had a very long colloquy, and I think thrashed the thing out pretty thoroughly. Of course, as I have explained—the Senator from Colorado [Mr. THOMAS] calls my attention to it again—if the Senator's amendment is adopted making the duty on raw cotton 30 cents a pound, carrying out the theory of the bill—and it is the theory on which all these bills are made—the duty on the manufactured product would have to be raised to 30 cents a pound instead of 7 cents a pound.

Mr. ASHURST. Why?

Mr. SIMMONS. Because they always make the compensatory duty carried to the manufacturer the same as the duty imposed upon the raw material. They do it in the case of wool also. Wherever in this bill or any tariff bill the Republican Party impose a duty upon raw material that is used in the manufacture of a finished product they always carry the duty imposed on the raw material to the finished product for the purpose, they say, of compensating the manufacturer for the additional cost of his raw material.

Mr. ASHURST. Very well. Now, what is the duty on articles into which imported Egyptian cotton goes?

Mr. SIMMONS. Oh, I could not tell the Senator offhand, but it is very high.

Mr. ASHURST. The duty is very high. That is the point. The duty on the manufactured articles that are made from imported Egyptian cotton is very high. I am insisting that it is an inequality and an injustice to put the manufactured article under a high tariff and then require the grower of the cotton to compete with the labor of the fellah of Egypt, who received during the war 50 cents a day and who now receives about 40 cents a day. That is an inequality that should be remedied. That is the injustice of which I complain. Free trade exists only in the imagination. Every man is a free trader after he gets his own interests protected.

Mr. SIMMONS. Suppose it to be true, as I have stated, that this Egyptian cotton is always sold and is selling in the market, by reason of the active demand for it and the world monopoly, at a higher price or as high a price as the American cotton. Upon what theory of the tariff does the American cotton ask for protection?

Mr. ASHURST. Call it whatever you wish; here is my point, and if it may not be argued successfully, then there can be no argument at all.

During the war considerable areas of the desert land in Arizona and in California were brought under cultivation. The Government agents in some instances urged the farmers to plant Arizona Egyptian cotton. Some of them sold their milch cows, plowed up their alfalfa fields, and grew the Arizona Egyptian cotton in response to the patriotic requests, or rather demands, the departments made. Now, having raised this cotton, after the crop is raised they are told that "although 400,000 bales of Egyptian cotton have come in and 150,000 or 200,000 more bales are on the way, we will stabilize all the other industries, financial institutions, war contracts, and

fiscal affairs of all kinds; but, notwithstanding the fact that we have encouraged you to plant this cotton, after having raised it, we will allow Egypt to dump in her 400,000 bales to crush your market." That is inequitable, unjust, and unfair.

The cotton farmer of Arizona does not want protection. He is a man amongst men. We send to the poorhouse people that can not earn a living. We ask no bounty of the Government. To my full-grown constituents the words "largess," "bounty," "gift," and "gratuity" do not sound well, but they demand and should have a square deal. They desire simply, solely, and only to have their hands untied. If the manufactured article is to be placed under a high tariff, how, then, can you say to the farmer, "You must produce the raw material for the manufacturer, and you must do so in competition with the fellaheen of Egypt, but we will protect the manufactured articles?" These people in Arizona and California produced this cotton in response to a patriotic appeal. They produced this cotton in good faith; and I say, appealing to the conscience of men, that it is not good faith on the part of the Government to ask them to plant this cotton, to ask them to spend 70 cents a pound to grow such cotton, and at the same time say to them that we will allow Egypt to send in 400,000 bales of the same kind free of duty. It is not fair; it is not Democratic; it is not Republican. The officials of this Government are but for the benefit of the people; and whenever any function of government, be it Congress or Executive, does the people an injustice, a remedy should be applied.

I am not attracted by any theory which declares that where the Government encourages the people to engage in an enterprise, and then, after they have so engaged in the enterprise, paralyzes them by its strong arm.

Mr. President, I assume the first amendment in order would be the committee amendment; under the parliamentary situation the committee amendment must be disposed of first. I refer to the committee amendment which strikes out, in line 10, the word "three-eighths" and inserts "one-eighth."

Mr. SIMMONS. Does the Senator want a vote on that?

Mr. ASHURST. I will not ask for a roll-call vote on that; but I do want a vote on the amendment I propose on line 11, which strikes out the numeral "7" and inserts "30."

Mr. SIMMONS. I have no objection to having a vote on it.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona.

Mr. SIMMONS. I think we had better have a yea-and-nay vote on that.

Mr. McCUMBER. Does the Senator want a quorum first?

Mr. SIMMONS. Yes; I ask for a quorum, Mr. President. I make the point of no quorum.

The VICE PRESIDENT. The committee amendment is in order. There is an agreement that committee amendments shall be first considered.

Mr. SIMMONS. I have just made the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Glass	McCumber	Smith, S. C.
Ball	Gooding	McKellar	Smoot
Beckham	Gronna	McLean	Spencer
Borah	Hale	McNary	Stanley
Brandegee	Harris	Moses	Sterling
Calder	Harrison	Myers	Sutherland
Capper	Heflin	Nelson	Swanson
Curtis	Jones, N. Mex.	New	Thomas
Dial	Jones, Wash.	Pittman	Trammell
Dillingham	Keyes	Poindexter	Underwood
Elkins	King	Pomerene	Walsh, Mass.
Fernald	Kirby	Ransdell	Warren
Fletcher	Knox	Sheppard	Williams
France	Lodge	Simmons	Wolcott
Gay	McCormick	Smith, Ga.	

Mr. FERNALD. I wish to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] and the junior Senator from Iowa [Mr. KENYON] are absent, attending to business of the Senate.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The Secretary will state the pending amendment.

The ASSISTANT SECRETARY. On page 3, line 10, the committee proposes to strike out "three-eighths" and insert in lieu thereof "one-eighth," so as to read:

15. Cotton having a staple of one and one-eighth inches or more in length, 7 cents per pound.

Mr. SIMMONS. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SIMMONS. A parliamentary inquiry, Mr. President: I find there is some confusion on this side of the Chamber as to what amendment we are to vote on. The impression seems to be that we are to vote on the amendment of the Senator from Arizona [Mr. ASHURST].

The VICE PRESIDENT. The vote is on the committee amendment, to strike out "three-eighths" and insert "one-eighth."

The reading clerk proceeded to call the roll.

Mr. DIAL (when his name was called). I have a pair with the junior Senator from Colorado [Mr. PHIPPS], and in his absence I withhold my vote.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from California [Mr. JOHNSON] and vote "yea."

Mr. KIRBY (when his name was called). I have a general pair with the senior Senator from New York [Mr. WADSWORTH], and in his absence withhold my vote.

Mr. KNOX (when his name was called). In the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN], with whom I have a pair, I withhold my vote.

Mr. McCORMICK (when his name was called). In the absence of the junior Senator from Nevada [Mr. HENDERSON], with whom I have a standing pair, I withhold my vote.

Mr. McKELLAR (when his name was called). I have a pair with the junior Senator from Ohio [Mr. WILLIS], and in his absence I withhold my vote.

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I do not know how he would vote, and I therefore withhold my vote. If at liberty to vote, I would vote "nay."

Mr. SIMMONS (when his name was called). I inquire if the junior Senator from Minnesota [Mr. KELLOGG] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a pair with that Senator, and withhold my vote.

Mr. TRAMMELL (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. COLT]. I notice that he is absent, but I understand if he were present he would vote as I shall upon this amendment, and I will therefore vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Nebraska [Mr. HITCHCOCK], and vote "nay."

Mr. POMERENE (when Mr. WILLIS's name was called). My colleague [Mr. WILLIS] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. WOLCOTT (when his name was called). I have a pair with the senior Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from Missouri [Mr. REED], and vote "nay."

Mr. DILLINGHAM. May I inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I withhold my vote, having a general pair with that Senator.

Mr. WARREN. Has the junior Senator from North Carolina [Mr. OVERMAN] voted?

The VICE PRESIDENT. He has not.

Mr. WARREN. I have a general pair with that Senator, and I am not informed as to how he would vote, and not being able to arrange a transfer of my pair, I withhold my vote.

Mr. HARRISON (after having voted in the negative). I have a general pair with the junior Senator from Wisconsin [Mr. LENROOT]. I transfer my pair to the junior Senator from Rhode Island [Mr. GERRY], and let my vote stand.

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. McCUMBER (after having voted in the affirmative). I have a general pair with the senior Senator from Colorado [Mr. THOMAS]. I transfer my pair to the junior Senator from Iowa [Mr. KENYON] and allow my vote to stand.

Mr. HARRISON. I wish to announce the absence of the Senator from North Carolina [Mr. OVERMAN], the Senator from Montana [Mr. WALSH], the Senator from Rhode Island [Mr. GERRY], and the Senator from Oklahoma [Mr. GORE] on official business of the Senate.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Vermont [Mr. PAGE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH]; and

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON].

The roll call resulted—yeas 36, nays 12, as follows:

YEAS—36.

Ashurst	Fletcher	Jones, Wash.	Poindexter
Ball	France	Lodge	Ransdell
Borah	Gay	McCumber	Sheppard
Brandegee	Gooding	McLean	Smith, Ga.
Calder	Gronna	McNary	Spencer
Capper	Hale	Myers	Stanley
Curtis	Harris	Nelson	Sterling
Elkins	Heflin	New	Sutherland
Fernald	Jones, N. Mex.	Pittman	Trammell

NAYS—12.

Beckham	Keyes	Smith, S. C.	Walsh, Mass.
Glass	King	Swanson	Williams
Harrison	Moses	Underwood	Wolcott

NOT VOTING—48.

Chamberlain	Hitchcock	Newberry	Shields
Colt	Johnson, Calif.	Norris	Simmons
Culberson	Johnson, S. Dak.	Overman	Smith, Ariz.
Cummins	Kellogg	Owen	Smith, Md.
Dial	Kendrick	Page	Smoot
Dillingham	Kenyon	Penrose	Thomas
Edge	Kirby	Phelan	Townsend
Fall	Knox	Phipps	Wadsworth
Frelinghuysen	La Follette	Pomerene	Walsh, Mont.
Gerry	Lenroot	Reed	Warren
Gore	McCormick	Robinson	Watson
Henderson	McKellar	Sherman	Willis

The PRESIDING OFFICER (Mr. CURTIS in the chair). The yeas are 36 and the nays 12. The Senator from Arkansas [Mr. KIRBY], the Senator from South Carolina [Mr. DIAL], the Senator from Pennsylvania [Mr. KNOX], the Senator from Illinois [Mr. MCCORMICK], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Ohio [Mr. POMERENE], the Senator from North Carolina [Mr. SIMMONS], the Senator from Vermont [Mr. DILLINGHAM], and the Senator from Wyoming [Mr. WARREN] having answered "present," there is a quorum present, and the amendment of the committee is agreed to.

Mr. ASHURST. Mr. President, I have an amendment pending, as follows: On page 3, line 11, strike out the numeral "7" and insert in lieu thereof "30," so that the item will read:

Cotton having a staple of 1⅛ inches or more in length, 30 cents per pound.

The PRESIDING OFFICER. The Chair understands that there was a previous unanimous-consent agreement to act first upon committee amendments.

Mr. ASHURST. I was not aware of that fact, so I withdraw my request.

Mr. SIMMONS. May I ask the Senator from North Dakota if he is not willing that we should vote on the amendment of the Senator from Arizona now, so that we may get through with it? It is the amendment we have been discussing.

Mr. MCCUMBER. The only point is that probably many Senators are away who entered into the unanimous-consent agreement that we would take up committee amendments first, and they being away and not having heard of this request, I should dislike to change the unanimous-consent agreement without their knowledge.

Mr. SIMMONS. Very well.

The PRESIDING OFFICER. The Secretary will report the next committee amendment.

The ASSISTANT SECRETARY. On page 3, line 12, in the numbering of the paragraph the committee reported to strike out "15" and insert "17." It should now be "16," paragraph 13 having been stricken out.

The amendment was agreed to.

The ASSISTANT SECRETARY. In line 13 it is proposed to strike out "14" and insert "16." It should be "15."

The amendment was agreed to.

The ASSISTANT SECRETARY. In line 16 it is proposed to strike out the numerals "16," designating the paragraph, and insert "18." It should be "17."

The amendment was agreed to.

The ASSISTANT SECRETARY. On page 4, line 6, the committee reported to strike out "17," designating the number of the paragraph, and insert "19." It should be "18."

The amendment was agreed to.

The ASSISTANT SECRETARY. On page 4, line 7, strike out "16," referring to the number of the paragraph, and insert "18." It should be "17."

The amendment was agreed to.

The ASSISTANT SECRETARY. In line 10, strike out "16," the number of the paragraph, and insert "18." It should be "17."

The amendment was agreed to.

The ASSISTANT SECRETARY. On page 4, after line 12, the committee propose to insert a new paragraph, as follows:

19. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, 2.13 cents per pound, and for every additional degree shown by the polariscope test seventy-eight one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; molasses, testing not above 40°, 45 per cent ad valorem; testing above 40° and not above 56°, 6¾ cents per gallon; testing above 56°, 13½ cents per gallon. Sugar draining and sugar sweeping shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

That the duties in this paragraph herein imposed are in addition to the rates of duty imposed on such sugars by existing laws and shall in no manner affect or impair such existing laws: *Provided*, That if the imposition of the duties herein shall have the effect of increasing the price in the ports of the United States of duty-paid 96° centrifugal sugar produced in and imported from Cuba beyond 8 cents per pound, or shall increase the price in the ports of the United States of similar sugars paying full duty beyond 8.76 cents per pound, or shall increase the price in the ports of the United States of sugars that have gone through a process of refining or sugars fit for direct human consumption beyond 10 cents per pound, then the emergency duty herein named shall be automatically decreased so as to prevent the prices of such sugars advancing beyond the respective prices herein named.

Mr. SMOOT. Mr. President, I send to the desk a substitute which I propose for the committee amendment, striking out the whole committee amendment and substituting therefor that which I send to the desk.

The VICE PRESIDENT. The substitute will be stated.

The ASSISTANT SECRETARY. In lieu of the amendment proposed by the committee the Senator from Utah proposes the following substitute:

19. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 degrees, seventy-one one-hundredths cent per pound, and for every additional degree shown by the polariscope test twenty-six one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; molasses, testing not above 40 degrees, 15 per cent ad valorem; testing above 40 degrees and not above 56 degrees, 2¼ cents per gallon; testing above 56 degrees, 4½ cents per gallon. Sugar draining and sugar sweeping shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

That the duties in this paragraph herein imposed are in addition to the rates of duty imposed on such sugars by existing laws, and shall in no manner affect or impair such existing laws.

Mr. UNDERWOOD. Will the Senator permit me to ask him a question?

Mr. SMOOT. Certainly.

Mr. UNDERWOOD. I have not had a chance to examine carefully the substitute offered by the Senator and I have just heard it read. I judge from the amendment that he is adopting the plan of tax that was in existence in the Payne Act.

Mr. SMOOT. No; I am simply doubling the tax that is provided in existing law, using the exact words of the existing law, except that I am putting 1 cent a pound on sugar over and above the rate existing to-day.

Mr. UNDERWOOD. How much higher does that make it than it was under the Payne Act?

Mr. SIMMONS. It doubles it.

Mr. SMOOT. Oh, no; it does not. The Payne Act imposed $1.68 on Cuban sugar.

Mr. GAY. One dollar and sixty-eight and one-half cents.

Mr. SMOOT. One dollar and sixty-eight and seven-tenths cents, if the Senator wants to get down to exact figures, but we will say $1.68 in round numbers. The proposed substitute will be in round numbers $1. It simply means an increase of thirty-two one-hundredths of a cent a pound over and above the Payne rate, and it is doubling the rate, as I said, which exists to-day, or adding 1 cent a pound to sugar.

Mr. UNDERWOOD. It is 32 cents a hundred above the Payne Act?

Mr. SMOOT. Yes.

Mr. POMERENE. What does the Senator estimate that the increase to consumers will be under the committee amendment?

Mr. SMOOT. I could not state exactly what it would be from now on, because we can not tell how much we are going to import or what will be the consumption from now on while this act is in operation or how long the act may be in operation. I will say to the Senator frankly that I think it will be in operation only until the regular tariff bill is passed.

Mr. POMERENE. Assuming that this rate goes into effect under the bill and is to continue for a period of eight months, I would like to have some comparison between the Senate committee amendment and the substitute which is now proposed by the Senator from Utah.

Mr. SMOOT. I will say to the Senator that it is very much less than that provided for in the amendment of the committee.

Mr. POMERENE. About how much?

Mr. SMOOT. Perhaps one-third of the amount.

Mr. POMERENE. Then, as I understand it, it would be about 1 cent a pound less to the consumer?

Mr. SMOOT. Oh, more than that; 2 cents, if it is only a third. I can put it this way, and then the Senator can judge, just as well as I or anyone else, what the consumption will be. The consumption of sugar in the United States, if we closed the

doors for a 12 months' period, would be 8,000,000,000 pounds. One cent on that would be $80,000,000. If it is one-half of that, or 4,000,000,000 pounds, it would be $40,000,000.

I wish to say to the Senator that if two-thirds of that would come from Cuba and one-third from sugar produced in this country the duty on two-thirds of it would go into the Treasury of the United States, and I predict that if every cent of the additional duty was put on local sugar it would be only one-third of the $40,000,000.

Mr. FLETCHER. May I ask the Senator what revenue he calculates would be derived?

Mr. SMOOT. At least that amount.

Mr. FLETCHER. What amount of revenue would be derived by the Government?

Mr. SMOOT. If we import 4,000,000,000 pounds, under this provision there would be an additional $40,000,000 of revenue.

Mr. SIMMONS. Mr. President, I think I made a statement inadvertently, because I misunderstood the Senator. I thought the Senator from Utah was speaking about the Payne-Aldrich duty when he was, in fact, speaking about the present duty. The present duty is 1.04 cents.

Mr. SMOOT. One and three one-thousandths, as I remember it, after the 20 per cent preferential for Cuban sugar is taken off.

Mr. SIMMONS. I am speaking about Cuban sugar. The proposed duty, as it affects Cuban sugar, would be about three-fourteenths.

Mr. SMOOT. That is, as the committee reported it.

Mr. SIMMONS. That would be 3 cents a pound. I could not understand the Senator's substitute as read. Do I understand the Senator to say that his amendment would simply impose an additional duty of about 1 cent a pound?

Mr. SMOOT. One and three one-thousandths cents a pound; in other words, it just adds the same amount as the present duty.

Mr. SIMMONS. If the Senator's amendment is adopted it would make the duty 2 cents a pound?

Mr. SMOOT. It would make it 2 cents a pound.

Mr. SIMMONS. Whereas, if the amendment of the committee were adopted, the duty would be about 4 cents a pound?

Mr. SMOOT. That would all depend upon the price of sugar, I will say to the Senator. My substitute will not depend upon the price of sugar in Cuba; it means a straight duty of 1 cent a pound additional imposed on Cuban sugar reaching the ports of the United States.

Mr. SIMMONS. The Senator merely proposes a flat duty of 2 cents a pound on Cuban sugar?

Mr. SMOOT. Yes.

Mr. SIMMONS. Does the duty apply to sugar from any other country?

Mr. SMOOT. It applies to sugar from anywhere; but Cuba is about the only country from which we shall get any sugar from now on, of course.

Mr. UNDERWOOD. Coming from anywhere else the duty would be more?

Mr. SMOOT. Yes.

Mr. SIMMONS. But if the Senator proposes to impose a flat duty of 2 cents a pound, would not Cuba be entitled to the deduction granted under our preferential arrangement with her?

Mr. SMOOT. The duty, I will say to the Senator, under the existing law is $1.25 and one-thousandth of one cent; that is the way it figures out.

Mr. SIMMONS. As to sugar coming from everywhere except from Cuba.

Mr. SMOOT. That is what I say. With the 20 per cent differential given to Cuba it makes the duty on Cuban sugar virtually a cent a pound. The amendment I propose simply doubles it. If the Senator will take the Underwood-Simmons Tariff Act and in conjunction with it read the amendment which I propose, he will find that the amendment is word for word the Underwood-Simmons Act, and then the amount of duty imposed by the amendment is in addition to the amount of duty now imposed under that law.

Mr. SIMMONS. The point I am making is this: If the Senator is accurate when he makes the statement that his amendment proposes a flat duty of 2 cents a pound, it imposes a flat duty as to all sugars coming into this country except those coming from Cuba.

Mr. SMOOT. That is right.

Mr. SIMMONS. And the duty would be less as to Cuba because of the differential which we allow her.

Mr. SMOOT. As the Senator now puts it he is right. On Cuban sugar the duty will be 2 cents a pound.

Mr. SIMMONS. And how much will it be on other sugars?

Mr. SMOOT. Two and a half cents a pound.

Mr. SIMMONS. The Senator has the duty so arranged that it will not be a flat rate on sugar from all parts of the world, but a flat rate as to sugar coming from Cuba?

Mr. SMOOT. No; it is a flat rate, I will say to the Senator, on all sugars imported. The differential which under the law is allowed to Cuba will be deducted.

Mr. SIMMONS. If the Senator has safeguarded his amendment in that particular, then he has it all right.

Mr. SMOOT. I assure the Senator the amendment is safeguarded.

Mr. SIMMONS. But I am sure if the Senator would merely offer an amendment imposing a flat duty of 2 cents on sugar imported into this country, Cuban sugar would come in for less and other sugar would come in for no more.

Mr. SMOOT. That is true; the Senator from North Carolina makes the statement just as it is.

I do not know that it is necessary for me to go into any further detailed explanation of the amendment, unless some Senator wishes to ask me a question.

Mr. POMERENE. Mr. President, I personally should be very greatly obliged to the Senator from Utah if he would go into the details of the amendment, in order that I may be able to compare the provisions of his amendment with the provisions of the committee amendment.

Mr. SMOOT. Has the Senator from Ohio a copy of the amendment?

Mr. POMERENE. Yes; I have.

Mr. SMOOT. I suggest that the Senator follow my amendment, and I will read the law as it is to-day. The Senator can compare the two. I will read now from the tariff act of October 3, 1913, which is known as the Underwood-Simmons Act. If Senators will take my proposed amendment, I will read the law and they can then follow my amendment and see exactly what it provides.

Mr. POMERENE. The Senator's amendment has not been printed, has it?

Mr. SMOOT. Yes; it has been printed.

Mr. SIMMONS. I thought the Senator from Utah had only just proposed his amendment.

Mr. SMOOT. I will hand a copy of my amendment to the Senator from Ohio, if he has not one.

Mr. POMERENE. Do I understand that the Senator from Utah is going to read the provisions of the Underwood-Simmons law?

Mr. SMOOT. I am going to read the provision of the act of October 3, 1913. If the Senator will take my amendment, I will read the law, and then the Senator can compare the two. The present law reads:

177. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75 degrees, seventy-one one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, twenty-six one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40 degrees, 15 per cent ad valorem; testing above 40 degrees and not above 56 degrees, 2½ cents per gallon; testing above 56 degrees, 4½ cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.

Then follows a provision as to the date when the law shall go into effect, which it is not necessary to read. The Senator will notice that my amendment provides:

That the duties in this paragraph herein imposed are in addition to the rates of duty imposed on such sugar by existing laws, and shall in no manner affect or impair such existing laws.

What I have read is precisely the amendment which I have offered, I will say to the Senator.

Mr. POMERENE. So that the Senator's amendment practically doubles the duty, if I understand it. I am speaking in general terms when I make the statement. The purpose of the amendment of the Senator from Utah is to double the duties under the Underwood-Simmons law; and the duties imposed by the amendment of the Senator from Utah will be at least 1 cent per pound less than the duties imposed by the committee amendment.

Mr. SMOOT. At the price of sugar to-day in Cuba it would be a great deal less than that; but I can not say what it would be in the future.

Mr. SIMMONS. The duty will be something near 2 cents.

Mr. SMOOT. I can not say what it will be hereafter—for instance in two months—but in the amendment which I have offered the duty is a flat rate, or, in other words, as the Senator from Ohio says, it doubles the present rate of duty on Cuban sugars. The rate on Cuban sugar to-day is a cent a pound. I am not referring to the thousandth of a cent; and if the amendment becomes a law the rate would be $2 a hundred, or 2 cents a pound.

Mr. POMERENE. That is, on all sugars except Cuban sugar?

Mr. SMOOT. On Cuban sugar; but of course the Cuban crop of sugar, which is on hand now and for which they can hardly find a market, is all that will be imported into this country.

Mr. RANSDELL. Mr. President, the Senator from Utah did not mean to say the duty would be 2 cents on all sugars except Cuban sugars, but he meant it would be 2 cents on Cuban sugars, and the same in addition on other sugars.

Mr. POMERENE. That is what I understood the Senator from Utah to mean.

Mr. RANSDELL. But the Senator from Ohio made a little mistake.

Mr. POMERENE. Perhaps I did.

Mr. SMOOT. Perhaps I also misunderstood the Senator from Ohio.

Mr. POMERENE. Before the Senator from Utah goes on let me ask, so that I may understand this matter—for I had not seen the amendment until it was offered here—do I understand from the Senator from North Carolina that the duty under the committee amendment would add about 3 cents a pound to the rate on sugar?

Mr. SIMMONS. It would add that amount to the duty on Cuban sugar.

Mr. POMERENE. It would add 3 cents a pound to the duty on Cuban sugar?

Mr. SIMMONS. Yes, sir.

Mr. POMERENE. Then it would cost the consumer 3 cents a pound.

Mr. SIMMONS. Yes; if the amendment is adopted it would cost the consumer 3 cents a pound more.

Mr. POMERENE. Just about 2 cents a pound more than it would under the present law if it were to continue?

Mr. SIMMONS. It would be 3 cents more than under the present law. Under the present law the duty on Cuban sugar is 1 cent a pound, in round numbers. If the committee amendment is adopted there will be an additional duty of 3 cents a pound, which will make 4 cents in all. If, however, the amendment of the Senator from Utah is adopted, it will reduce the additional duty from 3 cents to 1 cent; so that that, added to the present duty, will make 2 cents on Cuban sugar, as against 4 if the committee amendment is adopted.

I am against the additional duty on sugar, Mr. President; but if we are going to have it, I would rather have 1 cent additional duty than 3 cents additional duty.

Mr. SMOOT. I wish to state further to the Senator from Ohio, for I think it was he who asked the question in relation to what the Payne-Aldrich duty was——

Mr. POMERENE. No; it was not I.

Mr. SMOOT. Then it was the Senator from Alabama. I will say, however, that the duty under the Payne-Aldrich bill on Cuban sugar was $1.68 and a fraction of a cent a hundred pounds; so that if my amendment shall be agreed to, during the time the law is in operation the rate will be increased 32 cents a hundred above the duties of the Payne-Aldrich law.

Mr. POMERENE. Mr. President, I assume, of course, that the Senator from Utah, as he usually does, has gone into the mathematics of this question to a considerable extent; and I should be glad if he will state for my benefit what the sum total will be which will be added to the price that the consumers will have to pay during a year under his amendment and what will be added to the table cost of the consumers during a year under the proposed amendment of the Senate committee.

Mr. SMOOT. The only way I can answer that is by saying that if during the life of this bill there should be 4,000,000,000 pounds of sugar consumed in the United States, and if the sugar consumed in the United States should have added to its price an amount equal to the 1 cent duty, then there would be $40,000,000 added to the total cost. I can not tell, and no living man can tell, what amount the amendment of the committee will amount to during that period, because no man can tell what the price of Cuban sugar will be three months or five months or six months from now. We can guess at it, but under my amendment we know that the additional cost will be a cent on importations, no matter what the price on sugar might be——

Mr. GAY. Mr. President, will the Senator yield to me for a minute?

Mr. SMOOT. I will yield in a moment. If 4,000,000,000 pounds of sugar are consumed, an addition of 1 cent a pound will mean an increase of $40,000,000.

Mr. POMERENE. That would be $40,000,000 for one year, would it?

Mr. SMOOT. No. We use more than that for the year.

Mr. POMERENE. What would the total amount be for a year?

Mr. SMOOT. The people of the United States consume about 8,000,000,000 pounds a year.

Mr. POMERENE. So that the Senator is figuring that this bill will continue only for a period of six months?

Mr. SMOOT. For about six months. I ought to say to the Senator that it is during the canning season that great quantities of sugar are used. Half of the sugar imported into this country, as well as that produced in this country and in our possessions, in Hawaii and elsewhere, is not consumed on the tables of the people, but is made into candy and used in connection with the manufacture of jellies, the canning of fruits, and in other manufactured commodities.

Mr. POMERENE. So that I am right in this, am I not, that if the amendment of the Senator were to continue in force for the period of one year it would add $80,000,000 to the total cost to the consumer?

Mr. SMOOT. No; I would not say that. If the sugar went direct to the table of the consumer and its price were raised the full amount of the duty of 1 cent, then the additional price would be $80,000,000.

Mr. GAY. Mr. President——

Mr. POMERENE. I wish to pursue my inquiry a little bit further, if I may.

Mr. GAY. Very well.

Mr. POMERENE. What, in the Senator's judgment, would the Senate committee amendment, if adopted, add to the total cost to the consumers during a period of one year?

Mr. SMOOT. Under the Senate amendment?

Mr. POMERENE. Yes.

Mr. SMOOT. It would be the wildest kind of a guess on my part.

Mr. POMERENE. I recognize the care with which the Senator goes into these matters. Will not the Senator fix it as a minimum and a maximum?

Mr. SMOOT. I will simply say that if it were twice the amount, of course, it would be $160,000,000, or $80,000,000 with the amount that would be consumed upon the table.

Mr. SIMMONS. Would it not be twice that amount?

Mr. SMOOT. No; it would not be twice that amount.

Mr. SIMMONS. Do we not raise about one-half?

Mr. SMOOT. No; we do not raise that much.

Mr. SIMMONS. Approximately that?

Mr. SMOOT. No. Taking sugar at the very lowest point that it has been known to sell at for years and years past, it would perhaps figure to at least 50 per cent more than that; but it is not very likely that sugar is going to remain as it is now, and if the Senator has read the committee amendment he knows that the duty imposed upon it is not a flat rate of duty.

Mr. POMERENE. I realize that.

Mr. SMOOT. It depends upon the Cuban price of sugar, and I would not want to say just what the rate or rates would be. As I say, it would be the wildest sort of a guess upon my part.

Mr. POMERENE. One of the merits of the Senate committee amendment, I think, is that it is impossible for the public to understand how much they are being skinned by it.

Mr. SMOOT. I would not want to put it in that way.

Mr. POMERENE. No; I do not ask the Senator to put it that way. I put it that way.

Mr. SMOOT. The Senator may, but no doubt the public would know whenever the duties were paid at the port of entry. The amendment is perfectly plain to a person who really knows how to figure the rate of duty; but I will admit that if a person should pick it up who had not given any time or study to it, it would be Greek to him.

Mr. POMERENE. Mr. President, I do not happen to be a member of the Finance Committee and I am perfectly free to confess that it is Greek to me, and I guess it will be Greek to about 99 per cent of the American people.

Mr. SMOOT. As it reads upon its face I am perfectly willing to say that that is true, and I think it would be Greek to more than 99 per cent if they had to judge from the complicated method of imposing a duty on the different degrees of purity of imported sugar.

Mr. POMERENE. I am very glad to have the Senator from Utah make the statement that more than 99 per cent of the people will not know, under this bill, what their increased cost of sugar is.

Mr. SMOOT. They will know when the duty is collected by the Treasury.

Mr. POMERENE. Oh, yes; they will know when they pay it.

Mr. SMOOT. I say that under the wording of my amendment, which is the wording of the present law, or any other law that has ever been written imposing a duty upon sugar, not 1 per cent of the people reading the sugar schedule by itself will know how to figure what the rate of duty is.

Mr. POMERENE. Now, with the Senator's familiarity with the phraseology of this amendment, let me ask him again if he will not give to the Senate his best judgment as to how much this amendment will increase the cost of sugar to the consumer for the period of a year?

Mr. SMOOT. If I knew what the price of sugar would be six months hence, or three months hence, or one month hence, I could tell the Senator exactly, but I do not know what it will be. My best judgment is that the increase will be at least twice what it will be under the amendment I have offered.

Mr. POMERENE. It would be at least $160,000,000, then, according to the statement made by the Senator a moment ago.

Mr. GAY. Mr. President, will the Senator permit me to answer the question that he has just propounded?

Mr. POMERENE. Why, yes; I shall be very glad to have the Senator do so.

Mr. SMOOT. Certainly.

Mr. GAY. The Senator asked a question, and I tried to answer it at the time, in regard to how much the increase to the American people would be. I can say to the Senator that according to the consumption for last year for the period of 12 months it would amount to 86 cents per capita.

Mr. POMERENE. What was the consumption last year?

Mr. GAY. Eighty-six pounds per capita; and if the consumption kept on at that rate it would mean 86 cents to the individual.

Mr. SMOOT. That is, under my proposed amendment. I understood the Senator was asking about the committee amendment.

Mr. GAY. It was in answer to the question of the Senator from Ohio that I wanted to bring that out. That is under the amendment of the Senator from Utah; yes.

Mr. POMERENE. Under his amendment?

Mr. GAY. Yes.

Mr. POMERENE. Now let me ask the Senator a question. Assuming that the Senate committee amendment is adopted, what would it add to the cost?

Mr. GAY. That depends entirely on the price of sugar. It is arranged according to a sliding scale; and if at any time sugar should reach the point of valuation of 9 cents, which is not unreasonable—96-test sugar, or what is known as raw sugar at the ports of the United States—this would prevent that price from going above 8 cents, because it stops at 8 cents, and if the price of sugar should be 7 cents the duty would be 1 cent.

Mr. SIMMONS. The Senator is talking now——

Mr. GAY. I am answering the question of the Senator from Ohio. If the price of sugar should be 6 cents it would be 2 cents, and so on. Under to-day's price 96-test sugar, which is remarkably low, you would put on the full amount of the duty as imposed by this amendment which I introduced and which was adopted by the Senate.

Mr. POMERENE. Now let me ask the Senator another question. Assuming that under the ordinary law of supply and demand the price of sugar gets down to 6 cents a pound, how does the Senator justify adding 2 cents a pound to it?

Mr. GAY. For the preservation of the American industry. That is the justification of it.

Mr. POMERENE. How much sugar is raised in Louisiana?

Mr. GAY. That depends on the season; sometimes 400,000 tons and sometimes 100,000 tons; but the continental United States does not produce one-half of the amount of sugar that is necessary for the American people. A great deal of it comes from Cuba and from other countries; and I should like to see the United States produce more sugar.

Mr. SIMMONS. Mr. President, I want to say to the Senator that if this amendment is adopted the present price of sugar——

Mr. POMERENE. Does the Senator mean the amendment of the Senator from Utah?

Mr. SIMMONS. The amendment of the Senator from Utah; yes. The present price of raw sugar put down at the American port with the duty added would be raised at once to 6 cents a pound, or something over that.

Mr. POMERENE. What is it now?

Mr. SIMMONS. Cuban sugar now is a little over 4 cents a pound.

Mr. SMOOT. It was selling for 4⅛ cents the other day.

Mr. SIMMONS. That is without duty?

Mr. SMOOT. That is without duty.

Mr. GAY. It would not necessarily raise it one cent.

Mr. SIMMONS. I am answering the Senator from Ohio, if the Senator will permit me. If you added the duty to it, it would raise it to something over 6 cents a pound—that is, raw sugar. There is a differential in favor of the refined sugar.

Mr. POMERENE. Mr. President, will the Senator allow me to ask him a question there, so that we can understand this fully? When the Senator speaks of adding the tariff to it, does he mean the tariff under the present law, or does he mean the tariff under the amendment of the Senator from Utah?

Mr. SIMMONS. I mean that the duties fixed as provided in the amendment of the Senator from Utah will raise the price of Cuban sugar delivered at the ports of this country to a little over 6 cents a pound. That is the raw sugar. There is a differential in favor of the refined sugar to add to that, and then if you add the duty you have the price of sugar in this country about 10 to 11 cents a pound.

Mr. McKELLAR. Mr. President, will the Senator yield for just a moment, so that I may call attention to something that the Senator from North Carolina said? He said that the amendment of the Senator from Utah would raise the price of raw sugar to a little more than 6 cents.

Mr. SIMMONS. Yes.

Mr. McKELLAR. It is possible, under this amendment, to raise it to 8 cents——

Mr. SIMMONS. Yes; it is possible.

Mr. McKELLAR. Because there is where the limit is placed.

Mr. SIMMONS. I said at the present price of Cuban sugar.

Mr. McKELLAR. At the present price of Cuban sugar; but it is possible to raise it as much as 2½ cents, and no doubt it will be raised that much.

Mr. SMOOT. Oh, no.

Mr. McKELLAR. The increase to the consumer will be more than that.

Mr. SMOOT. Not under my amendment.

Mr. McKELLAR. I am talking about the committee amendment.

Mr. POMERENE. Mr. President, the Senator from Utah has been kind enough to give his judgment as to what would be the minimum amount added to the consumer's cost under his amendment and the minimum amount that would be added to the consumer's cost if the committee amendment were adopted. The Senator from North Carolina has been a student of this subject for a good many years, and I should like now to have his judgment as to what would be added to the consumer's cost under the amendment of the Senator from Utah and under the committee amendment.

Mr. SIMMONS. I have not figured out what the amount of revenue to the Government would be from the import of sugar, but I can say to the Senator, upon the theory that we import about one-half of our sugar from Cuba, that the consumers of this country would pay just about twice what the Government would get in the form of revenue. I have not figured out how much it would increase the revenue. Assuming that we import half of our sugar and that it pays a duty to the Government, to ascertain what that duty would amount to that same tax would be carried on and added to the price of the domestic sugar, and that would be increased to the same extent as the price of the imported sugar would be increased, so that the consumer would have to pay just about twice the amount that the Government would receive in the way of revenue.

Mr. POMERENE. If I understand the Senator correctly, it is his judgment that the committee amendment, if adopted, will add about 3 cents a pound to the price of sugar under the present circumstances.

Mr. SIMMONS. Raw sugar; yes.

Mr. POMERENE. So that, assuming that we produce about one-half of the sugar which we consume, it would be the equivalent of adding 6 cents a pound duty to the sugar which we import.

Mr. SIMMONS. No, Mr. President; it would add 3 cents a pound to the duty upon the sugar that we import. It would likewise add 3 cents a pound to the value of the sugar produced in this country.

Mr. POMERENE. I understand that, but I do not think I made myself clear. We know that it would add 3 cents a pound to the sugar we produce; in other words, it would be the equivalent of adding 6 cents a pound to every pound that we bring into this country.

Mr. SIMMONS. Exactly. It would amount to that. It would be equivalent to that.

Mr. POMERENE. That is the amount of it. Now, is the Senator able to tell the Senate what amount of revenue we would get under either the amendment of the Senator from Utah or the committee amendment?

Mr. SIMMONS. I am not.

Mr. SMOOT. The Senator can calculate it very easily under my amendment.

Mr. POMERENE. I can if I can have a few minutes in which to do it.

Mr. SMOOT. But you can not calculate it under the committee amendment, because nobody knows what the price of sugar is going to be. I have told the Senator frankly everything there is about this matter.

Mr. POMERENE. Oh, I am sure the Senator has been perfectly frank about it.

Mr. SMOOT. Perfectly frank. I want the Senators to know all there is in the amendment.

Mr. SIMMONS. If the Senator from Utah will pardon me, can you not compute what it would be upon the basis of the present price of sugar in Cuba?

Mr. SMOOT. Of course, if you do that, it would be about 3 cents a pound, and with 4,000,000,000 pounds it would be $120,000,000. That is easily computed. But I want to say now, in answer to the Senator from North Carolina, that if sugar is 4⅜—that is, $4.37 a hundred—with the existing duty, with the additional 1 cent duty proposed in my amendment, which would mean an increase of 2 cents a pound, it would be $6.37 a hundred. The refining differential generally allowed is $1.53. That would make sugar $7.90 refined, ready to sell, with a profit to the refiner. That is the price it ought to be sold at to the retailer. Of course, sugar is sold on very close margins. Suppose they did make a dollar a bag on it, and that is almost twice what they ever do make in ordinary times.

Mr. POMERENE. The Senator means to the refiners?

Mr. SMOOT. No; that is the cost of selling. If they made a dollar, it would be $8.90. Of course, they could not make a dollar a bag besides the $1.53; but I mean the retail price would be a dollar added to $7.90, which would make it $8.90, or, in round figures, 9 cents a pound for sugar. There is no question but that all my amendment does is to add a cent to the existing rate of duty, and as sugar is retailing for 8 cents to-day, adding a cent would make it 9, and what I have said is how it is figured out.

Mr. McKELLAR. Mr. President, will the Senator from Ohio yield to me to ask the Senator from Utah a question?

Mr. POMERENE. Certainly.

Mr. McKELLAR. I wanted to ask the Senator why he had not in his amendment put in the limitation that when it rose to 8 cents a pound the tariff automatically should cease?

Mr. SMOOT. I do not think there is any necessity of it.

Mr. McKELLAR. Would the Senator object to that?

Mr. SMOOT. Yes; I would object, because it would add to the amount, and I do not want to add more than a cent a pound to the rate of duty imposed to-day.

Mr. McKELLAR. I was simply speaking of the committee amendment. I am opposed to that amendment, too. That is a provision that the tariff shall not be imposed where it exceeds 8 cents a pound—that is, at the ports—but if you are going to put a tariff on it, there ought to be some limitation. I would prefer to make it none at all.

Mr. SMOOT. If the Senator will vote for my amendment, that will all go out. Then you would know what the rate would be.

Mr. McKELLAR. I do not think I would know what it would be. I do not understand why some limitation can not be put on the Senator's amendment, as on the committee amendment.

Mr. UNDERWOOD. I think it is evident we can not vote on this problem to-night, and I suggest to the Senator from North Dakota that we take a recess.

Mr. McCUMBER rose.

Mr. WARREN. If I may be permitted, I wish to submit a report from the Committee on Appropriations.

Mr. McCUMBER. Very well.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. WARREN. I report from the Committee on Appropriations, with amendments, the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and I submit a report (No. 774) thereon.

Mr. POMERENE. May I ask the chairman of the Committee on Appropriations when he expects to call up the legislative bill?

Mr. WARREN. I hope to take it up to-morrow.

Mr. SIMMONS. Does the chairman of the committee think the consideration of that bill will consume all of to-morrow?

Mr. WARREN. One can never tell. It need not consume all of to-morrow, but many contested questions may arise. While the bill has been increased a little by the Senate committee, the increase is only a little over $500,000, so that the increase is less than one-half of 1 per cent upon the amount in the bill sent us from the House.

Mr. SIMMONS. My purpose in asking the question was because no one on this side of the Chamber, and I suppose no one on the other side, thought the emergency tariff bill would be called up this afternoon, and we were somewhat embarrassed when it was called up. I hope, if the appropriation bill just reported is to be taken up to-morrow, we may have an understanding that the tariff bill will not be taken up until Saturday morning.

Mr. McCUMBER. Mr. President, will the Senator allow me to make a suggestion? If we go on with this appropriation bill to-morrow, the Diplomatic and Consular appropriation bill is also ready. I shall attempt on Saturday morning to call up the tariff bill, and to keep it before the Senate until it is disposed of.

Mr. SIMMONS. Then the Senator will not call up the tariff bill to-morrow?

Mr. McCUMBER. I will not, unless we get through with both appropriation bills before the usual time of adjournment. Then, of course, I would want to call it up for some discussion. Senators will be given plenty of time to discuss it.

RESTRICTION OF IMMIGRATION.

Mr. HARRISON. Mr. President, as the leaders on the other side are arranging their calendar to take up the various bills, I hope they will consider the bill that was ordered reported out of the Immigration Committee this morning, which will be on the calendar to-morrow. If the Senate were not in a hurry to adjourn, I would like to read what appears in the afternoon paper under the heading "Aliens bring typhus into the United States"; but I shall not burden the Senate with it now. It appears that there were 3 deaths from typhus and 20 cases of typhus among the 1,375 passengers on one steamer that landed in New York yesterday, and there is a statement from Commissioner Wallace to the effect that if something is not done the whole country will be flooded with these undesirable immigrants.

It would seem to me that in view of the fact that the House has already passed what is known as the Johnson immigration bill, we should take action on the matter at this session. I might say that action is very urgent and very necessary if we are going to restrict or stop such immigration during the next 14 months. So I hope that the Senators on the other side, as they make up their calendar to take up these bills, will provide so that the chairman of the Immigration Committee can call up that bill and the Senate pass it. I do not believe it will invoke much discussion at this time. It is a very good bill, although I hope it will be amended in some respects. It is a very urgent measure and ought to be passed by the Senate at as early a date as possible.

Mr. McCUMBER. I hope the bill can be disposed of, Mr. President.

AMENDMENT OF WATER POWER ACT.

Mr. JONES of Washington. Mr. President, I wish to ask unanimous consent for the present consideration of the bill (S. 4640) to amend section 2 of an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920.

I do not believe there will be any objection to the bill. It is a measure which I explained the other day, amending the water-power act so as to make the legislative provision for appropriations for such employees as they deem necessary to carry out that act in order on an appropriation bill.

Mr. POMERENE. May I ask the Senator from Washington if that is the question relating to the water power act, in so far as it affects the public parks?

Mr. JONES of Washington. No; this is not that bill. I am not seeking to bring that bill up now, because I know the Senator from Ohio desires to discuss it. However, I am informed that the Senator from Utah [Mr. SMOOT] desires that Senate bill 4640 shall go over for a little while, so I shall not ask that it be taken up now.

RECESS.

Mr. McCUMBER. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 11, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 10, 1921.*

The House met at 11 o'clock a. m.

Rev. Charles E. Fultz, D. D., pastor First United Brethren Church, Washington, D. C., offered the following prayer:

Almighty God, our Father, we bless Thee for the world of human life. We pause a moment ere we approach the outstanding problems before us, imploring divine aid, so that our vision may be clear, our faith sure, and our optimism virile; in the name of Him whose we are and whom we serve. Amen.

The Journal of the proceedings of yesterday was read and approved.

NO QUORUM.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of no quorum present. It appears that there is no quorum present.

Mr. MONDELL. I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ashbrook	Fess	Kreider	Robinson, N. C.
Babka	Fields	Lee, Ga.	Rouse
Baer	Focht	Lesher	Rowan
Bankhead	Gallagher	Linthicum	Rowe
Bell	Gallivan	Lonergan	Rucker
Bowling	Gandy	Luce	Sanders, Ind.
Britten	Gard	McAndrews	Sanders, La.
Buchanan	Godwin, N. C.	McCulloch	Sanders, N. Y.
Caldwell	Goldfogle	McDuffie	Sanford
Campbell, Pa.	Goodwin, Ark.	McKinley	Scully
Candler	Gould	McLane	Sears
Cantrill	Graham, Pa.	Maher	Siegel
Caraway	Greene, Vt.	Mann, S. C.	Small
Carew	Harreld	Mead	Smith, N. Y.
Carss	Harrison	Milligan	Steagall
Casey	Hastings	Moon	Stiness
Chindblom	Hays	Mooney	Strong, Kans.
Clark, Fla.	Hersman	Morin	Strong, Pa.
Classon	Hoey	Mudd	Sullivan
Coady	Holland	Nelson, Wis.	Swope
Copley	Howard	Newton, Minn.	Taylor, Colo.
Costello	Hulings	Nicholls	Towner
Crago	Hull, Iowa	Nolan	Vare
Currie, Mich.	Husted	O'Connell	Venable
Curry, Calif.	Jacoway	Oliver	Vestal
Dale	James, Mich.	Olney	Volk
Davey	Johnson, Ky.	Parker	Watkins
Dempsey	Johnston, N. Y.	Patterson	Weaver
Dewalt	Jones, Pa.	Pell	Welling
Donovan	Juul	Radcliffe	Whaley
Dooling	Kahn	Rainey, Ala.	Wilson, Ill.
Doremus	Kelley, Mich.	Rainey, John W.	Winslow
Doughton	Kennedy, R. I.	Ramseyer	Wise
Ellsworth	Kettner	Randall, Calif.	Yates
Emerson	Kitchin	Reber	
Evans, Nev.	Kleczka	Riddick	
Ferris	Kraus	Riordan	

The SPEAKER. On this roll call 283 Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

DEFICIENCY APPROPRIATIONS.

On motion of Mr. GOOD, the House resolved itself into the Committee of the Whole House on the state of the Union for further consideration of the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

The Clerk read as follows:

House of Representatives.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 43, after line 7, insert: "To pay the widow of FRED L. BLACKMON, late a Representative from the State of Alabama, $7,500."

The amendment was agreed to.

The Clerk read as follows:

Patrick McLane, contestee, $2,000.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: On page 43, after line 24, insert the following:

"For payment to James D. Salts for expenses incurred as contestant in the contested election case of Salts *v.* Major, audited and recommended by the Committee on Elections No. 1, $2,000."

The CHAIRMAN. The quesion is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. GOOD. I offer the following further amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 43, after line 24, insert:

"For payment to GEORGE B. GRIGSBY for expenses incurred as contestee in the contested election case of James Wickersham *v.* Charles A. Sulzer, deceased, and George B. Grigsby, audited and recommended by the Committee on Elections No. 3, $2,000."

Mr. BLANTON. Mr. Chairman, I presume that if we are going to allow these expenses to one, they must be allowed to all; but I want to ask the chairman of the Committee on Appropriations how long this old policy is going to be pursued, and whether the country can not reasonably expect a change some time soon with regard to the paying of contested-election expenses, salary, office expenses, mileage, and so on, for a man who may not have been elected to Congress?

The policy that we have pursued is inconsistent, and every man who gets defeated and contests an election is getting pay for it. Lots of times we are paying both of them. In instances past we have paid both contestee and contestant their salaries where the contestant was seated—where they both received salaries for practically two whole years during nearly the whole session of Congress, and their mileage and their office expenses and their secretary's hire, and everything, when there really was only one office to be filled.

Mr. GOOD. I want to say to the gentleman that where a committee has discovered that there was not a real contest the amount is not certified or allowed. Take this case of Grigsby. Proof to the satisfaction of Committee on Elections No. 3 was furnished that he spent $2,252.58.

Mr. BLANTON. I did not have the Grigsby case in mind. I was talking on the policy generally. I can cite several cases where the contestee for nearly two years, right up to the close of the session of Congress, drew his salary from the Government each month and had his secretary draw his salary, was furnished with an office and all the office fixtures, incidental expenses and his stationery allowance, was paid his mileage, and then right at the close of the Congress the contestant came in and unseated him, and he would likewise get all of these items paid to him also.

Mr. GOOD. What are you going to do? A man comes with a certificate, takes the oath, performs the duties for one or two years—does the gentleman think that man ought to render the services, believing he is a Representative, without compensation? On the other hand, the Constitution and the law guarantees to the man that finally gets a certificate compensation for the time he was elected.

Mr. BLANTON. Oh, yes; but does not the chairman believe that we ought to stop so many unreasonable contests? Many of them have come without reason in the past. And does not the gentleman believe it would be a good idea for Congress to require a man, where there is a contest and he is unseated, to return to the Government that which he received without authority of law?

Mr. GOOD. No; I do not think there is any abuse of this privilege. There are 435 Members elected to the House. It is a great honor to be a Member of this body, and that honor must be preserved. The rights of the Member and the rights of the ballot box must be preserved.

Mr. BLANTON. And yet the chairman knows of cases in years past where the contestant had no reasonable ground whatever for believing that he was going to be seated, but was contesting the case merely for what he could make out of it.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Page 43, at the end of the page, insert: "For payment to Henry H. Bodenstab for expenses incurred as contestant in the contested-election case of Bodenstab against Berger, audited and recommended by Committee on Elections No. 1, $2,000."

The amendment was agreed to.

The Clerk read as follows:

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, for the following fiscal years, respectively:
For 1919, $423.94.
For 1920, $39,325.76.
For 1921, $75,000.

Mr. BYRNES of South Carolina. Mr. Speaker, I move to strike out the last word, and I do it for the purpose of calling attention to the appropriations carried under this item for investigating committees. Members of this House are accustomed to paying their bills the morning after election. We had an election yesterday and therefore it is not surprising that this morning we are presented with these bills.

But the House ought to know what we are being called upon to pay. To January 15, 1921, we paid on account of investigations by the House $187,064.33. In addition to that, this bill covers a deficiency for the year 1920, in the contingent fund of the House, and of the total amount appropriated for this purpose the amount to be charged to the investigating committees is $14,786, making the total appropriation to date, on account of the investigating committees of the House, $201,850.98.

Of course, this does not begin to tell the story, for in addition to the expenses incurred by the Government in the time of the clerks in the department called upon to furnish data at different times, the printing of the hearings is costing the taxpayers an enormous sum.

The Public Printer states that it will cost $2.50 a page for every page of the hearings of the various committees. Then when we consider the cost of franking the hearings out we can readily see that the expenditures to date have reached a considerable sum. And yet we still have unpaid obligations which no one has dared to estimate. We are now called upon to pay bills incurred in 1920. Many obligations are outstanding, and I think the duty of the investigating committees is at the very earliest possible date to bring in these accounts, in order that the House and the country may know what it has cost.

As an instance I want to call the attention of the House to an expenditure by the committee charged with the investigation of our activities over the seas—the Dawes committee, I think it will hereafter be known as. The committee that was in charge of the expenditures by Gen. Dawes overseas was composed of three excellent lawyers. Under the resolution they were not limited to any amount they might pay for counsel, but the statute provides that "hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate or from the contingent fund of the House of Representatives unless sanctioned by the Committee on Accounts of the House of Representatives."

I contend, gentlemen of the House, that this being the law, before any one of these committees contracted to pay a sum of any size to an employee they should have submitted it to the Committee on Accounts of this House and ascertained whether or not it would be sanctioned by the Committee on Accounts, and yet the committee charged with the investigation of activities overseas, composed of three lawyers, employed as counsel Gen. Ansell at the rate of $20,000 per year and expenses and furnished him with a secretary without submitting the case to the Accounts Committee. I have no objection to counsel securing as much compensation as he could. That was his business. My criticism is of the judgment of the committee, not counsel. I have no doubt that he is a distinguished lawyer and a very clever gentleman. He was in the War Department and his entire compensation during that time did not exceed $5,000 a year. He resigned, and within a few days this committee, charged with the investigation of the extravagance of Gen. Dawes overseas, proceeded to employ Gen. Ansell and contracted to pay him at the rate of $20,000 a year and expenses and provided him with a secretary.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. WINGO. This is the same attorney who while acting as attorney for the committee was a member of a law firm that got $100,000 as a fee from Bergdoll, the escaped slacker.

Mr. BYRNES of South Carolina. I do not know what fee he received. I have no other information than that which was contained in the newspapers, but at the time he was representing the committee he was representing Bergdoll. How much he was getting I do not know, or whether it is true that he represented Bergdoll I do not know, but I recall the newspapers carrying the statement. I am interested only in this fact, that the Committee on Accounts of this House is charged with the duty of sanctioning the expenditures, and this investigation committee should have submitted the matter to the Committee on Accounts, for I believe that committee would never have sanctioned the expenditure of $20,000 a year to an attorney to carry on an investigation of this kind. The gentleman from Massachusetts [Mr. WALSH], chairman of the committee charged with the investigation of the Shipping Board, much more intricate and involving many more details and possibly demanding counsel, has spent no such amount, if he has expended anything for counsel at all. These gentlemen, charged with the investigation of expenditures overseas, a matter requiring no legal ability at all, contracted to spend $20,000. I do not know how much has actually been paid on this account of Gen. Ansell's. I know that the House is fortunate in having as chairman of the Committee on Accounts a man who, though he has a thankless job, is endeavoring to protect the taxpayers and scrutinizes these accounts with some hope of protecting the people. If the gentleman from Illinois [Mr. IRELAND], chairman of the Committee on Accounts, was here I would ask him how much has been spent to date. My information is that they have paid counsel about $7,500, and that out of the amount appropriated in this bill $8,000 or $9,000 is for the purpose of meeting vouchers which have been held up in the Committee on Accounts because the chairman of that committee disapproved of this extravagance. I want some of the gentlemen in charge of the majority in this House to give some encouragement to the chairman of the Committee on Accounts in protecting the Treasury, to give him some support in forcing the committee charged with these expenditures to compromise with counsel, because you know and the country knows that counsel investigating expenditures of the Army overseas never was entitled to a fee of $20,000 a year, and that it is extravagance of the worst kind. It is a reflection on this House, and I hope the majority of the House will afford some encouragement to the chairman of the Committee on Accounts and urge him not to sanction the payment of this fee.

Mr. BLANTON. Mr. Chairman, the gentleman from Illinois [Mr. IRELAND] is present here.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, it has been very evident to me that when this item was reached we would have a field day on these expenditures, and that because of the fact that neither the chairman of this committee nor the chairman of the Committee on Accounts happens to be responsible for one of these items from subcommittee No. 3 of the Committee on Expenditures it would be necessary for me to discuss the matter in the House. As a matter of fact, some of these bills were not presented to the Committee on Accounts, because of the fact that the appropriation for 1920 was exhausted to within 83 cents, and it is useless to present bills against a fund when there is only 83 cents remaining to pay them. The duty was imposed on me by this House to be chairman of the subcommittee to which the gentleman referred, and the responsibility, if any, for the payment of some of the attorney's fees referred to rests upon me under authority given by the House. I have no apology to make for any of those expenditures. The gentlemen who opposed the expenditure of this approximately $200,000 for these investigations are the ones who would want and who have wanted no investigation to be made. We might as well be fair about it and admit that at the time the campaign was being conducted there was some partisanship on both sides of this House in referring to expenditures. There always has been partisanship and there always will be partisanship, but I am not willing to take this floor and make the charge that partisanship was carried to an extreme. I happen to know very well the Members of the House on both sides who compose those committees, and in my opinion most of those gentlemen were trying to get facts to present to the American people. In the beginning you must remember that this committee was charged with the duty of investigating expenditures of approximately $20,000,000,000. They have and will expend about $200,000 in doing it. If any mistake has been made, the mistake has been that we did not expend three or four times that amount of money and get an absolute and complete audit, which would be of some benefit to the people of the United States in learning what ought to be done in future wars. If I had had my way——

Mr. BYRNS of Tennessee rose.

Mr. JOHNSON of South Dakota. I can not yield until I get through with this statement. If I had had my way about it, we would have employed the leading firm of accountants in the United States, if we could have found that firm, and we would have had a thorough audit of all expenses. No audit can be had by an expenditure of $200,000, and the result is there never will be a thorough and complete audit. The gentlemen who make

the charge know perfectly well that no Member of this House can attend to his other duties and devote all of his time to preparing these cases, and an attorney is necessary.

Gen. Ansell, to whom the gentleman from South Carolina refers—and I assume all the responsibility for hiring him under the rules of this House, because I had the authority to do it as chairman of the committee, by action of the main committee—devoted his time and he will be paid if his bills are allowed, if this item is voted, for all of his services approximately $15,000. I can stand here and show the gentleman from South Carolina attorney after attorney hired by the Secretary of War in his different activities at $100 a day, little country lawyers who have been picked up all over the United States and put into these positions, who by reason of their local ability or their standing in their own communities were never entitled to take charge of any legal activity of the Government. I have been sorry that I retained Gen. Ansell, because I know that retaining him and paying him $15,000 in legal fees has cost him fifty or sixty thousand dollars, and any lawyer of his standing or of the standing of many Members of this House, who takes a position with the Government commensurate with his legal ability, if he is a lawyer of skill and ability, is going to lose money by reason of it.

I resent also the imputation made by another gentleman of this House that he was at one and the same time representing this Government and this notorious slacker, Bergdoll. As a matter of fact, Gen. Ansell's services with this committee were terminated long before he was retained by Mr. Gibboney, a very eminent lawyer of Philadelphia, to assist in the legal presentation on behalf of Bergdoll in the court-martial case in trying to secure a reversal of it. There is no reason why he could not act for the committee and act for Bergdoll.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I will ask for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. When I finish this statement in reference to Gen. Ansell. There is no reason why he could not with propriety have acted in both of those positions, but it happens that he did not do so and the insinuation is unfair. Now, I want to say while this Ansell business is being brought up——

Mr. FLOOD. Will the gentleman yield right there?

Mr. JOHNSON of South Dakota. Wait until I finish the statement, and then I will first have to yield to the gentleman from Tennessee [Mr. BYRNS], to whom I have promised to yield. Much of the attack that is being made upon him and will be made upon him to-day will be made by those men who have fought in every possible way to prevent any change in the rules of court-martial procedure. I want to say, without any feeling of diffidence, that the attack which will be made will be made by those men who threw every stone in our way, when they got in the path of Senator CHAMBERLAIN, of Oregon, in my path, and in the path of Representative GOULD, of New York, and Gen. Ansell, in the effort to revise the court-martial law. It was necessary to attack the revision with a club, and we did, and to secure——

Mr. BYRNES of South Carolina. I trust the gentleman is not referring to me.

Mr. JOHNSON of South Dakota. I am not referring to the gentleman. I am referring to the gentleman whom I expect to take the floor in reference to this case, for it is evident we are going to have a field day in its discussion.

Mr. GOOD. I will state to the gentleman it is evident to me we are not going to have a field day on it. We will pass the appropriation bill to-day.

Mr. JOHNSON of South Dakota. I am glad the gentleman takes that attitude. I am only resenting insinuations the gentlemen make about this matter, and if there is to be a field day I am hoping to be present. I said the charges that will be made will be made because of the fact that in order to secure reform in the court-martial law it was necessary to make attacks on the views of certain Regular Army officers. That law is changed; it is a thing of the past, and it is useless to discuss it, but if animus is shown by men who opposed us in that fight, we may be forced to discuss it. Now I will yield to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. The question I intended to ask the gentleman was more pertinent at the time I rose. The gentleman referred to the fact that these investigations were going to cost $200,000. Now, I find from the hearings that more than $181,000 have already been expended, and I want to ask the gentleman whether or not he was correct in his statement. I have understood that there were numerous other bills now unpaid which have not yet been presented to the Clerk of the House for payment.

Mr. JOHNSON of South Dakota. Replying to that, I can not answer in reference to other subcommittees, but there is a very small number of stenographers' bills that will come from the subcommittee of which I happen to be chairman. As a matter of fact the main committee by resolution terminated the investigation on yesterday, and the other subcommittees must report to the main committee by a week from yesterday. Their reports must be written and given to the main committee.

Mr. BYRNS of Tennessee. Then I understand it is the purpose of the full committee to make its report within the next week or 10 days of the total expense incurred by these different subcommittees?

Mr. JOHNSON of South Dakota. The total expense should be before this House in 10 days.

Mr. BYRNS of Tennessee. The gentleman referred a moment ago to the amount of service rendered by Gen. Ansell, and stated that his subcommittee, I believe, had approved bills amounting to $15,000 for his services.

Mr. JOHNSON of South Dakota. Approximately that amount.

Mr. BYRNS of Tennessee. I want to ask the gentleman for what length of time those services were rendered, or, in other words, whether or not they were approved at the rate of $20,000 per annum.

Mr. JOHNSON of South Dakota. They were approved at the rate of $20,000 per annum.

Mr. BYRNS of Tennessee. Now, the gentleman further referred to the fact that he had taken the case at a loss of some $50,000 or $60,000 to himself. The gentleman does not mean to say by that that Gen. Ansell abandoned all of his other law practice and devoted himself and his firm exclusively to the work in hand during the time that he performed this service for the subcommittee?

Mr. JOHNSON of South Dakota. It will be a pleasure to answer the question of the gentleman, because anticipating this I put in some time in going into this. Gen. Ansell was a member of the firm of Ansell & Bailey. Gen. Ansell was retained and he devoted all of his time, with the exception of two or three cases, in which he took some part during the time that he was retained, and that time was taken when the committee was not in session.

I think he tried two cases, as I remember it—there may have been three—which did not take a great deal of time. The firm's business, conducted by Mr. Bailey, ran right along.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. I ask unanimous consent to proceed for one minute to answer the gentleman from Virginia [Mr. FLOOD].

Mr. FLOOD. The gentleman has referred to the time that Gen. Ansell's connection with the subcommittee No. 3 ceased. What was the date of that?

Mr. JOHNSON of South Dakota. It was along about last June, at the time Congress recessed, or a short time before that.

Mr. FLOOD. When did his services begin and when did they end?

Mr. JOHNSON of South Dakota. I can not give the exact date, but it was approximately nine months.

Mr. FLOOD. Nine months from the 1st of June, 1920, counting backward?

Mr. JOHNSON of South Dakota. Just before the subcommittee started on its investigation, and during the time we were in France he prepared the outline for the investigation.

Mr. FLOOD. The subcommittee went abroad about August 10. I want to say to the gentleman I am a member of the subcommittee, and I never was called into any meeting of the committee that had anything to do with the employment of Gen. Ansell or for fixing his compensation.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for four minutes.

Mr. GOOD. Pending that, Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes.

Mr. FREAR. Mr. Chairman, reserving the right to object, I would like five minutes of that time.

Mr. GOOD. I thought the gentleman wanted one minute.

Mr. FREAR. I want five minutes.

Mr. GOOD. Then I will make it 14 minutes.

Mr. BYRNS of Tennessee. I would like five minutes.

Mr. GOOD. Then I will make it 20 minutes.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I object.

Mr. GOOD. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 20 minutes.

The motion was agreed to.

The CHAIRMAN. The gentleman from South Dakota [Mr. JOHNSON] asks unanimous consent to proceed for four minutes. Is there objection?

Mr. GOOD. That is to be taken out of the time fixed.

The CHAIRMAN. The Chair hears no objection.

Mr. FLOOD. Mr. Chairman, I wish to complete my statement.

Mr. JOHNSON of South Dakota. I yield for a question and not a statement.

Mr. FLOOD. I asked the question, and then proceeded to make a statement.

Mr. JOHNSON of South Dakota. I yield for a question, but not an extended statement. I have only four minutes.

Mr. FLOOD. What I wanted to say was—and I do not think the gentleman will object to this part of it—I had no objection to the employment of counsel, because the full committee authorized the subcommittee to employ counsel. As to the statement that the subcommittee employed Gen. Ansell, it should be qualified by the further statement that the employment was made by the majority of the subcommittee.

Mr. JOHNSON of South Dakota. I can not yield for any further statement, because I have not the time. If the gentleman has any question to ask, I would be glad to answer it.

Mr. FLOOD. I rose for the purpose of finding out when this employment was made and what the rate of salary was. I have heard rumors around the House, but I have never been able to find out accurately in regard to it.

Mr. JOHNSON of South Dakota. I will absolve the gentleman from all responsibility in reference to hiring counsel. If the gentleman had had anything to say about it there would not have been any investigation.

Mr. FLOOD. That statement is not borne out by anything that occurred in the proceedings of subcommittee No. 3. I have always been in favor of the investigation. I voted for every fair investigation, and every investigation that this subcommittee had jurisdiction to take charge of, since it organized in June, 1919. I only protested against this committee reaching out and taking jurisdiction to which it was not entitled.

Mr. JOHNSON of South Dakota. I refuse to yield further.

Mr. BRAND. Will the gentleman yield for a question?

Mr. JOHNSON of South Dakota. A question or a statement?

Mr. BRAND. A question.

Mr. JOHNSON of South Dakota. I will yield for a brief question.

Mr. BRAND. Does the gentleman know when Ansell was admitted to the bar and how long he has practiced law?

Mr. JOHNSON of South Dakota. I can not give the information. I can tell the gentleman that he is a lawyer——

Mr. BRAND. When was he admitted to the bar?

Mr. JOHNSON of South Dakota. I do not think it makes any difference.

Mr. BRAND. The gentleman claims that he is a lawyer and that he is being paid at the rate of $20,000 per year, and I think it is material to know. My information is he is a West Point man, and if he has practiced law at all, not over two years.

Mr. JOHNSON of South Dakota. I refuse to yield further. I know he is a good lawyer. I do not think the gentleman would dispute it, except for partisan reasons.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. WINGO. Mr. Chairman, I suppose no one in the House has a more kindly feeling or a higher personal regard for the gentleman who has just addressed the House than I have. I am sorry—and it is so contrary to his usual course—I am sorry that he saw fit to charge those of us who made any suggestion—and Mr. BYRNES of South Carolina and I were the only ones that made any suggestion about Ansell—were opposed to the investigation. If the gentleman knows the record, he knows that it is not true in my case. As a matter of fact, Mr. Chairman, the record shows that I insisted on examination by the proper committees of this House into the expenditures of all the war activities at the time those expenditures were being made. I did everything that I could to have it done then, and I made the statement upon this floor of the facts on which I predicated my demand. But gentlemen upon that side, as well as gentlemen upon this side, said it was not wise. I am not criticizing that. There was a great deal of argument for opposing it, and the President himself thought it was not wise to have that investigation going on at the time. I did not oppose a revision of the court-martial rules. The gentleman ought to know that, if he knows anything. Of course, I absolve him of any intention whatever to reflect on me. You take a gentleman of his great activity, naturally he can not keep up with the record of an humble Member like myself. But, Mr. Chairman, the statement that is made with reference to this attorney, Ansell, was along the line of an inquiry with reference to a newspaper report, which I understand he did not deny, that his firm did get a $100,000 fee to aid the slacker Bergdoll. The gentleman said he employed him at the rate of $20,000 a year, and he suggested that by doing that he did him a great injury, because he could have made $50,000 or $60,000 additional. I appreciate that personal sacrifice on the part of Gen. Ansell. He is an estimable gentleman, his friends say, and he must be a great lawyer, if that is true. But there are Members on this floor who, if they declined to take the oath of office on March 4—and they could not do it prior to that time—but if they declined to take the oath of office on March 4 they could make some pretty handsome fees by representing clients in cases in which the Government is a party. But they are not going to do it, because their service in this House is not based on a love of dollars.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. MADDEN. I want to say this: That no reputable lawyer in the country would take a case like the Bergdoll case, in my opinion. That is all.

Mr. WINGO. While I agree personally, that is a question for a lawyer to determine for himself, and that opens up a wide controversy that I shall not go into. But it is not fair that the gentleman should insist that we were not willing to have an investigation made. The RECORD shows that the investigation was opposed vociferously by gentlemen on that side, and, furthermore, the RECORD shows that we were in favor of an investigation. I will tell you that gentlemen ought to realize——

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WINGO. There were many people in this country just as patriotic as the gentleman from South Dakota, who were in favor of a bona fide investigation to find the grafters, if they could find them, and prosecute them, but they were opposed to the Federal Treasury being drawn upon for an investigation that appeared to be purely a muckraking scheme to get campaign material. A great many men objected to that, and then there are other men who always oppose extravagant allowances for fees to lawyers.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that the gentleman from Arkansas may have half a minute more.

Mr. WINGO. I ask for one minute more so I can yield. There is an odd minute here.

Mr. BYRNS of Tennessee. Mr. Chairman, is that going to cut me out of my one minute? A parliamentary inquiry, Mr. Chairman. I understood when the gentleman from Iowa [Mr. GOOD] made his request to limit the time to 20 minutes he included 5 minutes for me, because I rose when he asked for 15 minutes, and I said I wanted 5 minutes, and then he amended his request and made it 20 minutes. Now, the Chair sends me word that I have only one minute.

The CHAIRMAN. The Chair will state according to his understanding—and he assumes that that was the understanding—that there still remains 11 minutes, in which he has agreed to recognize the gentleman from Wisconsin [Mr. FREAR] for 4 minutes and the gentleman from Illinois [Mr. IRELAND] for 4 minutes and the gentleman from Iowa for 2 minutes.

Mr. WINGO. I simply wanted a minute to give the gentleman from South Dakota [Mr. JOHNSON] an opportunity to ask his question. I withdraw my request.

Mr. MANN of Illinois. Mr. Chairman, I ask that the time be extended five minutes, and that the gentleman from Tennessee be allowed five minutes.

Mr. MOORE of Virginia. Mr. Chairman, I suggest that the gentleman extend the time a little further. It is a very interesting subject.

Mr. GOOD. But it is not important.

Mr. MOORE of Virginia. I think it is important.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the time be extended five minutes, and that the gentleman from Tennessee [Mr. BYRNS] be allowed five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR] is recognized for four minutes.

Mr. FREAR. Mr. Chairman, I wish to make a statement of facts that should be understood by Members of the House. To show you the spirit of self-sacrifice which has been followed

by some of the ablest men of this country during the war—and it relates directly to this question of engaging lawyers—I will say that the President of the United States appointed two lawyers to make an investigation of aircraft. One of those lawyers was Charles E. Hughes. Another was Meier Steinbrink, of Brooklyn. You know the ability of Mr. Hughes. You know what he could earn. Mr. Steinbrink, I am informed, charges from $100 to $300 a day when engaged for his work. Mr. Hughes and Mr. Steinbrink gave five months of their time exclusively to that investigation of aircraft, and never accepted a cent in payment for that service, and it ought to be placed in the RECORD.

Mr. IRELAND. Mr. Chairman, will the gentleman yield?

Mr. FREAR. I regret I can not.

Mr. IRELAND. But I would like to correct the statement the gentleman has made.

Mr. FREAR. It is a statement I have that they never accepted a cent for such compensation.

Mr. IRELAND. I have a minute here to the effect that in 1919 a voucher was paid to Mr. Steinbrink for $3,000.

Mr. FREAR. Oh, that is the unfairness of this man, whose permission we forgot to first ask, who does not know what he is talking about. My statement is that these gentlemen, these lawyers, gave five months of their time to the investigation of aircraft at the direction of the President of the United States and never took a cent. That is a fact.

Now, when we were appointed as an investigating committee the question came up with us, Shall we investigate the Dayton proposition where an expenditure of $50,000,000 had been made? Shall we spend money of the Government on this investigation, which would cost from $10,000 to $20,000, on a branch of the investigation which had previously been covered by Mr. Hughes? Then we employed Mr. Steinbrink, his assistant counsel. I asked him what compensation he wanted. He said: "I get from $100 to $300 a day, depending on nature of the service; but," he added, "you can pay me anything you choose." I said: "In all fairness, Mr. Steinbrink, I think $3,000 is as much as the committee can afford to pay," and this was the amount agreed upon by our committee with Mr. Graham, and I suggested that he give to the committee what time he could afford. He gave his time to us and advised us about conditions at Dayton. He went to Dayton, he examined witnesses in New York, and give us much valuable advice. We saved to the Government about $10,000 by not going over the same investigations held at Dayton—by following the advice of Mr. Hughes and Mr. Steinbrink, who had thrashed over the ground. We knew nothing about it in advance and gave our time to other branches of the investigation. Mr. Steinbrink gave us the benefit of his advice and services, and we thought that that was public economy. We believed that was the thing to do. Regarding the expense of investigations, we found on the coast that 2 miles of a logging railroad up in Washington had cost the Government over $200,000. That amount would pay all the expenses of all these five investigating committees, yet $4,000,000 was paid for one logging railroad of 36 miles that never carried a log. This was only one of a dozen railways that in the aggregate cost $10,000,000 that never hauled logs. This was one small item of expense investigated.

They built many miles of railroad for the purpose of carrying logs that never carried a log, as stated. Of course, that may not have any relation here, but we were investigating an expenditure of over $1,000,000,000 for aircraft. I say this in all fairness, speaking for my own committee, we paid $3,000 for an attorney apart from 4,000 pages of testimony taken by members of the committee, and we tried to keep up part of our work here.

Mr. Hughes and Mr. Steinbrink willingly gave their time to the Government free during the war. I want it known. Speaking of the value of legal services, when some Member is inclined to quibble, the case of Mr. Fitzgerald, who was chairman of the Appropriations Committee, is in mind. He resigned from Congress because he could earn far more in private practice than he received in this House, and you know the case of Mr. Sherley, who got $25,000 a year the moment he left this House. You know of the cases of other men who may resign to-day for the same reason; and I see a gentleman right before me on the Democratic side—a very distinguished gentleman—who received far more in the employ of the Government in a Cabinet position than he received while he was a Member of this House. You have got men here who are not receiving the amount of money that they can earn in other employments in private life; but, as my friend the gentleman from Illinois [Mr. MADDEN] well says, the gentlemen here are not serving for the benefit of every dollar they can get out of the Government in the way of money. We are all contributing what we can toward the public service, and that is the only reward.

We tried to do the best we could in our own committee, as I have stated, and have no apologies to offer. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I am sure that there is no one who objects to an investigation of the expenditures by the Government, either during the war or in peace times. It was my own idea, when the special committee on war expenditures was first suggested, that that work could have been performed just as thoroughly and efficiently and much more economically by the regular Committee on Expenditures in the War Department, which was created under the rules of the House for purposes of that kind. I observe from the hearings, which are very brief, covering only two or three pages, that the sum of $187,000 has already been expended by the various investigating committees, more than $136,000 of which amount represents bills that have been rendered and paid up until January 15 by the committee appointed to investigate expenditures in the War Department. I regret very much that the chairman of the committee did not follow that usual particularity that he always follows in conducting the hearings, and that he did not ask the clerk to file with the committee, so that it could be printed in the hearings for the benefit of all the Members, an itemized statement showing just how that money was expended. It seems to me that the Members are entitled to information as to the particular items of such a large expenditure. I am sorry also that we have no information as to what additional expenses have been incurred in these investigations, although I realize that the Clerk of the House was probably not in a position to form an estimate in advance of the rendition of the outstanding bills or accounts.

Mr. FLOOD. May I interrupt the gentleman?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. FLOOD. I wish to interrupt the gentleman just long enough to make a brief statement, as this debate is about to close. The gentleman from South Dakota [Mr. JOHNSON], chairman of subcommittee No. 3, has gone into the history of Gen. Ansell's employment. I want it understood that while I was on that subcommittee I was never at any meeting at which Gen. Ansell's employment was discussed or when the amount of compensation to be paid him was determined upon. I think that was a courtesy that was due to the minority member of that committee, although the other members of the committee would probably have outvoted me. I certainly should have voted against the employment of Gen. Ansell, because not only do I not regard him as a big lawyer, but I do regard him as a very indifferent lawyer. He was educated at West Point at the expense of the Government, educated as a soldier. He had been a soldier in the pay of the Government all of his life until a few weeks before he stepped out of his position as an officer of the Army of the United States to take this lucrative employment given him by subcommittee No. 3 on War Expenditures. I would have had no objection to the subcommittee employing counsel, but I did not approve and would not have approved of the employment of that particular counsel. I had no objection to any investigation this committee undertook to make that was within the province and jurisdiction conferred upon them by the House resolution or the full committee. This committee was appointed to investigate the expenditures made by the American Expeditionary Forces in France, England, Russia, and Belgium. I insisted from the very beginning that they make those investigations, but they declined to do it until my insistence was carried to the full committee, and the full committee practically instructed them to do it, and that resulted in the calling of Gen. Charles G. Dawes and other witnesses who had accurate knowledge of those expenditures. I voted for this investigation. I favored this investigation, and I have favored every step taken by this committee to develop the expenditures made by the American Expeditionary Forces while we were engaged in the Great War.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. FLOOD. I thank the gentleman from Tennessee for his time.

Mr. GOOD. Mr. Chairman, when this matter came before the committee we did not go into the question as carefully as perhaps we should, and I think the criticism of the gentleman from Tennessee in regard to the chairman not following up the matter in detail more closely is a valid criticism. I shall attempt when the expenditure is completed to have put in the RECORD a complete statement showing the fees and expenditures, as we have done before as to similar expenses. I want to say that the total amount expended by the committee during the Congress is not large for investigation. It is small in comparison with the amount expended by investigating committees in other Congresses. Five investigating committees only spent $187,000; the Committee on War Expenditures, $137,000; the Shipping

Board, $31,000; and the Committee on Immigration and Naturalization, $8,000.

Mr. BYRNES of South Carolina. The gentleman means that $187,000 is all that has been expended to date.

Mr. GOOD. Yes. In former Congresses, the Democratic Congress paid out in investigations of the Money Trust alone to two lawyers $24,500, to Samuel J. Untermyer $15,000 and to H. P. Willis $9,400. I do not believe in these large expenditures for attorneys' fees. I think in the main the work should be done by the members of the investigating committees, and when we conduct our investigations in that way we secure the services of great lawyers without cost. After all, whether Congress is controlled by that side of the House or this side of the House, we have indulged for years and years in this same practice of paying substantial attorney fees, and I doubt if any real criticism can be made of a committee that has investigated billions of dollars of expenditures where this comparatively small amount for investigation has been expended. It seems to me that the expenditures have been small, very much smaller than I anticipated when we passed the resolution. I do not believe there can be very much real criticism levied at the work of the committee as far as the expenditure is concerned, although they may have paid more for counsel than ought to have been paid.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Yes; if I have the time.

Mr. BLANTON. If all of the subcommittee chairmen had pursued the policy of our distinguished statesman from Massachusetts, Mr. WALSH, we would not have had any of these enormous sums of the people's money paid out for lawyerettes.

Mr. GOOD. They were following the footsteps of previous Congresses, where they paid out $34,400 for lawyers' fees.

Mr. BLANTON. Not in investigations of the importance of those conducted by the gentleman from Massachusetts [Mr. WALSH].

Mr. GOOD. The gentleman from Massachusetts is an able man and a good investigator, and is setting a fine example which ought to be followed. That is the way we should make our investigations—do the investigating ourselves.

The Clerk read as follows:

To pay the widow of CHARLES F. BOOHER, late a Representative from the State of Missouri, $7,500.

Mr. GOOD. Mr. Chairman. I offer the following amendment.

The Clerk read as follows:

Page 44, line 9, insert the following: "For reimbursing the official stenographers of committees for the amounts actually and necessarily expended by them during the third session of the Sixty-sixth Congress, $500 each, $2,000."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. McCLINTIC. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee as to this item of $300 for taking care of the Speaker's car. Is not that entirely inadequate? I would like to know if this is the usual sum.

Mr. GOOD. That is merely a deficiency amount for repairs to the car. I offer the following amendment which I send to the desk.

The Clerk read as follows:

Parliamentary precedents: There shall be printed and bound 2,500 copies of Hinds' Precedents of the House of Representatives of the United States, with reference to such cases of procedure in the United States Senate as may be useful in connection therewith, and also with reference to such laws of Congress as may relate to the House of Representatives and its membership, with a supplement thereto bringing such precedents down to date. Such compilation shall be of the typographical style, size of page, and of the style of indexing used in House document No. 576, Fifty-fifth Congress, second session, known as "Parliamentary Precedents of the House of Representatives of the United States," and shall be divided into volumes each approximately of the size of the said House document No. 576. The sets of volumes shall be distributed as follows: One set to each Representative, Delegate, and Senator in the Sixty-sixth Congress and one set to each Representative, Delegate, and Senator in the Sixty-seventh Congress who is not a Member of the Sixty-sixth Congress; 1 set to each committee room of the House and Senate; 10 sets to the Library of Congress; 10 sets each to the House and Senate libraries; 500 copies for distribution to the State and Territorial libraries and designated depositories as in the case of documents printed under section 54 of the act approved January 12, 1895 (28 Stat., 608), and when such precedents are prepared the Superintendent of Documents of the Government Printing Office shall notify each of the State and Territorial libraries and designated depositories that such precedents are available for distribution to them if requested within 90 days after the receipt of such notice, and any sets remaining at the end of such period shall be delivered by the superintendent of documents to the doorkeeper of the House of Representatives for disposal as provided for herein; and the residue to the folding room of the House, to be distributed by the doorkeeper, commencing with the Sixty-eighth Congress, one set to each Representative, Delegate, or Senator who has not previously received one. The supplement shall be prepared by Clarence A. Cannon, who shall also prepare a complete index digest of the work and supervise the printing thereof without compensation. The plates used in printing the work shall be the property of the Government and shall be preserved for such future use as may be hereafter authorized. The cost of printing and binding such precedents shall be charged to the allotments for printing and binding for Congress current at the time of the performance of the work.

Mr. WINGO. Mr. Chairman, I reserve the point of order. As I gather from the reading of the amendment, it is not a copy of the amendment which I had understood was going to be offered. The amendment that is offered goes further than the one I have in mind. It provides for no distribution of them until the Sixty-eighth Congress. Is that true?

Mr. GOOD. No; it provides for one copy to each Member of the present Congress, one copy to each Member of the Sixty-seventh Congress who is not a Member of this Congress, and then one copy to each Senator, Delegate, and Commissioner, one copy to each Senate committee, one copy to each House committee.

Mr. WINGO. I understand that, but that is immaterial so far as the point that I have in mind is concerned. It does contain the following language:

Such compilation shall be of the typographical style, size of page, and of the style of indexing used in House Document No. 576, Fifty-fifth Congress, second session, known as "Parliamentary Precedents of the House of Representatives of the United States," and shall be divided into volumes, each approximately of the size of the said House Document No. 576.

Mr. GOOD. That language is all in. I will say to the gentleman that when the matter was presented to the committee it called for three copies to each Member of the House. That would exhaust the entire edition of 2,500 sets.

Mr. WINGO. I am not complaining about the number in the distribution.

Mr. GOOD. We cut it down to one copy, and then inserted language in regard to the depository libraries. There are 476 depository libraries, each of which would receive one copy under the former amendment. Some of these depository libraries simply throw the books into the wastebasket. We provide here that notice shall be given to the depository libraries, and if they request it a copy shall be sent, and if they do not request it, then within 90 days the number remaining would go to the Doorkeeper of the House, to be distributed to the new Members as they come in in succeeding Congresses.

Mr. WINGO. Those things are immaterial. It is the form of it and the size of the volume that I have in mind. I have now in my hand volume 5 of Hinds' Precedents. There is no question that Mr. Hinds deserves great credit, and I have very great respect for him, and I believe if he were here to-day—and I base this statement on statements that he made to me in conversation while living—he would want to do what was done then, follow the customary form of digests at that time. But if he were living I think he would insist that we come down to a more modern state. Here is volume 5 of Hinds' Precedents and here is another book in my hand which weighs less and is smaller, and yet has over three times as much material in it. As I understand it, the gentleman who is doing this work is the only one who can bring it down to date accurately and promptly, but this amendment leaves him no discretion. He has to have a reprint of Hinds' Precedents regardless of whether there is obsolete matter contained or not, and in addition to that he has to have this large margin and must use this heavy paper and use this large-sized book. Why not cut that out and let the gentleman under the direction of the Speaker and the present parliamentarian give us this reprint or this revised edition of Hinds' Precedents in forms that will be modern.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. MANN of Illinois. Mr. Chairman, is the gentleman going to make the point of order.

Mr. WINGO. I have reserved the point of order.

Mr. MANN of Illinois. I think we ought to know whether the gentleman is going to make it.

Mr. WINGO. I am asking the gentleman from Iowa whether he would be willing to have that reprint eliminated.

Mr. MANN of Illinois. Is the gentleman going to make the point of order if it is not eliminated?

Mr. WINGO. Oh, that brings on more conversation, and I would not want to answer it right now.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GOOD. I would say to the gentleman that the language to which he objects is language that Mr. Cannon brought to the committee and asked the committee to adopt. This does not provide that the book shall contain the same weight of paper, but it does provide that it shall be of the same size, because Mr. Cannon has figured out that he will reprint or have reprinted five volumes from the same plates. If you are not going to reprint these five volumes, then you will have to make new plates of a smaller or a larger size.

Mr. WINGO. I will ask the gentleman to wait and use his own time, for mine is limited. Here is the point that I want to make: The language of the amendment that the gentleman has offered will compel Mr. Cannon to use practically this same paper and size and everything else. I am opposed to reprinting from the old plates, including all of the obsolete matter. It is the purpose to send these out to libraries throughout the country. You are going to have 10 large volumes, like this which I hold in my hand. Why is it that these are not used any more than they are? It is because they are cumbersome. You have a lot of obsolete matter, and if Mr. Hinds were living he would cut out fully 20 per cent of the text of these old reports.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WINGO. In just a moment. Even if that be true you can print it on thinner paper and have a narrower margin and can have a smaller volume and use modern forms. You can use black-face type in a size that is sufficient and of smaller size than this, which will be more easily read even by weak eyes. You can save a lot of wasted space that will not only cost less money, but which will not take up the space for years in the libraries and in our own rooms. I now yield to the gentleman from Illinois.

Mr. MANN of Illinois. These sets probably will not be sent to all libraries, if I understand the amendment. They are useful practically only in the House. The gentleman refers to the margin on the printed page. I do not know how it is with others, but that margin in my set is very valuable to me for the purpose of making notes. No one can follow the precedents without making marginal notes in the volumes. The gentleman speaks of obsolete matter. There is no obsolete matter in the history of parliamentary law.

Mr. WINGO. There are some obsolete decisions predicated on rules that have been supplanted.

Mr. MANN of Illinois. All rules are a growth, and decisions relating to all rules are valuable. In the gentleman's reasoning he would say that Jefferson's Manual is largely obsolete.

Mr. WINGO. But here is the point which the gentleman overlooks. We still have in the Library here available the present copies of Hinds' Precedents, these old sets, but I would not destroy them. We are trying to bring down for present use the edition, so as to have this work current and up to date. That is all we are trying to do. Now, why not do that? Why say that you must have it of the same size?

Mr. MANN of Illinois. It is not intended to rewrite Hinds' Precedents to be brought down to date. That adds to the reason there should be plenty of margin, because you frequently make cross references on the old volumes and you put them in the new volumes if you keep up to date.

Mr. WINGO. Well, that may be true, but I do not think we ought to have the size. I think——

Mr. MANN of Illinois. Well, a gentleman suggests that we print these on India paper. If it is done I will not read it. That would not be a loss, perhaps, but might make trouble at times.

Mr. WINGO. Not necessarily on India paper, but there is other paper of less weight and less expensive.

Mr. MANN of Illinois. I want to get a plain print on good paper if I am going to read it. [Applause.]

Mr. WINGO. That is exactly what I want.

Mr. MANN of Illinois. We older men not having the bright healthy eyes which the gentleman from Arkansas has——

Mr. WINGO. I decline to yield further, that is not information to me at all. I generally get information from the gentleman. Here is the point and then I will conclude. Of course, I am not going to object, I think we ought to have it, but I do suggest that you ought not to bind it down to a particular size.

Mr. GOOD. It will cost $25,000 more to change the size of the plates.

Mr. WINGO. What is the paltry cost of a few thousand dollars on a work like this? It takes the same place in this body that the digest of the Supreme Court reports take to a lawyer, to the ordinary practitioner. There is not a State in the Union where there is any such cumbersome digest of the decisions of the courts as in the House of Representatives. You can condense all of this text in lines that read easier for gentlemen's eyes, and mine are not as good as they used to be, you can have a better type, better paper, a volume not so cumbersome, that will read easier and is more easily referred to.

Mr. GOOD. We have followed in this resolution the same language that was used when the second edition was authorized. The paper is altogether different and there is nothing in this resolution that specifies the kind of paper at all.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, I want to ask a question. Do I understand the chairman of the committee to say that a sufficient number were to be printed to take care of the Members of the next Congress and the succeeding Congress?

Mr. GOOD. Yes; and perhaps for 6 or 7 years; I should say 10 years.

Mr. McCLINTIC. I understood the chairman further to say that the plates were to be retained?

Mr. GOOD. Oh, yes.

Mr. McCLINTIC. So that succeeding sets of these Hinds' Precedents could be printed?

Mr. GOOD. Oh, yes.

Mr. McCLINTIC. Does not the gentleman think it best at the present time only to print about a thousand sets?

Mr. GOOD. No; it takes more than that, and while on the press the work will be a great deal cheaper. It takes more than a thousand; it will take about 1,311 simply to take care of this Congress, the next Congress, the libraries, and so forth.

Mr. McCLINTIC. In other words, is it contemplated to send it to all the little libraries over the United States?

Mr. GOOD. No; just the depository libraries, as required by law. We have got to provide those, and those we do not intend to send until they are asked for.

Mr. WINGO. Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The question is on the amendment.

Mr. WINGO. Mr. Chairman, I want to offer an amendment to the amendment. I move to strike out the following language:

Such compilation shall be of the typographical style, size of page, and of the style of indexing used in House Document No. 576, Fifty-fifth Congress, second session, known as "Parliamentary Precedents of the House of Representatives of the United States," and shall be divided into volumes each approximately of the size of said House Document No. 576.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WINGO to the amendment offered by Mr. GOOD: Strike out the following language:

"Such compilation shall be of the typographical style, size of page, and of the style of indexing used in House Document No. 576, Fifty-fifth Congress, second session, known as 'Parliamentary Precedents of the House of Representatives of the United States,' and shall be divided into volumes each approximately of the size of the said House Document No. 576."

Mr. GOOD. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. Now, Mr. Chairman, I simply want to say, if I can have the attention of the committee, that the amendment that I offer does not affect anything except the size of page and the size of volume and typographic style. Now, remember this language I move to strike out covers something else besides size of page, it says size of volume. That precludes the gentleman who has charge of it from using a smaller volume, even if he can find thinner paper that will be a better paper—a cheaper paper, yet a better paper—than this heavy card paper.

He might be able to get a better alignment on the page, different spacing at different places, where now there is a great deal of waste. In addition to that, even if he did so, he would be compelled to use the same size of volume, of the same thickness, length, and breadth. I say to leave the latitude to the Speaker, the parliamentarian, and Mr. Cannon, so that they can exercise such judgment as they see fit in the improvement of the size, both of the page and volume and in the style that they want. With my amendment I leave them untrammeled as to that. Let them bring it down to date. I am the last man in this House that wants to destroy the monument to Mr. Hinds, but I want to make it a greater monument in its form and make-up, so that it will be more readily usable by Members of the House. That is the real purpose of my amendment. It does not destroy the work at all.

Mr. WALSH. Will the gentleman yield?

Mr. WINGO. I will yield to the gentleman.

Mr. WALSH. Does the gentleman contend that because the amendment requires this to be printed in the same size, it would preclude them from using a different kind of paper?

Mr. WINGO. Yes. Suppose you use a paper that is one-half as thick as the kind that is now used; then it would make the volume half as thick.

Mr. WALSH. It says the same size of page.

Mr. WINGO. That is not all I move to strike out, but I include size of volume. They divide it into volumes of approximately the same size. If they wanted to do the same thing exactly, they could do it if the amendment is adopted. My idea is to leave the Speaker, the parliamentarian, and Mr. Cannon to use some judgment about it.

Mr. GOOD. There [exhibiting] is the original Hinds' Precedents, and when they provided for the printing of it they provided it should be of the same size, and of course the gentleman's interpretation of that language is not correct, because they used different type.

Mr. WINGO. The gentleman's suggestion is that my amendment is not necessary, because they will not pay any attention to the restrictions my language moves to strike out. If it be true, they could do it, but it leaves them unrestricted. All I am asking is that you cut out the restriction as to size of volume, size of page, and the size of type, and everything else, and leave that to the men that it ought to be left with—the Speaker, the parliamentarian, and Mr. Cannon, men who know how the work ought to be done. Those are the men to whom it ought to be left.

Mr. MANN of Illinois. Mr. Chairman, if the gentleman's amendment should be adopted, it would not leave to the Speaker or the parliamentary clerk or to Mr. Cannon any control whatever over the size or character of the volumes. It would leave it to the Printing Office. It is very possible that the Printing Office would follow the existing size of the volume. It is——

Mr. WINGO. Will the gentleman yield right there? The gentleman overlooked the fact that the act provides that the printing shall be "under the direction" of Mr. Cannon.

Mr. MANN of Illinois. It does not provide that Mr. Cannon shall fix the size of the volume.

Mr. WINGO. What does it provide if that provision is in?

Mr. MANN of Illinois. If it strikes it out it leaves it to the Printing Office.

Mr. WINGO. I am not moving to strike it out.

Mr. MANN of Illinois. I understand what the gentleman is moving to strike out. What is the fact? The present volumes will be reprinted from the present plates. It would be highly desirable if the new matter could be inserted in the old volumes and have it all in one volume. It would be highly desirable, but would be very expensive, and in order to avoid that expense the amendment provides for printing the existing volumes over again from the existing plates. Now, anybody who consults Hinds' Precedents will admit, I think, that it is desirable to have all the volumes much alike, so as to go in the same place in the bookcases. The gentleman has proposed that the size of the volumes be changed, and you would have one volume of Hinds' Precedents this size and another volume perhaps half this size. I do not think that is desirable.

Mr. LINTHICUM. What would be the additional cost of printing them properly with new plates and inserting the new matter? That ought to be done.

Mr. MANN of Illinois. There would be not only additional cost, but it would require a revision, by the gentlemen in charge, of the old plates, and that would take several years' time.

Mr. WINGO. Why does the gentleman think that if my amendment is adopted they would be compelled then to have a different size of volumes?

Mr. MANN of Illinois. I do not think they would be compelled to do so.

Mr. WINGO. Why does the gentleman think it would do it?

Mr. MANN of Illinois. It would permit different size of volumes, because that is what the gentleman proposes.

Mr. WINGO. No.

Mr. MANN of Illinois. Well, I heard the gentleman.

Mr. WINGO. I did not propose that. That is the thing I am complaining about.

Mr. MANN of Illinois. The gentleman objected to the size of these volumes, if I understood his speech, and I listened to him for 15 minutes.

Mr. WINGO. I did not object to uniform size.

Mr. MANN of Illinois. I am glad he did not say it, then. I am trying to be fair. Maybe I am not intelligent. I listened to the gentleman, however, and got from him the best information I could.

Mr. WINGO. The gentleman is intelligent, but I did not say that.

Mr. MANN of Illinois. I trust the gentleman will not take my time.

Mr. WINGO. Then, I wish the gentleman would be accurate in quoting me.

Mr. MANN of Illinois. I am accurate. The gentleman has forgotten what he said.

Mr. WINGO. The gentleman evidently misunderstood what I said.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN of Illinois. The gentleman has frittered away my time, of course, as usual. [Laughter.]

Mr. WINGO. I rendered at least one good public service. [Laughter.]

Mr. MANN of Illinois. The best public service the gentleman has ever rendered to the House. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas to the amendment offered by the gentleman from Iowa [Mr. GOOD].

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GOOD].

The amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I offer an amendment which I think will be acceptable to the committee.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 44, after line 9, insert: "After March 4, 1921, those members of the Committee on Ways and Means who are Members elect of the House to the Sixty-seventh Congress, or a majority of them, until the meeting of the first session of the Sixty-seventh Congress, are authorized to employ such expert, clerical, and stenographic services, and to gather such information, through Government agents or otherwise, as to them may seem fit in the preparation of a bill or bills for the revision of the present tariff law; and they are authorized to have such printing and binding done, and to incur such other expenses as may be deemed necessary; all the expenses hereunder, except for printing and binding, not exceeding $1,000, to be paid out of the contingent fund of the House on the usual vouchers approved as now provided by law."

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the amendment.

Mr. GREEN of Iowa. Mr. Chairman, this provision is in the same language as the provision that was adopted at the time the tariff law of 1913 was enacted. The only difference is that this does not go quite so far as the provision that was adopted at that time. No provision is made beyond the opening of the session, and the amount carried by this provision instead of being $10,000 is only $1,000. As a matter of fact, I think we shall not need that much. But I would say to the gentlemen of the House that the Committee on Ways and Means will necessarily sit during the vacation, and during that time we would have to have some additional clerical help. For clerical help alone I presume half of this sum will be sufficient. It may be necessary, however, for us to summon in some witnesses, and we ought to have a fund that we can use for that purpose if necessary. I have put the amount at a very low figure, and I trust there will be no objection to the amendment.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BLANTON. I notice a limitation is placed upon the amount that can be paid for clerical help, that it shall not go beyond $1,000. I notice that no limitation is placed on other expenses.

Mr. GREEN of Iowa. Oh, yes. A limitation is placed on all.

Mr. BLANTON. There is no chance of Gen. Ansell getting in here with a $20,000 fee on this committee for advice, is there?

Mr. GREEN of Iowa. No. There is to be no expense of counsel.

Mr. BLANTON. I just wanted to head off any chance of his getting in on this committee.

Mr. GREEN of Iowa. We will have lawyers if we have any.

Mr. BLANTON. Not lawyerettes?

Mr. GREEN of Iowa. Yes.

Mr. GOOD. Mr. Chairman, does the gentleman withdraw his reservation?

Mr. BLANTON. I withdraw it on the assurance of the gentleman.

Mr. GARRETT. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GARRETT. Are those people now appearing before the committee appearing as summoned witnesses?

Mr. GREEN of Iowa. Oh, no. They are appearing entirely on their own motion and are not paid. The committee thought it might be necessary—that after these voluntary witnesses during the vacation had been heard it might be advisable to summon other people.

Mr. MANN of Illinois. You could summon them, but you could not pay them.

Mr. GREEN of Iowa. The gentleman is right. We might have to call other parties in for additional information, but I will say to the gentleman that I do not think it will be done. We do not expect to spend over $500.

Mr. GARRETT. The gentleman from Illinois said you could not pay them if you did summon them.

Mr. MANN of Illinois. We have not authorized the subpœnaing of witnesses and there is no committee. The gentleman said this was in the same form as heretofore?

Mr. GREEN of Iowa. Exactly.

Mr. MANN of Illinois. My recollection is that before the Underwood tariff law was passed we provided that Mr. UNDERWOOD should have the disposition of $10,000 for this purpose.

Mr. GREEN of Iowa. This is in practically the same form, but it does not go quite so far and it is not quite so extensive as that project, inasmuch as it makes no provision beyond the opening of the next session.

Mr. MANN of Illinois. I see the old law does not name Mr. UNDERWOOD. I had supposed that it did. I do not know who approved the vouchers in the first instance.

Mr. GARRETT. That is substantially what was done at that time and what was done back in 1909, or very nearly the same thing.

Mr. GREEN of Iowa. Yes. That is correct.

Mr. GARRETT. May I ask the gentleman if he can give us any idea as to whether the committee is likely to be ready to report something by the time the special session convenes?

Mr. GREEN of Iowa. The only information I can give the gentleman is that the committee will work to the extent of its ability and bring forward a bill at the earliest opportunity. It will work, and it will work hard.

Mr. McCLINTIC. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word.

Mr. McCLINTIC. Mr. Chairman, I wish to direct the gentleman's attention to this: It has been unofficially reported that we shall probably have an extra session in two weeks after the 4th of March, but inasmuch as several members of the minority that now serve on the Committee on Ways and Means can not be present to deliberate in these preceedings, I very much doubt the advisability of this particular amendment. In other words, there will be three or four Members that are present, serving on the Committee on Ways and Means now, that will not be present to take part in those deliberations.

Mr. GREEN of Iowa. I suppose the gentleman is familiar, if the gentleman will permit, with the method of framing these tariff laws?

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. GARNER. I presume the gentleman from Oklahoma understands that no minority member will participate in this proceeding, and this amendment is offered, as I understand it, for the purpose of enabling the Republican membership of the committee to continue this work during the vacation and try to have a political bill, which is a tariff bill, prepared in order to introduce it as early as possible?

Mr. McCLINTIC. I do not yield any further. I want to say this, that it seems to me that in the preparation of a great bill of this kind it would be wise to have the counsel of the membership representing both parties, and inasmuch as several members of the minority will not be present, and it is not possible to elect members prior to the convening of the next Congress——

Mr. GREEN of Iowa. That has never been done. We are simply following the usual practice.

Mr. GOOD. Will the gentleman yield for a question?

Mr. McCLINTIC. Yes.

Mr. GOOD. I am sure the gentleman does not want to object to this. It is an old practice, which is always followed when there is to be a new tariff bill, to permit something of this kind.

Mr. McCLINTIC. But we understand that the time intervening between this session and the extra session will be only a month.

Mr. GARRETT. Will the gentleman yield to me?

Mr. McCLINTIC. Yes.

Mr. GARRETT. If this permission is not given to the majority members, the practical result will be that they may, of course, go on and sit informally without authority; but if they do not, and if they are kept from beginning work until the special session convenes, they will have to do the work after the special session convenes, and during the time while they are doing that preliminary work the minority members of the Committee on Ways and Means will not be called in for the making up of the bill. That is never done on tariff bills, so that it would simply result in that much delay, and no practical result would be obtained by forcing a postponement and refusing this courtesy.

Mr. GOOD. And it will keep Congress in session a month or six weeks longer.

Mr. GARRETT. The majority members of the Committee on Ways and Means will require so much time during which they will meet in executive session and formulate the bill, and the minority members will not be present. That will be true whether they do it in the interim between the adjournment of the regular session and the meeting of the special session, or whether they wait until the special session begins.

Mr. McCLINTIC. Is it the judgment of the gentleman from Tennessee that this amendment should be allowed?

Mr. GARRETT. Yes; I think it always is allowed as a courtesy to the majority members.

Mr. McCLINTIC. I withdraw the reservation.

Mr. BLANTON. I renew the reservation of the point of order.

Mr. GOOD. I ask for the regular order.

Mr. BLANTON. I want to ask a question. It may save some time. I understand it is admitted that this sitting of the majority members of the Committee on Ways and Means is going to be of a political nature——

Mr. GREEN of Iowa. No.

Mr. BLANTON. And that the minority members of the committee are not going to be present, and that that has been the policy for years.

Mr. GREEN of Iowa. I admit that that has been the policy.

Mr. BLANTON. And that the tariff, which should affect all the citizens of the United States alike, has been made a political football by both parties for years and years. That is the case, is it not?

Mr. GREEN of Iowa. I do not care to discuss that question; and I certainly shall make no admission of that kind.

Mr. BLANTON. Well, that is the general impression here, and no one denies it, and therefore I make the point of order that it is legislation and ought not to be on an appropriation bill.

Mr. MANN of Illinois. Will the gentleman reserve his point of order for a moment.

Mr. BLANTON. I reserve it.

Mr. MANN of Illinois. There are certain courtesies even between fighting armies. The boys swap tobacco between the lines——

Mr. BLANTON. Oh, well, if the gentleman puts it on that basis I withdraw the reservation. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

Mr. GARNER. I want to suggest to the gentleman from Iowa that he include the words "revenue law" in his amendment in order that they may consider the entire revenue situation during the sitting of the committee.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following amendment: After the words "present tariff law," in the amendment, insert the words "and internal-revenue law."

The CHAIRMAN. The gentleman from Iowa offers an amendment to the amendment, which the Clerk will report.

Mr. LINTHICUM. Will the gentleman from Iowa yield for a question?

Mr. GREEN of Iowa. Yes.

Mr. LINTHICUM. I have heard the statement in the discussion here that only the Republican members of the committee are to be called in to frame the new tariff bill and that that has been the general custom. Was that custom followed in framing the recent tariff bill, which affected the farmers and which was passed through this House a little while ago?

Mr. GREEN of Iowa. Oh, no.

Mr. LINTHICUM. Or were the Democrats and Republicans both called in?

Mr. GREEN of Iowa. Democrats and Republicans both were called in.

Mr. GOOD. That custom was followed in the framing of the Underwood tariff law.

The CHAIRMAN. Gentlemen will suspend until the Clerk reports the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. GREEN of Iowa: After the words "tariff law" insert the words "and internal-revenue law."

Mr. MOORE of Virginia rose and was recognized.

Mr. GOOD. I ask unanimous consent that debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. MOORE or Virginia. Mr. Chairman, it has been suggested that a matter of courtesy is involved here. That may be. It has also been suggested that precedent is involved. That may be. There is also a question of principle—whether the old-fashioned method of making up tariff bills is a good method. I might not venture to offer an opinion that it is not a good method, except upon very great authority. In 1912 one of the issues that divided one of the parties of this country into two great groups had reference to the tariff, and the opinion of the leader of one of those groups was that the method is exceedingly bad.

In August, 1912, Mr. Roosevelt in Chicago in a very memorable speech condemned in the most vigorous terms the method that had been pursued in preparing the general tariff bills, and made an appeal that it be discarded. He said that the method was most improper, that it was undemocratic, that it had led to great abuses, that it ought to be abandoned, and he went further and said that far more reliance ought to be placed on a tariff commission charged with the duty of collecting reliable evidence in an unprejudiced manner.

Without venturing to press upon the House any view of my own, I submit for the consideration of gentlemen on both sides the opinion I have quoted from Mr. Roosevelt.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. GREEN of Iowa. The gentleman is aware that after the court has heard the arguments of counsel the court usually retires to deliberate.

Mr. MOORE of Virginia. Yes; but the court does not hear the arguments of counsel in private.

Mr. GREEN of Iowa. We are not hearing the arguments in private; we are hearing them publicly every day.

Mr. MOORE of Virginia. The court does not hear a case in private nor confer in private except as a court.

Mr. GREEN of Iowa. We are having hearings every day in which the gentleman from Virginia or any parties interested can appear and have a full and fair hearing.

Mr. MOORE of Virginia. I am one of those who believe—to use language that has been employed a good deal recently—in pitiless publicity. I think that is democratic, and I do not think anything ought to be done in secret in respect to important legislation that concerns the people of this country. What is done should be done in broad daylight.

Mr. KNUTSON. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. KNUTSON. There are two leading schools of thought on the tariff issue—the Republican and the Democratic. The people by a majority of nearly 8,000,000 last fall decided that they wanted a Republican tariff bill. How can we have a Republican tariff bill if we call in the Democrats?

Mr. MOORE of Virginia. The people certainly did not decide to eliminate a portion of the House of Representatives; they did not decide that a committee should act except as a whole. If the gentleman is correct in his argument he should apply the process that he advocates now to all the activities of the House so far as the committees are concerned.

The CHAIRMAN. The time of the gentleman from Virginia has expired; all time has expired. The question is on the amendment to the amendment.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

To enable the Clerk of the House of Representatives to pay to such persons as were actually engaged in the work designated by him and in such proportion as he may deem just for assistance rendered during the Sixty-sixth Congress in compiling the list of reports to be made to Congress by public officials, compiling copy, and revising proof for the House portion of the Official Register for 1919 and 1921; preparing and indexing the statistical reports of the Clerk of the House; compiling vest pocket, telephone, and Members' directories and "Platforms of the Two Great Political Parties, 1856–1920"; preparing and indexing the Daily Calendars of Business; preparing Official Statements of Members' Voting Records; and for recording and filing statements of political committees and candidates for nomination and election to the House of Representatives pursuant to the campaign contribution laws, $8,660.

Mr. BLACK. Mr. Chairman, I offer an amendment. On line 20, page 44, after the figures "1920," strike out the language "preparing and indexing the Daily Calendars of Business."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 44, line 20, after the figures "1920," strike out the language "preparing and indexing the Daily Calendars of Business."

Mr. BLACK. Mr. Chairman, I have offered the amendment not for the purpose of pressing it for adoption, for it does not involve exactly the item which I wanted to discuss, but to call the attention of the House to a waste which I think is quite manifest and should be eliminated. Rule XIII, paragraph 5, of the House rules provides that calendars shall be printed daily. Under that authority the Clerk of the House prints each day not only the calendar of the House but prints an index of all the bills that have been introduced during the Congress and acted upon in any way. That is printed each and every day. For instance, we have here to-day a calendar containing 144 pages. It looks almost like a book. The calendar proper is only 40 pages, and the rest of the calendar, 104 pages, is the index. It occurs to me that this is a manifest waste, and so some time ago I wrote to the Public Printer to find out what this unnecessary printing was costing the Government.

Mr. GOOD. I want to ask the gentleman if his amendment prevails if that would stop the printing of the calendars?

Mr. BLACK. No. I offered the amendment relating to the indexing of the record in order to discuss this particular matter.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. WALSH. Does the gentleman not think that if we had the index prepared and filed once a week it would be sufficient?

Mr. BLACK. Yes; I do. I wrote to the Public Printer for figures of what it would cost us to publish the index twice a month, on unanimous-consent days and when suspensions are in order. On January 22, 1921, I wrote the Public Printer as follows:

JANUARY 22, 1921.

The PUBLIC PRINTER,
Washington, D. C.

MY DEAR SIR: Will you please give me, at your convenience, information concerning the cost of printing, etc., of the calendars of the House of Representatives, as follows:

1. How many of the calendars are printed daily, and what is the approximate cost per copy?

2. About what percentage of new matter is inserted daily? That is to say, of the usual 125 pages or thereabout, how much represents matter different from that which was printed the day before? Of course I do not expect any exact figures on this, but only a reasonable approximation.

3. What would be the saving to the Government per day, if only the calendar proper was printed daily, and the index only on the first and third Mondays in each month?

Your attention to this inquiry will be sincerely appreciated.

Yours, very truly,

The Public Printer very promptly replied as follows:

OFFICE OF THE PUBLIC PRINTER,
Washington, February 1, 1921.

Hon. EUGENE BLACK,
House of Representatives of United States,
Washington, D. C.

MY DEAR MR. BLACK: This will acknowledge receipt of your letter of January 22, requesting certain information concerning the cost of printing, etc., of the calendars of the House of Representatives, and I have the honor to advise you as follows:

There is a daily print of 734 copies at an average cost of $0.287 each. The percentage of new matter inserted daily is 2 per cent. The saving per day if only the calendar proper were put in daily print and the index on the first and third Mondays of each month would be $147.60.

Respectfully,

CORNELIUS FORD,
Public Printer.

It occurs to me that we might as well save this $147.60 each day. In a month of 26 legislative days the saving would amount to nearly $4,000, and assuming that the session of Congress would last six months, it would amount to $24,000. I think the plan I suggest would serve the membership of the House quite sufficiently in all respects.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. MANN of Illinois. Why is it necessary to print over 700 copies of the calendar every day?

Mr. BLACK. Since the present majority came into control it has been the custom of the Clerk to send to the House Office Building on each legislative day, to the office of each Member, one copy.

Mr. MANN of Illinois. I do not think that was since the majority came into control, though I am not sure; but that was either by direction of the House or after a substantial expression of opinion on the part of the House.

Mr. BLACK. During the four years that I was a Member of the House before the majority came into control, I can say from personal knowledge that it was not done, for I then received no daily copy.

Mr. MANN of Illinois. I do not remember when it was commenced, but I remember when the matter came up in the House. Whether the House took positive action I do not know, but I was under the impression that it did in some way, providing that the calendar should be sent to each office. Of course, nine times out of ten that is a waste.

Mr. BLACK. I agree with the gentleman.

Mr. MANN of Illinois. But it may be that the tenth time pays for the calendar.

Mr. BLACK. That is true. I am not objecting to the printing of the calendar proper each day and the sending of it to each Member, but I think this long daily index is unnecessary.

Mr. MANN of Illinois. The gentleman speaks of having an index printed twice a month. No Member would retain his index, and he would not have it on the floor if he were here. Every day Members send down to the desk to get a calendar to obtain information. Without the index they could not find it. It certainly would make a great deal of difference in the convenience of Members.

Mr. BLACK. Does the gentleman from Illinois not think that once a week anyway would be often enough to print this long index?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MANN of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN of Illinois. I thought when they changed the printing of the calendar from three times a week to every day that it was a useless expense, yet I doubt whether the House will be willing to do away with it. I do not know that I would myself. We examine the calendar every day in my office.

Mr. BLACK. I have no objection to the printing of the calendar every day, but I really think that it is a waste of paper and printing to print the index. I think once a week would be often enough to print the index.

Mr. MANN of Illinois. It may be.

Mr. BLACK. I obtained these figures from the Public Printer for the information of the House and the consideration of whatever committee has the matter in charge.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. LINTHICUM. It occurs to me that every time a Member would send for a calendar he would also ask the page boy to bring him a copy of the index.

Mr. BLACK. That could be done.

Mr. LINTHICUM. Would it not take pretty nearly as many copies of the index as though they were printed every day.

Mr. BLACK. Oh, no. Judging from my own experience, and that is the way I can best judge, so far as I am concerned, I should think that the desire to obtain the index would be very occasional.

Mr. LINTHICUM. I think that every time a Member would send for a copy of the calendar he would ask the boy to also bring him a copy of the index, so that he could have all of the information before him.

Mr. BLACK. The gentleman's experience is very different from mine. That is all I can say with reference to that.

Mr. LINTHICUM. When the gentleman sends for a copy of a bill he always asks for a copy of the report. It does not make any difference how big the report is or whether he is ever going to read it, he wants all of the information obtainable on the subject.

Mr. BLACK. It is never any trouble to get a report, and the contention that I am making is that these 100 pages of index which are sent to us daily would serve the purpose of the House if they were printed only once a week.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. BLANTON. While the gentleman from Illinois [Mr. MANN] needs the calendar, because he uses it every day, and possibly one or two other gentlemen, I want to ask my colleague if it is not a fact that except upon unanimous-consent day, suspension day, it is a rare thing that the membership generally sends for a calendar?

Mr. BLACK. I would not say that it is a rare thing, but, judging from my own experience, and I think the experience of most Members, the plan I have suggested would be entirely sufficient. I withdraw the amendment, which I have offered for the purpose of this discussion and which relates to another matter.

The CHAIRMAN. Without objection, the amendment of the gentleman from Texas will be withdrawn.

Mr. WALSH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 44, line 21, after the word "business," insert: "*Provided*, That the index of the daily calendar shall be printed only on Monday of each week."

Mr. WALSH. Mr. Chairman, I am inclined to agree with the views expressed by the gentleman from Texas [Mr. BLACK]. I approve of the practice of having the calendar sent to the offices of Members, and I think a great many Members do find it useful, but I believe that if we would have the index printed only once each week, a sufficient supply of calendars with the index can be kept at the desk for use upon the floor, and that that will be sufficient for all of the House, and the printing of it on each Monday in connection with the daily calendar will be sufficient for the use of the Members at their offices.

Mr. FESS. Will the gentleman yield?

Mr. WALSH. I will.

Mr. FESS. The gentleman has not the word "hereafter" in the amendment?

Mr. WALSH. No; but I would be willing to modify it.

Mr. FESS. Leave it as it is for the balance of this session.

Mr. GOOD. If the amendment is adopted it will not mean anything, because this bill will not become a law until the end of this session, so I think if we are going to do anything at all the word "hereafter" should be put in, and I move that the word "hereafter" follow the word "That."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. GOOD: After the word "That" in the amendment insert the word "hereafter," so that it will read, "*Provided*, That hereafter," etc.

Mr. MANN of Illinois. Mr. Chairman, I make a point of order against it, or I will reserve the point of order. Bright parliamentarians here say that it was not subject to the point of order. I think it is.

Mr. BLANTON. Mr. Chairman, I make the point of order that the point of order made by the gentleman from Illinois comes too late, because the amendment offered by the gentleman——

Mr. MANN of Illinois. The gentleman from Texas is too early; he is too previous.

Mr. BLANTON (continuing). By the gentleman from Massachusetts that it is subject to the point of order itself and it having been permitted to be offered without the point of order being made, it makes the amendment in order under the rule frequently invoked by the gentleman from Illinois.

Mr. GOOD. I think unquestionably the amendment of the gentleman from Illinois is legislation and it was subject to a point of order. No point of order having been made, I offered an amendment which is legislation, but is germane, and therefore it seems to me the point of order now comes too late, because it would have been necessary to have made the point of order to the original amendment offered by Mr. WALSH, which is subject to a point of order.

Mr. MANN of Illinois. Mr. Chairman, there have been a good many holdings where an amendment is subject to a point of order. It can not be followed by adding matter to it which itself is subject to a point of order, and the amendment providing that the balance of this session the calendar should have an index printed only once, on Monday or once a week, is an entirely different proposition from providing that hereafter, until changed by Congress, forever the calendar shall be printed that way, and so enlarges the amendment that it is subject to a point of order.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. MANN of Illinois. I make the point of order.

The CHAIRMAN. The Chair thinks that while it is true that the amendment offered by the gentleman from Massachusetts would be subject to a point of order, the amendment greatly enlarges it by having the word "hereafter" added——

Mr. WALSH rose.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. WALSH. May I suggest, in response to the suggestion of the gentleman from Illinois, that when an amendment is enlarging something, and therefore is subject to a point of order, and an amendment is offered to an amendment which itself is subject to a point of order, I think the Chair will find that the rulings have only sustained the point of order when it can be shown that the amendment to an amendment is not germane. It makes no difference whether it enlarges or restricts it, but when its effect is that it is not germane, and thereby enlarges it, of course the amendment to the amendment is subject to the point of order.

Mr. GOOD. Mr. Chairman, I would like to call the attention of the Chair to this fact, that if now we place a construction upon an amendment of this kind, so that the Chair must always

determine whether or not an amendment enlarges an amendment, and is subject to a point of order to which no point of order was made, then by that ruling there would be scarcely any amendment to an amendment that would not be subject to a point of order, for practically every amendment that is made either enlarges or restricts the matter set forth in the original amendment. Now, here is an amendment that deals with the indexing of these records. It is true it would only apply to this year, but to say because the amendment to the amendment I have made enlarges and extends the time would, in my opinion, be a most dangerous ruling and would rise to plague the House many, many times.

Mr. MANN of Illinois. Mr. Chairman, the point of order I made, and the rulings sustain it, but this is a matter affecting the House, and I have no objection to the House voting upon it, so I withdraw the point of order.

The CHAIRMAN. The Chair would have been able to base his decision under the rules on a decision of a Chairman for whose opinion the present occupant of the chair has great regard; but inasmuch as the gentleman from Illinois withdraws the point of order the question is on the amendment offered by the gentleman from Massachusetts.

Mr. MANN of Illinois. Now, Mr. Chairman, I do not care what the House does about it. I keep track of the procedure of the House when I am here, whether it is printed in the index or not, but for Members who want calendars sent to their rooms and read them and do not want the index, which is about the only thing they look at, I am perfectly willing, but do not complain hereafter. Complaint is made now because of the expense of printing the calendar, and yet it was done at the direction of the House. The printing of more calendars and printing them oftener has added to the cost, but it was done for our convenience, and whatever is for the convenience of the Members of the House is for the best interests of the Government in the transaction of business.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts as amended.

The question was taken, and the Chair announced that the ayes appeared to have it.

Mr. MANN of Illinois. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 33, noes 21.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 3. That this act hereafter may be referred to as the "first deficiency act, fiscal year 1921."

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word.

Gentlemen of the committee, I make the motion in order to direct your attention to some of the testimony adduced in this hearing bearing upon a custom which we are adopting more and more in this country, of appropriating money out of the Federal Treasury to match an equal amount appropriated by the States for doing work among the States.

On pages 16 and 17 of the hearings, which was testimony with reference to the expenditure of a certain fund which it is not necessary to mention, in response to a question by the chairman the chief of the department having this matter in charge said:

On that basis we have an important accounting job—

That is, the basis of expenditure—the half-and-half basis—

we have an important accounting job to carry out in order to safeguard these appropriations and to safeguard the States in their spending of the appropriation.

He says:

I think we ought to have at least two traveling accountants, who would save us a great deal of misunderstanding and long-drawn-out correspondence with reference to points that the State departments of health and State treasurers do not get hold of until, as a rule, they send somebody up here to see us finally in order to enable us to get together. We do always get together when they come in and understand our plan of accounting.

This was the administration of a million-dollar fund, and the salaries of Federal employees in its administration amounted to $84,000. The people of this country have been inclined, at least they act as though they thought, that the money gotten out of the Federal Treasury from these funds the States have to match is coming from somebody except themselves.

Now, this is the fact; and I say this not in criticism of anybody, but I think the people ought to understand it. In the first place, if they are to get money in this way, the Congress must take some time to provide for the appropriation, and the people of the country have to pay that. Then we send down to the States and get this money from the people of the States by taxation. There is nowhere else to get it. We attach an overhead charge for its collection, and the people have to pay for that. We bring it up here and cover it into the Treasury, and the people have to pay for that. Then we send it out to the States, and the people have to pay for having it sent back to the very place where we got it. Then it is necessary, in order to have the matter properly managed, that there be a lot of additional clerks and heads of departments here, whose salary the people must pay. In this particular item of $1,000,000 it cost at least $100,000 for the round trip from the States to Washington and back to the States, and the States had to pay, in addition, for sending their own officers to Washington to straighten out tangles with Washington with regard to the expenditure and had their own extra bookkeeping expenses. The result of that custom is that we are building up additional governmental machinery, both here and in the States, for which the people are taxed.

I believe whenever opportunity presents itself the people of the United States should be made to know—the people of the several States—that all the money they get from the Federal Government to be expended in the States must come from the people of the States; that they must pay for its collection from themselves, pay for its transmission to Washington, its return to themselves, and that they must pay for the Federal supervision of its expenditure. And while some of these appropriations are justifiable, no doubt, as a general common-sense proposition it is absurd that the people of the country must have their money taken from them by the Federal Government, which must charge them for taking it from them, and then sent back to them by the Federal Government and charge them for sending it back to them, and then hire a whole lot of people here in Washington at the public expense to see that their own money is properly expended.

Mr. BLANTON. Will my colleague yield there?

Mr. SUMNERS of Texas. Yes.

Mr. BLANTON. As a general proposition, I agree with my colleague as to a part of these funds; but he is not lodging his criticism, for instance, against the good-roads proposition and against the vocational educational proposition?

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for three minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. SUMNERS of Texas. Mr. Chairman, I was very careful in my statement and tried to separate my observations from any particular project. I am speaking generally of the custom; and I want to say this much more with regard to the people of the several States.

The difficulties in Government that come to the people of the States and that they seek to escape from by coming to the Federal Government in the economy of things are for the development of the people of the States. I used to hear when I was prosecuting attorney, and all you gentlemen have, too, that we should get this or that particular case into the Federal court, because it is more efficient. Now, the challenge of that situation to the people is not to run from responsibility, but to make our State courts as efficient as the Federal courts. It is not the right to govern that is valuable among the people; it is the necessity to govern that is valuable. God Almighty could have arranged this old world so that there would not be any difficulty at all, but there could have been no development, no progress. Difficulties, things which must be done, come and challenge people, and make the people, through struggle with them, bigger and stronger, and ready for the next difficulty. And the tendency in this country of the people of the States to put upon the Federal Government the doing of things which the people of the States are equipped to do is not good for the people of the States. The consciousness of individual and community responsibility and the spirit of a courageous, determined, self-reliance is not stimulated by such a policy. The extra tax burden resulting from such a policy is insignificant as compared with the weakening of the self-reliance and the creation of a feeling of dependence upon the Federal Government. We are building top-heavy the systems of government.

There is profound wisdom in that old, old principle that we used to call "State rights." I think we misunderstood, I think we misstated, the proposition. I do not think the right to govern is valuable, but the necessity to govern. That is the thing of inestimable value. The closer that necessity is held to the people the greater benefit will the people get from their participation in government.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman have three more minutes.

Mr. SUMNERS of Texas. Is the gentleman from Iowa in a hurry to close?

Mr. GOOD. I have no objection to the gentleman proceeding.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. BLANTON] that his colleague may have three minutes more? [After a pause.] The Chair hears none.

Mr. SUMNERS of Texas. I do not think God Almighty put into the hearts of people the love to be free in order that a man might go along the streets and swagger, and say, "I am a free man," but He put in the hearts of the people the love to be free in order that the people might first struggle to be free and, having acquired that state, struggle with the problems of government incident to freedom.

Since I have been in Congress I have seen this shifting of responsibility from the States go on with tremendous rapidity, the shifting of the responsibility of doing those things which the people of the States are governmentally equipped to do and the putting of that responsibility upon the Federal Government. Since the formative period of government progress in government has been in that direction, which has put the opportunity to govern and the necessity to govern closer and closer to the people. I believe we are going in the wrong direction in much of this State-aid work. We not only undermine self-reliance, but we actually divert from necessary State activities the money taken by taxation to put a lot of new Federal employees on the pay roll.

The people ought to know that they are getting back no money except their own, and not all of that. Millions of it is left here in Washington to pay big salaries and little ones of Federal employees. From the standpoint of statesmanship this policy is bad, and from the standpoint of business it is foolish beyond measure.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GOOD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is there a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. KELLEY of Michigan rose.

CALL OF THE HOUSE.

Mr. McCLINTIC. Mr. Speaker, before we start on the consideration of the naval bill I think we ought to have a quorum present. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Wyoming moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Bankhead	Bowling	Caldwell
Babka	Bell	Brumbaugh	Candler
Baer	Bland, Mo.	Burke	Cantrill
Caraway	Graham, Ill.	McKiniry	Sanford
Carew	Graham, Pa.	McLane	Scully
Carter	Greene, Vt.	Maher	Sells
Casey	Griffin	Mann, S. C.	Siegel
Chindblom	Hamill	Mead	Small
Clark, Fla.	Harrison	Moon	Smith, Ill.
Classon	Hastings	Mooney	Smith, N. Y.
Costello	Hersman	Morin	Snyder
Currie, Mich.	Hoey	Mudd	Steagall
Dale	Howard	Neely	Steele
Davey	Hulings	Nelson, Wis.	Stevenson
Dempsey	Hull, Iowa	Nicholls	Strong, Pa.
Dent	Husted	Nolan	Sullivan
Donovan	Jacoway	O'Connell	Taylor, Ark.
Dooling	James, Mich.	Oliver	Towner
Doughton	Johnson, S. Dak.	Olney	Vare
Drewry	Johnston, N. Y.	Overstreet	Venable
Ellsworth	Jones, Pa.	Parker	Vestal
Emerson	Kahn	Pou	Voigt
Evans, Nev.	Kennedy, Iowa	Radcliffe	Ward
Fairfield	Kinkaid	Rainey, Ala.	Watkins
Ferris	Kitchin	Rainey, John W.	Watson
Focht	Kleczka	Ramseyer	Welling
French	Langley	Randall, Calif.	Wilson, Ill.
Gallagher	Lee, Ga.	Randall, Wis.	Winslow
Gallivan	Little	Reavis	Wise
Gard	Lonergan	Riordan	Wood, Ind.
Godwin, N. C.	McDuffie	Rouse	Yates
Goldfogle	McGlennon	Rowan	
Goodall	McKenzie	Rowe	
Goodwin, Ark.	McKeown	Sanders, La.	

The SPEAKER. Two hundred and ninety-five Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

NAVAL APPROPRIATIONS.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill, H. R. 15975; and pending that motion I ask unanimous consent that the general debate be limited to three hours, one-half to be controlled by the gentleman from Kansas [Mr. AYRES] and one-half by myself.

The SPEAKER. The gentleman from Michigan asks unanimous consent, pending his motion, that the time for general debate be limited to three hours, one-half to be controlled by the gentleman from Kansas [Mr. AYRES] and one-half by himself. Is there objection?

Mr. AYRES. Reserving the right to object, Mr. Speaker, I think we ought to have at least as much general debate on this bill as we had on the Army bill. It is just as important a bill, and there were five hours given for general debate on that. I have requests on this side for four hours, and I believe we will save time by having pretty liberal general debate.

Mr. KELLEY of Michigan. If we should agree to four hours, would that accommodate the gentleman?

Mr. AYRES. It would not; because I have done the very best I could in distributing the time here, and I am satisfied that if we can have at least five hours, two and a half on a side, we can get along much better than by undertaking to limit it to four, and I hope that agreement can be reached.

Mr. KELLEY of Michigan. Mr. Speaker, in view of what the gentleman from Kansas says, I modify my request, and ask unanimous consent that there be five hours' general debate, one-half to be controlled by the gentleman from Kansas [Mr. AYRES] and one-half by myself.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the general debate be limited to five hours, one-half to be controlled by the gentleman from Kansas [Mr. AYRES] and one-half by himself.

Mr. BRITTEN. Mr. Speaker, will the gentleman yield for a question?

Mr. KELLEY of Michigan. Yes.

Mr. BRITTEN. Is it the gentleman's intention to complete the general debate on the bill to-day?

Mr. KELLEY of Michigan. That can hardly be done with five hours' general debate.

Mr. MONDELL. Does the gentleman believe the general debate can run until 6 o'clock or perhaps 6.30?

Mr. KELLEY of Michigan. Until 6 o'clock.

Mr. MONDELL. Then the general debate will not close to-day?

Mr. KELLEY of Michigan. No.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. KELLEY]?

There was no objection.

The SPEAKER. The question is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, with Mr. WALSH in the chair.

The CHAIRMAN. The Clerk will report the bill.

Mr. KELLEY of Michigan. I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. KELLEY] is recognized. [Applause.]

Mr. KELLEY of Michigan. Mr. Chairman, I should like to have the Chair notify me when I have spoken 20 minutes.

The CHAIRMAN. The Chair will notify the gentleman.

Mr. KELLEY of Michigan. Mr. Chairman, I should like to make a brief statement, in a consecutive way, with the understanding that later I shall be glad to answer any questions that may be in any gentleman's mind.

The estimates submitted by the Navy Department for the Naval Establishment for the coming year amount, in round numbers, to $680,000,000. That is more than it cost to conduct all the activities of the Government, outside of the Post Office Department, when I came to Congress eight years ago. The mere statement of that fact indicates how far we have gone in the matter of making expenditures in eight years, and it also indicates the absolute necessity of retracing our steps somewhat in that regard.

This bill which has been reported by the Appropriations Committee carries an appropriation of $395,000,000, which is a reduction below the estimates, in round numbers, of $285,000,000. I want to take the time which I have allotted to myself to explain to the House in what way this great reduction has been effected.

The committee has proceeded upon the general theory that the world has not yet become so settled that it would be safe to reduce the potential strength of the Navy at this time. But there was a feeling in the committee that if the potential strength of the Navy were maintained unimpaired, the actual strength might be reduced without jeopardizing in any way the safety of the Nation. By potential strength I mean that reserve strength which, in case of necessity, is susceptible of being quickly converted into active strength. That principle has not been lost sight of in the consideration and preparation of this bill.

That principle led us to make no reduction in the appropriation for officers. We have appropriated for every officer who is likely to be in the Navy during the coming year, including the graduates of the Naval Academy next June. It is obvious that if we have the officers we have the skeleton of an organization which can be expanded and built up quickly in case of necessity. On the other hand, it takes a long time to make a thoroughly efficient naval officer. We take the best boys we can find and send them to the academy.

They stay there four years, and when they graduate they bear the same relation to their profession that the young graduate from the law school bears to the legal profession or the young graduate from the medical school to the medical profession. After graduation he must go on and develop in his profession the same as in any other calling. And so we felt that there should be no reduction in the number of officers.

Now as to the number of enlisted men. The committee felt that it would be safe under the circumstances to appropriate for a smaller number of enlisted men than are now authorized by law. The law provides for an enlisted force of 143,000 men in round numbers. The estimates that were submitted by the Navy Department were based on 143,000 men and 27,400 in the Marine Corps. This bill is based on 100,000 men in the Navy and 20,000 men in the Marine Corps. By reducing the appropriation from a basis of 143,000 men in the Navy and 27,400 in the Marine Corps to 100,000 in the Navy and 20,000 in the Marine Corps, a large reduction in pay, subsistence, travel, recruiting, and all that goes with it can be effected. That is one of the chief places in the bill where reductions are made.

Now, is it safe to do that? The committee considered the situation from every aspect and came to the conclusion that it could safely be done. We have a naval reserve of men who have served from four months to four years in actual warfare, who have gone into the Naval Reserve. There are approximately 100,000 to 120,000 men in that reserve. In case of need the Navy could draw on this reservoir of trained men to supplement the 100,000 Regulars to fill up all the ships and make available practically the entire Navy. Years ago that could not be done, because we did not have the reserve.

When the war ended there were 500,000 men in the Navy, and they have gradually gone out, and as they have gone out a large number of them have been enrolled in the Naval Reserve, and that is the reservoir of safety upon which the country can very well rely and makes it possible to reduce in time of peace the number of men in the Regular Navy from 143,000 to 100,000.

This policy is being pursued by practically all nations. Great Britain, with fully 50 per cent superiority of warship tonnage and strength, has approximately 100,000 to 105,000 men in her navy. To be sure, her air service is separate, and that should be taken into account. But Great Britain has had to tie up and put in reserve large numbers of ships because of the tremendous expense involved in keeping them all in full commission.

What can we do with 100,000 men? How much of a Navy can we have? We can maintain in full commission every one of our dreadnaughts, everything from the battleship *Michigan* and the *South Carolina*, 17 or 18 of them. We can keep in full commission 100 destroyers, twice as many as we had, all told, before the war. We can keep in commission 137 submarines, practically all of the submarines we have—and more than we will have actually, because some are not yet accepted because of engine defects—and with these all the necessary subsidiary craft to round out a fleet of that size.

Great Britain and other nations have reduced the active strength in the same way. We will have in actual commission a Navy equal to the active navy of Great Britain, and this seems like a reasonable strength to maintain at a time when the necessities of the Government are so great and the reduction of taxation so imperative.

Now, as to public works. The committee pursued a policy as to the public works which I believe will meet the approval of the House. We have navy yards all along the Atlantic coast and at several points on the Pacific and the Gulf. During the last three years there have been expended in improvements in the navy yards and stations on the Atlantic coast upward of $250,000,000, and the committee took the position that it was only fair to assume that in the expenditure of that enormous sum of money for improvements and betterments on the Atlantic coast the most pressing needs have already been taken care of. So we adopted the policy of providing on the Atlantic coast only for the repair, maintenance, and upkeep of those stations and have appropriated for no projects not now under actual construction.

On the Pacific coast the situation is different. We have divided the fleet. Half our battleships and half of our destroyers in the active fleet will be in the Pacific. Last year the Committee on Naval Affairs made rather generous appropriations for betterments at San Diego, Mare Island, Bremerton, and Pearl Harbor. This bill goes even further and appropriates, if anything, even more liberally for these points. But if we are to have a great fleet in the Pacific, there must be suitable and ample yards, docks, piers, and storehouses to accommodate the Navy in those waters.

So far as repairs to ships are concerned, the committee made some reductions from the amounts asked for by the department for the repair of ships that were to be actually kept in commission, and that has been done upon the theory that manufacturing costs are bound to decline. They have already declined. Some of these estimates were made as far back as last May, others in November and December, and by the time this money is available I do not think it is an extravagant thing to say that there will be a reduction of at least 20 per cent in manufacturing costs. This has been taken into account in reducing estimates.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. MADDEN. The gentleman allows $90,000,000 in this bill for the carrying out the program of new construction. I estimate that with present values, as compared with last year's values, the $90,000,000 is equal to $110,000,000 in the current law.

Mr. KELLEY of Michigan. The gentleman from Illinois is well informed upon manufacturing costs, and I have no doubt that his experience is the experience of business men of the country generally.

Another important item which contributed to these heavy reductions was the item for carrying forward the work of construction on the 1916 building program. It will be recalled that in 1916 the Congress authorized the construction of 157 warships of different types—submarines, destroyers, scout cruisers, battle cruisers, and battleships. During the war work was discontinued upon the larger ships. The smaller ships were all put through, however, so that of that program practically all of the destroyers are finished and more besides, which were built

out of other funds, because the necessities of the war required the small craft and not the large ones. The submarines are all done, practically so. The 10 scout cruisers, which are midway between the destroyer and the battleships, will all be finished this year. Some of the battleships will be finished this coming year, the *Maryland* and the *Colorado* being well along, and will easily be in the Navy in the course of the coming year. We have spent on the program, for 157 ships, $538,000,000. It was supposed originally it would cost about $600,000,000, but because of the increased manufacturing costs the last estimate made by the Navy Department is $972,000,000. That would leave a balance, in round numbers, of about $434,000,000, and assuming that there will be a reduction in manufacturing costs of 20 per cent, and the Government will get the benefit of whatever reduction there is, because the contracts are cost plus a fixed commission—not a percentage commission.

Mr. EAGLE. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. In a moment. If we deduct 20 per cent from the $434,000,000, in round numbers $90,000,000 will be taken off because of reduction in manufacturing costs. That leaves, in round figures, about $360,000,000 to be appropriated for. The Navy Department asked for half of that this year upon the theory that the whole program should be finished in two years. The committee having this bill under consideration did not think there was special need for rushing the work, and instead of providing for completing the last ship in two years we have given $90,000,000 in this bill upon the theory that the whole program may be finished by 1925 instead of 1923. We believe this can be done without any detriment to the country. That means a reduction of that one item from $184,000,000 to $90,000,000.

I have outlined the manner in which these economies have been effected, and as a result the bill stands at approximately $395,000,000. I yield now to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Chairman, I wanted to ask the gentleman whether the 157 ships upon which $530,000,000 has been spent, and which will require some $430,000,000 yet to be applied, is the program known as the first 3-year building program?

Mr. KELLEY of Michigan. That is correct; the 1916 building program. There is nothing in this bill for ships that have not been authorized as far back as five years ago.

Mr. EAGLE. Therefore, the second 3-year building program, which during the latter part of the war the Congress adopted, is not appropriated for in this bill?

Mr. KELLEY of Michigan. That really never did become a law. The House passed the bill for a second 3-year program, but it was one of those bills that failed of passage in the Senate, and the next time it was not included in the naval bill.

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. SMITH of Idaho. What is the present enlisted strength of the Navy?

Mr. KELLEY of Michigan. The last figures which the committee has, as of about the 1st of January, showed 135,000 men.

Mr. SMITH of Idaho. In view of the fact that you are reducing the enlisted strength to 100,000 men, where are you going to get the men to take care of these new vessels you are planning to finish during the next year?

Mr. KELLEY of Michigan. In the Navy it is very largely a question, when you get a new weapon, of putting out an old weapon. We still have in the Pacific, away off in the far Orient, for instance, some of Admiral Dewey's ships yet in commission. The *Olympia* has on board of her six or seven hundred men at the present time. She has really no military value, no fighting strength as it is spoken of in these days, and when these new scout cruisers come through that old ship and others like her will go out of commission entirely and the crews will be put on the new ships.

Mr. SMITH of Idaho. But yet it is proposed to reduce the enlisted strength by 35,000 men.

Mr. KELLEY of Michigan. There is another reason for that. At the present time there are, as I stated, 135,000 men in the Navy, and something in the neighborhood of 30,000 of these—twenty-eight to thirty thousand—are boys in the training schools, and they are not at the present moment effective seamen. Between now and the 1st of July those boys will all have had an opportunity to obtain at least six months' training, and whatever men the Navy has on the 1st of July will be all trained men, men of at least six months' training. One hundred thousand men all trained, effective, and efficient, and ready for the sea are just as good as 90,000 trained with 30,000 in training schools, which is about the present situation.

Mr. SMITH of Idaho. If the term of enlistment of these 35,000 men it is proposed to place outside of the service has not expired——

Mr. KELLEY of Michigan. Oh, we have taken all of that into consideration. We are not asking anybody to leave the Navy until their enlistment has expired. The Navy Department itself has said that, under the normal and ordinary processes, if we did not enlist any new men—simply reenlisted those whose terms expire and who want to come back—the Navy would decline of its own motion to something like 114,000 or 115,000 men by the 1st of July. In addition, they said that under the stress of recruiting during the last few months the recruiting officers became a little overzealous and took into the Navy a large number of boys who were too young and whom the Navy Department would like to excuse, and the boys themselves would like to go.

And so it will happen that with the ordinary processes in the Navy by the 1st of July the number will undoubtedly decline to perhaps 110,000 men.

Mr. BRITTEN. Did I understand my good friend to suggest that more or less obsolete ships like the *Olympia* and others in Asia would be put in reserve and substituted by battleships and battle cruisers?

Mr. KELLEY of Michigan. Oh, no. The gentleman knows we have 10 scout cruisers under construction. The *Olympia* is a cruiser. The department would not probably send a first-line battleship to do minor duties over there, but we could send new scout cruisers and put those ships of absolutely no military value at all out of commission.

Mr. BRITTEN. Would susbtitute the same kind of a ship over there?

Mr. KELLEY of Michigan. They cost as much to run them as though they were of some account. The old *Olympia* and others of that type were built in 1896, and of course they will be put in the scrap heap. They ought not to be even kept in repair, because they are absolutely worthless for military purposes.

Mr. BARKLEY. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. BARKLEY. In time of peace is not an old scout cruiser about as valuable for scouting purposes as a new one, except the old ones may be a little slower?

Mr. KELLEY of Michigan. There are several disadvantages, of course. Because of new devices, fire control, and all that sort of thing that are found on new ships, if you should train a boy on the *Olympia* and put him on one of these new scout cruisers, why he would be lost, he would not know what to do with the new machinery. Besides, those old ships are coal burners and the expense of getting coal to them is enormous. They are slow, they are constantly getting out of repair. The older the ship, like everything else, the more repairs you have to make. It is like everything else when it gets old.

Mr. BARKLEY. What becomes of these old ships when finally discarded? What is the custom of the Navy?

Mr. KELLEY of Michigan. I should think they would have to be scrapped. They can be used as targets, like the *Indiana*.

Mr. POU. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. POU. I want to ask the gentleman this question: When the three-year program is completed how will the American Navy rank in comparison with the other navies of the world? I have seen a lot in print about that.

Mr. KELLEY of Michigan. By own opinion is based upon what professional men in the Navy have stated, that when this 1916 program is finished, if Great Britain in the meantime does not add anything new, and she does not seem to be about to do so, our Navy will be the equivalent of any Navy in the world in fighting power. [Applause.] And you know, if you will just permit me to digress a little bit, that when that time comes it will be the golden hour for the reduction of armament in the world. [Applause.] We can not get it before. There is no such thing as abandonment of armament. It never will happen. But it seems as though there ought to be sense enough among the statesmanship of the earth to bring about a reduction of armament. That reduction, of course, will be of old craft. It will come off the bottom of the navies of the world, and when this program is finished America, in my judgment, will be ready to make a proposition to the world that we will scrap as large a percentage of our Navy as the other nations are willing to scrap of theirs.

Mr. LANHAM. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I will.

Mr. LANHAM. My question is a little more specific, but I think quite important. I notice at the top of page 5, in connection with aviation in the Navy, there is a lump-sum appro-

priation, as stated in the bill, of about $4,500,000 to take care of maintenance, repair, and operation of aircraft factory, helium plants, air stations, and so forth. I infer from the hearings and statements therein that it was in the contemplation of the committee that the sum of $400,600 would be used in the operation of the helium plants. Am I correct in that assumption?

Mr. KELLEY of Michigan. I will discuss that. The helium situation is in a rather uncertain state. We have two plants, as I recall, one at Fort Worth and one at Petrolia, and a gas main from Petrolia to Fort Worth to bring the gas down there. We never have made any helium in quantities at either place, as I understand——

Mr. LANHAM. Will the gentleman yield there just for a moment? Is not the fact this: That originally there were three plants, experimental altogether, and that they determined by the experimentation that the project was feasible and that at the new plants, which are just about ready to operate, there has been no effort to extract helium——

Mr. KELLEY of Michigan. My understanding is that it is all in an experimental state, and that probably the Government will never go ahead and manufacture this gas in quantities and store it. That is not apparently the proposition upon which the Government is working. The proposition upon which the Government is working is to try to be able to develop this gas in a large way, understand how to do it, and go out and get control of fields where they know it exists and in case of need be able to manufacture helium quickly and in a large way. But to manufacture the gas and keep it in tanks or other containers until it might be needed in the future, I do not think that is really in the contemplation of the Navy.

It is an experimental proposition, pure and simple. We did allow that item to stand. Of course, the lump sum can be spent as the Navy Department desires. But in making up the total we did not deduct the amount that would be necessary to continue the experimentation at Fort Worth for about five months.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. KELLEY of Michigan. I will yield to the gentleman.

Mr. CLARK of Missouri. I would like to ask the gentleman what he individually thinks, and what the committee individually thinks, about the prospect of flying machines putting these battleships out of commission?

Mr. KELLEY of Michigan. About all that can be said, of course, is that it may happen. It has not happened yet. All these things work out slowly. Nobody can see what is going to happen in the air. It looks like quite a probable thing. There is not any doubt about that. And America would be very foolish not to develop the air. But so far the air is only an additional weapon, and has not displaced anything. In fact, no weapon of warfare ever seems to displace any other weapon. It just makes one more. When we got the submarine we thought we had everything else put out of business; but not so. We just have the submarine besides. When we got the destroyer, with torpedo range constantly increasing, it was then asserted that the battleship days were over. But there is always some sort of protection which genius will find to stop the weapon that we think is going to do the damage. I was impressed with this idea—I have been down at Indianhead many times, and they have a place down there where they test out armor plate and shells. The test for the shell is to be able to go through the best armor plate that is made, and the test for the armor plate is to stop the best shell that is made. So, you see, you always get something to head the other thing off.

Now, as to the air, over in Europe you had two forces in the air, the Allies and the Germans, but underneath those men in the air and those machines there were some 5,000,000 or 6,000,000 men, the infantry and the cavalry, and the fact that the fighting was going on in the air did not seem to eliminate any fighting on the ground. To be sure they dropped bombs on columns of men, upon buildings, and upon roads to break up communications, but they did not supplant the force upon which the world relied to win the struggle, and that was the man power on the ground. But they could not have gotten along at all if they had not had the intelligence from the air which these boys up there furnished to the men on the ground. So we had to have the air service. And the same thing is true on the water. Some time they may be able to destroy a battleship. Well, if they came from a far distance, they would have to bring a base along with them; they would have to have some great ship of some kind as a carrier. But if an airplane can destroy a battleship, some other airplane might destroy the carrier, and leave these aircraft two or three thousand miles away from home without any place to alight after their gasoline was all gone. So there are a good many sides to that, and we will have to develop the air, and in the meantime not give up the sure weapons.

This bill carries something like $23,000,000 as it stands for the Air Service, for officers, men, and for repair and maintenance of the establishment that is now in existence, and there will be added to that whatever the Naval Committee and the House decides as to new construction which should be provided for.

Mr. CLARK of Missouri. I would like to ask the gentleman a question there if it will not divert him from his line of thought. Have there been any real steps taken to consolidate the different air services?

Mr. KELLEY of Michigan. Not in this country. In Great Britain the air is one service. In America we have the service in the Navy, the service in the Army, the service in the Marine Corps, the service in the Post Office Department, and possibly some place else. And I rather sympathize with the gentleman's suggestion that it is really worth while looking into in order to see whether they should not be consolidated.

Mr. PADGETT. If the gentleman will yield, in 1918, when the members of the Naval Committee were abroad in England—and that was before the armistice was signed—the Air Service was under the control of the Army, and consolidated. I talked personally with a number of Army officers at the aviation fields, and every single one of them disapproved of the united service.

Mr. CLARK of Missouri. Why?

Mr. KELLEY of Michigan. It may not be that the Air Service ought to be consolidated. That is a matter that ought to be taken up and inquired into with considerable care. Offhand, one would think it ought to be consolidated.

Mr. BLANTON. Then I understand that the consolidation of this service is up in the air?

Mr. KELLEY of Michigan. That is exactly so; yes.

Mr. BYRNES of South Carolina. The question of whether or not it should be consolidated is not for the Appropriations Committee but for the legislative committee of the House?

Mr. KELLEY of Michigan. Absolutely.

Mr. OSBORNE. I would like the opinion of the gentleman upon this point: If we reduce the personnel of the Navy to 100,000 men and make the increase such as we are undertaking, does that give us a sufficient number to prevent the ships from deteriorating for lack of being manned?

Mr. KELLEY of Michigan. It provides, as I said, for the keeping in full commission of all these first-line ships and half of the destroyers. Then it provides for a complement on the rest of the new destroyers of 60 men, instead of 100, and on the older craft, which may or may not have much military value, but which no one has authority at this time to scrap, we have provided for enough men simply to act as caretakers.

Mr. WILLIAMS. I wanted to ask the gentleman from Michigan what, if he cares to answer, was the manner in which this bill was prepared?

Mr. KELLEY of Michigan. What do you mean?

Mr. WILLIAMS. I understand it was prepared by a subcommittee consisting of five members.

Mr. KELLEY of Michigan. I think I see the drift of the gentleman's question.

Mr. WILLIAMS. A committee of five members framed the bill?

Mr. KELLEY of Michigan. A subcommittee of five members framed the bill; yes.

Mr. WILLIAMS. What did the other members of the committee have to say about this bill?

Mr. KELLEY of Michigan. I will say to the gentleman that it would not be profitable to take up the time of the House now in discussing the rules of the House.

Mr. WILLIAMS. Is it a fact that the other 30 members of this committee had not anything more to do with this bill than any other 30 Members of the House?

Mr. KELLEY of Michigan. All I desire to do at this time is to explain the provisions of the bill, which has been prepared under the rules of the House. If the gentleman wants to have the rules of the House changed, some day when we are not busy and Congress has more time the matter can be taken up and considered anew from the beginning, and then I will be glad to answer any questions which the gentleman may care to ask with reference to the manner in which this bill was prepared.

Mr. WILLIAMS. I think the gentleman is as competent to speak as the other members framing the bill.

Mr. UPSHAW. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes; I yield.

Mr. UPSHAW. As a result of the constantly multiplying devices of destruction to which the gentleman has been referring, does he not believe that it is the duty of this Nation, a

Nation supposedly of Christian civilization like America, to lead the other nations as speedily as possible toward the great divine event of international disarmament?

Mr. KELLEY of Michigan. Yes; I think we ought to lead; but while we are leading I do not think we ought to expose ourselves unduly. [Applause.]

Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman from Michigan has used 44 minutes. The gentleman from Kansas [Mr. AYRES] is recognized.

Mr. AYRES. Mr. Chairman, I have been a member of the Naval Affairs Committee only a short time, but during that time I have had a chance to make some observations and some comparisons. In view of the fact that I am soon to retire from this committee and from Congress, and in view of the further fact that I am for keeping intact the first line of defense of this Nation until an agreement to disarm on the part of the principal nations has been reached, I intend at this time to speak of some of these observations. In doing so it will to a certain extent show the attitude of the two great political parties toward the Navy and naval preparedness. I do not intend to go back to the period prior to the Civil War.

At the close of the Civil War in April, 1865, there was on the high seas and great western rivers the largest and most powerful Navy known to history. There were hundreds of vessels of all sizes, rigs, and means of propulsion. Some of these vessels were armored, but by far the larger number were wooden vessels. Many were full-rigged sailing vessels, with practically only auxiliary steam power, while a few only were fast under steam. There were the monitors, armed with 15-inch guns, at that time considered the largest and probably the most powerful weapon of the day afloat. There was the only broadside ironclad the Navy ever built, this being built in the shape of the *New Ironsides*, which was burned in 1866, the next year, at her wharf. Among the vessels there were great numbers of gunboats—side-wheeled double enders—for river use.

At the same time there were on the stocks in many navy yards and private shipyards a great number of war vessels in partial completion. At the New York Navy Yard, at Kittery, and at Charlestown (Boston) were hulls of vessels being completed. Some of the vessels were finally sold for the metal that was in them and removed.

Immediately upon the termination of hostilities in 1865 virtually all of the great Navy of this country was put out of commission. It came about that the greater part of the Regular Navy was soon laid up at the navy yards, while a few of the unfinished ships were completed and made short cruises. Most of the monitors were laid up; many were sold and broken up, only a few being kept in commission. Even the navy yards themselves went to pieces, as did the ships, though in some of them there had been built solid stone dry docks, which at this time were the admiration of civil engineers.

I am sorry to say it, but nevertheless it is true, the same sentiment exists to-day, both in and out of Congress, to again in like manner scrap the Navy. Strange to relate, the same political party is in power as was in power at the close of the Civil War. There were at that time—that is, the close of the Civil War—a few friends of the Navy in Congress, but their efforts to maintain the Navy were in vain.

Very little was done for the next 15 years, except to build a few valueless ships. They may be called valueless because they were mostly armed with smoothbore guns, no better than those used in 1861. The ships were full-rigged sailing vessels, built of wood and of very moderate speed. These vessels were no match for the faster and more powerful cruisers which Great Britain had just begun to turn out.

During the administrations of Presidents Johnson, Grant, and Hayes the Navy had fallen into a deplorable condition, until in 1881 steps were taken to put some life into it. Under President Garfield, Secretary William H. Hunt appointed the first commission to prepare plans for new ships. Conditions were such that Navy men grieved over the decadency of their glorious service and felt ashamed of its condition. Secretary Hunt did not live to see his plans perfected, being sent to Russia as our ambassador in 1882, and died there. His successor, Secretary Chandler, continued Mr. Hunt's work, and had plans for four ships prepared—the *Atlanta*, *Boston*, *Chicago*, and *Dolphin*, the first iron ships of our Navy—but, with Secretary Whitney in the first Cleveland administration, there began really the first work in building a new and great Navy. Secretary Whitney had a conception of rebuilding the American Navy and making it worthy of this country.

Of Mr. Whitney it may well be said that he deserves to be called "the father of the new American Navy." All vessels authorized prior to March 4, 1885, were insignificant as compared with those authorized under the administration of Secretary Whitney. In 1886, during the first session of Congress under his administration of the Navy Department, there were authorized six armored vessels, an additional protected cruiser, the Navy's first torpedo boat, and the famous dynamite gun cruiser, *Vesuvius*, giving a total displacement of 36,475 tons. In 1887 the next Congress carried on the good work, authorizing the construction of vessels of various types, amounting in all to 19,987 tons. In 1888 the vessels authorized had a total displacement of 27,436 tons. This included the armored cruiser *New York*, the first of her type. In 1889, the last Congress of the first Cleveland administration, there were authorized 5,325 tons. It will be seen that while prior to the Cleveland administration there were 22,000 tons displacement of new vessels authorized for the new Navy, under Secretary Whitney 89,213 tons were authorized, or four times as much, and I call attention to the fact that it was mainly these vessels that constituted the fleet that fought the Spanish-American War. The *New York*, which was Sampson's flagship, and the *Olympia*, which was Dewey's flagship, were both authorized in the third year of Secretary Whitney's administration—1888.

It may be just a happen-so matter that when the Republican Party comes into power the Navy almost immediately begins to decrease as to size and efficiency, and when the Democratic Party comes into power it begins to build up and become a real first line of defense of the Nation. At least that has been the record up to date. It begins to look as though that record will be continued. I have but little complaint to offer to the present bill, although I must say it has been carved to the very bone, and I dare say before it is passed it will be carved more, if it is possible to do so.

The Navy had been so neglected under the administrations of McKinley, Roosevelt, and Taft that when the present administration came into power in 1913 it found the Navy short of officers, short of men, short of fighting craft, short of aircraft, short of munitions, with an unworkable organization. Our lack of a well-balanced and adequate Navy was referred to by Senator LODGE in an address in the Senate in 1916. In referring to the three-year building program offered by Secretary Daniels, he said:

> I have already said, when I began to speak, that this bill went some distance in remedying the haphazard, ill-balanced, often stingy, and ill-proportioned recommendations of Congress, made by committees and compromises, and all that, without any system.

Under this system, or lack of system, the Republican administrations had allowed the Navy to drop, prior to 1911, from second to third, if not fourth, place. The official recommendations to Congress to put an end to the "haphazard" policy with reference to naval increase was contained in President Wilson's message to Congress in 1915, when he urged the adoption of a well-considered and well-proportioned "continuing program" for the construction of new ships.

I understand as far back as 1903 the General Board had recommended a "continuing program" that would have given us 48 battleships and other craft in proportion by 1919, but it was pigeonholed in the Navy Department and never saw the light until summarized in the report of the board in November, 1914, and printed as an appendix to the report of Secretary Daniels. Congressmen BUTLER and Roberts, ranking Republican members of the Naval Affairs Committee, I am informed, stated at a meeting of the committee that though they had been on the committee from 15 to 18 years they had never seen that report of the General Board until it had been printed by Secretary of the Navy Daniels. Though this "continuing program" was urged by the General Board it was never seriously considered. In the very year it was presented—1903—the then Secretary of the Navy recommended only one battleship, and no Secretary or Congress seemed to appreciate the importance of a continuing program of construction until the Wilson administration urged its adoption. In 1916 Congress made it a part of its legislative program. The program means more than simply an increase of fighting units and an increase of naval strength. It means the abandonment of the haphazard policy of the former administrations, and adopts a plan that will insure to this country a well-proportioned Navy, strong enough and big enough to meet the requirements of our great country.

In material and in personnel the preceding administrations had permitted the Navy to pass into conditions which may well be termed "decadence." Under the Wilson administration there was adopted for the first time a continuing policy for the accumulation of reserve ammunition and other necessary adjuncts for a Navy strong enough and ready to maintain the rights of the Republic. In the Sixty-fourth Congress an appropriation of $3,000,000 was made for aeronautics, continuing what was then considered the wise policy of the Sixty-third Congress which had made the first specific appropriation of $1,000,000

for aeronautics. This appropriation by the Sixty-third Congress permitted the development of aeronautics so that in 1916 an aviation ship was in the fleet and the Aviation Corps had been increased to 18 machines with 160 officers and men, as compared with 4 machines and 4 officers in March, 1913. The Sixty-fourth Congress, by reason of the larger appropriation given, insured the beginning of the expansion and foundation upon which there could be built a larger aviation force in war.

Under this administration the construction of new craft has been prosecuted more vigorously than in former years. It had required seven years to complete the *Virginia*, launched in 1906; nearly five years was taken to construct the *South Carolina*, launched in 1909; but at a period when it was more difficult to secure material and labor than ever before in the history of the country, the *Pennsylvania*, completed in 1916, was finished in three years and three months, and the *Arizona* in about the same time.

There was no mining division, and there were few mines when the Wilson administration took over the regeneration of the Navy. Contracts were made at once to purchase some mines abroad because none could be had in this country; but the European war coming on, it was impossible for the contractors to fill the orders. Fortunately the Navy Department in its contract had retained the right to manufacture mines in this country, and so it built its own plant. A mining division was organized, and for the first time in the history of the American Navy its position in regard to mines and mining became satisfactory. The value of this work done by the Navy can be seen by the construction of the barrage across the North Sea in 1918, this being made possible by the Navy plant for the making of mines. In this connection it is well to remember that the mines built in this country cost from $175 to $200 less than the price contracted for through purchase abroad. Statistics show that for every 100 mines the Navy had when the Wilson administration came into office there were 400 mines in 1916; that is, four times as many, and this number has been multiplied since that time.

There was a shortage in torpedoes, and this was remedied. For every 100 torpedoes on hand in 1913 there were 158 more ordered or in process of construction, the Navy Department constructing torpedoes at its own plant at a saving of $1,000 on each torpedo, the capacity of the Navy torpedo works having been increased about 433 per cent.

The Navy also increased its production of powder, and as it did so private manufacturers decreased the prices from 80 cents a pound to 53 cents a pound, this being done by the direction of Congress after an investigation into its cost. The figures in 1916 showed that the Navy manufactured powder for 34 cents a pound, including all overhead charges. The reports of 1916 show that the Wilson administration had increased the capacity of the powder factory from 3,000,000 to 6,000,000 pounds per annum. This insured an adequate supply of powder for the Navy at a minimum cost.

In the matter of armor plate the policy of the Wilson administration was such as to cut down the excessive prices having previously been charged by manufacturers. Three companies which were manufacturing armor plate offered bids of identically the same price, shortly after Secretary Daniels came into office. These bids were not accepted, and the Secretary of the Navy insisted upon real competition, and by means of this $1,100,000 was saved. Yet this large saving still left the price of armor plate well above a reasonable sum. The Sixty-fourth Congress appropriated $11,000,000 to build an armor plant where armor plate could be manufactured at a less price than was being paid. Besides cheapening the cost of production the Government armor plate plant served to encourage Government experts to steadily improve the quality of armor to be used on Navy craft. The secrets of production discovered by Government experts will belong exclusively to the Government.

The Sixty-fourth Congress also appropriated $705,611,000 toward a projectile factory, to cost double that sum, thus insuring an adequate supply of ammunition at cost price, this ammunition not being obtainable in 1916. I am informed that by obtaining competition $1,077,210 was saved on a single contract for projectiles. The erection of a Government factory guarantees competition with regular manufacturers and the best quality of projectiles.

The great forward step for the Navy in the building of ships and in the general policy of expansion recommended by the Secretary of the Navy was in the adoption of what is known as the three-year building program. This was provided for in 1916, following recommendations made by Secretary of the Navy Daniels and fully supported by President Wilson. That measure provided for the construction of the largest number of fighting ships ever before authorized in one measure by any country in the world. The bill authorized the construction of 10 dreadnaughts, 6 battle cruisers, 10 scout cruisers, 50 destroyers, 9 fleet submarines, 58 coast submarines, 3 fuel ships, 1 repair ship, 1 transport, 1 hospital ship, 2 destroyer tenders, 1 fleet-submarine tender, 2 ammunition ships, and 2 gunboats.

This program, as I have heretofore said, stopped the haphazard policy which had been the habit of the three previous administrations to indulge in, in its various administrations of the Government. In place of providing ships now and then, it set a definite and fixed figure for a number of years, the authorization being such as to make the Navy a complete whole. That program had to be halted when the exigencies of war made it necessary to enter into the construction of ships which could be made quick use of in service in the World War; but the adoption of that program and the plans for it were such as to really prepare the Navy for taking the great part in the World War which it did. That program, halted by the World War, was taken up at the end of hostilities and is now the program which is regarded as one that will put the Navy in the best shape of any navy in the world.

We are now being told that we should scrap this building program for various reasons, one of which is that the large battleships and battle cruisers are obsolete, or soon will be, because the airplane is so developed that a bombing plane can drop a bomb on one of these large ships and blow it to pieces; all of which may be true. Pursuing this argument, why not say we should have no land fortifications for the same reasons, for it would be much easier to drop a bomb on a stationary fort than one going several knots an hour. Also it is just as plausible to say we should not have any Navy except submarine chasers and destroyers because a torpedo fired from the submarine of any enemy vessel would destroy one of these large battleships just as easily and quickly as a bomb from an airplane in the air. When submarines were built to destroy these large boats, then submarine chasers and destroyers were built to destroy the submarines; so it is fair to presume that when the airplane is equipped to drop bombs on ships that the Navy will be well equipped with fighting planes to protect these large boats and all the Navy against such dangers, just as was done with the submarines.

I want to say, notwithstanding the decadent condition in which this administration found the Navy when it came into power in March, 1913, and notwithstanding the many criticisms you have heard about the lack of preparedness of the Navy when war was declared that from the time of the declaration of war by this country on April 6, 1917, to the day of the armistice on November 11, 1918, there was never a minute when a ship was ready to sail that the officers and men were not ready to man the ship; this being true not only of fighting naval craft but also of hundreds of ships carrying troops and supplies and of merchant ships. The Navy also met the necessity of furnishing 19,652 men as armed guards on merchant ships, an extra dangerous service begun before we entered the war, a service that testified to the resource of the Navy to meet any demand made upon it.

One of if not the brightest pages in American history, and especially so far as the great World War is concerned, is the part the American Navy played. It safeguarded the lives of 1,720,360 American troops and transported 911,047 the 3,000 miles across the Atlantic without the sinking of a single troopship or the loss of a single soldier on the way to France.

Brought home from Europe 1,700,000 American troops without the loss of a life or a vessel.

Put into service in European waters 373 vessels and 81,000 officers and men—more ships and more men than were in the entire Navy previous to the war.

Created cruiser and transport force that grew to a fleet of 142 vessels and a naval transportation service that operated 378 vessels.

Proposed and laid 80 per cent of the North Sea mine barrage, stretching 230 miles from Scotland to Norway, which bottled up the German submarines and put an end to this kind of warfare.

Enlisted, trained, and put into service the largest personnel ever possessed by any Navy in the world—over 532,000 officers and men, and which was 100,000 more than were in the British Navy.

Prosecuted a building program embracing 1,000 war vessels, including 275 fast destroyers of most modern type.

Designed, built, sent to France, and operated six naval railway batteries of 14-inch guns, the largest ever placed on mobile mounts and the most powerful artillery used by the Allies.

Built up a naval aviation force of 3,117 officers and 45,632 men, of whom 18,736 served in Europe.

Developed the largest radio and communications system in existence, extending to Europe on the east and Asia on the west, and from Panama to Alaska.

Developed the most successful devices used for the detection of submarines.

Designed and built the largest seaplanes in existence, the N–C type, which in 1919 made the first flight across the Atlantic.

Armed 384 American merchantmen for protection against submarines and furnished them naval guns and gunners.

Manned and operated 2,400 vessels and maintained ships in every zone of naval activity.

Increased the Marine Corps from 13,500 to 75,000 officers and men, sending 30,000 marines to serve with the Army in France.

Under Secretary Daniels the organization of the Navy was put into condition to meet the emergency call which came upon it. He democratized the Navy. He made it possible for the enlisted personnel to be increased by the wise policy of making the Navy protective to the young men. His recommendations to Congress secured appropriations which increased the material side of the Navy. The war brought a big job to this country, and the Navy did its part in executing that big job in a manner that met the highest expectations of America and the world. The American people well know that it was due to the Navy that our millions of soldiers were taken to France without the loss of a single soldier on an American troopship.

That the Navy brought them back in American ships.

That with the wonderful mine barrage in the North Sea the German submarines were shut in and the morale of the German Navy shattered.

That it was by the gallant work of our destroyers, operating with the allied navies, that the German U-boats were checked and ruthless submarine warfare defeated.

That there was a rejuvenation in the spirits of our allies when our destroyers reached the other side of the Atlantic.

War was declared on April 6, 1917. On the 4th of May, less than a month, a detachment of destroyers was in European waters. By January 1, 1918, there were 113 United States naval ships across, and in October, 1918, the total had reached 338 ships of all classes.

On March 11, 1918, a subcommittee was appointed from the Naval Affairs Committee to inquire into the activities of the Navy since our entrance into the war. The members constituting this committee were of both political parties, namely: Mr. OLIVER, of Alabama; Mr. BRITTEN, of Illinois; Mr. VENABLE, of Mississippi; Mr. Littlepage, of West Virginia; Mr. Wilson, of Texas; Mr. PETERS, of Maine; and Mr. HICKS, of New York. I want to read only a part of the report made by these gentlemen. They said:

First. All appropriations have been expended or obligated with judgment, caution, and economy, when you consider that haste was necessary to bring results and abnormal conditions obtained in reference to all problems of production or operations.

Second. The Navy, with limited personnel and material, was suddenly called to face many difficult and untried problems in sea warfare, and has met the situation with rare skill, ingenuity, and dispatch, and a high degree of success.

Third. The efficiency of the Navy's prewar organization, the readiness and fitness of its men and ships for the difficult and arduous tasks imposed by war were early put to the acid test and thus far in no way have they been found wanting, and we feel that the past 12 months presents for the Navy a remarkable record of achievement, of steadily increasing power in both personnel and material, of rapidly expanding resources, and of well-matured plans for the future, whether the war be of long or short duration.

Our committee undertook this investigation expecting to find that no matter how well in the main the Navy had made its expansion into a war force we would find some matters subject to adverse criticism. We brought with us the desire to cooperate with the Navy to the one end, success. An examination of the records will show how little occasion we have had to find fault. Some mistakes, have, of course, been made, yet the Navy has shown its strength by the manner of its correction.

I also want to read what Mr. PADGETT, then chairman of the Naval Affairs Committee, said on his return from Europe during the war, on the 14th day of October, 1918:

Mr. Speaker, the record made by the United States Navy in this war has not only justified the pride of the American people, but has challenged the admiration of the world. Called upon to perform tremendous tasks, some of them seeming almost impossible, in not one instance has it failed. Whenever any call has come and we are asked "When will you be ready?" as did the British admiral when the first destroyers arrived in European waters, the answer has been "We are ready now." Ready to face any emergency, ready to cope with any problem with that supreme courage and unfailing efficiency that is the tradition of the service.

The readiness of the Navy for action when the war call came was no surprise to us who were familiar with its workings, the plans that had been made, and the measures that had been taken to prepare for any eventuality. We knew that the organization was sound from keel to topmast, that the men at the helm were worthy of every trust. We knew they had been bending their energies to prepare every branch of the Navy for active service.

In June, 1918, Senator LODGE of Massachusetts, in a speech he made, said:

I did not rise to go into the details to describe to you the different naval districts of the country and what has been done in each one of them, but simply to tell you what my own opinion is, after having examined all the arrangements with the utmost care of which I was capable and with the most intense interest, and give my word for what it is worth that, in my judgment, the Navy and the Navy Department, the Secretary and Assistant Secretary, and all the officers, the Chief of Staff, and every head of bureau has done everything that human foresight could suggest.

I might go on and show how by the cooperation of the heads of the various departments of the Navy with Secretary Daniels he saved the Government millions of dollars in contracts for steel and fuel; how he ascertained the costs of manufacture of such steel as the Navy was compelled to have, and he applied that knowledge when driving a bargain with the big steel manufacturers so as to get steel for the Navy at far less per ton than was charged the Army; how when he, as Secretary, was unable to get a decent price submitted to the Navy Department as to fuel, he commandeered, and because of this had plenty of fuel at all times for the Navy, both coal and oil, and at a very reasonable price. It might be interesting to state briefly just what was done. In all, the Navy has, since July 1, 1917, procured approximately 9,450,000 tons of coal at the remarkably low price of $2.61 per ton net f. o. b. mines, and approximately 17,700,000 barrels of fuel oil at the equally low price of $1.53 per barrel. These prices are f. o. b. mine for coal and f. o. b. terminal point for fuel oil.

Strange as this may seem to some, this was accomplished by the department which had at its head the man who was dubbed by some yellow journals and embryo statesmen as a "country editor." There never has been a time in the history of our Navy when it was so efficiently handled, both in war and peace, as under the Daniels administration. He did not do it all, that is true; but he brought about cooperation between the heads of the various departments. In doing so he made enemies of some in the Navy Department and was and is severely criticized by those enemies and their friends; but long after these critics have returned to undistinguishable dust the record of the Navy, made under his administration, will shine forth a brilliant page in our Nation's history.

As a matter of fact the history of the Navy since March 4, 1913, constitutes what might be designated as the Golden Age of the American Navy. Whether we have reference to the preparation made before the war, or the wonderful efficiency from start to finish during the war, or the bringing back of soldiers, and naval assistance in the alleviation of suffering and the readjustments to the after-war period—in whatever way we view the Navy of these eight years—it is a record which will challenge the admiration and emulation of our own country and the world. We should feel proud of the recognition of what our Navy did in the World War, which has been given generously and freely by all the nations with whom we were allied or associated during the war. Perhaps some of our own people living in their quiet homes, not privileged to see the hundreds of naval ships doing every task which can fall on Navy ships, have not fully realized the debt they owe to those charged with the administration of their Navy, and the brave officers and men who made this new and glorious record for the American Navy.

Sir Eric Geddes, first lord of the British Admiralty, speaking about the training of American youths for service in the Navy during the war, said:

The dauntless determination which the United States has displayed in creating a huge trained body of seamen out of landsmen is one of the most striking accomplishments of the war. Had it not been effectively done, one would have thought it impossible, and words fail me to express our admiration of this feat undertaken and accomplished by your Navy Department.

The French minister of marine, in a recent address upon what the American Navy did during the war, said:

As far back as May 3, 1917, destroyers sailed from America to Queenstown. In the month of November 52 destroyers were in the European waters. By means of destroyers, yachts, and cruisers it was possible to organize the convoy system, which reduced to a minimum the losses of transatlantic navigation. The most wonderful thing is that millions of soldiers crossed the ocean and not a single vessel was lost among those which carried the troops. The American Navy provided these vessels with the necessary escort in a proportion reaching 62 per cent. Seven hundred and ten convoys, representing over 7,000 vessels, have been escorted by her.

But it was not sufficient to render the efforts of the enemy submarines ineffective by protecting against them the vessels they menaced. It was necessary to chase the enemy submarines. Here, as everywhere else, it appeared that the best way to defend one's self consists in attacking one's adversary. To accomplish this important work the United States Navy employed besides its destroyers Eagle boats, submarines, submarine chasers, and seaplanes. Could we do otherwise than mention the assistance the United States Navy gave us in establishing the barrage of the North Sea? It was a gigantic task, considering that the distance between Scotland and Norway is not less than 250 miles, with a depth which for 50 miles reaches 300 meters, approximately. The United States designated 24 steamers for the ex-

clusive transport of material toward the bases organized in Scotland; 8 large vessels of a great speed were reserved for mine laying. The Americans laid not less than 5,520 mines in the course of 3 hours and 50 minutes.

Tributes of similar import might be quoted from every naval chief in every naval country and from Presidents and other rulers in nations with which the United States was associated during the World War.

When Congress declared war the Navy did not have to make plans. They were already made. More than that, every detail of mobilization possible for naval foresight to devise had been worked out. On the very day that the proclamation of war was issued the Secretary of the Navy was therefore able to bring all naval forces into readiness by the following telegram, sent on April 6, 1917, to all flagships:

NAVY DEPARTMENT,
Washington, D. C., April 6, 1917.

Mobilize for war in accordance department's confidential mobilization plan of March 21. Particular attention invited to paragraphs 6 and 8.

JOSEPHUS DANIELS.

In a statement after victory was won Admiral Henry T. Mayo, who was commander in chief of all naval forces afloat in this country and in Europe during the war, said that upon receipt of the above telegram all he had to do was to send one brief message to place the Navy in action for whatever service should be required of his fleet.

We all know that when war was declared the chief dread of American parents was not that their sons might meet death in battle, but the constant fear and apprehension that these young men, hurrying to the front to fight for liberty, would meet their deaths in the transports on the ocean from torpedoes hurled from submarines; that was the thing that gave pause and anxiety to American fathers and mothers. When the transports first began to go across taking American soldiers the submarine menace was at its height. The first convoy of ships taken over under the escort of the American Navy was attacked by German submarines, and only the skill of American naval navigation enabled these ships to get into port safely. The whole country had a sense of thanksgiving when the news came that the transports had escaped the attack of the undersea assassins.

From the first Secretary of the Navy Daniels announced that the paramount duty of naval officers and naval ships was to insure safety to transports. He declared that the American Navy would render service in every direction possible and would send its ships to protect ships carrying supplies and provisions in any place where the allied forces felt that their presence was necessary; we would send ships into the North Sea to cooperate with the allied navies so as to give an overwhelming preponderance against any possible attack by the enemy fleet, and we would make every possible contribution; but it was his fixed policy that nothing was to be considered as in any way approaching the importance of protection to the transports carrying soldiers. In pursuance of this policy, adopted on the day we entered the war and carried out until the armistice, the Secretary of the Navy sent the following telegram to Admiral Sims, who was the American naval representative in London during the time of the war:

The paramount duty of the destroyers in European waters is principally the proper protection of transports with American troops. Be certain to detail an adequate convoy of destroyers, and in making the detail bear in mind that everything is secondary to having a sufficient number to insure protection to American troops.

As a result of this policy adhered to, sometimes in the face of suggestions that the American Navy might let its ships do other important work and commit to allied destroyers the safeguarding of American troops, the Secretary of the Navy directed that American naval destroyers should always protect American transports. The result of this policy abundantly demonstrated its wisdom, and the people of America and the world can never forget or be thankful enough that this policy was adhered to and that the brave officers and men of the Navy in carrying it out prevented the torpedoing and sinking of a single ship carrying American soldiers to France during the entire war. Of course, they were attacked, but from the time a transport reached the danger zone the orders for destroyers to safeguard them going into port were carried out. As a result they all arrived in safety and not a soldier on the way to France lost his life in a watery grave. If the Navy had done nothing else during the war except to convoy the 2,000,000 soldiers to France, it would have been a record that would have won the lasting gratitude of the world, for the whole world liberty depended upon the ability of the American Navy to safely land American troops at French ports. Our ships did not indeed escape torpedoing. Some of the ships, after they had landed their precious cargoes of soldiers in France, and were returning to America with only their crews and a few invalided soldiers, were not as adequately protected as ships going to France. Some of them were torpedoed, and a few hundred men lost their lives. When it is reflected that at the beginning of the war no man in America, no naval administrator, and no naval officer believed it possible to escape the sinking of transports loaded with soldiers, the record is almost a miracle. I am told, at the time, the Secretary of the Navy was advised by naval officers on duty in Europe that it would be impossible for all the transports to get through safely, and he was urged to prepare the American mind for losing some transports of soldiers by the enemy submarines. Knowing always the danger of it, and the imminence of it, Secretary Daniels insisted, even where there were officers of ability who advised another course, upon giving the amplest and fullest destroyer protection to the transports. It was only because the American Navy made everything else secondary, was willing to lose food and supplies rather than human life, that no American soldier met his death in the miserable way of torpedo destruction.

When the war was over and the American people were so anxious to have their boys returned home, the Secretary of the Navy sent all the older types of warships to France to help bring home the soldiers. When the soldiers were seriously needed in France, the allied navies, particularly the British, turned over large transports to take over the American soldiers, under lease to the Army. Naturally when the war was over this could not be expected, because the British were compelled to use all their transports to carry Canadian and other colonial soldiers back home, and the task of bringing our American soldiers home rapidly was a very difficult one. Under the direction of the Secretary of the Navy cruisers and old battleships were temporarily converted into transports. I have been informed naval advisers did not believe in this use of the battleships and thought that the soldiers ought to stay in France until transports especially fitted for such duty could be obtained. But, in pursuance of the policy of putting the Navy always at the service of the country, rather than looking forward purely to the naval needs, this policy was carried out by Secretary Daniels, and the War Department and the soldiers in every way possible demonstrated their appreciation of this assistance in a time of stress.

I repeat, to my mind the second most important service rendered by the Navy in the war was the laying of the barrage across the North Sea. No offensive of the war on land or sea was conceived on such gigantic proportions as laying a barrage 230 miles long across that boisterous sea through which German submarines had been constantly passing since 1914. For years the British Navy had sought in vain to shut up the submarines and keep them out of the Atlantic Ocean. They had used mines here and there, they had put down nets, seeking to make egression into the ocean more and more difficult. But when the United States entered the war the imperative need was, as expressed by the President of the United States, to "shut the hornets up in their nests." In an address to the Atlantic Fleet at Yorktown, President Wilson said:

We are hunting hornets all over the farm and letting the nest alone. None of us knows how to go to the nest and crush it, and yet I despair of hunting for hornets all over the sea when I know where the nest is, and I know that the nest is breeding hornets as fast as I can find them. I am willing for my part, and I know you are willing, for I know the stuff you are made of—I am willing to sacrifice half the Navy. Great Britain and we together have to crush that nest, because if we crush it the war is won.

I am informed that on the 15th day of April, 1917, the suggestion of laying this barrage across the North Sea was made by the Bureau of Ordnance of the Navy Department. It was forwarded to London by Secretary Daniels for presentation to the British Admiralty, and it was pressed from time to time by the Navy Department. However, the British Admiralty did not for a long time see its way clear to approve the policy of the Navy Department, and word came back to America through its naval representative in London that it was not deemed feasible. As a matter of fact, the suggestion was made from London that the United States Navy should turn its attention more to other methods of assisting in the war rather than urging the laying of the North Sea barrage, which the British Admiralty had considered and had deemed "unfeasible."

Convinced that nothing could end the destruction of ships by German submarines until a barrier should shut them up in their home nests, Secretary Daniels and his advisers at Washington continued to press the matter as the only effective offensive against submarines. After months of insistence by the Navy Department, accompanied by a statement that the United States would manufacture all the mines and furnish the ships and personnel to lay the mines, or as much as the British wished us to furnish, the British Admiralty finally agreed to cooperate. The

carrying out of this great scheme cost the United States $79,849,290.93. Seventy thousand two hundred and sixty-three mines were laid by the United States and Great Britain, of which 80 per cent were laid by the United States Navy. Even before the work was finished the barrage began to take toll, and the news that the barrage was laid and doing business gave such a blow to the morale of the German Navy that there was a mutiny at Keil and the submarine menace soon became impotent. It was effective to an ever-decreasing extent against surface craft, but the presence of an automatic net, with jaws to swallow men and ships, exercised so deterrent an effect that before the armistice submarine activity was reduced to a steadily diminishing point.

I could, if I had the time, go on and cite many other great things the Navy did during the war, but the lack of time will not permit. I am in hopes that, notwithstanding this is a Republican administration, and notwithstanding the record of this party heretofore on naval affairs, that it will not proceed to again scrap the Navy.

While I am in favor of disarmament of all nations to a minimum, I am not in favor of disarming until other nations do likewise. I hope the day may not be far distant when all the nations can reach an agreement to disarm; but while we are talking with them about it I am not in favor of us doing it while they are only talking about it. There will be time enough to declare a holiday on the naval-building program when all the leading nations of the earth have entered into an agreement to disarm, and until that time let us, as a Nation, keep intact the first line of the Nation's defense. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Kansas has used 20 minutes.

Mr. KELLEY of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. BRITTEN].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. BRITTEN. Mr. Chairman, I probably shall not use all the 10 minutes assigned to me. I merely desire to express in the RECORD for the benefit of the future my personal objection to the way in which the rules now in vogue in the House are being made effective. I have no complaint whatever to make of my good friend Gov. KELLEY of Michigan. There is no man in the House whose opinion on general naval matters I would rather follow than his, and yet I must admit in all honesty that no one man, no one good man, can take the place of 21 who are accustomed to handling naval affairs.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. HICKS. Are there not 35 on this committee?

Mr. BRITTEN. Yes.

Mr. WILLIAMS. Not on that committee.

Mr. BRITTEN. I have only a few minutes, and I do not want to get into any personal controversy at all. I suggest to gentlemen on the floor now that I am as certain as I possibly can be that the new rule under which we are now operating will be declared to be ineffective. It will have to be amended, because the business of the House is not going on in a proper and orderly manner.

The gentleman from New York [Mr. HICKS], my colleague on the Committee on Naval Affairs, suggests that there are 35 members of the Committee on Appropriations. Yes; 35, and 35 good ones. I have no complaint to make about the personnel of that committee. It is just as good and probably better than that of any other committee in the House.

But let us see what transpired. On February 2 Gov. KELLEY reported this bill to the Committee on Appropriations, and on that same morning he was directed to report it to the House. Of course gentlemen will understand that it was impossible for that committee or any reasonable percentage of that committee to consider this bill. It has not been considered by the Committee on Appropriations. No one can deny that, and yet it may be a good bill for all that.

I do not agree with it in general. I do not think this bill will maintain the Navy properly. The Navy can not possibly live and be efficient under the provisions of this bill, for the reason that the amounts were arbitrarily slashed by the one gentleman, or not to exceed two gentlemen, who framed it, and I regard them both very highly.

Now, it is very easy to say that the Navy can be successfully operated with 100,000 men, and that if the men are not available for the ships in various instances, then just put the ships in reserve. Gentlemen, that is not what ships are built for. They are not built to be just put in reserve. They are built for use on the high seas and in action and for maneuvers. The ship that is put in reserve with a caretaker on board goes to ruin much faster than one that is constantly in use. That is false economy and poor naval action.

However, I am convinced that very few amendments can be made to this bill, because under the 5-minute rule it is impossible to materially amend a bill that has the backing of the Committee on Appropriations, and it is probably proper that it should be so. But let us see what the situation is. Under the new rule the Committee on Appropriations is supposed to bring in its appropriation bill, and the Committee on Naval Affairs is supposed to bring in its legislative bills affecting the Navy and for the Naval Establishment for the next fiscal year. The Committee on Naval Affairs prepared and unanimously reported to the House our annual so-called legislative naval bill. There was no way to bring that bill before the House except under a rule. It might perhaps be brought up in the House on Monday under suspension of the rules, or it might wait until some Calendar Wednesday and be reached in that way; but in our desire and our endeavor to work in cooperation with the Committee on Appropriations we took 8 or 9 or 10 of their amendments—amendments prepared, I believe, by the gentleman from Michigan, or the chairman of his committee—and on their request we incorporated those amendments in our legislative bill so as to work in harmony with the Committee on Appropriations.

We did that. The first nine sections of our bill, I believe, consisted of amendments prepared by the Committee on Appropriations in order that we might work harmoniously with them and come as near as possible to complying with the new rules of the House. What was the result? The gentleman from New York [Mr. HICKS] and I appeared before the Rules Committee the other morning and asked for a rule; and we stated that that rule was recommended and approved and desired not only by our Committee on Naval Affairs but by the chairman of the Committee on Appropriations [Mr. GOOD]. It was desired by the gentleman from Michigan [Mr. KELLEY], who, with the gentleman from Kansas [Mr. AYRES], framed this bill. They were in favor of the rule.

The Rules Committee heard us courteously, gave us all the attention to which we were entitled, and then declined to give the rule for reasons best known to themselves, and probably for good reasons. I have no fault to find with the Committee on Rules.

Mr. BLANTON. Will the gentleman yield?

Mr. BRITTEN. Not now, please. I have only a few moments. I have no fault to find with the Committee on Rules.

Mr. BLANTON. I want to tell the gentleman how he can get a rule.

Mr. BRITTEN. If the gentleman will tell me how we can get a rule, I will yield to him.

Mr. BLANTON. If you will just knock out every piece of legislation in this bill from the first page to the last, you will find that the Committee on Rules will grant a rule to put it back.

Mr. BRITTEN. It is my intention to make this bill conform to the new rules of the House and to eliminate all legislation subject to a point of order. That is the only way the House and our committee can be informed as to just how much of the bill properly belongs under our jurisdiction. All points of order successfully maintained will naturally throw that language to the Naval Affairs Committee, where it belongs.

We desired to come in here with a bill containing legislation approved by the Appropriations Committee and to work with that committee so far as we could.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRITTEN. May I have five minutes more?

Mr. KELLEY of Michigan. I yield to the gentleman two minutes more.

Mr. BRITTEN. The gentleman agreed to yield me 15 minutes originally.

Mr. KELLEY of Michigan. All right.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. GARRETT. Will the gentleman yield to me?

Mr. BRITTEN. If the gentleman will assist me in getting a little more time.

Mr. GARRETT. I wish to say to the gentleman that, as one member of the Committee on Rules, I do not know why the rule was not granted.

Mr. BRITTEN. I thank the gentleman. There is probably a policy established here by the steering committee or by the majority members of the Committee on Rules, which policy I am willing to adhere to. And, remember, I am not criticizing anybody in particular, but I do suggest to the House that the rule under which we are now operating can never be made effective nor can it be made successful. We may go on and promote legislation. I do not doubt that. The House doe

many things in a more or less irregular manner. We may promote a lot of legislation, but we are not promoting good legislation in the way that it ought to be promoted. You gentlemen realize that legislation for the Navy is just as important as are appropriations. They should go together. We had one suggestion in our bill, prepared, I believe, by the chairman of the Committee on Appropriations [Mr. GOOD], that will ultimately have to be cared for, either by adopting his suggestion or else by an appropriation of $125,000,000 for the Bureau of Supplies and Accounts. That has got to be done sooner or later. There were numberless other pieces of important legislation. We provided for the concentration of naval districts throughout the country. That was done, I believe, at the suggestion of the gentleman from Michigan [Mr. KELLEY]. That is an excellent idea and a step in the direction of economy. It can not be made effective without legislation. We had provided it in our bill, yet there is no chance, I repeat, to get that legislation before the House. This appropriation bill will probably come back here from the Senate loaded with all sorts of legislation, and if you want to make the Senate the legislative body for the House, this is the best way to do it.

Mr. BUTLER. Will my colleague yield?

Mr. BRITTEN. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Will my colleague state to the committee how much each year we would save to the Government if we were permitted to legislate as to the naval districts alone? Does my colleague remember that the clerk hire for three naval districts is $275,000 a year, which could be wiped out by consolidating the districts?

Mr. BRITTEN. I will say to our distinguished chairman of the Naval Affairs Committee that many of these matters were covered in our bill at the request of the Committee on Appropriations. Now, it was suggested by the gentleman from Mississippi [Mr. SISSON], and it was suggested by the gentleman from Iowa [Mr. GOOD], and by the gentleman from Michigan [Mr. KELLEY] and others, as a means of caring for the situation, that we might incorporate into this bill these various suggestions for economy. The gentleman from Iowa [Mr. GOOD] suggested that we might offer our bill in separate amendments, either to his deficiency bill or to the pending appropriation bill, and I said in reply, "What becomes of the Committee on Naval Affairs when your committee legislates for us?"

Mr. GOOD. If the gentleman will yield, I made no such suggestion.

Mr. BRITTEN. I did not say you suggested it. I said you said you would include them in your bill.

Mr. GOOD. I said if there was legislation that the Committee on Naval Affairs desired, if some member of that committee offered it I would have no objection.

Mr. BRITTEN. That is substantially what I said.

Mr. BYRNES of South Carolina. The gentleman's complaint is against the Rules Committee for not bringing in a rule.

Mr. BRITTEN. Oh, no.

Mr. BYRNES of South Carolina. Wait one moment. The gentleman, I think, will agree that if this committee brought in an appropriation bill and attempted to enact legislation upon it, under the old rule it would have been subject to a point of order.

Mr. BRITTEN. True.

Mr. BYRNES of South Carolina. Nobody in the House would make the point of order, but now because some gentlemen are peeved they make the point of order.

Mr. BRITTEN. I do not know about any Members being peeved.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. AYRES. Mr. Chairman, I yield two minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MOORE of Virginia. Mr. Chairman, the House last Monday passed the bill (H. R. 15873) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes, and I wish to submit some remarks, including some statistical data.

Mr. Chairman, the bill that passed the House Monday, which there was almost no opportunity to discuss, authorizes an appropriation of $100,000,000 for the fiscal year beginning July 1, 1921, to assist the States in the construction of highways. The bill represents the maintenance and continuation of the policy of Federal aid, first definitely expressed in the act of 1916. That act provides and contemplates Federal appropriations to be apportioned to the States on a composite basis of population, area, and mileage of mail routes. It restricts the use of Federal-aid funds in the construction of any highway to $10,000 per mile and not more than 50 per cent of the cost of construction. The limit was subsequently raised to $20,000 per mile. Appropriations heretofore made to carry out the statutory plan have amounted to $275,000,000.

The bill followed hearings held by the House Committee on Roads. On May 11, 1920, there was a hearing which was attended by many of the State highway commissioners. They united in presenting to the committee resolutions that had been adopted, without any dissent, by the American Association of State Highway Officials, urging that to the appropriations already made there should be added the sum of $100,000,000 for each of the fiscal years ending June 30, 1921, 1922, 1923, and 1924. The commissioners who explained the 4-year program were unanimously of opinion that the results of the legislation of 1916 have verified the predictions of its most sanguine supporters in the encouragement and vigor it has given highway construction; that the Federal and State authorities are in energetic and harmonious cooperation; and that nothing could have been done so calculated to create such activity and progress as this legislation has brought about. United opposition was voiced to the substitution of any plan which would place highway construction under the exclusive control of the Federal Government, confining it to a few important interstate roads. It was submitted with great force that such a step would be reactionary if taken for the purpose of superseding or interfering with the present plan, and, if taken at all, should be supplemental to that plan.

After the May meeting the matter was held in abeyance by the committee until December 14, 1920, when, under the leadership of Mr. G. P. Coleman, chairman of the executive committee of the American Association, who is the Virginia State highway commissioner, many members of the association, speaking for all of the States, reiterated and amplified the views that had been previously presented. They were most earnest in supporting the 4-year program and in asking that it be made operative at the earliest possible date.

While some of the members of the committee, thoroughly satisfied that the plan now in effect is the best that can be devised and is not likely to be changed in the future unless by being liberalized, favored reporting the 4-year bill, the committee finally determined that the bill authorizing an appropriation of $100,000,000 for the next fiscal year should be reported—the bill that has passed the House.

Among those who have advocated as expedient and necessary a further appropriation at this session of Congress are the Secretary of Agriculture and the Chief of the Bureau of Public Roads of the Department of Agriculture. From the latter have been obtained the statistics of which I shall make use.

Some have contended in criticism of the attitude of the Federal and State officials that there is no reason for an immediate appropriation, and that action might well be delayed to some undesignated time in the future. They justify this contention by pointing to the fact that a portion of former appropriations remains unexpended which is sufficient to take care of much construction during the next fiscal year. But what is the situation? Prior to January 1, 1921, there had been apportioned to the States $266,750,000, which is the total of $275,000,000 less the administrative charge of 3 per cent. There had been paid, or was due the States on account of completed work, $83,632,282, and there had been pledged on uncompleted contracts, $66,050,825. There was thus left a balance of $117,066,893. The estimated committals for the rest of this fiscal year on account of projects approved and in process of execution will be not less than $50,000,000, and probably considerably more. Thus there will be unexpended and unpledged on the 1st of July next, at the outside, not more than $67,066,893.

The work of construction, which was retarded during and for a period after the war by the shortage of labor and the lack of material and the means of transporting material, is now being actively prosecuted and will be continuously pressed on the basis of an expenditure during the present calendar year of at least $100,000,000. I refer to the Federal funds alone. These figures would show the desirability of the additional appropriation being made even if the system were purely national instead of involving 48 States, some of which have gone forward with the work more rapidly than others. The conditions in the several States vary greatly. Approximately one-half of the States will have placed under contract by the 1st of July, 1921, the funds allotted to them, and those States will be halted

in prosecuting their work and making new contracts unless they have by that date the benefit of an additional allocation. Those States are not confined to any one section of the country, but represent every section. In the course of the brief debate on the bill, I said:

The vital fact is that unless this appropriation is made, in some States work or the negotiation of contracts will be halted, because they have already absorbed their allocations by actual expenditures or contracts to which expenditures have been pledged. Those States are Delaware, Florida, Georgia, Idaho, and Illinois. Other States have gone so far in absorbing their allocations that they will be compelled to let up on contracts during the first half of the next fiscal year in the absence of an appropriation. Some of those States are Alabama, Arizona, Arkansas, Colorado, Connecticut, and Louisiana.

The situation in Virginia is as follows: The amount apportioned to Virginia of the $275,000,000 is $5,451,730.28. On the 1st of January of this amount there had been assigned to projects under construction and partly completed $2,676,337, the projects being nearly one-half completed. Since January 1 there has been assigned to other projects $91,000, and by January 1, 1922, there will be assigned to still other projects at least $1,684,393.28. The three sums last mentioned will exhaust the amount of the allocation to Virginia, and the fiscal year will still have six months to run.

To those who argue that if an appropriation is now made it may not be largely used during the first half of the next fiscal year and may not be wholly used during the second half, the reply is, first, that such can not be the case in some of the States, and, second, that if it is the case in certain of the States the money will remain in the Treasury, which is a circumstance that does not make against the expediency of the appropriation since it will not be to the disadvantage of the Government.

Besides the importance of having the money in hand to aid the States that will need it early or late during the next fiscal year, there are other fundamental considerations that can not be lost sight of. The construction of a great system of good highways is possible only under some permanent plan expressing the deliberate purpose of the Government. It is essential that the States should know whether or not the present plan is to be continued in effect, and an appropriation will furnish the best evidence that it is not to be abandoned or in any way weakened. Should any doubt be created by a failure to make this appropriation, which will be a response to the impressive appeal of all of the States, the States will inevitably be placed in a condition of uncertainty, and embarrassed in making their arrangements for the future. These arrangements ordinarily require legislative action, and the point was stressed in the hearings before the committee that the legislatures of a large number of States will be in session this winter and not in session again until 1923. Now that conditions are becoming more normal, labor and material more plentiful, and transportation facilities ample, the States are prepared to push the work of construction with great rapidity. They are providing funds, employing engineers, and otherwise organizing their activities, and contractors are entering the field of competition. Any misgiving as to the policy or action of the Government will occasion discouragement and tend to throw the States back into the condition that obtained prior to the policy of Federal aid being adopted. The States are willing and eager to exert themselves, but most of the States find it impossible to do what ought to be done without Federal aid.

No question is or can be raised as to the plan being constitutional. Nor can any question be raised as to the primary and growing importance of far better highways than those now existing. Nothing will more directly and greatly contribute to the prosperity of the entire country, both urban and rural, than to furnish better means of travel and better means of transportation for the products of the soil. The era of railroad building has passed and the time has come when if traffic is to move at all an appreciable part of it must move over the public highways. It is estimated that during the last calendar year approximately 350,000 tons of farm products and vegetables were hauled to market in motor trucks by the farmers and gardeners of the United States. All of the people are vitally interested in the welfare of the rural communities where the necessaries of life are produced, and everyone recognizes that nothing should be omitted that can be done to insure their prosperity. Since the last census figures were published the attention of the country has been drawn to the fact that the population is steadily drifting away from the rural sections into the cities. There has been no reversal of this tendency at any time. In 1880, 29.5 per cent of the population of the United States lived in cities of over 2,500 inhabitants; in 1890, 36.1 per cent; in 1900, 40.5 per cent; in 1910, 46.3 per cent; and in 1920, 51.4 per cent. In the decade between 1910 and 1920, 45 of the 100 Virginia counties lost population and 52 lost in the number of farm operations. Seventy-five of the counties lost in one way or the other. It is sometimes suggested that there is nothing in the movement away from the farm to excite alarm. This suggestion is reiterated by a writer in the Atlantic Monthly for February, who says:

The falling off of farm population is not, as many suppose, in all aspects an alarming thing. It represents in large part the improvement which has been made by the city dweller and manufacturer in the processes applicable to the farm. New forms of machinery adapted to farm use have been devised which make it possible for far greater acreages to be handled by these machines with far less human labor. This contribution made by the manufacturer to the improvement of the condition of the farm renders unnecessary the continued employment there of human labor to the same extent as before. Farming sections that show a falling off in the number of inhabitants are very largely sections to which agricultural machinery has gone in large quantities.

It is, of course, true that improved machinery has helped to offset the loss in population and the number of farmers, but it is not a complete and persistent offset. Production is not increasing correspondingly with the increase in population. On the contrary, it is decreasing. While the population of the country has increased in the last decade 14.9 per cent, crop production has remained about stationary. For instance, it was almost the same in 1919 as in 1910; and in 1920, it was less than in 1912 and 1915. What is happening is further illustrated by the increase of importation into the United States of foreign agricultural products similar to those that are produced here. The following figures, obtained from the Tariff Commission, show the increase of the importation of some commodities in 1920, as compared with 1900:

	1900	1920
Cattle	$2,257,684	$45,081,179
Meat	1,214,148	20,581,219
Butter	2,769	10,915,770
Cheese	1,761,613	6,180,972
Seeds	1,795,048	113,032,112
Sugar	100,250,974	688,127,380
Tobacco	13,297,223	78,164,290
Wool	20,260,933	212,848,568

So we have here a serious rural problem. It is the same problem that 20 centuries ago tried the wisdom and ingenuity of the Roman statesmen. Toward the end of the republic agriculture was failing; toward the end of the empire it had failed. A recent writer says:

Rural population fled from the country to the crowded cities, whose wealth had been acquired through war and commerce. Chained by the cities' attractions, they faced distress and hunger rather than go back to a rural life of comfort and plenty.

Another writer belonging to that period says:

From one end to the other of Italy there was barely a trace of agriculture. She consumed; she did not produce. It was because of this that she fell.

No American profiting by the lessons of the past and deeply hopeful of the future will believe for a moment that any such fate is in store for this country, but experience must admonish him that it is the imperative duty of the Federal Government and the States, and individuals as well, to bend themselves to the effort to foster in every legitimate manner the interests of agriculture, so as to hold the people to the soil and make sure that the country shall be self-sustaining or shall at least not steadily more and more fall short of producing what it needs.

It has been said that the plan of Federal aid is unfair because it places an undue burden upon certain States that contribute very heavily to the Federal revenue. It has been stated that the section east of the Mississippi River and north of the Ohio and Potomac Rivers pays about 84 per cent of that revenue. Discussing before the committee the theory embodied in that assertion, Mr. S. E. Bratt, superintendent of highways of the State of Illinois, said:

I come from a State where we pay $2.25 income tax for every dollar of Federal aid we get, yet we are whole-heartedly for this measure. We have in the State of Illinois the city of Chicago, which happens to be the headquarters of a great number of corporations whose plants and industries are located in other States.

All of the profits accruing from these various industries—agriculture, mining, lumber, etc.—come in the regular course of business to Chicago, are paid out from that office, and are taxed from that office, and are credited to the State of Illinois. This is true also of Pennsylvania, with the cities of Philadelphia and Pittsburgh; also of Massachusetts, with the city of Boston; and in a much greater degree with the State of New York, with the city of New York. But if you compare the Federal distribution under the Federal aid act with the basic production of each of the States—that is, their production of minerals, lumber, and all classes of agricultural products—you will find that the comparison is very close. For example, the State of Illinois produces 5.13 per cent of the basic products of the United States, while it receives 4.51 per cent of the Federal allotment. I submit, therefore, that the amount of Government tax as paid by a State is not a fair basis of comparing the distribution of Federal road funds, because these taxes, especially as applied to income and excess-profits taxes, are drawn from other States as well as the State in which the tax is paid.

A table to which Mr. Bratt referred shows that in 1919 the total value of the basic annual products of the United States from farms, forests, and mines, namely, mineral products, lumber, wool, poultry and eggs, dairy products, domestic animals, and agricultural crops, was $30,251,702,506. The following summary indicates the proportion of that total produced by each State, and the proportion of Federal aid received by each State in the allocation of the $275,000,000 heretofore appropriated under the present highway plan:

State.	Per cent of production.	Per cent of Federal aid.
Alabama	2.26	2.17
Arizona	2.17	1.41
Arkansas	2.01	1.73
California	2.70	3.14
Colorado	1.30	1.79
Connecticut	.35	.63
Delaware	.14	.17
Florida	.64	1.18
Georgia	2.64	2.78
Idaho	.84	1.26
Illinois	5.08	4.51
Indiana	3.07	2.78
Iowa	4.85	2.98
Kansas	3.73	2.96
Kentucky	2.52	2.01
Louisiana	1.97	1.40
Maine	.61	.99
Maryland	.69	.90
Massachusetts	.46	1.52
Michigan	3.24	2.98
Minnesota	3.39	2.93
Mississippi	2.21	1.85
Missouri	3.27	3.50
Montana	1.38	2.06
Nebraska	2.78	2.20
Nevada	.43	1.33
New Hampshire	.29	.43
New Jersey	.49	1.23
New Mexico	.70	1.65
New York	3.05	5.13
North Carolina	2.90	2.35
North Dakota	1.33	1.58
Ohio	3.83	3.82
Oklahoma	3.98	2.38
Oregon	1.42	1.63
Pennsylvania	5.50	4.73
Rhode Island	.07	.24
South Carolina	2.04	1.48
South Dakota	1.73	1.67
Tennessee	1.96	2.33
Texas	5.43	6.03
Utah	.96	1.17
Vermont	.45	.47
Virginia	1.86	2.05
Washington	1.72	1.49
West Virginia	1.99	1.10
Wisconsin	2.95	2.62
Wyoming	.62	1.26
	100.00	100.00

The vote on the bill in the House was 278 for and 58 against. Should the Senate take favorable action, the policy expressed in the act of 1916 may be regarded as a policy so firmly settled as to be beyond the reasonable probability of reversal or any harmful modification.

The CHAIRMAN. The gentleman from Virginia yields back one minute.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman have that minute to answer a question.

The CHAIRMAN. The time is in the control of the gentleman from Kansas and the gentleman from Michigan.

Mr. BLANTON. Then I withdraw my request.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks. Is there objection?

Mr. McCLINTIC. I object.

Mr. AYRES. Mr. Chairman, I yield 35 minutes to the gentleman from Tennessee [Mr. PADGETT].

Mr. KELLEY of Michigan. Mr. Chairman, I yield the gentleman from Tennessee 10 additional minutes.

The CHAIRMAN. The gentleman from Tennessee is recognized for 45 minutes.

Mr. PADGETT. Mr. Chairman, it is my purpose to discuss the provisions of the bill now under consideration. I realize the condition and what I might, perhaps, be justified in calling the hysteria in the country for economy. By hysteria I mean a predominant feeling among the people for curtailing expenses and for economy; and I wish to say at the outset that I fully sympathize and concur in every legitimate aim and purpose for economy. But that raises at the outset the question, What is real economy? I desire to say that under all circumstances withholding appropriations is not always economy. Economy is the proper and judicious expenditure for necessary and proper achievement; so that we should guide our judgment of what is economical, what is proper, by the standard of its necessity and the wisdom of the action to be taken.

I realize also that all of the appropriations provided for in the pending bill will have to be administered and executed by a new Secretary of a different political affiliation. So that what I have to say is in no sense partisan or intended to be political. I would not be fair to the House or just to myself if I refrained from calling attention of the members of the committee and of the House to what I conceive to be the results of this bill upon the Navy.

I desire also to call attention to the fact that, in my judgment, the new Secretary of the Navy, when he assumes the duties and obligations of administering the Navy, will find himself very much handicapped and will find himself necessarily resorting to methods and to conduct in the administration of the Navy that will be embarrassing to the administration and which will be detrimental to both the Government and the interests of the Navy.

I wish now in advance to exempt the new Secretary of the Navy from responsibility for the conditions which will confront him, and which will be subject to criticism if we are to be governed by the history of the past. He will have to adopt methods necessarily that have from time to time, to my own certain knowledge, been severely condemned and severely criticized by Members of the House upon the now present majority side of the House, and in the press of the country. But the new Secretary will not be responsible for those conditions. They rest with the Congress.

The gentleman from Kansas [Mr. AYRES] called attention in such a nice and splendid way to the growth and the development of the Navy that I shall not attempt to enlarge upon it. Suffice it to say that in 1913 the American Navy was claimed to be about third class. There were some who reckoned it at fourth class. To-day we have a Navy, when the present building program is completed, that in military value, in fighting efficiency, which is the purpose and aim of the Navy, will be first class.

I want to say that in offering the suggestions which I do that I am doing it for the purpose, if possible, of maintaining the high standard of the Navy, its usefulness, its efficiency, its military value, for the good of our country, because I believe as the first line of defense of the country, different from the Military Establishment, the country should always have and maintain a Navy of first value compared with the other navies of the world.

I wish to make some observations with reference to the statements in the report. If you will turn to the report you will see a number of tables of analysis giving comparisons with the current fiscal year 1921 and also with the estimates submitted, and with the recommendations of appropriations in this bill.

Inadvertently and unintentionally these comparisons are misleading. It is true that in the body of the report the committee calls attention to the fact that there was a deficiency appropriation reported and carried in a bill just passed by the House an hour or so ago of about $61,000,000, but it is not set forth and not referred to in the tabulation given, and when you come to compare the tabulation there is a danger of being misled and getting an entirely erroneous conception of what this may mean. For instance, on page 13 of the report we find the Bureau of Supplies and Accounts. In the column headed "Appropriations for 1921 in the naval, deficiency, and other acts," the total is given for the Bureau of Supplies and Accounts of $169,376,537, which includes the "pay of the Navy," "provisions for the Navy," "maintenance," "freight," "fuel and transportation."

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield at that point?

Mr. PADGETT. Yes.

Mr. KELLEY of Michigan. I think the gentleman will understand very clearly that the deficiency which he speaks of had not at the time the report was made been even reported by the Committee on Appropriations, and it even yet has not become a law.

Mr. PADGETT. I know that to be correct.

Mr. KELLEY of Michigan. And we could not of course include that in the report.

Mr. PADGETT. I said in the beginning that in the body of the report attention is called to the $61,000,000 deficiency carried in the deficiency bill, but to the lay reader these comparisons are misleading, and I want to state wherein they are so.

Under the heading "Amount recommended in bill for 1922," the total is given as $184,311,935.50, and under the column

"Increase or decrease, compared with 1921 appropriation," it is stated that there is a surplus of $14,935,398.50 for those items which I have mentioned, whereas, as a matter of fact, there was a minus or a decrease of $40,064,601.50, or a difference between the plus and minus of this report of $55,750,000. How is that made up? Take the pay of the Navy. They report for the pay of the Navy, $120,876,537 for the fiscal year 1921, but that ignores the fact that in the deficiency bill there was carried a deficiency of $30,000,000 for that item, so that when they come to the plus or the minus sum they gave a plus of $12,325,726 for the appropriation in the present bill, whereas when you consider the deficiency there was a minus of $17,674,274 in the pay of the Navy.

Mr. GOOD. Mr. Chairman, will the gentleman yield on that item of the pay of the Navy?

Mr. PADGETT. Yes.

Mr. GOOD. The gentleman would not have the House believe that the same appropriation will be required next year that is required this year, when the Navy is larger now than it will be next year?

Mr. PADGETT. No. I am going to call attention to that. The report states that the cause of the reduction was because, instead of appropriating for 143,000 men in the Navy, they were appropriating for 100,000 men, and instead of appropriating for 27,400 men in the Marine Corps they are only appropriating for 20,000. What are the facts? The current fiscal year, including all deficiencies, is only for 120,000 men in the Navy instead of for 143,000, and for 20,000 in the Marine Corps instead of 27,400—Marine Corps identical in the two bills; so that the statement that the reductions are largely due to this reduced number is overdrawn.

Mr. KELLEY of Michigan. Is not the statement that the reduction is below the estimates?

Mr. PADGETT. Yes.

Mr. KELLEY of Michigan. Is not that correct?

Mr. PADGETT. Yes; it is below the estimates.

Mr. KELLEY of Michigan. The estimates were based on 143,000 men in the Navy and 27,400 men in the Marine Corps.

Mr. PADGETT. That is true.

Mr. KELLEY of Michigan. Then the statement in the report is correct?

Mr. PADGETT. No; the statement in the report is correct so far as the estimates are concerned, but it is not explicit in calling attention to the fact that, instead of being based on 143,000 men, it is based on 100,000 men, when it is 120,000 for the present fiscal year, 1921, and 100,000 men in the Navy for the fiscal year 1922, and identically the same—20,000 men—in the Marine Corps for both years.

Take, if you please, the next item of maintenance. It is stated in the plus and minus column that there is a reduction of $1,500,000 as between the two years, whereas, counting the deficiency, there is a minus or a reduction of $2,250,000. Again, under freight, there is a plus given of $2,000,000, whereas, counting the deficiency of $5,000,000, instead of a plus of $2,000,000 there is a minus of $3,000,000. In fuel and transportation there is a plus given of $7,500,000 over the appropriations of the fiscal year 1921, but the fact is ignored that the deficiency bill carries a deficiency of $20,000,000, which, added to the $10,000,000 in the original bill, makes a minus of $12,500,000, instead of a plus of $7,500,000, for fuel and transportation.

Mr. GOOD. Mr. Chairman, will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. GOOD. Take the deficiency for fuel in the Navy. The gentleman understands that the Navy Department paid something like a little over a dollar a ton more for coal this year than it did last year, and that is a cause of the deficiency?

Mr. PADGETT. I am going to discuss those matters a little later on and get the facts before the committee. The gentleman is anticipating my argument.

Let us return now to the Marine Corps, on page 15 of the report. In the comparison, in the plus and minus column, there is reported by the committee a minus for provisions of $285,548. The report ignores a deficiency of $1,300,000, so that it is a minus or reduction of $1,585,548, instead of $285,548. Take the item of fuel for the Marine Corps. In the plus and minus column it is put down as a plus of $140,000 over this year, more than the 1921 appropriation, but a deficiency of $250,000 is ignored, which converts it into a minus of $110,000. Take the item of transportation and recruiting; it is put down as a minus of $50,000. A deficiency of $385,000 is ignored, which makes a minus or reduction of $435,000. Take the item of repairs of barracks; it is put down as a plus of $200,000, and there was a deficiency of $150,000, and that converts it into a plus of $50,000 instead of a plus of $200,000.

Take, if you please, forage. It is put down as a minus. There is a minus of $40,000 because they appropriate the same this year that they appropriated in the original bill last year, ignoring the deficiency of $40,000. Take commutation of quarters. It is put down as a deficiency of $250,000. They had an appropriation of $250,000 last year, and they did nothing whatever for commutation of quarters. There was a deficiency last year of $175,000, so that instead of being a minus of $250,000 it is a minus of $250,000 plus a deficiency of $175,000. Take, if you please, contingent. They put down a minus of $740,322 whereas there was a deficiency of $700,000, making a deficiency of $1,040,000, a minus or reduction. Now, then, they put down as a total of these items a plus of $158,552.42 as more in the present bill than for the fiscal year of 1921, whereas in the Marine Corps there is a deficiency, there is a minus of $3,201,447.58. Now, I have called attention to these to illustrate the haphazard, the harum-scarum method of appropriating. There has been no method. It has not been according to any standard. It has not been according to the testimony taken, but it was arbitrary.

The committee just said, "We will fix this and this and this as the amount of these different services," ignoring the facts. What does it mean, my friends? It simply means that here is a bill that is going through which, if it becomes a law as it is, will hamper and embarrass the administration of the Navy and will necessarily compel them to come back here in succeeding Congresses to secure large and indefinite deficiencies in the year to come. Now, I call attention a little further to this. I went to the chiefs of the bureaus and asked them to give me a statement of these various items and what it meant to the administration of the Navy, and let me call your attention to them. Here is one from the Marine Corps, signed by Gen. Lejeune, major general, commandant. What is it? Take provisions. They testify that the present commutation value, the present cost during the year of provisions, three meals a day for the marines, was 68 cents. That estimate took into consideration that with a reduction in the price of food it might come down to 60 cents, but that was the lowest safe minimum, and yet they have put in a provision here which carries it down to 47 cents. The committee state in their report 50 cents as the basis. This is for three meals for the fighting men of the Marine Corps. Can you get three meals a day for 50 cents? The department wanted 60 cents. They have ignored——

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. KELLEY of Michigan. The testimony shows that in 1918 the actual cost for the ration of the Navy was 48 cents.

Mr. PADGETT. Yes.

Mr. KELLEY of Michigan. In 1919 it was 55 cents.

Mr. PADGETT. Yes.

Mr. KELLEY of Michigan. With the reduction of prices which everybody knows is in existence at the present time, what is there unreasonable about fixing it at 50 cents?

Mr. PADGETT. But you have got it below 50 cents.

Mr. KELLEY of Michigan. No; it is 50 cents.

Mr. PADGETT. I do not think there is any justification in the matter of feeding the men——

Mr. KELLEY of Michigan. Can the gentleman tell me why the Navy ration should cost more now than it did in 1919?

Mr. PADGETT. Yes; because everything else is selling higher now. My ration costs me more now than it did in 1918.

Mr. KELLEY of Michigan. These supplies are bought by the wholesale, and wholesale prices are from 30 to 50 per cent less than they were six months ago.

Mr. PADGETT. Not that much. In reaching that 60 cents they took into consideration all of those things. Now, let me call attention again to clothing. The committee reports an appropriation of a million dollars for clothing. They fixed the number of men at 20,000. A million dollars will only provide clothing for 10,000 men under the law, and the officers say that when they made their estimate for $2,000,000 they took into consideration the stuff on hand and the reserve, and yet arbitrarily the committee has fixed $1,000,000, and that $1,000,000 will only be sufficient to provide clothing for 10,000 men and leave 10,000 unprovided for. Take military stores, which embraces a variety of articles as specified in the bill. Operating account, Marine Corps, they appropriate $500,000, which will provide under the law for 13,200 men instead of 20,000 men. Now, I go back to provisions. On the basis of the 60-cent ration the appropriation will care for 16,500 men. What is the result, my friends? Under the provisions that are made and the appropriations that are carried in this bill, while there is an authorization for 20,000 men the provisions of the bill will take care of only from 10,000 up to 16,500 on the different items of appropriation.

Mr. AYRES. Will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. AYRES. Does the gentleman know what provision was allowed for the Army per day?

Mr. PADGETT. Forty cents.

Mr. AYRES. This is 10 cents more than is allowed in the Army.

Mr. PADGETT. Well, the law prescribes the ration in both cases that shall be furnished, and the Navy ration as prescribed by law is one-third more in quantity, and on account of the conditions under which it has to be served is far more expensive. It has to be fixed so that it can be carried on ships. The Army is carried in the quarters, and the law has always recognized that difference.

I have an estimate here referring to that very item. There is a difference of not less than 50 per cent between the naval ration and the Army ration in the cost, and if you put on the 50 per cent it would run up to a 60-cent ration. I want to call attention to Steam Engineering. I asked Admiral Griffin to give me a statement of what this bill meant to his bureau. He says:

The estimate under this appropriation, made in such manner as the estimate of the preceding year, for which there was a deficiency of about $1,250,000, was $33,670,000, based upon an enlisted force of 143,000 men. The reduction consequent upon a reduction of the personnel to 100,000 men was estimated at $3,045,000, leaving a net estimate for engineering of $30,625,000.

The appropriation is $20,500,000.

Now, he says:

There are a number of what may be called fixed charges that are paid from this appropriation, the one for classified force amounting to $2,500,000; another, the maintenance and operation of the Coast Signal Service, will run from $2,500,000 to $3,000,000. These two items alone amount to, say, $5,000,000.

The maintenance in operating condition of the shop equipment for the machinery division of navy yards is also paid out of this appropriation, and this is conservatively estimated to cost about $1,250,000 per annum. These three items alone amount to about $6,250,000, leaving about $14,000,000 available for repairs and upkeep of the machinery of ships, the revised cost of which is estimated at nearly $16,000,000.

It will thus be seen that not only can the ships contemplated for commission not be kept in repair, but there will be absolutely no money whatever to cover their maintenance and operating expenses. This latter item will amount to about $7,000,000.

So you see the condition in which this bill is placing the Navy.

Now, I will take "Construction and repair." I asked Admiral Taylor the question, and he says here that the lowest amount for the purpose was $31,000,000. He states the matter frankly, and says there will be no deficiency, but—

there is already an accumulation of ships at the yards which can not be repaired this year out of the $31,000,000. Deterioration and depreciation go on steadily, and with an amount of $22,500,000 only available, our ships during 1922 will obviously not be kept up to the proper standard.

Is that economy? Is that proper legislation? I dare say not.

Now, I want to call attention to ordnance—guns, and so forth. I have here a letter of Admiral McVay, Chief of the Bureau of Ordnance, in which he states that if the amount called for in the bill alone is appropriated it will necessitate the curtailment of the operations of his bureau, and not only the curtailment but contracts that have been authorized heretofore in the law and made will have to be readjusted. He will have to go to these men and make an adjustment with them that will slow down their production, which means higher cost to them, and which will mean, as he states here, that there will be large sums against the Government for damages incident to the failure of the Government to carry out its contracts for armor, for guns, and for materials, and all the things that come under the Ordnance Department. He states that instead of being economy, it will be a waste and will be a deterioration of the ships. He says also that there are many inventions that have been shown to be necessary as a result of this late war, improvements in gunnery, improvements in torpedoes, improvements in many of the mechanisms of the Ordnance Department, none of which can be carried out and all of which will be suspended, and which means that the Navy will deteriorate and will suffer as the result of these things.

Now, I want to call your attention, if you please, to a memorandum from the Bureau of Yards and Docks of the same kind, but I shall not dwell at length on it. It calls attention to the fact that in the yards of the country repairs will have to be neglected, waste will go on, deterioration will accumulate, and that later on there will pile up huge additional costs and expense upon the Navy Department.

I want to call your attention to another matter, and that is the personnel. The authorized enlisted personnel of the Navy, in round numbers, is 143,000 enlisted men, but we have not had that number since soon after the armistice. Men began going out, until the Navy went down to 100,000 enlisted men. In order to check that, in order to encourage men to come back and to meet the conditions, last May we passed a bill giving additional compensation and increasing the pay scale of the Army, the Navy, and the Marine Corps with reference to commissioned and enlisted personnel. As the result of it, the Navy commenced coming back, until to-day we have in round numbers about 135,000 men. But the average was less than 120,000 last year, because that was all that was appropriated for, and the department kept within the appropriation for the number provided for. Now, it is proposed to reduce it to 100,000 men. Just see what that means. You have got 100,000 men for the Navy, all told. Out of that 100,000 men 3,500 are in the Hospital Corps, fixed by law; 3½ per cent of the enlisted personnel goes into that corps; 3,000 are required for aviation, 2,000 for radio, and 5,000 are estimated for the training schools and shore stations, making 13,500 to be deducted from the grand total of 100,000, or bringing it down to 86,500 men with which to operate the Navy. Now, what does it mean? I went to Admiral Washington and Capt. Williams, in the Bureau of Navigation, and said to them, "Give me a statement as to what this means on the operation of the ships."

The gentleman from Michigan [Mr. KELLEY] stated that it would keep all of our dreadnaughts in commission. I must disagree with him. I have a statement, received this morning, to the effect that if the personnel was reduced to 100,000 men the ships of the Navy will be in the following status: Battleships, first line, in commission, 13, counting the *California*, that is not yet in commission, but is nearing completion and is expected to be completed and put in commission during the next fiscal year; out of commission, 2 of the dreadnaughts, and in reduced commission, 2 of the dreadnaughts, making a total of our dreadnaughts, counting the *California*, 17. Battleships of the second line: In full commission, none; out of commission, 18; in reserve, 3; making a total of 21. Take destroyers: In full commission, 96; out of commission, 1; in reserve, 187. Take destroyers of the second line: In commission, none; out of commission, 21.

Mr. KELLEY of Michigan. On page 924 of the hearings the gentleman will find in the statement of the Secretary of the Navy this proposition. He says, speaking of the number of men provided for in the appropriation:

However, we can keep in commission all of the late dreadnaughts, half of the destroyers, others of the best ships, and place the other destroyers in a reserve state, enough to keep them from deterioration; and by close economy all along the line we can run the Navy in a way to keep the latest ships manned with 100,000 men.

Mr. PADGETT. Yes; I know the Secretary makes that statement. But when you come to the man who has the technical knowledge, who has the administration of it, and who takes the ships and the men to go upon each ship and assigns the number to the ship required, you have not got them. The Secretary was speaking just generally. He was not taking up the matter in detail.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. KELLEY of Michigan. On page 65 of the hearings is the statement of Admiral Coontz, who has charge of the operation of all the ships for the Navy.

Mr. PADGETT. Yes; but not of the designation of men to the ships.

Mr. KELLEY of Michigan. Admiral Coontz says the same thing that the Secretary says. Why not attach some consequence to the statements of the two men who run the Navy absolutely, one of them the civilian head and the other the military head?

Mr. PADGETT. Yes; and both of them are dealing with general policies and purposes, and neither of them is dealing with the specific question of the assignment of men to the ships and the operation of the ships themselves. There is a vast difference.

Mr. KELLEY of Michigan. Does the gentleman assert that the Secretary of the Navy and Admiral Coontz, the Chief of Naval Operations, the civilian and the military heads of the Navy, do not know how many ships they can keep in commission with 100,000 men?

Mr. PADGETT. I say that, generally, as they are speaking there, without going into detail——

Mr. KELLEY of Michigan. They did go into detail, showing exactly the number of men required on each ship.

Mr. PADGETT. Yes; but I have it made out right here and given. I have taken up the various items here. I will put it in the RECORD. What is the sum total? We have 814 ships in the Navy. Under the 100,000 men provided we will keep in commission 371; out of commission, 153; in reserve, 262; in reduced commission, 28.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. PADGETT. Have I used 45 minutes?

The CHAIRMAN. Yes.

Mr. PADGETT. Can the gentleman from Michigan give me two minutes?

Mr. KELLEY of Michigan. I am sorry I can not. I would be delighted to. However, I will take the chance at one minute, if that will help the gentleman.

Mr. PADGETT. I want to call attention in that one minute to the fact that this bill makes no appropriation for outfits on first enlistment. The law provides that every man who enlists at first shall have an outfit, at a cost of $100. You can not get them out of the stock; you have to have an appropriation for them.

Mr. KELLEY of Michigan. The gentleman is wrong on that. The outfits on first enlistment are not paid for. They are held in general stores and issued to the men without being paid for. There was no appropriation for it last year.

Mr. PADGETT. Certainly by the men, but the bureau has to pay for it out of its fund.

Mr. KELLEY of Michigan. No; we authorized last year the issue of clothing to the men without cost, and the gentleman's committee reported a similar provision.

Mr. PADGETT. Yes; but you have not any provision authorizing that now and there is nothing in this bill authorizing the General Account of Advances or the Supplies and Accounts to turn these goods over to these men. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. PADGETT. Can the gentleman from Kansas give me five minutes?

Mr. AYRES. I greatly regret I can not.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRAMTON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendments bill of the following title:

H. R. 15344. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. KELLEY of Michigan. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. GREEN].

The CHAIRMAN. The gentleman from Iowa is recognized for 20 minutes.

Mr. GREEN of Iowa. Mr. Chairman, the gentleman from Tennessee [Mr. PADGETT] has said that there seems to be a sort of hysteria of economy sweeping over the country, and he intimates that that hysteria had attacked the members of the Committee on Appropriations, including the distinguished gentleman from Michigan [Mr. KELLEY], who had so much to do with preparing the bill. The bill carries $395,000,000 in round numbers. Last year the appropriation bill carried, if I remember rightly, $433,000,000. The bill of this year is less by $38,000,000 than the appropriation of last year. Including the deficiency of $31,000,000, concerning which the gentleman from Tennessee [Mr. PADGETT] spoke, there would be a difference of $69,000,000 in favor of this bill rather than against it, as I look at it, and if we include $30,000,000 which was caused by an increase of pay, we have still a larger amount of difference, namely, $99,000,000, which we have saved as compared with last year's bill.

Is this hysteria, or is it genuine, sane economy? I will undertake to show in the time allotted to me that, if anything, the bill has really exceeded the limit to which it ought to have gone rather than fallen below it.

The gentleman from Tennessee [Mr. PADGETT] especially criticizes that part of the bill which limits the personnel of our Navy to 100,000 men, and gives as his reason that this number will not man the ships that we have in commission. Be it so, then let us reduce the number of ships we have in commission. If England, whose fleets must encircle the globe, and which could be starved out in a few weeks by any power able to blockade her coasts, can get along with 105,000—if England, which has a navy which in tonnage and number of vessels is nearly double ours, can so limit the personnel of her navy, is it not mere inefficiency on the part of our officers if they can not operate our Navy with 100,000?

I am aware of the position which the gentleman from Tennessee [Mr. PADGETT] takes with reference to naval bills. I have had some experience in discussing them with him and have learned that the gentleman from Tennessee takes the word of these naval officers as his absolute law and gospel. I had evidence of that last year when we were discussing the naval bill. At that time I made the statement that England was not building a single capital ship; that she had actually scrapped three that had well progressed on the ways; and the gentleman from Tennessee [Mr. PADGETT] rose in his seat and said he hoped the gentleman from Iowa would not be misled by mere newspaper rumors, which was a polite way of saying that I was entirely erroneous in the statement I made and had better go and inform myself. The House is probably aware that I do not make statements of positive fact upon mere newspaper rumors, but that is neither here nor there. I was at the time, I confess, just a little irritated by the statement which was made by the gentleman from Tennessee [Mr. PADGETT], but when I came to look over the testimony which had been given by the naval officers who appeared before the committee I entirely excused him, because those naval officers had scouted the idea that England had stopped the construction of capital ships, and the gentleman from Tennessee was simply following blindly the statements which had been made to him by naval officers in the committee room. Now, everybody who has examined into the question in the least will admit that the statement which I made a year ago was absolutely correct. England not only stopped building capital ships some two years ago, and has not laid down any since, but she scrapped three large ships that were in the course of construction. She has also scrapped between 150 and 160 ships that were more or less obsolete. Yet the gentleman from Tennessee [Mr. PADGETT] fears that we are not going far enough in this bill.

Why is he alarmed? Whom have we to fear? I am one of those who consider that a war with England should be absolutely unthinkable. With full confidence in the rectitude of our intentions, England has given a hostage to us in leaving Canada wholly unprotected. But even considering England as a possible rival, the gentleman from Michigan [Mr. KELLEY] said, and he spoke with moderation, that the present program will make our Navy equal to that of Great Britain.

Mr. PADGETT. Will the gentleman yield?

Mr. GREEN of Iowa. I yield to the gentleman from Tennessee.

Mr. PADGETT. Nobody is asking in this bill for any new construction. It is only to take care of that which we have already authorized. This is not for new construction.

Mr. GREEN of Iowa. There is only $90,000,000 in this bill for new construction—just a mere trifle!

Mr. PADGETT. That was authorized in 1916.

Mr. GREEN of Iowa. Of course, it was authorized in 1916, but we are going to build now. Some of the vessels upon which it will be expended are partly constructed, others have not yet been started.

The navy of Germany, which at one time we regarded as our principal rival, now lies beneath the waters of Scapa Flow, except insignificant portions of it which are still upon the waters in the custody of the Allies. The navy of France or Italy is not to be mentioned in comparison with ours. England has, as I said before, stopped building capital ships, for reasons which I shall undertake to explain, if I have the time.

As the gentleman from Michigan [Mr. KELLEY] has well stated, the navy of Japan has not half the power of ours. Is it not time for us to exercise some economy? Is it not time that we stopped listening to these gentlemen who are officers in the Navy and whose ideas of the space that our Navy ought to occupy are limited only by the boundless ocean that surrounds the world, the illimitable air above, and the unsounded depths of the sea beneath? If we followed their statements, instead of this bill carrying $400,000,000 it would carry $1,000,000,000. Nothing less would satisfy them.

And, if gentlemen please, that is not the worst of the situation. If there is any trouble about this bill—and I do not care to criticize it—the trouble with it is not so much with the $395,000,000 which it appropriates but the fact that the naval program upon which we have entered has no limit and the ships to be built are of doubtful value. Let me show you where we are going. About 1910 we launched the first dreadnaughts of the American Navy, the *Michigan* and the *South Carolina*. England a short time before that had launched the ship called the *Dreadnaught*, which gave the name to this type, which ship, however, was not started until after ours had been begun.

These were the first all big-gun ships. From the time that they were launched every one of the predreadnaughts became obsolescent. They are now obsolete. Yet the gentleman from Tennessee would like to have them manned. That is one reason why he wants so many men in commission. We have some 25 of these predreadnaught ships, which were magnificent vessels in their time, and cost about $150,000,000, but which are now as useless for war purposes as the toy dreadnaughts made of tin with which children play. The gentleman from Tennessee wants them manned and the naval officers that he spoke of want them manned. What has England done with that class of ships? She has scrapped them mercilessly, and that is what we ought to do. We ought not to keep one of them in commission or even keep a man on them to guard them, because they are not worth it.

Any money spent upon them is all wasted, wasted entirely. They can neither fight the dreadnaught nor can they run away from it, because their guns have not the range or power to contend with them, nor is their armor sufficiently heavy, nor have they the speed to enable them to escape from the dreadnaught. In case of a war they are merely floating coffins. That is the situation with reference to the ships which the gentleman from Tennessee complains will not be manned under this bill. For my part, I do not want them manned; I want them put in the scrap pile, where they belong.

The other day England consigned to the scrap a cruiser, a more speedy cruiser than any we have, and for fighting purposes about as good as any we have got in our Navy. Why? For the same reason—it could neither fight nor run away from the battle cruiser, which, with superior guns and superior speed, could stand off at any range it saw fit and sink these old armored cruisers, just as Admiral Sturdee did with the German fleet of armored cruisers in the naval battle off the Falkland Islands. I agree that the scout cruiser provided for in the bill should be constructed, because all the cruisers we now have are obsolete; but a doubtful question arises—a very doubtful question, in my opinion—whether these great ships we are constructing will actually be of any value when they are built. I am aware gentlemen will at once say that my opinion of these matters is not valuable, and I admit it, although I have always been a student of naval activities, naval construction, and naval warfare. But the statements I make in this respect are backed up by some of the greatest naval experts that the world has ever had. The great question now being discussed in England is whether these enormous battleships and battle cruisers, such as are provided for by this bill, are of any use. What do naval experts say about this? Two of the foremost authorities in England with reference to naval construction and naval science are the late Lord Fisher and Sir Percy Scott. Lord Fisher had an almost uncanny faculty of prophecy as to the direction which naval architecture and naval construction ought to take. He was wonderful in the accuracy of his prediction as to the course of naval science. And what does Lord Fisher say on this subject? As far back as September 12, 1919, he wrote:

> Air fighting dominates future war, both by land and sea. It is not my business to discuss the land, but by sea the only way to avoid the air is to get under the water. So you are driven to the internal-combustion engine and oil. That is why I keep on emphasizing that the whole navy has to be scrapped.

Sir Percy Scott is one of the most distinguished inventors, as well as naval scientists, known to the present day. He was the inventor of the fire control which, with various modifications, has been put on all the recent fighting ships, and which, with some adaptations, has been put on all the dreadnaughts we have. I am glad to say that the naval officers have not asked anything so foolish as to equip the old ships which are to be scrapped with this system, however necessary it may be on the modern ship. Now, Sir Percy Scott says:

> The introduction of the vessels that swim under water has, in my opinion, entirely done away with the utility of the ships that swim on the top of the water. The submarine causes to disappear three out of five of the functions, defensive and offensive, of a vessel of war, as no man-of-war will dare to come even within sight of a coast that is adequately protected by submarines.
>
> With a flotilla of submarines I would undertake to get into any harbor and sink or materially damage all the ships in that harbor. If by submarines we close the egress of the North Sea and Mediterranean, it is difficult to see how our commerce can be much interfered with.

In another article he points out that in the last war England's Navy was not able to keep at sea; for the most time it was shut up in the harbor; that it never was able to blockade the enemy's ports or to attack them. It never was able to fight the enemy except when the enemy chose to come out and meet it. Another authority points out that in every battle they had except those down off the west or the east coast of South America, where no torpedo craft was engaged—in every battle where they had the use of the torpedo craft it turned the tide of battle. In the great Battle of Jutland, Admiral Beatty, as shown by the official report, found it necessary to divert the fleet at a very important point on account of torpedo attack.

In the earliest naval battle of the war, when the English battle cruisers were pursuing the German battle cruisers and succeeded in sinking the German battle cruiser *Blucher*, they were compelled to turn back, according to the official report, by reason of a torpedo attack and submarines; and on another occasion, which is reported, I recollect, some time in June, 1916, the British admiral wired first to the port, "I shall engage the enemy in a few minutes and am absolutely confident of the result." And what occurred? Torpedo craft and submarines came on the scene of action, two of his light cruisers were sunk, his fleet turned back, and never went into action at all. The British Navy undertook to maintain battleships on the Mediterranean during the war, and they were unable to do so on account of torpedo craft.

What do we know with reference to this matter from more recent experiments? What is the opinion of Gen. Mitchell with reference to whether aircraft can successfully attack the big battleships of to-day? I have never seen an official report of his testimony, and therefore in this respect I am compelled to rely upon newspaper statements, but, if correctly reported in the newspapers, Gen. Mitchell, who is one of the few men in charge of aviation who is actually a flier himself, says that with a proper flotilla of airplanes he would undertake to destroy battleships whether in harbor or upon the sea at full speed. It is also reported—and here again I do not state it as an absolute fact, because I have no official record of it—that the English, for the purpose of testing this question, had a fleet of battleships lying in a harbor attacked by airplanes. The officers of the fleet knew that they were to be attacked, but they did not know when or at what time the attack would begin.

First, one division of airplanes flew over the ships at a distance where they could not be reached by antiaircraft guns and dropped smoke-screen bombs down. Under the cover of the smoke screen another division of airplanes dashed in upon the fleet, successfully attacking it either by dropping bombs or with torpedo planes, so that the ships were put out of action.

Whether the day of the big battleship is past or not, it appears to me quite plain that we can reasonably expect such advance and improvement in airplanes and submarines that these colossal ships will be obsolete by the time they are completed. In any event, the expense of maintaining them is staggering. Few people have any conception of their size. These leviathans are to be of 43,000 tons, and their cost will be around $40,000,000 each. The battleships will cost considerably less, and the battle cruisers, as I believe, much more. The battleships are to have 60,000 horsepower and the battle cruisers 180,000, or more than the great Keokuk Dam now produces. The British estimate of the upkeep of their battle cruiser *Hood*, which is a smaller vessel, with less horsepower than ours, at £539,000 a year. At this rate the upkeep on ours, allowing for the increased cost of everything in this country, would be at least $3,000,000 a year. These giant vessels are to be 860 feet in length, and their draft is so great that there are few harbors into which they can enter. I am unable to obtain any official estimate of the fuel cost per annum, which necessarily will depend much on the time they are kept at sea. They are oil burners, and I would estimate the annual cost for fuel to be at least $1,000,000 a year. If 1,500 men are kept aboard them—and I think it will take 2,000—it will cost over $3,000,000 a year to man one of them. I have no hesitation in saying that when we complete this program of construction, the cost of maintaining and operating our fleet, without any new construction, will be greater than the amount carried by this bill.

Mr. Chairman, when we have done all this—when we have spent, as the reports estimate, $973,000,000, and I believe it will be more than a billion dollars—we will have only completed one round of the vicious circle in naval construction, with its ever-mounting costs; for if these ships are of any use some other nation will feel compelled to build bigger and more powerful ones, which we must match. Such a situation calls imperatively for action toward an agreement with other naval powers to prevent the fatal folly of its continuance. [Applause.]

Mr. CONNALLY. May I have permission to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. McCLINTIC. Mr. Chairman, reserving the right to object——

Mr. CONNALLY. It is upon the bill.

Mr. McCLINTIC. I will have to be consistent, and I have objected to the others, and I do not think that——

Mr. MADDEN. Regular order!

The CHAIRMAN. Is there objection?

Mr. McCLINTIC. I object.

Mr. KELLEY of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KENDALL].

Mr. KENDALL. Mr. Chairman, in the CONGRESSIONAL RECORD of Monday last there appeared the following statement regarding the United States Public Health Service Hospital, situated at Markleton, Pa., in the district which I have the honor to represent:

Nearly 100 veterans, about all of them tubercular and most of them gassed or wounded on the other side, were sent for treatment to a place at Markleton, Pa., situated in a low, marshy river bottom, with a lot of railroad tracks and cinder piles hard by. A great tuberculosis expert sent there to examine the place, after the boys finally protested, said that "they might as well have sent them to a coal mine for treatment." F. W. Galbraith, jr., national commander of the American Legion, after visiting the place, demanded that the men be removed. He said that their condition there was "unbelievable"; that men "were dying off like rats in a hole, with moldy clothing on their backs."

This statement was made by the gentleman from Michigan [Mr. McLEOD], and while I do not think the gentleman deliberately misstated the facts, I want to denounce the entire statement as absolutely untrue and without any foundation in fact. The facts concerning this institution are as follows: It is located on the main line of the Baltimore & Ohio Railroad, between Connellsville, Pa., and Cumberland, Md., at an elevation of 1,700 feet, on a hillside sloping down to the Casselman River, surrounded by wooded hills that tend to protect it from the high winds and equalize the temperature, but not sufficiently close to prevent the admission of sunshine. In short, a good location and easily accessible. This statement regarding location is contained in the report of the committee of the American Legion, sent to Markleton to investigate, by Col. David Davis, commander of the American Legion in the State of Pennsylvania.

No great tubercular expert was sent to Markleton, but the opinion of the greatest tubercular expert in the country, and the man who is now writing the history of tuberculosis in the great World War, Dr. George E. Bushnell, who directed the hospital during its occupancy by the Army, and before the Public Health Service took it over by lease, is as follows:

The hospital at Markleton, in addition to providing 400 beds, has the further advantage of its situation, in a portion of the country somewhat removed from other hospitals. It provides, in other words, for the western portions of New York, Pennsylvania, and West Virginia, and this provision of local hospitals, while the principle should not be carried too far, is nevertheless one that is approved by the people and therefore should make for contentment. I should prefer to retain an institution which is well removed from other institutions of the same kind and at the same time is near large centers of population, for this reason alone. It is therefore recommended that the hospital at Markleton be not abandoned, but continued in use for the treatment of tuberculosis, and that necessary repairs and new construction be authorized and carried out without delay.

Dr. Joseph Walsh, of 2026 Chestnut Street, Philadelphia, operated the hospital during its occupation by the Army, and under his administration the hospital made the second best record in the United States. It was also one of the most economically administered. Dr. Joseph Walsh is one of the most eminent authorities on tuberculosis in the country.

Col. F. W. Galbraith, national commander, American Legion, has never visited Markleton, and I desire in this connection to read a letter from him, dated January 25, 1921, as follows:

Hon. S. A. KENDALL,
House of Representatives,
Washington, D. C.

DEAR MR. KENDALL: I am in receipt of your letter of the 23d, delivered by Capt. C. H. Scott, which I have carefully read. In reference to the statement attributed to me that "Markleton Hospital was not fit for a dog," I have never made this statement as regards Markleton, but referred to Sunnybrook Hospital, and quoted from the report which I have concerning that institution. I have no objection to the publication of this letter in any way deemed necessary.

Yours, very truly,

F. W. GALBRAITH, Jr.,
National Commander.

Mr. CRAGO. Will the gentleman yield at that point?

Mr. KENDALL. I will yield.

Mr. CRAGO. My personal information is to the effect that Markleton Sanatorium is a very high-class sanatorium, and years before the war people of Pennsylvania and surrounding States were glad to spend their good money going there for treatment on account of its healthful conditions. Has the gentleman any information bearing directly upon that point?

Mr. KENDALL. This hospital was famed not only in the State of Pennsylvania but in the surrounding country as one of the first sanatoriums in the eastern part of the United States. Eminent physicians testified to its fitness and desirable climatic conditions, as is shown by the following letters from Dr. W. K. Walker, professor of psychiatry, medical department, University of Pittsburgh, and Dr. Theodore F. Diller, consulting neuropsychiatrist for the United States Public Health Service, Pittsburgh, Pa., and a member of the staff of St. Francis Hospital at Pittsburgh, and Dr. John A. Lichty, member of the State Board of Charities of Pennsylvania, and professor of medicine in the medical department of the University of Pittsburgh.

DECEMBER 17, 1920.

My attention has been called to certain newspaper and other reports to the effect that Markleton is not a suitable place for the treatment of the sick. I feel this criticism to be unjust and therefore wish to make the following statement:

The Markleton Sanatorium has been for a long time looked upon with favor generally by the medical profession of western Pennsylvania as a place for the treatment of the sick.

I have referred many patients to this sanatorium and have myself been over the premises at different times in the past 10 years. I consider it favorable, especially from the standpoint of climate, being located, as it is, in the Allegheny Mountains, at a moderate altitude, and at a reasonable distance from any large industrial center, thus insuring the most favorable atmospheric conditions for the sick.

Because of this altitude it is free from the oppressive heat of the summer, and, being surrounded as it is by hills, gives the place an additional advantage of the bracing winter atmosphere of the mountains, at the same time protecting it against high winds and winter storms. This, together with its other natural advantages, such as a large gravity water supply, abundant coal supply on the premises, makes this particular location, it seems to me, an ideal one for the treatment of the sick, and especially so for that particular type of sickness for which it is now being used by the United States Public Health Service.

Very respectfully, yours,

W. K. WALKER.

—

DECEMBER 16, 1920.

Re Markleton Sanatorium.

Surg. Gen. HUGH CUMMINGS,
United States Health Service, Washington, D. C.

DEAR SIR: Understanding that the matter of taking over Markleton by the Government is under advisement, I am taking liberty of writing you regarding the matter.

I have known Markleton Sanatorium for many years. It is delightfully situated in the mountains of Somerset County, along the line of the Baltimore & Ohio Railroad. The surroundings, walks, drives in different directions are delightful. I have myself rambled all over the woods for miles about the place. During the long period this place was conducted as a sanatorium I sent many patients there and I myself frequently visited the place, often staying for a day or two by way of a little outing or recreation. The place filled a great need in this community, and it was with regret that I saw it lost to us as a sanatorium.

I consider the place with its surroundings a very attractive one as sanatorium or hospital.

Very truly, yours,

Dr. T. M. T. MCKENNAN,
Professor of Neurology, Medical Department,
University of Pittsburgh.

Dr. THEODORE F. DILLER,
Consulting Neuropsychiatrist for United States
Public Health Service, Pittsburgh, Pa.,
Member Staff St. Francis Hospital, Pittsburgh, Pa.

—

4634 FIFTH AVENUE,
Pittsburgh, Pa., December 24, 1920.

This is to certify that I have been acquainted with the Markleton Sanatorium for the past 21 years, having been connected with the institution as assistant physician in the summer of 1899 and also having sent patients to this place from time to time ever since.

I consider it an excellent location for health purposes. The elevation is good, there is good water, and the drainage is good. There are possibilities for development which are scarcely surpassed by any other location I know.

Sincerely, yours,

JOHN A. LICHTY.

This hospital was operated most successfully by Dr. Joseph Walsh, under the direction of Dr. George E. Bushnell, whose reports and patient records are as follows:

From: Col. G. E. Bushnell, U. S. Army, retired.
To: Chief of the Hospital Division, Surgeon General's Office,
Subject: Retention of hospital at Markleton, Pa.

1. The hospital at Markleton, Pa., was acquired at a time when it appeared to be necessary to arrange with the utmost speed some accommodations for tuberculous cases. At the present time several large hospitals are nearing completion, and the immediate needs of the moment are not pressing. In view, probably, of these considerations and also under the impression that the cost of the necessary renovation of the buildings now standing and the construction of additional buildings will be very expensive, the proposition has been made to abandon this hospital.

2. This course is not recommended for the following reasons:

(1) The nature of the lease is such that the Government is bound in honor to pay the rental whether the institution is made use of or not. If it is not used, the rental is, of course, a total loss. This is, of course, objectionable, but it would be still more objectionable if the cost of maintenance and construction were so excessive as to more than balance the expenditure for rent. This is not believed to be the case.

(2) As far as maintenance is concerned, this hospital is situated on a main line of an important railroad near large markets, so near coal fields that fuel should be very cheap; in fact, the ground leased is said to be underlaid with coal which can be mined without running shafts.

(3) With reference to the cost of construction, the following figures are obtained from the books of the hospital division, and relate in part to expenditures already made and in part to estimate for construction

not yet authorized. The figures are, of course, therefore, to a certain extent approximate. They are as follows:

Allotted for 6 T. B. wards, of which 3 are built	$46,350.00
Spent on miscellaneous repairs to sanatorium proper	5,128.07
Estimate for 2 medical department barracks, 1 medical department mess and kitchen, 1 nurses' quarters, 1 storehouse, 1 nurses mess and kitchen, heating plant for same	90,000.00
Heating T. B. wards	14,000.00
Boiler and smokestack	2,250.00
Large boiler (estimated)	15,000.00
Year's rent	20,000.00
	192,728.07

With reference to the cost of the large boiler, the chief owner of the Markleton Sanatorium, Miss Margaret B. Barnet, has shown me a letter in which a boiler firm has agreed to install a 125-horsepower tubular boiler for $12,000. An estimate of $15,000 has been made in order to be on the safe side.

The total of the foregoing data, namely, $192,728.07, may very possibly be exceeded if the construction contemplated is authorized. It is not believed, however, that the amount spent in excess of this sum will be so large as to make a very material difference. The cost per bed with this figure, allowing a capacity of 400 beds, would be $481.75. Supposing that the total cost of construction is $200,000, the cost per bed would be $500.

In view of the fact that in many cases hospitals have cost from $1,500 to $2,000 per bed, it is seen that there is no force in the argument that the cost is particularly excessive at Markleton. In fact, it is doubted whether any other institution has ever been made ready for use with a less cost per bed than $500 during the present emergency.

The only question that remains, apparently, is whether the cost of administration of so small a unit would be so excessive as to make the project undesirable. In the days when it is common to speak of large aggregates of hospitals, each containing 1,000 beds when several hospitals are under construction with a capacity of from 1,500 to 2,000 beds, a hospital of 400 beds seems almost ridiculously small. At the same time, under antiwar conditions, a hospital of 400 beds was larger than many hospitals in the United States devoted to tuberculosis, with one or two exceptions. For the care of 400 patients, a certain number of experts in various lines is necessary. When the number of beds is multiplied by four, a larger number of experts is necessary and the overhead expenditure which is the department in which saving is chiefly made in large units, is apparently administered more economically, because there is but one adjutant, one quartermaster, and one supply officer required, but on further investigation it will generally be found that in large institutions the single adjutant, quartermaster, and supply officer will all call for assistants in their specialities, and the difficulty of administration and the consequent skill and experience demanded of the officers in charge is rapidly increased by the increase in the size of the institution, so that a man who is, perhaps, only competent to act as assistant to the adjutant or quartermaster in a hospital of 1,600 beds may be quite competent to act as the chief of his department in a hospital of 400 beds. It is therefore believed that there is no very great gain in the matter of overhead expenses by abandoning a hospital of this size. This would be the case, of course, if the hospital had 40 beds. It is not believed to be the case in a hospital of the size of 400 beds.

3. While, as has already been stated, the needs of the moment do not urgently require the retention of Markleton, in view of the fact that an Army of enormous size is apparently contemplated at the present time, it would seem unwise to dispense with an institution which has been and is at all satisfactory in its results. The hospital at Markleton, in addition to providing 400 beds, has the further advantage in its situation in a portion of the country somewhat removed from other hospitals. It provides, in other words, for the western portions of New York and Pennsylvania, West Virginia, etc., and this provision of local hospitals, while the principle should not be carried too far, is nevertheless one that is approved of by the people and therefore would make for contentment. I should, therefore, prefer to retain an institution which is well removed from other institutions of the same kind and at the same time is near large centers of population for this reason alone.

4. It is therefore recommended that the hospital at Markleton be not abandoned but continued in use for the treatment of tuberculosis, and that necessary repairs and new construction be authorized and carried out without delay.

G. E. BUSHNELL,
Colonel, United States Army, Retired.

[Statement of Dr. Joseph Walsh, Philadelphia, Pa., in regard to the suitability of the Markleton Sanatorium for tuberculosis.]

JULY 1, 1919.

As Dr. Joseph Walsh was the commanding officer of the Markleton hospital while under the control of the Army, an interview was sought with him, and he made the following statement:

"The hospital proved suitable during my stay, and because of its sheltered position protecting it from high winds it would seem to be a most desirable place for the tuberculous. It is also desirable because of its distance from large towns and also because of the pureness of its atmosphere. The patients did exceedingly well, and I will be glad to forward my case records for the period during which I was in charge."

PHILADELPHIA, *June 30, 1919.*

Col. W. H. WALSH,
United States Public Health Service,
Fifteenth Street and Ohio Avenue NW., Washington, D. C.

MY DEAR COL. WALSH: Inclosed statistics of the tuberculous patients whose treatment was completed. In addition to this number there were 207 transferred to other hospitals.

Very truly, yours,

JOSEPH WALSH.

Statistics of United States Army General Hospital No. 17, Markleton, Pa., from time of opening, March, 1918, till closing, March, 1919.

Total number of tuberculous patients	237
Discharged to duty (31.65 per cent)	75
Discharged, arrested, or practically to resume old occupation (46.41 per cent)	110
Discharged practically unimproved (12.23 per cent)	29
Discharged progressive (4.22 per cent)	10
Died (5.48 per cent)	13

PHILADELPHIA, *January 5, 1921.*

Hon. S. A. KENDALL, M. C.,
Washington, D. C.

MY DEAR CONGRESSMAN: I had the pleasure of being commanding officer of the United States Army General Hospital No. 17, Markleton, Pa., from November, 1918, until April, 1919. From the point of view that it is at a distance from a large city, I thought it was a suitable place to take care of tuberculous patients, because there were no seductions to overexertion. As far as the treatment of tuberculosis is concerned, it is not important where the patient is, but what he does. If he follows the proper régime, rest, sufficient fresh air, and sufficient good nourishment, and is a curable case, he will get well any place; and if he does not follow out this régime no place will benefit him.

Our results while I was in Markleton appeared to be as good as any place where I have treated patients.

Very truly, yours,

JOSEPH WALSH.

With reference to the statement of the gentleman from Michigan [Mr. MCLEOD] that the boys were dying off like rats in a hole, I yesterday called up the Surgeon General of the Public Health Service, Dr. Cumming, and was informed that 350 patients have been treated at the hospital at Markleton since its opening in November, 1920, out of which number but 8 have died. The Public Health Bureau has given me the names of 6, as follows:

Paul Menges, Lewis Raittenen, Fred Clausen, Samuel W. Jacquette, Joseph A. Bauder, and Frank J. Bedley, all of whom were far-advanced cases of chronic tuberculosis, according to the statement of the United States Public Health Bureau. The names of the other two patients were not obtainable at the bureau, as the reports had not been sent in.

Eight patients out of 350, about 2 per cent, would not bear out the statement that the patients were dying like rats in a hole.

On Thursday, January 13, 1921, a committee from the American Legion, of Pennsylvania, appointed by Col. David Davis, State commander American Legion of Pennsylvania, visited the hospital to investigate, and reported to the State commander as follows:

Your committee interviewed Maj. Williams, commanding officer of the hospital, who gave it certain information and opinions of great help. He stated, among other things, that it is a known and proven fact that treatment of tuberculosis should be carried on under climatic conditions as similar as possible to those existing where a patient suffering therefrom expects to spend the succeeding years of his life; and that this hospital is the only one in this district utilized for the express purpose of such treatment by the United States Public Health Service; that he had had long experience in the treatment of tuberculosis in Asheville, N. C.; that the temperature was a most important feature in the treatment, and the temperature here was ideal; that there was not too much moisture, was plenty of fresh, pure air, good water supply, coal mine on the premises, and proper isolation for tubercular treatment in that its location tends to lessen the probabilities for excitement of patients, which is most important; that in general the location could not be improved upon as a tubercular hospital if placed in the proper physical condition and repair; that the property was run down and needed extensive repairs to the power plant, building and equipment, and that there should be a system of drainage constructed to deflect surface drainage from temporarily constructed barracks; a swampy spot at the lower corner of the property, near the river, should be drained or filled; a new heating plant should be installed on account of the inadequacy and condition of the one in present use; and that, in his opinion, the whole property could be placed in first-class condition in every way with an expenditure of about $150,000, the major items being power plant, heating apparatus, and drainage systems for barracks and swampy section.

In regard to the water supply, Maj. Williams stated that it was far more than adequate in amount; that at the intake of the piping system the water supply is absolutely pure, but that some pollution occurs between the intake and the outlet, the cause not having been ascertained. He also stated that in the past there has been considerable trouble with certain patients who did not observe rules and were constantly trying to cause trouble among the other patients—they gambled, came in drunk at times, and went A. W. O. L.—in fact, were most radical in every way in attempting to disrupt the organization and discipline; that, however, these men have been transferred, have been discharged, or have deserted, and some of them have been responsible for unwarranted, untrue, and scurrilous attacks through the press and other mediums which have caused many people to entertain untrue and unfounded opinions of the hospital, and which have caused many men who have been assigned there for treatment to refuse to go; and that at present there are only 14 patients in the hospital, and all are apparently well satisfied and contented and cause no trouble.

Your committee also interviewed several of the patients privately in their rooms and received the following information: That the meals are good, with plenty to eat and variety; that they object to being kept in the end of the main building, which is not heated, having to dress and undress four times a day in the cold rooms, and the fact that even the recreation and reading room is so cold that they shiver while there; that there is no hot water in this building for their use, except in the shower bath, which they are not permitted to use.

(The above conditions could be remedied by using barracks erected for the treatment of patients, inasmuch as comfort of patients was considered when the barracks were built. The patients at present are confined to the administration building.)

The results of this investigation by your committee caused it to form the following opinion:

GENERAL LOCATION.

On the main line of the Baltimore & Ohio Railroad, between Connellsville, Pa., and Cumberland, Md., at an elevation of 1,700 feet, on a hillside sloping down to the Casselman River, surrounded by wooded hills that tend to protect this location from high winds and equalize the temperature, but not sufficiently close to prevent admission of sunshine. In short, a good location and easily accessible.

GENERAL CONDITIONS OF BUILDINGS, EQUIPMENT, ETC.

In general, the facilities available are entirely adequate and suitable for tubercular treatment, but the buildings and equipment have been allowed to deteriorate to such an extent that a considerable expenditure of money will be necessary to place this institution in the shape in which, it can easily be seen, it was before being taken over by the Government, and in addition, the laxity in the care of new equipment is obvious. As an example of the latter, screening on the porches has been allowed to rust and become full of large holes, regardless of the fact that new screening was furnished last year, is on the premises, but was never placed. Another example is shown by the fact that a large laundry machine to replace old equipment and a new kitchen range have been allowed to remain outside and unprotected from the weather for some time. Easily constructed drainage ditches could have been dug around newly erected barracks to obviate the formation of pools under the building in order to prevent dampness from penetrating the barracks and injuring clothing and furnishings therein. The motor equipment, with the exception of a Ford touring car, has been allowed to get out of condition, and has never been repaired, thereby making it necessary to carry patients on stretchers from the railroad station to the hospital in case they were unable to walk. Other instances came to your committee's attention which made it apparent that the present faults in physical condition are due very much to mismanagement and lack of interest of those in charge.

SUITABILITY FOR USE AS A TUBERCULOSIS HOSPITAL.

The location in itself appears most suitable for such a purpose. From reports of geological surveys the precipitation here is no greater than in any other part of the State. It is easily accessible from all parts of this district. It is the only hospital in this district used by the United States Public Health Service for the exclusive treatment of tubercular ex-service men, and in view of the fact that tubercular patients should be treated under the same climatic conditions in which they expect to live in the future, your committee considers it most important that such a hospital should be maintained in this region and that the facilities here available should certainly be utilized. It is very unfortunate that many unjust and harmful reports have been circulated about the suitability of this hospital for the purposes intended, even though certain criticisms concerning the personnel, discipline, and unfair treatment of patients may have been true. We consider the latter, if true, to be faults of the administration and not of location or physical condition.

During the time while the Army maintained this hospital there were over 300 patients cared for at a time, and as late as last August, while under control of the United States Public Health Service, there have been as many as 130 patients, while at the present time there are only 14 patients. Why the number has been reduced so low at the present time when hospitals are needed so much for tubercular ex-service men we are unable to say, except that the commanding officer stated that men had been discharged as cured, had been summarily dismissed for misconduct, had deserted, and had been transferred to other hospitals, and among those transferred were over 20 who were sent to a hospital in Tennessee a month or so ago.

Your committee therefore recommends, in view of their investigation of the Markleton Sanatorium and believing that this institution is a suitable and proper one in every respect for the treatment of tuberculosis, that the executive committee of the Department of Pennsylvania of the American Legion go on record as favoring the retention of this sanatorium as a United States Public Health Service hospital; that the proper repairs be made and equipment supplied; and, further, that a complete change in executive control be made in order to place this institution on a sound business basis. It is therefore moved that this report be adopted and that the American Legion be urged to take definite action for rectification of existing conditions.

Respectfully submitted.

C. C. MCLAIN, *Chairman.*
S. A. BALTZ, M. D.
C. A. THOMPSON.
L. MCK. CRUMRINE, *Secretary.*

The report of this committee was made to the executive committee of the Department of Pennsylvania at a meeting which was held at Harrisburg, in the State capitol, on Monday, January 17, and the recommendations were unanimously adopted. This report was transmitted to the Surgeon General of the United States Public Health Service by Col. David J. Davis, in the following letter:

SCRANTON, PA., *January 24, 1921.*

The SURGEON GENERAL,
United States Public Health Service, Washington, D. C.

SIR: Attached hereto is a copy of the report of the committee appointed to investigate the conditions at Markleton Hospital, together with their recommendation.

The report and recommendations were unanimously adopted by the executive committee of the American Legion, Department of Pennsylvania, at a meeting of the committee held at Harrisburg on January 17, 1921.

In view of the urgent necessity for such an institution in Pennsylvania, it is requested that immediate steps be taken to remedy conditions at this hospital, and same be placed on a sound basis as recommended by the committee.

In order to avoid delay, I have requested Congressman KENDALL to bring this matter to your attention at once.

Very sincerely,

DAVID J. DAVIS,
Department Commander Pennsylvania American Legion.

These are the facts regarding Markleton. That institution has been allowed to deteriorate because of the gross mismanagement and maladministration of the Public Health Service, and under the direct supervision of Dr. F. C. Smith, against whom I have filed with the Secretary of the Treasury charges of gross neglect of duty, usurpation of authority, insubordination, and general incompetency in the management of the hospital.

There is no man in Congress who has done more for the soldier boys in his district than I, nor no man who is more willing to see that the boys who saved the country receive everything to which they are entitled from a grateful Nation; but I am not willing to permit the Public Health Service to wreck the institution at Markleton, when our boys need hospitalization as badly as it appears they do judging from a letter received by Senator ASHURST from the Assistant Secretary of the Treasury, Mr. La Porte, that the number of patients was increasing at the rate of 1,000 a month, and it is my conviction that when a hospital has been operated by the Army with as much success as was the hospital at Markleton, the service men should not be deprived of such a hospital because of the maladministration and inefficiency of the management.

Mr. KELLEY of Michigan. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Chairman, I want to call attention to a statement made by my beloved friend from Michigan [Mr. KELLEY], a gentleman for whom I have the highest respect and confidence, and I will make no apology for what I am stating, as the gentleman from Illinois is intimating on the quiet, inasmuch as I know the gentleman from Michigan [Mr. KELLEY] and know his worth and know he desires to be absolutely fair, as he always is.

But he has made a statement in this report of his which I think may be misleading, unintentionally so, and I want to comment on it so that the public will not be led away by this misleading statement of the gentleman from Michigan. He states:

This bill carries $23,655,318.51 for the officer, enlisted, and civilian personnel employed in connection with aviation activities and other items of which aviation receives the benefit.

Now, according to the figures, that is correct; but the gentleman has had to go through the departments with a currycomb and bring down every item that he could find and charge it to aviation. It seems to me, in all fairness, it would have been wise to put in this report the comparison between the expenses last year and the expenses this year. We appropriated last year $20,000,000 under the head "Aviation," which did not include these pay and subsistence items, and yet the gentleman from Michigan would have the public believe that this year we are appropriating $23,000,000 as compared to $20,000,000 last year.

Mr. KELLEY of Michigan. We appropriated more than $20,000,000 last year.

Mr. HICKS. As the gentleman from Michigan says, we appropriated more than $20,000,000 last year. Correct, when we include items not included under "Aviation." We appropriated $12,766,000 more than $20,000,000 when you add all the items in.

Mr. KELLEY of Michigan. Sure.

Mr. HICKS. And, as I said before, we should have made a comparison, in my judgment, between last year and this year.

Now, what I have in mind is this: In the appropriation of last year of $20,000,000 under the head of "Aviation" we included new construction at stations, new machines, and it included maintenance of stations. This year for the items which this committee brings forth they appropriated $7,000,000, not including new aircraft and new construction, which is the comparison with $20,000,000 of last year.

The construction for aeroplanes and new construction at stations amounts, according to my estimates, to $8,000,000. So that, to be fair and take what the gentleman has in this bill and what I hope will be put on this bill, it will come to over $15,000,000, as against $20,000,000 last year, and I challenge the gentleman to say whether or not that is correct.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. HICKS. Yes; for a question.

Mr. MADDEN. I will preface it by what the gentleman said. The gentleman said the gentleman from Michigan had to take a currycomb and go through the departments in order to accumulate the items that make up the $23,000,000 which he says are appropriated for in this bill. If the currycomb did disclose the items in the aggregate that are embraced in the $23,000,000, is it not a fair statement to say $23,000,000 should be appropriated?

Mr. HICKS. Yes; when you add to it $8,000,000 for new work. The only thing I can say is that it was not quite a fair comparison, because it was put under different headings, as the gentleman from Michigan [Mr. KELLEY] realizes. And here is what the gentleman from Michigan says shall stand for aviation. He is correct. I do not deny these figures. But it is not the same heading it was under last year, and the public will think we have increased aviation when, as a matter of fact, we have cut it down.

Mr. MADDEN. What has the heading got to do with it?

Mr. HICKS. Here are the items:

Pay of civilians; pay of enlisted men; the subsistence of the enlisted men.

Of course, that is a proper charge against aviation. I do not deny that; but it never has been carried before as a charge against aviation. Last year we appropriated $20,000,000, which, if we are to include pay and subsistence, would run the total to $32,766,000. If to this bill carrying $7,000,000 we are to add $8,000,000 for new work and the pay and subsistence, the total would be $32,519,000. But in this bill alone I submit the total under head of aviation and under other heads total $23,655,000. So if the House denies the inclusion of the item for $8,000,000 for new work which I will offer as an amendment, aviation next year will receive only $23,655,000 as against $32,766,000 this year. I think that is correct.

Mr. KELLEY of Michigan. Is there any allegation anywhere that I included anything for new construction?

Mr. HICKS. Not the slightest; that is where the trouble comes in.

Mr. KELLEY of Michigan. What is the fault, then?

Mr. HICKS. That it is not a fair comparison with the bill of last year, because it looks now as if we appropriated by this bill $23,000,000 as against $20,000,000 when the $23,000,000 includes items not included in the $20,000,000.

Mr. KELLEY of Michigan. Not at all. The gentleman will find, on page 7 of the report, the comparative table in which it shows that we now carry under this head $20,000,000 and under this item for 1922, $6,913,431. Of course, there is nothing now for new construction, which the Committee on Appropriations——

Mr. HICKS. Has no jurisdiction over, perhaps.

Mr. KELLEY of Michigan. That may be.

Mr. HICKS. It is the comparison that I do not think is fair to aviation; that is all. It seems to me in this matter of aviation we should be fair with one of the great branches of the service.

Mr. MADDEN. Will the gentleman yield?

Mr. HICKS. I decline to yield further for the time being.

I know the gentleman from Michigan is interested in aviation, as I am interested in it. It seems to me, Mr. Chairman, that if this Congress desires to have aviation take the place that it is entitled to as a great arm of the service, they should be willing to have included in this bill an amendment, which comes from the Naval Affairs Committee by unanimous report, asking for an appropriation of over $5,000,000 for new aircraft and for nearly $3,000,000 for new structures at our various air stations.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Just for a question.

Mr. MONDELL. Does not the gentleman think that the gentleman from Michigan has performed a splendid service to the public in setting out in his report exactly what aviation is to cost in the naval bill, rather than camouflaging it, as the committee has done in the past?

Mr. HICKS. I do; he always does. If he had done it for every other branch of the service; but he has not done it for every branch of the service, I think. He has not put into construction the items of pay for officers in the department of construction and repair.

Mr. MONDELL. Does the gentleman take the position that because we have appropriated more than we ought to have for aviation in the past we should continue to carry those appropriations?

Mr. HICKS. The gentleman says we have appropriated more for aviation than we need. Why, Mr. Chairman, that is pure nonsense, and I deny it most emphatically. We have not appropriated more for aviation than aviation needs. The one great arm of the service to-day, in my opinion, the world over, is aviation, as recognized by Japan, by Great Britain, by France, and by Italy. So far as I am personally concerned, I would rather see less money put in these great $45,000,000 battleships and battle cruisers after the 1916 program is completed and more put into airplane carriers and into aircraft of various kinds, because I believe that the time will come—it may be dawning now—when the Air Service of this country will be the most important service in the military arm of the Government.

Mr. MONDELL. Will the gentleman vote to cut down the appropriations for the construction of dreadnaughts?

Mr. HICKS. Not in the present program. Will the gentleman from Wyoming do it?

Mr. MONDELL. The gentleman just stated he would prefer to spend it for aircraft rather than for battleships.

Mr. HICKS. In the future.

Mr. MONDELL. Oh, at some other time.

Mr. HICKS. Now that we have the 1916 program authorized, and the money already appropriated for it in large part and most of the ships underway, I believe that that program should be carried to completion without change.

Mr. MONDELL. Does the gentleman from New York know that we are spending this year for aircraft and air service in the United States, under the various services, almost as much as we paid for all of our Military Establishment before the beginning of the war?

Mr. HICKS. Yes.

Mr. BLANTON. If there is such juggling with this bill by the gentleman's colleagues as he would indicate, I would like to ask the gentleman from New York what chance have we Democrats and the country to expect good legislation? [Laughter.]

Mr. HICKS. I will let the gentleman from Wyoming answer that. It is too deep for me.

Mr. Chairman, there is one great need, it seems to me, for aviation at the present time, and that is in the shape of airplane carriers. I do not imagine that Congress will care to appropriate $28,000,000 for an airplane carrier this year, for that is about what these airplane carriers cost at the present time. Our Bureau of Construction and Repair has such a ship under advisement, a ship with a speed of 33 knots, 850 feet in length, with a capacity of 80 planes, at a cost of $28,000,000. I think the experts, both Navy and Army experts, are of the opinion that the strongest fighting force that our Navy can put forth is in the shape of airplane carriers, which will carry the projectile, not 20 miles, as will a 16-inch gun, but carry it 200 miles in the shape of an airplane equipped with bombs and torpedoes. We are perfecting to-day torpedoes to be carried by airplanes. When these are projected from the airplane carriers you are able to carry your explosives 200 miles, and even 500 miles, away from your ship. It seems to me the time is going to come, and come soon, when this Congress must appropriate sums of money for these airplane carriers in order to keep our fleet abreast of the times.

Mr. McCLINTIC. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. McCLINTIC. I noticed in the press the other day the statement that an arrangement had been made for a test between an airplane and a ship. Can the gentleman give us any information as to a test of that kind?

Mr. HICKS. I will say to the gentleman—and the question is a live one—there have been tests made on the old *Indiana* by airplanes. Of course the gentleman knows that the *Indiana* was built 20 years ago, and a bomb that would blow the *Indiana* to pieces might not blow the new *California* to pieces. Therefore the test is not conclusive. The fact that we could hit the *Indiana* or not hit her would not be conclusive either, for we are improving our sights and equipment, and a miss to-day might be a hit to-morrow.

Mr. McCLINTIC. Will the gentleman yield further?

Mr. HICKS. Yes.

Mr. McCLINTIC. I understood that we were to use a ship which was formerly connected with the German Navy.

Mr. HICKS. That is the plan, to use a German vessel. The gentleman from Oklahoma realizes this further fact. We might take out a ship for target practice and not be able to hit that ship, but that does not mean that a year from now, with modern sighting devices, we could not be able to hit the target five times out of ten. Everything is in process of evolution. Aviation is in its infancy. We are going forward, and I believe the time will come when we will be able to strike battleships from a height of 4,000 or 5,000 feet in the air with bombs with reliable accuracy. That is guesswork. We may and we may not be able to do it. The same with torpedoes. They may be crude now, but American genius will perfect them, and they may and probably will be launched from planes with deadly effect.

Mr. Chairman, the gentleman from Michigan [Mr. KELLEY] knows that my remarks about his report were made in entire good nature, and I merely brought this to the attention of the committee because perhaps the comparison might not be understood.

Mr. KELLEY of Michigan. The gentleman will state to the House that every sentence in the report is true.

Mr. HICKS. The figures are correct, as I have stated before.

Mr. KELLEY of Michigan. And the statements are correct.

Mr. HICKS. The statements are correct, but the comparison it seemed to me was not quite fair to aviation; that is all.

The CHAIRMAN. The time of the gentleman from New York [Mr. HICKS] has expired.

Mr. AYRES. I yield to the gentleman from New York [Mr. PELL] eight minutes.

Mr. PELL. Mr. Chairman, it is obvious that the appropriation by the Government at this time of an enormous sum of money for any purpose requires for its justification careful

thought and a clear demonstration of its necessity. The question before us is one of insurance. We must first appraise the forces we now have and also the possible risks we may run. Our naval policy should be considered in relation to the policies of other countries with which we may come into collision. It is quite true that a warship becomes obsolete after a time, but the same thing can be said of an insurance policy, and I have never heard this argument used to oppose the insuring of a house against fire or an automobile against the results of an accident.

At the present moment, without building another ship, we have a fleet strong enough to hold absolute control of the Pacific. If we feel seriously that in the future the only possible danger to this country lies on its western shore, it would clearly be the part of good sense to concentrate our fleet there and to establish enormous naval bases in the Pacific. If we think that there is no possible menace in the Atlantic, there can be no need of an Atlantic Fleet. A few gunboats and, perhaps, to protect landings, a couple of ships carrying heavy cannon would be ample for any needs that we may have in Central America or the West India Islands. Therefore the justification of the existence of an Atlantic Fleet, if there be any justification at all for its existence, must be sought among the great naval powers of Europe. We should consider carefully their economic and naval policy.

During the administrations of McKinley, Roosevelt, and Taft the United States Navy, from having been a poor second to England, became a poor third to England and Germany, but conditions were such in Europe during that time that our policy was perfectly justified. It would have been impossible at any time between 1900 and 1914 for the English to have detached enough ships to contain the Navy of the United States without having the Germans on their backs, and if the collision had come with Germany the last German ship would have scarcely been through the channel before the English would have attacked them in the rear. This hostile balance no longer exists in Europe. British squadrons could very easily keep every warship in Europe blockaded in harbor. The United States fleet at the present moment would be able to do the same thing to any European combination in which England had no part. Our problem now narrows down to the possibility of a contest with England, and it is this thorny problem which I propose to take up.

Since the dawn of history the most important wars fought to the death between great powers have been the struggles for the control of the sea. This has been true from the days when that control meant the Athenian hegemony of the Ægean till to-day, when it means the British domination of all salt water. No country has ever achieved the command of the sea without a battle, and the commercial and the armed control of the oceans of the world have always gone hand in hand.

We need not look for any great friendship from Europe in the near future. There will not be a merchant from England or the Continent doing business in any quarter of the world who will not find as he tries to revive his business, interrupted by the war, an American rival established within the last few years. Europe will be poor; we will be rich. Europe will be more heavily ground down by the taxgatherer than we. At every point of international contact we will have an advantage which will be bitterly resented by the business man we are trying to supplant. He will feel that for three long years he fought our battles, while we reaped a profit from his agony, and that even now, and for the next 30 years, the European merchant will be taxed to pay interest on the debt incurred in the common cause by their nations to the United States.

For a long time to come the most difficult thing that a European politician will have to explain to his constituents and the most fruitful source of European discontent will be the enormously high tax rate. The party in power will tell the people that though they have practiced almost unheard of economies, it is impossible to save the rich from being impoverished and the poor from being ground to powder because of the extortionate demands of the Americans, who are requiring the uttermost farthing of their debt. We will be held up to execration by these politicians as a people which enriched itself during the beginning of the war and then demanded the last drop of blood for our belated assistance.

The guiding policy of England since the dynastic wars under the Plantagenet kings has been the development of its commercial power. From the reign of Henry VII until half way through that of Elizabeth this policy inspired the attempt to take the control of the seas from Spain. Since the destruction of the Spanish armada the policy of England has been to beat down the attempts of other nations to expand their commerce at the expense of Great Britain. There is no reason to think that this policy will change in the future merely because the rising commercial power will be the English-speaking United States rather than Spain, Holland, France, or Germany.

I have received a report of a subcommittee appointed by a standing committee of the British Parliament on the subject of the increasing share the American meat producers are taking in the markets of Europe. Of course, this only applies to one industry, but the general policy would probably be the same in any other case.

This report says, paragraph 7:

The companies were joint contractors of the allied forces—

And, paragraph 8:

No complaint was made to us of unfair trading on the part of the American companies, except that in "developing" trade or in clearing surplus stocks they would make no limit in cutting prices. Most of the witnesses praised them for their enterprise in placing cheap meat of good quality before the public and for giving good service to their customers.

Paragraph 9:

We understand that American companies have been making inquiries into the possibilities of developing a packing-house business in the Irish meat trade. If these projects are successful, their progress will have to be very carefully watched.

The report refers to the increase in the percentage of trade that the Americans have taken with fear, not only of the skill of the American companies, but with concern lest (paragraph 13), "the immense financial strength of the American companies by itself forces the British companies into a position of inferiority." It continues (paragraph 14), "We found through all branches of the meat trade a general apprehension that the American meat companies were aiming at world dominion. Fears as to the extension of their activities are not confined to this country—England—but are equally strong in Australia, New Zealand, and Canada. Without necessarily indorsing all the fears that have been expressed, we—the committee of Parliament—do concur in the opinion of the home trade, that it is not a healthy condition of affairs when, in 1913, the American companies controlled over 45 per cent of the supply of all beef, home raised and imported, at Smithfield market, and the danger is not lessened by the fact that the strength of the American companies depends more on their wealth and business ability than on any conjoint action in this country." (Paragraph 16) "In fact, if foreign interests were convinced that His Majesty's Government were resolved that the share of the beef trade which is at present in foreign hands should not be increased to the loss of the producers at home and in the Dominions and of British importing companies, they would not be disposed to incur the heavy losses which aggressive action on their part would entail, and the risk of aggression would disappear." This committee contends that the English Government should exercise some control over shipping which (paragraph 16) "is virtually a monopoly of British ship owners," in order to prevent foreign trade from expanding. They also recommend that the Las Palmas works (paragraph 17), "which since the autumn of 1915 have been operated on behalf of His Majesty's Government, should continue to be run on the same lines. The possession of the Las Palmas works gives the—British—Government an observation post of great value in the very center of the operations of the American meat companies, and we—the committee—are confident that its utility will be no less in peace time than it was during the war." (Paragraph 18) "It is proposed to stimulate production by granting a bounty; in this way it was expected that foreign companies would be at a permanent disadvantage and would be unable to increase their trade." (Paragraph 20) "Of necessity, we have had to confine our investigations to the meat trade of the United Kingdom, but so far as there is danger from large combinations, other countries, both consuming and producing countries, are likely to suffer as much as our own."

It is very clear from this report that the English Government has no intention of resigning the position Great Britain has held for so many generations. It would be unfair for us to complain of this decision of a foreign nation. In their place, we would do the same thing. If any of us were members of the British House of Commons, we would unquestionably vote for the policy recommended by this committee; but we are on the other side of the fence. As I do not blame an Englishman for upholding the interests of the British Empire, so as a Member of the American Congress I feel that it is my duty to support the interests of the United States.

Our relations with Europe contain all the raw material which goes to make up difficulties. England at the head of a coalition eventually destroyed the maritime power of Spain and seized for itself the commercial control of the world. When

this supremacy was challenged by France under Louis XIV and Louis XV and under Napoleon, other coalitions led by England were raised up to defend it in the name of Protestantism, the balance of power, legitimacy, democracy, or what not.

It is quite true, of course, that these wars have all been started by the acts of the challenging country, but the same thing has been true from the beginning of history. It was true of the wars between the Greeks and the Persians, the wars between the Romans and the Carthaginians, and in the countless other cases in which the challenger has been beaten. We need not delude ourselves. If we intend to succeed Germany as the chief commercial competitor of Great Britain, we will succeed also to Germany's position as the chief enemy of England; but there are circumstances to-day which for the first time in history may make war not an ineluctable necessity. The conditions of the present make it almost certain that a firm policy of naval expansion on the part of the United States will give us the maritime control of the world without a struggle. We can build now when England can not, and, once in possession of that control, our commerce may develop in peace and the United States can be for centuries to come what England has been for centuries past—the dominant country of the world, in whose strength will lie the ultimate arbitrament of mundane destiny.

Let us not imagine for a moment that all this is not fully realized in London. The English are poor; British exchange is cheaper in America than it has ever been before. New York rather than London is becoming the financial capital of the world. Bitter economies, governmental and private, are the order of the day in England, and yet they are strengthening their navy and their air forces. This they would not do except under pressing necessity, and against whom can they possibly be building? The German fleet is annihilated, and it is inconceivable that the English will ever allow them to build it up again. The rest of Europe is poorer than England, and the combined continental fleets to-day could not stand for an hour against the British. There can be but one possible opponent against whom they are not fully prepared, and that is the United States; and yet, even in their poverty, they stint themselves to prepare against a possible opponent.

I have on other occasions discussed the foregoing of interest by the United States of the debt owed us by England. If this remission were to mean that the money would be used to develop England commercially—in other words, if it were put into the capital of our debtor—there might be a good reason for allowing deferred payments; but it seems to me that as long as the British Empire is able to build war vessels, which would be superfluous against any country except the United States, that it is a poor policy for us not to demand that this debt be paid as it comes due. We should remit nothing to any country which spends a single dollar on the expansion of its naval armament. Any country which is rich enough to build a navy against us is rich enough to pay its debts and should not be allowed to whine of its poverty while it prepares a dagger for our heart.

I am not speaking now with any hostility toward England, and God knows that I do not want to see this country involved in another war, but I feel strongly that the United States, in building a fleet so powerful that it obviously will dominate the sea, can do more to preserve the ultimate peace of the world than it possibly can in any other way.

We have been told that a strong Navy may be a fruitful cause of war. I do not believe that it is only the consciousness of weakness and the certainty of defeat that keeps the United States from embarking on a course of truculent arrogance. I know my countrymen better—they are neither bullies nor cowards.

We will never again have the opportunity that we now have. Some nation must be the strongest. This is a fact we can not avoid. Our choice is whether it will be the United States or another country, and our decision to-day will, in all human probability, settle the matter for generations. The chance of becoming, without a struggle, the most powerful in the world has never before been given to any great nation. I know of no people on earth who can be more safely trusted with this power than my own, and we must never forget that this power must lie somewhere and be the possession and glory of some people.

Our decision on this bill will show whether we believe that the United States is fit to be the first Nation of the world or whether we think that, in the last analysis, we should deliberately take a colonial position and leave the ultimate decision of world affairs to London. Either England or the United States will be the strongest nation of the world. I am for the United States. [Applause.]

Mr. BLANTON. Will the gentleman yield there?

Mr. PELL. Yes.

Mr. BLANTON. Why do we not stop all this talk about releasing our debtors from the payment of the interest which they owe us? We all of us expect that money to be paid. Every time we mention the possibility of remitting those payments it encourages some people to think we do not expect the money to be paid.

Mr. PELL. The gentleman is quite right. We should see to it that every country which owes us money, and which is able to build ships, is obliged to pay us back every last dollar. [Applause.]

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Texas [Mr. YOUNG] five minutes.

Mr. YOUNG of Texas. Mr. Chairman and gentlemen, on yesterday I called the attention of the House and the country to the fact that we have pending on the calendar of this House an important piece of legislation that the country has demanded to be acted upon. Time is now of the essence. [Applause.] On the 4th day of March this Congress will end and this work of months and months and years on the packer question, that is now nearing legislation, if we can get a parliamentary status in this House when a vote can be reached, can result in legislation before the 4th day of March. We have a situation in this country where five organizations control the market place and the distributing agency of the great live-stock interests of the Nation. There has been much abuse of power on the part of these five organizations. It has got beyond private business. It has got to the point where these five agencies stand between the producing sections of our Nation and the consuming section of the Nation, and we find this remarkable aspect at this time. Only recently one of these five organizations declared a stock dividend of 1,223 per cent and another is appropriating $6,000,000 toward building a monument to the ancestors of this concern. Whereas, on the other hand, in the live-stock sections of this Nation ranches are being depopulated, and they are unable to replenish the feeding pens from the Middle West. They are unable to finance themselves in order to get the live stock to the consuming sections. The cattlemen of the Nation and the consuming section of the Nation have made an appeal that there be legislation overlooking the enterprises of these five great concerns. The Senate has passed the bill, the House has reported the bill, and it is on the calendar of the House. We can have legislation in 24 hours. I have shown where the source of power lays on yesterday. We need not expect anything from the steering committee, because it is dominated by the gentleman from Illinois [Mr. MADDEN], from the city of Chicago, the home of the packers; we must appeal to the leader of the majority party of this House [Mr. MONDELL], and he has stated to the representatives of the live-stock interests of the country that if the Gronna bill is reported to the House that there are enough votes to pass it. We appeal to him to give us a parliamentary status so that this bill can be passed.

Mr. MONDELL. The gentleman must not misstate my attitude on this question.

Mr. YOUNG of Texas. I put the statement in the RECORD on yesterday.

Mr. MONDELL. The gentleman can put some one else's statement in the RECORD, if he desires, but he must not misquote me.

Mr. YOUNG of Texas. I do not care to misquote the gentleman. I quoted from a signed statement, and that signed statement was put in the RECORD on yesterday, and the gentleman has not controverted it.

Mr. MONDELL. The signed statement does not worry me a particle.

Mr. YOUNG of Texas. I hope the gentleman will not take my time, but the gentleman is responsible for not giving us the parliamentary status to get up this legislation [applause], and that ought at least give him some concern or worry.

Mr. KELLEY of Michigan. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15975, the naval appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 4825. An act to extend the time for the construction of a bridge across the Columbia River, between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon;

S. 4737. An act authorizing the Prescott Bridge Co. to construct a bridge across Lake St. Croix at or near the city of Prescott, in the State of Wisconsin;

S. 4603. An act to revive and reenact the act entitled "An act to authorize the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, to construct a bridge over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakely Island, in Baldwin and Mobile Counties, Ala.," approved October 5, 1917;

S. 4787. An act granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J.;

S. 4515. An act to extend the time for the construction of a bridge across the navigable waters of the Newark Bay, in the State of New Jersey;

S. 4541. An act to extend the time for the construction of a bridge across the Susquehanna River at Harrisburg, Pa.;

S. 4951. An act to authorize the building of a bridge across the Wateree River in South Carolina;

S. 4950. An act to authorize the building of a bridge across the Peedee River in South Carolina;

S. 4949. An act to authorize the building of a bridge across the Santee River in South Carolina;

S. J. Res. 186. Joint resolution to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge across the north branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa.;

S. 4587. An act granting the consent of Congress to the counties of Brooks and Lowndes, in the State of Georgia, to construct a bridge over the Withlacoochee River; and

S. 4886. An act to revive and reenact the act entitled "An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River, in the State of New York," approved March 13, 1914.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FAIRFIELD for three days on account of important business.

To Mr. MASON until February 12.

To Mr. MORIN, indefinitely, on account of illness in the family.

ADJOURNMENT.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House adjourned until to-morrow, Friday, February 11, 1921, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ESCH, from the Select Committee on Water Power, to which was referred the bill (H. R. 15126) to amend an act entitled "An act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto, and to repeal section 18 of the river and harbor appropriation act approved August 8, 1917, and for other purposes," approved June 10, 1920, reported the same with amendments, accompanied by a report (No. 1314), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VESTAL, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 15767) to authorize the coinage of a 50-cent piece in commemoration of the one hundredth anniversary of the admission of Missouri into the Union, reported the same with an amendment, accompanied by a report (No. 1315), which said bill and report were referred to the House Calendar.

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the bill (H. R. 15874) authorizing the city of New Orleans, La., to extend Dauphine Street in said city across the United States military reservation known as the Jackson Barracks, reported the same without amendment, accompanied by a report (No. 1316), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CRAGO, from the Committee on Military Affairs, to which was referred the bill (H. R. 14922) for the relief of Mary Neaf, reported the same without amendment, accompanied by a report (No. 1317), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EDMONDS: A bill (H. R. 16071) to prohibit the payment of gratuities to the masters of vessels, or other persons, for the purpose of inducing or securing contracts for repairing vessels or furnishing vessels with supplies or other necessaries; to the Committee on the Merchant Marine and Fisheries.

By Mr. KAHN: A bill (H. R. 16072) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918; to the Committee on Military Affairs.

By Mr. NEWTON of Minnesota: Resolution (H. Res. 678) requesting the Postmaster General to furnish certain information to the House of Representatives; to the Committee on the Post Office and Post Roads.

Also, resolution (H. Res. 679) directing the Secretary of Agriculture to furnish certain information to the House of Representatives; to the Committee on Agriculture.

By the SPEAKER (by request): Memorial of the Legislature of the State of Utah, asking enactment of the King bill providing for surveying of public lands in the State of Utah; to the Committee on the Public Lands.

Also (by request), memorial of the Legislature of the State of Utah relating to a proposed Federal reclamation project on Green River in the State of Utah; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of Utah asking for increased tariff on lead; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 16073) for the relief of Samuel H. Dolbear; to the Committee on Mines and Mining.

By Mr. SNELL: A bill (H. R. 16074) granting an increase of pension to Betsey Lahiff; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5653. By Mr. BABKA: Petition of P. J. O'Connell and people of the Holy Name Parish, Cleveland, Ohio, protesting against the deportation of Mayor O'Callaghan; to the Committee on Foreign Affairs.

5654. Also, petition of council of the city of Cleveland, Ohio, favoring the immediate recognition of the Irish republic by the United States; to the Committee on Foreign Affairs.

5655. Also, petition of Cuyahoga County Council of the American Legion, representing 31 American Legion posts in Ohio, urging the immediate passage of House bill 14961, and the Capper bill (H. R. 4613); to the Committee on Interstate and Foreign Commerce.

5656. By Mr. BEGG: Petition of members of St. Stephen's Church, St. Stephen, Ohio, protesting against the Smith-Towner bill; to the Committee on Education.

5657. By Mr. BROOKS of Pennsylvania: Petition of certain citizens of York, Pa., protesting against pending legislation affecting the Yellowstone National Park and other national parks; to the Committee on the Public Lands.

5658. By Mr. CLEARY: Petition of Citizens' Medical Reference Bureau of New York City, in opposition to compulsory medicine and Senate bill 3259; to the Committee on Interstate and Foreign Commerce.

5659. Also, petition of Young Men's Benevolent Society, Brooklyn, N. Y., and certain citizens in meeting at Parish Hall of the Holy Ghost, Forty-sixth Street and Seventeenth Avenue, Brooklyn, N. Y., opposing the Smith-Towner bill; to the Committee on Education.

5660. Also, petition of Branch 818 of the Ladies' Catholic Benevolent Association of Brooklyn, N. Y., opposing the Smith-Towner bill; to the Committee on Education.

5661. By Mr. COPLEY: Petition of Esther Murray and others of St. Mary's rectory, Elgin, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

5662. By Mr. DARROW: Petition of the Donald T. Shenton Post, No. 130, American Legion, Philadelphia, Pa., urging passage of the Rogers bill; to the Committee on Interstate and Foreign Commerce.

5663. Also, petition of the Poor Richard Club, of Philadelphia, Pa., in favor of the daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

5664. Also, petition of the New Century Club, of Philadelphia, Pa., urging the passage of the Esch-Jones bill (H. R. 14469); to the Committee on Interstate and Foreign Commerce.

5665. By Mr. FULLER: Petition of D. O. Thompson, secretary of the Illinois Agricultural Association, favoring the passage of the bill to regulate the packing industry; to the Committee on Agriculture.

5666. By Mr. GALLIVAN: Petition of Submarine Signal Co. and Commonwealth Trust Co., both of Boston, Mass., urging the passage of the Nolan bill (H. R. 15662); to the Committee on Patents.

5667. Also, petition of Ladies' Catholic Benevolent Association, Alice C. Maloney, Massachusetts supreme trustee, representing 10,000 members in Massachusetts, and petition of Liberty St. Alphonsus Association, of Boston, Frank V. Ward, president, all in the State of Massachusetts, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5668. By Mr. KELLY of Pennsylvania: Petition of Young Men's Catholic Society of Pittsburgh, Pa., protesting against the Smith-Towner bill; to the Committee on Education.

5669. By Mr. SMITH of Michigan: Petition of V. C. Squier Co., of Battle Creek, Mich., protesting against the free entry of wound musical strings; to the Committee on Ways and Means.

5670. By Mr. SNELL: Petition of Daughters of Isabella of Court Mary Elizabeth No. 256, Lake Placid, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5671. Also, petition of sundry citizens of St. Regis Falls, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5672. Also, petition of sundry citizens of the town of West Chazy, N. Y., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5673. By Mr. STINESS: Petition of Commodore Perry Council No. 14, Junior Order United American Mechanics, of Wakefield, R. I., protesting against the admission into this country of undesirable and illiterate immigrants; to the Committee on Immigration and Naturalization.

5674. By Mr. THOMPSON: Petition of certain citizens and voters of Defiance County, Ohio, protesting against the Smith-Towner bill; to the Committee on Education.

SENATE.

FRIDAY, *February 11, 1921.*

(Legislative day of Wednesday, February 9, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the governor of Nevada certifying to the election of TASKER L. ODDIE as a Senator from that State for the term of six years, beginning March 4, 1921, which was read and ordered to be filed, as follows:

STATE OF NEVADA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that at a general election held in the State of Nevada on Tuesday, the 2d day of November, 1920, TASKER L. ODDIE was duly elected by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1921, having received the highest number of votes cast for said office at said election, as appears by the certificate of the duly constituted and qualified board of canvassers now on file in the office of the secretary of state at Carson City, Nev.

Witness: His excellency our governor, Emmet D. Boyle, and our seal hereto affixed at Carson City this 21st day of December, in the year of our Lord 1920.

EMMET D. BOYLE, *Governor.*

By the governor:
[SEAL.]
GEORGE BRODIGAN, *Secretary of State.*
By R. P. BURRIS, *Deputy.*

CUSTOMS STAMPS (S. DOC. NO. 383).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, suggesting a paragraph of legislation for inclusion in the pending deficiency bill increasing the number of sheets of customs stamps to be delivered by the Bureau of Engraving and Printing during the current fiscal year, which was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 4515. An act to extend the time for the construction of a bridge across the navigable waters of the Newark Bay, in the State of New Jersey;

S. 4541. An act to extend the time for the construction of a bridge across the Susquehanna River at Harrisburg, Pa.;

S. 4587. An act granting the consent of Congress to the counties of Brooks and Lowndes, in the State of Georgia, to construct a bridge over the Withlacoochee River;

S. 4603. An act to revive and reenact the act entitled "An act to authorize the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, to construct a bridge over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakely Island, in Baldwin and Mobile Counties, Ala.," approved October 5, 1917;

S. 4737. An act authorizing the Prescott Bridge Co. to construct a bridge across Lake St. Croix at or near the city of Prescott, in the State of Wisconsin;

S. 4787. An act granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J.;

S. 4825. An act to extend the time for the construction of a bridge across the Columbia River between the States of Oregon and Washington at or within 2 miles westerly from Cascade Locks, in the State of Oregon;

S. 4886. An act to revive and reenact the act entitled "An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River, in the State of New York," approved March 13, 1914;

S. 4949. An act to authorize the building of a bridge across the Santee River in South Carolina;

S. 4950. An act to authorize the building of a bridge across the Peedee River in South Carolina;

S. 4951. An act to authorize the building of a bridge across the Wateree River in South Carolina; and

S. J. Res. 186. Joint resolution to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge across the north branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa.

PETITIONS AND MEMORIALS.

Mr. MOSES presented resolutions of Villa Marcia, Association Canado-Americaine, and Cour Les Montagnards, Association Canado-Americaine, both of Claremont, N. H., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. PAGE presented a petition of sundry citizens of Chester and Delaware Counties, Pa., praying for the enactment of legislation to reduce armaments, and also favoring a naval holiday, which was referred to the Committee on Foreign Relations.

Mr. BALL presented memorials of Kate Dougherty, Rosalie F. Pool, Paul Dougherty, C. W. Zolper, Z. A. Pool, James A. Horty, Frank J. Horty, Mae A. Hughes, Ellen V. O'Dwyer, Lucy Peach, Helen Gleeson, Pauline E. Piebling, Nan A. Neary, Cecilia M. Hamill, and William J. Reader, jr., all of Wilmington, Del., and sundry citizens of Milford, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented memorials of Marion Dougherty, George R. Dougherty, and John J. Dougherty, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. CULBERSON presented a telegram in the nature of a memorial signed by John F. Murphy and sundry other citizens of Dallas, Tex., remonstrating against the enactment of legislation to create a department of education, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented a telegram in the nature of a memorial of Sacred Heart Council No. 723, Knights of Columbus, of Atchison, Kans., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented a resolution of the Farmers' Educational and Cooperative Union of America, Local Union No. 1459, of Mercer County, Mo., favoring legislation prohibiting gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of High Prairie Local Union, No. 1588, Farmers' Educational and Cooperative Union of America, of Huron, Kans., praying for the enactment of legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. HALE presented a resolution of the Legislature of Maine, which was ordered to lie on the table, as follows:

STATE OF MAINE,
HOUSE OF REPRESENTATIVES,
January 21, 1921.

Joint resolution by the Senate and House of Representatives of the eightieth Legislature of the State of Maine.

Whereas all Federal aid for highway improvement provided by acts of Congress approved July 11, 1916, and February 28, 1919, has been apportioned to the States in accordance with the terms of said acts; and

Whereas there is now pending in Congress a bill introduced by Representative MCARTHUR providing for a continuance of Federal aid in the amount of $100,000,000 per year for each of the four fiscal years beginning July 1, 1921: Now, therefore be it

Resolved, That it is the sense of the Legislature of Maine that said McArthur bill should have a prompt passage by Congress and we hereby request our Senators and Representatives to work for and vote for the passage of said bill: And be it further

Resolved, That the secretary of state be instructed to furnish forthwith to each of the Maine Senators and Representatives in Congress a certified copy of this resolution.

Read and adopted. Sent up for concurrence.

CLYDE R. CHAPMAN, *Clerk.*

In senate chamber, January 25, 1921. Read and adopted in concurrence.

L. ERNEST THORNTON, *Secretary.*

UNITED STATES OF AMERICA,
STATE OF MAINE, OFFICE OF SECRETARY OF STATE.

I, Frank W. Ball, secretary of state of the State of Maine, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of joint resolution of the Senate and House of Representatives of the State of Maine in legislature assembled, with the original thereof, and that it is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have caused the seal of the State to be hereunto affixed. Given under my hand at Augusta this 4th day of February, in the year of our Lord 1921, and in the one hundred and forty-fifth year of the independence of the United States of America.

[SEAL.] FRANK W. BALL,
Secretary of State.

ROBERT W. FARRAR.

Mr. McCUMBER, from the Committee on Pensions, to which was referred the amendment intended to be proposed by him to House bill 15962, the general deficiency bill, proposing to pay to Robert W. Farrar for extra and expert services rendered to the Committee on Pensions during the sessions of the Sixty-sixth Congress $1,200, reported it favorably and moved that it be referred to the Committee on Appropriations, which was agreed to.

BILL AND JOINT RESOLUTIONS INTRODUCED.

A bill and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TRAMMELL:

A bill (S. 5009) to extend the provisions of the existing bounty-land laws to the officers and enlisted men and officers and men of the boat companies of the Florida Seminole war; to the Committee on Public Lands.

A joint resolution (S. J. Res. 257) providing for a survey of the Suwannee River from Ellaville, Fla., to the Gulf; and

A joint resolution (S. J. Res. 258) providing for a survey of East Pass between the Gulf of Mexico and Choctawhatchee Bay, State of Florida; to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SWANSON submitted an amendment proposing to appropriate $100,000,000, to aid in the construction of roads, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and to be printed.

Mr. McCUMBER submitted an amendment proposing to pay to Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., the sum of $65,792.53; to the Philadelphia & Reading Coal & Iron Co., the sum of $26,400.30; and to the estate of Henry A. V. Post, the sum of $50,359.35, as adjudged by the Court of Claims upon its findings of fact, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. ROBINSON submitted an amendment intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to lie on the table and be printed in the RECORD, as follows:

After the items for the Bureau of Immigration on page 147, after line 23, to insert:

Division of Information: Chief, $3,500; assistant chief, $2,500; clerks—2 of class 4, 1 of class 3, 2 of class 2, 3 of class 1, 1 $900; messenger; in all, $19,340.

M. H. BUMPHREY.

Mr. SMITH of Arizona submitted a resolution (S. Res. 445), which, with the accompanying papers, was referred to the Committee on Rules, as follows:

Resolved, That the Sergeant at Arms of the Senate be, and he is hereby, authorized and directed to place upon the roll of messengers in the employ of the Senate, the name of M. H. Bumphrey, the same to be borne thereon in accordance with the provisions of Senate resolution No. 72, agreed to on July 14, 1911, at a compensation at the rate of $1,440 per annum, such compensation to be paid from the contingent fund of the Senate until otherwise provided for by law.

HEIRS OF A. R. VERMILLION, DECEASED.

Mr. SMITH of Maryland submitted a resolution (S. Res. 446), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to H. M. Vermillion, Ella M. Nessmith, Viola Keppler, and Olga M. Hunter, son and daughters of A. R. Vermillion, late a policeman in the Capitol (authorized by the sundry civil act), a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

CAPT. EDMUND G. CHAMBERLAIN, UNITED STATES MARINE CORPS.

Mr. SHEPPARD submitted a resolution (S. Res. 447), which was referred to the Committee on Naval Affairs, as follows:

Resolved, That the Naval Affairs Committee is authorized and directed to investigate the facts leading to the court-martial, as well as the court-martial proceedings, and all the findings in the case of former Capt. Edmund G. Chamberlain, United States Marine Corps, and report to Congress.

HOUSE BILL REFERRED.

The bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. McCUMBER. Mr. President, I ask unanimous consent that the unfinished business, House bill 15275, may be temporarily laid aside for the purpose of taking up for consideration the legislative, executive, and judicial appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. WARREN. I ask that the appropriation bill may be proceeded with.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask that the formal reading of the bill may be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. FLETCHER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Dillingham	Glass	Kendrick
Brandegee	Elkins	Gooding	Kenyon
Calder	Fernald	Gronna	Keyes
Capper	Fletcher	Hale	Kirby
Culberson	France	Harris	Lenroot
Curtis	Gay	Heflin	Lodge
Dial	Gerry	Jones, Wash.	McCumber

McKellar	Poindexter	Smith, Ga.	Underwood
McLean	Pomerene	Smith, S. C.	Walsh, Mass.
McNary	Ransdell	Smoot	Walsh, Mont.
Moses	Reed	Spencer	Warren
Myers	Robinson	Sterling	Williams
Nelson	Sheppard	Sutherland	Wolcott
New	Simmons	Thomas	
Pittman	Smith, Ariz.	Trammell	

Mr. GRONNA. I was requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent, engaged in a hearing before the Committee on Manufactures.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The Secretary will proceed with the reading of the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, line 8, in the items for the office of the Vice President, to strike out "telegraph operator" and insert "clerk," so as to read "Clerk, $1,500."

Mr. WARREN. I ask that the amendment be disagreed to.

The amendment was rejected.

Mr. WARREN. I now move to amend, in line 8, page 2, by striking out the words "telegraph operator, $1,500; page, $600," and inserting in lieu thereof "messenger, $1,000."

The amendment was agreed to.

Mr. MOSES. Is it the purpose of the amendment just agreed to to deprive the office of the Vice President of one clerk?

Mr. WARREN. I think I shall have to explain the amendment. Away back in the olden days we had a very valuable employee to handle the telegraph business. That was before we had telephones and before any arrangement had been made by the telegraph companies to operate branch offices in the Capitol. The consequence was that we provided that the Vice President should appoint a telegrapher, and Congress would pay him. He had his office at another place in the Capitol.

Since that time we have had the telephone service installed, and the telegraph companies have both put in offices to take care of that business. The Vice President has no use for a telegraph operator and suggests that he is unnecessary to that office, but has suggested the desirability of striking out "page, $600," and putting in "messenger, $1,000." Hence the amendment which I have offered, which has just been agreed to.

The VICE PRESIDENT. The Chair may supplement what has been said by stating that the telegraph operator is not an employee who belongs to the office of the Vice President. That office has never had any use for such an employee. The Chair thinks that the incoming Vice President, instead of having a page should have some one larger than a page, a messenger at $1,000 a year to look after the office.

Mr. WARREN. On page 2, line 9, after the words "in all," I move to strike out "$7,700" and insert "$6,600."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the items for the office of the Secretary of the Senate, page 2, line 18, to strike out "file clerk, chief bookkeeper, and assistant Journal clerk, at $2,500 each" and insert "chief bookkeeper, $2,500," so as to read:

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $6,500; assistant secretary, Henry M. Rose, $5,000; reading clerk, $4,000; financial clerk, $4,000; chief clerk, $3,250; assistant financial clerk, $3,250; minute and Journal clerk, principal clerk, librarian, enrolling clerk, and printing clerk, at $3,000 each; executive clerk, $2,750; chief bookkeeper, $2,500.

Mr. WARREN. On page 2, line 18, before the words "file clerk," I move to strike out the half of the parenthesis which appears between the numerals "$2,750" and the words "file clerk." It is unnecessary.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 2, line 22, after the word "clerks," to strike out "three" and insert "two," so as to read "two at $2,500 each."

Mr. WARREN. I ask that that amendment be disagreed to.

The amendment was rejected.

The next amendment was, on page 2, line 22, after the word "each," to insert "(one of whom shall act as assistant Journal clerk and one of whom shall act as file clerk)."

The amendment was agreed to.

The next amendment was, on page 2, line 24, before the word "each," to strike out "four" and insert "two."

Mr. WARREN. On page 2, line 24, after the words "file clerk," I move to amend the committee amendment by striking out "4" and inserting "3."

Mr. JONES of Washington. The committee went into this matter pretty carefully, and I do not see why we should now change the committee amendment.

Mr. WARREN. Very well, let the amendment be agreed to as reported.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 2, line 24, after the word "each," to strike out "2 at $2,100 each" and insert "1 $2,100," and in line 25, to strike out "1 $1,800, 2 at $1,600 each" and to insert "1 $1,750," so as to read:

One $2,100, 1 $1,750.

The amendment was agreed to.

The next amendment was, on page 3, line 4, in the total of the appropriation for the office of the Secretary of the Senate, to strike out "$97,590" and to insert "$80,300."

Mr. WARREN. Mr. President, I think that total should be corrected.

The VICE PRESIDENT. If there be no objection, the Secretary will be authorized to correct the totals in the bill.

Mr. WARREN. I ask that the Secretary may correct the totals and also the punctuation.

The VICE PRESIDENT. The Chair hears no objection, and the Secretary is authorized to correct the totals.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 3, line 6, in the items for the document room, to strike out the name "John W. Lambert."

Mr. McKELLAR. May I ask the chairman of the committee about that amendment? I hope that the amendment may not be agreed to. Mr. Lambert is one of the most valuable men in the employ of the Senate.

Mr. WARREN. Mr. President, there is not the slightest disrespect intended to Mr. Lambert, and there is no intention of displacing him; on the contrary, there is every intention that he may work in the office where he is employed for his lifetime if he so desires; but the proposition is this: In times past it has been quite the thing to put into the bill the names of certain employees. From time to time, however, that practice has been discontinued as the employees named in the bill died or left the service; and now if we leave Mr. Lambert's name in as first assistant in the document room that privilege will be accorded him while the chief of that room will not be named. When the former head of that office was named in the bill Mr. Lambert occupying the next position was also named; but now the name of Mr. Lambert is the last one written in the bill, other than that of the Assistant Secretary of the Senate, so far as the provisions affecting the Senate are concerned.

Formerly the name of the first clerk of the Appropriations Committee was placed in the bill, or rather there was a provision that he should receive a certain salary during his term of service and that the salary should be less in the event a successor to him was appointed. The same thing was true of the financial clerk and others. That was done in the effort to take care of some of the older and very valuable employees of the Senate. Mr. Lambert has not been in the employ of the Senate long enough to entitle him to be named in the bill in any event. He is a valued man, but there have been no other employees named in the bill with the exception I have indicated. When the name of the head of the document room was in the bill it was not so much against the principles of good legislation that the name of the assistant should also be placed in the bill, but now the committee, following out what they think a desirable practice, inasmuch as the head of the document room is not mentioned by name, has concluded it was best not to mention the first assistant by name.

Mr. McKELLAR. Mr. President, I merely wish to say that about two years ago this matter was under consideration and it was agreed by everybody, I think, at that time that Mr. Lambert was a most valuable man and that it should be arranged to mention him by name in the bill so that he could be retained because of the value of his services in the office where he is employed. I think every Senator on both sides of the Chamber will admit that he is a very painstaking, conscientious, splendid, and efficient man.

Mr. WARREN. Mr. President, I can not add anything to what I have said. Mr. Lambert is one of the best; but sitting at the Secretary's desk, performing duties in the Secretary's room, in the financial clerk's office, and elsewhere are employees who are almost indispensable, as is Mr. Lambert. Their names, however, do not appear in the bill. It is not good practice to place

the names in bills of this character, and was only permissible at the time Mr. Lambert was named—and I did not object to it at that time because the name of the head of the document room was placed in the bill, and we accorded the same privilege to the first assistant.

Mr. McKELLAR. It occurred to me that perhaps it was for the purpose of discontinuing his services.

Mr. WARREN. No; there is no such purpose.

Mr. SMOOT. Not in the least, I will say to the Senator. No Senator on this side of the Chamber would think for a moment of making a change, so far as I know.

I will add that, as the Senator from Wyoming has said, the practice was inaugurated in the House of putting in the names of certain employees in the appropriation bill, but now they have all been taken out with the exception of one or two. The name of Mr. Lambert was originally put in because the name of the chief of the document room was placed in the bill. Now, however, the name of the head of the document room is not in the bill, and it is desired to remove the name of the first assistant, but the appropriation for him is made just the same.

The VICE PRESIDENT. In order to complete the statement the Chair will say that he has examined the record, and the name of Henry M. Rose appears in the bill because the statute creating the office of Assistant Secretary appointed him to that place.

Mr. SMOOT. His is the only name that will appear in this bill?

Mr. WARREN. It is the only name that will appear in the bill relating to Senate employees. There may be the name of one or more House employees named in the bill, but that is a matter over which we have no control.

Mr. McKELLAR. I wish to express the hope that the name of Mr. Rose will appear in the bill so long as Mr. Rose wants it there, because everyone realizes what a valuable man he is.

The VICE PRESIDENT. It is fair to have it in the record that the statute which created the office of Assistant Secretary named Mr. Rose to that place, and so his name must appear in the bill.

Mr. McKELLAR. I withdraw the objection.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 3, line 6, after the numerals "$2,500," to strike out "assistants—1 $2,250, 1 $1,440; clerk, $1,440," and insert "2 clerks, at $1,440 each," and in line 8, to strike out "$12,330" and insert "$10,080," so as to make the paragraph read:

Document room: Superintendent, $3,500; first assistant, $2,500; 2 clerks, at $1,440 each; skilled laborer, $1,200; in all, $10,080.

The amendment was agreed to.

The next amendment was, on page 5, line 25, in the items for office of Sergeant at Arms and Doorkeeper of the Senate, after the word "messengers," to strike out "four" and insert "five," and in the same line, after the word "doorkeepers" to insert "including one for minority," so as to read:

Messengers, five (acting as assistant doorkeepers, including one for minority), at $1,800 each.

The amendment was agreed to.

The next amendment was, on page 6, line 8, in the items for office of Sergeant at Arms and Doorkeeper of the Senate, after the words "laborer in charge of private passage," to strike out "$840" and insert "$900."

The amendment was agreed to.

The next amendment was, on page 6, line 17, in the total for office of Sergeant at Arms and Doorkeeper of the Senate, to strike out "$152,380" and insert "$154,240."

The amendment was agreed to.

The next amendment was, on page 7, line 23, to strike out "$7,000" and insert "$10,000," so as to read:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, $10,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 8, line 5, to strike out "$10,000" and insert "$5,000," so as to read:

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $5,000.

The amendment was agreed to.

The next amendment was, on page 8, line 7, to strike out "$1,500" and insert "$2,500," so as to read:

For fuel, oil, cotton waste, and advertising, exclusive of labor, $2,500.

The amendment was agreed to.

The next amendment was, on page 8, line 21, to strike out "$25,000" and insert "$100,000," so as to read:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding $1.25 per printed page, $100,000.

The amendment was agreed to.

The next amendment was, on page 8, line 24, to strike out "$30,000" and insert "$40,000," so as to read:

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $40,000.

The amendment was agreed to.

The next amendment was, on page 9, line 3, in the item for Capitol police, before the word "privates," to strike out "forty-seven" and insert "thirty-three"; in line 4, to strike out "10 additional privates, at $840 each"; and in line 7, to strike out "$65,550" and insert "$42,450," so as to read:

CAPITOL POLICE.

For captain, $1,800; 3 lieutenants, at $1,200 each; 2 special officers, at $1,200 each; 33 privates, at $1,050 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, $42,450.

The amendment was agreed to.

The next amendment was, on page 22, line 23, to increase the appropriation for the legislative reference service in the Library of Congress from $25,000 to $35,000.

The amendment was agreed to.

The next amendment was, on page 25, line 9, in the items for Library building and grounds, before the word "laundress," to insert "book cleaner, $720."

Mr. FLETCHER. Do I understand that is a new position entirely?

Mr. WARREN. It is entirely a new position. It is said to be necessary by the superintendent of the building, as at present he is compelled to take higher priced clerks to do the work, unless we provide for the employee specified.

Mr. FLETCHER. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the item for Library building and grounds, on page 25, line 17, to change the total from "$91,545" to "$92,265."

The amendment was agreed to.

The next amendment was, on page 26, after line 1, to insert the following proviso:

Provided, That within 30 days after the approval of this act the Secretary of War is authorized and directed to deliver to the Library of Congress, without payment therefor, one 1-ton truck.

The amendment was agreed to.

The next amendment was, on page 27, line 10, to insert the following proviso:

Provided, That within 30 days after the approval of this act the Secretary of War is authorized and directed to deliver to the Botanic Garden, without payment therefor, one 3-ton and one 1-ton truck.

Mr. FLETCHER. Mr. President, I understand the chairman of the committee and the members of the committee are sure that the Secretary of War has the trucks on hand which may be used for this purpose.

Mr. WARREN. Our information is that the Secretary has a great many of them that are standing idle, some of them unsheltered and almost uncared for.

Mr. SMOOT. There are thousands of them, I will say to the Senator.

Mr. WARREN. I will say, furthermore, that the House committee took the pains, as I am informed, by a subcommittee to go out and look at the trucks. This amendment and the one preceding were really in the House bill originally, but in the contention over there they went out on a point of order, and we have restored them.

Mr. FLETCHER. I think under those circumstances the trucks certainly ought to be used. The services indicated are good places to use them; but I was not quite sure whether the direction the bill contains to turn over one 3-ton truck and two 1-ton trucks could be carried out.

Mr. WARREN. Of course, if the Secretary of War has not the trucks, he can not deliver them, but I think he has them.

Mr. POMERENE. Mr. President, I am going to presume to offer the following amendment: On page 27, line 24, I move to strike out the figures "$12,000" and insert "$15,000."

Mr. WARREN. Mr. President, while I think many Senators would like to join with the Senator from Ohio in voting for such an amendment, he will have to wait, I think, under the unanimous-consent agreement, until the committee amendments shall have been disposed of.

Mr. POMERENE. Mr. President, because of the special situation existing I ask unanimous consent to offer the amendment now.

Mr. SMOOT. I will say to the Senator if the amendment proposed by him is agreed to, then we certainly will have to increase the salary of the Speaker of the House of Representatives accordingly.

Mr. POMERENE. I have no objection to that being done. I ask unanimous consent to offer the amendment.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. UNDERWOOD. I ask that the amendment be stated.

The READING CLERK. On page 27, line 24, it is proposed to strike out "$12,000" and insert "$15,000," so as to read:

For compensation of the Vice President of the United States, $15,000.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment was agreed to.

Mr. SMOOT. Mr. President, to insure that it will not be overlooked, I ask unanimous consent that in the proper place in the bill the appropriation of $12,000 for the Speaker of the House may be changed to $15,000. If that change is not made the question of the Speaker's salary could not go to conference. Therefore, I make that request.

Mr. LODGE. Why not?

Mr. SMOOT. Because the House has provided $12,000 for the Speaker.

Mr. WARREN. Mr. President, I think I ought to say that while the House may contest that point, at the same time there is no exact parallel between the office of Speaker and the office of Vice President. The Vice President becomes the Acting President of the United States on many occasions, and always in the event of the President's inability or in case of a vacancy in the office, and he has consequently a great many more expenses than the Speaker has. So, without regard to the compensation of the Speaker, the Vice President should have $15,000 or even more; so the chairman of the committee will not object to the amendment offered, although the rocky road that it will have to meet on the House side is plainly in sight.

Mr. FLETCHER. Mr. President, I do not quite agree with the idea that the Speaker of the House should receive the same compensation as the Vice President. I do not think the office is quite parallel with that of Vice President of the United States, and I really think there should be some difference in the amount of compensation paid to these two officials.

As the Senator from Wyoming has said, the Vice President is sometimes called upon to act as President. The Vice President has to do a great deal of entertaining of foreign diplomats, and all that sort of thing—things that the Speaker of the House is not called upon to look after. There is no doubt of the importance of the office of Speaker of the House, but I can not agree that the position corresponds to that of Vice President of the United States. I think, therefore, a difference should be recognized in the compensation as well as in the functions and in the duties of the offices.

I can not, therefore, consent to the request of the Senator from Utah at this time.

Mr. SMOOT. In view of the statement I have just heard, I shall not ask it at this time. I had in mind the thought that unless a change was made in the provision for Speaker of the House the amount could not be changed in conference to $15,000, because of the House and the Senate having agreed to it; but in view of the statement I have just heard I shall not ask it.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 28, line 17, in the items for contingent expenses of the Executive Office, after the words "including labor," to insert "special services"; and, in line 19, to strike out "$30,000" and insert "$36,000," so as to read:

For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses of garage, including labor, special services, and miscellaneous items, to be expended in the discretion of the President, $36,000.

The amendment was agreed to.

The next amendment was, on page 29, line 24, in the items for temporary employees for the Civil Service Commission, after the words "per annum," to insert "except one at $3,000," so as to make the proviso read:

Provided, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except one at $3,000.

The amendment was agreed to.

The next amendment was, on page 31, line 22, after the item "For rent of building for the Civil Service Commission, $16,875," to insert "if space can not be assigned by the Public Buildings Commission in other buildings under the control of that commission."

The amendment was agreed to.

The next amendment was, on page 32, line 2, in the items for Department of State, to strike out "counselor for the department" and insert "Undersecretary of State"; and in line 23 to strike out "counselor of the department" and insert "Undersecretary."

The amendment was agreed to.

The next amendment was, on page 33, line 8, to increase the appropriation for temporary employees in the Department of State from "$250,000" to "$300,000."

The amendment was agreed to.

The next amendment was, on page 34, line 2, to increase the appropriation for miscellaneous expenses of the Department of State from "$15,000" to "$30,000."

The amendment was agreed to.

The next amendment was, on page 34, line 2, to insert the following proviso:

Provided, That not exceeding $15,000 of this sum shall be available for a fireproof receptacle for the Declaration of Independence and other valuable papers.

The amendment was agreed to.

The next amendment was, on page 37, line 11, in the items for the Treasury Department, after the words "Arlington Building," to strike out the words "and annex."

The amendment was agreed to.

The next amendment was, on page 39, after line 20, to insert the following additional proviso:

Provided further, That within 30 days after the approval of this act the Secretary of War is authorized and directed to transfer to the Secretary of the Treasury without payment therefor two light motor trucks for use of the General Supply Committee: *Provided further*, That typewriters and computing machines transferred to the General Supply Committee as surplus, where such machines have become unfit for further use, may, in the discretion of the Secretary of the Treasury, be issued to other Government departments and establishments at exchange prices quoted in the current general schedule of supplies or sold commercially provided the price obtained is in excess of the exchange prices.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the General Supply Committee, payment therefor to be effected by transfer and counter warrant, charging the proper appropriation and crediting the appropriation "General Supply Committee, Transfer of office material, supplies, and equipment."

Mr. CALDER. Mr. President, I make the point of order against the provision, on page 40, lines 8 to 14, reading as follows:

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the General Supply Committee, payment therefor to be effected by transfer and counter warrant, charging the proper appropriation and crediting the appropriation "General Supply Committee, Transfer of office material, supplies, and equipment."

The VICE PRESIDENT. What is the point of order?

Mr. WARREN. It is a matter of regulation of the General Supply Committee that is provided for by law.

The VICE PRESIDENT. Let us find out what the point of order is.

Mr. CALDER. That it is new legislation, not authorized by existing law.

The VICE PRESIDENT. New legislation? That is no ground for a point of order.

Mr. WARREN. It does not appropriate any money.

The VICE PRESIDENT. The point of order is overruled. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 41, line 10, in the items for the Treasury Department, after the word "Appointments," to strike out "(including section of surety bonds)"; in line 13, before the words "of class 3," to strike out "four" and insert "three"; after the words "of class 3," to strike out "(including one transferred from section of surety bonds)"; in line 14, before the words "of class 2," to strike out "six" and insert "five"; after the words "of class 2," to strike out "(including 1 transferred from section of surety bonds)"; and in line 17, to strike out "$36,710" and insert "$33,710," so as to read:

Division of Appointments: Chief of division, $3,000; assistant chief of division, $2,250; executive clerk, $2,000; clerks—3 of class 4, 3 of class 3, 5 of class 2, 4 of class 1, 2 at $1,000 each, 1 $900; messenger; assistant messenger; in all, $33,710.

The amendment was agreed to.

The next amendment was, on page 41, after line 17, to insert:

Section of Surety Bonds: Chief, $2,250; clerks—1 of class 3, 1 of class 2, 2 of class 1, 1 $1,000; assistant messenger; in all, $9,370.

Mr. FLETCHER. Mr. President, may I ask a question about the compensation of these clerks? The amendment provides for 1 clerk of class 3, 1 clerk of class 2, 2 clerks of class 1, and so forth. That means that the clerks of those classes receive a certain compensation?

Mr. WARREN. Yes.

Mr. FLETCHER. Will the Senator state what that is?

Mr. WARREN. Some years ago, as I think the Senator remembers, we undertook to examine all the different companies engaged in issuing surety bonds for employees and appointees of the Government, and we arranged that the Appointment Division should be increased sufficiently so that they could have what afterwards became a little bureau of surety bonds.

There has been a good deal of contention, and I may say almost propaganda, on the part of a great many who desire it done away with entirely. On the other hand, there is an insistence on the part of those especially interested, of course, as employees, that it shall be retained. The committee proposes to retain it, but to disentangle it from the bureau of appointments, where they have had clerks transferred from other departments. We want, as far as we can, to stop this idea of transferring. When we prescribe how many clerks a department shall have, we do not like to have some other department, that happens to get away with 100 or 200 more than it needs, detailing them. We find that some departments have detailed not less than a dozen of their clerks; so we have protected the surety-bond business by giving this section a total of $9,320, providing a chief clerk at $2,250, one clerk of class 3, one clerk of class 2, two clerks of class 1, and one clerk at $1,000.

Mr. FLETCHER. I understand the matter now, and I think the committee is right; but what I desire to know is, What is the compensation of these clerks of class 3, class 2, and class 1?

Mr. WARREN. The compensation of clerks of class 1, as the Senator knows, is $1,200; the compensation of clerks of class 2 is $1,400; the compensation of clerks of class 3 is $1,600; the compensation of clerks of class 4 is $1,800; and, of course, if we shall vote a bonus, they will come under the bonus provision with the others.

Mr. FLETCHER. I see.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 44, line 12, in the items for Bureau of War Risk Insurance, after the numerals "$100,000," to insert "Pierce accounting machine, $255,000"; and, in line 18, to change the total from "$7,145,400" to "$7,400,400."

The amendment was agreed to.

The next amendment was, on page 45, line 4, before the word "soliciting," to insert "personally," so as to make the additional proviso read:

Provided further, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except the following: Three at not exceeding $7,500 each, 5 at not exceeding $5,000 each, 16 at not exceeding $4,500 each, 20 at not exceeding $4,000 each, 16 at not exceeding $3,500 each, 26 at not exceeding $3,000 each, 30 at not exceeding $2,500 each, and 150 at not exceeding $2,000 each: *Provided further*, That no part of this sum shall be expended for salaries or expenses in personally soliciting the reinstatement of lapsed insurance.

Mr. McKELLAR. Mr. President, will the chairman of the committee explain what is meant by the introduction of the word "personally" in this proviso?

Mr. WARREN. A question came up about how the word "soliciting" should be construed. The fact is that the War Risk Bureau has in every State, and almost if not quite in every county, and in most of the cities, a representative—who, of course, is in most cases a physician—who is authorized to and does examine the applicants that may come to him from the service, and recommends them for whatever percentage of disability they may have, or for total disability, and these same men or agents give all information as to insurance, and so forth. Now, the point of this provision is this——

Mr. McKELLAR. I think the Senator does not understand what I am asking about.

Mr. WARREN. If the Senator will wait a minute, I will answer his question. The object of this amendment is to prevent men under Government employment from taking automobiles and going all over the country to do what can be done without it, as has been done, I understand, in some cases. For instance, it has gotten to the point in the past year that in my country, in the case of the Marine Corps, men will go out in an automobile 30 or 40 miles to find some man who they hear might enlist and bring him into town. Of course, the expense is very large, and the percentage of those who are found unfit is quite large, and we have all that expense to pay, which is unnecessary. I did not believe that we needed the word "personally," but it has been inserted to make the provision more liberal, simply to stop the personal solicitation of men to do what they do not want to do. The law is before them; the privileges are all before them; they are supposed to know what to do; but we do not want men hanging around the doors and soliciting, as we sometimes find people around the doors of the Senate whom we call lobbyists.

Mr. McKELLAR. Mr. President, I do not know whether this is the time to offer an amendment on the subject, but it seems to me this proviso ought to be omitted entirely. We all know that every insurance company that manages its affairs carefully has a system of making every effort possible to reinstate lapsed insurance.

Surely, after these young men who have gone into the Army or the Navy or the Marine Corps have once taken out this most valuable insurance, it seems to me the Government ought to use its utmost care, first, to keep it from lapsing, and to reinstate it if it has lapsed for any reason. I shall at the proper time offer an amendment to strike out this provision, because I think it is the duty of the War Risk Bureau not to permit this insurance to lapse, and to reinstate it wherever it has lapsed, if it is possible to do so.

Mr. WARREN. Mr. President, this is one among the differences between this war insurance and private insurance: In the case of the insurance companies a man who goes out soliciting gets a half or more of the first payment paid by the poor devil who is urged into something he is not ready to take, and the agent gets a percentage all during his life, after that, of the annual premiums. In this case the Government pays the agents. Does the Senator think the Government ought to have an army of men paid to go out into the hedges and corners and solicit men to keep their insurance in force?

Mr. McKELLAR. No; but I think this matter ought to be left to the War Risk Bureau.

Mr. WARREN. They are not objecting, so far as I know.

Mr. McKELLAR. The provision is—

That no part of this sum shall be expended for salaries or expenses in personally soliciting the reinstatement of lapsed insurance.

Mr. WARREN. The Senator will notice that the only word the Senate committee proposes to put in is "personally," whereas the House has plainly provided that no part of the appropriation shall be expended for soliciting.

Mr. McKELLAR. I am not objecting to the word "personally," but I am objecting to the whole proviso. I think it ought to be left to the War Risk Bureau.

Mr. WARREN. That is quite another thing. We are undertaking to provide for it as far as we ought to provide, and seeking to amend it because of the solicitude of the head of that department. While I did not think, and I do not think now, that they would be in any danger if it were left as it came from the House, we thought that putting in the word "personally" would cover the matter pretty generally.

Mr. McKELLAR. I have no objection to the insertion of the word "personally," but I think the whole proviso ought to be stricken out, and I shall offer an amendment looking to that end at the proper time. I do not think now is the proper time to offer the amendment, but later on I shall offer it.

Mr. SMOOT rose.

Mr. McKELLAR. If the Senator from Utah has some further information about it, I would like to hear it.

Mr. SMOOT. If the Senator intends to offer such an amendment, of course, I will speak when the amendment is offered. But I assure the Senator that it would be unwise to strike the proviso out entirely. However, the committee did think they ought to extend it beyond what the House provided for, and we said, in effect, "You can reach these soldier boys by advertisements and by letters, but we do not want you to have an army of employees going around from one end of the country to the other to do this and the Government to pay for it."

Mr. McKELLAR. It is very much better than it was provided for by the House, but I think it ought to be left to the bureau.

The amendment was agreed to.

Mr. POMERENE. I notice on page 45 there is a provision for the four members of the Federal Farm Loan Bureau and an appropriation for the assistant secretary of $3,000. Is there not a head or first secretary?

Mr. SMOOT. The item here is just exactly as the law provides. When the act was passed creating the Federal Farm Loan Bureau, it specifically mentioned certain positions, and this paragraph in the bill enumerates those positions as enacted into law.

Mr. POMERENE. Does not the law name a secretary?

Mr. SMOOT. It does not name a secretary. The law provides for the positions we provide for here.

Mr. POMERENE. It struck me when I read the provision that it is rather unusual to have an assistant secretary and no secretary.

Mr. SMOOT. This is exactly the way the existing law provides, and does not make a change in any of the salaries.

The next amendment was, beginning with line 1, page 46, to insert:

The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 30, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated from any Federal land bank, farm loan bonds issued by such bank.

Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years, shall be made only upon the recommendation in writing of the Federal Farm Loan Board, and the bonds so purchased shall bear interest at the rate of 5 per cent per annum.

Any Federal land bank may at any time purchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act, three years from the date of purchase, shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

Mr. CALDER. The amendment, as I understand it, provides for the issuance ultimately of $100,000,000 worth of farm loan bonds, to provide for loans on farms throughout the country. I would like to inquire of the chairman of the committee in charge of the bill if this will mean the issuance of a hundred million dollars of tax-exempt bonds?

Mr. WARREN. They will be of the same character as those already issued under the law.

Mr. CALDER. I understand that they will be issued tax exempt.

Mr. SMOOT. Yes; they will be.

Mr. WARREN. They are issued under the law under which all the other bonds of that character are issued.

Mr. CALDER. Has the Committee on Appropriations taken into consideration the fact that we have already in existence in this country some $14,000,000,000 worth of tax-exempt bonds?

Mr. SMOOT. Nearly $15,000,000,000.

Mr. CALDER. And that investment in those bonds is being resorted to by men of large wealth to escape taxation?

Mr. SMOOT. That is absolutely true.

Mr. WARREN. Let me tell the Senator why this amendment was placed in the bill. The work of the Farm Loan Bureau seems to have been stopped entirely by suits that have been instituted, at least one of which is before the Supreme Court. Nothing can be done, and in the meantime applications are being made by farmers in different localities before the board, and this is to provide that certain or all of those distressing cases may be taken up by the board and that these bonds may be sold to the United States Treasury for the time being. Whether it is a good policy or a bad one, it is one we entered upon a long time ago. When the demand for money was greater than could be met through the regular channels, at one time the Government bought, I think, $200,000,000 of the bonds. This is along the same line. It is to provide for the immediate and pressing necessities of those farmers and landholders who are unable to procure the money elsewhere, and who can not get it through the Federal land banks. They would be glad to let them have it, if it were not for this suit which is at present pending.

Mr. GLASS. The chairman understands, of course, that in a transaction between the Federal land banks and the Government there is no question of tax exemption of bonds.

Mr. WARREN. Of course not. They become the property of the Government, and they are not then taxable.

Mr. McLEAN. Mr. President, I understand that a provision similar to this, but proposing to appropriate something like $200,000,000, will be reported out of the Committee on Agriculture and Forestry as a rider to the Agricultural appropriation bill. I refer to the amendment that was introduced by the Senator from Virginia [Mr. SWANSON]. It is my belief that Congress ought to do something before we adjourn. It is an important matter. The Committee on Banking and Currency has had under consideration several remedial measures looking to the continuation of the functions of the Federal Farm Loan System in accommodating the farmers who want loans. But we have not reported anything, because, as my colleagues know, the constitutionality of the farm loan act is being tested in the Supreme Court, and if the act is sustained it will be unnecessary to do anything.

Mr. WARREN. May I interrupt the Senator to say that, of course, it is not the intention to have the matter provided for by both committees, and surely if the pending bill passes with this provision in it I shall object, and I think the Senator and others will object, to its being contained in any other bill.

Mr. McKELLAR. Of course, I think it is understood by everybody that one appropriation is all that is necessary, and if it is carried in this bill, then it will be stricken out of the Agricultural appropriation bill.

Mr. McLEAN. Yes; but, as I was about to say, if the Supreme Court sustains the act, it will be unnecessary to do anything, and it is the expectation of the Federal Farm Loan Board that a decision will be handed down on the 28th of this month.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Tennessee?

Mr. McLEAN. Certainly.

Mr. McKELLAR. The Senator will recall that the suit of Charles E. Smith against the Kansas City Title & Trust Co. was begun in October, 1919. It has been before the Supreme Court now about 14 months, during which time all of the operations of the board have been stopped. The case has not only been argued in the Supreme Court, but it has been reargued by distinguished counsel on both sides, and we have no assurance of any kind that the case will be decided on the 28th of this month, when the court meets again. Of course, we can not tell about that. It might be another year before it is decided. In the meantime the business of this board has been stopped absolutely, because the suit goes to the very life of the act. It affects the provision under which these bonds are issued, and without which the act can not become effective.

If the decision is unfavorable to the act, the result will be that we may have to amend the Constitution before we can pass a bill that will be effective. Of course, this system will never be abandoned. Under these circumstances, with the country in the financial condition in which it is, especially considering the financial needs of the farmers of the country, I do not think we ought to permit this great financial organization, of such wonderful benefit to the farmers of the country, to be inactive any longer. We can not tell when the Supreme Court will decide the case. If we could, that would be a different matter. But we ought to go on and act ourselves, and keep the Farm Loan Board in operation.

Mr. President, perhaps never in their history have the farmers been harder hit than during the last year. The value of all their products has decreased enormously. It is doubtful if they have made enough to pay for producing their crops. The banks have called in loans everywhere. Interest rates have been higher than they have been for generations. These interest rates are still high. Never in our history could these farm-loan banks have been of greater value to the farmers or to the country than in the last 14 months. If restored to operation now they would bring great relief to the farmers—more relief than they could get in any other possible way. The restoration of these banks would not only reduce the interest rates to farmers, but would permit them to get money they could not get in any other way with which to tide them over while they produce other crops. In this way they would relieve the financial pressure not only upon the farmers, but upon other industries as well. The low rates of interest provided in the act would affect interest rates generally in a downward way. Who is against this rehabilitation of the farm-loan banks? The only possible opposition would come from the private mortgage companies, who now lend to farmers at enormous rates of interest. Only selfishness and greed can stand in the way of this amendment. We should not permit anything to stand in the way of this amendment, and I do not believe we will.

I am opposed to the Senator's substitute proposing only fifty million. One hundred million is little enough. I would rather double it than to cut it in half. My position is that the farmers should have this relief without delay.

Mr. McLEAN. If the Senator will permit me to conclude what I wish to say with regard to this subject, I am not controverting his position at all. On the contrary, as I have said, I think it is the opinion of the Committee on Banking and Currency that something should be done before the session closes. We have been hoping that the decision would be handed down. It is expected, as I said, on the 28th of this month. It may not come; and if it does not there would be presented a very awkward situation, for which I think Congress should make some provision.

With regard to the amendment introduced by the Senator from Virginia [Mr. SWANSON] it seemed to me that there were objections to that amendment which might be obviated. In the first place, it is merely directory. It merely authorizes the Secretary of the Treasury to do something, and unless the Secretary of the Treasury changes his view with regard to the matter

it may be questionable whether any funds would be forthcoming at all. The same objection, I think, might be urged against the pending amendment in the pending bill. My attention was not called to this amendment until this morning.

I had supposed that those interested in the matter had concluded to support the amendment introduced by the Senator from Virginia, and that it would be attached as a rider to the Agricultural appropriation bill. But, anticipating that something would probably have to be done, I have had occasion to consult with members of the Federal Farm Loan Board, and I have a substitute for the resolution introduced by the Senator from Virginia which meets with the entire approval of the Federal Farm Loan Board. It provides for a fund of only $50,000,000, which in the opinion of the board is quite ample to meet the exigencies of the case. It provides for the retirement of the fund in such a way that if the Supreme Court holds the act unconstitutional the amount of securities held by the Treasury will be very small, and there will be ample opportunity to amend the act itself in time to obviate any serious difficulty.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. McLEAN. Certainly.

Mr. SMOOT. The Senator from Virginia [Mr. GLASS] has just suggested to me that I ask that the amendment go over for the time being in order that he might send to his office for certain correspondence from the Treasury Department and the recommendation that the revolving fund suggested by the Senator——

Mr. McLEAN. If the Senator will permit me to conclude what I have to say, then I shall be glad to answer any questions. I have sent to the Secretary of the Treasury a copy of the amendment introduced by the Senator from Virginia, because I think his views should be considered by the Senate in a matter of this kind, but I have not yet heard from him. The substitute which I have suggested meets with the approval of the Federal Farm Loan Board, and I will ask to have the Secretary read it in order that it may be before the Senate, because it seems to me——

Mr. GLASS. Mr. President, may I say to the Senator I have no doubt in the world that the paper he is about to send to the desk is precisely the same paper that was sent to me from the Secretary of the Treasury and presented by me to the committee. I should like to indicate to the Senate the difference between the proposition now presented by the Senator from Connecticut and the pending proposition.

It is proposed by the Senator to appropriate, not temporarily for an exigency, but to establish a permanent form of revolving fund, and to that proposition I am utterly opposed. All my public life I have been opposed to special privileges. All during the consideration of the Federal reserve act I resisted every attempt to involve us in a system of special privileges. The pending proposition of the committee is not a special privilege. It is to tide over a great emergency for which, I might say, no one is especially to blame unless it be the Supreme Court of the United States, which has been considering for a period of nearly 14 months litigation that affects the entire farming community of the United States.

The pending proposition is an emergency proposition, and, as the Senator himself very properly said awhile ago, there is nothing directory or mandatory about it. We purposely omitted making it directory or mandatory. It is left within the discretion of the Secretary of the Treasury himself to buy the bonds to any amount not exceeding the total amount prescribed. The fact of the business is that he may not have to buy a dollar's worth of the bonds if, as the Senator confidently conjectures, the Supreme Court hands down its decision by the 28th of this month. We have been expecting that decision now for nearly 14 months, and I have not the remotest idea that it will be handed down on the 28th of this month or the next month or the following month.

Mr. McLEAN. May I interrupt the Senator there?

Mr. GLASS. Certainly.

Mr. McLEAN. If the decision is not handed down before Congress adjourns, in my opinion the farmers will not get a dollar of additional accommodation under the amendment introduced by the Senator from Virginia, or a dollar under this amendment, on the legislative bill, if I understand it.

Mr. GLASS. This amendment is identical with the one presented by my colleague.

Mr. McLEAN. It is my belief that members of the Federal Farm Loan Board have this system at heart, and I think they are in a position to judge as wisely as we are as to what remedy is needed in the present juncture.

Mr. GLASS. Let us be frank with the Senate. I say to Senators that the members of the Federal Farm Loan Board entirely concur in the amendment which I have proposed. The amendment which the Senator from Connecticut has before him now was simply to reconcile differences between members of the Federal Farm Loan Board proper and the ex officio member of the Farm Loan Board, to wit, the Secretary of the Treasury.

The Senator is vastly mistaken in his supposition that not a dollar will be utilized under the amendment I have presented. I will say to the Senator that I am not in the habit of presenting propositions that do not mean anything. As a matter of fact, there are already accumulated with the Federal Farm Loan Board applications which have been thoroughly investigated, passed upon, and approved amounting to somewhat in excess of $50,000,000; but the activities of the system have been paralyzed now for 14 months, and they have been unable to sell any of the bonds of the banks because of the litigation pending before the Supreme Court.

Mr. McLEAN. I have not had an opportunity to read even the amendment that is now pending. Is it directory?

Mr. GLASS. It is not directory. It authorizes the Secretary of the Treasury——

Mr. McLEAN. Then let me ask the Senator a question. Suppose the Secretary of the Treasury says he has no money, that it is merely discretionary with him and that he does not propose to buy the bonds, how much money is the Federal farm loan system going to get then?

Mr. GLASS. In those circumstances it is not going to get any, but I think it is incredible to believe that a Secretary of the Treasury, knowing what the Congress has in mind and the relief that is here sought, would take any such arbitrary position.

Mr. McLEAN. Mr. President, I do not wish to take up the time of the Senate in discussing the matter further.

Mr. GLASS. But if the Senator wants to make it directory, that is all right.

Mr. McLEAN. I think it should be effective. If we propose to add to the fund, we should certainly do it.

Mr. GLASS. I will say to the Senator that what I am proposing to do under my amendment is precisely what Congress did last July, and the Secretary of the Treasury, to the extent of twenty-odd million dollars, did purchase those bonds.

Mr. McLEAN. He may have had the money then and he may not have it now. He may have changed his opinion with regard to the propriety of an attempt to provide funds if the matter is left to his discretion.

Mr. GLASS. We will have a different Secretary of the Treasury soon, and if I am willing to trust the incoming Secretary of the Treasury to relieve the situation, the Senator from Connecticut ought to be willing to trust him.

Mr. McLEAN. I do not want to trust the discretion of any Secretary of the Treasury. If we do anything, we should do it by passing a directory and effective provision.

Mr. GLASS. I am perfectly willing to accept an amendment to my amendment making it directory, if the Senator cares to offer a proposition of that kind.

Mr. McLEAN. Then I think the fund appropriated is too large. I do not think it is necessary to have it so large.

Mr. GLASS. I will say to the Senator if it is not necessary not a dollar of it will be used. If the Senator is right in his conjecture that the Supreme Court on the 28th of this month will hand down its decision, I doubt if a dolalr of it will be necessary.

Mr. FLETCHER. If $100,000,000 is authorized——

Mr. McLEAN. Just a moment. The Senator from Virginia says that the amendment which I propose has not been approved by the Federal Farm Loan Board.

Mr. GLASS. Oh, no; I did not say that.

Mr. McLEAN. The Senator intimated it.

Mr. GLASS. What the Senator from Connecticut said was that the amendment proposed by me was not approved by the Federal Farm Loan Board. I say that it met with the entire concurrence of all the members of the Farm Loan Board, with the possible exception of the ex officio member, the Secretary of the Treasury. I said that it is the amendment which was presented to the committee and rejected by the committee.

Mr. McKELLAR. Will the Senator yield?

Mr. McLEAN. Just a moment. I think we ought not to waste very much time here on the proposition. I would like to find out from the Senator from Virginia if the Secretary of the Treasury is in favor of his amendment.

Mr. GLASS. I do not think that he is.

Mr. McLEAN. My information is that the view of the Federal Farm Loan Board coincides with that of the Secretary of the Treasury.

Mr. GLASS. I will say to the Senator that the proposition he has in his hand was presented to me in person by a member of the Federal Farm Loan Board, from whom I gathered the

information that it was a modified suggestion to meet more entirely the view of the Secretary of the Treasury, but that the other members of the board concurred in my suggestion. I want to emphasize this point, if the Senator will permit me. The difference between my proposition and the proposition presented by the Senator is that mine is an emergency proposition, just as the one presented last July and passed by Congress was an emergency proposition. The proposition which the Senator has is for the establishment of a permanent revolving fund. That I do not think we should do.

Mr. McLEAN. The Senator is mistaken about that. The amendment provides for the retirement of the fund in 10 years.

Mr. GLASS. The suggestion I offer may be stopped in 10 days, if the Supreme Court hands down its decision on the 28th of this month.

Mr. McLEAN. Of course, if the Supreme Court holds the act constitutional, then there would be no need for this legislation.

Mr. GLASS. Precisely; and it was because we have been waiting on the Supreme Court for 14 months and they have not handed down any decision, and that the great system of farm-loan credits has been paralyzed, that I am presenting the proposition.

Mr. McLEAN. The decision of the court may be such that, as the Senator from Tennessee [Mr. McKELLAR] says, we shall have to amend the Constitution in order to continue the functioning of this system. Here is a proposition that involves $50,000,000, and it is mandatory, and I would like to have it read to the Senate. Then it seems to me it would be well to postpone action on the amendment for the present and see if we can not come to some understanding that will be satisfactory to all concerned.

Mr. GLASS. I will say to the Senator that the $50,000,000 is not adequate, because I have in my desk a letter from the Federal Farm Loan Board, stating explicitly that the board already has on hand approved applications for loans aggregating $65,000,000.

Mr. McKELLAR. Of course, there will be an added number during the year. Operations have been suspended for over 14 months, and it does seem to me that $100,000,000 is as small an amount as we ought to attempt to provide to remedy a situation that is temporary in its nature, as I believe.

Mr. McLEAN. This suggestion comes from the Federal Farm Loan Board, and it is represented to me that it is ample in amount to take care of any exigency that may arise.

Mr. GLASS. I will say to the Senator that the suggestion, such as I have indicated to the Senator, came to me from the Federal Farm Loan Board, and I did not withhold it from the committee. I presented it to the committee and the committee rejected it.

Mr. FLETCHER. If the Farm Loan Board only needs $50,000,000, they will only use $50,000,000. The Secretary of the Treasury is merely authorized to purchase bonds to the extent of $100,000,000, and if $50,000,000 will be sufficient, of course, he will not buy $100,000,000.

Mr. McLEAN. I think the plan suggested by the instrumentality that has this important interest in hand—the Federal Farm Loan Board—should be carefully considered. They should know as much about it as we do; certainly they know more about it than I do; and I am inclined to give their plan careful consideration. It is their suggestion, and will meet every need. I have no choice in the matter, as I have said. I merely wish to do something that will be effective.

Mr. GLASS. I will say to the Senator that I conferred with the members of the Farm Loan Board before I offered my amendment on the subject, and I understood the amendment presented by my colleague [Mr. SWANSON] and myself met with the entire approval of the Federal Farm Loan Board, but after the matter had been considered in committee the Federal Farm Loan Board brought up to me the modified suggestion which the Senator is now presenting. I frankly stated to the committee that it had been received. The committee, however, rejected the proposition and adhered to the decision to report favorably the amendment that I had offered.

Mr. SMOOT. A majority of the committee did so?

Mr. GLASS. Yes; a majority of the committee. As I recall the vote, it was 9 to 2.

Mr. McLEAN. I will say to the Senator from Virginia there has evidently been a misunderstanding as to the view of the Federal Farm Loan Board in regard to this matter. So I think it would be well to postpone action on it until we find out what their preference is; and if there is a choice, choose the better plan of the two. That is my only interest in the matter.

Mr. GLASS. I do not think the Senate should be altogether governed by the preference of the Farm Loan Board——

Mr. FLETCHER. Especially a board that does not seem to be doing anything.

Mr. GLASS. Because the Farm Loan Board might want a permanent revolving fund, I myself should not want it. However, the fact is that I have from the Farm Loan Board the statement that the board has on hand applications for loans which have been thoroughly investigated and approved by the board aggregating $65,000,000. I am perfectly well satisfied that the main reason actuating the Farm Loan Board in sending up the modified suggestion was, as I have indicated, to reconcile some differences between the point of view of the members of the board and its ex officio member, the Secretary of the Treasury.

Mr. McLEAN. I think it would be well to adopt the plan that is satisfactory to both the Treasury Department and the Federal Farm Loan Board, if possible. That is the reason I suggest a postponement of the matter temporarily.

Mr. McKELLAR. I will say to the Senator that after the 4th of March the new Secretary of the Treasury may entirely agree with the Farm Loan Board. There may not be the slightest dispute between them. I have not the slightest doubt of their working in absolute harmony and unison in reference to the matter. It strikes me that this particular institution which is loaning money to the farmers through the Federal land banks has been determined upon by the American people and by the American Congress as the instrumentality through which this important work shall be effectuated.

The Senator mentioned my suggestion that the law might be declared unconstitutional. If the law shall be declared unconstitutional, Congress and the American people are going to find some way to continue this great institution. We all know that. This proposed legislation will continue its activities to a limited extent, regardless of whether the law is determined to be unconstitutional or constitutional. Why not let us go on, therefore, and enact the pending provision?

Mr. GLASS. As a matter of fact, I will say to the Senator, the question involved in the litigation is merely as to the validity of the tax exemption of the farm-loan bonds.

Mr. McLEAN. Oh, no; the Senator from Virginia is mistaken.

Mr. GLASS. That is the real question; but that question is not involved in this proposed action of Congress.

Mr. McKELLAR. Not in the least.

Mr. McLEAN. The question is as to the power of Congress to establish these institutions as private institutions.

Mr. GLASS. That is as to the joint-stock land banks, and the legislation here proposed does not affect the joint-stock land banks.

Mr. KENYON. I think the pending case includes both questions.

Mr. GLASS. I think the Senator can hardly make that contention seriously.

The VICE PRESIDENT. The Official Reporters can report a duet, but not a quartet.

Mr. McKELLAR. If the Senator from Virginia will yield, I merely wish to state that—

The main question is whether Congress had the power to create (a) the Federal land banks, (b) the joint-stock land banks, and (c) to exempt the bonds which both classes of banks are authorized to issue from Federal, State, local, and municipal taxation.

I am reading from one of the briefs filed in the case.

While all three of those questions were included in the bill which was filed in court, the real controversy is over the tax exemption, and, from my reading of the brief, I gather that is virtually the only controversy in the case. While the tax-exemption question is a serious one, I feel it is likely that the provision will be upheld by the court. The bill was dismissed by the trial court, and, of course, the presumption is that the act is constitutional. The act thus has both the presumption and the decision of the lower court in its favor. The court is taking its time, it is true, but it is an important matter, and we can not hurry it. Nor should we be impatient about it. Especially so when we can correct the difficulty for the immediate present by enacting into law the proposed amendment. If the farm loan law is upheld by the court on February 28, when the court meets, then it will not be necessary for the Secretary of the Treasury to utilize the authority given him. If the court holds it is unconstitutional, then this amendment will enable the farm-loan bank to continue its operations without interruption until the Congress can cure the defects in the act as determined by the court.

Mr. GLASS. Mr. President, I give notice that under Rule XL I shall move to suspend paragraph 3 of Rule XVI in order that I may propose to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the

Government for the fiscal year ending June 30, 1922, and for other purposes, the following amendment, to wit, the amendment which the committee has reported.

Mr. McLEAN. I will say to the Senator from Virginia that I hope no one will make the point of order on either of the amendments.

Mr. McKELLAR. I hope the point of order will not be made.

Mr. McLEAN. What I want is to have the amendment framed in such a way as to accomplish the purpose desired.

Mr. GLASS. I give the notice which I have stated, Mr. President, and I send it to the desk in writing.

Mr. SWANSON. I should like to ask the Senator from Connecticut a question. I was not present when his amendment was read, but as I understand the amendment——

Mr. McLEAN. The amendment has not been read.

Mr. SWANSON. But as I understand the amendment, it limits the amount to $50,000,000.

Mr. McLEAN. Yes.

Mr. SWANSON. For two years that is the total sum which may be provided.

Mr. McLEAN. Yes.

Mr. SWANSON. As my colleague [Mr. GLASS] has stated, the Farm Loan Board had approved applications for loans amounting to $65,000,000 when its operations were discontinued by litigation. At that time the Farm Loan Board was loaning at the rate of $15,000,000 a month. There was a demand for that amount and the money was being safely loaned to farmers. One hundred million dollars would simply take care for the present year of the $65,000,000 of loans which have already been approved and the applications that would come in up to the 1st of July.

The reason the Federal Government should take care of the farm-loan situation is that the Farm Loan Board's activities were crippled because of the war. They were selling their bonds and had sold $26,000,000 worth of bonds when the war came. They had had no difficulty in selling them. Then, when the war came, in order to finance the loans, an amendment similar to the one now proposed was adopted, but there was no further sale for the bonds. The present situation has arisen because of the conditions which were occasioned by the war. When, in behalf of my colleague and myself, I submitted the amendment, I understood, as has been stated, that all the members of the board, with the exception of the Secretary of the Treasury, favored the amendment. It is similar to an amendment which has been passed heretofore and which has proven useful.

The amendment adopted here last year made available a balance of $100,000,000, $200,000,000 being authorized during the war, but that authorization for the sale of Federal farm-loan bonds was suspended on account of the sale of Liberty bonds. Consequently, it seems to me that the conditions imperatively require action at this time and that the larger amount suggested should be authorized.

A great many farmers have incurred obligations; some of them have bought land and others have made improvements, understanding that they could secure farm loans, and, as a consequence of the suspension of the activities of the Farm Loan Board they are now in a very embarrassed situation, although it has been through no failure or fault of their own. In my opinion, it will take the entire amount proposed to take care of the situation as it exists to-day, and I hope the Senator will consent to the amendment going into the bill.

Mr. McLEAN. Mr. President, all I can say is that, as I am informed, $50,000,000 is sufficient to take care of the existing situation. If I am incorrectly informed, if in the view of the Federal Farm Loan Board they need more money, I shall interpose no objection.

Mr. GLASS. Mr. President, I will say to the Senator that if $50,000,000 will take care of the situation, only $50,000,000 will be used under the amendment which I have presented; but in view of the fact that the Farm Loan Board writes me that they already have approved applications for $65,000,000, it is perfectly obvious that $50,000,000 will not be ample.

Mr. McLEAN. I repeat that the information given to the Senate by the Senator from Virginia does not comport with the information which has been furnished to me. Therefore I suggest that the matter be passed over temporarily.

Mr. GLASS. If the Senator desires me to do so, I will send to my office and have inserted in the RECORD the letter from the Federal Farm Loan Board to me stating that they have $65,000,000 of approved applications on hand.

Mr. HARRISON. Mr. President, may I ask the Senator from Virginia, in that connection, is it not a fact that, because the Federal Farm Loan Board has not been actually functioning in the past few months, a great many applications that might have been made have not been made?

Mr. GLASS. Of course that is true. They have applications for many more million dollars of loans than the amount I have indicated, but they have approved applications for $65,000,000.

Mr. SWANSON. As I stated a few moments ago, the applications were coming in at the rate of $15,000,000 a month when they suspended business.

Mr. HARRISON. I hope the Senator from Connecticut will not want to reduce the amount; certainly the Federal Farm Loan Board ought to have $100,000,000.

Mr. SWANSON. Mr. President, I ask to have incorporated in the RECORD a memorandum giving information in connection with the loans and showing what has been done.

The VICE PRESIDENT. Without objection, it is so ordered.

The memorandum referred to is as follows:

TREASURY DEPARTMENT,
FEDERAL FARM LOAN BUREAU,
Washington, February 8, 1921.

DEAR SENATOR SWANSON: Responding to your personal request for a résumé of the operations of the Farm Loan System to date and its present condition, permit me to state:

The loaning operations of the system may properly be said to have begun in May, 1917, although in one or two banks loans were made a little earlier, perhaps as early as the middle of March, and in others loans were not made until July.

The first farm loan bonds were issued in the summer of 1917 as of date May 1 that year. These bonds aggregated approximately $26,000,000—were sold to the public during the late summer and autumn. Late in 1917 the Government entered upon its war financing with the history of which you are familiar. Partly because of the uncertainty of the effect of such large offerings of Government securities to the public and partly because the Treasury did not want continued offerings of farm loan bonds to be made, a bill was introduced in Congress authorizing the purchase of $100,000,000 of bonds during the fiscal year ending June 30, 1918, and a like amount during the fiscal year ending June 30, 1919. Thereafter no offerings of farm loan bonds were made to the public, except at such time as the Treasury approved and when, in the judgment of the Treasury, such offerings would not interfere with Government offerings.

In June, 1919, immediately following the campaign for the so-called Victory loan, farm loan bonds were offered and sold to the public in sufficient volume to meet the needs of the banks until January 1, 1920.

In July, 1919, the suit with which you are familiar challenging the constitutionality of the farm loan act was instituted. That suit was immediately disposed of in the lower court, which upheld the act; an appeal was taken to the Supreme Court, and with the history of the litigation in that court you are also familiar.

The sale of farm loan bonds is the only source of loanable funds under the farm loan system.

The litigation suggested above had the effect of casting a cloud upon the validity of such bonds and none have been offered since the litigation was begun.

In February, 1920, the banks ceased taking applications for loans, except such as were taken subject to a favorable decision of the litigation. A large volume of applications containing this condition were taken, and while since June, 1920, the banks have not, as a rule, received applications, they are advised by secretary-treasurers of farm loan associations that many of them have taken applications which are being withheld until the banks are again in funds.

A conservative estimate of applications pending which the banks would be called on, if in funds, to close as fast as physically possible would be $60,000,000.

When the loaning activities were suspended by reason of the litigation the banks were closing loans at the rate of about $15,000,000 per month.

In view of the present condition of agricultural finances, it seems safe to assume that applications in larger volume will be offered as soon as the banks are able to take care of them.

The effect of the distribution of this amount of funds to agricultural communities of the country need only be suggested to show the liquidation that would result.

The Federal land banks alone to date have made loans to 131,395 farmers, in amount $369,242,464. These loans have been made in relatively small amounts, the average to a borrower being $2,810.

Copy of the Federal farm loan act and our last annual report are herewith inclosed.

The act of 1918 authorizing the Treasury purchases will be found in full on page 3 of circular No. 11, also inclosed.

Respectfully, yours,

CHAS. E. LORDELL,
Farm Loan Commissioner.

Hon. CLAUDE A. SWANSON,
United States Senate.

Memorandum.

In July, 1919, a suit was instituted in the Federal court at Kansas City, Mo., by one Smith, a stockholder in the Kansas City Title & Trust Co., enjoining that company from the purchase of farm loan bonds, because of his contention that while the bonds purported to be tax exempt as a mater of fact the farm loan act was unconstitutional—the creation of the Federal and joint-stock land banks by Congress beyond its constitutional power—and the tax-exempt provision of the act beyond the constitutional power of Congress to authorize.

In this suit the Federal land bank of Wichita intervened, as did certain of the joint-stock land banks. It was heard on October 29 and 30 of that year and disposed of at the conclusion of the hearing, the trial judge upholding in toto the constitutionality of the act and dismissing the bill of complaint. From this decision Smith appealed immediately to the Supreme Court of the United States.

In November, 1919, all parties to the suit concurring, it was on motion advanced by the Supreme Court and set for hearing January 6, 1920, on which date it was argued before that court by Hon. Charles Evans Hughes and Hon. George W. Wickersham on behalf of the banks, and Hon. Marshall Bullitt and Hon. Frank Hagerman on behalf of complainant.

Late in April, 1920, the court called for a reargument of the case and set that argument for October 11, 1920. The case was argued by

same counsel on October 14 and 15, and now awaits decision by the court.

The effect of the litigation was to cast a cloud upon the validity of farm-loan bonds, which constitute the only source of loanable funds by the banks, and no bonds have been offered for sale since the suit was instituted.

In the spring of 1919, at the conclusion of the Victory loan campaign, the Farm Loan Board made a bond offering and sold sufficient bonds to carry the banks to January, 1920.

In anticipation of an early decision some of the banks used their commercial credit, and loaning operations were continued to February, when funds were entirely exhausted.

In June of last year Congress passed House joint resolution No. 351, authorizing the purchase of certain bonds by the Treasury, limiting these purchases to bonds based on mortgages approved prior to March 1. Under this provision $45,400,000 bonds have been purchased, and a major portion of the definite commitments of the banks prior to March 1 have been met.

A large number of applications had been taken subsequent to February 1, with a proviso that the same could not be completed until a favorable decision by the court.

While the banks have, since June last, advised against the taking of any applications, they are advised that large numbers of applications have been taken by secretary-treasurers, not forwarded to the banks but are being held subject to the resumption of business. A conservative estimate would be that loans aggregating $60,000,000 await closing as fast as it is physically possible to get to them.

When business was suspended the banks were closing loans at the rate of $15,000,000 per month, and in the present state of agricultural finance it seems safe to assume that even a larger monthly volume would be offered, if the banks were in position to take care of them.

Mr. HEFLIN. Mr. President, I trust that no Senator will make the point of order against this amendment. It provides for the use of $100,000,000 worth of Government bonds by the Farm Loan Board. I think it ought to be amended so as to direct the Secretary of the Treasury to do exactly what the Congress wants done in the matter. The fact that the Secretary of the Treasury opposes this amendment has no influence whatever with me. He opposed the reinstatement of the War Finance Corporation. So far as I am concerned, I am not in favor of leaving in his hands any discretionary power regarding these farm-loan bonds.

It is very clear, as the Senator from Virginia [Mr. GLASS] has said, that if $65,000,000 of applications for farm loans have already been made and approved, $50,000,000 will not be sufficient to satisfy these applications. The fact is the whole farm-loan system has been crippled and practically put out of commission because of the long delay of the Supreme Court in handing down its decision, and that fact alone, as the Senator from Mississippi [Mr. HARRISON] has said, has kept a great many farmers from making application to the Farm Loan Board.

I agree with the Senator from Virginia on another point, and that is that there is no excuse for the Supreme Court in holding up its decision in this case for 14 months. I think that we ought to pass an act directing the Supreme Court of the United States to give preference to cases which affect the public welfare. Cases that affect the Government's policy toward citizens generally, or even a large number of them, should be given preference over cases affecting private interests.

Mr. President, I fear that a great many Senators here do not fully understand and appreciate the distressing condition in which the farmers of the country now find themselves. The Legislature of the great State of Texas has just passed a stay law, so far as taxes are concerned. Under that law the people of Texas are given the privilege of withholding their taxes for the present. That State has realized the condition under which the people, and the farmers especially, labor on account of the hard times now prevailing.

The farmers in my section and in the western section of the country are in great distress, and whether the Supreme Court acts at an early date or not Congress ought to pass this measure at this session and make the money available to thousands of farmers who are in distress and who need this money to carry on their business operations this year. By the adoption of this amendment we will render valuable service to the farmers of the country.

Mr. POMERENE. Mr. President, I have always had a very great interest in the Federal farm loan act. I think it is doing a great work. I think we ought to assist in granting any relief that we can along this line. I have always felt, and I feel now, that by the proper administration of this act we can very materially aid the farmers. This is one respect in which we can grant them aid, and you are not going to do it by some of these emergency tariff laws.

I regret exceedingly that the opinion of the Supreme Court has not been handed down. I do not know why. I do not think anyone else knows why. I assume that they have had some difficulty in determining the constitutional questions. We must be a little patient when it comes to the determination of questions of that kind. If the act should unfortunately be held unconstitutional, I have no doubt we will get some light by which we can propose an amendment to the law. I think we ought to do it. I think we ought to go further and adopt some legislation which will enable us to grant them personal credits in addition to the farm-loan credits. I think that can be done, and I should regret the raising of any technical point of order against legislation of this character.

Mr. THOMAS. Mr. President, I understand that the principal point at issue in the case pending in the Supreme Court involves the power of Congress to exempt these farm-loan bonds or securities from taxation. I do not understand that the power of Congress to enact this legislation is involved in the case. If I am right about it, I never have been able to understand why the Treasury Department, because of a nisi prius decision, should have suspended operations.

Mr. POMERENE. I agree with the Senator.

Mr. THOMAS. It might just as well have continued these operations while awaiting the action of the Supreme Court.

Mr. McKELLAR. Mr. President, the trouble is not with the injunction, because the injunction was not granted. There is no injunction; but whenever the validity of a law under which bonds are issued, especially bonds carrying an exemption of this kind, is attacked in the courts, and the matter is pending in the Supreme Court, naturally no one is going to buy those bonds. For that reason they are unable to sell the bonds, and therefore they are unable to carry on the functions of the bureau.

Mr. THOMAS. The validity of the bonds, as I understand—and I hope I shall be corrected if my impression of the controversy is wrong—is not involved, but the power of Congress to exempt them from taxation.

Mr. McKELLAR. The Senator is mistaken, to this extent——

Mr. THOMAS. I may be.

Mr. McKELLAR. The power of Congress to pass this legislation, to create this kind of banks, is attacked.

Mr. THOMAS. That is incidental, is it not?

Mr. McKELLAR. Those questions are raised, but the principal question is the question of exemption from taxation; but when that is raised the bonds that are issued can not be sold on the market.

Mr. THOMAS. These other points are raised, but they are raised by the investment bankers of the country, whose principal objection is that the bonds are exempt from taxation. Now, why should not the Treasury Department continue to make loans, if that is the case?

Mr. McKELLAR. That is precisely what we propose to do by the amendment of the Senator from Virginia—to authorize the Secretary of the Treasury to do that very thing.

Mr. POMERENE. This suit, I believe, was argued twice before the Supreme Court, was it not?

Mr. McKELLAR. It was argued twice.

Mr. THOMAS. I think so.

Mr. POMERENE. And the last time it was argued, I am told, was on October 14 and 15.

Mr. THOMAS. If the Senator will permit me, as much as I have interrupted him, I want to call attention to the fact that the Supreme Court of the United States has another case, a very important case, that of Wyoming against Colorado, involving the right of the State of Colorado to divert water from a river which is common to both States. It has had that case under consideration ever since December, 1916. It has been argued twice. Of course, I am not criticizing the court; my respect for it, independently of my duty, would prevent my doing so; but it is too bad that these important cases linger so long between their submission and their ultimate decision.

Mr. POMERENE. I assume that the Supreme Court have their troubles, as well as the Senate of the United States, in determining certain questions, and I am not disposed to criticize them because, perhaps, they are not able to agree. I hope we shall soon have the decision; but I do agree that the operations should not be suspended simply because there is some litigation pending.

Mr. KENYON. Mr. President, in the brief filed on October 13 by the appellant the points are summarized on one page. I should like to ask the Senator from Ohio if it would not be helpful to have those points read?

Mr. POMERENE. I should be delighted to have them read from the desk.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Assistant Secretary read as follows:

FIRST POINT.

The farm loan act, so far as it creates Federal land banks, is unconstitutional because Congress has no power to create a corporation for the purpose of conducting a farm mortgage loan business, or to exempt it from State control; and its constitutionality can not be

saved by treating it as an exercise of the congressional power (1) to appropriate money, or (2) to borrow money on the credit of the United States.

SECOND POINT.

Congress could not acquire the power (1) to create a series of corporations (Federal land banks and joint-stock land banks) to engage in the business of lending private capital on farm mortgages, and (2) to exempt them from all State control, by the mere expedient of calling such corporations "banks" and endowing them with the possibility of acting as depositaries of public money or financial agents.

THIRD POINT.

The farm mortgages executed to the Federal land banks and to the joint-stock land banks, and the farm-loan bonds issued by them respectively, and held by the general investing public, are subject to State taxation.

Mr. POMERENE. May I ask whose brief this is?

Mr. KENYON. It is the brief of the appellants. Mr. Bullitt is the main counsel.

Mr. FLETCHER. The plaintiffs below?

Mr. KENYON. Yes. Those are the points they summarize against the act.

Mr. FLETCHER. Mr. President, I only want to say that I think it is very important that we agree to this amendment, and let it go on the bill, and enact it into law as speedily as possible, not only because it provides a means whereby the Farm Loan Board may go on operating, but that they may be able to do so at once, without waiting for the decision of the Supreme Court; and it makes no difference whether that decision be in favor of the appellant or against the appellant; this provision would be needed in any event. If they sustain the validity of these bonds and of the farm loan act all the way through, the exemptions and what not, the Farm Loan Board would still have occasion to ask the Secretary of the Treasury, perhaps, to take a few of these bonds until they could get on the market the bonds issued regularly, in due course of business, by the various Federal land banks.

These bonds will sell; there will be no need of any great strain on the Treasury, because the public was eager, and has been all the while eager, to take these bonds. When the act was passed authorizing the Secretary of the Treasury to take $200,000,000 of them in 1919, it was not because the farm loan bonds were not in demand at all. It was really for the benefit of the Treasury itself to take these bonds off the market, because people were buying them instead of buying Liberty bonds. The Treasury wanted to sell Liberty bonds, and in order to sell Liberty bonds the farm loan bonds were taken off the market by authorizing the Treasury to invest in farm loan bonds. Really, it was no purpose to give relief to the Farm Loan Board in that contingency; but this is needed, I say, whether the decision is in favor of the validity of the act or against it, and in any event it merely authorizes the Secretary of the Treasury to buy these bonds to the amount of $100,000,000 each year for two years. If, as a matter of fact, they need only $10,000,000 or $5,000,000, or $50,000,000, of course, the Secretary of the Treasury will not buy any more than the amount needed to keep the system going; and the system ought to be kept going. In my judgment, there is no excuse for its being paralyzed to-day. The decision was in favor of the validity of the act in the lower court. There never has been any injunction issued against the Farm Loan Board. There is no reason why they could not have gone on. I believe the public would take those bonds to-day to a very large extent.

Mr. McLEAN. Mr. President, will the Senator yield?

Mr. FLETCHER. Yes.

Mr. McLEAN. There is no difference of opinion as to the necessity of doing something that will be effective to permit this system to function. There is no difference of opinion, as I understand, in regard to that. It is only a question as to which plan is the better one. Now, my suggestion is that we temporarily postpone action on this amendment, and if the Federal Farm Loan Board informs us that they need $65,000,000 or $75,000,000 I shall not object to amending the amendment which I offered so as to provide sufficient funds. It is a question as to which plan is the better plan.

Mr. FLETCHER. I understand the Senator's position, but——

Mr. McLEAN. I suggest that the Senator permit my amendment to be read, and that we pass over this item temporarily, with the understanding that so far as I am concerned no point of order will be made.

Mr. FLETCHER. But will not the Senator agree that where there is, as in this provision, a mere authorization to the Secretary of the Treasury to invest $100,000,000 in these bonds, if as a matter of fact the Farm Loan Board, of which he is ex officio chairman, does not need over $50,000,000, there is no danger of his buying more than $50,000,000 worth?

Mr. McLEAN. Oh, certainly.

Mr. FLETCHER. Then where is the difference? It is a tweedledum and tweedledee proposition. The amendment here proposes to authorize him to buy $100,000,000 of these bonds. The Senator wants to limit that to $50,000,000. If they do not need more than $50,000,000, he will not buy more than $50,000,000. There is no escape, I think, from that conclusion.

Mr. McLEAN. My contention is, in view of the information I have, that the amendment I offered is the one which the Federal Farm Loan Board approve, that we ought to give it fair consideration, especially in view of the fact that the Secretary of the Treasury is opposed to the plan suggested by the Senator from Virginia.

Mr. GLASS. Mr. President, may I say to the Senator from Connecticut that it is not exactly accurate—and I perhaps misled the Senator in what I said—to say that the Secretary of the Treasury is opposed to the proposition reported by the committee. He prefers the one that the Senator has now presented; but my very distinct understanding is, confirmed by a talk since I spoke upon the floor a while ago, that the board itself prefers the suggestion that I have made.

Mr. McLEAN. That is not my understanding.

Mr. GLASS. It was merely a question between the appointive members of the board and the Secretary of the Treasury.

Mr. McLEAN. It is just that point that I want to clear up, and then I am through, so far as I am concerned.

Mr. FLETCHER. Of course, I am not quite willing to invite the Farm Loan Board into the Senate and ask them to write into a bill here what they want. I know something about this farm loan business myself; I know something about this law; I know something about the duties and functions of that board; and I know something about the requirements of the country and the needs of the country.

Mr. McKELLAR. Mr. President——

Mr. FLETCHER. There never was a time when the farmers of the country needed this system more than they need it to-day; and I think it is a crying shame that the members of that board have been sitting there for months, drawing $10,000 a year apiece, and doing practically nothing, when there is no injunction against them.

They could have been doing something, and I am not willing to be controlled absolutely by their preference in a case of this kind. I think we ought to put this provision in the law, and they certainly can not complain in any way. It does not cripple them in any way, that is certain. It is helpful to them. It may not be precisely what they want, but if it is what is needed in this emergency we ought to provide for it.

Mr. McKELLAR. I ask the Senator if he does not think we ought not to be deterred from doing what is manifestly the right thing in the matter by bickerings or differences between the board and the Secretary of the Treasury?

Mr. FLETCHER. Certainly not.

Mr. McKELLAR. He apparently has been differing about everything that has been submitted to him by the American Congress for quite a while.

Mr. FLETCHER. I do not see any very great difference between what is indicated on one side as being the view of the Secretary of the Treasury and what is indicated on the other side as being the view of the Farm Loan Board. I do not know of any very great difference between them. The important thing is to provide in this law a means whereby this board can have funds with which to accommodate the borrowers who are needing the money. That will be accomplished by either method, and that is the main thing. The most direct way, and it seems to me the clearest way, and the most efficacious way, is the way set out in the proposed amendment by the committee to this bill, and therefore I think we ought to agree to this.

Furthermore, Mr. President, with reference to this litigation, I am inclined to think that perhaps the very first obstacle in the way of the Supreme Court is the question of jurisdiction. They may not get to the question of the constitutionality of the act at all, or the question of the tax exemption at all. The first hard place in their road, it seems to me, is the question of jurisdiction. I have read the briefs on both sides of the case, and I know something of the case, and it does seem to me a very, very doubtful matter whether the Supreme Court has jurisdiction in the case at all. The plaintiff is a stockholder in a trust company, an individual. That trust company proposed to invest some of its surplus in farm loan bonds, and this stockholder in a private trust company seeks to enjoin that trust company from investing in farm loan bonds, because, he says, those bonds are issued in pursuance of an act that is unconstitutional, in that they are exempt from taxation. It is a very roundabout sort of way to invoke the jurisdiction of the Federal courts, and I doubt very much if they get further than that.

Mr. LODGE. May I ask the Senator a question?

Mr. FLETCHER. I yield for that purpose.

Mr. LODGE. The Senator spoke about the Federal Farm Loan Board sitting still and doing nothing. Does the Senator mean they are sitting still and doing nothing on account of their belief that the act is unconstitutional, or are they guilty of refusing loans because they think the security bad?

Mr. FLETCHER. Perhaps I went a little too far in saying that they are doing nothing. The board is, of course, occupying offices, and they keep in some sort of touch, perhaps, with the banks. They look after the examination of the Federal land banks, and they keep perhaps in a little touch with the National Farm Loan Associations, but they say they can not make loans because they have not the money. They have not the money because they have not offered the bonds for sale, for the reason, they say, that the bonds will not be taken as long as there is a question as to whether the bonds are legally exempt from taxation or not. Of course, if it is held that they are not exempt from taxation because Congress can not exempt them from taxation, then they must draw a higher rate of interest than they would if they were exempt from taxation.

Mr. LODGE. Their inertia, in other words, which is what I inquired about, grows out of the doubt as to the legality of the bonds, and not out of the fact that they are refusing bad security?

Mr. FLETCHER. It grows out of the uncertainty of the decision of the court, as to whether the bonds are legally tax exempt or not.

Mr. SWANSON. They will have no funds until the funds are derived from the sale of the bonds.

Mr. LODGE. I understand.

Mr. SWANSON. That is the only source of income they have. The Government is selling certificates of indebtedness from time to time, but this suit has made it impossible to sell the bonds at this time. The same conditions that affected the sale of bonds during the war affect the sale of these bonds now from month to month. These are the only funds they have.

Mr. LODGE. The Senator does not quite apprehend my question. I was seeking to find out whether the difficulty in selling the bonds and getting the money arose from the fact that there was a doubt as to their legality, from the questions raised in the Supreme Court, or whether it arose from the fact that the security was not considered good.

Mr. SWANSON. The security was considered good, because up until we entered the war they were rapidly taken. Twenty-six million dollars' worth of these securities were sold prior to the war.

Mr. FLETCHER. They raised $360,000,000 and loaned it to the farmers in this country at 4½ and 5 per cent.

Mr. SWANSON. The farm-loan commissioner in his letter states that up to date the Federal land banks have made loans to 131,395 farmers, amounting to $369,242,464, the average to each borrower being $2,810.

Mr. LODGE. They are not bought now, because they are not thought to be a desirable investment?

Mr. SWANSON. That is true.

Mr. LODGE. And this is an effort to make them a desirable investment?

Mr. SWANSON. No; this is to let the Government buy them; and in the hands of the Government they are not liable to taxation.

Mr. LODGE. They are not a desirable investment to the ordinary buyer; therefore it is sought to make the Government take them.

Mr. FLETCHER. I want to say, Mr. President, if there is any question about the security back of these bonds, and the safety of the bonds themselves, then that question can be raised about any sort of security in this country and as to every sort of security, because if our farm lands have no value any longer, if the property which is mortgaged to secure these bonds is no longer of any value, then the whole country has gone to the bad; that is all there is to that, and we have nothing worth while in this country.

Mr. POMERENE. Mr. President, even if the act were ultimately held unconstitutional, if these farmers receive the money they could not refuse to refund because of that fact.

Mr. FLETCHER. Of course not; there is no question about that. There is nothing involving past transactions in the case, anyhow. But the bonds are based upon mortgages upon real estate, farms in cultivation, of the appraised value of twice the amount loaned in every case. The law provides no loan shall exceed 50 per cent of the value of the land mortgaged and 20 per cent of the value of the permanent, insured improvements thereon. Against these collective mortgages the bonds are issued and sold to the public and the proceeds thereof are loaned to farmers. Consequently, if that security is not good, I say there is nothing good in the country.

Mr. POMERENE. Let me ask the Senator another question. He has said that they refused to function because the legal question was raised. I can understand how that might have some influence with the public. But have they made an effort to sell these bonds, or have they simply assumed they could not sell them because the question was raised?

Mr. FLETCHER. I think that is correct. Mr. President, I am anxious to get to a vote on this question, and I shall not detain the Senate further.

Mr. GRONNA. I want to suggest to the Senator, who has probably overlooked stating it, that these bonds were sold at a premium; they were commanding a premium.

Mr. FLETCHER. That is quite true, and they have been sold heretofore bearing interest at the rate of 4½ per cent at a premium.

Mr. GRONNA. At a large premium.

Mr. FLETCHER. At a large premium.

Mr. GRONNA. And at one time it was impossible for the Government to purchase any of those bonds until the question of the constitutionality of the exemption feature was raised.

Mr. FLETCHER. That is quite true.

Mr. GRONNA. If the Senator will pardon me just another moment, I should prefer the amendment of the Senator from Virginia [Mr. GLASS] to the amendment of the Senator from Connecticut [Mr. MCLEAN]. I hope the Senator from Connecticut will increase the amount to at least $75,000,000. I do not think $50,000,000 would be sufficient.

Mr. FLETCHER. There is leeway, of course, where there is $100,000,000. It may be that $50,000,000 would do, or that $75,000,000 would do, but I am quite sure the Secretary would not buy more than was necessary.

Mr. GRONNA. I do not want to trespass upon the Senator's time, but the Committee on Agriculture and Forestry, by a unanimous record vote, placed an item similar to this in the Agricultural appropriation bill, and when the Senator from Virginia [Mr. GLASS] asked to have it placed on the pending legislative appropriation bill, I said to him that I preferred that it should go on this bill, and I hope that no one will object to it.

It must be apparent to everyone that if the farmers are to carry on their farming operations, something must be done to relieve the situation.

This would mean no loss to the Government. Every dollar will be paid back. There is no question, I will say to the Senate, as to the legality or the constitutionality of the mortgages. The farmers will pay the mortgages; every one of them will be paid, and, regardless of what the decision of the Supreme Court may be, these bonds will be redeemed.

Mr. FLETCHER. I entirely concur in what the Senator has said. I hope the Senator from Connecticut will not ask to have the amendment go over, but that we may have a vote on it now.

Mr. HARRIS. Mr. President, I wish to make a statement in regard to this matter. If conditions in the other agricultural States are like they are in mine, there will be a demand from the farmers of more than $100,000,000 a year. More than 40 banks in splendid agricultural communities in my State have closed their doors in three months, the agricultural people are needing the loans from the Federal land banks more than ever before in their history, and I sincerely hope the amount will not be reduced. Unless we arrange to help the farmers get money at a reasonable rate of interest from the Farm Loan Board the farmers will be at the mercy of the loan combines, who charge them unreasonable interest rates. When we were voting money for railroads in the revolving fund—hundreds of millions—we did not hear objection from Senators on the other side who are now raising objections to providing for loans to farmers. I can not believe that some Senators understand the deplorable condition of the farmers in sections of our country, otherwise they would be more willing to join those of us who are urging legislation for their relief.

Mr. MCCUMBER. Mr. President, it is admitted that there are now applications which have been approved in the sum of about $65,000,000. If that be true, and there certainly will be additional applications, why provide for a sum which will be insufficient to take care of even the present approved applications? In all probability the applications will grow at least to $100,000,000; but, whether they do or not, there will be no necessity of using the credit of the Government for any greater amount than the sum total of the applications, and I hope the Senator from Connecticut will agree that the authority may be for $100,000,000 instead of either $50,000,000 or $75,000,000.

Mr. President, I am exceedingly gratified to find that the Senator from Ohio [Mr. POMERENE] joins with me in the sentiment that we will by this bill do something for the farmers of the United States, even though he accompanies his declaration with

a side kick at the emergency tariff bill. Whenever by law or by lack of proper laws we grind one class of people down to a condition in which they are unable, with the prices they receive for their products, to purchase the necessaries of life at the prices fixed by the other class of American citizens for their products and make the two ends meet, I am willing to dole out to them as a semicharitable proposition whatever may be necessary to keep them alive. But I confess I would rather go further, and by legislation, if possible, assist them to a condition in which they will receive such a sum for their products that they will not be compelled to ask Congress for these favors.

I think the farmers would much prefer a price for their product that would enable them to get rid of mortgages rather than to have the Government loan them more cheaply than they can get their loans from private individuals to help tide them over. But admitting the situation to be as it now is, and recognizing their deplorable condition, I am ready to help them out in any possible way, and let the Government, by a system of taxation, raise the money to loan to the farmer so that he can possibly live at least from one year's end to the other.

I think the time is coming, and we may as well face it, in which the great agricultural interests of the country are going to demand rights and opportunities in the American markets for the products of their farms equal to those of the protected industries throughout the United States. I want to help them to bring about that result. Two-thirds of the population of this country are in the cities. They sell their products to the rural population of this country and export what is not sold in this country. They are interested in getting as much as possible for their labor and their products and equally interested in purchasing the agricultural products as cheaply as possible. That is the natural law of human selfishness. If both are able to sell for a good profitable price, all right; but so long as the farmer is unable to secure a just price for his products in the fight against world competition, wherever it is possible for me to help him equalize his condition with that of those from whom he must purchase I shall put in a word and offer a measure for his benefit. Whether we agree that it will be beneficial or not may be a matter of different opinion, but one thing is absolutely certain: If the bill which we are offering him will do him no good, then it will do no one else any harm, and I think we might take the chance of whether it would do him any good.

Mr. POMERENE. Well, Mr. President, I did not intend to provoke this assault. The Senator and I can not agree on his proposition. I think we do agree upon the pending proposition. There has never been a moment in my life when I was not willing to do something to help to conserve the credit of the farmer so that he might get some benefit and get proper financial accommodation. I mean no disrespect when I say that I do not believe in trying to bunco the farmer by presenting a bill which, it is said, will increase the price of his wheat or his cotton.

Mr. McCUMBER. Mr. President, I think the Senator does scant justice to the intelligence of the American farmer. The American farmer generally knows whether he is buncoed or whether he is not. When the great National Grange, composed of the intellectual people of the farming sections of the whole United States, asks for the legislation, then I am not one to stand here and say they are buncoing themselves. They understand the situation. When every farm organization in my State and in the State of Minnesota and throughout that great Northwest sent their resolutions and petitions, long before the bill was introduced, asking for a protection that would be almost tantamount to exclusion, I think they had enough intelligence to know what was for their own good. When every farm journal in the United States is demanding the same kind of legislation, when journals that from one year's end to the other have sought to obtain every possible bit of information upon the subject and to present it from every angle of opposition present their conclusions to the American Congress, I have an idea that they have just as much intelligence on the subject as we have; and if they all want to bunco themselves on a matter which the Senator says will do them no good, then for heaven's sake let them have their way, as long as we admit it will do no one else any harm. For my part, I shall not agree either that they have buncoed themselves or that anyone else is attempting to bunco them.

Mr. POMERENE. The only difficulty is that the class of farmers who have been farming farmers all their lives are the class who have brought forth the legislation.

Mr. McCUMBER. Does the Senator mean to say that the organization of farmers in my State who belong to the Equity Society or who belong to the grange or other farm organizations and who unanimously have asked for legislation of this kind are farming somebody else?

Mr. POMERENE. I am not speaking of the rank and file.

Mr. McCUMBER. But it is the rank and file who are making these applications.

Mr. POMERENE. I am speaking of the political farmer.

Mr. McCUMBER. Yes; but it is the rank and file of farmers who are making this application and petitioning the Senate to act upon their bill.

Mr. POMERENE. Very well.

Mr. McCUMBER. And the Senator can not slur them out of court. Their petitions are entitled to respectful consideration.

Mr. SMOOT. Mr. President, the Senator from Connecticut [Mr. McLEAN] up to this time has found it impossible to even get his proposed amendment read from the desk. I think the discussion that has taken place, without it having been read, is rather premature, so I am going to start out by reading the amendment, and then the Senator from Connecticut, if he desires to offer it later, of course, will do so. The amendment reads as follows——

Mr. FLETCHER. Do I understand this is to be offered as an amendment to the committee amendment?

Mr. SMOOT. As a substitute for the committee amendment; that is, it is proposed for a substitute. It reads as follows:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $80,000,000, to be immediately available for the creation of a fund to be known as the farm-loan revolving fund. Such fund shall, upon recommendation of the Federal Farm Loan Board, be invested by the Secretary of the Treasury from time to time as in his judgment occasion may require, in the purchase from any Federal land bank of Federal farm-loan bonds, which shall be purchased at a price not exceeding par and accrued interest, and shall be subject to repurchase by the bank selling same or any other Federal land bank at any time at par and accrued interest, and the proceeds thereof shall be returned to the farm-loan revolving fund, subject only to retirement as hereinafter provided.

The fund hereby created shall be retired as follows: Eight million dollars on the 1st of January, 1922, and a like amount on the 30th of June each year thereafter until the same is fully retired. Such retirement shall be by order of the Secretary of the Treasury, covering the amount to be retired into the general funds of the Treasury.

This is a provision that the Secretary of the Treasury and the Federal Farm Loan Board would like to have incorporated in the bill to take care of the farmers.

Mr. POMERENE. Has that amendment been printed?

Mr. SMOOT. No; it has not been printed. I will hand it to the Senator if he desires to look at it.

Mr. FLETCHER. I think it is a very good proposition, I will say to the Senator. So far as I am concerned, there is not very much difference between the two.

Mr. SMOOT. I very much prefer this one. If I am going to assist the farmer, I want to assist him; I want to see that he is assisted and that assistance is rendered in the greatest possible manner.

The substance of the proposed amendment is this, that John Brown, for instance, may want to borrow $1,000 or $2,000 from the Federal Farm Loan Board. That may be a temporary loan. Within a year he may be able to pay it back or within six months he may be able to do it. That amount then can be loaned again, and not a single dollar taken out of the Treasury. It is a plan to use the money not once, but over and over again. Under the present amendment, if the money is used once and paid back by the farmer, it goes back into the Treasury of the United States and can therefore be used only once.

Mr. GLASS. Why should it not go back into the Treasury of the United States?

Mr. SMOOT. I am not complaining of it going back into the Treasury of the United States. I am simply saying that under this plan the money will go into the fund and can be used more than once.

Mr. SMITH of South Carolina. The Senator speaks of a revolving fund amounting to $50,000,000 being appropriated. If the aggregate loans should be $25,000,000 and the bonds were all paid off and the money returned, then it would be available for relending?

Mr. SMOOT. Yes; it would then be available for relending.

Mr. SMITH of South Carolina. And 10 per cent is to be retired.

Mr. SMOOT. Ten per cent each year is to be retired.

Mr. SMITH of South Carolina. That means that the life of the plan to aid the farmer will be 10 years?

Mr. SMOOT. Yes.

Mr. GLASS. If the Senator will permit me, the Senator knows that there can be no loans for six months. The minimum period is five years.

Mr. SMOOT. No; the Senator does not know that there can be loans for only six months under the amendment. There is no time limit in the Senator's amendment.

Mr. GLASS. Under the act itself there is a time limit.

Mr. SWANSON. Mr. President——

Mr. SMOOT. Mr. President, I prefer to go on and say what little I have to say now.

I admit to the Senate that there are over $60,000,000 of applications that have been approved by the Farm Loan Board, but those include applications for loans as high as $10,000 for improvements on farms. Many of them are for that kind of loans. I do not think the Congress of the United States at this time wants to burden the Treasury of the United States to loan money on application to the Federal Farm Loan Board for the purpose of improving farm homes or improving the roads upon the farms or building larger barns, and so forth. What we want to do now is to take care of the small farmer and to carry him over the season.

Mr. HARRISON. But, if the Senator will permit me, the object of the Federal land bank was to make available money so the farmer could improve his land. If the litigation had not been pending in the Supreme Court the money would have been loaned to him and he would have improved his land. So the Senator's argument is that he is against the proposition.

Mr. SMOOT. No; this is an emergency matter, as I said. I am not objecting to that provision in the law at all. This is an emergency matter which I think ought to be used entirely to assist the small farmer over the crisis in which he finds himself. The Federal Farm Loan Board will do that very thing, and applications for that specific purpose will be agreed to by the board before the applications that are now pending, for as much as $10,000 for the erection of buildings and other improvements upon the farms, are considered.

Mr. SWANSON. I should like to know what provision there is in the amendment to the effect that as soon as a farmer pays his loan the Federal Farm Loan Board is required to turn that money back into the Treasury. As I understand it, the Government buys the bonds and that money is then placed to the credit of the Federal farm loan banks. Then the farm loan banks must redeem the bonds within three years at the suggestion of the Secretary of the Treasury, according to the last provision. But until three years have passed, as I understand it, the money would be available, would it not?

Mr. SMOOT. There is nothing in the amendment now that would justify any such reloaning of the money.

Mr. SWANSON. What is there to prohibit it?

Mr. SMOOT. The amendment reads:

> The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 30, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated from any Federal land bank, farm loan bonds issued by such bank.
>
> Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years, shall be made only upon the recommendation in writing of the Federal Farm Loan Board, and the bonds so purchased shall bear interest at the rate of 5 per cent per annum.
>
> Any Federal land bank may at any time purchase at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

Mr. SWANSON. That is right. Now, go right ahead.

Mr. SMOOT. It continues:

> The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act three years from the date of purchase shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

The only thing he can do under that language is to redeem or repurchase the bonds.

Mr. SWANSON. It does not say so. If the Senator will permit me, at the end of three years if the Secretary of the Treasury gives notice, any and all of the bonds must be redeemed; but the Federal land bank has its resources; it has its money; and it can at any time redeem the bonds. There is nothing in the language to the effect that the bonds must be redeemed on every payment which is made. The bonds are simply sold.

Mr. SMOOT. But if the board does not hold the money they can not redeem the bonds in three years; or, in other words, if it kept going out from a revolving fund and they had to redeem the bonds at the end of three years, they would not have any funds with which to redeem them.

Mr. SWANSON. That is not compulsory; it is a question of policy.

Mr. SMOOT. But does not the Senator know that if they do not keep the money they can not redeem the bonds?

Mr. SWANSON. They could redeem them.

Mr. SMOOT. But they could not, because they would not have any money with which to do so.

Mr. SWANSON. They would have the money which is being paid in all the time.

Mr. SMOOT. Not if again loaned out, and it will take all the money that is being paid in all the time with which to redeem the bonds.

Mr. SWANSON. The Senator has the idea that a bank can not pay its obligations unless it keeps all of its money in its vaults.

Mr. SMOOT. The Senator from Utah knows that banks always keep a sufficient fund on hand with which to pay daily obligations, but if they had to pay all their depositors on a given day they would have to arrange ahead to do so.

Mr. SMITH of Georgia. What is the amendment which has been proposed by the Senator from Utah?

Mr. SMOOT. I have not offered an amendment, but the Senator from Connecticut [Mr. McLEAN] is going to offer an amendment, which provides for a revolving fund of $50,000,000. It is a proposition which comes from the Secretary of the Treasury and the Federal Farm Loan Board. They want such legislation; it will enable them to take care of the situation, and think it a better way than the committee amendment.

Mr. SMITH of Georgia. The proposition of the Senator from Connecticut is that there shall be an authorization of $50,000,000, to be used as a revolving fund, with the requirement that it be redeemed in three years.

Mr. SMOOT. That it be redeemed in 10 years. The proposition is that there shall be a redemption of $5,000,000 a year. The first redemption is of 10 per cent on June 30, 1921, and a like amount for the next nine years following.

Mr. SMITH of Georgia. The proposition of the Senator from Connecticut is to make the sum $50,000,000 instead of $100,000,000?

Mr. SMOOT. To make it $50,000,000 instead of $100,000,000.

Mr. SMITH of Georgia. And to provide for the redemption each year for 10 years instead of in 3 years?

Mr. SMOOT. Instead of at the end of three years.

Mr. SMITH of Georgia. That is the change proposed?

Mr. SMOOT. Yes.

Mr. SMITH of Georgia. I agree with the view that the 10-year redemption feature would be a substantial help, although it reduces the amount proposed to be authorized.

Mr. SMOOT. That is the amount which the Secretary of the Treasury and the Federal Farm Loan Board suggest.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SMOOT. Yes.

Mr. McLEAN. So far as I am concerned, I am perfectly willing to agree that the amount shall be $75,000,000 instead of $50,000,000. That certainly will cover every contingency.

Mr. FLETCHER. That would be better, I think.

Mr. GLASS. It is unfair to say that the Secretary of the Treasury and the Farm Loan Board want the proposition which has been presented by the Senator from Connecticut.

Mr. SMOOT. They are in favor of the proposition.

Mr. GLASS. Not in preference to the amendment reported by the committee. I have already explained to the Senate that it was merely a question of comity between the active members of the Federal Farm Loan Board and the ex officio member, the Secretary of the Treasury. The Secretary of the Treasury felt that the Farm Loan Board had initiated the amendment. As a matter of fact, it had done nothing of the sort. So, to meet the view of the Secretary of the Treasury, they brought up to me the modified proposition which the Senator from Connecticut now offers. It is not fair to assume that the Farm Loan Board is opposed to the amendment as reported by the committee. As a matter of fact, it does not oppose it.

Mr. SMOOT. I have not made any such statement upon the floor of the Senate. I do know that the amendment which is here came from the Federal Farm Loan Board, or a member of that board, for it was discussed while the Federal War Finance Corporation bill was being considered upon the floor of the Senate. This was the outgrowth of the movement to assist the farmer along the lines that the Federal War Finance Corporation was to assist him.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. I yield.

Mr. POMERENE. The statement has been made on the floor of the Senate that there had already been $65,000,000 of loans approved by the Federal Farm Loan Board, and so forth. That being so—and the Federal Farm Loan Board must know that fact—why do they now ask for only $50,000,000?

Mr. SMOOT. I do not know whether the Senator from Ohio was in the Chamber at the time when I called attention to the facts. I grant you that $65,000,000 of applications have been approved by the Federal Farm Loan Board, but a great ma-

jority of those loans, I will say to the Senator, are for sums ranging from $5,000 to $10,000. They were not made to tide the farmers over this era of distress, but they were made years ago. Many of them, I will say to the Senator, were made for the improvement of farms, for the building of barns and fences and walks and the erection of other buildings.

Mr. SMITH of Georgia. But, if the Senator will allow me, those loans still continue to mature, and now it will be exceedingly difficult for the farmers to finance them unless they continue to have help from the Federal land banks.

Mr. SMOOT. That is exactly what this amendment will do, I will say to the Senator from Georgia. Not only that, but under the amendment which has been offered, the Federal Farm Loan Board can select out of those applications the ones which are made by those who are in distress and who have got to receive immediate assistance. That action could be taken under either proposition. However, I simply call that to the attention of the Senate because of the stress which has been laid upon the fact that there are now existing $65,000,000 of applications which have been approved.

Mr. McLEAN, Mr. POMERENE, and Mr. SWANSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. SMOOT. I think the Senator from Connecticut rose first. I yield first to him and then will yield to other Senators.

Mr. McLEAN. Mr. President, notwithstanding the statement made by the Senator from Utah, I think that we ought to cover everything that may be necessary.

Mr. SMOOT. I did not say that we should not do so.

Mr. McLEAN. And if it is not necessary, they will not use it; $75,000,000 will certainly cover everything that is necessary.

Mr. SMOOT. I do not object to that, I will say to the Senator.

Mr. McLEAN. It seems to me that the question then is as to which plan is the better one.

Mr. SMOOT. That is all there is to it.

Mr. SMITH of South Carolina. May I ask the Senator from Connecticut if the question is which is the better plan, the revolving-fund idea being in his amendment more prominent than in the other, why should we not raise the amount to $100,000,000, because the Senator knows and I know and all other Senators here know that a condition of distress exists?

Mr. McLEAN. I can not conceive that more than $75,000,000 will be necessary. Congress will be in session again in April, and if it should become necessary we could add to the amount then. In my opinion $75,000,000 will certainly be enough to cover the emergency.

Mr. SMITH of South Carolina. If the Senator will allow me, I should like to call his attention to the fact that there is in the New York Times this morning an article in regard to the conditions existing, and I think those conditions are depicted in that article with entire accuracy. The 1st of March will soon be here. Between now and the 15th of March, if the hope of a great many farmers for any kind of an extension shall not be realized, and they shall be unable to secure these loans, they will not be able to make another crop.

I state now that $100,000,000 will not more than take care of the situation.

Mr. SWANSON. Mr. President, if the Senator will permit me, the Federal Farm Loan Board were loaning at the rate of $15,000,000 a month at the time they ceased operations. The conditions now are much worse than they were at that time. Sixty-five million dollars of approved applications have accumulated. At the rate of applications for $15,000,000 a month, if the farm-loan bonds had continued to be purchased by the Federal Government, there would have been applications for $180,000,000 a year.

The Farm Loan Board says the conditions are worse and that it is impossible for them to secure funds unless some provision is made by this bill. The Government is now selling practically $2,000,000 worth of certificates of indebtedness from month to month, and thereby absorbing the loaning power of the country, so that it will be very difficult to float bonds of the Federal land banks bearing 5½ per cent interest when the Government is borrowing money at 5¾ per cent and 6 per cent interest. So the same conditions that stopped the Federal land banks from selling their bonds during the war on account of the Government floating the Liberty loans exist to-day, and so long as the Government shall continue to borrow money by certificates of indebtedness it will absorb to a great extent the loaning power of the country. Consequently, it seems to me the same wisdom which prompted the Government to buy these bonds during the war should dictate a similar course to-day. The amendment simply provides an authorization which would allow the Government to control the loaning of money so far as this Government instrumentality is concerned.

Mr. SMOOT. Now, Mr. President, I should like to proceed.

Mr. SIMMONS. Mr. President, will the Senator from Utah yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Yes.

Mr. SIMMONS. I wish to say that I think there is a great deal of force in what the Senator from Utah said a little while ago with reference to the changed conditions, which ought to bring about a change in policy in connection with making these loans. I know that $65,000,000 of applications have already been made, but those applications were made at a time when the board was pursuing a different policy from the one which they ought to pursue to relieve those in distress, those who are asking for relief, and who ought to have relief.

Mr. SMOOT. The small farmer.

Mr. SIMMONS. The small farmer; yes. I think those applications ought probably to be scrapped. I doubt whether we are in a condition now to make that character of loans. I think it would be very much better in view of the situation to change the policy so as to make it apply for the purpose of relieving the present emergent situation.

While I agree with the Senator with respect to that, I am thoroughly convinced from my knowledge of the situation and the requirements of the farmers that even $75,000,000 will not be adequate. I do not believe that $100,000,000 will be adequate, but I think the Senator ought to consent to the $100,000,000 limitation. That will be of some material assistance.

The other feature which differentiates the plan which the Senator from Utah is advocating and that which the Senators from Virginia are advocating appeals very strongly to me. I very much prefer the revolving-fund system to the flat system, and if the Senator from Connecticut, who has offered the amendment, will raise the amount to $100,000,000 I should prefer his proposition.

Mr. SMOOT. Mr. President, I wish to state further that under the committee amendment that whole sum will be due within three years, and there will be no fund to redeem the bonds unless loans are repaid by that time. As the payments come in there will be no interest collected on them, but that fund will have to remain intact, not drawing any interest. In the case of the revolving fund, however, the money comes in one day and goes out the next, or, at least, it will not take more than a week, because the applications have already been approved. Therefore, Mr. President, I think $50,000,000 in a revolving fund will go just as far as $100,000,000 under the proposal of the committee amendment, and I am quite sure that $75,000,000 under the revolving-fund system will go further than $100,000,000 under the other system to relieve the distress of the farmer.

I do not mean the farmer who has a farm of 6,000 acres, with automobiles and horses and barns. I mean the man that Congress wants to help, the small farmer that wants to borrow $1,000, or $2,000, or $3,000, but not above that.

I had hoped, Mr. President, that the Supreme Court would hand down its decision months and months ago. I warned the Senate, when they undertook to put in the joint-stock land banks that that course would make trouble for the Federal Farm Loan Board system. I warned the Senate that we had no right whatever to authorize individuals in this country to incorporate themselves into a company and issue obligations that were free from taxation. Not only that, but after the law passed, and the joint-stock companies began to be organized, a provision was put into the revenue law that the interest from those tax-free obligations should not be taxed. I pleaded with the Senate to take the House provision out. The Senate did take it out, but it went back in conference. Unless the bill that I have introduced, and that has been reported favorably to the Senate and is now on the calendar, is passed, mark my words when I say that men who desire to loan money in the United States had better organize themselves into a joint-stock land bank under the existing law.

Mr. President, of course everybody is worried over the distress of the farmer; there is not any question about that; but I want to say frankly to you, Senators, that I am worried to-day over the distress of our Treasury. I do not see where we are going to land. I say now that if the returns upon the business for 1920 continue in the same proportion of reduction as the returns that have been received, instead of receiving what we anticipate for the business year of 1920 we shall fall short hundreds of millions of dollars. When it comes to the question of appropriations, I have almost given up all hope of

getting them reduced; but remember, Senators, the money to meet them will have to come from some source, and I do not say this with particular reference to this proposed amendment; but I say it because I not only want the Senate to know it but I should like to have the country know it as well.

Mr. GLASS. Mr. President, I was just wondering what particular application the Senator's remarks have to this proposition. As a matter of fact, under the amendment he has proposed the Treasury of the United States will be kept out of its funds much longer than under the amendment reported by the committee.

Mr. SMOOT. Let me tell the Senator from Virginia one thing, and I think he knows it. The Senator knows that if that loan is made, and if at the end of three years it is not paid back, Congress will simply extend the time of payments; that is all.

Mr. GLASS. As a matter of fact, the Senator from Virginia knows just as well as he can know anything, that when the Supreme Court shall have delivered its decision, if it maintains the validity of the tax exemption, the Federal land-bank system of this country will not require any aid from the Government. As a matter of fact, it can go out as it went out on former occasions and sell its bonds more readily than any other institution that I know anything about in this country.

Mr. SMOOT. There is no question about it.

Mr. GLASS. As a matter of fact, if the Senator will permit me, I know that the Government has interfered too much with the operation of the farm-loan system rather than aided the farm-loan system. As Secretary of the Treasury, I myself prevailed upon the Farm Loan Board to keep their bonds off the market while we were conducting the Liberty loans, and they did keep their bonds off the market; and if the court will just hand down its decision, if that decision is in favor of the validity of the tax-exemption feature of these bonds, I guarantee that the Federal Farm Loan Board will never have occasion to come to Congress for any financial aid.

Mr. SMOOT. Mr. President, I am as positive as that I stand here that if the Supreme Court decides that the Federal farm loan act is constitutional, the Federal Farm Loan Board could sell $1,000,000,000, yes, $2,000,000,000 and more of bonds exempt from all forms of taxation. Why, Mr. President, talk about Liberty bonds! The Government was trying to sell Liberty bonds, and they were taxable, and the Federal farm-loan bank was selling 5 per cent bonds with no tax imposed upon them. Anyone who pays an income tax would buy the Federal farm-loan bonds in preference to the others.

Mr. GLASS. Then why does the Senator say that in another year the Federal farm-loan banks will be back here in Congress? Does the Senator apprehend that the Supreme Court will declare invalid the tax-exemption feature of these bonds?

Mr. SMOOT. Yes, Mr. President; I am very, very apprehensive of it and because of the joint-stock land banks. I think the Supreme Court of the United States can not hold otherwise as to them.

Mr. GLASS. I hope the Supreme Court of the United States will hold that the joint-stock land bank feature of the act is invalid, but I have no idea in the world that the Supreme Court of the United States will hold the tax-exemption feature of the Federal farm-loan bonds invalid.

Mr. SMOOT. That may be, but I can not see how the Supreme Court is going to decide otherwise. Why should the Senator from Ohio and the Senator from Virginia and the Senator from Kentucky and the Senator from South Carolina and the Senator from Utah have the privilege, as individuals, of organizing a joint-stock land bank and issuing bonds free from taxation?

Mr. SMITH of Georgia. As the Senator said, we struck out in the Senate that special privilege of exempting their bonds from taxation, and I agree with the Senator that they ought not to be exempt. Now, suppose the Supreme Court should hold that that branch of the act was invalid. Under the terms of the act it is not necessary to extend the decision of invalidity to our Federally organized banks.

Mr. SMOOT. There is a question there which is a very close one.

Mr. SMITH of Georgia. I should be glad to see the bill amended, and amended at once, subjecting the bonds issued by these private companies to income taxes just like any other loans. The truth is I never did believe much in them. I thought the work ought to be done through the Federal organization.

Mr. SMOOT. If we could only get the Senators in the Chamber when the proposal was up, perhaps we could get a favorable vote on it; but I will say to the Senator from Georgia that it has been absolutely impossible to do so thus far.

Mr. SMITH of Georgia. Any time when the Senator can call it up I shall be glad to support immediate action on it.

Mr. SMOOT. Mr. President, I do not want to take any further time on this matter.

Mr. FLETCHER. Mr. President, let me say for the joint-stock land banks that they are limited to 6 per cent. They can not charge a borrower in excess of 6 per cent.

Mr. SMOOT. Who would want a greater privilege than to lend money at 6 per cent, and, under the law, be authorized to lend fifteen times the capital stock? In other words, the Senators that I spoke of could organize themselves into a joint-stock land bank, they could put up a million dollars of capital stock, and under the law itself they are authorized to issue $15,000,000 in tax-exempt securities.

Mr. SMITH of Georgia. Their 5 per cent bond is better than any 7 per cent security to a man who has an income over $100,000.

Mr. SMOOT. That is true.

Mr. SMITH of Georgia. And when the income gets up to a million dollars——

Mr. SMOOT. Then it is worth more than 9 per cent.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SMOOT. I do.

Mr. McLEAN. I want to perfect my amendment by striking out "$50,000,000" and inserting "$80,000,000." Then, near the end of the amendment, I desire to strike out "$5,000,000" and insert "$8,000,000" for retirement each year.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. SMITH of Georgia. Mr. President, I wish to call attention to the provisions of the measure as it is reported.

First:

> The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 30, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated from any Federal land bank, farm-loan bonds issued by such bank.
>
> Such purchases shall not exceed the sum of $100,000,000 in either of such fiscal years.

So that really the provision as it is contained in the bill authorizes the purchase of $200,000,000. It makes it practicable to purchase $200,000,000. The only part of the provision in the amendment reported by the committee that disturbs me somewhat is this provision:

> The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act, three years from the date of purchase, shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest.

Does the Senator from Virginia feel sure that it would be practicable to redeem these bonds in three years, or does he think this is a mere discretion, and that unless the necessities of the case require it it will not be called into operation?

Mr. GLASS. Very likely not. As a matter of fact, however, the members of the Federal Farm Loan Board feel absolutely sure, as I do, that in the event the decision handed down by the Supreme Court should sustain the validity of the tax exemption of the Federal farm-loan bonds, the banks will experience no difficulty whatsoever in selling all the bonds that they may require.

Mr. SMITH of Georgia. And, furthermore, it may be to the interest of the Treasury to continue to take them up, rather than to put these nontaxable 5 per cent bonds on the market to compete with our own securities. The Secretary of the Treasury would have every inducement to take care of them.

Mr. CALDER. Mr. President, the senior Senator from Utah [Mr. SMOOT] stated a moment ago that if the action that is pending in the Supreme Court, contesting the validity of the farm loan act, is not sustained, and the law is held to be valid, it will be possible for the farm-loan banks to float a billion dollars' worth of their bonds at 5 per cent. I agree with the Senator from Utah. It is my opinion that they could float $2,000,000,000 or even $3,000,000,000 worth of these bonds, for the great moneyed interests of the country, the men with large incomes, would take them at once, thereby freeing themselves from taxation.

I said a moment ago that there was in this country nearly $15,000,000,000 worth of tax-exempt securities, and that this would add to that amount $200,000,000. So if the law is held valid and the farm-loan banks finally issue these bonds, there will be no difficulty in disposing of them, and while they will be helpful to the farmer they will also afford an avenue by which the rich men and women of the country may escape taxation.

In spite of the statement I have just made, I am not going to make the point of order against the provision. In my State of New York, which is one of the greatest agricultural States of the Union, the farmers are not particularly clamoring for this

law. They have been fairly prosperous. Nearly all of them own automobiles. In the main, their farms are not mortgaged. They have made money in recent years. This particular legislation is not of any great advantage to them. But, Mr. President, I have been through the country during the past eight months representing a committee of this body, inquiring into the condition of the men in America who desire homes—the man on a wage, the business man with a small income—and to-day there is in the United States a need for at least 1,500,000 more homes for the people to live in. There is a shortage in nearly every city and village in the Union. Our committee had a hearing in Denver, and people came from Cheyenne, the home of the chairman of the Appropriations Committee, to tell us of their housing needs. In Kansas City they came to us a distance of 500 miles to explain their troubles and appeal for help. It will take at least $5,000,000,000 to meet the Nation's needs in this regard. We have done nothing here, nor in any State of the Union, so far as I know, toward affording facilities to help in this situation. In my own State they have passed rent laws. Perhaps there was a demand for them, on account of the avaricious landlords. We passed a rent law here some time ago, and we passed another one the other day. That kind of thing tends to discourage building, and nowhere is serious thought being given to a solution of this problem, which is fraught with so much concern to our cities.

I introduced some months ago a home-loan bank bill which, if it had been enacted into law, would have permitted the organization in the several reserve bank districts of home-loan banks, created through subscription to the stock by the building and loan associations in these districts. It would have provided for the discounting of the mortgages now held by the building and loan associations of the country; and, in my opinion, in time of real need on the part of the home seeker would have made at least a billion dollars more available for financing the building of homes.

We have had a hearing on that bill before the Committee on Banking and Currency, but I have been unable to convince a majority of the members of that committee that the bill is a real necessity. The committee feels, perhaps, that it would create more tax-exempt securities; and really, Mr. President, that was the important reason that prevailed against my being able to obtain favorable consideration for the bill.

But I have introduced another bill, Mr. President, a very simple measure, which will do more to obtain money for the financing of building loans and for financing farm buying and farm owning than any other thing that has been presented so far as I know in this Congress.

We are short of money for financing the purchase of farms and homes to-day because of the fact that individuals who formerly loaned on properties of this character, on account of the excessive tax on their incomes, are placing their funds either in tax-exempt securities or investments bearing a higher rate of interest than paid on mortgages.

From the individual in the past has come most of the money for home and farm financing. Men of large income find that mortgages bearing 6 per cent, when the Federal taxes are paid often net less than 2 per cent, and these men are taking their money out of mortgage financing. I repeat we are doing nothing for the city dweller, although, as I said a moment ago, we never were so short of homes for the people, and there is an insistent demand that something should be done, and at once.

I have a bill which I shall introduce as an amendment to the substitute of the Senator from Connecticut, if it is adopted, and if it is not adopted I shall introduce it as an amendment to the committee provision.

My bill provides that the amount received by an individual as interest on an aggregate principal not to exceed $40,000 of loans secured under a mortgage on real estate, including farms, and upon bonds or other securities of indebtedness of equal amount secured by or issued against such mortgage or mortgages, shall be exempt from all Federal taxation.

Mr. President, that amendment will simply provide that any individual holding mortgages up to $40,000 against a home in the city or a farm in the country would have $2,400 of his income exempt from taxation. I think the enactment of that bill would do more to attract money for the financing of farmers and homes than any other thing that has been proposed here or in the other House of Congress. Unless something of this kind is brought about, unless Congress does something to encourage the financing of home building in the cities, then, Mr. President, perhaps next year or the year after we may be facing the condition that England, France, Belgium, Holland, and Denmark have had to face in recent years, when the Governments themselves have been compelled to come in and build homes to take care of the people. In England to-day the Government is building 500,000 workmen's houses. I am opposed to having the United States going into the housing business in any form. The amendment which I propose to offer will, in my opinion, encourage the financing of the building of homes and of the purchasing of farms, and will tend to prevent the very thing Senators fear.

If my amendment is agreed to the loss to the Government in income will be very slight. I venture to state, Mr. President, it will be less than the Government will lose as a result of the wealthy men of America buying the $200,000,000 of bonds provided for in the provision now under consideration.

The present tax laws, Mr. President, have affected materially the financing of the purchase of farms and the building of homes, and I know that if Senators have studied this problem carefully in their States, and realize that the matter of providing homes for the people is just as necessary and pressing as the financing of farms, they will agree that the adoption of my amendment will tend to greatly help the situation.

Mr. HARRISON. Mr. President, I am in sympathy with the Senator from New York [Mr. CALDER] in his desire to encourage home building and to aid people in obtaining homes. I do not know whether his bill has ever been considered by a committee or whether it has been favorably reported.

Mr. CALDER. It is a matter which, if it were an original proposition, would have to emanate in the House. This is a House bill.

Mr. HARRISON. Has it passed the House?

Mr. CALDER. It has not. It has been considered by a committee there, however.

Mr. HARRISON. I am very hopeful we will be able to incorporate one or the other of the propositions in the pending legislative appropriation bill. As was suggested by the Senator from North Dakota [Mr. GRONNA], the chairman of the Committee on Agriculture and Forestry, day before yesterday that committee unanimously voted to incorporate in the general appropriation bill for agricultural purposes a provision authorizing the Government to take a hundred million dollars of these bonds for the years 1921 and 1922.

The proposition advanced by the Senator from Connecticut [Mr. MCLEAN] and indorsed by the Senator from Utah [Mr. SMOOT] to create a revolving fund, so that short-term loans might be made to farmers, is a very good idea, and I would very much like to see both propositions incorporated in this bill. The argument the Senator from Utah made would indicate that he is not very much in favor at this time of the Federal Farm Loan Board functioning according to the object and purposes stated in the statute. He says that this ought to be utilized for emergency purposes. I differ with him as to that. I believe that, notwithstanding the litigation pending in the Supreme Court touching the constitutionality of the proposition, the Farm Loan Board should be functioning, should be lending money to the farmers of the country on long terms, at low rates of interest, and giving them the advantages of the provisions of the law.

I believe, in addition to that, that the Federal Government could render the farmers no better service than to pass some law that would allow them to borrow money at low rates of interest for short terms to enable them to hold their staple products.

It is very true that the proposition advanced by the Senator from Connecticut would in a measure do the latter. But we ought to take care of both propositions in this bill. We ought to allow the Farm Loan Board to function according to the purposes and objects set out in the statute, and authorize the Government to take over about $100,000,000 worth of these bonds each year for the years 1921 and 1922, and, in addition to that, in accordance with the plan suggested by the Senator from Connecticut, we ought to authorize the Government to take over about $50,000,000 worth of bonds in order to create a revolving fund so that smaller loans might be made for shorter terms at lower rates of interest.

If we should incorporate both of those propositions in the bill we would be of some real service to the farmers of the country.

Mr. MCLEAN. There would be much force in the position taken by the Senator from Mississippi if it were not fair to assume that the Supreme Court would decide the case involving the constitutionality of the act some time within a month or two. It seems to me unthinkable that we will not get a decision within a month or two on a matter of such consequence. The plan that is proposed in my amendment will take care of all the features suggested by the Senator from Mississippi for some time to come.

Mr. HARRISON. I differ with the Senator about that. We have been discussing this emergency tariff bill for weeks, and a great deal has been said about the farmers. I have opposed that

measure, and I have not opposed it because I am opposed to the farmers of the country, because I know of no reasonable demand which has ever been made by the farmers of the country that I have not cast my vote for. I chose when I came to the Senate to try to get on that committee of the Senate which might help the farmers of the country, and I have been glad every day since that I have been a member of the Committee on Agriculture and Forestry of the Senate. I am glad to help the farmers in any way, because I realize the conditions they are constantly up against.

Mr. McLEAN. We all realize that, and we want to do something effective.

Mr. HARRISON. As I say, then, if we want to do something effective, if we will take the plan suggested by the Senator from Virginia, and incorporate it in this bill, and allow the Federal Farm Loan Board to function just as it was intended it should function, and allow the Government to take over a hundred million dollars' worth of these bonds, and then incorporate at the same time the provision of the Senator from Connecticut to create this new revolving fund and take care of emergency cases, in that way we can pass some real legislation for the farmer. Did the Senator want to suggest something else?

Mr. McLEAN. It does not seem to me that we have to combine these two amendments. It is to meet an emergency, and if my view of the Federal farm-loan system is correct, $50,000,000 is all that is needed under the plan that is suggested in my amendment. I propose to increase it to $80,000,000, because it has been stated here that there are something like $65,000,000 of applications that have been accepted, Congress will be in session in April, and if that does not meet the emergency, or if the Supreme Court holds that the law is unconstitutional, then we will have to do something radical in the way of providing legislation to enable this system to function. It seems to me this is all that is necessary. I am heartily in sympathy with the purposes of the Senator from Mississippi.

Mr. HARRISON. I am sure the Senator is.

Mr. McLEAN. I would not have raised any opposition to the amendment suggested by the Senator from Virginia if the matter had not been called to my attention by those who are administering the functions of this board, and there seems to be some misunderstanding.

The Senator from Virginia [Mr. GLASS] has a different interpretation of the position of the board from what I have, and I have suggested that the matter be postponed temporarily until we could consult with those who are interested and agree upon some proposition. I have no pride in the matter and I have no desire to postpone a vote. All I want is to have the Senate understand the plans and to take their choice.

Mr. HARRISON. I will say to the Senator that it would make no difference if the Secretary of the Treasury and the Farm Loan Board were opposed to it, I would be for it, and I think it merits the support of the Senate. So far as the amount suggested by the Senator in his amendment is concerned, it is totally inadequate. It would never be sufficient to take care of the demands. My mail is filled with suggestions from my constituents, and I imagine the mail of other Senators is, too, calling attention to the fact that the Farm Loan Board is not functioning, and that if it could be revived and allowed to function it would be able to a large extent to take care of the present situation.

Mr. McKELLAR. So far as I am concerned, I would be very much better pleased to amend by increasing rather than by diminishing the amount for this purpose.

Mr. HARRISON. If the Senator from Connecticut is going to offer a substitute for the proposition, because we have to either vote it up or down, I certainly hope he will not propose to decrease the amount suggested by the committee. I know how the Senator feels, because he has been very kind in this matter. As chairman of the Committee on Banking and Currency, he voted for and reported out a provision, on May 19, 1920, I think it was, allowing the Government to take care of a certain amount of the bonds. I think in that instance it was $26,000,000. The Senator from North Dakota handled it upon the floor of the Senate at that time. That was the second time that the Government had done this. In 1918 they authorized the taking over of $100,000,000 of the bonds. If the Senator is going to offer a substitute, surely he should not make it less than $100,000,000, the amount that the committee has thought wise to take over, so that it will not be a reduction below that figure. Whether his plan is better than the other plan or not I do not know. I think either of them would render a great service to the people; but let us not cut the amount lower than that. I hope the Senator will make the amount in his plan $100,000,000. Of course, if there is no need for it, it may be, as the Senator realizes, as in 1918, when the Congress authorized the Government to take over $100,000,000, when it was necessary to take over only $36,000,000. There were $64,000,000 of bonds that it was not necessary to take over. It may be unnecessary, but let us keep the amount at least up to the figure that was reported by the committee that considered the matter and the amount reported also by the Committee on Agriculture.

Mr. McLEAN. We may not have all the confidence in the world in the Federal Farm Loan Board and the Secretary of the Treasury, but it does seem to me that their views are entitled to fair consideration by the Senate. From the information I get from that quarter, $50,000,000 is enough. I do not like to agree to make it $100,000,000. I do not see why we should overdo it and appropriate more than is necessary, because there is always a temptation to use it. In the present condition of the Treasury, if we appropriate all that is said to be necessary, certainly we can afford to stop there.

Mr. HARRISON. Of course, the Senator recognizes the fact that under the committee amendment they might spend only $75,000,000 or $80,000,000, but they are authorized to spend more if necessary.

Mr. McKELLAR. They might not spend $10,000,000.

Mr. McLEAN. There is no evidence before the Senate that more than $65,000,000 will be necessary.

Mr. HARRISON. The fact is, as the Senator knows, that the Federal Farm Loan Board has not functioned since the Supreme Court has been considering the pending case. There has been no activity upon the part of anybody to get farmers to make applications for loans. The farmers all over the country are anxious to obtain loans, but they have thought, because of the litigation pending, that it would be impossible for them to get them. Applications will flow in, and I do not think $100,000,000 will be a drop in the bucket to take care of the proposition.

Mr. McLEAN. I ask unanimous consent that the amendment may be temporarily passed over.

Mr. WARREN. I wish to ask what that means, and if it means simply laying it aside? Of course, we can not lay it aside to wait for a court decision.

Mr. McLEAN. Oh, no; I mean for not more than half an hour or an hour.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Connecticut asks unanimous consent that the pending amendment be temporarily passed over. Is there objection?

Mr. McKELLAR. I understand the Senator only wants to have it passed over for half an hour.

Mr. McLEAN. I do not think it will be necessary to postpone action for more than an hour.

The PRESIDING OFFICER. Is there objection?

Mr. HEFLIN. I object.

The PRESIDING OFFICER. Objection is made.

Mr. HARRISON. Mr. President, will not the Senator from Connecticut offer his substitute in the amount of $100,000,000?

Mr. McLEAN. I do not think I am justified in taking the responsibility for that. It is for the Senate to decide. I have to act on my own judgment.

Mr. HARRISON. I understand that. The Senator is chairman of one of the big committees of the Senate. But here is the Committee on Appropriations which says that $100,000,000 is needed, and here is the Committee on Agriculture and Forestry which says that $100,000,000 is needed, and here was the Congress of 1918 authorizing the taking over of $100,000,000 of the bonds, but they used only $34,000,000 of them.

Mr. McLEAN. I think the Agricultural Committee recommends $200,000,000.

Mr. HARRISON. One hundred million dollars for 1921 and $100,000,000 for 1922. It looks to me as though we could almost have a love feast here if the Senator would make it $100,000,000. Do I understand the Senator to say he will make it $100,000,000?

Mr. McLEAN. No. I can merely repeat what I said. I am only one member of the committee and one member of the Senate, and I do not feel justified in assuming that responsibility.

Mr. HARRISON. Then, I move that the amount incorporated in the substitute be increased from $80,000,000 to $100,000,000.

The PRESIDING OFFICER. The Chair suggests to the Senator from Mississippi that that would be an amendment in the third degree. The pending amendment is the amendment offered by the Senator from Virginia [Mr. GLASS] and reported by the committee. To that amendment the Chair understands that the Senator from Connecticut has offered an amendment in the nature of a substitute. The suggestion of the Senator from

Mississippi is to amend the amendment of the Senator from Connecticut.

Mr. HARRISON. It would seem to me that the substitute could be perfected.

The PRESIDING OFFICER. But that would be an amendment in the third degree.

Mr. SIMMONS. Mr. President, I wish to make an inquiry. If the substitute is adopted, then can we amend the substitute or can we not?

The PRESIDING OFFICER. The substitute can not then be amended.

Mr. SIMMONS. Then we can amend it neither before nor after. Is that the way the matter stands?

The PRESIDING OFFICER. Under the parliamentary situation the Chair thinks the proposition of the Senator from Mississippi would be an amendment in the third degree.

Mr. SIMMONS. I understand. I was not suggesting to the contrary.

The PRESIDING OFFICER. However, if there be no objection, the Chair will entertain the amendment of the Senator from Mississippi. The Chair hears no objection. The Secretary will state the amendment offered by the Senator from Mississippi.

The ASSISTANT SECRETARY. Strike out "$80,000,000" and insert in lieu thereof "$100,000,000," so as to read:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000,000, to be immediately available, for the creation of a fund to be known as the farm-loan revolving fund.

Mr. UNDERWOOD. Mr. President, I shall detain the Senate but a moment. I intend to support the motion of the Senator from Mississippi, because I do not know which one of the proposals is going to be accepted. To my mind it is not very material which one is accepted. The real question is whether money to the extent of $100,000,000 is going to be provided to take care of the distressed condition of agriculture in the United States at this time. I am sure that if we are going to reach the situation, $100,000,000 is not sufficient. Of course, $100,000,000 will be helpful, but it will not be enough to relieve the situation throughout the country, if we intend to relieve it all. Possibly we could not relieve it all without placing too severe a strain on the Treasury.

Mr. WARREN. Mr. President, will the Senator yield?

Mr. UNDERWOOD. Certainly.

Mr. WARREN. Does the Senator think it a good idea to have a revolving fund rather than to make a straight calculation and grant the straight liberty of using the fund and then letting it go back into the Treasury?

Mr. UNDERWOOD. Yes; I think it would be a fine thing to have a revolving fund, but in my judgment that is what we will have under either proposition.

Mr. WARREN. So far as the chairman of the committee is concerned, if we go into the revolving-fund proposition, generally speaking, we have not only lost control of pretty much all the appropriations, but we have lost all knowledge of expenditures under them.

Mr. GLASS. May I interrupt the Senator from Alabama?

Mr. UNDERWOOD. Certainly.

Mr. GLASS. The Senator does seem to appreciate exactly the difference between the two propositions. Suppose we should adopt the amendment of the Senator from Mississippi and increase the revolving fund to $100,000,000. We would have $100,000,000 of the Government money tied up for a period of 10 years when it might not be necessary at all; whereas, under the committee amendment, we would not have tied up a dollar more than is necessary. There is that difference between the revolving fund and the proposition as reported by committee.

Mr. UNDERWOOD. As I understand the matter, either would have the effect of a revolving fund. I think the Senator from Virginia is correct in the statement that if we adopt the amendment of the Senator from Connecticut we would have this money tied up for an indefinite time. If we adopt the proposal of the committee, the exigencies of the occasion will solve the problem. As I understand the law, the Federal Farm Loan Board will take the original capital and loan it to those who need it, and as soon as the loan is made they take the bonds, which are the basis of the loans, and sell them to get money to make new loans. The only reason why that practice has not been continued is because the constitutionality of certain features of the law has been threatened, and they can not sell their bonds until that question is determined.

I do not think they could accomplish the result under the proposal of the Senator from Connecticut unless the decision of the Supreme Court is in favor of the constitutionality of those tax-exempt bonds. If it is, undoubtedly the proposal of the committee would meet the situation, because as soon as the Supreme Court removed any challenge to the constitutionality of the bonds, the hundred million dollars of bonds could be sold time and time again by being loaned, the bonds sold for new loans, and the money loaned over again. I do not see that there is very much difference in the situation, except that I think, from the Government standpoint as well as the standpoint of those who want to borrow the money, the original proposition of the committee is the better one.

But what I rose specially to say is that there seems to be some misapprehension in the idea of how much money is needed. It is contended that the money is not needed, because the applications are not on file with the Federal Farm Loan Board. We all know that for months and months past the farm-loan organization has refused to send appraisers into the field to pass on pending applications for loans, because they said they did not have the money to advance if the applications were approved, which was a very proper decision from their standpoint not to encourage the man that he was going to get the money if they did not have it to lend. The reason why there have been less than $100,000,000 of applications for the money is not because it is not needed, but because the organization of the Farm Loan Board has failed to send its inspectors and agents out into the field to pass on the applications that were already made.

Mr. President, I merely wish to add that we now have before the Senate the emergency tariff bill and the legislative, executive, and judicial appropriation bill. The emergency tariff bill comes here as a proposal to help the farmer; it proposes to levy hundreds of millions of dollars of taxes directly and indirectly on the American people. Perhaps I use the word "taxes" improperly, because possibly under a proper definition a tax would be something that goes into the Treasury; but I may say that the bill proposes to levy hundreds of millions of dollars of charges against the American people, and probably half of the amount collected will never go into the Federal Treasury by way of taxation, but will go into the pockets of some individuals as an aid to their particular interests. Why should we hesitate to take the action proposed in the case of the Federal Farm Loan System? What is the Federal Treasury? What is the basis of it? The Federal Treasury is not merely the money that happens to be lying in its vaults to-day; that would not last three months; the power of taxation behind the Government is the Federal Treasury. Why should we hesitate to-day to put a burden on the Treasury of $100,000,000 in a direct and proper way for the benefit of the great mass of people engaged in agriculture, when the money must come from taxation in the end, and yet not hesitate in the case of the emergency tariff bill to impose from half a billion to a billion dollars of burden on the same people in an indirect way to accomplish the same result?

I think it is idle to make the argument that the Treasury can not stand it, because the Treasury means nothing but the power of the American people to stand taxation. When Senators are insisting on the passage of the emergency tariff bill, I do not think Congress ought to hesitate a moment to make the sum carried in the amendment $100,000,000, so that whichever provision may be adopted we shall have the $100,000,000. I am sure that that is not enough money with which to meet the present emergency. Of course, if the amendment of the Senator from Mississippi shall be adopted, I intend to support the committee amendment, as I think it will meet the situation more directly. It will not involve a change in existing law, but it will meet the emergency within the terms of the law without a change of the law. It will continue the existing system, and I think it is the better method; but, at any rate, whichever method is adopted, let the amount of money be the same.

Mr. GRONNA. Mr. President, the pending question is of such importance that I certainly shall not delay the proceedings of the Senate for more than a moment. As a member of the Committee on Appropriations I supported the amendment in committee, and I also supported a similar amendment in the Committee on Agriculture and Forestry. As I said a few moments ago, I prefer that the amendment should be attached to the legislative, executive, and judicial appropriation bill rather than to the Agricultural appropriation bill, although the amendment is now also embodied in the Agricultural bill, which is being prepared and will be reported in the course of a day or so.

When the Federal farm loan act was before this body and before the other body it was pretty thoroughly discussed, and, so far as my understanding was at that time, the law was passed for two purposes: First, to make it possible for the farmer to increase production. That would benefit everybody in the country. The other purpose was to make it possible for people with limited means to acquire small areas of land and to establish homes. I can see no possible purpose for which the Government could better afford to loan its credit. That is all this legislation

proposes to do. It is not proposed to appropriate money for the purpose of donating anything to anybody. We shall be simply underwriting certain securities, for every dollar of the loan will be paid back into the Treasury of the United States.

I shall support the amendment proposed by the Senator from Mississippi [Mr. HARRISON], because I do not believe that the fund should be less than $100,000,000 for each of the years of 1921 and 1922. The Senator from Alabama [Mr. UNDERWOOD] has well illustrated how the proposed law would operate. If the Federal farm loan law had been permitted to function and the validity of the act had not been questioned there undoubtedly would have been sold several million dollars, perhaps, one or two hundred million dollars' worth of farm-loan bonds. Only the validity of certain features of the act were questioned. I do not wish it to be understood that the constitutionality of the entire act has been questioned.

It seems to me—and I am not saying this for the purpose of criticizing the court—that the case has been pending before the Supreme Court for a long time, probably for good reason, but the court has not yet been able to hand down its decision in the case. What has been the result? The Federal Farm Loan Board has been unable to function. I am not going to condemn the action of the board; perhaps it might have acted differently; perhaps it should have gone ahead and at least tried to dispose of the bonds, even at the higher rate of interest; but I believe it is our duty to-day to do what we can to relieve the situation.

So far as I am personally concerned, if the amendment of the Senator from Mississippi shall be adopted, while I am not opposed to the changes which are made in the amendment as proposed by the Senator from Connecticut [Mr. MCLEAN], yet as a member of the Committee on Appropriations I shall be compelled to vote for the amendment proposed by the Senator from Virginia [Mr. GLASS], which is the committee amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Mississippi [Mr. HARRISON] to the substitute proposed by the Senator from Connecticut [Mr. MCLEAN] for the committee amendment.

Mr. HITCHCOCK. I ask that the proposed amendment to the amendment may be read.

The PRESIDING OFFICER. The amendment proposed by the Senator from Mississippi to the substitute proposed for the committee amendment will be read.

The ASSISTANT SECRETARY. In the substitute for the committee amendment proposed by the Senator from Connecticut [Mr. MCLEAN] the Senator from Mississippi [Mr. HARRISON] proposes to strike out $80,000,000 and make the sum $100,000,000.

Mr. POMERENE. Will not the Secretary please read the amendment as it will read if amended.

The PRESIDING OFFICER. The Secretary will read as requested.

The ASSISTANT SECRETARY. So that, if amended, the proposed substitute would read:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000,000, to be immediately available for the creation of a fund to be known as the farm loan revolving fund. Such fund shall, upon recommendation of the Federal Farm Loan Board, be invested by the Secretary of the Treasury from time to time as in his judgment occasion may require in the purchase from any Federal land bank of Federal farm-loan bonds, which shall be purchased at a price not exceeding par and accrued interest, and shall be subject to repurchase by the bank selling same or any other Federal land bank at any time at par and accrued interest, and the proceeds thereof shall be returned to the farm loan revolving fund, subject only to retirement as hereinafter provided.

The fund hereby created shall be retired as follows: Eight million dollars on the 1st of January, 1922, and a like amount the 30th of June each year thereafter until the same is fully retired.

Mr. FLETCHER. The amendment should be amended so as to read "$10,000,000" instead of "$8,000,000."

The ASSISTANT SECRETARY. The amendment continues:

Such retirement shall be by order of the Secretary of the Treasury covering the amount to be retired into the general funds of the Treasury.

Mr. WARREN. Mr. President, I understand the amendment is in lieu of the four paragraphs which are inserted in the bill as a committee amendment?

The PRESIDING OFFICER. It is intended to be in lieu of the committee amendment.

Mr. WARREN. Will the Secretary again read the part of the amendment to the committee amendment applying to the years 1921 and 1922?

The PRESIDING OFFICER. The Secretary will read as requested.

The Assistant Secretary read as follows:

Such fund shall, upon recommendation of the Federal Farm Loan Board, be invested by the Secretary of the Treasury from time to time as in his judgment occasion may require in the purchase from any Federal land bank of Federal farm-loan bonds, which shall be purchased at a price not exceeding par and accrued interest, and shall be subject to repurchase by the bank selling same or any other Federal land bank at any time at par and accrued interest, and the proceeds thereof shall be returned to the farm loan revolving fund, subject only to retirement as hereinafter provided.

The fund hereby created shall be retired as follows:

Mr. WARREN. That is as far as I care to have the proposed amendment read.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Mississippi to the amendment of the Senator from Connecticut.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now recurs upon the amendment of the Senator from Connecticut [Mr. MCLEAN], as amended, to the committee amendment.

Mr. HARRISON. Since the amount of the appropriation has been increased the installment payments should be enlarged to $10,000,000, instead of $8,000,000.

The PRESIDING OFFICER. Without objection, that modification will be made.

The ASSISTANT SECRETARY. It is proposed to modify the amendment so as to read:

The fund hereby created shall be retired as follows: Ten million dollars on the 1st of January, 1922, and a like amount on the 1st of January, each year thereafter until the same is fully retired.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the Senator from Connecticut, as amended.

The amendment as amended was rejected.

The PRESIDING OFFICER. The question now is upon the committee amendment.

Mr. SMOOT. Mr. President, in lines 2 and 3, page 46, I move to strike out "from time to time during the fiscal years ending June 30, 1921 and 1922, respectively," and insert "from the date of the passage of this act and until the end of the fiscal year ending June 30, 1922;" so that it will read:

The Secretary of the Treasury is hereby authorized from the date of the passage of this act and until the end of the fiscal year ending June 30, 1922, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm-loan bonds issued by such bank—

And so forth.

In other words, my amendment to the committee amendment is intended to make the appropriation an even $100,000,000 instead of $200,000,000, as the amendment provides.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 46, in the proposed amendment, on lines 2 and 3, it is proposed to strike out the words "from time to time during the fiscal years ending June 30, 1921 and 1922, respectively," and in lieu thereof to insert:

The date of the passage of this act and until the end of the fiscal year ending June 30, 1922.

Mr. SMITH of South Carolina. Mr. President, that simply means that if this sale of bonds is to run for two years it would be only $50,000,000 for each year instead of $100,000,000 for each year.

Mr. SMOOT. No; it means that there are $100,000,000 authorized here, and that purchases can be made at any time from the passage of the act until June 30, 1922.

Mr. SMITH of South Carolina. Yes; but this provides that in the year 1921 there is $100,000,000 authorized, and in the year 1922 there is $100,000,000 authorized.

Mr. SMOOT. Certainly.

Mr. SMITH of South Carolina. And under the Senator's amendment it would be only $100,000,000 for the two years.

Mr. SMOOT. It would be $100,000,000 from the time of the passage of the act up to June 30, 1922.

Mr. SMITH of South Carolina. Precisely. That amounts to exactly what I said. It is $100,000,000 in place of $200,000,000 in the period of two years.

Mr. SMOOT. Yes; that is just what I said.

Mr. GLASS. Mr. President, the objection I would point out to the amendment proposed by the Senator from Utah is that in the event all of our expectations should be disappointed, and the Supreme Court should fail for another 14 months to render any decision in this case, we might have the same difficulty at the end of one year or at the end of 14 months that we have now. Should the Supreme Court render its decision, and should the decision itself invalidate the tax-exemption feature of the farm-loan land bank act, then Congress would be compelled, if it desired to continue this farm-loan land bank system, to enact some sort of legislation, if it could under the Constitution, to meet the objection of the Supreme Court, all of which would take time; and therefore we might encounter the very same embarrassment that we have now, and might have again to suspend the activities of the farm-loan system.

I am frank to say that it is my belief that the Supreme Court will not invalidate the tax-exemption feature as to the farm-

loan land banks. I think it may, and I hope it will, invalidate the tax-exemption feature as to the joint-stock land banks; and should that prove to be the case we will not need more than $100,000,000. If the decision is promptly rendered, we may not need the $100,000,000; but I do not think the amendment suggested by the Senator from Utah, if I may say so, is an improvement of the committee amendment.

Mr. SMOOT. Mr. President, my object is this: If the decision of the Supreme Court upholds the contention of those who are fighting the law, and holds that the tax-exemption feature of the Federal farm loan bonds is unconstitutional, all that Congress has to do if it wants to advance $200,000,000 is to pass just such a law as we are passing now. I do not see why we have to provide clear to June 30, 1922. Congress will be in session continuously, and I have not the least doubt that if the Supreme Court of the United States decides adversely to the Federal farm loan act Congress will at once pass legislation correcting it.

Mr. GLASS. Why should it be put to the trouble of doing that? If the $200,000,000 are not required, they will not be expended—or rather, the $200,000,000 of credits, as the Senator from North Dakota described it. The money will not be used if it is not required. If it is required it should be used, and the farm loan banking system should not be practically wrecked again, as has been the case for the last 14 months.

Mr. SMOOT. It is not going to be wrecked. If $100,000,000 is given to them for loaning between the passage of this act and June 30, 1922, they will not be compelled to loan up to June 30, 1921, $100,000,000 and then another $100,000,000 for the next succeeding year. If we advance $100,000,000 and make it immediately available, there is not any question but that the Congress here in session, if the Treasury of the United States is in any condition to do it, can advance another $100,000,000; and why should we not wait, and see what the situation is after the advancing of $100,000,000? I do not know anything about what kind of a season the farmer will have this coming year. He may not need it, and there may be other demands made upon us that will be even more strenuous than the demand for $100,000,000 additional for this purpose.

Mr. GLASS. If the farmer does not need it, he will not apply for it. If he does not apply for it, it will not be loaned.

Mr. SMOOT. The question of applying and the question of what is really needed are two entirely different propositions.

Mr. HITCHCOCK. Mr. President, the Senator from Utah assumes that the Secretary of the Treasury, without any regard to the condition of the Treasury and without any regard to the needs of the farmer, is going to use all of the money that is permitted under this bill. It seems to me that there is not any reason to assume such a thing. The Secretary of the Treasury is in better position than the Senator from Utah or any of us to judge what will be possible; and as this is merely authorizing the Secretary of the Treasury to do it, I can not see any reason why it should not be made $200,000,000, or even more.

Mr. SMOOT. Make it a billion.

Mr. HITCHCOCK. I do not think there would be anything unreasonable in making it even more, as it is mere authority to the Secretary of the Treasury.

Mr. SMOOT. Make it two billion.

Mr. HITCHCOCK. The Senator from Utah says that there will be time; that there is no need of providing up to the end of the next fiscal year. There is no need of providing appropriations up to the end of the next fiscal year; but appropriation bills do cover from the end of this fiscal year until the end of the next fiscal year, and it is not always an easy matter to get the attention of Congress except when the appropriation bills are here.

Mr. SMOOT. Yes; I will say to the Senator that in the case of anything like this, where there is an emergency, Congress has never failed to act.

Mr. HITCHCOCK. I believe sincerely that this may not be needed. I have a strong hope that when the case emerges from the Supreme Court we will find that Congress was justified in making the bonds of the Federal land banks not subject to taxation; but the matter may be held in the Supreme Court for some time, and there is the possibility that the decision may be against the act, and Congress must meet that situation when it arises, and it might as well provide for it at the present time. Congress has gone on record as in favor of supplying this credit to the agricultural regions, and if the existing system is paralyzed we are breaking faith with the interests of the country for whose benefit it was provided, and if the act is finally destroyed by a decision of the Supreme Court Congress will be under an irresistible compulsion to provide a substitute for it, and that substitute probably will amount to the Government of the United States affording all of the capital, instead of merely backing the credit of these banks.

I think we might as well provide in this bill as is already provided, for the full $200,000,000 to be used between now and the next fiscal year, if necessary. If not necessary, they will not be used, and the bonds will find a natural market among the investing people of the United States.

Mr. SMOOT. I do not see why the Senator expresses any hope or faith or confidence that if we appropriate money it is not going to be expended or loaned in this case. It will be something unheard of in the history of the Government.

In all of our talk this morning the question has been in regard to the amount of $100,000,000. Nobody mentioned $200,000,000 until after the vote was taken on the substitute. I had no idea that the Senate was going to authorize $200,000,000; and the authorization means, of course, that it will be used.

Mr. HITCHCOCK. It does not mean $200,000,000 immediately, but it means $200,000,000 between now and the next fiscal year.

Mr. SMOOT. Certainly; we know that.

Mr. HITCHCOCK. As a possibility; not as a surety.

Mr. SMOOT. We could appropriate long before the next fiscal year if we wanted to have another $100,000,000, and we will know more about it at the end of the fiscal year.

Mr. HITCHCOCK. That argument, as I say, would apply to all appropriation bills.

Mr. SMOOT. Oh, no; it would not, because the appropriations can not be passed in a day or a week.

Mr. SWANSON. Mr. President, the Senator must remember that the fiscal year 1923 commences on the 1st of July, 1922, and after that date you would not have any money.

Mr. SMOOT. I am glad the Senator called my attention to that.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The question is on the amendment proposed by the Senator from Utah [Mr. SMOOT] to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question now is on the amendment of the committee.

The amendment of the committee was agreed to.

Mr. STERLING. Mr. President, I send to the desk a notice, which I ask to have read.

The VICE PRESIDENT. The notice will be read.

The Assistant Secretary read as follows:

Mr. STERLING. I give notice that under Rule XL, I will move to suspend paragraph 3 of Rule XVI in order that I may propose to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial departments of the Government for the fiscal year ending June 30, 1922, the following amendment:

That the Secretary of the Treasury, in his discretion, may use not to exceed in the aggregate $100,000,000 of the net earnings which shall be derived by the United States from the Federal reserve banks during the years 1921 and 1922, being the earnings accrued and accruing during the years 1920 and 1921, as hereinafter provided.

Immediately upon the receipt by the Treasury in 1921 of such net earnings for the year 1920, and the receipt in 1922 of such net earnings for the year 1921, the Secretary of the Treasury shall advise the Federal Farm Loan Board of the amount available for the purposes hereinafter designated, and the Federal Farm Loan Board shall thereupon immediately allot the same to the several Federal land bank districts in proportion to the needs of such districts for the purposes prescribed.

The sums so allotted to the several Federal land bank districts shall, upon the request of the Federal land bank of any district, approved by the Federal Farm Loan Board, be placed with such Federal land bank as financial agent of the Government of the United States to be used for the purpose of purchasing paper based on staple agricultural products or live stock.

Any Federal land bank as such financial agent may purchase, in the name of the Government of the United States, with the funds so deposited from banks within its district, whether members of the Federal Reserve System or not, paper based on staple agricultural products in the hands of the producer or on live stock according to regulations to be prescribed by the Federal Farm Loan Board.

No loan purchased under this act and based on agricultural products shall be for a period longer than nine months, and no loan based on live stock shall be for a period longer than two years.

No Federal land bank shall purchase from any bank, under the provisions of this act, paper in an amount greater than three times the capital and surplus of the selling bank, nor shall any paper be purchased from any bank located in a reserve city: *Provided*, That the loans to any one individual, firm, or corporation which may be purchased by any Federal land bank under the provisions of this act shall not exceed in the aggregate the sum of $10,000.

All loans purchased under the provisions of this act shall be indorsed and guaranteed unconditionally by the bank selling the same to the Federal land bank.

Loans purchased under the provisions of this act shall bear interest at the rate of 6 per cent per annum payable in advance, if the loan be for a period of six months or less; if for a longer period than six months, payable semiannually in advance, but any borrower, under the provisions of this act, may be charged for the expenses incident to his loan a sum to be approved by the Federal Farm Loan Board, not exceeding an amount equal to 1 per cent per annum for the period of the loan, of which one-half of 1 per cent may be retained by the indorsing bank and one-half of 1 per cent by the Federal land bank making the loan.

No loan shall be purchased by any Federal land bank, under the provisions of this act, which exceeds 65 per cent of the cash value of the staple agricultural products or live stock by which such loan is secured.

Any paper purchased by any Federal land bank as herein authorized may be by such bank renewed or extended wholly or in part and the proceeds of any paper collected may be by the proper Federal land bank reinvested as herein authorized: *Provided*, That no paper shall be so renewed, nor shall any loan be so made as to create a maturity later than January 1, 1924.

The several Federal land banks shall so administer the trust as financial agents of the Government as to complete their transactions hereunder as near as may be by January 1, 1924, and shall forthwith thereafter account for and pay over to the Treasury all moneys collected, both principal and interest.

Such money when paid into the Treasury shall be subject to the uses prescribed by the second paragraph of section 7 of the act approved December 23, 1913, known as the Federal reserve act, for the net earnings derived by the United States from Federal reserve banks.

The VICE PRESIDENT. The notice will be entered.

Mr. CALDER. Mr. President, I give notice that after the committee amendments have been disposed of I shall offer an amendment, on page 46, at the end of line 21. I send the amendment to the desk and ask that it be read and laid on the table until the proper time to consider it.

The VICE PRESIDENT. The Secretary will read the amendment of which notice is given.

The ASSISTANT SECRETARY. The Senator from New York offers the following, to be inserted at the end of the committee amendment just agreed to, on page 46, line 21:

That paragraph (b) of section 213 of the revenue act of 1918 is hereby amended by adding thereto a new subdivision to read as follows:

"(9) The amount received by an individual as interest on an aggregate principal not to exceed $40,000 of loans secured, under a mortgage or otherwise, solely by real estate, including farms, and upon bonds or other certificates of indebtedness of equal amount secured by or issued against such mortgage or mortgages."

NAVAL BUILDING PROGRAM.

Mr. BORAH. Mr. President, I will say to the chairman of the Committee on Appropriations, in charge of the legislative appropriation bill, that while I shall not discuss the matter which is immediately before the Senate, I think what I have to say is of sufficient importance to ask some time to present it at this time. I will be as brief as I may, in view of the importance of the subject.

A few days ago I offered a resolution, which was sent to the Committee on Naval Affairs, asking the view of that committee as to the practicability, and also the wisdom, of suspending our naval building program during the period of six months. The committee has now reported and the report is upon the desks of Senators.

I feel that this matter has another side to it than that which was presented by the committee, and that it is worthy of our consideration. It is a subject which we must deal with in a few days, when another appropriation bill comes before the Senate.

The question involved, Mr. President, in the resolution which I offered, had to do solely with the question of what constitutes a modern navy, an efficient navy. It did not relate to the question of disarmament, as covered by a previous resolution, but was confined solely to the other question, whether we are building a navy which, when completed, will in any sense be a modern fighting navy.

It is conceded that we are building the most expensive kind of a navy which we could possibly build. The question is, Is this expensive navy also an efficient navy? Unless ultimately we can arrange, through agreement, to curtail the expenses of naval armaments we shall want a thoroughly modern navy. If it should transpire that the most expensive navy is also the most inefficient navy, it would constitute a double crime upon the part of Congress to proceed with the program.

It would not only be an offense against the taxpayers of the country, but it would be a crime against the people of the country in purporting to give them security which it does not give. I am urging this suspension, therefore, both in the interest of economy and efficiency, both for the protection of the taxpayer and the protection of the country.

In other words, if we expend our means and do not receive our security, we have not only offended in the question of economy but we have offended against the even greater proposition of security. The resolution which I offered, and which went to the committee, was designed to draw from the committee a report based upon an investigation, which it was presumed would be somewhat complete, as to whether the Navy which we are now building is the kind of a navy which the best minds, the best thought, and the best judgment of the world now regard as an efficient navy.

I am frank to say, Mr. President, that I do not think we have given sufficient consideration to this question. In saying that I am not criticizing those who have studied it in the Navy Department, but as a general proposition it has not been a subject sufficiently considered by the people of this country.

During the Great War Germany had enlisted in her submarine service altogether 10,000 men. Those 10,000 men, through the submarine warfare, in spite of the grand fleet, supported by the Navy of the United States and the navies of France and Italy, came very near winning the war and brought Great Britain to the verge of starvation.

Those figures, with the facts which are within the knowledge of all as to what they effectuated in the war, must impress upon everyone that there is a phase of modern naval warfare which needs to be considered in the matter of constructing a modern navy. In spite of the fact that the great navies of the world were in the service of the Allies, we must accept the proposition from the men who are in the naval service themselves that at one time these 10,000 men had brought the war near to a successful conclusion upon the part of Germany.

Mr. THOMAS. The Senator, of course, will not overlook the fact that the submarine menace was not overcome by battleships or by the battle fleet, but by new methods of counterattack advanced, which alone prevented the ultimate success of the German submarine campaign.

Mr. BORAH. The Senator is correct in his position.

Mr. FRANCE. I hope the Senator will not overlook the fact that but for the British fleet the German men-of-war could have bombarded English cities.

Mr. BORAH. I will not overlook any facts I can think of. However, I will cite the Senator from Maryland to some of the experts of the British Navy who take an entirely different view from that suggested by the Senator.

I want to say in the beginning, Mr. President, that as a layman, of course, I do not offer an opinion before this body as to what constitutes a modern navy. My only desire is to bring before the Senate, and to bring before the public, the views of those who entertatin a different idea from that which prevails in our Committee on Naval Affairs. I do not assume to say that the different view is the correct view. Perhaps I ought to say, however, that I have an impression about it; but I am not here to offer an expert opinion, because I am not an expert upon the subject. I do want to call attention to a vast amount of information upon the subject from those who are qualified to speak, and who are justified in speaking, and who I believe speak in good faith.

England, Mr. President, appreciating the situation and knowing the effect of the submarine warfare, immediately upon the close of the war entered upon a thorough investigation of the entire question of what constitutes a modern navy, and to that end she suspended her building operations for the period of six months, and referred the entire question of what constitutes a modern navy to the committee upon imperial defense. Furthermore, she scrapped all her capital ships which were then in process of construction, and there has not been a capital ship laid down in England, or by England or France or Italy, since the close of the war. They were waiting on this investigation. What the investigation will finally determine is a thing which the future will disclose. What I desire was to have determined the question of whether it was practicable for us to suspend our building program for six months until we should have the benefit of the results of this investigation, and such investigation as we could and should make. It is a matter of the greatest moment and entitled to the most thorough investigation and the most impartial consideration.

We should be sure when we expend this vast amount of money which we are about to expend that it is so expended as to bring its return in security and in protection by a real, efficient, and modern navy. And, moreover, we should not put one dollar on the taxpayer which can be avoided.

When this suspension took place in Great Britain there immediately began a discussion between different members of the navy and upon the part of men who were not members of the navy, and that discussion has been going on now for several months. As a basis for my justification in taking the time of the Senate I wish to refer briefly to some of the discussion, principally for the purpose of getting it into the RECORD, that it may go along with the report of our Committee on Naval Affairs.

This is an article by Rear Admiral S. S. Hall, of the British Navy. He said:

Lord Jellicoe has told us that by reason of the submarine campaign in the last war we were "closer to ruin than we have been for 200 years." But even he has not told us how close we were.

Confidence in the capital ship, however, was badly shaken; how could it be otherwise when our grand fleet, supported by all the fleets of our allies, was impotent to help us whilst we hovered on the brink of disaster? Who can wonder if the public are bewildered at the thought of rebuilding such an armada when the cost of each unit has risen to at least eight millions?

Mr. THOMAS. Eight million pounds?

Mr. BORAH. Yes; 8,000,000 pounds, not dollars.

Indeed it is very much more, for they require a host of craft to assist and protect them.

They want to know more exactly what these leviathans are to be built for. To be told that they will win a naval battle, if they get one, is not sufficient, for we have just spent four years waiting for such a battle, and in the end won the war without it. It is time to make an examination of our naval experience in the last war, with particular reference to the future of the capital ship, and to show that in the full light of that exerience a complete change is demanded in the composition of our fleet. I am sensible—

Said Admiral Hall—

of being about to tread on holy ground, for the sanctity of the quarter-deck is ingrained in all who have spent their life on it.

Further on he said:

The main purpose of our fleet was clearly defined in an Admiralty memorandum of 1910:

"The real serious danger that this country has to guard against in war is not invasion, but interruption of trade and destruction of our mercantile marine. * * *"

Which the grand fleet was wholly unable to do during the war.

The strength of our fleet is determined by what is necessary to protect our trade.

So ran this memorandum to the war office on the subject of invasion. It proceeded to point out the extreme difficulty of invasion at that time and concluded with the decision "that an invasion even on the moderate scale of 70,000 men is practically impossible." To carry out this main naval purpose, the strength of our fleet before the war was based upon what was known as the two-power standard, which meant that we were to be able to compete successfully with any two foreign navies. Then came the war, and we were fortunate enough to find ourselves not with a two-power standard, but with France and Russia immediately on our side, quickly followed by Japan and Italy and lastly by America. And yet we nearly suffered defeat from the attack on our trade.

* * * * * * *

It should be noted in passing that when we read that the grand fleet mastered the submarine menace, and the submarine did not materially affect the value of the capital ship, etc., statements are not founded upon fact. With the provision of about 100 destroyers and a great many other craft, the capital ships were certainly safer, but it should be remembered that they were not often at sea, and their defenses were never tested. The grand fleet was practically ignored altogether. In fact German submarines had very stringent orders not to attack men-of-war. On no occasion was the grand fleet subjected to a serious attack by submarines; the latter's sole objective was our mercantile marine.

* * * * * * *

It is my firm belief, and that of many others, that had Germany employed her submarine torpedo vessels against our surface war fleet and equipped a proper submarine cruiser fleet for a war on commerce, she would have won the war.

Mr. POINDEXTER. May I ask the Senator what that last authority was to which he referred?

Mr. BORAH. I was reading from Admiral Hall of the British Navy.

Mr. McCORMICK. Mr. President, may I ask the Senator a question?

Mr. BORAH. Certainly.

Mr. McCORMICK. What was Admiral Hall's command during the war?

Mr. BORAH. I do not know. It can easily be ascertained.

Mr. McCORMICK. Did he have a command?

Mr. BORAH. I do not know. Does the Senator know?

Mr. McCORMICK. No. I asked for information.

Mr. BORAH. I do not know what his command was. I am sure I can ascertain that. He was stating facts which I do not think can be disputed. We all know how we walked the floor for months and months and wondered what the grand fleet was doing. The German grand fleet would not come out to fight, and the English grand fleet would not go in after them and in the meantime England was being brought to the verge of disaster by 10,000 men in charge of submarines.

Mr. McCORMICK. I venture to answer that he expressed an opinion when he said that, in his judgment, if the Germans had organized a submarine fleet against the capital ships they would have won the war. That was not a statement of fact; it was a statement of opinion.

Mr. BORAH. It was a statement of opinion based on facts.

Mr. THOMAS. Mr. President——

Mr. BORAH. I yield to the Senator from Colorado.

Mr. THOMAS. Is the Senator familiar with the contributions on the war of Admiral Sims to the World's Work?

Mr. BORAH. Yes; I have read them.

Mr. THOMAS. The Senator will recall, perhaps, that he stated, and I think on more than one occasion in his contributions to the World's Work, that shortly after he himself went to England, having been sent there by the United States Government, he discovered the submarine menace to be quite as great, and the probability of its success quite as great, as has been outlined by Admiral Hall, and as was largely foreshadowed, although Admiral Sims does not say that, by the opinion of Sir Percy Scott, who is certainly an authority in admiralty circles in Great Britain.

Mr. BORAH. Yes. Sir Percy Scott has seen service and is an authority upon the subject, but I read from Sir Percy Scott pretty fully the other day. So I am not taking the time of the Senate to reread it, except one or two brief paragraphs.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. BORAH. I am happy to yield.

Mr. GERRY. Did I understand the Senator to say that the British Admiralty had not determined whether the capital ship was a necessity for naval warfare?

Mr. BORAH. As I recall, the navy itself, through its administrative officers, determined in favor of the capital ship, but the Government of Great Britain and the people of Great Britain were not willing to accept that conclusion, and therefore it was finally referred to the committee upon imperial defense, where it is to be thoroughly investigated, not by the navy alone, but by all who may have opinions with regard to it.

Mr. GERRY. I will say to the Senator that I called attention in some remarks I made last Wednesday to a statement of the first lord of the British Admiralty in explanation of the naval estimate for 1920 and 1921. In his opinion the capital ship remains the unit upon which sea power is built and that the late war has not shown that it is antiquated. Further than that, I quoted a statement from Admiral Von Scheer, right after the Battle of Jutland——

Mr. BORAH. Which statement of Von Scheer has been greatly modified since.

Mr. GERRY. Since Germany has no battleships and when it would undoubtedly be to her disadvantage for other nations to have them.

Mr. BORAH. I do not recall that Germany has any submarines either.

Mr. GERRY. It would be very much easier for Germany to build submarines than it would for her to build battleships.

Mr. BORAH. Not a particle easier under present conditions, because she can not spend $40,000,000 any more than she can spend $1,000,000. She has not either one and has not the authority to spend either. Does the Senator think Von Scheer has joined the propaganda to mislead us?

I read now from another article of Admiral Hall the following paragraph:

Repeating that our main naval purpose is to protect our trade, let us now examine the fitness of our present fleet to fulfill its object.

* * * * * * *

Is it supposed that our future enemy, whoever it may be, will be more obliging than our last, and that he will immediately come out to meet us in inferior strength? Why should he? If he does not, I would ask any reader to select any enemy he choses and, if he ever visited Scapa during the war, to tell us how he proposes to keep open the lines of communication of such an armada as he saw there in the face of the opposition to be expected. I contend it would take another armada to do it, if it could be done at all.

To go further, will an advocate of the capital ship tell us what he will do with these vessels after he gets them abroad, even if he is granted a battle and wins it, observing that the main accomplishment of the purpose of our fleet—the protection of trade—has not even been commenced by anything he has done? The conclusion I reach is that in any naval war that can reasonably be forecast, capital ships can do nothing to assist in the protection of trade, either directly or indirectly. It is even worse, for by retaining whole flotillas of light cruisers and destroyers they actually retard any other measures that may be undertaken. They are also locking up large numbers of valuable officers and men, and in peace are liable to absorb the greatest part of the navy estimates.

That latter opinion, I think, we will all agree with—that capital ships will absorb the greatest proportion of the naval estimates. It costs $40,000,000 now to build a capital ship, and that is more than we are appropriating for the entire subject of agriculture. It costs $40,000,000 to build 1, and we are building 16. Then the program will be to spend millions more to build the fighting machines which we will have to have in order to protect our capital ships.

Mr. GERRY. Will the Senator yield again?

Mr. BORAH. Certainly.

Mr. GERRY. I think it is very clear that the reason why the British Navy are not building capital ships is on account of the expense and not because they believe they have outlived their usefulness.

Mr. BORAH. I have heard that stated before, and it may be that the Senator is correct. I do not know. I only know it is not the reason assigned. England is perfectly able to build and unless an agreement is reached England will build an adequate navy. Let no one be misled into the belief that England can not protect England. If we are entertaining such fatuous ideas, we are doomed to a sad awakening, an expensive awakening.

Mr. SMITH of Arizona. If the Senator will permit, for my own information I desire to ask him a question. Because of Great Britain's peculiar position and her small territory, so far as the British Isles are concerned, of necessity she must live on her commerce.

Mr. BORAH. Yes.

Mr. SMITH of Arizona. As to the protection the battleship affords to commerce, I have no doubt the correct view has been expressed; but as to a great self-supporting country which in the exigencies of a tremendous war can live on herself, I desire to ask whether or not the argument would apply as it does in the case of England, which must live on her trade?

Mr. BORAH. I will come to that in a few moments in connection with the views of another admiral. I now read, Mr. President, from Admiral Henderson, of the British Navy. He says:

The principles hitherto governing the use of the now-called capital ship no longer apply; they reached their maximum in the middle of the last century, when she had freedom of movement limited only by the weather, and a large radius of action limited only by her three-months' supply of fresh water. When all her displacement except the weight of hull, stores, crew, etc., and the comparatively small proportion required for sail propulsion, was devoted to great offensive power in a large armament. Since then, owing to the introduction of steam and armor and the gradual development of her antagonists, the torpedo, the submarine, the mine, the bomb, and the aerial torpedo—the powers of which will in the future be greatly increased—she has lost her mobility, her freedom of movement, her radius of action, and her comparatively great offensive power. She is now no longer supreme on the water; if she goes to sea, her main object is to protect herself; she can not move without defensive auxiliaries of all kinds. Greater and greater proportions of her displacement are being taken up in self-protection and defensive devices, and though her speed, which is one of them, has been increased, her cost is prohibitive. Battle fleets of opposing powers are necessarily confined to their bases, watching one another. The weaker fleet will never come out to seek destruction, and the naval work of a war will be carried out by smaller craft of all descriptions—we have had recent examples of this. * * *

Judged by these considerations, the day of the capital ship as now conceived is over——

Mr. McCORMICK. Is the Senator from Idaho still reading from Admiral Hall?

Mr. BORAH. No; I am reading this extract from Admiral Henderson; and there are many more to hear from if time permits.

He proceeds:

And the cost of a new fleet with the necessary docks and facilities for maintaining it is beyond our present financial resources. To many it will appear inconceivable that temporarily we may become the third naval power, but the antidote to the capital ship will be so rapidly developed that the fact will be realized by others as well as ourselves, and it will not be wisdom to incur what will prove to be a useless expenditure.

Mr. BRANDEGEE. Mr. President——

Mr. BORAH. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. The Senator from Idaho seems to be reading from interviews with certain authorities as set forth in different newspapers. Will the Senator, when he comes to revise his remarks for the RECORD, put the names of the newspapers and the date of each paper in the RECORD, so that Senators who are interested may read these comments in full? The Senator is only putting in extracts, as I understand.

Mr. BORAH. I shall be very glad to do as the Senator suggests, and hereafter, I think, I shall call attention to the names of the papers and their dates, so as to meet his suggestion.

Mr. POINDEXTER. Will the Senator from Idaho kindly state from what paper he has just read?

Mr. BORAH. The article is from Admiral Henderson. It is printed in the London Times. I again read from the London Times of December 14, 1920, page 13, another article, by Admiral Hall:

I am well aware that this most disturbing question, the only serious objection to abolishing capital ships, can only be thoroughly answered by giving in detail a concrete situation. One critic has said that the real answer to the scrapping of capital ships is to imagine ourselves with nothing but submarines at the beginning of the last war.

That, I presume, was what the Senator from Maryland had in mind.

I have already said that in the then existing state of torpedo craft of all kinds the capital ships were good value, but what of the future? Even supposing we must now prepare for another war with Germany, is it conceivable that Germany will in the course of her preparation neglect to provide herself with a properly designed submarine fleet, manned by officers who are fit and disciplined, and not sent to sea to get sober? What will all the capital ships in existence do against such a menace? My reply is, nothing. The only answer is in aircraft and submarines.

Another reason given for retention of capital ships is that German submarines never sank a modern one. The *Audacious* was sunk by one, but this is beside the point. The real reason is that they never tried. On some occasions enemy submarines on passage to the trade routes were reported to and, possibly, seen by our capital ships, but they were never seriously attacked by them. It was strictly contrary to their orders to attack men-of-war. Admiral Sturdee tells us that the Falkland Islands battle shows us we must have surface vessels to protect our trade routes. Will he tell us what he would have done if Von Spee had submerged? Here is a concrete case at last. Would not the Falklands be better provided with submarines and aircraft? They, at any rate, might catch the future Von Spee on the surface. They could have reached these islands just as quickly as our battle cruisers, and they would not have required refuel on arrival. Again, what could 100 *Sydneys* have done if the *Emden* had been able to submerge? This is the real issue.

* * * * *

Finally, I claim that a naval policy based upon aircraft and submarines affords us the only hope of protecting our trade—the main purpose of our fleet. That such policy will save us many millions on other estimates besides the naval ones, and will insure us a reasonable hope of command of the air in the next war, without which all effort will be futile.

Mr. HITCHCOCK. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. HITCHCOCK. I was stuck by the extract which the Senator read from the remarks of Admiral Henderson to the effect that the British would soon be third, or might soon be third, in the matter of capital ships. Does the admiral enlarge upon that statement?

Mr. BORAH. No; I read all that he said.

Mr. HITCHCOCK. The Senator from Idaho assumes that he meant by that that both the United States and Japan would have a superior number of ships?

Mr. BORAH. Yes; I assume that from what he said.

Mr. HITCHCOCK. Has the Senator considered at all the argument that might be presented to the United States if Japan should become superior to Great Britain in capital ships, with all her ships on the Pacific coast; as to what effect it might have upon the American policy?

Mr. BORAH. No; I was not discussing that feature of it. I had not reflected upon that feature of it particularly. Does the Senator mean what effect it would have upon the American policy as to the kind of navy she should have?

Mr. HITCHCOCK. Yes; the Senator is calling attention to the fact that Great Britain apparently has adopted the policy of discontinuing the construction of capital ships. On the other hand, there is Japan, which is doubtless alert and progressive in connection with naval matters, and she appears to have adopted exactly the opposite policy. According to Admiral Henderson, and in accordance with the other information that is available, Japan seems to be entering upon a policy of constructing a fleet of capital ships larger even than the fleet of Great Britain, or as large.

Mr. BORAH. No; Japan's naval building program is not nearly so large as that of the United States. Of course, I do not know how it will compare with the program of Great Britain until Great Britain formulates her program; but Japan is building submarines and perfecting her airplane service also. While we hear considerable about the capital ships she is building, I am reliably informed from sources in Japan, though not official, of course, that they are availing themselves of the experience of the war in building submarines and airplanes and are not relying on battleships.

Mr. HITCHCOCK. Undoubtedly; but apparently the statement of Admiral Henderson, if taken at its full value, indicates that Japan, as well as the United States, will in a short time have a navy, as far as capital ships are concerned, superior to that of Great Britain. If that is true, the Japanese Navy is going to be in the Pacific Ocean while the Navy of the United States will be divided between the Pacific and the Atlantic. I merely inquire of the Senator whether or not that gives him any food for thought? I can easily appreciate the importance of what he says—that Great Britain evidently has serious doubts as to the value of capital ships; but the Senator from Arizona [Mr. SMITH] stated the truth when he said that there is a vast difference between the situation of Great Britain and the situation of the United States. The British Isles are absolutely dependent upon commerce; if their commerce is obstructed, they not only are subject to enormous losses by destruction, but if their commerce is impaired or if transportation is interfered with, the people of Great Britain are brought face to face with starvation; and war upon their commerce is, therefore, almost necessarily fatal.

The United States, on the other hand, sits here on the Western Hemisphere between two great oceans; it is practically self-sustaining, and no blockade of her ports could cause serious consequences. In the case of Great Britain everything has got to come down into very small and pinched seas, where the submarine can move with tremendous effect; but in the case of the United States, with her thousands of miles of seashore, the submarine is much less effective as an opposing agent.

Mr. BORAH. I see now what the Senator has in mind, and I am going in a very few moments to read from the view of a member of the American Navy upon that very question as to the defensive effect of submarines so far as the United States is concerned.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. GERRY. The Senator in reading from one of the articles he has quoted brought out the fact that no battleships had been attacked by submarines. In Von Scheer's private memo-

randum to his own department he referred to an attempted attack on the *Marlborough* by a submarine. He states:

She was so well protected that it was impossible to get within firing distance of her. A torpedo was fired, but failed to reach its objective.

That was when the *Marlborough* was returning home, a crippled ship, after the Battle of Jutland, but even in that case it was impossible for a German submarine to sink her because of her screen of destroyers.

Mr. BORAH. That presents a difference of view which, I presume, would have to be finally adjusted in determining this question.

Mr. GERRY. I will say to the Senator that that is a question of fact.

Mr. BORAH. It may be a question of fact—I do not dispute that it may be such a question—but, upon the other hand, Admiral Hall stated a question of fact. Which one is correct I do not know.

Mr. GERRY. I am quoting an incident that took place after the Battle of Jutland.

Mr. BRANDEGEE. Mr. President——

Mr. BORAH. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Does the Senator from Idaho know that the Japanese Diet—if that is the name of their legislative body—decided to-day to go on with their naval program just as contemplated and estimated for?

Mr. BORAH. Does the Senator say they decided it to-day?

Mr. BRANDEGEE. Let me ask the Senator from Illinois [Mr. MCCORMICK] whether I correctly understood him to say that the Japanese Diet had decided to-day to adhere to their naval program as previously contemplated by them? I understood him to say so, and I wondered whether I was correct.

Mr. McCORMICK. Mr. President, I was planning to reply to the Senator from Idaho, however inadequately, when he had concluded, but since the Senator from Connecticut has asked about the action of the Japanese Diet, I can read the cable from Tokyo under the date of the 10th:

The House of Representatives to-day rejected, by a vote of 38 to 285, a resolution offered by Yukio Ozaki, former leader of the opposition party, proposing a curtailment of naval armaments. The entire Kokumin-to (nationalist) party and some independents favored the resolution, but the governmental Seiyu-kai and the Kensei-kai opposition party opposed it.

Mr. BORAH. I think that is a very splendid showing, considering that it comes from a militaristic Government. I have no doubt but that is what Japan proposes to do unless some agreement is reached; but I will say to the Senator from Connecticut that I am not discussing to-day the question of disarmament. I have not advocated that the United States shall disarm unless she can have an agreement with other naval powers to disarm. I am not proposing that the United States shall build an inefficient navy. What I am trying to get is the best minds of the country upon the question of what constitutes an efficient navy. If Japan is building and proposing to build, then, above all things, let us know how our money is being expended. Let us be sure we do not impoverish ourselves by building floating palaces which will serve us little in the hour of dire need.

Mr. McCORMICK. Mr. President, although the best minds are now occupied in devising an association of nations, I would submit for their consideration the balance of the dispatch, that the Ozaki resolution requested Japan to communicate with the United States and Great Britain and decide on the best way to restrict naval programs in conjunction with those nations. It was that resolution which was voted down 285 to 38.

Mr. BORAH. All the more reason, if we have got to enter into a competitive building program with Japan, why we should know that we are not expending the money upon an obsolete navy. That is the whole question here. If I am in error as to my view upon the subject, undoubtedly we will proceed upon right lines and not upon erroneous lines; but I think it worth while to have before the Senate and the country the fact that men who were engaged in the war, who participated, like Admiral Scott, Lord Fisher, and men in our own Navy, have come to the conclusion that the capital ship is obsolete against the modern submarine and the airplane.

We also know that while Japan is building some capital ships, she is not building capital ships as we are, practically to the exclusion of everything else. I am aware that the building program includes some submarines, but by no means in proportion to the amount which we are expending upon capital ships. At the time we ordered these 16 capital ships built we did not have a single modern submarine in the Navy.

Mr. POMERENE. Mr. President——

Mr. BORAH. I yield.

Mr. POMERENE. Assuming that we are going on with the building program, what would the Senator suggest with reference to the proportions between capital ships and submarines?

Mr. BORAH. Since the Senator seeks my view, I will say this: I have not, as I said, been able to form much of an opinion of my own. But I have talked with a member of the American Navy, and it is his opinion there are six of these battleships that we could very well discontinue, and that it is his judgment the Navy would be much better off if we did discontinue them and take the $300,000,000 which we are expending upon those six battleships and put it into submarines and airplanes. It is his opinion that if we should do that we would have a very much stronger navy with less money than we will have if we build the 16 battleships as now proposed.

Mr. McCORMICK. Mr. President, may I interrupt the Senator at that point?

Mr. BORAH. Yes.

Mr. McCORMICK. I take it that the Senator does not care to name the naval officer; but let me say to him that the admirals who appeared before the committee, including Admirals Sims and Fiske, gave it as their judgment that we should go on and complete the battleships of which the keels have been laid, including the *Massachusctts*, No. 54, of which only 5 per cent of the hull has been completed. We pressed them on that point because they advised us that the British Admiralty had ordered that those ships of which only 10 per cent of the keels had been completed should be abandoned.

Mr. POMERENE. Mr. President, will the Senator yield?

Mr. BORAH. Just a moment. I am perfectly aware that Admiral Sims and Admiral Fiske both stated that general conclusion, but no man can now take the testimony of Admiral Sims and Admiral Fiske before the House committee and not come to the conclusion that both of those men believed that in less than five years these capital ships will be absolutely obsolete.

I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, if I may be permitted to ask the Senator from Illinois a question, the Senator has just told us what these admirals said with respect to capital ships. What, if anything, did they say with reference to submarines?

Mr. McCORMICK. They urged the committee to go on with the completion of the ships for which provision was made.

Mr. POMERENE. The capital ships?

Mr. McCORMICK. All the ships. They pointed out that during the war submarines and destroyers had been built in great numbers. They proposed that inasmuch as the lighter ships had been increased during the war that part of the program which provided for additional smaller ships should be abandoned and the sum expended in building two airplane carriers, and finally they insisted that we should go on with a program for the construction of battle cruisers, the keels of which have been laid but upon which very little work has been done.

Mr. POMERENE. Does the Senator mean, by "smaller ships," submarines?

Mr. McCORMICK. I mean the smaller ships of all categories.

Mr. BORAH. I am familiar with their testimony in a way. I have not been able to get the details of it yet; but while they did advise going ahead, and while I am not now saying that we should not go ahead—I shall have something to say about that later, when the naval appropriation bill comes along—I do say that an analysis of their testimony will disclose that they expect at no very distant day to see the entire naval warfare, so far as it is effective, carried on in the air and under the sea.

Mr. McCORMICK. Mr. President, I can not draw that conclusion from their testimony before the Senate committee.

Mr. BORAH. I should like to ask if the testimony before the Senate committee was taken down?

Mr. McCORMICK. Indubitably.

Mr. BORAH. Is it printed? I have been unable to get it.

Mr. THOMAS. Mr. President, I applied yesterday for a copy of the testimony, and I was informed that three typewritten copies only had been made, and that it had not been printed and that, being taken in executive session, it probably would not be printed.

Mr. BORAH. The reason why I asked the question was because I asked for a copy of it and was told that there were no copies to be had.

Mr. GERRY. Mr. President, if the Senator will yield, I think the attitude of the naval officers is that the 1916 building program should be carried out, and that in addition to that, if possible, airplane carriers and submarines should be built.

The other day I introduced an amendment to the naval appropriation bill authorizing the construction of four airplane carriers, because I agree with the Senator from Idaho that that is a branch of the service that we ought to develop. I also agree with him that we should further develop our submarine program; but until the airplane experiments can be properly carried out and properly developed, I do not believe that it is safe

to rely on that weapon alone and do away with the capital ships that we now propose to build.

Mr. BORAH. Mr. President, the Senator from Idaho has never suggested doing away with capital ships. That is the subject for investigation. The Senator from Idaho is now reading from those who do believe that they ought to be abandoned. I have not suggested it; but what I do say, what I have believed, and what I now believe is that it is the part of wisdom for us to stop our building program until we can know what we are expending this money for, and whether we should put more money in capital ships or less, more money in submarines or less, and how we should round out and make a whole, modern, effective fighting navy; because, Mr. President, I am just as certain in my own mind as that I stand here that unless an agreement is reached between the United States and the other great naval powers who are in competition with us it will as inevitably lead to war as the night follows the day. We had just as well be frank. Nothing is gained by lip silence when open competitive arming is going on. It always has resulted in war and it always will.

Mr. THOMAS. Or to bankruptcy.

Mr. BORAH. I am just as certain as that time goes on that within my time, if I live to the time allotted to Moses, there will be a war between this country and certain other countries with which we are now in competitive building, if we go on. I desire, therefore, first to make every possible effort by agreement to reduce and cut out this competitive naval building program. If that can not be done, I desire to have a navy that is in every sense a modern navy and an efficient navy. I want to see the people of these respective countries aroused to the fact that ahead of them, as a result of this arming, are misery, war, and bankruptcy; that they may force their Governments into understanding which will cut out this competition.

I now quote briefly from an article by Admiral Percy Scott, in which he says:

> We are on the eve of declaring a new naval program. Let us not forget that the submarine and aeroplane have revolutionized naval warfare; that battleships on the ocean are in great danger; that when not on the ocean they must be in a hermetrically sealed harbor; that you can not hide a fleet from the eye of the aeroplane; that enemies' submarines will come to our coasts and destroy everything. During the war the submarine dominated everything and very nearly lost us the war. It was only the Germans' want of forethought that saved us. With 50 more submarines—how little it would have cost them—they would have now been rulers of the world and we should have been a German colony. Our battleships and the German battleships were locked up for most of the war. The German admiral, Von Scheer, only saw the smoke of Jellicoe's fleet once; that was enough for him; he ran away as quickly as he could without doing any appreciable harm to Lord Jellicoe's ships.

I quote again from Rear Admiral Hall, who, I find, since the question was asked me, was, from 1915 to 1918, commodore in charge of the British submarine service. He says:

> We had a grand fleet with a preponderance of force of nearly two to one over Germany alone and an auxiliary navy of about 5,000 vessels. We had the assistance of the American, French, Italian, and Japanese navies. We held the most favorable geographical position for a naval war that the atlas can furnish. And yet our main naval purpose, the protection of our trade, could not be carried out. These are the plain, sad facts of our naval experience in the last war. The late Lord Fisher had an uncanny habit of being always right in big things, and the writer holds that he was so in this, and the only remedy is in his words, "Scrap the lot and transfer the navy to the air."

I quote from another officer of the British Navy, whose name I am unable to give. But the article shows that he is an officer in the British Navy. He says:

> In January, 1915, the British battle-cruiser force was in pursuit of an enemy battle-cruiser force. Every yard by which they could decrease the distance between the enemy and themselves was of vital importance, but they were forced by submarine menace to turn away, and so lose any real chance of accomplishing the destruction of the enemy. * * * At Jutland the commander in chief, grand fleet, with considerable superiority in strength and tactical position, was forced to turn away by threat of attack by torpedo, and so lost touch with his enemy, which he did not afterwards regain. Thus for the second time attack by the capital ships by the superior force was foiled by torpedo attack by the weaker force; one British battleship was hit with torpedo on this occasion. Again on August 19, 1916, commander in chief, grand fleet, with superior forces, was for the second time in contact with the enemy and made the well-remembered signal, "I expect to be in action in a few moments and have every confidence as to the result." Immediately afterwards he was attacked by torpedo; two light cruisers were sunk; no battleships came into action, and within half an hour of the signal being made the battle fleet was steering for its base. On each of these three occasions the torpedo proved a sure parry for the gun attack of the capital ships.

And, finally, I want to quote what I understand to have been one of the last statements of Lord Fisher upon this important subject. Certainly no one will question Lord Fisher's right and ability to speak upon the matter. The statement was made on the 12th day of September, 1919, and published throughout the English press and in America:

> Air fighting dominates the future war both by land and sea. It is not my business to discuss the land, but by sea the only way to avoid the air is to get under the water. That is why I keep emphasizing that the whole navy, as we have it now, has to be scrapped.

I do want to accentuate the fact that Lord Fisher, who was an acknowledged authority on naval affairs, declared publicly before his death that the thing to do was to scrap the capital ship and build submarines and airships. It can not be possible that the judgment of these men should be wholly ignored. In view of the fact that we now have $24,000,000,000 of indebtedness, with $4,000,000,000 annual expenses and $2,000,000,000 of deficit, it is not an unwise thing to know that every single dollar that you take out of the Treasury counts, and that it should not be taken out of the Treasury unless it is absolutely necessary for our safety and our protection. What I complain of is that there has never been, from the close of the war until this hour, any real investigation at all of this question.

Now, a word or two from closer home. I had expected to say something upon the testimony of Admiral Sims and Admiral Fiske, but I am going to wait until I can get the testimony in detail; and I should like very much to have the testimony taken before the Naval Affairs Committee of the Senate, because it must be very conclusive.

Mr. POINDEXTER. I would say to the Senator from Idaho that I think that testimony is available. Some of it, however, is regarded as of a very confidential nature, at least by the department or by the committee, and for that reason it was considered inadvisable to print it. But it is available to the Senator. I only know of one or two copies, but I can assist the Senator in getting access to it.

Mr. BORAH. I thank the Senator. Mr. President, I am going to quote now from statements of officers of the American Navy. I am not going to give their names at this time, but I will say that if the Committee on Naval Affairs will call them they can have the names any time they want them.

The first gentleman I desire to quote says:

> If we stop work on six dreadnaughts and six battle cruisers—and there is no question as to the wisdom of doing so—we may save $300,000,000 outright, or we will save at least half that sum in being able to convert these ships into other types that we will need. * * * We could, in my opinion, safely stop all building for six months or a year until we find out "where we are at."

He further says:

> I will stake my life that in one year from now it will be admitted that a surface navy alone can go nowhere but down; if it should by any chance get anywhere it can do nothing but sink.

Mr. STERLING. May I ask the Senator from Idaho from whom he reads now?

Mr. BORAH. I said I was reading the statement of an admiral retired in the Navy. I also said that his name was at the service of the Naval Affairs Committee if they desired to call him.

Mr. POINDEXTER. Is he on the active list?

Mr. BORAH. No; I do not think so. I think he is retired. This same authority said:

> The United States can never be successfully attacked in the future by any power or any combination of powers from overseas. The danger from invasion is no more. This is not an extreme statement. We may dismiss this thought from our minds, provided we maintain and properly utilize submarines, mines, and torpedoes. These defensive elements—all of them comparatively cheap—give us great—if not complete—immunity from successful attack by a foreign power. * * *
> We are absolutely safe from aggression. We can not be invaded. * * * It remains, therefore, to decide whether or not we ourselves are to be aggressive hereafter, and to what extent we consider it incumbent upon us to be aggressive for the protection of our commerce and to secure forceful influence in foreign affairs. Manifestly we can, if we choose, be very economical, reduce taxation, and greatly curtail appropriation for offensive warfare. It is a question for the people to decide.

Mr. President, I ask leave to insert entire certain printed matter. I desire to say that I am informed these articles were written by one who has seen long service in the Navy and who has been an earnest student of these questions.

The matter referred to is as follows:

FUTURE NAVAL WARFARE.

[By Quarterdeck.]

The nation that first solves the problem of future naval warfare will not only save billions of dollars but will most surely safeguard itself. We should act at once.

Thinking men in all navies are alive to the fact that a revolution, more or less complete, in naval architecture is sure to come in the not very distant future.

CHANGES IN SHIP DESIGN.

There are three principal elements conspiring directly to force a change in the design of fighting ships:

1. Aviation—land and sea planes.
2. The development of the submarine and submarine mines.
3. The perfection of the torpedo plane.

It is not sensationalism, it is in line with plain common sense, to predict that these three factors, previously somewhat undeveloped but now being perfected in their offensive deadliness, are sounding the ultimate doom of the $40,000,000 superdreadnaught. We may soon be forced, for economical as well as military reasons, to resort to smaller and cheaper battleships, turtleback ships, or submersibles—ships that will be less vulnerable to attack by immense charges of high explosives discharged from the air above and from the sea below.

In making these predictions we must avoid extreme statements and rabid recommendations. We must admit that at present the super-

dreadnaught is the embodiment of sea power. We can not scrap all our dreadnaughts now, but we may very wisely doubt the advisability of building or designing any more of these very expensive ships if we already have enough to meet any probable enemy upon the sea. Pending the development of the bombing and the torpedo plane we must retain the dreadnaught. This is reasonable.

On the other hand, we can meet the argument of those who say that bombing is inaccurate and that the torpedo plane is a dream by predicting that bombing and the torpedo plane will soon become accurate and deadly. Bombs are not fully developed. We may expect the invention of a combined contact bomb and depth charge or mine carrying an enormous charge. If it does not hit the ship, it will land in the water and act as a mine. Imagine a large force of airplanes placing a barrage of such mines around a fleet, particularly at dawn or twilight, when the planes can not be easily fought off. They may not even attempt to get very close or to score a direct hit. Will an admiral gladly conduct a fleet through a sea planted thickly with such mines? The time has come to "stop, look, and listen." Air navigation, bombing, mines, and torpedoes are in their infancy. We must anticipate the improvements of the immediate future in view of the astonishing developments since the armistice.

FUTURE SEA POWER.

Sea power will continue to exercise the same powerful influence in the future as in the past. But it must be plain to the most casual student that sea power, as expressed in present types of ships, must be allied with air power hereafter. Sea power can not exist alone. The fleet composed of present types, no matter how powerful, must be safe from above. The fleet must at all times control—completely control—the air above itself. When the fleet loses control of the air above it can not long exist, unless, of course, the future ship is made invulnerable from air attack. In other words, a revolution in ship design—nothing else—can make sea power again supreme. Sea power can not defy air power unless the design of the fighting ship is radically changed.

The full influence of air power upon future warfare—ashore and afloat—has not been properly emphasized. It is astonishing that so little attention has been given to this subject.

THE DOMINATION OF AIR POWER.

We have asserted that air power will inevitably force a change in battleship design; but this is not all. Is it not clear that air power will absolutely forbid the transportation of great armies overseas in the future? Can a fleet of defenseless transports, loaded with thousands of men, ignore a rain of bombs, and approach a coast and land these men in safety? It is evident, even to a schoolboy, that this can not be done unless the transporting fleet completely and constantly controls the air above itself. And it must be equally evident that the attacking fleet—no matter if convoyed by an overwhelming force of battleships—can not carry with it across the Atlantic or the Pacific a sufficient force of airplanes to retain control of the air against a defensive nation which possesses an adequate air force.

The nation attacked, therefore, has a controlling advantage and can easily mobilize an air force sufficient to overwhelm the force of airplanes that can be transported overseas. Tons of high explosives will be dropped upon unprotected decks, and a deadly barrage of mines will be planted in the paths of helpless transports. They can not live.

AIR POWER PREVENTS WAR.

It would seem, therefore, that air power alone will tend to prevent, or discourage, war between nations that are separated by thousands of miles of sea. And if we stop to consider the fact that the defensive nation can bring mines, submarines, and torpedo planes to assist its bombing air force against an attacking fleet of transports, does it not appear almost impossible for nations to wage war overseas with great armies hereafter? Surely we may say that coast defense in the future will be comparatively easy. It will be practically impossible for one nation to successfully attack the coast of another nation.

We have asserted that air power, especially when allied with mines, submarines, and torpedo planes, will inevitably revolutionize battleship design and prevent the transportation of large armies overseas hereafter. In short, sea power will be dependent upon air power.

Granting this, we see that the defensive is greatly strengthened and the offensive is greatly embarrassed in war overseas. It follows, logically, that the defense of our outlying possessions—the Philippines, Guam, the Hawaiian Islands, Porto Rico—will be much easier. A strong air force, allied with submarines, torpedo planes, mines, and torpedoes may suffice, unaided by a fleet, to at least hold off an attack if not completely defeat a hostile fleet.

HOME DEFENSE.

The United States can never be successfully attacked in the future by any power or any combination of powers from overseas. The danger from invasion is no more. This is not an extreme statement. We may dismiss this thought from our minds, provided we maintain and properly utilize submarines, mines, and torpedoes. These defensive elements—all of them comparatively cheap—give us great, if not complete, immunity from successful attack by a foreign power.

Inasmuch as the defensive policy is so simplified and strengthened for the United States in the future, we have only to think of the offensive. And the consideration of the offensive elements in future warfare overseas as far as the United States is concerned and the appropriations by Congress for offensive purposes hereafter must be governed by our national policy. We are absolutely safe from aggression. We can not be invaded. League of Nations or no League of Nations, it matters not. It remains, therefore, to decide whether or not we ourselves are to be aggressive hereafter and to what extent we consider it incumbent upon us to be aggressive for the protection of our commerce and to secure forceful influence in foreign affairs. Manifestly we can, if we choose, be very economical, reduce taxation, and greatly curtail appropriation for offensive warfare. It is a question for the people to decide.

Preparedness is as important as ever. Preparedness for defense is much easier than ever before in our history. Preparedness for offense, if we are to attack overseas, is more difficult than in the past. New elements have greatly changed the material, the strategy, and the tactics of the offensive overseas.

FREE SPEECH IN THE NAVY.

It behooves the United States, as never before, to give this subject immediate and intelligent consideration. We may save billions of money and relieve a sorely taxed people if we encourage experts, inventors, skilled strategists, and zealous officers of the Army and Navy to concentrate upon this subject. Discussion must be welcomed. Suggestions and criticisms must be invited. The Navy Department and the War Department as well must set officers free from the throttling and muzzling policy of the past, and permit ability, intelligence, and loyalty to express themselves. Personal servility and subserviency to individuals, whether civil or military, must not be demanded of Army and naval officers. Such policies defeat preparedness. Such policies put mediocrity at the helm in the Navy. A violent change is demanded right now. The stifling of respectful free speech in the Army and Navy should not be tolerated in the future. In this Great Britain shows us the way. Her officers are not smothered professionally. Her policy in this respect spells freedom, not autocracy. The days of czars and kaisers are past—even in the United States. We need an adequate Navy, always up to date, always ready for battle—not some of the time, but all of the time; every minute of the time.

Mr. BORAH. I gave the Naval Affairs Committee the name of Capt. Hart, but I understood Capt. Hart was not available, and he was not called.

Mr. POINDEXTER. He was in Guantanamo, and as long as we had the testimony of three or four other gentlemen whose names the Senator suggested we thought that was sufficient.

Mr. BORAH. I am not criticizing. I understood he was not available.

Mr. KING. I did not hear all the statement of the Senator from Washington, but I asked the committee—and I do not think it is executive—if a certain admiral has been called to give testimony relative to this matter, and I understood from some member of the committee that he had testified before the House committee. Upon examination of the record I discovered the fact that he was not called in the House. I regret that, because I am sure his testimony would have been very illuminating upon this subject.

Mr. POINDEXTER. I think the Senator was misinformed in regard to that. I think he refers to Admiral Fullam.

Mr. KING. I am referring now to Admiral Fullam.

Mr. POINDEXTER. My information is that he gave testimony before the House committee upon this subject, and I assume that his testimony is available. At the time the Senate committee undertook to get him, we were informed that he was on the witness stand before the House committee, and when we afterwards, the second time, undertook to secure his attendance we found that he had returned to New York, and concluded that, in view of the fact that he had given his testimony, it would not be necessary to send for him.

Mr. KING. I asked for the hearings before the House committee, and in those hearings which were transmitted to me the name of Admiral Fullam does not appear, and I do not think he testified over there. I am sure that neither House has had the benefit of his wide experience.

Mr. POINDEXTER. The Senator is mistaken, I think. I think I can get his testimony for him.

Mr. BORAH. I think the Senator from Utah is correct. I do not think Admiral Fullam has testified. I understood from the Senator from Utah that he had testified, and I asked for his testimony and was unable to secure it. I hope, however, that we are in error and that we will have his testimony, because I think it would be illuminating.

Mr. BRANDEGEE. Did the authority last reported by the Senator from Idaho, which, as I heard it, merely confined itself to the susceptibility of this country to invasion, discuss the question whether our commerce could be maintained on the seas and whether our insular possessions could be safely held with simply submarines and bombs from airships? Did he touch upon the points I have suggested?

Mr. BORAH. He has covered those points; but I did not read what he said regarding them, because I have asked leave to insert the article in the RECORD. I am going to insert a number of these statements in the RECORD, because I do not want to take the time to read them, and I know Senators will read them as soon as they have an opportunity to do so.

This authority from whom I quoted a moment ago says:

When Admiral Sims went to England in April, 1917, he immediately reported that the German U-boats were winning the war. In this he was backed by the late Ambassador Page and by Admiral Jellicoe, who admitted that England could not go on unless the submarine was conquered. The grand fleet was intact. The German cruisers had been driven from the sea. The German fleet was bottled up. The navies of France, Italy, and Japan were helping out the grand fleet. About 4,000 antisubmarine craft were hard at work chasing submarines. And yet England was facing starvation. Let these facts penetrate our brains at the beginning of this review. Capt. Hart estimates that not more than 10,000 officers and men of the German Navy were employed throughout the war in their submarine fleet. As a rule not more than 30 German submarines, manned by about 1,500 men, were at sea at any one time in the war. And let us remember that against these 10,000 men the personnel of the navies of Italy, Japan, and the United States, numbering, all told, more than 1,000,000 men, were arrayed. Furthermore, against these 30 U-boats and 1,500 Germans 400 small craft were busily searching the seas every hour of the day.

These 10,000 men came very near winning the war, starving England, and overcoming the combined fleets of Great Britain, Japan, the United States, Italy, and France.

If I may make my position clear again, it is that this reveals a condition which makes it absolutely incumbent upon us to know in what proportion we should expend our money for capi-

tal ships, for submarines, for aircraft, and for those things which constitute in the minds of these men the best modern fighting navy, and what I suggested was a suspension of the building program for six months.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. The Senator will recall that the constructors and the advocates of the League of Nations declared that an enormous navy was the alternative to the scheme. Those gentlemen are now very largely engaged in advocacy of the present naval program. Not only so, but many of them contend that it is the duty of the United States to provide itself with the greatest navy in the world. Does the Senator see any connection between that attitude and the possible desire to force that program for the purpose of changing the sentiment of the American people and thus securing hereafter our ultimate entrance into the League of Nations?

Mr. BORAH. The suggestion is a good one, but I will not follow it up, because it would lead to a discussion which would take the rest of the afternoon.

Mr. THOMAS. If the Senator will permit me, there seems to have been a complete change of opinion on the part of some distinguished gentlemen regarding our need for an enormous navy, for I recall very distinctly that in the days when I was opposing the expansion of the Navy beyond what seemed to me to be good limits those gentlemen were in sympathy with me, or, to put it more modestly, I was in sympathy with them. But they now seem to be among the loudest, most strident advocates of an enormous naval program.

Mr. BORAH. Yes; I have observed that. Mr. President, I have read to-day from the statements of several members of the British Navy; and that suggests another proposition which has been circulated throughout the country, that Great Britain is actually engaged in propaganda to prevent us building capital ships; that that propaganda has the indorsement of the British Navy, the British ministry, the British people, and the British press. Discount therefore is to be placed upon the views of the members of the British Navy. This, it is said, is because Great Britain can not build capital ships—has not the means. She therefore, it is said, is actually engaged in a propaganda—circulating the news throughout this country that they are obsolete—in order to discourage us from building those ships.

Not only that, Mr. President, but the information is put out to the country that the facts and the proof as to the propaganda of the British Navy and the British Government are now in the possession of the Navy Department at Washington. If that is true, Mr. President, that is one of the grounds on which we went to war with Germany—that they were actually interfering with our program of preparedness; that they were engaged in propaganda which was to mislead the judgment of the American people as to the necessity of preparedness.

If the information to this effect is in the hands of the Navy Department, the Congress of the United States and the people of the United States are entitled to have it. This is no time for secrets. The people were fed on falsehoods and denied information for a quarter of a century prior to 1914, and we know the result. So far as I am concerned I shall adopt a different course for the future and as fully as within me lies I shall force the facts to the public.

We are informed that the British ambassador is on his way here for the purpose of proposing a scheme of disarmament, and at the same time we are informed that here in the archives of the Navy Department is conclusive proof that the British Government is engaged in the preparation of false facts for the purpose of accomplishing a false end. I read a paragraph from an article published a few days ago in the Washington Post:

> The British Admiralty has been, and still is, conducting a very active campaign to prevent, if possible, the completion of the American 1916 program of 10 battleships and 6 battle cruisers. Reliable information to this effect has been received from officers of the United States Navy whose business it is to keep the Navy Department constantly advised of what is transpiring in foreign countries and to warn the Government against legitimate but misleading attempts of foreign naval authorities to discourage plans which would increase the value of the American Navy in proportion to their own.
>
> According to one ranking officer here, reports from abroad may be summarized as follows:
>
> "The British do not want us to finish those ships, because it will put the United States on an equal footing in battleships. Attempts to minimize the value of capital ships, especially battleships, must be viewed as part of this carefully planned propaganda."

I should like to ask the Committee on Naval Affairs if they undertook to investigate that feature?

Mr. POINDEXTER. What feature was that?

Mr. BORAH. As to whether the Navy Department has any evidence of propaganda being carried on by the navy of Great Britain and by the Government of Great Britain to mislead us as to the building of capital ships.

Mr. POINDEXTER. There was some testimony on that subject, but the committee were not of the opinion that it ought to be published. It is accessible to the Senator.

Mr. BORAH. If the Senator gets it, it will be accessible to the public.

Mr. POINDEXTER. I have not anything to say about what the Senator does with information that he obtains. That is for him to determine.

Mr. BORAH. I would not receive that kind of information if I could not give it to the people of the country, who have to pay the taxes and suffer in the event war comes.

Mr. POINDEXTER. That is equivalent to saying that any information we get as to our international relations ought to be given to the public. My opinion is that the publication of information of that kind sometimes creates international difficulties that otherwise might be obviated. I do not agree with the Senator in his conclusion; but of course that is a matter for him to determine.

Mr. BORAH. I can imagine such a condition, but here is a different situation. We are supposed to be upon the friendliest relations with Great Britain. She is indebted to us billions of dollars. We are forgiving or rather refusing to collect the interest. Our relations are supposed to be the friendliest. The people of this country are told day after day that they are of the friendliest. Now, I am told that in the possession of the Navy Department here is evidence that Great Britain is not only unfriendly but actually engaged in circulating false propaganda throughout this country for the purpose of misleading the American people as to the necessity for preparedness or building a naval program.

I say that that kind of evidence under no theory of secrecy in secret diplomacy ought to be withheld from the people. My own opinion is that it is not there. I can not conceive of such a condition of affairs. My own opinion is that the facts are not to be had, but if the Naval Committee has not got them, then it should get them. It is nothing less than startling that we should ignore this statement which was accredited to an officer of our Navy.

Mr. KING. Mr. President——

Mr. BORAH. I yield to the Senator from Utah.

Mr. KING. If the naval authorities and the British Government, as the result of the war and their investigations, reached the conclusion that there ought to be modifications of their program with respect to capital ships and that capital ships were not as important in naval warfare as in the past we have believed them to be, would the Senator regard it as an unfriendly act if their conclusions based upon their judgment were furnished to the American people or to the people of any other country? On the contrary, does not the Senator think it would be an act of friendliness?

Mr. BORAH. I do. I am not complaining of presenting the facts. This statement is to the effect that they are sending out statements which are not true, and that they are for the purpose of misleading.

Mr. POINDEXTER. I wish to say, regarding the matter just spoken of by the Senator from Utah, that it has been published and included in the report which the resolution of the Senator from Idaho, that was adopted by the Senate, instructed the Senate committee to make. The resolution of the Senator was mandatory in form, and instructed the committee to make a report of what its opinion was upon certain questions, and included in that report, which was published and is accessible to everybody, is the information which the Senator from Utah refers to in his question as to whether it would be an unfriendly act to publish it. The information is that the British Navy has not abandoned the battleship; but, on the contrary, emphasizes the fact that the battleship is the backbone of the British fleet.

Mr. BORAH. The navy itself has come to that conclusion, but the British Government refused to accept the conclusion.

Mr. POINDEXTER. I think that the Senator is somewhat mistaken about that. There is quoted in the report the most authoritative expression that it is possible to obtain from the British Government, and that is the speech of the first lord of the Admiralty in presenting the naval bill to the House of Commons.

Mr. BORAH. I am perfectly aware, and the Senator is also aware, of the fact that after that speech was made the entire question was referred to the committee upon imperial defense, and there it is for investigation.

Mr. POINDEXTER. That is not different in any way from what the United States has done, or at least the Senate has done, at the instance of the Senator from Idaho. They referred

the question to the Committee on Naval Affairs of the Senate, but that is no evidence of having abandoned the battleship.

Mr. BORAH. But here is the difference: The Government of Great Britain suspended building operations for six months, and in the meantime referred the question to the committee on imperial defense for investigation. There it remains for six months, notwithstanding the fact that the navy decided that the capital ship was the backbone of the navy.

Mr. POINDEXTER. I do not desire to interrupt the Senator too much, but——

Mr. BORAH. I have no objection to interruptions.

Mr. POINDEXTER. The British battleship line is about double in strength that of any other nation at this time, so they could well afford to suspend additional construction.

Mr. BORAH. The British battleship line is not by any means double so far as modern ships are concerned. The battleships of Great Britain, in view of the Battle of Jutland, are not regarded as an effective navy at all.

Mr. BRANDEGEE. Will the Senator pardon an interruption?

Mr. BORAH. Certainly.

Mr. BRANDEGEE. Apropos of what the Senator from Washington said as to the British being able to afford reduction or suspension of construction at the present time, I would call his attention to the fact that the papers of this city of last evening stated that the ambassador of Great Britain to this country, who has been back in England for some weeks, is now returning to this country with the idea of obtaining or accomplishing what is called "a closer understanding" between Great Britain and America. I do not know what is intended to be meant by the words "a closer understanding," which are usually put in quotation marks. The papers further stated that unless that understanding could be obtained Great Britain would not be willing to curtail her naval construction.

However, I myself do not suppose that the statement is reliable, any more than the statement which the Senator from Idaho has quoted as to Great Britain engaging in a campaign of deception in this country with a view of misleading us as to the completion of our naval program. The papers say anything they have a mind to. I doubt if either one of the statements is based on facts. As for myself I should dislike to think that it was, especially the statement which the Senator from Idaho quotes, because, as he suggests, if that were true it would seem to be as nefarious a breech of international courtesy and as insidious and inimical campaign against the best interests of this country as the proceedings that German diplomatic officials were alleged to have indulged in here before we entered the war against that Government and for which we had to put them out of the country.

Mr. BORAH. A great deal has been said, since the discussion as to the modern navy began, to the effect that Great Britain has ceased to build capital ships because she is not able to build them. If anyone supposes that Great Britain has come out of this war unable to build a navy sufficient and efficient to take care of the interests of Great Britain, I think they are greatly in error. Great Britain was never so strong in her history as she is to-day. The only real competitor that she has in commerce and in naval affairs in Europe has passed out, and she is in control of her colonies and, to a large extent, taking possession of her commerce and her business. As has been said, she is more completely in control of the seas, as to commerce and from the standpoint of naval strategy, than she has been since the days of Henry VIII.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield.

Mr. POINDEXTER. Without going into the question at all, but just in connection with the question which the Senator raised a moment ago as to the strength of the British Navy in battleships, I would say that the United States has 31 battleships of a total tonnage of 611,000 tons, and Great Britain has 51 battleships of a total tonnage of 1,640,000 tons. Seventeen of the latest and greatest of British battleships have been built by her since she entered the war with Germany.

Mr. BORAH. She has built no battleships since the Battle of Jutland.

Mr. POINDEXTER. But she has launched quite a number since that time. In 1916 she launched six and in 1917 she launched one battleship.

Mr. KING. Will the Senator from Idaho yield?

Mr. BORAH. I yield.

Mr. KING. Many of the ships of the 51 to which the Senator from Washington refers are obsolete. They were constructed many years ago and the types have clearly been disapproved by the experiences of the recent war. The six to which the Senator refers were launched before the experiences of the recent war had demonstrated the vulnerability of battleships and the superiority of other means of naval attack that have been developed.

Mr. POINDEXTER. I do not know what conclusion the Senator draws from that, but the British battleships are no more obsolete than the battleships of the United States, some of which were of the old type and some of ours of the old type. Some of ours are of the most improved type known to naval construction, and some of hers are, but the difference is that the British Admiralty have in the most emphatic terms adhered to the policy of maintaining a line of battleships, while the Senator from Utah says they are obsolete.

Mr. KING. No; the Senator from Utah did not say battleships were obsolete. What the Senator from Utah said was that a large number of the forty-odd to which the Senator from Washington referred were obsolete. I concede that some of our battleships are also obsolete.

Mr. BORAH. Yes; I think that our battleships which have been constructed since the war are the only really modern battleships which we have.

Mr. POINDEXTER. That is not entirely correct. They are the most modern and the most improved. While the building program was authorized in 1916, the type and the armament and the motive power of these ships have been kept strictly up to date, and they are being constructed in compliance with the best views of naval construction which it is possible to obtain.

Mr. BORAH. There is what is called the post-Jutland battleship and the pre-Jutland battleship, and I understand that all of those which have been contracted for since the war are of the post-Jutland type. Those of prior date are regarded as practically obsolete for fighting purposes, I understand, although they are good yet for display purposes. Great Britain has not laid down a single capital ship since the Battle of Jutland, as I understand. I have sent for a magazine containing an article by Mr. Hurd, who is an expert upon the subject, which makes that statement.

Mr. BRANDEGEE. Mr. President, the Senator from Idaho will remember, however, will he not, that there was testimony before the Committee on Foreign Relations when his resolution was being considered that the present effective strength of the British Navy was more than twice that of the United States?

Mr. BORAH. I remember that statement was made by Admiral Coontz.

Mr. BRANDEGEE. Yes.

Mr. BORAH. Just a word in conclusion to restate my object and purpose in so persistently urging this matter. First, it is in behalf of economy; it is to save, if possible, unnecessary millions being placed upon the already bended backs of the American people. We have about reached the limit. We hardly dare be frank with the American people to tell them of the burdens they have really got to carry. Secondly, it is in behalf of efficiency. What we possess in the way of a navy must be the navy of the last best thought of the world. We are happy, therefore, in our contention in representing both protection to the people who pay the taxes and protecting those who must suffer and die in case the Navy must be used. I have no desire to continue a fruitless endeavor merely for the purpose of contention, but believing that this is a matter of uncommon moment I shall continue to urge it until proper action is taken and until information such as we are entitled to is at hand.

Mr. POINDEXTER. Mr. President, I shall not at this time ask the privilege of detaining the Senate to go at any length into the question which has been discussed by the Senator from Idaho. I have listened very carefully to his statements with the object of ascertaining just what the views of the Senator from Idaho are as to the action the United States should take in regard to its naval building program. I understood the Senator to state that he is not in favor of the abandonment of the battleship at this time. In so far as that position is held by the Senator from Idaho, there is no difference between him and the Navy Department and the Naval Affairs Committee of the Senate which has reported upon his resolution. The Senator has read a large number of extracts.

Mr. BORAH. May I say that I am not in favor of abandoning the battleship, as yet at least; but I am in favor of suspending the naval building program for a period of six months or a year in order to determine what we should do.

Mr. POINDEXTER. That would be equivalent to abandoning the battleship in so far as any hope of maintaining equality with other naval powers is concerned. If we should abandon the naval program, which has been laid out with so much expense and for which contracts have been let for a period of six months, it would be so dislocated that it would practically be impossible either to reassemble the personnel or to restore the material that is involved in the construction of these highly

organized battleships and battle cruisers so as to carry out the program at all. In the meantime, if other nations—it is not necessary to mention the nations, for they are very well known, and they are maintaining great naval establishments—should proceed with their naval construction, as they are proceeding and as they announce they intend to proceed in some cases with the construction of new battleships, with Great Britain, for instance, maintaining in commission 51 battleships of the tonnage which I have just stated, the United States would be at such a disadvantage that it would be useless for her to attempt to negotiate with any one of those powers on any basis of equality as to the future relative naval status of the several countries.

The opinion of the Naval Affairs Committee in reporting the resolution was in favor of an effort on the part of the United States to obtain an agreement between the great naval powers of the world looking toward the limitation of armaments. The committee are not in disagreement with the Senator from Idaho upon that subject, but the committee are of the opinion that if before sitting down at the table of conference with those powers the United States should practically disarm itself by the suspension of its naval construction program, which is necessary to bring it anywhere near equality with some of them, or to maintain its relative position with the others, it would be in a position of inferiority in the negotiations.

Mr. BORAH. If the report of the Naval Affairs Committee states what the Senator from Washington has just indicated, it presents a more substantial basis of reasoning, but I confess that I do not find that in the report of the Committee on Naval Affairs at all.

Mr. POINDEXTER. I do not know that the exact reasoning is in the report of the Naval Affairs Committee, but I will read to the Senator what the report states upon that subject.

Mr. KING. Will the Senator yield for just a moment?

Mr. POINDEXTER. In a moment I will yield to the Senator.

Mr. KING. I wish to reply to the statement made by the Senator from Idaho.

Mr. POINDEXTER. I will yield in just a moment. The report concludes as follows:

> The members of the committee are as anxious to bring about a reduction of armaments and relief from the burdens which those armaments impose upon the nations of the earth as anyone can be, but no disarmament would be of any value unless it was general and in the case of the great maritime powers universal. Unhappily this is not the case at the present time, and we must deal with conditions as they exist. For one nation to leave itself exposed to attack while another is preparing all the engines of war would be not only folly, but the greatest danger to the peace of the world that could be imagined. We earnestly hope that an agreement may be reached among the nations for a general reduction of armaments, but at the present moment universal disarmament has not been established and the United States can not leave itself undefended if it is threatened from any quarter. To do so would be a wrong to the American people and no service to the cause of peace.

Mr. BORAH. That states an entirely different proposition, and an entirely different argument.

Mr. POINDEXTER. It does not state a different proposition, though it may state a different argument.

Mr. BORAH. It states a different proposition. The question whether or not we would be in a position more readily to secure an agreement to disarm was not referred to by the committee at all.

Mr. POINDEXTER. No; not at all; but it is perfectly obvious, and I am glad that the Senator from Idaho agrees with me in that respect.

Mr. BORAH. I am glad the Senator has stated that reason, because it is the first real reason I have heard stated.

Mr. POINDEXTER. I think the two reasons are very closely connected. There are a great many other reasons that might be stated. It was a conclusion as to the policy to be pursued that was requested by the resolution, rather than an elaborate process of reasoning by which those conclusions might be reached.

There is the further circumstance that ought to be emphasized, namely, that there is no difference of opinion between the Senator from Idaho, the naval authorities whom he has quoted, the newspaper opinions which he has read, the Navy General Board of the United States, and the Naval Affairs Committee in the Senate in regard to the value of other branches of naval armament. In the report, both of the committee and of the Navy General Board, it is not only set out but is urged with the utmost emphasis that the United States should proceed with the utmost expedition and with all the facilities at its command to develop the very instrumentalities which the Senator from Idaho is urging shall be developed. They agree with him as to the importance of building submarines and as to the importance of developing naval aviation, and have gone so far as to recommend in the report that a portion of the 1916 naval construction program be eliminated and that there be substituted for it the construction of certain accessories for the aviation service of the Navy.

All of the ships that were included in the 1916 program have been contracted for and are in various stages of construction, some of them completed, some nearing completion, and some just laid down, with the exception of 12 destroyers, 6 submarines, and 1 transport, and, in view of the relative number of destroyers with which the Navy is provided and the relative number of submarines with which it is provided or which are in process of being provided, the Navy General Board and the committee, in the interest of the very thing which the Senator from Idaho is urging, have recommended that these 12 destroyers and submarines be eliminated from the naval building program and that there be substituted for them 2 airplane-carrying ships, which are regarded as fundamental essentials to the naval aviation service, showing what seems to me to be the fact that this is very largely an artificial issue; that there is not so much real difference of opinion.

Mr. SMITH of Maryland. The construction recommended to be eliminated involves, I believe, an expenditure of $55,000,000.

Mr. POINDEXTER. Yes.

Mr. SMITH of Maryland. It is recommended that that sum be authorized for the building of airplane carriers.

Mr. POINDEXTER. Yes.

Mr. SMITH of Maryland. Instead of building 18 of the ships which were authorized, it is recommended that the construction of those ships be stopped. That is the evidence before the committee.

Mr. POINDEXTER. Yes.

Mr. BORAH. Mr. President, may I ask the Senator from Washington how many of the 16 ships are now less than 20 per cent completed?

Mr. POINDEXTER. The ones to which I have just referred?

Mr. BORAH. No; the 16 capital ships, not the small vessels to which the Senator has just referred.

Mr. POINDEXTER. Three or four of them are perhaps less than that. I can furnish the Senator with the exact percentages. I have not the figures at hand, but I have them in my office.

Mr. BORAH. There are 3 or 4 of the 16 that are not over 20 per cent completed?

Mr. POINDEXTER. Yes; of the 10 battleships.

Mr. BORAH. Can the Senator advise me how many have not proceeded over 40 per cent toward completion?

Mr. POINDEXTER. I think one or two, in addition to those which have not proceeded to a degree of over 20 per cent toward completion. The testimony before the committee was, however—and that was the highest authority which we could obtain from the Navy Department—that if the naval program is suspended for a period of six months, as is proposed by the Senator from Idaho, it would entail a loss in case it was ever resumed of between $15,000,000 and $25,000,000.

Mr. KING. Mr. President, may I interrupt the Senator there?

Mr. POINDEXTER. Yes.

Mr. KING. I concede there would be some loss, but I do not think the Senator ought to ignore the fact that there would be tremendous gain. The Navy Department, in my opinion, has made indecent haste to let some of these contracts under high pressure and at high prices, whereas if they had waited a little while the supposed losses to which they have testified would have been more than gained by the advantages which they would have reaped in other contracts.

Mr. POINDEXTER. I do not think there has been any indecent haste about the letting of contracts, in view of the fact that the authority was granted in 1916. I imagine we could save money along the line of which the Senator from Utah speaks by suspending the building program for a period of 10 years, but the need or opportunity for naval defense may have ceased to exist during that time. The idea that we ought to suspend it for any period of time, in the view that there might be cheaper prices obtained a year or two or three years from now, is equivalent to saying that in the meantime we can allow ourselves to remain comparatively undefended while other nations are going ahead with their naval programs along each one of the lines which are included in our 1916 program.

Mr. SMITH of Maryland. Mr. President, I suggest to the Senator that the evidence before the committee was that the ships on which the least had been done in the way of construction are battle cruisers, which are needed and considered more important to the Navy than any other vessels being built. They are the class of ship which we need and in which we are now most deficient, and it has been testified that all nations which

profess to have a navy, particularly Great Britain and Japan, have many more of them than we have.

We have, as I remember, six, and Japan has four, and is now building eight; and it was considered that they were more important than even the ships that were further advanced in construction.

Mr. POINDEXTER. Yes; that was the general opinion of the naval officers who advised the committee, and, among others, Admiral Sims, who was called at the suggestion of the Senator from Idaho; and I may say that having called Admiral Sims and Admiral Fiske at the suggestion of the Senator from Idaho, we were advised by both of them that it was not expedient or advisable or sound policy to suspend the building program or to abandon it.

I want to call the attention of the Senator from Idaho to this fact, with which I am sure he is already familiar, but it seems to me that one would get the impression from the points he has been making and the opinions he has been quoting that he has not taken it into consideration. This 1916 program is not merely a battleship program. It provided for 10 first-class battleships, for 6 battle cruisers, for 10 scout cruisers, for 50 torpedo-boat destroyers—I may add that a great additional number of torpedo-boat destroyers were constructed during the war, under special war measures—for 9 fleet submarines, for 58 coast submarines, for 1 special submarine equipped with the Neff system of submarine propulsion, and for quite a number of auxiliary ships. So it is perfectly obvious that there was no neglect of the submarine branch of the Navy in that program, nor was there any neglect of the destroyer branch, nor of the light cruiser branch, nor of the battle cruiser. They were all cared for, and it was supposed that they were properly balanced with reference to the number of battleships that were authorized.

Now, the fact of the case is, as the committee is advised—and it seems to me it is quite inconsistent with the proposed policy that the Senator from Idaho has advanced here—that all of the great naval powers of the world take a different view from that proposed by him. Japan does not entertain that view. She is building battleships. Great Britain does not entertain that view, because she has announced from the highest official sources to her legislative body that she still relies upon the battleship as the main line of the navy.

Mr. BORAH. Yes; but Great Britain has suspended building for six months to determine whether or not she will accept that view.

Mr. POINDEXTER. Yes; and that has been one of the things that have aroused the suggestion which was referred to a moment ago by the Senator from Idaho, that in proclaiming that she has suspended the building of battleships, and urging other nations that they should suspend the building of theirs, while she has twice or three times as many battleships as any other nation, she had an interested motive and not any desire or any intention to abandon the battleship.

A great deal has been said about the battle of Jutland. I am not a naval strategist or any other kind of a military strategist, but most of these things can be estimated by the application of ordinary common sense. There were no submarines at the battle of Jutland. There were not any aircraft at the battle of Jutland, at least upon the side of the Germans. It was a battle that was fought by battleships and by battle cruisers; and what was the result of it?

Many of the alleged naval authorities that the Senator from Idaho has quoted say that it was a demonstration of the uselessness and the obsoleteness of the battleship; but the result of it was that Great Britain remained mistress of the sea, and that the German fleet retired to its base, and remained bottled up in its ports from that time until the close of the war.

I think that the importance of the Battle of Jutland, and the relative importance of the different branches of the service that were in that battle on each side, can be clearly demonstrated by asking the question, "What would have been the result if Germany had won that battle?" I think she would have won the war. If Germany had so crippled or destroyed the British fleet that the result of that battle had been the reverse, and the British fleet instead of the German fleet had been bottled up in their ports and unable to go to sea, as was the German fleet, she would have cut off the communications of Great Britain and of America from France, cut off the food supply from the British people, cut off equipment from the army in France, and they would have been compelled in a short time to yield.

I think it was Lord Jellicoe, in his account of that battle, who said that the question was asked, "What was the result from a naval standpoint of the Battle of Jutland?" and his answer was, "Scapa Flow," meaning by that that as a result of the Battle of Jutland the German fleet—a long, unprecedented line of vessels—submitting to the enemy and surrendering to the British power, ended the war, so far as the navy was concerned, at Scapa Flow; and I think that is correct.

How it can be said that battleships and battle cruisers had no part in determining the war is more than I can understand, in view of those circumstances, known to everybody, and from which it is easy to draw the conclusions to which I have referred.

I have seen a good deal about a proposed test of this question between the Secretary of the Navy and Gen. Mitchell, but I have never seen stated anywhere conditions which would really represent a naval battle. It is proposed that the Secretary of the Navy shall navigate a ship at sea, and that Gen. Mitchell shall fly over it in the air and drop bombs at it, and no other elements are taken into consideration; but there would not be any naval battle of that kind. There would be other aircraft engaged in it if it were an actual battle. There would be other surface craft, and other under-the-surface craft. Gen. Mitchell would not be allowed, if he were engaged in an actual battle, to proceed to attack the enemy as he proposes in these conditions which have been stated—to proceed to attack the Secretary of the Navy navigating the *Iowa*. He would be attacked by the battleplanes of the enemy, and the naval force of which he was a part would be attacked by the enemy's submarines, by the enemy's destroyers, by the enemy's light cruisers, and by the enemy's battleships.

It seems to me that anyone can form an accurate opinion by asking himself the question, "What would have been the result of a battle between two rival naval forces, one of which was completely armed with aircraft and with submarines and with all of these newer branches of naval warfare of which the Senator from Idaho is an advocate, and the other one of which was equally armed, but the second one had battleships in addition, and the first one had no battleships?" There can not be any doubt about the result.

The air forces and the submarine forces of each side would neutralize each other, and the battleship would remain mistress of the sea and mistress of the communications of the respective countries that were engaged in the war.

That is the view that is taken by the Naval Board. That is the view that is taken by the naval authorities of Japan and of Great Britain and of Italy and of France, none of whom have abandoned the battleship as a part of their naval forces; and for that reason it seems to me that there is no substantial showing made here either in favor of abandoning battleships altogether or in favor of suspending the program.

The Senator from Idaho says—and quotes some authority to the effect—that some time in the future aircraft may be developed to such a point as to be able to destroy battleships at will and put them out of commission as arms of naval warfare, but that is a mere hypothesis. They have been trying to do that ever since aircraft were invented and ever since submarines were invented. It has not been done yet. It was not done during the war.

Mr. BORAH. Mr. President——

Mr. POINDEXTER. Just one moment. When the war ended, the one outstanding feature was that the battle fleet of Great Britain was in control of all the seas of the world. There was not any power, either among her allies or among her enemies, that could challenge her supremacy upon the seas, and the effect of that one outstanding fact upon the armies of the belligerents in France was the controlling influence which brought victory to America and the Entente Allies; and it was done in spite of the submarine, it was done in spite of aircraft.

One of these authorities says that if Germany had done so-and-so she could have destroyed the British grand fleet. It is a great pity that Germany did not have the benefit of his genius in her struggle for existence. Does anyone suppose that Germany did not do everything that she could? Up to the present time I have been under the impression that Germany rather led the world in the quality of her submarines, in the rapidity with which she responded to inventions and to improvements in every new art of naval warfare. And yet here comes a man who, so far as I know, was not actively engaged in the war—I am informed that some of these retired British officers whom the Senator has quoted had no active commands during the war; they commanded no ships or squadrons—and says that if Germany had done so-and-so she could have won the war; but she did not do it. Notwithstanding the exhaustion of her military genius and of her physical powers, she failed to do it; and it is upon the actual results obtained under war conditions, when nations are fighting for their existence, and when men put forth the supreme effort of their lives, that the naval policy of nations must be based, instead of an hypothesis of newspaper theorists.

Mr. BRANDEGEE. Mr. President——

Mr. POINDEXTER. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Does not the Senator think it is true that if it had not been for the British grand fleet, composed of capital ships, the German grand fleet would have swept the ocean clear of all the commerce of the Allies?

Mr. POINDEXTER. I think the Senator is entirely correct in that, and I just suggested this consideration. We will suppose that at the Battle of Jutland the result had been the reverse from what it was; that instead of the German fleet being driven back to its port and seeking refuge the British fleet had been driven back, and the German fleet had gone to sea and cut the communications of the Allies. She would have won the war.

Mr. BORAH. On the other hand, what did the grand fleet do toward protecting the commerce of Great Britain?

Mr. POINDEXTER. It protected it.

Mr. BORAH. What did it do against the submarines?

Mr. POINDEXTER. It destroyed the submarines and curbed them, and at the time the war ended had the submarine menace practically ended.

Mr. BORAH. Mr. President, as I am informed, and as seems to be conceded, at the time the submarine was bringing Great Britain to its knees the grand fleet did nothing whatever to relieve the situation.

Mr. POINDEXTER. Mr. President, while the submarines were bringing Great Britain to her knees the grand fleet kept the German fleet bottled up in its ports.

Mr. BORAH. I am speaking about what they did to prevent the submarines from preying upon the trade and commerce of Great Britain.

Mr. POINDEXTER. Was not that doing something, if it kept the naval forces of the enemy from preying upon their commerce, if they controlled the sea so as to enable its submarines and its destroyers and its aircraft to operate against the German submarines, and to enable the representatives of the American Navy, when we became involved in the war, to lay a mine barrage in the North Sea so as to cut off the German submarine from its opportunities of attack upon allied commerce? It did that. Does the Senator suppose the small ships which were engaged in laying that barrage of mines across the North Sea for the purpose of hemming in the submarines could have operated unless the British fleet had kept the German fleet off of those seas and bottled up in their ports?

Most of this argument is conducted upon the theory, it seems to me, that one side is going to have all of the submarines and all of the aircraft and the other have nothing but battleships. That is not the theory of the report of the Navy General Board, upon which the Senate committee made its report to the Senate. On the contrary, the recommendation of the Navy General Board is, and the recommendation of the Senate committee is, that the United States shall undertake to develop its submarine forces and its aircraft forces to the same extent and to the same power that the enemy develop theirs.

Mr. BORAH. Mr. President, may I interrupt the Senator to read a paragraph from Admiral Hall? He says:

> Our grand fleet, supported by all the fleets of our allies, was impotent to help us against the submarines while we hovered on the brink of disaster.

Mr. POINDEXTER. I am curious to know whether the Senator agrees with that opinion, in view of the fact that the English grand fleet kept control of the surface of the seas during that entire period, and that as a result of that control of the seas, at the end of the war, with victory for Great Britain and her allies, they had subdued the submarine menace. I do not mean to say that the grand fleet operating alone could have done that, but I do mean to say that but for the grand fleet it could not have been done; that the grand fleet, with its line of battleships, its submarines, and its aircraft, constituted one coordinate whole of the fighting force, and that it was an essential and constituent part which brought about the victorious result of the war.

Mr. BORAH. I only desire to say that this view of Admiral Hall was concurred in by Lord Fisher, by Read Admiral Percy Scott, and by Admiral Henderson, all of them very prominent and distinguished men, and some of them rendered great service in the war.

Mr. POINDEXTER. I am not sure just what service they rendered. I am advised that Admiral Scott did not have command of a ship during the war.

Mr. BORAH. But there is no doubt about what Lord Fisher did. I quoted from him a while ago. He said that his judgment was that we should scrap the battleships, and in future fight the battles of the world under the sea and in the air.

Mr. POINDEXTER. Of course, while Lord Fisher may have said that, there are a great number of admirals of the British Navy who do not agree with him in it.

Mr. BORAH. I agree with that statement perfectly.

Mr. POINDEXTER. The British Navy control does not agree with him in that. Why should the United States take his advice, when his own country does not take it?

Mr. BORAH. I do not know but that his own country would have been infinitely better off if they had taken his advice before the war as to the kind of a navy which should be built.

Mr. POINDEXTER. What would have been the result? We had victory in the war. What might have been the case if they had followed some other policy and his mere speculation?

The Senator asked me a moment ago about the percentage of construction upon the capital ships in the 1916 program. I will say that there is one that has just been laid down, which is only five-tenths of 1 per cent completed. That is a battleship. Another one is 10.9 per cent completed; another 18.6; another 13.1; another 13.8; another 17.6. The remainder of the 11 which are under construction are considerably more advanced. The battle cruisers are not so far advanced. But, as has already been stated, Admiral Sims, who was called at the instance of the Senator from Idaho, urged particularly and emphatically that the program for the construction of the battle cruisers be not interrupted in any way at all.

A great deal has been said in the argument of the Senator from Idaho, and in the authorities which he quoted as to the size of the fleet which would be required to defend the shores of the United States against attack. Of course, that idea is based upon the theory that in case of trouble with a rival power the United States would retire within its borders and defend itself upon its coast, and, of course, the United States could do that if it adopted that policy. But if it adopted that policy it would become at once a defeated nation. It would become at once, notwithstanding its great extent and its illimitable resources, which have been referred to by the Senator from Idaho, subject to the control of those nations which dominated the seas of the world. It would lose its commerce. None of its citizens could go upon the high seas of the world to carry their business into any foreign country, except at the mercy of a rival power and upon such terms as might be laid down for it by that rival power.

If such a policy as that were adopted, it would lose its outlying possessions and be immediately compelled not by its own voluntary choice, but under compulsion and at the command of a superior naval force, to haul down its flag upon every island possession which it had; and, of course, if we are going to adopt that policy, these things should be taken into consideration and we should have clearly in view what the result would be. Great as it is, the United States can not survive unless it maintains its communication with the rest of the world. It can not sustain its honor unless its citizens have the privilege of navigating the high seas upon terms of equality with every other citizen of the world, under the protection of their own flag. It must carry on its foreign commerce. The savants of the British Navy selected by the Senator from Idaho may say to the United States that it does not need a great fleet because it is far removed from other countries and could defend its shores with a lesser force—and think of the United States accepting that advice!

The opinion of the Committee on Naval Affairs is based upon the proposition that the United States should maintain its national equality among the nations, and they were of the opinion that it could not do that unless it maintained its naval equality. The Committee on Naval Affairs would gladly have the United States join with the other naval powers of the world—and they took pains to set that out in their report—in reducing these forces.

But they laid down the unalterable principle that when we reduce ours theirs must be reduced to an equal degree, and that after they have been reduced the United States shall still be equal with any other nation in the world in that sea power which has controlled its history in the past as it has the destinies of every other nation. It makes no difference whether that power be great or whether it be small, as long as it is equal, and there is nobody, I will say to the Senator from Idaho, who is insisting that the United States proceed to maintain a great and expensive naval force if an agreement can be brought about by which other nations will reduce their forces to the same extent that the United States does; and I think we know as well from a knowledge of human nature as we know from any information which we may have received in regard to naval history or naval strategy that if the United States goes into negotiations with other powers for a limitation of armaments the policy of the United States will receive but very little consideration unless at the time it sits down at the table it has back of its diplomats the power to support them in the position which they assume.

It will be time enough to reduce our force after we get an agreement. I hope we can get it. I do not want to be pessi-

mistic about it, but I would like to hear some suggestion from Great Britain as to whether or not she is willing to reduce her navy to-day by 50 per cent, so that it shall be equal to the Navy of the United States; whether or not Japan—and I only mention Japan by way of illustration, because there is no necessity of any particular animosity between the two countries, and I hope there will not be, but I hope we will be prepared for it if there should be—I would like to hear from Japan if she is ready to stop the process of her naval construction, so that it shall remain the same that it is now, in case the United States will agree to reduce its Navy to a strength equal to that of Japan. When we have arrived at those agreements it will be time enough to stop the naval construction program or to agree to its permanent abandonment, and not before.

Mr. BORAH. Mr. President, I perfectly agree with the Senator, and that is what I would like to hear, both from Great Britain and Japan, and in a humble way I initiated a program for the purpose of finding that out. But we were advised by the same people who are in favor of a great Navy that we should not hurry the matter, and should postpone it for the future consideration of the incoming administration. So it has been postponed, so far at least.

In order that there may be no doubt of Admiral Fisher's statement in regard to this subject, on the 12th day of September, 1919, he wrote:

> Air fighting dominates the future war both by land and sea. It is not my business to discuss the land, but by sea the only way to avoid the air is to get under the water. That is why I keep emphasizing that the whole navy as we have it now has to be scrapped.

Mr. POINDEXTER. It seems to me that the Senator is dealing in speculation and hypothesis, just as one of his authorities was when he asked the question, What would have happened at the battle off the coast of South America if Von Spee had submerged his ships? Nobody knows what would have happened if he had submerged his ships, but he did not submerge them; he could not submerge them, and he could not submerge them to-day if the same occurrence took place.

Mr. BORAH. I was not reading speculation; I was reading the opinion of Lord Fisher.

Mr. POINDEXTER. That is speculation. It is pure speculation for a man to ask what would have happened if the German fleet in the battle off the coast of South America, or at the battle of the Falkland Islands, when the German fleet was sunk, had submerged.

Mr. BORAH. But the question was, What did Lord Fisher say? I am simply stating what he did say. Whether the Senator thinks it is worth while to consider it or not is another question.

Mr. POINDEXTER. I am not questioning the propriety of submitting it, but I claim the same privilege of commenting on it that the Senator claims of introducing it.

In the speech of the First Lord of the British Admiralty, who, under the British form of government, corresponds to a sort of combination between the Secretary of the Navy and Congress, while maintaining the necessity of a line of battleships, he does not close his eyes to the opportunity for progress and for invention and the possibility of complete change, but he very truly says that we can not deal with probabilities and with hypotheses when it comes to a defense of the nation. We have to deal with conditions as they are known, with means of warfare which are now understood. He said in his speech that—

> The time may come when these very battleships—

It seems to me rather fantastic, but it shows the vision they have contrary to the idea that they are closing their eyes to all possibilities of improvement—

> when battleships, instead of riding the surface of the sea, will go under the surface or rise into the air.

That time may come. I do not know whether it will or not. He makes that suggestion, but it will probably be a long time in coming, and it would be quite ridiculous for the United States to build its Navy upon the theory that battleships are going to be under the surface or in the air in the present stage of naval science.

In the investigation which the resolution of the Senator from Idaho directed the committee to make, Admiral Fiske, who is an inventor, and Admiral Sims, who is one of the most progressive authorities in the American Navy, admitted that even the launching of torpedoes from aircraft, while they claimed it has passed the experimental stage, was not by any means perfected.

I may say to the Senator, and I think it is not disclosing any secret that ought not to be disclosed, that the American Navy at the present time is constantly carrying on experiments for the improvement of its aerial naval defense, the launching of torpedoes from aircraft, and that they are meeting with a great many difficulties in doing the things which the Senator says ought to be substituted for battleships. I only mention that to show that they agree with the Senator from Idaho, and they agree with the witnesses whose evidence he has submitted, as to the importance of this arm.

It is suggested to me just now that the Navy General Board's report to the Navy was unanimous, and that the Committee on Naval Affairs, with the possible exception of the Senator from Utah [Mr. KING], was unanimous.

I call attention to the fact that Great Britain is making one of the greatest expenditures she ever made in her history upon her navy, and that Japan is carrying on the greatest construction program which she has ever carried on.

I should like to insert in the RECORD at this point a statement of the present and prospective naval forces of Japan, Great Britain, and the United States, and have it incorporated as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

BATTLESHIPS AND CRUISERS AT PRESENT.

United States.		Great Britain.		Japan.	
First line battleships	16	First line battleships	26	Battleships	6
Battle cruisers	None.	Battle cruisers	6	Battle cruisers	4
Total	16	Total	32	Total	10

BATTLESHIPS AND CRUISERS IN 1923.

Battleships (first line)	21	Battleships (first line)	22	Battleships	8
Battle cruisers	6	Battle cruisers	6	Battle cruisers	8
Total	27	Total	28	Total	16

BATTLESHIPS AND CRUISERS WHEN THE FINAL PROGRAM IS COMPLETED IN 1927.

Battleships (first line)	21	Battleships (first line)	22	Battleships	12
Battle cruisers	6	Battle cruisers	6	Battle cruisers	12
Total	27	Total	28	Total	24

STATEMENT OF ENTIRE NAVAL FIGHTING SHIPS AT PRESENT UNDER CONSTRUCTION AND AUTHORIZED.

Battleships:		Battleships:		Battleships:	
First-line	16	First-line	26	First-line	6
Second-line	16	Second-line	20	Second-line	4
Under construction and authorized	11	Under construction and authorized	0	Under construction and authorized	7
Total	43	Total	46	Total	17

STATEMENT OF ENTIRE NAVAL FIGHTING SHIPS AT PRESENT UNDER CONSTRUCTION AND AUTHORIZED—Continued.

United States.		Great Britain.		Japan.	
Battle cruisers:		Battle cruisers:		Battle cruisers:	
On hand	0	On hand	0	On hand	4
Under construction and authorized	6	First-line	6	Under construction and authorized	8
		Second-line	4		
		Under construction and authorized	0		
Total	6	Total	10	Total	12
Light cruisers:		Light cruisers:		Light cruisers:	
First-line	0	First-line	44	On hand	8
On hand	0	Second-line	24	Under construction and authorized	11 or 12
Under construction and authorized	10				
Second-line	3				
Total	13	Total	68		
		Under construction and authorized	0		
		First-line	5		
		Grand total	73	Making a grand total of	19 or 20
Submarines:		Submarines:		Submarines:	
First line	52	First line	71	On hand	13
Second line	44	Second line	66	Under construction and authorized	50
Fleet submarines	2	Fleet submarines—			
		First line	18		
		Second line	7		
Total	98	Total	162		
Under construction and authorized:		Under construction and authorized:			
First-line submarines	[1] 42	Fleet submarines	18		
Fleet submarines	4				
Grand total	[1] 144	Total	180	Total	63

[1] This does not include the submarines that are not under construction and not appropriated for.

NOTE.—Second-line battleships should not be counted in the line strength, because they are all under 12-inch batteries and slow in speed.

Mr. SWANSON. Mr. President, I am not going to address the Senate on what should be the naval policy of the United States. This matter will properly come before the Senate when the naval appropriation bill is before us and the question of appropriations for naval construction is being discussed. At that time it will be a live and practical question, and we can vote at the conclusion of the debate. At that time I shall desire to address the Senate upon the question, but at present I wish only to call the attention of the Senator from Idaho [Mr. BORAH] to one provision of the naval act of 1916.

I was acting chairman of the committee at that time and had charge of the bill when it was before the Senate. The Senator seems to have forgotten that there was a provision in that bill which authorized the President, at any time when agreement was made for disarmament, to stop the entire program or any part of it, since the question really is whether it should be stopped before or after an agreement is reached. The President can stop it at any time under the provisions contained in the act of 1916, which the committee reported and which was amended and made more imperative by an amendment offered on the floor at that time.

Mr. BORAH. I am perfectly familiar with that provision, and one of the arguments made by the Senator from Washington [Mr. POINDEXTER] is that we can not stop it, because contracts have been let, and it would not make any difference how many authorizations there were.

Mr. SWANSON. The President has authority to consider the contracts, to what extent loss would be entailed on the Government of the United States, to what extent the material could be used otherwise, and he is authorized, whenever an agreement is made, to suspend the entire program, or any part of it.

Mr. BORAH. Yes; I understand that.

Mr. SMITH of Georgia. Mr. President, I am very earnestly in sympathy with the desire to cease expending money on the Navy, but it has occurred to me that perhaps we are placing an unjust burden on Great Britain to maintain a navy 40 per cent larger than ours. Our navies, of course, will always cooperate—at least I hope so—and keep the ocean free and preserve the rights of all countries. A very happy thought has occurred to me on the subject. I am pleased with it myself even if it does not please anyone else. The British Navy is 40 per cent larger than ours. That is placing an unjust burden on Great Britain in this joint tariff that we are to carry.

The happy thought is that this excess of 40 per cent be divided in two and one-half of it be turned over to the United States and credited on the British indebtetness to the United States and thereafter we jointly carry the responsibility and neither of us build any more warships for some time to come.

Mr. McKELLAR. Mr. President, any discussion of the relative size and power of the British Navy leads to the thought that whatever difference of views we may have upon it, we are now actually contributing in aiding Great Britain to build a larger navy than she has even at present. I think that we are wasting time when we are talking about England's design on the seas. We might as well make up our minds that we have to meet that situation. She is going to continue not only maintaining her present navy but she is going to add to it, and the unfortunate part of it is that we are helping her by postponing the interest payments upon debts that Great Britain owes us now. The payment of those debts should not be postponed, in my judgment. In order that the record may be kept clear, it will be recalled that last fall I called attention to those debts and the postponement of the payment of interest on them. I wish to insert in the RECORD an article, a part of which I desire to read, that was printed yesterday in the Washington Times by the International News Service:

BRITAIN SEEKS TIME ON DEBT—GEDDES, UPON RETURN, WILL ENDEAVOR TO FUND LOAN INTO LONG-TERM PAYMENTS.

[By W. H. Atkins, International News Service.]

Sir Auckland Geddes, the British ambassador, will soon return to Washington from London empowered by his Government to enter upon negotiations with this Government for funding the English debt of $5,000,000,000 to this country into long-time obligations, according to well-informed officials of Washington to-day.

WILL RESUME PARLEY.

Rebuffed in all attempts to cancel the huge debt, and with the British mind entirely disabused of the idea that either considerations of "peace or generosity" will alter the stand of this Government, officials were informed the spokesmen for England will resume the parley very early in the term of President-elect Harding.

Although the advices reaching here are meager, since Ambassador Geddes was hurriedly summoned to London, and the trip here of Lord Robert Chalmers, financial envoy, was indefinitely postponed, the cable reports showing the British attitude convince officials of an early resumption of the parleys over the big debt.

While higher officials most conversant with what transpired concerning the overtures made by Great Britain on wiping out the debt as an act of broad benevolence upon this Government's part refuse to discuss publicly the official statements and admissions emanating from London, enough has been divulged to establish the fact that proposed cancellation of the British debt stands at present definitely and finally rejected, and Britain realizes it.

HOUSTON WON'T FIGURE.

Secretary of the Treasury Houston, chief negotiator for this Government in the English debt matter, is soon to retire and will not figure in the conferences when they are resumed. Houston, while said to possess in black and white most illuminating evidence upon the British effort to cancel payment of the debt which was so gladly arranged and acquiesced in by the British, declines to be drawn into any discussion of the question.

The view of the officials who are closest students of the problem is to-day that the debt problem is linked up closely with the tariff and other domestic problems, which are to press immediately for settlement soon after the new administration assumes power.

Many fiscal officers regard the tariff question perhaps as uppermost. Leading economists agree with officials here that the bulk of the foreign debt must be settled in goods sent to America if it is settled at all. Legislative barriers to heavier imports, they assert, would be fraught with danger to the debt settlement.

Mr. McKELLAR. In that connection, I also wish to add an article which was printed a few days ago, in which a number

of excerpts from editorials of various London newspapers in reference to the debt were published. I shall read one of them, and ask that the others may be incorporated in the RECORD.

The PRESIDING OFFICER (Mr. SPENCER in the chair). Without objection, permission is granted.

Mr. McKELLAR. The London Morning Post, in commenting on the address of Austen Chamberlain, says:

This country, an essential element of whose national policy is maintenance of most cordial relations with America, does not intend to allow them to become imperiled by indefinite postponement of the repayment of its debt to the United States. The nation would regard any suggestion relative to remission of this debt as derogatory to national honor.

The articles referred to are as follows:

Referring to recent suggestions regarding the transfer of a British colony to the United States, the newspaper said: "That expedient is out of the question. The British people would never countenance it, and the sooner the Government takes the requisite steps to fund the American debt the better. Regarding the debts owed to Great Britain, their cancellation would confer the greatest possible benefit upon Europe and would prove the highest possible service to civilization."

MUST WIPE OUT OLD SCORES.

The Daily Mail, commenting on Chancellor Chamberlain's utterances, says that more than one overture in this respect has been made. It declares that in 1919 John M. Keynes, while representing the treasury on the economic council, is understood to have discussed the matter freely with American representatives.

"The existence of the immense war debts," the Daily Mail continues, "means that at any moment somewhere in Europe it may pay the government of a day to make repudiation a plank in its platform. There is, of course, no such danger in England, but sooner or later the Allies must meet and wipe off old scores."

In its editorial on the subject the London Times asserts that well informed quarters here have long understood that during the war the British Government suggested to the United States that it should substitute itself for Great Britain as direct creditor of France and Italy with respect to sums Great Britain borrowed from America and lent to the two allies, but that the suggestion was rejected.

RECALLS VANDERLIP TESTIMONY.

The newspaper recalls that Frank A. Vanderlip, before the Foreign Relations Committee of the Senate, in June, 1919, proposed remission of the loans to France and England, but neither then nor since, says the Times, was the idea favorably received.

"We shall not go back on our word," it continues. "We are a nation of shopkeepers, and commercial interest as well as commercial honor forbids us to discredit our papers. Payments of both the capital and interest ought to have been concluded long ago."

Regarding the Allies' debts to Great Britain, the Times declares there can be no talk of remitting any part of them until full arrangements are made for the repayment of Great Britain's own debt to America.

"We shall pay fully and promptly," it says, "on whatever reasonable terms are proposed to us."

Mr. McKELLAR. Mr. President, I merely wish to say in reference to these articles and as to the debts owed to the United States, that I believe England has at last become convinced that the United States is not going to remit the debts or the interest thereon. It was very regrettable to me that our officials in the beginning did not do what they were directed by Congress to do and fund these enormous debts into long-time loans, just as is now provided by law. They needed no new law then; they need none now. They have been very remiss in their duty in not collecting the interest upon this indebtedness as it fell due from time to time.

Mr. SMITH of Georgia. Mr. President——

Mr. McKELLAR. I will yield to the Senator in just a moment.

It would save the American people $500,000,000 a year in taxes if our officials would simply do their duty. I am very earnestly hopeful that under the new administration the officers charged by law with transacting these business relations will speedily perform their duties under the law, so that the American people may be permitted to have a lesser taxation when the interest on these debts is paid. Now I yield to the Senator from Georgia.

Mr. SMITH of Georgia. I only wanted the Senator to allow me to emphasize what he has just said. The original act providing for these loans expressly stated that the loans were to be evidenced by obligations bearing rates of interest as large as the bonds we issued in order to get the money for them, and falling due at least not further off than the obligations we issued. The whole theory was that we were using our credit; but they were to meet the obligations that we issued to obtain the money for them, giving us at once their obligations covering it.

Mr. McKELLAR. The statement of the Senator from Georgia is absolutely correct.

I merely wish to add one other thought. The Senator from Idaho [Mr. BORAH] seems to think that Great Britain is not going to build capital ships in the future, but is going to devote her time and money to building submarines. That may be so; I do not know what character of ships she is going to build; they may be submarines and they may be capital ships; they may be a different kind of ship; but what we may depend upon in this country is that she is going to continue her naval building program. The remarkable part of it is that we are remitting the interest on these debts, and by failing to take advantage of the opportunity are enabling Great Britain to build up a larger navy, which may in the future be to our detriment. We do not know; I hope never any difference may come between us, but it is our duty on this side of the water to protect our own rights and our own people first. The debts ought to be collected. When I say the debts ought to be collected, I do not mean that our contract ought to be interfered with at all, but we ought to secure from Great Britain long-time bonds and collect the interest.

Mr. SMITH of Georgia. I desire to ask the Senator from Tennessee if it does not occur to him that the suggestion I made would be a happy one; that instead of the United States and Great Britain each building great quantities of additional vessels we equalize our navies, stop building, and relieve Great Britain of her debt to that extent?

Mr. McKELLAR. Before I should be willing to consent to such an arrangement as that I should want to be absolutely sure that we got good ships in the exchange. We would want first to examine them ourselves.

Mr. SMITH of Georgia. Undoubtedly.

Mr. KING. May I inquire of the Senator having charge of the bill whether it is his purpose to ask that the Senate now take a recess?

Mr. WARREN. I am not ready to move a recess now until we can make a little more progress with the appropriation bill. There are some items which are very small, of which we can speedily dispose. A little later on I shall move a recess.

Mr. KING. Let us have a recess now.

Mr. WARREN. Not yet.

Mr. KING. Mr. President, as the Senator from Wyoming has not acceded to my request, I shall occupy a moment of the time of the Senate.

Mr. President, I have listened to a portion of the admirable address of the Senator from Idaho [Mr. BORAH] and to the very strong address delivered by the Senator from Washington [Mr. POINDEXTER]. It is not my purpose now to take up the question of our naval program. I only wish to state that I am a member of the Naval Affairs Committee, but the report which was submitted by that committee and which has been discussed very extensively this afternoon does not command my support. I shall at a very early date submit minority views. Upon that occasion I shall give my idea as to what I conceive to be the duty of our country at the present time.

I believe that we are making a mistake in continuing the naval building program as it was devised in 1916. I think that the psychology of it internationally will be bad. When the nations of the world which are seeking disarmament and responding to the stimulus for disarmament and world peace see that the most powerful nation in the world, the one that holds primacy, financially and otherwise, is building such an enormous navy, it will abate the desire and the determination for world disarmament, and it will develop the thought that America has imperialistic ambitions. If we want disarmament and world peace we should set the example; and the best example is to seek disarmament and not to increase our naval armament and military establishment. I thing that the policy announced by the majority report is fallacious; I thing it is unwise, and will have a bad effect in securing what we all hoped would be secured when the League of Nations covenant was before us, namely, a rational and feasible plan for world disarmament.

Mr. POMERENE. Has the report to which the Senator has referred been printed?

Mr. KING. The majority report has been printed; but I have not had an opportunity until a few moments ago to glance at it even hastily.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 59, line 19, to insert the following proviso:

Provided, That within 30 days after the approval of this act the Secretary of War shall transfer without payment therefor to the Secretary of the Treasury for use of the Treasury Department three light motor trucks.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. UNDERWOOD. Mr. President, I have no objection to the amendment being agreed to, but I wish to ask the chair-

man of the committee if he desires to proceed further with the bill to-night?

Mr. WARREN. I should be glad to go on for a few pages more at least, unless the Senator has something else which he desires to have done. There are a number of amendments of slight importance which could be disposed of.

Mr. UNDERWOOD. Very well.

Mr. KING. Mr. President, I wish to inquire of the Senator with respect to the policy of transferring motor trucks. Do I understand that the amendment has been passed over?

The PRESIDING OFFICER. The amendment was agreed to without objection.

Mr. KING. I did not understand that it was agreed to.

Mr. WARREN. To what item does the Senator refer—to the motor-truck item?

Mr. KING. Yes.

Mr. WARREN. Does the Senator wish it to go over?

Mr. KING. I understood it was to go over.

The PRESIDING OFFICER. Does the Senator object to the amendment?

Mr. KING. I shall not ask that the amendment go over, but I desire to ask the Senator a question concerning it. Has the Senator considered the wisdom of transferring motor trucks from the War Department to other governmental agencies? Does not the Senator think that it would be better to order them sold and have some sort of an accounting of cash received and cash disbursed? If the motor vehicles are transferred in this way and there is no cash item and no sale, the demand for transfer to the various departments will increase until the trucks will all be absorbed in that way.

Mr. WARREN. Mr. President, the Senate committee has considered that subject and it is only allowing the transfer of a limited number which the Government would have to buy if we did not allow the transfer. The War Department now has a large number of motor trucks and cars which are doing no service; in fact, many of them are lying idle unsheltered and are of course rapidly deteriorating. We have bought in the last few years many motor cars and trucks and shall continue to do so unless provision is made for the transfer of some of the vehicles which the War Department has to other departments of the Government.

Mr. KING. Mr. President, I have not made myself clear. I agree that we have too many motor trucks; they ought to have been sold over a year and a half ago; the War Department has been derelict in its failure to make disposition of them; but if we permit other departments to come here and ask for motor trucks and transfer them when we have such an enormous stock the appetite for motor trucks will become so great that soon every little clerk, perhaps, will want a car, and, in view of the fact that the Government has thousands of them and that no money need be expended in their purchase, it will tend to waste and extravagance. I think we ought to sell them and then purchase those that are needed—purchase them at auction if necessary.

Mr. WARREN. Mr. President, let me submit a statement to the distinguished Senator from Utah. He must have confidence enough in the Committee on Appropriations to know that its members are not going to allow the riddling of property in that way. On the other hand, I direct the Senator's attention to the fact that, whether he was a party to it or not, hundreds—I do not know but that the number reached thousands—of many kinds of motor cars and trucks have been transferred by the War Department to other departments under bills, such as the Post Office appropriation bill and the Agricultural appropriation bill, for road building and other purposes. The Appropriations Committee had no control of the matter in those instances. We did, however, at one time attempt to control it.

A few years ago, at a time when I was not chairman of the Committee on Appropriations, I submitted an amendment, which was adopted, providing that all motor cars and trucks acquired from the War Department should be purchased by other departments. Some other committee, however, a short time thereafter succeeded in having that provision of the law repealed, and left it as it was before. As it is, I am satisfied that we shall save just that much money which we would otherwise spend if we transfer these motor cars and trucks for actual use, keeping strictly to the line and disposing only of those that are really not necessary for the uses of the War Department.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 60, line 8, to strike out "$25,000" and insert "$24,000," so as to read:

For purchase of gas, electric current for lighting and power purposes, gas and electric light fixtures, electric light wiring and material, candles, candlesticks, droplights and tubing, gas burners, gas torches, globes, lanterns, and wicks, $24,000.

The amendment was agreed to.

The next amendment was, on page 60, line 20, to strike out "$300" and insert "$500," so as to read:

Street car fares not exceeding $500.

The amendment was agreed to.

The next amendment was, on page 64, line 7, to reduce the appropriation for expenses of assessing and collecting the internal-revenue taxes from $30,000,000 to $29,600,000.

The amendment was agreed to.

The next amendment was, on page 65, line 18, to increase the appropriation for expenses to enforce the provisions of the national prohibition act from $7,100,000 to $7,500,000.

The amendment was agreed to.

The next amendment was, on page 65, line 21, after the words "District of Columbia," to insert "if space can not be assigned by the Public Buildings Commission in other buildings under the control of that commission," so as to make the proviso read:

Provided, That not to exceed $49,500 of the foregoing sum shall be expended for rental of quarters in the District of Columbia if space can not be assigned by the Public Buildings Commission in other buildings under the control of that commission.

The amendment was agreed to.

The next amendment was, on page 67, after line 5, to strike out:

New Orleans, La., mint: Assayer in charge, who shall also perform the duties of melter, $2,500; assistant assayer, $1,500; chief clerk, who shall perform the duties of cashier, $1,500; in all, $5,500.
For wages of workmen and other employees, $6,250.
For incidental and contingent expenses, $2,000.

Mr. WARREN. Mr. President, I ask that that amendment, being lines 6 to 11 on page 67, go over without action.

Mr. GAY. Mr. President, will the Senator from Wyoming yield?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Louisiana?

Mr. WARREN. I do.

Mr. GAY. Will not the Senator agree to have that item remain in the bill? It is an item of great importance.

Mr. WARREN. I did not notice the Senator in his place. While I am satisfied that there is very little work there to be done, I am not disposed to cavil on it.

Mr. GAY. I thank the Senator, because it is a matter in which we feel a great interest. It is the only assay office in our section.

Mr. WARREN. If the Senator will ask to have the committee amendment rejected, I shall not object.

Mr. GAY. I ask that that be done.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The next amendment was, on page 69, after line 1, to insert:

Deadwood, S. Dak., assay office: Assayer in charge, who shall also perform the duties of melter, $1,800; assistant assayer, $1,200; clerk, $1,000; in all, $4,000.
For wages of workmen and other employees, $2,000.
For incidental and contingent expenses, $1,200.

The amendment was agreed to.

The next amendment was, on page 70, line 18, in the items for Office of Secretary of War, strike out "$10,000" and insert "$5,000," so as to read "Assistant Secretary, $5,000"; and on page 71, line 9, to reduce the total of the appropriation from "$151,880" to "$146,880."

The amendment was agreed to.

The next amendment was, on page 72, line 16, to increase the appropriation for additional employees in the office of the Judge Advocate General from "$20,000" to "$30,000."

Mr. KING. Mr. President, does the Senator think that there should be additional employees in any of these offices?

Mr. WARREN. Mr. President, it would seem that it would be very necessary where they have had provisions made during war times, either through appropriations in this bill or in others. We are trying to clean up those that we are not appropriating for in the Army appropriation bill and in this bill; but this particular office, and one other that we shall come to soon, have to be provided for, and an apparent increase has to be made here.

For instance, take the Quartermaster General. What will appear here to be $200,000 or so added is a matter of saving about $500,000 heretofore appropriated in the Army bill, and we have an agreement there that they will appropriate nothing this year for that purpose. This is of the same general char-

acter. The Judge Advocate General's Department had $49,000 last year.

Mr. SMOOT. It is a consolidation of appropriations. They had $49,000 last year for this very purpose.

Mr. KING. My investigation of some time ago was to the effect that in all of those departments—the Quartermaster General's, The Adjutant General's, and others—there were entirely too many employees; and I feel that the time had now come, two years after the war, when we ought to separate from the service a large number of those who are in these offices.

Mr. WARREN. We are doing exactly that. For instance, there was $3,000,000 in a lump sum last year that could be allocated to the different offices from that sum. That is cut out entirely. Then there was, and there is yet, about $10,000,000 standing toward transportation, and so forth, accounts, out of which they would be paying five or six different lines of service which have since been turned over to the Quartermaster Corps. The Quartermaster General has handled it; but in order to facilitate his work, and cut out some 200 or 300 clerks, we have provided here what he is to have. He gets nothing from that allocation that I spoke of as credited last year.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 74, line 19, to increase the appropriation for additional employees in the office of the Quartermaster General from "$250,000" to "$543,140."

Mr. KING. Mr. President, I wish to inquire the reason for that increase.

Mr. WARREN. That is exactly what I have stated.

Mr. KING. Is that one of the items embraced in the Senator's statement?

Mr. WARREN. That is the exact item. This officer last year had $250,000,000 in a lump sum, and then had over $500,000 from another source, which would have amounted to some seven hundred and odd thousand dollars, and we have reduced it to five hundred and forty-three thousand and some hundred dollars.

Mr. KING. Can it not be reduced a little bit more?

Mr. WARREN. We got down to the very limit.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 74, line 21, after the word "except," to strike out "1 at $2,400" and insert "1 at $4,000, 2 at $3,000 each, 2 at $2,400 each, 1 at $2,250, and 5 at $2,000 each," so as to read:

For additional employees in the office of the Quartermaster General, $543,140: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum, except 1 at $4,000, 2 at $3,000 each, 2 at $2,400 each, 1 at $2,250, and 5 at $2,000 each.

The amendment was agreed to.

The next amendment was, on page 75, line 13, after "$5,000," to insert "1 at $3,000," so as to read:

Office of Chief of Finance: For employees in the office of the Chief of Finance, $325,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum, except the following: One at $5,000, 1 at $3,000, 2 at $2,750 each, 1 at $2,400, 1 at $2,250, 4 at $2,000 each; auditors for Red Cross accounts—1, $3,500, 1, $3,000; 4 at $2,750 each.

The amendment was agreed to.

The next amendment was, on page 75, line 18, in the items for "Office of Surgeon General," to strike out "chemist, $2,100; assistant chemist, $1,600," and on page 76, line 3, to reduce the total of the appropriation from "$182,860" to "$179,160."

Mr. WARREN. Mr. President, I want to state for the benefit of the Senator from Utah and others that there is one of the heads of a Government department who came to us and asked for nothing in the way of increase, and asked us to cut out those two employees. I refer to the Surgeon General of the Army.

Mr. KING. He deserves a medal.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 78, line 15, to insert the following proviso:

Provided, That nothing contained in this act or any other act shall be construed as precluding the detail upon duties of a technical or military nature of not to exceed eight warrant officers or enlisted men of the Coast Artillery Corps in the office of the Chief of Coast Artillery.

Mr. McKELLAR. Mr. President, will the chairman of the committee state what that means?

Mr. SMOOT. Mr. President, I will say that all it means is this: Unless this provision goes in there, we shall have to pay eight employees in the office of the Chief of Coast Artillery. The amendment provides, however, that we can have those officers detailed.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 78, line 25, to insert "except one at $3,000 and one at $2,000," so as to read:

Office of Chief of Chemical Warfare Service: For employees in the office of the Chief of the Chemical Warfare Service, $24,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except one at $3,000 and one at $2,000.

The amendment was agreed to.

The next amendment was, on page 80, line 22, after the words "the sum of," to strike out "$81,960" and insert "$68,300," and in line 24, before the word "shall," to strike out "$54,640" and insert "$68,600," so as to read:

Of the foregoing amounts appropriated under public buildings and grounds, the sum of $68,300 shall be paid out of the revenues of the District of Columbia and $68,600 shall be paid from the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 83, line 11, to insert the following proviso:

Provided, That the Secretary of War is authorized and directed to transfer without cost to the Superintendent of the State, War, and Navy Department Buildings one passenger-carrying automobile.

The amendment was agreed to.

The next amendment was, on page 84, line 20, after the word "buildings," to insert:

And the Council of National Defense Building, located on D Street between Seventeenth and Eighteenth Streets NW., and the Corcoran Court Building, located on New York Avenue between Seventeenth and Eighteenth Streets NW. And whenever the Public Buildings Commission determines that any of the Government-owned temporary office buildings in the District of Columbia should not be retained by the United States for office or other purposes, the department, bureau, or commission having charge of the maintenance of said building or buildings is hereby authorized to remove said building or buildings, upon approval of the President, either by sale or otherwise, as may be to the best interests of the United States: *Provided*, That the provisions contained herein shall not apply to the Potomac Park office buildings south of B Street north and west of Seventeenth Street west.

So as to read:

The commission in charge of the State, War, and Navy Department buildings is authorized to remove, by sale or otherwise as may be to the best interests of the United States, units A and B of the Mall group of temporary office buildings and the Council of National Defense Building, located on D Street between Seventeenth and Eighteenth Streets NW., and the Corcoran Court Building, located on New York Avenue between Seventeenth and Eighteenth Streets NW. And whenever the Public Buildings Commission determines that any of the Government-owned temporary office buildings in the District of Columbia should not be retained by the United States for office or other purposes, the department, bureau, or commission having charge of the maintenance of said building of buildings is hereby authorized to remove said building or buildings, upon approval of the President, either by sale or otherwise, as may be to the best interests of the United States: *Provided*, That the provisions contained herein shall not apply to the Potomac Park office buildings south of B Street north and west of Seventeenth Street west.

Mr. SMOOT. Mr. President, that committee amendment ought to be rejected, now that the Council of National Defense has been stricken from the bill.

Mr. McKELLAR. Yes; after it has been stricken from the other bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. SMOOT. Mr. President, just a moment. There may be another building in this amendment. I think we were too hasty in our action.

The PRESIDING OFFICER. The entire amendment was stricken out, instead of the first five lines.

Mr. McKELLAR. My motion was just to strike out down to the period after "northwest" on line 1, page 85. I think the other matter refers to a different subject.

The PRESIDING OFFICER. Without objection, the vote whereby the committee amendment was rejected will be reconsidered. It is now reconsidered.

The ASSISTANT SECRETARY. It is proposed to strike out all after the word "northwest," on line 1, page 85, down to and including line 12.

Mr. SMOOT. No; this amendment is not the one I thought it was. The whole thing ought to stay in, and I will tell the Senator why.

Mr. McKELLAR. May I ask that this amendment may go over until to-morrow, and let me look into it? I see that it refers to something else that I have been examining into, and I should like to look at it until to-morrow.

Mr. SMOOT. It may go over; but I want to say to the Senator that the first part of it, which reads—

The commission in charge of the State, War, and Navy Department buildings is authorized to remove, by sale or otherwise as may be to the best interests of the United States, units A and B of the Mall

group of temporary office buildings and the Council of National Defense Building, located on D Street between Seventeenth and Eighteenth Streets NW., and the Corcoran Court Building, located on New York Avenue between Seventeenth and Eighteenth Streets NW.

Mr. STERLING. It seems to me that that ought to follow our action the other day in refusing the appropriation.

Mr. SMOOT. Not only that, but the two buildings mentioned here are on privately owned land, and they claim that under the present law they have no power to remove those buildings from that privately owned land. This authorizes their removal.

Mr. McKELLAR. I think the part down to the word "northwest," on line 1 of page 85, ought to remain in the bill; but I should like to have the remainder of that item go over until to-morrow and let me look into it, because that authorizes the Public Buildings Commission, at any time it desires, to tear down any of the Government-owned temporary office buildings in the District of Columbia.

Mr. WARREN. Mr. President, if I am allowed to say so, I do not know any reason why our striking out the Council of National Defense prevents disposing of the building.

Mr. McKELLAR. I say I agree to that. I think that ought to remain in the bill.

Mr. WARREN. That should not go out.

Mr. McKELLAR. I think so. I think that ought to stay in the bill.

Mr. WARREN. On the other hand, we are up to this proposition: Either we shall have to make longer leases, because the time has expired or we shall have to remove the buildings.

Mr. McKELLAR. I see that a statement has been made in reference to that, and that was my statement in part; but as to the remainder of the amendment, which reads:

And whenever the Public Buildings Commission determines that any of the Government-owned temporary office buildings in the District of Columbia should not be retained by the United States for office or other purposes the department, bureau, or commission having charge of the maintenance of said building or buildings is hereby authorized to remove said building or buildings, upon approval of the President, either by sale or otherwise, as may be to the best interests of the United States: *Provided*, That the provisions contained herein shall not apply to the Potomac Park office buildings south of B Street north and west of Seventeenth Street west—

I hope the Senator will let that go over until to-morrow.

Mr. WARREN. If the Senator desires it, that may go over. Of course, on general principles, if we do not make some such provision whenever we want to tear down some of those buildings that are under expense for watchmen and policemen and all of that we would have to come to Congress for it; but we shall pass that over.

Mr. McKELLAR. Yes; I understand what is intended. On the other hand, we are paying enormous sums in rent.

Mr. SMOOT. Let it go over until to-morrow.

Mr. McKELLAR. I may agree to it, but I want it to go over.

Mr. SMOOT. I can divide it to-morrow.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 106, line 6, in the items for Indian Office, before the words "of class 2," to strike out "thirty-four" and insert "thirty-eight"; in the same line, before the words "of class 1," to strike out "sixty" and insert "sixty-eight"; in line 7, before the words "at $1,000 each," to strike out "thirty" and insert "thirty-two"; in line 9, before the word "messenger," to insert "2 at $720 each"; in the same line, before the words "assistant messengers," to strike out "two" and insert "four"; and in line 10 to change the total of the appropriation from "$300,710" to "$320,790," so as to make the paragraph read:

Indian Office: Commissioner, $5,000; assistant commissioner, $3,500; chief clerk, $2,750; financial clerk, $2,250; chiefs of divisions—1 $2,250, 1 $2,000; law clerk, $2,000; assistant chief of division, $2,000; private secretary, $1,800; examiner of irrigation accounts, $1,800; draftsmen—1 $1,400, 1 $1,200; clerks—20 of class 4, 31 of class 3, 2 at $1,500 each, 38 of class 2, 68 of class 1 (including 1 stenographer), 32 at $1,000 each (including 1 stenographer), 34 at $900 each, 2 at $720 each; messenger; 4 assistant messengers; 4 messenger boys, at $420 each; in all, $320,790.

The amendment was agreed to.

The next amendment was, on page 106, line 22, in the items for the Pension Office, after the words "deputy disbursing clerk," to strike out "$2,500" and insert "$2,750"; and, on page 107, line 3, to increase the total of the appropriation from "$1,174,670" to "$1,174,920."

The amendment was agreed to.

The next amendment was, on page 109, line 16, after the words "foreign Governments," to insert "production of foreign patent drawings," so as to read:

For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade-marks, and other papers; expense of transporting publications of patents issued by the Patent Office to foreign Governments; production of foreign patent drawings; photo prints of pending application drawings; and photostat supplies and dry mounts; $230,000.

The amendment was agreed to.

The reading was continued to line 9, on page 114.

GOOD ROADS.

Mr. SWANSON. Mr. President, I desire to offer an amendment to the Post Office appropriation bill. A few days ago a bill passed the House of Representatives making an appropriation of $100,000,000 for continuance during the fiscal year ending June 30, 1922, of the present appropriation for the improvement of roads.

I am apprehensive that the bill can not pass as a separate measure, because I do not believe anything will pass, except the appropriation bills, at this short session of Congress. It is of the utmost importance that this policy should be continued. A great many legislatures meet the coming summer and next fall, and consequently without action by Congress the States will not know what policy to pursue in connection with those improvements. Therefore I offer the amendment to the Post Office appropriation bill.

Thinking possibly it might be subject to a point of order, as it contains some additional legislation, I desire to give notice that under Rule XL, I will move to suspend paragraph 3 of Rule XVI, in order that I may propose to the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, the following amendment, being the House bill which I have indicated.

Mr. THOMAS. I should like to ask the Senator what amount of appropriation his amendment carries?

Mr. SWANSON. It continues the present policy of $100,000,000 a year.

Mr. THOMAS. Can the Senator state how much of the previous appropriation is still unexpended?

Mr. SWANSON. All of it is practically under contract. I think there is about $200,000,000, but most of it is under contract.

Mr. THOMAS. Only $200,000,000? Then the Senator proposes, although $200,000,000 heretofore appropriated has not been expended but is under contract, to appropriate $100,000,000 additional, in view of the present condition of the Treasury?

Mr. SMOOT. The Senator should be very thankful it is not more that is asked.

Mr. THOMAS. I presume it will be more.

Mr. SWANSON. All of it has not been expended; but, as I said, the contracts have been let by which the States will have furnished two or three times as much as the Federal Government, but by 1922 the entire money appropriated will have been utilized by the States furnishing their pro rata part. The entire policy would be discontinued on the 30th of June, 1921, unless this appropriation were made.

Mr. THOMAS. Then it will probably discontinue, because it will not be made.

RECESS.

Mr. WARREN. Mr. President, we have made a pretty long day of it, and I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 12, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 11, 1921.*

The House met at 11 o'clock a. m.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Our Heavenly Father, we still live in Thy remembrance. Therefore, accept our renewed pledge of gratitude. To-day give encouragement to all men who labor and guidance to those who are in perplexity, and may we know with growing emphasis that Truth's errands can not fail, and all good work is immortal. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

NAVAL APPROPRIATION BILL.

Mr. MONDELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15975, the naval appropriation bill.

Mr. McCLINTIC. Mr. Speaker, pending that motion, I think we ought to have a quorum present. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. Evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Eagan	Kendall	Riddick
Anthony	Eagle	Kennedy, Iowa	Riordan
Ashbrook	Edmonds	Kennedy, R. I.	Robinson, N. C.
Babka	Ellsworth	Kettner	Rouse
Baer	Emerson	Kiess	Rowan
Bankhead	Esch	Kinkaid	Rowe
Barkley	Fairfield	Kitchin	Sanders, Ind.
Bee	Ferris	Lee, Ga.	Sanders, La.
Bell	Flood	Lesher	Sanders, N. Y.
Benson	Focht	Lonergan	Sanford
Bland, Mo.	Gallagher	McDuffie	Scully
Bowers	Gallivan	McFadden	Siegel
Bowling	Gandy	McGlennon	Sims
Britten	Ganly	McKinley	Slemp
Brumbaugh	Gard	McLane	Small
Caldwell	Goldfogle	Maher	Smith, Idaho
Campbell, Kans.	Goodwin	Mann, S. C.	Smith, N. Y.
Candler	Goodykoontz	Mason	Steagall
Cantrill	Graham, Pa.	Mead	Steele
Caraway	Hamill	Merritt	Stephens, Miss.
Carew	Harrison	Montague	Stiness
Carss	Haugen	Moon	Strong, Pa.
Casey	Hersman	Mooney	Sullivan
Chindblom	Hoey	Morin	Sweet
Clark, Fla.	Holland	Mudd	Thomas
Classon	Howard	Nelson, Wis	Towner
Costello	Hulings	Nicholls	Vare
Cramton	Hull, Iowa	Nolan	Venable
Currie, Mich.	Hull, Tenn.	O'Connell	Vestal
Dale	Humphreys	Pell	Volk
Davey	Husted	Perlman	Watkins
Dempsey	Igoe	Radcliffe	Whaley
Denison	Ireland	Rainey, Ala.	Wilson, Ill.
Dent	Jacoway	Rainey, Henry T.	Winslow
Donovan	James, Mich.	Rainey, John W.	Wise
Dooling	Jefferis	Ramsey	Young, Tex.
Doremus	Johnston, N. Y.	Ramseyer	
Doughton	Jones, Pa.	Randall, Calif.	
Drewry	Kahn	Reed, N. Y.	

The SPEAKER. Two hundred and seventy-two Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. KELLEY of Michigan. Mr. Speaker, I renew the motion made by the gentleman from Wyoming, that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. WALSH in the chair.

The Clerk reported the title of the bill.

Mr. KELLEY of Michigan. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, it may seem strange in the midst of the consideration of a great naval program for a Member of the House to divert the attention of Members to another subject. In the few minutes allotted to me I propose to say what I think about the importance of the great Postal Service. It may not be of very much interest to those who sit before me to listen to what I have to say, but I shall endeavor to say what I think about it. The Postal Service is the greatest service in the Government. In time of peace the expenditures for that service are greater than for any other governmental activity. The Postal Service ramifies into every nook and corner of the country and its insular possessions. It extends to the broad oceans of the world. Every hamlet, every mountain peak where Americans are living is reached by this wonderful service, even out to the frozen mountain peaks of Alaska. The Postal Service is the nerve center of public thought in America. It is the artery through which the lifeblood of American thought is carried into every home, and upon whether it is efficiently conducted or inefficiently conducted depends in a large measure the sentiment expressed by the people in respect to the entire Government. Service in this institution is more essential than politics. It makes no difference how much political manipulation the party in control may undertake through the Post Office Department, if they do not give the people service they will not be approved. It makes no difference how little political manipulation may be practiced by the party in control, if service is given, that will meet the approval of the people. After all, service is the one thing that is essential if the approval of the people is to be expected.

We are spending $575,000,000 a year in this one activity. This is the board of directors of the American corporation—the Nation. The President of the United States is the executive chief of the corporation. His Cabinet officers are the heads of departments to which are assigned the various functions of Government.

In a private corporation the executive and his heads of departments sit with the board of directors. They formulate the policies. In this corporation that is not so.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question right there?

Mr. MADDEN. Yes.

Mr. BLANTON. Is this the gentleman's speech of acceptance.

Mr. MADDEN. In a private corporation it is the business of the board of directors to formulate plans that are to be carried out by the executive chief and to so formulate those plans and have them carried out as to produce dividends. Of course, that can not be expected in the corporation of which we are directors, but we can so conduct the activities of the Government through the action that we may take, if those acts are properly executed, as to in a measure pay what might properly be termed dividends in the way of a reduction of taxes and an improvement of the service.

It is true that a private corporation can be conducted more efficiently than a public institution like a government, because it is the business of every member of the directorate and every executive officer to see that every economy that it is possible to institute and every efficiency that can be inaugurated is put into effect, whereas in a public institution like this many things run at loose ends. What is everybody's business seems to be nobody's business. The Post Office Department, then, is the one great business branch of this Government. The man who presides over this department ought to be a man of the highest business experience; he ought to be a combination of kindness and firmness; he ought to be a disciplinarian; he ought to be a man who knows organization and who will so organize the force under his command as to bring every element into cooperation. We have an army of 300,000 men in this department, the greatest army in any Government activity, not even excepting the Army or the Navy. Every one of those men are civilians. They come into a service technical in its character. They are required to become experts in the line in which they are about to engage. They come in ordinarily with the expectation of giving their lives to the work. If they perform their duties as they ought to perform them, there can be no question about the efficiency of the conduct of this great department. Cooperation and correlation from top to bottom is essential to the success of the enterprise. Every man in this service should consider himself a public servant. That does not merely apply to the man at the bottom, but it should go to the man at the top, and every man from the top to bottom should work in harmony if we are to succeed. There never was a more loyal crowd of men in any activity in the world than the men in this service. They should be given every opportunity to cooperate. They can not be expected to cooperate if there is any indication of discrimination in their treatment. The treatment should be just; discipline, of course, should be enforced. The man at the head of the department should manage and he can so manage as to have the harmony which confidence promotes, and the people of the United States are looking forward to this character of harmony in this great institution, so that they may have the service to which they are entitled.

Service of the kind I have indicated will encourage the people to realize that one of the departments of the Government is functioning for them and if it so functions the work of the department will be reflected in the contented minds of the country. Every man who comes into the service should be made to realize that there is a chance for him, though he may enter at the bottom, to reach the top. Merit should be the sole reason for promotion in the Post Office Department. A record of achievement in whatever place the man may occupy should encourage him to believe that he will be recognized when the opportunity for advancement comes. There should be no favoritism played, no discrimination. To the extent that it can be done without detriment to the service seniority should be reckoned as the prime reason for promotion, but where a man occupies a place and it is known definitely that though he may be senior in his rank if he would not be qualified for an advanced position he ought not to get it. The success of the service should

be paramount, and service can be properly conducted only where all of the elements of merit, ability, and technical knowledge are recognized. We have 300,000 men and women in this department, I said. In the great cities of the country 75 per cent of those people work at night. There is no reason on earth why all this great percentage of all the employees should be called upon to work nights. If a large part of the night work were eliminated from the service, a very much better class of people would apply for positions in the Postal Service. They say that night work is essential for the movement of the mail. To some extent that is true, but there is no reason why the mail of to-day may not slack up for one single day and the work that might be done to-night be done to-morrow, and there would only be one day necessary to transform the scheme by means of which those men could be put into the day service. The business of the department is growing so rapidly nobody can keep track of it. The man at the head must have patience, he must be able to comprehend the new development necessary to conduct this system as a going business institution. I am in favor of civil service to the extent that it can be properly put into effect; and so far as the rank and file go, from the bottom to the top, I want civil service observed strictly, so that men who give their time and determine to devote their lives to the Government service may realize that they are entering upon a life work with the assurance that merit and merit only will be the medium through which they can advance.

Mr. STEVENSON. Will the gentleman yield for a question?

Mr. MADDEN. I will yield.

Mr. STEVENSON. Does the gentleman think it practicable to maintain the rule of civil service as to presidential postmasters that is now in effect?

Mr. MADDEN. We have 11,000 presidential postmasters. They are not under civil service except so far as the order of the President makes them so. The 42,000 fourth-class postmasters are under the civil service law, and I personally am not in favor, I will say frankly, of permitting one President, by Executive order to bind the incoming President as to the method of selecting men for important administrative positions. I believe that examinations should be had to fill all places for presidential postmasterships, and that the man who secures the place should be selected from one of the three highest.

Mr. KEARNS rose.

Mr. MADDEN. But I am in favor of ultimately passing a law to put all under it, and I am in favor of going further than that. I believe that every man in the service ought to have an opportunity to take examinations for postmasterships, and that the examinations should be confined to men in the service who have qualified by their experience and their work. But until the Congress passes a law, I am not in favor of permitting any presidential order to prohibit the incoming administration from selecting its own representatives in the way which it may be determined will produce the best results for the service. But when that is done, I am of the opinion that nobody who is unworthy should be selected under any circumstances for a postmaster's position, and that nobody except a man who is qualified and can prove his qualifications by his examination ought to get the place.

Mr. STEVENSON. Will the gentleman yield for another question?

Mr. MADDEN. Yes.

Mr. STEVENSON. Do I understand, then, that the gentleman is in favor of letting the new administration fill all the presidential offices and then cover them with the civil service, which will protect them, regardless of the administration that comes in thereafter?

Mr. MADDEN. I am in favor of doing exactly what the Democrats did when they came in. [Applause on the Republican side.]

Mr. STEVENSON. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. STEVENSON. That is a very good example to follow, I will say to the gentleman.

Mr. MADDEN. Except that I would go further and make efficiency the standard and service the paramount prerequisite. And I would eliminate politics from the whole service altogether.

Mr. STEENERSON. Will the gentleman yield?

Mr. MADDEN. I will yield to the gentleman.

Mr. STEENERSON. The gentleman has no doubt noticed that in the different post offices in the country, especially the large offices, there has been a good deal of complaint about the promotions among the civil-service employees. I recall that we discovered on our investigation last year one town of about 300,000 people where everybody seemed to be satisfied that they had gotten a square deal from the postmaster in those promotions; but in another town near by, of almost the same size, everybody seemed to be satisfied that they were discriminated against. Now, is there any way, in the gentleman's mind, whereby that kind of trouble can be avoided?

Mr. MADDEN. Yes. I think it ought to be the duty—and it should be rigidly enforced—of the Postmaster General to see that no postmaster in any city of the United States promotes men for politics or favoritism; that efficiency and merit should be the only standard by which promotion should be gained. [Applause.] Organize the department on this basis and there will be an enthusiasm on the part of the postal workers which will inspire them to work as one man, and the mail will be distributed, handled, dispatched, and transported by a happy and contented army of men and women which will be reflected in every home in the land.

Mr. AYRES. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Chairman and gentlemen, I have in mind to speak to you briefly concerning the American citizen whom I regard as probably the greatest naval hero of the war, Lieut. Edouard Victor Isaacs. He was born at Cresco, Iowa, on December 18, 1891; he was appointed to the Naval Academy from the fourth district of Illinois; he graduated from the Naval Academy in 1915 as an ensign.

Lieut. Isaacs has received the medal of honor, with the following citation:

THE SECRETARY OF THE NAVY,
Washington, November 11, 1920.

SIR: In the name of Congress the President of the United States takes pleasure in presenting the medal of honor to Lieut. Edouard V. M. Isaacs, United States Navy, for services above and beyond the call of duty during the World War, as set forth in the following:

CITATION.

"When the U. S. S. *President Lincoln* was attacked and sunk by the German submarine *U-90* on May 21, 1918, Lieut. Isaacs was captured and held as a prisoner on board the *U-90* until the return of the submarine to Germany, when he was confined in a prison camp. During his stay on the *U-90* he obtained information of the movements of German submarines, which was so important that he determined to escape with a view to making this information available to the United States and allied naval authorities. In attempting to carry out this plan he jumped through the window of a rapidly moving train at the imminent risk of death, not only from the nature of the act itself but from the fire of the armed German soldiers who were guarding him. Having been recaptured and reconfined, he made a second and successful attempt to escape, breaking his way through barbed-wire fences and deliberately drawing the fire of the armed guards in the hope of permitting others to escape during the confusion. He made his way through the mountains of southwestern Germany, having only raw vegetables for food, and at the end swam the river Rhine during the night in the immediate vicinity of German sentries."

For the President.

JOSEPHUS DANIELS,
Secretary of the Navy.

After his graduation from the Naval Academy Lieut. Isaacs remained an ensign—being the lowest commissioned officer of the line, and in service on the battleship *Florida*—until our entrance into the World War in 1917, when he was immediately promoted to the rank of lieutenant and later senior lieutenant and assigned to duty on the transport *President Lincoln*. From that time, early in 1917, until his troop ship was sunk, on May 21, 1918, Lieut. Isaacs was continuously acting as senior lieutenant on the *President Lincoln* and in charge of her two "after guns."

Now, my reason for speaking of this worthy young man is that it happens that he was the only officer of the United States Navy who was captured by the Germans, and, with the spirit of a genuine American, and with the ingenuity of a Navy man, he refused to remain captive. He resolved to escape, and he did escape, from the most securely guarded of the German internment camps, and so from the point of view of the Navy he sustained every single one of its aspirations.

In the transportation of troops between the United States and France the *Lincoln*, on the return trip, when 400 miles west of Brest, was torpedoed at 9 o'clock in the morning by three different discharges. In 30 minutes the ship had sunk, with the loss of 3 officers and 23 men, and 700 of our men were left to the mercy of the seas, 400 miles from land. They had a few lifeboats and some rafts. Isaacs got upon a raft. It was the custom of the submarine commander to require the highest officer of a sunken ship to come aboard the submarine. Now, the highest officer of the *President Lincoln* was Capt. Percy Foote, who is now aid to Secretary Daniels, but being a man older in years than Lieut. Isaacs, the latter himself concluded he would pretend that Foote had been lost in order that he, Isaacs, a younger man, might be taken and subjected to imprisonment. So he declined to put off his uniform of an officer and to appear as a private, as he was importuned to do, and he himself got upon the submarine and reported that he supposed his commander was lost. In that way he was taken prisoner. The 700 men remained on their lifeboats and rafts from 9.30

in the forenoon till 11 o'clock at night, when they were rescued by two United States destroyers.

The German submarine remained some two days in that neighborhood and then passed along the west coast of Ireland, then to the north of Scotland, then south into the North Sea, then through the Skagerrack into the Cattegat, then through the sound separating Sweden from Denmark, then into the Baltic, thence to Kiel Harbor, thence through the Kiel Canal to Wilhelmshaven, a journey requiring 12 days. During that time Lieut. Isaacs was treated with consideration, and it was the only time from his capture to his escape, some five months later, when he was treated with any consideration or given food in any degree adequate. During that trip he learned several German naval secrets that were indispensably necessary to the American Navy and the allied navies about the German submarine.

By watching the navigation observations and charts and by remarks made by the submarine officers and crew he had learned, for instance, how the German submarines got from Wilhelmshaven out to sea. He regarded it as indispensably necessary that that should be known to our Navy and to the navies of the Allies. Therefore it was necessary that he should escape in order to communicate that to the Allies and to the American Navy. He had learned, by watching the charts, and the course of the submarine upon which he was a prisoner, another thing, and that was that the zigzag method of the American troopships had become so easy to the Germans that it was no longer efficacious, because that practice of going a certain number of miles at a uniform angle from a base line, and then returning forward to and crossing that base line at the same angle and to the same distance, meant always that they pursued a general base line; and the German submarines, after they had discovered that, instead of wasting a large number of hours and days in intercepting them by pursuing them exactly, came to know that if they would simply run upon the base line and wait ahead for awhile the American troopship would certainly come in that direction. He determined to communicate that fact to the admiral of the American Navy.

At Wilhelmshaven—which was the base of the German high seas fleet—he learned another thing, and that was that the German ships were all tied up and certainly out of the war except the submarines. That fact he desired to communicate. And there was yet another matter of tremendous import that Lieut. Isaacs had learned by June, 1918, and that was that from 2 to 5 German submarines were constantly rendezvoused in the bay off Copenhagen, where others, when ready, also came, and there waited till a German destroyer should come which was cognizant of the position of the shifting German mine fields, and which should be able safely to conduct the submarines through. With such information in his knowledge how his heart must have yearned to communicate it to his superiors in command! And he swore to escape or die trying.

He was kept some days in the naval barracks at Wilhelmshaven, questioned, starved, examined by the chief of staff—who spoke perfect English, having spent 13 years in England—and then was removed to Karlsruhe, in Baden, opposite Switzerland. Later he was removed from Karlsruhe to Villengen. On that journey he attempted to escape, by jumping out of the car window. In doing so he broke the arches of both his feet. He was captured again by his guards. He was beaten by them into insensibility with the butts of their rifles. They struck him with a rifle on the side of his head and made him permanently deaf in his left ear. One of his guards struck him with his gun over the left shoulder, and the shoulder blade was broken and healed without proper medical care, so that it is permanently weak. The starvation he endured for four or five months has broken his entire life except his exalted spirit. So that now, at the age of 29 years, having a wife and two little children, he must, on account of the disabilities he received when he risked his life in the service of his country, in this coming month of May be retired on the pay of a lieutenant, at only $185 per month.

I shall not be a Member of the next House, and therefore can not be of final service to that worthy man, but I want to call his case to the attention of those who will be here and who will serve in the next Congress. He ought to be promoted to the rank of commander by a special bill, so that when he is retired—as he must retire by order of the Navy for physical disabilities and inefficiency by reason of these wounds—he can retire at $285 a month, so that he and his wife and children may live in comfort. It is not right and it is not the wish of this mighty Nation for it to enjoy the fruits of that sort of sacrifice and then neglect him because physically he is disqualified for labor again in the Navy. That is the point now, and that is the object of this hasty recital that I am making.

After that they drove him about 5 miles to Villingen. There he stayed for three months. The food was so poor that he lost 30 pounds. One day he analyzed his food and found that it was made up of potato peelings mixed with water and sawdust and sand. They gave him that in the form of black bread every day; that and soup made out of the leaves of trees. He subsisted on that for three months.

Notwithstanding all that, his desire to go back and give out the information he had acquired and his unfailing courage induced him to go farther and effect his escape. In company with a young man from Georgia, another from Texas, and another from Massachusetts he escaped. Two of them got away. He traveled 120 miles from that camp of the Germans until he reached the border at the Rhine opposite Switzerland, although the Rhine was at the nearest place from the starting point only 17 miles away. He avoided bridges and every road, and he traveled only at night. He went through forests and hills and mountains. He subsisted for eight days only on vegetables that he got at night out of the gardens. Bloodhounds were set on his trail repeatedly, and he put pepper in his tracks from time to time in order that the hounds would give up the trail.

Finally he reached the bank of the River Rhine. The bluff at that point was 200 feet high. It was midnight. They had no overcoats, and very poor and thin clothing. It was the 13th day of October, and the frost and cold of a north Europe autumn chilled their exhausted bodies through and through. They had nothing to eat for eight days except what I have indicated. But in that condition, with 30 pounds of weight lost, Isaacs was actuated by the motive of service, the highest motive that ever uplifted human endeavor, and by the unquenchable flame of a patriotism as pure as the light of the stars. They determined to go across that river, and spent from midnight until 2 o'clock in the morning trying to find a way down that precipice—with the measured tread of German sentries audible below. Then Isaacs remembered that they had crossed, about 2 miles back, an ice-cold branch which flowed toward the river.

They made their way back to it. They stripped to the waist. They covered their bodies with mud in order that they might be of the same color as the leaves on the ground. They put upon the back of their necks their little supply of undercloth-ing, which was the only thing they spared themselves, and they went 3 or 4 miles down that little ice-cold stream, immersed entirely except their heads, in that cold water, and finally they came to the Rhine. It was 700 feet across it. It was raging with the torrents of a hundred mountain streams pouring in their swollen icy floods. The Rhine at that point had a tide of 7 miles an hour and was a maelstrom of cataracts, bowlders, tides, and eddies; but just across lay Switzerland and safety and service to country! So their brave hearts made the last supreme effort and, exhausted, clung to the west bank till strength came to drag lacerated, weary bodies to the peasant's welcome Swiss cottage. Then our consul in Berne, Switzerland, gave them passports to Paris, and Gen. Pershing promptly sent Lieut. Isaacs to Admiral Sims, and he told him his story; and Admiral Sims and the American Fleet and the allied fleet then knew for the first time of these major points that he communicated to them of the weakness of the German Navy.

If ever there was a hero, Lieut. Edouard Isaacs is one. In personal life as gentle as a woman, yet in spirit of the heroic mold. I do not believe that the American people will be satisfied unless you worthy gentlemen of this House or of the next Congress, which shortly will convene, see to it that a mark of recognition of heroism like that is given to him for his wife and children and his children's children to enjoy, and see to it that he is given his proper rank, so that when he is compelled to retire on account of his disabilities incurred in undergoing these sacrifices he may have at least a simple competence.

Every virtue of private life he exemplifies; every tradition of the Navy he upholds; every sentiment of courage, resolution, and chivalry he ennobles. He is a blessing to his family, a pride to the Navy, and an ornament to his country!

Gentlemen, I thank you. [Loud applause.]

Mr. AYRES. Did the gentleman from Texas consume all of his time?

The CHAIRMAN. The gentleman from Texas yields back one minute.

Mr. AYRES. I yield to the gentleman from Mississippi [Mr. SISSON] 15 minutes.

Mr. SISSON. Mr. Chairman and gentlemen of the committee, this subcommittee has made some very marked reductions in the estimates made by the Navy Department. I believe that

the bill, however, meets all of the real needs of the Navy at this time. In fact, many of the items in the bill are very liberal. I do not believe that this Congress or the American people can afford to permit the estimates of the so-called experts in the Army and the Navy to determine the size of the Army or the Navy, and any criticism that the experts asked for more is no criterion for our guidance. There are some people in Congress and some throughout the country who have great confidence in experts, and who would eliminate the representatives of the people entirely. In my judgment, there is nothing quite so dangerous to follow as an expert. He is always an expensive luxury, not only in private but especially in public life. The Navy people are for a big Navy, and if a man in the Navy did not want a large Navy and was not enthusiastic about the naval program, perhaps he ought not to be there, and the same is true of the Army; but the American Congress should always retain within itself not only theoretically but practically the right and the power to determine the size of the Army and Navy and how much the people should pay, and we ought to let the American people understand that we have yielded none of the power that we have under the Constitution, and that the Congress, and not the so-called experts, shall determine the size of the Army and the size of the Navy. If we do not do this, then the people are helpless, for when we take orders from others or surrender our judgment to others, then to that extent we fail as representatives of the people. Since this debate commenced I have heard on this floor intimations that the committee perhaps have done wrong, because Admiral So-and-so or some expert in the Navy Department has made such-and-such statements. In other words, a sentiment has grown up in the House that we should be bound by the statements made by those gentlemen who represent the departments. I think they are splendid gentlemen. I think they are men of honesty and integrity, but they get to be too enthusiastic; and the trouble is that, being educated at the expense of the Government, they have never been taught to consider the means whereby any matter is accomplished. They simply want to accomplish something and have never considered where the money is coming from. That is the trouble with the Army Engineer.

He may be and usually is an accomplished engineer, but he never gives a thought as to what it is going to cost, and that is natural, because he has always had a client who has had unlimited means, and that client only holds him responsible for the results accomplished by him and not for what it costs. But as the Congress of the United States represents the people and the taxpayers, it is our highest duty to consider the means with which we are going to accomplish these purposes. And for the first time in the history of America we are confronted with the problem of being able to get enough money to pay the expenses of the Government. Now, gentlemen of the committee, I do not know of any way in the world in which you are going to economize unless you cut; and when you cut deep enough to do any good, you have got to cut some nerves and some blood vessels and some bone. But you are not going to be able to accomplish much in the reduction of expenses unless you are willing to cut and cut deep. Somebody in the Government service somewhere has got to practice some self-denial. I take no sort of stock in the idea that the United States Government should respond to all the calls which are made upon it. For example, during the war, for the purpose of taking care of the physical increase in the cost of food which must be purchased by its employees, rather than put increases of salaries on the pay rolls of the Government Congress gave what is now known as a $240 bonus. That has been going on for some time, but now the newspapers of this city and the employees of the Federal Government are beginning to contend that it is their right to keep the bonus. Why, the very purpose of giving the bonus and putting it in the form of a $240 bonus was so that it could be eliminated when we got back to peace times.

Gentlemen of the committee, in 15 minutes I can not discuss the matters that are in my mind, but before my time expires I want to call the attention of the committee to the fact that the newspapers of the country for a time sought to destroy the present Secretary of the Navy.

When they were endeavoring to force the Secretary of the Navy to enter into the 10 per cent plus contracts which had been entered into by the Army he declined. They were demanding of him that he enter into 10 per cent plus contracts to buy materials, steel, and other things for the Navy. He declined to do it, and there was a propaganda against him that would have destroyed any man who was not extraordinary. I said to him one day, "Mr. Secretary, you are a good newspaper man. Why don't you answer these things?" He said, "Congressman, if I make good the people will know it, and if I do not make good my answering it will not do any good, and if I get into a newspaper controversy I will not have time to attend to my duties."

This fact is not known, that Secretary Daniels was always the first man to get to his office in the morning. He would go down to his office between 7.30 and 8 o'clock; he would stay there and eat his lunch and frequently his dinner at his desk, and remain until 10 or 11 o'clock at night in order to get the day's work done; and it was not very long until all the people in the Navy Department realized that the hardest worked man in the Navy was the Secretary himself. This put the right spirit in the whole Navy. During that controversy over the 10 per cent contract Secretary Daniels stood foursquare to all the winds and to all the criticisms. He made mistakes, as he will tell you; but in my judgment, when the history of the Navy shall have been written, when politics shall have passed out of the question, the critics of the Navy Department will find that up until this day, so far as the history of the Navy in the past is concerned, Josephus Daniels has made the best Secretary that the Navy ever had, and he did it by hard work, by faithfulness to duty, and by supreme courage. [Applause.] Why, under the 10 per cent plus contracts the Steel Trust had a contract with the Army under which they paid $98 a ton for steel. I will not have time to go into details as to how Mr. Daniels accomplished it, but he made a contract with them for $56 a ton for steel. He did it by ascertaining what it cost to make steel, and after adding a good profit he said, "I will pay you $56 for steel, and if you do not take it I will commandeer your plants." And the contracts that he made in reference to the construction of the battleships and all the other Navy craft were such that he not only saved millions and millions of dollars to the American people, but the contract was so drawn that it got the necessary speed as well as economy in material. He made the contracts himself for steel.

He made contracts with the labor organizations, all of which were the result of his own experience, and while he made no pretension to being an expert Navy man, he had gathered around himself young, verile, active men, so that when the time came, when the order was given and they were calling upon the Secretary to know when will you be ready to guard the ships and transports across the seas, he said, "Now, sir." There was not a demand on the Navy during that terrible struggle that the answer did not come hot and quickly, "Now, sir."

We transported across the seas over 2,000,000 soldiers, besides many hundred thousand civilians, and, with the exception of the life that was lost off the Irish coast, not a human being was killed by a German submarine. [Applause.] This ship lost opposite the Irish coast was not guarded by our Navy.

I want to tell you that the landlubbers in most of the districts of the United States, in interior Illinois, in interior Mississippi, boys who never saw a wave of the sea and never had been on the high seas, were not so much afraid of the Germans as they feared the dangers of the sea. More than all that, they were ready to face the Germans if they could land safely. Do you know, when the German submarines were plying the Atlantic, we held our hearts in our throats when the first transport left America going to France. What would have been the result, gentlemen of the committee, if that first transport going across had been sunk and the news had gone throughout the United States that the German submarine has sunk a vessel loaded down with American boys? You would have had an enormous amount of trouble getting mothers and fathers to have consented that their sons should cross 3,000 leagues of the sea between here and the shores of France. It was a trying hour, and the question was whether the Navy would be able to perform its duty.

History will repeat the story that the Navy was ready, and while the Navy in one sense of the word did not get the glory and renown that the men in arms did, in an unostentatious way it performed the duty and performed it magnificently, and without this efficiency victory would have been impossible. The American people ought to render thanks that we had such an efficient Navy at this time, because it was through the Navy that the precious lives of the boys were saved and preserved from the German submarines.

So although this criticism may have been hurled against him in the past, history in this country will write him down as the greatest Secretary of the Navy, because we hold men responsible in history for what they have accomplished and what has been accomplished under their administration.

Mr. LAZARO. Will the gentleman yield?

Mr. SISSON. I will.

Mr. LAZARO. I fully agree with the gentleman as to the wonderful result the Navy accomplished. My question is this:

I believe it is thoroughly understood that the future Navy is going to be an oil Navy. Is not that so?

Mr. SISSON. There is a controversy about it; I hope myself that it may be a Navy that will use oil for fuel.

Mr. LAZARO. What is the gentleman's opinion as to the future supply of oil for the Navy?

Mr. SISSON. The oil supply is, of course, at the present time almost unlimited. Nobody knows with any degree of certainty what the oil future will be; I do not know.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, the gentleman from Texas [Mr. EAGLE] has eloquently presented the career of the one prisoner taken from our Navy by the Germans during the war. I hope his recommendations will be followed; they ought to be followed. During the year there was a graduate of Annapolis killed at Chateau-Thierry, a marine, and I have introduced a bill to erect a memorial to him at Annapolis, and I hope it will be done.

The story of the Navy bill is always an interesting one. Every time it comes here there occurs to my mind the old story of the Athenians who inquired of the oracle what steps they should take to protect themselves against the Persian hordes. It told them to use the wooden wall. Themistocles interpreted this to be the ships. He was right.

When the *Merrimac* sailed into Hampton Roads and sank the American fleet the wooden walls disappeared from history. Then came the great battleship to dominate the sea. Then came this war, with the submarines to destroy fleets of vessels, and the ironclads became just as obsolete as the wooden wall did at Hampton Roads.

It has always been a curious thing to those of us who are not "experts" to understand just why the Navy and the "experts" adhere to these ironclads. You can take $40,000,000 and build a great battleship. You can take $40,000,000 and build 40 submarines. The minute that the battleship knows that one of the submarines is out on the sea looking for it, it scuttles for home and safety. No nation can afford to set up $40,000,000 worth of war equipment against $1,000,000 without at least an even break, and, of course, there is no even break. The submarine is so much superior to the battleship that there is nothing left but retreat for the big ships. Therefore, why do we continually adhere to the demands of these experts and continue the construction of these ironclads? What we should do is to modernize our Navy and not fiddle away money, that is hard earned, upon battleships. We should spend it upon submarines, upon destroyers, upon the aircraft that really dominate the seas. Is it possible that these experts, these Bourbons of the Navy, are going to throw this great expense on us forever? Will not they ever find that when once a submarine has chased a $40,000,000 battleship off the sea, that it is all over—that there is no further purpose in war for the battleship? The mere fact that only one graduate of Annapolis was killed in battle, actually in action in the war, and on land, at that, ought of itself to challenge official attention to the beginning of the end of any such expenditure of money. The mines along the German coast made that coast safe. We can build mines. They just told us a moment ago that when the one prisoner that the Germans secured from our Navy got to Wilhelmshaven he found that the battleships of the Imperial German Government had retired from the war, were bottled up there, and he showed great intelligence and courage in getting away to bring us that information. The Navy got that information, and why do they not assimilate it, why do not the experts take it to heart?

The British Fleet, the most wonderful fleet that ever was placed on the sea, was bottled up in a Scotch port practically throughout all of the war. The only time the great battleships met each other out there in the North Sea both fleets scuttled for home as quickly as they could get started, each thinking that it was being defeated. When the Germans found that the English had not claimed a victory, they hastened to claim one, and when the English found that nothing particular had happened they proceeded to claim the victory. There is no thing so valuable as common sense, and it seems to be the one equipment that the experts very rarely have. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. AYRES. Mr. Chairman, I yield one minute to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, in the Belgian Army during the war three heroic soldiers were cited as the most heroic among the Belgians. Two of them died in action. The third, Lieut. Alfred Mathot, while commanding his company, had a German airplane swoop down upon him and shoot away his arm. Thirty days after that he was back on duty. Representing the King and commander in chief of the army, Lieut. Mathot directed a party of American Congressmen to within 25 yards of the German trenches and had his automobile shot through. That distinguished heroic character, a mere boy of 17 when he joined the army, the only one now living of the three so cited for heroism, is in the gallery of this House, and I think it entirely fitting that he should be presented and given this recognition at this time. [Applause; Members standing.]

The citation is as follows:

CITATION AT THE ORDER OF THE BELGIAN ARMY OF LIEUT. A. M. MATHOT, FIRST GRENADIERS REGIMENT, BELGIAN ARMY.

A young officer having always greatest self-control combined with a high spirit of bravery and absolute self-sacrifice, heroically distinguished himself in the command of an advance post very much exposed in the sector of Nieuport. The enemy launched a furious attack on the trenches occupied by his platoon, the attack accompanied by a bombardment of extreme violence. He was seriously wounded in the hand by a bullet shot from one of four airplanes firing on his men from a height of 150 feet. In spite of the loss of blood which greatly weakened him, he rallied his platoon and courageously led a counterattack. A shell exploded and shattered his arm. Carried to a dugout, he did not relinquish his command until after having dictated and sent an alarm message by carrier pigeon to his commanding officer.

His left arm amputated, he aroused universal admiration for his heroic abnegation.

DECORATIONS.

Chevalier de l'Ordre de Leopold (avec palme).
Chevalier de l'Ordre de St. Olaf de Norvege.
Croix de guerre (three citations).
Medaille de la victoire.
Medaille de la commemorative de la campagne 1914–1918.

Mr. Chairman, I ask unanimous consent to revise my remarks in the RECORD.

The CHAIRMAN (Mr. DALLINGER). The gentleman from Louisiana asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Mr. Chairman, he did not ask to extend them; he merely asked to revise them.

The CHAIRMAN. Does the Chair understand the gentleman to object?

Mr. McCLINTIC. He did not ask to extend his remarks; he asked to revise them.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to revise his remarks. Is there objection?

There was no objection.

Mr. AYRES. Mr. Chairman, I yield nine minutes to the gentleman from Massachusetts [Mr. TAGUE].

Mr. TAGUE. Mr. Chairman and gentlemen of the committee, it is not my purpose to discuss the merits of this bill at any great length, other than to show to the House that some of the statements made in the record of the hearings are not as they should be, so far as they concern the navy yard in Boston. I realize that one of the hardest tasks of this House falls upon the shoulders of the Committee on Appropriations, and, therefore, what I have to say is in no way a criticism of the committee but rather to let them know that some of the statements made in the hearings are not at all in keeping with the facts.

One of the crying needs of the navy yard in the Boston district is the repair of the piers in that yard. For several years the officials at the navy yard have been asking that something be done in the way of repairs in order to avoid any accident which would endanger the life of the workmen in the yard. This year, more especially than any other, the officials at the Boston Navy Yard have pleaded with the Navy Department, asking that an appropriation be set aside to repair the piers. I notice in the hearings that the chairman of the committee asked Admiral Parks whether or not these repairs could not wait for a while longer, and in the course of his remarks Admiral Parks stated that he thought they could, but further stated that "the commandant of the yard had expressed himself to me rather forcibly, and does not agree with me on that point." The facts are these, and I believe the members of the Committee on Naval Affairs who visited that yard and made an inspection a short while ago will bear me out in what I say: There are 10 piers at the Boston Navy Yard, and of the 10 piers the report made by the man in charge says that 6 are in such condition that it is dangerous at any time even to drive loaded trucks onto the piers, to say nothing of the great carrying cranes which are necessary in order to perform the work. The report says:

If this is not done, we will have the anomaly of a navy yard with complete dry-dock facilities for vessels of any class, shop equipment to carry on work of practically any magnitude, but no piers alongside of which large vessels can lie to have repairs or alterations economically prosecuted.

Coming from that district, I took it upon myself to look over the situation. I have consulted not alone the officers of the yard but also with some of the master workmen, who have veri-

fied the reports made by the officers of the yard. I had hoped that a sum sufficient to do this work would be included in this bill. I am certain that the expenditure at this time would save the Government money and would protect the lives of the workmen. Admiral Parks was questioned about building of ships at the navy yard, and the question asked by the chairman of the committee was:

Mr. KELLEY. Are they building any ships there now?

Admiral Parks replied to that as follows:

Admiral PARKS. I do not think they have any ships under construction there at all.

Mr. Chairman, I can not conceive how any man in authority would make that statement, because to-day not only are they repairing a great number of ships but they have just completed the *Neches*, and the *Pecos* is on the ways and will be launched within a few months. The molds have been made and the steel has been cut, and within three or four months they will lay the keel of another ship, the *Admiral Whitney*.

When the reorganization of the yards took place before the war, the Navy Department decided that the Boston Navy Yard would be used as the great repair yard of the Atlantic coast and for the construction of the smaller ships, such as colliers, hospital ships, and transports, which they are doing and have been doing—not only building them but saving the Government thousands of dollars below the estimated costs, and below the bids submitted by outside corporations.

As an instance, the *Brazos* was built for $292,000, while the estimates were $320,000. Her sister ship, the *Neches*, which has been launched, was built for $253,000, or a saving of $38,000 over her sister ship. The *Pecos* is about completed, and it will show a saving of more than $25,000 below the cost of the *Neches*, which shows to my mind the necessity of keeping a force at hand of trained mechanics who can do the work of the Government and have it done in an economical way. Now, another thing which is misleading is the statement of the number of men who worked and of the force that has been reduced at the yard. Upon a question asked by the chairman he was told that in December, 1919, there were about 6,585 men, and in June, 1920, 5,706, showing there had been a reduction of 879 men. The facts are, according to the figures given to me by the Chief Clerk of the Navy Department, that in April, 1917, before the war, there were 4,200 employees; in November, 1918, there were 9,900 employees, and on February 1, 1921, 5,460 men, showing a reduction of 4,440 men. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. DAVIS] eight minutes. [Applause.]

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen, to those members of the war investigating committees who still persist in continuing their expensive and useless investigations of how we won the war I respectfully commend the reading of the editorial appearing in the Washington Post on the 5th instant under the title of "America's war record." This editorial is especially significant at this time in view of the close personal and political relationship between President-elect Harding and the proprietor and editor of the Washington Post, who was personally selected by the President elect to act as chairman of the inaugural committee, and by reason of the further fact that the Washington Post, having qualified with a 100 per cent grade in its hatred of President Wilson and its support of the Republican Party, is even now recognized as the "court journal" of the incoming administration.

The editorial in question in part declares:

Charles G. Dawes, who was a brigadier general during the war in charge of the procurement of supplies for the American Expeditionary Forces in France, proved an interesting and rather spectacular witness before the House committee investigating the war.

Mr. Dawes contributed materially to the facts gathered by the committee in its long pursuit of the war trail.

With all the emphasis at his command Mr. Dawes denounced the obvious partisanship which inspired the investigating committee. "Don't forget that it was an American war," he told the members; "not a Republican war or a Democratic war, and the record of the glorious work of our Army will live hundreds of years after your committee is dead and gone, forgotten." In this admonition the witness voiced a sentiment which has grown throughout the country during the past year, for the belief has spread that the investigation was not so much for the purpose of gathering facts which would serve to prevent a repetition of the mistakes of the war as to serve partisan purposes.

Of course, every Member of Congress and all other informed persons have all along known that the purposes of these investigating committees were as stated by Gen. Dawes and thus admitted in said editorial, and, as further indicated, the general public have been rapidly awakening to a realization of that fact. A member of one of these committees said on the floor yesterday that he was not willing to admit that such partisanship had been carried to an extreme. Most of those Republican politicians and papers who, although fully aware of the purposes of such investigations, yet for political purposes approved same, lost interest immediately after the recent election; but this does not seem to have been sufficient to deter the partisan investigators. However, when these muckraking investigations and persistent efforts to tarnish the glory and besmirch the honor of American arms reach such a nauseating stage that the Washington Post rebels, as it does in this editorial, and when the distinguished chairman of the Committee on Accounts, loyal Republican though he is, states on the floor of this House, as he did yesterday, that these investigations had involved an abominable waste of public money, and that he had not seen any concrete benefit result therefrom, it is certainly time for these investigators to reflect. It is about time for the fact to break in upon them that not only are their purposes generally recognized, but that these investigations have even lost their value as a useful advertising medium; at least, the people should not be required to continue paying for such an expensive personal publicity bureau.

The editorial aforesaid further states:

Candor and fairness compel the admission that the greatest mistake of the war was unpreparedness, and that is a fault chargeable to the American people and not to any party or individual. It is water over the wheel now, and nothing is to be gained by enlarging upon the subject, but the truth is that the people of this country, not desiring war and not expecting it, failed to take the steps which wisdom dictated should have been taken against the possibility of war.

Mr. KING. Will the gentleman yield?

Mr. DAVIS of Tennessee. I have not the time to yield now. If I get through in time I will be glad to yield. This editorial proceeds:

Considering the immensity and complexity of the task before them, the individuals who organized the United States for war did very well, indeed. The Army itself, once organized, accomplished glorious results. The transportation of the Army overseas was a splendid feat, quite beyond the imagination of the enemy, and constituting the decisive factor of the struggle. Without the United States reinforcements the war probably would have gone against the Allies. The best-informed spokesmen among the Allies are authority for this statement: First, in getting the troops across; and, second, in the actual delivery of strokes against the enemy, the United States decided the issue. Nothing succeeds like success; and the fact that success was accompanied by extravagance, waste, and mistakes and minor lapses of all kinds does not obscure the glory of victory.

Not only do "the best-informed spokesmen among the Allies" concede the decisive part played by the United States in winning the war, but it is equally conceded by the highest German authorities. In fact, as reliable an authority as Princess Bentinck, a niece of Count Bentinck, in whose castle at Amenrongen ex-Kaiser Wilhelm has been domiciled since the war, in a recently published article states that the ex-Kaiser himself bitterly blames President Wilson for the fact that he—the Kaiser—had been dethroned; this belief doubtless being connected with the fact that Mr. Wilson was President of the country and Commander in Chief of the Army and Navy which contributed so materially toward the defeat of Prussian arms and the overthrow of the Hohenzollern dynasty as well as President Wilson's masterly method of impressing the German people that our fight was not with them, but with Prussianism and Kaiserism. This same belief found concrete and forceful expression in this country in the recent election, when millions of Germans voted to defeat the party which they held responsible for the defeat of Germany and the dethronement of the German Kaiser.

The editorial under discussion concludes as follows:

Gen. Dawes is right. The record of the American Army during the war will endure for centuries and the memory of the mistakes will fade. The people of the United States, in our opinion, do not criticize the present administration for the errors committed during the war. The public resentment was directed against the mistakes of peacemaking not the mistakes of war making. If a peace as successful as the victory had been accomplished the United States would have retained the admiration of the world, which it gained by its exploits during the war.

Gen. Dawes is an eminent and loyal Republican. He was so seriously considered for Secretary of the Treasury in President Harding's Cabinet that it was widely published that he had probably been slated for that post. As the Washington Post says, "Gen. Dawes is right." Almost without regard to political complexion the newspapers and public generally have applauded the testimony of Gen. Dawes. The position taken by him and the views now expressed by the Washington Post are identical with the position all along taken by the Democrats in Congress and out, and stated by them during the recent campaign, although in striking contrast with the position taken at that time by the partisan Republican press and spellbinders.

Let us for a moment revert to the concluding words of said editorial:

If a peace as successful as the victory had been accomplished, the United States would have retained the admiration of the world, which it gained by its exploits during the war.

The conclusion stated by the Post in this regard is fully as correct as are its statements about the conduct of the war. The realization of this fact is likewise rapidly spreading, and the time will inevitably arrive when President Wilson and the Democratic Party will be fully vindicated in the eyes of America and the world in their earnest efforts to accomplish a successful peace in keeping with our success of arms. Time will tell those who do not already know that those responsible for the defeat of successful peacemaking were the enemies of peacemaking and not its friends. [Applause.]

Mr. KING. Will the gentleman now yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. KING. Has it entirely expired?

The CHAIRMAN. Yes.

Mr. KING. Very well.

Mr. AYRES. May I ask the chairman of the subcommittee——

Mr. KELLEY of Michigan. I have only one more speech, and I reserve that——

Mr. AYRES. I have only one on this side. How much time have I remaining?

The CHAIRMAN. The gentleman has 18 minutes remaining.

Mr. AYRES. I yield that time to the gentleman from South Carolina [Mr. BYRNES].

The CHAIRMAN. The gentleman from South Carolina is recognized for 18 minutes.

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the committee, I make no pretense of being a naval expert. The only information I have about the details of the Navy Department is the information I have secured from time to time during the last Congress as a member of the subcommittee on deficiencies. I am no longer a member of the subcommittee on deficiencies. As a member of the naval subcommittee I have listened with the greatest interest to the representatives of the various bureaus of the departments presenting their estimates, and I have come to the conclusion that in this bill we have a bill which provides for an effective Navy at the least possible cost to the taxpayers of America. Some gentlemen have seen fit to criticize not the bill, but the manner in which it was prepared. My good friend from Illinois [Mr. WILLIAMS] said that he thought it an excellent bill, but objected to the manner in which it was prepared. My idea is that the people of America will insist on having an effective Navy at the least possible cost, and they care not who prepares the bill. Other gentlemen go further. They charge that the Appropriations Committee failed to consider the bill as it should have been considered in the opinion of these gentlemen. The fact is that throughout the hearings on this bill the gentleman from Michigan [Mr. KELLEY] has treated the minority members with the greatest courtesy, consulting them at all times as to every vital principle of the bill, as to every important appropriation, and the subcommittee was unanimous in reporting this bill. The whole committee, after considering it and after discussion and one or two motions to change provisions of the bill, unanimously reported it. The gentleman from Illinois [Mr. BRITTEN], unlike his colleague [Mr. WILLIAMS], criticizes not only the manner in which the bill is prepared, but criticizes the bill itself upon its merits. He says that it does not provide sufficient appropriations to adequately provide for the Navy. The gentleman from New York [Mr. HICKS], another member of the Committee on Naval Affairs, regards the appropriations as not sufficient. My good friend from Tennessee [Mr. PADGETT] joins the chorus and says practically that there is no service in the entire Navy for which we have appropriated a sufficient sum of money. The only conclusion that the House can reach is that their objection is that by reason of this bill being reported from the Appropriations Committee it appropriates a much smaller amount than would have been appropriated had it been reported from the Naval Committee. Well, we admit it.

It was our purpose to reduce it, for unless this Congress, two years after the war, should come in here with a bill appropriating less money than was provided during the war and the year after the war, we should be driven out of public life. [Applause.] The war is over and we must let the Army and the Navy Departments know that it is over and that we must take at least some steps toward a reduction in our expenditures.

Mr. SUMNERS of Texas. Will the gentleman yield for a brief question?

Mr. BYRNES of South Carolina. Not now, but at the end of my statement, if I can. What does my friend from New York [Mr. HICKS] say? He says that this report is misleading in that it gives the total amount that is chargeable to aviation. It is the most remarkable complaint I have ever heard in my life. He says we should have compared it with the figures contained in the report made by the Naval Committee in the last Congress, which did not give the total amount chargeable to aviation services. We accept the full responsibility. When the officials of the department came before the committee we told them to prepare a statement giving to the House the total amount which was chargeable to aviation, so that when we reported to the House we could say to you, "Here is every dollar that is spent for aviation," and not come in here and tell the House we are spending one-half the amount that we are actually spending on aviation.

And my good friend from Tennessee [Mr. PADGETT] does not like the report. I love my good friend from Tennessee, but he made a most remarkable speech yesterday. He says the report is misleading, and he took about 20 minutes and about a page of the RECORD to tell you that the figures are all wrong. Why? Because he says the table in this report does not include the deficiencies that were appropriated for in the bill that passed the House yesterday.

Now, take the first column of this table. I hope some of you have it before you. Look at it. It says "Appropriations for 1921 in the naval, deficiency, and other acts," other acts, not bills. This report is not a stump speech. It is a report to the House for the information of the House, and the heading to that column has appeared in every table that has been presented to you in reports accompanying appropriation bills, and it purports to tell the House the exact amount appropriated for the current year. And that statement is right—absolutely right. But the gentleman says if we had put in the deficiencies for this year it would have shown that there was a greater reduction in the appropriation. Had we included in this column representing the amount appropriated in acts any amount contained in the deficiency bill which has not become an act, it would have been misleading.

My good friend from Tennessee has always been a great admirer of Secretary Daniels. He has always relied upon him for information as to the Navy Department, but for some reason that I do not know he says that when this bill was reported, instead of going to Secretary Daniels he went to the heads of the various bureaus of the Navy Department and asked them what the effect of these reduced appropriations would be on their respective bureaus.

And, of course, they all said in unison that it would absolutely destroy them. But we must make due allowance for the enthusiasm of a bureau chief as to the importance of his particular work. They said last year that if we did not give them $679,000,000 they could not function. We gave them only $500,000,000 and they have functioned. I wish that my good friend had consulted Secretary Daniels, who would apply the common sense of a civilian to the requests of the bureau chiefs, determining the relative importance of the activities of the various bureaus, and he never would have made the statement.

Now, what does he say? He says that Gen. Lejeune states that we did not provide for clothing here for the Marines, only enough for one-half of the number. We have a statement in the hearings from Gen. McCawley, of the Marine Corps, who is in charge of the reserve stock. We asked him how much clothing he had on hand. If you will look through the table inserted by him in the hearings you will find he has on hand coats, summer, field, that will last 29 months from December 1, 1920; woolen drawers that will last 44 months; woolen shirts that will last 45 months. His supply of clothing in the item of which he has the smallest stock—belts and woolen socks—will last for 14 months from December 31, 1920, so that as to many items of clothing they now have enough to last for the next fiscal year. As to every item they have enough to last at least six months.

I suspect the truth is that the clothing factory in Philadelphia can not run at full time unless they manufacture more clothing. But it is our business to cause them to reduce the expenditures there, as long as we have this large stock of clothing on hand.

My good friend says that we have not appropriated enough to feed the boys. That gets close to us, because nobody wants to appropriate less than enough to feed the boys. He says that we have reduced the ration down to 50 cents, while it was 68 cents last year. That is true.

The ration is 68 cents, but in 1918 it was only 48 cents and in 1919 it was only 55 cents. The 68 cents now is due in part to the fact that the provisions being used were purchased during the war at high prices. But the cost of provisions is coming down. And let me tell you this, that for the Army you appropriated only 42 cents, and this is the greatest margin that has been made in all the history of the two departments. The ration

for the Navy must be higher, but you are by this bill asked to appropriate 50 cents for the Navy, and it is as great a margin, in fact, greater than was ever made before in behalf of the Navy.

Now, the gentleman from Tennessee says that the enlisted men have been reduced to such an extent that we can not keep enough ships in commission. When you determine the enlisted men in this naval bill you determine one of the fundamentals in the bill, the other being the amount of new construction. We to-day have 135,000 men in the Navy. The gentleman from Tennessee says you have got to allow 3,500 for the Hospital Corps and for 5,000 in the training schools of the country during the next year. We have 135,000 men, and we are going to make them reduce the personnel to 100,000. In reducing it you can very well see we are going to have no recruits unless it be in the last two or three months of the year, and therefore are not going to have those training schools running, and that there is no use of counting on 5,000 men being sent to the training schools. He says that the assignment to special services will reduce the number available for ships to 86,500 men. Well, Admiral Coontz says if given 100,000 men he will assign only 75,000 to ships. The British Navy to-day has 105,000 men. They keep in commission 20 battleships as against the 17 that Admiral Coontz proposes to keep. If they with 105,000 can keep 20 battleships in commission, the American Navy with 100,000 should be able to keep 17 in commission. They have 125 destroyers in commission, but we figure this year on keeping only 100 destroyers. The only difference is in the submarines. They keep 41 submarines in commission and we intend to keep in commission 103.

My good friend from Tennessee quotes from Admiral Washington to intimate that we are about to ruin the Navy by reducing the personnel to 100,000 men. Admiral Washington is not Chief of Operations. Admiral Coontz is. And what does he say? Turn to page 65 of the hearings, and there you will see that he says that with 75,000 men he is going to keep in commission 384 ships.

Now, how about the British Navy? Great Britain has a great many more ships to-day than we have, and yet she has only 283 ships in full commission and 18 with reduced complement, making the total number of British ships in commission 301. Admiral Coontz, the Chief of Operations, says that with the 100,000 men he will keep in commission 384 ships, or 83 more than Great Britain has in commission to-day. If Great Britain, with so many more ships than we have, is satisfied with having only 301 in commission, I do not see why it is necessary for us to keep a larger percentage than will be possible under this bill. Instead of taking Admiral Washington's statement, I quote from Admiral Coontz. And let me read what Secretary Daniels says in reference to the reduction to 100,000 men:

> However, we can keep in commission all of the late dreadnaughts, half of the destroyers, others of the best ships, and place the other destroyers in a reserve state, enough to keep them from deterioration; and by close economy all along the line we can run the Navy in a way to keep the latest ships manned by 100,000 men.

When this was read to my good friend from Tennessee yesterday, he said: "Yes; but the men actually in charge of these matters say they want more." Of course they do; but if we are going to appropriate all that the heads of the various bureaus want, no treasury on earth would be able to satisfy the demands.

Now, as to steam engineering, my friend from Tennessee read a letter from Admiral Griffin, I think it was, to the effect that the appropriation was not sufficient for steam engineering. They asked for $2,500,000 for new tools. During the war we bought $250,000,000 worth of tools, and if they have not thrown them away, they ought to be able to get along with what they have without asking for $2,500,000 more. In reducing this estimate we thought the reduction of the cost of materials and the reduction in the cost of labor during the next year would make it possible. The rate of wages in these yards is fixed in accordance with the prevailing standard of wages for like labor in the neighborhood, and the cost of labor, as well as the cost of other things, is coming down, because only a few days ago a petition signed by 10,000 men in the employ of the New York Shipbuilding Co. at Camden stated that the men agreed to accept a 20 per cent reduction in wages if we should appropriate sufficient money to carry on that work. If there is a reduction in the prevailing wage, it will be followed by a reduction in the cost of construction, enabling us to reduce the appropriation to $20,000,000.

Then, my friend from Tennessee read a statement from the admiral in charge of armament, and he said we would be absolutely ruined because we did not appropriate enough for new construction. Now, as to new construction, what is the situation? We are providing for new construction $90,000,000, but they are going to have a balance on hand of $15,000,000, which will make available $105,000,000 for new construction during the next fiscal year. This officer says he will have to make adjustments with the contractors, because of this reduction from his estimates, I presume because they will not be able to run their full organizations. What he means is this, that with lessened private work the contractors will want to put all of their organizations on Uncle Sam's work, and failing in this will claim damages. They may make a claim, but I venture to say they will not receive any damages from the United States Government on a claim of that kind. The fact is, we have appropriated more for new construction for the next fiscal year than we have spent for new construction this year. We have paid on account of new construction 60 per cent of the total cost and should complete the 1916 program, but there is no necessity for completing this 1916 program in two years. Disarmament schemes are proposed. I hope the President will call a conference for the purpose, but until there is an agreement between the nations we can not disarm. This program has now progressed so far toward completion that it is cheaper to complete than to cancel. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I yield the balance of my time to the gentleman from Wyoming [Mr. MONDELL].

The CHAIRMAN. The gentleman from Wyoming is recognized for 10 minutes.

Mr. MONDELL. Mr. Chairman, I want to congratulate the committee on this bill. Some gentlemen have a disposition to inquire into the matter of its genesis and drafting and initial consideration, but after all the proof of the pudding is yet to be found in the eating of it, and not in the consideration or discussion of the merits of the cooks. What we are interested in primarily is the legislation, not the manner of its preparation.

We are laboring under some difficulties in the preparation of all of the appropriation bills. We have adopted budget reform in the House, and have not, in conjunction with that, the benefit of Executive budget reform, so that swollen estimates must be considered by newly organized subcommittees without the aid that eventually will come to our appropriating committees as we build up the corps of experts under the Executive budget, whose business it will be to inform the committees of Congress of the facts of expenditures made or contemplated from a legislative viewpoint, as those representing the bureaus and departments will represent them from a departmental and executive viewpoint; and naturally in this situation everything is not as all of us might wish it to be.

Nevertheless, and notwithstanding these handicaps, I think all admit that the bills so far reported, so far as their character and substance are concerned, have been well drafted, carefully considered, and drawn with due regard for economy. Whose fault is it, if there be any fault, that just at this time and under the new dispensation some of the items are subject to points of order? Is it the fault of the new and enlarged committee? Not at all. If there be any fault—and I do not say that there is any—it is the fault of the committees that heretofore have had these bills in charge, which committees have legislative authority and could have made every item on their bills proof against a point of order; but they have not seen fit to do so, and so these committees—Indian, Foreign Relations, Army, and Navy—have year after year been coming before the House with bills subject, some of them, to innumerable points of order, and the House has been very fair and reasonable with them.

Where these items were commendable, where they conformed to the judgment of the House and were believed to be proper and right and reasonable, the House has allowed them to go into the bill and to remain in the bill, notwithstanding the fact that they were subject to points of order. Now, I am inclined to think that at least the members of the old committees who have lost their appropriating authority are under obligations to be as fair to the new committee as the House was to the old.

Mr. HAYDEN. Will the gentleman yield?

Mr. MONDELL. I have only 10 minutes. I am sorry I have not more time. We anticipate that in the new Congress the legislative committees will draft and present for the consideration of the Congress bills covering the activities of the departments over which they have jurisdiction. When that is done those bills will be promptly considered, and when the Congress has considered them and has passed judgment upon the limitations of the authority of the appropriating committees, then it will not only be proper, but it will be the duty of every one of

us to make points of order when the appropriating committee exceeds the authority that the House has given it. But until we have had time to do that, it does not seem to me that it is kindly or reasonable or of good report or justifiable for members of committees that have not heretofore protected their bills against points of order to make points of order now against the very language which they have carried on their bills year after year without protest from the House.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. MONDELL. If I have time.

Mr. BRITTEN. Does the majority leader of the House desire Members of the House to follow the rules which he and others have put through, or does he desire them to ignore the rules which he and others have put through?

Mr. MONDELL. Every Member of the House must be guided by his own sense of that which is right and proper under his oath; but I have said as a matter of opinion—gentlemen, of course, are not obliged to agree with my opinion—I have said and I believe that in the situation in which we now find ourselves, members of the committees that have not heretofore protected their bills from points of order should be the last to raise points of order against items that have been in the bills year after year, and which the House in its good judgment and out of its sense of fairness has allowed to remain in the bills. I say to these gentlemen that no one will be more active than I shall be, so far as my influence may go, in insisting in the new Congress that the legislative committees shall assert their jurisdiction and that the House shall pass upon their measures; and having passed upon them, that the appropriating committees shall remain within the limitations that have been fixed. One gentleman, who yesterday gave warning that he would make points of order against every item in this bill that was subject to a point of order, suggested that if that was done the item would then go to the Naval Committee. The gentleman is not accurate. If he will stop to think about it, he will see that that will not be the result at all. If the item is subject to a point of order—and in my opinion there are very few items in this bill that are, because the bill follows exactly the phraseology of the bill for years past; but if an item went out on a point of order, an item on which we are all agreed—and we are all agreed, practically, on the items of this bill—it would not go to the Naval Committee. It would simply be placed back in the bill in another body, and then the House would be called upon to determine by a vote whether or not the item was one which should remain in the bill.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. All time has expired. The Clerk will read the bill for amendment under the 5-minute rule.

The Clerk, proceeding with the reading of the bill, read as follows:

PAY, MISCELLANEOUS.

For commissions and interest; transportation of funds; exchange; mileage to officers of the Navy and Naval Reserve Force while traveling under orders in the United States, and for actual personal expenses of officers of the Navy and Naval Reserve Force while traveling abroad under orders, and for traveling expenses of civilian employees, and for mileage at 5 cents per mile to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen; for actual traveling expenses of female nurses; actual expenses of officers while on shore patrol duty; hire of launches or other small boats in Asiatic waters; for rent of buildings and offices not in navy yards; expenses of courts-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks, and witnesses' fees, and traveling expenses and costs; expenses of naval defense districts; stationery and recording; religious books; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying; ferriage; tolls; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, including maintenance of students and attachés; information from abroad and at home, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), and not to exceed $250,000 for telephone rentals and tolls, telegrams, and cablegrams; postage, foreign and domestic, and post-office box rentals; and other necessary and incidental expenses: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1922, shall not exceed $750,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, and for payment of claims for damages under naval act approved July 11, 1919; in all, $3,500,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order, in order to ask the gentleman from Illinois a question.

Mr. BRITTEN. I reserve a point of order.

The CHAIRMAN. The gentleman from Texas and the gentleman from Illinois reserve points of order on the paragraph.

Mr. BLANTON. I should like to ask the gentleman from Illinois a question. I do not intend to interfere in any way with the purposes and intentions of the gentleman from Illinois. I do not want to conflict with him in any way. I know that he is not a man easily intimidated, but I want to know whether or not the squelching speech made by the majority leader [Mr. MONDELL] has in any way intimidated the gentleman, so as to prevent him from carrying out his purposes and intentions?

Mr. BRITTEN. I presume it has, quite materially.

Mr. BLANTON. Then I will be on the watch to help my friend.

Mr. BRITTEN. I am afraid that my actions from now on will indicate that that is the fact. However, Mr. Chairman, I have reserved a point of order on the paragraph, and I would like to suggest that the paragraph is made up very largely of legislation which has been attached to appropriation bills in the past. Some of these items are subject to points of order, and some, I believe, are not; but if the Chair will permit me, I should like to make a point of order against the language in line 14, page 2:

And for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen.

The CHAIRMAN. The gentleman from Illinois makes a point of order upon the language indicated.

Mr. MADDEN. A parliamentary inquiry, Mr. Chairman. Is it competent for a Member to make a point of order after debate has been had?

Mr. BRITTEN. I reserved the point of order before debate began.

The CHAIRMAN. The gentleman from Texas and the gentleman from Illinois reserved points of order.

Mr. POU. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. That motion is not in order, the gentleman from Illinois [Mr. BRITTEN] having made a point of order upon the language.

Mr. BRITTEN. That language was added to an appropriation bill on July 11, 1919.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. That language was added to the annual appropriation bill July 11, 1919. It is legislation pure and simple, and properly belongs with the Committee on Naval Affairs, and I therefore make the point of order against that language.

Mr. KELLEY of Michigan. I do not think that the language indicated by the gentleman from Illinois is subject to a point of order for this reason: The Secretary of the Navy, under general legislative authority, as the Chair will find in section 1515 of the Revised Statutes, has authority to regulate the place of holding examinations for admission to the Naval Academy.

Now, if the Secretary of the Navy under regulations which he can make under that statute fixes the place of holding examination at the home of the candidate or the applicant, then the applicant would be an officer immediately following his examination and appointment at his residence. Then, under the general law governing mileage and traveling expenses of officers he would be entitled to his mileage from his home to Annapolis, traveling under orders from the Secretary.

This statute simply fixes it so that the Secretary can regulate the place of holding the examination. It is more convenient for the Naval Academy to hold it at Annapolis, and so under that regulation the Secretary of the Navy says: You go to Annapolis and take the examination there, and if you pass and are appointed, your traveling expenses will be paid from home just as they would be paid if the examination was conducted at your home.

The authority conferred on the Secretary of the Navy to fix the place of holding the examination is the essence of determining whether or not the applicant is entitled to his mileage.

Mr. MADDEN. That is on the theory, I assume, that when a man passes the examination he is in the service.

Mr. KELLEY of Michigan. Exactly. Now, there is one point further. If he were an officer in the Navy at the time he started from home he would receive 8 cents a mile. This provision is in order under the Holman rule because it reduces that rate to 5 cents a mile.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BLANTON. I agree with the gentleman, but I want to call his attention to the fact that there is not much hazard in sending a young man to Annapolis to be examined for the reason that prior to his going there he has passed the mental examination and been examined by some local physician.

Mr. KELLEY of Michigan. Yes; the Secretary would have no difficulty whatever in making a regulation providing for the

appointment of these boys at their home town. If he has the power to appoint them at their home town and then they can draw mileage, he has under the statute which gives him the authority to fix the place of holding the examination the authority to pay that same mileage just as they would be paid had he appointed them at their homes. So the whole matter resolves itself into a question of regulation as to the place of holding the examination which the statute authorizes the Secretary to make. Therefore, Mr. Chairman, this item is not subject to a point of order.

Mr. BUTLER. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I will.

Mr. BUTLER. I sincerely hope that the gentleman from Michigan is right in his argument on the point of order. It will relieve us from a great deal of difficulty in the future, but it has been held repeatedly that these young men who go to Annapolis are not officers until they graduate and are commissioned. I hope we have been mistaken.

Mr. KELLEY of Michigan. The Comptroller of the Treasury has held repeatedly that a midshipman is an officer in the Navy, and the accounts are carried in that way.

Mr. BUTLER. The courts have held the other way.

Mr. KELLEY of Michigan. They are in the service as soon as they receive their appointment to the academy.

Mr. BUTLER. No; they could not be retired for any disability.

Mr. KELLEY of Michigan. Mr. Chairman, I want to say in addition that in no case is the money paid for traveling expenses except after they become midshipmen, and whether it is paid to them at home or at Annapolis is immaterial, simply being a matter of regulation by the Secretary as to where he deems it convenient and advisable to hold the examination and make the appointment.

Mr. BRITTEN. Mr. Chairman, allowing what the gentleman from Michigan has said to be entirely correct in all phases, the rule specifically says that the Committee on Naval Affairs will care for pay and allowances for the officers and men in the service. If 5 cents a mile for travel is not allowances, I do not know what I am talking about.

Mr. KELLEY of Michigan. The gentleman does not intend to convey the impression that provision for pay and allowances in the existing law is to be passed on by the Naval Committee.

Mr. BRITTEN. This is new language on an appropriation bill put in in 1919, and its consideration properly belongs under the rule to the Committee on Naval Affairs. I have no objection to continuing this language in proper legislation. I am not attempting to take anything away from the midshipmen, but this language is legislation on an appropriation bill and belongs to the Committee on Naval Affairs, and that is my only reason for making the point of order.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. BRITTEN. Certainly.

Mr. MANN of Illinois. Is this allowance paid to these candidates before they are examined and admitted or after they are appointed?

Mr. BRITTEN. It is paid after they are appointed as midshipmen.

Mr. MANN of Illinois. The language is "while proceeding from their home for examination and appointment." That would indicate that it was before their appointment.

Mr. BRITTEN. That is very true, but the language is in error.

Mr. MANN of Illinois. It says for examination and appointment.

Mr. BRITTEN. This bill provides 5 cents a mile for those who have been successful.

Mr. BUTLER. These young men may go there and may fail and get their pay.

Mr. KELLEY of Michigan. Oh, no.

Mr. BUTLER. I may be mistaken, but I thought they were paid 5 cents a mile even though they failed.

Mr. BRITTEN. Mr. Chairman, the examinations occur all over the United States—in Seattle, in San Francisco, in New Orleans—and after the examinations the young men pay their own fare to Annapolis, and then they are examined again physically, and they are then inducted properly into the academy. After that induction they get this allowance of 5 cents a mile.

It is purely legislation, and, under Rule XIII, allowances properly belong to the Committee on Naval Affairs. I am not attempting to take anything from the midshipmen. This language will again be made effective before July 1, but it will be made effective in a proper way through the Committee on Naval Affairs and not the Committee on Appropriations, and my sole desire in making points of order to-day will be to determine now, once for all, whether the Committee on Naval Affairs is going to legislate and just how it will legislate or whether the Committee on Appropriations is going to appropriate and legislate, and just how it will operate in that respect, under this obnoxious rule under which we are attempting to conduct the business of this House.

Mr. BUTLER. Mr. Chairman, I would like to ask the gentleman from Illinois a question. Did I understand the gentleman to say that this allowance of 5 cents a mile was not given to young men who fail to pass the examinations?

Mr. BRITTEN. That is what I said.

Mr. BUTLER. Then I confess my ignorance.

Mr. KELLEY of Michigan. Mr. Chairman, I shall read the letter which is sent out to the boys governing that part of the situation:

If qualified mentally, you will be notified by the bureau to report at the Naval Academy, at Annapolis, Md., for physical examination, and if physically qualified you will be appointed. If appointed, you will be allowed mileage at 5 cents per mile from your home to Annapolis.

Mr. BUTLER. Mr. Chairman, I am obliged to the gentleman. That puts me straight.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois makes the point of order that the language—

and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen—

is subject to the point of order, being legislation on an appropriation bill and not authorized by law. The gentleman from Michigan [Mr. KELLEY] cites section 1515 of the United States Revised Statutes, edition of 1878, which reads:

All candidates for admission to the Navy shall be examined according to such regulations and at such stated times as the Secretary of the Navy may prescribe. Candidates rejected at such examinations shall not have the privilege of another examination for admission to the same class, unless recommended by the board of examiners.

The Chair interprets this language to mean what it says, that it is for mileage allowance to midshipmen while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and it is the view of the Chair that the section cited by the gentleman from Michigan, authorizing the Secretary of the Navy to make regulations for the examinations and to prescribe times when the examinations may be held, is not sufficient authority on which to base an allowance in an appropriation bill to pay mileage, and, therefore, sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, in place of the language which went out on the point of order I desire to offer the following——

Mr. BRITTEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRITTEN. As I suggested a few moments ago, the entire paragraph on pages 2 and 3 is subject to the point of order in many respects.

Mr. KELLEY of Michigan. But we will not make any time by taking it up in detail.

Mr. BRITTEN. I desire to make a point of order on various portions of the paragraph.

The CHAIRMAN. If the gentleman desires to proceed with the points of order, he may do so.

Mr. BRITTEN. I will make another point of order to the language on lines 18 and 19, on page 2:

Actual expenses of officers while on shore-patrol duty.

Those words were added to an appropriation bill as legislation on August 28, 1916, and are legislation. I make the point of order against that language.

Mr. KELLEY of Michigan. Mr. Chairman, let us get back to the Naval Academy item.

The CHAIRMAN. The Chair would state that a motion to amend a paragraph can not be made while a point of order against any part of it is pending. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. KELLEY of Michigan. Mr. Chairman, with reference to the point of order made by the gentleman from Illinois to the language—

actual expenses of officers while on shore-patrol duty—

I desire to say that I do not believe that the language is subject to a point of order. The Chair, of course, is thoroughly familiar with the doctrine that where a statute gives direct authority to do some particular thing, it carries with it all incidental and implied authority necessary to make the general authority effective. Section 1431 of the Revised Statutes provides expressly that commanding officers may grant leave of absence on shore to men on ships. That carries with it as a disciplinary matter, if nothing else, the necessity for sending officers on shore with the men. There could be no more vicious thing than to permit these American boys in foreign ports shore

leave, subject to all of the temptations of foreign cities, without sending officers on shore with them. There are incidental expenses of those officers while on shore, carrying out the general authority conferred upon the commanding officer of the ship to grant shore leave. If those expenses are not carried as an incidental authority, then the main authority which commanding officers have to grant leave of absence to men from the ships is of absolutely no avail, because it would demoralize and destroy the Navy if young boys 17 and 18 years of age were allowed to go on shore in foreign cities without any supervision on the part of the officers. It may be necessary to pay street car fare, or perhaps the officer will be obliged to stay on shore overnight, or he may be obliged to buy a meal for himself. Those are incidental expenses which go with the authority to grant shore leave.

Mr. BRITTEN. Mr. Chairman, the argument of my friend from Michigan [Mr. KELLEY] is very appealing when he suggests that these officers are protected while doing shore-patrol duty. He refers to these officers as boys of 17 and 18 years of age.

Mr. KELLEY of Michigan. No; they are protecting the boys, watching over them, seeing that they keep out of mischievous places, and I am surprised that the gentleman from Illinois [Mr. BRITTEN] should want to see the youth of America turned loose in foreign cities without any supervisory authority.

Mr. BRITTEN. The gentleman's suggestion is surprising—it is amazing. He knows I am as much in favor of this thing as he is.

Mr. KELLEY of Michigan. Then let it alone.

Mr. BRITTEN. And his argument is absolutely ridiculous from my viewpoint, and I want him to know that is the way I feel about it.

Mr. CANNON. Will the gentleman yield for a question?

Mr. BRITTEN. I will yield.

Mr. CANNON. There is no law, the gentleman claims, that would justify this appropriation?

Mr. BRITTEN. There is no law that would justify it; and the rule of the House specifically states that, being an allowance for officers, it is cared for by the Committee on Naval Affairs. If these expenses——

Mr. CANNON. Hold on; let me ask another question: If this bill were being considered before the adoption of the rule taking away legislative provisions, and it would be reported by the Committee on Naval Affairs with appropriating provisions, would it be subject to a point of order?

Mr. BRITTEN. It would. It was added to the appropriation bill, I will say, in 1916, and the day it was included in an appropriation bill it certainly was subject to a point of order.

Mr. CANNON. Very well. Let me ask another question: When was this rule adopted?

Mr. BRITTEN. Last year.

Mr. CANNON. What has the Committee on Naval Affairs been doing that they have not provided the legislation that enables them now, having failed to provide legislation, to cut out this provision?

Mr. BRITTEN. I will suggest to my good friend that if he had been here yesterday I did tell the House that we went before the Committee on Rules in order that we might bring our legislation in here.

Mr. CANNON. What has the committee been doing this session?

Mr. BUTLER. I will tell the gentleman what we have been doing: We have been at work.

Mr. CANNON. On this legislation?

Mr. BUTLER. Yes, sir. I do not propose to be criticized even by my dear old friend; but that is what we have been doing. The gentleman knows we had no opportunity to legislate ahead of this bill.

Mr. CANNON. Has the gentleman drafted the bill?

Mr. BUTLER. Yes, sir; and it is on the calendar.

Mr. CANNON. Has the gentleman tried to get it up?

Mr. BUTLER. Yes, sir.

Mr. SNELL. Will the gentleman yield?

Mr. BRITTEN. I will yield to my friend from New York for a question.

Mr. BUTLER. We were not idle.

The CHAIRMAN. The Chair desires to hear the discussion upon the point of order.

Mr. SNELL. How many of these points of order the gentleman is raising would be covered by legislation which he has before the House?

Mr. BRITTEN. I do not know. We have got a bill reported with some 26 items in it covering all sorts of legislation, and many of them were incorporated in our bill at the request of the Committee on Appropriations.

Mr. SNELL. Do they cover the items to which the gentleman raises the point of order now?

Mr. BRITTEN. No, sir.

Mr. SNELL. I thought not.

Mr. BUTLER. Mr. Chairman, I ask permission to talk for two minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to address the committee for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. Mr. Chairman, the bill referred to contains just exactly what my very good and excellent friend from Michigan, Judge KELLEY, asked to be put in it. With the greatest care we wrote the provisions as desired. I had intended to ask the Committee on Naval Affairs to legislate upon more than 200 subjects in this bill, which has been built up piece by piece, the Committee on Naval Affairs having had authority heretofore to legislate and appropriate. My friend from Illinois, Mr. MANN, smiles, but he looked upon it year after year as a necessity, as we built up this great bill as you find it here. Therefore I thought it necessary to take all these items in and make an omnibus bill and present them to this House and have it passed here and sent to the Senate, to be passed there, and then on to the President before this appropriation bill was reported, but when I consulted my friend, KELLEY of Michigan, he indicated certain things that he desired particularly, and we complied with his request and wrote them into this omnibus bill which now remains upon the calendar. We have done the best we could.

Mr. MANN of Illinois. Mr. Chairman, there are two ways of looking at an appropriation bill appropriating money for a governmental service. One is that every item must be authorized by a specific provision of law, that you can not by a pen or the ink with which to use it appropriate unless a legislative provision of law authorizes the appropriation. That rather narrow view of the law, I think, has never, or at least seldom, prevailed in the rulings in the House. Where the Government provides for a service the incidental expenses which are absolutely necessary and essential to the conduct of the service, in my judgment, have been included as authorized by the creation of the service, and that you could appropriate for the ordinary incidental expenses necessary in the conduct of the service. Take this case. We have a Navy. The Navy is authorized to send its battleships to any port in the world. It goes to a foreign port or to a home port or some other port. The Navy is authorized, and I think no one will contradict that, to permit the officers of the Navy to allow the enlisted men shore duty. The Navy is authorized to permit the commanding officer of the vessel to detail officers to go on shore on patrol duty—I do not know that I am getting the attention of the Chair.

The CHAIRMAN. The gentleman is getting the attention of the Chair.

Mr. MANN of Illinois. The Chair may be getting more information from reading a book than he is from me.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MANN of Illinois. Well, I prefer—I will yield.

Mr. LINTHICUM. It occurred to me while the gentleman was making these remarks about these things which are incidental that not long ago we had a bill before this House that provided for water for a fountain which was authorized, and the gentleman argued that that was subject to a point of order, though it was a fountain and even though water was necessary.

Mr. MANN of Illinois. I suppose if the gentleman ever gets to heaven, which I doubt, and Saint Peter asks him if he is a good man, he will go off on some side issue and never be able to answer the question. [Laughter.]

Mr. LINTHICUM. Will the gentleman yield?

Mr. MANN of Illinois. I do not yield for a foolish question.

Mr. LINTHICUM. Does the gentleman pretend that water is not necessary for the fountain?

Mr. MANN of Illinois. I argued that question when the matter was before the House, and successfully argued it, which the gentleman was not able to do.

Mr. LINTHICUM. I did not make any argument at all.

Mr. MANN of Illinois. The gentleman should follow my example and discuss a matter before the House successfully, instead of using his imagination as to something that was not said about matters before the House.

Now, Mr. Chairman, the question is whether, if the commanding officer of a naval vessel is authorized to detail an officer on patrol duty as one of the routine matters of the Navy, authorized in the maintenance of the Navy, the Government is authorized to pay the expense of that detail. I am inclined to think that one follows the other.

Mr. BRITTEN. Mr. Chairman——

Mr. SNELL. Mr. Chairman, I would like to ask the gentleman from Illinois a question before he leaves the floor.

Mr. MANN of Illinois. If it is not about a fountain.

Mr. SNELL. It is not.

As I understood the gentleman's statement, and that is as I understand the proposition also, heretofore we have always considered it was in order to appropriate for those things that were considered absolutely necessary for the conduct of the Navy. Am I right at that point?

Mr. MANN of Illinois. I always prefer to use my own language. If my statement was not clear, I will be glad to make it again.

Mr. SNELL. On the basis of your statement, and, I think I can add, if we have the same liberality in this bill that we have in former bills, will not most of the items be included in it?

Mr. MANN of Illinois. That is not the question before the House.

Mr. SNELL. It seems to me that is the proposition we have got to consider.

Mr. MANN of Illinois. The proposition here is as to this item.

Mr. SNELL. You are discussing the general proposition.

Mr. MANN of Illinois. But I am not claiming to apply it to the rest of the bill at this time.

The CHAIRMAN. The Chair would like to ask the gentleman from Michigan [Mr. KELLEY] a question. Is there a service or a duty in the Navy known as "shore-patrol duty," which is a part of the regular operation of the Navy and to which men are assigned from time to time?

Mr. KELLEY of Michigan. There is no question about that at all—that granting shore duty and shore-duty service is absolutely essential to the discipline of the Navy.

The CHAIRMAN. The Chair would like to ask the gentleman further if this is confined to ports outside of the jurisdiction of the United States?

Mr. KELLEY of Michigan. No.

The CHAIRMAN. The Chair will hear the gentleman from Illinois [Mr. BRITTEN].

Mr. BRITTEN. Mr. Chairman, just at that point the gentleman answered the Chair, "No." He has perhaps forgotten that we did a lot of patrol duty with the enlisted personnel of the Navy and Marine Corps on the streets of France.

The CHAIRMAN. The Chair asked the gentleman from Michigan if shore-patrol duty was confined simply to ports outside of the United States.

Mr. BRITTEN. Oh, no. It may be confined to ports in the United States. Under this appropriation, which was added to the appropriation bill of 1916, $2,000,000 of the $3,500,000 carried in the bill could be allowed to officers for expenses while on shore. Now, I suggest to the Chair that that is purely in the nature of an allowance. You are allowing an officer expenses while ashore, and the rule in paragraph 13 specifically states that the pay and allowance to officers and men properly belongs in the Committee on Naval Affairs.

Mr. KELLEY of Michigan. Mr. Chairman, if I may be permitted to add one more word, I wish to say that the gentleman from Illinois [Mr. BRITTEN] seems to miss the point entirely.

It is a well-known principle of law that even a constitutional provision carries with it all the incidental authority necessary to make that constitutional provision effective. For instance, Congress has authority to make war, and under that general authority we go ahead and expend money and take every dollar that the Government sees fit to take, in taxes or under condemnation proceedings, and go out and take the last man and assign him to war duty.

Now, it would have been folly to have given Congress the power to make war if it did not have the power to do all these other incidental things necessary to make the war power effective. It is utter nonsense to authorize the President of the United States to conduct a Navy and then say to him that he has no authority to exercise such incidental authority as may be necessary to make a Navy effective. The gentleman from Illinois seems to have the idea that unless an appropriation is backed up by direct authority it has no standing on an appropriation bill, which is not the fact at all, as the gentleman from Illinois [Mr. MANN] has so clearly stated.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. If some incidental authority is necessary to make a direct authority effective, Congress has the power to make the necessary appropriations to carry that incidental authority into effect. That is all there is to it.

Mr. BRITTEN. Is the gentleman suggesting to the Chair that the Navy will be ineffective unless officers are allowed certain expenses while on shore?

Mr. KELLEY of Michigan. If the gentleman's interpretation of the authority conferred upon the President and the Secretary of the Navy with relation to the conduct of the Navy should prevail, not a single cent of money could be appropriated for the most casual expenditure in the carrying out of that service until Congress had granted specific authority. This policy would paralyze every branch of the Government and render all general grants of power useless.

Mr. BRITTEN. Mr. Chairman, in conclusion I just want to suggest this, that if travel pay is an allowance, certainly expenses ashore for an officer are an allowance; and if they are allowances, as the Chair has once ruled to-day, let me again call the attention of the Chair to the language in the rule under which we are now operating, and that is that the pay and allowances for officers and enlisted men of the Navy properly belong to the consideration of the Committee on Naval Affairs.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. REAVIS. Supposing that patrol duty on shore were definitely authorized by law, would the gentleman think that a point of order would lie to some detail of expense essential to that duty?

Mr. BRITTEN. No; nor do I think that this expense is essential to the efficiency of the Navy as applied in a general sense.

Mr. REAVIS. If in the view of the Chair it would be essential to some of the service authorized by law, would the gentleman contend that a point of order would then lie to it?

Mr. BRITTEN. My sole contention in all of these matters, I will say to my good friend from Nebraska, is that because I am making these points of order, I am not objecting to them in legislation; I am merely trying to determine, for the benefit of the future, if we are going to continue to operate under this obnoxious rule, a rule which is not providing for legislation properly and efficiently and successfully. I want to know for the future, for the benefit of the Committee on Naval Affairs, just which legislation we are to care for next year and the other years following. I do not think for one moment that this rule may be effective. I think in a year Gov. KELLEY will be back in the Committee on Naval Affairs. We are still reserving his place for him, next to the chairman; but I think the country and the House ought to realize that we are not conducting the business of the Government properly under this new system.

Mr. REAVIS. It may be my stupidity, but I do not quite catch the gentleman's view. Is he objecting or raising a point of order to the item because the service is not authorized, or does he admit that there is authority in law for the service of which this is a mere detail?

Mr. BRITTEN. No. There is no authority in law for this. It is legislation, pure and simple, on an appropriation bill. That is the reason why I made the point of order. If I had thought there was any authority of law for it, I should not have made the point of order.

Mr. MANN of Illinois rose.

Mr. KELLEY of Michigan. Mr. Chairman, before the gentleman from Illinois goes along, I want to call the attention of the Chair to a direct decision in Hinds' Precedents, section 3786, volume 4, where the distribution of card indexes, and so forth, by the Library of Congress was held to be merely an incidental authority conferred when the general authority of conducting the Library was granted.

Mr. BLANTON. Mr. Chairman, will the gentleman yield right there?

Mr. KELLEY of Michigan. Just a minute, until I read this.

The CHAIRMAN. The gentleman declines to yield.

Mr. KELLEY of Michigan. Mr. Fitzgerald of New York said:

> I desire to say that the Library of Congress is authorized by law. This is a part of the Library work. It is one of the things which is generally authorized in the maintenance of the Library. It is not one of those cases where a point of order is good against the item. It is a service done in continuation of the work of the Library, and merely because the amount is increased it does not come within the rule so as to make it subject to a point of order, as it would be if it were an increase of salary. It is for a continuation of a work in progress, the work of maintaining the Library, which is existing under the law, and which work is done in pursuance of law. It seems to me under the circumstances it is proper to appropriate the amount determined by the committee.

It is simply a mere incidental authority conferred with the general authority which they have to run the Library. They can get out these index cards, and the incidental authority was held by the Chair to exist.

Mr. BRITTEN. I agree with the gentleman that the authority is incidental, but it applies to an increase of salary.

Mr. KELLEY of Michigan. Oh, no.

Mr. BRITTEN. Quite generally, in order to carry out certain work.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN of Illinois. Mr. Chairman, I do not criticize my colleague [Mr. BRITTEN] for making points of order on this bill, because I think if I were on one of these committees that has been stripped of authority I would riddle every appropriation bill as much as I could.

But that is not the question to which I wish to address myself. My colleague says that this is legislation, and that the rules provide that the Committee on Naval Affairs shall have legislative jurisdiction over allowances to officers. Of course if this is legislation, it is obnoxious to the rule, regardless of the jurisdiction of any committee. But this is not legislation. The question is whether it is an appropriation authorized by law. It is not legislation; it is an appropriation; and the question of jurisdiction between the committees has nothing to do with the case, because if it were legislation it would be obnoxious to the rule in any event. But my contention is that, being an appropriation, an incidental expenditure for service authorized by the law, the appropriation is authorized by law.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN of Illinois. Certainly.

Mr. BRITTEN. Does not my colleague—and I have the highest regard for his opinion, and I think he is usually right—does not my colleague believe that when an officer is detailed ashore and is allowed a certain sum of money for his expenses ashore, that distinctly is an allowance? And if it is an allowance, does not my colleague believe that, under the ruling, the Committee on Naval Affairs should give it consideration rather than the Committee on Appropriations?

Mr. MANN of Illinois. If a bill is brought into the House providing for legislation that an officer on shore should be paid an allowance, it would go to the Committee on Naval Affairs, and the Committee on Appropriations would have no jurisdiction; and if the point is sustained by the Chair, it may become necessary for the Congress to legislate upon the subject. But this is not legislation; this is an appropriation. My contention is that, being merely an appropriation, it is an appropriation authorized by law, and does not require special legislation. I say that if an officer is required to go on duty on shore, required by his commanding officer, and if he fails to obey the order he is subject to a court-martial and dismissal from the Navy; if he is required to go on shore under regulations of the Navy, which are authorized by law, and if he is required to go on shore and incur an expense, then there is authorization for Congress to appropriate the money to recompense him for the expense which he must incur.

Mr. BRITTEN. I desire to remind the Chair of one statement of the gentleman from Illinois [Mr. MANN]. He said, in substance, that if this was something new desired by the Navy, of course when the matter came here it would go to the Committee on Naval Affairs. That is the language exactly as it is in the bill. In 1916 it did come to Congress in just that way, by a request from the department to make certain allowances to officers who might from time to time be detailed to shore-patrol duty—an allowance for their expenses. The Committee on Naval Affairs inserted that in the bill at that time. It was then subject to a point of order as new legislation. But now, under the new rule of the House, it is specifically provided that allowances to officers shall be for the consideration of the Committee on Naval Affairs; and for expenses ashore, hotel bills, railroad fare, taxicabs, meals, expenses of that kind which are purely personal in their nature, I maintain that they belong to the Committee on Naval Affairs.

Mr. WINGO. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. WINGO. Is there not a distinction in law between making an allowance in lieu of expenses or to cover expenses and the payment of the actual expenses?

Mr. BRITTEN. It has always been maintained that actual traveling expenses, railroad expenses, and so forth, are allowances to officers.

Mr. WINGO. They are allowances for that purpose——

Mr. BRITTEN. They come under the head of pay and allowances.

Mr. WINGO. But I want to direct the attention of the Chair to the fact that this provision proposes not to make what is called a lump allowance, but to cover actual expenses that the officer can not control. If it was proposed to pay him so much per day, that would be an allowance in a lump sum to cover it, and that would require legislation; but this is purely to reimburse an officer for expenses incurred in the discharge of his duty, and certainly there is authority in law for that purpose.

Mr. BRITTEN. Yes; but I maintain that a lump sum per day is just the same.

Mr. WINGO. I think there is a difference between the payment of actual expenses and a lump-sum allowance.

Mr. BRITTEN. It may be just as necessary in the performance of his duty for us to say, "We will send you to a certain place and allow you $5 or $8 a day."

Mr. WINGO. There is a distinction. If you allowed him $5 or $10 a day, that might cover his actual expenses or it might not. It might exceed them. That would be an arbitrary rule which Congress laid down. It might exceed his actual expenses. But if you simply provide that he shall have his actual expenses, it is something over which he has no control. You do not give him any advantage. You propose to take care of an incidental expense of the service which is certainly authorized by law.

Mr. BRITTEN. I do not agree with the gentleman.

Mr. SNELL. Mr. Chairman, I feel that this is a very vital proposition, and that the decision of the Chair on this question may have an important influence on the future conduct of the House in dealing with these matters. I think that on this proposition we ought to mix a little common sense with the technical rules of the House. If we adopt the policy that we must legislate on every single activity in the minutest detail of every one of the departments of the Government, this House has not time enough in 365 days to legislate for one department alone, to say nothing of the various departments that we are trying to operate at the present time. I feel that we ought to use a little liberality in interpreting the rule at this time, and that we should not insist on legislation on all these matters of minute detail, but should interpret the rules as the majority of the House believe should be done in order to facilitate public business.

Mr. McCLINTIC. Mr. Chairman, I raise the point of order that debate on the point of order is exhausted.

The CHAIRMAN. The Chair overrules the point of order. Debate on points of order is in the discretion of the Chair.

Mr. KELLEY of Michigan. Mr. Chairman, the importance of this decision is my only excuse for taking any more time in its discussion.

Section 4015 of Hinds' Precedents sustained a contingency appropriation. The bill in that case carried an appropriation to be spent in the discretion of the Secretary of the Navy for matters of emergency that might arise, things that nobody could foresee. Now, if under a general authority to conduct the Navy it is in order on an appropriation bill to provide a contingent fund to be put at the disposal of the Secretary of the Navy which he can use to meet contingencies whenever they arise and of whatever character, certainly there must be a wide margin of authority which must be regarded as incidental in character and which naturally goes with general authorizations.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] makes a point of order to the language in the bill reading—

Actual expenses of officers while on shore-patrol duty—

in that it is an appropriation unauthorized by law.

The Chair has examined the decisions of existing law with reference to items of expense for officers in the Navy, such as travel and allowances made in lieu of mileage, also commutation of quarters and provisions for men when quarters are not available, and for the payment for travel between places in the United States, and also for travel between places abroad.

In all of these provisions specific authority is given to pay the travel and expenses or the allowance in lieu thereof, and while there is nothing to indicate that this particular item of expense is to be incurred for duty performed abroad or within the United States, the Chair feels that this item does not come within the provisions of the existing law for that character of expenses, and that there is no specific authority in the law authorizing the payment of the mileage, or for payment for travel between points within the United States or between foreign ports, or for the commutation of quarters, or for expenses ashore where quarters are not available. And there is a decision that no allowance shall be made in settlement of any account for travel expenses unless the same be incurred on the order of the Secretary of the Navy or the allowance be approved by him.

In the view of the Chair the question seems to come down to whether this duty is such an incident of the operation of the Navy Department which is to be performed by officers acting under orders as to make it a necessary part of the conduct of the Navy for which an expenditure can be incurred without specific detailed authority in a legislative act.

The Chair gathers from the statement of the gentleman from Michigan, as supplemented by the statement of the gentleman from Illinois, that this is a well-known duty in the Navy Department; that officers may be assigned to that duty under orders and that the requirement that the actual expenses while on that duty shall be paid. If there is no authority for this in the appropriations made for naval purposes, it would seem that it would impose a duty on the officers of the Navy, and that the incidental expenses in the performance of that duty would necessarily fall on the officer, which the Chair feels can not be the real intent of the existing laws or of Congress in setting up appropriations for the maintenance of the Naval Establishment. The Chair feels that while it does not come within the various classes specifically authorized by law, in view of the information furnished by the gentleman in charge of the measure, as supplemented by statements made in discussion of the point of order on both sides of the question, that the actual expenses of officers while performing this particular class of duty, which is a well-recognized duty in the Navy, is such a necessary incident as to authorize its inclusion in this bill, and therefore the Chair overrules the point of order.

Mr. POU. Mr. Chairman, is it in order to move to strike out the last word?

The CHAIRMAN. Not as long as there is a reservation of a point of order. The gentleman from Illinois reserves a point of order on the entire paragraph, and he is making the point of order to the particular language in the section.

Mr. BRITTEN. Mr. Chairman, I call the attention of the Chair to the language in line 19, page 2, after the word "duty," "hire of launches or other small boats in Asiatic waters." That language was added to the appropriation bill in 1883 and is subject to a point of order, and I make the point of order.

Mr. MANN of Illinois. Mr. Chairman, the other day a gentleman occupied the chair for whose opinion I sometimes have considerable respect. A point of order was made against the appropriation for the hire of a launch at Constantinople in the Diplomatic and Consular Service. The Chair overruled the point of order on the ground that it was an incidental expense. I agreed with the opinion of the Chair at that time because I made the ruling. [Laughter.] But it was not the first time the same matter had been ruled upon. I find that the same matter—the same identical proposition—was ruled on long ago and held in order; and no doubt the parliamentary clerk furnished the Chair the volume of Hinds' Precedents containing that precedent.

Mr. BLANTON. And every year during the last three years in the diplomatic bill it was overruled.

The CHAIRMAN. The Chair recalls the ruling made the other day, which apparently was made upon precedents well established, but the Chair feels that it is not necessary to go beyond the precedents. The Chair has great respect for the wisdom and great knowledge of parliamentary law of the occupant of the chair at that time, and the Chair, for the reason at that time expressed, will overrule the point of order.

Mr. BRITTEN. Mr. Chairman, I call attention to this language on line 20, page 2——

The CHAIRMAN. Does the gentleman make a point of order?

Mr. BRITTEN. Yes; "for rent of buildings and offices not in navy yards."

Mr. KELLEY of Michigan. Mr. Chairman, this has been ruled upon over and over again. I call attention to section 3777 of Hinds' Precedents, volume 4:

An appropriation for rent and repair of buildings used in the public service was held to be in the continuation of public works.

Besides that, it is supported by positive law.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the language "for rent of buildings and offices not in navy yards." Under the decision cited by the gentleman from Michigan the Chair there held that an appropriation for the repair of buildings was an appropriation for the continuance of public works, and the Chair feels that under the precedent established the language is in order, and therefore overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order on this language, line 22, page 2, of the bill—"boards of inspection, examining boards with clerks." That is new language on an appropriation bill—legislation on an appropriation bill. The Secretary of the Navy might spend $2,750,000 out of this three and a half million dollars for boards of inspection, examining boards, and send them all over the world. I maintain that it is legislation on an appropriation bill and therefore subject to a point of order.

Mr. KELLEY of Michigan. Mr. Chairman, the expense of boards of inspection is definitely authorized by law under the act of August 5, 1882. Twenty-second Statutes at Large, 296. It is section 2786 of the compiled statutes.

It shall be the duty of the Secretary of the Navy as soon as may be after the passage of this act, to cause to be examined by competent boards of officers of the Navy to be designated by him for that purpose all vessels belonging to the Navy not in actual service at sea, and vessels at sea as soon as practical after they shall return to the United States, and hereafter—

And the word "hereafter" puts it beyond all doubt in respect to its being permanent.

and hereafter all vessels on their return from foreign stations, and all vessels in the United States as often as once in three years, when practical, shall be examined; and said board shall ascertain and report to the Secretary of the Navy in writing which of said vessels are unfit for further service, etc.

I do not think I need take up the time of the Chair or of the committee further by reading the statutes. These boards are specifically authorized by law.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] makes the point of order to the language—

Boards of inspection, examining boards, with clerks—

in lines 22 and 23, on page 2, of the bill. The statute which has been cited by the gentleman from Michigan would seem to the Chair to authorize the Secretary of the Navy to convene such boards for the duties therein specified, and the mere fact that anyone of these particular items in the paragraph might require the expenditure of the total appropriation seems to the Chair has no bearing on the point of order. The Chair feels that the statute cited clearly authorizes the appropriation and, therefore, overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order to the language in line 24, on page 2—

Expenses of naval defense districts.

That is legislation on an appropriation bill and was added as legislation to an appropriation bill on August 29, 1916.

The CHAIRMAN. The Chair would be inclined to overrule that point of order, because this does not appear to be legislation.

Mr. KELLEY of Michigan. It is a mere matter of regulation and administration.

Mr. KNUTSON. Mr. Chairman, in order to expediate matters will not the Chair define what legislation means on an appropriation bill, so that the gentleman from Illinois [Mr. BRITTEN] may not unnecessarily take up the time of the House.

Mr. BRITTEN. The whip of the House has spoken. Mr. Chairman, I make the point of order to the language in line 3, page 3, of the bill—

Ferriage; tolls.

It is legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, neither of those items is subject to a point of order. They are mere necessary incidental authority that goes with the operation of motor cars or the purchase of supplies on shore. Let us suppose there is a ship in Asiatic waters. An officer wants to buy supplies or to get money for the pay roll, and has to have little expenses paid for ferriage ashore. The ship may not be able to get in. Up here at Havre de Grace there is a toll bridge, and automobiles belonging to the Government, trucks from the Philadelphia Navy Yard passing to other points which they have to reach in the course of public business, are obliged to pay toll there to get across the river. It is the same way at the Norfolk Navy Yard. The navy yard is across the river from the city. The officers in the yard or men detailed on some duty are sent over, we will say, to the bank or to get supplies. They must cross on the ferry. These are ordinary necessary incidentals to carrying on the work of the Navy Department, and fall within the previous rulings of the Chair. Automobiles are authorized and trucks are authorized.

The CHAIRMAN. The Chair thinks these items are of a character that have previously been mentioned as necessary incidents which accompanies the performance of duty on the part of members of the Naval Establishment, and that it is within the rules of the House on this appropriation bill to authorize their payment, and overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the following language, on line 5, page 3, of the bill:

recovery of valuables from shipwrecks.

It has been suggested that certain paragraphs or clauses in the bill are incidental to the maintenance and efficiency of the Navy. Of course, you could shoot a man under that language. Many things might be incidental to the management of the Navy or might be held to be incidental to the management of the Navy and yet be legislation on an appropriation bill. This language was inserted as legislation on an appropriation bill, and I make the point of order against it.

Mr. KELLEY of Michigan. Mr. Chairman, the gentleman is again in error as to the character of the authorization. This is general authority. Section 2776 of the compiled statutes reads as follows:

The President may, when the necessities of the service permit it, cause any suitable number of public vessels adapted to the purpose to cruise upon the coast in the season of severe weather and afford such aid to distressed navigators as their circumstances may require, and such public vessels shall go to sea fully prepared to render such assistance.

They are to assist in any way in the recovery of property or in the prevention of distress.

Mr. HICKS. Does the gentleman hold that that is one of the great functions of the Navy Department?

Mr. KELLEY of Michigan. It is authorized specifically in the law.

Mr. HICKS. Then where does the Coast Guard come in in that service?

Mr. KELLEY of Michigan. I do not care anything about that.

Mr. HICKS. That is the function of the Coast Guard and not the Navy.

Mr. KELLEY of Michigan. The President is directly authorized to so assign ships of the Navy. The gentleman evidently did not hear me read the law. There is one other provision to which I would like to call the attention of the Chair. I have not the citation directly at hand, but if he wishes I shall get it for him. It provides that the commanding officer of every ship of the Navy when at sea or when in a port where there is no consul shall have all of the powers of a consul and exercise every duty that a consul of the United States Government can exercise. One of the chief functions of consuls is to preserve property in situations of the character described.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the language "recovery of valuables from shipwrecks." The Chair has examined the section of the statute to which the gentleman from Michigan has referred and finds that not only is the President given authority to cause a suitable number of vessels to cruise and afford aid to distressed navigators, but the Secretary of the Navy is authorized to cause vessels under his control adapted for the purpose to afford salvage to public or private vessels in distress, and is further authorized to collect reasonable compensation therefor. While this is not perhaps expressed in maritime language, yet it is the view of the Chair that it comes within the rule and is authorized by the two paragraphs of the statutes to which the gentleman from Michigan has referred. The Chair, therefore, overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the following language: On line 8, page 3 of the bill, "information from abroad and at home, and the collection and classification thereof." That is legislation on an appropriation bill, was added as such to an appropriation bill, and I make the point of order against the language.

Mr. KELLEY of Michigan. Mr. Chairman, without taking too much time this provision is to pay our naval attachés, and it is fully and completely authorized by statute.

Mr. BRITTEN. The gentleman does not mean to say this takes care of naval attachés?

Mr. KELLEY of Michigan. Takes care of their expenses.

Mr. BRITTEN. The pay for naval attachés comes out of pay and allowances for the Navy.

Mr. KELLEY of Michigan. I know that.

Mr. BRITTEN. And this money does not go to naval attachés at all.

Mr. KELLEY of Michigan. Yes; for incidental expenses. Besides that, section 1752 of the Revised Statutes expressly provides for the gathering of information of this sort.

Mr. TINCHER. Will the gentleman yield?

Mr. KELLEY of Michigan. I do.

Mr. TINCHER. I notice the gentleman from Michigan is reading considerably from a book which he calls the Revised Statutes. For the last four or five points of order the gentleman has read a section in this statute which seems to cover each case. I wondered if that book was available to all the members of the Committee on Naval Affairs, Legislative and Appropriations Committee alike, or was it just available for the use of the appropriating end of the committee?

Mr. MANN of Illinois. It is evident the gentleman from Kansas does not know about that from his question.

Mr. TINCHER. Well, the gentleman from Illinois made some five or six points of order, and the gentleman from Michigan referred to sections of the Revised Statutes which he said absolutely covered the point of order, and I wondered if that could not be arranged so as to go to the other members of the committee, whether the gentleman from Kansas understood it or not, and maybe the other gentleman from Illinois might be posted on it.

Mr. KELLEY of Michigan. Has the Chair read section 1752, to which I referred? It is as follows:

SEC. 1752. The President is authorized to prescribe such regulations, and make and issue such orders and instructions, not inconsistent with the Constitution or any law of the United States, in relation to the duties of all diplomatic and consular officers, the transaction of their business, the rendering of accounts and returns, the payment of compensation, the safe-keeping of the archives and public property in the hands of all such officers, the communication of information, and the procurement and transmission of the products of the arts, sciences, manufactures, agriculture, and commerce, from time to time, as he may think conducive to the public interest. It shall be the duty of all such officers to conform to such regulations, orders, and instructions.

Now, under the authority which is given the President he designates naval officers to these embassies. They gather information about the Navy, and all about the building programs of foreign Governments and the latest improvements and types of ships, work that could not be well done by anyone but a naval officer.

Mr. MANN of Illinois. Will the gentleman yield there?

Mr. KELLEY of Michigan. I will.

Mr. MANN of Illinois. What sort of a situation would the country be in if it were confronted with war and had no information abroad or at home collected and classified?

Mr. KELLEY of Michigan. Well, the gentleman's question is its own answer.

Mr. MANN of Illinois. Just as well sink the Navy.

Mr. BRITTEN. Will the gentleman yield? There is no question about the value of this service.

Mr. KELLEY of Michigan. Nor is there about the authority and authorization.

Mr. BRITTEN. Nor about the value of various other paragraphs in this bill. If they did not have value and merit to them it is assumed they would not be in here, but I am making points of order for the specific purpose—I am not attempting to filibuster, but I am trying to show to the House that the rule under which we are operating is a ridiculous one, and I hope it will be changed.

Mr. MONDELL. Will the gentleman yield?

Mr. BRITTEN. I have not the floor; the gentleman from Michigan has the floor.

Mr. MONDELL. Has there been any change in the rules as to points of order in this bill since a year ago, when the naval bill was reported, except in the matter of new ships and the size of the Naval Establishment?

Mr. BRITTEN. The only difference is in the rules of the House.

Mr. MONDELL. There is no difference in the rules. Whatever was the rule a year ago in regard to these items is the rule now. If the gentleman is so touchy about the rules he should have made these points of order a year ago.

Mr. BRITTEN. We were not operating a year ago under the rules we are operating under to-day.

Mr. MONDELL. We are operating under exactly the same rule, as far as these items are concerned, absolutely the same rule. Nothing has been quoted, nothing has been referred to that was not the rule a year ago and had not been established a year ago and for years before that.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BLANTON. If it gets too hot for the gentleman over there we will invite him to come over here and sit with us.

Mr. LANHAM. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas.

Mr. CANNON. That would only be jumping out of purgatory into hell. [Laughter.]

Mr. KELLEY of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KELLEY of Michigan. Did the Chair direct the Clerk to read?

The CHAIRMAN. The Chair recognizes the gentleman from Texas.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word. Mr. Chairman, in view of the controversies which seem to have arisen to-day between the upper 35 and the submerged 400 I think the following lines are appropriate:

IN MEMORY OF THOSE WHO DIED AT THE BATTLE OF BUDGET BILL.

I.

Half a league, half a league,
Half a league onward,
On toward the Budget Bill
Charged the four hundred.
Forward, too forward quite,
They who contrived the fight,
They who into the night
Rode the four hundred.

II.

"Forward, Light-head Brigade!"
Was there a man dismayed?
Not one among them knew
Twenty score blundered;
Theirs not to reason why,
Theirs but to charge and cry:
"Lead us and take the pie!"
Into the valley of Death
Voted four hundred.

III.

Big guns to right of them,
Big guns to left of them,
Big guns behind them
Volleyed and thundered;
Lashed by the leaders' yell,
Spurred to the mouth of Hell,
E'en to the jaws of Death,
Into the trap they fell,
Fell the four hundred.

[Laughter.]

IV.

Slashed all their future bare,
Slashed in the thick hot air,
Sabering their prestige there,
Charging their comrades while
Herded and plundered;
Plunged in the screen of smoke,
O how they bent and broke;
North, South and East and West
Reeled from the fatal stroke
Shattered and sundered.
Then they strode back, but not—
Not the four hundred.

[Laughter.]

V.

Big guns to right of them,
Big guns to left of them,
Big guns in front of them
Volleyed and thundered;
Stormed at with shot and shell,
Men and Committees fell;
But they who died so well
Cried from the jaws of Death,
Shrieked from the mouth of Hell:
"Long live the Thirty-five!
Die the four hundred!"

VI.

When can their folly fade?
O the wild charge they made!
All the world wondered.
Look on the stupid dead!
Come, pat them on the head!
Slaughtered four hundred!

[Laughter.]

Mr. BRITTEN. Mr. Chairman, a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. BRITTEN. I had not concluded my points of order on the former paragraph when the Chair recognized the gentleman from Texas. I think he recognized the gentleman from Texas [Mr. BLANTON] while I was on my feet. However, I will be willing to go along as the Chair suggests.

The CHAIRMAN. Well, the Chair does not desire to seem to take advantage of the gentleman, but the gentleman had taken his seat and made no attempt to seek recognition, and the Chair concluded that he had no further point of order to make. But if the gentleman feels that inadvertently he had delayed the points of order to the Chair, the Chair will recognize him.

Mr. BRITTEN. I thank the Chair.

I desire to make a point of order on line 12, page 3, of the bill. It is new language in the bill and inserted and carried in the bill for the first time. It reads, "not to exceed $250,000." The language may be justifiable and necessary, but it is new language in the appropriation and I make the point of order against it.

The CHAIRMAN. The Chair thinks the language the gentleman makes the point of order to is a limitation on the expenditure, and overrules the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I ask for a reading of my amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] withdraws his reservation of a point of order to the paragraph, and the gentleman from Michigan [Mr. KELLEY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 2, line 14, after the word "employees," insert "and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy."

Mr. KELLEY of Michigan. I think, Mr. Chairman——

Mr. BRITTEN. Mr. Chairman, I make a point of order against the language. It is legislation on an appropriation bill. It is in the nature of an allowance to an officer of the Navy. He is not an officer until he gets into the academy. He does not get this allowance until after he is inducted into the academy and made an officer of the United States Navy. The language properly belongs as legislation to the Committee on Naval Affairs.

Mr. KELLEY of Michigan. Mr. Chairman, if you will notice the language which I sent to the desk, it says "and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy." It does not say candidates for midshipmen, but for midshipmen entering the Naval Academy. That means after they are appointed. Now, if they are appointed at the place of residence, which the Secretary has a perfect right to do, they will be entitled to this mileage. They would be entitled to the regular mileage of officers traveling under orders, at 8 cents per mile, the very moment they receive the appointment and are sworn in as officers of the Navy. If the Secretary changes the regulations and appoints them at their homes the regulation is so changed that the appointments can be made before they leave their homes, then they are officers traveling under orders and would be entitled to 8 cents a mile. This provides for 5 cents, which is a reduction from the existing law, and is in order under the Holman rule.

The CHAIRMAN. What is the existing law?

Mr. KELLEY of Michigan. Eight cents a mile for officers traveling under orders.

The CHAIRMAN. Does the gentleman know when they are appointed in the Naval Academy as midshipmen?

Mr. KELLEY of Michigan. As soon as they receive the appointment they are appointed as midshipmen. That is the title which they receive upon appointment. And if that appointment is made at their homes, they immediately become officers and take the oath of office, and are entitled to mileage that any other officer receives.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. Certainly.

Mr. MANN of Illinois. Would not this provision authorize the Secretary of the Navy to pay a midshipman for travel prior to the time he was a midshipman?

Mr. KELLEY of Michigan. I do not think so, Mr. Chairman, for the reason that it says "for mileage, at 5 cents per mile to midshipmen entering the Naval Academy." Now, then, the basis for paying 5 cents a mile, or 8 cents a mile, is the fact of being officers of the Navy. They could get 8 cents a mile if it were not for this language reducing the allowance to 5 cents.

Mr. MANN of Illinois. I am inclined to think if they could get 8 cents a mile this amendment would not be offered. But under the language of the amendment, if a man travels to Annapolis and then enters as a midshipman, would not he be authorized to receive payment for his travel before he was a midshipman? Is there any restriction in this provision at all as to what the travel pay shall be?

Mr. KELLEY of Michigan. The assumption would be, of course, that the Comptroller of the Treasury would administer this according to law. There would be no authority for paying anybody traveling allowances before he was an officer.

Mr. MANN of Illinois. If that is the case, if that would be the ruling, I would suggest to the gentleman that he had better withdraw his amendment and have it properly fixed in the Senate, because I believe that these men who do travel from distant parts of the country to Annapolis really ought to be paid their expenses of travel.

Mr. KELLEY of Michigan. If they are appointed.

Mr. MANN of Illinois. If they are appointed. But if the gentleman's amendment would not do that, then what on earth is the use of putting it in?

Mr. KELLEY of Michigan. It restricts the mileage to 5 cents.

Mr. MANN of Illinois. Oh, no; that is not the reason. Tell that to the Marines, but not to me.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, $50,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the entire paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. It is legislation upon an appropriation bill. It was added to an appropriation bill as legislation, and its consideration properly belongs to the Committee on Naval Affairs. I make the point of order against it.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. BLANTON. I want the gentleman from Illinois to understand that he has got some friends in the House to prevent a possible physical catastrophe happening to some of our steering committee. I fancy if they had ever seen the gentleman from Illinois perform with boxing gloves they would not be crowding him so much over there. [Laughter.]

Mr. BRITTEN. Mr. Chairman, I make the point of order against the paragraph.

Mr. KELLEY of Michigan. Mr. Chairman, I cited to the Chair a little while ago the authority for another proposition, section 4015 of Hinds' Precedents, as to the emergency fund, which squarely ruled upon the point. I think I read a decision a few moments ago, based upon a provision that an emergency fund for the maintenance of the Navy to be expended in the discretion of the President, was held to be a limitation and in order on an appropriation bill.

The CHAIRMAN. This paragraph does appear to carry legislation, "to be expended on the approval of the Secretary of the Navy." If the gentleman makes the point of order against the paragraph the Chair will be obliged to sustain it.

Mr. KELLEY of Michigan. I call attention to the fact that that was the particular ground on which the point of order was made when this original case was decided, that the language, "to be expended under the direction of the President" made it subject to the point of order. But the chairman overruled the point of order, and held that it was a mere limitation upon the expenditure, and not in any way interfering with the authorization of it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I send an amendment to the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 4, line 1, insert the following at the top of the page: "Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, in the District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be extended on the approval and authority of the Secretary of the Navy, $50,000."

Mr. BRITTEN. Mr. Chairman, the amendment is legislation, pure and simple, on an appropriation bill, and is in substance the language which the Chair has just ruled out.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. BRITTEN. Yes.

Mr. KELLEY of Michigan. I understood the Chair to object to the language "and for such other purposes as he may deem proper," but not to the language "to be expended under the direction of the Secretary," because that has been sustained under former rulings, so that I sent up an amendment with the objectionable language stricken out.

The CHAIRMAN. The Chair overrules the point of order.

Mr. POU. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last word.

Mr. POU. Mr. Chairman, there are a few observations that I would like to make with respect to this bill under consideration. This is my twentieth year of service as a Member of this House. During that time I have consistently followed the policy of aiding in building a great Navy. I wanted my country to have a Navy which would not be conquerable by the navy of any nation of the earth. I voted for the largest number of battleships and submarines, for the biggest appropriations contained in the several naval appropriation bills. I remember very well, under Mr. Roosevelt's administration, that he recommended, with great force, characteristic of the man, four battleships, and I was one of a very small minority, I regret to say, on this side of the aisle who voted for the appropriation for four battleships. I was criticized for that vote, but those who criticized my course have been generous enough to admit that subsequent events vindicated my vote.

I had hoped, Mr. Chairman, that the time would come when I could cease to vote for these enormous appropriations. With all my heart and soul I hoped and believed the result of the World War would put a stop to this enormous waste. A battleship is of little use except to kill or destroy. It has been stated time and again here that out of every dollar of appropriations made by the Congress almost 90 per cent goes for the purpose either of military or naval preparedness. Think of that, if you please. That statement ought to be posted on the walls of every home in America.

God help us if this thing is to continue. And yet I stand here to-day, Mr. Chairman, sick at heart, and say with regret that I see not one single ray of hope for those who are trying to put an end to these ruinous appropriations for military and naval preparedness. The chairman of the Committee on Military Affairs made a very striking statement on this floor the other day. It was a statement well calculated to shock, but it was nevertheless true. He made the statement that to-day America is without a friend among the great nations of the earth. So far as I am concerned, as much as I regret it, I feel that I have no choice. I shall continue to vote to build up an unconquerable Navy. I shall continue to vote for a Navy, not as great as the greatest navy of the world, but I shall vote, if I am given an opportunity to do so, for a navy which can defeat the navy of any other nation. [Applause.]

Do not, I beg you, misunderstand my position. I would prefer an agreement to disarm. I fervently hope the day will come when the civilized Christian nations will by common agreement stop building these engines of death, but that day is not yet in sight. I do not want to vote for a navy just big enough to be whipped, and as much as my heart revolts against it I shall continue the course I began here 20 years ago—to make America unconquerable on the sea.

Now, I think a mistake was made with respect to the Army. I hate to say it. God knows I wish it were otherwise. But I think you have cut the Army down a little too small. I have given this subject a good deal of thought, and I say here and now that I believe we may as well get ready to fight. We have no friend among the nations of Europe. Some of them look upon us with jealousy, some with hate. Oh, what an opportunity we had! While I did not rise to discuss that question, I can not help bringing these remarks to a close by saying that whoever is responsible for the defeat of the League of Nations will, in my humble judgment, be guilty of the greatest crime against humanity that has been committed in the entire history of this world. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Temporary government for West Indian Islands: For expenses incident to the occupation of the Virgin Islands and to the execution of the provisions of the act providing a temporary government for the West Indian Islands acquired by the United States from Denmark, and for other purposes, approved March 3, 1917, to be applied under the direction of the President, $343,440.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the entire paragraph as being legislation on an appropriation bill. It was added as such, and I can find no authority for the language under the law.

Mr. KELLEY of Michigan. Mr. Chairman, the paragraph tells where the authority can be found—the act of March 3, 1917—for the government of these islands.

Mr. WINGO. Mr. Chairman, will the gentleman permit me?

Mr. KELLEY of Michigan. Yes.

Mr. WINGO. The obligations of the treaty require this.

Mr. KELLEY of Michigan. Yes; the obligations of the treaty require this. This is an act passed in furtherance of the treaty, and the act itself sets out the paragraph under which the appropriation is in order.

Mr. BRITTEN. If that is correct, then this committee could authorize an appropriation of $1,000,000 for practically anything in the Virgin Islands, without having it referred to any other committee of the House, as pure legislation relating to those islands.

Mr. KELLEY of Michigan. Mr. Chairman, the Navy is the governing body of the Virgin Islands, both under the treaty and under the statute.

The CHAIRMAN. The Chair is of the impression that under the provisions of the statute which were enacted under the authority of the treaty jurisdiction in governmental matters of the Virgin Islands was given temporarily to the Navy Department.

Mr. KELLEY of Michigan. The Chair is right, and the Navy is now in actual control.

The CHAIRMAN. The President is authorized to assign a naval officer there to exercise that jurisdiction, and the act also authorizes the appropriation of money for the expenses incident to the jurisdiction conferred. The Chair thinks this language is fully authorized, and overrules the point of order.

Mr. BEE. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman from Michigan a question. Some months ago a commission was appointed to go to the Virgin Islands to look over the question of establishing a civil government. Has anything been done there by that commission or by Congress with reference to carrying out the purposes of that commission?

Mr. KELLEY of Michigan. So far as I am advised, that matter is before the Committee on Insular Affairs. The gentleman from Iowa [Mr. TOWNER] and others, I think, went down there and looked the islands over, and came back last year and recommended the amount that we then carried in the bill.

Mr. BEE. Did they also recommend that there be a continuance of the naval control instead of civil control?

Mr. KELLEY of Michigan. I do not recall as to that.

Mr. BEE. In other words, it has occurred to me that perhaps the government of these islands ought to be a civil government and that the Navy Department ought to be relieved of that responsibility. I wanted to know whether anything had been done in that regard.

Mr. KELLEY of Michigan. Nothing has been done.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Expenses, civilian naval consulting board: For actual expenses incurred by and in connection with the civilian naval consulting board, including the services of one clerk, at $1,400 per annum, for duty in connection with the board at Washington, D. C., $5,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the paragraph as being legislation on an appropriation bill; the words—

For actual expenses incurred by and in connection with the civilian naval consulting board—

having been added to an appropriation bill in 1916, and the balance referring to the pay—

including the services of one clerk, at $1,400 per annum, for duty in connection with the board at Washington, D. C.—

having been included as legislation on an appropriation bill in 1919, both sections of the paragraph being legislation enacted on an appropriation bill. I make the point of order against it.

Mr. KELLEY of Michigan. Mr. Chairman, I think this paragraph is subject to a point of order. I want to say, however, that this board was created by order of the President or the Secretary of the Navy, I have forgotten which, and it is made up of the most highly scientific men in America.

Mr. MADDEN. It was appointed during the war?

Mr. KELLEY of Michigan. During the war, and it is functioning in a limited way yet. Last year I think the expenses of it were something like $500. The chairman of this board is Mr. Thomas A. Edison——

Mr. MADDEN. This is a war measure, and the war is still on. It is not subject to the point of order. It is under the war powers of the President.

Mr. KELLEY of Michigan. I should very much dislike to see the paragraph eliminated from the bill, because of the personnel of the board and the great service they rendered during the war. The gentleman from Illinois [Mr. MADDEN] adds that it was a war-emergency authority which still continues, this country being still technically at war. I had not thought of that phase of it, but I am going to ask the gentleman from Illinois [Mr. BRITTEN] if he will not humor me a little by withdrawing his point of order to this paragraph and let it stand.

Mr. BRITTEN. Mr. Chairman, I should like to humor the gentleman to the fullest extent, and to withdraw all of my points of order, but there is a principle attached to my labors here this afternoon.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. BRITTEN. Yes; I do.

Mr. MADDEN. Mr. Chairman, I should like to be heard on that. Under the war powers of the President he created this activity. He had the power to do it. He still has that power. It has not been repealed. We are still in a technical state of war, and I maintain that this is perfectly in order until the war ceases.

Mr. BUTLER. Was this board created in 1916 or 1917?

Mr. BRITTEN. In 1916, before we declared war.

Mr. BUTLER. I suggest to the gentleman that he withdraw the point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to discuss the point of order?

Mr. BUTLER. I do not. I only desire, because of the earnest request of the gentleman from Michigan, that the gentleman from Illinois withdraw his point of order.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. BUTLER. Yes.

Mr. BRITTEN. What will my leader on the Committee on Naval Affairs say to me if Gov. KELLEY repeats his request?

Mr. BUTLER. I will not make any other similar request. This board is composed of highly scientific men, like Mr. Edison. I know the views of Gov. KELLEY on this, and one of the things that he is always particular about is this board.

Mr. BRITTEN. That is very true.

Mr. BUTLER. I want to ask my young friend to accede to Gov. KELLEY's request.

Mr. BRITTEN. I withdraw the point of order at the request of the chairman of the Committee on Naval Affairs.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Aviation, Navy: For aviation, to be expended under the direction of the Secretary of the Navy, as follows: For aircraft and accessories in course of construction or manufacture on June 30, 1921, $440,000; for navigational, photographic, and aerological equipment, including repairs thereto, for use with aircraft built or building on June 30, 1921, $49,250; for maintenance, repair, and operation of aircraft factory, helium plant, air stations, fleet activities, testing laboratories, and for overhauling of planes, $4,534,181; for continuing experiments and development work on all types of aircraft, $1,615,000; for drafting, clerical, inspection, and messenger service for aircraft stations, $275,000; in all, $6,913,431: *Provided*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of $500: *Provided further*, That all claims adjusted under this authority during any fiscal year shall be reported in detail to the Congress by the Secretary of the Navy: *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes.

Mr. BRITTEN. Mr. Chairman, I reserve a point of order against the entire paragraph.

Mr. KNUTSON. Pending that I should like to ask the chairman of the committee a question if I may.

Mr. KELLEY of Michigan. Had not the gentleman better wait until we see about this point of order? What is the point of order?

The CHAIRMAN. Will the gentleman from Illinois state his point of order?

Mr. BRITTEN. There is no authority in law for aviation in the Navy. Aviation in the Navy has been built up from time to time by current legislation. I am quite certain that the provisos are subject to a point of order. I am in doubt as to just how much of the language down to the proviso in line 7, page 5, is subject to the point of order.

The first proviso, beginning on line 7, page 5, is subject to a point of order, and I make the point of order that the language beginning on line 7, page 5—

Provided, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of $500—

is legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, if it will shorten the matter, I will concede that it is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from Illinois as to the proviso on page 5, beginning on line 7.

Mr. BRITTEN. And, Mr. Chairman, I make a point of order against the second proviso and the third proviso, beginning on line 15.

Mr. KELLEY of Michigan. The third proviso is not subject to a point of order, being a limitation on the appropriation.

The CHAIRMAN. Does the gentleman from Michigan concede the point of order to the second proviso?

Mr. KELLEY of Michigan. Yes.

The CHAIRMAN. The Chair sustains the point of order. Does the gentleman from Michigan concede the point of order to the third proviso?

Mr. KELLEY of Michigan. Not at all.

Mr. BRITTEN. Mr. Chairman, I withdraw the point of order as to the third proviso, and I withdraw any further points of order on the paragraph.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee if the sum carried in this item provides for the continuation of airship construction.

Mr. KELLEY of Michigan. The gentleman has reference to the one that is to be constructed at Lakehurst. I will say to the gentleman that the bill carries only $480,000 for aircraft and accessories in the course of construction and manufacture on June 30, 1921. I am not quite sure whether any of that material has been actually fabricated, but it probably will be before June 30, 1921. If it were, then it will be a matter of administration for the Secretary of the Navy to use a portion of that fund to carry the work along.

Mr. KNUTSON. The gentleman from Indiana [Mr. WOOD] is a member of the committee, and I will ask him.

Mr. WOOD of Indiana. The bill provides "for continued experiments and development work on all types of aircraft, $1,615,000."

Mr. KNUTSON. Will that allow the completion of the work at Lakehurst?

Mr. WOOD of Indiana. I do not know where it would be done.

Mr. KNUTSON. But the gentleman would understand that this is for consumption of that kind?

Mr. WOOD of Indiana. It authorizes the continuation of experiments and development work on all types of aircraft.

Mr. HICKS. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HICKS: Page 5, after the colon, following the figures "$275,000," on line 6, add: For necessary heavier-than-air craft, $4,906,500; for necessary lighter-than-air craft, $670,000; for necessary equipment for such aircraft, $500,000; for new construction, buildings, and improvements at air stations as follows: Cape May, $25,000; Coco Solo, $402,000; Hampton Roads, $78,000; Lakehurst, $360,000; Pearl Harbor, $210,000; Pensacola, $100,000; San Diego, $164,000; Pacific Coast Rigid Station, $1,450,000.

Mr. MONDELL, Mr. MADDEN, and Mr. BLANTON reserved points of order.

Mr. MADDEN. It is new legislation, not authorized by law.

Mr. MONDELL. It is new construction, not authorized by law.

Mr. BLANTON. I make the point of order.

Mr. HICKS. Will not the gentleman reserve it?

Mr. BLANTON. We have spent nearly all day and have not made any progress on the bill. The gentleman from Wyoming has promised to give us a recess after we get through with this bill and the fortification bill. The gentleman from Wyoming shakes his head, and I shall have to make the point of order.

Mr. MONDELL. I did not shake my head.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. It is new legislation on an appropriation bill, unauthorized by law. It is for new construction entirely unauthorized by any provision of law.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. HICKS. Yes; Mr. Chairman, with the courtesy of the House, I want to say a word or two as to the necessity of these items.

In the appropriation bill before us there is nothing providing for new aircraft of any kind or for new construction at stations. As the members of the committee know, aircraft are extremely fragile articles. They do not last over 12 or 14 months, and unless we supply new aircraft to the Navy in this bill aviation will have to be curtailed very materially. The chairman of the subcommittee on appropriations did not feel that he could report an item of this kind because of lack of jurisdiction, but I understand he is willing to agree to this amendment in case we get it before the committee, for he realizes the importance of having new aircraft and in having these improvements at the air stations.

I shall address myself now to the point of order. I am not going to endeavor to interpret the new rule under which appropriations are being made. It is too difficult a task to endeavor to understand the meaning of that rule, but I respectfully call the attention of the Chair to the resolution which was passed on June 1, in which certain rules were amended. The rule respecting the subjects to be considered by the Committee on Naval Affairs was amended to read as follows:

The Naval Establishment, including the increase or reduction of commissioned officers and enlisted men and their pay and allowances, and the increase of ships or vessels of all classes of the Navy, to the Committee on Naval Affairs.

I desire first to address my argument to the new rule in conjunction with a ruling in Hinds' Precedents which makes in order an amendment appropriating for a new and otherwise unauthorized battleship. Let me refer, if I may, to the old rule that pertained to items relating to the Naval Establishment. It provided that matters pertaining to the Naval Establishment should be referred to the Committee on Naval Affairs without specifying what they were. Why was that rule amended? Is it not fair to assume that the rule was amended so that there could be no confusion, no uncertainty as to where the jurisdiction should lie for an increase in vessels of the Navy, giving authority for new ships exclusively to the Committee on Naval Affairs? It seems to me tha is the only fair and logical conclusion that we can draw from the amendment that we adopted last June.

Let me state what the precedent was in Hinds, because I am claiming that the Naval Affairs Committee has jurisdiction over this matter of aircraft and new ships and new construction, and my amendment has the sanction of that committee.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. SNELL. I am getting somewhat confused by the gentleman's argument. Is the gentleman arguing that the Naval Affairs Committee or the Appropriation Committee has jurisdiction?

Mr. HICKS. The Naval Affairs Committee has jurisdiction over new types of vessels for the Navy, and this amendment of mine, while it comes from a legislative committee having jurisdiction, is in substance an appropriation. I hold it is in order under the precedent referred to.

Mr. SNELL. I know, but this is a bill reported by the Committee on Appropriations.

Mr. HICKS. I understand, and my amendment is an appropriation, but let me complete my argument.

Mr. MONDELL. But——

Mr. HICKS. I will not yield for the moment. I am going to cite the decision from Hinds' Precedents, which, as I understand, has never been overruled and is still looked to as the basic precedent in relation to the increase of the Navy. I quote from Hinds' Precedents, section 3723, volume 4:

By a broad construction of the rule, the principle of which is not generally applied in other matters, an appropriation for a new and not otherwise authorized vessel of the Navy is held to be for continuation of a public work.

I want to read what the Chair said when he rendered that decision, because I believe that is the basis of a great many things which we have done and which we will have to do with respect to the Navy. In that case the point of order was made against an amendment calling for the construction of two new battleships. In overruling the point the Chair stated as follows:

* * * If the work be a public work, or if the object is a public object, and it is already in progress, there need not be any previous legislation authorizing it. The Chair believes that the construction of a navy is a public object or a public work, and the language of the bill which we have been considering, and the appropriation made at the last session, show that construction of the Navy is in progress. * * *

The Government has undertaken to maintain, and is annually maintaining, a Naval Establishment, and under the rule appropriations may be made for it in a general appropriation bill, and such has always been the practice until last session. * * *

There is no law prescribing the number of ships that shall constitute the Navy or the number of guns they shall carry.

It seems to me, Mr. Chairman, that in the first place the Committee on Naval Affairs, having jurisdiction over the number of ships, this amendment which I am now offering is not an amendment offered as an individual Member of Congress, but an amendment offered in the name and with the power and with the authority of the Committee on Naval Affairs. This amendment was considered by our committee and hearings were held upon it. Let me repeat, it is not a legislative proviso, but an appropriation to an appropriation bill.

I claim this amendment is in order under the precedent I have just referred to. It may be claimed that the Appropriation Committee could not bring in such an amendment. Of that I do not know. If my contention is not sound and the amendment should stand solely on the ground that it is an appropriation, and I am not sure but what this is the safest contention, then I will approach the subject from an entirely different angle. I rest my argument wholly upon the precedent already referred to and contend that it is in order as a continuation of a public project. Aviation is just as much an essential part of the Navy as are the submarines or the mine destroyers. It is not an experiment but a reality; not a theory but a fact; and I claim it is a public work and that aviation is a necessary arm of the service. Some may answer that aircraft are not vessels under the meaning of that term. I concede that according to the old maritime law of Great Britain, which to a large extent we have followed, it was held until lately that a ship was a vessel to navigate the waters, propelled by some other means than by oars, but in Funk & Wagnall's Dictionary I find the following definition of a ship. In addition to a vessel for surface navigation there is this definition:

Something resembling a ship. To be specific, a vessel for navigating the air, as an airship.

I claim that a vessel of the air, an airship, is as much a ship as a vessel floating on the surface of the water. Should there be further disputation that airships do not come under the title of ships as separate units, then let me advance this line of thought and suggest that they are necessary adjuncts of the ship itself, as essential as guns or instruments.

I claim that an airship is nothing more or less than the projection of the masts of a ship above the water and of the guns on that ship. You do not have to authorize the number of masts which a warship shall have, and we do not authorize the number of guns that the warship shall carry. On every warship we have on the mast a crow's nest, and in that nest men are stationed for purposes of observation. They are there to

scan the horizon for enemy craft and to detect the effect of gunfire, and when we send up into the air a balloon or an airplane we are merely carrying upward into the air, or projecting into distance, the observers in that crow's nest, giving them greater facilities of observing the enemy and of noting the fire of our guns. In other words, that airplane or balloon is merely projecting the observation station on the mast; and I claim also that the guns are projected by means of aircraft.

Instead of a range of 20 miles from a 16-inch gun, by having an airplane leave the deck of the vessel, or leave the turret of the vessel—and many of these ships now have constructed from the turret to the muzzle of the gun a run-off platform—when these aircraft leave a warship equipped with offensive weapons, such as a torpedo or bomb, they are only increasing the firing range of the gun itself by carrying perhaps 200 miles the high-explosive charge before launching it at the enemy target. So on this contention, Mr. Chairman, I hold that under the broad authority of the Navy Department to supply vessels of war with essential equipment, the specific authorization for which does not have to be made, this amendment is in order. As to the construction items, I will speak of that later if desired.

The CHAIRMAN. Will the gentleman from New York permit the Chair to propound an inquiry?

Mr. HICKS. I will; certainly.

The CHAIRMAN. Does the gentleman admit that this is a provision for an increase in the ships or vessels of the Navy?

Mr. HICKS. I did not catch the query.

The CHAIRMAN. Does the gentleman from New York admit that his amendment provides for an increase of the vessels of the Navy?

Mr. HICKS. Yes, sir; I do, and have recited the ruling in Hinds to support it.

The CHAIRMAN. Does the gentleman from Wyoming desire to be heard on the point of order?

Mr. MONDELL. Mr. Chairman, I rise to the defense of the Committee on Naval Affairs in its jurisdiction and as against the assault of the dignity and jurisdiction of that committee by members of the committee. We have heard a good deal here in the last few days about matters of principle in connection with points of order, and we have been told that it was a matter of principle to make a point of order against an item that had been carried by common consent in an appropriation bill for many years and which everyone, including the gentleman who made the point of order, approved both as to its purpose and its amount. We have been told that was a matter of principle. It has been a little difficult for some of us to understand just what the principle was or where it came in, but at any rate we had an idea that no matter how mistaken may have been the idea of the utilization of those opportunities to make points of order the purpose may have been a hazy notion of protecting the jurisdiction of the legislative committee. Mr. Chairman, I feel it is my duty to do that. I think it is highly important that under the new rules under which appropriations are made by one committee that committee shall not be allowed under any pretext, after the opportunity for legislation has been had covering the matter, to encroach upon the jurisdiction of the legislating committees, yet to-day we have the remarkable spectacle of a member of a legislative committee endeavoring to argue away the entire or at least the most important jurisdiction of the committee of which he is a member by claiming that you may place on an appropriation bill reported by the Committee on Appropriations an item for a new program of new ships for the Navy—in this case, ships of the air. Mr. Chairman, such an item would not be in order on this bill if there were no provision in the new rule, such as has been referred to, even though the new rule did not specifically retain within the jurisdiction of the Naval Committee the matter of increase of ships and vessels. Under the general rules of the House the Committee on Appropriations would have no authority to present an item of this kind for new construction. But in this case we have the specific provision of a rule clear, definite, and unmistakable, and this being true, the Committee on Naval Affairs will be saved from this attempted assault upon its authority and jurisdiction by one of its members.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. MANN of Illinois. Largely for information. Under the old rule it was in order on an appropriation bill to provide for a new vessel in the Navy of a type already in existence. Under the change of rules, is that eliminated so that now there can be no increase of any type of vessel in the Navy without having previous legislation each year authorizing what the increase shall be?

Mr. MONDELL. I am inclined to think so.

Mr. MANN of Illinois. So that hereafter if that rule is followed if you have a thousand airships in the Navy you can not make it a thousand and one any year without having previous legislative authority to do it and enact it into law, passed by both Houses of Congress and signed by the President?

Mr. MONDELL. Oh, no; not necessarily. Provision may be made for a specific number. The legislative committee having the matter in charge may make general provision by limitation, or it may provide specific authority, but without some authority, general or specific, from the legislative committee it seems quite clear under the rule that we have adopted that the Committee on Appropriations could not provide for new vessels, which, I think, would include airships.

Mr. MANN of Illinois. So that hereafter if that rule is to be followed, there can be no increase of a rowboat in the Navy unless you have legislation in advance authorizing that vessel?

Mr. MONDELL. I think that is true as to vessels. I doubt if it includes rowboats, but of course this is also true——

Mr. MANN of Illinois. It goes quite a ways.

Mr. MONDELL. I realize it does; but it is intended to protect the legislative committees against encroachment by the appropriating committee.

Mr. MANN of Illinois. Well, I do not know; I really had no idea anybody in the House——

Mr. MONDELL. I say my view of it is this, and this is borne out by the rulings of the Chair. There are a variety of governmental activities which are essential appropriations for which have been held not in order on an appropriation bill previously, and I think properly, by Chairmen. For instance, it has been held we can not hire an Indian policeman now without legislation on the subject by the proper legislative committee. All this being true, there must be legislation by the legislative committees before we can pass these bills free from points of order. I hope we may have that legislation early in the new session. It will become the duty of the legislative committees of the new Congress, a duty which I hope they will address themselves to promptly, vigorously, and actively, to draft the necessary legislation to provide the proper and essential authority under which the apropriating committee may appropriate. Just how that will be done in certain cases I do not pretend to say. Returning to the matter in hand, I do know that new construction, using the term in its general sense, has not been held to be authorized on appropriation bills unless provided for by the legislative committee.

The CHAIRMAN. Will the gentleman from Wyoming permit the Chair to ask him a question? Does the gentleman from Wyoming contend that the amendment of the gentleman from New York [Mr. HICKS] is subject to a point of order?

Mr. MONDELL. The Chair comes from New England. May I ask the Chair, with all due deference, if he understood that the gentleman from New York was arguing that his amendment was in order?

Mr. BLANTON. Mr. Chairman, I make the point of order against the gentleman's speech. It is all right for him to question the good faith of his colleague, the gentleman from New York, but not of the Chair.

The CHAIRMAN. The Chair overrules the point of order of the gentleman from Texas. The Chair understood that the gentleman from New York [Mr. HICKS] submitted an argument to the Chair to the effect that his amendment was in order.

Mr. MONDELL. Mr. Chairman, I endeavored to the best of my ability to convince the Chair that the amendment was not in order; that it would not be in order under the ordinary rules of the House; that it certainly is not in order in view of the new rule which provides specifically that jurisdiction over the authorization for new vessels should rest with the Committee on Naval Affairs.

The gentleman from New York [Mr. HICKS] submitted a curious argument—at least, it seemed to me curious—while arguing, as I understood it, that his motion was in order, he also argued, if I understood him, at the same time that it was not in order, but was made in order because presented by a member of the Naval Committee. That is a rather attenuated and extraordinary line of reasoning, it occurs to me, to the effect that the authority of committees may be invoked and exercised by individual members of the committees offering amendments from the floor.

Mr. SNELL. Mr. Chairman, I would like to have one minute. My colleague from New York [Mr. HICKS] made a very long argument and a very good one, but if I understand the point before the House he did not touch on it a single minute. He was arguing all the time as to what the Committee on Naval Affairs is doing. That committee is not before the House with

a bill at the present time. This is a matter entirely with the appropriating committee, that has no power of legislation, and for that reason the whole argument of the gentleman did not touch the point before the House now. Everybody admits it is new legislation, and it positively can not be permitted at this time. We are not operating under the old rules. This is an appropriating committee.

Mr. BUTLER. Does not the gentleman think it would be in order, if it were not for the new rule, because we have been appropriating for years for ships of the same style, and this is the same style of airship we appropriated for last year?

Mr. SNELL. The rule is in existence, and we are operating under that at the present time.

Mr. BUTLER. I understand.

Mr. HICKS. I would like to ask my colleague if he thinks that the old precedent I have cited has been abrogated by this new rule?

Mr. SNELL. Yes; for the simple reason that we were not operating at that time under it, and the Naval Affairs Committee has nothing before the House.

The CHAIRMAN. The Chair is ready to rule, if gentlemen desire the Chair should rule now.

The gentleman from New York [Mr. HICKS] has offered an amendment to provide for necessary heavier-than-air craft and necessary lighter-than-air craft, necessary equipment, and so forth, and new construction work, to which the gentleman from Texas [Mr. BLANTON] makes the point of order that it is not in order upon an appropriation bill. The Chair believes that because of the adoption of a new rule placing the appropriations for the Naval Establishment in the Appropriations Committee and changing somewhat the jurisdiction of the Committee on Naval Affairs, that it would be well to direct the attention of the committee to paragraph 13 of Rule XI as amended, which paragraph is a part of the rule, the first part of which reads as follows:

All proposed legislation shall be referred to the committees named in the preceding rule as follows, viz: Subjects relating to the Naval Establishment, including increase or reduction of commissioned officers and enlisted men and their pay and allowances, and the increase of sh'ps or vessels of all classes of the Navy, to the Committee on Naval Affairs.

The gentleman from New York contends, if the Chair understood him correctly, that he offers this amendment with the approval of the Naval Committee, of which he is a member.

Mr. HICKS. If the Chair will permit, and also by the direction of the Naval Affairs Committee.

The CHAIRMAN. With the approval and direction of the Committee on Naval Affairs, of which the gentleman from New York is a member. And the Chair is, of course, willing to accept the statement of the gentleman from New York that that is correct, and assumes that the committee may have taken action upon the proposed amendment authorizing the gentleman from New York to offer it to this particular bill, but this authority adds nothing to the question.

Heretofore, under the rules of the House as interpreted by the various presiding officers, the addition of a new ship might be provided for in an appropriation bill which was, under the former rules, reported by the Committee on Naval Affairs. The Chair believes that under the language of the new rule, which seems to be plain and specific, that the increase of ships and vessels of all classes of the Navy is a matter now solely within the jurisdiction of the Committee on Naval Affairs, and that if it is desired to increase the number of ships or vessels of any particular class within the Naval Establishment hereafter the requirements of that rule will make it necessary that there be specific or general legislation authorizing it.

The Chair is not aware of any such legislation, nor has any been called to his attention, which would permit the increase provided for in the amendment. Therefore, the Chair sustains the point of order.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Kansas will state his parliamentary inquiry.

Mr. LITTLE. Under the former naval appropriation bills reported from the Committee on Naval Affairs would these things now under discussion have been considered to be new legislation put in an appropriation bill from the Naval Committee?

The CHAIRMAN. The Chair does not exactly understand the gentleman's inquiry.

Mr. LITTLE. Suppose that the Committee on Naval Affairs, under the former rules, had brought in this appropriation bill; do I understand that they could have inserted this provision in the bill at first?

The CHAIRMAN. The Chair would state that under the former rules, as interpreted, the addition of an additional ship in an appropriation bill was held to be in order as the continuation of a public work.

Mr. LITTLE. Now, I return to the inquiry I was trying to make: Would that have been considered new legislation in that bill? It seems it is in order to add a ship.

The CHAIRMAN. The Chair does not know what the gentleman means by that.

Mr. LITTLE. As I understand the former rule, if they had undertaken to put anything in the way of new legislation in their appropriation bill it would have been out of order.

The CHAIRMAN. It would not have been out of order if it provided for the continuation of a public work in the Naval Establishment.

Mr. LITTLE. I have not been able evidently to make my parliamentary inquiry quite clear to the Chair. I think I can restate it better. Under the old system they could bring in an appropriation bill from the Committee on Naval Affairs and could add a ship. Was that because of the fact that they were authorized to put new legislation into their appropriation bills?

The CHAIRMAN. Under the rulings it was held that it was the continuation of an existing public work.

Mr. LITTLE. Then why is it not now?

The CHAIRMAN. Because the rules require now that the increase of ships and vessels of the Navy shall go to the Committee on Naval Affairs.

Mr. LITTLE. That has already been there.

The CHAIRMAN. The Chair does not desire to discuss the point of order which he has already sustained.

Mr. LITTLE. I would be glad to have the Chair explain it so that we would know what to expect in the future.

Mr. KELLEY of Michigan. I move to amend, page 5, line 15, after the word "*Provided*," by striking out the word "*further*."

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I make the point of order that where a Member from the Democratic side makes a point of order against a paragraph in the bill and a Member from the Republican side merely reserves the point of order, the Chair, in deciding the point of order, should state whose point of order it is that he is deciding. The Chair in this instance stated that the point of order was made by the gentleman from Illinois [Mr. MADDEN]. As a matter of fact, he merely reserved it. The point of order was made by the "gentleman from Texas."

The CHAIRMAN. The Chair is in error, and the Chair is indeed glad to concede that the honor of making the point of order to the amendment of the gentleman from New York [Mr. HICKS] belongs to his able and genial and alert friend, the gentleman from Texas. [Laughter.]

Mr. BLANTON. It is an honor to help save hundreds of millions of dollars.

The CHAIRMAN. The Chair knows that to be the fact. The Chair regrets that he forget that the gentleman from Texas was, as usual, on the job, making points of order when amendments were offered. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. POU. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. McCLINTIC. Mr. Chairman, I regret, but I have objected to the others, and I have to be consistent.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. MOORE of Virginia. Mr. Chairman, I want to ask a question of the gentleman in charge of the bill, not relative to the matter over which his committee has jurisdiction but a matter that was mentioned when the Army appropriation bill was under consideration some days ago. Has the gentleman made any investigation as to the expediency of the consolidation of the various air services? It has been stated here that the total expenditures for these services are now something like $20,000,000 per annum. The gentleman from Indiana [Mr. WOOD], as you will recall, and probably the gentleman from Illinois [Mr. MANN], spoke on that subject, and it would be interesting to know whether the chairman of the committee has considered that subject at all or reached any conclusion about it.

Mr. KELLEY of Michigan. I will say to the gentleman, Mr. Chairman, that the Committee on Appropriations, of course, would have no jurisdiction over the general subject matter, and therefore the committee has not given it any serious consideration.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. BUTLER. I will say to the gentleman that the Committee on Naval Affairs of the House, not being overloaded with work now, is spending some time on that subject. We are looking around for something to do, I will say to the gentleman. [Laughter.]

Mr. LITTLE. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last two words.

Mr. LITTLE. Mr. Chairman, reverting to the previous amendment, if it was in order before the Committee on Naval Affairs when it brought in an appropriation bill, it must have been in order because it was not new legislation. If it was new legislation, it would not be in order before the Committee on Naval Affairs when it brought in its appropriation bill.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. In one second. If it was new legislation it would not be in order on the naval appropriation bill at all. Therefore it could not have been new legislation. If it was not new legislation then, it is not now, and it will be just as much in order now as before the appropriation was brought here, as much as it was the old way.

Mr. STEVENSON. Is not this the rule, that under the old rule new legislation was permissible when it reduced the amount appropriated, when it put a limitation on the appropriation, and when it provided for the continuation of an existing project, and this was providing for the continuation of an existing project? It was new legislation, but it came within the exception to the rule. Is not that the case?

Mr. LITTLE. It may be.

Mr. STEVENSON. That is my understanding.

Mr. LITTLE. The gentleman has offered an argument, but the rule was that if the committee wanted to continue an existing project they could do so; but that meant that the appropriation bill was not creating new legislation when they did that, and the same rule applies here. I do not believe the gentleman's argument is decisive.

Mr. STEVENSON. I think you will find that is the rule.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

BUREAU OF NAVIGATION.

Transportation and recruiting: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu thereof; transportation of enlisted men of the Naval Reserve Force to and from duty, with subsistence and transfers en route, or cash in lieu thereof; transportation of civilian officers and crews of naval auxiliaries; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of enlisted men, $3,500,000.

Mr. BRITTEN. Mr. Chairman, I desire to make a point of order against the entire paragraph, and specifically against certain sentences or sections thereof.

I call the attention of the Chair to the language in line 13, on page 6—

Transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof—

as being legislation on an appropriation bill, and I make the point of order specifically against the last four or five words—

or cash in lieu thereof.

The CHAIRMAN. Does the gentleman make the point of order that it is legislation?

Mr. BRITTEN. Yes.

Mr. KELLEY of Michigan. Mr. Chairman, this is authorized by law. Section 2847 of the compiled statutes provides that—

The Secretary of the Navy is authorized to continue to purchase such mileage books, commutation tickets, and other similar transportation tickets as may in his discretion seem necessary, and to furnish same to officers and others ordered to perform travel on official business; and payment for such transportation tickets upon their receipt, in accordance with commercial usage, or prior to the actual performance of the travel involved, shall not be regarded as an advance of public money within the meaning of section 3648 of the Revised Statutes.

The CHAIRMAN. The gentleman from Illinois [Mr. BRITTEN] makes the point of order against the language in lines 13, 14, 15, and 16—

Transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof.

Mr. BRITTEN. Mr. Chairman, I particularly call the attention of the Chair to the language—

or cash in lieu thereof.

The CHAIRMAN. The gentleman from Michigan cites section 2847 of the compiled statutes, which reads:

Mileage books or commutation tickets: The Secretary of the Navy is authorized to continue to purchase such mileage books, commutation tickets, and other similar transportation tickets as may in his discretion seem necessary, and to furnish same to officers and others ordered to perform travel on official business; and payment for such transportation tickets upon their receipt, in accordance with commercial usage, or prior to the actual performance of the travel involved, shall not be regarded as an advance of public money within the meaning of section 3648 of the Revised Statutes.

The Chair finds nothing in this section providing for furnishing travel to applicants for enlistment at home or abroad.

Mr. KELLEY of Michigan. I offer as an amendment the same paragraph with the words "and applicants for enlistment at home and abroad" stricken out.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 6, line 13, after the word "enlistment," insert "transportation of enlisted men and apprentice seamen, with subsistence and transfers en route, or cash in lieu thereof."

Mr. BRITTEN. Mr. Chairman, I contend that the paragraph is still subject to the point of order. There is nothing in the law which the gentleman from Michigan read which indicates that the Secretary is authorized to give cash in lieu of transportation.

Mr. KELLEY of Michigan. Mr. Chairman, in addition to the direct authorization contained in that paragraph, I want to call particular attention to the fact that it would be impossible to get the enlisted men from training school to ship unless they were furnished transportation. It is an incident to the enlistment of the Navy. It would be utterly useless to go to the expense of enlisting boys and putting them in the training schools and taking them through the training and then be unable to get them to the ships. It is a necessary incidental part of the movement of the men of the Navy, in addition to the fact that it is directly authorized. They could not operate the Navy without the authority to move the men about within the Navy. The Secretary can order men where he pleases within the Navy and, of course, the authority to transport them is incidental to the exercise of that authority.

Mr. BRITTEN. Mr. Chairman, there is no question about the transportation being incidental to activity in the Navy, but there is nothing in the law which suggests the giving of cash in lieu of transportation.

Mr. MADDEN. Mr. Chairman, I should like to be heard on that question.

Mr. BRITTEN. One moment, if my colleague please.

Mr. MADDEN. Certainly.

Mr. BRITTEN. The gentleman from Michigan said it would be impossible to get men from the training station to the ship. Why, the men are sent to the ship in the usual way, by transportation. Tickets are purchased. There is nothing in the law which says these men shall be given "cash in lieu of transportation." I suggest that that language is subject to the point of order.

Mr. KELLEY of Michigan. The fact is that in a great many cases there is no pay officer on board ship, and in those cases the tickets are not furnished, but the commander of the ship directs the boys to go ashore, and gives them the necessary money to pay for transportation. They may be sick. Their enlistment may be expiring. There are numerous cases where it would be necessary for him to direct the movement of men on his ship which would involve transportation, and wherever there is no pay officer on board the commander of the ship gives them cash in lieu of the tickets. Nobody except the pay officer is authorized to buy tickets. So if a man is discharged, there are times when it would be impossible to get him ashore except for this provision.

The CHAIRMAN. There is nothing in the section which the gentleman has cited which provides for the payment of cash in lieu of mileage or transportation.

Mr. BRITTEN. The bill specifically provides for mileage of men discharged from the service in another section.

Mr. KELLEY of Michigan. This is a provision authorizing transportation, whether it is a ticket, a mileage book, or cash, the amount is the same. But there are times when nobody has authority to buy mileage books or tickets. In that case it is necessary for the commanding officer to furnish the money.

Mr. MADDEN. Suppose a man was discharged from the service in the port of New York and he lived in Chicago. He

would be entitled to transportation home. Suppose he did not want to go home, would he not be entitled to the cash?

Mr. BRITTEN. The law expressly provides for that under another section. They are discharged from the service and if they do not want to go home from the place of enlistment they are given currency, but that is a different matter. This is for enlisted men remaining in the service, and it has nothing to do with discharging men.

Mr. KELLEY of Michigan. Undoubtedly this relates to the movement of men within the Navy. The President and the Secretary of the Navy are authorized to man ships, to put men aboard, and transfer them from one place to another. Where there is no pay officer it is necessary to put up the money to pay for the transportation. The cost is the same either way.

The CHAIRMAN. Can the gentleman from Michigan cite any authority for the payment of cash in lieu of transportation?

Mr. KELLEY of Michigan. Not any direct authority, Mr. Chairman, but there is authority for furnishing mileage books or tickets. The Navy must always be in a position to move the men from one ship to another. They can do that by furnishing mileage books or tickets, or they can do it by furnishing money and it does not matter which, but the authority to send men from one place to another carries with it the incidental authority to buy the tickets or furnish the cash. Where there is no officer authorized to buy mileage books, the only way is to give them the money.

The CHAIRMAN. The Chair will direct the attention of the gentleman from Michigan to the section of the statute referred to in the authorization which he has cited, section 3648 of the Revised Statutes, which reads as follows:

No advance of public money shall be made in any case whatever. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the services rendered, or of the articles delivered previously to such payment.

Mr. KELLEY of Michigan. This would not be an advance. This is an expense of the Government for the transfer of men from one ship to another or from ship to port or from training school to ship. In the event that there is no paymaster about authorized to buy tickets, the money is supplied by the commanding officer.

The CHAIRMAN. The section the gentleman calls the attention of the Chair to does not authorize that to be done.

Mr. KELLEY of Michigan. I think the section does authorize transportation within the Navy of whatever kind may be necessary. But even if there was no direct authority for transportation in the Navy the department would have it because it would be impossible to move the men about; without it you could not run the ships.

The CHAIRMAN. Is that all the authority the gentleman from Michigan desires to submit?

Mr. KELLEY of Michigan. It may not be all I desire to submit, but it is all I have at hand.

The CHAIRMAN. The Chair thinks the language providing for cash in lieu thereof is subject to a point of order, and the Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I move to amend so as to make it read "transportation of enlisted men and apprentice seamen at home and abroad with subsistence and transfer en route."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 13, after the word "enlistment," insert: "Transportation of enlisted men and apprentice seamen at home and abroad with subsistence and transfer en route."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. BRITTEN. Mr. Chairman, I rise to make the point of order against this language: Line 23, on page 6, of the bill, "or cash in lieu thereof."

The CHAIRMAN. The Chair thinks that the gentleman from Illinois having made a point of order, and an amendment having been offered and agreed to that, another point of order in this paragraph now comes too late.

Mr. BRITTEN. I call the attention of the Chair to the fact that I was on my feet.

The CHAIRMAN. The gentleman clearly was not on his feet when we agreed to the amendment of the gentleman from Michigan. The gentleman made a point of order to that amendment, and the amendment has been agreed to.

Mr. BRITTEN. Allowing the Chair to be correct about my not being on my feet at that moment, the Chair will recollect that I suggested that I had various points of order to make.

The CHAIRMAN. But the gentleman permitted an amendment to be agreed to and perfected after he had made the point of order to the amendment. The Chair thinks that the gentleman could have insisted upon his rights and prevented action upon that amendment, but the Chair feels that it is now too late to raise the point of order. The Clerk will read.

The Clerk read as follows:

The Bureau of Navigation, Navy Department, is hereby directed to furnish to the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before October 31, 1921, statements of the services of all persons from those several places who served in the Navy during the War with Germany, and for that purpose an additional sum not to exceed $50,000 is hereby appropriated for obtaining the necessary material and the employment of the necessary clerical force.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the entire paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. It is legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, this paragraph is not subject to the point of order. I cite section 3717–a, volume 4, Hinds' Precedents:

An appropriation to complete a list of claims was held to be in continuation of a public work or object.

This is a case where the Navy Department is furnishing a record of the men who served during the war for the various States of the Union, and it will take about three months more with about the same force they have now to finish the work. It is merely the continuation of a work in progress.

The CHAIRMAN. This language seems to direct the Navy Department to furnish this information to the proper officers in the several States.

Mr. KELLEY of Michigan. This language directs the Navy Department to furnish the record of the men who were in the service during the war to the various States. This was done last year. This carries the same language that was in the bill of last year, and the work has been in progress for a year. A part of the record has been finished, and it will probably take about three months more to complete it and get it out to all of the States. It is obviously a work that is now in progress.

Mr. BRITTEN. Mr. Chairman, I would suggest that this language is clearly legislation on an appropriation bill. It is not incidental to the management of the Navy or to the management of the Naval Establishment. It comes as a request from the State officers to be furnished with a record of the enlisted personnel during the war. It has nothing whatever to do with the maintenance of the Navy. It is merely the compiling of records, for State officers. I agree with the gentleman that it is now in progress.

Mr. KELLEY of Michigan. This section was subject to the point of order in the bill last year when reported by the Committee on Naval Affairs. It was then legislation, no doubt, directing the Navy Department to furnish these records.

The CHAIRMAN. But they were directed in the paragraph last year to furnish them before June 30, 1921.

Mr. KELLEY of Michigan. But the records at that time will be incomplete. The work is in progress, and they can not finish it within that time. Having begun the work, the work is now in progress. Of course, if it could be finished by June 30, 1921, we would not have the paragraph in the bill at all, but it is to continue the work that is in existence, to finish it. That principle goes not only to a list like this, but to finishing a building or anything that is started, so long as it is started by law. It is in order, after once begun, to appropriate for it. They could have objected to this paragraph last year, but not having done so, the authority to do this work was granted and the work has not yet been finished, and we are asking for this appropriation to finish it.

Mr. CONNALLY. Mr. Chairman, I want to reenforce the suggestion made by the gentleman from Michigan [Mr. KELLEY] that since this language is contained in the appropriation act for 1921 it is current law. It is now the law for this current year, and by that law the Secretary of the Navy is directed to do a certain thing. The Secretary of the Navy is presumed, I am sure, to be doing that particular thing, but he has not yet completed it. It is in the process of being completed. Let us say, for example, that instead of directing the Secretary of the Navy to prepare this list and forward it to the various States, the bill had directed the Navy to build a battleship and is now building the battleship and it is uncompleted, either because of lack of funds or of proper men to build the ships. If, under existing current law, the building of that battleship is authorized and it is in the course of construction, even though the Secretary of the Navy can not complete it by the end of the present fiscal year, which seems to be in the mind of the Chair as one of the reasons perhaps arguing in favor of the point of order, yet that is no reason why we have not authority now to make an appropriation for the continuation of that project. It seems

to me the same rule would apply with reference to completing the compilation of these lists of names and supplying them to the various States that would apply in the case of a public building that was uncompleted or in the case of a battleship.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. LITTLE. In view of the difficulty we have had about the number of men in the Army, does not the gentleman think that his presumption that the Secretary is obeying the law is rather a violent presumption?

Mr. CONNALLY. Oh, I would say that the Secretary of the Navy, even during all of this discussion, has been singularly absolved from any dereliction of duty. I do not think the gentleman is right in inferring that he is not doing his duty. The presumption is that the Secretary is carrying on this work, and I am sure the gentleman from Michigan has the knowledge of that in his possession.

Mr. KELLEY of Michigan. It is nearly finished.

Mr. CONNALLY. It seems to me that since it is now in progress and is authorized by law, that we can appropriate money to complete the work. We find now that the Secretary can not do that unless the House grants him a further sum of money.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. BRITTEN. The House did direct, under legislation last year, the Secretary to do a certain thing by a certain time.

Mr. CONNALLY. I assume that it did.

Mr. BRITTEN. That time was the 30th of June, 1921, and that time has not yet arrived.

Mr. CONNALLY. There is no inconsistency there, because June 30 is the end of the appropriation year.

Mr. KELLEY of Michigan. And, unfortunately for the contention of the gentleman from Illinois, that was the very provision contained in the act to which I directed the attention of the Chair. The paragraph there read as follows:

To enable the Clerk of the House to prepare and complete a digested summary and alphabetical list of private claims presented to the House of Representatives from the Fifty-second to the Fifty-seventh Congress, inclusive, three clerks, at $1,600 each, during the fiscal year 1903; in all, $4,800. And said work shall be completed and ready to be printed on or before July 30, 1904.

The situations are exactly identical. I do not believe it would be humanly possible to distinguish between this case and the case that is involved in this paragraph.

Mr. CONNALLY. Mr. Chairman, it appears to me the appropriation would be in order. There might be some question about the authority of the House to direct the Secretary of the Navy to complete this list, because that might be held to be legislation, but so far as the actual appropriation is concerned it does not seem to me there can be any serious question of the power of the House to make it in this bill.

Mr. BRITTEN. Mr. Chairman, I suggest to the Chair this language, which appeared in the appropriation bill June 4, 1920, the bill passed last year for the present fiscal year directs the Secretary of the Navy to compile certain data for certain State officials on or before June 30, 1921. Now, June 30, 1921, has not yet arrived. We do not know whether he is going to complete the compiling of that data for these officials before June 30, 1921. Some one may think he is not going to do it, so the Appropriations Committee extends the time to October 31, 1921, legislation pure and simple on an appropriation bill. I think the entire paragraph is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I offer an amendment to take the place of the paragraph stricken out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 7, following line 7, insert the following:

"To enable the Bureau of Navigation, Navy Department, to complete——

Mr. BRITTEN. Mr. Chairman, I do not quite comprehend where this amendment is intended to come in.

Mr. KELLEY of Michigan. To take the place of what is stricken out.

The Clerk read as follows:

Page 7, following line 7, insert:

"To enable the Bureau of Navigation, Navy Department, to complete the work of furnishing the proper officers in the several States, Territories, insular possessions, and the District of Columbia, on or before October 31, 1921, statements of the services of all persons from those several places who served in the Navy during the war with Germany, and the employment of the necessary clerical force, $50,000."

Mr. BRITTEN. Mr. Chairman, I make the point of order.

Mr. KELLEY of Michigan. What is the point of order?

Mr. BRITTEN. That it is legislation on an appropriation bill for which there is no existing law, that it is not incidental to the Navy or the management of the Navy. It can not be suggested to the House that this is incidental to the Navy or the Navy Department.

Mr. KELLEY of Michigan. I am basing its right to be in the bill on the ground that the work has been authorized, and it is partly finished, and this is an appropriation to complete it, and we limit the time in this to the 31st of October, because we wish to put a limitation for clerk hire, which is proper.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I will.

Mr. MANN of Illinois. There is an authorization in the current law and a direction to the Secretary to do this and complete it by June 30.

Mr. KELLEY of Michigan. Yes.

Mr. MANN of Illinois. Now, that is the authorization of law. Is there any authorization of law for the department to do this work beyond the time of June 30?

Mr. KELLEY of Michigan. I do not think, Mr. Chairman, that the time within which the project is to be completed has anything to do with establishing a basis for an appropriation to complete the work. If there is a limitation as to the time within which a work is to be completed, and it has not been completed, the necessity for further appropriation would arise by the very fact that it was not completed within that time, and the authorization for the work is not in any way contingent upon its being finished within the time.

Mr. MANN of Illinois. But here is a direction to the Secretary to do this work and furnish these statements by June 30, 1921. Without that direction there was no authorization for an appropriation. Now, with that direction, that being the basis of the authority for the appropriation, is there any authority for it beyond June 30?

Mr. KELLEY of Michigan. The authority beyond June 30 comes under the rule which permits an appropriation for a work in progress.

Mr. MANN of Illinois. I do not think it is contemplated as work in progress.

Mr. KELLEY of Michigan. The gentleman from Illinois made a point of order against the compilation of the claims to be filed by the Clerk of the House, which also had in it a provision that the work should be completed before a certain date, and that was called to the attention of the Chair, and still he held that it was in order to appropriate a sufficient sum to complete the work, although it carried it beyond the time within which it was originally set by law for completion. So that, unless the Chair overrules this decision which I have cited, there is no force to the suggestion that the date of completion makes any difference with the authorization.

The CHAIRMAN. The Chair sustains the point of order. The Chair does not desire to be understood, however, as overruling the precedent cited by the gentleman from Michigan [Mr. KELLEY]. The Clerk will read.

The Clerk read as follows:

Recreation for enlisted men: For the recreation, amusement, comfort, contentment, and health of the Navy, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe: *Provided*, That not more than two persons shall be employed hereunder at a rate of compensation exceeding $1,800 per annum, $800,000.

Mr. BRITTEN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. I understood the gentleman from Indiana [Mr. WOOD] wanted to proceed for a moment, and I am willing to reserve my point of order.

Mr. KELLEY of Michigan. What is the point of order?

Mr. BRITTEN. That it is legislation on an appropriation bill. It is not necessary for the maintenance of the Navy to provide for this recreation or for the instruction herein provided under the proviso. I make the point of order against the entire paragraph as being legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, this matter has been already settled by the Chairman of the Committee of the Whole when the Army bill was before the House. Further than that, I do not imagine there can be anything more directly necessary to the Navy than the preservation of its health. The health of the Navy is dependent very largely upon recreation of various sorts. The morals of the enlisted men of the Navy in no small degree are dependent upon recreation—upon amusement, if you wish to use that term. Can the Chair imagine one of our ships pulling into a foreign port to remain for several days or weeks, and no provision made for the recreation of those men? Health, morals, and every other consideration that ought to move men is involved in an appropriation of this sort. It is absolutely necessary for the health of men at the stations, for their peace of

mind and contentment. Boys become homesick. Let me say to the Chairman that there is no sickness much worse than homesickness. Perhaps he has experienced it at some time or other. And the whole activity involving the care of these boys of 18 or 19 years of age, in the way of recreation and keeping them happy and contented, preventing excesses on shore which interfere with their morals and with their health, is taken care of out of this appropriation.

I call attention to the fact that even by law the commanding officer of every ship is particularly commanded to look after the health of his men. Congress has seen fit to enact legislation demanding that the commander of a ship shall make the health and comfort of his men and their moral safety his first concern. And then to deprive officers of the means by which they can look after the health and comfort and moral safety would be *only a mockery*. I am surprised more than I can say that my good friend from Illinois [Mr. BRITTEN] should make a point of order against an appropriation to look after the health and comfort and the morals of these young men who are taken out of the homes of the country and sent thousands of miles away from home influences in defense of the Nation and then deprive them of the necessary recreation and protection in foreign ports, where they are surrounded by all sorts of temptation.

Mr. BRITTEN. Mr. Chairman, the gentleman made a very appealing speech for the health and morals and the recreation of 100,000 men to be cared for by two men at a salary not exceeding $1,800 apiece, as it is provided in this proviso under discussion. But he did not recite the law justifying the inclusion of this language in the bill.

Mr. KELLEY of Michigan. I forgot to read the provision to which I directed the attention of the Chair.

Mr. BRITTEN. He says that he forgot to read the law in his exuberance about the moral condition of the men in the service.

I maintain the section is subject to a point of order, notwithstanding the gentleman's enthusiasm about the morals of the men in the service.

The CHAIRMAN. The gentleman from Illinois makes the point of order on the paragraph beginning "Recreation for enlisted men." The Chair recalls there was some discussion of this matter when the Army bill was under consideration. Not a point of order, I think, but some question was raised against providing moving pictures for Army enlisted men at the various camps, to which the argument was made by one of the members of the committee that—

> The purpose of these recreational exercises is largely to keep the enlisted men of the Army in the camps instead of sending them into the town near by to obtain recreation not so innocent. If we can maintain better discipline in the Army and better order in the Army by providing pictures for men to look at in the camp rather than to send them to see vice in a neighboring joint, I think it is quite within our power to appropriate for that purpose, as included in the general purpose of maintaining the Army.

The Chair believes that the reasoning which is there applied to the appropriation for recreational purposes in the Army could equally well be applied to the naval service, and that the appropriation for the recreation, amusement, comfort, contentment, and health of the Navy is necessarily incident to preserving the naval organization and good order, and therefore overrules the point of order.

Mr. BRITTEN. Did the Chairman, in overruling the point of order, include the proviso which I specifically called to the attention of the Chair?

The CHAIRMAN. The proviso is simply a limitation.

Mr. WOOD of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

Mr. WOOD of Indiana. I move to strike out in line 23, page 7, the figures "$800,000," and insert in lieu thereof the figures "$600,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

> Amendment offered by Mr. WOOD of Indiana: Page 7, line 23, strike out "$800,000" and insert in lieu thereof "$600,000."

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, I desire to say in support of this amendment that $800,000 was the sum that was carried in the current law for a personnel of 143,000. It is now proposed that the personnel be reduced to 100,000. Yet they are proposing to carry the same sum of $800,000 in this item.

The hearings have disclosed the fact that those who are charged with presenting the case in behalf of the Navy Department testified that reductions might be made in items of this character in proportion as we have reduced the size of the Navy, so that $600,000 does not quite represent the amount of the reduction that ought to be made.

It is not my purpose or desire to take from the Navy sufficient funds for recreational purposes, but it does occur to me that we should at least be consistent, and we are liable to set a precedent here if we permit this sum to remain the same this year as was provided for the current year, when we shall have 43,000 men less, because if the personnel is reduced below 100,000 they can point to the fact that $800,000 was carried, and that the same amount was given when the Navy was reduced by 43,000 men. By the same sort of logic, if the enlisted personnel of the Navy should in future be increased, they can come and ask for an increase of this fund because of the fact that $800,000 was allowed for a Navy of 100,000 men. They could contend that therefore they should have a proportionate increase. I think we ought to take these gentlemen at their word—they are always asking for at least as much as they feel that they need—when they said we might take and reduce items of this kind in proportion as we reduced the personnel of the Navy, and it was for that purpose and for the further purpose of saving a couple of hundred thousand dollars, which will be the amount saved under my amendment, that I have introduced the amendment. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from Indiana [Mr. WOOD] has not any chance on earth to carry his amendment. He is seeking to reduce the relatively small item of $800,000 down to $600,000, thereby seeking to save $200,000 for the people of the country. But what chance on earth has he to do it? We are now considering under the five-minute rule the great naval appropriation bill, involving $395,000,000, and the great Republican Party, which promised the people careful retrenchment in expenditures and legislative matters, with the help of us Democrats, has but 51 men on the floor, considering a great bill carrying $395,000,000, if you please, and no one seems to have very much interest in it at all. Here is a committee packed to carry this bill through. Why, when the distinguished gentleman from Illinois [Mr. BRITTEN]—and I want to tell you right now he would be the last man on earth I would tackle with the gloves on—when he saw fit to jump in here and try to save the people something, had his majority leader, the gentleman from Wyoming [Mr. MONDELL], come in and sit down by him, and he put another man on the other side of him, and the distinguished gentleman from Illinois [Mr. MANN] behind him, and another distinguished gentleman in front of him, and the gentleman from Wyoming then heralded that the bill was going to go through just as the committee wanted it, because he was there to protect it. [Laughter.]

And so the matter goes. I wish it was possible for even a distinguished gentleman like the gentleman from Indiana [Mr. WOOD] to have some chance to carry an amendment of this kind to save money on these big bills. I stay on the floor all the time to help him, but I tell you right now you have no chance at all to do it.

I have found out one thing—that there is just one way to save money for the people of the country on these appropriation bills, and that is the way the gentleman from Illinois [Mr. BRITTEN] is pursuing, to strike items of appropriation out by points of order. Sometimes they get them back again and sometimes they do not; but, thank God, under the present rule—and it is a good one as far as it goes—the Senate can not put on a bill anything subject to a point of order like what they used to do unless the House approves it by a special vote. That is the only way we have got to save money, and I take my hat off to the distinguished gentleman from Illinois [Mr. BRITTEN]. He has braved the powers that be and he has not stumbled or hesitated in doing what he thought best for the country in trying to take money out of this bill; but he is causing this committee some trouble. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HICKS. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from New York moves to strike out the last two words.

Mr. HICKS. Mr. Chairman, now that we have heard from the Rio Grande, I want to confine myself for a moment to the amendment to the bill.

I realize the importance of economy in this bill, but I think this is a time when it is not wholly worth while for us to endeavor to cut down. Those of you gentlemen who have been out on these battleships and have seen the men wearing our uniform, knowing what those men contend against in foreign ports, and realizing the necessity for recreation, confined as they are for weeks at a time in those steel houses—it seems to me that any man who wants to cut down the recreation of these men is not really sizing up the Navy as it is. This is not the Navy of 50 years ago, when we took into it the outcasts of society. To-day

the American Navy is composed of the best blood and the best manhood in America, and we want those men taught along the lines of Christian ideals, of American civilization. Why, think what it means. A battleship lands at Hongkong, and before it reaches that port the moving-picture machine on board will give pictures of all the principal objects of interest in the city of Hongkong, so that those men may know what objects of interest to visit. They have little historical descriptions of all those points of interest. Now, it seems to me that providing for men in that way, and giving them the opportunity to play baseball and all sorts of athletic exercises, gives to the Navy the morale that makes its members not only better citizens but better fighters for the American Government. Therefore, Mr. Chairman, I am heartily opposed to the amendment suggested by the gentleman from Indiana.

Mr. WINGO and Mr. FRENCH rose.

The CHAIRMAN. The Chair recognizes the gentleman from Idaho, a member of the committee.

Mr. FRENCH. Mr. Chairman, the members of the Committee on Appropriations have been very sensitive in the matter of cutting down expenditures of the Government below any point that seems extravagant; but when we came to the item that we are now considering, providing for entertainment, for recreation, and the welfare of the enlisted men of the Navy, it seemed to the committee that it would not be a matter of economy to cut the item below that which is included in the bill. It is true that the number of enlisted men will be somewhat reduced during the coming year, but there is another element that Members fail to remember when they urge a reduction in the item in proportion to the number of men. That is that in large part the expenditure is not upon the basis of the number of men in the enlisted force. There are certain expenses that must go on anyway, whether you are dealing with a group of 40 or 50. There is another fact that gentlemen overlook, and that is that during last year there were various auxiliary organizations, such as the Red Cross, the Knights of Columbus, the Y. M. C. A., and other philanthropic bodies that contributed to this wholesome and beneficent work for the men of the Navy to the extent of more than $480,000. A very large part, probably most of that money, will not be available during the coming year. But it is necessary that this work be carried on, and that an appropriation such as that indicated in the bill be provided.

The gentleman from New York [Mr. HICKS] has called attention to some of the work on the part of the Navy calculated to be of benefit to the men under this appropriation. He referred to the moving-picture shows touching the places where the men land. I have in my hand a little pamphlet gotten out with the money appropriated by Congress for the Navy Department describing the port of Valparaiso. There were made available during the year when this was gotten out something like 6,000 copies of the pamphlet. They were furnished to the men who entered that port. You will see it describes the port and points of interest.

Similar pamphlets are furnished to the various men making up the enlisted personnel of the Navy as they visit the different ports throughout the world. A matter of that kind can not help but be of the greatest interest to the men and will save them to the greater usefulness of the Navy. Under this item we provide athletic facilities, books, and other literature, entertainments, and just such matter as healthy, normal men need. We went into this question with much care when Admiral Washington was before the committee, and I remember distinctly the statement he made to the members of the committee, that desertions from the Navy occur in greatest number when the men are not employed, when they are not engaged in something useful, something that means either work or wholesome recreation. Here is an item that it seems to me is in the direction of the very highest degree of conservation of the welfare of the men of the Navy, that they may perform their greatest duty to the Navy; and, too, that these men whom we have urged to enlist during the last few years may go back to their homes the splendid types of manhood that they were when they came, and that they ought to be when they return to take their places in the different communities from which they came.

The amendment ought not to prevail.

Mr. McKENZIE. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. McKENZIE. What portion of the $800,000 is paid to civilian employees?

Mr. FRENCH. The entire amount for the administration work is a little less than $13,400. We have provided a limitation to the effect that no employee, with the exception of two, under the amount carried in this bill shall be paid in excess of $1,800.

Mr. WINGO. Mr. Chairman, I move to strike out the last three words. After the commendatory remarks by the gentleman from Texas [Mr. BLANTON] of his colaborer, the gentleman from Illinois [Mr. BRITTEN], I presume that they wish to retire for the purpose of indulging in the customary amenities, notwithstanding the Volstead Act, and so I will give them an opportunity by prolonging the debate a little. [Laughter.] Will the gentleman explain to the House, in view of the statement made by the author of the amendment, that this $800,000 appropriation is identical with the current appropriation, and yet you propose to reduce the enlisted personnel of the Navy. What answer is there to that?

Mr. BYRNES of South Carolina. For the year 1919–20 there was expended $1,207,763.65 that came from the Y. M. C. A., the Red Cross, and the Knights of Columbus, and from other organizations quite a large sum was contributed for recreation purposes of the Navy. A considerable balance was left for this fiscal year, and it is certain that during the next fiscal year they will receive no contributions from any of these organizations, so that the amount carried in this bill merely represents the suitable reduction in the amount of money available for recreation purposes.

Mr. WINGO. The reason for retaining the $800,000, the amount carried for the current year, was only to give them sufficient funds to carry on the work that would be necessary for the enlisted personnel in view of the loss of contributions from the Red Cross and the Y. M. C. A.

Mr. BYRNES of South Carolina. The statement made by the representative from the department was that notwithstanding the appropriation there would be a curtailment of the activities of the recreation for enlisted men. Those recreations include not only motion pictures but religious equipment and athletic equipment. My good friend from Indiana [Mr. WOOD] complained mostly about the price of the home plate, contending that when he was a boy and played baseball they used the brick for a home plate, and we all recall that bricks made a good home plate. But since that time conditions have changed. Now, when a man is fortunate enough to reach the home plate, he slides into the plate, and if it was a brick he would break his ankle or break his leg, and he would be ruined for the service, and so it is worth while to have the rubber home plate instead of using the old brick home plate. [Laughter.]

Mr. WINGO. That, I presume by the rule of "liberal construction," comes under the health preservation provision. [Laughter.] Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. WOOD of Indiana) there were 13 ayes and 33 noes.

So the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 14311. An act to authorize the improvement of Red Lake and Red Lake River in the State of Minnesota for navigation, drainage, and flood-control purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. CURTIS, Mr. GRONNA, and Mr. ASHURST as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 15344. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 578. An act providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Contingent: Ferriage, continuous-service certificates, discharges, good-conduct badges, and medals for men and boys, including civilian employees who render conspicuous service by putting their lives in jeopardy to save life or property; purchase of gymnastic apparatus; transportation of effects of deceased officers and enlisted men of the Navy and of officers and enrolled men of the Naval Reserve Force who die while on duty; books for training apprentice seamen and landsmen; packing boxes and materials; books and models; stationery; and other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify, $20,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the paragraph, and I call the attention of the Chair to the language in line 1, top of page 8, to these words: "including civilian employees who rendered conspicuous service by putting their lives in jeopardy to save life or property."

That language, Mr. Chairman, was added as a war measure in July, 1918, to an appropriation bill, and it is supplemental and additional to the law in the Revised Statutes, section 1407, providing for medals of honor. This is legislation pure and simple on an appropriation bill, and I make the point of order against it.

Mr. KELLEY of Michigan. What language does the gentleman make the point of order against?

Mr. BRITTEN. To the language, beginning line 1, at the top of page 8.

Mr. KELLEY of Michigan. Mr. Chairman, I concede that the point of order is well taken, and I desire to offer an amendment.

Mr. BRITTEN. Mr. Chairman, I have another point of order to make on the paragraph—in fact, several of them—before any amendments are offered.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order to the language beginning in line 3, page 8:

Purchase of gymnastic apparatus.

That is legislation on an appropriation bill. It provides for the purchase of new materials. The gentleman from Wyoming [Mr. MONDELL] stated a while ago that substances of new character coming into the Navy, such as ships, additions to buildings, and so forth, are new, and I assume that the purchase of gymnasium apparatus is also new.

Mr. KELLEY of Michigan. Mr. Chairman, I do not care particularly about the language; it is old language and is not used any more.

The CHAIRMAN. The Chair does not think that language is subject to the point of order, and the Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make the further point of order to the language beginning in line 8, page 8:

And other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation unforeseen and impossible to classify.

That is legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, I call the attention of the Chair to the fact that on January 6, 1921, with Mr. WALSH in the chair, on the sundry civil appropriation bill, the Chair ruled in connection with the words "and other needed work and improvements" that they meant within previous authorizations or within provisions of existing law, and that they would not permit anything that was not authorized by law.

That ruling was concurred in by Mr. HICKS in the chair on January 5, 1921, in the consideration of the Agricultural appropriation bill. A point of order was made to the words "and for other miscellaneous supplies and expenses not otherwise provided." That somewhat enlarged the ruling just cited of the present occupant of the chair.

The CHAIRMAN. The Chair believes that this language in the paragraph headed "contingent," which enumerates several contingencies and then provides for other contingent expenses and emergencies arising in the cognizance of the Bureau of Navigation, and so forth, comes within the precedent established where an emergency fund to meet unforeseen contingencies in the maintenance of the Navy was held in order. The Chair overrules the point of order.

The language to which the point of order was sustained in the first two lines on page 8 is eliminated from the bill by the point of order being sustained.

Mr. KELLEY of Michigan. And the remainder of the paragraph stands?

The CHAIRMAN. Yes.

The Clerk read as follows:

Gunnery and engineering exercises: Prizes, trophies, and badges for excellence in gunnery, target practice, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of printing, recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges, $100,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the entire paragraph as being legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, I do not think the paragraph is subject to a point of order. The law provides for target practice and it provides for hiring ranges. The fact is that the whole organization of the Navy revolves around the ability of the Navy to shoot.

Mr. BRITTEN. Wherein does the law provide for the hiring of these ranges for target practice, and so forth?

Mr. KELLEY of Michigan. We have the ranges. It is a well-settled principle of parliamentary law that if on an appropriation bill an authorization which was subject to a point of order is permitted to pass, and the authorization is carried into effect, that it becomes an established activity, and, therefore, that you can appropriate to take care of it. That is the situation that we are in now. We have ranges both leased and owned. In fact, when the fleet goes down to Guantanamo Bay every winter the target ranges on shore are leased and some of them are owned by the Government, and the boys are taught shooting of small arms. It is a work in progress, it is an institution of the Navy.

The matter of offering a badge, or a little certificate or writing a boy a letter stating how efficient he has been, is a minor matter of administration and it would be folly for anyone to think that that would require an act of Congress to make it valid. All of this revolves around the main purpose of the Navy, namely, to shoot efficiently. If the Navy can not shoot effectively, it is worthless, and these minor, incidental expenses necessary to increasing the effectiveness of shooting, whether a little badge or a button or a certificate or a letter from the commanding officer, are matters of administration.

Mr. BRITTEN. Mr. Chairman, the gentleman from Michigan recites the desirability of giving badges and of having target practice, promoting the excellence of the enlisted personnel in gunnery, but he fails to call the attention of the Chair to any permanent law for doing that very thing. That is the reason I maintain it is legislation on an appropriation bill. The gentleman will not suggest in all seriousness, I am sure, that the giving of badges is a continuing proposition that should be developed each year as a ship must be handled, or any other instrument of the Navy. It was first provided for in 1888. The giving of trophies is not a continuing proposition, but it is subject to the will of Congress each year in legislation, and has been ever since 1888.

The details of this particular paragraph were amended in 1890 and 1910, and they are legislation on appropriation bills from time to time, and, irrespective of the value of the language from the gentleman's standpoint, my idea is that this legislation properly belongs to the Committee on Naval Affairs under the rules of the House, and, if it does not, I am sure the Chairman will so indicate.

Mr. MONDELL. Mr. Chairman, I am wondering just what the gentleman from Illinois [Mr. BRITTEN] considers the function of the Navy. We all of us have understood the Navy was a fighting machine, so intended and so purposed. If it is, I think that no one could contend or would contend that it is necessary to have specific legislation for every detail of purpose necessary and essential for the maintenance of the Navy. Of course, the Navy has gunnery practice. Of course, the Navy has target ranges. Certainly the Navy must transport equipment from one range to another. If the appropriating committee can not appropriate for these purposes essential to the maintenance of the Navy, then there is no purpose for which an appropriating committee can appropriate. The gentleman from Illinois calls attention to the fact that this legislation has been on the bill for 30 years. That admission casts a peculiar light upon the character of the points of order that are being made by him. Items that have been in existence for 30 years, including all the years that the gentleman from Illinois has been a Member of the Naval Committee, items that everybody approves, items without which the Navy could not function, and yet points of order are now made against them. Just why this is done nobody very clearly understands except it is done simply because a monkey wrench thrown into the machinery for the time being interferes with its functioning smoothly. But to come back to the provisions contained in this item, they are all of them essential to the maintenance, operation, and functioning of a Navy. They are not new; there is nothing about them requiring specific authorization. They deal with classes of activities essential to a navy and relative to which authority to appropriate follows

the authority to provide for the operation and purposes of a navy.

Mr. BRITTEN. Mr. Chairman——

The CHAIRMAN. The Chair is ready to rule.

Mr. BRITTEN. May I proceed for one-half a minute, please? The gentleman from Wyoming [Mr. MONDELL] directed his entire remarks practically toward the maintenance of shooting galleries, target ranges, and so forth. That is very true. That is an item of maintenance, but I call attention of the Chair to the language in the first six lines of this section that has nothing to do with the maintenance of ranges, nor the keeping up of those ranges. The first six lines of this section provide for giving badges, diplomas, and so forth, and are not maintenance in any sense whatever, but legislation pure and simple.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois [Mr. BRITTEN] makes the point of order against the paragraph, and the paragraph contains language which does not appear to be necessarily incidental or requisite for the proper conduct of the Naval Establishment. Further, there is the establishment or maintenance of shooting galleries for which there appears to be no authorization of law notwithstanding the fact that this item has been carried in the bill for many years, and the Chair——

Mr. MADDEN. Before the Chair rules, will he hear me for a moment? Is there any question about the authority of the Secretary of the Navy under the law to make regulations for the conduct of target practice?

The CHAIRMAN. The Chair had not stated about that. If there is any language in the paragraph subject to the point of order, of course, the entire paragraph is.

Mr. MADDEN. If the Chairman will let me finish. If he has the power to make regulations for the conduct of target practice, to encourage economy in fuel consumption, or for the better discipline of the service, or for the encouragement of greater efficiency connected with any activity in the Navy, as he must have under the law, can it be said that under such regulations that he would not have the right to offer prizes, for example, as an encouragement to the men to become efficient and effective? What is the Navy for? Why do we enlist men? Do we enlist them because we want to look at their shape, or because we want them to become perfect in the art of warfare? Do we have target practice just to enlist men or make them efficient; and if we have it for the purpose of making the men efficient, is not it within the scope and power of the Secretary of the Navy to make such regulations as will enable him by the granting of prizes, badges, and other evidence to show his appreciation of the men's work such as will encourage them to go on in the better performance of their duties?

The CHAIRMAN. Will the gentleman permit an inquiry from the Chair?

Mr. MADDEN. I will be delighted. It is always a pleasure to listen to the Chair.

The CHAIRMAN. Does the gentleman contend that the Postmaster General could give prizes to letters carriers, such as badges and trophies, for efficient delivery of the mail, without authorization of law?

Mr. MADDEN. I think it would be the exercise of very great wisdom if he did. I believe it would result in better work in the service if the men were encouraged to more enthusiasm and greater efficiency. And the granting of a prize that costs little or nothing ought to be encouraged and not discouraged.

Mr. NEWTON of Minnesota. Does not the Post Office Department authorize the granting of certain marks of distinction for years of service?

Mr. MADDEN. It does.

Mr. NEWTON of Minnesota. And is there any authority of law for that other than the general regulation authority?

Mr. MADDEN. None whatever. And I believe there can be no better function than the conferring of prizes by the Secretary of the Navy to insure more efficiency in the work of the men who are employed as sailors.

Mr. WINGO. Will the gentleman yield right there?

Mr. MADDEN. Yes.

Mr. WINGO. Is it not an established fact that in all of the navies of the world, growing out of experience, target practice in shooting galleries, with the granting of prizes and trophies, is considered the customary and proper way to build up the personnel?

Mr. MADDEN. The trophy or badge that the sailor or soldier wears indicative of the fact that he has become a sharpshooter or an expert at target practice is one of the things that he prizes more than anything else in the world.

Mr. WINGO. And it is the customary incentive?

Mr. MADDEN. Yes.

Mr. BLANTON. Does not this bill provide for the pay of yeomanettes?

Mr. MADDEN. We have not reached that.

Mr. BLANTON. If it does, that would answer a part of the gentleman's argument.

The CHAIRMAN. The Chair feels that the paragraph contains language that is not necessarily incident to the maintenance of the Naval Establishment. It carries legislation providing for trophies and prizes and also for the establishment of shooting galleries. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 8, after line 10, insert: "Gunnery and engineering exercises: For the maintenance of established shooting galleries, target houses, targets, and ranges, and for transporting equipment to and from ranges, $100,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

Instruments and supplies: Supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; libraries for ships of war, professional books, schoolbooks, and papers; maintenance of gunnery and other training classes; compasses, compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way, and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; and for the necessary civilian electricians for gyrocompass testing and inspection, $750,000.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. What canal, or rather what canals, require our battleships to pay toll?

Mr. KELLEY of Michigan. I think they have to pay tolls through the Suez Canal. Battleships do not pay toll through the Panama Canal.

Mr. WINGO. I know they do not pay toll through the Panama Canal, but I was under the impression that under our treaties we were not compelled to pay tolls through the Suez Canal. Did the gentleman have occasion to investigate that at all?

Mr. KELLEY of Michigan. I think not. We assumed that it was necessary to pay toll in going through the Suez Canal. If there is no toll paid, there will be no money expended under that head.

Mr. WINGO. Is the gentleman in favor of the battleships paying toll through the Suez Canal?

Mr. KELLEY of Michigan. Of course, the canal is not ours. We might be obliged to do it or go around the other way.

Mr. WINGO. That is a very frank expression of the gentleman's conviction upon it. I withdraw the pro forma amendment, Mr. Chairman.

The Clerk read as follows:

Naval training station, Great Lakes: Maintenance of naval training station: Labor and material; general care, repairs, and improvements of grounds, buildings, and piers; street car fare; purchase and maintenance of live stock and attendance on same; wagons, carts, implements, and tools, and repairs to same, including the maintenance, repair, and operation of one horse-drawn passenger-carrying vehicle to be used only for official purposes; fire apparatus and extinguishers; gymnastic implements; models and other articles needed in instruction of apprentice seamen; printing outfit and material and maintenance of same; heating and lighting and repairs to power-plant equipment, distributing mains, tunnel, and conduits; stationery, books, schoolbooks, and periodicals; washing; packing boxes and materials; lectures and suitable entertainments for apprentice seamen; and all other contingent expenses: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1922, shall not exceed $45,000; in all, naval training station, Great Lakes, $400,000.

Mr. BLANTON. Mr. Chairman, I reserve the point of order for the purpose of asking a question. I thought maybe the gentleman from Illinois [Mr. BRITTEN] had overlooked making a point against this naval training station at Great Lakes, an item of $400,000.

Mr. BRITTEN. The maintenance of all these stations is permanent law.

Mr. BLANTON. If he wants the Great Lakes station to go in at $400,000, I have no objection.

Mr. BRITTEN. I am glad to hear the gentleman say that. I was afraid he might object.

Mr. WINGO. Mr. Chairman, I reserve a point of order.

Mr. ANDERSON. Mr. Chairman, I make the point of order that it comes too late, there having been debate on that paragraph.

Mr. WINGO. Well, the gentleman evidently was asleep.

Mr. ANDERSON. Oh, no; the gentleman from Minnesota is never asleep except after 11 o'clock at night.

Mr. WINGO. I thought probably that was true, because I seldom see the gentleman. [Laughter.]

Mr. ANDERSON. The gentleman's eyesight is poor.

Mr. WINGO. It is better to have the eyesight poor than to have the brain working crossways. [Laughter.] The gentleman from Illinois [Mr. BRITTEN] made points of order against these entertainment items on board ships and other items, and yet his grim jealousy does not prompt him to make points of order against entertainment items at the naval training station of the Great Lakes. [Laughter.]

Mr. MADDEN. He is that kind of a watchdog that never barks when his friends are around. [Laughter.]

Mr. MANN of Illinois. Oh, that was because his point of order was overruled before.

Mr. WINGO. The gentleman's colleague has made a satisfactory explanation of his lack of action, and I withdraw the point of order. [Laughter.]

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. MANN of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Amend, page 11, after line 25, by inserting as a new paragraph, the following:

"To make just compensation for land, title to which was taken over under proclamation of the President, dated November 4, 1918, as an addition to the naval training station, Great Lakes, Ill., and for damage occasioned by delay in the payment for such land, or for the use and occupancy thereof by the United States, $546,805, or so much thereof as may be necessary: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to dispose of, at public or private sale, at a price to be approved by him, any land in the vicinity of the Navy mine depot, Yorktown, Va., and the naval training station, Great Lakes, Ill., or interest therein, title to, or interest in which has been acquired by the United States subsequent to April 6, 1917, together with improvements placed thereon by the United States that are deemed by him to be no longer needed for naval purposes: *Provided further*, That in cases where compensation has not as yet been made by the United States in accordance with the provisions of law, then, and in that event, the Secretary of the Navy is hereby authorized to restore such lands to former owners, and is further authorized to ascertain, determine, adjust, and pay the just compensation that such former owners are entitled to receive for the use and occupancy of such lands by the United States, such compensation to be paid from appropriations made for payments for such lands: *Provided further*, That the Secretary of the Navy, in determining the compensation for the use and occupancy of such lands, is authorized, in his discretion, to sell and convey, under such terms and conditions as he may deem appropriate, to the parties entitled to receive the land such improvements or any part thereof as may have been placed in or on said lands by the United States: *Provided further*, That the Secretary of the Navy be, and he is hereby, authorized to execute all necessary instruments to accomplish the purposes of aforesaid, and all moneys received from the disposition of such lands shall be covered into the Treasury as 'miscellaneous receipts.' Report shall be made to the Congress of the final disposition of the lands aforesaid."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Texas makes a point of order against the amendment.

Mr. BLANTON. On the ground that it is new legislation on an appropriation bill, unauthorized by law.

Mr. MANN of Illinois. It is subject to a point of order, but will the gentleman reserve it?

Mr. BLANTON. I will reserve it. Possibly the other gentleman from Illinois [Mr. BRITTEN] will desire to make it. [Laughter.]

Mr. KELLEY of Michigan. Would the gentleman from Illinois [Mr. MANN] desire to go on with it now, or wait until in the morning?

Mr. MANN of Illinois. I think it would take some time to dispose of it.

Mr. BLANTON. Mr. Chairman, I have not finished with my statement on the point of order.

Mr. MANN of Illinois. I concede it is subject to a point of order.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that the pending paragraph may be passed over temporarily until to-morrow morning.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that the pending paragraph be passed over temporarily until to-morrow. Is there objection?

Mr. BLANTON. Mr. Chairman, we might as well thrash it out to-night.

Mr. MANN of Illinois. I do not think we will get through with it to-night.

The CHAIRMAN. Is there objection?

Mr. WINGO. Reserving the right to object, is it the idea that you will want to have the committee rise?

Mr. KELLEY of Michigan. In 10 or 15 minutes, and we thought it would be better to leave this until to-morrow.

Mr. BRITTEN. It is half past 5 now.

Mr. MANN of Illinois. I doubt whether we could finish it to-night.

Mr. BYRNES of South Carolina. We have no objection to its going over.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The paragraph is passed over, and the Clerk will read.

The Clerk read as follows:

Receiving barracks: Maintenance of receiving barracks, $50,000.

Mr. BRITTEN. Mr. Chairman, I desire to reserve a point of order against the language in lines 18 and 19, page 12—

Receiving barracks: Maintenance of receiving barracks, $50,000.

Mr. KELLEY of Michigan. This item is not subject to a point of order.

The CHAIRMAN. What is the gentleman's point of order?

Mr. KELLEY of Michigan. I do not know.

Mr. BRITTEN. This language first appeared in the annual appropriation bill July 11, 1919, as a war measure. It is legislation pure and simple on an appropriation bill. It established receiving barracks which many of us believe are not necessary for the maintenance of the Navy. They are an expense. The Navy Department are using old ships in some instances, and in other instances a little office on some dock or pier, and it is styled a receiving barracks.

The CHAIRMAN. Does the gentleman contend that the department has no authority by law to establish receiving barracks?

Mr. BRITTEN. In some instances these barracks are not the property of the Government. They may be property of the municipality or the county, and the Government is paying rent for them as receiving barracks. That condition prevailed during the war and may prevail to-day. My contention is that a receiving barracks is not a necessary institution, as far as this appropriation is concerned; that men may be exchanged from one ship to another or one location to another without a receiving barracks, and that it is legislation on an appropriation bill. It appeared in the bill for the first time in July, 1919, and I maintain that it is subject to the point of order.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Ordnance and ordnance stores: For procuring, producing, preserving, and handling ordnance material; for the armament of ships, for fuel, material, and labor to be used in the general work of the Ordnance Department; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; for the maintenance, repair, or operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations, and for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots: *Provided*, That quarterly reports on all gasoline passenger and freight automobiles shall be made on Form No. 124, and one copy of each report shall be filed in the Bureau of Yards and Docks: *Provided further*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for chemists, clerical, drafting, inspection, watchmen, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots for the fiscal year ending June 30, 1922, shall not exceed $2,000,000; in all, $14,000,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the proviso on page 15, line 11:

Provided, That quarterly reports on all gasoline passenger and freight automobiles shall be made on Form No. 124, and one copy of each report shall be filed in the Bureau of Yards and Docks.

I recognize the value of that legislation, but it is pure legislation on an appropriation bill, and I make a point of order against it.

Mr. MONDELL. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. MONDELL. If the gentleman recognizes the value of it, why should it not remain in the bill?

Mr. BRITTEN. The gentleman probably was not in the Hall of the House when I stated on numberless occasions to-day and yesterday that it was my intention, by making points of order against this bill, to show the ridiculous situation under which we are operating under the new rule.

Mr. MONDELL. Let me remind the gentleman that last year——

Mr. BRITTEN. I am sure the gentleman wants me to answer his question.

Mr. MONDELL. Yes.

Mr. BRITTEN. The only way that we can bring about a change in the rules of the House is not by sitting down quietly and allowing the Committee on Appropriations and the steering committee to run this House. The way to bring about a change in a rule, if it is undesirable, as most Members of the House think this rule is, is by objection on the floor, and it is my intention to make points of order for that purpose.

Mr. MONDELL. The rules have not changed with regard to this matter in the last year. This provision was in the bill a year ago in this exact form, when the gentleman from Illinois was a member of the committee reporting the bill. If it is ridiculous to have it in the bill now it was ridiculous then, and if the gentleman is so anxious to show that there are matters in this bill that are subject to points of order, why did he not do it last year when his committee reported the bill? The gentleman will not be able to persuade anybody anywhere that there is any purpose of public interest back of the making of a point of order in such a case as this.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. MONDELL. If I have the floor.

Mr. BRITTEN. Answering the gentleman, I will say that this language I am striking out, or hope to strike out, is my own, inserted at my request because I thought it was necessary.

Mr. MONDELL. And the gentleman moves to strike it out; that only shows how ridiculous his performance is.

Mr. BRITTEN. It is not a performance at all. I am going to show you how ridiculous your rule is.

Mr. BLANTON. The whole thing is ridiculous.

Mr. BRITTEN. I agree with the gentleman.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I move to strike out the word "further," in line 15, page 15.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 15, after the word "*Provided*" strike out the word "*further*."

The amendment was agreed to.

The Clerk read as follows:

Purchase and manufacture of smokeless powder, $200,000.

Mr. MACGREGOR. Mr. Chairman, this provides $200,000 for the purchase and manufacture of smokeless powder. I would like to ask why, in view of the immense amount of powder in the possession of the War Department, it is necessary to expend $200,000 on the part of the Navy for smokeless powder?

Mr. KELLEY of Michigan. There are certain sizes of powder that the Navy Department must always purchase. While they may have these great quantities of the larger size they have to go on and manufacture it for small arms. It is a very light operation of the plant at Indianhead. They used to run that plant down there three shifts a day, but now it is run very light.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15975, the naval appropriation bill, and had come to no resolution thereon.

SUNDRY CIVIL APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the bill H. R. 15422 be taken from the Speaker's desk and disagree to all Senate amendments and agree to the conference asked for on the part of the Senate.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's desk and disagree to all Senate amendments and agree to the conference asked for on the bill, which the Clerk will read the title.

The Clerk read as follows:

The bill (H. R. 15422) making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1922, and for other purposes.

Mr. BLANTON. Mr. Speaker, I make the point of order against Senate amendment 143, placed on the bill without authority of law, appropriating $225,000 for the United States Employment Service; I make the point that it is legislation unauthorized by law on an appropriation bill.

The SPEAKER. It is not necessary that the gentleman should make the point of order now.

Mr. BLANTON. I thought it was in order at any time.

The SPEAKER. We are not considering the bill; the request of the gentleman from Iowa is to send it to conference.

Mr. BLANTON. I ask for a ruling by the Chair.

The SPEAKER. The Chair will rule that this is no time to make the point of order.

Mr. BLANTON. Is not the bill before the House?

The SPEAKER. Not for consideration.

Mr. BYRNS of Tennessee. Mr. Speaker, reserving the right to object, the Senate has placed on the bill amendment No. 60, providing for $10,000,000 for Muscle Shoals Dam under the national securities defense act. There are a number of Members, including myself, who, if the House conferees should find themselves unable to agree to the full amount proposed by the Senate, would like to have the amendment brought back for the purpose of permitting the House to vote on it. I want to ask the gentleman from Iowa if he is willing to state that if the House conferees find themselves unwilling to agree to the amendment as proposed by the Senate he will report it back in order that the House may have an opportunity to vote on it?

Mr. GOOD. Mr. Speaker, when the Muscle Shoals proposition was before the House I stated on the floor of the House that I understood it was the purpose of the War Department to ask for a deficiency to run the plant during the month of June.

I stated at that time that the Committee on Appropriations proposed to have additional hearings. I have already made arrangements to commence those hearings, just on that proposition, commencing on Monday, for a day or two. There seems to be a demand that that matter should be presented to the House. That being the case, I do not believe it would be advisable for five conferees, three Members on the part of the House, to submit the matter, and I have said that after the hearings I had no objection to bringing the matter back to the House and letting the House pass on it. The House is going to pass on that proposition anyway, and if I do not agree to that, it can be forced to come on the floor of the House. I think it ought to be forced only after we have had a full hearing. I have no objection to saying to the gentleman that the matter can be brought back for action by the House.

Mr. BYRNS of Tennessee. Mr. Speaker, with that assurance, I have no objection to the request.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees on the part of the House:

Mr. GOOD, Mr. MAGEE, and Mr. BYRNS of Tennessee.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MCLAUGHLIN of Nebraska, for one day, on account of important business.

ADJOURNMENT.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 52 minutes p. m.) the House adjourned until to-morrow, Saturday, February 12, 1921, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CARTER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 1811) making an appropriation to Clarence W. Turner and William B. Hord in payment of services rendered by them to the Creek Nation, reported the same with amendments, accompanied by a report (No. 1318), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WELTY: A bill (H. R. 16075) making it unlawful for any judge appointed under authority of the United States to receive compensation for exercising the duties of arbitrator; to the Committee on the Judiciary.

By Mr. JOHNSON of South Dakota: A bill (H. R. 16076) authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor; to the Committee on Foreign Affairs.

By Mr. BROOKS of Illinois: A bill (H. R. 16077) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended July 11, 1919; to the Committee on Education.

By Mr. SMITHWICK: A bill (H. R. 16078) authorizing an examination and survey of the harbor of Choctawhatchee Bay, Fla.; to the Committee on Rivers and Harbors.

By Mr. BUTLER: A bill (H. R. 16079) to establish in the Department of the Navy a bureau to be known as the chaplains'

bureau, and for other purposes; to the Committee on Naval Affairs.

By Mr. BRITTEN: A bill (H. R. 16080) to construe a portion of the act approved July 11, 1919, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes"; to the Committee on Naval Affairs.

By Mr. EVANS of Montana: Memorial of the Legislature of the State of Montana asking for a tariff on all importations of manganese ore; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Memorial of the Legislature of the State of Washington favoring the preservation of the American merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. MAY: Memorial from the Legislature of the State of Utah, favoring the bill introduced by Senator King making an appropriation of $100,000 to be used in surveying public lands in the State of Utah; to the Committee on Appropriations.

By Mr. RIDDICK: Memorial of the Legislature of the State of Montana urging Congress to place a tariff of 1 cent per pound on manganese ore; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FESS: A bill (H. R. 16081) granting an increase of pension to Demmie Inman; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 16082) for the relief of Thomas F. Rose; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 16083) granting a pension to Harriet U. Webber; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 16084) for the relief of William M. Phillipson; to the Committee on Naval Affairs.

By Mr. THOMAS: A bill (H. R. 16085) granting an increase of pension to Mary F. Kinser; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 16086) granting a pension to Mary E. Cordell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5675. By Mr. DARROW: Petition of the Consumers' League of Eastern Pennsylvania, favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5676. Also, petition of Philadelphia Wholesale Lumber Dealers' Association, favoring daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

5677. By Mr. ESCH: Petition of representatives of the Farm Bureau Association of Ohio, Indiana, Wisconsin, Michigan, Minnesota, Iowa, Missouri, South Dakota, Kansas, and Nebraska, asking for an appropriation to carry on the work of collecting and disseminating information and statistics vital to the farmer; to the Committee on Appropriations.

5678. By Mr. FULLER: Petition of the Western Association of Shoe Wholesalers of Chicago, Ill., opposing the tariff on imported hides; to the Committee on Ways and Means.

5679. Also, petition of John Witzeman and 26 others of La Salle, Ill., urging an amendment to the Volstead Act to permit the manufacture and sale of beer and light wines and opposing the Kellar Sunday observance laws; to the Committee on the Judiciary.

5680. Also, petition of Robert Cummings, president of the Boone County Farm Bureau; H. L. Hough, secretary of the Grundy County Farm Bureau; E. F. Derwent, president of the Winnebago County Farm Bureau; Frank Kash, master of the Winnebago County Grange; W. H. Conklin, president of the Winnebago County Farmers' Institute; H. T. Marsh, of Serena; T. W. Esmond, of Ottawa; and Fred A. Mudge, of Peru, all in the State of Illinois, favoring the bill to regulate the packing industry; to the Committee on Agriculture.

5681. Also, petition of Women's Catholic Order of Foresters of La Salle, Ill.; the Catholic Order of Foresters of Peru, Ill.; and the Catholic Women's League of Rockford, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5682. Also, petition of Central Labor Union of Rockford, Ill., favoring resumption of trade relations with soviet Russia; to the Committee on Foreign Affairs.

5683. Also, petition of the citizens' reference bureau of New York City, protesting the passage of the Sheppard-Towner bill (S. 3259); to the Committee on Interstate and Foreign Commerce.

5684. Also, petition of the Chicago District Ice Association, favoring the Poindexter bill (S. 4204) and the Winslow bill (H. R. 15836); to the Committee on Interstate and Foreign Commerce.

5685. Also, petition of the International Harvester Co., of Chicago, Ill., favoring the Nolan bill (H. R. 15652); to the Committee on Patents.

5686. By Mr. GALLIVAN: Petition of Dorchester Board of Trade, John J. Dailey, secretary, Dorchester, Mass., opposing passage of House bill 15420; to the Committee on Coinage, Weights, and Measures.

5687. By Mr. KELLEY of Michigan: Petition of Women's Literary Club, of Pontiac, Mich., relative to legislation concerning irrigation projects in national parks; to the Select Committee on Water Power.

5688. By Mr. KENNEDY of Iowa: Petition of residents of southern and the first district of Iowa, protesting against the Smith-Towner bill; to the Committee on Education.

5689. By Mr. KING: Petition of Frank W. Baker and 2,700 other citizens of Quincy, Ill., in favor of beer and light wines and opposed to Sunday blue laws; to the Committee on the Judiciary.

5690. By Mr. LAMPERT: Petition of sundry citizens of Chilton, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5691. By Mr. LUCE: Petition of Division 32 of the Ancient Order of Hibernians, of Saxonville, Mass., protesting against the Smith-Towner bill; to the Committee on Education.

5692. By Mr. LUHRING: Petition of citizens of Evansville, Ind., protesting against so-called Smith-Towner bill; to the Committee on Education.

5693. By Mr. MOONEY: Petition of the City Council of Cleveland, Ohio, protesting against the deportation of Lord Mayor O'Callaghan and favoring the immediate recognition of the Irish republic by the United States Government; to the Committee on Foreign Affairs.

5694. By Mr. O'CONNELL: Petition of Castilian Council of the Knights of Columbus, of New York, opposing the Smith-Towner bill; to the Committee on Education.

5695. Also, petition of Henry C. Finck, musical editor of the New York Evening Post, favoring Senate bill 1551; to the Committee on the Judiciary.

5696. By Mr. HENRY T. RAINEY: Petition of citizens of Cass County, Ill., favoring beer and light wines and protesting against the Sunday blue laws; to the Committee on the Judiciary.

5697. Also, petition of Knights of Columbus, Carrollton Council 1996, of Carrollton, Ill., protesting against the Smith-Towner bill; to the Committee on Education.

5698. By Mr. RANDALL of Wisconsin: Petition of residents of Racine, Wis., requesting an amendment to the Volstead Act permitting the manufacture and sale of beer and light wines; also protesting against the McKellar bill; to the Committee on the Judiciary.

5699. Also, petition of residents of Edgerton, Wis., requesting an amendment to the Volstead Act permitting the manufacture and sale of beer and light wines; also protesting against the McKellar bill; to the Committee on the Judiciary.

5700. By Mr. RIDDICK: Petition of farmers and residents of Daniels County, Mont., asking for enactment of legislation providing Federal aid for farmers to enable them to plant crops in the spring of 1921; to the Committee on Agriculture.

5701. By Mr. SINCLAIR: Petition of Devils Lake, Minot, and Williston, N. Dak., Council of the Knights of Columbus, opposing passage of Smith-Towner educational bill; to the Committee on Education.

5702. Also, petition of citizens of McLean County, N. Dak., protesting against the retention of colored troops in the occupied area of Germany; to the Committee on Foreign Affairs.

5703. By Mr. SNELL: Petition of sundry citizens of Pyrites, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5704. By Mr. STINESS: Petition of Rhode Island State Council, Junior Order of United American Mechanics, proposing that no other language than English be taught in the public schools; to the Committee on Education.

5705. By Mr. TAGUE: Petition of Strathmore Paper Co., of Mittineague, Mass., favoring an immediate modification of the revenue act; to the Committee on Ways and Means.

5706. Also, petition of American War Veterans' Association of Boston and County of Suffolk Employee, favoring the Langley bill (H. R. 15894), and asking that provision be made for a hospital in Boston, Mass., or the immediate vicinity; to the Committee on Public Buildings and Grounds.

5707. Also, petition of James D. Canarie and 5,000 citizens of Boston, West End, Mass., opposing the Smith-Towner bill; to the Committee on Education.

5708. Also, petition of Commonwealth Trust Co., of Boston, Mass., and the Submarine Signal Co., of Boston, Mass., favoring the passage of the Nolan bill; to the Committee on Patents.

5709. By Mr. TINKHAM: Petition of Cumann NaGael Council, American Association for the recognition of the Irish republic, and the Michael Davitt, of the same association, both of Boston, Mass., protesting against the deportation of Lord Mayor O'Callaghan, and against the British army of occupation in Ireland; to the Committee on Immigration and Naturalization.

5710. By Mr. THOMPSON: Petition of Hicksville Chamber of Commerce, of Hicksville, Ohio, urging a protective tariff of not less than 12 cents per dozen on imported shell eggs and other eggs and poultry; to the Committee on Ways and Means.

5711. By Mr. ZIHLMAN: Petition of Baltimore Automobile Dealers' Association; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *February 12, 1921.*

(Legislative day of Wednesday, February 9, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

RIVER AND HARBOR IMPROVEMENTS, 1921 (S. DOC. NO. 384).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of War submitting a supplemental estimate of appropriation in the sum of $362,140.98 required by the War Department for modifications and readjustments of contracts, river and harbor improvements, fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

WAR MINERALS RELIEF CLAIMS (S. DOC. NO. 385).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior transmitting, in response to Senate resolution 429, a complete list showing all claims filed or presented under section 5 of the act of March 2, 1919 (40 Stat., 1272, 1274), and showing the names of claimants, the amounts of their claims and when filed, all claims which have been allowed and the amounts thereof, and all claims disallowed and the amounts thereof and the reasons for the disallowance of each; also copies of legal constructions placed upon the abovementioned act by the Secretary of the Interior, the Attorney General, the Solicitor for the Interior Department, and the Comptroller of the Treasury, which was ordered to lie on the table.

Mr. ROBINSON. I move that the report of the Secretary of the Interior giving certain information regarding the relief of mineral claimants be printed as a Senate document.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of Utah, which was referred to the Committee on Finance, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, H. E. Crockett, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of S. C. M. No. 1, petitioning the Congress of the United States to place increased import duties on lead, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 4th day of February, 1921.

[SEAL.] H. E. CROCKETT,
Secretary of State.

S. C. M. No. 1, by Mr. Jenkins, petitioning the Congress of the United States to place increased import duties on lead.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and Legislature of the State of Utah, respectfully represent that—

Whereas the production of lead is an important industry of the United States and in the State of Utah affords employment to thousands of persons directly, and indirectly to thousands of others; and

Whereas the market price of lead has receded to the level that existed before the World War, while production costs remain and will remain indefinitely much higher, in consequence of which many mines in this and other States have been compelled to suspend production and others to curtail production, thus depriving thousands of persons of employment; and

Whereas the present import duties on lead are insufficient to enable the United States producers to operate under the working conditions and standards of living to which American miners are accustomed and entitled: Now, therefore,

The governor and Legislature of the State of Utah respectfully petition that import duties on lead be increased as soon as possible in amount sufficient to enable domestic producers to resume and continue operations.

The foregoing memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 1st day of February, 1921.

THOMAS E. MCKAY,
President of Senate.

Attest:

Q. B. KELLY,
Secretary of Senate.

The foregoing memorial was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 2d day of February, 1921.

E. R. CALLISTER,
Speaker of the House.

Attest:

C. R. BRADFORD,
Chief Clerk of House.

Received from the senate this 3d day of February, 1921.
Approved February 3, 1921.

CHAS. R. MABEY, *Governor.*

Received from the governor and filed in the office of the secretary of state this 4th day of February, 1921.

H. E. CROCKETT,
Secretary of State.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of Utah, which was referred to the Committee on Irrigation and Reclamation of Arid Lands as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, H. E. Crockett, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of S. C. M. No. 2, a memorial to the President and Congress of the United States relating to a proposed Federal reclamation project on Green River in the State of Utah, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 4th day of February, 1921.

[SEAL.] H. E. CROCKETT,
Secretary of State.

S. C. M. No. 2. By committee on agriculture. A memorial to the President and Congress of the United States relating to a proposed Federal reclamation project on Green River in the State of Utah.

To the President and the Congress of the United States:

Your memorialists, the governor and Legislature of the State of Utah respectfully represent:

That the Reclamation Department of the Federal Government has appropriated 4,000 second-feet of water to be diverted from Green River at a point near the confluence of Coal Creek and the Green River to be used for reclaiming approximately 564,000 acres of land in San Rafael and Green River Valleys in the State of Utah;

That the climate in said valleys is ideal for the production of fruits and agricultural crops;

That the land to be reclaimed is fertile and adapted for general agricultural purposes;

That the reclamation of said land will furnish homes for many citizens and especially for soldiers, sailors, and marines of the World War;

Therefore we respectfully memorialize you to enact the necessary law and to make the necessary appropriation to carry out the said project.

And your memorialists, as in duty bound, will ever pray.

The foregoing memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 2d day of February, 1921.

THOMAS E. MCKAY,
President of the Senate.

Attest:

Q. B. KELLY,
Secretary of Senate.

The foregoing memorial was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 3d day of February, 1921.

E. R. CALLISTER,
Speaker of the House.
C. R. BRADFORD,
Chief Clerk of House.

Received from the senate this 3d day of February, 1921.
Approved February 3, 1921.

CHAS. R. MABEY, *Governor.*

Received from the governor and filed in the office of the secretary of state this 4th day of February, 1921.

H. E. CROCKETT,
Secretary of State.

Mr. KENYON. I present a concurrent resolution of the Legislature of the State of Iowa with reference to the construction placed upon the recent railroad act by the Interstate Commerce Commission holding that the act gives them power over intrastate rates as well as interstate rates, a question of vital moment to the people of the Middle West. I send the concurrent resolution to the desk, and as it is very short I will ask to have it read.

The VICE PRESIDENT. The Secretary will read as requested.

The reading clerk read as follows:

Concurrent resolution for petitioning Congress.

Whereas the recent decision of the Interstate Commerce Commission in the Illinois Rate Case interprets the Esch-Cummins Act as giving them complete authority over the railways, the entire field of transportation, the traffic itself, and all the instrumentalities and means of carrying it on; and

Whereas it means that the laws of the States and their officers are defied and that the Interstate Commerce Commission has assumed exclusive authority over the railways; and

Whereas wheat, corn, live stock, and all farm products are being marketed at a heavy loss to the farmer; and

Whereas the freight and passenger rates are already burdensome to the producers and consumers, with the likelihood that the railroads will ask for further increase in rates, with no consideration apparently having been given in the recent raise in rates as to the low cost of construction and operation in the prairie States, with no completed valuation of the railways or as to the fact that the railways in these States have not millions invested in depots and terminals, we consider it unwise to confer upon the Interstate Commerce Commission the greatest power ever given to a body of men in peace times: Therefore be it

Resolved by the senate (the house concurring) of the thirty-ninth general assembly, That we call upon Congress to so amend the transportation act and in such plain language that the authority of the States over intrastate traffic in their respective territories will be maintained without an opportunity for misinterpretation; and be it further

Resolved, That a copy of this resolution be sent to each United States Senator and Congressman from Iowa.

JOHN HAMMILL,
President of the Senate.
ARCH W. MCFARLANE,
Speaker of the House.

I hereby certify that this concurrent resolution was introduced in the senate, was duly adopted by the senate February 4, and by the house February 7.

L. W. AINSWORTH,
Secretary of the Senate.

Mr. KENYON. I wish to say that I shall in a short time introduce an amendment to that act making the question clear if it is not now clear in the act. It seems to me that the act expressly and in terms covers the situation, but as the question has arisen the matter should be cleared up.

The VICE PRESIDENT. The resolution will be referred to the Committee on Interstate Commerce.

Mr. MYERS presented a resolution of the Legislature of Montana, which was referred to the Committee on Finance, as follows:

Whereas during the World War, and at the request of the war board, the mining States of the Union developed and produced large quantities of manganese ore; and

Whereas said production was at the request and for the benefit of the Government of the United States while we were engaged in the World War; and

Whereas the price fixed by said war board was such that this ore could be produced at a small profit; and

Whereas since the cessation of the World War the price fixed has been revoked; and

Whereas those mining enterprises which spent large sums of money in the development of manganese ore and other like ores have been unable to operate since the end of the war by reason of the cheap importation of this ore from South America, and if such importation is to continue large sums of money invested in the development of these mining enterprises will be lost to the American people, and the only thing that can restore these mining enterprises to a profit for labor and capital is to put a tariff on the importation of manganese ore into the United States, and in order to stimulate and keep alive this industry it is the judgment of this assembly that a tariff should be assessed against all importations of manganese ore of not less than 1 cent per pound, and that such tariff should be imposed upon importations at the earliest possible moment: Therefore be it

Resolved, That it is the sense of this legislative assembly that the Government of the United States should at the earliest possible moment place a tariff of not less than 1 cent per pound on all importations of manganese ore into the United States; and be it further

Resolved, That a copy of these resolutions be forwarded to the United States Senators and Representatives in Congress from the State of Montana.

FRED L. GIBSON,
Speaker of the House.
NELSON STORY, JR.,
President of the Senate.

STATE OF MONTANA,
County of Lewis and Clark, ss:

I, R. H. Wiedman, chief clerk of the House of Representatives of the Seventeenth Legislative Assembly of the State of Montana, do hereby certify that the foregoing is a full, true, and correct copy of house resolution No. 2, introduced by Warren, in the above-named body, passed, and concurred in by Senate of said legislative assembly.

R. H. WIEDMAN,
Chief Clerk.

Mr. MYERS presented telegrams in the nature of memorials of the Missoula Branch of International Catholic Welfare Council, of Missoula; Catherine Mannion, president of Ladies' Catholic Benevolent Association, Branch No. 861, of Butte; Bozeman Council, No. 1413, Knights of Columbus, of Bozeman; Mr. and Mrs. Joe Lefebre, of Libby; Butte Council, Knights of Columbus, of Butte; South Butte Council of Women's League, of Butte; Sacred Heart Branch of National Catholic Welfare Council, of Butte; Women's Catholic Order of Foresters, of Butte; Mr. and Mrs. M. E. Dawson, of Libby; Mr. and Mrs. Fred Bockman, of Libby; Mrs. M. M. Spencer, of Libby; Catholic Women's League, Diocese of Helena; Women's Catholic League, Saint Patrick's Parish, of Butte; D. J. Meagher, grand knight, Knights of Columbus, of Helena; and N. C. Hoff, president, Saint Charles College, of Helena; all in the State of Montana, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of Wendell Phillips Council of the American Association for the Recognition of the Irish Republic, of Butte, Mont., urging that Great Britain be immediately requested to pay the interest on war loans, and also that extension of time be refused for payment of the principal; also that any further financial assistance to Great Britain be refused; and also protesting against alleged utterances of Rear Admiral W. S. Sims relative to Sinn Fein activities during the World War necessitating the diversion of American vessels from the convoy of troops and merchant ships and the consequent loss of lives, etc., which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Catholic Women's League of Kalispell, Mont., protesting against legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. DILLINGHAM presented memorials of sundry citizens of Troy and Lowell, Vt., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. KEYES presented memorials of sundry students of Saint Anselm's College, of Manchester, and sundry citizens of Salmon Falls, both in the State of New Hampshire, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. CAPPER presented resolutions of Center Hill Local Union, No. 3734, of Farmers' Educational and Cooperative Union of America, of Booneville, Ark., and Justice Local, No. 43, of the Farmers' Educational and Cooperative Union of America, of Wewoka, Okla., favoring legislation preventing gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Beaver Falls and New Brighton, Pa., praying for the enactment of legislation preventing gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. GRONNA presented a concurrent resolution of the Legislature of North Dakota, which was referred to the Committee on Agriculture and Forestry, as follows:

Senate concurrent resolution introduced by Mr. Baker and Mr. Bond.

Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring):

Whereas a critical situation exists in much of that territory between the western boundary of Minnesota and the Rocky Mountains, in that within this territory there are large numbers of farmers who, in the aggregate, have millions of acres under cultivation, but who have not sufficient seed and feed for the spring planting of 1921; and

Whereas the farmers of this region demonstrated their loyalty to the Government during the late war by producing food products to the limit of their strength and ability at less than cost, owing to drought, grasshopper damage, and high cost of labor; and

Whereas, in order to insure the best results from the forthcoming harvest, seed corn, seed potatoes, and seed wheat should be provided with the proviso that, in order to secure seed grain and feed, a reasonable acreage of corn and potatoes must also be planted; and

Whereas, owing to the present financial depression existing throughout the entire country, it will not be possible for the banks, the counties, or the State to arrange for furnishing the necessary seed and feed; and

Whereas, unless Federal aid is forthcoming, millions of these productive acres will not be cropped at this time when the production of agricultural products is recognized as a factor of vital importance to the welfare of the Nation and the world: Now, therefore, be it

Resolved by the Senate of the Seventeenth Legislative Assembly of the State of North Dakota (the House of Representatives concurring), That we do hereby memorialize the Congress of the United States and respectfully urge that Congress take immediate action toward furnishing the means whereby the farmers in this section may be provided with Federal aid, to the end that they may receive sufficient seed and feed to plant a normal acreage for the season of 1921; be it further

Resolved, That the secretary of the senate send a copy of this resolution to the president of the senate and the speaker of the house of the Montana and South Dakota Legislatures, respectively; also to our Members in Congress.

This is to certify that the foregoing concurrent resolution originated in the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein, and was adopted.

H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.
L. L. TWICHELL,
Speaker of the House of Representatives.
C. L. DAWSON,
Chief Clerk of the House of Representatives.

Mr. GRONNA presented a concurrent resolution of the Legislature of North Dakota, which was referred to the Committee on Commerce, as follows:

Concurrent resolution introduced by Mr. Whitman.

Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring):

Whereas for more than 20 years last past the Red River of the North has been a nonnavigable stream; and

Whereas during the summer months the water in the river often is so low and impure that it is difficult for the inhabitants living in cities upon the banks of said stream to obtain a sufficient supply of water; and

Whereas in order to conserve the health of the people residing in the territory supplied with water by said river, it is deemed advisable and expedient to construct dams therein at points where cities are located upon its banks; and

Whereas the construction of such dams will furnish settling basins for the water supply of various cities, power for the operation of public utilities, and in addition thereto greatly beautify said stream, and allowing the use thereof for pleasure boats; and

Whereas the declaration by the Congress of the United States that said river is a nonnavigable stream would permit the construction of bridges with stationary spans instead of lift spans or drawbridges, thus saving thousands of dollars in the construction thereof, and in this manner tend to promote traffic between the inhabitants of the States of North Dakota and Minnesota: Now, therefore, be it

Resolved by the Legislative Assembly of the State of North Dakota assembled in regular session, That by virtue of the foregoing facts and circumstances, an act of Congress declaring said Red River of the North a nonnavigable stream would be very beneficial to a great many citizens of the States of North Dakota and Minnesota. Therefore we respectfully request the Congress of the United States to pass an act declaring said Red River of the North a nonnavigable stream: Be it further

Resolved, That the secretary of state of North Dakota be requested to forward copies of this concurrent resolution to the President of the Senate of the United States and Speaker of the House of Representatives at Washington, D. C., and to the Members of the Senate and House of Representatives from the State of North Dakota.

This is to certify that the foregoing concurrent resolution originated in the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein, and was adopted.

H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.
L. L. TWICHELL,
Speaker of the House of Representatives.
C. L. DAWSON,
Chief Clerk of the House of Representatives

Mr. GRONNA presented a concurrent resolution of the Legislature of North Dakota, which was referred to the Committee on Public Lands, as follows:

A concurrent resolution introduced by Mr. Mees.

Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring):

Whereas crops in the vicinity of and on the Standing Rock Reservation, located in the States of North and South Dakota, have been practical failures during the past three years; and

Whereas under and pursuant to the proclamation of the President of the United States, under date of March 18, 1915, approximately twenty-five hundred settlers made entries upon the lands of said Standing Rock Reservation and have settled and made homes thereupon; and

Whereas on account of aforesaid crop failures and losses sustained in stock raising practically all of said entrymen are in default in their payments to the Government of the United States on account of said entries; and

Whereas no provision is made for the extension of time for the payment of said installments upon said entries in meritorious cases under the provisions of the act of Congress of February 14, 1913, as is disclosed by the Department of the Interior Circular No. 680; and

Whereas under and by virtue of a ruling of the Department of the Interior, as disclosed by said Department of the Interior Circular No. 680, registers and receivers of the Federal land offices located at Bismarck, N. Dak., and Lemmon, S. Dak., have been instructed as follows:

"You are directed, therefore, in all cases where payments are now due and unpaid, and where payments hereafter become due and are not paid, to serve notice on the entryman of the defaults, and that in the event of their failure to make the payments in the time allowed by you for that purpose, you will report their entries to this office for cancellation.

"You will allow a period of 60 days from receipt of notice for the payment of sums now due and unpaid; but in all cases where payments hereafter become due and are not paid you will require the payments to be made within a period of 30 days from receipt of notice."

Now, therefore, be it

Resolved by the Legislative Assembly of the State of North Dakota assembled in regular session, That by virtue of the foregoing facts and circumstances great hardships and misfortunes will be, and are being, endured and suffered by such entrymen, to the great detriment of the States of North and South Dakota and citizens thereof; therefore, we respectfully urge the National Congress in session assembled to immediately consider and relieve this most deplorable condition by proper legislation; be it

Resolved further, That the secretary of state of the State of North Dakota be requested to forward copies of this concurrent resolution immediately upon its passage and approval to the President of the Senate of the United States and the Speaker of the National House of Representatives at Washington, D. C., and to the Members of the Senate and the House of Representatives of the National Congress from the States of North and South Dakota.

This is to certify that the foregoing concurrent resolution originated in the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein, and was adopted.

H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.
L. L. TWICHELL,
Speaker of the House of Representatives.
C. L. DAWSON,
Chief Clerk of the House of Representatives.

Mr. ROBINSON presented a telegram in the nature of a memorial protesting against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

PARIS, ARK., *February 11, 1921—p. m. 12.48.*

Hon. JOE T. ROBINSON,
Senate, Washington, D. C.:

Believing the Smith-Towner bill to be a step toward absolute domination of the educational agencies of the State and a dangerous and unjust encroachment on the rights of parents over the education of their children, and believing that the said bill empowers to the Federal Government rights which were never surrendered by State, and believing that the State has amply shown their ability and competence to provide adequately for the education of their citizens within their borders, as is evident by the constant reduction of illiteracy in the United States, and believing that education should be kept out of politics, which will be manifestly impossible if this bill should become a law, therefore we respectfully yet urgently request that you oppose the said bill by all honest means in your power.

NEW SUBIACO ABBEY, SUBIACO COLLEGE,
THE SUBIACO ALUMNI ASSOCIATION.

REPORTS OF COMMITTEES.

Mr. KEYES, from the Committee on Claims, to which was referred the bill (H. R. 7573) authorizing payment of compensation to Pasquale Dolce for personal injuries, reported it without amendment and submitted a report (No. 775) thereon.

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, reported it without amendment and submitted a report (No. 776) thereon.

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 2328) relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill., reported it without amendment.

Mr. GRONNA, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, reported it with amendments and submitted a report (No. 777) thereon.

Mr. SUTHERLAND, from the Committee on the Census, to which was referred the joint resolution (S. J. Res. 251) to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy, reported it favorably without amendment.

Mr. McCUMBER, from the Committee on Pensions, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

A bill (H. R. 15196) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 778);

A bill (H. R. 15661) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 779); and

A bill (H. R. 15900) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors (Rept. No. 780).

JOINT RESOLUTION INTRODUCED.

Mr. NEW introduced a joint resolution (S. J. Res. 259) directing the Secretary of the Navy to turn over certain obsolete seacraft to the Air Service of the Army and directing the Chief of Air Service of the Army to conduct extensive tests on same to further the study and development of aerial attack on seacraft, which was read twice by its title and referred to the Committee on Naval Affairs.

CHANGES OF REFERENCE.

Mr. DIAL. I move that the Committee on Military Affairs be discharged from the further consideration of the bill (S. 4989) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture, and that it be referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

Mr. GRONNA. I move that the Committee on Agriculture and Forestry be discharged from the further consideration of Senate Document No. 375, Sixty-sixth Congress, third session, being a letter from the Secretary of the Treasury transmitting a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation required for printing and binding during the fiscal year 1921, and that it be referred to the Committee on Appropriations.

The motion was agreed to.

ASSISTANT CLERK, COMMITTEE ON FOREIGN RELATIONS.

Mr. CALDER (for Mr. LODGE) submitted a resolution (S. Res. 448), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the resolution of the Senate No. 225, agreed to on November 19, 1919, authorizing the Committee on Foreign Relations to employ an assistant clerk during the Sixty-sixth Congress, be, and the same is hereby, extended in full force and effect until the end of the Sixty-seventh Congress, at the rate of $1,800 per annum, to be paid out of the contingent fund of the Senate.

THE COTTON SITUATION.

Mr. CALDER. Mr. President, out of order I ask permission to submit a report from the Committee to Audit and Control the Contingent Expenses of the Senate. I report back from that committee favorably, without amendment, Senate resolution 443, submitted by the Senator from South Carolina [Mr. SMITH] on the 10th instant. I ask for its present consideration.

The VICE PRESIDENT. Without objection, the resolution will be read.

The resolution was read, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to make an investigation, to ascertain the amount and grades of cotton and wheat now held in this country, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection therewith, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. SMOOT. Mr. President, I am not going to object to the consideration of the resolution, but I do wish to say just this much. We appropriate hundreds of thousands of dollars every year for the Agricultural Department to secure just such information as is asked for in the resolution of the Senator from South Carolina. It strikes me that if the Agricultural Department, through the Bureau of Markets or whatever agency is given the duty to collect the information asked for in the resolution, is not performing that duty, we ought to stop the appropriations for this purpose to the Department of Agriculture.

Perhaps the Senator from South Carolina knows the situation and knows that those reports are incorrect. If they are incorrect and the investigation proposed will bring out the facts, I think it is the very best thing in the world to do. If they are incorrect and the American people have been led to believe in them in the past, and it now is demonstrated that they are of no use whatever, the quicker we cut off the appropriation for that purpose the better it will be for the American people.

I desired to say this much in passing, because the resolution provides for obtaining information that we have already appropriated for the Department of Agriculture to secure. Evidently there is some reason for the resolution. The only reason for it that I can conceive is that the information the department has given out is incorrect. I should like to ask the Senator from South Carolina if that is the fact?

Mr. SMITH of South Carolina. It is.

Mr. WARREN. Mr. President, may I ask what is the matter under consideration? Does it pertain to the bill regularly before the Senate?

The VICE PRESIDENT. It does not.

Mr. WARREN. I shall have to object to its present consideration.

Mr. SMITH of South Carolina. I do not think it will lead to any discussion. It was discussed the other day, and I think it will take only a minute to pass it. It is simply a resolution providing for an investigation.

Mr. JONES of Washington. I ask that the resolution may go over anyway.

The VICE PRESIDENT. Objection is made, and the resolution will be placed on the calendar.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. WARREN. I ask that the appropriation bill may be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The Assistant Secretary resumed the reading of the bill, on page 114, under the heading "Surveyors general."

The next amendment of the Committee on Appropriations was, on page 118, under the heading Post Office Department, in line 6, to strike out "310" and insert in lieu thereof "323," so as to read:

Clerks—116 of class 4, 170 of class 3, 208 of class 2, 323 of class 1, 138 at $1,000 each, 26 at $900 each.

Mr. KING. May I inquire of the Senator what is the reason for an increase in the Post Office Department clerks?

Mr. WARREN. That was done by the committee on a special request from Postmaster General Burleson, who in his argument seemed to indicate that they are very much needed.

Mr. KING. The report which has been submitted by the committee shows a most startling increase in the appropriations carried by the legislative appropriation bill. For instance, from the report I find that in 1886 the legislative bill carried appropriations amounting to $21,000,000; in 1908, when the Republicans were in power, it carried $32,000,000; in 1909, $32,000,000; in 1910, $32,000,000; in 1911, $34,000,000; in 1912, $35,000,000; in 1914, $35,000,000; in 1916, $37,000,000; in 1917, $36,000,000; in 1918, $39,000,000; in 1919, $69,000,000; in 1920, $97,000,000; and in 1921, $104,000,000. The present bill carries——

Mr. WARREN. Over $100,000,000.

Mr. KING. The amount carried in the bill as reported by the committee is $110,000,000.

Mr. WARREN. That is nearly one-half of 1 per cent higher than the House passed it. The Senator should remember, however, that in the years of which he is speaking the total expense for all purposes in the United States was about $500,000,000 for a Congress of two years. We have increased the scope. The Post Office Department, to which the Senator has alluded in his inquiry, has increased probably fiftyfold, because we are now doing a great deal of the merchandise business of the country through the Parcel Post and Rural Delivery Systems. There is no comparison between the amount of business they are called upon to do now and in those earlier years.

Mr. KING. My observations were directed not against any particular item, but against the entire bill. I submit that it is absolutely unpardonable and inexcusable for us to increase the items covered by the bill from $34,000,000 in 1914 and $39,000,000 in 1918 to $110,000,000 now.

Mr. WARREN. I do not wish to ask the Senator any disagreeable question, but I am satisfied that he voted for the prohibition proposition, and that costs us some $10,000,000 or so in the pending bill. The internal revenue costs us over $10,000,000 more than last year. Probably the internal revenue costs now about $50,000,000 to carry on that great bureau. As I said, it is about $10,000,000 more than last year for internal revenue, and it is more than $10,000,000 more when all the acts are taken together to provide for the enforcement of the prohibition system.

We are going fast, I know, but I may say to the Senator, what he so well understands, that it is the duty of the Appropriations Committee to carry out the law and to appropriate what the law requires to be appropriated. To some extent the hands of the members of the committee are tied accordingly. Of course, in the Post Office Department I feel that it has been handled perhaps not as satisfactorily to the people at large sometimes, but it has been handled very economically, considering the amount of business done by that department.

Mr. KING. In speaking of the Post Office Department, I desire to say that I think that has been, perhaps, the one department during this orgy of extravagance that has tried to practice economy. I think that in nearly every other department of the Government and in all, or substantially all, of the bureaus of the Government there have been profligate expenditures. I am criticizing Democrats who are in office as well as the greater number of Republicans who are in office and have been in office during the entire administration of Mr. Wilson.

However, I come back again to the proposition, Mr. President, that it is inexcusable to more than double, indeed, to treble, the expenses covered by this bill in two years.

Mr. WARREN. Mr. President, among the large amounts added to the bill—there are a number of smaller ones here—is the sum of $7,400,400 for the War Risk Insurance Bureau. That is an expenditure for which we did not have to provide before the war. There is also the direct expense incident to certain loans, amounting to $3,750,000. Then the sundry civil bill, which we have just passed, carried some $250,000,000 for the War Risk, for vocational education, and for the Public Health Service, which in the times to which the Senator alludes consisted of an inconsiderable bureau, consisting of the Surgeon

General of the Public Health and Marine Hospital Service and a small group of employees under him. In the succeeding years it has very largely expanded. As I have said, the Committee on Appropriations, no matter what might have been their efforts, could hardly prevent the passage of laws. If they do their duty now, they are compelled to bring before the Senate various items of appropriation necessitated by the enactment of other legislation. The Senate, of course, may go to any extent which it may see fit in reducing them, provided the Government is supported.

Mr. THOMAS. Mr. President, will the Senator from Utah permit me to interrupt him?

Mr. KING. I yield.

Mr. THOMAS. I do not think the Committee on Appropriations should be censured for bringing before the Senate a bill of this sort; indeed, I think they are entitled to much credit for confining the aggregate of appropriations to the sum reported. About the only evidences of economy that I have been able to see recently have been the efforts of the Appropriations Committee to limit the demands which are made upon them.

This is an enormous bill, but the Senator from Utah, before his term expires, will be able to refer to it, in my judgment, as one evidencing a very large degree of economy. We are only beginning our saturnalia of appropriations. The disabled soldiers' hospital enterprise is already assuming pork-barrel proportions, and the sufferings and the needs of disabled soldiers during the next two years will be made the basis for some very beautiful, juicy, and attractive appropriations. To that the Senator must add two and a half billion dollars, which are coming, for the purpose of compensating our soldier boys for their loyalty to the Government of the United States and for their exhibition of patriotism of the highest order. When to that will be added the annual appropriations, at present, I believe, of $100,000,000, for good roads, which next year in all probability will be $200,000,000 or $250,000,000, the Senator will perceive that the so-called good-roads enterprise will make the river and harbor pork-barrel bills "look like 30 cents" before 1922 shall have arrived. Those are only some of the processes which will materialize in raids upon the Treasury.

The Senator from Utah may remember that we had a $100,000,000 surplus in the Treasury when Gen. Harrison was elected President in 1888. The appointee of that administration for Pension Commissioner was Corpl. Tanner, who, upon taking the oath of office, said, "God help the surplus." I do not think God himself will be able to help the Federal Treasury during the next few years.

Mr. KING. Mr. President, I agree with much of what the Senator from Colorado has said. I believe that the next Republican administration——

Mr. THOMAS. If the Senator will pardon me, it will not be the Republican administration any more than the Democratic contingent. Raids upon the Treasury are not partisan; they are bipartisan.

Mr. KING. The Senator from Colorado did not quite apprehend what I was going to state, but, without completing the sentence, I will say that I agree with him that the raids upon the Treasury are bipartisan. I think there have been appropriations made by Democrats that were as indefensible as some made by our Republican friends. What I was going to say was that the next Congress will be known not as the "billion-dollar Congress" but as the "$5,000,000,000 Congress." Our Republican friends two years from now and four years from now will be charged with having given to the country a $5,000,000,000 Congress. They are in control, and though Democrats may be particeps criminis in raids on the Treasury and in plundering the people, our Republican friends will have to bear the responsibility, and the odium will attach to them and to their administration.

Mr. THOMAS. May I again interrupt the Senator?

Mr. KING. I yield.

Mr. THOMAS. What does the Senator from Utah mean by "bearing the responsibility"? Everybody in the country wants money out of the Treasury, and those of them who fail to get it are holding Congress responsible for the failure. The only responsibility that I think is ahead of the Republican Party will arise if it keeps anything back in the Treasury during its administration.

Mr. KING. What the Senator from Colorado says is true; but in preelection campaigns the party in power is charged with the responsibility of all mistakes and misdeeds during its administration though it may have been aided by the minority party, and notwithstanding its record was responsive to the demands of the people.

However, it is true that the American people in part, by reason of the intrigues and efforts of Federal officials and Federal commissions, have been educated to demand from the Federal Treasury millions and hundreds of millions of appropriations for which there is no justification, or at least if the objects for which they are sought are public in character the States or political divisions thereof should have made them.

Mr. President, there is no doubt that the "order of cheerful spenders of public money" is functioning well to-day. Apparently all belong to that order, and we seem to be not only "cheerful spenders of public money" but most zealous to leave the Treasury bare and lay additional taxes upon the people to meet them.

I think that the Senator from Virginia [Mr. SWANSON] is responsible for the name given to those who so cheerfully vote to spend the public money. A local order has now become national, and the membership is being constantly increased.

Mr. President, I fear that serious consideration is not given to appropriation bills. The question is, How much we can get out of the Treasury; how much can the States and individuals and communities get out of the Federal Treasury for matters which belong to the local communities and to the States?

Mr. President, in addition to the demands made by the order just mentioned and the trouble which its demands create our Republican friends will be met in the near future by demands from another order, one which persists even to this day—the "ancient order of pie hunters." Some kind friend who believes in economy and who has sympathy for the woes that will beset the Republican Party sent me a clipping from yesterday's Washington Post, containing an article written by Mr. George Rothwell Brown, who, by the way, often furnishes the public with interesting and instructive articles upon public questions. Here is what he says respecting the dilemma in which our Republican friends find themselves. The article is entitled:

Job seekers clamor. Patronage pressure begins on Republicans in Congress. Many ask for Navy place

Then it proceeds:

There is no lack of material to draw upon in making the contemplated reorganization of the Government service. Senators and Representatives are feeling the patronage pressure to an extent which is an entirely new experience for most of them.

Just think of that, Mr. President! Our Republican friends in the past have had tremendous pressure brought upon them, but now the "pressure" is to be brought to a greater extent than they have ever experienced in the past.

How hungry the Republican pie hunters must be! It is a historic fact that ever since the Civil War whenever a Republican President was inaugurated Washington was the mecca to which the faithful and unfaithful Republicans wended their way, there to receive rewards for valiant service for party—I shall not say country—and the pressure has always been so great that nothing like it has ever been known in all the realm of physics. But now we are to be treated to a new form of "pressure." Perhaps a new discovery—something akin in its dynamic and destructive properties to T. N. T.

Mr. THOMAS. Mr. President——

Mr. KING. I yield.

Mr. THOMAS. I think, Mr. President, that Mr. Brown's statement is not well founded; I think he is a mere sensationalist, because we have been told here, and have accepted it if our legislative action is a criterion of our opinion, that the present civil service can not live, can not exist upon its present compensation, and in order to induce the great majority of them to remain in the Government service we have several times increased their pay. They are still clamoring for more, because it is impossible for them to exist under the terms of their present compensation. Now, it can not be possible that there are other people of the United States who want these jobs. Possibly there may be some tacit understanding that as soon as the change is made salaries will be increased, but the Senator must not overlook the fact that the civil service of the United States is to-day in a starving condition, and that it is extremely difficult to hold them to their jobs because of the slender amount of their salary and per diem compensation.

Mr. KING. Mr. President, of course, that is the tearful appeal that we hear from every department, and yet we know that whenever there is a threat or an intimation of a reduction in the personnel of the Government service there is a propaganda started in all parts of the land to preserve the offices and the salaries attached thereto. Mr. President, I have had hundreds of persons appeal to me to aid them in retaining positions in Washington which were threatened by the promise of reform made by the Republican Party when it charged during the last campaign that there were 40,000 employees in Washington in excess of the number needed by the Government. When Republican leaders stated that they would reduce the number of employees there was a perfect storm of protest, and it continues to this hour. Many employees are beginning to "dig

in," and to fortify themselves; by propaganda and otherwise they are attempting to prevent any diminution in the number of employees in the Government service.

But let me proceed with this article:

Congress is being deluged by a flood of applications for jobs of high and low degree, from every part of the country, until it would seem that there is hardly anybody who doesn't want to become identified with the Harding administration in an official capacity.

This is due to the fact that for the first time in many years the long continuity of Republican control of the Government was broken in 1912, and that the party is now coming back into power after eight years of Democratic rule.

Mr. President, I venture the assertion that if a census were taken of the Federal employees in and out of Washington 95 per cent of them would be found to be Republicans. When Mr. Wilson came into office he failed to follow the maxim of our good Republican friends to "turn the rascals out," and his department chiefs retained most of the Republicans, and they are still holding down their positions. Most of the heads of bureaus and many of the assistant secretaries in the departments have been and still are Republicans, if my information is correct. This has not been, so far as the administration of the subordinate offices is concerned, a Democratic administration. It has been a Republican administration.

Mr. THOMAS. Mr. President——

Mr. KING. I yield.

Mr. THOMAS. Does not the Senator apprehend that a good many of those who are not Republicans are now rapidly becoming so?

Mr. KING. Oh, Mr. President, it is astonishing to see the rapidity with which conversion may take place in the hearts of some office seekers. They are like Saul of Tarsus—the scales fell from their eyes about 8 o'clock on the evening of election day, when it was disclosed that Mr. Harding was elected by a triumphant majority.

Mr. JONES of Washington. Mr. President——

Mr. KING. I yield to the Senator.

Mr. JONES of Washington. Does not the Senator think a good many of them were changing a month or two before that?

Mr. KING. Mr. President, I have no doubt but that the weather eye of many officeholders saw the ominous clouds in the sky long before election day; perhaps the work of conversion commenced then.

Mr. KENYON. Mr. President——

Mr. KING. I yield.

Mr. KENYON. Does not the Senator think that these Democratic Harding-Coolidge clubs ought to receive proper recognition?

Mr. KING. So far as I am concerned, I sincerely hope that the Republican Party will turn out of office just as soon as they can those men who are known to be Democrats, and that they will turn out a little sooner than that those whose conduct indicates that they have no political morality or political convictions, but whose political views depend entirely upon the party in power.

Mr. THOMAS. I suppose the Senator has reference to those officeholders whose Democracy is subject to revision.

Mr. KING. Mr. President, while we are revising the tariff, I think it may be said that the Democracy of a good many people is subject to revision likewise. The revision has been downward rather than upward, however, of late.

Let me say one further word, Mr. President, by way of emphasis, if I can, of what I said a moment ago, that the overwhelming majority of the Federal officials to-day are Republicans.

My friend, the Senator from Colorado [Mr. THOMAS], referred to the civil service. I think the civil-service administration has been a failure, a tragic blunder. As administered, it is cumbersome, inefficient, and conducive to waste and extravagance. The civil service is a rampart behind which inefficiency is protected and inefficient and incompetent employees are held in position for life. I wish the Republican Party would repeal the law or adopt some measure that will secure executive and administrative reforms in the Government. I have heard many persons contend that under what was called the "spoils" system there was better service than that which has obtained under civil service.

Let me refer to this article again:

Applicants for jobs are sounding their claims to recognition in every part of the country. They are too numerous for the citation of all the cases to be possible.

And yet we are told, and the Committee on Appropriations has been told, that unless salaries are increased they can not keep anybody in the public service. The applications for jobs, according to this writer, are so numerous that they can not even be catalogued.

Mr. SMOOT. Mr. President——

Mr. KING. I yield.

Mr. SMOOT. I think the Senator ought to do justice to the committee by saying that the committee have tried to cut down and save; but when the matter is brought to the floor of the Senate, wherever there has been a cut the committee has been overruled.

Mr. KING. Mr. President, I acquit the committee, as did the Senator from Colorado, of any desire for extravagance. I think the committee has done well. My criticism is rather against the Senate and our system of legislation than against the Appropriations Committee of the Senate. We vote for the appropriations in special and general bills knowing that when they become law the Appropriations Committee is bound to provide for them in the general appropriation bills.

Mr. SMOOT. Mr. President, in that connection I want to say that there is scarcely a day when I do not receive letters and calls from former employees who have been separated from the Government service within the last two or three months, and every one of them pleads to go back to the service, and most of them say, "Why, we are not asking for a bonus. Just pay us the regular rate, and we will be perfectly satisfied."

I have here a letter from one of the officials of the United States navy yard in New York, and I think perhaps I had better call the attention of the Senate to what that official says in relation to this matter. It is not merely a quesion of what we pay to the employees, but what we give them that is not given to any other employees in the United States. He enumerates some of these things. Of course, we all know about them, but our attention is not called to them very often.

1. Every civilian employee is given 30 days' leave with pay each year. This is a very heavy burden on appropriations, and is not commensurate with leave of absence of employees in industrial work, and alone places a heavy burden on shop overhead amounting to nearly 30 per cent at the United States navy yard in New York.
2. All employees are paid full pay for seven holidays each year. This is not done by industrial establishments.
3. All employees are paid for 13 Saturday afternoons, or six and a half days, in the summer.
4. Clerks, etc., are given sick leave of 15 days.
5. All employees receive a bonus of $240 a year.

He states in this letter that those gratuities aggregate between 50 and 60 per cent on the overhead of the United States navy yard at New York.

Mr. THOMAS. He might have added that we are continuing to increase those privileges. The time is rapidly approaching, in my judgment, when they will not be required to work at all between meals.

Mr. KING. Mr. President, my colleague might have mentioned, in addition to all of those privileges, the retirement system, by which employees, after they reach a certain age, are assured a very handsome compensation during the rest of their lives.

Mr. SMOOT. Yes; and I want to say in that connection that we now have a proposition to leave the retirement provision of the law permissible. That is, if the employee has worked 15 years, and he can get a job, notwithstanding the fact that he is less than 70 years old, he will be allowed to take that job and draw the full compensation that comes to him under the law.

Mr. THOMAS. Why should not he?

Mr. KING. Mr. President, I will proceed with this letter. New York is always known to be a modest State, yet we find that it is not backward in asserting claims for Federal jobs. The writer proceeds:

Already there are seven applicants for the position of Assistant Secretary of the Navy from New York alone. An estimate that the total number of applicants for this one position in the country has now reached 50 would be conservative. There are 11 card-indexed applications for the position of surveyor of the port of New York and 8 applications for the position of appraiser.

To cite a single instance—

I hope the Senator from New York will pardon the fact that his name is mentioned here—

Senator CALDER, of New York, said yesterday that he had over 30 applications for the positions of the various assistant secretaryships of the 10 departments. Although the salaries paid are not high, these positions are in great demand. Other Senators and Representatives are having the same experience.

Many Republicans in Congress feel that the pressure upon them to separate "deserving Democrats" from their jobs—

Let me pause long enough to say that there are very few Democrats in the service; so that if they separate many from the service Republicans and those whose politics are so indefinite that you may not properly characterize who will be the victims—

Many Republicans in Congress feel that the pressure upon them to separate "deserving Democrats" from their jobs will be too strong to be resisted, even if they desired to resist it, and, frankly, those who are most familiar with the condition of the Federal service do not believe

that they should. These Senators feel that in making a clean sweep they will have the moral support of the country, that in effect, that is precisely what the country wants.

I feel sorry for my Republican friends upon the other side of the aisle because of this tremendous pressure which, like an overpowering flood, is beating about their devoted heads; but, according to Mr. Brown, they are not going to resist this "moral" pressure. The flood not only has physical proportions but it has assumed moral proportions, and there is a moral force behind this physical demand for separating men from the service. If the Republican Party will be content with merely throwing out of office a large number of individuals and filling their places with other persons, I shall not complain so much; but I predict that they will not only separate many from the service but they will create thousands of new positions and fill them with thousands of "deserving" Republicans, so that instead of the employees of the Government becoming less during the next two years of Republican rule the number will increase and the expenses of administration will increase. Thus we will have a $5,000,000,000 Republican Congress instead of a $1,000,000,000 or a $2,000,000,000 Congress.

Mr. President, the time has come, I repeat, when we should work out some administrative reforms and curtail expenses and square our appropriations with our income. This bill carries $110,000,000, an increase of more than 300 per cent over the appropriations carried in similar bills three and four years ago. An examination of the items found in the 163 pages of this printed bill confirms the view that retrenchment and economy are required. It will further show that Congress is lacking in courage in dealing with matters which call for radical changes.

I regret that the Committee on Appropriations does not receive support upon the floor of the Senate in attempts to practice economy. I appreciate what the Senator from Utah [Mr. SMOOT] says, that when attempts are made too often they are overruled. I sympathize with the chairman and his associates.

I wish I could help them. They and the country are entitled to pity in the face of the hysterical demands made that the Government shall take charge of the States and individuals and become an eleemosynary institution which will shelter and shield the people.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 119, line 7, at the end of the items for the "Office of the Postmaster General," to strike out "$1,710,430" and insert "$1,726,030," so as to read, "in all, $1,726,030."

The amendment was agreed to.

The next amendment was, on page 121, line 22, to insert the following proviso:

Provided, That the Secretary of War shall transfer without payment therefor to the Postmaster General for use of the Post Office Department a 1-ton motor truck.

The amendment was agreed to.

The next amendment was, on page 122, line 8, in the items for the Post Office Department, to strike out "$1,800" and insert "$2,000," so as to read:

And not exceeding $2,000 may be expended for purchase and exchange of law books, books of reference, railway guides, city directories, books necessary to conduct the business of the department; and repairs to department buildings.

The amendment was agreed to.

The next amendment was, on page 123, line 25, in the items for the Department of Justice, after the words "chief clerk," to insert "and administrative assistant."

The amendment was agreed to.

The next amendment was, on page 124, line 2, after the numerals "$500," to insert "assistant chief clerk, $3,000."

Mr. KING. I would like to inquire of the chairman if that is a new item. Does it create a new position—that of assistant chief clerk?

Mr. WARREN. It does.

Mr. KING. Mr. President, in view of the fact that the war is over——

Mr. WARREN. This lady who occupies this position is on the rolls now and is perhaps one of the most efficient in this or any other country. She has been paid out of a lump sum at a larger salary than the one stated here, and it was our purpose to curtail the salary a little and to put her on the regular statutory roll, and we cut $10,000 off the lump sum referred to.

Mr. KING. How long has that position been in existence?

Mr. WARREN. The position of assistant chief clerk is a new position, but as an assistant in the department and to the Attorney General this clerk has been in the service many years. How long she has had that particular designation I do not know—probably six or eight years, anyway.

Mr. KING. Have the duties heretofore performed been such as an assistant chief clerk would perform?

Mr. WARREN. They have been, in a way, perhaps even a chief clerk's duties, and they have always been of a character to entitle her to a large salary.

The amendment was agreed to.

The next amendment was, on page 124, line 24, to change the total of the appropriation from "$484,310" to "$487,310."

The amendment was agreed to.

The next amendment was, on page 125, line 25, in the items for the Department of Justice, after the numerals "$36,000," to insert "if space can not be assigned by the Public Buildings Commission in buildings under the control of that commission," so as to read:

For rent of buildings and parts of buildings in the District of Columbia, $36,000, if space can not be assigned by the Public Buildings Commission in buildings under the control of that commission.

The amendment was agreed to.

The next amendment was, on page 128, line 14, to reduce the total of the appropriation for the Bureau of Census from "$1,215,000" to "$1,000,000."

The amendment was agreed to.

Mr. HEFLIN. Mr. President, on page 128——

The VICE PRESIDENT. We are not through with the committee amendments yet.

Mr. HEFLIN. After we get through with the committee amendments it will be in order to offer other amendments?

The VICE PRESIDENT. Yes; the order was to consider committee amendments first.

The reading of the bill was resumed.

The next amendment was, on page 130, line 6, in the items for the Department of Commerce, to strike out "$75,000" and insert "$100,000," so as to make the proviso read:

Provided, That not more than $100,000 of the foregoing sum shall be used for the expenses of branch offices in the United States.

The amendment was agreed to.

The next amendment was, on page 131, line 2, to strike out "$100,000" and insert "$150,000," so as to read:

To further promote and develop the commerce of the United States with the Far East, including the employment of experts and special agents in the District of Columbia and elsewhere, purchase of books of reference and periodicals, reports, traveling and subsistence expenses of officers and employees, exchange on official checks, and all other necessary incidental expenses not included in the foregoing, to be expended under the direction of the Secretary of Commerce, $150,000.

Mr. FRANCE. Mr. President, I desire to offer an amendment to change a word on page 130. It is virtually an amendment to a committee amendment, as it has bearing on the amount mentioned on page 131. It merely makes the language slightly more elastic.

Mr. WARREN. May I hear the words that are to be inserted?

The VICE PRESIDENT. The Secretary will state the proposed amendment to the amendment.

The READING CLERK. On page 130, line 19, after the word "with," insert the words "Europe and," so that it will read:

To further promote and develop the commerce of the United States with Europe and the Far East, etc.

Mr. WARREN. I have no objection to that.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ROBINSON. Mr. President, I ask the attention of the chairman of the committee. I am compelled to leave the city at an early hour, to be gone for two or three days. I have an amendment, which is not a committee amendment, of course, but which I would like to have disposed of at this time, if the chairman will be kind enough to consent. It relates to the Division of Information in the Department of Labor.

Mr. WARREN. I understand the amendment. Of course, we had unanimous consent not to have other than committee amendments considered now. If the Senator will leave his amendment with another Senator, or with me, it will be taken care of in his absence.

Mr. ROBINSON. I will offer it myself if I am able to remain in the Senate long enough, and if not I will ask some other Senator to offer it, the chairman of the committee having agreed that it may be inserted.

Mr. THOMAS. Just a word. Does that agreement carry with it the implication that the amendment will be accepted by the Senate?

Mr. WARREN. No.

Mr. ROBINSON. Certainly not.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GOOD, Mr. MAGEE, and Mr. BYRNS of Tennessee were appointed managers of the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ELSTON, Mr. DEMPSEY, and Mr. HASTINGS were appointed managers of the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 578. An act providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof; and

H. R. 15344. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes.

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, in pursance of the notice I gave a few days ago, I desire to bring to the attention of the Senate the bill to create a department of education and to authorize certain appropriations for purposes connected with education in the States.

The bill is to create a department of education, and then to authorize appropriations from the National Treasury to five distinct purposes.

First, for the removal of illiteracy.

Second, for the Americanization of immigrants.

Third, to aid in the payment of teachers, especially in rural and sparsely settled sections.

Fourth, to introduce instruction in hygiene and health in the schools.

Fifth, to furnish opportunity for teachers to prepare more thoroughly for their work.

Mr. President, it is unnecessary for me to present an argument on the importance of our public-school work. Without our public schools a large majority of the children of this land would grow up in ignorance. Public schools are essential to prepare the children of our country for the struggles of life, for its joys, and its trials. They are essential to prepare for citizenship. They are a part of our democracy. They should furnish equal opportunity, as far as possible, to all.

The States need encouragement and aid in this work. They have failed to furnish the school and give the training to many children which they should have received. The census of 1910 shows that white illiteracy had increased in the United States during the 30 years prior to that time. White illiterates in the United States in 1910 exceeded in number 3,200,000 persons, and Negro illiterates numbered 2,180,000.

There were 5,000,000 foreign-born residents in the United States who could not read and write English. There were 2,000,000 who could not read or write any language. There were 3,500,000 who could not speak or write English.

The financial loss estimated by men well-informed as a result of illiteracy alone is $825,000,000 annually.

The Director of Mines and Mining recently showed that out of a million men employed in the mines, 620,000 were foreigners, and 460,000 could not speak English. He attributed 1,000 deaths and 150,000 injuries in the mines annually to illiteracy.

One-half of the industrial accidents that occur annually are attributed to illiteracy.

The first draft in the recent war disclosed the startling fact that one-fourth of the boys called to the colors were illiterates.

Between 25 and 30 per cent were physically defective, and it is insisted that 90 per cent of the defects could have been removed by intelligent training as to hygiene and simple diseases during childhood.

Of the total draft, 700,000 were illiterates. With our boys called to the colors, the ages being from just below 20 to just above 30, out of 4,000,000, 700,000 were illiterates.

These facts are startling and should shock our national conscience.

Let us turn to the present condition of the teaching body of the United States. The average pay of teachers does not exceed $650 a year.

One hundred thousand are less than 20 years of age; 30,000 have only a grammar-school education; 200,000 have less than a high-school education.

Five million of children are to-day either out of school for lack of school facilities or are being taught by teachers who ought to go to school.

The president of the National Chamber of Commerce agreed with the vice president of the American Federation of Labor that the majority of the worst strikes that have taken place, and that have caused the most trouble in the last few years, were due to illiteracy.

The importance and duty of furnishing an opportunity for education at the expense of the public was recognized by our colonial ancestors, and the national duty to encourage education had its first precedent when Congress, under the Articles of Confederation, decreed that lot No. 16 of the public domain should be dedicated to the maintenance of public schools.

The ordinance of 1787, in article 3, contains the following language:

Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged.

The original thirteen States received no lands from the Federal Government for the support of schools. The Federal Government owned no lands within these Commonwealths, but in each of the States where the Government owned lands a portion of these lands was set apart for public education.

The records of the States before the adoption of the Constitution, and the ordinance of 1787, fully recognized public schools as essential to the general welfare, and Congress was justified in assuming that aid to public schools fell within the power of Congress "to promote the general welfare."

Following the grants of lands to the States for school purposes, Congress passed the Morrill Acts and made the land grants to the agricultural colleges. Then followed the Hatch Act, in 1887, creating agricultural experiment stations. Each State was required to accept the act formally and agreed to carry out its purpose, but the Federal Government retained no control over the work. This was left to the States.

Then followed the second Morrill Act of 1890. In 1906 Congress passed the Adams Act, more completely endowing and maintaining the agricultural experiment stations, and the Nelson Act of 1907 still further provided for the endowment and support of the agricultural colleges.

The Smith-Lever Act of 1914 provided for farm demonstrators and teachers of home economics, whose duty it was to carry to the homes of the farmers the information obtained from study and experimentation at the colleges of agricultural and experiment stations.

The Smith-Hughes Act of 1917 provided national aid to the States to encourage vocational training.

The constitutional authority to give national aid to education was clear and has been exercised continuously since the adoption of the Constitution. Congress has given the aid to the States. It has designated the different purposes for which the aid was to be used, but in no way has the National Government undertaken to interfere with the execution of that purpose by the respective States.

Each of these acts giving national aid conform to this policy. The acts have designated in general terms the use of the fund as a fund for agricultural colleges, a fund for experiment stations, a fund for farm demonstrators, a fund for vocational education. The States were required to accept and agree to use each of these funds for the particular purpose designated. But to the States was left, without interference by the National Government, the creation of the detailed plans and the mode of the use of the funds, and no interference with State educational work by the National Government has followed the contribution from national resources.

I have shown that national aid for the public schools now is needed. I have shown the startling figures with reference to illiteracy existing to-day. The bill was planned to coordinate this entire work, to remove illiteracy, and to Americanize all immigrant residents of foreign birth.

One of the objections urged against the bill has been that some of the richer States would contribute to the fund, through national taxation, more than they received from national contribution. The same argument could be applied to any city contributing to the fund of State taxation for the State schools. In Atlanta, where I live, the contribution made through taxation to education in the State is several times as much as is returned to

the schools of the city. But what made the city grow? What made the city? It was the prosperity of the counties of the State. Where did the people of the city obtain the money with which they built their fortunes? From their commerce with the people of the whole State and the neighboring States.

We now raise a large part of our national revenue by income taxation. Where do those incomes come from? Take the city of New York. The biggest incomes derived by the citizens of New York are not made from investments in New York. They come from stocks and bonds of properties all over the United States. Again, taking my home city of Atlanta, one industry there pays an enormous income tax, but where does it derive its revenue? By sales at the soft-drink counters all over the United States. It is no argument against national contribution to the public-school system of our land that some of the States will pay more than will be returned to them from the National Treasury, for the wealth and the incomes upon which the taxes are paid are derived from the industry and enterprise of the entire country.

Besides, Mr. President and Senators, an illiterate in one State, allowed to grow up in ignorance, is likely at any time to become a charge on another State. The foreigner coming to our country, the immigrant who can not speak English, the 3,500,000 who can neither read nor speak English, are not permanently located in one State. They move from State to State, and they are a menace to all the States and to the people of all the States. So that line of argument should have but little weight with us. It is the same argument that the very wealthy made against paying anything for public education. It is the argument that the very wealthy pay more in educational taxes than their children derive from the public schools. The principle of the public-school system is that every child must have an opportunity in this free land of ours to be trained and prepared for life's responsibilities, and all the people should contribute in taxes that this may be accomplished.

As the village began the work and it extended to the State, finding the villages were not all prepared to carry the burden, so now our national aid may well be given to foster the public schools in the respective States.

We appropriate $100,000,000 for good roads; we appropriate freely for hog cholera and for the foot-and-mouth disease of cattle.

Let us open the National Treasury when it is shown that there is a necessity for contribution to the highest of all causes, to the greatest of all work in our country, the training of the children of our land.

There have been resolutions passed from one end of the United States to the other indorsing this measure. Nearly all of the women's organizations of our country have indorsed it. Nearly all of the educational institutions and organizations have indorsed it. Chamber of commerce after chamber of commerce has indorsed it. The American Federation of Labor has indorsed it. I ask leave to print at the conclusion of my remarks a few of those resolutions of indorsement.

The VICE PRESIDENT. Without objection, permission is granted.

Mr. SMITH of Georgia. Mr. President, I do not believe a measure has been before Congress that has aroused more general interest among the masses of the people than this measure. They feel the need, and appreciate the stimulus that would be given by national aid in the State work.

There has been but one active opposition to the measure. It has come from organizations of Roman Catholics. I will say, Senators, that every resolution passed by them, every editorial printed in their papers against the measure, every expression I have seen, has disclosed ignorance of what the measure is, and that which they have attacked is not found in the measure. They have criticized what does not exist, and what was never contemplated. They have attacked what they say is to be an autocratic control by a national secretary of education of the public and private schools of the land. They have attacked what they say is to be an interferenee with the right of the parent to send his child to what school he pleases. Some of them have gone so far as to say that the measure is directed against the religion of Jesus Christ.

I think the whole propaganda originated from the speech delivered by a priest in June, 1919, at Georgetown University, in which he utterly misconceived the provisions of the bill and charged that it contained provisions that were not in it.

There is not a line in the measure that gives any power to the secretary of education or to any organization in Washington City to interfere with the management of the public schools of a State.

There is not a line in the measure which interferes with the right of the parent to select for his child the school that pleases him best. If he wishes to send his child to a private school, he may do so; if he wishes to send him to a religious denominational school, he may do so; if the Catholic parent wishes to send his child to a Catholic parochial school, he may do so; and not one word in the bill restricts his right or interferes with his doing as he wishes.

The bill does provide as to one of the appropriations that the State shall not have the benefit of that appropriation unless the State provides public schools 24 weeks in the year for all children in the State who wish to attend. It provides further that the State in order to receive that particular one of the appropriations must enact a provision for compulsory education of every child between 7 and 14 years of age for 24 weeks during the year, not in the public schools, but in some school. The bill expressly declares that the requirement by the State to attend school may be in some school, not necessarily a public school, but in the school of the child's parent's choice. It provides further that the English language must be required by the State as the basic language in every school in the State if the State receives this apportionment.

Those three requirements apply to only one of the five apportionments. They apply to that apportionment which authorizes aid in the payment of teachers, especially in rural and sparsely settled sections. Those three requirements do not apply to either of the other four apportionments, and there is nothing in them to justify the criticism.

Within the past few days a bureau of education of the National Catholic Welfare Council announced the following principle with reference to education:

> The bureau of education of the National Catholic Welfare Council believes in public education and the public-school system. It will be ready to cooperate in all desirable movements for the improvement of public schools, provided such movements will not curtail the rights of the people to maintain and patronize private and parochial schools. It will stand upon the platform that it is the duty of every American citizen to contribute to the support of public schools, but it is his right to send his children to any type of school he may wish, provided such school is truly American in its teachings.

Again, the platform of the Benedictine National Educational Association, while it protested against autocracy in education, declared:

> Federal cooperation with our free and self-controlled educational activities we recognize and welcome as an ally of educational freedom.

The views thus announced are in accord with the principles of this bill, and yet Senators are receiving telegrams from good citizens of the Catholic denomination from all over the land protesting against the measure, because they think it interferes with the right of the father to send his child to the parochial school; because they think that the secretary of education is to have the authority to dominate the public-school system and the private-school system of the State. These people must be laboring under false impressions as to the provisions of this bill, or they could not have sent the telegrams, and it is unfortunate that they place themselves as religious organizations against aid to public schools.

Mr. SIMMONS. Mr. President, I wish to ask the Senator from Georgia a question. Does he believe that the protests which are coming from the Catholics, as he says, are really based upon the assumption that Catholic children will be required to attend public schools under his bill, or are they based upon the other idea that, as the Catholic Church, probably more than any other church, provides for the education of its children in parochial schools, the Catholics, while having to pay their part of this fund would not get any of the benefits from it because they do not patronize the State public schools? While the protest is based upon the other ground, is it not probable that is the real basis of their objection?

Mr. SMITH of Georgia. I hope not.

Mr. SIMMONS. I do, too.

Mr. SMITH of Georgia. I hope they are frank about it.

Mr. SIMMONS. I hope that is so, but I rather suspect that that has a great deal to do with their objection.

Mr. KING. Mr. President, may I——

Mr. SMITH of Georgia. I wish to say that I would rather not be interrupted to any extent, unless it is merely to ask a brief question, because I wish to go on with my own discussion of the subject without what has happened to me two or three times recently when I have tried to address the Senate and have been unable to proceed on account of the desire of other Senators to occupy the floor at the same time.

Mr. SIMMONS. I should not have interrupted the Senator, but I really wished to have his view as to the matter concerning which I asked.

Mr. SMITH of Georgia. I did not object to the Senator's interruption.

Mr. SIMMONS. What I have stated, it has occurred to me, possibly had something to do with the objection of Catholics to the Senator's bill.

Mr. SMITH of Georgia. I do not know, but I hope not.

Mr. SIMMONS. Though I think the statement which the Senator has made with reference to the requirements of the bill clearly demonstrate that there is no foundation for Catholics to object to it, I suspect the objection is in part due to something other than is stated.

Mr. SMITH of Georgia. It may be that some of those who have hammered these false views into the rank and file of the Catholics are moved by the idea expressed by the Senator from North Carolina. The Catholic Church, however, does not furnish parochial schools for any very large portion of the Catholic children; there are very many Catholic children in the public schools; and the representative of that church to whom I referred a few moments ago, in his recent announcement of principles with reference to education, declared that it is right for every man to be taxed to support public schools. He teaches the sound doctrine for which I am contending. If the Catholics are moved by the view which the Senator has expressed——

Mr. SIMMONS. No; I did not express it——

Mr. SMITH of Georgia. The view which the Senator has suggested.

Mr. SIMMONS. Yes; I suggested it; and I merely wanted to hear the Senator's views in regard to the matter.

Mr. SMITH of Georgia. The same view would cause them to fight all taxation for public schools, taxation by the State for public schools, taxation by the municipality for public schools, taxation by the county for public schools, and every dollar taken from the public generally to sustain public education.

I admit frankly there was a time many years ago in my own city when the Catholics asked that the portion of taxes paid by the Catholics should be turned over to them to be handled by their own schools. I was on the board of education at the time, and I had the privilege of voting against distributing to any religious denomination the fund that was raised for public education. I would not have been willing to give it to the Presbyterian Church school, with which I am connected. We Presbyterians also run a church school. When the operation of a denominational school interferes with the willingness of members of the church to pay a full and free part toward the public education of all the children, I, for one, will vote to abolish that school. What I want to do is to show those Catholics who have been misled that they have been misled. What I want them to understand is how completely this bill reserves to the States the entire control of the fund, the preparation of the plans for the use of the fund, and the administration of the fund.

Let me call attention to those provisions of the bill which fix the authority of the secretary of education and which preserve to the States and to the educational authorities of the States the unhampered administration of the funds.

Section 13 of the bill provides that—

in order to secure the benefits of the appropriation authorized in section 7, and of any of the apportionments made in sections 8, 9, 10, 11, and 12 of this act, a State shall by legislative enactment accept the provisions of this act and provide for the distribution of such funds as may be apportioned to said State, and shall designate the State's chief educational authority, whether a State superintendent of public instruction, a commissioner of education, a State board of education, or other legally constituted chief educational authority, to represent said State in the administration of this act, and such authority so designated shall be recognized by the secretary of education.

The House committee, to make even clearer the fact that the State authority is to administer the act, added before the words "distribution of such funds" the words "administration and," so that it would require the State by legislative action to provide for the administration as well as distribution of that money apportioned to the State.

The section then provides that a State may accept any one or more of the respective apportionments, and may defer acceptance of any one or more of the apportionments, but that no money shall be apportioned to any State from any one of the provisions of this act unless a sum at least equally as large shall be provided by the State or by local authorities, or by both.

Section 14 provides that when the State has provided for the distribution and administration of any one or more of the apportionments covered by this act the State's chief educational authority shall so report in writing to the secretary of education, and if this report shows that the State has prepared itself to carry out the provisions of this act with regard to any one or more of the apportionments the secretary of education shall apportion to said State such funds as said State may be entitled to receive.

The meaning of these provisions is that the State, having arranged to administer the fund covered by any one of the apportionments, and the secretary of education having been so notified by the State's chief educational authority, the secretary of education must take steps at once to send to the State the proportion to which the State is entitled under the terms of the act.

The section then proceeds further, as follows:

Provided, That this act shall not be construed to require uniformity of plans, means, or methods in the several States in order to secure the benefits herein provided except as specifically stated herein.

As a substitute for this language the House committee recommends the following:

Provided, That courses of study, plans, and methods for carrying out the purposes and provisions of this act within a State shall be determined by the State and local educational authorities of said State, and this act shall not be construed to require uniformity of courses of study, plans, and methods in the several States in order to secure the benefits herein provided.

The bill authorizes an appropriation to remove illiteracy; to Americanize those of foreign birth; to aid in the payment of teachers; to introduce the study of health and hygiene in the schools; and to better train teachers. These are the five purposes named in the bill.

In executing these purposes the State authority is to fix the course of study, plans, and methods of carrying them forward, and these courses of study, plans, and methods need not be uniform in the several States.

Mr. TRAMMELL. Mr. President, will the Senator yield for a question?

Mr. SMITH of Georgia. Yes.

Mr. TRAMMELL. Am I correct in my understanding that the bill contemplates that the Federal Government shall take away from the States the right to determine the question of whether or not they shall adopt compulsory education? In other words, is it not proposed by this measure to force upon the States compulsory education?

Mr. SMITH of Georgia. As to one of the five appropriations, that is true. One of the five does not go to a State unless there is compulsory education for 24 weeks in a year.

Let me go on with this provision about the State control of the plan, the modes, the methods of administration of the fund.

Mr. SIMMONS. Mr. President, does the Senator mean to say that a State can not get the benefit of this appropriation unless it has a system of compulsory education?

Mr. SMITH of Georgia. I will go back again to that section in a few minutes. I should like to finish this discussion of the general authority. Let me finish this language giving the broad power of control to the State, and then I will go back to that limitation as to one of the appropriations.

And provided further, That all the educational facilities encouraged by the provisions of this act and accepted by a State shall be organized, supervised, and administered exclusively by the legally constituted State and local educational authorities of said State, and the secretary of education shall exercise no authority in relation thereto except as herein provided to insure that all funds apportioned to said State shall be used for the purposes for which they are appropriated by Congress.

Now, there are five purposes. First, there is the purpose of removing illiteracy. The State authority reports to the secretary how the fund was used. The secretary has a right to insist that the fund appropriated to the removal of illiteracy shall be used to remove illiteracy, under such plans, modes, courses of study, and administration as the State sees fit. That fund could not be used for Americanization. Neither could the fund provided to Americanize immigrants be used for general illiteracy purposes. There is a fund provided for the training of school-teachers. The fund for illiteracy can not be used for training school-teachers. The fund for the teachers can not be used for the purpose of fighting or removing illiteracy. The purposes are five in number. The State must use the fund for the purpose it elects. A State can determine to accept one or more of these five allotments. If it desires only to use that fund which is intended to seek to remove illiteracy, it may do so and accept no other. The State must duplicate in its expenditure the amount it receives from the National Treasury, and the funds are left exclusively for administration by the State under such plans as it adopts, but it can not divert from one purpose to another purpose.

The execution of that purpose, both as to plans and as to administration, is left entirely to the State, and the secretary of education is expressly denied authority to interfere. The representative of a State reports to him each year how the fund has been used and that the State duplicated it. If the State did not duplicate it and simply used the national fund, he could stop the contribution. If the State diverted it from one purpose to another purpose, he could stop the allotment to the State; but if the State uses it for the purpose, and it so appears by the report of the representative of the State, that ends the matter, and he must continue an apportionment; and if the State has sought only one of the apportionments out of the five and concludes later to add another, the State has a right to do so.

Section 15 provides that the secretary of education may withhold the apportionment of any State for the next ensuing fiscal year whenever he shall determine that such apportionments have not been expended in accordance with the provisions of this act.

Section 17 provides that the chief educational authority designated by a State shall make a report to the secretary of education, showing the work done in carrying out the provisions of this act, and the receipt and expenditures of money apportioned to the State under the provisions of this act.

Let me repeat, the purposes of the bill are specifically named under five heads. The secretary of education has nothing to do with the course of study, plans, and methods of carrying out these provisions. The State is to provide for the administration of the fund and fix the course of study, plans, and methods of carrying out the purposes, and the secretary of education is to exercise no authority in relation thereto. The language could not be clearer. If there was a possible doubt of its meaning originally, the amendments placed upon the act by the Committee on Education of the House removed that doubt.

The bill recognizes the constitutional authority of the States to control in detail the educational work in the States, and especially provides that this fund shall be administered by the several States according to plans fixed by the respective States. There is not a line in the bill which authorizes the secretary of education to interfere in any way with the administration of the fund by the States. He could only withhold a particular apportionment, because the State diverted the apportionment from the particular purpose named. For illustration, take the appropriation for the removal of illiteracy. It must be used for that purpose, but the State is to control the plan and manner of its use.

Now, I come back to that one of the apportionments which has coupled with it three provisions. The apportionment for teachers' salaries, the apportionment to add to the fund which may be used, especially in rural sections and sparsely settled sections, to strengthen the teaching force, is limited with three provisions. No State shall have that apportionment unless the State does three things: First, it must provide by law an opportunity of 24 weeks' schooling for the children who desire to enter the public schools; second, it must provide by law that every child between the ages of 7 and 14 shall attend for 24 weeks of each year some school; third, it must provide that the basic language used in every school, State and private, shall be English.

I hope there is no State which does not provide 24 weeks of schooling. I know that the State of the Senator from North Carolina does. I know that his State has been one of the most progressive States in the South, certainly, and has gone as far as the means of the people will allow to encourage education. We adopted in my own State not long ago a provision for compulsory attendance.

Mr. SIMMONS. Mr. President, I want to say to the Senator, so far as my State is concerned, that we have provided constitutionally for a six months' term and we have also provided for compulsory education; but there are possibly other States that have not provided compulsory education and probably do not wish to do so.

Mr. SMITH of Georgia. That may be; but, very frankly, I do not care to see the National Government contribute any part of this $50,000,000 that is proposed to be distributed to help pay the salaries of teachers to a State that will not really vigorously help eliminate illiteracy. We are interested in their illiteracy.

Mr. KING. Mr. President, may I make an inquiry of the Senator?

Mr. SMITH of Georgia. Yes.

Mr. KING. Does the Senator, with his—I hope—sound views of democracy, indorse a proposition that would compel a State that does not want to accept this plan to be taxed to pay other States that do?

Mr. SMITH of Georgia. Yes; yes.

Mr. KING. I thought so.

Mr. SMITH of Georgia. Just as I believe that the rich man should be taxed to take care of public schools everywhere, whether he wants to send his children or not. There are very few—and I hope there will not long be any—that do not take the necessary steps to put an end to illiteracy in this country by requiring some school attendance by all the children. We have in my State more Negroes than any other State in the Union—and more Negro children—and yet we have determined that it is essential to the progress of the State to require them all to go to school for a certain number of weeks between, I think, 7 and 14 years of age.

Mr. SIMMONS. Mr. President, I want to say to the Senator that I agree with him. I am heartily in favor of the principle of compulsory education. I think that every State in this Union ought to provide for compulsory education; and this section of the bill commends itself strongly to me because this very provision to the effect that a State can not get the benefit of this fund unless it provides for compulsory education will be calculated to coerce the States of the Union that are lagging behind in that respect to adopt compulsory education, in the interest not only of that State but of every State and every section of the Union.

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. SMITH of Georgia. Yes; as long as the Senator from North Carolina took.

Mr. KING. The position of the Senator from North Carolina is a little different, though, from the position of the Senator from Georgia. I agree with the Senator from North Carolina; I believe that the States ought to have compulsory education; but the position taken by the Senator from Georgia goes further. It means that States that already have compulsory education, a high and efficient system of education, that do not want to come under this bureaucratic system of Federal education, are compelled, notwithstanding they may provide for their own children and have the best educational system in the world, to make contributions to other States; and the Senator approves that plan, as I understand.

Mr. SMITH of Georgia. Absolutely and unqualifiedly.

Mr. KING. He destroys the States; he does not believe any longer in the integrity of the States and their right to govern their own affairs.

Mr. SMITH of Georgia. Mr. President, I decline to yield to the Senator from Utah to repeat a speech I have heard him make so often upon the floor of the Senate.

Mr. KING. Mr. President, if I have repeated it, and the Senator has not appreciated it, I am afraid he is hopeless.

Mr. SMITH of Georgia. I have appreciated it and differed with him frequently. I have seen him apply the principle at places where I do not think it should be applied, and this is one of them. I believe that the National Government should contribute to the education of the children of this land; that it has a national interest; and while the National Government can not interfere with the management of the schools by the States, while the States must have preserved to them their constitutional rights to control their school systems, I do believe that the wealth of the entire country should contribute something toward strengthening public education in our land. I do not know to which State he refers as the richest State in the Union. I believe that the richest section of the Union is the Osage Indian Tribe. I believe for its population its has more money per capita than any other part of the Union. I do believe that the rich State is concerned with the illiteracy, with the lack of ability to read and write English, the lack of ability to speak English, of the people of other States. I believe it has a direct interest in removing illiteracy and in Americanizing every child in the land.

Because some States will contribute to this fund more than they retain, it is no more logical to say that they should not contribute than it is to say, because some cities contribute more to the State fund than they receive in return that therefore they should not contribute, or, if some man contributes more from his wealth to the public schools of his community than his children receive in return, that that is an invasion of his rights. So, in the face of the Senator from Utah, in the face of the world, in the face of our whole country, I would plead for a national contribution to the education of the children of the land.

My purpose, so far as the Catholics are concerned, has been to show that the claim that this bill creates an autocracy in Washington is utterly unfounded. The Senator from Utah can not find in the measure a line that interferes in any way with the control by the State of its State schools. He will find, in the section providing for aid in the payment of teachers' salaries, that no State shall receive that one of the apportionments unless the State provides 24 weeks' schooling, and requires the children between 7 and 14 years of age to attend school 24 weeks. He will find that, but the State need not take it if it does not want it on that ground; and I am sorry for the State that refuses to become a part of this great movement concerning the welfare of all the people, concerning the interests of all the States, to remove illiteracy.

Why, have we not poured our black illiterates into the city of Chicago? I am told that Illinois would contribute more than would be returned to the State of Illinois. It is to the interest of the people of Illinois that they should not be deluged by illiterate blacks. It is to the interest of every State that we should be spared the presence in our land of three and a half millions who can neither speak nor write English.

Mr. President, I ask leave to print, in connection with my remarks, some of the provisions of this bill to which I have referred, which I have not taken time to read.

There being no objection, the matter referred to was ordered to be printed in the RECORD.

Mr. SIMMONS. Mr. President, the Senator has stated that the fund allotted to teachers was conditioned upon the State having the compulsory system prescribed. I assume that the fund allowed for the education of the children is conditioned in the same way.

Mr. SMITH of Georgia. No; the illiteracy fund does not require it. The Americanization fund does not require it.

Mr. SIMMONS. I did not recall that.

Mr. SMITH of Georgia. The fund for teaching hygiene does not require it.

Mr. SIMMONS. I assumed that that was true.

Mr. SMITH of Georgia. The fund to improve the teachers does not require it; but the fund to increase the pay of teachers in rural sections, which has for its object to make sure that an opportunity is given to every child to attend some school, requires that the State shall compel attendance in some school for 24 weeks of all children between the ages of 7 and 14.

Section 6 provides that one-half of the sum authorized to be apportioned to the States may be used for the partial payment of teachers' salaries, for providing better instruction, and extending school terms, especially in rural schools and schools in sparsely settled localities. In order for the State to share in this apportionment the State must establish and maintain certain requirements, unless prevented by constitutional limitations.

Those requirements are (a) a regular school term of at least 24 weeks in each year for the benefit of all children of school age in the State; (b) a compulsory school-attendance law requiring all children between the ages of 7 and 14 to attend some school for at least 24 weeks in each year; (c) a law requiring that the English language shall be the basic language of instruction in the common-school branches in all schools, public and private.

To receive the benefit of the apportionment toward teachers' compensation, a State is not required to compel children to attend for 24 weeks the public schools. It is only "some school" that the child between 7 and 14 must be required to attend for 24 weeks each year. The right of selection of school by the parent is left without restriction, and the schools are only required to make the English language the basic language of instruction. It is therefore clear that nothing in the bill creates an autocratic government of the schools of the country here in Washington City.

There is nothing in the bill which prevents the parent from sending his child to a private denominational school if he prefers. The bill is to encourage and assist the States in providing a system of public schools that will give an opportunity for every child to obtain an education, and also to remove illiteracy and Americanize all of our people.

Now I will discuss the other sections of the bill.

Section 1 creates a department of education, with a secretary of education at its head, and gives to him the authority over those in his department which is exercised by the heads of other executive departments.

Section 2 provides for an assistant secretary of education.

Section 3 transfers to the department of education the Bureau of Education, and, as amended by the Committee on Education in the House, authorizes the transfer of such other offices, bureaus, divisions, boards, or branches of the Government connected with or attached to any other department of the Government as Congress may determine shall be administered by the department of education.

Section 4 gives to the secretary of education the authority exercised by the head of any executive department or by any administrative board over any officer, office, bureau, division, board, or branch of the Government as may be transferred to the department of education under the provisions of this act.

Section 5 makes it the duty of the department of education to continue studies and investigations in the field of education and to report thereon. This section contains a provision for the appointment of "educational attachés to foreign embassies and of such investigators and representatives as may be needed."

Section 6 authorizes the appropriation of $500,000 to the department of education to carry out the work placed on the department.

Section 7 authorizes the appropriation of $100,000,000, or such portion of the same as Congress may see fit, to be apportioned, disbursed, and expended as provided in sections 8, 9, 10, 11, and 12 of the bill.

Section 8 authorizes the appropriation of $7,500,000 for the purpose of removing illiteracy in those 14 years of age and over. It is to be distributed to the States as the proportion of their illiterates bears to the total illiterates of the Nation.

Section 9 authorizes an appropriation of $7,500,000 for the Americanization of immigrants, foreign born, 14 years of age and over. It provides that the money shall be spent to teach them to speak and read English, and to understand and appreciate the spirit and purposes of the American Government and the duties of citizenship in a free country. This sum is to be apportioned to the States in the proportion in which their respective foreign-born population bears to the total foreign-born population of the United States.

Section 10 authorizes the appropriation of one-half the amount of the total authorization to equalize opportunities in public, elementary, and secondary schools, for the partial payment of teachers' salaries, for providing better instruction, and extending school terms, especially rural schools in sparsely settled localities, and for the extension and adaption of educational libraries for educational purposes.

The sum is to be apportioned to the States, one-half in the proportions which the number of children between the ages of 6 and 21 of the respective States bear to the total number of such children in the United States, and one-half in the proportion which the number of public-school teachers employed in teaching positions in the respective States bear to the total number of public-school teachers so employed in the United States.

It is further provided that a State to participate in this fund must provide a legal school term of at least 24 weeks in each year for the benefit of all children of school age in the State. A compulsory school attendance law, requiring all children between the ages of 7 and 14 to attend some school at least 24 weeks each year, and a law requiring that the English language shall be the basic language of instruction in the schools in each State.

Section 11 provides that $20,000,000 of the sum authorized to be appropriated shall be used for physical education and instruction in the principles of health and sanitation.

The House committee struck from this section the words "and for providing school nurses, school dental clinics, and otherwise promoting physical and mental welfare." This sum is to be apportioned to the States in proportion to their population.

Section 12 provides that $15,000,000 of the sum authorized to be appropriated shall be used to provide and extend facilities for the improvement of teachers already in the service and preparing for prospective teaching.

These are the five purposes to which the appropriations authorized are to apply. A State can not take one of the funds under one of these five sections and appropriate it to some other purpose. It must use it for the purpose named in the act, but the courses of study, the plan and manner of the use, is left in each instance to the State authorities, and the secretary of education is expressly denied any authority to interfere with the unrestricted control by the State of the fund for the purpose named.

The only other two sections not analyzed are 16 and 18.

Section 16 authorizes and directs the Secretary of the Treasury to pay to the treasury of any State designated to receive any such funds the apportionment or apportionments properly certified to him by the secretary of education.

Section 18 requires the secretary of education to report annually to Congress.

Mr. President, it is not my desire at this time to detain the Senate longer. I may again, later in the session, make a few additional remarks with reference to this measure. I shall insert the exact language of passages of the bill to which I have referred, but not at this time detain the Senate to read them.

Mr. KENYON. Before the Senator closes, I would like to ask him if he can throw any light on what has become of the Americanization bill, passed by the Senate, which was in a way to bridge over the hiatus until the Senator's bill could be discussed?

Mr. SMITH of Georgia. I do not know. I joined the Senator from Iowa in warmly supporting that measure when it was before the Senate.

Mr. KENYON. I know the Senator did.

Mr. SMITH of Georgia. I felt that it was a measure of the utmost importance.

Mr. KENYON. It seems to have been lost somewhere.

Mr. SMITH of Arizona. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Arizona?

Mr. SMITH of Georgia. I yield.

Mr. SMITH of Arizona. In the matter of compulsory education in the Senator's bill, is there any limitation on the number of months that a State may select as compulsory?

Mr. SMITH of Georgia. Not at all. It is left entirely to the States.

Mr. SMITH of Arizona. The States differ as to that. Some have three and others have six months, and I would suggest that when you take a couple of sound young boys, with a perfectly helpless mother, six months out of each year for seven

long years—which does not give a boy any more education than he ought to have—it would prove in many hundreds of instances a very great hardship.

Mr. SMITH of Georgia. I know what the policy has been with us. The compulsory provision applies until the child is 14 years of age. It applies only between 7 and 14.

Mr. SMITH of Arizona. That may amount to seven years' attendance.

Mr. SMITH of Georgia. In my State we undertake to arrange the school term at a time when it will interfere least with the employment of the child.

Mr. SMITH of Arizona. Under the old system it used to be always in the winter months, so as to prevent that as far as possible.

Mr. SMITH of Georgia. In the agricultural sections it is all in the winter months. In some other sections it differs. But the States are left perfect freedom to adjust that question, and the bill declares that uniformity need not exist, but each State shall handle the subject according to its own wisdom and its own necessity.

Mr. SMITH of Arizona. My State prescribing six months, and some of the States three, the same rule as far as the Federal appropriation goes would apply equally to each if there were a compulsory law of the State.

Mr. SMITH of Georgia. Yes. Mr. President, I believe in public education. I believe in the great benefit, not only to the child but to the Nation, of training the children. I regard it as the greatest contribution which can be made by wealth to the welfare of mankind.

A great Georgian, the greatest debater my State ever sent to this body, once declared that "He who saves his country saves himself, saves all things, and all things saved do bless him."

I believe that the Senator who helps to extend national aid to the public schools of the land, who gives the stimulus, the encouragement, the inspiration, and the practical assistance which would come from such a measure as this, not only helps the children but saves his country, and future generations will rise, after this bill is in operation, to call him blessed.

THE SMITH-TOWNER BILL.

Resolution adopted by National Education Association, Milwaukee meeting, July, 1919:

"This association has urged for years that education should be given just recognition by the Federal Government, and that a department of education should be established. The war has so emphasized the importance of education from a national standpoint that the necessity of the immediate consideration of this question is universally recognized.

"Moreover, a commission on the emergency in education, appointed by this association one year ago, acting under the instruction of the association, prepared a bill creating a department of education with a secretary in the President's Cabinet, and authorizing the appropriation of $100,000,000 to encourage the States in the promotion of education, particularly in the removal of illiteracy, the Americanization of immigrants, physical and health education, teacher preparation, and the equalizing of educational opportunities, and

"This association, through its commission and with the cooperation of other great national organizations, secured the introduction of this bill in the Sixty-fifth Congress, and more recently its introduction in the Sixty-sixth Congress in a carefully revised and perfected form, known as the Smith-Towner bill, H. R. 7 and S. 1017: Therefore

"*Resolved*, That this association gives its hearty and unqualified indorsement to the Smith-Towner bill, H. R. 7 and S. 1017, now before the Sixty-sixth Congress, and instructs the official staff of this association to use all honorable means to secure its passage."

Mr. SMITH of Georgia. Mr. President, the American Federation of Labor and the American Federation of Teachers have given the measure a hearty indorsement.

I request to print, without reading, their resolutions.

The PRESIDENT pro tempore. If there is no objection, it is so ordered. The resolutions referred to are as follows:

"Resolution No. 123, by Delegate Charles B. Stillman, of the American Federation of Teachers.

"Whereas in accordance with the instructions of the last convention, the executive council of the American Federation of Labor, working with the American Federation of Teachers and the National Education Association, has cooperated in the preparation and introduction of the educational bill, H. R. 7, which creates a Federal department of education and appropriates $100,000,000 to be apportioned among the States to aid in the payment of more adequate teachers' salaries, in the equalization of educational opportunities, in the removal of illiteracy, in Americanization of immigrants, in physical education, and in the preparation of competent teachers; and

"Whereas the present period of reconstruction is revealing even more clearly than the preceding period of the war the need for a national educational policy to secure coordination among the States, and to promote national welfare, efficiency, and unity; and

"Whereas the threatened collapse of our schools, which influenced the action of the last convention, is still more imminent now, through the forcing out of our best teachers by the thousands by sheer economic pressure, and through the refusal of young men and women of ability and independent spirit to prepare themselves for a calling which does not offer a self-respecting living; and

"Whereas the ultimate national need is for educated manhood and womanhood, a need which will become more urgent in the period we are entering; and

"Whereas the recent past has forced upon us a realization of the necessity of more effective physical education, of the removal of illiteracy, and of the Americanization of immigrants; and

"Whereas in the fields of vocational and agricultural education, the value of the stimulus to the States of Federal appropriations available to a State on its meeting specified standards, and on the appropriation by that State of equal amounts, has been proved by experience: Therefore be it

"*Resolved*, That this thirty-ninth convention of the American Federation of Labor, in conformity with the recommendation of the preceding convention, indorse the educational bill, H. R. 7, and instruct the president and executive council to use the full influence of the American Federation of Labor in its support.

"Adopted."

Mr. SMITH of Georgia. Mr. President, the Good Government Club of Cleveland, Ohio, has given the bill its indorsement, which I request to print without reading.

The PRESIDENT pro tempore. Without objection, the request is granted.

The resolutions referred to are as follows:

THE OHIO STATE GOOD GOVERNMENT CLUB,
Cleveland, Ohio, July 12, 1919.

To the honorable United States Senate.

GENTLEMEN—

Whereas it is a deplorable fact, revealed by our selective service conscription, that there are over 5,000,000 people in the United States who can not read or write—thousands useless to their country for lack of understanding, handicapped thereby in transmitting their ideals; and

Whereas there is no reason for such a condition in an enlightened government: Therefore be it

Resolved, That the Federal Government must solve the educational question to facilitate its own growth and development; that democracy is based on an enlightened citizenship; and, further, that it is the province of the Government to preserve its own entity; and that

Whereas the Hoke Smith bill, known as S. 1017, is the best solution thus far advanced to meet the requirements and produce the long-hoped-for results:

Therefore, We respectfully request the United States Government, in Congress lawfully assembled, to give careful consideration to the bill designated above.

Very respectfully, yours,

THE OHIO STATE GOOD GOVERNMENT CLUB.
By C. L. CASE, *Chairman.*
J. H. DAVIS, *Secretary.*

Mr. SMITH of Georgia. Mr. President, the Jane Jefferson Democratic Club of Colorado indorsed the bill.

I request to print, without reading, their action.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

JANE JEFFERSON DEMOCRATIC CLUB, INCORPORATED,
Denver, Colo., June 25, 1919.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: The Jane Jefferson Democratic Club of Colorado takes pride and pleasure in indorsing the Smith-Towner bill (House bill No. 7, by Congressman TOWNER) introduced by you and Congressman HORACE MANN TOWNER, respectively.

This club is a State-wide organization and has been in existence over 20 years, doing effective organization and political work. Its membership is composed of many of the leading women of Colorado, State and county officials, club leaders, mothers' congress officers, educational leaders—in fact, all women eminent in all walks of life, as well as the great voting rank and file, who, after all, in a democracy, are those who count.

This club believes that the passage of this bill is essential to the best type of after-the-war educational reconstruction, and it congratulates you and Congressman TOWNER on assuming responsibility for this piece of great constructive legislation.

Trusting that the measure may be enacted into law before the adjournment of the special session of the Sixty-sixth Congress, I am,

Very sincerely,

ANNIE PARKER HYDER (Mrs. J. B.),
Acting Secretary of the Jane Jefferson Democratic Club.

Mr. SMITH of Georgia. Mr. President, the New Jersey State Federation of Women's Clubs has indorsed the bill.

I request to print, without reading, their letter.

The PRESIDENT pro tempore. Without objection, leave is granted.

The letter referred to is as follows:

NEW JERSEY STATE FEDERATION OF WOMEN'S CLUBS,
DEPARTMENT OF LEGISLATION,
June 26, 1919.

To the Hon. HOKE SMITH,
Senator from Georgia, Washington, D. C.

SIR: I am instructed, as representative of the State Federation of Women's Clubs, composed of 200 organizations, aggregating 22,000 women of this State, to write you indorsing H. R. 7, known as the "Smith-Towner bill." We feel that the need for a system such as outlined in the bill is great, and we believe that this need has been capably met in this proposed legislation. We respectfully ask, therefore, that you act favorably on this measure.

Very truly, yours.

JESSIE BUCHANAN,
Secretary.

Mr. SMITH of Georgia. The New York Section of the Council of Jewish Women has indorsed the bill.

The letter referred to is as follows:

NEW YORK SECTION OF THE COUNCIL OF JEWISH WOMEN,
New York, July 15, 1919.

Hon. HOKE SMITH,
Senate Chamber, Washington, D. C.

MY DEAR MR. SENATOR: I have to-day written to the Hon. WILLIAM S. KENYON, chairman of the Committee on Education and Labor; Hon. WILLIAM M. CALDER and Hon. JAMES W. WADSWORTH, Jr., urging them to do everything they can to support your national education bill, as follows:

"The New York Section of the Council of Jewish Women, comprising over 3,500 members, heartily indorses the national education bill introduced by Senator HOKE SMITH, and respectfully urges you to do everything you can to secure its passage.

"This bill provides for a Federal department of education to aid the States in the work of abolishing adult illiteracy, of carrying through an effective Americanization program, of providing physical education and health service for school children and adults, of securing better teacher training and compensation, of assuring standardization of educational facilities throughout the country. This bill is the most far-reaching national education bill ever proposed, and its passage would result in great benefits to our country."

Very truly, yours,

TISSIE T. LEHMAN
(Mrs. Irving Lehman),
Chairman Committee on Legislation.

Mr. SMITH of Georgia. The League of Foreign-Born Citizens has indorsed the bill.

The resolutions referred to are as follows:

"Whereas there is now pending before the Congress of the United States a bill known as the Smith-Towner bill creating a department of education, with a secretary in the President's Cabinet and authorizing an appropriation of $100,000,000 to encourage the States in the furtherance of education; and

"Whereas the passing of said bill will promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; will provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship; and

"Whereas the grave menace of illiteracy and of the nonassimilation of the foreign born was made strikingly manifest during the war; and

"Whereas no problem of reconstruction more intimately concerns the development of a sound citizenship and a complete Americanism amongst the peoples dwelling in our midst; and

"Whereas we believe that a great advance in solving the problem of illiteracy and building for a more complete Americanism will be accomplished through the wider use of the common language, English, as provided for in the proposed law: Therefore be it

"*Resolved*, That the League of Foreign Born Citizens, numbering many thousands of peoples of different nationalities united in love and loyalty to America and to its institutions, does hereby indorse and urge the passage of the Smith-Towner bill; and be it further

"*Resolved*, That a copy of these resolutions be sent to the members of the committees of the United States Senate and House of Representatives, and to the Senators and Representatives from the State of New York; and be it further

"*Resolved*, That the chairman of the committee on legislation, or some other member to be designated by the president, be present in Washington at any date or dates that may be fixed for public hearings on said bill."

Dated New York, July 17, 1919.

LEAGUE OF FOREIGN BORN CITIZENS,
By NATHANIEL PHILLIPS, *President.*
By CHAS. HENRY LEE,
Administrative Secretary.

Mr. SMITH of Georgia. Mr. President, the education department of the General Federation of Women's Clubs has indorsed the bill.

To members of the General Federation:

America's women have always championed public education. We now have an opportunity unprecedented in the history of our country to do effective service in support of this great cause.

There is before Congress a bill, introduced as House bill 7, by Congressman HORACE MANN TOWNER, of Iowa, and as Senate bill 1017, by Senator HOKE SMITH, of Georgia, which is the most important educational measure ever proposed in the United States.

This bill provides for the establishment of a Federal department of education, with a secretary of education in the President's Cabinet, and for an annual appropriation of $100,000,000 with which to aid the States in stamping out illiteracy, in Americanization, in the equalization of educational opportunity, and the improvement of rural schools, in the promotion of health education and recreation, and in raising the standards of teacher training and compensation.

The measure is as nearly perfect as it is possible to prepare, and has the enthusiastic support of the General Federation of Women's Clubs; of the National Education Association; of the American Federation of Labor; of the American Federation of Teachers; and of the Mothers' Congress and Parent-Teachers' Association.

Thoroughly democratic, and absolutely necessary, unless we are to lose the fruits of our victory over aristocracy and absolutism, this measure has unlimited potentialities for good, and must not be allowed to fail. Its passage will mean more to the cause of education in the United States than any law ever enacted by Congress.

Cordially, yours,

THE EDUCATION DEPARTMENT.

Mr. KING. Mr. President, I should not detain the Senate but for a statement made by the Senator from Georgia [Mr. SMITH], which I construed as a criticism of the Catholic Church. I do not belong to that religious organization, but I believe its members, in their opposition to the measure discussed by the Senator, are inspired by different motives than those with which they are credited by the able Senator from Georgia; or, perhaps, I should say additional motives.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Georgia?

Mr. KING. I yield.

Mr. SMITH of Georgia. I did not credit them with any motive. I gave the grounds upon which they were criticizing the bill, and I showed that the bill did not contain the provisions that were found in the criticism. I attributed no motives to them, but I said they had been misled as to the real terms of the bill.

Mr. KING. Mr. President, I may have misinterpreted the remarks of the Senator and of course I accept his statement as to the meaning he sought to convey. But what I desire to state is this: Within the Catholic Church are millions who believe in local self-government, and the splendid individualism which Christianity inspires. They see in legislation which strikes at the roots of personal liberty and individual responsibility and the rights of the sovereign States a menace to our Government and its institutions. In my opinion the opposition of the Catholic Church rests largely upon ground which ought to appeal to all patriotic Americans, namely, that this bill is in line with policies and influences which are at work in the land to weaken individual initiative and character, the spirit of independence, and personal responsibility, the desire and the capacity for local self-government, and to reduce the States to feeble and helpless subdivisions of a powerful, paternalistic government, whose authority is to be supreme in local as well as in national concerns. I believe that many members of this church fear the efforts to standardize the lives and thoughts of the people as well as the social, political, and economic conditions in the land. They fear as many others fear the evils of this design to secure uniformity in education and in all things possessing social value. The Procrustean bed is as deadly and destructive in education and progress as it is in its physical application.

Mr. SMITH of Georgia. Will the Senator call attention to any provision in the bill to that effect; and will he not read the provision which expressly declares that that shall not be done?

Mr. KING. Mr. President, the able Senator knows that the centripetal forces operating in this Republic—and this bill is one of the manifestations of such forces—tend to bring about a standard of uniformity in the lives, in the thoughts, in the customs, in the habits, and in the views of the people of the United States, and that standard of uniformity is to be determined in Washington by the forces of bureaucracy and not by the people themselves, or as the result of evolutionary forces operating in the local communities and States.

Mr. President, I fear that the doctrine taught by my distinguished friend is not democracy; it is not even Hamiltonianism. In my opinion, Mr. Hamilton would have repudiated some of the policies now advocated by Democrats because of their clear invasion of personal rights and the prerogatives of the States. While Hamilton believed in a strong National Government, he clearly distinguished between national concerns and questions of a domestic and local character. He strongly contended for the rights of the States, and said before the New York constitutional convention that the State governments are essentially necessary to the form and spirit of the general system.

Jefferson declared that the States must be preserved, and his first inaugural address has been the chart and compass by which our course has been determined. The Democratic Party has been the militant champion of democracy, the defender of personal liberty, and the protector of the States against the consolidating forces which have threatened this Republic. It has been the interpreter of the Constitution, and the foe of the centralizing and socialistic currents which have sought to engulf the States and submerge the spirit of local self-government.

The contest at the period of the Civil War was to preserve the Union against what might be denominated decentralizing tendencies, but the struggle now is to save the States from the centralizing forces operating through the Federal Government.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. GOODING in the chair). Does the Senator from Utah yield to the Senator from North Carolina?

Mr. KING. I yield.

Mr. SIMMONS. Does not the Senator think that this particular bill, making this appropriation, goes very much further than any other bill we have passed making general appropriations to be distributed among the States, to safeguard the control and the regulation of the expenditure of that money by the States?

Mr. KING. Mr. President, I agree with the Senator.

Mr. SIMMONS. It specifically, in direct terms, provides against any interference by the National Government with the administration of the funds by the States.

Mr. KING. I assent in general to what the Senator has said.

Mr. THOMAS. Is it not, however, the entrance of the camel's head into the tent, to be followed inevitably by his whole body?

Mr. KING. The Senator from North Carolina knows that if we establish this Federal agency to aid in education, those safeguards in time will be thrown off and there will be established in Washington an autocratic power that will standardize and bureaucratize and reduce to a dead-level of uniformity the educational system of the States of the Union. Not only that; it will not be content with standardizing education, of securing uniformity in educational activities, but it will standardize the

thoughts of the people, and if the people of the Senator's State are not in harmony with the Federal system of thought, then they will be denied appropriations, or pressure will be brought by the Federal Government to compel the people of the State to renounce views which are regarded as heretical. We are to have an orthodox educational system and a cellular uniformity in the social and political structure. Germany standardized everything; her philosophy finally produced uniformity and pernicious policies.

A paternalistic government can not survive when individuality and freedom abound. A bureaucratic government is impossible without uniformity in administrative as well as in the substantive matters. We standardize our public buildings, our ships, our Federal policies, and shall we do as Prussia did? The German Confederation destroyed the power and vitality of the German States; but it built up a military autocracy that sought to crush the world.

The progress of the world comes from heterogeneity, rather than from homogeneity. What is needed is not protoplasmic masses, but active contesting units. The civilizing force of Christianity is found in the doctrine that each individual holds his destiny in his own hands. He is saved not in groups but individually, as a result of his own efforts and the purity and righteousness of his own life. Uniformity, like consistency, is the vital thing to little minds. It is likewise a stumbling block to progress.

Mr. President, we need variety in life, differences in the thoughts and activities of different sections. I want the Senator's State to engage in rivalry with my State, and I want to see my State struggling for primacy in the intellectual and educational fields of our country. But the Senator by his policy, and that is the policy of so many men in the country, wants the power of the Federal Government exerted in the States to control and influence their domestic affairs. The crusade is now on to have the Federal Government control the States, build their highways, care for the public health, educate the people, and take over the police powers reserved by the people to the States. This will secure uniformity; but it will likewise destroy this Republic.

Mr. SMITH of Georgia. Mr. President, the Senator stated that I desired uniformity, and yet, if he will look at the bill, he will see that it contains the following proviso:

Provided, That courses of study, plans, and methods for carrying out the purposes and provisions of this act within a State shall be determined by the State and local educational authorities of such State, and that this act shall not be construed to require uniformity of courses of study, plans, and methods in the several States in order to secure the benefits herein provided.

The Senator may say that he fears uniformity, but he should not say that I desire uniformity when in such express language in the bill I have declared that the bill shall not create it.

Mr. KING. The Senator may interpret the bill as he desires, and defend it as eloquently as he does, but he knows that federalism, and that is what his bill stands for, means uniformity and a subservience of State authority and a decadence of local power and the spirit which makes for independence and growth.

When we create a Federal agency as powerful as this will develop to be, the end will be inevitable, and it will be as I have indicated. Of course, this bill is only one of a series which in the aggregate will result in the evils of which I am speaking. This bill is but symptomatic of a disease which is affecting the body politic.

Mr. SMITH of Georgia. I do not know it, but that is not what I object to. The Senator said that I desire uniformity. The language used by the Senator was that I desire uniformity. The Senator is mistaken, and I call his attention to the provisions of the bill which prevent uniformity.

Mr. KING. The Senator, I repeat, desires it because the Senator, as a highly intelligent man, must know from the lessons of history and from the operations of Federal agencies, that if the bill functions at all it will eventually produce uniformity.

Mr. SMITH of Georgia. I know nothing of the sort. I do not desire uniformity, and if I believed what the Senator believes I would not vote for the bill.

Mr. KING. I have been diverted from what I was about to say respecting the Catholic Church. I stated, when I was interrupted by the Senator, that in my opinion the opposition from the Catholic Church—and the Senator said that the Catholic Church in America is opposing it.

Mr. SMITH of Georgia. No; I did not say the Catholic Church. I said there were organizations of Catholics that were opposing it.

Mr. KING. I accept the qualification.

Mr. SMITH of Georgia. I would like the Senator to quote me correctly when he quotes me.

Mr. KING. I desire to quote the Senator correctly. He said that there are organizations in the Catholic Church that are opposed to the bill.

Mr. SIMMONS. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. SIMMONS. The Senator having restored peace between himself and the Senator from Georgia, I should like, myself, to get back into the good graces of the Senator.

Mr. KING. The Senator is always in my good graces.

Mr. SIMMONS. I want to say to the Senator that in asking the question a little while ago I did not mean at all to reflect upon his ardent championship of State rights. I meant, on the contrary, to suggest to the Senator that so far as I understood the bill—I do not claim to understand it thoroughly—it seems to me that it is one of the first bills of this character that was drawn by some one who was a State rights man, because it so carefully and so minutely and in such great detail guards the rights of States and tries to avoid anything like centralization. I wanted to put that thought in the Senator's mind with a view of suggesting that the particular measure did not seem to come in the category of bills which he has heretofore denounced as interfering with the rights of States.

Mr. KING. I have not time, and it was not my intention when I rose, to examine the bill in its details and differentiate it from other legislation which I regard as destructive of the rights of the States and the rights of communities, and destructive of that individualism, that spirit of personal independence, which lies at the basis of free institutions and which must persist if the Republic endures. The bill is more dangerous than some of those that bear more strikingly upon their countenances the determination to destroy State lines, because it is so seductive and alluring. It burglarizes while it professes friendship and to be the bearer of beneficent gifts. It steals into the States under the guise of an angel of mercy and of light for the purpose of striking down the individuality and personal independence of the inhabitants of the States and ultimately strangling the spirit of community life and of State rights.

I am not contending for the assertion of State rights that would dismember the Republic, but I am contending for the preservation of the States so that the Republic may be preserved. The Supreme Court of the U. S. has said over and over again that the Union can not be preserved unless we preserve the States. Anyone who is familiar with the legislation of Congress during the past 15 or 20 years must have reached the conclusion that there is a persistent effort to minimize the States and aggrandize the Federal Government, to debauch the people, to enervate them, to destroy their love of local self-government, their pride in their own States and in their achievements.

It must be apparent to all that the movements for Federal participation in the domestic affairs of the States can have but one end, the submergence of the States, and the current carrying them will consolidate all authority in a centralized government functioning in Washington.

I shall now try to complete the sentence I have started several times about the Catholic Church, but I have been so interrupted that it has not been completed: The opposition of some of the Catholic organizations, to quote the Senator from Georgia, in my opinion, does not rest alone upon the ground suggested by the Senator, but is placed upon the ground that they believe in the rights of the States. They can see what the result will be of these constant assertions of authority by the Federal Government to speak to the States, to go into the States, to engage in the activities of the States, and to contribute to the performance of the duties and the responsibilities of the States.

Many of the representatives of the Catholic Church have lifted their voices in behalf of democracy. Their great prelate, Cardinal Gibbons, has been a tower of strength in this great Republic in behalf of democratic institutions and of free thought and of individual development and of the maintenance of the rights of the States. And his voice has not been as a politician, but as a patriotic American, who loves his country and desires its welfare.

Mr. President, this is a seductive and deceiving measure. It affects to make contributions to the States for educational purposes, leaving to them the right to determine how the money shall be expended. My good friend the Senator from Georgia expatiates upon the illiteracy in the United States and makes an eloquent plea for the wiping out of illiteracy. We can not disagree upon the question of the evils of illiteracy; our differences relate to the methods of promoting education. The State which I have the honor in part to represent places a tax upon every individual in the State of $70 per annum for education. I should not object to a tax of $100 upon every individual if that

were necessary; but my position is that the question of education is one for the States themselves to determine. They will solve this question and will carry on educational work more effectively than can the Federal Government. It is their duty and they will not shirk it.

Mr. President, there is too little regard for the fundamental rights of the States, and a disregard of those rights menaces the Republic.

There are those who believe that the eighteenth and nineteenth amendments vitally affected the integrity of the Nation. There was a time when the States possessed that pride which would have led them to resist these attempts to influence their local affairs and to refuse the benefactions which come from the Treasury of the United States.

I ask my friend from Georgia and my other Democratic friends upon this side of the Chamber, What has become of the democracy of the Democratic Party? What has become of the love for the principles of Jefferson and Jackson and the fathers of the Democratic Party? They recognized in the sovereign States nations competent to manage their own affairs.

Mr. Jefferson said this was a Republic composed of republics. We are trying now to destroy the very foundations of the Government, namely, the Republics, the 48 States, which are nations, to deprive them of their sovereign powers and to superimpose upon them an all-powerful, dominating, pervasive Federal Government which will enter into their lives and control their education and their thoughts.

Speaking for myself, I do not want men in Washington to come into my State to tell us what educational system we shall adopt. That is our business and not the business of Federal officials. I do not want the Government in Washington to say to my State, "If you will put up $100,000 a year for educational purposes, we will match it," or "If you will put up $10,000 a year to teach the blind, we will match it by $10,000 from the Federal Treasury."

Mr. President, such appropriations as that carried on from year to year in the end will do what? They will atrophy the States. The States will say in time, "If we can get a hundred thousand dollars from the Federal Treasury for education, why not get two hundred thousand dollars? Why not have the Federal Government pay all and take over the educational system?" Can it not be seen that we are undermining the morality of the States and destroying the moral fiber of the people and overthrowing local self-government?

I have received petitions asking the Federal Government to take over the highways in the States. I received a letter in which the writer said, "There have been spent so many thousands of dollars in Utah on roads by the Federal Government, and the State has had to pay its share. Why not have the Federal Government do it all? We would then have only one overhead; the personnel would be limited and there would be economy in having but one system instead of a divided responsibility."

It will be found that within a very few years the same condition will prevail as to the Public Health Service. We are appropriating tens of millions of dollars for the Public Health Service. Its officials are going into the States and intruding into the activities of health organizations therein. They are endeavoring by the exercise of their persuasive powers to have the States match the Federal appropriations. In two of the Western States a representative of the Public Health Service has recently been working with the legislatures or State officials to induce them to make appropriations to match appropriations made by Congress; the movement goes on.

We find reformers, hysterical individuals, and faddists besieging Senators and Representatives for appropriations for purely State purposes, urging plans that will call for like amounts from the States. This is calculated in the end to cripple the States, to rob them of their independence and of their capacity for self-government.

I make the prediction that the bill of the Senator from Georgia, if it shall pass, will have this effect: The Senator from Georgia may not live long enough and I may not live long enough to verify the prophecy, and therefore I am safe, perhaps, in making it; but judging human nature as we know human nature, and judging the future by the past—and that is the only safe guide, the only lamp by which we may safely walk in the perilous steps and paths of life—judging the future by the past, the bill of the Senator from Georgia will ultimately mean that the States will cease to function along educational lines and they will leave the matter of education entirely to the Federal Government.

That result will follow just as surely as the night follows the day. If some State with limited resources—and the Senator alluded to some that were not rich—can get appropriations from the Government for their educational systems, more and more will they plead poverty and demand Federal contributions; more and more those men who are in favor of a uniform system of education will insist upon the Federal Government extending its appropriations and its activities, until finally the plan of matching appropriations by the Federal Government will culminate in the assumption by the Federal Government of control of the entire educational system of the States. So patriotic Catholics and patriotic Protestants ought to be alive to the danger of this bill and to the insidious propaganda which is being carried on in its behalf.

Mr. SIMMONS. Mr. President, the Senator has made it very clear that the ground of his opposition to this measure is his apprehension that it will interfere with the rights of the States and lead to a concentration of power in the Federal Government, which he thinks is undesirable.

Mr. KING. My opposition goes a little further than that.

Mr. SIMMONS. I will ask the Senator to let me finish the statement. The Senator made the same objection to quite a number of similar measures which have been presented to the Congress and discussed upon the floor of the Senate. The Senator is consistent; he opposes this measure as he opposed the other measures, the public-health scheme and the good-roads scheme, all upon the ground that he apprehends the result will be an invasion of States rights; but is the Senator supported in his position that the Catholic Church is opposing this particular measure upon the same ground that the Senator is opposing it?

Is not the Senator mistaken in that assumption, and is not the fact that the Catholic Church, while opposing this measure, as the Senator opposes it, is not opposing the other measures to which I have referred? Has the Catholic Church offered any opposition to the great appropriations, one of which has just been voted by the other House and will be voted here, for good roads or to similar appropriations that have heretofore been made? Have they offered any opposition to the appropriations to which the Senator just referred with respect to our health regulations and laws?

Have they offered the same organized opposition, if it is organized—and I understood the Senator from Georgia to intimate that it is—to the other bills that will tend, if this bill tends, to invade State rights, and will tend to invade them to a much greater extent than this bill, because in them the rights in the States are not safeguarded to the extent and the degree that they are in this bill?

The question I mean to ask the Senator is, Is he not mistaken in assuming that because he opposes this measure for the reason of its supposed interference with States rights the Catholic Church is opposing it for the same reason, in view of the fact that the Catholic Church has not offered this kind of opposition or any opposition, so far as I know, to other measures of similar import?

Mr. KING. In the first place, Mr. President, let me correct the Senator. I have not taken the position that the Federal Government in the exercise of its constitutional powers may not appropriate money for public-health purposes. There are certain national duties and responsibilities in regard to the public health placed upon the Federal Government, and with respect to the assertion of those powers which it clearly possesses I have not complained. What I referred to in regard to the Public Health Service was that it was not content with the assertion of legitimate power, but it was going into the States and attempting to take over the activities which belong to the States themselves. Its officials purpose entering the Senator's State and other States and examining the children, looking after the health of the people, and passing upon the sanitary conditions of the schools and rural communities. The Senator will admit that this work belongs to the States under our theory of government and does not come within the purview of the Federal Government.

Mr. SIMMONS. I am not complaining of that; the Senator and myself would not disagree very much along those lines.

Mr. KING. I think not.

Mr. SIMMONS. The point I am making is——

Mr. KING. I will come to that in a moment if the Senator will pardon me.

Mr. SIMMONS. The point I am making is that the Catholic Church is not objecting to that and is not objecting to any other measure of like character, and therefore I think the Senator is probably wrong in ascribing their objection to this measure to the ground upon which he objects to it.

Mr. KING. Furthermore, Mr. President—I have answered, now, the question of public health—the Senator puts me in the category of denying the authority of the Federal Government to do anything with respect to highways. I do not take that po-

sition at all. I recognize that under the Constitution the Federal Government has the power to provide for military and post roads, and I admit that it may lawfully assert the power to construct post roads; but what I have objected to is the attempt by the Federal Government, under the guise of post roads, to take over the entire highway system of the States; and the people, seduced by the activities of the Federal Government with respect to highways, are now in many sections demanding that the Federal Government take over the construction of all highways. I called attention to that more by way of analogy, to show what the result would be if the Senator's bill became a law—that what might be justified under the Constitution in the end will be used as a pretext to oust the States of control from matters which belong to them, and to place upon the Federal Government responsibilities which rest upon the States.

Now, I come to the suggestion made by the Senator from North Carolina. He seems to challenge my right to speak for the Catholic Church. I do not deny his challenge. I do not belong to that great organization that builds for the future and that has a profound philosophy in its creed, and system in its organization, and has dreams as to its future spiritual and moral power in the world that command even the admiration of those who oppose it. The Senator from Georgia spoke of the Catholic organizations which are opposing this bill and attempted to interpret their opposition as resting only, if I understood him correctly, upon what he alleged to be their misconception of the power of this bill to control absolutely and in a plenary way the educational system. I proceeded to state that I did not think the position of the Senator from Georgia was quite accurate; that in addition to those reasons for their opposition to the bill, in my opinion they were opposing it upon the further ground that it was an invasion of the rights of individuals and the States; and I alluded to the fact that Cardinal Gibbons had repeatedly lifted his voice in this Republic in behalf of democracy and personal liberty and the maintenance of the right of local self-government. His position, and that of other Catholics, if I understand them, is that they are not in harmony with any scheme which would weaken the States, affect the rights of the people, or increase the authority of the General Government beyond constitutional limitations.

Mr. SMITH of Georgia. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. GOODING in the chair). Does the Senator from Utah yield to the Senator from Georgia?

Mr. KING. I yield.

Mr. SMITH of Georgia. I desire to call the attention of the Senator to the fact that the Benedictine Education Association is one of the educational associations of high standing in the Catholic Church, and it criticized this bill upon the ground that it would create a uniform system and that the bill took away from the States the right to manage their public schools; and it used this language:

> Federal cooperation with our free and self-controlled educational activities we recognize and welcome as an ally of educational freedom.

Again, the Bureau of Education of the National Catholic Welfare Council recently issued an address, using this language:

> The Bureau of Education of the National Catholic Welfare Council believes in public education and the public-school system. It will be ready to cooperate in all desirable movements for the improvement of public schools, provided such movements will not curtail the rights of the people to maintain and patronize private and parochial schools. It will stand upon the platform that it is the duty of every American citizen to contribute to the support of public schools, but it is his right to send his children to any type of school he may wish, provided such school is truly American in its teachings.

From these publications, in which they declared that they would welcome Federal cooperation and Federal aid, but they wanted to retain for the parent the right to send his child wherever he saw fit, I simply inferred that they were misled about this bill.

Mr. KING. Mr. President, of course, I can not and do not speak for the Catholics or Catholic organizations. I have no doubt that there are some members of the Catholic Church that are impregnated with this new federalism, this new-fangled idea that the Federal Government should run everything, and they perhaps would welcome the appropriations by Congress for purely State purposes; but I will not modify the statement which I made a moment ago, that in my opinion a large proportion of the members of the Catholic Church have such a high regard for our form of Government and the perpetuity of democratic institutions, and believe so strongly that the Republic can only be preserved if we preserve the right of local self-government, that they will rest their opposition to this bill upon broader grounds than those which the Senator has presented for our consideration.

I repeat that this measure, which upon its face seems to be in the interest of education, will in the end be injurious to the cause of education. I would rather have a free people, an independent people, who believe in themselves and in their own high destinies, than to have a great imperial government functioning in Washington or elsewhere, and that controls the lives and thoughts and activities of the American people.

Mr. President, the Senator from North Carolina has alluded to roads and to the public health. Does he not distinguish between the power of the Federal Government to build post roads, and to prescribe certain regulations respecting interstate commerce under which quarantine regulations may legitimately be provided by the Federal Government, and the power or right or duty of the Federal Government to enter the States and assume control of the education of the States? What is there that determines the growth, the prosperity, the progress of a people? What is it that is going to shape the future of this Republic? The education of the people.

If we permit the bureaucratization of education, if we permit a centralized agency here to determine how we shall think, to determine the schoolbooks which we shall have, to determine the mode of thought of the people, to arrange the fountains of inspiration, and to guide the lives of individuals and of children—if we do that, then, Mr. President, it is manifest that we are destroying the foundations of the Republic.

I deny the power and the authority of the Federal Government to tax the people of Utah or of Massachusetts to educate the people of Texas. The Senator from Georgia spoke about the general welfare. We hear a great deal about the general welfare or the public welfare. That is the old doctrine of Hamilton carried to the "nth" degree—the public welfare. Whenever legislation is projected which can not find any constitutional foundation upon which to rest, some men arise and say it is for the general welfare, and that under the general-welfare clause of the Constitution of the United States we may do these things.

Of course, I do not need to talk to lawyers about what the general-welfare clause is and what the limitations are with respect to the powers of the Federal Government. The Federal Government is the creature of the States. The States reserved to themselves the right to govern themselves, to determine their own internal and police affairs, and one of the highest responsibilities and functions of a State is to provide a system of education. I deny the right of the Federal Government to tax the people of New York to educate the people of my State, and I deny the right of Congress to take money out of the Treasury of the United States and to disburse it throughout the United States for purely local purposes.

I know that it will be said these views are obsolete. Senators have said to me upon a number of occasions when I have been pleading for the rights of the States that such views would have been sound a few years ago, but that they have been outgrown. The contention is that this is a progressive age, and progress is to be measured by our departure from fundamentals. There are some things that never grow old. Age does not sanctify error or transform a violation of the Constitution into a right. The Constitution is the Constitution now, as it was when it came from the hands of the fathers. It should be as sacred now as in the past; and those who are sworn to defend it ought to be the first to resist encroachments or measures that invade the States.

I did not rise for the purpose of discussing the measure so ardently championed by the Senator from Georgia, but merely for the purpose of putting into the RECORD what I believed to be an additional reason for the opposition of the Catholic organizations referred to by the Senator from Georgia to the bill which he seeks to have enacted, but the various questions propounded have lead to wide discussion. The Senator from Wyoming is anxious to proceed with the consideration of the appropriation bill which is now before the Senate, and I feel it would be improper to trespass at any length upon his time. At some opportune time I shall discuss the Smith-Towner bill, analyzing its provisions and pointing out what I conceive to be some fundamental objections thereto.

However, before resuming my seat I desire to submit a few general observations more or less germane to it.

I have always been deeply interested in education and have encouraged in every possible way the development of the educational system of the State in which I live. I appreciate the importance of education and realize that the progress of the world is measured by the educational advancement of the people. Of course, I comprehend in the word education more than mere intellectual development or scientific knowledge. I use the term in a broader sense and include all of those influences and factors—intellectual, scientific, moral, ethical, religious, and spiritual—which operate so powerfully for individual and mass progress and welfare. I am not in disagreement with the Sena-

tor from Georgia concerning the evils of illiteracy, and regret that it exists to the extent we are told that it does.

We must not forget the fact that this is a young Nation and that the progress and development of the American people has been phenomenal. The world does not record a more wonderful development than that which has come to this Republic, and its primacy in the world to-day is the result of those principles of individualism and the desire for local self-government which have so powerfully manifested themselves in this Republic. Our growth has not been a mass growth, but it has resulted from individual growth. My opposition to centralizing policies and legislation which drives individuality from people and the spirit of local independence out of communities is based upon what I regard as impregnable ground, viz, that the triumph of that policy in the end devitalizes individuals, destroys communities and States, and neutralizes those very forces which make for education and progress and for the preservation of liberty. There is something in life more important than mere scholarship or intellectualism.

Perhaps the Greeks in the days of Pericles were superior to any community in the world to-day, so far as pure intellectualism is concerned; and the schoolmen in the Middle Ages were intellectually superior to bodies of our learned men to-day; but the learning and philosophy and the keen intellectual processes of those periods did not save the state or preserve the independence of the people. There are fountains of growth and progress not found in schoolrooms and in books. Intellectuals in our own and other lands are often perverts, mentally and otherwise. Mere book learning never saved and never will save a nation or a people. There are needed in the arid lives of individuals and nations those ethical and spiritual forces which contribute most to those things in life which are noble and beautiful and worthy of perpetuation.

The most potent forces operating in the world to-day for man's progress and advancement are those which we denominate ethical and which produce righteousness and love and charity and mercy and a consuming desire for the triumph of justice.

What some people regard as education is a broad negation of all that is best and most enduring in life and leads to a gross materialism which in the end would destroy civilization. The wealth and the power and the gaudy military trappings of the Roman Empire, though she produced a Cicero, an Ovid, a Tacitus, a Juvenal, and a Horace, did not save her from destruction when the spirit of individualism was destroyed, and the love of local self-government and independence was lost, and the moral and ethical forces which are the propelling and dynamic power in the world were driven from the hearts of the people.

I agree with Senators, we want education—a broad, comprehensive, rational system of education; not one that destroys more than it builds or extirpates virtues and essential qualities, though perhaps less conspicuous, in order to contribute something perhaps more attractive but which is superficial and vitiating.

What is needed in our Nation to-day is character and courage and self-reliance and the spirit of independence and an indestructible love of liberty. But much of our teachings and political talk and action are directed toward destroying the spirit of self-reliance and those rugged, sterling qualities which are found in nation builders—in communities which carry the light of civilization and the standards of moral and spiritual progress.

The great contest now is to preserve the individual and to develop him, or, rather, to permit his development. This "uniformity" of which the Senator speaks is deadly, or will prove to be deadly in its operations. It is not uniformity that we want, but variation, dissimilarity, differentiation, individualism; we want persons rather than masses. The unit of society is the individual. The social organism, its strength, its capacity for service, for happiness, for progress, rests upon the individual units found therein.

I have heretofore pleaded for the rights of individuals, for individual growth, for governmental policies which would not strangle the growth and development and flowering of individuals. I want to see in every precinct and hamlet in this broad land all the qualities and forces which would constitute a progressive State. I have desired to see the development of those virtues and strong qualities which exist in boys and girls in all of the communities of our land, and not have them submerged by a mighty Federal force set in motion in Washington and preserved by Federal appropriations and Federal influences. I have believed in the people, in their capacity for self-government, in their ability to fashion their own destinies, in their competency to work out the problems—social, economic, and otherwise—that come to strong and virile communities.

The hand of the Federal Government deadens and finally crushes; extended as a gift bearer, it ends in becoming a chain riveter. It has always so proven. The liberties of people have been taken from them by centralized, powerful governments.

I repeat that the progress and education of the people depend upon the forces operating in local communities and the development of those individual virtues and characteristics which so richly endow the sons and daughters of our Commonwealths. I plead to-day, not alone for the rights of the States, but for the rights of individuals, and in pleading their cause I am an advocate of the cause of true education and of genuine progress. I grant that if millions are wrung from the people by taxation and garnered into the Federal Treasury and then disbursed among the people there would be some benefits; there would be a superficial growth, exotic plants would be produced, temporary improvements and advancements would be witnessed. I grant that for a limited period an excellent showing would be made and the picture presented would prove exceedingly attractive. But I am looking beyond that. I see what would follow. Individual initiative and the spirit of self-reliance would be dwarfed, those strong and vitalizing elements which found expression in the New England communities and which have manifested themselves in our local communities and in State life would be atrophied. Little by little the communities would look to the Federal Government for support for their schools and educational system, as well as for the support of local and domestic concerns. More and more the States as sovereign nations, functioning political organisms, would become debilitated and finally the absorptive process would be so complete that the Federal Government would take over the functions, responsibilities, duties, rights, authorities, and powers of the communities and of the States.

Senators speak of precedents. Many wrongs which have finally marked disaster have found precedent for their support. The thought of receiving large appropriations from the Federal Government for education within the States is so alluring that people give countenance to the movement, but often without considering what the consequences will be.

Mr. President, it would be impossible to stem the tide of Federal appropriations for the maintenance of schools within the States if the bill which the Senator from Georgia is supporting becomes a law. Irresistibly the Federal Government will draw to itself functions and powers and authorities now exercised by the States and which under our form of government belong exclusively to the States. There would be no stopping point. Guard this bill as you may, surround it with all the restrictions the Senators from Georgia and North Carolina mention, in the end those limitations will be whittled away and finally entirely removed, and the States, corrupted and enervated by these huge appropriations and by the propaganda which will sedulously be carried on by Federal officials who will have benefited by the administration of the measures, will demand appropriations sufficiently great to care for the entire educational system within their borders. And when that day comes, as it will, the school system will not be that devised by the people of the State, but it will be formulated by officials in Washington, by a bureaucracy, narrow, dogmatic, tyrannous, and oppressive, as all bureaucracies are. It will be inspired by the imperialistic ambition of the time, by the governmental point of view, by the atmosphere which centralized power always creates. Rules, regulations, edicts will be promulgated by it having the force of law, and their enforcement in all the States will produce that deadly and paralyzing uniformity to which I have referred.

Mr. President, back of this measure lurks the spirit which is hostile to personal independence, to local self-government, to the preservation of the States, and to the development of that condition of freedom which must persist if this Republic endures. I am opposed to this bill because I believe in education and desire to preserve the forces and spirit which will give to the people knowledge and a genuine system of education, and also because I wish to see preserved the integrity of the States, their sovereign powers, their fundamental rights, which must persist if this Government survives.

I am opposed to this bill because I believe in our form of government and regard this bill as an assault upon the rights of the States and upon the Constitution itself.

The American people realize the importance of education, and in every part of the land there is an irresistible movement in favor of education. We can not, of course, secure all of the advantages that flow from society in a day. As stated, the progress of this Republic has been remarkable. Every American should be proud of what has been done by the States of this Union. I ask Senators to look at the new commonwealths carved out of territory some of which was acquired as late as the treaty of Guadalupe-Hidalgo. The great desert wastes beyond the Mississippi Valley which Daniel Webster denounced as of

no value now possess mighty commonwealths. There the seats of learning are found, civilization flourishes, peace and prosperity abound, and millions of strong, progressive, Christian people are devoting themselves to the economic, social, and political problems with which they are confronted. They are solving these problems, and in their solution they are developing character, strength, manhood, and womanhood, and those virtues which come from God himself. Measures like this and similar ones operate as an injustice to this vigorous and mighty people. It is a declaration of their lack of competence to govern themselves and to discharge the high responsibility resting upon them as sovereigns in sovereign States.

Mr. President, in these Commonwealths, as well as in all parts of this Republic, schoolhouses are being built and improved plans formulated for educational development. The tree does not grow overnight, and it is not developed by binding around its trunk strips of wood though similar in structure or gathered in forests of other lands.

Mr. President, let the States alone. Let the people in happy rivalry discharge the duties of American citizens. Do not destroy State pride; rather let us cultivate it and encourage it. Already there is splendid and progressive rivalry between the States to see which can do the most for education, for public health, and for those enterprises and movements which are indicative of social progress. The records of some States are superior in one line, but not in all lines; but the success of one Commonwealth in any social or educational movement becomes an inspiration for all other States. The spirit of competition makes for progress and growth. Individuals compete, States compete, and we should not adopt a course that will emasculate or weaken the spirit of independence which should be the crown of glory of all Commonwealths in this Republic.

LINCOLN'S GETTYSBURG ADDRESS.

Mr. THOMAS. Mr. President, it is not my intention to take part in this discussion. I do not regard the present subject as one that is at all pertinent to the business now before the Senate; but I comfort myself with the reflection that whatever calamities may be in store for us at this session of Congress, the calamity of the enactment of the educational bill will not be one of them.

My purpose in rising is to direct the attention of the Senate to the fact that this is the anniversary of the birth of the greatest American, Abraham Lincoln, and that we should not permit our business affairs and our business discussions to interfere with our custom of reading into the RECORD the immortal declaration of the immortal Lincoln at Gettysburg. With the permission of the Chair, therefore, I will read that address:

"Four score and seven years ago our fathers brought forth upon this continent, a new Nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived, and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives, that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here, have, thus far, so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that, government of the people, by the people, for the people, shall not perish from the earth."

RELIEF OF DISTRESS ABROAD.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed in the RECORD:

To the Senate:

In further reference to Senate resolution No. 416, I transmit a report by the Secretary of State, inclosing additional information on the subject of "actual conditions and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies," as contained in copies of a telegram from the American commissioner at Constantinople dated February 2, and dispatches from the American ambassador at Paris, the American minister at Warsaw, and the American commissioner at Vienna, dated January 21, January 18, and January 17, respectively.

WOODROW WILSON.

THE WHITE HOUSE,
12 February, 1921.

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DEPARTMENT OF STATE,
Washington, February 10, 1921.

The PRESIDENT:

In further reference to Senate resolution No. 416, requesting the Secretary of State "to obtain at once, through the consular or other representatives of the United States in foreign lands, accurate information as to the actual conditions and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies, and transmit the same to the Senate at the earliest possible moment," the undersigned, the Secretary of State, has the honor to lay before the President with a view to its transmission to the Senate, if the President approve thereof, additional information concerning this matter as contained in copies of telegrams and dispatches inclosed herewith. These copies include a telegram from the American commissioner at Constantinople, dated February 2, and dispatches from the American ambassador at Paris, the American minister at Warsaw, and the American commissioner at Vienna, dated January 21, January 18, and January 17, respectively.

Respectfully submitted.

BAINBRIDGE COLBY.

(Inclosures: 4, as above.)

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[Telegram from American commissioner, Constantinople, Feb. 2, 1921.]

SECRETARY OF STATE,
Washington, D. C.:

(42. Feb. 2, 5 p. m. From high commissioner.)

Department's circular dispatch No. 8, January 7. The loss of man power as a result of the war in the former Ottoman Empire, Russia, Bulgaria, Rumania, and the Caucasus was equal to if not greater than losses in western Europe, where mortality was reduced by medical care. Furthermore, it was the able-bodied men especially who were attacked during Greek and Armenian deportations and massacres.

There has been a continual loss of able-bodied men since the armistice on account of prolonged fighting in Russia, the Caucasus, and Anatol between Tartars, Georgians, Armenians, Greeks, and Turks, and massacres have been perpetrated by all of these races. Besides all this, the French and British have had fighting almost constantly in Cilicia and Mesopotamia, respectively. This situation has resulted in the Near East in great numbers of widows and orphans of all nationalities. There are about 53,000 orphans, 9,000 of whom are in Constantinople alone.

On account of the disturbed political conditions, people are constantly being driven from their homes and are becoming refugees dependent upon charity. The transfer of Thrace by Greece resulted in the flight of 40,000 Bulgarians to Bulgaria; Russian refugees are constantly fleeing from the bolshevist, the last of three great evacuations bringing 130,000 people to Constantinople, where 70,000 had already arrived. It is estimated that at least 250,000 Armenian refugees fled from Turkey at the time of the armistice, a majority of whom were women and children. This number has undoubtedly not decreased, and, besides, there are at present thousands of Tartars and Kurds who are refugees. Armenians repatriated since the armistice to Syria and Cilicia have again become refugees and are congregated in the larger towns and cities, while many Turks have also fled and become refugees. The occupation of Asia Minor by the Greeks drove thousands of Turks into exile and also produced several thousand Greek refugees. The destruction of Aidin rendered 30,000 Turks and 10,000 Greeks homeless, and in the region of Ismidt Greek and Armenian refugees increased by about 15,000. The Turkish villages are all deserted.

It is not possible to secure accurate figures or information on account of the absence of any real government in the Ottoman Empire, Russia, and the Caucasus. In view of the above situation it is evident that with the establishment of peace there will be pressing and legitimate need of American charity. American institutions carrying on relief work in Constantinople are the Near East Relief, a unit of the American Red Cross, the Constantinople Chapter of the American Red Cross, the Men-

onite Relief Committee, the Russian Children Refugees Relief. The Y. M. C. A., Y. W. C. A., and American Board of Foreign Missions, although not relief organizations, have, on account of pressing conditions undertaken relief work. Partial statistics show that the above institutions, collectively, expended approximately $10,000,000 in the Near East during 1920. Generally the work was well done, but there has been a tendency to overlap, thus producing a lack of economic administration. The Turkish Government relief work among Turks is well organized and administered, but on account of present disorganized government the revenues are failing, and the work is beginning to suffer.

The Greek and Armenian charities are under the direction of their respective patriarchs. In many instances these organizations are aided by American funds.

Other foreign relief organizations are Russian, Swiss, French, and English, of which the most important is what is known as the English Lord Mayor Fund.

It is my conviction that in order to promote efficiency and economy an association of American relief organizations in the Near East should be formed so that the work may be administered by one head and thus avoid misunderstandings and overlapping of effort. Such an arrangement would undoubtedly stimulate American contributions. I urgently recommend a prompt formation of such an organization along business lines.

BRISTOL.

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(No. 688.)

WARSAW, *January 18, 1921.*

The honorable the SECRETARY OF STATE,
Washington.

SIR: I have the honor to acknowledge receipt of the department's telegraphic circular of January 7, 7 p. m., instructing me to forward a statement as accurate, full, and impartial as is possible of conditions in Poland; what well-authenticated calls there may be on American charity; how efficiently and economically, in my opinion, the funds now received in Poland are being administered, and what steps are being taken by the Polish Government and local relief organizations to meet the need.

For the sake of convenience, I purpose to divide my statement of conditions in Poland into five subheadings:

1. Crops;
2. Importation and distribution of food;
3. Currency and prices;
4. Public health; and
5. Employment.

1. Any consideration of the food situation in Poland must be based on the knowledge that normally the territory now comprised in Poland grows enough food for its own consumption, and prior to the war was even to some extent a food-exporting region. During the war production fell off to a large extent for several reasons:

a. The direct ravages of war. While Prussian Poland was never fought over, the tide of war flowed back and forth across Congress Poland three times, and in Galicia the Austro-German battle line was fluctuating almost constantly throughout four years.

b. The policy of the Russians during the retreat of 1915 of evacuating the population so as to leave a virtual desert for the advancing Germans. This was most marked in the eastern districts of Poland, and in places hundreds of square miles have lain fallow for five years owing to lack of population to till the soil. Little by little the peasants are making their way back to their fields, but often find dense young forests growing on what was once highly cultivated land.

c. The destruction of agricultural machinery and the requisition of horses by the hostile armies.

d. Perhaps the most important of all, lack of fertilizers, which, being almost wholly of foreign origin, could not be imported.

The crop for the year 1919 was, as judged by war standards, not prewar standards, fair for the acreage planted, but was insufficient to feed the population. Accordingly 250,000 tons of grain were imported from America, which sufficed to stave off actual famine until the crop of 1920. In the spring of last year Poland had reason to believe that she would again be self-supporting in view of the greatly increased acreage planted in the eastern regions. This hope, however, was shattered by:

a. Exceptionally unfavorable weather which reduced the yield of rye, the principal grain, from 16 bushels per acre in 1919 to 10 bushels per acre in 1920 (the prewar average was over 20 bushels). As a result, the crop of the three bread grains, wheat, rye, and barley, fell off at least 1,150,000 tons, or 25 per cent, and that without considering the effect of the bolshevik invasion.

b. The fact that the moment of harvesting coincided with the bolshevik advance, which covered nearly 40 per cent of Congress Poland and more than half of eastern Galicia. While it is impossible to present statistically the effect of the invasion, it is clear that in the regions where the bolsheviks stayed longest the damage done was very great; in particular, it affected the oat crop, which had not yet been cut. While perhaps there was less willful damage than was believed at first, it is clear that the amount of grain requisitioned both by the bolshevik and Polish armies reduced the crops considerably. The loss has been estimated at about one-quarter for the invaded regions of Congress Poland and Galicia and equal to at least 250,000 tons. In the regions lying to the east of Congress Poland the damage was greater, and there the food situation is desperate.

c. The bolshevik invasion resulted in a further requisition of horses and in increased drafts for the army, which rendered the harvesting yet more difficult.

Summarizing, then, the comparative figures of the grain crops for 1919 and 1920, we find the following figures (excluding East Galicia, for which no statistics for 1919 are available):

Crops in terms of a thousand tons.

	1919	1920
Wheat	473	512
Rye	3,222	1,875
Barley	747	688
Oats	1,270	1,541
Total	5,712	4,616
Total bread grains, wheat, rye, and barley	4,442	3,075

If data for East Galicia were available, the decrease in crop for the country as a whole would appear somewhat less.

While this shortage was partially made up for by the increased potato crop, it remains true that in spite of the increased acreage Poland will have until the next harvest considerably less food than she had a year ago, when it was considered necessary to assist her with credit for the purchase of American grain. The extreme shortage of railway rolling stock makes it impossible to transport to the cities anything like as many potatoes as they would otherwise use—potatoes being five times more bulky for their food value than grain.

2. Having examined the state of the crops, it is next necessary to consider the means taken by the Polish Government to insure their equitable distribution and to make good the deficit. As in every other country the consumption of the rural population in Poland can not be easily controlled and it has necessarily been greater than that of the city population.

It was found necessary to organize a food administration to secure the necessary supplies for the industrial and devastated districts. With this end in view each producer is required by law to deliver to the Government, at a moderate price, a fixed quantity of grain per hectare, based on the area sown to certain specified crops, the amount required per hectare being larger for large than for small farmers. This "contingent" is used to furnish a minimum of bread to the cities at a price within reach of the population. The producer is then free to sell the grain remaining after the requisition, but this year a negligible surplus, if any, is to be foreseen. The price of grain and flour in free trade has already become prohibitive for most people. The requisitioned grain is now practically exhausted, and the remaining deficit can only be met by imports from abroad. In the year 1919, 250,000 tons of grain were imported upon credit granted by the American Government. In the year 1920, when owing to uncontrollable circumstances the deficit was even greater, Poland found herself faced by the necessity of purchasing from either America or Rumania. The drawback in the first instance was the need of paying ready money, which, given the extraordinary depression of the Polish mark, was almost prohibitive, while in the second, Poland was obliged to supply cars and locomotives for transportation within Rumania, a difficulty which has proved practically insurmountable. Thus far the Polish Government has purchased in America about 35,000 tons of grain by means of exchanging marks for the dollar remittances of Polish-Americans to Poland. It has also contracted with a Rumanian syndicate for 150,000 tons of grain, chiefly rye, in five monthly installments; up to the present time (January 15) less than one-tenth of this quantity has been received. My telegram, No. 638, of December 28, 5 p. m.

The difficulties of food distribution within the country are likewise aggravated by the difficulties of transportation. Per-

haps no phase of Polish activity is in more immediate need of rehabilitation than its railway system, which as the result of the war is entirely inadequate to the needs of the country. An inventory of all the rolling stock and equipment as of mid-September last indicated that there were in the entire country only 8,309 passenger cars and 79,998 freight cars. The shortage in locomotives is even greater. The hardships engendered by this condition were further intensified by the need of the army for a large percentage of all rolling stock for troop movements and service of supply and the fact that army trains must be given right of way. The needs of industry both for fuel and for the transportation of raw materials and finished products have of necessity been relegated to second place.

3. The situation of the Polish currency is particularly grave and makes economic rehabilitation exceptionally difficult. Shortly after its formation the Polish Government issued a certain number of so-called marks, with no metal reserve. In April, 1919, the Polish mark was selling for about 10 to the dollar. Unfortunately the needs of organizing the country, and particularly the maintenance of a large army for the bolshevik war, forced the new Government into expenses which, as it was obviously impossible to introduce at once a comprehensive and adequate tax system, could only be met by the issuance of paper money. This has continued with few interruptions until the present.

On November 30, 1920, 43,236,181,184 marks had been issued. This great issue of paper, together with the impossibility of exporting anything like enough to pay for indispensable imports, led inevitably to the decline of the relative value of the Polish mark, which from 10 to the dollar in May, 1919, touched 100 in December, 1919; 200 in August, 1920; and 1,000 in January, 1921. With this state of affairs it is manifestly impossible for Poland to purchase essentials abroad in adequate quantities. At the present rate of exchange, the total currency of 43,000,000,000 marks equals little over $40,000,000, or about $2 per capita.

In Poland the cost of living has increased many times over, but has never quite succeeded in keeping up to the fall in the foreign exchange value of the mark, nor have wages quite succeeded in keeping up with the rise in the cost of living. As an indication of the relative rise in prices, I quote figures for the following necessary articles:

	September, 1919.	January, 1921.
Bread.....marks per pound..	3.30	45
Bacon.....do....	12	150
Sugar.....do....	12.75	200
Eggs.....marks each..	0.72½	20

Official estimates indicated that the prevailing wage in September, 1919, varied from 300 to 1,200 marks per month; to-day the wages range generally from 3,000 to 10,000.

4. For the past four years Poland has been ravaged by an epidemic of typhus unprecedented in severity. For Congress Poland and Galicia alone, 34,538 cases were reported in 1916, 43,480 in 1917, 97,082 in 1918, 231,206 in 1919, and no definite figures have yet been obtained for 1920. In spite of an energetic campaign against typhus in Poland, in which a group of experts were detailed from the American Army, it was impossible to stamp out the disease on account of the large number of refugees constantly pouring into Poland from bolshevik Russia and the Ukraine. It is claimed that well over a million refugees were admitted from July 1, 1919, to July 1, 1920. In addition to the typhus should be noted a large increase in tuberculosis. The spread of both these diseases is more or less directly attributable to hunger and undernourishment.

5. While Poland is primarily an agricultural country, it should not be forgotten that during the last 50 years of the Russian régime its character was slowly changing, and with the creation of Lodz and other manufacturing towns a large industrial population was forming, dependent for its living on the maintenance of production. The prosperity of Polish manufacturers depended on the Russian market lying to eastward and Poland's ability to purchase raw products, chiefly cotton, from abroad. To-day the eastern market, which was the ultimate destination of over 80 per cent of the manufactured goods, is closed and will doubtless remain so for some time to come. In the second place, with the present rate of exchange, it is virtually impossible for Polish manufacturers to make large purchases of raw materials in America or other foreign countries when to these drawbacks is added the fact that the Germans, during their occupation, systematically stripped the country of the necessary parts of machinery, and, finally, the ever-present difficulties of obtaining fuel, it is readily understood why such a large percentage of Polish factories have had to shut down and throw their employees out of work. To prevent wholesale starvation, the Government has accorded an unemployment bonus, which is a serious drain on the treasury, but even so, the bonus is insufficient for a man to maintain his family without curtailing on some such essential as food or clothing.

6. Summary. From the foregoing brief survey it is clear that what Poland lacks in a material way is food, clothing, and the varied equipment necessary to fight epidemics. It would be at best, however, merely a stopgap to throw into the country great quantities of food, clothing, and medicines. The whole economic life of Poland is sick, and helpful American effort, as far as possible, should be directed to helping the country to get back to a sound economic status, to help her emerge from a state of dependency to one of self-reliance and self-support. With this end in view, it seems that the Polish population can best be benefited by helping them back to normal production on the farms and in the factories. Under existing conditions, without governmental or private help from abroad, they can not hope to secure fertilizers and agricultural machinery, machine parts, and raw materials. Until they do secure these things, charitable help will continue to be their only defense against widespread starvation. In seven years the Polish people have known nothing but sufferings of war and the bitterness that follows in its wake. They are surfeited with war, hardship, and suffering, and it is clear to the most casual observer that all classes long to get back to peaceful and productive labor. Money made available here for expenditure in Poland is of little value as a relief measure, for the shortage of commodities is such that a gift of currency merely robs Peter to pay Paul and in many cases aggravates the rise in prices. In furnishing them an opportunity to get back to work lies a very real remedy for unsettled conditions in this part of Europe. Until this can be accomplished, however, it seems essential that American relief efforts continue, for it will be of little use to provide the possibility of labor if the working population of the country is allowed to starve and die of preventable disease before this aid is made available.

7. A better understanding of American relief work as now carried on in Poland may be gained from a brief survey of the work of the American relief organizations here.

a. The Red Cross: The relief work of the American Red Cross is divided into three parts:

(1) General relief, consisting of furnishing clothing, blankets, and in extreme cases food supplies to the civilian population;

(2) Relief trains, which expedite the distribution of supplies and carry sanitary cars in which first aid and minor surgery can be done, as well as dispensary work; and

(3) Medical units, whose aim, in addition to medical and surgical work done at hospitals and dispensaries, is the prevention of disease and the improvement of the average physique of the community in which it functions. The present program calls largely for child-welfare efforts of a medical character.

Because of the Red Cross method of distributing all relief by the hands of American workers the personnel has necessarily been far more numerous than that of other organizations and the overhead expense correspondingly high. However, under the management of Mr. Charles Barge, the present director, I am convinced that the work is being carried on in an effective manner, which reflects real credit upon the organization.

b. The European children's fund: This organization furnishes supplementary food and clothing to undernourished children; the maximum of children fed per day has been 1,300,000, and the organization is at present feeding about 1,100,000. Children between 3 and 14, both inclusive, receive one cooked ration of 160 grams daily. All food is delivered in cooked form directly to the child, being distributed either through closed institutions, such as orphanages, or through kitchens and milk stations especially opened for the purpose. The price of this daily ration is 60 pfennigs, or, roughly, one two-hundredths of a cent. In addition the organization has distributed primarily through its feeding system over 1,000,000 yards of woolens made up into overcoats, 700,000 pairs of shoes and stockings, and is now in process of distributing 650,000 yards of canton flannel, which is being cut and sewn into jumpers. The distributions of the European children's fund are made exclusively by Polish official committees, under the supervision and inspection of American relief workers, of whom there are less than 20. The organization has made a most gratifying record, not only for the devotion of its workers and the results achieved, but as an example of efficient American administration. The overhead cost, I am told, varies from six to eight tenths of 1 per cent.

c. Joint distribution committee of American funds for Jewish war sufferers.

The activities of this committee may be divided into five parts:

(1) Individual remittances. The committee delivers remittances sent by relatives in America to people in all parts of Poland, free of charge either to the remitter or to the remittee. Over 500 subcommittees have been organized to handle this work, which has amounted at times to over $1,000,000 monthly, averaging more than 12,000 individual remittances per week.

(2) Warehouses and transportation of supplies. The committee distributes among the poor Jewish population large quantities of food supplies, clothing, and other commodities, which are not to be found in Poland.

(3) The committee gives a large part of its funds as subventions to local agencies and institutions doing relief work among the Jews, children's homes, soup kitchens, etc.

(4) Direct activities. The committee at various times makes direct appropriations for given purposes in various localities, such as financing summer colonies for rachitic children, milk stations, etc.

(5) The committee is further devoting itself to the task of rehabilitating the people on a more normal self-supporting basis by means of furnishing tools, raw materials, and occasionally working capital to dependent families. Like the European Children's Fund, the American personnel is small and the organization is successfully run on the basis of a large American business concern. So far as I have been able to judge, the resources of the committee have been administered with great ability, and the results have amply justified the scale of its operations.

d. Young Men's Christian Association. The Young Men's Christian Association has directed its attention almost exclusively to working with the Army, having established 39 huts with canteens, recreation rooms, etc. The organization is divided into:

(1) An educational department, which seeks to improve the educational standard of the soldiers through libraries, moving pictures, etc.;

(2) An entertainment department; and

(3) An athletic department, which has been seeking to teach American athletics, and especially massed games, to the troops.

e. National Lutheran Council. This organization has kept only one or two representatives in Poland, but they have done excellent work among the Protestant population, chiefly in granting loans at a moderate rate of interest to the farmers in some 400 devastated villages for the rebuilding of their homes and the purchase of plows, draft animals, seed, etc. The council has taken the sensible ground that it was more sensible to help these people get back on a working basis than to allow them to remain dependent upon insufficient charitable gifts.

f. There are several other American organizations at work in Poland, such as the Young Women's Christian Association, the Methodist Mission, etc. These organizations, disposing of more limited sums, devote themselves more particularly to personal service and hardly come under the same category as the general relief organizations referred to above.

8. The steps being taken by the Polish Government and local organization to meet the needs of the country may be divided into two classes: a. Polish aid to American organizations, and b. independent charity. Of these two the first is by far the more efficient.

a. Polish aid to American organizations in turn may be subdivided into financial and administrative. In the case of the European children's fund the Polish Government had from its inception until September, 1920, given in cash about $1,700,000, and in foodstuffs from those purchased on credit from the United States Government about $4,000,000 or a combined sum of $5,700,000 out of a total of $20,000,000 given. It is, however, more in the line of administrative work that the Pole is of marked assistance. As indicated above, both the joint distribution committee and the European children's fund carry on their operations in large measure by means of Polish subcommittees, those of the children's fund being entitled "Polish Government Committees for Relief of Children," and organized by the ministry of public health.

b. Of the private charities the Polish Red Cross is undoubtedly the most representative and effective, running 19 hospitals, 3 convalescent homes, 4 sanatoria, 2 shelter homes, 4 hospital trains in addition to disinfecting columns, a warehouse, and a sterilization workshop. The other Polish institutions, while doubtless fulfilling a great need, suffer somewhat, in my opinion, from duplication of work and defective organization. In the nature of things Polish relief organizations can merely seek to apply existing supplies where they will do the most good. They can not cope with the essential problem which arises from actual shortage of supplies. While expressing sincere admiration for the splendid devotion of Polish relief workers, and recognizing many cases of great individual ability, I am obliged to state that as a rule Polish administration of relief is not up to American standards, and for that reason it would appear necessary to maintain a small supervisory American personnel so long as American money and gifts continue to flow into Poland.

9. From the foregoing summary of relief work in Poland it would appear that through the force of circumstances conditions here are such that if food, clothing, and medicines are not obtained from abroad, serious prejudice must result to the coming generation; that owing to the unprecedented depreciation of the Polish mark it is impossible for the Polish Government or people to purchase the necessary quantities in a foreign market; that the Polish Government and people are not shirking in their efforts to better the situation, but that given the shortage of money and commodities, their work can be made more efficaceous in the administration of general American relief under American supervision than in seeking to alleviate individual cases; and finally that in so far as is possible, American aid to Poland should be of a nature to assist her in building up a healthy future generation and in rebuilding a normal economic life. As soon as Poland is able to dispense with American aid without impairing the attainment of these objectives, I believe that it should be withdrawn, but until then that it should be continued on the lines indicated above.

I have the honor to be, sir,

Your obedient servant, HUGH GIBSON.

(No. 2071.)

PARIS, *January 21, 1921.*

The honorable the SECRETARY OF STATE,
Washington.

SIR: In compliance with the department's telegraphic instructions No. 7, January 7, I have the honor to report as follows:

The scope of American relief work in France has been continuously decreasing since the armistice until at the present moment the work being done by American relief organizations is of far less magnitude than at any time since that date. In the term "American relief organizations" are included those organizations which, though incorporated under French law, are wholly or largely disbursing money received from American sources. On the other hand, as the social-welfare work carried on by certain American organizations is clearly distinguishable from purely relief work and as I infer from the instructions under reference that the department is at present only interested in purely relief work, no attempt will be made to give information relative to the former class of work.

The main and wholly legitimate calls on American charity arise out of conditions still existng in the devastated regions, which for a long time will necessarily continue to be far from satisfactory. Whether or not valid excuses may be advanced, it is certain that the work of relief and reconstruction accomplished by the Ministry of the Liberated Regions has fallen far short of what was hoped for. That there should be impatience, complaints, and deep dissatisfaction on the part of people who have returned to their former homes in the devastated regions under such excessively discouraging conditions as are there to be met with is inevitable; and other reasons, such as budgetary stringencies and the impossibility of devoting to these regions portions of the Government's revenue which it was hoped thus to utilize, are contributory factors to the shortcomings of this department. On the other hand, the French failure successfully to organize and administer on a large scale work of this nature—which was more than once made evident during the war and immediately thereafter in similar questions of civilian supplies and relief—is apparent. At all events the French press contains many news dispatches, contributed articles, and editorials relative to the failures and mistakes with respect to this question of the Government in general and of the Ministry of Liberated Regions in particular. However, it is fair to question whether this situation will not undergo a sudden and material change once the question of reparations has been definitely regulated. The argument that the work of relief and reconstruction in the devastated regions can not be adequately carried on until France has secured at least something tangible and substantial on account of reparations is such a strong one that the possibility can not be overlooked that, consciously or unconsciously, conditions permitting the use of such an argument may be protracted somewhat longer than they otherwise would be.

However, in spite of the foregoing and of whatever amelioration of the situation may be produced by more effective effort on the part of the Government, I am convinced that there is a

very real and pressing need of the work now being accomplished by such organizations as the Red Cross, the American Committee for the Devastated Regions, the Franco-American Relief for Devastated France, and others. Even working under the best conditions the Government could not for some time accomplish more than part of what is vitally necessary to be done in the devastated regions. Nor could the remainder be cared for by the work of French private organizations which, though amounting to as much in aggregate results as could under the circumstances be expected, is done on a piecemeal scale and without broad or comprehensive organization or administration.

The work of the American relief organizations in the devastated regions fills a crying need and is meeting with the enthusiastic appreciation of the local population and authorities and could be profitably extended as far as contributions would permit. This is true because, while the Government necessarily turns its principal energies toward the reconstruction of roads, railways, canals, and public works of like nature, private organizations can necessarily only work in very limited areas, so that for every locality favored by the work of these private organizations there must be as many or more in which the excessively distressing conditions affecting those individuals who have returned to their former homes continue to exist in unalleviated form. This American relief work has at present become almost entirely able to pass beyond the stage of direct donations—with its consequent tendency to pauperization—and to base itself on the principle of self-help; it furnishes food, clothing, and first necessities of all sorts at the lowest possible prices, helps in reclaiming and revitalizing the land by supplying agricultural cooperative societies with money loans and with agricultural implements, and by its public health service looks after the health of the women and children living in bare, unheated barracks, hovels, and even dugouts and cinder piles on the site of their former homes, with especial regard to the children born under such conditions.

I am convinced that this work is of the highest value merely from the point of view of money well expended, quite aside from considerations of a moral or political nature resulting from the real and deep appreciation of those who as beneficiaries come in direct contact with this work.

I am of the opinion that during the war and shortly thereafter, when methods of administration and organization were less well regulated, and when the amount of relief work being carried on was immeasurably greater, there were a number of cases of extravagant and careless administration of relief funds, but at the present time I feel that although isolated instances of mismanagement may be met with, they are few in number and of comparative insignificance and that the administration of American relief funds is both efficient and economical.

I have the honor to be, sir,

Your obedient servant,

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(No. 56.)

AMERICAN MISSION,
Vienna, January 17, 1921.

The Honorable the SECRETARY OF STATE,
Washington.

SIR: In response to the department's circular telegraphic instruction dated January 7, 7 p. m., I have the honor to report as follows regarding the activity of the American Relief Administration in Austria:

The essential principle of this organization is cooperation with the local government. The American personnel is always kept at a minimum and the natives employed as far as possible. At present the American Relief Administration in Austria has only 6 American employees and about 12,000 Austrian employees, or a proportion of 1 to 2,000.

The chief function of the Americans is to see that no distinctions of class, religion, or race are made, but that child feeding be determined purely on physical needs, and that the most undernourished children are admitted to the kitchens.

The Austrian Government has agreed to bear the overhead expenses of the relief work in Austria, and since June, 1919, has allocated, roughly, 50,000,000 crowns for the feeding of children. This contribution has paid for freight from the seaports to Austria, for interior distribution, for Austrian personnel, and for office expenses. In addition, the Austrian Government has contributed 4,840 tons of flour, at an approximate cost of 121,000,000 crowns. The provincial governments have also contributed overhead expenses and flour. The city of Vienna has contributed motor lorries, gasoline, and personnel to an estimated value of 18,000,000 crowns.

The needs of the children for relief are best brought out by recent figures medically and scientifically gathered in Vienna, showing that boys of 17 years of age have an average height of 158 instead of a normal height of 168 centimeters and a weight of 48.6 kilos instead of a normal weight of 56 kilos. The girls of 16 have a height of 153 instead of a normal height of 160 centimeters and a weight of 46.4 instead of a normal weight of 52 kilos. Altogether, it may be stated that at the end of juvenile growth the average child of Vienna is about 4 inches below the normal height and about 16½ pounds below the normal weight.

Prominent medical authorities state that these children will never attain their normal weight and height but will go through life in this stunted condition; also that children of succeeding age classes, unless given sufficient food, will also remain underdeveloped and go through life undersized human beings.

The fact that all overhead expenses are paid by the Government makes the overhead expenses of the A. R. A. unusually low, and a record has been established in regard to the total percentage of contributions that has been used for actual food supplies.

The A. R. A. is at present feeding 300,000 Austrian children in 1,254 feeding stations. These are scattered all over Austria, and every child before being admitted is physically examined, and only those in an undernourished condition are admitted. The most undernourished class in Austria has shown an improvement, and it is felt that a discontinuance of relief work would entail the loss of all gains secured and a rapid deterioration of the condition of the children of Austria.

As stated in my telegram No. 4, January 8, 6 p. m., I am apprehensive that if the activities of the American Relief Administration are continued too long the population may lose the incentive to work and become demoralized. I have therefore urged Capt. Richardson, the competent director of this organization in Austria, to request the minister of education to explain through the agency of the schools that the work of child feeding in Austria is a temporary expedient designed to meet an emergency, and is in no sense a permanent institution.

As annexures to this report, I inclose a memorandum showing the expenditures of the A. R. A. and the contributions from the Austrian Government; also two pamphlets issued by the A. R. A. showing the organization and distribution system in Austria as well as a list of the child-feeding stations.

I have the honor to be, sir,

Your obedient servant,

ARTHUR HUGH FRAZIER.

AHF/jfb
(3 inclosures.)

(Inclosure to dispatch No. 56.)

a. Contributions in money for child feeding: The Central Government has, since the commencement of the organization in June, 1919, allocated to us, roughly, 55,800,000 crowns in Government funds for the feeding of children.

From the above contributions were defrayed:

1. The cost of transportation of the foodstuffs from the seaport (Hamburg or Rotterdam) to the central warehouses in Vienna and Linz, besides charges for warehousing and guarding.

2. The cost of conveyance from the central warehouses in Vienna and Linz to the provincial warehouses.

N. B.—The expenditures under those two headings have already exceeded the amount of 33,000,000 crowns.

3. The expenditures on personnel and office expenses of the general commissariat.

4. Traveling expenses in connection with the inspection of the Provinces.

5. Contributions to the provincial commissariats approximate 7,000,000 crowns thus far.

6. Other expenditures to meet contingencies.

b. Contributions in money for the clothing program: Approximately 2,500,000 crowns were allocated by the Central Government for the first clothing program; this amount has been already entirely spent.

For the second clothing program a credit up to 25,000,000 crowns has been opened to us.

c. Contributions in flour by the State government: Furthermore, the Central Government contributes the flour required for feeding 200,000 children up to the end of May, 1921—i. e., 4,840 tons, at a minimum value of 121,000,000 crowns.

d. Contributions by the provincial governments: For meeting the expenses of the provincial organizations, the various provincial governments made, according to the scale of the feeding, both single contributions (500,000 to 1,000,000 crowns) and continuous monthly contributions, amounting up to 120,000 crowns per month in the various Provinces.

Added to this, there is the obligation incurred by an agreement in force since September 1 to supply the flour required to increase the child feeding from 200,000 to 300,000 portions,

amounting in the case of Lower Austria to more than 7,250,000 crowns, of the Tyrol to not quite 2,000,000 crowns, and 800,000 crowns in the case of Vorarlberg, whereas Upper Austria has to contribute 175 tons, Salzburg 84 tons, Styria 232 tons, Carinthia 58 tons of flour.

e. Contributions of the city of Vienna: Vienna being, in view of the excessive numbers to be fed and the deplorable state of its finances, quite unable to incur an obligation to supply flour or money, it will possibly be assumed by the State (negotiations in this connection are still in progress).

In consideration of this, the city contributed the motor lorries, petrol, and personnel for the local cartage free of charge, the equivalent of more than 18,000,000 crowns a year.

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(No. 52.)

AMERICAN MISSION,
Vienna, January 18, 1921.

The honorable the SECRETARY OF STATE,
Washington.

SIR: In response to the department's circular telegraphic instruction dated January 7, 7 p. m., I have the honor to report as follows regarding the activity of the American Red Cross in Vienna:

The American Red Cross unit in Vienna consists of a paid personnel of 7 Americans and 26 Austrians. In addition to these it avails itself of the services of about 40 workmen, who are supplied by the Austrian Government.

The work is really general relief among the needy people of this country, but due to the breadth of the field and to the shortage of supplies, the Red Cross has concentrated as far as possible on the hospitals and the children under 6 years of age. The actual distribution is accomplished through recognized Austrian organizations with the idea of utilizing to the greatest extent possible the excellent institutions of this country and of economizing the efforts and time of the Red Cross workers, who are enabled thereby to concentrate on investigating and reporting. The Red Cross distributes garments, clothing, hospital supplies, drugs, and food, but no money. Last month 150 institutions received from the Red Cross goods to the value of about $150,000, which were then distributed to nearly 200,000 people, of whom over two-thirds were small children.

The clothing given away is, for the most part, made up here by Austrian women and children. Last month there were nearly 50,000 volunteer workers knitting for the American Red Cross. There were about 100,000 Vienna school children learning to knit and making warm garments from Red Cross wool which had been turned over to the school authorities for distribution among the poorest of these little ones. There were also about 5,000 women who were manufacturing clothing for the Red Cross and receiving pay for their work. Altogether the Red Cross has made up in Austria since last July over 500,000 garments, which have then been given away to the poor.

Food distributions are made through hospitals, orphanages, and children's homes and through the depots of the Anglo-American Society of Friends, which regularly feed undernourished children under 6 years of age who are not helped by the American Relief Administration. Of these latter, about 9,000 are entirely dependent upon the Red Cross, and receive from it one meal per day.

DISTRIBUTIONS.

Distributions to hospitals are made on the request of the Red Cross medical officer, who keeps in touch with all foreign as well as Austrian medical authorities.

As far as can be ascertained, there is no serious overlapping of the efforts of foreign relief workers in this country. The greatest of harmony exists, and to a great extent the field is divided up among the various organizations so that each one knows just what the others are doing. All applicants for help are supplied by the Government with a "Fuersorgeblatt," which is used as a sort of relief passport and is stamped by each mission whenever help is given to the bearer. Thus the Red Cross has a fairly effective control over its work. The American Joint Distribution Committee is, as far as is known, the only distributor of American relief supplies here in the city which does not cooperate in the stamping of these papers.

In addition to the help rendered to the Red Cross by individual Austrians, it has been constantly assisted in its efforts by the city government of Vienna and by the Austrian National Government. It is supplied with free office space, free warehouse space, free gasoline, free automobiles, free labor for use in the warehouse, free transportation of supplies on the Austrian railways, and on one occasion it was even given 300 tons of flour for distribution to the needy hospitals by the Austrian Food Ministry.

The operating cost of this unit is something less than 1 per cent of the value of the supplies distributed.

Maj. Bakeman, the able director of the Vienna unit of the American Red Cross, informs me that in his opinion there is no need to dwell on the need of Vienna for continued aid from his organization. Statistics are more eloquent than words. An examination of the children under 6 years of age, which was made this fall by the doctors of the city in accordance with Dr. Pirquet's standards, shows that of the eighty-odd thousand examined there are about 60,000 decidedly undernourished, and that there are actually about 25 per cent of all of those looked at who are suffering from "rickets."

I have the honor to be, sir,
Your obedient servant, ARTHUR HUGH FRAZIER.

DECISION OF FEDERAL JUDGE LANDIS.

Mr. DIAL. Mr. President, I notice in the New York Tribune of to-day a short telegraphic article which I desire to read:

CHICAGO, *February 11.*

After pleading guilty of embezzling $96,500 from the National City Bank, of Ottawa, Ill., Francis J. Carey, 20 years old, formerly receiving teller of the bank, to-day was released on his own recognizance by Federal Judge Landis, who criticized officials of the bank for the small salary paid the defendant.

When Carey said his pay was $90 a month, Judge Landis exclaimed: "This is astounding. It puts the responsibility entirely on the directors of the bank. You were not getting any more than the elevator operators in the Federal building, and they are notoriously underpaid. Francis, you go on home. I'll send for you again."

I have been practicing law for over a third of a century, but that is the most outrageous pronouncement that I ever heard issue from a court.

Mr. THOMAS. Does the Senator know anything about Judge Landis?

Mr. DIAL. Yes; I know something about him.

Mr. THOMAS. The Senator probably knows he is perhaps the most conspicuous crank now holding so high a position.

Mr. DIAL. That is what I was going to say.

Mr. THOMAS. At present he is enjoying an outside compensation of an enormous amount, the amount of which I can not state definitely, but he is a sort of a supreme arbiter in the baseball world, and has assumed and is performing the duties of that position, and at the same time assuming to occupy his position upon the bench. In other words, he is drawing two salaries, one from the Government of the United States, and a princely salary, an enormous salary, from the baseball world. Therefore he is in a position to criticize the smallness of salaries paid to other people.

Mr. DIAL. If this pronouncement is true, he will only draw one salary in the near future, if I have any influence.

I have always had a very high regard for the bench, great respect for judges on the bench, and I am glad to say that in this country they deserve it. We have had very few cases in the history of our country where judges have not been an ornament to the bench. But, I say, if this is true, as it is quoted in the papers—and I have written to Chicago to ascertain the actual facts and to get them in detail—I propose to bring the matter to the attention of the House of Representatives and ask that this judge be impeached.

It is not his business to say what directors shall pay the employees of their institutions. While $90 may appear small to him, yet there are many people in the United States working in positions of trust who do not receive any more than $90, and whether their compensation is sufficient or not is no excuse and no reason for them to put their hands into the pocketbook of their employer, and no reason why they should be encouraged to steal, and encouraged by such statements from officials on the bench, if the article be true. I say that any man who makes that kind of a statement is not entitled to the confidence of the people; and he should be impeached at the earliest moment. Of course, I do not know whether or not it is true, but I read it, as I have said, in the newspaper, and I presume it is true. I have written, as I have said, to Chicago, and I hope to get a report. If it is true, he should be impeached, no matter who he is, for he is unworthy of the confidence of any man in the United States.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. WARREN. Mr. President, may we not now proceed with the appropriation bill?

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The reading of the bill was resumed.

The next amendment was, on page 151, line 18, in the items for the district court, Territory of Hawaii, to strike out "clerk, $3,000"; and in line 19, to reduce the total of the appropriation from "$19,200" to "$16,200."

The amendment was agreed to.

The next amendment was, on page 151, line 21, in the items for district court for Porto Rico, to strike out "clerk, $3,000; in all, $10,500."

The amendment was agreed to.

The next amendment was, on page 154, line 21, after the words "Revised Statutes," to strike out "or section 3 of the act of June 20, 1874," and insert "or section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894, or section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916," so as to read:

For reporting the decisions of the court and superintending the printing of the fifty-sixth volume of the reports of the Court of Claims, $1,000, to be paid on the order of the court to the reporter, notwithstanding section 1765 of the Revised Statutes or section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894, or section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916.

The amendment was agreed to.

The next amendment was, on page 155, after line 19, to strike out section 4 in the following words:

SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1922 for the purchase of any typewriting machine at a price in excess of the lowest price paid by the Government of the United States for the same make and substantially the same model of machine during the fiscal year 1919; such price shall include the value of any typewriting machine or machines given in exchange, but shall not apply to special prices granted on typewriting machines used in schools of the District of Columbia or of the Indian Service, the lowest of which special prices paid for typewriting machines shall not be exceeded in future purchases for such schools: *Provided*, That in construing this section the Commissioner of Patents shall advise the Comptroller of the Treasury as to whether the changes in any typewriter are of such structural character as to constitute a new machine not within the limitations of this section.

And in lieu thereof to insert:

SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1922 for the purchase of any standard typewriting machine, except bookkeeping and billing machines, at a price in excess of the following, to wit: For correspondence models with carriages which will accommodate paper 10 inches in width, $70; for models with carriages which will accommodate paper 12 inches in width, $75; for models with carriages which will accommodate paper 14 inches in width, $77.50; for models with carriages which will accommodate paper 16 inches in width, $82.50; for models with carriages which will accommodate paper 18 inches in width, $85; for models with carriages which will accommodate paper 20 inches in width, $92.50; for models with carriages which will accommodate paper 22 inches in width, $95; for models with carriages which will accommodate paper 24 inches in width, $97.50; for models with carriages which will accommodate paper 26 inches in width, $100; for models with carriages which will accommodate paper 28 inches in width, $102.50; for models with carriages which will accommodate paper 30 inches in width, $104.50; for models with carriages which will accommodate paper 32 inches in width, $107.50.

All purchases of typewriting machines during the fiscal year 1922 by the various branches of the Government of the United States for use in the District of Columbia or in the field, except as hereinafter provided, shall be made from the surplus machines in the stock of the General Supply Committee. The War Department shall furnish the General Supply Committee, immediately upon the approval of this act, a complete inventory of the various makes, models, and classes of typewriters in its possession, the condition of such machines, and the point of storage, and shall turn over to the General Supply Committee such typewriting machines in such quantities as the Secretary of the Treasury from time to time may call for by specific requisition for sale to the various services of the Government. If the General Supply Committee is unable to furnish serviceable machines to any branch of the Government, it shall furnish unserviceable machines at current exchange prices, and such machines shall then be applied by the branch of the Government receiving them as part payment for new machines from commercial sources in accordance with the prices fixed in the preceding paragraph. And in selling typewriting machines to the various branches of the Government service the General Supply Committee may accept an equal number of unserviceable machines as part payment thereon at the exchange prices quoted in the current general schedule of supplies. Until June 30, 1922, the War Department shall not dispose of any typewriting machines except to the General Supply Committee as authorized herein.

Mr. WARREN. Mr. President, there is a typographical error in the amendment, and I send the correction to the desk. It is to add 50 cents to $104.50, making it $105.

The PRESIDING OFFICER (Mr. GOODING in the chair). The Secretary will state the amendment.

The READING CLERK. In the committee amendment, on page 157, line 7, making the amendment read:

For models with carriages which will accommodate paper 30 inches in width, $105.

The amendment to the amendment was agreed to.

Mr. JONES of Washington. Yesterday, Mr. President, the junior Senator from New York [Mr. CALDER] spoke to me about wanting to be present when this amendment was reached. I understand that he was compelled to be out of town, but has arranged the matter with the chairman of the committee.

Mr. WARREN. Mr. President, the Senator from New York has left a matter with me, but entirely another matter; not this one. He had an amendment in regard to this matter, but I do not think he considered it important. I shall offer the amendment he wished to have offered.

Mr. JONES of Washington. He spoke to me yesterday afternoon about this particular amendment, and also about the other one.

Mr. SMOOT. In the committee, Mr. President, before we reported the bill, I asked that the price be increased two and a half dollars on all lines of typewriters, and that was agreed to.

Mr. JONES of Washington. But yesterday afternoon, after this amendment had been printed, the Senator from New York spoke to me and said he wanted to be sure to be here. However, I understand that he has had to go out of town, and of course I can not ask that the amendment shall go over until he gets back.

The amendment as amended was agreed to.

The next amendment was, on page 158, after line 23, to add the following additional section:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive, during the fiscal year ending June 30, 1922, additional compensation at the rate of $240 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than $2,500 and less than $2,740 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,740 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 60 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of $240 per annum for the fiscal year ending June 30, 1921, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1920, has received during the fiscal year 1921, or shall receive during the fiscal year 1922, an increase of salary at a rate in excess of $200 per annum, or where an employee whether previously in the service or not, has entered the service since June 30, 1920, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation.

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916, except employees of the United States Tariff Commission, who shall be included and except that employees of the Bureau of War Risk Insurance shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of the said Bureau of War Risk Insurance who are compensated at rates below $400 per annum shall receive additional compensation only at the rate of 60 per cent of the annual rates of compensation received by such employees. The provisions of this section shall not apply to employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads, express companies, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, express companies, telegraph, telephone, marine cable, or radio system or systems as employees of the United States.

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to $2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, 40 per cent out of any money in the Treasury not otherwise appropriated and 60 per cent out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department, and to employees of the Minimum Wage Board and the playgrounds department, which shall be paid wholly out of the revenue of the District of Columbia.

So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United

States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of $240 per annum and the average number by grades receiving the same at each other rate.

Mr. POMERENE. Mr. President, I would like to have the attention of the chairman of the committee for a moment. Of course, I understand the general purpose of this proposed amendment, namely, to give the bonus of $240 a year to those who receive salaries of $2,500 or less. I understand that, and I understand it applies to employees generally. But in the way in which these exceptions are phrased, I do not quite understand what classes of employees are excepted from the provision, and I would like to have the Senator from Wyoming make an explanation.

Mr. WARREN. Those are excepted who are paid from lump sums, under which the heads of the departments can regulate the salaries and do regulate them, all of which, I may say, are much higher, generally, than the regular statutory rates for clerks.

Mr. POMERENE. Mr. President, assuming, of course, that the departments which are paying their employees out of lump sums are making adequate rates of compensation, that would be just; some of the departments, I understand, have been required to pay only a minimum wage, in other words, the wage which has prevailed here for a number of years. That is not quite right.

Mr. WARREN. Will the Senator mention what he has in mind?

Mr. POMERENE. Yes; I will mention one instance I have in mind. I happen to be one of the trustees of the Columbia Institution for the Deaf, and I tried the other day to get an increase in the appropriation of $15,000, making the appropriation $105,000 instead of $90,000, as it then was. That was to take care of what was estimated to be an additional cost of fuel of $3,000, and, though I did not go into that matter definitely, to provide additional compensation for members of the faculty, for matrons, and for those who are doing what may be denominated domestic work in the institution. The Senator who is the chairman of the committee consented to an increase in the appropriation of $5,000. That, of course, is gratefully received, but it will not enable the president of the institution to add any increase to the pay of the persons I have named, or, at least, it will enable him to add only a nominal increase. I do not have in mind at present other departments, but I understand there are other departments in which probably the same condition will arise. I do not think that is quite just.

Mr. WARREN. It resolves itself into this: If the Senator proposes to start in on the matter of having this bonus applied outside of what the committee has recommended after careful investigation, it will mean opening the doors of all these lump-sum appropriations, and it will simply put us where we shall be compelled to let the whole matter go out, as it did in the House.

Mr. POMERENE. That is not a very satisfying answer.

Mr. WARREN. It is not a satisfying answer, because the Senator from Ohio has something in his mind that he especially wants; and let me say to him that there are other Senators who are in the same situation.

Mr. POMERENE. That may be all true.

Mr. WARREN. And there are a great many people outside of the Senate who want things.

Mr. POMERENE. I realize all that, and I realize the force of what the Senator has said, and I realize the necessity for economy. But let me give another illustration.

Mr. SMOOT. Before the Senator leaves that point, will he yield for a moment?

Mr. POMERENE. Certainly.

Mr. SMOOT. As the Senator knows, we reported in this bill before he offered his amendment, just the same as was given a year ago. Whatever these employees were paid a year ago, they will be paid next year; and they were paid the bonus of $240. The chairman of the committee the other day did go so far as to agree, as was stated by the Senator from Ohio, to an increase of $5,000 over what was allowed a year ago.

Mr. POMERENE. That is true.

Mr. SMOOT. If we should increase all the appropriations 7 per cent, you can see where it would land us.

Mr. POMERENE. Mr. President, if there are six men who get a bonus, and there are seven men doing substantially the same work, I do not know how Congress can excuse themselves for failing to provide the bonus for that one man.

Mr. SMOOT. We provided the appropriation for the bonus, I will say to the Senator, in the $90,000.

Mr. POMERENE. These employees of the Institution for the Deaf did not receive any bonus.

Mr. SMOOT. No; but the reason why they did not is because they were paid from a lump sum, and the wages paid were based upon what the bonus and the regular wages would be if they were carried upon the statutory roll.

Mr. POMERENE. The Senator makes that statement without having looked into it. I know something about the situation in that institution.

Mr. SMOOT. I will simply say that in all lump-sum appropriations that is true, and if the Senator will take the time with me I will convince him that my statement is correct.

Mr. POMERENE. I have the word of the president of that institution, and I think he knows what he is talking about.

Mr. SMOOT. I do not know whether the president of the institution knows what we are paying other departments or not. I do know——

Mr. POMERENE. He knows, at least, that there is a bonus being paid to a number of other employees and that there is no bonus paid to the faithful employees of that institution.

Mr. SMOOT. In every lump-sum appropriation we make, except those named here, the employees are in exactly the same position. Of course, the president of the institution knows that there is no bonus, because the law provides that there shall not be; but the president of the institution does not know what the comparison is between the work done there and the work done by those who are drawing the bonus.

I have not the slightest feeling in my heart against the institution, far from it; but it happened, so far as that is concerned, that we gave them this year all they had last year, and we have added $5,000 more to it because of the statement which was made by the Senator from Ohio [Mr. POMERENE] the other day. And now he comes and asks to have $240 bonus added for each employee. If we do that we might as well strike out the whole provision and let the employees of the different departments have an additional $240, who are being paid now from a lump-sum appropriation and whose salaries are $240, or nearly that, above the regular statutory rate.

Mr. POMERENE. I have before me a list of the salaries paid the faculty—the instructors, the engineers, the storekeepers, and matrons—of the institution. The matron of the college receives $80 a month, or $960 a year. The matron at the Kendall School for Boys receives $520.50 for nine and one-half months. I desire to say that that includes keep as well. The seamstress gets $510, including keep.

Mr. WARREN. What do they have in the way of an allowance in addition to the salary?

Mr. POMERENE. None at all, except that includes their keep. Part of the employees have a room and part of them simply have their board.

Mr. WARREN. Of course; and that is part of their compensation.

Mr. POMERENE. That is true enough; but there has been no increase in this matter. I am not finding fault with it; I realize that we have received what is undoubtedly the best judgment of the committee. In anything that I may say I am not questioning motives at all, and I want that distinctly understood, but I am questioning the judgment of the committee as to some of these things.

Let us take another situation. I offered an amendment the other day providing for an increase in the compensation of the keepers, sergeant, and police officers at the Zoological Park. They had been getting $80 a month, except the sergeant, who got $85. Last year, though there was this lump-sum appropriation, I believe they did pay the bonus of $240 to those men, but they had to buy their own uniforms. Other police officers doing substantially the same work received considerably more and were furnished an allowance of, I think, $89 for their uniforms. I may not be quite exact as to that amount. Under the present situation, if the bill is given the construction which is placed upon it by the committee, then I take it we are going to cut out the bonus that they have had heretofore.

Mr. SMOOT. I will say to the Senator that there is no bonus cut out of the bill with reference to any employee, with the exception of the employees at one of the arsenals here. There are good reasons for that, and if the matter is brought up we will tell the reasons why.

Mr. WALSH of Massachusetts. May I ask the Senator if employees in all of the navy yards are not cut off from the bonus by this committee amendment?

Mr. SMOOT. That is what I said.

Mr. WALSH of Massachusetts. The Senator said arsenals.

Mr. SMOOT. I should have said navy yards.

Mr. WALSH of Massachusetts. All the employees in all of the arsenals of the country are, under the provisions of the bill, also to be denied the bonus?

Mr. WARREN. That is not quite correct.

Mr. SMOOT. It is correct so far as the $240 is concerned.

Mr. WALSH of Massachusetts. Well, which of you Senators is correct?

Mr. SMOOT. When that item comes up we will tell the reason why, if anyone wishes to know.

Mr. WALSH of Massachusetts. I wish to know if the only changes in the present bill from last year's bonus provisions are as follows: First, a bonus is provided for the firemen and policemen of the District of Columbia, that was not provided for last year, and I do not in anyway object to that addition. Second, all employees, such as are employed in the navy yards and arsenals, and others who have legal provisions for adjusting their wages by wage boards, are to be denied the bonus they have heretofore received after July 1?

Mr. WARREN. I will say to the Senator that he is not quite correct about that, because the police did get last year a bonus of half the amount that we are putting in now.

So far as Navy men are concerned, all of the statutory class and positions of that kind receive the bonus, but the men whose wages are passed upon by the wage board, and under their rules are arranged according to the wages that the same mechanics get in similar lines, are not touched. The only reason why that was in the year before was not because of its immediate application after the wage board came into being, but it was claimed that an injustice had been done the men the year before, and it was put in as a cure for that. It was not intended to be put in as a bonus, and should not be put in, because it simply doubles up to some extent the pay in that respect.

The Senator from Ohio is complaining because we allowed what he asked with reference to the Zoological Park policemen. He said they had the same duties to perform as police officers in the city. Of course, the Senator knows better than that.

Mr. POMERENE. I wish to affirm the statement that I made. Their duties out there are just as responsible and require just as much time as those of the men down on the streets of the city. When it is known that out there during the summer months there are on Sundays as many as 50,000 people going around over the entire garden, that can be readily seen. I go out there occasionally.

Mr. WARREN. I go out there occasionally myself, and I know the difference between taking care of the Zoological Park in the day time and being on duty night and day in the city where all the disturbances take place, and where they have to go in and make arrests at the risk of their lives continually. There is nothing of that kind involved at the Zoological Park.

Mr. POMERENE. Their hours are limited in the city as well as in the Zoological Park. I am not complaining about the amount which has been granted, but under the statement which has been made, I think by the chairman of the committee—that is, unless he makes some exception to his general statement—where there is a lump-sum appropriation there will be no bonus.

Mr. WARREN. Under this provision, no; but I understood the Senator to say that we had provided for the people who he thought were left out.

Mr. POMERENE. I provided for an increase which would place them upon substantially the same footing as other police officers who are doing a similar service.

Mr. WARREN. It is entirely in the hands of the men who are handling the lump-sum appropriation and paying the men. I do not know, but perhaps Congress has the right to go in between the employee and the employer, after giving all the money they ask, to arrange for the further payment of wages and to raise the individual salaries of each one, and thus destroy the rules, regulations, and discipline of the department. That may be right, but we did not think so.

Mr. POMERENE. With all due respect to the chairman, I do not think he has quite fairly weighed his own words. This is not stepping in between the employer and the employee. They asked the committee to give them $8,000 additional, making $133,000 in all. They were given $125,000, and what they wanted the $133,000 for was in order that they might increase the compensation of these men by $20 a month.

Mr. WARREN. I was speaking more especially of those who are paid per diem wages, where the money is given in large lump amounts and they pay what they choose.

Mr. POMERENE. That raises another issue to which I did not call attention. My first question was that we might have some explanation of these various exceptions. There are perhaps six or eight of the various exceptions, and they are so vague that I do not think they give an intelligent idea to Senators who have not had the same means of investigating the subject that the members of the committee have had. That was my primary purpose in asking the question, for I wanted to know, in a way that would at least be intelligible to me, why these various exceptions were made.

Mr. ROBINSON. I offer the amendment which I send to the Secretary's desk.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The amendment proposed by the Senator from Arkansas will be stated.

Mr. WARREN. Do I understand that the amendment which has been under consideration has been agreed to?

Mr. POMERENE. No.

Mr. WALSH of Massachusetts. It has not been agreed to.

Mr. THOMAS. I did not so understand.

Mr. WARREN. Does the Senator from Arkansas wish to offer an amendment to the amendment?

Mr. ROBINSON. No; I wish to offer an amendment to the bill.

Mr. WARREN. I so understood, and that is why I asked the question as to whether or not the pending amendment had been agreed to.

Mr. WALSH of Massachusetts. I desire to offer an amendment to the committee amendment. I offer the amendment on behalf of the Senator from New York [Mr. CALDER], who presented it on yesterday, but is absent to-day.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts on behalf of the Senator from New York will be stated.

The READING CLERK. On page 160, in line 7, after the word "revenues," it is proposed to strike out the words "employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service," and insert in lieu thereof, after the word "compensation," on page 160, line 3, the following:

Provided further, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

Mr. WALSH of Massachusetts. Mr. President, I do not think the members of the committee appreciate how sweeping is the action of the committee in the amendment which they have proposed. As I read the amendment—and if I am mistaken I wish the chairman or some member of the committee to correct me—the language of the committee amendment amounts to a reduction in wages of $240 per annum to every civil employee in at least the naval and military service of the country who has had his wages heretofore adjusted by a wage board which has taken into consideration under the law of last year, as it was obliged to take it into consideration, the payment of the bonus. Am I correct in that statement?

Mr. WARREN. No; not according to my information, and I took pains to look the matter up.

Mr. WALSH of Massachusetts. Then, may I ask another question? Are the wages of any employees of the Navy or Army reduced by the language of the amendment?

Mr. WARREN. No; not in the way the Senator puts it. I know what the Senator is driving at. He has reference to an allowance, as it was explained to me by the man who probably asked the Senator to offer the amendment which he has submitted, which was made in the effort to rectify what they called an injustice which had been done two years before. The same man talked to me two years previously and after the provision was put into the bill last year. It was understood at that time that it was not to be put in again. I wish to take this opportunity to say to the Senator from Massachusetts, if he will allow me, that, so far as I am concerned, I shall never consent to another bonus provision to employees. If we can not get together and arrange these salaries before another appropriation bill shall come before us, we had better pass the task over to some one else. Unless legislation is had as to salaries, the Appropriations Committee will next year have to submit to the Senate a full line of readjusted salaries and wages.

Mr. WALSH of Massachusetts. I do not know but that I agree with the chairman of the committee as to that; in fact, I personally think the bonus system is vicious and is very bad, but what I am concerned about is that the change in policy which the committee has undertaken to make this year is discriminatory—that is, that unless certain departments of the Government receive an additional appropriation to take care of the wage that has been paid in the way of a bonus to certain employees, many Government employees will be denied the wage they are at present receiving and will receive what amounts to a cut in wages of $240 per annum.

Mr. WARREN. Let me read the evidence of the Secretary of the Navy before the House Committee.

Mr. WALSH of Massachusetts. I should like to hear it.

Mr. WARREN. The Secretary of the Navy stated:

The labor wage adjustment board appointed to consider the question of a readjustment in the wages for employees under the Naval Establishment finds—

This statement was made when the Secretary was before the committee of the other House and previous to the meeting of the wage board, so that it related really to what had been done heretofore.

The Secretary continued—

that the existing wage scale for the Naval Establishment is higher, the $240 per annum congressional bonus considered, than the wage scale of any other industry as a whole in the United States of which it has information. The present wage scale of the shipbuilding industry is lower than that of the railroad industry. The difference between the navy-yard scale and the shipbuilding industry is practically the congressional bonus of $240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than $2,740 per annum.

Mr. WALSH of Massachusetts. Mr. President, I am not discussing whether or not these men have been paid more than they should have been paid. What I want to know is whether or not it is possible that under the language now proposed by the amendment as a change in the provision made last year a reduction will be brought about in the wages of certain employees amounting to $240 per annum?

Mr. WARREN. No.

Mr. WALSH of Massachusetts. If no such result will be brought about, there is no use of saying a word or offering amendments. There have been clauses removed from the act of last year and new clauses inserted, and one is that employees whose wages are adjusted by wage boards shall not have the bonus. Does that affect anybody, and if so, whom?

Mr. SMOOT. Mr. President, I think the Senator from Wyoming has made the statement just as plainly as it could be made. There is not any question that the employees whose pay is adjustable from time to time through wage boards were, for certain reasons, allowed a bonus last year. One reason was the statement of the representative of those employees that they had not been treated fairly for two years previously.

Mr. WALSH of Massachusetts. If I may interrupt the Senator for a moment, do I understand him to say that the representative of these employees stated that he would be satisfied if the bonus was given last year and would never ask for it again?

Mr. SMOOT. Oh, no; he did not say that. He would never be satisfied, even if we made the bonus $480. I do not care what amount of bonuses were given, these employees would not be satisfied.

Mr. WALSH of Massachusetts. What was the bonus which was given last year?

Mr. SMOOT. I desire to explain to the Senator what the committee have believed and what they have done. Mr. Alifas had been before the committee time and again, and I suppose there is not a Senator in this Chamber whom he has not seen this year in reference to this same matter. In order to make things equal for the preceding two years, when those employees had not received the bonus—and for certain reasons, as I have said, it had not then been given to them—the committee gave them $240 last year with the distinct understanding that it was for one year only, and to equalize their pay until the end of the present fiscal year—June 30, 1921.

The provision in the pending bill becomes operative on July 1, 1921, and continues for another year; and I desire to say to the Senator from Massachusetts that if the $240 bonus is granted by the bill for the employees which have been referred to it will be a discrimination against every other employee in the Government service.

Mr. WALSH of Massachusetts. If it will be a discrimination to provide the bonus for next year, was it not equally a discrimination to provide it for last year?

Mr. SMOOT. It was not a discrimination for the reason I have stated. It was given to them last year in order to equalize matters and to make up for what they claimed was a discrimination against them during the preceding two years. But now, considering the wages that they are receiving, according to Mr. Woodbury in the excerpt of the testimony which has just been read by the Senator from Wyoming, they are receiving now the equivalent of $240 and the bonus besides.

Mr. PITTMAN. Mr. President, will the Senator from Massachusetts permit me to interrupt him for a moment?

Mr. WALSH of Massachusetts. Certainly.

Mr. PITTMAN. I do not take it that the Senate desires to assume any responsibility at all in fixing the wages of the naval employees, but unfortunately their action in granting the bonus has affected the fixing of their wages. There is an adjustment board in the Navy Department which fixes wages: In fixing those wages they have taken into consideration the $240 bonus. If the $240 bonus is not allowed it will reduce the rate of their pay to an extent which was never the intention of the naval wage adjustment board; that is all there is to it.

Mr. WARREN. Mr. President, will the Senator permit me to interrupt him?

Mr. PITTMAN. Certainly.

Mr. WARREN. Instead of that, the allowance last year was in order to make up for some past delinquencies. We therefore gave them a bonus that they did not earn, and to which they were not entitled, according to the Secretary of the Navy. They are receiving that bonus for the current year.

Mr. PITTMAN. Let me read a letter from the Secretary of the Navy on that subject. If the Senator from Massachusetts does not object, I should like to read it now.

Mr. WALSH of Massachusetts. I should like to have the Senator read it.

Mr. PITTMAN. It is addressed to Hon. JAMES A. FREAR, House of Representatives, Washington, D. C., and is dated January 12, 1921, which is a very late date. The letter is as follows:

JANUARY 12, 1921.

MY DEAR MR. FREAR: I have your letter of January 11 in regard to the allowance of the $240 per annum bonus to employees of the Naval Establishment.

Prior to the increase authorized by the department, effective September 16, 1920, the rate of pay for representative trades was $6.40 per diem, or $0.80 per hour. Under the 5 per cent increase allowed under the above-mentioned adjustment, which was in addition to the allowance of the congressional bonus of $240 per annum, the basic rate of pay for representative trades was $6.72 per diem, or $0.84 per hour, which, plus the above-mentioned bonus of $0.76 plus per diem, or $0.09½ plus per hour, equals $0.93½ per hour, this being the official rate determined and approved by me as a proper and just rate at this time.

The law under which employees receive the bonus distinctly states that we must count this bonus as a part of the regular wage in making any revision of wages. As this bonus is not paid from Navy Department funds, our wage scale, as issued, shows an apparently lower rate than $0.93½ per hour, but this does not alter the fact that $0.93½ is the rate which the board considered the representative trades were entitled to.

Should Congress fail to continue the bonus, the result will be an automatic decrease in the amount received by the men below the sum which I have already approved as being just and proper.

It is quite true that the reduction in the number of working hours per week from 48 to 44 will result in the loss of a half day's pay per week to employees. The action of the department with respect to reducing the working hours was taken at the earnest solicitation of organized labor as a step toward the betterment of working conditions.

Sincerely, yours, JOSEPHUS DANIELS,
Secretary of the Navy.

Hon. JAMES A. FREAR, M. C.,
House of Representatives, Washington, D. C.

Just a word of comment on that letter and I am through.

Mr. WARREN. Mr. President, I ask that an excerpt from the House hearings on the pending bill from the testimony of Mr. Woodbury, the Assistant Secretary of the Navy, may go in the RECORD after the letter which has been read by the Senator from Nevada. Perhaps the Navy Department can explain it. The testimony of Mr. Woodbury was all the evidence the committee had before it.

Mr. WALSH of Massachusetts. Mr. President, from the letter of the Secretary of the Navy which has been read, it appears that the appropriation act of last year which provided the bonus for navy yard employees compelled the wage board to take into consideration the bonus which it is now proposed to take away; in other words, the wage board will have to begin all over again and readjust the salaries, having previously passed upon their salaries having in mind the provision of law that gave them a bonus. There is no money at the command of the department, and there is not likely to be, to provide for the payment of the additional wage that may be authorized by the wage board. I will read the provision of the law referred to, found on page 66 of the act.

Mr. POMERENE. Pardon the interruption. Before that is read, the chairman of the committee has sent to the desk another statement, evidently one furnished by the Navy Department.

Mr. SMOOT. By the Secretary of the Navy.

Mr. WARREN. I stated what was stated before the committee by this department.

Mr. THOMAS. Let it be read.

Mr. POMERENE. I was simply going to ask that it be read for the information of the Senate.

Mr. WARREN. Very well; have it read.

The reading clerk read as follows:

HIGH WAGE SCALE OF THE NAVAL ESTABLISHMENT.

Mr. WOOD. Mr. Woodbury, I want to call your attention to a certain position taken by the Secretary on September 4, 1920, in a communication to all the chiefs of bureaus. Section 1 reads as follows:

"The labor wage adjustment board appointed to consider the question of a readjustment in the wages for employees under the Naval Establishment finds that the existing wage scale for the Naval Establish-

ment is higher, the $240 per annum congressional bonus considered, than the wage scale of any other industry as a whole in the United States of which it has information. The present wage scale of the shipbuilding industry is lower than that of the railroad industry. The difference between the navy yard scale and the shipbuilding industry is practically the congressional bonus of $240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than $2,740 per annum."

Mr. THOMAS. Who is the author of the document just read?

Mr. SMOOT. This is the statement of the Secretary of the Navy.

Mr. WARREN. This is the Assistant Secretary, who has charge of all the wage matters of the Navy Department.

Mr. PITTMAN. Who is Mr. Wood?

Mr. WARREN. This is the statement of Mr. Woodbury, who is the Assistant Secretary of the Navy.

Mr. PITTMAN. I asked whose language it was that has been read.

Mr. WARREN. The language that was read was verbatim the language of the Assistant Secretary of the Navy, Mr. Woodbury, on September 4.

Mr. PITTMAN. All I want to say is this: Whether the wage in that department is higher than it is in other departments or not, neither the Senate of the United States nor the Congress has anything to do with it under the existing law, because under the existing law a wage board is created for the purpose of determining that, and the members of that board have determined that the wage is fair; and in determining what is a fair wage under the law they have had to take into consideration the bonus, and they have taken it into consideration. What the committee is attempting to do is to reduce that wage.

Mr. WARREN. The wage board did not take into consideration for the year 1922.

Mr. PITTMAN. No; but they have taken it into consideration up to this date.

Mr. WARREN. But the old bill goes up to the 1st of July.

Mr. PITTMAN. But if these wages are to be reduced it will be the readjustment board that will reduce them, and not the Senate of the United States; and what the committee apparently is trying to do is to supersede the Navy readjustment board and reduce these wages because Mr. Woodbury says they are higher than those paid in civil employment.

Mr. WARREN. Mr. President, if that expression of the Senator does him any good, I shall not object to it; but the committee is not undertaking to do anything but justice toward all, without favoritism to one particular branch of mechanics that pay a big salary to a man, and have for a great many years, to infest the halls of this Capitol, and to be at the doors and accost every Senator here or at his hotel or at his home. I do not think the Senate can be entirely governed by a lobbyist of that kind.

The committee has taken up this subject and looked it through and through, and they are doing justice by those men; and if there is anything the matter, as the Senator would indicate, the wage board has the right to correct it. We can not put per diem men in and out under the same class as the civil service arranged clerks who work the year around. The wages to the per diem men are adjusted from time to time, and if these Navy men are getting ninety-odd cents an hour I do not know that they need any further help along that line.

Mr. WALSH of Massachusetts. Mr. President, I do not see any contradiction between the Woodbury statement and the letter of Secretary Daniels. The letter of Secretary Daniels points out that the wage board have complied with the law, and have considered, in fixing wages, the fact that these men are receiving a bonus. The Woodbury letter points out the fact that with the bonus the employees in certain departments of the Government are being paid more than employees doing like work outside of the Government employment.

Mr. SMOOT. Or, in other words, $240 more.

Mr. WALSH of Massachusetts. No, sir; I do not so understand it.

Mr. SMOOT. Let me read——

Mr. WALSH of Massachusetts. Pardon me; I wish the Senator would convince me that they get $240 more.

Mr. SMOOT. Let me read what he says, and then we will see whether he does or not.

Mr. WALSH of Massachusetts. He says that they get more, but it may be only 1 per cent, a small amount.

Mr. SMOOT. No; no.

The difference between the navy yard scale and the shipbuilding industry is practically the congressional bonus of $240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than $2,740 per annum.

In other words, if an employee received $2,700, he would not receive the bonus; but the language is unmistakable. It says that the difference between the navy yard scale and the scale in the shipbuilding industry is practically the congressional bonus of $240 per annum. So, Mr. President, all we are doing is simply not to give the $240 bonus. They received it only one year and that was last year, and it was given then for a reason, as I have stated already.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Nevada?

Mr. WALSH of Massachusetts. Yes; certainly.

Mr. PITTMAN. In other words, with this $240 plus the wages given by the Navy Department the total compensation amounts to 93½ cents an hour, which the naval readjustment board said was fair. Now, then, because this is more than the ship workers are getting, you intend to cancel what the naval board did by taking the bonus away and reducing their wages $240.

Mr. SMOOT. No; Mr. President, the Senator is wrong in that statement. The board said that the rate they are receiving now, under the decision of the board, is $240 more than those in the shipping industry get.

Mr. SWANSON. Mr. President, will the Senator yield to me a minute?

Mr. WALSH of Massachusetts. Yes; certainly.

Mr. SWANSON. I think the Senator is mistaken to this extent: As I understand, the bonus is paid out of the appropriation carried by this bill. I was not here when the discussion started. The balance of the wages is paid out of the naval appropriation bill.

Mr. SMOOT. That is correct.

Mr. SWANSON. Now, then, in fixing the wages of these naval employees the wage board reduced them to the extent of the bonus. You see, the law fixing the naval employees' wages provides that their wages shall correspond to the wages paid for similar work in the surrounding section. Now, as I understand the law, when the wage board fixed the wages this appropriation carrying the bonus of $240——

Mr. SMOOT. There is not any appropriation here.

Mr. SWANSON. I know it; but it is not paid out of what is known as the naval appropriation. I am satisfied that that is correct. Then the naval bill appropriates money to pay the employees in these navy yards. Last year, when these wages were fixed, they knocked off so much. This bonus amounted to so much an hour, so much a day, and consequently the naval appropriation pays that much less.

Mr. WARREN. No.

Mr. SWANSON. I am satisfied that that is true.

Mr. SMOOT. But it is not true.

Mr. WARREN. I quoted the Senator's own witness to show that they did not do it.

Mr. SWANSON. There is a letter here from Secretary Daniels in which he says that the labor board, in doing it, did it in that way, and I am satisfied that it was done. Now, if it was done in that way, to defeat this amendment at this time has this effect: If the wage board considered this bonus and subtracted it from the amount they paid out of the naval appropriation bill, which I think is shown by the letter that has been referred to—I have not the letter with me, but I think it explains it—when you defeat this amendment you subtract from their wage until the wage board can meet and add to it—that is, after the 1st of July.

Mr. WARREN. How long does it take the wage board to meet when they are called together?

Mr. SWANSON. They could meet immediately, but the system is this: They generally meet in October, November, and December and fix the wages to commence in January. That is the usual custom. If that is true—and I think it is true——

Mr. WARREN. One moment right there.

Mr. SWANSON. These employees would lose that much of their wages until the wage board met and reconsidered the matter and included it in the wages paid out of the naval appropriation bill.

Mr. WALSH of Massachusetts. Until Congress appropriated more money for this and other departments above the usual appropriation.

Mr. SWANSON. No; if the naval appropriation bill appropriated the money and fixed the wages current in the locality, it could be paid out of that; but, as I understand, it could not be remedied until the wage board met.

Mr. WALSH of Massachusetts. Exactly.

Mr. WARREN. Now, if the Senator will permit me, when we call a witness before us he has notice to perfect his knowledge; and when a Secretary or his assistant comes before us, especially where the assistant has everything connected with the

wages to attend to, while we do not put the witness under oath, when he gives his testimony and has never taken it back I think it is stronger than personal letters to individuals, even from the head of the department, who pays no attention to the matter of wages. I am just as well satisfied as I am that the Senator from Virginia, fine-looking as he is, is looking at me that they have had this $240 extra, as they have themselves said, as we intended it to be last year to make up for the past.

Mr. SWANSON. There has always been a dispute between the employees of the Navy and the department as to whether they got wages as high as those paid in the shipbuilding industry in the surrounding country.

Mr. WARREN. Ah! That is another thing.

Mr. SWANSON. All that this witness says there is that they get more than those employed in the shipyards by $240; but the wage board meets and hears the evidence on both sides, the employees furnish their affidavits as to what is paid, the employers in these shipyards furnish their evidence, and then, on that evidence, the Navy Department must pay the same wages that are paid in the same business in the surrounding section. There has always been a dispute. The employees to-day say they do not get as much as is paid in the shipyards in this place and that place by private people. The employers say they get more; so the board is appointed to determine what is the current wage paid in that community.

Mr. SMITH of Arizona. Mr. President, will the Senator from Virginia permit me to ask him a question for my own information?

Mr. SWANSON. Yes.

Mr. SMITH of Arizona. Do I understand him to say that in the appropriations for this wage made to the Navy Department they in their estimates have made allowance for the $240 alleged bonus, and have subtracted it from what they would otherwise pay if the bonus were not given?

Mr. SWANSON. That is what I understand. Secretary Daniels says in his letter, which I have here before me, that when the wage board met they fixed a certain scale of wages. Then, as these people under the law of last year got the bonus of $240, they subtracted it from the wages, and paid them so much; and as I understand all the wages except the $240 bonus are paid out of the naval appropriation bill, and this amount is paid out of this appropriation bill.

Mr. WARREN. Now will the Senator listen to me? It all comes out of the Treasury of the United States. The Senator is wrong in two things. In the first place, the witness that I quoted did not allude to the Shipping Board alone, but his statement covered all of the similar industries in the United States.

Mr. SWANSON. I say, that has always been a matter of dispute. The employees of the navy yard to-day say they get less than the shipyards pay. The employers of labor in the shipyards say they get more. In order to ascertain what is a fair wage for that business, we have had this board appointed. The only question is as to whether or not this board considered the $240 bonus in fixing the wages. I understand from Secretary Daniels that they did, and subtracted it, and I understand that that amount is paid out of a different appropriation.

Mr. WARREN. How could they subtract it for 1922 when there is no law saying that they can have it?

Mr. SWANSON. Last year we passed that law.

Mr. WARREN. I am not talking about last year. I am talking about this year.

Mr. SWANSON. We can not do it this year.

Mr. WARREN. There was not any subtraction.

Mr. SWANSON. The wage board says, "Instead of getting so much an hour, you get 7 or 8 cents an hour less because you got a bonus of $240." That is what I understand.

Mr. PITTMAN. I would like to ask a question of the chairman of the committee. Does the chairman of the committee dispute the fact that the Navy wage board agreed on 93½ cents per hour in the navy yard?

Mr. WARREN. I have not gone into that matter, but I remember the Senator read something about ninety-odd cents per hour.

Mr. PITTMAN. The Secretary of the Navy, in the letter which I just read, stated——

Mr. WARREN. I am not questioning the 93 or more cents an hour. They may pay 110 cents an hour for aught I know.

Mr. PITTMAN. I want information. Assume that it is the statement of the Secretary of the Navy that the naval readjustment board agreed on 93½ cents an hour for these men in the navy yards. We will assume that. The Secretary of the Navy states that by reason of the bonus, if the bonus is cut off, they will receive only 84 cents an hour at the navy yard. Is that disputed?

Mr. WARREN. All I know is that the witness, whom I presume the Senator has seen, told me that they had their raises all right, but they did not get the percentage as high as they ought to have it, and they wanted this bonus.

Mr. PITTMAN. Just a moment. If it is a fact that the readjustment board fixed their wages at 93½ cents an hour and the Navy is paying only 84 cents an hour plus the bonus, then if they do not get the bonus they will get 84 cents instead of what the Navy readjustment board agreed they ought to have, 93½ cents an hour.

Mr. WARREN. I am not ready to believe that the Navy Department is so disorganized that the Navy board is recommending one rate of payment and the Secretary of the Navy another, although it appears that the Secretary and the Assistant Secretary are quoted in exactly opposite terms, one as a witness before the committee who sought to do justice to these men, and the other, who does not pay much attention to the wages, as we all know, writing to different Senators who write him, and where probably some clerk writes the letters and he signs them, with dozens of others. When a man says a thing, testifying before a committee, he generally knows what he is talking about. But the head of a department, who signs a pile of letters handed to him by a clerk, who stands with a blotter and as fast as he signs them, blots them and takes them away, is likely sometimes to be mistaken in what he says in a communication thus handled.

Mr. PITTMAN. Mr. President, time and time again we have heard the chairman of the committee stating that there was a contradiction between the letter of the Secretary of the Navy and the statement of the Assistant Secretary of the Navy. He believes that to be a fact, of course, and I wish he would give it consideration, because his opinion has great weight. Both statements are in the RECORD. The Secretary of the Navy does not deal with what is a fair or not a fair wage; he states facts. He states that the readjustment board of the Navy fixed the pay at 93½ cents an hour, and that the wage is made up from two sources; the employee is paid 84 cents from the Navy fund and 9½ cents from this bonus fund. Under the law, the readjustment board, having fixed the rates, had to take into consideration the amount to which the men would be entitled under the bonus provision. What did the Assistant Secretary say? The Assistant Secretary did not deny that. He did not dispute that. All he said was that that 93½ cents an hour, fixed by the readjustment board, was higher than the wages received in the shipyards of the country.

Mr. WARREN. Not the shipyards—all classes of industry.

Mr. PITTMAN. Or anywhere; I do not care where. He said it was higher than the wages received anywhere. But what have we to do with that when the law establishes in the Navy Department a board to determine what is right? They have determined that 93½ cents an hour is right, and under the law they have had to deduct the bonus from the wages paid by the Navy Department. They did deduct it. This committee wishes to abolish the work done by the Navy readjustment board, and they wish to ignore the statement of facts made by the Secretary of the Navy, and in lieu of that, because the Assistant Secretary of the Navy has voluntarily stated that this rate is higher than the rates in other works of the country, they are going to constitute themselves into a navy readjustment board and reduce the wages of these naval employees from 93½ cents to 84 cents. That is exactly the result of the amendment offered by the committee, and it is such reductions of wages that the amendment of the Senator from Massachusetts seeks to prevent.

Mr. SMOOT. Mr. President, I wish merely to say that this bill does not take effect until July 1, 1921. If the statement of the Assistant Secretary is wrong, if there is not any truth in it and it is not to be relied on, then these men can go to the board, and they can adjust the matter there with that board, and they are not going to lose anything. They have until July 1 to do it. So it is perfectly useless to consider this question here and to put these men on. We did them a favor a year ago, and this is what we get for it.

Mr. WALSH of Massachusetts. Mr. President, I want to know, and I am sure other Senators want to know, whether the changes made by the committee in the bonus amendment now under consideration amount to a reduction in wages or not. In one sense I do not care whether the committee intends by this bill to cut the wages of certain classes of employees, but when I vote on this measure I want to know what class of employees in the Government service are to have their wages reduced and by what sum of money they are to be reduced.

I know one thing, that if the amendment proposed by the Senator from New York [Mr. CALDER], which I just moved, is adopted, there will be no change whatever. I know another

thing, that the law of last year has been changed by this committee amendment, and I am going to read to the Senate the exact change that is about to be made in that law if this bill is adopted. There has been stricken out of the provisions of the bonus law of last year the following language:

Provided further, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

In other words, in the bonus law of last year the wage boards were compelled to take into consideration, in fixing wages of certain employees, the fact that they were receiving a bonus. That compulsion is now stricken out by the amendment of this year, so that hereafter wage boards will not take into consideration any bonus being paid to certain employees of the Government.

Let me say in this connection that we are not dealing with naval employees alone. We are dealing with employees in the arsenals of the country; we are dealing also with employees in the printing plant; we are dealing with every employee who has to go before a wage board for the adjustment of his wages.

We have a right to know, and I insist upon knowing, whether the striking out of this language and the insertion of the clause I am about to read amounts to a cut in wages or a reduction in the number of employees in these and other departments.

Mr. SMOOT. The answer to that is this——

Mr. WALSH of Massachusetts. I do not yield now; I will be glad to yield later.

Mr. SMOOT. I thought the Senator wanted an answer.

Mr. WALSH of Massachusetts. I will be glad to have the Senator's views, which I know are always entitled to much weight and consideration.

I have pointed out what was stricken out of the act of last year. Let us see what has been added. To the clause which says that certain classes of employees shall be exempt from the bonus there has been added this year the following class:

Employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service.

In other words, there is added to the class who are not to receive the bonus the class who have their wages adjusted by wage boards. Who are they? How many of them are within this exclusion?

Now we come to this question: Are there any employees who have had their wages adjusted by wage boards under the provisions of last year's law where wage boards were obliged to consider the bonus in fixing their wage who will be affected by this change in the law?

Unquestionably, yes. Every employee, as the Senator from Nevada [Mr. PITTMAN] has pointed out, who has been before this board, and as to whose compensation the wage board has considered what it had to consider by law, the bonus pay, will on July 1 next have the $240 bonus taken away from him under this act and will be receiving $240 less than the wage board, which took into consideration the bonus he was receiving, said he was entitled to as a fair wage.

That class reaches into the thousands, if I understand it correctly.

Mr. GERRY. Is it not also true that if the suggestion of the Senator from Utah is followed out, and the matter is left to subsequent determination by the wage board, it may take six months more?

Mr. WALSH of Massachusetts. Unquestionably so. Not only that, but, as I understand it, all of the employees of the Government Printing Plant, all of the employees in every arsenal and in every navy yard, and I do not know how many other departments, will at once be compelled to go to the wage boards to have their wages readjusted because the bonus has been taken away from them, and then this will follow: If the wage board substitutes an increase in the hourly wage or the daily wage for the loss by reason of the taking away of the bonus, then there must be money in the department, Army, or Navy to meet the increased wage which the wage board says they are entitled to have in lieu of the bonus or there will have to be a reduction in the forces of these departments, and it is intimated—I do not know with what certainty or definiteness—that this bonus-exclusion provision is indirectly a means of reducing the number of employees in the arsenals and in the navy yards of the country. In any event, I do not see how, when July 1 comes, if this bonus is taken away from these men, these employees will not be left in the position of an absolute cut in wages of $240, unless the wage boards readjust their wages, or unless the various departments of the Government under whose direction these employees work have the money on hand to give the increased wage which the wage board establish. That is a very serious situation.

Mr. THOMAS. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Colorado?

Mr. WALSH of Massachusetts. Certainly.

Mr. THOMAS. Are there any employees of the Government, outside of and beyond those in the navy yards and arsenals, whose pay is adjustable from time to time through wage boards?

Mr. WALSH of Massachusetts. I understand that it applies to the employees in the printing plant and other departments.

Mr. THOMAS. I understand that if the Calder amendment is adopted, which involves the exclusion from the bill of employees whose pay is adjusted from time to time by wage boards and so forth, then it would follow, would it not, that all employees of the Government whose wages may be so adjusted, would be entitled to the bonus?

Mr. WALSH of Massachusetts. Yes; if the Calder amendment is adopted it will leave the law exactly as it was last year.

Mr. THOMAS. The wages of the railroad employees are adjusted by wage boards. Would it not give them at least a plausible reason for insisting upon this bonus?

Mr. WALSH of Massachusetts. I think not, Senator. I think the only thing the Calder amendment would do would be to restore the status of last year to Government employees.

Mr. THOMAS. I know what it is intended to do, but it seems to me it is so broad that it may accomplish a great deal more.

Mr. WALSH of Massachusetts. It seeks to strike out the new exemption and to restore the language of the amendment of last year. It can do no more harm than the present law. I do not know that it is necessary to say very much more, except that a vote for the Calder amendment which I have moved is a vote to leave the bonus situation and condition as it was last year. A vote for the committee amendment is a vote to make radical changes in the giving of bonuses to certain classes of employees, and leaves open a situafion which will result either in a substantial cut in wages or will lead to the discharge of a large number of Government employees.

[At this point Mr. SMOOT addressed a remark to Mr. WARREN.]

I think I agree with the Senator's undertone remark that it would perhaps be a good thing to discharge a number of the Government employees, but I want to do it in the open. I do not want to do it under cover.

Mr. SMOOT. The Senator from Utah did not say that at all.

Mr. WALSH of Massachusetts. Pardon me!

Mr. SMOOT. What I said to the Senator from Wyoming had no reference at all to the matter under discussion by the Senator.

Mr. WALSH of Massachusetts. I agree with the sentiment of what I understood the remark to be, but I repeat I want to do it in the open. I want to cut employees and wages in the open, and I do not want to cloak an amendment with language and phrases that are uncertain and indefinite, or that appear to be, so that the average employee of the Government will not understand just what his rights may be under the language of the bill. I hope that the Senate, in the absence of some provision made to substitute a wage for the bonus, will adhere to the position taken by Congress at its last session and treat all Government employees alike in the matter of the bonus. Let us readjust this whole bonus business at one time and not by piecemeal.

One further suggestion: It has been pointed out that mechanics working for the Government receive a higher wage than is often paid to mechanics in private employment. I do not know whether that is true or not, but I do say that I do not believe it is any more definite or certain that they do than that the clerical forces, and those who receive the bonus under the amendment of the committee, are paid more than is paid in private employment.

I hope the Senate will determine to leave the bonus situation as it was a year ago and will agree to the amendment to the committee amendment moved by me.

Mr. THOMAS. Mr. President, when the bonus system was introduced into our legislation I was unwise enough to predict that it would lead to a great many complications and to a great deal of difficulty, because once we had begun the process and set the precedent for bonuses we would find it extremely difficult to break away from it.

The purpose for which bonuses were granted originally was largely that exigencies existed which required them, those exigencies consisting of a largely increased cost of living. We were assured that they were to be abandoned when the exigency calling them forth had disappeared. The appearance of the amendment in the pending bill, I think, justifies the reflection that we will never get rid of the bonus proposition until the amounts which are covered by the bonuses are crystallized into

existing salaries and become a permanent part of salary increase.

We are face to face with falling prices, but that circumstance does not in the slightest degree affect the question of the bonus. Those who are enjoying it are even more persistent. Their representatives around the Capitol are more numerous and more active than ever before, and I do not doubt that the committee in all probability surrendered to this amendment because they could not help themselves.

Mr. SMOOT. So far as I am concerned, I will say to the Senator that this is the last bonus that I shall vote for in the way we have here provided it.

Mr. THOMAS. The Senator can speak for himself, of course, but he can not speak for the Congress.

Mr. SMOOT. That is true, but I wish I could.

Mr. THOMAS. The difficulty is that we have set the precedent, and as long as the precedent has been established the influences which induced Congress to allow the bonus will, I think, find abundant material to successfully work on in future Congresses. That, however, is by way of this digression.

I think the difference between the Senator from Massachusetts [Mr. WALSH] and the chairman of the committee [Mr. WARREN] is a difference of fact. I have listened patiently to their discussion, and I confess that I am somewhat confused, possibly because of my obtuseness.

If I understood their attitudes on the question of fact, the Senator from Massachusetts insists that the bonus, the amount of which was practically given to the employees of the Navy Department for the present year, will by this exception be excluded from those employees next year, while the chairman of the committee insists that the bonus will be taken into consideration next year just as it was in the arrangements for this year and that consequently, without the exception, the employees concerned would virtually receive the bonus twice over.

Mr. WARREN. That is quite right.

Mr. THOMAS. Of course the Senator from Massachusetts does not want that, and it therefore resolves itself, it seems to me, into a question of fact. If the chairman of the committee is right, the exception should remain in. If the chairman of the committee is wrong, then of course the amendment offered by the Senator from Massachusetts would be pertinent.

In that connection, I was somewhat interested in the amounts stated and what they represented by way of monthly and yearly salary or wages. At 84 cents an hour these employees receive $181.60 a month, which would be $2,179.20 a year. That is a pretty good salary in these hard times, or pretty good compensation, and far above the average compensation paid throughout the country. At 93½ cents an hour the monthly wage is $224.40, and the yearly wage is $2,692.80. If to that, $240 is added, the total wage would be $2,932.80, or, if limited to the amount necessary to make it $2,750, of course it would take less than one-half of the bonus to do so.

But the outstanding fact is that this class of employees is well paid. If the committee takes the position, and it has certainly given the matter a great deal of thought, that the bonus is included in the bill or will be included by the board if the bill passes in its present form, then I think the amendment should be rejected.

But there is another objection to the amendment——

Mr. SMOOT. Before the Senator leaves that point may I call his attention to another matter?

Mr. THOMAS. Certainly.

Mr. SMOOT. Not only do they receive the amount that the Senator states, but every one of them receives 30 days leave of absence with pay, receives also the half holidays, receives pay for the holidays, and receives sick leave.

Mr. THOMAS. Oh, yes; of course, I am aware of those tremendous advantages in the way of privileges which are enjoyed by employees of the Government, no matter what the rank or grade may be.

The other objection to the amendment seemingly lies in the question which I asked the Senator from Massachusetts, and that is as to its effect upon other classes of employees whose wages are fixed by boards of control. If we strike this out we may find ourselves involved in a maze of difficulties, and, of course, resulting in enormous added expense to the Government. I do not know, I do not pretend to be at all familiar with the extent to which wages are fixed by boards and consequently the extent to which the elimination of the class involved in the amendment would go; but that is a matter of very serious concern and unless that is explained more satisfactorily than at present I shall be obliged to vote against the amendment.

I should like to ask the chairman of the committee or the Senator from Utah what the added burden to the Treasury would be approximately through the operation of the $240 bonus?

Mr. SMOOT. I should think it would be between $15,000,000 and $16,000,000.

Mr. THOMAS. It is an enormous sum of money. My own opinion is that the firemen of the District are practically the only ones who are entitled to it. I do not think that their pay is commensurate with their duties or their responsibilities. I hope that hereafter the assurance given by the chairman of the committee and by the Senator from Utah will be followed, because just so long as the bonus feature exists, just so long will Congress be confronted with innumerable difficulties and insistences upon the extension of the system until it will involve all classes and conditions of employees.

Mr. SMOOT. Mr. President, I wish to change the statement which I just made. I had reference then only to the employees in the District of Columbia. The bonus applies to outside employees, of course, and I will say to the Senator from Colorado that it amounts to nearly $50,000,000.

Mr. THOMAS. I thought the Senator's estimates were very small comparatively, but he is so much more familiar with the subject than I am that I did not have the audacity to question his figures.

Mr. SMOOT. The first figures that I gave referred only to employees in the District of Columbia.

Mr. THOMAS. I remember very distinctly that two or three years ago, when I asked the same question, and when the bonus, I think, was only $120, it was stated it would aggregate somewhere in the neighborhood of $25,000,000.

The PRESIDING OFFICER. The question is on the amendment to the committee amendment.

Mr. HARRISON. Is it the committee amendment which we are now to vote on?

Mr. WARREN. It is the amendment to the committee amendment.

Mr. HARRISON. On the amendment to the amendment?

Mr. WARREN. It is on the amendment to the amendment which was offered by the Senator from Massachusetts [Mr. WALSH].

Mr. WALSH of Massachusetts. I offered the amendment on behalf of the Senator from New York [Mr. CALDER].

Mr. SMITH of Arizona. Mr. President, before the vote is taken I wish to be informed by some Senator who knows, if any one does, whether or not the measure as reported by the committee in this particular case covers the amount allowed by the wage board? If it does, there is no necessity for the $240 bonus; if it does not, there is a necessity that that amount shall be made good, not merely in the amount of $240 but whatever is necessary in order to make good the deficiency which may result by a failure to follow the principles established by the wage board. If I can obtain the information as to that fact, I shall know how to vote.

Mr. SMOOT. I will say to the Senator from Arizona that this bill will not take effect until July 1 of this year and will end on June 30, 1922, and the navy yard employees will have a perfect right to appeal to the board any time between those dates, and that board will determine what they are to receive.

In answer to the first question which the Senator from Arizona has asked, I desire to read him what is said by the Assistant Secretary of the Navy, the official who has these matters in charge. He came before the committees of Congress and asked for the necessary appropriations. The Senator from Arizona is a member of the Appropriations Committee, and I know that he knows that no head of any department ever asks for too little money.

Mr. SMITH of Arizona. I am conscious of that fact.

Mr. SMOOT. This is what the Secretary of the Navy said:

> The difference between the navy yard scale and the shipbuilding industry is practically the congressional bonus of $240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than $2,740 per annum.

Mr. WALSH of Massachusetts. In answer to the Senator from Arizona, I desire to suggest that the amendment of the committee either does or does not make a change in the law. If it does make a change in the law, it must have been in the interest of economy, and if it is in the interest of economy it is a cut in wages. If it does not make a change, then what is the harm to pay everybody the same as they were paid last year, and let the amendment of last year stand, as the Calder amendment proposes? The committee proposal is an indirect way of cutting down wages or reducing employees. There is not any explanation for it otherwise. What is the harm? If conditions are the same as last year and no wages are to be reduced, why not let last year's provision be adopted? The money will come out of the same department; it will come out of the Treasury. Here is an effort made indirectly to put a certain class of employees—some of the most efficient, the highest class in the Government service, mechanics—into a different class and to take a

bonus away from them under a provision made in this proposed law.

Mr. SMITH of Arizona. I do not get the information I desire from the statement of the Senator from Massachusetts.

Mr. WARREN. I wish to address the Senator before he takes his seat. I take issue with the statement that this is an indirect way of doing somebody an injustice.

Mr. WALSH of Massachusetts. It is in the interest of economy.

Mr. WARREN. Let me have a moment, please. The bonus provision was inserted in the bill last year at the instance of the person to whom reference has been made to cover one class concerning whom the claim was made that they had not received equitable compensation.

Mr. WALSH of Massachusetts. Do I understand the Senator from Wyoming to say that the bonus of $240 to the employees who had their wages fixed by a wage board——

Mr. WARREN. I can not hear the Senator.

Mr. WALSH of Massachusetts. Was there a gift made last year of the bonus of $240 to the wage earners who had their wages determined last year——

Mr. WARREN. I do not yet understand the Senator.

Mr. WALSH of Massachusetts. I understood the Senator to say that the provision was put in last year at the request of somebody and taken out this year. It was put in last year for a good reason—it must have been for a good reason—and for a valid reason, namely, that somebody was entitled to it, and yet it is being taken out this year. Either the Senator's committee is seeking to change the law of last year for purposes of economy, or it is not. If the purpose of eliminating the bonus is to promote economy, it is designed to reduce wages by taking the bonus away from employees; and if conditions are the same as last year, and it is not proposed to change the wages, what is the harm in the provision of last year's bill which provided for the bonus?

Mr. WARREN. If the Senator means that we propose to reduce wages he is certainly mistaken. All that it does is to maintain wages as they now are.

Mr. WALSH of Massachusetts. Why not let the provision of last year's bill remain and adopt the Calder amendment, which will leave it just as it was last year?

Mr. WARREN. I do not care to discuss the matter, and I hope the amendment to the amendment will not prevail.

Mr. PITTMAN. Mr. President, I should like to answer the Senator from Arizona. The law provides for a Navy adjustment board to fix the wages of certain employees in the Navy Department. It also provides that from the wages it fixes must be deducted the amount that is given to any employee as a bonus. The board fixed 93½ cents an hour as the rate of wages. It found that through the bonus the men got 9½ cents an hour. It deducted the 9½ cents an hour from the 93½ cents. The Navy Department, then, pays the men 84 cents an hour, and the General Government, through this appropriation, pays them 9½ cents an hour. If we cut off the 9½ cents an hour, the men will receive 84 cents an hour, which is 9½ cents less than the Navy wage board says they are entitled to.

Just one further suggestion. The Navy wage board does not have to meet under its rules and regulations until October.

Mr. SMITH of Arizona. But it can meet whenever it pleases.

Mr. PITTMAN. The Navy board can meet when it pleases, but it does not have to meet until October. These men may receive 84 cents from July 1 until October, while they are entitled to receive 93½ cents. If, on the other hand, the Navy board is anxious to cut their wages down, they can call themselves together and reduce the wages to 84 cents; in other words, it is within the power of the Navy board to reduce wages, but it is not in the power of these employees to compel them to meet until October for the purpose of adding the 9½ cents that will be due them if you adopt the committee amendment and exclude them from the bonus.

Mr. SMITH of Arizona. The Senator does not yet catch the point that I make. I agree with all he has said, provided the facts are as stated; but we have a very different statement from a man who, in my judgment, knows better than the Secretary himself about this particular matter. My purpose is—and that was the purpose of the committee, as I understand—to allow these men every cent that the wage board has ever given them. It is claimed here by the chairman of the committee that the bill as reported does do that; on the other hand, that statement is denied, and it is said on the floor that the provision reported by the committee does not do that. Therefore, we are met by this condition: The wage board fixes a certain amount for these employees; then, without any right on their part, they ask for an appropriation, if you please, conditioned on a $240 subtraction, which, for the Congress to pass in another bill in the shape of a bonus, a word the sound of which you and I and no one else likes. These employees ought to have and will have, if my vote can give it to them, just exactly what the wage board gave them. If it can not be gotten in any other way, I will vote a sufficient bonus to pay them, in order they may get that much, but no more. I am, however, in a dilemma, for one Senator says that the full wage is provided, and another one says it is not.

Mr. PITTMAN. Mr. President, let me ask the Senator a question. He is in a dilemma. He is between a statement on behalf of the committee that the Assistant Secretary said the wages were too high, on the one hand, and on the other a positive statement from the Secretary of the Navy that unless these employees are paid the bonus they will not receive the wages allotted them by the Navy wage readjustment board.

Mr. SMITH of Arizona. I have read that letter myself and I know its contents very well. The Senator will pardon me for knowing that.

Mr. PITTMAN. If the Senator has read everything I will not prolong the debate. However——

Mr. SWANSON. Mr. President, I should like to say——

Mr. PITTMAN. I will ask the Senator to wait a moment. I wish to say that the Assistant Secretary of the Navy, Mr. Woodbury, upon coming into office in place of Franklin D. Roosevelt, stated that the total wage allowed was higher than the basic wage in general industry. That is true when you take the average basic wage in general industry, but when you compare this wage of 93½ cents an hour for these skilled mechanics in the navy yards with the wages paid skilled mechanics in railroad establishments you will find that the two are practically the same. You will also find that there are schedules of $1.50 a day less than these in navy yards for unskilled men.

Now, let me say something about the navy-yard workers. I have been on the Naval Affairs Committee for a long time and I know that some of these employees have been working in the navy yards for 20 years and they are skilled in the particular business. I wish also to say that all during the war great private shipbuilding companies came to the navy yards and tried to bribe those men to leave the Government employ time and time again; they offered them two and three times what they were receiving in the navy yards, but I will say, for the patriotism of those men, that very few of them left the service of the United States.

The proposition here is, because the Assistant Secretary of the Navy said these men were getting high wages, to ignore the board which fixes their wages and automatically by this bill to deprive them of 9½ cents an hour.

Mr. SWANSON. Mr. President, will the Senator from Arizona permit me to interrupt him?

Mr. SMITH of Arizona. I will ask the Senator to wait for a moment; I think I have the floor. If, however, the Senator desires to make a statement to me, I will listen to him.

Mr. SWANSON. Very well, I will make it to the Senator; I will make it by asking the Senator from Utah——

Mr. SMITH of Arizona. By appealing to the Senator from Utah the Senator from Virginia is diverting me from my answer to my friend from Nevada.

Mr. SWANSON. I merely wish to make the distinct issue as to whether the 9½ cents will be lost to the employees under the terms of this bill or whether it will not be?

Mr. SMITH of Arizona. That is the information I have been asking for all the time.

Mr. SWANSON. I wish to make it clear to the Senator. The Senator from Utah will admit this—and I ask the attention of the Senator from Utah—the difference between him and the Senator from Nevada——

Mr. SMITH of Arizona. Mr. President, I do not want the Senator from Virginia to divert attention from what I have been saying to the Senator from Utah, for it breaks up entirely my line of thought.

Mr. SWANSON. Very well; I yield to the Senator.

Mr. SMITH of Arizona. I do not want to have the Senator from Nevada do what I know he would never intentionally do, namely, put me in the attitude of showing any lack of appreciation for the great service performed by the men in the Government navy yards; nor do I want him to put me in the attitude of abating one dollar of their pay below what the board has fixed. Congress has got to be guided by something in a matter such as this and has consequently provided a rule under the operations of the wage board to determine such matters, and that is the rule I am attempting to enforce. I have said, and I reiterate, if the provision reported by the committee does not give them their full wage as allowed by the wage board last year, then I am in favor of seeing that they do get it.

This bill will commence to operate on the 1st of next July, the beginning of the ensuing fiscal year, so that conditions as they are at present will continue in force until the 1st of July. There will be plenty of time for a meeting of that board between now and that date to adjust matters, if on account of any conclusion reached here it should be deemed necessary to adjust them. The dilemma of which I spoke has not been relieved very much by the statement of the Senator from Nevada, for it left the matter where I already knew it to be, namely, between the Secretary of the Navy and the Assistant Secretary of the Navy.

Mr. SWANSON. Now, Mr. President, will the Senator from Arizona allow me to make a brief statement?

Mr. SMITH of Arizona. I yield.

Mr. SWANSON. The wages of these men are fixed and will continue as at present until the wage board meet again.

Mr. SMITH of Arizona. I know that, and the wage board can meet to-morrow if they want to.

Mr. SWANSON. If they meet and fix the wages before the 1st of July, very well; but if this provision should become a law—and we might just as well face the issue—and the wage board does not meet before the 1st of July, the Senator from Utah will admit that then from their wages 9½ cents an hour will be taken?

Mr. SMITH of Arizona. But that can be restored by the board.

Mr. SWANSON. It can be restored by the board when they meet; but the board ordinarily meets in October; they can not be compelled to meet until then. They meet in the winter, about the 1st of January, to fix the wages, and until that board meets and fixes the wages, there is no question that the men will lose 9½ cents an hour.

Mr. SMITH of Arizona. If the Senator from Utah will admit that they will lose 9½ cents an hour, I will vote for the amendment.

Mr. SMOOT. I wish to say to the Senator from Arizona that the Senator from Utah does not admit anything, except that they are getting now $240 a year more than is being received by similar employees in any other industry in the United States, as the Assistant Secretary of the Navy has stated.

Mr. SWANSON. I am not arguing whether they get higher or lower wages than employees in general industries; all I am arguing is that the law has provided the wage board to fix their wages, and under the law passed last year the wage board in fixing those wages knocked off 9½ cents on account of the bonus. Now, if we eliminate the bonus the employees will lose 9½ cents after the 1st of July unless the wage board shall meet between now and then and adjust the wage which will be paid after the 1st of July.

Mr. SMITH of Arizona. Unless the appropriation which the bill provides for the Navy Department gives them enough to pay these men what the board has found.

Mr. SWANSON. It makes the appropriation; but until the wage board meets nothing can be done, because the wage board fixes the wages.

Mr. HEFLIN. Mr. President, does it require any authority for the wage board to meet, or is it left in the discretion of the wage board as to when it shall meet?

Mr. SWANSON. I think they are obliged to meet about the 1st of October.

Mr. PITTMAN. Not before the 1st of October?

Mr. SMOOT. Oh, they can meet at any time they want to.

Mr. SWANSON. They can meet at any time they want to.

Mr. SMOOT. And if a request were made of them, I have not any doubt but that they would meet. There is nothing in the law to prevent them from meeting until October 1.

Mr. GORE. Mr. President, I should like to suggest that we throw heads and tails to see which is right.

The PRESIDING OFFICER (Mr. GOODING in the chair). The question is on the amendment presented by the Senator from Massachusetts [Mr. WALSH] on behalf of the Senator from New York [Mr. CALDER] to the amendment of the committee.

Mr. SMOOT and Mr. PITTMAN called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. PITTMAN (when Mr. HENDERSON's name was called). My colleague [Mr. HENDERSON] is detained on account of illness in his family. He is paired with the Senator from Illinois [Mr. MCCORMICK].

Mr. WARREN (when Mr. KENDRICK's name was called). My colleague [Mr. KENDRICK] is absent from the city on public duty. He is paired with the Senator from New Mexico [Mr. FALL].

Mr. MCKELLAR (when his name was called). I am paired with the junior Senator from Ohio [Mr. WILLIS]. I transfer that pair to the junior Senator from New Mexico [Mr. JONES], and will vote. I vote "yea."

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. Not knowing how he would vote, I withhold my vote.

Mr. ROBINSON (when his name was called). I have a pair with the Senator from Michigan [Mr. TOWNSEND] and withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], who, I think, is absent. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "yea."

The roll call was concluded.

Mr. HARRISON. I have a general pair with the Senator from Wisconsin [Mr. LENROOT]. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. BALL (after having voted in the negative). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. Has he voted?

The PRESIDING OFFICER. He has not.

Mr. BALL. I withdraw my vote.

Mr. KNOX. I transfer my general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and will vote. I vote "yea."

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH], which I transfer to the junior Senator from Oregon [Mr. MCNARY] and will vote. I vote "yea."

Mr. LODGE (after having voted in the affirmative). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. I notice that he is absent. I transfer that pair to the junior Senator from California [Mr. JOHNSON] and will allow my vote to stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut. I am not able to obtain a transfer, and therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. PHELAN (after having voted in the affirmative). I am paired for the day with the junior Senator from Maine [Mr. HALE]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. SUTHERLAND (after having voted in the negative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He is absent, and I am therefore obliged to withdraw my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from New York [Mr. WADSWORTH] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON]; and

The Senator from Vermont [Mr. PAGE] with the Senator from Tennessee [Mr. SHIELDS].

The roll call resulted—yeas 28, nays 16, as follows:

YEAS—28.

Borah	Gore	Lodge	Sheppard
Capper	Harris	McKellar	Simmons
Colt	Harrison	Moses	Smith, S. C.
Dillingham	Heflin	Phelan	Swanson
Fernald	Keyes	Pittman	Trammell
Gay	Knox	Ransdell	Underwood
Gerry	La Follette	Reed	Walsh, Mass.

NAYS—16.

Curtis	Jones, Wash.	Nelson	Smoot
Dial	Kenyon	New	Sterling
Gooding	King	Phipps	Thomas
Gronna	McCumber	Poindexter	Warren

NOT VOTING—52.

Ashurst	Frelinghuysen	McLean	Smith, Ariz.
Ball	Glass	McNary	Smith, Ga.
Beckham	Hale	Myers	Smith, Md.
Brandegee	Henderson	Newberry	Spencer
Calder	Hitchcock	Norris	Stanley
Chamberlain	Johnson, Calif.	Overman	Sutherland
Culberson	Johnson, S. Dak.	Owen	Townsend
Cummins	Jones, N. Mex.	Page	Wadsworth
Edge	Kellogg	Penrose	Walsh, Mont.
Elkins	Kendrick	Pomerene	Watson
Fall	Kirby	Robinson	Williams
Fletcher	Lenroot	Sherman	Willis
France	McCormick	Shields	Wolcott

The PRESIDING OFFICER. On the amendment offered by the Senator from Massachusetts [Mr. WALSH] on behalf of the Senator from New York [Mr. CALDER] to the amendment of the committee the yeas are 28, the nays are 16. The following Senators are present and not voting: Messrs: POMERENE, ROBINSON, BALL, MYERS, and SUTHERLAND; so the amendment to the amendment is agreed to. The question now is on the amendment as amended.

Mr. CURTIS. Mr. President, I make the point of order against the amendment that it is general legislation on an appropriation bill and in violation of section 3 of Rule XVI.

Mr. WARREN. There is not any question about the point of order. It is legislation entire and as a whole.

Mr. PITTMAN. Mr. President, I rise to a point of order. The point of order can not be made after a vote is taken.

Mr. CURTIS. I make the point of order on the entire amendment, and I can make it even when the bill is in the Senate. I make it on the whole amendment, not on the amendment to the amendment.

The PRESIDING OFFICER. The Chair sustains the point of order made by the Senator from Kansas.

Mr. PITTMAN. I appeal from the ruling of the Chair.

The PRESIDING OFFICER. The Senator from Nevada appeals from the ruling of the Chair.

Mr. THOMAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harrison	Myers	Smith, S. C.
Capper	Heflin	Nelson	Smoot
Colt	Jones, Wash.	New	Spencer
Curtis	Kenyon	Phelan	Sterling
Dial	Keyes	Phipps	Sutherland
Fernald	King	Pittman	Swanson
Fletcher	Kirby	Poindexter	Thomas
Gay	Knox	Pomerene	Trammell
Gerry	La Follette	Ransdell	Underwood
Gooding	Lodge	Robinson	Wadsworth
Gore	McCumber	Sheppard	Walsh, Mass.
Gronna	McKellar	Simmons	Warren
Harris	Moses	Smith, Ariz.	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. There is a quorum present.

Mr. SIMMONS. Before the question on sustaining the decision of the Chair is put I wish to make a parliamentary inquiry. I would like to be informed of the scope and effect of the ruling of the Chair. I understand the Chair has sustained the point of order made by the Senator from Kansas [Mr. CURTIS]?

The PRESIDING OFFICER. He has.

Mr. SIMMONS. The point of order made by the Senator from Kansas is against the whole bonus amendment?

The PRESIDING OFFICER. It is.

Mr. SIMMONS. Therefore if the Chair is sustained, we will cut out absolutely that provision of the bill which applies not only to the navy yard but applies to employees of the Senate as well.

The PRESIDING OFFICER. The Chair so understands.

Mr. ROBINSON. Mr. President, I am very anxious——

Mr. WARREN. I do not understand that we can debate an appeal. If we are to proceed under the rules, we ought to vote on the appeal.

Mr. ROBINSON. I want to make a suggestion, and I think if the Senator from Wyoming will hear me he will not object to the statement I am about to make. If after I have proceeded far enough to indicate the trend of my thoughts he wishes to object, I shall concede that the appeal is not debatable.

I do not think the Senate wants to take the course that will result if this point of order is sustained and no further action is taken. Nevertheless, the rule of law is plain to me. The Chair could have made no other ruling than he has made unless he had disregarded the rules of the Senate. If the Chair is sustained, I shall offer as an original amendment the bonus amendment reported by the committee with the last paragraph stricken out. That procedure will be in order, and the Senate can still observe the law which it has made for the government of its procedure and retain this provision.

Of course, if the amendment incorporated in the committee amendment by a vote of the Senate a few moments ago should be again offered and agreed to, we would be back to where we have arrived now, should any Senator see fit to make a point of order. But since all Senators, I believe, concur that substantially the committee amendment ought to remain in the bill, even if the amendment offered by the Senator from Massachusetts [Mr. WALSH] for the Senator from New York [Mr. CALDER] can not be put in the bill, I shall offer the committee amendment with the last paragraph stricken out, not as a committee amendment but as an individual amendment, and the Senate can then vote on that amendment, unless some Senator shall see fit to make a point of order against it. Of course, it would be subject to a point of order again, if any Senator should see fit to make it.

The point I am making is that, in view of the fact that by every precedent of the Senate the Chair has ruled correctly, I am not going to violate my consciousness of the law, my conviction of what is the law, in order to retain this provision when it may be done in another way if the Senate wants to do it. So I shall vote to sustain the decision of the Chair.

Mr. WARREN. Mr. President, the Senator from Arkansas, as I understand it, proposes to offer the entire bonus amendment as the committee reported it, but without the last section?

Mr. ROBINSON. Yes; with the last paragraph stricken out.

Mr. WARREN. Which would be lines 7 to 13, inclusive, on page 163?

Mr. ROBINSON. These lines merely require a report on the bonus, and that can be provided by some future law, if a report is desired. By pursuing that course, the Senate can still maintain its rules and retain a bonus provision, if it wants to do so.

Mr. WARREN. That will be acceptable to the committee, so far as I am concerned.

Mr. CURTIS. So far as I am concerned, if the point of order is sustained by the Senate and the amendment is offered, as stated by the Senator from Arkansas, I shall not make a point of order against it.

Mr. WARREN. I shall not object to the amendment as the Senator from Arkansas says he will offer it.

Mr. CURTIS. But if any further amendment is offered I shall renew the point of order.

Mr. LODGE. Mr. President, I agree wholly with the Senator from Arkansas that the ruling of the Chair is absolutely correct. I do not see how there could be any other view. I voted for the navy yard amendment, but I do not desire to see this whole bonus amendment, which, as I regard it, is such an important measure for the employees of the Government, in the District and elsewhere, fail; and I shall not press the navy-yard amendment, so far as I am concerned, if the course outlined by the Senator from Arkansas is adopted.

Mr. HEFLIN. A parliamentary question, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. HEFLIN. I understand the Senator from Arkansas will offer his amendment, and when it is offered any other Senator can make a point of order against it?

The PRESIDING OFFICER. The Chair so understands.

Mr. HEFLIN. Then, if a point of order were made and sustained, the Senate would be powerless to legislate on the matter of the bonus. Senators suggest that they could appeal from the decision of the Chair. If the Chair is correct in his ruling, he ought to be sustained. If some Senator does make the point of order against the amendment suggested by the Senator from Arkansas, will it be in order then to move to suspend the rules and proceed to vote on the measure? There ought to be some way by which the Senate can do what it wants to do. Four-fifths of the membership present are ready to vote for this proposition, and yet there is a rule, it seems, that, being invoked by any one Senator, can prevent the great majority of the Senate from doing what it wants to do. I for one am in favor of suspending the rules, if necessary, to put this proposition back in the law.

Mr. WARREN. That can be done only by giving a day's notice, and by a two-thirds vote. Of course, the rules can be changed by unanimous consent; but one objection could defeat that. Otherwise it would have to be done in the manner prescribed by the rules.

Mr. HEFLIN. We would have the same difficulty, because the same Senator who makes the point of order would interpose an objection. I presume if a point of order should be made against the amendment of the Senator from Arkansas the request for unanimous consent to set the rules aside would be defeated by the same Senator, because if he would make a point of order, he would interpose an objection.

Mr. PITTMAN. In the first place, Mr. President, I will state that I disagree with the Senator from Arkansas [Mr. ROBINSON] and the Senator from Massachusetts [Mr. LODGE] with regard to the validity of the ruling of the Chair. There is nothing in

this amendment dealing with anything except appropriations. It is no more general legislation than if, instead of appropriating a lump sum, they had specified just how much should go to every employee of the Navy Department.

Mr. ROBINSON. Will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Arkansas?

Mr. PITTMAN. I yield.

Mr. ROBINSON. The salaries of nearly all the employees affected by the bonus are fixed by law, are they not?

Mr. PITTMAN. Yes.

Mr. ROBINSON. This proposes an increase in the salaries. It is an increase in the salaries and is a change in existing law. It is general legislation by every precedent of the United States Senate, and, for my part, I do not propose to vote to override the Chair when I think he has decided according to the rules and precedents of the Senate, even to obtain legislation I am in favor of.

Mr. PITTMAN. Mr. President, the Senator is very vigorous in his statement, but he condemns his own position. He says this is a change in existing law. That is not accurate. This is a reenactment of existing law. I say that under existing law these men are being paid to-day exactly what this amendment provides they shall continue to receive.

Mr. ROBINSON. But their salaries are fixed by law, and you are compelled to change the legislation, beyond a doubt, and an appropriation bill does not constitute legislation in the sense of the rule.

Mr. PITTMAN. Their salaries are fixed by law, and this does not change the law which established this bonus system. It does not change it, and this is not general legislation at all. In fact, they are attempting, by this amendment, to change existing law, whereas the amendment of the Senator from Massachusetts [Mr. WALSH], presented on behalf of the Senator from New York [Mr. CALDER], maintains existing law. Is there anything against that?

If this were the first enactment of the bonus law, then the Senator from Arkansas would be right; but it is not. The amendment of the committee changes existing law. The amendment of the Senator from Massachusetts keeps the law just where it is to-day, on the statute books, and there is not any question but what the ruling of the Chair is wrong.

I want to say another thing, that this attempted settlement on the floor of the Senate is for the purpose of violating a majority vote of the Senate, and nothing else. A majority of Senators have voted for this amendment. The whip on the other side of the Chamber comes in and attempts to defeat the majority vote of the Senate by making a point of order, and he admits that his point of order goes to the whole section, just as well as to the amendment offered by the Senator from Massachusetts on behalf of the Senator from New York. Why does he do that? He does that for the purpose of intimidating those who have voted in favor of the amendment of the Senator from New York, offered by the Senator from Massachusetts, so that they will allow that amendment to be defeated rather than defeat the whole section. For one, rather than to stand for bulldozing tactics of that kind, I would let the whole amendment go down to defeat. I would not defeat one class of men through any such tactics as that, to save another class of men, although they were equally entitled to their reward. But that is exactly what you are trying to do. You are trying to force us to do injustice to one class of men by reason of the fear that we will not be doing justice to another class of men. If that policy of enacting legislation is to be pursued on the other side of the Chamber I will not be a party to it, and I do not believe the country will consent that that practice shall continue in this body for long.

If this proposition is defeated and the ruling of the Chair is sustained, then the bonus provision will be out, because the amendment of the Senator from Massachusetts will be offered again and again to any amendment on this subject that is offered, and a point of order will have to be made again, if the Senator has the nerve to make it.

Mr. CURTIS. The Senator has the nerve to make it.

Mr. PITTMAN. Then he will have the chance to make it.

Mr. HARRISON. Mr. President, I am of the opinion that if this point of order had been made at the proper time it should have been sustained. I am going to vote to overrule the ruling of the Chair on a different ground from that advanced by the Senator from Nevada [Mr. PITTMAN]. I think that after we have discussed a proposition for hours, and it is in line with what has been done by the Senate heretofore in discussing a proposition for days, and a vote is taken on the merits of the proposition, it is bad practice for a point of order to be interposed and then to be sustained. The time of the Senate should be taken up in more important matters than that. If some one wants to interject a point of order to a provision on a general appropriation bill which changes existing law, he should make it in time. As I said, this provision has been discussed for hours, amendments to it have been offered, an amendment to it has been voted upon, and, after some one who is opposed to the amendment is defeated, he interposes a point of order.

Now, it seems to me that the practice of the Senate under the rules of the Senate should be that when there is a provision written into a general appropriation bill not authorized by law or changing existing law that the point of order should be made at the proper time if it is to be made at all, and the proper time is not after a discussion of the proposition upon its merits, and certainly not after the amendment has been offered and has been agreed to and carried into the provision.

Mr. LODGE and Mr. CURTIS rose.

Mr. ROBINSON. But the rules of the Senate provide that a point of order may be made at any time.

Mr. HARRISON. I am coming to just what the Senator from Massachusetts was going to ask also. I know that the ruling of the Chair heretofore, with possibly one exception, I think, has been that a point of order would lie against a provision that was not in order, even up until the very last second before it was agreed to. That is what I am opposing. It is a wrong rule. It is bad practice for the Senate of the United States to take up its time in the discussion of a proposition upon its merits, and then for a point of order to be interjected and to be sustained.

I am not the only one who holds that view. The Committee on Rules of the Senate, in the beginning of the present Congress, by a unanimous vote reported out a resolution amending the rules of the Senate, carrying out the idea I have expressed in these few brief remarks. The Senate has not adopted that resolution, but should do so.

I shall vote to override the decision of the Presiding Officer of the Senate for the reason that I want to see the rules of the Senate changed on the proposition. If a majority of the Senate feel about the matter as I do and that the rules should be changed, we can change them by a vote here now, and thereby establish a precedent, the same as we could change it by a modification of the rules. I shall follow that course of reasoning, and upon the appeal from the decision of the Chair I shall vote to override the decision.

Mr. POMERENE. Mr. President, when the question of the adoption of the amendment offered by the Senator from Massachusetts [Mr. WALSH] on behalf of the Senator from New York [Mr. CALDER] was voted upon, I withheld my vote for two reasons: First, because of a pair that I have with the senior Senator from Iowa [Mr. CUMMINS], and, secondly, because the statements of the facts which were the basis of the amendment were so confusing that I was not able to make up my mind as to exactly what really constituted the facts. However, after conferring with the junior Senator from Iowa [Mr. KENYON], I shall vote to sustain the decision of the Chair.

I agree with the Senator from Arkansas [Mr. ROBINSON] and the Senator from Massachusetts [Mr. LODGE] that the Chair was right, but I want to make an appeal to my friends on this side of the Chamber who have indicated that they are going to vote to overrule the Chair, and perhaps place the responsibility for the defeat of the entire bonus upon some one else. Let us pause and think for a moment. I have not any doubt in my mind that the employees generally deserve this bonus. I would regret exceedingly to have it defeated. If there are 10 men who deserve it, and 9 who will get it under this amendment, by what process of reasoning can anyone say that none of the 10 shall have it unless all get it? That is the point, it seems to me, which should control us in this exigency, in view of the right which each and every Senator has to raise the point of order at any time.

Mr. PITTMAN. Mr. President, I will answer that question. I think the principle involved in this manner of legislation is far more important than any bonus received by 9 out of 10 men. That is my answer to the question.

I think that if a parliamentary practice of this kind will be permitted in this body, that then the Senate is falling into a state of parliamentary anarchy which will be reflected very seriously during the next two years. The Senator from Kansas [Mr. CURTIS] knows that if his point of order is good now, it was good before the amendment of the Senator from Massachusetts was adopted by the Senate. If he is offering his point of order now for the purpose of preserving the orderly conduct of this body, he should have offered it when the amendment was first presented, at least before it was voted upon and adopted. If he is offering the point of order now, not for that purpose, but for the purpose of contravening the will of the majority of

this body, as expressed by their vote, then he is accomplishing a purpose, if sustained in the Senate, that will result in parliamentary anarchy in this body. It then comes within the power of one Senator on every such amendment that the Senate sees fit to consider, to dictate what part of that amendment shall be sustained, and what part of that amendment shall be defeated, without regard to the solemn vote of the Senate.

The Senate has adopted the amendment of the Senator from Massachusetts to the committee amendment. The Senator from Kansas very graciously consents to withdraw his point of order if the Senate will rescind its action.

I am not thinking, like the Senator from Ohio [Mr. POMERENE], of the little question of how many dollars one man is going to get in this particular case or another. But I say to him now that if, through this character of parliamentary procedure, I was able to get something for three of my friends by doing an injustice to one of my friends, I would not consider that I was acting as a Senator of the United States, and I would think that I was acting with a very peculiar political expediency.

Mr. POMERENE rose.

Mr. PITTMAN. One other thing before I yield to the Senator. Senators have been quick to accept the decision and opinion of some other Senators that the point of order should be sustained, and that the Chair is right, on the ground that it is general legislation. They have made no argument and no demonstration that it is general legislation. It is carrying out an existing act of Congress. It is not changing in any way whatever the salary of any of these officers, and it is not general in its character, because it is limited to a special class and to a period of time, and general legislation is not so described. This is for the period of one year and deals with certain classes of Government employees and therefore is not general legislation.

Mr. POMERENE. Mr. President, it is a sufficient reply to the Senator from Nevada to state that in so far as these employees are concerned who are affected by the committee amendment, the facts are conceded which are the basis of the relief granted to them. In so far as the amendment of the Senator from Massachusetts [Mr. WALSH] is concerned the facts are disputed. My friend, the Senator from Nevada, said in substance, "I will not allow these clerks or employees about whom the facts are not disputed to have any relief, because I have one view of the facts so far as they relate to another employee and some other Senators have a different view." That is the situation.

Mr. PITTMAN. May I ask the Senator a question?

Mr. POMERENE. Certainly.

Mr. PITTMAN. When a disputed fact is submitted to the Senate, a quorum being present, and the majority votes that one side or the other is right, is not that accepted as the decision of this body?

Mr. POMERENE. That is not accepted as the decision by either those who do not vote or those who voted on the opposite side.

Mr. PITTMAN. However, a majority of the Senate before the point of order was made decided in favor of the contention of those who said that the men included in the amendment of the Senator from Massachusetts were right and were entitled to the bonus.

Mr. POMERENE. But we do not accept that kind of snap judgment in a parliamentary body. We have the right to move to reconsider. We have the right to reserve a vote in the Senate.

Mr. PITTMAN. But the Senator did not move to reconsider.

Mr. POMERENE. No; I did not.

Mr. SMITH of Georgia. I should like to ask the Senator from Ohio whether it is conceded that there is a general statute fixing the compensation of these employees? I do not think there is any such general statute.

Mr. POMERENE. There is a general provision affecting the current year's expenditures.

Mr. WARREN. In an appropriation bill only.

Mr. SMITH of Georgia. That is not a general statute. It fixes the pay for a year.

Mr. SPENCER. Mr. President, I should like to call the attention of the Senate to one phase of the subject which occurs to me. There can not be any doubt about the fact that general legislation is dependent upon its effect, not upon its form. If the provision which is incorporated in the bill had continued, as appears from the opening sentence, to concern all civilian employees of the Government there might, in my judgment, be more of a question about its being general legislation than there is when the amendment is read from the beginning to the end. It begins with the words, "That all civilian employees of the Government," and so forth, and then proceeds to eliminate as it goes along whole classes of employees, such as those whose compensation is determined by wage adjustment boards, those who are employed on the Panama Canal Zone, and those who are connected with the War Insurance Bureau, for whom the bonus is reduced one-half, so that, in the last analysis the amendment means nothing more than that, of a long list of Government employees, some of them are to have an added compensation of $240 a year, some of them are not, and some of them are to have half of that amount. It does not apply uniformly or equally to the classes over which it intends to operate. That is the test of general legislation. The situation is analogous to that in connection with the action we have already taken in the bill when we selected one member of the governmental establishment, the Vice President, all of a single class, and increased his salary from $12,000, to $15,000 a year. Is that general legislation? When we came to pick out, as we did, in the case of the Library of Congress an individual and provided that a book cleaner should receive $720 per annum, was that general legislation? It is not general legislation, because in the one case it is individual; in the other case it does not apply uniformly to all of the classes. The amendment does not apply to all the civilian employees of the Government with whom it purports to deal at the start, but it applies to only a part of them, and therefore is not general legislation.

Mr. HEFLIN. Will the Senator yield to me?

Mr. GORE. I call for the regular order.

Mr. HEFLIN. I want to ask the Senator a question.

Mr. GRONNA and Mr. WARREN. Regular order!

The PRESIDING OFFICER. The regular order is called for.

Mr. SMITH of Georgia. Debate is in order on an appeal from the decision of the Chair.

The PRESIDING OFFICER. The Chair decides that the question is debatable.

Mr. HEFLIN. Then I want to ask the Senator from Missouri a question.

Mr. SMITH of Georgia. I yield for that purpose.

Mr. HEFLIN. In view of what the Senator from Missouri has said, does he not think now that it is necessary for the Senate to override the ruling of the Chair in order to do what it seems to be apparent that nearly four-fifths of this body would like to do?

Mr. SPENCER. I do not arrive at the conclusion by the same highway, but the Chair has ruled that it is general legislation and therefore is not appropriate on an appropriation bill. My judgment is that it is not general legislation, and therefore that the decision of the Chair is mistaken.

Mr. HEFLIN. I think that the Senator is right about that.

Mr. SMITH of Georgia. Mr. President, I do not think any of these additions in the bill can be classed as general legislation unless there has been prior to this time a general law fixing the specific pay that a particular employee shall receive. If there were a general law fixing the pay at a certain sum—not simply providing an appropriation to pay it; not simply a provision in an appropriation bill—then we could not make the change in an appropriation bill; but as to employees with salaries of $2,500 and less they have all been treated as having had their salaries fixed from year to year by appropriation bills.

This appropriation bill could by name increase the salary of each one of these positions by $250 for the ensuing year. It would interfere with no existing law; it would change no existing law. There is no existing law fixing the compensation. The Appropriations Committee last year fixed the compensation for last year, and the year before they fixed the compensation for that year. This year the compensation of these employees is fixed for the ensuing year. So the amendment does not change existing law. The appropriation bill of last year did not carry on into the next year. Each year we fix the compensation of the ordinary employees receiving $2,500 per annum and less as the committee sees fit. This is a report of the committee fixing the pay of a class of employees for the ensuing year. It changes no existing law.

Mr. LODGE. The rule in regard to changing existing law is not that of the Senate, but that of the House.

Mr. SMITH of Georgia. I understand that; but I say it is not general legislation unless it changes some existing law.

Mr. LODGE. Oh, yes; it is.

Mr. SMITH of Georgia. No; it is not. Does the Senator mean to tell me that an appropriation fixing a salary is general legislation?

Mr. LODGE. Unquestionably it is.

Mr. SMITH of Georgia. Unquestionably it is not. The salary is not fixed at all permanently. How are you going to fix it then?

Mr. LODGE. Salaries are all fixed by law.

Mr. SMITH of Georgia. They are not; though that is precisely——

Mr. LODGE. No; because by unanimous consent we change them here on appropriation bills.

Mr. SMITH of Georgia. But the salaries of the bulk of these places are not generally fixed by law; they are contained in no specific law.

Mr. ROBINSON. Will the Senator from Georgia yield to me?

Mr. SMITH of Georgia. I yield.

Mr. ROBINSON. There is existing law defining the number of employees of all the departments, fixing their classification, and providing the base pay for all the various classes.

The Senator from Missouri [Mr. SPENCER] stated a correct principle of law, but his principle is not applicable to this case. A provision is general legislation if it deals exactly the same with all in a defined class. The amendment of the committee divides the employees into certain classes and excludes some of the classes from the benefits of the bonus; but it comprehends all of them within a given class when it provides the benefits of the bonus.

Mr. SMITH of Georgia. I did not yield to the Senator for a speech.

Mr. ROBINSON. I will finish in just a moment.

The Senator from Georgia has made a declaration that is entirely incorrect as a matter of fact. Practically all the salaries of the higher employees of the Government are fixed by statute.

Mr. SMITH of Georgia. Where is the statute?

Mr. ROBINSON. In the Statutes at Large of the United States. The Senator from Utah is present, and he will confirm my statement, and every other Senator who is on the Appropriations Committee and has investigated the matter will confirm the declaration that practically all Government employees have their salaries fixed by law.

Mr. WARREN. Yes.

Mr. LODGE. That is correct.

Mr. ROBINSON. Whenever in an appropriation bill a measure is proposed changing their salaries without authority of law previously passed, it is, within the meaning of the Senate rule, general legislation on an appropriation bill, according to every precedent of the United States Senate, both by decision of the Chair himself and by the decision of the Senate itself.

I am in sympathy with the amendment of the Senator from Mississippi; I did not vote for it because I was paired with the Senator from Michigan; but I do not propose, as the Senator from Mississippi proposes, to vote to overrule the Chair because the rule of the Senate has not been changed as I think it ought to be changed. That is exactly what my friend, the Senator from Mississippi, said he was going to do. He said that the Committee on Rules of the Senate had brought in a resolution providing for a change of the rules, to modify the rule so as to suit his pleasure, but since the majority of the Senate had not seen fit to adopt that report of the Committee on Rules he was going to force that change in the Senate rules by overruling a correct decision of the Chair according to the rules as they now exist. I can not do that.

Mr. WARREN. Mr. President, I rose to a point of order. I wish to quote Rule XX, which reads:

1. A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer.

Mr. SMITH of Georgia. Mr. President, that is true; all subsequent points of order are decided without debate, but the first appeal from the decision of the Chair is subject to debate.

Mr. WARREN. It is not.

Mr. SMITH of Georgia. It is; and the Senate has always allowed it.

Mr. WARREN. It does not make any difference what the Senate has allowed——

Mr. SMITH of Georgia. The rule allows it.

Mr. WARREN. Here is the rule, and I have read it.

Mr. SMITH of Georgia. The rule the Senator has read does not prevent it.

Mr. WARREN. That is all right; perhaps I do not understand the English language.

Mr. SMITH of Georgia. I do not believe the Senator does if he thinks the rule provides as he has indicated.

Mr. WARREN. The Senator from Georgia has had time to use up pretty well the English language to-day, and he may be somewhat at fault himself.

Mr. SMITH of Georgia. That is possible, but the Senator from Wyoming certainly is at fault and in error.

Mr. WARREN. Mr. President, if it is in order, I move to lay the appeal on the table.

Mr. SMITH of Georgia. The Senator is not in order; I have the floor, and I do not yield to him for that purpose.

Mr. WARREN. That is very courteous; I thank the Senator for his courtesy.

Mr. SMITH of Georgia. The Senator from Wyoming need not thank me for the courtesy, for he undertook to lay me on the table when I had the floor. [Laughter.]

Mr. President, I agree with the view that where a general statute, outside of appropriation bills, absolutely fixes the specific salary to be paid to a particular employee, when we undertake on an appropriation bill to change that salary that is general legislation——

Mr. LODGE. That is exactly what is proposed to do here.

Mr. SMITH of Georgia. For we are repealing a general law. As to the great majority of these places, I do not believe there is any statute fixing the compensation.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. The Senator from Arkansas [Mr. ROBINSON] is absolutely right. The statute fixes the salary of the various clerks. It divides them into four classes. The clerk of class 4 receives $1,800; the clerk of class 3, $1,600; a clerk of class 2, $1,400; and a clerk of class 1, $1,200. Whenever an appropriation goes outside of the amount thus provided for any of those clerks it is a change of the existing law. Then, under existing statutes, a laborer receives so much, a messenger so much, an assistant messenger so much, and charwomen so much. The statute provides just what they shall receive; and unless there is some special provision in some other law they are paid the rate provided by the general statute.

Mr. SMITH of Georgia. Where there is a general statute outside of an appropriation fixing pay of employees, I am obliged to concede that we can not change that pay on an appropriation bill.

Mr. SMOOT. This is just exactly what it does: In the case of the clerk of the fourth class, who the statute says shall have $1,800, this amendment says he shall have $2,040, and that is changing existing law. That is exactly what this provision says; and it says that the clerk of the first class, instead of receiving $1,200, as the statute provides, shall receive $1,440.

Mr. SMITH of Georgia. I was not in the Chamber when the point of order was passed upon by the Chair. What is the exact amendment upon which the point of order is made?

Mr. SMOOT. It is the amendment adding a bonus of $240 per year to the salary of every employee of the Government, with the exceptions named here. Some of them receive $120; some of them receive $240; and some of them that are paid from lump-sum appropriations do not receive anything.

Mr. SMITH of Georgia. I understand the matter, then.

Mr. SMOOT. Therefore, it is a broad provision, affecting every salary fixed by statute. There is not a salary fixed by statute but that is affected by this provision.

Mr. SMITH of Georgia. I am obliged to concede that where a general law has fixed the compensation, changing that compensation in an appropriation bill is changing general legislation, and is, therefore, itself general legislation.

Mr. JONES of New Mexico. Mr. President, I should like to inquire what is the general statute covering this matter, and where can it be found?

Mr. SMOOT. I have not it here, but I assure the Senator that what I have said is correct. The United States statute provides for four classes of clerks—clerks of the first, second, third, and fourth classes. It provides for the salaries of each of those classes; and if the Senator will look at the bill he will see that frequently there are, say, 100 employees of class 4, 10 employees of class 3, and so forth, and there are no figures given, because the law fixes the salaries. As I said, the fourth-class clerk gets $1,800, the third-class clerk gets $1,600, the second-class clerk gets $1,400, and the first-class clerk gets $1,200. Then, the salaries of the laborers are fixed, and the salaries of the skilled laborers and the charwomen and the messengers and the assistant messengers and all of the different employees of the Government.

Mr. SMITH of Georgia. I believe intensely in this bonus for the coming year——

Mr. SMOOT. So do I.

Mr. SMITH of Georgia. And I do hope there will be no objection to it.

Mr. HEFLIN. Mr. President, if the Senator will permit me, in the general law referred to by the Senator, where are these figures of $1,800 and $1,600 that he has mentioned?

Mr. SMOOT. They are in the statutes.

Mr. HEFLIN. In the United States statutes?

Mr. SMOOT. In the United States statutes.

Mr. HEFLIN. Now, referring to the bonus that we are undertaking to legislate on this afternoon, are those figures in the United States statutes?

Mr. SMOOT. They are not.

Mr. HEFLIN. They are carried in this bill?

Mr. SMOOT. They are carried each year.

Mr. HEFLIN. And therefore they are not general laws.

Mr. SMOOT. Why, they change the statute.

Mr. HEFLIN. These provisions expire on the 1st of July of themselves. They were put in to do a specific thing, and unless we legislate they die.

Mr. SMOOT. Of course they die; but this amendment trics to revive them. It changes existing law. It changes the rates of pay as provided by statute. If it goes out, then all of these employees will receive what the statute provides. If it remains in they not only get all that the statute provides but they get $240 more.

Mr. HEFLIN. It seems to me the only sure thing to do to get the bonus in, then, is to override the ruling of the Chair.

Mr. THOMAS. Mr. President, for the purpose of bringing this subject to a vote, I move to lay on the table the appeal from the ruling of the Chair.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado.

Mr. PITTMAN. On that I demand the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I am advised that he would vote the same way that I intend to vote, and I therefore vote "yea."

Mr. ROBINSON (when his name was called). On this question I am paired with the Senator from Michigan [Mr. TOWNSEND], and withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the Senator from Minnesota [Mr. KELLOGG], who is absent. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "nay."

The roll call was concluded.

Mr. HARRISON (after having voted in the negative). I am paired with the Senator from Wisconsin [Mr. LENROOT]. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and will let my vote stand.

I desire also to announce that my colleague, the senior Senator from Mississippi [Mr. WILLIAMS], has a general pair with the senior Senator from Pennsylvania [Mr. PENROSE].

Mr. McKELLAR. I have a pair with the junior Senator from Ohio [Mr. WILLIS]. I transfer that pair to the senior Senator from North Carolina [Mr. OVERMAN] and vote "nay."

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut and, being unable to obtain a transfer, I withhold my vote.

Mr. DILLINGHAM. I transfer my general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily absent, to the junior Senator from Oregon [Mr. McNARY] and will vote. I vote "yea."

Mr. HARRIS (after having voted in the negative). I have a pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. POMERENE. I desire to announce the unavoidable absence of my colleague [Mr. WILLIS]. I should have made this announcement this morning, but I was detained.

Mr. KNOX. Repeating my announcement on the previous roll call, I vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Maine [Mr. HALE] with the Senator from California [Mr. PHELAN];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from Illinois [Mr. McCORMICK] with the Senator from Nevada [Mr. HENDERSON]; and

The Senator from Vermont [Mr. PAGE] with the Senator from Tennessee [Mr. SHIELDS].

The result was announced—yeas 29, nays 25, as follows:

YEAS—29.

Ball	Jones, Wash.	Moses	Sterling
Borah	Kenyon	Nelson	Sutherland
Colt	Keyes	New	Thomas
Curtis	King	Phipps	Wadsworth
Dillingham	Kirby	Poindexter	Warren
Fernald	Knox	Pomerene	
Gore	Lodge	Smith, Ariz.	
Gronna	McCumber	Smoot	

NAYS—25.

Beckham	Harrison	Reed	Swanson
Capper	Heflin	Sheppard	Trammell
Dial	Jones, N. Mex.	Simmons	Underwood
Fletcher	La Follette	Smith, Ga.	Walsh, Mass.
Gay	McKellar	Smith, S. C.	
Gerry	Pittman	Spencer	
Harris	Ransdell	Stanley	

NOT VOTING—42.

Ashurst	Glass	McLean	Sherman
Brandegee	Gooding	McNary	Shields
Calder	Hale	Myers	Smith, Md.
Chamberlain	Henderson	Newberry	Townsend
Culberson	Hitchcock	Norris	Walsh, Mont.
Cummins	Johnson, Calif.	Overman	Watson
Edge	Johnson, S. Dak.	Owen	Williams
Elkins	Kellogg	Page	Willis
Fall	Kendrick	Penrose	Wolcott
France	Lenroot	Phelan	
Frelinghuysen	McCormick	Robinson	

So the appeal from the ruling of the Chair was laid on the table.

Mr. WALSH of Massachusetts. Mr. President, to relieve the Senate of this embarrassment, and to save time I am going to make a suggestion to the Senator from Kansas, and I am merely going to put before him the situation that arose here to-day.

A motion was made to extend the bonus provisions of this bill to a class of Government employees who enjoyed it last year, and who would not enjoy it under the committee bill. That matter was debated for several hours; a vote was taken by the Senate, and a majority voted to give that special class the benefit of the bonus. I made that motion on behalf of the Senator from New York [Mr. CALDER]. What would the Senate think of me if, after being defeated, if I was defeated, I stood on this floor and objected to the whole bonus provisions on a point of order? Yet the same sentiments that Senators might very well entertain toward me ought to be entertained toward anybody who would, after voting the other way and being defeated, object to the whole bonus provisions by a point of order. That may be good statesmanship, but it is not good sportsmanship; it is government by a minority of one against an emphatic majority. I am sure that the Senator from Kansas—for whom we all have the highest regard and respect, and who is a very valuable Member of this body—did it through overzeal, and through the enthusiasm of protecting what he thought was the exact desire of this committee. It amounts to saying unless this committee has its way, then we will not agree to any bonus; we will punish all Government employees because the Senate changes our program. Now, we can relieve ourselves of this situation by the Senator from Kansas withdrawing his objection, accepting the majority decision, and letting the bonus program go through exactly as it did last year.

Mr. CURTIS. Mr. President, the bonus proposition was a mistake in the beginning. When it was proposed I was the one Senator in the conference who stated that it would be a mistake to adopt it. But it was adopted, and the result has been as I predicted. We gave certain employees a bonus of $120. I said that they would come the next year and ask for $240, and they did. The next year they came and asked that it be doubled.

I thought it was a mistake for the committee to put in the bonus this year. I still think so. We ought to fix the salaries we are going to pay the men and women of the country in the annual appropriation bills.

I was tempted to make the point of order in the first place, but I deferred to the committee, because I am a member of the committee. I stated in the committee that never again would I vote for a bonus in an appropriation bill, and I never shall do so. The next time there is an attempt made to give a bonus to the clerks I shall make a point of order against it. We must fix the salaries, and if we can not do it in any other way, if the reclassification bill is not brought in, then the Appropriations Committee ought to take each bill and go over every item and fix the salaries and report the bill in that form and let the Senate pass upon the amendments.

Mr. WARREN. They will do it.

Mr. CURTIS. The chairman says they will do it. I hope they will. I shall follow that course with any bill I have in charge, if the reclassification bill is not brought in.

Your Committee on Appropriations studied this item, had hearings, and concluded that justice was done these people by the amendment reported, and I am going to stand by the report of the committee. If it embarrasses the chairman of the committee or any other member of the subcommittee to make a point of order, it does not embarrass me. I made the point of order knowing what I was doing. I was not excited, and I am not excited now, and I shall renew the point of order if there is an attempt to extend the provisions of the committee amendment.

Mr. UNDERWOOD. Mr. President, I do not contend for a moment that legislating in bulk is a highly intelligent way to effect results. But during the stress of war, in order to relieve the situation of honest, hard-working, patriotic clerks, whose families were really in distress because of the increased cost of living, and because the Committee on Appropriations of the Senate, by reason of the tremendous amount of work that they were involved in in making appropriations for war purposes, were unable to work out the problems for each individual clerk in the Government service and fairly adjust his salary to meet conditions which then existed, they were driven under the exigencies of war to adopt the so-called bonus.

I am not criticizing the committee. I know that since the war it has been hard driven, and has had but little opportunity to work out this problem along lines which would fairly reflect a just and righteous verdict for these people, many of whom have given their lives, from the time of their boyhood to their old age, to serve their Government, and have had to raise their families on meager salaries.

I do not believe in wholesale legislation. A report of a committee has been before the Congress to make a proper increase in the salaries of Government employees. I do not believe in extravagance. I believe the time has come for economy. But I do not believe the Congress is justified in working out a program of economy at the expense of the breakfast tables and school bills of needy Government employees, and I say now that this bonus was put in the bill because there is not a man in the Senate who will rise in his place and deny that the cost of living in this country has far exceeded the wage scale as fixed by the Government before the war, under which these people are paid.

The House of Representatives, by the action of one individual Member, drove this bonus provision from the bill. A majority of that body, in my opinion, beyond doubt would have protected the rights of these employees if they had had an opportunity to vote on the proposition. And now, forsooth, because the Committee on Appropriations can not lay down the law in the Senate, crossing every "t" and dotting every "i," as to how the bonus shall become a law, we must drive it all out of the bill and let one man's objection send an empty dinner pail to the families of the Government employees.

For one, I wish to give notice that this bill will not pass, if I can help it, until the Senate has had a fair and just opportunity to vote on the merits of this proposition, and I wish to give notice now that I shall move to suspend the rules and adopt the amendment as the committee has reported it, and then the Senator from Massachusetts [Mr. WALSH] will have an opportunity to propose his amendment, if the rules are suspended. I have not the form here, but the clerk has it at the desk.

Mr. MCKELLAR. That will have to be put in writing.

Mr. LODGE. I have a notice all prepared, if the Senator would like to present it.

Mr. UNDERWOOD. If the Senator from Massachusetts desires to give the notice, I shall be very glad to yield to him for that purpose. If this side of the Chamber will sustain me the pending bill will not pass the Senate until we have had a square and fair opportunity to vote for a suspension of the rules, so that the Senate, and not an individual Member, may determine whether this clause shall remain in the bill or not.

The PRESIDING OFFICER. The Secretary will read the notice given by the Senator from Massachusetts.

The ASSISTANT SECRETARY. The Senator from Massachusetts gives the following notice:

I hereby give notice that, in accordance with the provisions of Rule XL, I will move to suspend paragraph 3 of Rule XVI for the purpose of offering the following amendment to House bill 15543:

"SEC. 6. That all civilian employees of the Government of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive during the fiscal year ending June 30, 1922, additional compensation at the rate of $240 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than $2,500 and less than $2,740 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,740 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 60 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of $240 per annum for the fiscal year ending June 30, 1921, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1920, has received during the fiscal year 1921, or shall receive during the fiscal year 1922, an increase of salary at a rate in excess of $200 per annum, or where an employee, whether previously in the service or not, has entered the service since June 30, 1920, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation.

"The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916, except employees of the United States Tariff Commission, who shall be included, and except that employees of the Bureau of War Risk Insurance shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of the said Bureau of War Risk Insurance who are compensated at rates below $400 per annum shall receive additional compensation only at the rate of 60 per cent of the annual rates of compensation received by such employees. The provisions of this section shall not apply to employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads, express companies, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, express companies, telegraph, telephone, marine cable, or radio system or systems as employees of the United States.

"Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

"Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to $2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

"So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

"So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, 40 per cent out of any money in the Treasury not otherwise appropriated and 60 per cent out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department, and to employees of the Minimum Wage Board and the playgrounds department, which shall be paid wholly out of the revenue of the District of Columbia.

"So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

"Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of $240 per annum and the average number by grades receiving the same at each other rate."

Mr. UNDERWOOD. Mr. President, in order to prevent delay, because I do not desire to delay the Senator from Wyoming in having the bill passed, knowing that this notice will have to go over until Monday, and it may be Tuesday or Wednesday——

Mr. THOMAS. It will have to go over until Monday under the rule.

Mr. UNDERWOOD. Monday something else will be before the Senate.

Mr. LODGE. The rule says it shall go over for one day. I take it that that means a calendar day.

Mr. UNDERWOOD. But the tariff bill will be up on Monday, and if this bill is not passed to-night it will not be passed before Thursday. I would like to see the Senator from Wyoming have a chance to get the bill passed. So I ask unanimous consent that the motion to suspend the rules may be considered at this time.

The PRESIDING OFFICER. Is there objection?

Mr. PITTMAN. Does the unanimous consent also carry with it the right of the Senator from Massachusetts to offer his amendment?

The PRESIDING OFFICER. The Chair so understands.

Mr. UNDERWOOD. Undoubtedly if the Senate puts in the original bonus, then any amendment that is germane to it will be in order.

Mr. PITTMAN. If that is the agreement, it is all right.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Alabama?

Mr. CURTIS. I object. I think it had better go over until Monday.

Mr. ROBINSON. Mr. President, I announced earlier in the day that I would be compelled to leave the city for a day or two. I have an amendment or two, not committee amendments, which can be disposed of very promptly, and I would like to offer them now and have them passed upon.

Mr. WARREN. Does the Senator object to my offering two or three amendments from the committee first?

Mr. ROBINSON. No; I do not.

Mr. WARREN. Mr. President, I offer the amendment which I send to the desk.

Mr. McCUMBER. Mr. President, in order that the emergency tariff bill may not lose its place, in accordance with the agreement, and as there is a desire to adjourn from to-day until Monday, instead of taking a recess, I ask that the unfinished business may be laid before the Senate.

Mr. HARRISON. May I ask the Senator in this connection, if it is the intention of the Senator and the other side of the Chamber to take up the emergency tariff bill on Monday?

Mr. McCUMBER. It is, so as to finish it, if possible, on Tuesday.

Mr. HARRISON. The legislative appropriation bill, that has not been finished, will go over until after the tariff bill has been considered?

Mr. McCUMBER. Yes; that is my understanding.

Mr. WARREN. Will the Senator from North Dakota withhold his request until I have an opportunity to offer two or three amendments and endeavor to have them agreed to?

Mr. McCUMBER. Very well; I withhold my request for the present.

Mr. WARREN. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The proposed amendment will be stated.

The ASSISTANT SECRETARY. On page 33, after line 16, insert:

New York passport bureau: Passport agent, $2,000; clerks—1 of class 4, 2 of class 3, 2 of class 2; messenger—messenger boy, $480; rent of office, $2,500; stationery, furniture, fixtures, and other miscellaneous expenses, $2,000; in all, $15,020.

The amendment was agreed to.

Mr. WARREN. I also offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 29, in line 8, under the heading Civil Service Commission, after the numerals "$2,500," insert:

Provided, That the secretary of the Civil Service Commission shall be deemed an employee for the purposes of this act.

The amendment was agreed to.

Mr. WARREN. I wish to offer one more amendment. It relates to the change of a paragraph to a different place in the bill.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. Transpose the amendment agreed to on page 41 of the bill, lines 18 to 20, inclusive, so that it will follow line 24 on page 41 of the bill.

The amendment was agreed to.

Mr. ROBINSON. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The ASSISTANT SECRETARY. On page 147, after line 23, insert:

Division of Information: Chief, $3,500; assistant chief, $2,500; clerks—2 of class 4, 1 of class 3, 1 of class 2, 3 of class 1, 1 $900 messenger; in all $19,340.

The amendment was agreed to.

Mr. ROBINSON. I ask permission to have printed in the RECORD a memorandum regarding the amendment just agreed to.

The PRESIDING OFFICER. Without objection, leave is granted.

The memorandum referred to is as follows:

The Division of Information was provided for in section 40 of the immigration act of February 20, 1907.

It became operative on the 1st of July, 1907, and has continued to function ever since.

The first appropriation bill passed after the establishment of the division appropriated $19,340 for its maintenance in the District of Columbia. That appropriation has never been increased. The division has never asked for an increased appropriation for the payment of salaries.

In my last report to the Commissioner General I recommended that $100,000 be asked for to expend in translating, printing, and distributing information as provided for in the statute, but my request was not considered in the estimates.

When the Division of Information was established an agreement was entered into with the Bureau of Immigration to the effect that the services of clerks would be interchangeable. When business would be pressing in one and slack in the other, clerks would lend their services where the need for them was most urgent.

The Chief of the Division of Information was never called before the Committee on Appropriations. I presume that this was because no addition to the appropriation for the division was asked for.

Had the chief of the division been present at the hearing, he could have refuted the statement that the division did not function at all during the war.

Not only did the division function during the war but it became the nucleus, by direction of the Department of Labor, of the United States Employment Service, and rendered efficient aid in that capacity. I, in addition to being chief of the division, became for the time being the acting director of employment and continued in that capacity until the division was restored to the Bureau of Immigration by order of the Secretary of Labor.

The Division of Information has never for a day ceased to function as a division except as heretofore stated.

It has faithfully complied with the terms of the statute creating it. It is now prepared to do more efficient service than before.

It was during the war, when immigration had dropped to its lowest level, that the activities of the division were diverted to other channels. With increased immigration the need for it is more pressing than ever.

The work of the Division of Information in no way duplicates that of any other arm of the Government service. It was created for the purpose of informing admitted aliens on everything necessary to their welfare in order that they might more rapidly and satisfactorily fit into our American life. While the Division of Information formed the nucleus out of which the United States Employment Service originally grew, it now bears no relationship to that service and in no way duplicates its work.

The division is now cooperating with the officials of all the States and Territories in preparing the information required by law to be presented to applicants.

Reciprocal relations with boards of trade, industrial organizations, and chambers of commerce are being formed with a view to diverting the stream of immigration to the land as the place to earn bread.

Regardless of the feelings, interests, wishes, or welfare of the chief of the division, that organization, a statutory arm of the Government, should not be summarily abolished by refusal to appropriate for it, and I ask the Committee on Appropriations to reinsert the item providing for its maintenance in the appropriation bill.

Mr. JONES of Washington. Following the amendment just agreed to with reference to the passport bureau at New York, I desire, in behalf of the Senator from California [Mr. JOHNSON], to offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. Following the amendment agreed to on page 33, after line 16, the Senator from Washington, on behalf of the Senator from California, moves to insert:

San Francisco, Calif.; passport bureau: For salaries and expenses of maintenance of the passport bureau, $7,500.

Mr. KING. Mr. President, I wish to inquire as to the necessity for a passport bureau in New York. Is there not ample provision now for passports?

Mr. WARREN. The appropriation for the passport bureau in New York had been refused, but after looking the matter up thoroughly, it was thought that the item had better go in. In San Francisco we had an office open during the last year or two, and I understand the amendment just offered is to reinstate it, but I did not catch the amount proposed to be appropriated.

The PRESIDING OFFICER. Seven thousand five hundred dollars.

Mr. WARREN. I will state that that is the amount that office had provided for it last year.

Mr. KING. I wish to ask the Senator a further question for information. We have passport officers here in the District of Columbia; there is a large force in the State Department. Has it been deemed necessary to have passport divisions in the various ports?

Mr. WARREN. It is a long way from San Francisco to New York, and there is a great deal of this business to do. It accommodates the traveling public. They take in the same amount of money, of course, and perhaps more, because of this convenience. It is only a matter of small expense. We reduced the item some thirty-odd thousand dollars——

Mr. LODGE. It was $44,000 last year at New York.

Mr. KING. I can appreciate the necessity for this service if adequate provisions are not made in Washington.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Washington in behalf of the Senator from California.

The amendment was agreed to.

Mr. JONES of Washington. I desire to offer another amendment following the one just agreed to.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. Following the amendment just agreed to, insert the following:

Seattle, Wash., passport bureau: For salaries and expenses of maintenance of passport bureau, $7,500.

Mr. WARREN. I have no objection; the amendment can go in so far as I am concerned.

The amendment was agreed to.

Mr. POMERENE. Mr. President, I offer the following amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 10, line 5, strike out "$3,304,500,'" in the item for "compensation of Members of the House of Representatives," etc., and insert, "$3,307,500, of which amount $15,000 shall be for the compensation of the Speaker."

Mr. WARREN. That is for the Speaker alone?

Mr. POMERENE. It simply increases the total amount $3,000 to cover the increased compensation to the Speaker.

The amendment was agreed to.

Mr. NELSON. Mr. President, I offer the following amendment. In line 4, page 154, under the subtitle "Court of Claims" I move to strike out "$3,500" and insert "$4,000." This is to increase the salary of the clerk of the Court of Claims from $3,500 to $4,000. All the clerks of the circuit courts get $4,500, and most of the clerks of the district courts get from $4,000 to $5,000. Owing to the war claims the business of the Court of Claims has increased so much that the clerk is fairly entitled to this increase. Instead of $4,000 he ought to have $4,500, but I am asking for an increase of only $500.

Mr. WARREN. Let the item go in the bill and it will be looked into in conference.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 154, line 4, strike out "$3,500" and in lieu insert "$4,000," under the subheading "Court of Claims," so as to read:

Chief clerk, $4,000.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The ASSISTANT SECRETARY. On page 45, line 5, at the end of the items for the Bureau of War Risk Insurance, after the word "insurance," add the following additional proviso:

Provided further, That nothing herein contained shall be construed to prohibit the bureau from soliciting by letters and advertising the reinstatement of lapsed insurance.

Mr. SMOOT. There is no need of the amendment, but if the Senator desires to have it, let it go in.

The amendment was agreed to.

Mr. HARRISON. Mr. President, is it the understanding that the emergency tariff bill is to be taken up on Monday and that the legislative appropriation bill will be laid aside at that time?

Mr. WARREN. That depends entirely upon those in charge of the unfinished business, of course.

Mr. McCUMBER. I will say to the Senator that that is the intention.

Mr. HARRISON. Do I understand that the Senator from Wyoming expects to bring up the legislative appropriation bill at all on Monday?

Mr. WARREN. During the morning hour, after routine morning business, if the opportunity presents itself.

Mr. MOSES. Mr. President, a parliamentary inquiry.

Mr. HEFLIN. Mr. President, before the bill is temporarily laid aside I desire to offer an amendment.

Mr. MOSES. I inquire what is the present status of the legislative appropriation bill.

The PRESIDING OFFICER. There are two amendments at the desk, one of which is pending.

Mr. MOSES. Have the committee amendments been disposed of?

The PRESIDING OFFICER. They have not.

EMERGENCY TARIFF.

Mr. McCUMBER. Mr. President, I renew my request that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. McCUMBER. I move that the Senate adjourn until Monday at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, February 14, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 12, 1921.*

The House met at 11 o'clock a. m.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

O Lord our Lord, Thou art always going with us. We thank Thee. Equip us this day with the best manhood. Rebuke us not with indignation but reprove us with tenderness. Stay with us not with indignation but reprove us with tenderness. Stay with us while we tarry at the altar of our country and renew our vows and our pledges of patriotic devotion. Bless Thou our native land for a great good and with a mighty destiny. Grant that the ideals, the labors of Abraham Lincoln, the preserver of our country, may live. May they live in the sweet ministries of our fireside; may they live in the glowing intensity of our national spirit; may they live in a broader fraternity; oh, may they live until all sectionalism fades away and all prejudice die out of the human breast and they become the inspiration of mankind. Through Jesus Christ our Lord. Amen.

THE JOURNAL.

The Journal of the proceedings of yesterday was read.

Mr. BLANTON. Mr. Speaker, I desire to correct the Journal. The Journal states that a point of order being made on Senate amendment 143 as being a violation of clause 2 of Rule XX the Speaker overruled that point of order. The Speaker did not overrule that point of order. The Speaker merely ruled that the bill was not before the House for consideration, and then was not the proper time to make the point of order.

The SPEAKER. The Speaker overruled the point of order.

Mr. BLANTON. The Speaker did not hold that Senate amendment 143 was not in violation of clause 2 of Rule XX.

The SPEAKER. No.

Mr. BLANTON. That was the point of order.

The SPEAKER. No; however, the Chair will not discuss it.

Mr. BLANTON. I did not want the ruling to go in the Journal that Senate amendment 143 was not in violation of clause 2 of Rule XX because it is in violation of it.

The SPEAKER. The Chair thinks the Journal is correct.

The Journal of the proceedings of yesterday was approved.

INDIAN APPROPRIATION BILL.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 15682, the Indian appropriation bill, disagree to the Senate amendments and agree to the conference asked for by the Senate.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with the various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922.

The SPEAKER. Is there objection?

Mr. CARTER. Mr. Speaker, reserving the right to object, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CARTER. The parliamentary question I desire to bring to the attention of the Chair has, I think, been decided once, but I would like to have another pronouncement from the Chair. The gentleman from California [Mr. ELSTON] asks unanimous consent to send the Indian appropriation bill with Senate amendments to conference. In case this request is refused the bill, under the rules, must go to the committee having appropriate jurisdiction. Everyone who has examined the Senate copy of this bill will agree that it is laden with Senate amendments in violation of the rules of this House, all unauthorized by any semblance of law, and many of them legislative provisions of most sweeping character, many of which have never had consideration by the House, while some have not even as yet had consideration of any House committee. Now, what I desire to ascertain by this parliamentary inquiry is this: If unanimous consent is refused, the bill must go to some committee. What committee reference would be made of this bill, containing appropriations, it is true, but the majority of Senate amendments have no authorization by law, and many of them are legislative items which do not even carry appropriations at all.

The SPEAKER. It would go to the Committee on Appropriations.

Mr. CARTER. That is what I assumed would be the procedure, for that was what was said with reference to the District of Columbia bill, and under the circumstances no criti-

cism, of course, can be brought against the Chair for this decision. But, Mr. Speaker, we have been assured time and again on this floor that this new rule concentrating appropriations preserves legislative jurisdiction to all of the many legislative committees. Now, let us see whether it does or not. Here we have a bill which was sent to the Senate stripped of practically all items obnoxious to the House rules, with every legislative provision eliminated. Now, we have that bill returned to the House with 130 Senate amendments, 90 per cent of which, perhaps, are unauthorized by any basic law, and with many wholesale legislative provisions.

Mr. MONDELL. Will the gentleman yield?

Mr. CARTER. Just as soon as I have finished this statement I will be glad to yield to the gentleman. What predicament do we find ourselves in with reference to procedure? Why, under this rule and decision, the bill with all these many legislative items is sent not to the committee having jurisdiction of such legislative items, but must be referred to the Committee on Appropriations. I now yield to the gentleman from Wyoming.

Mr. MONDELL. The gentleman realizes that as to the major portion of these provisions and legislation to which he refers no conference committee of the House is liable to agree?

Mr. CARTER. Oh, Mr. Speaker, I am not speaking of procedure on the bill in conference, for it takes unanimous consent to send the bill to conference. I am speaking of the regular order and as to what would happen in case unanimous consent were refused and the bill referred to the appropriate committee.

No part of the bill except the Senate amendments would then be the subject of committee consideration and 80 or 90 per cent of the subject matter of those amendments is legislative, many of them containing no appropriation at all. So we find this rule not only permits, but compels another invasion of the rights of legislative committees, which I am sure was not understood or even faintly contemplated by a great many Members of the House when they voted to centralize this jurisdiction over appropriations in one committee. The rule provides that certain committees shall have jurisdiction over certain legislative matters, and yet we find when these identical legislative matters are placed as Senate amendments in an appropriation bill and returned to the House that the bill is referred not to the committee having jurisdiction of those legislative items but to the Committee on Appropriations.

This, in my opinion, is but a mild intimation of the encroachments that may be expected, as this rule develops upon the prerogatives of all legislative committees until the Committee on Agriculture, the Committee on Naval Affairs, the Committee on Military Affairs, the Post Office Committee, the Committee on Indian Affairs, and all other committees which formerly had appropriation jurisdiction will gradually be cut off from legislative powers until they are reduced down to about a level of importance with our former committee on accoustics and ventilation.

Mr. GARNER. Reserving the right to object, may I ask the gentleman from California if Mr. HASTINGS has been consulted with reference to referring this bill to conference?

Mr. ELSTON. He has. I talked with him yesterday and he agreed to it, and I consulted with the gentleman from Oklahoma [Mr. CARTER] as well, and also with the gentleman from New York [Mr. SNYDER].

Mr. McCLINTIC. Mr. Speaker, I think we ought to have a quorum present, and I make the point of no quorum.

Mr. GARRETT. Mr. Speaker——

Mr. McCLINTIC. I withhold it for the present.

Mr. GARRETT. Mr. Speaker, I wanted to say this about the inquiry made by the gentleman from Texas [Mr. BLANTON] a moment ago. I suppose that technically it is correct that the Journal shows that the point of order was overruled. At the same time that might be misleading, unless it were definitely understood.

Now, what the RECORD shows, as I remember it and as I see it before me here, is that the effect of the holding merely was that the bill was not before the House for consideration at that time in such a way as that the point of order would lie. Of course, there would be a time at which it would be subject to a point of order, and a point of order would lie notwithstanding the Journal now shows that the point of order was overruled.

Mr. MANN of Illinois. A Senate amendment is not subject to a point of order under the rules of the House. The conferees are not authorized to agree to the Senate amendment, and if they did that without authority of the House and brought in a conference report the conference report would be subject to a point of order——

Mr. GARRETT. I understand that.

Mr. MANN of Illinois. You can not make a point of order to a Senate amendment.

Mr. GARRETT. That is quite true, but it ought to be understood that the effect of the decision of the Chair yesterday was not such as to impair the rule in regard to conference reports.

Mr. MANN of Illinois. Of course, the point of order was made untimely.

Mr. GARNER. May I interrupt the gentleman from Illinois with an inquiry? He says that a Senate amendment would not be subject to a point of order. Let us suppose the bill was referred to the Committee on Appropriations and brought back into the House and considered under the general rules of the House, would it not then be subject to a point of order?

Mr. MANN of Illinois. It would not.

Mr. GARNER. I disagree with the gentleman in regard to that proposition.

Mr. MANN of Illinois. The rule is that the conferees can not agree to the Senate amendment without authority from the House, and the conference report that did attempt to agree to it would be subject to a point of order.

Mr. GARNER. Let us see how that would work out, Mr. Speaker, if I may. The bill is referred to the Appropriations Committee; it is returned to the House of Representatives and considered under the rules of the House. And the House goes into the Committee of the Whole House on the state of the Union and considers the Senate amendments; the committee agrees to the Senate amendments, because they are not subject to a point of order, and come back to the House with an agreement of a legislative character. Now, then, the House is deprived of the right of any one Member to strike from that bill a legislative part of it?

Mr. MANN of Illinois. Certainly not.

Mr. GARNER. It would, because you have already agreed to the amendment in the House and it is no longer in conference.

Mr. MANN of Illinois. If the House agrees to an amendment, you can no longer make a point of order.

Mr. GARNER. That is what I said a moment ago. Under your suggestion you would have a situation where the House could agree to a legislative matter regardless of the objection of any Member.

Mr. MANN of Illinois. Certainly, under that rule.

Mr. GARNER. Or under any rule I know of now, unless you stretch that language.

Mr. MANN of Illinois. Certainly you can not. The gentleman has not read the rule recently.

Mr. CLARK of Missouri. Will the gentleman from Illinois permit an inquiry?

Mr. MANN of Illinois. Certainly.

Mr. CLARK of Missouri. Is not this new rule of the House tantamount to depriving conferees of a free conference?

Mr. MANN of Illinois. I think it is.

Mr. CLARK of Missouri. And is it not liable to end in a general muddle?

Mr. MANN of Illinois. I think it is.

Mr. CLARK of Missouri. The Senate may decline to have a conference where the thing is tied up in advance.

Mr. MANN of Illinois. But the Senate in this case has requested a conference.

Mr. CLARK of Missouri. I know they have in this case, but I am talking about the general proposition.

Mr. BRITTEN. Does not the gentleman believe that the muddle has already occurred?

Mr. CLARK of Missouri. Judging from the conduct of the gentleman on yesterday, I would say it had. [Laughter.]

The SPEAKER announced the following conferees: Mr. ELSTON, Mr. DEMPSEY, and Mr. HASTINGS.

CALL OF THE HOUSE.

Mr. McCLINTIC. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Oklahoma makes the point of no quorum.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The roll was called, and the following Members failed to answer to their names:

Andrews, Md.	Black	Carss	Cullen
Andrews, Nebr.	Bland, Mo.	Casey	Currie, Mich.
Anthony	Burroughs	Chindblom	Curry, Calif.
Ashbrook	Caldwell	Clark, Fla.	Dale
Babka	Campbell, Kans.	Classon	Davey
Baer	Candler	Coady	Dempsey
Barkley	Cantrill	Connally	Denison
Bell	Caraway	Costello	Donovan
Benson	Carew	Crowther	Dooling

Doremus	Hulings	Mann, S. C.	Sanders, N. Y.
Doughton	Hull, Iowa	Mason	Sanford
Eagan	Humphreys	Mead	Scully
Eagle	Husted	Merritt	Sears
Edmonds	Hutchinson	Milligan	Sherwood
Ellsworth	Ireland	Minahan, N. J.	Siegel
Emerson	Jacoway	Montague	Small
Fairfield	James, Mich.	Moon	Smith, Ill.
Ferris	Jefferis	Mooney	Smith, N. Y.
Fess	Johnson, S. Dak.	Morin	Snell
Fish	Johnston, N. Y.	Mudd	Steagall
Focht	Kahn	Nelson, Wis.	Steele
Frear	Kelly, Pa.	Nicholls	Stiness
Gallivan	Kennedy, Iowa	Nolan	Strong, Pa.
Gandy	Kennedy, R. I.	O'Connell	Sullivan
Gard	Kitchin	Pell	Thomas
Godwin, N. C.	Kleczka	Perlman	Tinkham
Goldfogle	Kraus	Phelan	Towner
Goodwin, Ark.	Kreider	Porter	Vare
Gould	Langley	Rainey, Ala.	Venable
Graham, Pa.	Lea, Calif.	Rainey, Henry T.	Vinson
Griest	Lee, Ga.	Rainey, John W.	Voigt
Hamill	Linthicum	Randall, Calif.	Volk
Harreld	Little	Ransley	Watkins
Harrison	Lonergan	Reed, N. Y.	Webster
Haugen	McCulloch	Reed, W. Va.	Welty
Hersman	McDuffie	Riddick	Williams
Hill	McFadden	Riordan	Wilson, Ill.
Hoey	McGlennon	Robinson, N. C.	Winslow
Holland	McKinley	Rodenberg	Wise
Houghton	McLane	Rowan	
Howard	McLaughlin, Nebr.	Rubey	
Hudspeth	Maher	Sanders, La.	

The SPEAKER. Two hundred and sixty-three Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

CONTESTED-ELECTION CASE—WICKERSHAM V. SULZER AND GRIGSBY.

Mr. DOWELL. Mr. Speaker, I submit a privileged report from the Committee on Elections No. 3 relative to the contested-election case of Wickersham against Sulzer and George B. Grigsby.

The SPEAKER. The Clerk will read the title of the report.

The Clerk read as follows:

Mr. DOWELL, from the Committee on Elections No. 3, submitted the following report on the contested-election case of Wickersham against Sulzer and George B. Grigsby.

Mr. O'CONNOR. Mr. Speaker, on behalf of the minority, I ask unanimous consent for five days in which to file minority views.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that the minority may have five days within which to file their views. Is there objection?

There was no objection.

ABRAHAM LINCOLN.

The SPEAKER. By special order for to-day, Gov. YATES, of Illinois, was given 40 minutes in which to address the House on President Lincoln. The Chair will ask the gentleman from California, Mr. OSBORNE, a veteran of the Civil War, to preside. [Applause.]

Mr. OSBORNE assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The gentleman from Illinois [Gov. YATES] is recognized for 40 minutes. [Applause.]

ADDRESS BY RICHARD YATES, FEBRUARY 12, 1921.

Mr. YATES. Mr. Speaker, a beloved poet, one of the glorious company of poets of America, has given us these lines:

He knew to bide his time,
And can his fame abide;
Still patient, in his faith sublime,
Till the wise years decide.
Great captains, with their guns and drums,
Disturb our judgment for the hour.
Bye and bye silence comes; these all are gone,
And, standing like a tower,
Our children can behold his fame.
The kindly-earnest, brave, far-seeing man,
Sagacious, patient, dreading praise, not blame,
New birth of our new soil, the first American.

I earnestly desire that my first word on this occasion be a word of thanks, and of very sincere thanks.

The privilege which has come to me by the gracious act of the gentleman from Iowa, Judge TOWNER, in seeking recognition and by the gracious act of the Speaker in granting that recognition, and by the gracious act of the House in extending unanimous consent that I may speak here is appreciated fully. It is an adornment, an embellishment, indeed a decoration, in any man's public service to be the one man designated especially by this House of Commons of the American people to speak on this day.

At this hour we stand in an imposing presence. For not we only are observing this occasion. All over the land the American people are standing in salute to-day while Abraham Lincoln and all his deeds and scenes of sacrifice are passing in review. Amid a deepening sentiment of brotherhood all classes and conditions and sections combine to recall the virtues of his life and death. There are millions upon millions with us thinking about Abraham Lincoln from ocean to ocean at this moment.

It is, I hope, not wrong for me, while recognizing the deep sense of responsibility of the day and occasion, to venture to say that there is a personal reason, an intimate, delicate reason, which causes me to come to this point with deep personal emotion.

In this city of Washington, on a street corner, on a bright morning of a day which must have been not later than April 14, 1865, the fatal day, and not earlier than March 4 of that year, a very tiny boy stood on tiptoe trying with his tiny stature to look up into the face of the tallest man he had ever seen—a very tall man—very dark as to hair and beard. There was doubt when the little fellow went home to his parents' boarding house and reported that President Lincoln had stopped him and pulled his ears and tousled his hair, but the little boy never doubted, and to-day, after the lapse of 55 years, I am satisfied that on that one occasion I saw and talked to Father Abraham. [Applause.] Men and women are wrong who think that a little child can not remember things which happened at the age of 4 or 5. All mothers know that if you talk to a child about one thing only, morning, noon, and night, breakfast, dinner, and supper, and around the fireside in the evening, and keep it up for four long dramatic years, that child will remember it. It so happened that nothing else was talked about under the roof that sheltered me in 1861, 1862, 1863, and 1864 but the Union and the Flag, the Union and liberty, the Union and Abraham Lincoln. So it is not strange I recognized him that day—not immodest in me to claim that I saw him once. [Applause.]

I will not undertake to deliver an address to-day upon that ponderous subject the "Life and character of Abraham Lincoln." This is because the life of the hero, in whose name and to honor whose memory we are gathered here, was a life which touched a great many spheres of human experience, and which accordingly presents to the biographer a great many phases of action and character—far more than is usually the case in the life of a man, especially American man.

I will content myself with referring to a few of the things in which I think he excelled.

LINCOLN THE ORATOR.

For one thing, he was a peer of ablest orators. I point you to a few examples of his eloquence:

March 4, 1861, at the close of his first inaugural address, he said:

In your hands, my dissatisfied fellow countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy this Government, while I shall have the most solemn one to preserve, protect, and defend it. I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.

While in this first inaugural Lincoln spoke of war, I believe he really hoped that there would be no scourge of war. Yet how apt and fit his words. Certain it is that had all men fully understood how unalterably determined he was, there would, somehow, have been a yielding to him.

On March 4, 1865, in his second inaugural address he said:

Fondly do we hope, fervently do we pray, that this scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, still it must be said that "the judgments of the Lord are true and righteous altogether."

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us finish the work we are in—to bind up the Nation's wounds, to care for him who shall have borne the battle, and for his widow and his orphans, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.

When this passage was uttered the thing had come to pass. There had been a parting in a million homes, and that parting was forever. There had been nearly a thousand battles and American valor had written its name high on the temple of fame. The embattled world stood in awe of the arms and prowess at the beck and call of him who had been the flatboat boy and rail splitter. And he who, in 1830, clad in buck-

skin clothing and coonskin cap, had crossed the eastern line of Illinois—this man was now the Commander in Chief of the greatest of military nations, to whom the imperial Caesars would have yielded tribute had he then demanded it. [Applause.] Yet notice the humble and loving words.

(Let me say, by way of parenthesis, that I do verily believe that the valor of Donelson and Shiloh, of Vicksburg and Gettysburg—yes, on both sides, North and South—did write its name so high on the temple of fame that it kept the kings and the emperors, the sultans and the czars—and the mikados—off of us for 55 years, until 1917.)

Another instance of his eloquence:

On the 11th day of February, 1861, a cold, bleak, rainy morning, to his neighbors and friends assembled to bid him farewell—a little company, only 200 in number, but a loving company, standing, uncovered, in the rain—he, also uncovered, in the rain, said:

My friends, no one not in my situation can appreciate my feelings of sadness at this parting. To this place and the kindness of this people I owe everything. Here I have lived a quarter of a century, and have passed from a young to an old man. Here my children were born and one lies buried. I now leave, not knowing when or whether ever I may return, with a task before me greater than that which rested on the shoulders of Washington. Without the aid of that Divine Being, who ever aided him, who controls mine and all destinies, I can not succeed. With that assistance I can not fail. Trusting in Him who can go with me and remain with you and be everywhere, for good, let us confidently hope that all will be well. To His care commending you, as I hope in your prayers you will commend me, I bid you, friends and neighbors, an affectionate farewell.

Four years ago five men—John Bunn, William Jayne, George Pasfield, George Brinkerhoff, and Lincoln Dubois, all survivors of that meeting—were cheered by a vast throng, as we of Springfield dedicated a stone, bought by the women of Springfield, to mark forever that spot; and all those men, deep students of Lincoln's words and works, consider this one of his most eloquent utterances. One of his historians, a student in his law office, Henry Rankin, still living in Springfield, also a survivor of that meeting, considers it unexcelled. I think so myself, unless it be one paragraph in his speech next day at Columbus, Ohio.

On the 13th day of February, 1861, at Columbus, to the Legislature of Ohio, he said:

I can not but know what you all know, that without a name, perhaps without a reason why I should have a name, there has fallen upon me a task such as did not rest even upon the Father of his Country; and feeling so, I can not but turn and look for that help without which it will be impossible for me to perform that great task. I turn, then, and look for help to the great American people and to that God who has never forsaken them.

This passage appeals to me as much as anything which ever came from his tongue or pen. You and I know that he received the help he prayed for—received it from 20,000,000 loyal hearts, and from the Infinite Power on high. He put one hand in the outstretched palm of the American people, and with the other he laid a strong hold upon the almighty arm of the almighty God, and, standing there supported by humanity and supported by Divinity, he fought the grandest fight and won the grandest victory for the whole country, race, and Nation, North and South, East and West, that the world has ever seen since the Savior walked among the sons of men. And, very marvelously, the men who then fought him now believe he won a victory for them, too.

No attempt will be made to give further examples of his oratorical power, excepting to quote the words which he delivered, to the edification and inspiration of the Nation and Christendom, on the battle field of Gettysburg in November, 1863. They read as follows:

Fourscore and seven years ago our Father brought forth upon this continent a new Nation, conceived in liberty, and dedicated to the proposition that all men are equal. Now, we are engaged in a great Civil War, testing whether that Nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle field of that war. We are met to dedicate a portion of it as the final resting place of those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

But in a larger sense we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work that they have thus far so nobly carried on. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to the cause for which they here gave the last full measure of devotion; that we here highly resolve that the dead shall not have died in vain; that the Nation shall, under God, have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth.

It is said that these words were first written on the backs of envelopes in a railway car between Washington and Gettysburg. Yet notice the grandeur of every sentence.

They leave us almost breathless at their close.

LINCOLN THE OVERCOMER.

Secondly. He was the conqueror of difficulties—he was a Knight of the Sublime Order of Disappointment.

Yearning to learn, he was censured for that disposition. Craving information, he was deprived of almost all books; loving his fellow men, he was afflicted for years with bashfulness; with an eye and ear for all the beautiful in nature, in poetry, and in song, he was burdened, he says, with a voice, face, and form alike unfortunate. Those who knew him, and particularly those who encountered his eternal friendliness, never deemed him uncouth or homely. Col. Freeman Thorp, who sketched him often and whose painting of him was accepted by the Senate, assures me he saw no uncouthness, just "a tall, spare, but well-formed, muscular man, very erect, with impressive, plain, unassuming bearing."

With a desire to be a useful member of the community, he, when he became of age, embarked in various business ventures, and every one of them, without exception at all, was signally disastrous; they fastened upon him a burden of debt which he carried for 20 years, and never did dispose of until 1849, his fortieth year, after his election to Congress. He called it the "National debt." It amounted to $1,100 and was in the form of promissory notes. When these notes became due all the creditors consented to renew them except one. This man brought suit, obtained judgment, issued an execution, and levied upon the surveying implements, which Lincoln called the things which kept soul and body together. The day of sale came, but down the dusty road that day came James Short, a farmer, and he bought all the things at the sale and laid them at Lincoln's feet, and said, "Here, begin again." Thirty-two years afterwards Abraham Lincoln, President of the United States, heard that James Short was destitute on the western border of Nebraska, and as fast as steam and train (and pony express) could carry it, he sent aid and comfort, succor and support. Gratitude after 32 years! I would love Abraham Lincoln for that, if not for anything else. [Applause.]

Desiring to go to the legislature, he was doomed at first to disappointment. Later, aspiring to congressional honors, he again met with defeats—due to provoking and exasperating misconceptions of him; and even when a candidate for United States Senator in 1856 and 1858 he still underwent the indescribable humiliation of being almost invariably misunderstood—resting, for example, under the charge of being the candidate of wealth, aristocracy, and family pride, he, who as a flatboat boy, at $8 per month, had had to earn his living by the veriest sweat of his brow. And all along the wending way the death of beloved children and the ingratitude of pretended friends seemed to combine to make his life unbearable and all his hopes a mockery.

I have never seen the thought expressed in any biography, but from the reading of some of his own letters and speeches I have received the impression that, to some extent at least, he himself at times gave way to the thought that his life of continued agonizing was intended to prepare him for some great test.

In 1900 Prof. Van Buren Denslow, of New York City, wrote to me stating that in 1860 he left in Illinois a copy of a speech delivered by Mr. Lincoln in the hall of the house of representatives at Springfield in 1839; another copy of which speech Prof. Denslow had never been able to secure. I took pleasure in hunting for the lost pamphlet, was fortunate enough to find it, and forwarded it to its owner—40 years after he had parted with it. But before sending it back I read it. I shall always be impressed with its closing paragraph. I took a copy of it, but unfortunately have lost that, and I have never seen it anywhere else. I can not now quote it, but in substance it was this: "I never so fully realize my manhood; I never feel myself so fully rising to the complete exercise of the faculties which God has given me, as when I contemplate my country, assailed and in danger, and I, alone, standing between her and the perils that surround her."

The speech was full of what would nowadays be called sophomorical eloquence and, we must remember, was written at the age of 30, when Mr. Lincoln was merely a member of the little Illinois Legislature, only 21 years after Illinois was made a State and full 22 years before the eventful March, 1861, when he was inaugurated as President. It certainly has a prophetic sound, and whatever his intention when writing it, I prefer to believe that in the midnight hour, when that sentence was framed—in the rare and radiant moment when his wrought-up brain conveyed that high thought to his swift and shining pen—Abraham Lincoln was inspired. At any rate, the hour then imagined actually came, and in a time of sadness and of darkness that was to all others unutterably appalling this man who could not be appalled took into his firm grasp the quivering helm

of the then struggling Ship of State and never lifted his hand nor rested his eye until it entered the haven of rest.

The lightnings blazed their blinding bolts about him, but he never faltered. The thunders poured their awful blasts upon him, but he never wavered. Wave after wave of trial raised its horrid, seething crest across his path and roared, "Thus far and no farther," but he never yielded.

And at last, amidst the tears and prayers and thanksgiving of humanity, Abraham Lincoln steered the battered but yet beautiful ship into the harbor of perfect peace and anchored her there in beauty and grandeur and grace and power, safe from all the attacks of terrible treason and wasting war forever.

LINCOLN THE LOVER.

Lincoln was a paragon among lovers. He says he was awkward and bashful in the time when "young men's fancies lightly turn to thoughts of love." I am sure he was not unlovable. He certainly was highly regarded by not a few noble women, and at different times four of them so treated him that he even felt justified in proposing marriage. Ann Rutledge, Mary Owens, Sarah Rickard, and Mary Todd—these four we know he loved. It is always a gratification to me to know that our greatest men have been among our most ardent lovers. Washington was devoted to five different girls within 10 years. [Laughter.] He, however, was an elegant gentleman, a man of fashion, and always at ease in ladies' society, and it is not in the least surprising that a man so constantly coming into contact with women should be attracted by and to them. Timidity, however, in polite society, was a characteristic of Lincoln's whole life. And strong indeed must have been his love to enable it to overcome his natural shyness in woman's presence.

Those who knew him best assert that his affection once evoked was impetuous and fervent. Above the lonely grave in Menard County of Ann Rutledge his great heart broke. To that lovely girl he had told the old, old story as he escorted her to the "quilting bee." The owner of a quilt made in those days used to show to all interested the very uneven and irregular stitches which Ann Rutledge made as her heart and soul throbbed and thrilled with joy when, sitting by her side as she stitched and stitched at the "quilting frame," Lincoln told that story of man's love for woman, sweet as it is old and old as it is sweet, Thank God!

"All the world loves a lover." And no one will love Lincoln less because of the historical fact that his reason, or at least his hope and interest in life, departed from him when Ann died. Yes; that heart and soul and mind and intellect which in later years could contemplate unmoved a world in arms, were all dethroned because a sweet girl died in Menard County.

It was five long years before any other woman attracted him. Then two, in somewhat rapid succession, became recipients of his regard. Although esteeming him, they rejected him, not fully comprehending him. When he did finally marry, 10 years later, he became and remained a model husband, and Mary Todd Lincoln was a model wife. But many think to this day that the fragrance of the memory of the loved and lost one of New Salem hovered about him till his death and contributed to make him what, at times, he was—the saddest man of his time.

A kind friend, after Ann Rutledge's death, took Mr. Lincoln to his little home in a secluded spot, hidden by the hills, and there slowly and gradually brought him back to reason after weeks and weeks of suffering and peril.

In 1842 that kind friend—Bowling Greene—died, and Lincoln was selected to deliver a funeral oration. He rose to speak, but the old, dear memories crowded upon him, he broke down, his voice choked, his lips quivered, the tears poured down his cheeks. After repeated efforts, finding it absolutely impossible to speak, he strode away, bitterly sobbing. Every heart was touched by the spectacle.

I myself shall always believe that we would never have had the Lincoln we love, the gentle, tender Father Abraham, had not he himself loved mightily and madly.

He not only loved, but he loved to help others. He was not a selfish man, thinking always of self alone. He frequently thought about others before they thought about themselves. He was of that type of man of whom it can be and is said—

He is your friend behind your back.

In this connection—this is an appropriate place for me to quote from several unpublished letters.

On the 10th day of December, 1847—the thing which I now read through these lines is that he wanted his old friends and boon companions "back home" to know all that he knew; wanted to share his knowledge; to give to others—he said:

WASHINGTON, *December 10, 1847.*

FRIEND YATES: I presented your claim to Douglass this morning; he says it is all right and that he will pay it in a few days. When he shall have done so, you shall hear from me at once.

Things have not advanced far enough to enable me to tell you much in the way of politics, more than you see in the papers. I believe Mr. Calhoun and what force he can control are preparing to support Gen. Taylor for the Presidency. I get this impression from conversations with Duff Greene, who boards at the same house I do. There are, however, a great many Whigs here who do not wish to go for Taylor, and some of whom I fear can not be brought to do it. There are still many others of them who are strong for him, among whom I class Mr. Crittenden, although he does not expressly say so. I shall be pleased to have a line from you occasionally.

Yours, truly,

A. LINCOLN.

It is of interest to know that Abraham Lincoln, during his one term in this House, beginning March 4, 1847, the Thirtieth Congress, had, as his colleagues, and also among the Senators, many men, scores of them, who were sooner or later very prominent.

The Senate was composed of 56 men, the States numbering 28, and was presided over by Vice President George M. Dallas, of Pennsylvania. The two Senators from Illinois were Sidney Breese and Stephen A. Douglas. Other Senators were John C. Calhoun, Hannibal Hamlin (later Vice President), John A. Dix, and Sam Houston; also John J. Crittenden, Thomas H. Benton, and Daniel Webster; and also Jefferson Davis, later Secretary of War and Confederate President. The Senate, of course, occupied what is now the Supreme Court room.

James K. Polk was President.

Among Mr. Lincoln's colleagues in the House were Robert Toombs and Howell Cobb, David Wilmot and Horace Greeley, and also Alexander H. Stephens, later Confederate Vice President, and also Andrew Johnson, later President of the United States, and also John Quincy Adams, former President of the United States.

The Speaker of the House was Robert C. Winthrop, of Massachusetts, of whom it was said in the old-time phrase that he was "a man of parts," of notable accomplishments, diligent application, eternal vigilance, and unfailing courtesy—all of which phrases and praises we of this present House, the Sixty-sixth Congress, concede, apply to the Massachusetts gentleman, who, happily, now presides over our sometimes unruly sessions. [Applause.]

The Hall of the House was, of course, what is now Statuary Hall, and as the Speaker glanced due northwest his eye would rest on Mr. Lincoln's seat, which was in the back row. The number of the seat, according to the little Congressional Directory of that day, which I hold in my hand, was 191, and on his right sat No. 190—John Van Dyke, of New Jersey—and directly in front was seat 168—Lewis C. Levin, of Pennsylvania.

I mentioned above Alexander H. Stephens, later Confederate Vice President. He sat only five seats away from Lincoln. Concerning him Lincoln wrote to a friend February 2, 1848, as follows:

I just take my pen to say that Mr. Stephens, of Georgia, a little, slim, pale-faced, consumptive man, with a voice like Judge Logan's, has just concluded the very best speech of an hour's length I ever heard. My old withered, dry eyes are full of tears yet. If he writes it out anything like he delivered it, our people shall see many copies of it.

I can not refrain from inserting here the tribute which Alexander H. Stephens in 1882 wrote to Mr. Oldroyd:

I knew Mr. Lincoln well and intimately. We were both Members of the Thirtieth Congress—that is, from 1847 to 4th March, 1849. We both belonged to the Whig organization of that day, and were both ardent supporters of Gen. Zachary Taylor to the Presidency in 1848. * * * Mr. Lincoln was possessed of a very strong, clear, and vigorous mind. He always attracted the riveted attention of the House when he spoke; his manner of speech, as well as his thought, was original. He had no model. * * * He abounded in anecdotes, always apt and pointed. * * * In my last interview with him, at the celebrated Hampton Roads conference, in 1865, this trait seemed as striking as ever. He was a man of strong attachments, and his nature overflowed with the milk of human kindness. Widely as we were separated in politics in the latter days of his life, yet I ever cherish for him a high degree of personal regard. I cheerfully give this tribute to his memory.

Mr. Lincoln did not attempt to succeed himself; there was a compact between four men, and it was kept. [Applause.]

Edward D. Baker was to run in 1844 for the Twenty-ninth Congress—Baker the eloquent and valiant, talented and lamented; Abraham Lincoln was to run in 1846 for the Thirtieth Congress; a third gentleman was to run in 1848 for the Thirty-first Congress; and my father was to run in 1850 for the Thirty-second Congress. The third plank in the compact failed of fulfillment only because the party of the third part was vanquished at the polls by Maj. Thomas L. Harris, a gallant veteran of the Mexican War, who, in turn, succumbed to Yates in 1850 and 1852, only to overthrow Yates in 1854.

In the campaign of 1854 he evinced a desperate anxiety to help my father, who was then the nominee for Congress in the Sangamon-Morgan district, and wrote him the following letter:

SPRINGFIELD, *August 18, 1854.*

Hon. R. YATES,
Jacksonville, Ill.

MY DEAR SIR: I am disappointed at not having seen or heard from you since I met you more than a week ago at the railroad depot here. I wish to have the matter we spoke of settled and working to its consummation. I understand that our friend B. S. Edwards is entirely satisfied now, and when I can assure myself of this perfectly I would like, by your leave, to get an additional paragraph into the Journal, about as follows:

"To-day we place the name of Hon. Richard Yates at the head of our columns for reelection as the Whig candidate for this congressional district. We do this without consultation with him and subject to the decision of a Whig convention, should the holding of one be deemed necessary; hoping, however, there may be unanimous acquiescence without a convention."

May I do this? Answer by return mail.

Yours, as ever,

A. LINCOLN.

An equally unselfish letter followed:

NAPLES, ILL., *November 1, 1854.*

DEAR YATES: I am on my way to Quincy to speak for our old friend Archie Williams. On my way down I heard at Jacksonville a story which may harm you if not averted—namely, that you have been a Know-Nothing. I suggest that you get a denial—something like the inclosed draft which I have made—into the hands of a safe man in each precinct.

The day before election will do.

Yours, as ever,

A. LINCOLN.

My father took this letter, a yellowed old blue sheet, and turned it over and wrote on it—in 1865—to one of the biographers of Lincoln:

DEAR MR. ARNOLD: This was good advice, but it came too late. In a district lost by us on the Presidency by 2,000, I was defeated by only 200, over half of whom, I am sure, voted against me because of a false and sworn-to affidavit that I had been seen in a Know-Nothing lodge.

In this connection it is of interest to note that Mr. Lincoln disavowed Know-Nothingism in his own case.

In 1855 he said:

I am not a Know-Nothing; that is certain. How could I be? How can anyone who abhors the oppression of Negroes be in favor of degrading classes of white people? Our progress in degeneracy appears to me to be pretty rapid. As a nation we began by declaring that "all men are created equal." We now practically read it "all men are created equal except Negroes." When the Know-Nothings get control, it will read "all men are created equal, except Negroes and foreigners and Catholics." When it comes to this, I shall prefer emigrating to some country where they make no pretense of loving liberty—to Russia, for instance, where despotism can be taken pure, and without the base alloy of hypocrisy.

While we have Nicolay and Hay before us I quote from page 100, volume 1, a letter to Herndon showing how he was loyal to his word and compact in politics:

It is very pleasant to learn from you that there are some who desire that I should be reelected. * * * I made the declaration that I would not be a candidate again, more from a wish to deal fairly with others, to keep peace among our friends, and to keep the district from going to the enemy. * * * To enter myself as a competitor of others, is what my word and honor forbid (p. 100).

Upon this subject of his love for all the people, I wish to invoke two witnesses. Here is the story of one:

On the morning of the day of the assassination a visit to the White House was paid by my father, then a Senator, and another Illinoisan, who had been a presidential elector, and later a Federal judge, and later a colonel of the Seventh Illinois Cavalry. My father said, "Mr. President, here is the man you want." The President said, "That's so, he'll do," and added, "I am going to send you to New Orleans to be collector of the port—you will have 2,000 employees under you, all northerners, because substantially all southerners are disfranchised; but I want you to make love to those people down there." [Applause.]

It is of interest to record that at this interview the President, for some reason, said:

"I want this commission issued now," and did not rest until the commission was delivered—sent over by the Secretary of the Treasury—and the two Illinoisans walked out with the last commission ever signed by Lincoln. That night they sojourned at the old National Hotel—room 12—and about 9 o'clock my father, who had been at the theater, rushed in, very pale, and shouted, "Oh, Kellogg, the President has been shot!" And Kellogg said to me last year, "So we walked the streets all night, a hundred thousand men—never went to bed at all—and in the morning I stood across the street and watched them carry out the body of Abraham Lincoln with his last commission warm against my heart."

The Kellogg I refer to was William Pitt Kellogg, later governor and Senator from Louisiana and warm friend of such men as Maj. Gen. Longstreet and Gen. Wade Hampton. The point I emphasize is that Lincoln said, "Make love to those people." [Applause.]

Here is the story of the other witness. Gen. John M. Palmer told me that on the night of the assassination he, Gen. Palmer, was military governor of Kentucky. His headquarters were at a hotel in Louisville, but upon trying to get back from a friend's house to the hotel he found the streets densely packed a block in each direction by heavy masses of men standing silent in the mud and the rain. With difficulty the general and his staff pushed through, only to find in the office five ex-Confederate brigadier generals, the spokesman of whom made haste to say:

Oh, Gen. Palmer, be not alarmed because of those 20,000 men in the street. They are all our soldier boys—all paroled soldiers of the Confederacy. They are there to show their sorrow. They believe, as we believe, that in the death of Abraham Lincoln the sunny South has lost a true friend.

Gen. John M. Palmer was a life-long friend of Lincoln, and was major general, governor, and Senator from Illinois, and in 1896 nominee for President, and his statement is to be entirely relied upon.

LINCOLN CHAMPION OF GOD.

In the fourth place we come to the question, Was Lincoln a godly man? Robert Ingersoll says Lincoln did not believe in God. Robert McIntyre answers that he must have believed in God, because God undoubtedly believed in him.

I believe it to be true that Abraham Lincoln was a providential man; was, in the nineteenth-century sense and within the limitations of his time and clime, the bearer of a commission from the Almighty. When his father was about to die, he wrote to his stepmother:

I sincerely hope that father may recover his health, but at all events tell him to remember to call upon and confide in our great, good, and merciful Maker, who will not turn away from him in any extremity. He notes the fall of the sparrow, and numbers the hairs of our head, and He will not forget the dying man who puts his trust in Him.

He never lost his faith in Divine Providence. From the lips of President William McKinley I heard the story told him by Maj. Gen. Dan Sickles, of how, on the day after the Battle of Gettysburg, Gen. Daniel Sickles was carried to Washington desperately wounded. His first caller was President Lincoln, and after he had inquired all about the battle, Gen. Sickles said:

Mr. President, what did you think of Gettysburg?

Mr. Lincoln replied:

Well, Sickles, I will tell you. When I heard that Gen. Lee was marching with his vast army on Gettysburg and that the safety of the Capital, North, and of the whole Nation was imperiled, I went into a little room that I have at the White House, where nobody goes but me, and I just got down on both my knees and I prayed to the Lord God Almighty as I never had prayed before, and I told Him that this was His people and that this was His country, and these were His battles we were fighting, and that we could not stand any more Fredericksburgs or Chancellorsvilles; and I told Him that if He would stand by me, I would stand by Him.

And Sickles says that the President ended with the statement:

After that, Sickles, I somehow had no more fear about Gettysburg.

O, that "little room at the White House where nobody goes but me!" Precious little room; sacred little room. Would not you all like to see it and stand within it? It seems to me that if I could ever stand within that room in which Abraham Lincoln just talked to God, I would feel forever after that I had been on holy ground. "Put off thy shoes from off thy feet, for the place whereon thou standest is holy ground," God said when he came down to talk to Moses. Wherever God and man talk together there you have holy ground.

And then there is the Bixby letter. President Lincoln wrote a letter to Mrs. Bixby, of Boston, substantially as follows:

EXECUTIVE MANSION,
Washington, November 21, 1864.

To MRS. BIXBY, *Boston, Mass.*

DEAR MADAM: I have been shown in the files of the War Department a statement of the adjutant general of Massachusetts that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any word of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I can not refrain from tendering you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours, to have laid so costly a sacrifice upon the altar of freedom.

Yours, very sincerely and respectfully,

A. LINCOLN.

[Applause.]

And then there is the meditation.

In the Complete Works of Abraham Lincoln, edited by Nicolay and Hay, volume 8, page 52, appears the heading "Meditation on the Divine Will," September 30, 1862, and under this heading appears the following:

The will of God prevails. In great contests each party claims to act in accordance with the will of God. Both may be, and one must be, wrong. God can not be for and against the same thing at the same time.

In the present Civil War, it is quite possible that God's purpose is something different from the purpose of either party; and yet the human instrumentalities working just as they do, are of the best adaptation to effect his purpose.

I am almost ready to say that this is probably true; that God wills this contest, and wills that it shall not end yet.

By His mere great power on the minds of the now contestants, He could have either saved or destroyed the Union without a human contest. Yet the contest began. And, having begun, He could give the final victory to either side any day. Yet the contest proceeds.

Concerning this meditation, the same writers, Nicolay and Hay, in their work entitled, "Abraham Lincoln, a History," volume 6, page 341, say:

It is a paper which Mr. Lincoln wrote in September, 1862, while his mind was burdened with the weightiest question of his life, the weightiest with which this century has had to grapple. Wearied with all the considerations of law and of expediency with which he had been struggling for two years, he retired within himself and tried to bring some order into his thoughts by rising above the wrangling of men and of parties, and pondering the relations of human government to the Divine. In this frame of mind, absolutely detached from any earthly considerations, he wrote this meditation. It has never been published. It was not written to be seen of men.

All religious utterances of Lincoln the President breathe a serene childlike faith—whatever he may have believed or disbelieved in his early years, I know, as do we all, that he cherished his Bible. He studied and carried with him on the old circuit from court to court the Bible and the plays of Shakespeare, the "Fables" of Æsop, and the "Pilgrims' Progress" of John Bunyan, and also the "Washington" of Weems. My father had them also and I inherited them. These two old, shabby books, bound in the good, strong, old calf, are the office Bible of my father, dated 1830, 91 years old, and the Shakespeare of James Geers, the brother of my mother; and they left me also the "Fables" and the "Progress," and even a Weems's "Washington," with the front cover torn off. Is it not a comfort to know that such books as these were the real equipment of the lawyer and statesman of that vital day—were a vital part of his meagre library? The Bible and Shakespeare! Can we do better?

THE FIFTH POINT TO BE NOTICED IS THAT ABRAHAM LINCOLN WAS A CONSUMMATE POLITICIAN.

Some men say there can be no noble men among politicians. Thomas B. Reed, the former Speaker of the National House of Representatives, once said, "A statesman is a successful politician who is dead."

The humor and sarcasm of the saying are exceeded only by its value as a truthful expression of the popular conception of politics and politicians. It is too true that the American people consider men who devote their lives to politics as devoid of statesmanship, and, indeed, of ordinary merit. Seldom, in fact, do our countrymen acknowledge any statesmanship in a living politician. This is all wrong, and absolutely wrong. It should be the duty of every person speaking in public to take advantage of every proper opportunity to combat this idea. Men who seek public preferment, who aspire to the public service, and who attempt to serve their country in official position are not on that account to be condemned and contemned.

Abraham Lincoln never hesitated to seek public preferment and never thought it beneath true manhood to do so.

William H. Herndon, for years Mr. Lincoln's law partner, received, according to Nicolay and Hay, a letter, dated June 22, 1848, reading as follows:

Now, as to the young men, you must not wait to be brought forward by the older men. For instance, do you suppose I should have ever got into notice if I had waited to be hunted up and pushed forward by older men?

Horace White, for many years editor of the Chicago Tribune, a staunch friend of Mr. Lincoln's and one of the strongest men of his time, says:

The popular conception of Mr. Lincoln as one not seeking public honors but not avoiding public duties is a post bellum growth, very wide of the mark. He was entirely human in this regard; but his desire for political preferment was hedged about by a sense of obligation to the truth which nothing could shake. Within this high inclosure he was as ambitious of earthly honors as any man of his time.

When the list of offices and positions and honors to which Mr. Lincoln aspired and for the attainment of which he strove is considered, it presents an array sufficient to astound every advocate of the theory that "the office should seek the man and not the man the office." The captaincy of a militia company, the postmastership of a village, the deputy surveyorship of a county, the circuit judgeship pro tempore, the office of member of the legislature, the position of delegate to a convention, the office of Commissioner of the Land Office, the position of Congressman, the honorary position of presidential elector, the office of governor of a Territory, the position of secretary of a Territry, the United States Senatorship, and the Presidency of the United States—a round dozen political positions, one of which he held four times and a number of which he held more than once—were all considered by him worthy of his notice, and none of them were considered unworthy of his aspiration and regard.

In connection with what has been said of Mr. Lincoln's willingness to hold office, let me read to you a letter from him to my father:

SPRINGFIELD, *September 30, 1857.*

Hon. R. YATES.

DEAR SIR: Your letter, called out by the letter of J. O. Johnson, was received by me on my return from Chicago. Mr. Johnson wrote the letter by concert with me, and is entirely reliable. He is a newcomer, but he can devote more time to getting up an organization than anyone I know who knows as well as he how to do it.

And now let me say I wish you could make up your mind to come to the legislature from Morgan County next time. You can be elected, and I doubt some whether any other friend can. It will be something of a sacrifice to you, but can you not make it?

Yours, as ever,

A. LINCOLN.

Please notice that Mr. Lincoln believed in "getting up an organization." That might be called "organizing a political machine" to-day. And, further, he does not hesitate to call upon a "friend" in whom he has confidence to come to his aid. For this letter must be read in the plain light of the fact that Mr. Lincoln when he wrote it was a candidate for United States Senator and was anxious to have from Morgan County a member of the legislature who would support his cause, the Senator then being elected by the legislature.

I would not be misunderstood. Abraham Lincoln was not a "politician" in the discreditable acceptance of that term. He was a politician in the true sense of the term, a sense which it should be the duty and the pride of every man aspiring to or engaged in the public service to retain for the word. Were all politicians to emulate him in this regard, discredit would not accrue to the seeker after the honors and awards of the American public service.

For ages to come his life and achievements as a politician—that is, statesman—will reflect luster upon that profession and career, which formerly was and should forever be the dearest and the grandest in the estimation of American youth.

CONCLUSION.

Of course, Abraham Lincoln was more—much more—than great lover, great orator, great overcomer, great politician, great champion of the Almighty. He was a good lawyer and a good diplomat, a good student of finance and a fair general, a fair engineer, and a fair poet.

But he must have been more to have attracted, enjoyed, and kept the popular devotion—the love of the people as a whole.

What was it that caused and compelled a nation on its knees, at its open graves, to idolize him? Why was it, how could it be that after 400,000 boys had died the death, and at least 400,000 more were horribly mutilated or hopelessly diseased, the mothers, sisters, wives, and sweethearts still adored Father Abraham?

I think it was his sincerity and simplicity, sincere simplicity, simple sincerity.

One noted Illinoisan, Col. Ingersoll, said:

He wore no official robes on his body or on his soul,
* * * Through titles and rags and race he saw the real.

The keynote, the passage which seems to me, all things considered, to explain the spell which this man always possessed over our country and the world—this quotation is to be found in the great address by George Bancroft, the historian, delivered before the two Houses of Congress assembled in joint session the 12th day of February, 1866.

This is what Bancroft says:

As the presidential election drew on one of the great traditional parties did not make its appearance; the other reeled as it sought to preserve its old position, and the candidate who most nearly represented its best opinion, driven by patriotic zeal, roamed the country from end to end to speak for union, eager, at least, to confront its enemies, yet not having hope that it would find its deliverance through him. The storm rose to a whirlwind; who should allay its wrath? The most experienced statesmen of the country had failed; there was no hope from those who were great after the flesh; could relief come from one whose wisdom was like the wisdom of little children?

In an address upon Lincoln, which I only recently discovered, my own father said:

I never saw, and no man ever saw, any difference between the Abraham Lincoln in his office at Springfield and the Abraham Lincoln in the White House. He never changed. He trusted the people and they him. There was something in his lowly origin and in the story of his life and its struggles that made the people draw close to him. He talked to them in such a way that they understood him better than they did other men.

There you have it.

They understood him better, because he had the wisdom of little children. He had the directness of the child, the truth of the child, the fearlessness of the child, the plainness of speech of the child, and, above all, the forgiveness of the child; and

having all this the "common people heard him gladly," even as it is written of Jesus Christ, and the same common people when he died cried in the streets.

A blend of mirth and sadness, smiles and tears;
A quaint knight-errant of the pioneers;
A homely hero, born of star and sod;
A peasant prince, a masterpiece of God.

[Prolonged applause, the Members rising.]

Mr. UPSHAW rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. UPSHAW. Mr. Speaker, I simply rise to say that as a son of the South I would be recreant to a sacred impulse if I did not say I feel that this wonderful hour, with its spiritual impact and its patriotic inspiration, has made us better Americans. [Applause.]

NAVAL APPROPRIATION BILL.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15975, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

Mr. KELLEY of Michigan. Mr. Chairman, under the agreement made last evening we passed over the item for the naval training station at the Great Lakes. I ask unanimous consent to return to that for the consideration of an amendment offered by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Amend, page 11, after line 25, by inserting as a new paragraph the following:

"To make just compensation for land, title to which was taken over under proclamation of the President, dated November 4, 1918, as an addition to the naval training station, Great Lakes, Ill., and for damage occasioned by delay in the payment for such land, or for the use and occupancy thereof by the United States, $546,805, or so much thereof as may be necessary: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to dispose of, at public or private sale, at a price to be approved by him, any land in the vicinity of the Navy mine depot, Yorktown, Va., and the naval training station, Great Lakes, Ill., or interest therein, title to, or interest in which has been acquired by the United States subsequent to April 6, 1917, together with improvements placed thereon by the United States that are deemed by him to be no longer needed for naval purposes: *Provided further*, That in cases where compensation has not as yet been made by the United States in accordance with the provisions of law, then, and in that event, the Secretary of the Navy is hereby authorized to restore such lands to former owners, and is further authorized to ascertain, determine, adjust, and pay the just compensation that such former owners are entitled to receive for the use and occupancy of such lands by the United States, such compensation to be paid from appropriations made for payments for such lands: *Provided further*, That the Secretary of the Navy, in determining the compensation for the use and occupancy of such lands, is authorized, in his discretion, to sell and convey, under such terms and conditions as he may deem appropriate, to the parties entitled to receive the land such improvements or any part thereof as may have been placed in or on said lands by the United States: *Provided further*, That the Secretary of the Navy be, and he is hereby, authorized to execute all necessary instruments to accomplish the purposes aforesaid, and all moneys received from the disposition of such lands shall be covered into the Treasury as 'miscellaneous receipts.' Report shall be made to the Congress of the final disposition of the lands aforesaid."

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. MANN of Illinois. The point of order was reserved.

Mr. McCLINTIC. Mr. Chairman, I reserve a point of order.

Mr. MANN of Illinois. The amendment is clearly subject to a point of order, because it contains legislation.

Mr. Chairman, by the naval appropriation act of 1918 it was provided that—

The President is hereby authorized and empowered, within the amounts herein appropriated therefor, to take over immediately for the United States possession of and title to each and all of the parcels of land, including appurtenances and improvements, for the acquisition of which authority is herein granted and for which appropriations are herein made: *Provided*, That if said lands and appurtenances shall be taken over—

And so forth. And—

Provided further, That upon the taking over of the said property by the President as aforesaid the title to all of the property so taken over shall immediately vest in the United States.

By the proclamation of the President, dated November 4, 1918, which recites this provision of the naval appropriation act theretofore passed, with a whereas, the President proclaims:

Now, therefore, know all men by these presents that I, Woodrow Wilson, President of the United States, by virtue of the power and authority vested in me by said act of Congress, approved July 1, 1918, do hereby, on behalf of the United States, take title to and authorize the Secretary of the Navy to take possession of the following-described tracts of land—

Then follows a considerable description of land at the Great Lakes Training Station, in Illinois—

The several tracts of land above described, with all the improvements thereon and all the rights and privileges appertinent or otherwise appertaining thereto, are hereby declared to be, and the same are, set apart for use for naval purposes, and are placed under the exclusive control of the Secretary of the Navy, who is authorized and directed to take immediate possession thereof in accordance with the terms of said act on behalf of the United States for the purposes aforesaid.

Then there is a provision in reference to ascertaining the amount of compensation:

All persons residing within said tracts of land or owning movable property situated thereon are hereby notified to vacate the said tracts of land and to remove therefrom all movable property within 30 days of the date of this proclamation.

By this proclamation the Government of the United States took title to about a thousand acres of land situated at the Great Lakes Training Station. An appropriation was carried in the appropriation act of 1918 for the payment of this land, which afterwards—a considerable portion of it, at least—was covered back into the Treasury. The Government took title to a thousand acres, or close to that. The Government does not desire all of this land. It has not yet paid for all of the land. The Navy Department says that, although the Government has taken the land and the title to the land under the act of Congress and the proclamation of the President, they desire to return a considerable portion of the land to the former owners if they are willing to take it back. Other land that the Government has title to and can not return the Navy Department desires to be able to sell and turn the money into the Treasury as miscellaneous receipts.

Now, Mr. Chairman, the fifth amendment to the Constitution of the United States—I suppose it is fair to call attention to a constitutional provision, the highest law of the land—provides:

Nor shall private property be taken for public use without just compensation.

Now, here is a case where, by order of Congress or by an act of Congress, the President, following the terms of the law, has taken title to this land. Certainly that land which is retained by the Government must be paid for.

The amendment which I have offered makes an appropriation for the Navy to pay for the lands which it desires to retain, and then contains a legislative provision to the effect that the Secretary of the Navy may, with the consent of the former owners, turn back that land which he does not desire to retain or sell any portion which he does not desire to retain.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. BYRNES of South Carolina. When the Government took title to the land were the owners dispossessed?

Mr. MANN of Illinois. The owners were dispossessed. There is one case, I am told, like this: One of the owners of this land volunteered for service in the Navy. While he was at sea, serving on board a warship of the United States, the Navy officials under this proclamation notified his wife that the Government had taken title to and possession of the land, and directed her to move out within 30 days, which she did, at considerable loss to herself. The Government has not yet made any payment for that land so taken.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent that the time of his colleague be extended five minutes. Is there objection?

There was no objection.

Mr. MANN of Illinois. Now, the question is, Congress, by passing a law, having authorized the President to take possession of and title to the land, and the title of the land having passed to the Government by the proclamation of the President, and the Navy Department has taken possession of the land, whether we will pay for it. That is all there is to it.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. I yield.

Mr. BLANTON. The very act that authorized the President to make the proclamation recited by the gentleman from Illinois provides for just compensation to the owners, and also the proclamation of the President provides for just compensation. What has prevented compensation from being made?

Mr. MANN of Illinois. There has been no appropriation for it.

Mr. BLANTON. Did it require extra legislation to do it?

Mr. MANN of Illinois. No; it simply requires an appropriation.

Mr. BLANTON. But there is legislation in the gentleman's amendment.

Mr. MANN of Illinois. The legislation is designed to save the Government from paying for all of the land. They took more land than they needed.

Mr. BLANTON. Of course, we did not have time during the war to give due consideration to matters that were coming up; but now the war is over, and does not the gentleman think that a proposition of such magnitude as that embraced in the gentleman's amendment should be given careful consideration by a committee?

Mr. MANN of Illinois. I do; and I will say to the gentleman from Texas that the legislative portion of the amendment I have offered is taken out of a bill considered and reported by the Committee on Naval Affairs, so it has had consideration by the proper legislative committee. That bill is pending on the calendar, it is true; but that bill can not carry an appropriation, because, under the rules, the Committee on Naval Affairs can not report the appropriation. Now, the appropriation and the authority to turn back part of the land ought to go together, because we do not want to pay for all of the land.

Mr. SWEET. Will the gentleman yield?

Mr. MANN of Illinois. I yield to the gentleman from Iowa.

Mr. SWEET. How long has the Government had title to and been in possession of the property?

Mr. MANN of Illinois. They took title under the proclamation of November 4, 1918, and that proclamation passed the title and they took possession within 30 days.

Mr. SWEET. And the people were dispossessed?

Mr. MANN of Illinois. Oh, yes; the owners were dispossessed.

Mr. BUTLER. Yes, indeed.

Mr. MANN of Illinois. They were put out. I have offered this amendment because of the temporary absence and illness of my colleague [Mr. CHINDBLOM] who represents the district. I am not as familiar with the local situation of the land itself as are other Members of the House, including the gentleman from Pennsylvania [Mr. BUTLER], the chairman of the Committee on Naval Affairs, who, I think, visited it.

Mr. BUTLER. I did.

Mr. MANN of Illinois. And made an examination of it?

Mr. BUTLER. Yes.

Mr. MADDEN. I will say to my colleague, if he will permit me, that I have been over the land myself and know a great many of the people who were compelled to give up their homes and go to other places, and pay tremendous rent for places to live, who have never been able to get any consideration whatever at the hands of the Navy Department or the Government.

Mr. MANN of Illinois. I do not think I know a single former owner myself, as far as I am concerned; but it can not be possible under the Constitution, when we provide by act of Congress for taking land and the title to it, and the President in conformity with the proclamation takes title to it, that we can refuse to pay for it. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. CONNALLY. I ask unanimous consent that the gentleman from Illinois have five minutes more.

Mr. BLANTON. After the gentleman from Illinois has finished I should like a few minutes.

The CHAIRMAN. The gentleman from Texas [Mr. CONNALLY] asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection?

Mr. BYRNES of South Carolina. Reserving the right to object, I think the gentleman's proposition is a good one. I understand it, and I hope nobody will make a point of order against it; but if the gentleman from Illinois [Mr. BRITTEN] is going to make it, as he has declared heretofore, we might as well know it, and not go on with the discussion.

Mr. MANN of Illinois. While I am not able to control the gentleman from Illinois [Mr. BRITTEN] on most occasions, I think I can persuade him on this occassion not to make the point of order.

Mr. BLANTON. He is already persuaded.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. CONNALLY]?

There was no objection.

Mr. CONNALLY. Will the gentleman yield?

Mr. MANN of Illinois. I yield to the gentleman from Texas.

Mr. CONNALLY. I should like to inquire what machinery has been set up to determine what just compensation is, or is that to be left to the discretion of the Secretary of the Navy?

Mr. MANN of Illinois. The provision of the act of Congress was that the President of the United States should establish the value of the land.

The United States shall make just compensation therefor, to be determined by the President—

That was the provision of the act of Congress.

Mr. SABATH. Will the gentleman permit me?

Mr. MANN of Illinois. When I have answered this other question. The President by his proclamation directed the Secretary of the Navy to provide for the ascertainment of the value of the land taken, by the appointment of a board, in accordance with the provisions of the act, and that has been done.

Mr. CONNALLY. The action of that board is not conclusive on the owner?

Mr. MANN of Illinois. No.

Mr. CONNALLY. And unless the owner is willing to accept the finding of that board, he may accept three-fourths, as provided by the law which we passed, and then await the determination of the value?

Mr. MANN of Illinois. He could accept three-fourths of the amount found by the board and then sue for the balance.

Mr. CONNALLY. He could bring suit in the Supreme Court?

Mr. MANN of Illinois. In the district court.

Mr. CONNALLY. May I inquire if the claimants and this board have agreed on the price they will accept?

Mr. MANN of Illinois. My understanding from the Navy Department, from a letter I have received to the chairman of the Committee on Naval Affairs, is that they have agreed with the property owners of nearly all the property; I am not sure that all have agreed to it.

Mr. CONNALLY. Does the gentleman know how many other claims there are?

Mr. MANN of Illinois. I think there is one other case.

Mr. BLAND of Virginia. There is one at Yorktown, Va.

Mr. MANN of Illinois. The amendment I have offered, by the way, as to its legislative provision, was the item recommended by the Committee on Naval Affairs authorizing the Navy Department to make settlements with those whose property has been taken, both at the Great Lakes Training Station and at Yorktown.

Mr. HICKS. Mr. Chairman, one gentleman has asked if there was another case. There is a similar case, a glaring case similar to this one, and that is at East Camp just outside of Norfolk.

Mr. BUTLER. The Government has no title at all to that property.

Mr. LONGWORTH. I want to say that a similar situation existed in my own district in reference to the nitrate plant. The Government took 1,800 acres, and afterwards the Government desired to occupy only 400 acres, and I succeeded in getting an appropriation of $175,000 to pay those whose property was actually taken, but I was unable to get an appropriation for the rest of it.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed out of order for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, illustrative of what we can do after the armistice has been signed and in peace times I might call attention to a number of things; I might call attention to the $7,000,000 we have spent already on my friend's plant at Norfolk, but to preserve a most valuable speech that was made on the floor of the House day before yesterday by our beloved and distinguished chairman of the Committee on Accounts, I want to read it to you:

Mr. IRELAND. Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman from Illinois is recognized for four minutes.

Mr. IRELAND. Mr. Chairman and gentlemen, it is unfortunate and certainly embarrassing that some of us are unfitted to take charge of affairs of statesmenship, and through our inability to cope with the statesmanship of our colleagues must be confined to smaller matters, such as the chairmanship of the Committee on Accounts in the House. [Laughter.] But in so far as our poor ability will permit, we desire to discharge those duties conscientiously.

I want to correct what might have been a misapprehension, or a question of veracity between the gentleman from Wisconsin [Mr. FREAR] and myself. I did not intend to create the impression that I

was denying the statement he made. I think his statement is absolutely true. Yet it remains that the lawyer he named was on March 18 paid a voucher for $3,000, but it might have been in another capacity.

Mr. FREAR. Will the gentleman yield?

Mr. IRELAND. No; I will not yield.

Mr. FREAR. I yielded to the gentleman.

Mr. IRELAND. I yield.

Mr. FREAR. I want to say that the gentleman simply anticipated me. I intended to make that statement.

Mr. IRELAND. Then we understand each other.

Mr. FREAR. Surely.

Mr. IRELAND. And it does not matter about the rest of the House. [Laughter.]

Mr. FREAR. No.

Mr. IRELAND. The gentleman from South Carolina made the statement that these contracts were not submitted to the Committee on Accounts for approval, and they certainly were not, and I want to say most emphatically that for many of these contracts involving expenditures it is not necessary to submit the contract, but under the law it was necessary to know that they would have the approval of the Committee on Accounts.

Mr. LAYTON. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LAYTON. The gentleman from Texas is not speaking on this bill.

The CHAIRMAN. The gentleman from Texas had permission to speak out of order. The point is overruled.

Mr. BLANTON. I will now continue reading the balance of the speech of the gentleman from Illinois [Mr. IRELAND], to wit:

And I say very forcibly that had we had knowledge of the many contracts made they would not have been approved by that committee. [Applause.] Since the matter has been brought up I very reluctantly give the facts, but I think every Member of the House is entitled to them.

The reference made to the employment of counsel for Committee No. 8 states that there had been a contract, at the rate of $20,000 per year, for the services rendered under that contract. My records show that on December 17, 1919, there was a voucher for $600. April 5, 1920, there was a voucher for $7,500, making a total of $8,100. There is now in my possession, and approved by the necessary authorities under the resolution, a voucher for $6,833.33, making a total, if this voucher be approved and paid, of $14,933.33. Now, in justice it should be said that the voucher states that the payment is for a certain amount of time at the rate of $20,000 a year.

I regret that the original resolution creating the Special Committee on Investigation of Expenditures in the War Department was so loosely drawn that it was capable of various constructions, but I have no doubt that all acted in good faith, not knowing that there would be an objection by so little and insignificant a committee to the payment of such outrageous sums as have been contracted for in the most unwarranted, foolish, and puerile manner. [Applause.]

If the investigation accomplished anything, I should be delighted to spend any amount necessary to obtain the facts, but I have seen no concrete application made of the results obtained from these investigations so far. [Applause.] I am tired and disgusted in my humble capacity of trying to save at the spigot and have somebody kick out the bunghole. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. Chairman, our distinguished chairman of the Committee on Accounts [Mr. IRELAND] forgot to put his speech in the RECORD, I suppose, for it did not appear in the RECORD. I do not know whether he forgot it or not, and I do not know whether the steering committee has anything to do with it or not. But that is such a remarkable speech, showing what we can do here after the war is over in peace times, that I thought it ought to go in the RECORD, and so I secured a copy of the transcript of his speech from the reporters and have read it to you. We ought to be careful what we do in peace times.

Mr. BLAND of Virginia was recognized.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman withdraw his point of order?

Mr. McCLINTIC. I reserved the point of order, and I want to say a few words in regard to it.

The CHAIRMAN. The Chair has recognized the gentleman from Virginia [Mr. BLAND].

Mr. BLAND of Virginia. Mr. Chairman, I listened with a great deal of interest to the speech of the gentleman from Illinois. There is a situation in my district which is almost identical with the situation which has been disclosed by that speech. It is the situation at Yorktown, Va., where property was taken over for the purpose of a Navy mine depot. It was taken over under a proclamation of the President on August 7, 1918, and then in order to eliminate certain church property the proclamation was modified by proclamation November 2, 1918. A part of the property is no longer desired by the Navy Department, and to that extent the situation is identical with the situation which has been disclosed by the gentleman from Illinois.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. BLAND of Virginia. Yes.

Mr. MANN of Illinois. To that extent, while I knew nothing about it, it is covered by the amendment that I have offered.

Mr. BLAND of Virginia. That is true; I have a substitute which will cover the additional situation, and that is this: A part of the property was never taken into the possession of the United States, as I understand the situation. Title was taken by the Government. It was property belonging to a small, poorer class, in many cases Negroes, who were building there little homes. The situation is better shown by a letter which I received recently from an attorney who is familiar with the conditions there. In that letter he says:

FRANK ARMISTEAD, LAWYER,
Williamsburg, Va., February 9, 1921.

Mr. S. O. BLAND, M. C.,
Washington, D. C.

DEAR BLAND:

* * * * * * *

You will notice that on lines 6 to 9 it is provided that where the lands are taken back the parties are to be paid "for the use and occupation of such lands by the United States."

The situation here is that the land which they have not been paid for, with the exception of possibly one or two pieces, has not been used or occupied by the Government, but the original claimants have been allowed to use and occupy the land. As you know, the larger part of the buildings on this class of property require constant repair and patching up. The owners usually do this themselves, and very often by cutting some timber off the land to get the material for this purpose. Since the proclamation of the President taking this property they have not felt that they were justified in making any repairs to this property, and have not been allowed to cut any growing tree or bush from it, consequently the buildings on the property have gotten into a terrible state of repair and most of the fields have grown up in pine bushes. You know that in this section of the country that if a piece of land is left uncultivated for two years it will grow up in bushes. The owners have not known whether or not they would be able to hold their lands through the season, and therefore most of it has not been cultivated.

In addition to the damages above spoken of, I will cite an instance of the damage to a Negro named John Roberts to a piece of timberland that he owned. Roberts bought this land, paid one-third cash, gave a deed of trust for the balance, which was payable in one and two years, made arrangements with Mr. Hiden to furnish him the money to take up the notes in case the purchaser demanded it, and contracted with Mr. Hiden to sell him the wood that was on the place. There was more than enough cordwood on the place to pay for it; it was only three-quarters of a mile from a railroad siding; the wood could be cut by the man and his family and hauled with his team. After cutting 23 cords of wood the Government stopped him, and up to this time have not paid him for his land In the meantime his notes given for the purchase money have become due, and while the holders could not enforce their deed of trust, they were threatening him with and were preparing to institute a suit to get judgment against him and to levy upon his personal property, and but for my indorsing his note and getting the money for him on my indorsement to pay these notes his personal effects would have been sacrificed under sheriff's sale.

* * * * * * *

The title had been taken by the Government and these people were unable to farm their land, because they did not know at what moment the Government was going to tell them they must vacate the property. That condition applies to a large number of people on that land. I have been to the Government officials and they say that they can do nothing. The Navy Department says that it wants to turn back the land. The title is in the Government. Many of these people have made contracts elsewhere in order to buy themselves little homes, believing that the Government was going to pay for this land. They are faced with the contracts there, and they are getting nothing here. They have suffered considerable damage, and they are a class of people who are really too poor to pay an attorney to represent their claims. Something ought to be done about this situation and these matters ought to be cleared up.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BUTLER. Mr. Chairman, I desire to ask the gentleman a question.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Did we not provide for the situation at Yorktown in this omnibus bill?

Mr. BLAND of Virginia. Which bill is that?

Mr. BUTLER. The one that was reported out by the Naval Affairs Committee, that is now on the Calendar of the House.

Mr. BLAND of Virginia. I am not sure about that.

Mr. BUTLER. Yes, we did; there were two places that were considered with very great care, I would state to the gentleman from Texas [Mr. BLANTON]. I want to know what amendment the gentleman is going to offer before we agree to the amendment offered by the gentleman from Illinois [Mr. MANN], because if that amendment is out of order the gentleman can offer anything as an amendment to it.

Mr. BLAND of Virginia. The gentleman also provided for the Illinois proposition?

Mr. BUTLER. Yes; for Illinois and Yorktown.

Mr. MANN of Illinois. The amendment that I offered provided for both places.

Mr. BUTLER. It provides for both.

Mr. BLAND of Virginia. I think this is the situation: The bill reported by the gentleman's committee takes care of just compensation for the land and the return of the land, but it does not take care of the damages where the parties have been allowed to remain in possession.

Mr. BUTLER. Oh, yes, it does.

Mr. BLAND of Virginia. Then, if that is so——

Mr. BUTLER. I believe it does, and I would not mislead the gentleman knowingly. I understand it does. The bill was read over many times, and I think it provides that the land can be returned and compensation given to these people.

Mr. BLAND of Virginia. Then, if the gentleman will get the bill up and pass it, I will be very much obliged.

Mr. McCLINTIC. Mr. Chairman, according to the statement of the gentleman from New York [Mr. HICKS] there seem to be some other cases similar to those that have not yet been properly taken care of. This item appropriates a little over half a million dollars. It authorizes the Secretary of the Navy to make private sales. Heretofore I have objected wherever possible to the policy of making private sales for the reason that the Government has suffered severely during the war because there was not a sufficient amount of publicity given to certain business transactions. Inasmuch as this subject rightfully should be considered and reported upon by the Naval Affairs Committee, and inasmuch as I understand that a bill of that kind is at present upon the Calendar, I most respectfully make the point of order.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order against the amendment. Does the gentleman from Illinois desire to be heard?

Mr. MANN of Illinois. Oh, no. The amendment is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN of Illinois. Mr. Chairman, I offer a further amendment which is not subject to the point of order.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 11, after line 25, insert as a new paragraph the following:

"To make just compensation for lands, title to which was taken over under proclamation of the President dated November 4, 1918, as an addition to the Naval Training Station, Great Lakes, Ill., $400,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is not germane either to the bill or to the paragraph to which it is offered, as there is no provision in the bill for compensating private owners for land taken over by the Government.

Mr. MANN of Illinois. The gentleman might as well make the point of order, for it is not good.

The CHAIRMAN. The gentleman from Texas makes the point of order that the amendment is not germane to the paragraph to which it is offered.

Mr. MANN of Illinois. It is not offered to any paragraph.

The CHAIRMAN. At the place in the bill at which it is offered. The Chair notes that this paragraph follows an item in the bill headed "Naval Training Stations, Great Lakes." This bill is one making appropriations for the naval service for the fiscal year ending June 30, 1922. The amendment the gentleman from Illinois offers is to make just compensation for land, title to which was taken over under proclamation of the President November 4, 1918, as an addition to the Naval Training Station, Great Lakes, Ill. It would appear to the Chair that the amendment is germane to the bill to which it is offered, and furthermore that it is not contrary to the rule to offer the amendment at a place in the bill where it is offered.

Mr. BLANTON. Mr. Chairman, may I propound an interrogatory to the Chair?

The CHAIRMAN. Certainly.

Mr. BLANTON. Is there anything in this bill that involves the subject of making payment of compensation to owners of land whose property has been taken over under proclamation of the President?

The CHAIRMAN. Of course, the gentleman from Texas would realize that if appropriations are authorized by previous laws it is not necessary that reference to the previous laws be contained in appropriation bills to which amendments carrying appropriations under previous authority offered.

Mr. BLANTON. That is true if the amendment is offered to the bill by the committee, but my point of order embraces the proposition that the amendment was not put in the bill as coming from the committee, but comes from a Member not a member of this committee from the floor, without any notice to the committee or to the House, and I again respectfully remind the Chair of a very distinguished decision upon that proposition which has been handed down from Speaker Carlisle on to the present time for 40 years that when an appropriation bill is brought into the House it is not subject to amendment except on germane matters by an amendment offered from the floor, because it is unfair to the membership, who may expect only such subjects as appear in the bill.

The CHAIRMAN. But the Chair would say to the gentleman from Texas that the fact there is no reference in the bill to a proclamation of the President under which this land was to be taken does not affect the germaneness of an amendment offered to an appropriation bill for the Naval Establishment, and the Chair therefore overrules the point of order. The question is upon——

Mr. McCLINTIC. Mr. Chairman, I reserved a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. McCLINTIC. I make the point of order this is legislation upon an appropriation bill unauthorized by law.

The CHAIRMAN. The Chair would state there is no legislation contained in the amendment, which simply carries an appropriation to pay for land taken over under proclamation of the President, and the proclamation of the President is the authority for the appropriation.

Mr. McCLINTIC. But a proclamation of the President is hardly the law.

The CHAIRMAN. The proclamation of the President was issued under authority of law, and the Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, I offer a substitute for the amendment. I offer as a substitute the first amendment offered by the gentleman from Illinois.

The CHAIRMAN. The gentleman from Texas offers an amendment by way of a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute offered by Mr. BLANTON to the amendment offered by Mr. MANN of Illinois: Page 11, after line 25, insert a new paragraph, as follows——

Mr. MADDEN. Mr. Chairman, I make a point of order against the substitute.

Mr. MANN of Illinois. Do not do that.

Mr. MADDEN. All right; I will withdraw it.

The Clerk read as follows:

To make just compensation for land, title to which was taken over under proclamation of the President, dated November 4, 1918, as an addition to the naval training station, Great Lakes, Ill., and for damage occasioned by delay in the payment for such land, or for the use and occupancy thereof by the United States, $546,805, or so much thereof as may be necessary: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to dispose of, at public or private sale, at a price to be approved by him, any land in the vicinity of the Navy mine depot, Yorktown, Va., and the naval training station, Great Lakes, Ill., or interest therein, title to, or interest in which has been acquired by the United States subsequent to April 6, 1917, together with improvements placed thereon by the United States that are deemed by him to be no longer needed for naval purposes: *Provided further*, That in cases where compensation has not as yet been made by the United States in accordance with the provisions of law, then, and in that event, the Secretary of the Navy is hereby authorized to restore such lands to former owners, and is further authorized to ascertain, determine, adjust, and pay the just compensation that such former owners are entitled to receive for the use and occupancy of such lands by the United States, such compensation to be paid from appropriations made for payments for such lands: *Provided further*, That the Secretary of the Navy, in determining the compensation for the use and occupancy of such lands, is authorized, in his discretion, to sell and convey, under such terms and conditions as he may deem appropriate, to the parties entitled to receive the land, such improvements or any part thereof as may have been placed in or on said lands by the United States: *Provided further*, That the Secretary of the Navy be, and he is hereby, authorized to execute all necessary instruments to accomplish the purposes aforesaid, and all moneys received from the disposition of such lands shall be covered into the Treasury as "miscellaneous receipts." Report shall be made to the Congress of the final disposition of the lands aforesaid.

Mr. BLANTON. Mr. Chairman, this is a provision, as I understand it, that the committee has passed on.

Mr. MANN of Illinois. Yes; and which the Committee on Naval Affairs has reported favorably to the House.

Mr. BLANTON. And they have given due consideration——

Mr. BUTLER. Oh, yes; this is the best we can do. We believe an injustice has been done in this.

Mr. McCLINTIC. Mr. Chairman, I make the point of order that this does not cover all propositions that occupy the same status——

Mr. BLANTON. I make the point of order that the point of order comes too late, there having been debate on the amendment.

The CHAIRMAN. The Chair thinks the gentleman from Oklahoma is late in making his point of order by permitting the gentleman from Texas to secure recognition and begin debate on the substitute. The Chair therefore sustains the point of order made by the gentleman from Texas that the point of order comes too late.

Mr. BLAND of Virginia. Mr. Chairman, I offer an amendment.

Mr. McCLINTIC. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order there is no quorum present. The Chair will count. [After counting.] Ninety-one gentlemen are present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Gallivan	Lehlbach	Randall, Calif.
Andrews, Nebr.	Gandy	Linthicum	Ransley
Ashbrook	Gard	Little	Reed, N. Y.
Babka	Godwin, N. C.	Lonergan	Riordan
Baer	Goldfogle	Luhring	Robinson, N. C.
Bell	Goodall	McAndrews	Rodenberg
Benson	Goodwin, Ark.	McArthur	Rowan
Bland, Mo.	Goodykoontz	McCulloch	Rowe
Browne	Gould	McDuffie	Sanders, N. Y.
Brumbaugh	Graham, Pa.	McFadden	Sanford
Caldwell	Griest	McGlennon	Scott
Campbell, Kans.	Griffin	McKeown	Scully
Candler	Hamill	McKiniry	Sears
Cantrill	Hamilton	McKinley	Sherwood
Carew	Harreld	McLane	Siegel
Casey	Harrison	McLaughlin, Mich.	Sims
Chindblom	Haugen	McLaughlin, Nebr.	Slemp
Clark, Fla.	Hawley	Maher	Small
Classon	Hill	Mann, S. C.	Smith, N. Y.
Coady	Hoey	Martin	Steagall
Costello	Houghton	Mason	Stedman
Crisp	Hulings	Mead	Steele
Crowther	Hull, Iowa	Milligan	Strong, Pa.
Cullen	Hull, Tenn.	Minahan, N. J.	Sullivan
Currie, Mich.	Husted	Monahan, Wis.	Taylor, Ark.
Dale	Hutchinson	Moon	Thomas
Davey	Ireland	Mooney	Tilson
Davis, Minn.	Jacoway	Morin	Timberlake
Davis, Tenn.	James, Mich.	Mudd	Treadway
Dempsey	Jefferis	Neely	Vare
Denison	Johnson, Wash.	Nelson, Wis.	Venable
Dent	Johnston, N. Y.	Nicholls	Volk
Donovan	Juul	Nolan	Watson
Dooling	Kennedy, Iowa	O'Connell	Webster
Doughton	Kennedy, R. I.	Oldfield	Welling
Echols	Kiess	Oliver	Wilson, Ill.
Edmonds	King	Pell	Wilson, Pa.
Ellsworth	Kitchin	Perlman	Wise
Emerson	Kleczka	Phelan	Wood, Ind.
Fairfield	Kraus	Porter	Yates
Ferris	Kreider	Rainey, Henry T.	
Fess	Langley	Rainey, John W.	
Fish	Lee, Ga.	Ramseyer	

The committee rose; and Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15975, the naval appropriation bill, finding itself without a quorum, under the rule he caused the roll to be called, whereupon 263 Members answered to their names, and he presented the list of absentees for entry in the Journal.

The SPEAKER. The committee will resume its session.

The CHAIRMAN. The question is upon the substitute offered by the gentleman from Texas.

The question was taken, and the substitute was agreed to.

The CHAIRMAN. The question is upon the amendment as amended.

Mr. PETERS. Mr. Chairman, I desire to be heard on the amendment. There is a third proposition that is even more meritorious than these two that have been the subject of this amendment. This question as to what should be done with these three propositions—the Great Lakes, the Yorktown, and the even more important one at East Camp, near Norfolk—were left to a subcommittee of the Committee on Naval Affairs with authority to investigate and report. The committee has not had an opportunity to finish its investigations and has as yet made no report. I believe that this matter should be deferred until all three can be taken up and considered together. The situation at East Camp, so-called, near Norfolk is a disgrace to the Government. A large tract of land there was taken over at the beginning of the war, or soon thereafter, by the Navy Department from men who could not afford to lose the use of their land. The land was in large part mortgaged, and since the Navy Department has taken this land and used it the Government has paid no rent, no interest on the mortgage, and nothing by way of compensation. At present the Government is in possession of the land, but it does not use it. Millions of dollars have been spent upon the land, but we neither pay for it, give it up, nor use it. This question has been considered by the committee, but not the one at the Great Lakes nor near Yorktown. Now, if it is the plan that these other claims are to be looked out for now it is even more important in the interest of justice and fair dealing to the citizens of this country that this East Camp proposition be included, but we are in no position at this time to know what is proper to do in regard to East Camp, and I believe, as one member of the subcommittee of the Committee on Naval Affairs, that we should defer action on all these matters until they can all be taken up and handled together when the interests of the Government can be protected and private parties dealt with justly, and therefore I am opposed to considering this matter at the present time and to this amendment.

Mr. MANN of Illinois. Mr. Chairman, the Committee on Naval Affairs has reported on all of these matters. I know nothing about the situation at East Camp. I know nothing about the situation at Yorktown, except what was in the letter of the Secretary of the Navy and the report of the committee. I understood the gentleman from Maine [Mr. PETERS] to say these matters were pending in the subcommittee of the Committee on Naval Affairs. I do not quite see how the Great Lakes Training Station matter is pending before a subcommittee when the full committee has reported to the House on the subject. The amendment which has been offered simply adopts the report of the full committee. I do not know just what the procedure is in the Committee on Naval Affairs.

Mr. PETERS. The subcommittee of which I happen to be the chairman was delegated about a month ago to investigate these two matters. Now, I presume that some other detail has come up making it necessary for a further investigation. We have not investigated the Chicago matter as yet. Therefore I am not familiar with the details.

Mr. MANN of Illinois. The committee has acted upon it after investigation, and I can see no reason why where a committee has acted and where all the facts are known the matter should be delayed, because you have not taken up for consideration something else.

Mr. PETERS. I take it to be that all the facts are not known.

Mr. MANN of Illinois. All the facts are known as to the Great Lakes Training Station.

Mr. PETERS. Here is a matter of a large appropriation which takes care of one or two of these matters without the other. I believe that they should all be taken care of at one time, after investigation.

Mr. MANN of Illinois. Really I can see no reason why, if it is claimed the Government owes three men money, and the Government admits it owes one of them money, that the Government should wait for the two before paying the one whom it acknowledges it owes money to.

Mr. PETERS. There is no doubt about that proposition, of course.

Mr. MANN of Illinois. That is this proposition.

Mr. PETERS. I do not agree with the gentleman.

Mr. MANN of Illinois. There is no question about owing the money at the Great Lakes Training Station.

Mr. PETERS. The policy of the Government is to be determined as to whether they will sell the land or pay a rental or occupy it. That is yet to be determined.

Mr. MANN of Illinois. Sure. That has been recommended by the Navy Department and reported upon by the Committee on Naval Affairs to the House.

Mr. PETERS. Certainly not as to these two projects.

Mr. MANN of Illinois. As to the other projects, one of them has been reported on. The gentleman ought to be more familiar with the bills reported to his committee.

Mr. PETERS. As to the Great Lakes?

Mr. MANN of Illinois. Both Great Lakes and the Yorktown proposition.

Mr. PETERS. It has been resubmitted.

Mr. MANN of Illinois. But not since the report of the committee to the House, which was only a few days ago.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. PETERS. Division, Mr. Chairman.

The committee divided; and there were—ayes 36, noes 13.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Experiments, Bureau of Ordnance: For experimental work in the development of armor-piercing and other projectiles, fuses, powders, and high explosives, in connection with problems of the attack of armor with direct and inclined fire at various ranges, including the purchase of armor, powder, projectiles, and fuses for the above purposes and of all necessary material and labor in connection therewith; and for other experimental work under the cognizance of the Bureau of Ordnance, in connection with the development of ordnance material for the Navy, $250,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the entire paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. It being legislation on an appropriation bill, unauthorized by law.

The CHAIRMAN. Does the gentleman from Michigan [Mr. KELLEY] desire to be heard on the point of order?

Mr. KELLEY of Michigan. Mr. Chairman, this item carries an appropriation for experimental work. I call the attention of the Chair to volume 39 of the Statutes at Large, page 570, which authorizes the construction, maintenance, and operation of an experimental laboratory. This appropriation is for carrying on experiments in the laboratory which we are building down

here about 4 or 5 miles, within the District of Columbia. In addition to that, we have an experimental laboratory for testing projectiles and guns and armor plate at the Indianhead plant. And in further corroboration of the position that this appropriation is in order, the testing of projectiles and armor plate and guns would be one of the most essential things in the conduct of the Navy. It is not only directly authorized, but it is the most necessary incidental authority which can well be imagined. I further call the attention of the Chair to volume 38 of the Statutes at Large, page 398, where experimental work is fully recognized and made permanent law by the use of the words "*Provided*, That hereafter."

Mr. BRITTEN. Hereafter what?

Mr. KELLEY of Michigan. It says:

No part of any appropriation shall be expended for the purchase of shells or projectiles for the Navy except for shells or projectiles purchased in accordance with the terms and conditions of proposals submitted by the Secretary of the Navy to all the manufacturers of shells and projectiles and upon bids received in accordance with the terms and requirements of such proposals: *Provided*, That this restriction shall not apply to purchases of shells or projectiles of an experimental nature to be used for experimental purposes and paid for from the appropriation "Experiments, Bureau of Ordnance."

This entire paragraph is made permanent law and the item "Experiments, Bureau of Ordnance," recognized by that provision.

Mr. BRITTEN. Mr. Chairman, may I suggest that the paragraph the gentleman just read applies to the purchase of projectiles. The word "hereafter" applied to the purchase of projectiles and not to the experimentation, and also the statute he first read applied to the establishment of experimental laboratories not yet completed. He did not read any language in permanent law that sustains the paragraph in question.

The CHAIRMAN. The gentleman from Illinois makes the point of order on the paragraph headed "Experiments, Bureau of Ordnance." This paragraph provides for experimental work in the development of armor-piercing and other projectiles, fuses, powders, and high explosives, in connection with problems of the attack of armor with direct and inclined fire at various ranges, including the purchase of armor, powder, projectiles, and fuses for the above purposes and of all necessary material and labor in connection therewith; and for other experimental work under the cognizance of the Bureau of Ordnance, in connection with the development of ordnance material for the Navy, $250,000.

The citation of the statute by the gentleman from Michigan [Mr. KELLEY] as authority for the laboratory does not seem to the Chair to warrant the appropriation for this particular purpose. But the question seems to resolve itself into one as to whether this work is necessarily incidental to the proper conduct of one of the recognized and legally established bureaus of the Navy Department, and that it may make experiments with projectiles, armor, high explosives, and other facilities which are necessarily a part of naval ships, or which may be included in the proper work of the Navy under this particular bureau; and while it is not a question exactly similar to that presented by appropriations for emergencies, it would seem to the Chair that this might be held to be one of the necessary incidentals to the operations of this particular activity of the Navy Department, and as such might properly be appropriated for in the appropriation bill for the Naval Establishment. The Chair will overrule the point of order upon that ground. The Clerk will read.

The Clerk read as follows:

Contingent, Bureau of Ordnance: For miscellaneous items, namely, cartage, expenses of light and water at ammunition depots and stations, tolls, ferriage, technical books, and incidental expenses attending inspection of ordnance material, $20,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order on the paragraph, that it is legislation upon an appropriation bill.

Mr. BYRNES of South Carolina. Is not some of this going to defend Chicago?

Mr. BRITTEN. Not that I know of.

Mr. BYRNES of South Carolina. I presumed that to be so, or the gentleman would not have made a point of order against it.

Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The motion is not in order, because a point of order is pending on the paragraph.

Mr. BYRNES of South Carolina. I thought the point of order was withdrawn.

The CHAIRMAN. The item is one for "Contingent, Bureau of Ordnance," the language being for miscellaneous items, including several of them, and this is similar to the paragraphs heretofore passed upon in the bill when points of order have been raised. The Chair overrules the point of order.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last word.

Mr. BYRNES of South Carolina. Mr. Chairman, so far as I am concerned, it is immaterial to me whether the gentleman from Illinois [Mr. BRITTEN] takes the language out of the RECORD or not. I am perfectly willing to have it remain in the RECORD so long as the language comes from him.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. No; I refuse to yield.

Mr. BRITTEN. I yielded to him.

The CHAIRMAN. The gentleman declines to yield.

Mr. BYRNES of South Carolina. I want to call attention to this fact: The language contained in this paragraph to which the gentleman from Illinois makes the point of order was contained in the appropriation bill reported by the Committee on Naval Affairs in the last Congress. It was subject to a point of order, and the point of order was not made. Had this bill been reported by the Committee on Naval Affairs it would have been subject to a point of order. If the rule as to committees under which the House is now operating is changed and the Committee on Naval Affairs should report the bill in the next session and include any appropriations which are not in order on this bill, they would be subject to points of order, but I do not believe that any Member of the House, with the exception of the Member from Illinois [Mr. BRITTEN], would make a point of order.

The gentleman stated that as a matter of principle he would object to any amendment which contained legislation to be offered on this appropriation bill, and to any item of the bill which was legislation. Following this announcement, he continued to make points of order up until the time when the paragraph was reached providing an appropriation for the Great Lakes Training Station at Chicago, when no point of order was made, and the gentleman from Illinois [Mr. MADDEN], his colleague, very properly stated that he was a watchdog of the Treasury, but he did not bark at his friends. Then, when the gentleman from Illinois [Mr. MANN] offered an amendment, which he stated very properly was subject to a point of order—certainly as to that part which was legislation—because it provided, doubtless, for an appropriation for persons residing in the city of Chicago, the gentleman from Illinois [Mr. BRITTEN] absented himself from this Hall, and no point of order was made, and he sacrificed his principle for the purpose of securing an appropriation; and the minute that amendment was adopted and the Clerk begins to read the bill the gentleman from Illinois returns to once again establish the principle that legislation shall not be carried on an appropriation bill, and we have an opportunity to know what the gentleman's idea is of a principle, and how he lives up to the principles that he entertains.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. BRITTEN. Mr. Chairman, I want to call the attention of the House right now—and this is a very opportune time—to the fact that this bill was reported to the Committee on Appropriations one morning at 11 o'clock, and Mr. KELLEY of Michigan immediately thereafter reported the bill to the House favorably from the Committee on Appropriations.

I said then what I say now, that the Committee on Appropriations did not consider this bill, and did not know what was in it, and it has been proved by the remarks of the young man who has just spoken [Mr. BYRNES of South Carolina], because he has referred to the Great Lakes Training Station as being in Chicago. It is not in Chicago. He does not know it. He does not even know where the Great Lakes Training Station is, and he is a member of this important appropriating committee that brings in an appropriation bill of $350,000,000 at one crack. That is a further illustration of the ridiculousness of the system under which we are proceeding. The public sentiment will not stand for it; it will not stand for a man to come in here and say that the Great Lakes Training Station is in Chicago. You might as well say that the Mare Island station is at Chicago. It is silly, and it shakes the faith of the House in the bill which to-day is in charge of the gentleman from Michigan [Mr. KELLEY]. Sooner or later this rule will be amended in consequence of just such tactics as the gentleman from South Carolina has exhibited before the House, showing ignorance of what is before the House.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, namely, for books, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery; operation, repair, purchase, maintenance of horses and driving teams, carts, timber wheels, and all vehicles, including motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes, and including motor-propelled vehicles for freight-carrying purposes only for use in all navy yards and naval stations; tools and repair of the same; stationery; furniture for Government houses and offices in navy yards and naval stations; coal and other fuel; candles, oil, and gas, attendance on light and power plants; cleaning and clearing up yards and care of buildings; attendance on fires, lights, fire engines, and fire apparatus and plants; incidental labor at navy yards; water tax, tolls, and ferriage; pay of watchmen in navy yards; awnings and packing boxes; pay for employees on leave, and for repairs and preservation at navy yards, fuel depots, fuel plants, and stations, $7,500,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, messenger, and other classified work in the navy yards and naval stations, except similar expenditures in the Bureau of Yards and Docks, for the fiscal year ending June 30, 1922, shall not exceed $1,300,000: *Provided further*, That no part of any appropriation contained in this act shall be used for the purchase of passenger-carrying automobiles: *Provided further*, That expenditures from appropriations contained in this act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of operators, shall not exceed $150,000: *Provided further*, That during the fiscal year ending June 30, 1922, operators of motor vehicles who were carried on the rolls of other bureaus prior to July 1, 1920, shall be continued to be so carried where their employment shall be found necessary.

Mr. BLANTON. Mr. Chairman, I offer a perfecting amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 17, line 10, after the word "station," strike out "$7,500,000" and insert in lieu thereof "$6,500,000"; and in line 16, strike out "$1,300,000" and insert in lieu thereof "$1,000,000"; in line 22, strike out "$150,000" and insert in lieu thereof "$50,000."

Mr. BLANTON. Mr. Chairman, this paragraph, appropriating $7,500,000 under the head of Bureau of Yards and Docks, embraces, of course, the work carried on at the Philadelphia Navy Yard, and part of it goes to pay employees at that navy yard. Now, as to whether or not it is necessary to have the number of employees that are there at this time, and whether or not it is necessary to appropriate this $7,500,000, I want to read to you a letter which I have just received from a distinguished citizen of the city of Philadelphia regarding what is going on in that navy yard:

[Francis Ralston Welsh, Investment Bonds, 109–111 South Fourth Street. Telephones: Bell, "Lombard 2404"; Keystone, "Main 3460"; Cable address, "Ralston."]

PHILADELPHIA, *February 11, 1921.*

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR MR. BLANTON: Apropos of superfluous Government employees, an employee of this office had to go to the office of the commandant of the Fourth Naval District, League Island, Philadelphia, to-day. When he arrived there, about 10.15 a. m., there were about 25 girls in the room who were employees of the office. About half of them were working, but others were eating apples, laughing, and talking, and some of them were dancing in the office. One man came up to the chief clerk and said, "George, I am going to leave now and go uptown. If anyone calls me up say I won't be back," and then he explained about having some personal affairs to attend to. A Government employee who heard this stated that was exactly the state of affairs he found in the Army Department in Washington while he was employed there as a volunteer war worker. So is our money wasted.

Sincerely,

F. R. WELSH.

That is the condition to which I have been calling the attention of my colleagues day after day.

Mr. GOOD. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GOOD. Why did not the gentleman call the attention of the department to it? Congress can not do anything about that. We can not administer the appropriations. After we appropriate the money the responsibility for the proper expenditure of it rests with the executive departments.

Mr. BLANTON. What is the use of going to a department whose estimates are millions of dollars more than the bill carries? What is the use of going to a department Secretary and saying, "Mr. Secretary, I want permission to take a photographer through your corridors here and through the offices of this building and take pictures to preserve and show to Congress how many useless, idle employees you have here," when that Secretary in effect says, "You have no right to do it, because the little, insignificant Congress of the United States ought to appropriate every dollar that I, the big executive officer of the Nation, say I want without question. It is an executive matter that little, old Congress has no right to go behind." What is the use of going to a department like that? Here I am coming to the appropriating power; I am coming to the power that really takes the money out of the people's Treasury. And yet, because it takes work to look into these matters, the committee sits down here and has a great big printed hearing containing what bureau chiefs say, and then the committee gives them practically everything they expect, because they really double their estimates, knowing that the committee is going to trim them down. Every one of them double their estimates. They have been doing it year after year, and because you simply cut their estimates in two you are not saving the money of the people.

Mr. YOUNG of Texas. Mr. Chairman, I rise in opposition to the pro forma amendment. I have been sitting here patiently for several days listening to this debate and to the parliamentary questions raised by the gentleman from Chicago [Mr. BRITTEN]. He now raises the question as to where the Great Lakes Training Station may be located. Personally I do not know exactly where it is located. I understand it is somewhere in the vicinity of Chicago. But as an onlooker watching these proceedings it strikes me that they are in the nature of a filibuster that is being carried on, which will result in endangering packer legislation. I do know one thing, that there are five great institutions in this country that stand between the stock-producing interests and the consumers of the country, and that those five great packing interests are located in the city of Chicago; and we have on the calendar a bill undertaking to regulate those concerns, and the responsible majority in this House through its leader is not giving us a parliamentary status so that that bill can be considered. I have called this to the attention of the House more than twice in order to get the majority to give us that parliamentary status, and on day before yesterday, when I tried to quote what his attitude was, from a written statement that I read the day before, he challenged that statement. I want to say that I now have that written statement. He did not make a denial in so many words, but he simply said that he challenged my statement. Here is the authority on which I base that statement:

Representatives of many important national farmer, labor, and women's legislative organizations have just sent a letter to Majority Leader MONDELL, placing responsibility for packer-control legislation squarely upon the leadership of the Republican Party, and one to the Rules Committee of the House asking that it promptly report the House resolution No. 669 to bring packer-control legislation on the floor of the House.

The letter to Mr. MONDELL refers to a conference which representatives of the organizations signing the letter had with him in which he stated, in substance, that he is opposed to the packer-control legislation, but he believes that if the Gronna bill as it passed the Senate came to a vote in the House it would be passed and go to the President, and also that as a Republican he is anxious to have a Republican President sign the packer-control bill when passed by Congress. The letter states, in part:

"All the packers are concerned about now is to defeat packer-control legislation at the present session of Congress.

And that is the truth.

"A large proportion of the Republican Members of both branches of Congress want the Senate Gronna bill enacted, and it is not a partisan issue—

And it is not.

"But, as the Republican Party is in control of both branches of Congress, it must take full responsibility for the defeat of the bill. We can not believe that the President-elect will wish to take the chance of not securing packer-control legislation at the next session of Congress or some other time, merely on the plea that he be allowed to sign the packer-control bill. The American people are not worrying over what President signs good bills, but they want this good Senate Gronna bill promptly enacted, and there is plenty of other good legislation desperately needed in this country, which we sincerely hope the incoming President may have opportunity to sign.

"We respectfully ask, therefore, that you will align yourself with the American people and exert your best efforts to secure the enactment by the House of the Gronna bill, as passed by the Senate."

This is signed by the representative of these farmers', labor, and consumers' organizations. I will not take time to read the names, but will ask to insert them. Now, the parliamentary situation is such that one word from the majority leader [Mr. MONDELL] to the chairman of the Rules Committee, the gentleman from Kansas [Mr. CAMPBELL], who has great power—one word to the chairman of that committee—will make this packer-control legislation in order and we can have legislation within 24 hours. The question is, Will you make that demand? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG of Texas. I ask unanimous consent to insert the names which are signed to this communication.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that he may extend his remarks by inserting the names which he did not read. Is there objection?

Mr. BRITTEN. Reserving the right to object, who prepared the statement?

Mr. YOUNG of Texas. It was prepared by the ones whose names are signed to it.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman have one minute more in order to read the names.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. YOUNG of Texas. I will give the names. They are as follows:

The letters were signed by Mr. William H. Johnston, vice president the People's Reconstruction League and president the International Association of Machinists; Mr. Gray Silver, Washington representative the American Farm Bureau Federation; Mr. Charles A. Lyman, secretary the National Board of Farm Organizations; Mrs. E. P. Costigan, for the League of Women Voters; Mrs. Florence Kelley, secretary the National Consumers' League; Mr. Herman E. Wills, assistant chief Brotherhood of Locomotive Engineers; Mr. R. F. Bower, representing the National Farmers' Union; Mr. George P. Hampton, managing director of the Farmers' National Council; and Benjamin C. Marsh, executive secretary the People's Reconstruction League and secretary and director of legislation of the Farmers' Council.

Mr. McCLINTIC. Mr. Chairman, I object to the request for unanimous consent to extend his remarks.

The CHAIRMAN. The gentleman from Texas has already read the names.

Mr. KELLEY of Michigan. Mr. Chairman, the gentleman from Texas [Mr. BLANTON] moves to reduce the amount recommended by the committee for maintenance and repairs of these navy yard stations. I think the gentleman from Texas may be a little in error as to what this fund can be used for. It is not for the payment of mechanics in the navy yards and stations, but for maintenance and repairs, for machinery and the like, heating, lighting, and a certain force of employees used in connection with the upkeep of yards, but not directly connected with the manufacturing end of the yards.

Mr. BLANTON. Will the gentleman yield? I am sure the gentleman wants to be fair.

Mr. KELLEY of Michigan. Yes; I am going to be fair, if I am not already. Mechanics are paid out of a fund which will be found under the provisions for the increase of the Navy, Bureau of Construction and Repair, Steam Engineering, and Ordnance. The gentleman will recognize that there is a large amount of expenditure necessary for the repair and upkeep of buildings, for watchmen, for fire protection, and so on. The aggregate value of property in navy yards and stations is approximately $550,000,000.

Mr. BLANTON. Let me read a few items that are in this paragraph: "Pay for employees on leave." In line 12, "clerical," and that means clerks, "messengers," and that means a certain other line of civilian employees, "$150,000 for maintenance and operation of passenger-carrying vehicles."

Mr. KELLEY of Michigan. The gentleman is reinforcing what I have said. There is nothing in here for mechanics.

Mr. BLANTON. I did not mention mechanics.

Mr. KELLEY of Michigan. I thought from the letter which the gentleman read——

Mr. BLANTON. That referred to civilian employees. When we reach the big $550,000,000 program, I am going to touch on that.

Mr. KELLEY of Michigan. I do not know of any such item in this bill. If there is it must have gotten in when I was not looking. It may have escaped the attention of the gentleman from Texas that this item for maintenance and repair is a consolidation of two items as carried in former bills. They were formerly carried under the head of "Maintenance," Bureau of Yards and Docks, and in another item "Repairs," Bureau of Yards and Docks. The committee after considerable investigation decided that the difference between the two was very slight. For instance, it was found that if they painted the inside of a house it was charged against one item, and if they painted the outside it was charged to another. We thought where there was so fine a distinction we might as well put the two together. That makes $7,500,000 for the two funds which last year carried $9,500,000, and for which the department asked this year $13,500,000. When we cut the amount from $13,500,000 to $7,500,000 under the estimate and $2,000,000 under the expenditures of the current year we thought we were cutting as deeply as the situation would warrant.

Mr. BLANTON. Oh, the gentleman must not get uneasy so quickly, because I realize that he is so strongly intrenched over there that there is really no chance of passing my retrenchment amendment and of keeping these dancing girls off of the pay roll.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Contingent, Bureau of Yards and Docks: For contingent expenses and minor extensions and improvements of public works at navy yards and stations, $150,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word, not for the purpose of making remarks on this particular paragraph but on another paragraph in the bill. I hope that no one will object, because my committee is having a hearing and I ought to be in the committee room. On yesterday I showed that much of the expert opinion on naval affairs held that the great ships that we are now engaged in building, and provided for in this bill, were likely to be of no use whatever. I undertook to show also that in view of the improvement we might expect in the advance of aircraft and undersea craft, in all probability these ships will be obsolete before the construction was completed.

Mr. Chairman, if the people understood what would be the logical result and where we will inevitably end if this program of construction is carried out, there would be such a call for a convention of the principal naval powers for the purposes of disarmament that it could not be resisted by this Congress. Let us see what we have here in this bill. It provides $90,000,000 for construction to complete a program which is now estimated to cost $972,000,000, but which, I believe, will cost over a billion dollars. Is that all? It is only a small part of the expense which must inevitably come as a result of the adoption of this program. The great ships that are provided for by this bill are of such size that the wildest dreams of naval architects 20 years ago would never have thought of them. They are of 43,000 tons burden. The great battleships will be 860 feet long, carrying 16-inch guns. The cost of them will be in the neighborhood of $40,000,000 each, and I believe the battle cruisers will cost considerably more, although the battleships may cost less. The English Government built one battle cruiser on designs somewhat similar to those which are expected to be constructed under this bill, but somewhat smaller. The name of this battle cruiser is the *Hood*. The British naval authorities estimate the upkeep of that battle cruiser at £539,000, or about $2,500,000 per year. Considering that our battle cruisers are to be larger and of much greater horsepower, I think it is fair to assume that the upkeep alone of these battle cruisers will be over $3,000,000 each, and what will be the cost of fuel for them or of their equipment? The battle cruisers are to have a horsepower of 180,000; that is, their engines will furnish more power than is now being supplied by the great Keokuk Dam, which we thought was one of the wonders of the world when it was constructed. How much fuel oil will one of these cruisers burn in operation? No one knows, but I think we can safely say that with 1,500 to 2,000 men aboard the total cost of operating and maintaining one of these battleships will be $5,000,000 per year.

Are these vessels the only expense? No. Every battle cruiser and battleship requires a large number of smaller cruisers and destroyers to protect them. Over in the Senate they are now talking of constructing two aircraft vessels in order to protect these battle cruisers and battleships against aircraft, and supply them with the necessary complement in that direction. Those airplane ships are to cost $17,000,000 each.

Mr. HICKS. Mr. Chairman, will the gentleman yield for the purpose of a correction?

Mr. GREEN of Iowa. Yes.

Mr. HICKS. These new carriers are estimated to cost $23,000,000 and $28,000,000, respectively.

Mr. GREEN of Iowa. I am glad that the gentleman has corrected me. I thought the figures were small when I saw them in the newspaper.

So it appears that already the construction program of this bill is to be supplemented. When we get these vessels built is that to be the end? No; some power will build larger and more powerful vessels, and already they are talking in England about a vessel of 57,000 tons, carrying guns 18 inches in caliber, and with a range far in excess of those carried by our vessels. So we will continue traveling this vicious circle with its ever mounting cost to which there is no limit except the bankruptcy of even such a powerful Nation as the United States.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BRITTEN. I have been following the gentleman very closely as I do not quite get his intention. Is the gentleman trying to show to the House that they are too expensive for the national defense?

Mr. GREEN of Iowa. I do not know what the gentleman means. I am trying to show to the House what the expense of this program will be.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. When you get the Navy constructed as provided for in this bill, the expense of maintenance and operation alone, without any new construction, will exceed the amount carried by the present bill.

Mr. BRITTEN. That is very true; but suppose the great plane carriers cost $30,000,000, and that is what they will cost, the best minds of the country feel they are necessary for the national defense, and does not the gentleman think we ought to have them, irrespective of the cost?

Mr. GREEN of Iowa. I do not believe they are necessary for the national defense, but conceding that these great battleships are of some use, conceding it is necessary to protect them by a flotilla of cruisers, destroyers, submarines, and aircraft vessels, and so on, ad infinitum, conceding that when so protected they would be of value for the purpose of defense, I say that the ultimate and the logical conclusion of this program is nothing but bankruptcy for the most powerful nation on the face of the earth. If the people of the country fully understood what it means, there would be such a call for a convention of naval powers of the world for disarmament that it could not be resisted by this Congress.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. WINGO. Suppose we had a convention of naval powers and they agreed on disarmament, and then suppose that some one of them violated the agreement?

Mr. GREEN of Iowa. Oh, we will always have to face a contingency of that kind.

Mr. WINGO. How would the gentleman face it in a practical way? I am asking the question not in an antagonistic spirit but to get his ideas. What would be the gentleman's idea of a convention, and how could we hope to compel the parties to it to live up to it?

Mr. GREEN of Iowa. There would be no way of compelling them to live up to it, but if any started to violate it, we could renew this vicious circle of operation and construction in this country just as quickly as anywhere else.

Mr. WINGO. That would be the only hope?

Mr. GREEN of Iowa. That would be the only hope that I can see.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BLANTON. Somebody has to set the example; some one has to take the lead in disarmament. I agree with the gentleman that if he would vote as he speaks—and my friends on the Republican side of the aisle do not always do that—if they would vote as they talk, we could very quickly start something in the way of disarmament.

Mr. GREEN of Iowa. I am not undertaking to oppose the bill. What I wish to see is——

Mr. McKENZIE. Mr. Chairman will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. McKENZIE. The question asked by the gentleman from Arkansas [Mr. WINGO] is a very pertinent one. How could such an agreement be enforced? I want to ask the gentleman from Iowa if he does not believe that the masses of the people, for instance, in our own country, would compel Congress to respect such an agreement; and if that be so, have we not a right to assume that the masses of the people who bear the burden in the other countries would see to it that their legislative establishments would also respect the agreement?

Mr. GREEN of Iowa. I think the gentleman from Illinois has stated a very good answer to the question of the gentleman from Arkansas, but in any event, as the gentleman from Michigan stated on yesterday, if we carry out this program there will be no navy in the world superior to ours. The only country with which, I think, it is possible for us to have any conflict will have a navy only half as strong as ours. I shall not name that nation, but gentlemen can surmise the country to which I refer. So what have we to fear? Why should we be alarmed under such circumstances? If we could get an agreement with the other nations to suspend their naval construction on condition we suspend ours, why should we not——

Mr. BRITTEN. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. BRITTEN. Why impose that condition? The gentleman suggests that other nations also disarm. If the gentleman has such reliance in the peoples of the countries of the earth forcing their legislative bodies to reduce their armament, we might as well disarm now.

Mr. GREEN of Iowa. The gentleman from Illinois may address his remarks to his colleague. I decline to carry on that argument further. He is talking about something I did not say, but what another Member says. I pointed out that this country was in a perfectly safe condition now and for that reason it need have no hesitation in taking the lead of disarmament. We ought to take the lead, and I earnestly hope it will take the lead in this matter, which I regard as the most important subject in our national affairs to-day.

Mr. KELLEY of Michigan. Mr. Chairman, I just want to express the hope that we will reserve the discussion of this question of construction until we reach that item. Of course, I know the temptation to go ahead with it now is great, but we can not vote on it now, and it might be well to reach that item before beginning the debate. I am not going to object, of course.

Mr. GARRETT. Mr. Chairman——

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent that debate on this paragraph close in five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the paragraph close in five minutes. Is there objection?

Mr. BLANTON. Reserving the right to object——

Mr. WINGO. I want five minutes.

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman when he reaches this great $800,000,000 Navy program will the gentleman give us two and a half minutes to discuss it?

Mr. KELLEY of Michigan. I am sure we will be able to arrange time to discuss it when we reach that. I will make the request for 10 minutes.

The CHAIRMAN. The gentleman modifies his request and asks unanimous consent that all debate upon the pending paragraph and all amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Chairman, I have been very much interested in the remarks just made by my genial friend from Iowa [Mr. GREEN]. I have been very much interested in the discussion of the question of disarmament which has taken place in the other legislative body and in the press of the country. I do not know that I am prepared to agree with the gentleman from Iowa in his assertion that if the people of the United States could understand what this naval program means that there would be such an uprising that Congress would abandon the program.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GARRETT. Certainly.

Mr. GREEN of Iowa. The gentleman misunderstood me. I said there would be such a call upon the Congress for a convention of naval forces to consider disarmament that could not be resisted.

Mr. GARRETT. I stand corrected and will proceed upon the corrected basis. Mr. Chairman, there was a convention of the powers at Versailles in 1919 at which representatives of all the great nations of the world, following the greatest war in the history of mankind, sat down at a peace table and there entered into an agreement which was the only definite disarmament program that has ever been outlined by representatives of nations in the history of the world. [Applause on the Democratic side.] The people of this country knew of that, yet if we are to interpret the recent election as gentlemen upon the Republican side of the Chamber insist it shall be interpreted that great plan was "scrapped," and we are now told by him who was elected President of the United States that among the first movements when the Sixty-seventh Congress convenes will be one to have our country turn its back upon every part and parcel of the treaty of Versailles and enter into a separate peace with Germany and Austria-Hungary. Republicans have scrapped the only definite disarmament program ever laid before the world. How do you now hope for any convention that may be expected to go further than that Versailles convention did in the matter of providing for disarmament? What possible——

Mr. MADDEN. Will the gentleman yield for a question there?

Mr. GARRETT. I will.

Mr. MADDEN. In the face of the proposed program as submitted by the President of the United States, how does the gentleman account for the fact that the Secretary of the Navy demanded a greater Navy than we ever had before and the Secretary of War demanded 576,000 men, and it was approved by the President of the United States?

Mr. GARRETT. Because the treaty of Versailles was not ratified. [Applause on the Democratic side.]

Mr. MADDEN. Will the gentleman yield further? Does the gentlemen mean to say, then, that this was a system of coercion to compel the ratification of the treaty of Versailles?

Mr. GARRETT. I do not mean to say any such a thing. Had the Versailles treaty been ratified the naval program as the department outlined it would have been unnecessary in many of its broad aspects. It was laid before the Congress——

Mr. MADDEN. On what authority——

Mr. GOOD. If the gentleman will permit, when Franklin D. Roosevelt was before the committee Mr. KITCHIN asked him the question: "Mr. Secretary, if the treaty of peace and the League of Nations is ratified, how large a navy must we have?" And Mr. Roosevelt said, "We must have the largest Navy in the world; larger than that of Great Britain."

Mr. GARRETT. But what the treaty of Versailles contemplated was that there should be a disarmament on the part of all the nations that were parties to it. [Applause on the Democratic side.]

Mr. BRITTEN and Mr. TEMPLE rose.

The CHAIRMAN. Does the gentleman yield, and, if so, to whom?

Mr. GARRETT. I yield to the gentleman from Illinois.

Mr. BRITTEN. The League of Nations is in effect, and includes every nation in the world almost——

Mr. GARRETT. Except the United States, and we, therefore, are building the biggest navy afloat.

Mr. BRITTEN. Yes; and Europe has a disarmament commission which is not effective. The gentleman says we are not in the League of Nations. Are we going to carry Europe for all time to come?

Mr. GARRETT. I do not know. But let me say that my own opinion—I do not know what it may be worth—is that if we determine to live to ourselves alone we must have a navy equal to the navies of all the rest of the world combined if the other signatory nations of the world continue in the league. [Applause on the Democratic side.] We can not otherwise be safe.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. Surely.

Mr. McKENZIE. It is true, however, is it not, that up to the breaking out of the Great War we had lived to ourselves, and did not have the greatest navy in the world?

Mr. GARRETT. Quite true; but listen——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes. The other five minutes was reserved to me, and I will forego that.

Mr. GOOD. The time was allotted.

Mr. WINGO. Five minutes was reserved to me, and I will forego those five minutes. I ask unanimous consent that the gentleman may have that time.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent that the gentleman from Tennessee [Mr. GARRETT] be recognized for the remaining five minutes. Is there objection?

There was no objection.

Mr. GARRETT. What I desired to say when I rose, Mr. Chairman, was not so much about the League of Nations. I do not care now to go into any argument about the League of Nations, but I really rose to express the belief that this disarmament convention idea that is now being held forth by such able gentlemen as my friend from Iowa [Mr. GREEN] and others does not promise satisfactory results, because you can not bring about such an agreement upon terms that will be stronger than those that were expressed in the treaty of Versailles, and that treaty, under the leadership of and by the advice of the Republican Party—if we are to interpret the election returns as they would have us interpret them—was overwhelmingly rejected by the people of these United States.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. I feel intensely gloomy for the future upon this disarmament question. Now I yield to the gentleman.

Mr. GREEN of Iowa. The gentleman is aware that the mention with reference to disarmament that was contained in the Versailles treaty was but an insignificant part of it, and had it been adopted it would have left us just where we are now. The nations would simply have to get together and agree upon it.

Mr. GARRETT. Why, certainly they would have to get together and agree upon it; but after they had agreed they would be bound by it. [Applause on the Democratic side.] What other plan can you suggest in the convention that you advocate that will not involve precisely the principle that was involved in that treaty? Surely gentlemen are not just now waking up to the fact that the disarmament feature was the biggest feature in the treaty, but——

Mr. GREEN of Iowa. The gentleman spoke as if the treaty of Versailles was going to settle the whole thing at once.

Mr. GARRETT. I did not. What I, in substance, said was that in the Versailles treaty there was the first definite program ever laid before the world by responsible statesmen looking toward disarmament.

Mr. MADDEN. And that, if the gentleman will permit, proposed that every member nation of the league would be compelled by order of the council of the league to give every power that it had within its control to the maintenance of the geographical boundary lines and the political integrity of every member nation in the league, did it not?

Mr. GARRETT. Oh, the gentleman now goes to another section of the treaty of Versailles, and if——

Mr. MADDEN. It is all involved.

Mr. GARRETT. Well, let us bring that section into the argument if it is deemed necessary by the gentleman from Illinois [Mr. MADDEN], and——

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. Certainly. I——

Mr. TEMPLE. Are those nations which did accept the treaty and are bound by the disarmament provision limiting their naval expenditure?

Mr. GARRETT. Not that I know of; nor do I believe they will or can unless this, the greatest, richest Nation in the world, becomes a party to the agreement. [Applause on the Democratic side.]

Mr. TEMPLE. Does not the treaty bind them to do that, nevertheless, on the acceptance of the treaty by only a certain part of the nations of the world? Does the treaty allow them to continue to build simply because of the fact that one nation remains out?

Mr. GARRETT. Unless the machinery contemplated by the treaty is organized and put in operation they certainly can continue to build, and the machinery will not be put in operation, as my friend from Pennsylvania [Mr. TEMPLE] certainly knows, so long as this great Nation remains out.

Mr. TEMPLE. Does the gentleman maintain that our refusal to be bound by the treaty makes it any less binding upon the nations that have agreed to it?

Mr. GARRETT. I believe that our refusal to ratify the treaty makes it impossible for our Nation or any of the other nations to disarm.

Mr. TEMPLE. You believe the treaty is dead?

Mr. GARRETT. I believe that, so far as the disarmament provision is concerned, it never can succeed so long as this, the greatest and richest Nation in the world, remains outside. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Tennessee has again expired. The Clerk will read.

The Clerk read as follows:

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS.

Navy yard, New York, N. Y.: Toilet facilities at shipbuilding slips, $40,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order on the paragraph, that——

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. I would like to suggest to the Chair and also to the gentleman from Michigan having charge of the bill that under the heading of "Yards and docks, new construction," this bill carries nearly $2,000,000 of brand-new construction.

Mr. BLACK. Mr. Chairman, I make the point of order that the gentleman has not stated his point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. I am stating my point of order.

The CHAIRMAN. The gentleman from Texas says the gentleman has not stated it.

Mr. BRITTEN. I was about to suggest to the gentleman in charge of the bill that——

The CHAIRMAN. The gentleman will state his point of order, in order that the Chair may know what it is.

Mr. BRITTEN. It is new legislation on an appropriation bill, providing for new construction at the New York Navy Yard. I desire to call to the attention of the gentleman having the bill in charge the fact that $2,000,000 is provided in the bill for just such purposes as this—that is, new construction. We can expedite the reading of the bill if the gentleman and I can come to some agreement that these items will be taken out of the bill. [Laughter.]

Mr. KELLEY of Michigan. I do not think any such agreement is likely to be reached, because it is not subject to a point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Navy yard, Mare Island, Calif.: Maintenance of dikes and dredging, $175,000; improvements to central power plant, $150,000; in all, $325,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order to the language on line 22, page 18, of the bill, "improvements to central power plant, $150,000." Those improvements are new improvements, providing for the installation of 5,000-kilowatt machinery and the replacement of the building and the portions of a building now in existence. I maintain that the language is new. It is legislation upon an appropriation bill, and it is for new construction.

The CHAIRMAN. The Chair understands the gentleman to state that it involves repair of a building, improvements to a building?

Mr. BRITTEN. Not improvements to a building. There is a power plant there now. This provides for new installation, new machinery, new foundations, and it is new legislation upon an appropriation bill and properly belongs to the Committee on Naval Affairs.

The CHAIRMAN. The Chair understood the gentleman to say something about a building.

Mr. BRITTEN. This machinery, of course, has got to go into a building, but $150,000 is provided for the building and the foundations for the mechanical equipment.

Mr. MANN of Illinois. Mr. Chairman, if there is a building there, a power plant there, and there has been no limit of cost fixed by Congress, it is quite in order to make an appropriation to improve it or to add to it or to put foundations under it or a roof over it or to put up side walls or inside walls and plaster them, as far as that is concerned.

Mr. MADDEN. And if the machinery is worn out, we can appropriate money to put in new machinery.

Mr. MANN of Illinois. If they have a plant there, and there has been no limit placed on the cost, then it is in order to appropriate for the improvement of it, as I understand it.

Mr. BRITTEN. The question arises, then, whether this is new work, or whether it is an improvement to existing work. I maintain that it is new work.

Mr. MANN of Illinois. It says "improvement." That is what the appropriation is for.

Mr. MADDEN. The gentleman admitted a moment ago that it was an improvement.

Mr. BRITTEN. Any new building in a navy yard is an improvement to the yard.

Mr. MANN of Illinois. Not always.

Mr. BRITTEN. There is no question about that.

Mr. BUTLER. Has the building been authorized?

Mr. BRITTEN. An addition to the Navy in the shape of a battleship is an improvement to the Navy.

Mr. CURRY of California. Mr. Chairman, I wish to state that the building is there, the power plant is there, that it was authorized by law, and that this appropriation is simply to keep it in repair and to do the necessary work or the necessary additions to it, that it was authorized by law, and that there was no limit of cost placed upon it.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Navy yard, Puget Sound, Wash.: For grading, filling, and sea-wall construction, $250,000; keel blocks for Dry Dock No. 2, $6,500; extension of building No. 178, $13,500; roadways and sidewalks, $25,000; pier 5, rebuilding and extending, $715,000; telephone improvements, $10,000; pattern shop extension, $90,000; 50-ton dry-dock crane, $200,000; storehouse for ordnance, $95,000; in all, $1,405,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order on the language in line 24, page 18:

For grading, filling, and sea-wall construction, $250,000—

at the Puget Sound Navy Yard. This grading, filling, and sea-wall construction is new work. It is legislation on an appropriation bill and subject to a point of order.

Mr. MANN of Illinois. Is it not a work now being carried on?

Mr. KELLEY of Michigan. Yes.

Mr. BRITTEN. Yes; they are always carrying on work at every navy yard.

Mr. MANN of Illinois. I understand. Does not the current law provide an appropriation for grading, filling, and sea-wall construction at this place?

Mr. KELLEY of Michigan. Yes.

Mr. MANN of Illinois. Is there any limit of cost fixed upon it?

Mr. BRITTEN. I am not so sure about the limitation of cost.

Mr. MANN of Illinois. Is it not a mere continuation of a public work now being carried on?

Mr. BRITTEN. Not necessarily. It provides for a continuation of the sea wall, and is intended to provide berthing space for ships which come to the Puget Sound Navy Yard. It is new construction, just as a pier or a dock would be. There are docks being constructed continually at navy yards. There are piers being constructed continually at navy yards, and they are authorized each time under current legislation as new law.

The CHAIRMAN. The Chair will state that this item—

for grading, filling, and sea-wall construction—

is in the current law. Apparently it is a work already in progress; and there being nothing to indicate that there is any limit of cost on the work, it would appear to be a continuation of a work heretofore authorized and in progress, and therefore in order; and the Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the language at the bottom of page 18, line 25:

Keel blocks for Dry Dock No. 2, $6,500.

It is new language. It is legislation on an appropriation bill. There is nothing carried in the current law for the present fiscal year, for keel blocks.

Mr. MANN of Illinois. The gentleman is mistaken. The present law carries $40,000 for the same purpose.

Mr. BRITTEN. If it is an appropriation for keel blocks it is for keel blocks for a different dock entirely.

Mr. MANN of Illinois. No; it says for keel blocks for Dry Dock No. 2, if I am correct, exactly the same language.

Mr. BRITTEN. Keel blocks are a mechanical equipment that go into a yard, and the reason for this $6,500 for keel blocks is because of the heavier vessels that go in there. It is brand new material in the shape of new equipment, and it is legislation on an appropriation bill.

The CHAIRMAN. It seems to the Chair that the gentleman's statement really indicates that this is for a dock already in existence, and to facilitate the docking of different types of vessels than those which have heretofore been berthed there, and that the appropriation is authorized, under the gentleman's own statement.

Mr. BRITTEN. Under the same theory then would the Chair maintain that a new ship could be authorized because there is a dock in which to put the ship?

The CHAIRMAN. The Chair is not aware that he has made any such ruling or anything that is analogous to that, although the Chair has made some rulings which possibly may appear to the gentleman from Illinois to be rather queer, upon the variety of subjects covered by the gentleman's points of order.

Mr. BRITTEN. I am merely offering a suggestion to the Chair, that is all.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make a point of order to the language on line 2, page 19—

Roadways and sidewalks, $25,000—

as legislation on an appropriation bill.

The CHAIRMAN. The Chair overrules that point of order. It is not legislation.

Mr. BRITTEN. Mr. Chairman, I have a couple more points of order to make on this paragraph. On line 4, page 19—

Fifty-ton dry-dock crane, $200,000.

It is legislation on an appropriation bill, new and unauthorized by law, and I maintain it is subject to a point of order.

Mr. MADDEN. You could not run the yard without a crane.

Mr. BRITTEN. The gentleman is entirely in error. The yard is now being run without a crane.

Mr. KELLEY of Michigan. Of course, this is a large crane, made necessary in taking the guns off the ships and putting them back on again. It is a part of the conduct of the work of the yards. It is simply an ordinary large tool for the general work of the yard.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the language in line 5, page 19, "storehouse for ordnance, $95,000." That is a new building, it is legislation on an appropriation bill, and unauthorized by law.

Mr. KELLEY of Michigan. Mr. Chairman, at all these navy yards there are storehouses. There is a storehouse at this place. Probably the most universal requirement at any of these navy yards or stations is storage. The fleet has recently been put in the Pacific Ocean. Ammunition and food supplies and various equipments both for men and ships are necessary, and it is no new activity in the yards. The Chair, of course, is familiar with the line of demarcation between providing for old and new activities. Sometimes the Chairmen of the Committee of the Whole have refused to permit a new structure in the yards when it involved a new activity. In early days, when all the heavy repairs of ships were made in private yards, dry

docks were held to be new activities and not in order on appropriation bills. But storage is made necessary from the very first moment that a navy yard is put into existence, and it is only a question of the extent of the storage to meet the requirements of the fleet and the station. The President is authorized to control the movements of ships and send them to whatever navy yard he sees fit, and he is directed by law to conserve and protect all material and supplies of every kind belonging to the Navy. He can not do this without suitable storage. Whether this is a new building or an addition to a building is of no consequence, in my opinion, for the reason that storage goes clear back to the beginning of every yard. In the West Point case provision for a schoolhouse was held to be in order because that was the fundamental purpose of the institution; also at the Naval Academy, where a dormitory was held to be in order because it was fundamentally necessary to the work of the school. It is only in those cases where the new building involves bringing in a new activity, one that had no existence before, can there be found well-considered decisions holding that provisions for new buildings are subject to a point of order on an appropriation bill.

Mr. MONDELL. Mr. Chairman, I would not take up the time of the committee in regard to this matter were it not that I feel it is quite important, as it is the first time this particular question has been raised on this bill since it has been reported from the Appropriations Committee. Clearly a new activity, a new institution, could not be provided for on an appropriation bill but must be provided for by the legislative committee. I do not have in mind now the decisions on matters of this kind, but I remember very well the character of appropriations we have been making for many years, particularly on the sundry civil bill, where we provide frequently for new buildings at armories and arsenals to care for activities going on and under way. So far as the decisions are concerned that have been made on the naval bill itself, they have been very broad. Attention has been called to the fact that even a new ship could be provided for on the bill when the naval bill was reported by the Naval Committee. That situation is modified and changed by the specific provision in the new rule. But other than the reservations in the new rule fixing the jurisdiction of the Committee on Naval Affairs, the jurisdiction remains the same as it was at the time this bill was reported by the Naval Committee. The Appropriations Committee time out of mind has been appropriating for enlarged facilities for the Army for the purpose of carrying on activities under way, enlargements, and extensions. This is not a question of establishing a new institution, not a question of providing a new activity at an institution already established. It is to provide for the ordinary growth and development of an institution long established and under way.

In this case it is a provision for storage, an essential purpose, to care for the products of the institution.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the language, "storehouse for ordnance, $95,000." The Chair is of the opinion that the question of a new building at navy yards has up to the present time been considered somewhat differently from other activities in navy yards. Section 3758 of Hinds' Precedents holds that an appropriation for quarters, for the commandant at the navy yard was subject to a point of order, and furthermore that other new buildings provided for in appropriation bills for which there has been no specific authority have been held to be not authorized on general appropriation bills for the Naval Establishment. So upon the authority of section 3758 of Hinds' Precedents and decisions following which have been made since that time, the Chair sustains the point of order.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 19, line 5, after "$200,000," insert "additional storage facilities, $95,000."

Mr. BRITTEN. Mr. Chairman, I make the point of order against the amendment that it is nothing more or less than a subterfuge, to be used instead of the language in the bill. It is intended to provide a new storehouse for ordnance, and it will carry with it $95,000. It is legislation pure and simple on an appropriation bill.

The CHAIRMAN. The Chair, of course, does not know what the intention may be expected from the language of the amendment, and as the Chair construes the amendment it means the extension or addition to an already existing storage facility, and the language does not of itself provide for a new building, separate and apart from existing facilities. The Chair feels that this language is for an extension to an existing structure, and overrules the point of order. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

Naval station, Pearl Harbor, Hawaii: Machine shop, $200,000; electric-system extensions, $85,000; water-front development, $450,000; improvements to coaling plant, $75,000; compressed-air system extension, $15,000; storehouse, $200,000; in all, $1,025,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order that the language in line 7, page 19, "machine shop, $200,000," and to the language in line 10, same page, "storehouse, $200,000." It is legislation on an appropriation bill and subject to the point of order.

The CHAIRMAN. The Chair will state, with reference to the machine shop, that there is an item in the current law providing for a machine shop, and would be inclined to construe this as a continuation.

Mr. BRITTEN. May I ask the Chair a question?

The CHAIRMAN. Certainly.

Mr. BRITTEN. Would the chairman feel that if one machine shop were authorized at a navy yard we could go ahead and appropriate for 40 different machine shops in different portions of the yard?

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. MADDEN. Is there anything in this language to indicate that there is going to be a new machine shop?

Mr. BRITTEN. The gentleman from Illinois knows and I know that there is to be a new machine shop.

Mr. MADDEN. I would not say so from this language. It may be for operation.

Mr. BRITTEN. It does not say so.

Mr. MADDEN. It does not say that it is a new machine shop.

Mr. BRITTEN. It is understood to be one, and if the gentleman wants my opinion on it, I will say that I know it to be a new machine shop.

Mr. MADDEN. The language would not indicate that.

Mr. BRITTEN. The language does not indicate the maintenance or operation of a machine shop.

The CHAIRMAN. The Chair would state that the language of the current law provides for $100,000 for the continuation of a machine shop. This language does not have any limitation, and the language itself would permit the interpretation that it is to be a new structure. That being the case, of course, the Chair would be inclined, under the previous ruling, to hold it subject to the point of order.

Mr. BRITTEN. Does that also include the storehouse?

The CHAIRMAN. The Chair has not ruled on the storehouse as yet, but the Chair will sustain the point of order to the storehouse as well.

Mr. KELLEY of Michigan. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 19, line 7, after the word "Hawaii," insert "addition to machine shop, $200,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KELLEY of Michigan. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 19, line 10, after "$15,000," insert "additional storage facilities, $200,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Naval ammunition depot, Mare Island, Calif.: Magazine and shell house, $100,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order on the paragraph, it being new legislation, unauthorized by law.

The CHAIRMAN. Does the gentleman from Michigan desire to discuss the point of order?

Mr. KELLEY of Michigan. No; I am ready for a ruling.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 19, line 16, after the word "California," insert the words "addition to magazine and shell house, $100,000."

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word in opposition to the amendment. The matter now presented to the House again indicates the ridiculousness of the rule under which we are operating. The rules provided distinctly that new construction shall go to the Committee on Naval Affairs, that new ships shall go to the Committee on Naval Affairs for consideration there, and then for the provision of legislation to make that new construction effective. The Committee

on Appropriations comes in with $2,000,000 worth of new construction unauthorized by law, and by the simple subterfuge of putting in the word "addition" the Chair is, of course, in duty bound to hold in order the language of the amendment, assuming that the amendment is submitted in good faith and that it is an addition to an existing storehouse. The Chair knows and every Member of the House, including the gentleman who offers the amendment knows, that this is not an addition to a magazine and shell house at Mare Island, but that it is a new building. The gentleman might just as consistently come in here with a proviso in a bill for eight battleships and eight battle cruisers, and call them additional ships to the Navy. The Navy is in existence, no one doubts that, just as the navy yard is in existence, and if objection is made to the committee authorizing new ships the gentleman merely replies that they are additional ships, and the Chair assumes the language to mean just exactly what it says and will probably hold in order that additional ships may be added to the Navy, because the Navy is a going concern, there are 10 or 12 or 17 battleships in the Navy to-day, and the Committee on Appropriations may reasonably come in and say, "We are going to make an addition to these battleships, we are going to authorize 4 more of them, and 6 battle cruisers are now under course of construction, and we are going to make an addition to those; we are going to add 4 more." Under the ruling of the Chair, as it is applied to-day, certainly that language will be in order. Then the condition reverts to my suggestion of yesterday, that sooner or later this thoroughly ridiculous rule under which we are attempting to legislate must be amended by the leaders of the House.

If the Republicans do not do it, some Republicans and some Democrats will, and we certainly can not operate as we are doing now. Here is brand-new legislation, never having been considered by the Committee on Appropriations as a committee. The subcommittee knows about it—part of the subcommittee knows about it. This language was in the bill when it was reported to the full committee on Thursday morning and reported out of the committee on Thursday morning, so the committee itself can have no knowledge of it; and yet by the mere addition of the word "additional" the Chair must necessarily, I suppose, hold the amendment in order. I withdraw my amendment.

Mr. BUTLER. What will the comptroller hold about it?

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Naval ammunition depot, Pearl Harbor, Hawaii: Storehouse for ammunition details, $50,000; magazine for ignition ends, $2,000; torpedo, warhead, and gyro storage, $50,000; mine storage, $75,000; in all, $177,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order on the entire paragraph that it is new legislation on an appropriation bill, and is, I believe, subject to the point of order. Storehouse for ammunition details, $50,000, is a new building for which plans have already been drawn. It is not a continuing construction nor a continuing structure, but a brand-new building, and I make the point of order that that language is not in order on this bill.

Mr. HICKS. Mr. Chairman, does the gentleman from Illinois make the point of order?

Mr. BRITTEN. I do; but I will reserve the point of order for the time being.

Mr. HICKS. Mr. Chairman, I would like to say a word on the matter we are now discussing, if the Chair will favor me, and I do so with due deference to the Chair. I think the gentleman from Illinois a moment ago made a very pertinent observation. If by the addition of the word "additional" to an amendment which otherwise would not be in order, such as has been proposed by the gentleman from Michigan several times, we can increase the number of buildings at our navy yards, there is absolutely no limit to what we can do in those navy yards without previous authorization; and it does not seem to me that these precedents contemplate for a moment that by the mere inclusion of the word "additional" we can do the very thing prohibited and overturn those rulings.

Now, the Chair well knows that section 3755, construction of a barrack at the navy yard; also sections 3756, 3758, and 3759 hold it is not in order to have a new building included in an appropriation bill as a continuation of public work unless authorized. We know on the Committee on Naval Affairs that those buildings here described are new buildings, separate structures, and are not additions. We have the testimony and the gentleman from Michigan himself practically admits it when he brings in a bill in the form in which this bill comes before this committee when they stand as separate units; therefore when we put in the word "additional" it is nothing but a subterfuge to get around the provision which had been ruled out and which has been held not in order time and time again according to Hinds' Precedents. I do not desire to criticize the Chair. He is a very able parliamentarian and more familiar with the rules than myself, but I believe we are pursuing a very dangerous policy to allow an amendment to come in here and hold it in order merely because this word "additional" is placed in it.

Mr. STEVENSON. Will the gentleman yield?

Mr. HICKS. I do.

Mr. STEVENSON. Is it the purpose that an entirely new magazine shall be put where this amendment has provided for an additional magazine?

Mr. HICKS. Yes, sir; it seems so to me.

Mr. STEVENSON. Can the people who are running the Navy construction get around that? Can they, in other words, go ahead and take money that has been appropriated for an addition to a building and make an entirely new and separate magazine? Will not they be stopped there?

Mr. HICKS. I can not say. But if we are going to hold the amendments in order on this bill by putting in the word "additional" the comptroller may hold them to actual additions to existing buildings. He may interpret it, however, as new buildings.

Mr. STEVENSON. Then it will be the Committee on Appropriations determining whether they shall build a new magazine or build an addition to an old one without proper consideration in the Naval Committee?

Mr. HICKS. I think the gentleman is correct. Under this ruling it would seem logical to assume that the Appropriations Committee and not the Naval Committee will be vested with authority to determine what structures are necessary, and I doubt if this is wise or was contemplated.

Mr. BLANTON. I think we ought to stop them.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment just offered.

The CHAIRMAN. The Chair understands this discussion is upon the point of order.

Mr. MONDELL. I rise to discuss the point of order, then, and to defend the chairman of the committee; the chairman has been criticized severely here in the last 15 minutes, and I think he is entitled to defense. We have an unusual condition, and unusual conditions require unusual remedies. The gentleman from Michigan has applied remedies that fit the case and cure the difficulties of the situation. The gentlemen who are creating the situation certainly should be the last folks to complain because remedies that will meet and cure the situation they attempt to create are applied. As far as the chairman is concerned, he is entirely right in his rulings. I remember one quite celebrated case here a few years ago where a Speaker—Speaker CLARK—when some one protested a ruling, said it was not for the occupant of the chair to attempt to read the mind or judge the intent of a gentleman offering an amendment; the Chair must decide the point of order on an amendment as it appears before him, and if the amendment is in order it is not for the Chair to say that it may have been ingeniously drawn for the purpose of making at least some reasonably satisfactory provision for a public service that could not be provided for in the way originally intended. Now, Mr. Chairman, if in discussing the point of order I may discuss the threat of the organization of a bipartisan plunderbund made here just a moment ago, I desire to do so. We have been informed that if the rules are not changed by action of the Republican majority so as to satisfy certain gentlemen, they propose to join with some gentlemen on the other side to amend the rules. Well, of course, that may be entirely proper and legitimate if gentlemen so consider it, but, Mr. Chairman, I think that gentlemen on both sides, when they reflect a bit, will realize how hopeless is their attempt to carry on successfully a backhanded and indirect attack on budget reform.

No matter what we may individually think about it, Mr. Chairman, most of the folks back home believe that we should have a budget system, and I am sure that most of the gentlemen who appeared before their constituents in the last campaign took great pride in referring to the fact that they had voted for a budget system; and without knowing the facts in each individual case I would be inclined to believe that no gentleman who voted against the budget in the last session advertised that fact extensively among his constituents during the campaign, although some gentlemen may have done so.

The country is determined that we shall have an executive budget, and the country believes that an essential part of a budget system is a single appropriating committee. I confess

I am not one of those who were early fully convinced of the necessity of a single appropriating committee as an essential part of a budget system, but I may say that so far as the results obtained, under handicaps, at this session are concerned they certainly commend the new system. No one has criticized these bills either as to their items or as to the sums they carry except those who have criticized them because they did not carry enough. No one has suggested that they were not drafted with a due regard for economy, and no one has asserted that the bills were not carefully and properly and wisely drawn. On the contrary, almost every bill that has been presented here has received commendation as to its form and as to its items and as to the sum it carried by even those who are not altogether happy under the new condition of affairs.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BRITTEN. Is the gentleman suggesting that no one on the floor objected to the Indian appropriation bill and to the Diplomatic and Consular appropriation bill?

Mr. MONDELL. Not as to the character of the items; no. I do assert that.

Mr. BRITTEN. The gentleman is entirely in error.

Mr. MONDELL. Well, there may have been one or two items that were objected to on their merits.

Mr. BRITTEN. Just one or two items? Yes; 200.

Mr. MONDELL. Yes. There were many items against which points of order were made, and the gentlemen who made the points of order—and I make no complaint about their having made them—the gentlemen who made points of order had no criticism to make of the items themselves, their character, or the sums they carried. The points were made without regard to the merit of the items.

Mr. BRITTEN. The gentleman will agree, however, that they did criticize the method of promoting that legislation in the House.

Mr. MONDELL. I am not complaining because gentlemen take extraordinary and peculiar views of their duty here, although I must say that it is very difficult for me to understand how there is a matter of principle involved in making points of order against items in appropriation bills in this Congress that some gentlemen did not raise against the same items in the last Congress. Whatever may be the facts with regard to any one of these items as affected by a point of order, they are the same to-day as they were yesterday, the same as they were last year, and as they were 5 years ago and 10 years ago. Points of order that are good now would have been good last year or the year before.

Why, Mr. Chairman, we saw this extraordinary performance yesterday Last year a gentleman with a lively sense of the public interests offered on the floor of the House, to a bill reported by a committee of which he was a member, an amendment relative to some reports as to the amount of gasoline consumed, and the House was so well disposed toward the amendment that, although subject to a point of order, nobody thought of raising it.

They were all working in the public interest here in the Committee of the Whole, and they accepted it, and no doubt thanked the gentleman for offering it. But this year the same gentleman who offered that amendment last year, when it was subject to a point of order just as much as it is to-day, strikes it from the bill—in the defense of a principle!

Mr. BANKHEAD. Would the gentleman mind refreshing our recollection as to who that gentleman was? [Laughter.]

Mr. MONDELL. Well, the gentleman from Alabama is here most of the time, and I am sure he is quite well informed as to what has occurred.

Now, Mr. Chairman, referring again definitely and specifically to this point of order——

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CONNALLY. Which side of the point of order is the gentleman on? [Laughter.]

Mr. MONDELL. I am arguing that the committee's amendments are in due and proper form, and am also arguing that the Chair is ruling justly and righteously according to the rules of the House and in the interest of the public business; and if the manner and style of the amendments do not please certain gentlemen, that can all be remedied by their withholding points of order on items which they themselves approve.

The CHAIRMAN. The gentleman from Illinois makes a point of order on the paragraph. The Chair desires to state that in accordance with the language of the precedents and previous rulings, similar items on this bill heretofore have been declared subject to a point of order, and the Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 19, line 18, after the word "Hawaii"——

The CHAIRMAN. The Chair will state that the entire paragraph went out on a point of order.

The Clerk read as follows:

Page 19, line 18, after the word "Hawaii," insert "For additional storage facilities, $177,000."

Mr. BLANTON. Mr. Chairman, I ask for recognition on the amendment.

Mr. BRITTEN. Mr. Chairman, I offer a substitute. I offer an amendment to the amendment.

The CHAIRMAN. The Chair believes the amendment has not been reported in just the accurate shape that is desired.

Mr. BRITTEN. I desire to send an amendment to the Clerk's desk.

Mr. KELLEY of Michigan. The title should be added at the beginning.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to modify his amendment by inserting the title.

Mr. KELLEY of Michigan. It should be, "Naval Ammunition Depot, Pearl Harbor."

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan as modified.

The Clerk read as follows:

Modified amendment offered by Mr. KELLEY of Michigan: Page 19, after line 16, insert "Naval Ammunition Depot, Pearl Harbor, Hawaii: For additional storage facilities, $177,000."

Mr. BLANTON. Mr. Chairman, this amendment is made necessary by the sustaining of a point of order made by the gentleman from Illinois [Mr. BRITTEN]. I dislike incidentally to defend a Republican from Illinois, but I think it is necessary by reason of the speech made a moment ago by the majority leader attacking him. The gentleman from Illinois and everybody else is in favor of a correct, proper budget system. It is the only way to save money for the Government. We are all in favor also of this new rule, if adhered to, which makes all legislation come from a legislative committee and which makes all appropriations come from the Committee on Appropriations. What the gentleman from Illinois is trying to do and what others are trying to do is to uphold the gentleman from Wyoming in having a proper budget system and in having a proper administration of this new rule which makes appropriations come only from an appropriating committee. What we are after is to sustain the committee when the appropriate committee cuts off an appropriation of thousands of dollars—for instance, one item of about $37,000 for feeding the elk out in Wyoming. The committee cut out that item, and just as soon as they cut out that $37,000 for elk feeding in Wyoming the gentleman from Wyoming [Mr. MONDELL] came back in here and had thirty-seven conniption fits and said, "You have got to put it back," and he took the floor and castigated everybody in here until he got that back, and he got his $37,000 for his elk feeding out in Wyoming.

Then the Secretary of the Interior sent the land commissioner before one of these committees and said, "It is all foolishness to carry these 13 surveyors general of land offices out in the various States," one of which was in Wyoming. He said, "Let us cut that out," and he sent the word to the gentleman from Wyoming [Mr. MONDELL], "Let us stop this foolish expenditure and waste of the people's money," and the gentleman from Wyoming did not understand at the time that it affected a great surveyor general out in Wyoming, so he made a speech of less than an hour before the committee, saying, "You have got to apply the snicker-snee to these appropriations and cut them down," and the committee, acting on his advice, cut out those 13 surveyors general, and then the distinguished majority leader came back here on the floor and threw thirteen more conniption fits and said, "You have got to put back my surveyor general. I am not going to lose all this money spending in Wyoming. You have got to put that item back." So back into the bill went the 13 surveyors general. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment.

Mr. BRITTEN. I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BRITTEN to the amendment offered by Mr. KELLEY of Michigan: At the end of the Kelley amendment insert: "*Provided*, That no part of this appropriation shall be used in the construction of a new building or buildings."

The CHAIRMAN. The question is upon the amendment to the amendment.

The question being taken, on a division (demanded by Mr. KELLEY of Michigan) there were—ayes 15, noes 26.

Accordingly the amendment to the amendment was rejected.

The CHAIRMAN. The question is upon the amendment of the gentleman from Michigan [Mr. KELLEY].

The amendment was agreed to.

The Clerk read as follows:

Naval operating base, Hampton Roads, Va.: Motor generator set, $20,000.

Mr. MANN of Illinois. Mr. Chairman, I suggest that the Clerk correct the spelling of the word "Virginia" in that paragraph.

The CHAIRMAN. The gentleman asks unanimous consent to correct the spelling of the word "Virginia" in the paragraph just read. Is there objection?

There was no objection.

The Clerk read as follows:

Submarine base, Coco Solo, Canal Zone: Grading and drainage, $40,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order to the language on page 20, line 5—

Grading and drainage, $40,000.

That is for the submarine base at Coco Solo. It is new legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, we have a submarine base at that point, and this is an item to take care of an ordinary improvement, for drainage necessary for the preservation of the health of the men who are stationed there.

Mr. MANN of Illinois. Do we own a submarine base at this place?

Mr. KELLEY of Michigan. Yes; we have quite an establishment there.

Mr. BRITTEN. Is it authorized by law?

Mr. KELLEY of Michigan. It is in existence.

Mr. MANN of Illinois. Is there any limit of cost upon it?

Mr. KELLEY of Michigan. No limit of cost, that I know of.

Mr. BUTLER. Mr. Chairman, we are not criticizing any of these items. I have not been taking any part in this. But does not the gentleman from Michigan think the time has been reached when we might cut off some of these stations? I have had no communication with my friend recently on this subject, but our views used to be much alike. We have 78 places on the land already for the Navy.

Mr. KELLEY of Michigan. I think the chairman of the Naval Committee will agree with me that if there is any place where a submarine base may be maintained with propriety it is at the canal.

Mr. BUTLER. That is true.

Mr. KELLEY of Michigan. This is for the protection of the canal, and the station there has been established under authority of law. This is simply for grading some ground and improving the station on land already owned by the Government. It is to preserve the health and prevent the spread of disease at this important post.

Mr. BRITTEN. I should like to suggest to the chairman of the committee that there is nothing in current legislation for this submarine base. This is new language, entirely new legislation on an appropriation bill.

Mr. MANN of Illinois. Mr. Chairman, if the Chair will pardon me for taking a moment, I am not sure that I would have ruled in the way the Chair did on the question of the additional storage facilities; but the rulings have been quite uniform that you could not provide in an appropriation bill for a new building without previous authorization of law. Where you have a building in existence, owned by the Government, you can provide for its improvement or for additions to it. Where you have land you can provide for the purchase of additional land adjoining, although you can not provide in the appropriation bill for a new building upon the land. If the amendment had been for an addition to a storehouse, clearly it would have been in order. The Chair construed the language "additional storage" as an addition to an existing storehouse, though I do not think that it will be so construed when it is applied anywhere else. However, in this case, if the Government has a submarine base and it owns the land in this place, it seems to me quite in order to provide for an improvement of the land; not for an improvement in the way of new buildings placed on the land, but for an improvement of the land itself. The distinction has been made so frequently in a line of decisions on that subject running back so far that it is quite clear to me.

Mr. BRITTEN. I would like to suggest to the Chair that no money has heretofore been appropriated for a submarine base at Coco Solo. It is new legislation pure and simple, appearing for the first time in this bill, and therefore I maintain it is subject to a point of order.

The CHAIRMAN. Does the gentleman from Illinois contend that the Government does not own this land?

Mr. BRITTEN. I do not know any law or legislation that appropriated for a submarine base at Coco Solo.

Mr. KELLEY of Michigan. I want to read a bit of testimony in reference to this point which will clear up any doubt as to the facts. On page 391 of the hearings Admiral Parks, in answer to a question of mine about this submarine base at Coco Solo, said:

Mr. KELLEY. The next item is "Submarine base, Coco Solo, Canal Zone: Grading and drainage, $44,000." What about that, Admiral?

Admiral PARKS. The mosquito proposition is very bad down there, and there was something like a $500,000 proposition sent up here two years ago for grading and filling, and finally they have gotten to an amount for draining that they think will take care of it for about $80,000, of which we pay half and the Army pays half.

Mr. KELLEY. Of course, we will need to keep a well-organized submarine base at Coco Solo, and we want to take care of the health of the men. This is necessary for the health of the men?

Admiral PARKS. I consider it so.

The CHAIRMAN. The Chair would like to know if the Government owns this land.

Mr. KELLEY of Michigan. The Government owns the land, there is no doubt about that. My understanding is that this station was built out of the naval emergency fund provided during the war. This fund contains this language:

To enable the President to secure a more economical and expeditious delivery of material, equipment, and munitions, and to secure a more expeditious construction of ships authorized, and for the purchase or construction of such additional torpedo-boat destroyers, submarine chasers, and such other naval small craft, and for each and every purpose connected therewith, as the President may direct, to be expended at the direction and in the discretion of the President, $100,000,000.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

Submarine base, Pearl Harbor, Hawaii: Additional piers, $100,000; battery-charging installation, $50,000; in all, $150,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order to the entire paragraph. It is legislation on an appropriation bill, and is subject to a point of order. The language is new and does not occur in the naval appropriation bill for the current year, and therefore I contend it is subject to the point of order.

The CHAIRMAN. Does the gentleman contend that because it is not in the current appropriation bill that it is subject to the point of order?

Mr. BRITTEN. Oh, no; but these additional piers are to provide berth space for ships. If the Chair maintains that my point of order is not well taken, they can go ahead and construct several million dollars' worth of new piers. Additional piers provide additional berth space, and it is just as new as new construction. It is just as new as a new building. The battery-charging installation is also new installation.

Mr. MANN of Illinois. Mr. Chairman, the Chair rules on the point of order that is made. My colleague makes the point of order that this is new legislation not authorized by law. I submit to the Chair that that is not the case, and that is the only point of order that is pending.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty and officers on waiting orders, $37,023,859; officers on the retired list, $3,113,771; commutation of quarters for officers, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, $4,254,192, and also members of Nurse Corps (female), $1,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $25,000; pay of enlisted men on the retired list, $620,250; extra pay to men reenlisting under honorable discharge, $4,390,800; interest on deposit by men, $10,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, and pay of enlisted men of the Hospital Corps, $72,421,647; pay of enlisted men undergoing sentence of court-martial, $655,000; and as many machinists as the President may from time to time deem necessary to appoint; and apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, $2,294,136; pay of the Nurse Corps, $688,608; rent of quarters for members of the Nurse Corps, $29,000; retainer pay and active-service pay of members of the Naval Reserve Force, $7,000,000; payment of

$60 discharge gratuity, $465,000; reimbursement for losses of property under act of October 6, 1917, $10,000; payment of six months' death gratuity, $200,000; in all, $133,202,263; and the money herein specifically appropriated for "Pay of the Navy" shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund: *Provided*, That retainer pay provided by existing law shall not be paid to any member of the Naval Reserve Force who fails to train as provided by law during the year for which he fails to train.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the paragraph. At the foot of page 22, line 25, for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $25,000.

That is legislation on an appropriation bill not authorized by law. It was first added to the naval appropriation bill in 1916 and is legislation pure and simple. I maintain it is not authorized by law.

The CHAIRMAN. The Chair would like to ask the gentleman what is the legislation?

Mr. BRITTEN. Providing for quarters for officers, serving under certain conditions with troops, is the legislation.

Mr. MANN of Illinois. Mr. Chairman, my recollection is that the law provides that officers shall be furnished quarters or commutation for quarters at certain fixed rates; it provides quarters for officers of different rank, a different number of rooms, and for commutation where quarters are not furnished. I do not remember now whether this item provides for commutation, but I think it does.

Mr. BRITTEN. This is not for commutation, but for the hire of quarters in lieu of commutation.

Mr. MANN of Illinois. It says—

where there are not sufficient quarters possessed by the United States to accommodate them, or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops.

That provides for the hiring of quarters or commutation of quarters. The law provides that the officers shall receive quarters in kind, or if they are not furnished, he shall receive commutation of quarters. Apparently that is what this does.

The CHAIRMAN. The gentleman from Illinois makes the point of order upon the language beginning in line 25, page 22, with the word "for," down to and including the word "uninhabitable," in line 9, page 23. The Chair finds that there is provision of law for commutation of quarters for officers, and also a provision when quarters are not available, and this language seeks, apparently, to make an appropriation to carry out the authority to incur the expenses under the provisions of existing law.

Mr. BRITTEN. Do I understand the Chairman to say that there is provision of law for the hiring of quarters?

The CHAIRMAN. For the hiring of quarters or the commutation of quarters. Then there is a provision that the Secretary of the Navy may determine where and when there are no public quarters available for persons in the Navy and Marine Corps within the meaning of acts or parts of acts relating to the assignment of quarters or the commutation therefor.

Mr. KELLEY of Michigan. Mr. Chairman, I might add to what the gentleman has already said that undoubtedly this language was carried originally when officers on sea duty did not get commutation of quarters, but under more recent legislation they do, and the language now becomes mere appropriating language.

Mr. BRITTEN. But the gentleman recollects since he has been in Congress that this legislation was added in order to meet new legislation put on an Army appropriation bill and give the naval officer the same allowance that is given to the Army officer.

Mr. KELLEY of Michigan. The Chair is right in stating that this language put in here is simply to direct the proper officers to make payments authorized by law.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I have another point of order I desire to make. I make the point of order to the language in line 6, page 24, contained in the proviso—

Provided, That retainer pay provided by existing law shall not be paid to any member of the Naval Reserve Force who fails to train as provided by law during the year for which he fails to train.

Mr. MANN of Illinois. Mr. Chairman, there are two ways of looking at that proviso. One way is as to whether it only applies to the appropriation in this bill and is a mere limitation.

The other is whether it is legislation regardless of this bill. If it is legislation of course it is probably unnecessary, because it has been carried in the law for a long time, and it is the law. It has been assumed, however, that the word "hereafter" not being carried, although the language might indicate it is legislation, would indicate that it only affects the appropriations carried in the bill for the current fiscal year for which the appropriation is made. If that is the case, of course it is only a limitation.

Mr. KELLEY of Michigan. Mr. Chairman, if the Chair is in doubt about it, we can put the language in a form which will not require a ruling.

The CHAIRMAN. The Chair thinks that although the proviso refers to a provision of existing law, it can only be construed as applying to the act in which it will be found when this bill becomes a law. The Chair overrules the point of order.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question for information in regard to the item of $7,000,000 for retainer pay. Is that the pay of the men in the reserve of the Navy?

Mr. KELLEY of Michigan. Yes.

Mr. ANTHONY. What pay do the men get in the Naval Reserve?

Mr. KELLEY of Michigan. They get pay for 3 months' training during the 4 years of their enlistment, and then in addition to that they get 2 months' pay for each year that they serve, making, for the 4 years' enlistment, 11 months' pay.

Mr. ANTHONY. It occurs to me that is rather a large sum to pay men who are simply in the reserve. Does not the gentleman think it is liable to run into a pretty large sum of money if we build up a Naval Reserve and have to pay them a salary for going into the reserve?

Mr. KELLEY of Michigan. The committee fixed the sum of money for paying the reserve very conservatively upon the theory that it would force the administration of the fund in the strictest sort of fashion. When the estimates originally came down, they ran into something like $19,000,000. Later on the department thought it might be as high as $14,000,000. After considering the situation further they decided that possibly $10,000,000 would be all that would be required. As the reserve gets further away from the war, undoubtedly the disposition to drill and train and to meet the requirements will grow less and a great many men will drop out. This amount was fixed by the committee as a notice, in a way, to the department that this fund must be administered with great strictness. We did not have authority, of course, to change the law.

Mr. ANTHONY. I notice a provision at the end of the paragraph, a saving clause, to prevent the payment of this retainer to men who do not actually train. It occurs to me that every man who by reason of service in the Army or the Navy is qualified to enter the Army or the Navy in time of war ought to go into the reserve of either service from patriotic motives and not because of the pay we give him. My attention was called to that by a letter I got from the Navy Department a few days ago. A man in my district in the Naval Reserve received the sum of $895 retainer pay.

Mr. KELLEY of Michigan. He must be an officer.

Mr. ANTHONY. Class 1 C.

Mr. KELLEY of Michigan. He must have been an officer.

Mr. ANTHONY. While I do not desire to make any comparison with the Army, the Army has 65,000 officers qualified in its reserve to-day that do not cost us a single cent except for administration in the department and keeping in touch with them by means of letter and things of that kind.

They are only paid if they are called out for training and actual duty, and I could not see the logic of paying a man in the Naval Reserve simply two months out of a year, or whatever it is, for staying at home and drawing down $895.

Mr. KELLEY of Michigan. I agree with the gentleman from Kansas most thoroughly as to this item. I think the Naval Reserve idea is an excellent idea, but I have some fear that the present law, unless administered with great strictness, will simply mean that the Government will be paying for summer outings in certain cases.

Mr. ANTHONY. I was in hope the gentleman in charge of the naval bill would make it so every man who served in the Naval Reserve——

The CHAIRMAN. The time of the gentleman has expired.

Mr. KELLEY of Michigan. I ask that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. I was in hope it would be made possible that the men would only go in the Naval Reserve from motives of patriotism and not for the purpose of receiving this pay.

Mr. KELLEY of Michigan. Of course, the gentleman will realize that the Committee on Appropriations was not in a situation to make any change in the law, and so the only way we could force economy along this line and more strict administration of the law in the matter of training and drills was to limit the amount which we thought would practically force that result.

Mr. BUTLER. Of course, my friend knows that these figures are mounting up and that the pay of these officers goes into the hundreds of dollars. I had hoped that the starvation rule would be applied and that a limitation of some kind would be placed on them. Ten or twelve millions of dollars is too much money to pay to these reserves, as I think my friend will agree.

Mr. KELLEY of Michigan. The Secretary of the Navy in discussing the matter felt there ought to be a limitation as to the number of men to be provided for in the Naval Reserve. But there was much uncertainty about it, not knowing how many men there would be in the course of another year. I think that the chairman of the Committee on Naval Affairs, agrees with me that perhaps the best course to pursue is to let it run along for another year and watch the results.

Mr. BUTLER. We agree it needed administration. I will say to the gentleman from Michigan: A great many of these——

Mr. KELLEY of Michigan. But the amount carried in the bill forces the department to exercise the keenest vigilance.

Mr. BUTLER. Some men get a large sum of money for almost no service.

Mr. KELLEY of Michigan. But the amount carried will force a close economy.

Mr. BRITTEN. My impression is, if the gentleman will yield for a moment, that the pay now given to Army officers and men is a little larger than the pay given at least to the men in the Navy, and probably to the officers.

Mr. ANTHONY. On active duty?

Mr. BRITTEN. I mean in the reserve. We were told that a national guardsman, for instance, could get three months' pay after he had gone through his encampment and his drills; the number of drills per annum which I believe is 30 drills in one year of one and a quarter hours' drill, if I am not mistaken.

Mr. ANTHONY. That is the regular pay of a national guardsman.

Mr. BRITTEN. In reserve?

Mr. ANTHONY. He is on active duty as a guardsman all of that time. The instance I called to the attention of the chairman is that a Kansas farmer who has done no duty since October 8, 1918, yet pulls down $895 from the Navy Department. It looks to me as if it were a pretty soft thing.

Mr. BRITTEN. My impression is that he pulls down a dollar a month.

Mr. ANTHONY. He pulls down $895.

Mr. BRITTEN. He has to be confirmed as a Naval Reserve officer.

Mr. KELLEY of Michigan. That might happen in this way: They get two months' pay, retainer pay, and if they train they get three months' pay during the four years, so at some particular time he may have gotten the amount the gentleman stated.

Mr. MANN of Illinois. A gentleman sitting right close by me—I am not looking in his direction and will not tell who he is—tells me that a clerk of his, or somebody closely connected with his association, has just received a check for $500 from the Navy for doing nothing.

Mr. BRITTEN. I think that the gentleman is in error when he says he was paid $500 for doing nothing. He could not get $500 until he is confirmed in the Naval Reserve Force, and he could not get confirmed until he went through the summer cruises and drills and qualified. If he was paid for doing nothing, of course, he was paid in violation of the law.

Mr. KELLEY of Michigan. The testimony which the committee took—and I think Mr. BUTLER, chairman of the Naval Committee, will bear me out in this—rather tends to show that this matter of the Naval Reserve has not thus far reached the point where it is being administered with great care. A good many people have been confirmed who probably will not render very much in the way of service; and, while the service is an excellent one, it is easily one that can become very lax unless administered with great care by the department.

Mr. BUTLER. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUTLER. It will not be necessary to expend this money. The Secretary of the Navy need not spend this money. I agree with the gentleman from Michigan. I hardly know what to suggest. It is not very large, it is true. The gentleman from Illinois made a statement a moment ago about this matter, and that is not the only case. Some of these men are getting large sums of money, and yet I do not believe they are rendering any service for it. I had hoped the gentleman from Michigan [Mr. KELLEY] would remain with us to make an effort to reserve a small sum of money for active service when engaged on the sea. We will turn our attention to that a little later, and then maybe this sum will disappear.

But I want to ask the gentleman from Michigan a question. What did you do about the naval districts? I would like to see them go. Did you make any appropriations for any more of them? They are down to three now, I believe.

Mr. KELLEY of Michigan. The naval districts are a matter of administration.

Mr. BUTLER. I have a little bill here now to wipe them out.

Mr. KELLEY of Michigan. I do not think any money should be expended for maintaining separate naval districts. Such an amendment might be offered, and if it were, I would not have any objection to it.

Mr. BUTLER. Will not the gentleman put on such an amendment? It will save $250,000 or $275,000 a year in clerk hire.

Mr. KELLEY of Michigan. Inasmuch as it effects more or less a change of policy, I thought probably it would be better for the gentleman from Pennsylvania to put it on.

Mr. BRITTEN. But the gentleman did not hesitate to violate that rule as a matter of policy elsewhere in the bill.

Mr. KELLEY of Michigan. I have not attempted new legislation.

Mr. BUTLER. Let me suggest to the gentleman that in the meantime it can go over, and the consideration of this bill can go on.

Mr. KELLEY of Michigan. In fixing the amount of "Pay, miscellaneous," we did take this out.

Mr. MANN of Illinois. That can be offered from the Committee on Naval Affairs.

Mr. KELLEY of Michigan. I would be glad if the gentleman from Pennsylvania would offer it.

Mr. BLANTON. Why does not the gentleman offer it?

Mr. BUTLER. This is not the proper place to offer it.

Mr. KELLEY of Michigan. It comes under "Pay, miscellaneous." If the gentleman would like to do it, I will ask unanimous consent to return to that paragraph.

Mr. BLANTON. Do it now.

Mr. BUTLER. I would like to say as strongly as I can that I would like to see this money saved.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield for a question?

Mr. BUTLER. Yes.

Mr. BRITTEN. Are there not a number of just such items as this embodied in the legislative bill now on the calendar and reported by the Committee on Naval Affairs, of which the gentleman is chairman?

Mr. BUTLER. Yes; and unanimously agreed to.

Mr. BRITTEN. Should not this also be passed upon by the House?

Mr. BUTLER. There are three sections in the beginning of that bill that will save $320,000,000, perhaps. That is, there will not be a deficiency bill brought in to cover them.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KELLEY of Michigan. I was about to say to my friend from Pennsylvania [Mr. BUTLER] that undoubtedly a special session will be called shortly after the 4th of March, and then, no doubt, there will be ample opportunity given to pass a legislative bill, when the matter can be taken care of, unless you prefer to put it in this bill at the proper point.

Mr. BUTLER. I have been guilty of asking the House on many occasions to legislate on an appropriation bill, and I can see the advantage of having the provision incorporated in this bill, unless the gentleman is sure there is some other item from which the department can pick up $250,000 or $275,000 to pay clerks in these naval districts. You might as well throw the money out on the road.

Mr. BRITTEN. Does my friend expect to get any legislation for the Navy from the Committee on Naval Affairs during the next five or six months, or does he think that is impossible under the existing rules?

Mr. BUTLER. I will say to my friend that I think some day the House of Representatives will listen to us. We have a lot

of good measures that are helpful and useful. Whether they will become laws or not I do not know.

Mr. KELLEY of Michigan. Will this meet the gentleman's approval: "*Provided*, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall also be the commandant of a navy yard or naval training station or operating base"?

Mr. BUTLER. I think that would cover it.

Mr. BLANTON. I ask unanimous consent, Mr. Chairman, that the gentleman may return to page 3 of the bill, to which the amendment would be applicable.

The CHAIRMAN. The gentleman from Michigan has the floor.

Mr. KELLEY of Michigan. Mr. Chairman, I will ask unanimous consent for the same purpose.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to return to page 3 of the bill in order to enable him to offer an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 3, line 15, after the word, "expenses" insert: "*Provided*, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, or naval training station, or naval operating base."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I have an amendment that I desire to offer to page 24, line 9.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 24, line 9, after the word "train," strike out the period and insert a colon, and add the following: "*Provided, however*, That when any enlisted man under 18 years of age is discharged on the ground of minority he shall be paid all salary due him, shall be granted an honorable discharge, and furnished with travel allowance to his home."

Mr. KELLEY of Michigan. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Michigan reserves a point of order on the amendment.

Mr. BLANTON. Mr. Chairman, this is a provision for the naval bill similar to that which was attached by amendment to the Army appropriation bill with respect to enlisted men in the Army. The distinguished chairman of this subcommittee indicated to me that he would not have objection to such an amendment going on the naval bill, so as to place the enlisted men in the Navy on an equality with men in the Army, and I feel sure that he will not make a point of order after that assurance. There is no reason why the enlisted man in the Navy should not get the same treatment as the enlisted man in the Army. There were lots of young fellows from my district, some 15, some just 16, and some of them not quite 17 years old, who ran away from home and enlisted in the Navy under the influence of the advertisements that have been placed all over the country stating that our two great fleets were going to travel all over the world and that a fellow would have a chance to see the whole world. These boys enlisted against their parents' consent, and now when their parents seek to have them sent home, they are confronted with the threat, "Yes; we will discharge you if you insist on it, but we will grant you a discharge that is not honorable; you will forfeit all your pay and we will turn you loose with no travel allowance and let you get home the best way you can," when some of them are one or two thousand miles from home. It is an awful injustice to these boys and an awful injustice to their fathers and mothers. There are just as many boys in the district of every one of my colleagues affected as there are in my own district, and this affects the fathers and mothers in your districts just like it affects the fathers and mothers in my district.

It is not so much a matter of the pay which they have earned, although they ought to be paid. That is not the big thing. It is the stigma of a discharge that is not honorable which these young men will have to carry all the rest of their days. That is the thing that is important, and I hope that no Member will make a point of order against this amendment.

Mr. MADDEN. I make a point of order against the amendment, on the ground that it is not germane to the paragraph to which it is offered.

Mr. BLANTON. It is subject to a point of order.

Mr. BYRNES of South Carolina. And it exceeds the jurisdiction of the committee.

Mr. BLANTON. I hope there are a bunch of these young men from Chicago.

Mr. MADDEN. That is all right. The gentleman does not need to make any threat about that. I will take care of myself. The amendment is not germane to the paragraph and not germane to anything in the paragraph. It deals with the discharge of men, and the paragraph deals with their pay. Besides, it is new legislation and not in order on an appropriation bill.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Maintenance, Bureau of Supplies and Accounts: For fuel; the removal and transportation of ashes and garbage from ships of war; books, blanks, and stationery, including stationery for commanding and navigating officers of ships, chaplains on shore and afloat, and for the use of courts-martial on board ships; purchase, repair, and exchange of typewriters for ships; packing boxes and materials; interior fittings for general storehouses, pay offices, and accounting offices in navy yards; expenses of disbursing officers; coffee mills and repair thereto; expenses of naval clothing factory and machinery for the same; laboratory equipment; purchase of articles of equipage at home and abroad under the cognizance of the Bureau of Supplies and Accounts, and for the payment of labor in equipping vessels therewith, and the manufacture of such articles in the several navy yards; musical instruments and music; mess outfits; soap on board naval vessels; athletic outfits; tolls, ferriages, yeomen's stores, safes, and other incidental expenses; labor in general storehouses, paymasters' offices, and accounting offices in navy yards and naval stations, including naval stations maintained in island possessions under the control of the United States, and expenses in handling stores purchased and manufactured under "General account of advances," and the accounting officers of the Treasury are authorized and directed to credit "General account of advances" with the amount of the net losses which may be certified by the Paymaster General of the Navy as having been incurred in disposing of excess stocks in the naval supply account; and reimbursement to appropriations of the Department of Agriculture of cost of inspection of meats and meat-food products for the Navy Department: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for chemists and for clerical, inspection, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year ending June 30, 1922, shall not exceed $3,500,000; in all $9,000,000.

Mr. WINGO. Mr. Chairman, I move to strike out the word "purchase," in line 21, page 25.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WINGO: Page 25, line 21, after the word "ships," strike out the word "purchase."

Mr. WINGO. Mr. Chairman, I should like to ask the chairman of the committee what restrictions, if any, there are in the bill with reference to purchasing new typewriters?

Mr. KELLEY of Michigan. There are no restrictions that I know of.

Mr. WINGO. Should there not be some restrictions? I should think you would want to require them to procure their typewriters from the General Supply Committee.

Mr. KELLEY of Michigan. I do not imagine that there will be any new typewriters bought under this language.

Mr. WINGO. Then why authorize them to buy new ones? Did the gentleman from Illinois suggest that there were no new ones on hand?

Mr. MADDEN. I said they were no good. Those that have been transferred to the different departments and those that have been sold to Members of the House are no good.

Mr. WINGO. Are all the new ones gone?

Mr. MADDEN. They are not worth sending, and you can get a new typewriter by paying $10 extra in exchange for the old one.

Mr. WINGO. I thought that was true. As a matter of fact, they do not appreciate the restrictions that Congress has put on this typewriter business, so that when the Clerk of this House tries to get a typewriter for a Member of Congress he gets something that is not worth having. Now, the thing I protest against——

Mr. KELLEY of Michigan. Before the gentleman commits himself too far, let me state——

Mr. WINGO. Of course, I appreciate the friendship of my friend, and if I am in danger, I yield to him.

Mr. KELLEY of Michigan. Let me answer a little more in detail the first part of the gentleman's question. There are certain kinds of special typewriting machines necessary for the work of the bureau, wide-carriage machines, that probably would have to be purchased. If this word "purchase" were stricken out they might not be able to meet the demand for that sort of service.

Mr. WINGO. I got a letter from one branch of the Navy Department this morning, and when I read it I could not conceive that any human ingenuity could have constructed it. I think it must have been that one of these special machines went off by itself and constructed it.

But this is what I want to call attention to: The Republicans continue to send out campaign stuff, even after the campaign is

over. I have one of their interesting stories that they sent to a Republican newspaper in my district. It stated that there were literally thousands of brand-new typewriters lying in junk heaps down here in Potomac Park. Now, if you have thousands of new typewriters lying out in the park, exposed to the weather, I wish some of my Republican brethren would tell me where they are and I will go get one of them and take the risk of being prosecuted; because if I am I will call the gentleman from Illinois [Mr. MADDEN] to prove that at the most it would be nothing more than petit larceny, because the machine would not be of sufficient value to make it grand larceny. [Laughter.]

I think we ought to put the same restriction on the Navy Department that we put on the War Department, and let them procure their supply from these surplus thousands that our Republican friends told the country were lying here in Washington. One Republican said there were 2,000,000 of them, but I think he admitted afterwards that that was a slip of the typewriter and that there were too many naughts, and that the number was 200,000 instead of 2,000,000. Later, I am told, they admit that there were just 11,000.

Mr. KELLEY of Michigan. There is a great surplus of typewriting machines.

Mr. WINGO. Why not use those before buying more?

Mr. KELLEY of Michigan. It is only an occasional special typewriter for some particular use in bookkeeping that would be purchased. I do not think there will be any expenditures for new typewriters of the ordinary sort.

Mr. WINGO. Have they got so that they use modern methods in bookkeeping?

Mr. KELLEY of Michigan. In all the navy yards they have use for these particular styles of typewriters that are used for bookkeeping.

Mr. WINGO. Now, the gentleman must not misunderstand me; I never put any faith in the Republican story; we all know that they proceeded on the theory that they could not tell when the war would cease. A good many intelligent people have been fooled by this bunkum story of 2,000,000 typewriters. Nobody would ever believe that except that in political times, to use the slang expression, they "get all het up."

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the amendment. If there is anything in this story about the number of new typewriters, I think it is the duty of the committee to supply everybody who wants a typewriter. We ought to turn the Clerk of the House loose and let him get at them. I have been endeavoring to get a typewriter that is of practical use in my office for a week. The Clerk of the House always tells us that he can only give me a poor second-hand typewriter. I have no criticism to make of the clerk. He has had his agent trailing back and forth with one after another and finally I got one that will work two or three days in the week if I can get some one to run it. If there are a lot of new good typewriters, we ought to let the Clerk of the House have a chance to get one and not let these departments run away with all the money they want to get new ones.

Mr. WINGO. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. WINGO. If the gentleman wants to know how to get a new typewriter, I will tell him. He wants to apply to a gentleman by the name of Clarence Miller or an old gentleman by the name of Jonathan Bourne, who used to be in the Senate, but now is official morgue keeper of the Republican Party.

Mr. STEVENSON. I am not on speaking acquaintance with graveyard people, either Republicans or Democrats. I only run with live ones. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and, on a division (demanded by Mr. WINGO) there were—ayes 9, noes 26.

So the amendment was rejected.

Mr. KELLEY of Michigan. Mr. Chairman, on line 10, page 26, I ask unanimous consent to correct the spelling of the word "maintain."

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

BUREAU OF CONSTRUCTION AND REPAIR.

Construction and repair of vessels: For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steerers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care and protection of the Navy in the line of construction and repair; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, professional magazines, plans, stationery, and instruments for drafting room, and for pay of classified force under the bureau; for hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, and lamps and their appendages for general use on board ship for illuminating purposes; and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; for all permanent galley fittings and equipage; rugs, carpets, curtains, and hangings on board naval vessels, $22,500,000: *Provided*, That the amount of money to be expended from the appropriation "Construction and repair of vessels," for the restoration, preservation, and maintenance of the naval brig *Niagara* in the city of Erie, Pa., including the construction of suitable facilities for anchoring said vessel and properly preserving it for historical purposes shall not exceed $10,000: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, watchmen (ship keepers), and messenger service in navy yards, naval stations, and offices of superintending naval constructors for the fiscal year ending June 30, 1922, shall not exceed $3,450,000.

Mr. BUTLER. Mr. Chairman, was there any reduction in the amount in this paragraph?

Mr. KELLEY of Michigan. There was a reduction of $50,000.

Mr. BUTLER. That is because of the reduction in the amount of the appropriation for the men—they were only appropriating for 100,000 men.

Mr. KELLEY of Michigan. Yes; and the slowing up of the building program, which would reduce it a little more.

The Clerk read as follows:

Pay, Naval Academy: Pay of professors and others, Naval Academy: Pay of professors and instructors, including one professor as librarian, $385,000.

Mr. CONNALLY. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee are these professors naval officers or civilians?

Mr. KELLEY of Michigan. They are civilians.

The Clerk read as follows:

One swordmaster, $1,900; assistants—1 $1,700, 1 $1,500; head master in physical training, $2,200; instructors in physical training—1 $2,100, 2 at $2,000 each, 7 at $1,900 each; assistant librarian, $2,500; cataloguer, $1,800; 2 shelf assistants, at $1,400 each; secretary of the Naval Academy, $2,750; clerks—2 at $2,100 each, 2 at $1,900 each, 2 at $1,800 each, 9 at $1,600 each, 4 at $1,400 each, 23 at $1,300 each, 7 at $1,200 each; repair men or seamstress, $1,000; surveyor, $1,700; services of choirmaster and organist at chapel, $1,700; captain of the watch, $1,600; second captain of the watch, $1,500; 30 watchmen, at $1,400 each; 5 telephone switchboard operators, at $840 each; mail messenger, $1,200; in all, $161,350.

Mr. BRITTEN. Mr. Chairman, I desire at the request, by telegraph, of my colleague, SYDNEY MUDD, now in California, to offer an amendment on line 13, page 31, by changing the amount, $2,750, as the salary of the secretary of the Naval Academy, to $3,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 13, after the word "Academy," strike out the figures "$2,750" and insert the figures "$3,000."

Mr. BLANTON. Mr. Chairman, I make the point of order on the amendment.

Mr. BRITTEN. Will the gentleman reserve the point of order?

Mr. BLANTON. To carry out the consistent policy of the gentleman from Illinois, I am making the point of order. It is a change of statutory salary by increasing it, and it is not authorized by law.

Mr. BRITTEN. I think the gentleman is correct. But the matter was called to the attention of the Committee on Appropriations, and it developed that the gentleman was getting less money than his assistant.

Mr. BLANTON. I did not want the gentleman's colleague to put him in an inconsistent attitude before the House and the country.

Mr. BRITTEN. I am willing to be inconsistent in so far as this request comes from my colleague. I think that the members of the Committee on Appropriations, to whose attention this matter was brought, realized that an injustice was being done there, and I have merely attempted to remedy it.

Mr. BLANTON. The gentleman from Wyoming being absent, I want to protect the committee.

Mr. MADDEN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is the discretion of the Chair to hear the gentleman from Illinois on the point of order if he desires to discuss it.

Mr. BRITTEN. I do not.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

In all, Naval Academy, exclusive of public works, $2,273,595.83.

Mr. KELLEY of Michigan. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15975, the naval appropriation bill, and had come to no resolution thereon.

SPEAKER PRO TEMPORE FOR SUNDAY FEBRUARY 13, 1921.

The SPEAKER appointed Mr. FLOOD to preside over the House on Sunday, February 13, 1921, at the memorial exercises for the late Senator MARTIN.

DAILY HOUR OF MEETING.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent that for next week, after to-morrow, the daily hour of meeting of the House shall be 11 o'clock a. m.

The SPEAKER. The gentleman from Illinois asks unanimous consent that next week, beginning Monday, the House shall meet at 11 o'clock a. m. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, a good deal has been said about what is known as packer legislation. Does the gentleman know whether that bill will probably be considered next week?

Mr. MANN of Illinois. I do not.

Mr. BLANTON. Mr. Speaker, reserving the right to object, as I understand it, we have one more appropriation bill, the fortification bill, which is a short bill, and then we will be through with the supply bills. The Senate has yet to act on practically all of them. Does the gentleman from Illinois think that we will serve any good interest by meeting here and working ourselves to death on other legislation, except important legislation, and having it all go over there and die in a pigeonhole, as it usually does?

Mr. MANN of Illinois. I will say to the gentleman from Texas, after a rather long experience in the House and a fair knowledge of the situation at this time of the session, that it will keep the House busy to finish the business that must be finished before the 4th of March, and it will either be necessary to meet regularly at 11 o'clock in the morning, or possibly earlier, or to stay here late at night.

Mr. BLANTON. If it is necessary I am willing to meet here at 9 o'clock.

Mr. MANN of Illinois. Very likely it will be necessary to do both. The appropriation bills will soon be back from the Senate, and under the new rule of the House no one knows how much time will be occupied in the consideration of those measures.

Mr. WINGO. Is the gentleman prepared to advise us as to what will probably come up after we get through with the fortification bill, which I understand is to follow this one?

Mr. MANN of Illinois. The District of Columbia appropriation bill conference report is expected to be reported on Monday. That will be considered, I presume, very early. I understand there are several conference reports ready for consideration now.

Mr. WINGO. And it is intended to take them up if they are ready?

Mr. MANN of Illinois. I am largely guessing at this. I make this request at the request of the gentleman from Wyoming [Mr. MONDELL]. I did not inquire from him just what his program will be.

Mr. WINGO. I am not opposed to it. I recognize that we ought to continue meeting at 11 o'clock in the morning. I have suggested to gentlemen that there will not be any legislation much after midnight of March 3, that there will be effort to prevent, as far as parliamentary power will permit, any legislation after that hour, as I understand it.

Mr. MANN of Illinois. There never is any legislation after that time.

Mr. WINGO. Oh, conference reports come in here.

Mr. MANN of Illinois. Yes; and they will very likely continue to come in, but as a rule the House is then proceeding practically by unanimous consent, because on the 4th of March, until 10 o'clock or so in the morning, there is never a quorum present.

Mr. McCLINTIC. Mr. Speaker, in view of the statement made by the gentleman from Texas, that we meet at 9 o'clock, does not the gentleman from Illinois think he should amend his request and have the House meet at 9 o'clock?

Mr. MANN of Illinois. I do not think it would accommodate the House to meet at 9 o'clock.

Mr. BLANTON. The gentleman from Texas works most of the night and most of the day, he will say to the gentleman from Oklahoma.

Mr. MANN of Illinois. Let me make this suggestion to my friends on the other side of the House who are active about these matters, and I like to see that activity. I was Republican leader of the House for eight years. During all of that time the request of the majority leader as to the time when the House should meet was never objected to by me. I think it is the duty of the majority side of the House to determine what legislation shall be brought before the House, and when the House shall meet and when it shall adjourn. I think that is part of the responsibility of the majority, and I never was lying down to be walked over as a member of the minority either.

Mr. WINGO. There is no disposition on this side to break any of the precedents in that respect.

Mr. McCLINTIC. Mr. Speaker, the reason I made the reservation was to ask the gentleman for information relative to the packer legislation. I do not intend to object, I never have objected, and I hope that nobody else will object.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 15344. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WEBSTER, at the request of Mr. MILLER, for the day, on account of sickness.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. WELTY withdrew from the files of the House, without leaving copies, the papers in the case of Eratus Manahan, H. R. 4569, Sixty-sixth Congress, no adverse report having been made thereon.

ADJOURNMENT.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Sunday, February 13, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

409. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of Illinois River and Lake Depue, at Depue, Ill.; to the Committee on Rivers and Harbors.

410. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of Tualatin River, Oreg.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DOWELL, from the Committee on Elections No. 3, submitted a report (No. 1319) on the contested-election case of James Wickersham *v.* Charles A. Sulzer and George B. Grigsby, which report was referred to the House Calendar.

Mr. NOLAN, from the Committee on Patents, to which was referred the bill (H. R. 15662) to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes, reported the same without amendment, accompanied by a report (No. 1320), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 15996) for the relief of Joseph H. Tavenner; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 14881) granting a pension to George J. Jarchow; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANTHONY: Joint resolution (H. J. Res. 469) directing the Secretary of the Navy to turn over certain obsolete seacraft to the Air Service of the Army and directing the Chief of the Air Service of the Army to conduct extensive tests on same to further study and development of aerial attack on seacraft; to the Committee on Naval Affairs.

By Mr. HAYDEN: Concurrent resolution (H. Con. Res. 75) providing for a joint committee on the budget; to the Committee on Rules.

By Mr. FLOOD: Resolution (H. Res. 680) requesting certain information from the Secretary of War; to the Committee on Military Affairs.

By Mr. HAYDEN: Resolution (H. Res. 681) providing for the repeal of House resolution 324 (adopted June 1, 1920), and for other purposes; to the Committee on Rules.

By Mr. YOUNG of North Dakota: Resolution (H. Res. 682) providing for investigation of charges of P. E. Byrne concerning the Commissioner of the General Land Office; to the Committee on Rules.

By the SPEAKER (by request): Memorial from the Legislature of the State of Washington requesting that Congress put a tariff on imported eggs; to the Committee on Ways and Means.

By Mr. MAYS: Memorial of the Legislature of the State of Utah, relating to proposed Federal reclamation project on Green River, in that State; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of Utah, asking for increased import duties on lead; to the Committee on Ways and Means.

By Mr. STINESS: Memorial of the Legislature of the State of Rhode Island, opposing the passage of the Smith-Towner bill; to the Committee on Education.

By Mr. WELLING: Memorial of the Legislature of the State of Utah, favoring increased import duties on lead; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Utah, relating to proposed reclamation project on Green River; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of Utah, favoring appropriation for survey of public lands in Utah; to the Committee on the Public Lands.

By Mr. YOUNG of North Dakota: Memorial of the Legislature of the State of North Dakota, requesting the United States Congress to pass an act declaring the Red River of the North a nonnavigable stream; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of North Dakota praying for relief for entrymen on the Standing Rock Indian Reservation by extending time for payment for same beyond that given by the Department of the Interior in their Circular No. 680; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON of Missouri: A bill (H. R. 16087) granting a pension to Minnie J. Cogle; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 16088) for the relief of Robert T. Jones; to the Committee on Claims.

By Mr. WATKINS: Concurrent resolution (H. Con. Res. 74) authorizing the payment to Hampton V. Ricks of $1,440, as messenger to the Joint Committee on Revision of the Laws in the Sixtieth Congress; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5712. By the SPEAKER (by request): Petition of Linndale Presbyterian Church, Cleveland, Ohio, protesting against the recognition of the Irish republic by the United States Government in accordance with the wishes of sympathizers of the Sinn Fein; to the Committee on Foreign Affairs.

5713. By Mr. BARBOUR: Petition of the Tulare (Calif.) Grange, No. 198, in support of the farm-loan act; to the Committee on Banking and Currency.

5714. By Mr. BEGG: Petition of citizens of Frank, Seneca County, Ohio, protesting against the Smith-Towner bill; to the Committee on Education.

5715. By Mr. BROOKS of Pennsylvania: Petition of East Prospect Cigar Co., of East Prospect, Pa., opposing the proposed increased tariff on imported leaf tobacco; to the Committee on Ways and Means.

5716. By Mr. CURRY of California: Petition of citizens and organizations of Vallejo and Sacramento, Calif., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5717. By Mr. DALLINGER: Petition of the Roger Casement Council of the American Association for the Recognition of the Irish Republic, of Cambridge, Mass., in opposition to the abrogation of the debt owed the United States by Great Britain, and praying for the recognition of the Irish republic; to the Committee on Foreign Affairs.

5718. Also, petition of the Arlington, Mass., Council No. 109, Knights of Columbus, opposing the passage of the Smith-Towner bill; to the Committee on Education.

5719. By Mr. FULLER: Petition of Pope M. Long, of Cordova, Ala., for a protective tariff duty on graphite; to the Committee on Ways and Means.

5720. Also, petition of Hermea H. Hettler Lumber Co., of Chicago, Ill., opposed to the passage of the Federal live stock bill (S. 3944), also Senate bill 4828; to the Committee on Agriculture.

5721. Also, petition of J. Ed Johnson and 79 other citizens of De Kalb, Ill., favoring amendment of the Volstead Act; to the Committee on the Judiciary.

5722. Also, petition of sundry citizens of Peru and La Salle, Ill., favoring the repeal of the tax on the use of motor boats and yachts; to the Committee on Ways and Means.

5723. Also, petition of the Belvidere, Ill., Council No. 735 Knights of Columbus, protesting against the passage of the amended Smith-Towner bill; to the Committee on Education.

5724. Also, petition of the National Consumers' League, favoring the passage of the Gronna bill for the control of the packing industry; to the Committee on Agriculture.

5725. Also, petition of L. S. Holderman, Mrs. Nellie Rumble, Miss C. M. Dean, Mrs. Anna Aldrich, Mrs. Jennie Pederson, and Miss F. E. Ward, all of Morris City, Ill., protesting against the passage of the Capper-Fess bills (H. R. 12652 and S. 2950); to the Committee on Education.

5726. By Mr. GALLIVAN: Resolutions adopted by 700 delegates of the Knights of Columbus, representing various cities and towns of metropolitan Boston, at a meeting held at St. Mary's Theater, Boston, Mass., February 2, 1921, under the auspices of the North End Council, Knights of Columbus, John J. Dwyer, grand knight, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5727. Also, petition of the Commonwealth Trust Co., Boston, Mass., urging early and favorable action on the Nolan bill (H. R. 15062); to the Committee on Patents.

5728. By Mr. KING: Petition of John J. Goff and 11 other citizens of Quincy, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5729. Also, petition of C. T. Martin and 14 others, of Quincy, Ill., favoring beer and light wines and protesting against the Sunday blue laws; to the Committee on the Judiciary.

5730. By Mr. LAMPERT: Petition of citizens of Calumet County, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5731. By Mr. LINTHICUM: Petition of Merchants & Manufacturers' Association; Lyon, Conklin & Co.; and Maryland Casualty Co., all of Baltimore, Md., opposing live-stock commission bill and Calder bill; to the Committee on Agriculture.

5732. Also, petition of Louis L. Schwarz, of Baltimore, Md., favoring turnover sales tax; to the Committee on Ways and Means.

5733. Also, petition of Frederick A. Savage, Baltimore, Md., favoring increased appropriation for Navy and Naval Reserves; to the Committee on Appropriations.

5734. Also, petition of the August Maag Co., Baltimore, Md., opposing House bill 15420; to the Committee on Coinage, Weights, and Measures.

5735. Also, petitions of Alumnae Association of Mount St. Agnes; St. Gerard Young Men's Association; Robert Biggs; Rev. Linus Brugger; Andrew J. Spies; S. G. Broglie; E. R. Dyer, D. D.; Alumni Association, Loyola College; Rev. John F. Toohey; Mrs. Pitsinger; Mrs. Alice J. Reilly, all of Baltimore, Md., opposing the Smith-Towner bill; also from R. J. Glegg and John Frendenberger, both of Baltimore, Md., favoring the Smith-Towner bill; to the Committee on Education.

5736. Also, petition of Mrs. Mary B. S. Carroll, Baltimore, Md., opposing daylight savings; to the Committee on Interstate and Foreign Commerce.

5737. Also, petition of Joseph E. Johnston and L. S. Randolph, both of Baltimore, Md., favoring the Nolan bill; to the Committee on Patents.

5738. Also, petition of Heineman Bros., Baltimore, Md., protesting against increase in duty on wrapper tobacco; to the Committee on Ways and Means.

5739. Also, petition of Emerson Drug Co., Baltimore, Md., favoring protective tariff on dyes; to the Committee on Ways and Means.

5740. By Mr. McARTHUR: Petition of the council of the city of Portland, Oreg., in behalf of a statute authorizing the Interstate Commerce Commission to fix the price of coal; to the Committee on Interstate and Foreign Commerce.

5741. By Mr. O'CONNELL: Petition of the Taylor-Wharton Iron & Steel Co., High Bridge, N. J., urging the passage of the Winslow bill (H. R. 15551); to the Committee on Interstate and Foreign Commerce.

5742. By Mr. RAKER: Petition of Lena Rucker, Mabel V. Breeze, and Mrs. Mabel Burt, all of Chico, Calif., urging the passage of the Fess bill; to the Committee on Education.

5743. Also, petition of Ennis-Brown Co., of San Francisco, Calif., relative to the 1-cent drop-letter rate; to the Committee on the Post Office and Post Roads.

5744. Also, petition of Asti Grape Products Co., of San Francisco, Calif., protesting against the tax on grape juice and urging its removal; to the Committee on Ways and Means.

5745. Also, petition of Los Angeles Chamber of Commerce and Alex J. Cook, of San Francisco, Calif., protesting against any cut in the State Department's estimate for the Consular Service appropriation; to the Committee on Appropriations.

5746. Also, petition of Charles Nelson Co. and C. T. Bliss, vice president and general manager of Lake Tahoe Railway & Transportation Co., both of San Francisco, Calif., relative to the salaries of employees of the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

5747. Also, petition of employees of the United States Indian school at Greenville, Calif., urging that the $240 bonus be replaced on the legislative bill; to the Committee on Appropriations.

5748. Also, petition of National Pepsin Gum Co., of San Francisco, Calif., relative to the tax on chewing gum; to the Committee on Ways and Means.

5749. By Mr. RANDALL of Wisconsin: Petition of residents of Edgerton, Wis., requesting an amendment to the Volstead enforcement law, permitting the manufacture and sale of beer and light wines, and protesting against the McKellar bill; to the Committee on the Judiciary.

5750. By Mr. ROWAN: Petition of Castilian Council of the Knights of Columbus, of New York State, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5751. By Mr. STINESS: Petition of Conseil No. 41, l'Union St. Jean Baptiste d'Amerique, of Providence, R. I., and the St. Michaels Branch, No. 707 (Rhode Island), of the Ladies' Catholic Benevolent Association, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5752. By Mr. TEMPLE: Petition of the American Association for the Recognition of the Irish Republic, of Charleroi, Pa., supporting a resolution recognizing Ireland as a nation and a republic; to the Committee on Foreign Affairs.

5753. By Mr. VAILE: Petition of National Council of Catholic Men, of Colorado, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5754. By Mr. ZIHLMAN: Petition of Everhart Post, No. 51, American Legion, Department of Maryland, favoring all legislation for the benefit of ex-service men; to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 13, 1921.*

The House met at 12 o'clock noon and was called to order by Mr. FLOOD as Speaker pro tempore.

The Chaplain Emeritus, Rev. Henry N. Couden, D. D., offered the following prayer:

Once more, our Father in Heaven, Thou hast brought us face to face with the most profound mystery. The universe is a mystery, life is a mystery; but when the eye that looked out with intelligence, the hand that clasped with warmth, the lips that spoke with sympathy and love are still, we are overwhelmed with grief and sorrow, and stand helpless before the prostrate form. But faith, hope, love, which are mysteries, whisper consolation.

Some men live for selfish aggrandizement; others live for the good that they can do. The former have no interest in the public welfare, the latter live for the public weal. Such a man was Senator MARTIN of Virginia. He loved his State and Nation and poured out his substance for them. The angels of Faith, Hope, Love point to immortal life where he lives, wills, loves. He may not come to us, but we shall go to him and behold his glory, look into his radiant eyes, feel the touch of his hand, hear his cheering voice again. Hence we thank Thee for his life, deeds, and public service. May it be ours to emulate his virtues and cherish his memory. Comfort his friends and loved ones with immortal hope; in Jesus Christ, our Lord, Amen.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. MONTAGUE] will please take the chair.

Mr. MONTAGUE took the chair as Speaker pro tempore.

THE JOURNAL.

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent that the reading of the Journal be deferred until to-morrow.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that the reading of the Journal be deferred until to-morrow. If there be no objection it will be so ordered.

There was no objection.

THE LATE SENATOR MARTIN OF VIRGINIA.

The SPEAKER pro tempore. The Clerk will report the special order for the day.

The Clerk read as follows:

On motion of Mr. FLOOD, by unanimous consent, *Ordered*, That Sunday, February 13, 1921, at 12 o'clock noon, be set apart for addresses on the life, character, and public service of Hon. THOMAS S. MARTIN, late a Senator from the State of Virginia.

Mr. JAMES of Virginia. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Virginia offers a resolution which the Clerk will report.

The clerk read as follows:

House Resolution 683.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. THOMAS STAPLES MARTIN, late a Senator from the State of Virginia.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. FLOOD. Mr. Speaker, we are here to-day to pay a tribute of love and reverence to the memory of a truly great American—the late Senator THOMAS STAPLES MARTIN of Virginia.

The story of the life and the appreciation of the worth of this great man has found a deep and an abiding lodgment in the hearts and minds of the people of this country.

As year by year he was subjected in the commanding position he occupied in the Senate of the United States to the closest public scrutiny, he grew in the confidence of his fellow citizens until at the time of his death, from Maine to Arizona, from Washington to Florida, he was regarded as one of the most conscientious, intelligent, and able senators who had ever adorned the halls of Congress with his presence, and the people all over the country were satisfied that their interests and the interests and honor of their Nation were safe as long as THOMAS S. MARTIN was the leader of the majority party in the Senate.

Senator MARTIN was born in Albemarle County, Va., July 29, 1847, and lived in that county, so fruitful of great men, all of his life.

At the age of 16 he entered the Virginia Military Institute, and with the battalion of cadets from this glorious institution rendered valuable military service to his State in the Confederate War.

Virginia took her position from the first upon what she conceived to be fundamental truths, and it was an instinct with her that to surrender these was to vitiate and falsify her organic life. Upon this lofty plane our forefathers built up the fabric of their beloved Commonwealth. Virginia held these rights as sacred and not academic, and when they were threatened 80,000 of her sons rushed to their defense in a single week. It was in this spirit of patriotic duty and loyalty to a principle that this beardless boy became a soldier of the Confederacy. In this capacity, as always throughout his life, he discharged his duty like a man and a hero.

When the war ended he entered the University of Virginia, completed his course of studies and began the practice of law. To his profession he carried ambition, a high integrity of character, and an inherent love of truth and right. These qualities, combined with a rapid and accurate power of analysis, keen

insight into human nature, and a clearness of judgment rarely equaled, soon brought him an extensive and lucrative practice.

The obligations of this large practice, however, did not cause him to neglect public duties. His services were in great demand by his party and always available, especially in the bitter contests waged in the eighties and early nineties for the supremacy of Anglo-Saxon civilization in Virginia. Much of his time was given to party organization. His devotion in these trying days was supreme. He was potent for good because no selfishness stained his efforts.

He was as ready to serve his State in other capacities. The ante bellum debt had disturbed the politics and halted the prosperity of Virginia for a quarter of a century. In 1890 a determined effort was made to settle it on terms which would be satisfactory to the bondholders and within the ability of the State to pay. For weeks and months it seemed impossible that an agreement could be reached. When hope had well-nigh fled, it was THOMAS S. MARTIN, the legal advisor of the Virginia Debt Commission, who brought about a reconciliation between the representatives of the State and bondholders, and accomplished the blessed result of a final and satisfactory settlement. For this great service he refused to receive one cent of compensation and declined even to accept his personal expenses incurred on many trips to New York, Washington, and Richmond. This accomplishment made a profound impression upon the people of the State.

In 1893 he was elected to the Senate of the United States for the term beginning March 4, 1895, in one of the most memorable and hotly contested campaigns ever waged in the State. This was the first political office Senator MARTIN held, and there was, on the part of many of those who did not intimately know him, bitter opposition to his election, and some misgivings on their part as to his ability to acquit himself with credit in the high position for which he had been chosen. The high order of his abilities which were of the solid and substantial character, rather than the showy and ornamental, soon dissipated these fears.

His vigorous and robust intellect, his quick and penetrating perception, his discriminating judgment, rapidly pushed him to the front in the Senate. Entertaining a thorough distain for noisy notoriety, he was content with arduous toil to move steadily along the path of duty in the faithful and splendid performance of the labors and responsibilities that appertained to his position.

It is said by Bacon that "the greatest builders are the builders of State," but their most important works are performed in the closet and not before the public gaze. They are like the workers that in the unseen depths of the ocean lay the coral foundation of uprising islands and the enduring beams of mighty continents.

And so the impress of the mind and intelligence of THOMAS S. MARTIN has been left upon the important measures that came to his consideration as a lawmaker, and has added to the advancement of his State and to the glory and honor of this Nation.

Mr. Speaker, I knew Senator MARTIN when he was the leading lawyer in his section of Virginia. This was before his name had been mentioned for an official position. I thought then that he was the ablest and one of the best men I had ever known, and his life the most ideal I had ever come in touch with. I admired him from the first and soon learned to love him, and this love increased and broadened and deepened as the years went by. His life was a benediction to all of those who were fortunate enough to possess his friendship and enjoy his association.

I knew him when he was engaged in as fierce political campaigns as were ever waged in this country. I was his manager in most of these campaigns. Some of the contests were characterized by an acrimony and a bitterness that were unusual. Through it all Senator MARTIN bore himself with the dignity of an Arthurian knight, which added to his strength and made the overthrow of his opponents the more complete.

It was said that he was a partisan in his political ideas and methods. If by this was meant that he sincerely and earnestly believed in the principles of his party, and had sought by all honorable means to promote the public good by placing its men and measures in control of the Government; if by it was meant that he possessed an unstinted loyalty to friendship, then the accusation was true and the term became simply a just tribute to a true and honest man.

It has been the partisan who in all the ages of the world and in every field of human progress has led the way; wherever conflicts of opinion have determined the thoughts of mankind there the well-equipped partisan has been the guiding power and the controlling force for good.

In the spirit of accusation it was charged that he was the leader, if not the dictator, of the Virginia Democracy. He was its leader, but there was no suggestion in his relations with his friends and his supporters of the dictator or the boss. His was a leadership which united men to him, not by the hope of reward, nor by a fear of disfavor, but by the purity of his life, the loyalty of his heart, the magnetism of his personality, and the power of his intellect.

I knew him when he became the undisputed leader of the Democracy of Virginia, and the people of that State with a unanimity never before equaled proclaimed him the ablest and most beloved representative Virginia had ever had in either House of Congress.

I knew him as the great Senator and leader of the majority party in that august body, and the trusted advisor of the President of the United States in the trying days of the great World War. His brain knew no rest during that awful anxious time. His strength could not stand the strain. He gave his life to his country just as did the brave boys in khaki and navy blue who fell on the blood-stained fields of France and Flanders.

I knew him in the home circle. His devotion as son, brother, husband, and father was beautiful and sublime.

During all these years I learned more and more, as the days went by, to know that the prosperity and happiness of Virginia and America constituted the great end and aim of his public career. No man in my knowledge has contributed more to the strength and glory of his State and the Nation than has Senator MARTIN.

It has been well said that the "reward of one's fellow men is a reward that must be earned," and few there are who gained it in the degree and the measure that Senator MARTIN did.

> In walls of State he stood for many years
> Like fabled knight his visage all aglow,
> Receiving, giving, sternly blow for blow,
> Champion for right! But from Eternity's far shore
> Thy spirit will return to join the strife no more.
> Rest citizen, statesman, rest, thy troubled life is o'er.

When the long roll of Virginia's great and honored dead is called, high upon that scroll, by the side of her most beloved sons, will be the name of THOMAS STAPLES MARTIN.

Mr. CLARK of Missouri. Mr. Speaker, we have met to memorialize Senator THOMAS S. MARTIN of Virginia, who it is no flattery to say was a model Senator. Most emphatically he was not a talker but a worker. It is doubtful if he, during his five terms in the Senate, ever spoke for as much as 30 minutes at one time. Yet he wielded a powerful influence. It may well be doubted whether any other of the Senators was more influential. He was constant in his attendance in committee and in the Senate—of which latter body he was the Democratic leader—a position which he filled with great skill and marked ability. His advice was universally sought. On matters of policy his opinion was final. He religiously attended to the wants of his constituents, no matter how trivial, no matter how important. He kept in close touch with his people. That is the reason of the strong and unbreakable hold which he had on the people of the Old Dominion. He left to others the speaking part and reserved for himself the working part. His idea of the duties of a Senator was service—service to the people of Virginia—service to his country. He had his reward in five elections to the Senate, and he made a record of which the people are justly proud. The chances are that he would have been kept in the Senate for half a century had he lived so long. His career was a fine example to all who follow him.

Mr. HOLLAND. Mr. Speaker, Senator THOMAS S. MARTIN was my friend and the friend of my district, so I can not refrain from adding a short tribute to his memory.

When he was first elected to the Senate, more than 25 years ago, he was unknown to the masses of the citizenship of his State. He had never held public office, and his friends and acquaintances were confined to a few of the leaders of his own party. They discovered his eminent fitness for high position and leadership. They gave him loyal and successful support. After his election he promptly responded to every request made of him. He watched for and embraced every opportunity to be of service to his people. He retained his old friends by continued loyalty to them, and he converted former enemies into supporters by his vigilant and intelligent attention to their interests. He steadily grew in influence and popularity and developed abilities of such a distinctively high order that he sprung into much prominence and soon became a dominant figure in Virginia. Within a comparatively short time he had clearly demonstrated that he was worthy of the trust by every test that could be applied by friend or foe, and also that he had acquired such a hold upon the popular mind that no political

opponent could defeat his reelection. His rise was steady and sure. He had gradually won the confidence and esteem of all classes of his fellow citizens, and by the faithful and intelligent discharge of his duties had gradually silenced opposition. Thereafter it became generally conceded that no political rival could wrest his high office from him so long as he desired to retain it. This was one of the great achievements of his very notable career.

He was a man of unusual soundness of judgment. He had the ability to see all sides of a problem, and with rare power of analysis quickly ascertained its real value—its strength or weakness.

He gave much advice which was surprisingly free from mistake, and if a mistake did develop he had the courage to admit it and made every effort for its correction. He was absolutely frank and sincere with friend and foe. He made no statement that was not sustained and no promise that was not fulfilled, so he became the wise counselor of his constituents and associates. They trusted him and relied upon his judgment, for they knew that he was anxious and zealous to render them genuine service.

He was a man of strong convictions, was retiring and unassuming, shunned the limelight, and was never stimulated by temporary public praise. The course of the demagogue was repugnant to him and he scrupulously avoided it. He regarded his office as a high public trust and desired that his deeds and actions should at all times stand the acid test of the sunlight of truth. He possessed the rare courage of a true statesman, and regardless of public clamor he applied to every question that arose the touchstone of wisdom.

He was a man of indomitable will and indefatigable industry. He diligently studied his duties and shirked no task to accomplish what in his good judgment was best for his people. His highest ambition was to render genuine and unselfish service.

He was a Democrat of the old school and had an abiding faith in the principles of his party as they had been taught to him. He was a strict partisan, but free from all that was small or narrow in his partisanship. He was never radically progressive as a legislator or as a Democrat, but was always practical and conservative.

He was morally and intellectually straight. He dared at all times to speak the truth. He listened to the voice of a great conscience and had the moral courage to obey it.

Senator MARTIN was a superior man and his fame and influence extended far beyond the borders of his own State. He became a national figure. He gave years of close study to all national problems. He mastered the details of governmental affairs. He familiarized himself with legislation. He applied this knowledge to the enactment of constructive remedial laws. He was gradually recognized as a master legislator and best fitted to become the leader of his party in the Senate. As such a leader, by reason of his genius for organizing his forces and his ability to apply his great knowledge to the solution of the most intricate problems, he was enabled to perform services of inestimable value to his country. He was not a great orator, and yet he could express his convictions in the most concise and forceful manner when the occasion demanded. His great mind, his unimpeachable character, his indomitable will enabled him to accomplish the ends he sought. His intense patriotism and devotion to his country, his great conscience, his sound judgment, and his accurate knowledge of legislation won for him the confidence of his associates, and gave him such strength and influence as few men in public life have ever attained. And thus it was that he became a large and luminous figure in the small group of the Nation's foremost statesmen.

He has gone, but the fruits of his labors will continue to live. The State mourns the loss of her most distinguished son. The Nation adds his name to her roll of great Virginians.

Mr. BYRNS of Tennessee. Mr. Speaker, I esteem it a privilege to have known Senator THOMAS S. MARTIN of Virginia. It was a very great privilege to have shared his friendship. I first met Senator MARTIN nearly 12 years ago, shortly after I became a Member of Congress. He held then, as he held at the time of his death, a place of leadership in the United States Senate, the greatest deliberative body in the world. Quiet in temperament, modest and even retiring in his demeanor and disposition, but uncompromising and tenacious in his advocacy of what he believed to be right, endowed with a highly practical, rather than a theoretical mind, speaking only when he had something worth while to say, he was readily acknowledged by his colleagues and by the country to be one of the ablest members of the Senate. Subsequently when his party came into control in the Senate, his party colleagues recognized his great ability and his excellent qualities of leadership, and made him majority leader of the Senate.

Two years after I was elected to Congress I was made a member of the House Committee on Appropriations. Senator MARTIN was at that time a member of the Senate Committee on Appropriations and later on its chairman. I served with him on many committees of conference between the two Houses of Congress on important appropriation bills, some of them involving war expenditures amounting to billions of dollars. I thus had opportunity to come into close and more or less intimate official relations with the Senator.

Sitting around the conference table with him in many and sometimes protracted conferences, endeavoring to reach a compromise of the differences between the two Houses, on many and varied items of greater or less importance, I had an opportunity to observe the man as well as the Senator. My admiration for the Senator quickly grew into a warm personal attachment and regard for the man. He was always conscientious and sincere in dealing with public questions and his fellow man. He scorned sham and deceit. He pursued open and direct methods to accomplish his purposes. He would not stoop to little things. In short, he was a dependable man who quickly won not only your respect but your confidence. He was a man whose mental stature grew larger the closer you got to him. A man of strong convictions, he was firm and unyielding in his adherence to those things in which he believed. He never sacrificed principle for expediency. But while uncompromising on a question of principle, he was nevertheless conciliatory and ever ready to listen to those who differed with him. And it was this element of fairness, this readiness to concede something to the other fellow, which added so materially to the weight of his influence both in committee and on the floor of the Senate.

The Senator sleeps peacefully in the bosom of his native State of Virginia, which honored him, and which he also honored. In the presence of a large concourse of sorrowing friends he was laid away in the little cemetery overlooking the great University of Virginia, which was founded and fostered by that other great Virginian, Thomas Jefferson, whose political philosophy and teachings the Senator faithfully followed.

The State of Virginia, the mother of Presidents, has furnished to the Nation a long line of distinguished sons. Not a generation has passed since the settling of America that Virginians did not distinguish themselves. Among them were Washington, Jefferson, Madison, Monroe, Patrick Henry, Mason, Marshall, Randolph, Wirt, Lee, and many others who make up a distinguished galaxy of statesmen, jurists, and soldiers unsurpassed, if not unequaled, by any other State in the Union. The State is now and has always been represented by a strong delegation in both the Senate and the House. It can truly be said, Mr. Speaker, that Senator MARTIN fully measured up to the traditions of this great State and materially added to its reputation as the mother of statesmen. It is not my purpose, Mr. Speaker, to speak particularly of what he accomplished, or to speak at length of his life and character. I leave that for those who knew him longer and better and who were more closely associated with him. I only desired in a few brief words to pay a tribute of respect to his memory and to express, even though in a feeble way, my great admiration for him as a Senator of the United States and as a great American citizen. When he died the State lost an able and faithful public servant and the Nation a most useful and capable statesman. He served his State and his Nation ably and loyally and with a fidelity unsurpassed. He has left behind him a record of service of which his family and descendants will always be proud. No higher eulogy, Mr. Speaker, can be paid any man. He has left us, and his immortal spirit dwells somewhere in the great beyond, but his good deeds, his acts of kindness, the example of his earnest devotion to duty and fidelity to principle, in short, all of those splendid qualities which endeared him to everyone, still live with us and will prove an inspiration for higher, better, and nobler ideals to all whose privilege it was to know him.

Mr. MOORE of Virginia. Mr. Speaker, others who were in close contact with Senator MARTIN have already described him in those relations where the tender ties of affection and intimate friendship are formed. I am looking back upon his career as a public man during his occupancy of the only office he ever sought or filled. What were some of the qualities that enabled him as a Senator to reach a position of extraordinary influence and usefulness? He had a mind capable of widely surveying conditions, and yet indifferent to no detail; cautious in arriving at conclusions and resolute in maintaining them; confident in its operations, but always recognizing that in a world made up of endless conflicting interests and opinions, effort is frittered

away without cooperation and at every step reasonable concession and compromise. He had a sound body that could stand the strain of unusual toil. Unflagging devotion to his duties and persistent industry afforded him a comprehensive knowledge and grasp of the business with which he dealt. He had great personal magnetism, that indefinable gift which draws and holds adherents, and counts for so much in creating leadership. Thus, superior to most men in the essentials of success, he realized the ambition of his life, and he is now numbered among those who have rendered highly conspicuous and valuable service to the country.

When he entered the Senate, it was no easy field in which to win distinction. It had become, with perhaps one exception, the most powerful legislative body in the world, and its power by no means declined during his membership.

It may be interesting to note for a moment the processes that have made the Senate what it is. Many of the founders of the Government believed that it would prove less important than the House of Representatives. It was the thought of some of them that it would necessarily remain weaker because not springing so directly from the people. They were not reckoning, however, with the possibility that, after a while, it might become as democratic in spirit as the House, and they perhaps gave too little weight to the following considerations: Its more immediate relation to the Executive in respect to appointments and foreign affairs; the individual experience and maturity attaching to a longer term of service; and the probability that it would always be really a deliberative body while the House might in some degree cease to be so. In the beginning it appeared that the forecast of Alexander Hamilton and those who shared his views might be verified. For several years the Senate was relatively unimportant. That was due to circumstances that in the course of time disappeared. A controlling circumstance was that it made the mistake of separating itself, in a sense, from the people by holding its sessions in secret. That was the practice until 1795, in spite of the protest of Virginia which was presented and argued by Richard Henry Lee, but received the support of only Lee and his colleague, Grayson, and William Maclay of Pennsylvania. Wise action taken behind closed doors and eloquent speeches which nobody heard were wasted on a suspicious and hostile public. Several of the very eminent men who had entered the Senate when it was organized soon withdrew from a situation which they found uncongenial. Another circumstance was the size of its membership.

A legislative body may be too small as well as too large, and at the start the Senate was under the disadvantage of being too small—so small that until 1810 it made no use of standing committees charged with the duty of thoroughly investigating particular subjects. But this difficulty was overcome as new States were admitted. By 1812 the membership had risen from 26 to 34 and by 1845 to 52. Meanwhile, the membership of the House was being rapidly enlarged. The original number of 65 had risen by 1831 to 242. An inclination to check the increase shown more than once between 1830 and 1860 was finally abandoned, and in 1871 the number was placed at 293, in 1901 at 391, and in 1911 at 435. In such a numerous body the conclusions reached are not apt to express the composite opinion of all the Members arrived at with a fair measure of deliberation or to be accepted as equal in authority to conclusions more deliberately reached.

The relation of Virginia to the Senate illustrates the gradual evolution that has defined the status of the two Houses, and resulted in making the Senate relatively more important, while it has, of course, created no doubt whatever that the House will always hold a great place in our system. The positions of most dignity and influence are those that are naturally sought by men anxious or willing to participate in the public service. It is significant that in the early days the Virginia statesmen did not eagerly seek the Senate or seek it in preference to the House. Patrick Henry and George Mason each declined a seat in the Senate.

James Madison would have been appointed as the successor of Grayson when the latter died in 1790 if he had wished it, but he chose to stay in the House. John Marshall likewise served in the House without attempting to enter the other body. It is also significant that Virginia Senators of the early days manifested no very strong desire to continue in office. Since Mason and Hunter took their seats in 1847, a period of 74 years, the State has been represented by only 13 Senators, whereas in the preceding period of 58 years it was represented by 25. In the later period resignations have been unknown, save in the case of Mason and Hunter, who retired when the State seceded, while in the former there were 14 resignations, only two of which were consequent upon mandatory instructions by the State legislature, to which obedience was refused. Tyler and Rives were the Senators who resigned because they would not obey instructions. Andrew Jackson was the cause of their trouble. One had been instructed to vote for a resolution expunging a censure of Jackson, and the other had been instructed to vote for a resolution censuring him.

Gradually the Senate recovered from the discredit it had suffered from the practice of secrecy and attracted the foremost men. In 1823 Benton, Van Buren, and Hayne were members; in 1827 Webster came in; in 1831 Clay returned, having earlier left the Senate to serve in the House; and in 1832 Calhoun was added to the group. The wonderful character of its membership at that time contributed toward its eventual preeminence.

In the Senate, Virginia has been represented with marked distinction. Omitting the Civil War period, 38 men, including the present incumbents, have served. It is not inappropriate here in this Capitol, where the voices of so many of them were once heard, to call the names of the 36 who have passed away: Richard Henry Lee, William Grayson, John Walker, James Monroe, John Taylor, Stevens T. Mason, Henry Tazewell, Wilson C. Nicholas, Abraham B. Venable, William B. Giles, Andrew Moore, Richard Brent, James Barbour, Armistead T. Mason, John W. Eppes, James Pleasants, Littleton W. Tazewell, John Randolph, John Tyler, William C. Rives, Benjamin W. Leigh, Richard E. Parker, William H. Roane, William S. Archer, Isaac S. Pennybacker, James M. Mason, Robert M. T. Hunter, John W. Johnston, John F. Lewis, Robert E. Withers, William Mahone, Harrison H. Riddleberger, John W. Daniel, John S. Barbour, Eppa Hunton, and THOMAS S. MARTIN. From the record of the lives of these Virginians might be compiled a history of their State, and indeed a history of the Government since its foundation. The list includes veterans of the Revolution, a President and Members of the Continental Congress, the author of the resolution that led to the Declaration of Independence, members of the remarkable Virginia convention of 1788 which ratified the Constitution, two Presidents of the United States, members of the Cabinet and ministers to foreign countries, governors of the Commonwealth, and soldiers and statesmen of the Confederacy.

Senator MARTIN now belongs to the company of the laureled dead who honored Virginia by giving her high rank in the councils of the Nation. Serving longer than any of his predecessors, he grew in activity and influence with the Senate's growth. Before the curtain fell upon his career he had played an impressive part in a theater of almost unexampled importance, where opportunity offers a challenge to the most vigorous and resourceful men. Toward the end the labors imposed upon him by the numerous and complex problems of the war were nearly beyond his endurance. Those labors he could not have escaped, because of the responsibilities of leadership with which he was intrusted, and he would not have escaped them had that been possible, because of his deep concern for the success of the contest in which the country had embarked. Though failing in health he lived to see victory achieved, and some abatement of the storm that was sweeping over the world. As the shadows gathered about him, he faced with characteristic composure and courage the event that he knew was swiftly approaching. And when he died there passed away the most powerful figure in Virginia politics and the most successful leader of his party in the Senate since the close of the Civil War.

Mr. COLLIER. Mr. Speaker, I consider it a great privilege to pay my tribute of respect to the memory of that distinguished son of Virginia, Senator THOMAS S. MARTIN.

Senator MARTIN has passed away; he has gone from our midst and that great American Forum of which he was a prominent and striking figure will listen no more to his kindly voice nor profit by his wise and conservative counsel. Though his great State will be deprived of those advantages which over a quarter of a century's legislative experience so eminently equipped Senator MARTIN for service to his Commonwealth and to his country, though he has passed away and his friends, his country, and his State have met with an irreparable loss, yet he has bequeathed to them a rich and priceless legacy, the memory of earnest deeds through a long life of honor and usefulness well accomplished.

Senator MARTIN was born less than 14 years before that great conflict between the North and the South. His tender age did not deter him from entering the Confederate Army, and he was among the students of the Virginia Military Institute who participated in that war. There was no body of troops who ever served with more bravery and distinction than those students, mere boys though they were, but yet like seasoned veterans of

many battles met the red storm of fire and shot and shell like "so many bridegrooms stepping to a marriage feast."

Senator MARTIN and his Confederate comrades were only boys who stepping from the playground to the field of battle overnight became men, with a fixed and grim purpose to sacrifice everything for their country, and who by their spirit and daring have left the impress of their determination and courage in the memories of those who follow.

The State which Senator MARTIN loved so well, and served with so much distinction and honor, has contributed more than her share of the great men who founded this Government, and who since then has aided in the advancement and prosperity of that Government.

Just before the Revolution, when men's hearts were so torn between loyalty and love of the mother country and resentment and indignation at the policy of that country that they knew not what to do, it was the clarion voice of one of Virginia's sons which changed their vacillation and weakness into "a firm resolve to be free or fill a martyr's grave."

During the darkest days of that Revolution, when it seemed as though the cause of the Colonists was hopeless, when it looked like Paul Revere had ridden in vain, and that shot fired at Concord Bridge and heard around the world was all but useless; when everything was dark and gloomy like a night without a star, the American Colonists trusted faithfully, hopefully, and confidently in that great Virginian, the man of bravery, perseverance, and tact, the genius, the inspiration, the success of the Revolution—George Washington.

All who bow their heads in reverent homage before the shrine of human liberty can look back and see that great figure, patient, tireless, resourceful. We can see him when the fortunes of the Colonists are at their lowest ebb, assuming command of the disorganized American forces, dedicating his life and his fortune to his country, and laying everything that makes life attractive upon the altar of human freedom. We can see him at Long Island slowly falling back before tremendous odds. We can see him at Valley Forge during that awful winter sharing hardships with his ragged half-starved soldiers. We can see him on that Christmas night, with the bells pealing the glad anthem of "Peace on earth, good will to men," cross the freezing Delaware and capture the Hessian mercenaries, bought by British gold to help enslave a brave people fighting for freedom. We can see him at Monmouth, a very god of battle and of war, turning a defeat into a victory, and then at Yorktown, in the beautiful language of another distinguished son of Virginia, Senator John W. Daniels, where, "after wreathing the Lilies of France around the Stars and Stripes of our own Spangled Banner," he stood the foremost actor in the theater of the world.

It was necessary that the causes and grievances of the Colonists should be preserved so that posterity could judge the right. In this need the country again turned to Virginia, and from the magic pen of Thomas Jefferson that great declaration of human rights sprang. Whenever men have dreamed of liberty "it has been the star that lit their dreams." Whenever men have lifted swords and shouldered guns in freedom's cause, its words have been the pillar of cloud by day and the pillar of fire by night to light them on their holy way.

It was another son of Virginia who more than anyone else gave us that Constitution which preserves the autonomy of the various States, and guarantees to everyone, high or low, rich or poor, equality before the law, freedom of thought and of speech, and the inalienable right to pursue happiness and to worship God according to the dictates of individual conscience, while another great son of Virginia so construed the provisions of that Constitution that it became a living, breathing thing of life.

It was a son of the Old Dominion, who with farseeing eye guaranteed the territorial sovereignty of our South and Central American Republics by declaring in thunder tones to czar and kaiser and king, "Thus far shalt thou go and no farther."

The sweetest memories of our Southland cluster around the gigantic figure of that great Virginian, whose nobleness of character, whose generosity of soul was equaled only by his perfection of southern manhood. That great American, the magic of whose name causes every southern cheek to glow, every southern eye to sparkle, every southern heart to thrill, the name of the Southland's greatest warrior—Robert Edward Lee.

There are many others from that great Commonwealth who on the field of battle, in the Halls of Congress, in the busy marts of commerce, in every field of commercial and political activity have contributed materially toward the upbuilding of our common country.

With the example of such men before him, and himself descended from Revolutionary stock, Senator MARTIN with their inspiration in his heart, in that quiet unassuming manner of his, contributed much toward the advancement and progress of his native State and the Nation.

Senator MARTIN was not one who sought the spotlight, and there was little of the spectacular about him. He seemed to care little for the "hilarious applause of men," but by the dignity of his manner, the earnestness of his every undertaking, and the rectitude of his conduct, he ever strove by all his acts to gain their sound, sober approval.

His fearless nature, his rugged honesty, his independent spirit, his plain matter-of-fact manner, his industrious habits, his innate modesty, his sterling worth, and his splendid judgment and keen insight into national affairs were recognized by all who knew him; and the possession of these qualities endeared him not alone to his friends, but gave him an enviable reputation in the Senate of the United States and made him the leader of his party.

A good listener, careful, painstaking, unmoved alike by public clamor or impulsive appeals, in his quiet unassuming way he made up his mind and arrived at his conclusion, which once reached, conscious of the wisdom and the rectitude of that conclusion, no consideration of interest, no fear of consequences could move.

Death came to him while he was still in the service of his country; while the affairs of government were still within his grasp and while he was still surrounded with "honor, love, obedience, and troops of friends."

What was once said on the floor of this House about another honored Member of the United States Senate, now gone to his final reward, may well be applied to Senator MARTIN—"To such a man coming at such a time, death was a friend and not an enemy, bearing in his hand not the sickle of destruction, but the scepter of immortality," for "to him who meet it with an upright heart" death is—

> A quiet haven, where his shattered bark
> Harbors secure, till the rough storm is past.
> Perhaps a passage overhung with clouds
> But at its entrance; a few leagues beyond
> Opening to kinder skies and milder suns,
> And seas pacific as the soul that seeks them.

Mr. BLAND of Virginia. Mr. Speaker, it was not my privilege to serve in Congress long with Senator MARTIN, but before I came here I had learned his worth as a Senator and his merit as a man. I found Senator MARTIN ever willing to help me, to advise me, and to cooperate with me. I missed him when he was gone. Though not widely known when he commenced his work, all came to know him later. Virginia knew her son. She loved him living; she reveres him dead. He was ever loyal to her great traditions. She will be loyal to his memory. He did not forget her. She will not forget him.

Not now, but later, will the full measure of Senator MARTIN'S work be taken. Now the scene is too near, the events too momentous, the stage too broad, the services too great. Time will give the true perspective wherein the man and his work will assume their true proportions. When that time shall have come the towering proportions of Senator MARTIN'S achievements will be his best memorial.

Vain the effort to voice fully his people's love and loyalty. His zeal, his untiring energy, his superior intelligence, and his extremely practical judgment finally dispelled prejudice, silenced opposition, and won for him the unanimous indorsement and support of the citizenry of his native State. Merit and hard work had forged a way to the front and secured a well-earned reward. With one voice and as one man his people called him to service which proved to be his last.

It has been truly said that it is more blessed to give than to receive. Senator MARTIN gave. He gave of his means for the public weal, for death found him poorer financially than when he entered office. Virginia and the Nation were richer by the service so ably given. Senator MARTIN gave of his time to the humblest call. He gave service to friend and stranger, for no duty escaped him from whatsoever source the call might come. To no one was a deaf ear knowingly turned. Senator MARTIN gave superb effort. He gave splendid achievement. He gave himself, for the pressure of the mighty struggle convulsing a world imposed upon him duties too great for man to bear, and he fell, another victim of the Great World War.

Men who knew Senator MARTIN trusted him with a faith which worth alone could win. Men who knew him not came finally to know him and to trust him. Confidently his people followed him without fear so long as he led.

Tender tributes here may tell his colleagues' love and respect, but no language may express his adherents' devotion. No leader was ever held in higher esteem. His wish was always sufficient. He had a hold upon his peoples' affection which was

wonderful. Senator MARTIN possessed in rare degree capacity for organization, but organization could never win as he won. He was tried and found true. There was no evasion, but to every call a quick and frank answer. If the thing desired could be done it was done and that quickly. If it could not be done he said so and the suspense was quickly ended.

Service was the corner stone on which Senator MARTIN builded. Resolute of heart, quick of perception, substantial and not showy, he built well. His was not a house built upon the sands. In early manhood Virginia called, and on the fields of New Market he fearlessly faced death that Virginia might live. In the dark days of reconstruction Virginia called, and he gave quietly and unpretentiously service that helped to place the old mother again on her feet. Virginia called him to a broader field and to larger duties. Again he answered. Quietly, as of yore, and unassumingly, he wrought until he occupied place of first importance in the illustrious body in which he served. Danger assailed and the Nation called for service in her hour of greatest need. Patiently he labored as never before. Stupendous sums were needed. Stupendous efforts were required. Senator MARTIN spared not himself. Then when victory came he turned to work of reconstruction, but tired nature could endure no more. Reluctantly the great leader was compelled to yield. But the soldier had received his death wound.

When Senator MARTIN passed away Virginia wept. She mourned her son. She will preserve his memory. He had wrought patiently. He had wrought faithfully. He had wrought well. He was laid to rest in the land he loved, and among the people who had honored him and whom he in turn had honored. Life's day ended with life's duties done.

Mr. WOODS of Virginia. Mr. Speaker, when in 1893 the news was flashed over the wires from Richmond that THOMAS STAPLES MARTIN had defeated Gen. Fitzhugh Lee in the general assembly for United States Senator, the average citizen of Virginia was amazed.

Gen. Lee bore a name revered from the great and good men who had fought her battles and shaped her policies to the humblest citizen of the Commonwealth. He had behind him a brilliant military record—had led the State's sons in many a battle. A few years before he and his name had been decided upon as the one power that could wrest the State's control from the Readjuster Party, whose leaders, its task accomplished, were still seeking to perpetuate its power.

After an intense spectacular campaign throughout the State, aided by superb organization, in which Senator MARTIN bore an unostentatious but very potent part, Gen. Lee had defeated his brilliant opponent, John S. Wise, for governor, and had reestablished Democratic supremacy in Virginia with all its significant meaning at that period.

Second only to Senator Daniel—if indeed to him—Gen. Lee was the idol of the people. The question was well-nigh universal—who was this man who had never even theretofore aspired to, much less held public office—this country lawyer whose very name was unknown to the average voter, but who even in Virginia could overcome such a force and such a name as that of Fitzhugh Lee? Res ipsa loquitur. Only a man of superb force of intellect and character could have wrought such unique achievement:

The life of a great man is never an accident.

And Senator MARTIN'S life was no exception. A position of great honor and responsibility had come to him. He was prepared for it. He made good—that tells the story.

While then unknown to the people generally, his sterling qualities of mind and character, his intense love for his State and his country, his entire frankness, his energy and capacity for indefatigable work, his rare quality of quick, and at the same time, unerring judgment, his utter contempt for dissimulation or sham or littleness of any sort, his executive ability and his genius for organization, has so profoundly impressed his coworkers in party affairs, which included in a large measure the members of the general assembly, that his election was accomplished because his supporters knew him, his qualifications, and his solid worth. Many of them voted for him against strong pressure at home, purely from a high sense of duty, as they saw it, to their State, knowing at the time they were temporarily, at least, sacrificing their own political fortunes. Time, with Senator Martin's career in the Senate, abundantly vindicated their judgment, and later brought to their action the well-nigh universal approval of their people.

The sorrow at his loss felt to-day by the survivors among his faithful supporters in that first contest, is somewhat softened as they contemplate that the career of their friend—and to them he was ever a friend—was such as to call forth from the people of Virginia on four subsequent similar occasions, renewed expressions of confidence in him and approval of their first judgment. Each time with increased emphasis and at last with unanimity in both parties. The time came when no other man held so warm a place in the affections of the people of his State.

His qualities of industry, of intellect, and sterling character brought him not only to a position of undisputed leadership in his State, but to one of—and I measure my words as I say it—preeminence in the national Senate.

When the Democratic administration came into power in 1913 in response to the demands of an ephemeral sentiment, it was thought that his leadership could be dispensed with; but time demonstrated the country's deprivation by such a course, and without effort or even desire on his part his tested abilities of leadership were really commandeered, and, next to the President, he became and continued until his party lost its majority in the Senate, the greatest single force in Washington. To a marked degree he always inspired the confidence of his coworkers. His judgment, always given with prompt directness, was usually accepted.

Frequent and many were the expressions of opinion by Senators and Representatives on the night the peace treaty failed of ratification in the Senate, when political responsibility for the result was being tossed from side to side, that but for Senator MARTIN'S illness some form of agreement for permanent world peace would have been reached. Who knows what the world—though somewhat unconscious of him—may have lost and may yet suffer because of his fatal illness.

Time fails me, Mr. Speaker. I can not speak of his most exemplary private life, his fidelity to home, to friends, to every trust; his frankness above that of any man I have ever known in political life; of those sterling qualities that brought to him more friends, willing to make sacrifices in his behalf, than any other man in the State.

His mind was quick to mark the pathway of duty, and, however rugged, whatever the sacrifice, he followed it with unhesitating courage. No private interests or personal considerations were allowed to stand in the way. Whenever his aid was sought in the selection of a man for public position, his first inquiry was, "Will he render honest and efficient service?" This question, answered affirmatively, he was ready to go his length for his friends.

By his own efforts and his excellent business ability he had accumulated a modest fortune when he entered the Senate. Notwithstanding his frugality and well-nigh abstemious habits, he left it a poorer man—a silent tribute alike to his scrupulous integrity and his assiduous and single devotion to public duty.

While the material competence he has left his loved ones is doubtless less than it would have been had he remained in private life, he has left them the rich legacy of a spotless name, and to all of us the priceless testament of a worthy example; and as to-day we turn our sad eyes back over his life of rarest usefulness and see the soldier boy, the faithful lawyer, the patient busy man at his post of duty guarding with eternal vigilance the people's trust, we read in it a great truth exemplified by his life—that, after all, serving is the highest form of living.

Mr. DREWRY. Mr. Speaker, my acquaintance with Senator MARTIN extended over only the last 20 years of his life, and I must leave to others who had known him longer the task of going into details of his career. Returning from Missouri to Virginia, my native State, to continue the practice of my profession, I was soon brought into contact with the then junior Senator from Virginia. From my first introduction to him I admired his courageous stand in defense of what he thought was right, and his evident determination to serve his State and its people to the best of his ability. As I knew him better I added another attribute, that of loyalty to his friends. These were probably the leading characteristics of the man—courage, physical, mental, and moral; service, public and private; and loyalty without question to his country, his constituents, and his friends. These are not flashy qualities and they are not possessed by the demagogue—it takes time to bring them out, and so when the true worth of THOMAS S. MARTIN was recognized the people of Virginia were glad to continue him at his post of honor in their behalf as long as he would continue to serve.

A descendant of some of the best blood of the early colonists in Virginia, it was but natural that at the age of 16 he was found in the service of the Confederacy in the ranks of that immortal battalion of Virginia Military Institute cadets who did not know how to retreat, and were too newly versed in the art of war to be afraid of a superior foe. To his dying day to mention a favor for one of his boy comrades of the Virginia Military Institute or for one of their descendants was enough

to gain the attention and secure the active interest of TOM MARTIN.

The conflict ended, he returned to his studies, but after two years of work at the University of Virginia, upon the death of his father, he was forced to leave school and take upon himself the responsibility of a large family. Although engaged in mercantile business he studied law at home and was admitted to the bar in 1869. His perseverance, industry, and ability soon established him among the leaders of his profession, and he was recognized as an earnest, conscientious, and fearless practitioner. He continued the practice of his profession until 1893. Up to that time he had taken interest in politics, but had always refused to stand for public office. His first election to office was when he entered the United States Senate. From this time his life was an open book, and he lived it cleanly before the public as he had lived privately. By sheer force of will and merit he had risen out of his struggles as a poor young boy to become a Senator from Virginia in the Senate of the United States. In the Senate the qualities which had earned him the position with the people of Virginia were at once recognized by his associates. He was possessed of a sound, clear, discriminating judgment and his attitude on all public questions was open, candid, and decisive. Though he carefully weighed all matters of public interest, yet he was quick to arrive at conclusions and energetic in putting them into effect. His high moral and intellectual integrity commanded the respect and trust of Senators on both sides of the Chamber. He was intolerant of hypocrisy and deception in whatever guise they might appear. These were regarded by him as the refuge of the demagogue and coward. No man who knew Senator MARTIN, whether friend or foe, ever doubted his courage or questioned his openness or candor. He was known for his untiring devotion and fidelity to duty. When the time came to elect the floor leader of his party, in one of the most crucial periods of the country's history, the choice fell on Senator MARTIN, and fearlessly and ably he performed the task. He gave himself whole-heartedly to the work and became a figure of national prominence, looked upon by the country at large with confidence and trust.

But his labors were too strenuous and he had spent himself too freely in the service of the Nation. The motto of the old Romans "Est gloria pro patria mori" applies as well to those who give their lives beyond their physical strength in the service of their country in civil life as to those who die on field of battle in the clash of arms. In the years to come history will recognize this service on the part of many who receive not the honors accorded military heroes and the tribute to which their services entitle them.

The life of Senator MARTIN was particularly a life of service. A compelling desire to render the greatest possible service to his people, his State, and his country impelled him to devote his entire time and talents to their interests, and he died poor in this world's goods, but rich in the affections and love of the people of Virginia whom he so well served.

As he served publicly so did he serve his friends. An appeal from a man to whom he gave his friendship met with a speedy, hearty response. Loyalty to his friends was, perhaps, his very strongest characteristic. His service was given to those lacking influence and power as quickly as to the persons of importance and prominence, even if not more quickly. He dearly loved to serve the man in humble circumstances, who was unable to hire or secure independent aid. Studious, faithful adherence to duty in the service of his people and his friends was his daily watchword. This was largely responsible for the deep affection in which he was universally held.

I am proud to claim him as my friend and appreciative of the opportunity to submit this tribute of affection and esteem to his memory. His death was a great loss to the Nation and particularly to the State of Virginia, which he so devotedly loved, and when the roll is called of Virginia's distinguished sons, there will undoubtedly be heard reverberating from the hills of Albemarle the honored name of THOMAS STAPLES MARTIN.

Mr. GILLETT. Mr. Speaker, Senator MARTIN entered the Senate at the same time I entered the House, but it was many years before I had even a speaking acquaintance with him. After he became chairman of the Appropriations Committee of the Senate, I frequently met him on conference committees of the Senate and the House on appropriation bills, and gradually came to know him intimately, for I think there is no legislative proceeding where the real characteristics of an individual show themselves so clearly and truthfully as in meetings of conference committees. It is a small body, meeting in secret, with no CONGRESSIONAL RECORD to print remarks and thereby prevent the free expression of opinions, the questions discussed are important and intrinsically interesting, and men's minds meet in a close but generally friendly grapple which is stimulating and enjoyable.

In this arena I came to know Senator MARTIN intimately, and my increasing acquaintance increased my admiration and friendship for him. He was intelligent and able, and always knew thoroughly the questions discussed, and although sometimes a little hasty and even peppery in his temper, yet he was so fair and just and wise and high-purposed that he was a delightful colleague to deal with whether you agreed or differed with his opinions. He viewed questions from a high plane, and looked at the general and not the special interests affected; was frank and honest and singularly free from the selfish and stubborn spirit which sometimes leads conferees to seek their own ends at the expense of the public welfare. It was not his characteristic to dicker or trade, but frankly to state his opinions and urge his views, and yet he recognized that compromises are often inevitable and he was fair toward his opponents and not greedy for himself. I became greatly attached to him, and mourn deeply the loss of a wise and patriotic legislator and a warm-hearted, high-spirited, affectionate friend.

GENERAL EXTENSION OF REMARKS.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that Members may extend their remarks in the RECORD on the life, character, and public service of the late Senator MARTIN.

The SPEAKER pro tempore (Mr. MONTAGUE). Without objection it will be so ordered.

There was no objection.

ADJOURNMENT.

The SPEAKER pro tempore. In accordance with the terms of the resolution heretofore adopted, the House will now stand adjourned.

Accordingly (at 1 o'clock and 42 minutes p. m.), the House adjourned until to-morrow, Monday, February 14, 1921, at 11 o'clock a. m.

SENATE.

MONDAY, *February 14, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, we thank Thee for the privilege of facing another week with its responsibilities. Help us to be equal to every task and to find ourselves cooperating with Thee in Thy purposes. Realize to us constantly that Thou art our all-sufficiency. Through Jesus Christ. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Wednesday, February 9, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ACCOUNTS OF TREASURER OF UNITED STATES (S. DOC. NO. 389).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation in the sum of $454.95, required by the Treasury Department to enable its proper accounting officers to credit said sum in the accounts of the Treasury of the United States, which was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS ALLOWED BY ACCOUNTING OFFICERS OF TREASURY (S. DOC. NO. 386).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting, pursuant to law, a schedule of claims allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund, etc., which was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS AGAINST GOVERNMENT BY DISTRICT COURTS (S. DOC. NO. 388).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting, pursuant to law, a list of judgments rendered against the Government by the district courts of the United States and requesting an appropriation to pay them, etc., which was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. MYERS presented a joint resolution of the Legislature of Montana, which was ordered to lie on the table, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act entitled "A joint resolution requesting the Senators and Representatives of the State of Montana in the Congress of the United States to lend their support to the passage of the bill now pending before Congress known as the Chamberlain-McArthur bill, relating to the appropriation of additional sums of money for extending Federal aid in the construction of post roads, and for other purposes," enacted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Joseph M. Dixon, governor of said State, on the 8th day of February, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 9th day of February, A. D. 1921.

[SEAL.]

C. T. STEWART,
Secretary of State.
By CLIFFORD L. WALKER,
Deputy.

Senate joint resolution 4, introduced by Mr. Siegfriedt.

A joint resolution requesting the Senators and Representatives of the State of Montana in the Congress of the United States to lend their support to the passage of the bill now pending before Congress known as the Chamberlain-McArthur bill, relating to the appropriation of additional sums of money for extending Federal aid in the construction of post roads, and for other purposes.

Whereas there is now pending before the Congress of the United States certain bills for the appropriating of additional sums for Federal aid in the construction of post roads, and for other purposes, and which said bills are designated the Chamberlain-McArthur bill; and

Whereas the method of expending moneys of the United States for the construction of post roads in the United States and within the boundaries of the State of Montana is upon a basis of equal amounts of money being expended by the Federal Government, together with the State and county, which method has resulted in burdening the several counties of the State of Montana to a greater extent than is deemed just and proportionate; and

Whereas the allotment of money made by the Federal Government under the existing laws for Federal aid in the construction of road projects within the State of Montana has not at the present time been used because and on account of the inability of the State of Montana and the several counties therein to raise by appropriation an amount sufficient to equal the requirements of the present existing Federal aid act; and

Whereas the Chamberlain-McArthur bill, now before Congress, will afford additional sums of money for the construction of highways within the State of Montana, as well as in the forest reserves, Indian reservations, and across the Government lands still unoccupied within the State of Montana; and

Whereas the provisions of the Chamberlain-McArthur bill will aid and assist the several counties of the State of Montana and the State itself in meeting the requirements of the Federal-aid project for construction of roads and highways: Now, therefore, be it

Resolved by the Senate of the Seventeenth Legislative Assembly of the State of Montana (the House of Representatives concurring therein), That we urge upon the honorable Senators and Representatives in the Congress of the United States from the State of Montana that they use all honorable means for the passage of the Chamberlain-McArthur Act, to the end that the State of Montana may be aided and assisted in the construction of roads and highways in proportion to the amount of lands owned by the State with those owned by the Federal Government; and be it further

Resolved, That copies of this resolution be forwarded by the secretary of the State of Montana to each of the honorable Senators and Representatives in the Congress of the United States and to the Senate and House of Representatives of the Congress of the United States.

NELSON STORY, Jr.,
President of the Senate.
PERCY F. DODDS,
Speaker pro tempore of the House.

Approved February 8, 1921.

JOS. M. DIXON,
Governor.

Filed February 9, 1921, at 9.15 o'clock a. m.

C. T. STEWART,
Secretary of State.

Mr. MYERS presented memorials of William J. Dolan, Mrs. M. J. Dolan, and Patrick Dolan, of Libby; Mr. and Mrs. M. J. Devitt, of Libby; W. E. Greene, of Libby; Mr. and Mrs. John Reedy, sr.; Pat Reedy, of Libby; Mary E. Wall; Mrs. J. R. Wall; sundry citizens of Butte; and the Women's Catholic Order of Foresters, St. Mary's Court No. 579, of Cascade County; all in the State of Montana, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Park County, Mont., remonstrating against the enactment of legislation increasing the duty on wrapper tobacco, which was referred to the Committee on Finance.

Mr. BALL presented memorials of Eleanor Lawson, Ella W. Higgins, and Eleanor C. Hughes, all of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. McLEAN presented memorials of Ralph A. Talbot, of Bridgeport; Geo. D. Hornbeck, of Chester; Frances A. Hurd, of South Norwalk; Georgie B. Child, of Stamford; Mrs Elizabeth Morrison, of Norwalk; and Robert V. Lewis, Mary P. Lewis, and Emily A. Lewis, of Waterbury; all in the State of Connecticut, remonstrating against the enactment of legislation providing for the promotion of physical training, which were referred to the Committee on Education and Labor.

He also presented memorials of sundry citizens of Hartford; Ladies of Charity, of Hartford; P. L. Manfredi, of Ansonia; Unity Council, No. 37, Knights of Columbus, of Torrington; Jennie McNamara, State regent of Daughters of Isabella, of Bridgeport; Mabel A. Laney, grand regent, Court Reina Christain, No. 51, Daughters of Isabella, of Bridgeport; George H. Harold, of New Haven; The Sodality of the Children of Mary, of Windsor Locks; St. Michael's Branch, No. 707, Ladies Catholic Benevolent Association, of Pawcatuck; Mary E. Hart, president of Mount St. Joseph Alumnæ Association, of Stamford; and Court Laurel, Daughters of Castile, of South Norwalk; all in the State of Connecticut, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a petition of Corporal Frank Coyle Post, No. 1, of the American Legion, of Waterbury, Conn., praying for the enactment of legislation providing for establishment of 14 regional offices of the War Risk Insurance Bureau, etc.; providing for retirement of disabled emergency officers and Reserve Corps officers on same basis as granted Regular Army officers; providing medical, surgical, and hospital services and supplies for discharged soldiers, sailors, marines, Army and Navy nurses (male and female), etc.; providing for the consolidation of the Bureau of War Risk Insurance, Rehabilitation Division of the Federal Board for Vocational Education, and United States Public Health Service under one head; which was ordered to lie on the table.

He also presented a petition of the American Legion, of Hartford, Conn., praying for the enactment of legislation to provide medical, surgical, and hospital services and supplies for discharged soldiers, sailors, marines, Army and Navy nurses (male and female), etc., which was ordered to lie on the table.

He also presented memorials of the Derby Business Men's Association, of Derby, and the American Legion, Stratford Post, No. 42, of Stratford, both in the State of Connecticut, remonstrating against commercializing the national parks, which were referred to the Committee on Commerce.

He also presented a telegram in the nature of a petition from Lacroix Murdock Post, No. 585, Veterans of Foreign Wars, of Meriden, Conn., praying for the enactment of legislation paying a bonus to ex-service men, which was referred to the Committee on Finance.

He also presented a resolution of Benjamin Franklin Council of the American Association for the Recognition of the Irish Republic, of New Haven, Conn., protesting against the deportation of Lord Mayor Donal J. O'Callaghan, of Cork, Ireland, which was referred to the Committee on Foreign Relations.

Mr. WOLCOTT presented memorials of sundry citizens of Wilmington, Del., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. CAPPER presented a resolution adopted by the Farm Bureau Federation, at Lincoln, Nebr., favoring an appropriation to carry on the work of collecting, tabulating, and disseminating statistical information vital to the farmer, etc., which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of Coffey County Pomona Grange, of Burlington, Kans., favoring legislation to strengthen the Federal farm-loan act, which was referred to the Committee on Banking and Currency.

He also presented resolutions of Lake View Local Union No. 659, of Lake City, Ark., and the Farmers' Educational and Cooperative Union of America, of St. John, Kans., favoring legislation to prohibit speculation in grain products, which were referred to the Committee on Agriculture and Forestry.

Mr. WILLIS presented memorials of sundry citizens of Cincinnati and sundry citizens of Reading, both in the State of Ohio, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Apple Creek, Ohio, favoring legislation restricting the immigration of aliens, which was referred to the Committee on Immigration.

Mr. PHELAN presented a joint resolution of the Legislature of California, which was ordered to lie on the table, as follows:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA,
FORTY-FOURTH SESSION,
Assembly Chamber, January 24, 1921.

To the honorable the Representatives and Senators in the United States Congress from the State of California and to each of the members of the Finance Committee of the United States Senate:

Pursuant to the provisions of assembly joint resolution 16, adopted by the Legislature of the State of California at the forty-fourth session, I am sending you herewith a copy thereof, reading as follows:

"Assembly joint resolution No. 16, by Assemblyman Heisinger, of the fifty-second district, relative to imposing temporary duties upon certain agricultural products to meet present emergencies.

"Whereas agriculture is the basic industry of our country; and

"Whereas the American farmers have just harvested one of the largest crops in the history of the Nation; and

"Whereas large volumes of foreign products are now being imported from foreign countries due to unprecedented world-wide economic conditions; and

"Whereas many lines of this great agricultural industry are now seriously menaced by this situation: Now, therefore, be it

"*Resolved by the senate and assembly, jointly*, That the Legislature of the State of California hereby memorializes Congress to enact the emergency tariff measure (H. R. 15275) now before that body, imposing temporary duties upon certain agricultural products; and be it further

"*Resolved*, That our Senators and Representatives in Congress be, and are hereby, urged and requested to use all honorable means to secure the adoption of this measure; and be it further

"*Resolved*, That duly authenticated copies of these resolutions be transmitted to each of our Representatives and Senators in Congress and to each of the members of the Finance Committee of the United States Senate.

"HENRY W. WRIGHT,
"*Speaker of the Assembly.*
"C. C. YOUNG,
"*President of the Senate.*
"MARTIN C. MADSEN,
"*Private Secretary to the Governor.*
"FRANK C. JORDAN,
"*Secretary of State.*"

And hereby certify that the same was duly presented to the governor of the State of California on January 24, 1921.

JEROME B. KAVANAUGH,
Chief Clerk of the Assembly.

Mr. PHELAN presented a joint resolution of the Legislature of California, which was referred to the Committee on Mines and Mining, as follows:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA,
FORTY-FOURTH SESSION,
Assembly Chamber, January 24, 1921.

To the honorable the President of the United States, the Secretary of the Treasury of the United States, to the governor of each of the States of the United States, to the members of the respective Committees of Mines and Mining of the Senate and House of Representatives of the United States, and to each Member of the Congress of the United States from the State of California:

Pursuant to the provisions of assembly joint resolution No. 2, adopted by the Legislature of the State of California at the forty-fourth session, I am sending you herewith a copy thereof, reading as follows:

"CHAPTER 14. Assembly joint resolution No. 2, by Assemblyman McGee, of the sixteenth district, relative to the indorsement of the McFadden bill, to conserve the gold ore resources of the Nation in the interest of monetary security.

"Whereas there is now pending before the Congress of the United States a bill known as the 'McFadden bill,' H. R. 13201, which said bill has for its objects the following:

"1. To prevent a still further and more rapid decline in the production of gold in the United States, which has already decreased from 101,000,000 in 1915 to an estimated production of less than 50,000,000 in 1920;

"2. To conserve the known gold-ore resources of the United States from entire loss, due to the continued shutting down of the gold mines and the flooding and caving of ore incident thereto; and

"Whereas the Government of the United States has adopted gold as the unit of monetary measurement and the standard medium of exchange; and

"Whereas the present condition of the gold-mining industry of the United States constitutes a menace to the gold standard and in the interest of the monetary security of the Nation demands an immediate remedy; and

"Whereas conditions confronting the gold-mining industry in California, the premier gold-mining State of the Union, call for the prompt and early enactment of the legislation proposed: Now, therefore, be it

"*Resolved by the assembly and senate, jointly*, That the Legislature of the State of California, at its forty-fourth session, urges upon the Congress of the United States the adoption of said McFadden bill and the imperative need for the immediate enactment of the same; and be it further

"*Resolved*, That a copy of this joint resolution be sent to the President of the United States, to the Secretary of the Treasury of the United States, to the governor of each of the States of the United States, to the members of the respective Committees of Mines and Mining of the Senate and House of Representatives of the United States, and to each Member of the Congress of the United States from the State of California.

"HENRY W. WRIGHT,
"*Speaker of the Assembly.*
"C. C. YOUNG,
"*President of the Senate.*
"MARTIN C. MADSEN,
"*Private Secretary to the Governor.*
"FRANK C. JORDAN,
"*Secretary of State.*"

And hereby certify that the same was duly filed with the secretary of state on January 24, 1921.

JEROME B. KAVANAUGH,
Chief Clerk of the Assembly.

Mr. PHELAN presented two joint resolutions of the Legislature of California, which were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA,
FORTY-FOURTH SESSION,
Assembly Chamber, January 24, 1921.

To the honorable the Senators and Representatives in Congress from the State of California, to the members of the Ways and Means Committee of the House of Representatives, and to the members of the United States Tariff Commission:

Pursuant to the provisions of assembly joint resolution No. 18, adopted by the Legislature of the State of California at the forty-fourth session, I am sending you herewith a copy thereof reading as follows:

"Assembly joint resolution No. 18, by Assemblyman Cummings and Miss Broughton, relative to the protection of the dairy industry.

"Whereas the dairy industry of California is one of the most important industries of the country and producing annually many millions of dollars; and

"Whereas butter is being imported in enormous quantities into our local markets; and

"Whereas the dairy industry of California now faces a grave menace which can not be avoided unless such protection is granted as will afford an adequate safeguard to the investments of American dairymen: Now, therefore, be it

"*Resolved by the assembly and senate, jointly*, That the Legislature of the State of California hereby memorializes Congress to adopt such measures as will afford adequate and proper protection to the dairy industry of this country: And be it further

"*Resolved*, That our Senators and Representatives in Congress be, and they are hereby, urged and requested to use all honorable means to secure the adoption of such a tariff: And be it further

"*Resolved*, That duly authenticated copies of these resolutions be transmitted to each of our Senators and Representatives in Congress, to each of the members of the Ways and Means Committee of the House of Representatives, and to the members of the United States Tariff Commission now meeting at Washington.

"HENRY W. WRIGHT,
"*Speaker of the Assembly.*
"C. C. YOUNG,
"*President of the Senate.*
"MARTIN C. MADSEN,
"*Private Secretary to the Governor.*
"FRANK C. JORDAN,
"*Secretary of State.*"

And hereby certify that the same was duly presented to the governor of the State of California on January 24, 1921.

JEROME B. KAVANAUGH,
Chief Clerk of the Assembly.

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LEGISLATIVE DEPARTMENT, STATE OF CALIFORNIA,
FORTY-FOURTH SESSION,
Assembly Chamber, January 22, 1921.

To the honorable the President of the United States, the presiding officers of both Houses of Congress, and to each of the Senators and Representatives in Congress from the State of California, including those to assume office on March 4, 1921:

Pursuant to the provisions of assembly joint resolution 9, adopted by the Legislature of the State of California at the forty-fourth session, I am sending you herewith a copy thereof, reading as follows:

"Assembly joint resolution 9, by Assemblymen Brooks, Christian, and Parkinson, relative to the passage of the World War adjusted compensation act.

"Whereas the Nation's debt to the veterans of the World War is unquestionably recognized by a grateful people for valiant services rendered; and

"Whereas there is now pending before the Congress of the United States a bill known as the World War adjusted compensation act (H. R. 14157); and

"Whereas it appears that the consensus of opinion of the veterans of the World War is overwhelmingly in favor of this bill in preference to any other solution of the problem of rendering to the veterans a part of their just due; and

"Whereas a failure to act promptly will in many instances be the equivalent of a denial of justice: Therefore be it

"*Resolved by the assembly and the senate jointly*, That the Legislature of the State of California memorialize the Congress of the United States for the passage of the said World War adjusted compensation act at an early date; and be it further

"*Resolved*, That the Senators and Representatives in Congress from the State of California be requested to use honorable means to secure the action desired in this matter for the purposes aforesaid; and be it further

"*Resolved*, That a copy of these resolutions be forwarded to the President of the United States, to the presiding officers of both Houses of Congress, and to each of the Senators and Representatives in Congress from the State of California, including those to assume office on March 4, 1921.

"HENRY W. WRIGHT,
"*Speaker of the Assembly.*
"C. C. YOUNG,
"*President of the Senate.*
"MARTIN C. MADSEN,
"*Private Secretary to the Governor.*
"FRANK C. JORDAN,
"*Secretary of State.*"

And hereby certify that the same was duly presented to the governor of the State of California on January 22, 1921.

JEROME B. KAVANAUGH,
Chief Clerk of the Assembly.

REPORTS OF COMMITTEES.

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (S. 3695) for the relief of the Stevens Institute of Technology, of Hoboken, N. J., reported it with amendments and submitted a report (No. 785) thereon.

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the bill (H. R. 12396) to amend an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915, reported it favorably without amendment and submitted a report (No. 788) thereon.

CHOCTAW AND CHICKASAW INDIAN LANDS.

Mr. CURTIS. From the Committee on Indian Affairs I report back favorably without amendment the bill (H. R. 12157) to amend act of Congress approved June 30, 1913.

Mr. GORE. I ask for the present consideration of the bill just reported.

Mr. SMOOT. I should like to know what the bill is.

The VICE PRESIDENT. The bill will be read.

The bill was read, as follows:

Be it enacted, etc., That the act of Congress approved June 30, 1913 (38 Stat. L.), authorizing the Secretary of the Interior to reserve and set aside four sections of the unalloted lands belonging to the Choctaw and Chickasaw Tribes of Indians in Oklahoma, for the purpose of providing land on which to build a sanatorium or sanatoria for the benefit of the Indians, is hereby amended to provide that the Secretary of the Interior be, and he is hereby, authorized to sell at the original appraisement value and convey to the State of Oklahoma a portion of this reserve not now used or needed for the proper operation of the tribal institutions thereon, and as may be agreed upon by the Secretary of the Interior and the State health commissioner, not to exceed one section of said reserve, for the purpose of providing a site on which the State shall build sanatoria for the treatment of both white and Indian citizens of said State.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CURTIS. From the Committee on Indian Affairs I report back favorably without amendment the bill (H. R. 15011) authorizing the Secretary of the Interior to offer for sale the remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma.

Mr. GORE. I ask unanimous consent for the present consideration of the bill. It is a local bill, and I think it will take only a moment to dispose of it.

Mr. SMOOT. I ask the Senator from Oklahoma if there is a favorable report on the bill from the department.

Mr. GORE. I am not certain as to this particular bill, but a similar bill has been repeatedly passed. It is simply pursuing a policy long ago agreed upon, but some of the lands would not sell at the amount of the appraisal. The appraisal was too high and the land was left on hand. The bill merely provides for a reappraisement and reoffering for sale. We have passed a similar bill two or three times for the same purpose. In this case the appraisement happened to be so high on the lands that they would not sell. There is no new policy involved. It is simply winding up an affair that we have undertaken two or three times before to wind up.

Mr. SMOOT. It is not very wise to allow bills to pass in this way, but I shall offer no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to reappraise and sell the remainder of the segregated coal and asphalt deposits in the Choctaw and Chickasaw Nations, in the State of Oklahoma, under rules and regulations to be prescribed by him in accordance with the act of February 8, 1918 (U. S. Stat. L., 40, p. 433), as to terms and conditions of payment; and the unexpended balance appropriated by said act of February 8, 1918, is hereby authorized to be appropriated out of the Choctaw and Chickasaw tribal funds for this purpose.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE.

Mr. CALDER. I report back favorably without amendment, from the Committee on Commerce, the bill (H. R. 13606) granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River, and I submit a report (No. 781) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of St. Paul, Minn., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation, at or near the point where Sibley Street, in said city of St. Paul, crosses the Mississippi River in the county of Ramsey, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HUDSON RIVER BRIDGE.

Mr. CALDER. I report back favorably without amendment from the Committee on Commerce the bill (H. R. 15131) to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York, and I submit a report (No. 782) thereon. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the State of New York, the cities of Troy and Cohoes and the counties of Rensselaer and Albany, their successors and assigns be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Hudson River at a point suitable to the interests of navigation between the city of Troy, in the county of Rensselaer, and the city of Cohoes in the county of Albany, in the State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TUG FORK OF BIG SANDY RIVER BRIDGE.

Mr. CALDER. I report back favorably without amendment from the Committee on Commerce the bill (H. R. 15271) granting consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River, at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky., and I submit a report (No. 783) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Majestic Collieries Co., of Majestic, Ky., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tug Fork of Big Sandy River at a point suitable to the interests of navigation, at or near Cedar, the county of Mingo, State of West Virginia, to the Kentucky side, in the county of Pike, in the State of Kentucky, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LITTLE CALUMET RIVER BRIDGE.

Mr. CALDER. I report back favorably without amendment from the Committee on Commerce the bill (H. R. 15750) to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county, and I submit a report (No. 784) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the county of Cook, a civil division of the State incorporated and organized under the laws of the State of Illinois, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Little Calumet River at a point suitable to the interests of navigation, at or near the village of Burnham, in Cook County, Ill., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BAYOU COCODRIE, LA.

Mr. RANSDELL. I report back favorably without amendment from the Committee on Commerce the bill (S. 4582) to declare Bayou Cocodrie nonnavigable from its source to its junction with Bayou Chicot, and I submit a report (No. 787) thereon. This is a unanimous report of the Committee on Com-

merce, and I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That Bayou Cocodrie, from its source to its junction with Bayou Chicot, in the State of Louisiana, is hereby declared to be not a navigable water of the United States within the meaning of the laws enacted by the Congress for the preservation and protection of such waters.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

M. H. BUMPHREY.

Mr. KNOX, from the Committee on Rules, to which was referred Senate resolution 445, submitted by Mr. SMITH of Arizona February 11, 1921, authorizing and directing the Sergeant at Arms of the Senate to place upon the roll of messengers the name of M. H. Bumphrey, under Senate resolution 72, July 14, 1911, reported it favorably without amendment, submitted a report thereon (No. 786), and moved that it be referred (with the accompanying papers) to the Committee to Audit and Control the Contingent Expenses of the Senate, which was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPPER:

A bill (S. 5010) granting an increase of pension to John Hiet (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of California:

A bill (S. 5011) authorizing Rolph Navigation & Coal Co. to sue the United States to recover damages resulting from collisions; to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to appropriate $10,000 for the eradication of the codling moth, intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and to be printed.

Mr. NORRIS submitted an amendment providing that the Secretary of War transfer to the Department of Agriculture for use in the improvement of highways and roads certain war materials, machinery, and equipment pertaining to the Military Establishment out of the reserve stocks, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. CAPPER submitted two amendments intended to be proposed by him to the Diplomatic and Consular appropriation bill, which were ordered to lie on the table and be printed, as follows:

On page 14, line 25, strike out the numerals "$3,600," and in lieu thereof insert the following: "$7,500; secretary, $2,500; traveling expenses, $2,500"; and on page 15, line 5, to strike out the numerals "$16,600," and in lieu thereof to insert the numerals "$25,500."

AMENDMENT OF PENAL LAWS OF THE UNITED STATES.

Mr. KNOX submitted an amendment intended to be proposed by him to the bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L., p. 1134), which was referred to the Committee on the Judiciary and ordered to be printed.

CLAIMS DUE BY COMMISSIONER OF LIGHTHOUSES (S. DOC. NO. 387).

Mr. JONES of Washington. I find that there is a communication from the Treasury Department with reference to an audited claim under the river and harbor bill which went to the Commerce Committee. It should properly go to the Appropriations Committee. I therefore ask that the Committee on Commerce may be discharged from the consideration of the communication, and that it may be referred to the Committee on Appropriations, and printed as a Senate document.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

TRAFFIC AGREEMENTS, ETC.

Mr. FLETCHER submitted the following resolution (S. Res. 449), which was read and referred to the Committee on Commerce:

Resolved, That the Interstate Commerce Commission be, and it is hereby, requested to furnish to the Senate full information regarding all traffic agreements, arrangements, or understandings between the eastern trunk-line railroads and the foreign-flag steamship lines.

GREAT FALLS WATER-POWER PROJECT.

Mr. NORRIS. Mr. President, I have here a report from Maj. M. C. Tyler, of the Corps of Engineers, made to the Water Power Commission on the Great Falls power project and the proposition to increase the water supply of the District of Columbia. I ask to have it referred to the Committee on Printing, with a view of having it printed as a Senate document. Before I offer the resolution I wish to read a summary of the conclusions reached in this report. It is as follows:

(a) A comprehensive development of the Potomac River for power purposes by means of power dams in the main river and storage reservoirs on certain of the larger tributaries is economically feasible, and continuous power thereby can be generated at a cost per kilowatt hour approximately 50 per cent less than that for power generated by steam, if the entire output of the hydroelectric plants can be marketed.

(b) Further study of storage possibilities is desirable. Gauging stations should be established and maintained at the reservoir dam sites on the Great Cacapon, Shenandoah, North Fork of the Shenandoah, and South Branch of the Potomac, and large-scale surveys of the reservoir sites on the Great Cacapon River and the Potomac River above Great Falls should be made. Prior to the adoption of any reservoir project thorough borings accurately to determine dam foundation conditions should be made.

(c) The complete development for power purposes of the Potomac River between Brunswick, Md., and tidewater will be best accomplished by two power dams, one at the District of Columbia line, with pool at elevation 115 feet above mean sea level, and the other immediately above Great Falls, with pool at about 215 feet above mean sea level.

(d) The power plant outlined in project No. 3, House Document No. 1400, Sixty-second Congress, third session, modified along the general lines indicated herein is a unit of the larger development.

(e) Neither the power plant outlined in project No. 3, House Document No. 1400, Sixty-second Congress, third session, nor that power plant modified as outlined herein can be considered as economically justifiable at present interest rates and construction costs if the hydroelectric power is to be supplied only to the Federal and District of Columbia Governments.

(f) With coal costing $7 per ton f. o. b. car at steam stations in the District of Columbia, the power plant outlined in project No. 3, House Document No. 1400, Sixty-second Congress, third session, modified along the general lines indicated herein, if operated in conjunction with the central steam stations and distribution systems of the public utilities of the District of Columbia, will deliver power at substations 2 mills per kilowatt hour cheaper than the production cost at steam station switchboard, will earn interest at 6 per cent on capital investment, pay depreciation, maintenance and operation charges, return the capital invested in 30 years, and conserve annually approximately 240,000 tons of coal. With coal costing $5.50 per ton f. o. b. car at steam stations, the cost (including interest, depreciation, maintenance, operation, and sinking fund) of hydroelectric power delivered at substations will equal the savings at the steam stations resulting from its use.

(g) No economy will result from combining the power plant outlined in project No. 3, House Document No. 1400, Sixty-second Congress, third session, with the increase of the water supply of the District of Columbia.

(h) Additional facilities for supplying water to the District of Columbia are an imperative necessity as insurance against interruption of service. The quantity of water now carried by the existing supply system is so large that proper maintenance work on conduits and tunnels can not be done until a new supply line is put in operation. If new construction is deferred, it should be with full knowledge of the risk involved.

(i) The project hereinafter described and designated as "Potomac project E," including a new conduit from Great Falls to Dalecarlia Reservoir, a new filtration plant on the Dalecarlia Reservation, and proper connections to the first, second, and third high areas of the distribution system can be much more speedily completed than any other satisfactory project. It requires the purchase of practically no additional land. It is by far the cheapest in first cost. It will furnish water more economically for many years to come than any other project. For these reasons it is recommended for adoption and prompt completion.

Mr. NORRIS. I ask that the resolution which I offer, together with the report of Maj. Tyler, be referred to the Committee on Printing, with the view of having the report made a Senate document.

There being no objection, the report and the following resolution (S. Res. 450) were referred to the Committee on Printing:

Resolved, That the report of Maj. M. C. Tyler, Corps of Engineers, United States Army, dated January 10, 1921, on investigation of Great Falls water-power project and plans and estimates of cost to secure an increased and adequate water supply for the District of Columbia, be printed as a public document.

MEMORIAL SERVICES FOR SURG. GEN. GORGAS.

Mr. HEFLIN. Mr. President, on the night of January 16, 1921, at the Pan American Building in this city, memorial services in honor of the late Gen. Gorgas were held under the auspices of the Southern Society of Washington, D. C. The eloquent and splendid tributes paid to Gen. Gorgas by Cabinet officers, other officials of the Government, and others, as well as by officials and diplomats of foreign countries, are worthy to be published and preserved in the archives of the Nation that he served so faithfully and well. It was his splendid skill and genius that freed the American Continent from the scourge and curse of yellow fever. He led in driving this yellow plague from the lakes and lagoons of Louisiana, and he destroyed it in the swamps and marshes of the Panama Canal Zone. He has rendered signal service not only to the people of America but to mankind the world over. This great man, born at Mobile, Ala., became not only a national but an international character.

Mr. President, to the end that the speeches and messages to which I have referred may be printed and preserved, I ask

unanimous consent that they be ordered printed in the form of a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE, ETC., APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. WARREN. I ask unanimous consent to take up the legislative, executive, and judicial appropriation bill. It will take but a few minutes to dispose of it, I think.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

Mr. UNDERWOOD. I understand the first question that comes before the Senate this morning is the motion of the Senator from Massachusetts [Mr. LODGE] to suspend the rule with reference to the pending amendment.

The VICE PRESIDENT. Let the roll be called.

Mr. SMOOT. Let us have a quorum first.

The VICE PRESIDENT. The calling of the roll will dispose of that question.

Mr. SMOOT. There are some Senators who perhaps could not reach the Chamber within that time.

The VICE PRESIDENT. Very well. The absence of a quorum is suggested. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	Lodge	Smith, Md.
Ball	Gooding	McCumber	Smith, S. C.
Borah	Gore	McKellar	Smoot
Brandegee	Gronna	McLean	Spencer
Calder	Hale	Moses	Stanley
Capper	Harris	Myers	Sterling
Chamberlain	Harrison	New	Sutherland
Colt	Heflin	Overman	Swanson
Culberson	Henderson	Phelan	Thomas
Curtis	Hitchcock	Phipps	Trammell
Dial	Jones, Wash.	Pittman	Underwood
Dillingham	Kellogg	Poindexter	Walsh, Mass.
Edge	Kendrick	Pomerene	Walsh, Mont.
Fernald	Kenyon	Ransdell	Warren
Fletcher	Keyes	Sheppard	Williams
France	King	Shields	Willis
Frelinghuysen	Kirby	Simmons	
Gay	Knox	Smith, Ariz.	
Gerry	La Follette	Smith, Ga.	

Mr. NEW. I was requested to announce that the Senator from New York [Mr. WADSWORTH] and the Senator from Wisconsin [Mr. LENROOT] are absent in attendance upon a meeting of the Committee on Military Affairs.

The VICE PRESIDENT. Seventy-three Senators answered to their names. There is a quorum present.

The legislative, executive, and judicial appropriation bill is before the Senate as in Committee of the Whole, and the pending question is on the motion to suspend the rules.

Mr. THOMAS. Mr. President, is the pending motion debatable?

The VICE PRESIDENT. It is.

Mr. SMOOT. Mr. President, I wish the attention of the Senate for just a moment. The Appropriations Committee of the Senate inserted in the pending bill a provision allowing the $240 bonus to certain employees of the Government. A similar amendment was offered in the other House but went out on a point of order. The question now is as to whether or not we shall allow the $240 bonus to certain employees in the navy yards of the United States. The Secretary of the Navy reports those employees to-day are receiving as high wages and perhaps higher wages than are employees who are engaged in similar work anywhere in the United States, and that the wage is $240 higher than the wage that would be allowed by the board which was created to regulate the wages of such employees. The original House provisions affecting these employees were just the same as those which were reported from the Appropriations Committee of the Senate. Let me read the original House provision:

> The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service.

When the wages of these employees are advanced, the boards are all right, but if the wages are to be decreased then they are all wrong.

As I have previously stated, the bonus provision as affecting navy yard employees was put into the bill a year ago for the very purpose of making good what those employees thought they had lost during the two preceding years. Now it is proposed that they shall receive a wage based upon the wage which is paid employees who perform similar work in private industries.

Mr. HALE. I should like to ask the Senator from Utah a question. If the wage board shall find that we are dealing unfairly with these men in regard to the bonus, will they not have a right to increase their wages at any time if they see fit to do so?

Mr. SMOOT. They will.

Mr. HALE. So the remedy is with the wage board?

Mr. SMOOT. Absolutely. It was stated here on Saturday last that the wage board would not meet until October, and, therefore, the navy yard employees, if the committee provision is inserted in the bill, would lose the bonus from July 1 until the board shall meet; but the wage board may meet at any time they wish to.

Mr. CALDER. Mr. President, will the Senator yield to me for a moment?

Mr. SMOOT. I yield.

Mr. CALDER. In reference to the statement of the Senator from Utah just made, that the wage board may meet at any time they wish, I desire to ask, could not that board, having in mind the bonus, meet on the 1st of July and reduce the pay of these men if they deemed it was proper to do so?

Mr. SMOOT. Yes; they could reduce their wages, Mr. President, but that is not what the men want and they would not be content with that at all.

Mr. McLEAN. What compensation do these men now receive? What is the character of their service?

Mr. SMOOT. They are the mechanics in the navy yard and are receiving 93½ cents an hour. They are receiving that amount per hour, and that compensation is based upon the wages which are paid to employees in private industrial establishments performing the same character of work. The men who are employed in industries outside of the Government, however, are not allowed the gratuities which Government employees at the navy yards are allowed. The Government employees have a leave of absence of 30 days, they have seven holidays, with no work, for which they are paid; they have Saturday afternoons, amounting to 6½ days each year; they have a sick leave of a minimum of 15 days, or a total in every year of 58½ days; yet they are paid for the full 12 months.

Mr. McCUMBER. Mr. President, I wish to ask the Senator from Utah if that would not, on an average for the actual work done, amount to from $1.05 to $1.07 an hour for the actual hours during which those employees are engaged?

Mr. SMOOT. It is 10 months as against 12 months, which makes a 20 per cent difference, or an increase of 20 per cent, comparing 10 months with 12 months, as the Senator from North Dakota may readily see.

Mr. President, I have here a letter from an employee of the New York Navy Yard, which indicates that the leaves and allowances to the employees of the New York Navy Yard amount to between 50 and 60 per cent of the overhead charges in that yard.

Mr. CALDER. Is the letter which the Senator is going to read from the department or is it from an employee?

Mr. SMOOT. It is written by an official of the navy yard who knows what he is talking about. I will show the letter to the Senator from New York if he desires. I will simply say that the Senator will admit the statements which are contained in the letter if he knew the writer.

Mr. CALDER. I should like to investigate the matter before I admit them.

Mr. SMOOT. I think the Senator will have confidence in the man who has written this letter.

Mr. President, the proposition is to suspend the rules in order that the Senate of the United States may vote to insert the $240 bonus for these employees.

Mr. STERLING. Mr. President, I should like to ask the Senator from Utah whether, if the navy-yard employees are allowed the $240 bonus, it would not be a discrimination against the other Government employees?

Mr. SMOOT. Not at all; no more than there is a discrimination in the case of any other lump-sum appropriation which we provide for the payment of employees.

Mr. STERLING. I think the Senator misunderstands my question. Would it not be a discrimination against the other employees who are allowed the bonus?

Mr. SMOOT. I misunderstood the Senator's question. There is no doubt about the fact that it would be a discrimination; but that is what they want and that is the purpose of the effort.

Mr. President, I want the Senate to see whether these men——

Mr. THOMAS. Mr. President, this is a very unimportant matter; it only involves $50,000,000; still I think we ought to have a little order while the Senator is presenting the matter to the Senate.

The VICE PRESIDENT. The Senate will be in order.

Mr. SMOOT. Mr. President, when Col. Ridley was before the committee of the House the question of the pay for engineers and assistant engineers was taken up. Let me call the attention of the Senate to what the Government pays one class of engineers employed by it and what is paid to similar employees at the navy yards, and see whether the employees at the navy yards are not favored, even with the wage which they are receiving to-day without the bonus. The assistant engineer in the Potomac Park group, for instance, with the bonus, receives $1,840. The scale at the New York Navy Yard, with the bonus, is $3,141. Is there any reason, because perchance certain men are working in the navy yards, that they should receive 50 per cent more pay than the same class of employees receive who are working in a different place and paid from a different appropriation?

I wish to be fair in this matter; I want to treat alike all those who are doing the same kind of work for the Government. A year ago was the first time that the navy-yard employees were granted the $240 bonus. The reason for that action at that time was that they claimed that during the two years previous they had not received the wage that similar employees in private industries surrounding the navy yards were receiving for like work. So the committee put the bonus provision in to correct that claim, and now this is what we are getting for trying to make matters right with those employees.

The statement of the Secretary of the Navy before the House committee, in conjunction with the other testimony that was given in that hearing, showed conclusively that the wages received by the navy yard employees were higher than the wages received by similar employees in any other department of the Government. It was for that reason that the House committee eliminated the bonus so far as those employees were concerned. I quote from his testimony as follows:

> The labor wage adjustment board appointed to consider the question of a readjustment in the wages for employees under the Naval Establishment finds that the existing wage scale for the Naval Establishment is higher, the $240 per annum congressional bonus considered, than the wage scale of any other industry as a whole in the United States of which it has information. The present wage scale of the shipbuilding industry is lower than that of the railroad industry. The difference between the navy yard scale and the shipbuilding industry is practically the congressional bonus of $240 per annum.

Mr. Josephus Daniels, the Secretary of the Navy, did not ask to come before the committee in connection with this matter; he knows little about the details of the question; but Mr. Woodbury is the man who appeared before the committee, and he says the $240 bonus that has been given to those employees this year makes their wages just that much higher than the scale of wages to which they are entitled.

So, Mr. President, if we allow the bonus to go out, they will be put upon the same basis as other employees of the Government, or nearly so, although the same class of employees would then be receiving less in some of the other departments. But suppose we admit that they have received wages greater in the past than these other men in the other departments, we certainly do not want to make that difference any wider than it is to-day.

Therefore, Mr. President, I sincerely hope that the Senate will stand by the committee on this matter, and vote against the suspension of the rules.

Mr. UNDERWOOD obtained the floor.

Mr. KENYON. Mr. President, I should like to ask the Senator from Utah a question. There are a good many Senators, I think, who desire to stand by the committee as to the particular matter the Senator has discussed, but who fear that if the rule is not set aside the entire bonus will be destroyed. Now, I should like to ask the Senator, if the rule is not suspended, would the original amendment as introduced by the Senate committee be in order? That is, could it be adopted as an amendment offered by some Senator?

Mr. SMOOT. Why, certainly; after the bill gets into the Senate it can be offered.

Mr. KENYON. That is the point.

Mr. SMOOT. The same objection, that it is legislation, could be made, of course, by any one Senator. There is not any doubt about that. But, Mr. President, I want to say to the Senator that there is not any member of the Appropriations Committee but that believes that this bonus ought to be allowed on the salaries named in its amendment for another year. I have not any doubt but that if this amendment goes out here the House will put it on another appropriation bill; at least, I am quite sure the Senate committee will do so, and see that it goes through.

Mr. KENYON. The Senator is satisfied that the point of order would not be made to an amendment substantially such as the Senate committee has proposed?

Mr. SMOOT. I do not think a point of order would be made. I know it would not be made by any member of the committee, and I can not see why there should be any objection on the part of any Senator who desires this legislation.

Mr. FRANCE. Mr. President——

Mr. UNDERWOOD. If the Senator is through, I desire recognition. Is the Senator through?

Mr. SMOOT. Yes.

Mr. UNDERWOOD. Mr. President, I do not know why the Senator from Utah and those opposed to this bonus should take such a roundabout way to try to persuade the Senate that a future opportunity may be given to pay the clerks of the National Government the $240 bonus that they have been getting from the beginning. I want to say this to the Senator from Iowa [Mr. KENYON], in answer to the question he asked the Senator from Utah: The Senator from Utah says that if this motion is voted down you can propose the bonus by amendment when this bill goes to the Senate. Well, suppose you do. If you can propose the original bonus, then the Senator from Massachusetts can propose his amendment, and the Senate must pass on it. Is not that so?

Mr. SMOOT. That is true.

Mr. UNDERWOOD. To be sure. Now, the Senator says you can put it on another bill. If you put it on another bill, the Senator from Massachusetts can propose his amendment to another bill.

Mr. SMOOT. Yes; but if the House of Representatives passes it, then the balance of it would not be subject to a point of order. If the House passes the bill with this provision in it, and it comes to the Senate, the only question then involved would be as to the matter that would be offered by the Senator from Massachusetts.

Mr. UNDERWOOD. To be sure; but it would not be subject to a point of order. The amendment of the Senator from Massachusetts is not subject to a point of order. It is a legitimate amendment, germane to a proposition pending before the Senate.

Mr. SMOOT. The Senator misunderstood me. I said the whole matter then would not be subject to a point of order.

Mr. UNDERWOOD. Undoubtedly; and the whole matter can not be subject to a point of order if the motion made by the senior Senator from Massachusetts [Mr. LODGE] is agreed to to-day, and the rules are suspended, and the Senate is given an opportunity to vote on the matter.

Mr. SMOOT. Why, of course not.

Mr. UNDERWOOD. So, why should we camouflage the thing?

Mr. SMOOT. I certainly have not tried to camouflage it in any way, and I do not think the Senator has any right to say that.

Mr. UNDERWOOD. I am not reflecting on the Senator from Utah, but I think his speech is camouflage. I say that in an entirely respectful sense, but I think it is camouflage. The issue before the Senate to-day is whether the United States Senate can attend to its business or whether it can be held up by the throat by one or two Members and prevented from carrying out the will of the Senate. That is all there is to it.

I have no objection to a Senator making a point of order about matters that are in a bill if they are improperly there; but can it be possible, when a great committee brings a provision before the Senate for consideration, simply because it can not have its way and dictate to the Senate on what terms an amendment subject to a point of order shall be received by the Senate, that the Senate can not legislate unless it accepts the terms of dictation by one or two men?

I want to say that so long as I remain a Senator of the United States I do not propose to do business upon that basis. If a committee brings before the Senate a proposition that is subject to a point of order, because it believes that for the good of the country, for proper and legitimate legislation, it should be before the Senate and be considered, then I say it does not lie in the committee's mouth to attempt to dictate to the Senate on what terms it shall accept its amendment. The Senate of the United States is still an independent body.

Ten years ago I saw this effort of a few men to enforce gag rule made in the House of Representatives until they carried their party to defeat; and if the opening hour of a new Republican administration is to institute a system of government in the Senate under which we are to expect that a few men can dictate to the Senate how it shall conduct its business, I say the life of the Republican Party will not last long. The American people never have stood and never will stand for such parliamentary procedure, and that is all that is involved in this case.

I voted with the Senator from Massachusetts [Mr. WALSH] on his amendment to the bonus bill simply because I thought

he was right; but that is not the issue involved. If the Senator had been defeated, that would have been the end of it; but that is not the problem. Nobody suggested in the Senate on Saturday that this bonus proposition should be thrown out on a point of order until the Senate, by a decisive vote, decided that the amendment of the Senator from Massachusetts should go in the bill.

Now, whether that was right or wrong is not the question here; but when the time came the Senator from Massachusetts was confronted with this proposition, "You desert your constituency, you desert the cause you have advocated, you yield to the dictation of a few men—not the Senate—and let your constituency say that you have deserted their cause, or we will punish you by attempting to put the responsibility for the defeat of the entire bonus measure at your door." That can not be done as long as I can say anything to prevent it.

That is the issue before the Senate. It is not right; it is not fair; and it is not just that a Senator should be held up, absolutely held up, in this way. If the Senators in this Chamber thought the bonus proposition was bad in its initial stages, was improper on this bill, I take it that they would have the manhood and the courage to voice their objections before the amendment was offered; but when a Senator, after an amendment goes on the bill by the votes of a majority of his colleagues, then seeks to exercise his power of raising a point of order because he does not agree with the majority of the Senate, it is mere legislative sniping. That is all it is. It is not legislation. It is not the proper way to handle the business of the Senate. It is taking advantage of the situation, and trying to put a Member of the Senate in a position where he can not justify himself before his constituents.

That is the real issue here. That is the reason why I say that this motion to suspend the rules should be agreed to. The Senate should have an opportunity to express its will, now that the committee has brought in this amendment, and should have it now, when the bill is before the Senate. Then, of course, if the rules are suspended and the original committee amendment is offered, the Senator from Massachusetts [Mr. WALSH] will have an opportunity to offer his amendment to the bill. Of course, then the argument that the Senator from Utah makes will be perfectly legitimate, as to whether or not the Senate thinks it proper to put in the bill the amendment of the Senator from Massachusetts; but I say that is not the issue now. More than that, it may be somewhat a doubtful proposition, because it has not been determined, but I do not believe the Chair was right on Saturday in ruling this amendment out on a point of order—not that the parliamentary rules do not deny the right to add general legislation to an appropriation bill, but once in the history of this body Senator Hoar, then the presiding officer, held that it was too late after an amendment was offered to raise the point of order; and I say that after the Senate had voted on the question, and by an affirmative vote on a pending amendment to the main provision had decided in its favor, the Senate in that way approving of the amendment, it was too late for one Senator to strike it out on a point of order.

That, however, is neither here nor there. The real issue is not whether or not the amendment of the Senator from Massachusetts [Mr. WALSH] shall be adopted, but whether or not the Senate is going to submit to the proposition that the entire bonus given to Government employees shall go out of this bill because one Member wants it out, when the Senate by a vote can legitimately suspend the rules and put it in? Because one Member proposes an amendment here that some Senators think was wrong, even if others think it was right, because it is possible that that amendment may be adopted to the original proposition, it is not right to say that that is a cause for Senators to vote against making in order the bonus that is necessary to take care of these clerks by reason of the increased cost of living during the war.

I believe in economy. I believe in all the economy we can bring to the Government. I was on the committee when it granted the original bonus. I joined in that action because I knew those employees of the Government were suffering by reason of the increased cost of living and their low wages, which were fixed long before the war was inaugurated. I know that condition has not changed now as to most of them, and I think the Senate should suspend the rule and put this provision in the bill, where it belongs. Then, when it goes in the bill, I do not think any Senator has the right to say that he will not accept the will of the majority of the Senate as to the provision staying in the bill.

Mr. THOMAS. Mr. President, there is no doubt but that the motion of the senior Senator from Massachusetts [Mr. LODGE] to suspend the rule will be carried. That is a foregone conclusion, notwithstanding that the issue seems to have been changed from what it was declared to be on the eve of our adjournment on Saturday. The senior Senator from Alabama [Mr. UNDERWOOD] then stated that the issue was that one man's objection would "send an empty dinner pail to the families of the Government employees."

I have had occasion, Mr. President, during my service in the Senate, to protest against one-man power, or that of two or three men, to hold up the business of the Senate. I had something to do with the enactment of that amendment to our rules which provides for a modified cloture. But I have never heard any denunciation of the power of one man to hold up the Senate unless his hold-up was designed to defeat an appropriation. Since I have been here a number of very large appropriations have been added to appropriation bills by the exercise of this power to obstruct the business of the Senate until his will was acceded to.

The first instance of this sort after I took my seat here occurred in February, 1913. The occasion was the consideration of the omnibus public buildings bill. About 9 o'clock one evening the then senior Senator from Missouri, Mr. Stone, entered the Chamber and took his seat at his desk, being next to the one I now occupy. He brought with him a package of papers about half a foot in thickness, and consisting principally of typewritten matter. He then offered an amendment to the bill, providing for the appropriation of forty-five or fifty thousand dollars for improvements needed in the public building at St. Louis. It went out promptly on a point of order, and then the Senator, who was nothing if not deliberate, announced to the Senate that he felt it his duty to put in the CONGRESSIONAL RECORD the very important reasons underlying his amendment. He then began to read, in a slow, monotonous voice, and consumed about an hour of the valuable time of the Senate, when the chairman of the committee having charge of the bill, in order to secure its passage, was forced to accept the amendment and allow the appropriation.

That is one instance of scores of others which have disfigured our consideration of appropriation bills ever since I have been here. But I do not recall a single instance in which a Senator exercising that authority was rebuked or even censured for his efforts to thus secure money from the Treasury.

Here we are confronted, Mr. President, with an exactly opposite condition. A point of order is made to an amendment which, if enacted, would add from forty-five to fifty million dollars to our annual expenditure, and because, forsooth, the Senator from Kansas [Mr. CURTIS] had the courage—and it takes courage in this body to oppose an appropriation—because he had the courage, in view of the attempted extension of this amendment so as to carry additional millions, to make a point of order against the amendment, he was at once assailed by the leaders on both sides of this Chamber, one directly and the other indirectly, for having the audacity to stand between the Treasury of the United States and $50,000,000.

The Senator from Kansas has told the Senate that he was opposed to it ab initio and had agreed to keep silent only upon the assumption that the amendment would not be further extended. At the risk of becoming equally unpopular I assert that the people of the United States, if they are at all appreciative of any effort toward economy in this extravagant body, should commend the Senator, although the Senate will undoubtedly condemn him.

Mr. President, the proceedings of last Saturday evening were most extraordinary; they were unique. The minority leader, the senior Senator from Alabama [Mr. UNDERWOOD], in a short comment upon the conduct of the Senator from Kansas, not only expressed his disapprobation of that Senator's conduct, but announced that this bill shall not pass if he can prevent it so long as the point of order is insisted upon and this amendment is excluded from a vote. Here is a threatened exercise of one-man power quite as condemnatory, in my judgment, as that which the Senator criticizes.

Mr. UNDERWOOD. I hope the Senator will quote me correctly when he attempts to quote me at all.

Mr. THOMAS. I certainly shall not intentionally misquote the Senator.

Mr. UNDERWOOD. What I said was that I would resist the final passage of the bill until a vote had been obtained on the question as to whether the Senate would suspend the rule or not.

Mr. THOMAS. Let me read what the Senator said.

Mr. UNDERWOOD. That is what I said.

Mr. THOMAS. The Senator said:

For one I wish to give notice that this bill will not pass, if I can help it, until the Senate has had a fair and just opportunity to vote on the merits of this proposition, and I wish to give notice now that I shall move to suspend the rules and adopt the amendment as the committee has reported it, and then the Senator from Massachusetts

[Mr. WALSH] will have an opportunity to propose his amendment if the rules are suspended. I have not the form here, but the clerk has it at the desk.

I think the words of the Senator justify my criticism.

Mr. UNDERWOOD. All I wish to call to the Senator's attention is the fact that I was referring to a motion to suspend the rule, and I stand on that proposition.

Mr. THOMAS. The Senator closed his remarks by saying that he had not the form of such a notice, but that it would be presented, and thereupon the leader of the majority in this body, the Senator from Massachusetts [Mr. LODGE], who had in the meantime prepared that identical notice, took the floor and made the motion, both sides competing for the credit of suspending the rule of the Senate that this extraordinary appropriation might be made.

Why is this? Is it because of an overweening and earnest desire to accomplish a great philanthropic purpose by increasing the compensation of the Government employees, to the end that they may not suffer, or is it a competition between the two sides of this Chamber for their organized vote? I do not know. It is in line with our pension legislation and with all legislation designed to reward somebody or some organization at the expense of the Federal Treasury. I can not but regard it as a competitive piece of politics.

The Senator from Alabama said:

> And now, forsooth, because the Committee on Appropriations can not lay down the law in the Senate, crossing every "t" and dotting every "i" as to how the bonus shall become a law, we must drive it all out of the bill and let one man's objection send an empty dinner pail to the families of the Government employees.

I do not think the Senator from Alabama really meant that. That is what he denounced as camouflage a few moments ago, because he knows that it is not the fact.

Why, Mr. President, if it were true that this committee wanted to "send an empty dinner pail to the families" of the employees for the next fiscal year, how do we account for the fact that to-day clamoring multitudes in the city of Washington and throughout the country are anxious to take these places, every aspirant feeling his responsibility for the election of Senator Harding, and insisting upon that reward which ought to come to every politician who performs his duty to his party, and therefore to his country? Do these time servers of the dominant party fear that their selection will confront them with empty dinner pails and starvation?

Mr. President, the class sought to be directly covered into this bonus by the amendment of the Senator from New York [Mr. CALDER] offered by the Senator from Massachusetts [Mr. WALSH], according to the statement made by the Senator from Nevada [Mr. PITTMAN], whether they get this bonus or not, whether the board increases their emolument or not, are enjoying a compensation of $2,160 a year. That is immensely more than the average compensation of working people in the country, who must live on what they earn. Will any man, well informed upon the subject or who has given it any study, assert that unless we add $240 to that sum we will send an empty dinner pail to the families of the Government employees?

The Postmaster General said some time ago that the employees of the Post Office Department are the best paid class of employees in the United States. Nobody as yet, so far as my observation goes, has denied that proposition. Except for the police department of this city, I am prepared to contend, Mr. President, that there is practically no need of this bonus, provided the employees of the Government are willing to work and to live as do other employees throughout the country who have not access to the Treasury of the United States.

I think it is fair to add to that statement that a very large proportion of them do not earn the money which they receive now. The other day in the Interior Department I had occasion to ask a gentleman whose attire did not indicate the presence of empty dinner pails, occupying a desk and reading some work of interest, if he could tell me the floor on which was the Commissioner of the Land Office. He hesitated, stopped, turned to some memoranda, and began to look them over carefully. I said, "Can you tell me?" He said, "I will tell you in a second." I said, "Good day." There is a man who, I have no doubt, needs the $240 bonus and who is supposed to earn it by dispensing information for the public. I found the Commissioner of the Land Office without the aid of anyone.

A short time ago I had occasion to call upon the Commissioner of Internal Revenue, whose office is just across the street from the new building that is devoted, I think, to the estate-tax division of that bureau. I was seated where I could observe that building across the street. On one floor every window was filled with beautiful girls, very attractively and appropriately dressed. From the motion of their lips I think they were all busily engaged in chewing gum. Their attention was attracted to some spectacle in the street. I sat there for 20 minutes by the watch, during which the audience was apparently engrossed in the spectacle upon the street, their beautiful jaws moving in rhythmic unison, save as their charming and delightful conversation with each other interrupted. No doubt those ladies need this bonus, and any Senator who has the audacity to stand between them and it is no gentleman.

Mr. President, the moving forces behind the amendment and the amendment to the amendment are the powerful organizations of Federal employees, whose officers, selected from themselves, instead of attending to their duties, haunt the lobbies of the Congress and by threat, by persuasion, and by entreaty dissipate the objections to their demands and wring from the eloquent lips of my distinguished friend, the Senator from Alabama, the statement that unless the amendment passes we shall "send them home to their families with empty dinner pails for the next fiscal year."

Some time ago I said we no longer had any watchdogs of the Treasury. I was mistaken. We have more watchdogs of the Treasury than we have ever had before, but they are watching for an opportunity to break into it, and if the opportunity does not present itself they make it. The siege of Balaklava was not a circumstance compared to the perennial siege of the Federal Treasury. Everyone who thirsteth is there with his own watchdog, many of them in the two Houses, watching for an opportunity to increase their compensation, secure added appropriations, swell expenditures, and thereby increase the burdens of taxation.

Now, when will this bonus practice end? It will never end, mark my words, until the amount of the bonus is crystallized into the salary appropriations and becomes a permanent and irreducible part of it. Does any man expect, in view of present conditions, that the high cost of living for the fiscal year 1922 will be anything like the high cost of living in 1920? We know that it will not. We know that prices are descending now and will continue to descend. We are on the down grade. Notwithstanding that, a contingency said to have existed in 1916 is still made a contingency to the end that $50,000,000 in excess of our salary rolls shall be divided among employees. It will be done. There is no question about that. The amendment offered by the Senator from Massachusetts [Mr. WALSH] for the Senator from New York [Mr. CALDER] will be agreed to. There is no question about that. I am not prepared to say that it should or should not be. I confess that I do not yet know what the effect of it will be beyond the fact that the mover of the amendment asserts that it will include a very large number of employees of the Government who would otherwise be excluded from it, while the committee declares that it will not. This presents another feature of national legislation to which I wish merely to refer.

When an emergency arises making it necessary to temporarily increase the compensation of a few of our employees we must, in order to meet it, make that increase general, to apply to the thousands and hundreds of thousands of Government employees throughout the country. The Senate will give the bonus, as I have stated, for reasons that I do not care to take up the time of the Senate to discuss now, to the Metropolitan police of this city, but in order to give them a needed stipend it is compelled to extend it to every employee, and if there is an even seeming exception to the general rule, then that exception must be eliminated, and woe unto the Senator who has the audacity to oppose it. He is not only unpatriotic but he is exerting his one-man power to hold up the legislation of the Senate. His name should be anathema. "Woe unto ye, scribes and pharisees," says the Good Book. Woe unto ye, all Senators who would seek to minimize the outflow of Uncle Sam's money. You are denounced outside, of course. But now it is become the fashion to denounce Members of the Congress and to excoriate them because, forsooth, they exercise their undoubted right to make a point of order against legislation which is clearly obnoxious to the Senate rules.

During the last session I had occasion to say that the rules of the Senate were whatever the majority at the particular time wanted them to be.

Mr. LODGE. If the Senator will allow me, the point of order was sustained.

Mr. THOMAS. I know it was.

Mr. LODGE. And sustained by the Senate.

Mr. THOMAS. I know it was.

Mr. LODGE. The motion which I make to suspend the rule is properly recognized, and provided for in the rules.

Mr. THOMAS. That is true.

Mr. LODGE. I have not gone outside of the rules at all.

Mr. THOMAS. That is true. The Senator has not gone outside of the rules. He seldom does. But he "beat the Senator

from Alabama" to it in preparing and presenting a notice of a motion to suspend the rule for the purpose of eliminating the consequences of the point of order.

Mr. LODGE. Absolutely, but I maintain that our rules provide for the suspension in precisely that way.

Mr. THOMAS. That is true; yet the Senator knows that the Presiding Officer of the Senate has been overruled scores of times during the last eight years simply because his ruling was obnoxious to the view of the majority of the Senate, and in most instances in my judgment the Chair was clearly right. The Senator from Massachusetts is perhaps more familiar with the rules of the Senate than any of its Members. He observes them as carefully and conscientiously as any man in this body. He has adorned the Senate for many years and I trust that he has not yet reached the meridian of his usefulness. There is no question but that he observes the rules. Yet I must say that his is a master hand at applying the rules so as to accomplish such purposes as this.

I think, however, that the odds are even between the two parties on the proposition. They are now neck and neck in their rush toward the relief of the poor employee who is threatened with empty dinner pails unless he can secure this amendment. I have no doubt that the beneficiaries as usual will be entirely impartial in recognizing their obligations to both parties and pay but little attention to either, until another demand ripens and another need for invading the lobbies of the Senate shall present itself.

Mr. President, I have spoken longer than I intended upon the subject. Let me say in conclusion that I regard this as the commencement of that coming era of economy and frugality in public expenses which both parties so liberally promised to the people of the United States last fall and upon which, among other issues, the Republican Party won. In the course of the next few years, assuming that the precedent will be followed, it will result in squandering all the money that can be wrung from the people by taxation. When these shall have been gathered and distributed to the beneficiaries of the Government, public affairs must run thereafter by levies on capital and taking over the assets and investments of the property-owning public. Great is popular government in Washington. The winning platform of Tittlebat Titmouse was everything for everybody. This has become a standing principle of congressional action, cheerfully recognized and constantly applied by both parties.

Mr. CURTIS. Mr. President, it is not my intention to detain the Senate more than a moment. I stated my position on the question quite fully last Saturday. There is no need to repeat it now.

The Senator from Kansas exercised his right under the rules of the Senate. If the Senate is not satisfied with the rules as they are laid down they should change them. The rules provide that a Senator may make a point of order at any time. I made that point of order when I thought the proper time came. The rules also provide that if that point of order is made and sustained any Senator may move to suspend the rules. That has been done in this case, and it is up to the Senate to say whether or not it will suspend the rules to make the amendment in order, which, if done, will make the amendment in order as offered by the Senator from New York [Mr. CALDER]. This amendment, if made, will carry $17,491,096.85.

I am sorry that the Senator from Alabama [Mr. UNDERWOOD] is not here at the moment. He referred to my conduct and criticized it somewhat and said that the Senator who made the point would not go before his constituents on the question. I wish to say that I would be very glad to have the RECORD of last Saturday read to every audience in the State of Kansas. If I voted the other way I should dislike to have it read in my State. But the people in the country will stand by the Senators who are trying to save money for them, the taxpayers. Instead of "sniping," as the Senator from Alabama accused me of doing, I carried out my right in the open under the rules of the Senate, and I did not play politics. Senators who vote for the proposition know that they are doing it for no other reason on earth than politics, and with no regard for the appropriations or for the taxpayers of the country.

The report upon this one question is very plain. It is as follows:

> The labor wage adjustment board, appointed to consider the question of readjustment of wages for employees under the Naval Establishment, find that the existing wage scale for the Navy Department is higher, the $240 per annum congressional bonus considered, than the wage scale of any other industry as a whole in the United States of which it has information.

I am advised from the reports that the number covered by the amendment is 72,879 and that the bonus to them would amount to $17,491,096.85.

This is what Senators are trying to force upon the people: They claim they are standing by the men and women who are working in the departments, when, as a matter of fact, they are voting against them, because they propose to give to the navy yard employees a double bonus and they would limit the other employees of the Government to a single bonus. That is the simple question involved. If the Senator from Alabama wishes to be fair to the other Government employees, let him move to make their bonus $480, as he is doing for the men who are employed in the navy yards of the country.

I am heartily sick and tired of some of the speeches that are being made upon the floor of the Senate in regard to the underpay of employees. Some of the lower-paid men and women do get too small salaries; their salaries should be increased and I stand ready to vote to give them an increase, but the Senator from Alabama knows, as I know and as every Senator knows, that there are thousands of employees upon the Government's pay roll who could not go home and obtain one-half the pay they are receiving from the Government.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Massachusetts?

Mr. CURTIS. I yield.

Mr. WALSH of Massachusetts. I understood the Senator from Kansas to say that if the amendment offered by the Senator from New York [Mr. CALDER] shall be adopted, it will be tantamount to granting a bonus of $480 a year to the navy yard employees?

Mr. CURTIS. It is equivalent to giving that class of employees a bonus of $480 a year, because it gives them a bonus after their salaries have been increased by a board.

Mr. WALSH of Massachusetts. Exactly. Now, is it not a fact that the amendment offered by the Senator from New York proposes to make the law for the coming year the same as for last year, and that if it is equivalent to $480 this year the Senator's committee, the Senate, and the other House of Congress gave those employees $480 last year?

Mr. CURTIS. Since the appropriation of last year the Labor Board has allowed an increase of their wages, and the Senator from Massachusetts knows it.

Mr. WALSH of Massachusetts. But they increased their wage——

Mr. CURTIS. And they considered the $240 bonus, and the Senator from Massachusetts knows that.

Mr. WALSH of Massachusetts. They increased the wage under the law which compelled them to take into consideration——

Mr. CURTIS. There is no use trying to camouflage the question.

Mr. WALSH of Massachusetts. Will the Senator permit me to complete my statement?

Mr. CURTIS. I will.

Mr. WALSH of Massachusetts. It is true that the wage board increased the wages of these men, but not until they took into consideration what the law compelled them to take into consideration, that they were receiving the $240 bonus.

Mr. CURTIS. And the wage board found that the increase made up for the $240 bonus that the Government was paying them and that their compensation was equal to and more than that paid to employees performing similar work in private industries of the same class.

The truth is that men have left private employment where they were getting four dollars and a half a day and have gone to the navy yards and received on an average $9 a day. On the other hand, there was a case a short time ago, where a man working for the Government for a salary of $2,400 per annum left the Government employ in order to make more; he went to Chicago and secured employment with a firm there, but they reduced his salary to $1,200 a year, because he was not worth any more. Case after case of that kind might be cited. There are men and women working for the Government who are not receiving what they should receive. Let us, therefore, do what we should do; let us take up the reclassification bill; and if we can not do that, let us in connection with the appropriation bills fix the salaries of the men and women who are working for the Government at a rate to which they are entitled, and then stand by it like men, and not vote a certain way because we want the political influence of some organization or another.

Mr. UNDERWOOD. Mr. President, let me ask the Senator from Kansas why what he suggests has not been done? More than two years ago I myself made a motion in the Committee on Appropriations to provide for a commission to reclassify Government employees. The commission was appointed; and it reported to Congress a year ago. Now the Senator says that report should be acted upon. Why has it not been done?

Mr. CURTIS. I understand it has not been done for two reasons: First, the delay in submitting the report; and, second, the dissatisfaction of certain labor lobbyists.

Mr. UNDERWOOD. But that would not stop the Senator from Kansas from acting?

Mr. CURTIS. No; it would not stop the Senator from Kansas from acting; but the Senator from Kansas is not on the committee considering reclassification, and the Senator from Alabama knows that the Senator from Kansas is not on that committee.

Mr. UNDERWOOD. I do not recall the membership of the committee.

Mr. CURTIS. The Senator from Kansas is not on the reclassification committee; he is not on the subcommittee of the Appropriations Committee which considered the pending bill; and is not on any of the subcommittees which have to do with the fixing of salaries.

Mr. UNDERWOOD. I have served on the Committee on Appropriations, though I am not now a member of it; and I say the fact that there might be labor lobbyists in Washington who object to the legislation, I know would not stop the legitimate action of the Senator from Kansas or any of his colleagues in connection with reclassification legislation. That is what I mean in reply to the suggestion of the Senator that the proposed legislation was stopped, although it has been pending here a year, because of the activities of labor lobbyists. I have a greater respect for the members of the Senator's committee than he has, for I know those men, and I am sure when the Senator from Kansas reflects on what he has said he will not charge that his colleagues on the committee have refused to act upon the report for that reason.

Mr. CURTIS. The Senator from Kansas has not charged that the report has not been made so that the committee could act upon it, but the submission of the report was delayed, as the Senator knows, month by month, and the time for presenting the report was extended from time to time.

Mr. UNDERWOOD. I will say to the Senator that the report, as he knows, has been before the Senate, if he will recall the matter, for about a year. The report came in about a year ago.

Mr. CURTIS. It was made about a year ago. The Senate adjourned in June and did not meet until December.

Mr. UNDERWOOD. The Senator's committee had the entire summer. I am not reflecting on the committee, and I did not do so in my speech; I know it is a hard driven committee; but what I have contended is that when the committee of which the Senator from Kansas is a member has not carried out, although it was authorized to do so, exactly what he has contended for, it does not lie in the mouth of the committee to say that they will not pay this bonus until they carry out what Congress has authorized them to do, and that is to readjust the wage scale.

There is no difference between the Senator and me about a readjustment of the wage scale. I believe in it; I myself, as I stated awhile ago, offered the amendment in the committee which was subsequently attached to the appropriation bill, authorizing a commission to be appointed to readjust the wage scale.

Mr. CURTIS. But the Senator from Alabama voted to extend the time in which they should make their report, thereby delaying action.

Mr. UNDERWOOD. Certainly, because they said they were not ready to report.

Mr. HENDERSON. Mr. President, will the Senator from Alabama yield to me?

Mr. UNDERWOOD. Certainly.

Mr. HENDERSON. The joint commission on reclassification filed its report in the Senate on the 12th day of March, 1920.

Mr. CURTIS. A year ago.

Mr. HENDERSON. A year ago. At that time it was requested that the report be referred to the Appropriations Committee; and from that time on until the adjournment of Congress in June I repeatedly called the attention of the Senate to the report, because as bills were coming up from time to time dealing with the salaries of Federal employees in the District of Columbia and action was being taken unscientifically by piecemeal. I realize that if the report had been taken up and considered this whole matter could have been readjusted and settled.

Mr. CURTIS. It has not been done, and the question before us, I want to say to Senators, is this: The Senator from Kansas has proceeded according to the rules of the Senate; the Senator from Kansas has no apology to make; the Senator from Kansas is ready to go before his constituency at any time on this question. The Senator from Kansas also would like the pleasure of going into some of the States of the Senators who are trying to force this increased tax upon the people and seeing the result after he had read to them the CONGRESSIONAL RECORD.

Mr. SMOOT. Mr. President, the Reclassification Board has been referred to. Let me call the attention of the Senate to what that report, if put into operation to-day, would mean to the employees in navy yards. To-day in the navy yards an assistant superintendent is paid $4,800; under the reclassification report, if adopted, he would receive $3,000; a chief clerk in the navy yard is paid $2,736 to-day, whereas under the reclassification report he would be paid $2,500; a clerk of class 4 at the navy yard is paid to-day $2,304; under the proposed reclassification he would receive $2,400; a clerk of class 3 in the navy yards is paid $2,184; under the reclassification report he would be paid $1,980. The messengers in all other departments of the Government are paid $900, whereas in the navy yards they are paid $1,248, and the reclassification report provides that they shall be paid $1,080. A chief engineer in navy yards is paid to-day $4,800; under the reclassification report he would receive $3,000; the assistant engineers in navy yards are to-day paid $3,144, while under the reclassification report they would be paid $2,400.

There is no other part of the Government service where the employees are paid wages as high as are paid in the navy yards to-day.

Mr. HENDERSON. Mr. President, will the Senator tell me from what page of the reclassification report he was reading?

Mr. SMOOT. Page 857; and if the Senator will look at it he will see there exactly the whole schedule presented to the committee by Col. Ridley.

Mr. FLETCHER. Does that deal with all mechanics and machinists?

Mr. SMOOT. It deals with every employee. I might go on down the list and show the figures in connection with carpenters and painters. For instance, to-day a foreman of carpenters in the navy yard is receiving $2,740, while under the reclassification report he would receive $2,050. I may say that in all of the other departments the foreman of carpenters is being paid $1,800, so that those employees are being paid at least 50 per cent more in the navy yards than in other places under the Government. What character of employees are they that they should receive this compensation and, forsooth, ask the Senate of the United States to suspend its rules in order that there may be added to the amounts they are now receiving $240 per annum more?

Mr. CALDER. Mr. President, this is not the time to discuss the merits of the amendment providing that employees of navy yards and arsenals shall receive a bonus; but I can not help, in reply to what the Senator from Utah has said, referring to other inequalities in pay. In connection with the great public buildings of the country we find engineers, laborers, and mechanics charged with the responsibility of keeping those buildings in repair, receiving in many cases 50 per cent less than similar employees in other branches of the Government service. That is an injustice which ought to be rectified, and at once.

The question now before the Senate, however, Mr. President, to be determined by the vote we shall take in a moment, is whether or not there shall be paid any bonus at all to any Government employees. Let us settle that question. If Senators are in favor of a bonus they should vote "yea" on this proposition; if they are against the payment of a bonus of any kind to any employees, they should vote "nay." After we settle that, we may determine in an orderly way whether or not the employees of the navy yards and arsenals shall receive the bonus provided for in the amendment which was under consideration on Saturday last.

Mr. HEFLIN. Mr. President, the Senator from New York [Mr. CALDER] has stated the proposition as it now stands. It is not one class of employees only that is involved in this proposition, it is all of them. As the matter now stands, nobody will get the bonus. The Senate is called upon this morning to say whether or not it will continue this bonus to these people for another year.

Mr. President, we read in the papers nearly every day that the manufacturer has reduced his price, that the wholesale merchant has reduced his price, but that the retail merchants are holding up their prices; and they are the people from whom these employees have to buy. I submit that this is in the aftermath of the war. Conditions are not yet normal. These people need this pay, and this Government ought to be big enough and good enough, and I am sure it will be, to grant this bonus to them.

I recall when this country became involved in war with a foreign country that a vast army of young men and young women came to this city to aid the Government in time of war. Many of them left lucrative positions at home in order

that they might have a part in winning this Great War. They wanted to be able to say, "I contributed to the winning of the war." The Government needed them, and needs them now, and they are rendering efficient service to our Government. Our boys, 4,000,000 of them, were called to the colors; 2,000,000 and more went abroad. All of them are back home now except those who sleep in France, "where the poppies blow." They have business with the Government. The Bureau of War Risk Insurance, the War Department, the Navy Department, the Pension Bureau, and other departments have a vast amount of business on account of this great army of men scattered throughout the country. Would Senators cut off this bonus and deprive these men and women who are working for the Government of a sufficient amount of compensation to enable them to live decently and worthily in the Capital of the Nation?

Mr. SMOOT. Mr. President, I can answer the Senator very frankly, and say to him that if the Senator does not want to offer the amendment when the bill gets into the Senate I shall offer it myself, to take care of all of the employees with the exception of the employees in the navy yards, who are drawing to-day 50 per cent larger salaries than persons performing the same class of work are drawing in the other departments of our Government.

Mr. HEFLIN. I am in favor of fair treatment for all these employees, and I submit to the Senator from Utah that this commission on adjusting the wage scale has the authority now, if it finds that anybody is getting two bonuses, to cut one of them off. If that is true, no harm can come from this provision.

Aside from this question, Mr. President, I submit to the Senate and to the country that the performance I witnessed in this body on Saturday was the most ridiculous ever witnessed in any parliamentary body, according to my judgment. The idea of the United States Senate having a rule that will permit a measure to go to vote, and permit a majority to vote in favor of it, and then lodge it in the power of any one Senator to rise up, after the judgment of the Senate is recorded and say, "I make the point of order against it"! Why, Mr. President, it can not be defended. The rule ought to be repealed. The idea of the Senate of the United States sitting quietly by and permitting a measure to go to a vote, and obtaining an expression from this body, and then one Senator rising up and saying, in effect, "Inasmuch as the Senate has not voted as I wanted it to vote, I will therefore exercise my veto power," and defeat the expressed desire of four-fifths of the Senate!

Mr. CURTIS. Mr. President——

Mr. HEFLIN. I yield to the Senator.

Mr. CURTIS. The Senator ought to be fair. There had been no vote upon the provision against which I raised the point of order.

Mr. HEFLIN. We had just voted upon a part of the proposition.

Mr. CURTIS. The Senate had voted upon an amendment to the amendment. The point of order was made against the entire amendment, and not against the amendment to the amendment that had been voted upon.

Mr. HEFLIN. It does not change the principle. We were perfecting the amendment and we were voting on it, leading up to the time we would vote on the whole amendment, and one Senator rises at that stage of the game and makes the point of order.

Mr. President, the Senate ought to change that rule. It ought not to permit any Senator to wait and make a point of order after a vote is had. That is the point I am making. If any Senator wants to make a point of order against any amendment, I would not deprive him of that privilege; but let him make it in time, before a vote is had. The idea of permitting a Senator to make a point of order at any time, to my mind, is ridiculous.

I am in favor of suspending the rule and putting this bonus amendment on the bill.

Mr. GRONNA. Mr. President, I agree with the Senator from Alabama [Mr. UNDERWOOD] that when important matters are pending before this or the other body, we should have the right to suspend the rules; and I am sure the Senator from Alabama will remember that I was one of those who joined him in the House in voting to overthrow the autocracy, to overthrow the power held by the majority of the House at that time; but the principle involved at that time was a fundamental one.

I am a member of the Appropriations Committee. I am also a member of the subcommittee having this matter in charge. Those of you who say that the question now is whether or not there shall be any bonus I believe will agree, upon reflection, that that is not the case. I am sure the Members of the Senate who are opposed to the amendment proposed by the Senator from New York agree that there should be a bonus to all the employees of the Government except to the lump-sum employees, including those in the navy yards. Now, it seems to me to be unfair for those who are in favor of this amendment of the Senator from Massachusetts to say, "Unless the navy employees get a double bonus"—because that is exactly what it is—"none of the employees shall have a bonus."

We are not objecting to a bonus to any of the Government employees except to these particular employees; and, Mr. President, there is merit in that objection. After the committee considered all of these salaries we found that the employees in the navy yard are being paid a higher wage than any other employees. If you want to be fair, increase the bonus to $480 for all Government clerks. If you are not willing to do that, you are not fair to all of them. If you only want to give a double bonus to those who work in the navy yards, you are simply extending the benefit to a very few.

Mr. HEFLIN. Mr. President, will the Senator yield just there?

Mr. GRONNA. Yes.

Mr. HEFLIN. Does not the Senator agree to the suggestion I make, that the commission on adjusting the wage scale can strike off part of that if a particular class are getting two bonuses?

Mr. GRONNA. No; I wholly disagree with the Senator. The commission could not strike off the bonus, because that is a legislative act. The bonus would have to be paid if we vote it in. There is not any doubt about that.

Mr. President, there is not a member of the committee who will not agree that the Government clerks, except these few employees in the navy yards, should be paid a bonus this year.

Mr. POMERENE. Mr. President——

Mr. GRONNA. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator from North Dakota, I believe, is a member of the Appropriations Committee?

Mr. GRONNA. Yes.

Mr. POMERENE. Is the Senator quite certain of his statement that these navy yard employees were allowed this $240 when the wage scale was fixed by the wage board?

Mr. GRONNA. The wage was fixed by the board after the bonus was allowed. I forget the date, but it was some time last fall, I believe. Perhaps the chairman of the committee can inform us as to that.

Mr. CALDER. It was in November.

Mr. GRONNA. There was an increase by the wage board, I think, of 7½ cents an hour, from 5 to 7½ cents an hour; but I do know that the employees in the navy yard without the $240 bonus are receiving a higher salary than the employees in the other departments.

Mr. POMERENE. Mr. President. this was one of the questions which was in dispute on Saturday, the different Senators seeming to take different views of the question. If these men have already in fact, though not in name, received the bonus, certainly they ought not to receive it a second time.

Mr. GRONNA. I state that it is a fact that they are receiving a higher salary without the $240 bonus than the employees in the other departments with the $240 bonus.

I wish it were possible for us to grant the request of all Government employees and pay them a liberal wage. I would be the last one to refuse not only a fair but a liberal salary to all in the employ of the United States Government; but we must take conditions as they are, and if we do that you will find that in some of the departments many thousands of men and women are to-day working for a low wage—from $1,000 to $1,200 per year. Those people ought to be first taken care of; all these low-salaried employees are entitled to the first consideration; but it is hardly fair to say that the employees in one department, who are now receiving a higher wage than the employees in any other department, shall have a double bonus; and I do not like the term "bonus." What ought to be done in every case is for the Congress to appoint some committee or some commission, make a thorough investigation of this whole matter, and then allow a living wage to all the men and women employed by the Government.

By the amendment of the Senator from Massachusetts you increase this bill more than $17,000,000, and it all goes to a class which is being paid a higher wage than the employees in any other department.

Mr. President, we hear a great deal about the departments losing some of these men. If you go out through the rural sections of the country and see the conditions, I want to say to you that you will find that there are thousands of men and women just as well qualified to take these positions as those who are holding them who would be glad to get these positions.

If there were a fundamental principle involved in setting aside the rule, I should not hesitate in voting for it, but I can

not vote to set aside a rule for trivial causes. I believe we ought to study the merits of the case, and I agree with the Senator from Kansas [Mr. CURTIS] and the Senator from Colorado [Mr. THOMAS] that this motion ought to be voted down at this time. I am quite sure that it will not be voted down, but as a member of the committee having had this matter under consideration I can not vote for it.

Mr. HENDERSON. Mr. President, a few moments ago the Senator from Utah [Mr. SMOOT] left with me, and I am afraid he left with the other Senators, the impression that the Joint Reclassification Commission reclassified the salaries of the employees in the navy yards. This is the language of the act under which that commission proceeded with its work:

It shall be the duty of the commission to investigate the rates of compensation paid to civilian employees by the municipal government and the various executive departments and other governmental establishments in the District of Columbia, except the navy yard and the Postal Service.

So the commission on which I had the honor to serve for a year did not reclassify the salaries paid to those in the navy yard.

Mr. SMOOT. Mr. President, I do not know why the Senator thinks I have made any statement that there was a reclassification in the navy yards. I took particular pains to say that the navy yard pay and bonus amounted to a certain amount of money, and that for the same class of people in the other departments of our Government doing the same work the scale under the reclassification report showed the amount that they reported upon that class. The Senator from Utah knows that the Reclassification Commission did not have anything to do with the navy yard or the post office employees; and that is why, when the first bonus bill was passed, the navy yard and also the Post Office Department were exempted from the benefits of a bonus; and the navy yard was never in the bonus bill until last year, and the Appropriations Committee put it in last year because representatives of the men said that for two years preceding that time the wages of the mechanics in outside industries on account of the war had been increased more than once in a year, and had been increased more than the wages had been increased in the Government service. In order to take care of that, Senators, we gave them a $240 bonus to take care of the difference that had occurred two years before, and this is what we are getting from these same representatives. They knew what it was given to them for.

Mr. HENDERSON. In order that a wrong impression may not be had, I simply wanted the Senate to know that the commission did not attempt to reclassify the salaries of any of the employees of the navy yards, and that such reclassification is not contained in the report. The Senator from Utah was not reading, a short time ago, from the report of the Congressional Joint Commission on Reclassification of Salaries, but from a hearing had in the House.

Mr. SMOOT. Yes; and I was reading a statement made by Col. Ridley, showing the scale of wages paid at the navy yards for all classes of employees—clerks and everyone else—and in comparison with those he shows the wages paid in the other departments for similar work under the reclassification report?

Mr. WALSH of Massachusetts. Mr. President, I would like to ask the Senator from Utah a question before the vote is taken. I do not care to discuss the merits of the amendment offered by me for the Senator from New York [Mr. CALDER], but in view of his argument, and the arguments of other members of the Committee on Appropriations, I would like to read one line from the letter of the Secretary of the Navy of January 21, and ask the Senator whether that is a truthful statement or not of what would happen if this bonus should be denied these men? He said:

Should Congress fail to continue the bonus, the result will be an automatic decrease in the amount received by the men below the sum which I have already approved as being just and proper.

I think the Senate is entitled to an answer "Yes" or "No" as to whether that statement is true or not.

Mr. SMOOT. Mr. President, that is very easy to answer, and I will say that it is true, because the fact that those men have been drawing for the past year $240 per year more than the wage board said they were entitled to——

Mr. WALSH of Massachusetts. Mr. President——

Mr. SMOOT. Wait just a moment, and I will answer the Senator.

Mr. WALSH of Massachusetts. Is that a fair answer?

Mr. SMOOT. Yes; it is a fair answer.

Mr. WALSH of Massachusetts. Does it need explanation, other than "yes" or "no," whether that is a true statement or not?

Mr. SMOOT. Mr. President, I have stated to the Senate a number of times the reason why the present $240 bonus was given, but the Senator from Massachusetts does not seem to pay any attention to it. The Committee on Appropriations never intended the bonus to go beyond the 30th of June of this year, and the bonus was put in the bill in order to take care of the condition which existed at that time with the employees of the navy yard.

We know, Mr. President, that the wages of outside labor increased very rapidly, more rapidly than it was possible for the board to increase the wages of these men. Therefore we thought, in order to make it up, to make them whole, we would give them $240. The House did not put the bonus provision in the bill. It never was put in until the Senate put it in last year, and I have stated why it was put in the bill. I was a member of the subcommittee, and when the representatives of the employees appeared before the subcommittee and made their statement and showed the salaries that were being paid men outside of the Government service, we thought that these employees were entitled to consideration, and that we would give them a $240 bonus, and all we are doing now is to take it away, because to-day they are receiving wages as high as or higher than those paid for the same work outside.

Mr. BRANDEGEE. Mr. President, may I ask the Chair, for my own information in voting on the question of the suspension of the rule, whether, under the notice given by the Senator from Massachusetts, if the rule should be suspended so as to make this amendment in order, it would make the proposed Walsh amendment in order also?

The VICE PRESIDENT. In the opinion of the Chair, it undoubtedly would. The Senate having entered into general legislation and opened the door, it can pursue it as far as it pleases. The question is on the motion of the Senator from Massachusetts [Mr. LODGE]. Will the Senate suspend paragraph 3 of Rule XVI for the purpose of offering the amendment reported by the committee as section 6 of the bill?—which is well understood by the Senate. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. I have been unable to obtain a transfer and therefore I will withhold my vote.

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. In his absence, being unable to secure a transfer, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], and in his absence I withhold my vote.

Mr. POMERENE (when his name was called). I have temporarily a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I am advised that I can transfer my pair to the senior Senator from South Dakota [Mr. JOHNSON], and I do so, and vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I do not know how he would vote if he were present. I have not been able to secure a transfer of my pair, and I therefore withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. After conferring with his colleague, I believe I am at liberty to vote. I vote "yea."

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], and in his absence I withhold my vote.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I withhold my vote. If permitted to vote, I would vote "yea."

Mr. HARRISON (after having voted in the affirmative). I have a pair for the day with the Senator from West Virginia [Mr. ELKINS]. I understand that if he were present he would vote as I have voted. Therefore my vote will stand.

Mr. EDGE. Has the Senator from Oklahoma [Mr. OWEN] voted?

The VICE PRESIDENT. He has not.

Mr. EDGE. I have a general pair with the Senator from Oklahoma [Mr. OWEN], which I transfer to the Senator from West Virginia [Mr. ELKINS], and vote "yea."

Mr. FERNALD. I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. On this matter I understand he would vote as I am about to vote, and therefore I vote "yea."

Mr. CURTIS. I wish to announce the following pairs:

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Oregon [Mr. McNARY] with the Senator from Utah [Mr. KING].

The roll call resulted—yeas 60, nays, 12, as follows:

YEAS—60.

Ashurst	Frelinghuysen	Kirby	Simmons
Ball	Gay	La Follette	Smith, Ariz.
Beckham	Gerry	Lenroot	Smith, Ga.
Borah	Gooding	Lodge	Smith, Md.
Brandegee	Gore	McKellar	Smith, S. C.
Calder	Hale	Moses	Spencer
Capper	Harris	Nelson	Stanley
Colt	Harrison	New	Sutherland
Culberson	Heflin	Phelan	Swanson
Dial	Hitchcock	Pittman	Trammell
Dillingham	Johnson, Calif.	Pomerene	Underwood
Edge	Jones, N. Mex.	Ransdell	Walsh, Mass.
Fernald	Jones, Wash.	Reed	Walsh, Mont.
Fletcher	Kellogg	Sheppard	Willis
France	Keyes	Shields	Wolcott

NAYS—12.

Curtis	McCumber	Poindexter	Thomas
Gronna	Overman	Smoot	Wadsworth
Kenyon	Phipps	Sterling	Warren

NOT VOTING—24.

Chamberlain	Johnson, S. Dak.	McNary	Penrose
Cummins	Kendrick	Myers	Robinson
Elkins	King	Newberry	Sherman
Fall	Knox	Norris	Townsend
Glass	McCormick	Owen	Watson
Henderson	McLean	Page	Williams

The VICE PRESIDENT. On the motion of the Senator from Massachusetts [Mr. LODGE] to suspend the rule the yeas are 60 and the nays are 12. So the rule is suspended for the purpose of offering the amendment. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. WARREN. Mr. President, I wish to appeal to the chairman of the committee having charge of the unfinished business, to give us 15 or 20 minutes more to dispose of the legislative appropriation bill. I wish to say to him and to the Senate that unless we can move these bills faster, most, if not all, of the appropriation bills will fail, in my judgment.

Mr. McCUMBER. It was the program to take up the emergency tariff bill on Saturday morning. I yielded to the Senator in charge of the legislative appropriation bill, with the general understanding that he would get through with it early on Saturday. All of Saturday was taken up, and it is yet undisposed of. I dislike very much to interfere with an appropriation bill for which the House is waiting, if it can be disposed of in a few minutes, but I also feel that we can get a vote upon the unfinished business by to-morrow evening sometime, and therefore I am especially desirous that we should go ahead with the unfinished business. However, if the Senator from Wyoming feels that he can dispose of the legislative appropriation bill in 15 or 20 minutes, I do not think there would be any objection to proceeding with that bill. If that course is satisfactory, I ask unanimous consent that the unfinished business may be temporarily laid aside for the purpose of proceeding with the consideration of the legislative appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. THOMAS. Mr. President, I should like to inquire of the chairman of the committee what the increase of the appropriation will be if the amendment of the Senator from New York [Mr. CALDER] is agreed to?

Mr. WARREN. Approximately $17,000,000, taking the word of the witnesses from the Navy Department.

Mr. THOMAS. Am I correct, therefore, in my assumption that the amendment will itself add something like $40,000,000?

Mr. WARREN. The entire amount last year was $51,000,000, about $35,000,000 estimated, and $16,000,000 which has gone through.

Mr. THOMAS. Then this $17,000,000 will make it $68,000,000 in all?

Mr. WARREN. No; this will make it $51,000,000, or a little more.

Mr. THOMAS. Then, if we increase it by the amendment, it will be $256,000,000 in all. Then there is the soldiers' bonus of $12,000,000, making $268,000,000. I have been informed that there are $7,000,000 left in the Treasury unappropriated——

Mr. WARREN. I doubt that very much. I would not guarantee that even $7,000,000 would be left.

Mr. THOMAS. So I hope it will be made $275,000,000.

Mr. CALDER. Mr. President, I offer the amendment which I send to the desk. I desire to add that the amendment which I now offer is the identical amendment which was submitted on my behalf on Saturday last by the junior Senator from Massachusetts [Mr. WALSH], and so ably defended by him at that time.

Mr. WARREN. I understand the amendment of the Senator from Massachusetts is in order.

The VICE PRESIDENT. The rule has been set aside to enable the Senator from Massachusetts [Mr. LODGE] to offer an amendment, but that Senator has not offered it.

Mr. CALDER. This is an amendment that I am offering now to his amendment.

Mr. LODGE. The Senator from New York [Mr. CALDER] offered the amendment which he sent to the desk.

The VICE PRESIDENT. The amendment which the Senator from New York has sent to the desk is supposed to be an amendment to the amendment of the Senator from Massachusetts [Mr. LODGE], which is not yet pending.

Mr. LODGE. The Chair refers to the amendment for which we suspended the rule?

The VICE PRESIDENT. Yes.

Mr. LODGE. I move that amendment. I supposed it would be brought before the Senate by the suspension of the rule.

The VICE PRESIDENT. The amendment is now offered by the Senator from Massachusetts [Mr. LODGE], proposing to insert section 6 in the bill. The amendment has been read heretofore. The Senator from New York now offers an amendment to the amendment, which will be stated.

The ASSISTANT SECRETARY. In the proposed section 6, on page 160 of the bill, in line 7, after the word "revenues," strike out the words "employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service" and insert in lieu thereof, after the word "compensation," in line 3, page 160, the following additional proviso:

Provided further, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage board or similar authority in adjusting the pay of such employees.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from New York [Mr. CALDER] to the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr. PITTMAN. I call for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I withhold my vote.

Mr. EDGE (when his name was called). I transfer my general pair with the Senator from Oklahoma [Mr. OWEN] to the Senator from West Virginia [Mr. ELKINS] and vote "yea."

Mr. SWANSON (when Mr. GLASS's name was called). My colleague [Mr. GLASS] is necessarily detained from the Senate. He is paired with the senior Senator from Illinois [Mr. SHERMAN].

Mr. HENDERSON (when his name was called). I transfer my general pair with the junior Senator from Illinois [Mr. McCORMICK] to the Senator from South Dakota [Mr. JOHNSON] and vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. Being unable to obtain a transfer, I withhold my vote.

Mr. MYERS (when his name was called). I have a general pair with the Senator from Connecticut [Mr. McLEAN]. In his absence I withhold my vote.

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote.

The roll call was concluded.

Mr. HARRISON. I have a general pair for the day with the Senator from West Virginia [Mr. ELKINS]. I understand that if he were present he would vote as I am about to vote. I vote "yea."

Mr. FERNALD. I have a general pair with the Senator from South Dakota [Mr. JOHNSON]. On this matter I understand that he would vote as I am about to vote. I vote "yea."

Mr. WOLCOTT. I have a general pair with the Senator from Indiana [Mr. WATSON], which I transfer to the junior Senator from New Mexico [Mr. JONES], and vote "yea."

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Oregon [Mr. McNARY] with the Senator from Utah [Mr. KING]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 42, nays 29, as follows:

YEAS—42.

Ashurst	Gore	Lodge	Smith, S. C.
Borah	Hale	McKellar	Spencer
Calder	Harris	Moses	Stanley
Capper	Harrison	New	Swanson
Colt	Heflin	Phelan	Trammell
Edge	Henderson	Pittman	Underwood
Fernald	Johnson, Calif.	Ransdell	Walsh, Mass.
Fletcher	Keyes	Reed	Walsh, Mont.
France	Kirby	Sheppard	Wolcott
Gay	La Follette	Shields	
Gerry	Lenroot	Simmons	

NAYS—29.

Ball	Gronna	Overman	Sutherland
Beckham	Hitchcock	Phipps	Thomas
Brandegee	Jones, Wash.	Poindexter	Wadsworth
Curtis	Kellogg	Smith, Ariz.	Warren
Dial	Kenyon	Smith, Ga.	Willis
Dillingham	McCumber	Smith, Md.	
Frelinghuysen	Nelson	Smoot	
Gooding	Norris	Sterling	

NOT VOTING—25.

Chamberlain	Jones, N. Mex.	Myers	Sherman
Culberson	Kendrick	Newberry	Townsend
Cummins	King	Owen	Watson
Elkins	Knox	Page	Williams
Fall	McCormick	Penrose	
Glass	McLean	Pomerene	
Johnson, S. Dak.	McNary	Robinson	

So Mr. CALDER's amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended.

Mr. HARRISON. I desire to ask the chairman of the committee a question in reference to the employees of the Women's Bureau in the Department of Labor.

Mr. WARREN. If the Senator from Mississippi has any amendment to offer in reference to that, I have no objection.

Mr. HARRISON. I wish to make an inquiry of the Senator. I notice that in the provision which was brought in in the other House the Women's Bureau was included, but the Senator's committee has left it out. I was wondering if there was any reason for that.

Mr. WARREN. Mr. President, owing to a little temporary physical difficulty with my throat, I am unable to speak at any length. Furthermore, I should like to get this bill through.

I wish to say, however, that the Women's Bureau is given a lump-sum appropriation, and it may fix the salaries of its employees out of that lump sum, with the exception, as is applied to all other bureaus—only the Women's Bureau is accorded greater latitude—that they can have only one employee at $5,000 per annum, one at $3,500, and three at $2,000 per annum. The other employees, however, can not receive compensation in excess of $1,800 per annum. In other bureaus, of course, the employees begin with a salary of about $1,000 per annum, and only a few of them receive as high as $1,800 per annum. There is nothing to hinder that bureau from fixing salaries at any amount except the limitation to which I have referred, that they shall not go above $1,800 per annum except in the case of five employees.

My experience—and I have had more than 50 years of it in the State of Wyoming—with women's government as well as men's government has been that when it comes to matters affecting them and the Government of the United States they do not ask to be raised on any dais above ordinary human beings. Under the laws of the country they have been given the vote, as in the case of the men, and have the same privileges. Now, if we want to give them greater privileges, set them up in a higher ether, and, in the case of the Women's Bureau, grant to the clerks employed by that bureau—estimable ladies, no doubt—sums in excess of the amounts received by employees in other departments, well and good. I call attention to the fact, however, that the appropriations for this bureau last year were only $8,500.

They will probably next year amount to $700,000 or $800,000 if we may judge by the experience we have had in connection with the Children's Bureau, which started out with an appropriation of $25,000, at which amount it was stated the appropriation would remain for some time, whereas they have asked for a trifle less than $700,000 this year. That is the whole subject. I am not going to object to the amendment if the Senate sees fit to make the additional allowance, but I wish to say that if the Senate continues to act along the line it has been acting the conferees of the Senate will have a very nice time. Of course if the women are going to vote they are entitled to all the privileges of men, and if they are entitled to all the privileges of men they ought to be subject to all the requirements of men as to service, and so forth.

Mr. HARRISON. Mr. President, in other words, the men get the bonus and consequently the women also ought to receive it. I therefore move, in line 15——

Mr. WARREN. Do not misunderstand me.

Mr. HARRISON. I do not misunderstand the Senator.

Mr. WARREN. A lump-sum appropriation has been granted for the Women's Bureau. I merely wish it understood that inasmuch as they have been granted a lump sum outside of the few restrictions to which I have referred they can fix the salaries as they please. However, I am not going to object to it, although in many instances the amendment, if adopted, will give the employees of that bureau, with the $240 bonus, much more than the employees of other bureaus and departments receive.

Mr. HARRISON. But if the wording of this amendment is right as reported by the committee the Women's Bureau, not being excepted, as are the United States Tariff Commission and the War Risk Insurance Bureau, they will not be paid the bonus.

Mr. SMOOT. If the Senator knew the wage scale in force in the Women's Bureau, he would not ask for the bonus. However, I am not going to say another word; if the Senate wants to add the amendment to the bill, let it do so.

Mr. HARRISON. What I am trying to get at is why is the Women's Bureau left out.

Mr. SMOOT. Because of the fact that the salaries paid—and I have a list of them here—are such that the employees of that bureau are not entitled to a $240 bonus; that is all.

Mr. HARRISON. Mr. President, the House committee saw fit to give the employees of the Women's Bureau in the Department of Labor the bonus the same as any other bureau or department. The Senate committee has left out the Women's Bureau. So I move, on line 15, page 160, after the word "Commission" and before the word "who," that the words "the Women's Bureau" be added.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Mississippi to the amendment of the committee. [Putting the question.] The "noes" seem to have it.

Mr. HARRISON. I ask for a division.

On a division, the amendment was rejected.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. STERLING. Mr. President, last Friday I gave notice of a motion to suspend the rules for the purpose of offering an amendment, and I wonder now if the chairman of the committee in charge of the bill will not waive the point of order and allow the amendment to go to conference?

The VICE PRESIDENT. The pending amendment has not been disposed of.

Mr. STERLING. I beg pardon.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee as amended.

The amendment as amended was agreed to.

Mr. WARREN. Mr. President, if I understand correctly the amendment intended to be proposed by the Senator from South Dakota, it is as direct a piece of legislation as anything could be. I could not occupy the position I do as chairman of the Appropriations Committee and consent to the item going into the bill and undertake to protect it in conference, as the conferees are supposed to protect the items the Senate inserts in the bill, unless the Senate may vote almost unanimously to suspend the rules—it would take a two-thirds vote to suspend them, and I do not believe we are going to do that. Consequently I must make the point of order against the amendment as being general legislation, although the object which the Senator seeks is not one that I oppose.

Mr. STERLING. I do not think it is, Mr. President. We have been considering a great deal here during this session, and, indeed, it was the burden of the discussion for several days, what relief might be afforded the farmers and stockmen of the country, to the men engaged in those basic industries; yet I think the amendment I propose is about the first practical attempt to render aid. We passed a measure reviving the War Finance Corporation, but it was considered at the time that if that bill should have any effect it would be a psychological effect.

Mr. WARREN. I suggest that the Senator pause a moment, and allow the amendment to be sent to the desk and read, and then let the Senate vote upon it.

The VICE PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from South Dakota.

Mr. WARREN. Mr. President, I want Senators to know what they are acting upon, and I do not believe they know now. I ask that the amendment be stated.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. The Senator from South Dakota [Mr. STERLING] gave notice that, under Rule XL, he would move to suspend paragraph 3 of Rule XVI, in order that he might propose to the bill the following amendment:

That the Secretary of the Treasury, in his discretion, may use not to exceed in the aggregate $100,000,000 of the net earnings which shall be derived by the United States from the Federal reserve banks during the years 1921 and 1922, being the earnings accrued and accruing during the years 1920 and 1921, as hereinafter provided.

Immediately upon the receipt by the Treasury in 1921 of such net earnings for the year 1920, and the receipt in 1922 of such net earnings for the year 1921, the Secretary of the Treasury shall advise the Federal Farm Loan Board of the amount available for the purposes hereinafter designated, and the Federal Farm Loan Board shall thereupon immediately allot the same to the several Federal land bank districts in proportion to the needs of such districts for the purposes prescribed.

The sums so allotted to the several Federal land bank districts shall, upon the request of the Federal land bank of any district, approved by the Federal Farm Loan Board, be placed with such Federal land bank as financial agent of the Government of the United States to be used for the purpose of purchasing paper based on staple agricultural products or live stock.

Any Federal land bank as such financial agent may purchase, in the name of the Government of the United States, with the funds so deposited from banks within its district, whether members of the Federal Reserve System or not, paper based on staple agricultural products in the hands of the producer or on live stock according to regulations to be prescribed by the Federal Farm Loan Board.

No loan purchased under this act and based on agricultural products shall be for a period longer than nine months, and no loan based on live stock shall be for a period longer than two years.

No Federal land bank shall purchase from any bank, under the provisions of this act, paper in an amount greater than three times the capital and surplus of the selling bank, nor shall any paper be purchased from any bank located in a reserve city: *Provided*, That the loans to any one individual from a corporation which may be purchased by any Federal land bank under the provisions of this act shall not exceed in the aggregate the sum of $10,000.

All loans purchased under the provisions of this act shall be indorsed and guaranteed unconditionally by the bank selling the same to the Federal land bank.

Loans purchased under the provisions of this act shall bear interest at the rate of 6 per cent per annum payable in advance, if the loan be for a period of six months or less; if for a longer period than six months, payable semiannually in advance, but any borrower, under the provisions of this act, may be charged for the expenses incident to his loan a sum to be approved by the Federal Farm Loan Board not exceeding an amount equal to 1 per cent per annum for the period of the loan, of which one-half of 1 per cent may be retained by the indorsing bank and one-half of 1 per cent by the Federal land bank making the loan.

No loan shall be purchased by any Federal land bank, under the provisions of this act, which exceeds 65 per cent of the cash value of the staple agricultural products or live stock by which such loan is secured.

Any paper purchased by any Federal land bank as herein authorized may be by such bank renewed or extended wholly or in part and the proceeds of any paper collected may be by the proper Federal land bank reinvested as herein authorized: *Provided*, That no paper shall be so renewed, nor shall any loan be so made as to create a maturity later than January 1, 1924.

The several Federal land banks shall so administer the trust as financial agents of the Government as to complete their transactions hereunder as near as may be by January 1, 1924, and shall forthwith thereafter account for and pay over to the Treasury all moneys collected, both principal and interest.

Such money when paid into the Treasury shall be subject to the uses prescribed by the second paragraph of section 7 of the act approved December 23, 1913, known as the Federal reserve act, for the net earnings derived by the United States from Federal reserve banks.

The VICE PRESIDENT. Does the Chair understand that the point of order is withdrawn?

Mr. WARREN. I undertook to say that a point of order would lie against the amendment, and I say now that there is not any kind of rule that would admit it; it could only be considered in the face of objection under a suspension of the rules; but rather than to take up the time of the Senate, I suggested to the Senator that if he would stop now and allow the amendment to go to a vote, and let the Senate determine the question, so far as I was concerned, I should not object. If there is to be debate upon it, however, I shall make the point of order and ask for the decision of the Chair.

Mr. STERLING. I accept that situation and do not wish to say anything further in regard to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from South Dakota. [Putting the question.] The noes seem to have it.

Mr. STERLING and Mr. SIMMONS asked for a division.

On a division, the amendment was rejected.

Mr. PITTMAN. I have an amendment on the table, which I should like to have stated.

The VICE PRESIDENT. The Secretary will state the amendment proposed by the Senator from Nevada.

The READING CLERK. On page 70, after line 15, it is proposed to insert the following:

Carson City, Nev., mint: Assayer in charge, who shall also perform the duties of melter, $2,400; assistant assayer, $1,400; chief clerk, $1,400; in all, $5,200; for wages of workmen and other employees, $3,400; for incidental and contingent expenses, $1,800.

Mr. WARREN. What is the total carried by the amendment?

Mr. PITTMAN. I think it is $9,500.

Mr. WARREN. That is about two or three times as large as the amount provided for the purpose last year.

Mr. PITTMAN. No; it is about $2,000 more than the item for last year. It is in accordance, I will say, with the estimate as contained in the Book of Estimates.

Mr. WARREN. I think the Senator is mistaken about the estimates.

Mr. PITTMAN. No; I am not.

Mr. WARREN. I may say about the other assay offices that the department in submitting the statements and estimates did not ask, as my book shows, for anything more than was given last year; and, for that matter, the House left it out altogether. The returns of that office are very, very light, as the Senator from Nevada knows. I have no objection to its going in at the amount that they have had heretofore, if the Senator will make it that.

Mr. PITTMAN. I will state that the estimates are for $9,600. I have a tabulation here which has been taken from the Book of Estimates, which I ask leave to file.

Mr. WARREN. The estimate is $4,200 in all.

Mr. PITTMAN. Mr. President, the Senator is looking at only a part of the items.

Mr. WARREN. The Senate can vote on it, and if it wants to have it go in, all right.

Mr. JONES of Washington. Mr. President, I want to suggest to the Senator that at the assay office at Boise the assayer in charge, who shall also perform the duties of melter, is put in the bill at $1,800, and the same officer at Helena at $1,800, and at Salt Lake City $1,800. I suggest that the Senator make the salaries in his amendment correspond to those. I think he has much higher salaries.

Mr. PITTMAN. I simply took the estimates as the basis.

Mr. JONES of Washington. Yes, I know; but the committee, I think, has cut down the estimates in these other places, and I understand that the business of this office is not any greater than it is in Helena and Boise, and I was just suggesting that the Senator make his salaries correspond.

Mr. PITTMAN. I consent to that. I will change my amendment in that particular. I simply want to state this for the benefit of the conference committee and for the benefit of the House conferees:

There are seven assay offices in the United States. The House reported favorably on each of them. It adopted the principle that these assay offices were of benefit to the mining industry of the country.

Mr. WARREN. Will the Senator please tell me what he proposes for the man in charge? What is the assayer's salary as the Senator proposes it?

Mr. PITTMAN. One thousand eight hundred dollars. That is what it has been all the time.

Mr. WARREN. And what are the others?

Mr. PITTMAN. The others are $1,400 and $1,200.

As I was stating, the House has adopted a policy of maintaining these assay offices. For a good many years there has been a constant dispute as to whether these assay offices should be maintained.

Mr. WARREN. Did the Senator say that the House had adopted that policy?

Mr. PITTMAN. Yes, sir. The House in this bill struck out only one of the seven assay offices.

Mr. WARREN. I thought the Senator said the House had insisted upon it.

Mr. PITTMAN. No; only one.

Mr. WARREN. If the Senator thinks there is business enough in that office, let it go in. I am not going to talk about it further.

Mr. PITTMAN. I am going to take just a very few minutes in trying to aid the committee, but I want to understand that it is going in to stay in.

Mr. WARREN. What does the Senator mean by that?

Mr. PITTMAN. I mean by that that I want the House committee conferees, who evidently did not understand the situation, to have these data that I have in my hand. That is the only reason why I am trespassing upon the time of the chairman of the committee, and I shall be very brief about it; but I say that if any assay office in the United States is entitled to exist and to be maintained, the one at Carson City is. It is located in one of the greatest mineral States of the country. It is where there is more gold and silver produced than almost anywhere else in the country; and if the House is to maintain assay offices—and it has provided for the maintenance of six of them—then I say that in justice it must maintain this one.

That is all I have to say about the matter. I offer this tabulated statement to show that the assay office in Carson City is equal to any of those that the House has provided for.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

	Estimates.		Appropriations.
	1920	1921	
Carson	$6,600	$9,600	[1]
New Orleans	11,750	12,150	[1]
Boise, Idaho	6,200	7,400	$7,500
Salt Lake	3,300	3,900	3,900
Deadwood	6,000	8,000	[2] 7,200

[1] None. [2] By Senate.

Number deposit.

Carson City	277	Salt Lake	160
New Orleans	492	Deadwood	79
Carson City	277	Helena	322

	Income.	Expenses.	Loss.
Carson	$728.70	$8,427.96	$7,699.26
New Orleans	1,440.83	17,395.74	15,955.91
Boise	922.69	8,954.03	8,031.34
Salt Lake	743.49	4,171.83	3,428.34
Deadwood	760.85	8,162.91	7,402.06
Seattle	3,010.95	37,884.48	34,873.53
Helena	483.53	9,667.09	9,183.56

The VICE PRESIDENT. How does the amendment stand now?

Mr. PITTMAN. I ask to have the Secretary state it.

The READING CLERK. On page 70, after line 15, it is proposed to insert:

Carson City, Nev., Mint: Assayer in charge, who shall also perform the duties of melter, $1,800; assistant assayer, $1,200; chief clerk, who shall also perform the duties of cashier, $1,400; in all $4,400.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

Mr. HENDERSON. I send to the desk an amendment which I ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 73, lines 16 and 17, after the words "except the following," it is proposed to insert the words "chief clerk, at $2,500; clerks —," making the paragraph read:

Office of Chief of Air Service: For employees in the office of the Chief of the Air Service, $350,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except the following: Chief clerk at $2,500; clerks—3 at $2,400 each, 3 at $2,250 each, and 3 at $2,000 each.

Mr. HENDERSON. Mr. President, this amendment does not carry any additional appropriation. It simply provides for a chief clerk of the Air Service, who to-day receives $2,500, who entered the War Department in October, 1905, and who has been in the Air Service since October, 1913.

Mr. WARREN. I have no objection to the Senator's amendment.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nevada.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I offer the following amendment: After the amendment in regard to the Seattle passport bureau, on page 33, inserted on Saturday, I move to insert:

Key West, Fla., passport bureau: For salaries and expenses of maintenance, passport bureau, $3,500.

The bureaus provided for on Saturday were at New York, San Francisco, and Seattle, and in each instance they carried $7,500. I am only asking that $3,500 be appropriated here, because I think the expense can be met with that sum. Key West is a very important port and the travel to Cuba and other points in the South passes through that port.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

Mr. CALDER. Mr. President, I was not in the Chamber on Saturday afternoon when the committee agreed to section 4 of the bill. That is the section having to do with typewriting machines. I ask unanimous consent for the reconsideration of the vote by which that amendment was agreed to, so that I may offer an amendment to it.

The VICE PRESIDENT. Is there any objection?

Mr. WARREN. I object to reconsidering the vote. If the Senator has amendments, he can offer them; but there is no reason why we should reconsider the whole matter.

Mr. CALDER. Then I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 156, beginning on line 12, it is proposed to strike out all the balance of the page and lines 1 to 9, inclusive, on page 157, and in lieu thereof to insert the following:

SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1922 for the purchase of any typewriting machines (except bookkeeping, billing, and book-recording machines) at a price in excess of 70 per cent of the list price of such machine as now fixed and established by the manufacturer thereof; such price shall include the value of any typewriting machine or machines given in exchange.

The VICE PRESIDENT. Nothing can be done about that unless the vote whereby the committee amendment was agreed to is reconsidered. Does the Senator move to reconsider the vote?

Mr. CALDER. I do, Mr. President.

The VICE PRESIDENT. The question is on the motion of the Senator from New York.

The motion was rejected.

Mr. CALDER. Mr. President, I am sure that if the Senate had understood the matter which I proposed to offer the vote would have been different; but I propose to explain the matter, and then, when the bill is in the Senate, I shall endeavor to submit the motion again.

There is no article in this bill or in any other legislation enacted by Congress that attempts to fix definitely the price of a commodity. At the beginning of the war—in fact, several years before the war—we fixed the price at which typewriters could be bought for the Government. We have continued that method, despite the fact that the price of practically every commodity purchased by the Government has increased. If we continue this legislation, we fix a definite price at which typewriters may be purchased. My amendment provides that the Government shall not pay more than 30 per cent less than the list price of a typewriting machine. That is at least 15 per cent less than the price at which any other concern or individual purchases these machines.

It seems to me most unjust that a great industry like the typewriter-manufacturing industry should be put in the position of having the Congress definitely fix the price at which these machines may be purchased, which is, as I said before, at least 15 per cent less than the price at which they are sold to any other concern in any quantities whatever; and I want to go on record as saying that I think it is an outrage that this limitation should be continued.

Mr. MOSES. Mr. President, on the 2d of February, on behalf of the senior Senator from Illinois [Mr. SHERMAN], I offered an amendment which was not favorably acted upon by the committee. I now have a letter from the senior Senator from Illinois asking me to offer the amendment in the Senate. I therefore send it to the desk and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. It is proposed to add to the bill a new section, as follows:

SEC. —. That on and after March 4, 1921, the compensation of Senators, Representatives in Congress, Delegates from the Territories, and the Resident Commissioners from Porto Rico and the Philippine Islands shall be at the rate of $12,000 per annum; and that the compensation of the Vice President and of the heads of the executive departments who are members of the President's Cabinet shall be at the rate of $15,000 per annum.

Mr. MOSES. Mr. President, in connection with the amendment offered by the Senator from Illinois, he writes me to reoffer it in the Senate, as I now have done; and in his letter he says this:

I hope the salary increase will be added as an amendment. Congress cheapens itself by allowing bureau and board members created by legislative breath to draw larger salaries than the men who created them. If it be said that a Member of Congress is compensated by the honor, then reduce the present salary and let the honor be the pay. Membership in either House will then be composed of the affluent and the adventurer—one who can stand it to serve for nothing and the other who can not be any worse off anyhow than he then is. The public can not any more get something for less than it is worth than the private individual can.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from New Hampshire on behalf of the Senator from Illinois.

Mr. HARRISON. I ask for the yeas and nays.

Mr. WARREN. I presume the Senator does not wish to cut me off from a word or two.

Mr. HARRISON. Certainly not.

Mr. WARREN. There is no question, of course, but that the salaries of Members of Congress in both Houses are exceedingly low as compared with salaries received in former years. There is not any question but what there are those in positions which, as the Senator says, we helped to create, who draw greater

salaries than we do. But I have seen this matter tried three times, once with success and twice without, and of course, in order to have it a success there must be some work done between the House and the Senate beforehand. The chairman of the Senate Committee on Appropriations has taken it up with the chairman of the corresponding committee in the House, and has received no encouragement whatsoever, and I fear that the inclusion of it would lead to damage rather than to good. Of course, it is not estimated for, because naturally salaries provided by law are not estimated for, any more than are the salaries of our employees. But it is a delicate subject to handle, and it can be handled only when both Houses are in accord.

Mr. SMOOT. It is not very difficult for me to handle it. I make a point of order against the amendment.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 115, after line 19, insert the following:

South Dakota: Surveyor general, $2,000; clerks, $3,100; contingent expenses, $200; in all, $5,300.

Mr. STERLING. Mr. President, I ask that the telegram which I send to the desk may be read in connection with the offer of the amendment.

The VICE PRESIDENT. The Secretary will read the telegram.

The telegram was read as follows:

Senator THOMAS STERLING,
United States Senate, Washington, D. C.:

This office should be continued until regular surveys in Black Hills are completed and plats made in this office. There are nearly 2,000 mining surveys and 600 homestead surveys to be shown on segregation plats of township surveys now being made in the field, which plats should be made while the records are held intact in this office. It would be a serious mistake to close the office before this particular work is completed. It may require three more years to execute the field and office work.

W. A. LYNCH, *Surveyor General.*

Mr. STERLING. Mr. President, this amendment provides for an appropriation of only $5,300. The appropriations for various surveyors' general offices throughout, as I find them, run from $14,000 to $27,000 or $28,000.

The Commissioner of the General Land Office thinks this office should be maintained in existence for three or four years, anyhow, in order that the business might be closed out.

Mr. WARREN. I am not objecting to the amendment. Let it go to a vote.

The amendment was agreed to.

Mr. STERLING. Mr. President, I offer another amendment, which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 107, line 16, strike out the proviso and insert in lieu thereof the following:

Provided, That no person shall be employed hereunder at a rate of compensation exceeding $2,000 per annum, except 2 actuaries, 1 at $3,000 and 1 at $2,400.

Mr. WARREN. Mr. President, if we are going to open up the question of revising and raising salaries in every department, we may as well quit.

Mr. STERLING. May I say to the Senator from Wyoming that this does not increase the appropriation one cent.

Mr. WARREN. But it raises the salaries of these men.

Mr. STERLING. It allows a readjustment to meet the actual needs.

Mr. WARREN. It raises the salaries of the employees.

Mr. STERLING. I send to the desk to have read an extract from a letter of the director of the service. I think it is most convincing, and will convince the Senator from Wyoming.

The reading clerk read as follows:

The reason for the change is that the best legal examiners, medical examiners, and reviewers in the Pension Bureau proper receive compensation at the rate of $1,800 and $2,000 per annum. With the present restriction in the appropriation the retirement division is at a disadvantage because the employees in this division realize that there is little chance for them to get beyond $1,740, consequently they become dissatisfied and ask to be transferred to other divisions, where they may have opportunity to be promoted to $1,800 or $2,000.

On a division, the amendment was rejected.

Mr. SMOOT. Mr. President, I have two amendments to offer, by which I want to save a little money. I do not know whether they will be agreed to or not. I offer one amendment on page 100, following line 9. At first blush it seems to be an appropriation, but I will say to the Senate that if it is agreed to, we will take all of the Shipping Board out of the building now rented on F Street and it will go into the new Navy Building. The Secretary of the Navy has told me that he could get along with $75,000 to arrange the building so that we can put the whole of the Shipping Board there, and we will save $86,000 a year by doing it.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 100, after line 9, insert the following:

To enable the Secretary of the Navy to install certain fittings and make such necessary changes, alterations, and improvements in the new Navy Building, Seventeenth and B Streets NW., as will provide sufficient office space for the accommodation of the United States Shipping Board, $75,000, or so much as may be necessary.

The amendment was agreed to.

Mr. SMOOT. In behalf of the Senator from Illinois [Mr. MCCORMICK] I offer the following amendment, and ask that the letter of the Secretary of the Treasury be read. The adoption of the amendment would also save the Government money.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. It is proposed to insert in the proper place:

That in consideration of an ordinance passed by the city council of the city of Chicago on February 4, 1921, giving to the United States the use and maintenance for 20 years from July 1, 1921, of certain premises in the city of Chicago for barge-office quarters, upon terms and conditions therein set forth, and payment to the United States of the appraised value of the land to be condemned, such value to be not less than $25.50 per square foot, the city of Chicago is hereby authorized to acquire for street purposes by condemnation proceedings all interest of the United States in and to lot 10 in block 2 in Fort Dearborn Addition to Chicago, section 10, township 39 north, range 14 east, of the third principal meridian, in the city of Chicago, in the State of Illinois.

Mr. SMOOT. I ask that the letter of the Secretary of the Treasury may be read.

The letter was read, as follows:

TREASURY DEPARTMENT,
Washington, February 11, 1921.

Senator MEDILL MCCORMICK,
United States Senate.

MY DEAR SENATOR: Receipt is acknowledged of your communication of the 11th instant, relative to the desire of the city of Chicago to obtain, through condemnation proceedings, certain property now owned by the United States in said city, known as the barge office site.

It is the understanding of this department that the bill which accompanied your letter and as drawn does not express the agreement which the department and the city authorities are willing to make, namely, that in addition to giving a lease of the property for 20 years for use as a barge office the city proposed to pay also the market value of the land condemned, and the proposed legislation will be acceptable to this department if there is inserted in line 9 of said bill (after the clause "upon terms and conditions therein set forth") the words "and payment to the United States of the appraised value of the land to be condemned, such value to be not less than $25.50 per square foot."

Very truly, yours,

D. F. HOUSTON, *Secretary.*

Mr. SMOOT. That will amount to about $30,000, and the Government will get the house near the end of the bridge to take care of the employees now being taken care of elsewhere.

Mr. WARREN. I know nothing about it. I am willing that it should go to conference.

The amendment was agreed to.

Mr. HARRISON. I reserve the right to offer an amendment touching the Women's Bureau in the Senate.

Mr. FRANCE. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 149, line 15, strike out the proviso which ends with line 18.

Mr. FRANCE. I desire to say just a word in regard to this amendment.

Mr. SMOOT. May the amendment be read?

The VICE PRESIDENT. The Secretary will state the amendment.

The READING CLERK. On page 149, line 15, strike out the proviso which ends on line 18. The proviso reads as follows:

Provided, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum, except the following:

One at $5,000, one at $3,500, and three at $2,000 each.

Mr. FRANCE. Mr. President, I have been informed that this proviso will very seriously cripple the work of the Women's Bureau of the Department of Labor. Not only so, but it is a discrimination against the women who are working in that bureau, if we consider the salaries of men in other bureaus who are doing similar work, and, of course, that would be a manifest injustice.

It would prevent the payment of any salary in excess of $1,800 except to the director and assistant director, and to

three others at $2,000 each. There is in the bureau a highly skilled woman, who is an industrial supervisor. She at present is receiving $3,000, and is an industrial economist, an expert.

Mr. SMOOT. She is the supervisor in the field, and she gets $3,000.

Mr. FRANCE. She would not get $3,000 if this proviso is adopted. Her salary would be reduced from $3,000 to $1,800.

Mr. WARREN. The Senator is mistaken about a reduction to $1,800, I think, because $2,000 is the salary given.

Mr. SMOOT. They have the bonus of $240, which makes $2,240 the amount the supervisor would get.

Mr. FRANCE. She might possibly be included among those who are to receive a salary of $2,000.

Mr. SMOOT. Of course, she would be included.

Mr. FRANCE. It is manifestly impossible for a woman who is now receiving $3,000 to consider continuing her work at $2,000.

Mr. SMOOT. She will continue her work all right, I will say to the Senator.

Mr. FRANCE. I hope she will.

Mr. SMOOT. There is no doubt about it. If she does not, there are many others, who are just as capable, who will do it.

Mr. FRANCE. It is a great discrimination against her, when there are experts in other departments, men, who are receiving more than $3,000 for similar work.

Mr. SMOOT. I want to say, Mr. President, that we have men all over the United States, in the Interior Department, having charge of millions and millions and millions of acres of public land, who get $2,650 each, and now it is proposed to pay a woman as supervisor in this little bureau $3,000, or more than we are giving men who have been in the service for years and years, and have qualified themselves for it. We have to be consistent, at least.

Mr. FRANCE. I feel that this is a matter which has been left to the Secretary heretofore, and that we may seriously cripple the work of the Women's Bureau if we do not strike out this proviso. I have mentioned the effect which it would have upon the salary of the industrial supervisor.

There is one assistant industrial supervisor who is drawing a salary of $2,500. Of course she would be reduced to $2,000 if the proviso remains in the bill. There are also two industrial matrons at $2,200 each and their salaries will be reduced. There is also one editor who is drawing $2,200. I feel that the proviso should be stricken out if the work of the Women's Bureau is to be continued with efficiency.

The PRESIDING OFFICER (Mr. WALSH of Montana in the chair). The question is on the amendment offered by the Senator from Maryland [Mr. FRANCE].

The amendment was rejected.

Mr. HARRISON. Mr. President, in this same connection I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. After the word "each," in line 18, page 149, insert the following additional proviso:

Provided further, That nothing contained in this act shall prevent the employees in the Women's Bureau from obtaining the $240 bonus under the same restrictions provided for other employees.

Mr. HARRISON. Mr. President, I have offered this amendment from my own investigation and from admissions made by the chairman of the Appropriations Committee and by the Senator from Utah [Mr. SMOOT]. In making provision for the bonus for the various departments they have omitted to make provision for a bonus for the Women's Bureau. I can not understand the reason for that at all.

Mr. WARREN. Does not the Senator appreciate that the sundry civil bill and the pending bill are full of lump-sum appropriations which are divided among the employees as they see fit to divide them? This is a case where $75,000 is given to the women for them to divide as they see fit, except that they are restrained in the granting of salaries above $1,800 to a certain number, which gives the management the necessary high-class assistants, some seven in number.

Mr. HARRISON. The same situation presents itself touching the Women's Bureau as in the case of the Tariff Commission. Both the Senate Committee on Appropriations and the House Committee on Appropriations saw fit to make an exception of the United States Tariff Commission and the War Risk Insurance Bureau. All the other departments are provided for.

Mr. WARREN. They are not, by any manner of means, and the Senator should know that.

Mr. HARRISON. The employees of the various departments, as a rule, get the $240 bonus.

Mr. WARREN. They do when the statute provides it, but those departments or bureaus having lump-sum appropriations fix their own salaries.

Mr. HARRISON. The Tariff Commission comes under a lump-sum appropriation.

Mr. WARREN. The Tariff Commission, as the Senator knows, is an old commission. They sent to the committee a list of their salaries so that we could see just what they are. It was a question for them to determine whether to increase the salaries or whether we should include a bonus, and it was determined to fix it as we have done.

Mr. HARRISON. Under this provision they would not be allowed to pay the $240 bonus to those employees.

Mr. SMOOT. Nor do we allow employees of the Vocational Board to be paid the bonus of $240. We do allow the employees of the War Risk Insurance Bureau to be paid $120, because when an examination was made of the salaries paid in the War Risk Bureau, we found that it took $120 to make them equal to the $240 bonus that was paid in the older departments. The Women's Bureau employees are paid from a lump-sum appropriation, and there is no necessity for a provision to make them equal. The salary is a matter for the Women's Bureau to determine.

Mr. HARRISON. Did the Committee on Appropriations investigate the matter of the Women's Bureau?

Mr. SMOOT. We have before us a list of all their salaries. Let me call the Senator's attention to some of them.

Mr. HARRISON. I do not understand the difference between the action of the House Committee on Appropriations for a bonus for the employees of the Women's Bureau and the action of the Senate Committee on Appropriations. The House did not provide for this bureau, and the attention of the Senate is called to it. It is provided, on page 148, that no person shall be employed at a greater rate of compensation, except the following, and it names three officers.

Mr. WARREN. I am willing that the Senate shall vote on the amendment. I have made no objection to a vote.

Mr. HARRISON. I understand that; but I can not understand why the Senate Appropriations Committee should discriminate against the Women's Bureau, in the Labor Department, that has been provided for quite recently, making in that case an exception as to the bonus. The Senator knows that unless provision is made giving a right to pay the bonus the employees in the Women's Bureau will be cut out just that much.

Mr. SMOOT. They have no right to it under the existing law. We are not cutting out anything. There has been no bonus granted to them because they were paid their salaries out of the lump-sum appropriation as the department saw fit to fix them. If we incorporate this provision in the bill, it means $240 more to each of them.

Mr. HARRISON. Did not the Women's Bureau get the bonus the last time?

Mr. SMOOT. No; they did not.

Mr. HARRISON. They have never received any bonus?

Mr. SMOOT. No; this is the first time that the attempt is made.

Mr. HARRISON. Then that makes me stronger than ever for the proposition. I can not understand why we should give this bonus to other bureaus and not provide the Women's Bureau with the bonus.

Mr. SMOOT. Because they are receiving higher salaries than those occupying similar positions.

Mr. HARRISON. The Appropriations Committee of the House did not agree with the Senate committee on that point. I have just read the provision that was incorporated in the RECORD of January 14, 1921, where an exception is made excepting employees of the United States Tariff Commission, the War Risk Bureau, and the Women's Bureau. The Women's Bureau is the only one that is stricken out of the provision in the bill that is now being considered. That is the reason why I offered the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Mississippi [Mr. HARRISON].

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McCumber	Spencer
Beckham	Harris	McKellar	Stanley
Brandegee	Harrison	New	Sterling
Capper	Heflin	Phelan	Sutherland
Curtis	Henderson	Phipps	Thomas
Dial	Hitchcock	Pomerene	Underwood
Fernald	Jones, N. Mex.	Ransdell	Walsh, Mont.
France	Jones, Wash.	Sheppard	Warren
Frelinghuysen	Kellogg	Simmons	Willis
Gay	Kendrick	Smith, Ariz.	Wolcott
Glass	Kirby	Smith, S. C.	
Gore	Knox	Smoot	

Mr. JONES of Washington. I have been requested to announce that the Senator from North Dakota [Mr. GRONNA], the

Senator from Missouri [Mr. REED], the Senator from Massachusetts [Mr. WALSH], the Senator from Iowa [Mr. KENYON], and the Senator from Wisconsin [Mr. LA FOLLETTE] are absent on business of the Senate.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Assistant Secretary called the names of the absent Senators, and Mr. OVERMAN, Mr. POINDEXTER, and Mr. SMITH of Georgia answered to their names when called.

Mr. JOHNSON of California, Mr. KEYES, Mr. COLT, Mr. FLETCHER, Mr. DILLINGHAM, and Mr. GOODING entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Fifty-five Senators having answered to their names, their is a quorum present. The question is on the amendment proposed by the Senator from Mississippi [Mr. HARRISON].

Mr. HARRISON. On that I ask for the yeas and nays.

Mr. SMOOT. Just one word to the Senate while there are a few Senators present.

Mr. President, we are going perfectly wild. I wish to say to the Senate that I have here a list of the employees of the Women's Bureau, from which I find that messengers are paid $1,080. What is the statutory salary of a messenger? It is $840. What have those in charge of the Women's Bureau done? They have $240 added to the salary of messenger, making it $1,080, and it is now asked that there be added to that salary $240 more, or a salary for messengers in the Women's Bureau of $1,320. Are we going crazy? Had not we better stop and think?

The salary of the chief clerk of the Women's Bureau is $2,700. I find in other departments and bureaus, for instance under the Inspector General, that a chief clerk receives a salary of $2,000, and under the Judge Advocate General a chief clerk receives $2,500; and yet in the Women's Bureau the salary of the chief clerk is $2,700. I think we had better call a halt. If Senators want to vote for such discrimination, well and good, but let it be done with their eyes open.

Mr. HARRISON. I desire to ask the Senator a question. The Senator cites a case where some one is getting $2,000 a year, as I understood.

Mr. SMOOT. To what does the Senator refer?

Mr. HARRISON. To the case just cited by the Senator.

Mr. SMOOT. Yes; I can cite such instances all through the bill. The chief clerk in the Navy Department is receiving $2,250.

Mr. HARRISON. But we are talking about the Women's Bureau now. We have passed the naval proposition; the Senate disagreed with the Senator from Utah by a vote of 5 to 1 and settled the matter as to the employees of the Navy.

Mr. SMOOT. That is not what I am speaking of. I am speaking about the statutory roll of the Navy Department.

Mr. HARRISON. That has nothing to do with the Women's Bureau. We are discussing the Women's Bureau now.

Mr. SMOOT. But I cited facts to show the Senator from Mississippi the salaries paid in the Navy Department.

Mr. HARRISON. The Senator has cited a case where one employee got over $2,000. On page 149 of the bill there is written into the bill the following proviso:

That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except the following: One at $5,000, one at $3,500, and three at $2,000 each.

So that safeguards the matter. That provision is in the bill, and the bureau could not hope to override that.

Mr. SMOOT. The bureau can not exceed that number in fixing salaries over $1,800.

Mr. HARRISON. Of course not.

Mr. SMOOT. But they can include the chief clerk in that number and pay her more, and that is what it is done for. I ask the Senator does he believe that the chief clerk of the Women's Bureau ought to be paid $2,700, when the chief clerks of the bureaus in the Navy Department only receive $2,250, and some of them only $2,000?

Mr. HARRISON. Does the Senator think, in view of the proviso as to the Women's Bureau, if the present chief clerk receives $2,500 and we should include the Women's Bureau in the exceptions, so that the employees there should get the bonus of $240, the same as in other bureaus, that the chief clerk would get more than $2,740?

Mr. SMOOT. I can tell the Senator in a moment.

Mr. HARRISON. The entire provision as to the Women's Bureau as written in the bill is as follows:

Women's Bureau: For carrying out the provisions of the act entitled "An act to establish in the Department of Labor a bureau to be known as the Women's Bureau," approved June 5, 1920, including personal services in the District of Columbia and elsewhere, purchase of material for reports and educational exhibits, and traveling expenses, $75,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except the following:

Then three are excepted specifically, so that no employees can be paid more than $1,800 except those three.

Mr. WARREN. There are five excepted altogether.

Mr. HARRISON. I am reading the language which was incorporated in the bill by the distinguished Senator from Wyoming, the chairman of the committee.

Mr. WARREN. Then read it correctly, please.

Mr. HARRISON. I have read it correctly.

Mr. WARREN. The exceptions are "one at $5,000, one at $3,500, and three at $2,000 each."

Mr. HARRISON. There are three provided for at $2,000 each. Those who get $1,800 can not be increased over $1,800 by bonus or otherwise because of the limitation that is provided in the clause.

Mr. SMOOT. Even under the provisions of the House bill the Women's Bureau could pay messengers $1,800.

Mr. HARRISON. Yes; but I have more faith in the Women's Bureau than to believe they would do that.

Mr. SMOOT. They are paying those they have now $1,080, while on the statutory roll the salary is $840. If the Senator's amendment is adopted, it will add $240 to the $1,080, so if the $240 is added messengers will receive a total bonus of $480.

Mr. HARRISON. What the committee proposes to do here—there can not be any doubt about it—is to make no exception, as is done in the case of the Tariff Commission and the War Risk Bureau and other bureaus, so that the employees of the Women's Bureau shall not get the $240 bonus. They should be placed upon the same basis as the other bureaus and departments of the Government. There is no reason why we should discriminate against the Women's Bureau in the Department of Labor.

Mr. SMOOT. If that is the Senator's position, then why does he not go back to the Interstate Commerce Commission and to all other bureaus the employees of which have their salaries paid from lump-sum appropriations and try to have the same action taken in those cases? We have decided that question.

Mr. HARRISON. The bonus has been allowed to other bureaus for which lump sums are provided, and there is no reason why a discrimination should be made against this particular bureau, especially when the committee has written in the limitation which we find on page 149.

Mr. SMOOT. Mr. President, then we have discriminated, if discrimination it can be called—which I deny—against the Vocational Education Board; we have given them no bonus. Why? Because the salaries paid to the employees of that board without the bonus are equalized with the salaries paid to employees on the statutory roll plus the $240 bonus. The employees of the War Risk Insurance Bureau are paid a bonus of $120 instead of $240. Why? Because the salaries paid to those employees, together with the $120 bonus, equalize the salaries paid to employees on the statutory roll plus the $240 bonus.

Mr. HARRISON. May I ask the Senator from Utah when was the Women's Bureau established by law?

Mr. SMOOT. It was established on June 5, 1920.

Mr. WARREN. It was established last year, and at that time we appropriated for the bureau $8,500.

Mr. HARRISON. That is the reason why the Women's Bureau is in a different position from the other bureaus. The Vocational Education Board was established a considerable time ago, the War Risk Insurance Bureau was established a number of years ago, and the salaries in those organizations have been adjusted; but the Women's Bureau was established only last year—on June 5, 1920. Now, it is proposed by this act to give the bonus to practically all other bureaus in the various departments and leave them out. If that is your position, stand up to it and vote against my amendment.

Mr. SMOOT. That is just what I want to do.

Mr. HARRISON. I ask for the yeas and nays.

The PRESIDING OFFICER. There are 49 Senators present; so that it will require 10 Senators to second the demand for the yeas and nays. Those in favor of ordering the yeas and nays will raise their hands and the Secretary will count. [A pause.] The Secretary advises the Chair that there is not a sufficient number to order the yeas and nays.

Mr. HARRISON. I ask, Mr. President, that the other side be counted.

The PRESIDING OFFICER. Senators will please raise their hands and hold them up until the Secretary counts.

Mr. THOMAS. Mr. President, is this a vote on the entire proposition?

The PRESIDING OFFICER. No; the count is made to ascertain if the demand for the yeas and nays is supported. The Secretary reports eight hands up.

Mr. HARRISON. I ask for the other side, so that we may see if one-fifth of the Senators present have seconded the demand for the yeas and nays.

Mr. WARREN. That is not the rule; the Chair is following the rule.

The PRESIDING OFFICER. Not a sufficient number of hands are up to second the demand for the yeas and nays.

Mr. HARRISON. I reserve the right to offer the amendment when the bill is reported to the Senate.

The PRESIDING OFFICER. The Senator will have that right. The question is on the amendment proposed by the Senator from Mississippi.

The amendment was rejected.

Mr. SMITH of Arizona. Mr. President, I offer an amendment, on page 5, line 26, to strike out "thirty-six" and insert "thirty-seven."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 5, line 26, it is proposed to strike out "thirty-six" and insert "thirty-seven," so as to read:

Thirty-seven (including one for minority), at $1,440 each.

Mr. SMITH of Arizona. Mr. President, I offer that amendment for the purpose of placing Mr. M. H. Bumphrey, who has served twenty-odd long years in the employ of the Senate, on the old soldiers' roll, from which roll he was omitted while serving temporarily for the Senator from Michigan in connection with a monetary conference. When the time came for the financial clerk of the Senate to make up the roll of the old soldiers, for the first time the name of Mr. Bumphrey was left out by order of the then financial clerk, Mr. Nixon. Mr. Bumphrey was a soldier during the Civil War and suffered intensely as a result of wounds received in action at that time. During the eight years that I have known him he has been suffering with pain incident to those wounds. He has been in the employ of the Senate, as I have said, for a quarter of a century and was left off the soldiers' roll by inadvertence.

Republican as he is, because of his great fitness to perform any duty which he was called upon to perform, I have employed him in my office under the designation of messenger, but he has really acted in no such capacity, for there is not a Senator on this floor, no matter how erudite, who would not find Mr. Bumphrey perfectly qualified to be of immense service to him.

Mr. Bumphrey is one of the very best and most reliable men with whom I am acquainted. He can do anything that anybody else can do in the way of hunting up authorities and securing statistical information of any kind. He is a historian, a student, and a hard-working man. Now, in his old age, after all these years in the service of the Senate, he is cut off of the roll, and other men are left on it who are no more worthy than he.

Mr. THOMAS. Mr. President, the Senator says that if his amendment is agreed to a man by the name of Bumphrey will be added to the roll, but there is nothing in the amendment to give the Senator that assurance.

Mr. SMITH of Arizona. I am making this statement here so that those who have the matter in charge will know the purpose of the amendment. There has never been any difficulty in having the proper man appointed under such circumstances.

Mr. THOMAS. I do not know if we adopt the amendment that it is going to benefit the man whom the Senator has in mind.

Mr. SMITH of Arizona. I will take my chances as to that.

Mr. THOMAS. I will not; I will vote against the amendment.

SEVERAL SENATORS. Vote!

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arizona. [Putting the question.] By the sound the "ayes" seem to have it.

Mr. THOMAS. I ask for a division.

On a division, the amendment was rejected.

Mr. GORE. Mr. President, I desire to reserve a separate vote in the Senate on the Senate amendment at the foot of page 27 in relation to the salary of the Vice President.

Mr. HEFLIN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. At the end of line 18, on page 128, it is proposed to add the following:

Provided further, That hereafter no reports obtained by the Bureau of the Census of cotton ginned shall be sent by telegraphic messages.

Mr. WARREN. Mr. President, I shall not raise any point of order on the amendment if the Senate is ready to take a vote.

Mr. HEFLIN. I am ready to take the vote.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Alabama. [Putting the question.] The "ayes" appear to have it.

Mr. THOMAS. I call for a division.

The PRESIDING OFFICER. A division is called for. Those in favor of the amendment will rise. [A pause.]

Mr. HEFLIN. I understood the Chair to announce that the amendment was agreed to.

The PRESIDING OFFICER. No; the Chair did not announce that it was agreed to. A division has been called for.

Mr. HEFLIN. It is a good amendment, Mr. President, and I do not believe that there will be any opposition to it.

The PRESIDING OFFICER. Debate is not in order while a division is being had.

Mr. HEFLIN. I am sure the Senator from Colorado does not understand the amendment. I feel that he would not vote against it if he understood it. It will save the Government money that is now being expended for a useless purpose.

The PRESIDING OFFICER. The Secretary will state the amendment again.

The ASSISTANT SECRETARY. It is proposed to amend by adding at the end of line 18, on page 128, the following words:

Provided further, That hereafter no reports obtained by the Bureau of the Census of cotton ginned shall be sent by telegraphic messages.

Mr. HEFLIN. Mr. President, I trust the Senate will indulge me for just a moment.

These reports are sent in by eight hundred or a thousand gin reporters. The law now requires that these reports shall be mailed to the Director of the Census. They are gathered by the gin reporter, sealed, and by him are sent through the mails. In addition to that, this same agent or gin reporter sends the same report by wire. Now, I am trying to do away with the telegraphic report. There is no necessity for it. I hold that whenever you send these messages over the wire you are exposing this secret information and defeating the very purpose of the act which proposes to safeguard this information.

The New York and New Orleans Cotton Exchanges can get this information now before the department gets it, and yet the law provides a penalty for anyone giving out such information before the Government publishes it. I repeat that this information, when sent by wire, is liable to be disclosed to certain interests. Again let me say, there is no good reason for sending these reports by wire. When the gin reporter wires this information to the department here the same information is sent through the mails properly sealed, and when it arrives it is opened behind closed doors, and they guard it very carefully to see that nobody sees what this information is; and yet they have flashed that same information over the wires from 820 counties in the cotton-growing States, and I contend that the only way to keep this information secret, as the law intended it should be kept, is to send it properly sealed through the mails. I have talked to the Director of the Census about it, and he says that if we want to change the system and rely entirely on the mail service he can do it in that way; and I want to say to the Senate that in doing it this way we will throw the proper safeguards around this information. We have statutes right here in this book that impose a penalty upon any agent of the department who gives out information upon this subject to anybody until it is published by the department as required by law. The opportunity exists and the inducement is strong for interested speculators to obtain this information when sent over the wires. So it is in the interest of economy and for the purpose of safeguarding this service that I ask that this amendment may be adopted.

Mr. THOMAS and Mr. WARREN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield; and, if so, to whom?

Mr. HEFLIN. I shall be glad to yield to the Senator from Colorado.

Mr. THOMAS. I simply wish to suggest that the only effect of the Senator's amendment, so far as I can see, will be to substitute the telephone for the telegraph.

Mr. HEFLIN. No; we do not receive it by telephone now. It is received by telegraph.

Mr. THOMAS. But it will be if this amendment is adopted.

Mr. HEFLIN. Then I will modify the amendment by making it read "telegraphic messages or by telephone."

The PRESIDING OFFICER. The Senator has that right. The Senator wishes to insert, at the proper place, the word "telephone"?

Mr. HEFLIN. I make that modification, and I ask for a vote on my amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Alabama.

Mr. GAY. Mr. President, it seems to me this is clearly new legislation, and I therefore make the point of order against it.

Mr. HEFLIN. Mr. President, it is not new legislation. It is merely laying down the rules and regulations by which this information shall be obtained.

Mr. GAY. It is legislation on an appropriation bill, as I understand it.

Mr. HEFLIN. I trust that the Senator from Louisiana will not insist on his point of order. This is a very meritorious measure and it will safeguard the interests of Louisiana as well as the interests of the people of the other cotton-growing States.

Mr. GAY. Mr. President, will the Senator yield?

Mr. HEFLIN. I shall be glad to yield.

Mr. GAY. The amendment may have merit, and I am not prepared to say that it has not; but I think that it is very hasty action on an important piece of legislation, and one on which I think we should hear from the other side. I am not a cotton expert, as is the Senator from Alabama, and I have not heard any complaint as to the method of receiving these reports. It seems to me that to do away with the system of telegraphing these reports into Washington, to delay them until they can be received by letter, would be a hardship on those engaged in this business, and also on the Government. I think we ought to get this news as quickly as possible. It is a very important matter.

The Senator, I realize, knows more about cotton, perhaps, than many of the other Senators do, but I do not think we should take such hasty action on this matter without having more facts presented to us.

Mr. HEFLIN. Mr. President, I want to say to the Senator——

Mr. WARREN. I ask for a ruling on the point of order, unless the Chair wishes to have some further information.

The PRESIDING OFFICER. The Chair will be glad to hear the Senator from Alabama for a minute or two.

Mr. HEFLIN. Mr. President, I just want to say this: These men already send these reports in by mail, I will say to the Senator from Louisiana, and this is a duplication of the work. They send them by wire and send them by mail; and I submit that sending them by wire is not necessary and opens up the whole thing to exposure to speculating parties interested. Anybody listening over the wire can get the information. Any agent along the route can get it. It is already mailed, now; it comes properly sealed to the department and is then opened, as I have said, behind closed doors. Now, why should this be done if the same information is sent by telegraphic message?

I want to say this before I sit down, Mr. President: The present method of wiring this information in to the department supplies the cotton gamblers of this country with information to which they are not entitled until published as provided by law. It subjects this whole system to exposure to them, to the detriment and injury of every cotton grower in Louisiana and every cotton grower in the cotton-producing States; and it is in the interest of honest service that I make this appeal, and in the interest of economy that I ask that this amendment be adopted. No harm can come to any legitimate interest; but the failure to enact it leaves it open, and permits the gamblers to feast upon information that they have no right to have until the Government publishes it.

Mr. GAY. I take it, then, that this is a part of the Senator's program of legislation against the exchanges of the country; is it?

Mr. HEFLIN. This is not against the exchanges that desire to do right. I am in favor of permitting exchanges to run if they can be regulated; but I should like to say to the Senator now that if he and others undertake to defeat such legislation as this, I favor passing in the extra session a measure that will require the exchanges to put their houses in order. If the Senator is willing to block legislation of this character now, he may force us to stricter regulatory measures later on in the spring.

Mr. McCUMBER. Mr. President, a point of order.

Mr. GAY. Mr. President——

The PRESIDING OFFICER. The Senator from Alabama has the floor. Does he yield; and if so, to whom?

Mr. HEFLIN. I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Chair understands, however, that the Senator from North Dakota is making a point of order.

Mr. McCUMBER. I make the point of order that the arguments are not in explanation of any rule, but are on the merits of the matter.

The PRESIDING OFFICER. That is true.

Mr. McCUMBER. And I ask that the Chair rule on the point of order.

The PRESIDING OFFICER. The Chair invited the Senator from Alabama to speak for a moment or two.

Mr. GAY. Mr. President, will the Senator yield to me?

Mr. HEFLIN. I yield to the Senator from Louisiana.

Mr. GAY. I want to say to the Senator from Alabama that I am not here defending the cotton exchanges or any other class of individuals, particularly those whom the Senator describes as gamblers. I know nothing of the dealings in cotton futures, but I say that I know that the Senator has had a hobby to regulate the exchanges. He may be right, but I do not want to see legislation like this passed hurriedly. I think it is a matter on which we ought to have full hearings. The Senator's predecessor here [Mr. Comer] had legislation of this same sort—to regulate the exchanges.

Mr. GORE. I call for the regular order.

Mr. GAY. There were hearings before the Agricultural Committee. We had an address from the Senator's predecessor almost every day for a number of days. While he may be absolutely correct in the position he is taking, this is no place to put such legislation. It should come in as a separate measure.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from South Carolina?

Mr. HEFLIN. I yield to the Senator.

The PRESIDING OFFICER. The Chair is ready to rule at any time.

Mr. SMITH of South Carolina. I just want to offer a word of explanation—just a sentence. This has no relation to any of the exchanges. The Census Bureau say that they get their monthly or semimonthly ginners' reports by wire, and then, later on, the same reports come in by letter. They say they get them by wire in order to expedite the tabulation at the half month, and then if there is any error they correct it. The Senator from Alabama is complaining that these telegrams may be incorrect, and the error may be either in favor of the telegram as against the letter, or in favor of the letter as against the telegram; and he is insisting that there should be but one mode of transmitting the statistics, namely, in a sealed envelope, and have the reporters get the statistics in Washington by mail in time to make the tabulation, and not use the telegraph. It has no reference whatever to the exchanges.

Mr. HEFLIN. Oh, no; it has no reference to the exchanges along that line.

Mr. McCUMBER. I insist on the point of order—that the matter is not debatable.

The PRESIDING OFFICER. That is true; but the Chair invited a moment of discussion.

Mr. McCUMBER. Yes; but, Mr. President, let me suggest to the Chair that none of the arguments are on the rule, but they are upon the merits.

The PRESIDING OFFICER. The Chair is aware of that.

Mr. McCUMBER. And that is not what the Chair desires to hear.

The PRESIDING OFFICER. The Chair is ready to rule.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. The Chair is ready to rule.

Mr. HEFLIN. I was trying to get the Senator from Louisiana, in the interests of the cotton producers, to withdraw his point of order.

Mr. HARRISON. I want to be heard, merely on the point of order, for not over two minutes.

The PRESIDING OFFICER. The Chair will hear the Senator for a very brief time, but he is ready to rule.

Mr. HARRISON. This is merely a limitation on the appropriation. The Senate, time and time again, has made proper provision for this. I recall some appropriation, I think for the Navy, where it was provided that the stop-watch system should not be used, and provisions in regard to the eight-hour day law, and those various things—merely a limitation directing how the money shall be expended—and that is all this proviso does:

Provided further, That hereafter no reports obtained by the Bureau of the Census of cotton ginned shall be sent by telegraphic and telephonic messages.

Mr. RANSDELL. Mr. President, may I be permitted to say just a word? I really do not understand very well the point before the Senate. This is a matter that has been going on for some time, and it seems to me Senators from the cotton States ought to be allowed to investigate before you spring a thing of that kind and pass on it instantaneously when it is offered as an amendment to a great appropriation bill. I hope the Senator from Alabama will not insist upon his amendment. It may be a good thing, and I may help him in it when I have had a chance to look into it.

Mr. HEFLIN. Now is the time to look into it.

Mr. RANSDELL. I do not look into a thing instanter, on the floor of the Senate, when it is brought up in this way.

Mr. GORE. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The Chair wants to be courteous to every Senator, but in the opinion of the Chair the amendment is subject to a point of order, because Rule XVI, under paragraph 3 thereof, provides that—

No amendment which proposes general legislation shall be received to any general appropriation bill.

The Chair is of the opinion that the amendment proposes general legislation, and therefore sustains the point of order.

Mr. HEFLIN. Mr. President, I will strike from my amendment the word "hereafter," which makes it subject to a point of order, and offer it in that way.

Mr. WARREN. That does not help it any.

The PRESIDING OFFICER. The Senator can offer that amendment after the bill gets into the Senate. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole, except one reserved for a separate vote in the Senate.

The amendments were concurred in.

The PRESIDING OFFICER. The amendment reserved for a separate vote in the Senate will be stated by the Secretary.

The ASSISTANT SECRETARY. On page 27, line 24, under the item for salary of the Vice President of the United States, it was proposed and the Senate as in Committee of the Whole agreed to strike out "$12,000" and insert "$15,000."

The PRESIDING OFFICER. The question is on concurring in the committee amendment.

Mr. GORE. I offer an amendment to that amendment.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. The Senator from Oklahoma proposes to insert the following:

Provided, That the present incumbent of the office of Vice President shall be paid at the same rate for the period of the Sixty-sixth Congress, for which the sum of $6,000 is hereby appropriated and made immediately available.

On a division, the amendment to the amendment was rejected.

Mr. GORE. I make a point of order against the amendment.

The PRESIDING OFFICER. What is the point of order?

Mr. GORE. That it is new legislation and changes the law with reference to the salary of the Vice President.

The PRESIDING OFFICER. The Chair will submit that point of order to the Senate.

Mr. GORE. There is not any question but that it is subject to a point of order, and I hope the Senate will so decide.

On a division, the Senate refused to sustain the point of order.

Mr. THOMAS. I think I should say that I voted against the amendment to apply this increase of salary to the incumbent of the office because I am satisfied that he personally would be against it.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

Mr. SMITH of Arizona. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 5, line 26, in the item for messengers acting as assistant doorkeepers of the Senate, to strike out "thirty-six" and insert in lieu thereof "thirty-seven."

Mr. WARREN. So far as I am concerned, I am glad to consent to that. I did not object to it before and I shall not object to it now.

Mr. THOMAS. I ask for a division.

On a division the amendment was agreed to.

Mr. HARRISON. Mr. President, I ask unanimous consent that the vote by which the committee amendment, beginning on page 158, line 24, was agreed to, be reconsidered, and I move, on page 160, line 15, after the word "commission" and before the word "who," to insert "the Women's Bureau," and I ask for the yeas and nays on that. If I do not get them I will move a recommitment of the bill and try to get the yeas and nays on that.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent that the vote by which the amendment on page 158, line 24, was agreed to be reconsidered. Is there objection? The Chair hears none, and the vote is reconsidered. The question is on the amendment of the Senator from Mississippi, which will be stated by the Secretary.

The ASSISTANT SECRETARY. On line 15, page 160, in the committee amendment, after the words "United States Tariff Commission" and the comma, insert the words "the Women's Bureau," so as to read:

Employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916, except employees of the United States Tariff Commission, the Women's Bureau—

And so forth.

The PRESIDING OFFICER. On that question the Senator from Mississippi asks for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. HARRISON (when his name was called). I have a pair for the day with the Senator from West Virginia [Mr. ELKINS], which I transfer to the senior Senator from Texas [Mr. CULBERSON], and vote "yea."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK], which I transfer to the Senator from California [Mr. PHELAN], and vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], who is absent on account of illness. I therefore withhold my vote.

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I withhold my vote.

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH], which I transfer to the junior Senator from Vermont [Mr. PAGE], and vote "nay."

Mr. KNOX. In the absence of my pair, the senior Senator from Oregon [Mr. CHAMBERLAIN], I withhold my vote.

Mr. BALL. Has the senior Senator from Florida [Mr. FLETCHER] voted?

The PRESIDING OFFICER. He has not.

Mr. BALL. I have a general pair with the senior Senator from Florida, and not knowing how he would vote on this question, I withhold my vote.

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. JONES of Washington. The senior Senator from Virginia [Mr. SWANSON] has been called from the Chamber on official business, and I have agreed to pair with him during his absence. So I withhold my vote.

Mr. EDGE. I have a general pair with the Senator from Oklahoma [Mr. OWEN], which I transfer to the Senator from Oregon [Mr. MCNARY], and vote "yea."

Mr. GERRY. I wish to announce the necessary absence of the Senator from Utah [Mr. KING]. If present, he would vote "nay."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON].

The result was announced—yeas 35, nays 20, as follows:

YEAS—35.

Ashurst	Hale	La Follette	Smith, S. C.
Brandegee	Harris	Lenroot	Spencer
Capper	Harrison	Lodge	Stanley
Colt	Heflin	McKellar	Sutherland
Edge	Henderson	McLean	Trammell
Fall	Jones, N. Mex.	Pittman	Underwood
France	Kellogg	Ransdell	Walsh, Mass.
Gerry	Keyes	Sheppard	Wolcott
Glass	Kirby	Simmons	

NAYS—20.

Curtis	Gronna	Phipps	Smoot
Dial	McCumber	Poindexter	Sterling
Dillingham	Moses	Reed	Thomas
Gay	New	Smith, Ariz.	Warren
Gooding	Overman	Smith, Ga.	Willis

NOT VOTING—41.

Ball	Cummins	Hitchcock	King
Beckham	Elkins	Johnson, Calif.	Knox
Borah	Fernald	Johnson, S. Dak.	McCormick
Calder	Fletcher	Jones, Wash.	McNary
Chamberlain	Frelinghuysen	Kendrick	Myers
Culberson	Gore	Kenyon	Nelson

Newberry	Phelan	Smith, Md.	Watson
Norris	Pomerene	Swanson	Williams
Owen	Robinson	Townsend	
Page	Sherman	Wadsworth	
Penrose	Shields	Walsh, Mont.	

So Mr. HARRISON'S amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HEFLIN. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 128, at the end of line 18, the Senator from Alabama moves to add the following:

Provided further, That none of the money appropriated in this bill shall be available for obtaining from gin reporters reports of cotton ginned which are sent in by telegraphic or telephonic message.

Mr. HEFLIN. That relieves the provision of the objection raised by the Senator from Louisiana [Mr. GAY], that the matter is subject to a point of order at this time.

Mr. GAY. I make the point of order against the amendment that it is general legislation upon an appropriation bill.

The PRESIDING OFFICER. The amendment reads:

Provided further, That none of the money appropriated in this bill shall be available for obtaining from gin reporters reports of cotton ginned which are sent in by telegraphic or telephonic message.

The Chair is of the opinion that it is simply a limitation upon the appropriation made in the bill, and is therefore not subject to a point of order. The Chair will be glad to hear from the Senator from Louisiana or any other Senator.

Mr. GAY. My position is that it is legislation attached to an appropriation bill, which is in violation of Rule XVI. Of course, if the Chair has already ruled there is no necessity of discussing the matter any further.

The PRESIDING OFFICER. The Chair is of the opinion that it is simply a limitation upon the provision and is not subject to a point of order.

Mr. JONES of Washington. I wish to suggest to the Chair that the Senate has never followed that rule. It is the express rule in the House that a limitation upon an appropriation bill is in order. However, that has never been applied in the Senate, and there is no rule in the Senate which makes such an amendment in order.

The PRESIDING OFFICER. The Chair is anxious to follow the rule in the matter, but is of the opinion that it is simply a limitation on the appropriation made in the bill, and is therefore in order. The question is on agreeing to the amendment offered by the Senator from Alabama.

On a division, the amendment was rejected.

Mr. HEFLIN. I ask for the yeas and nays. This is very important, and I want Senators to go on record on the proposition.

The PRESIDING OFFICER. The matter has been decided. It is too late for a roll call. The bill is in the Senate and open to further amendment.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WARREN. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN conferees on the part of the Senate.

Mr. SMOOT. Mr. President, for the edification of the employees of the Government now in the galleries, and those on the floor from the Senate Office Building and other offices, I desire to read the law on this point.

Mr. McCUMBER. Before that is done, I wish to ask, the legislative appropriation bill being now disposed of——

Mr. SMOOT. This will take just a moment.

Mr. McCUMBER. I know; but we can take that moment after the Chair lays before the Senate the unfinished business.

Mr. SMOOT. Very well.

Mr. McCUMBER. I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. SMOOT. In section 6 of the deficiency appropriation bill approved July 11, 1919, I find this provision:

That hereafter no part of the money appropriated by this or any other act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation——

Mr. GERRY. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. GERRY. Is the Senator talking to the tariff bill?

Mr. SMOOT. No; I am not talking to the tariff bill, I will say to the Senator, and I thought the Senator would know that without asking the question.

Mr. GERRY. Is it possible the Senator from Utah is filibustering against the emergency tariff bill?

Mr. SMOOT. Oh, yes; the Senator is filibustering right now for two seconds, and I am very sorry that it pains the Senator from Rhode Island so much, because I wish to remind him that he inflicted upon the Senate a speech of four or five hours as a clear filibuster, while I shall not take longer than four or five minutes.

I continue the reading:

Any officer or employee of the United States who after notice and hearing by the superior officer vested with the power of removing him is found to have violated or attempted to violate this section shall be removed by such superior officer from office or employment. Any officer or employee of the United States who violates or attempts to violate this section shall also be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than $500 or by imprisonment for not more than one year, or both.

Mr. McCUMBER. I hope the Senator will pardon me if I object to further discussion of that subject. I ask that the emergency tariff bill be now proceeded with.

Mr. POMERENE, Mr. WALSH of Montana, and Mr. GAY rose.

Mr. McCUMBER. I wish we could go on with the bill and not something that is entirely outside of the bill.

Mr. POMERENE. I was simply going to ask a question, but if the Senator objects I will withhold it.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. McCUMBER. Mr. President, I think one will read the record of the debate upon the sugar item in the emergency tariff bill without getting very much concrete information from it. I have been waiting patiently for those who assume an expert knowledge of the sugar industry of the country to present the effect of the emergency tariff proposition in a definite, clear statement as to just exactly what it means in added cost to the American public. I should like the attention of the Senator from Utah [Mr. SMOOT] and the Senator from Louisiana [Mr. GAY], both of whom represent sugar States, if I make any statement here that is not absolutely accurate.

Broad declarations that it will cost the American people hundreds and hundreds of millions of dollars have had no concrete demonstration whatever. I wish, therefore, most briefly to present the actual effect of the sugar item to the Senate and to the public. What I desire to know is just exactly what additional cost this item, as proposed by the amendment offered by the Senator from Utah, will impose on the consumers of sugar in the country and just exactly what those consumers will gain by the imposition of the proposed additional duty on sugar.

I wish first to illustrate the only just and accurate method of computing the relation between added expense and increased income. Suppose we have a population of 100,000,000 people. The Government of the Nation says to its people, "We must raise for governmental necessities $1,000,000,000; that means $10 for each man, woman, and child; this amount of money must be actually paid by you, either in direct taxes or indirect taxes." As the consumer of the articles taxed must always pay the tax assessed against any article which he consumes, it makes no difference whatever to him whether he pays his dollar directly to the Government or pays his dollar to the Government through the customhouse. In either case he pays the dollar.

Suppose the Government in addition says, "We will collect $100,000,000 of this $1,000,000,000, or one-tenth of it, by levying a tax of $100,000,000 on sugar which you consume; by doing it we do not increase your tax burden one penny, but we do gain this advantage, namely, that we keep alive and continue an industry in this country which will prevent us from being entirely at the mercy of other nations on such a necessity as sugar, and in addition will furnish a livelihood to hundreds of thousands of our own citizens, who will thereby be enabled to assist in bearing the burdens of actual taxation."

If we stopped there, it would have to be conceded that the consuming public lose nothing and the producing public gain very much in sustaining this industry by having the $100,000,000 paid through the customhouse. Let me give the only answer

that can be made to it—and even that answer can be explained away, or at least eliminated so that there is only a mere bagatelle of it left. For illustration, if we levy an additional tax of 1 cent per pound and if we raise one-third of our sugar only and import two-thirds of what we consume, for each dollar the Government receives the consuming public would pay $1.50, or one-third more. That would be true if that were the proper relation between home production and importations. But let us suppose—and this supposition approximates the fact—that we raise in this country 1,500,000,000 pounds of sugar, in round numbers, and that we imported—and I will take 1919 and 1920—in round numbers, 8,500,000,000 pounds.

That would make 10,000,000,000 pounds which were raised in and imported into the United States. This, however, is the raw sugar, it is not all consumed in the United States. A portion of it is refined and exported. Now let us suppose—and again this is approximately correct—that we export of the imported sugar 1,500,000,000 pounds. That exactly equals our production and is equivalent to exporting our entire home production. We should then have these figures: Added expense to the home consumer for the actual number of pounds that he consumes, 8,500,000,000 pounds at 1 cent a pound, $85,000,000; income from 8,500,000,000 pounds in import duties, 1 cent additional per pound, $85,000,000.

As I have said, the American public have got to pay not only the $85,000,000 to run the Government, but at least forty times that amount. If these were the exact figures of imports and exports, this item would cost the American people, after giving them credit for the income received, not one single penny. That these figures approximate the exact situation will be shown by the table which I ask be inserted not at the end of my remarks but at this time.

The PRESIDING OFFICER (Mr. WALSH of Montana in the chair). Without objection, it is so ordered.

The table referred to is as follows:

PRODUCTION, IMPORTS, AND EXPORTS OF SUGAR, YEAR ENDING JUNE 30, 1920.

	Pounds.	Pounds.
Production in continental United States:		
Cane	241,998,400	
Beet	1,452,902,000	
Total		1,694,900,400
Brought from islands now designated as noncontiguous territory of United States:		
Porto Rico	837,735,200	
Hawaii	1,056,023,998	
Philippine Islands	45,387,719	
Total		1,939,146,917
Grand total		3,634,047,317
Total imports exclusive of noncontiguous territory		7,550,195,838
Total production and imports		11,184,243,155
Total exports		1,450,793,630
Retained for consumption in continental United States		9,733,449,525

Per capita consumption in 1920 ending June 30, 1920, 91.47 pounds.

Per capita consumption in—	Pounds.
1909	80.31
1910	79.77
1911	77.24
1912	82.68
1913	85.32
Five year average	81.26
Per capita consumption in—	
1914	89.80
1915	86.84
1916	79.06
1917	82.88
1918	78.11
1919	83.62
Six year average	83.41

Mr. McCUMBER. That is a table of production, imports, and exports of sugar for the year ending June 30, 1920, including per capita consumption for the year ending June 30, 1920; also the average per capita consumption for the normal years of 1909 to 1913, inclusive, and the per capita consumption of the somewhat abnormal years of 1914 to 1919, inclusive.

From this table it will be seen that we raised for the year ending June 30, 1920, in continental United States 1,694,900,400 pounds; that we imported from Porto Rico, Hawaii, and the Philippine Islands 1,939,146,917 pounds; that we imported from territory outside of our possessions 7,550,195,838 pounds; making a total of importations of 9,489,342,735 pounds—and here is something that we have failed to take into consideration—of the imports we exported 1,450,793,630 pounds, leaving a balance for home consumption of 8,038,549,125 pounds.

The Smoot amendment imposes an additional tax of 1 cent per pound. In addition to this amount, which represents the number of pounds imported exclusive of the quantity exported, the American public, of course, consumed also the home production. The home production, added to the importations and exclusive of the exportations, amounts to 1,694,900,400 pounds, or a total consumption of 9,733,449,525 pounds. This number of pounds consumed, under the proposed amendment would carry an additional cost to the consumer of 1 cent per pound, or $97,334,495. That is exactly what the American public would pay if we should pass this bill, and it should remain in force for a year, and we should consume next year the same quantity of sugar that we consumed during the last year.

Mr. SMOOT. I will say to the Senator, however, that we are not going to consume that amount.

Mr. McCUMBER. I know that, but I am basing the figures upon the amount of consumption this year. Probably there will be less imported, so that the relation of one to the other will be practically the same.

Mr. SMOOT. I merely wish to say in passing, for the RECORD, that all the figures as to importations as stated by the Senator are correct, but last year there was great speculation in sugar; it was carried on by parties all over the United States; and the consumption was not the amount as stated. It never has been that amount, I will say to the Senator from North Dakota.

Mr. McCUMBER. But the cost would be as I have stated if we had consumed all that sugar.

Mr. SMOOT. The Senator's statement is absolutely correct. If that amount of sugar had been consumed, the result he has arrived at necessarily follows.

Mr. McCUMBER. We will assume that that amount of sugar was consumed, because in the tables it is set down as being the home consumption. From that amount, however, must be deducted the 1 cent per pound which the Government—and the Government means all the American people—received, and which the public is therefore relieved from paying in another form. One cent per pound on 9,489,342,755 pounds imported amounts to $94,893,427 received.

Mr. SMOOT. No.

Mr. McCUMBER. Will the Senator wait a moment until I make this point? I do not want to be broken in on at this time.

So the additional cost which the American public will pay for this protection to this American industry will be the difference between the added cost of 1 cent per pound on consumption and the receipt of 1 cent per pound on importations, or a loss of exactly $2,441,068; in other words, the public will pay, if they pay 1 cent per pound additional on every pound they consume, that much more than the Government would receive for the additional 1 cent per pound on the importations.

Mr. SMOOT. Will the Senator yield to me for a moment?

Mr. McCUMBER. Yes.

Mr. SMOOT. I think the Senator has failed to take into account the amount of the sugar which was imported and subsequently shipped to foreign countries; in other words, the amount of sugar that was refined in transit.

Mr. McCUMBER. No; I made an allowance for that.

Mr. SMOOT. Did the Senator make an allowance for that?

Mr. McCUMBER. I made my allowance for that, and I gave the amount we exported of the refined sugar.

Mr. SMOOT. Then the Senator's figures are correct.

Mr. SIMMONS. May I ask the Senator a question?

Mr. McCUMBER. Yes.

Mr. SIMMONS. At what figure has the Senator placed the amount of sugar that is imported into the United States?

Mr. McCUMBER. I gave it in the table, and I am putting the table into the RECORD and quoting from it.

Mr. SIMMONS. Can the Senator give the amount to me, in round numbers, of course?

Mr. McCUMBER. Yes. We imported from Porto Rico, Hawaii, and the Philippine Islands 1,939,146,917 pounds, and from other territory outside of our possessions we imported 7,550,195,838 pounds, making a total of importations of 9,489,342,755 pounds.

Mr. SIMMONS. From that total the Senator subtracts the importations from our outlying possessions, for there is no duty upon those?

Mr. McCUMBER. What is the Senator's suggestion?

Mr. SIMMONS. In the table the Senator has the total of all importations, including imports from our possessions?

Mr. McCUMBER. The amendment places a duty of 1 cent a pound above the present tariff rates——

Mr. SIMMONS. Yes; but what I wanted to ascertain from the Senator was whether he had made his calculations to determine what per cent of the imports are subject to that duty?

Mr. McCUMBER. As I understand, the duty which will be imposed if we adopt the Smoot amendment amounts to 1 cent

additional on all sugar that is imported, including that which comes from Porto Rico and our other possessions.

Mr. SIMMONS. Mr. President, I do not understand that at all. I understand that that duty will only apply to imports from countries other than our possessions.

Mr. McCUMBER. No; I do not so understand. To be definitely certain, I asked the Senator from Utah, without looking at his amendment, and he informed me that that was the case.

Mr. THOMAS. Mr. President, I desire to ask the Senator from North Dakota what proportion of the importations covered by his figures consist of sugar that is imported for refinement and reexportation?

Mr. McCUMBER. I have given those figures also.

Mr. THOMAS. Then, I will get the figures from the RECORD. The Senator need not repeat them.

Mr. McCUMBER. I have them here. The amount was 1,450,793,630 pounds, almost equivalent to our home production.

But, Mr. President, the two and a quarter million dollars difference which I have just mentioned, between what the Government receives and what the public will pay out in added expenses for sugar, will be paid by all the public, by those who are able to pay $2 per pound for confectionery and another dollar for a box tied with a pink ribbon or a bow, as well as those who use the plain sugar on their table in their homes. We need shed no crocodile tears because a box of candy will cost 1 cent more, if it shall cost a penny more. How are the others affected—those who buy sugar for their homes and for the tables in our restaurants? I am informed——

Mr. McLEAN. Mr. President——

Mr. McCUMBER. Just a moment. I am informed that of the amount of sugar consumed in the United States less than 50 per cent is used in the household or on the table.

Now, let us suppose it is fully 50 per cent. Then the actual amount paid by the latter class of people will be about one and a quarter million dollars, or, in exact figures, $1,220,534. That would be equivalent, when divided by 105,000,000 people, to an additional expense of 1.16 cents.

Mr. President, that presents the case as it would appear in an accounting between the consumer and the Government; and on the assumption that the Government must have this extra amount of about $97,000,000, and with that character of accounting there is practically nothing lost by the consumer.

I now yield to the Senator from Connecticut.

Mr. McLEAN. Mr. President, I wanted to know what proportion of the total amount of sugar consumed in this country was used in making confectionery. The Senator has already answered my question.

Mr. McCUMBER. Yes. I think over 50 per cent is used in confectionery, in preserves, in canning, and so forth, and less than 50 per cent is used on the table and in the homes and in the boarding houses.

Mr. McCUMBER subsequently said: Mr. President, I want to correct an error in one item of the figures which I just gave. When I made my table I did not have before me the amendment offered by the Senator from Utah. So I asked him whether or not his amendment included the tax of 1 per cent upon the sugar imported from the Philippines, Hawaii, and Porto Rico, and he informed me that it did. He evidently did not quite comprehend my question, because he now informs me that it did not include importations from those possessions. As we imported from those possessions 1,939,146,917 pounds of sugar, it will be seen that the figures which I gave as receipts from the customhouse would be $19,391,469 too much. Therefore, to get the statement accurate, I must add, as the amendment now stands, this $19,391,469 to my $2,441,068, which would give us $21,832,537 more that it would cost the consuming public than the Government would receive from the duties, and dividing this sum by 105,000,000, our population, the actual cost to the consumer would amount to a little less than 21 cents per capita.

DECISION OF FEDERAL JUDGE LANDIS.

Mr. DIAL. Mr. President, on Saturday I brought to the attention of the Senate a ruling and some remarks by Judge Landis, of Chicago. In that case the defendant was brought before his court charged with having embezzled $96,000 of the funds of the bank by which he was employed as a receiving teller. He pleaded guilty, and after inquiry it was found that he was drawing a salary of $90 a month. The judge then said that the directors of the bank were to blame, and told the boy to go home, saying that he would send for him when he wanted him.

The reason why I brought this matter to the attention of the Senate is that United States judges hold their position by appointment of the President of the United States and by confirmation of the Senate. I feel that if this judge had expressed any such sentiments before he was confirmed by this body he never would have been confirmed; and while it is true that perhaps we have not jurisdiction over him so far as his rulings from time to time are concerned, yet I feel that we are in a sense responsible for his acts.

It is the business of a judge to administer the law, and it is none of his affair to inquire into the compensation that people who are brought before him receive. In this case, furthermore, the judge told the boy to go home, and said that he would send for him when he wanted him. In other words, he paroled him. I conceive this to be revolutionary, certainly in a case of this magnitude; and while I do not know that he can be subjected to the criticism of suspending the enforcement of a sentence, yet it is very close to it.

Many years ago the practice in the United States courts was that after conviction the judge would sometimes suspend sentence. That was in the nature of granting a pardon; but something like three years ago a decision was rendered in the court of appeals by an Ohio judge to the effect that that was illegal.

My position on this matter is that if that kind of a procedure is to be encouraged, and encouraged from the bench, it is striking at the foundation of our Government. Here, furthermore, we have the spectacle of a judge sitting upon the bench and at the same time acting as the chief baseball arbitrator in the United States. It is said that he draws a salary in that capacity of $42,000 a year. I am not complaining of his drawing that salary. I believe I noticed in the paper on Saturday that the Attorney General ruled that there was no law to prevent a United States judge from engaging in business; but, Mr. President, if there is no direct law to prevent it, certainly it never was expected that one holding that high and exalted position would engage in business.

In Judge Landis's case the papers to-day state that there are 1,230 cases upon his docket for trial, and that it will take at least two years to get rid of them. Now, we all know that if his mind is on baseball he can not properly perform the duties of his office as judge. It is beneath the dignity of the court, and it brings the court into disrepute, for a judge to accept a position of that kind. I have no harsh criticism to make of the sport of baseball. While I know very little about the game, yet it is an innocent sport, and one perhaps to be engaged in in a moderate way. I have not a very high regard for this professional baseball, but it is the business of a judge to stay in the courthouse and to attend to the business for which he was appointed.

I stated on Saturday that I proposed to bring the matter to the attention of some friends in the House and see if we could not prefer charges against Judge Landis and impeach him, and that is the course I expect to pursue. He shows by his reply to me that he is not constituted by temperament to exercise the duties of a judge. He goes on and undertakes to abuse me. I shall not answer him in kind, and belittle myself and lower the dignity of the Senate by bandying epithets with a self-advertised crank and a freak like him. His statements in regard to my position in South Carolina are without truth in the main. They show that he has not studied the question and that he handles facts very loosely. He tries to abuse the people of South Carolina for allowing children to work in cotton mills; but I do not propose to be sidetracked by any argument on that point, though what he says on that subject is totally out of line with the facts. Furthermore, he tries to attract attention to himself by saying that a few years ago he was instrumental in having a child-labor law passed through Congress, or words to that effect, and later the Supreme Court of the United States held this law to be unconstitutional, and he accused one of the mills with which I am connected with having that law upset. That is far from the fact. Nothing of that sort is true. A suit was brought to test the constitutionality of that act, but it was brought by a citizen of another State, and not a citizen of South Carolina; but the people who brought that action are not to be criticized, because any man in this country has a right to test the constitutionality of any law.

Furthermore, the people of South Carolina do not seek, need, or relish any advice from a spectacular judge in Chicago as to how they should run their own business.

Judge Landis goes on further and speaks of my possessions in South Carolina. It is not very polite for one to parade his poverty or his riches; but I will say that any such demagoguery, trying to bring ridicule upon a person because he has labored hard and tried to accumulate something of this world's goods, is unworthy of a man who sits on the bench, or any other man. If it will do the idle curious any good—if there be any idle curious—I will state that my personal means are small. I have accumulated a little of this world's goods, and I live within my income, and I am able to meet my obligations. Judge

Landis's statements about my great possessions are absolutely untrue. I only wish I had more. I might state further that any man who does not try to better his condition in life, to better the condition of his family, and to lay up something for their comfort, is unworthy to have a family. I take no stock in any such dirty demagoguery.

Mr. President, I do not suppose it will interest the Senate very much, but it may do some good to some of the young people of the country to let them know that everybody in this country is not a Shylock. This judge refers to me as being president of a trust company and a bank in my town, but it may surprise him to know that I organized that trust company some 10 or 12 years ago, and we have made a moderate and modest success out of it. I organized it for the purpose of building up my section and of helping worthy enterprises, and I have never drawn a nickel of salary out of it. That may be astonishing to Landis. I organized a bank, of which I am still president, to which he refers in the morning paper; a small institution. We have made a success out of that bank. From the time it was organized until the present hour I have never drawn out of that bank as much salary in any month as this young boy was drawing. That may astonish Judge Landis. I do not want to be misunderstood, however, because I have other occupations; but I want it to go out to the country that there are some people who can work, and who work for love, to help build up their sections, and they are not always trying to grab money, money, money for themselves, but there are some people who have higher ideals in life; and I hope that that principle will spread out over the country and will stop any such demagoguery as that promulgated by this crank.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. DIAL. Yes; I yield.

Mr. THOMAS. The Senator should keep in mind the old Biblical warning:

Jest not with a rude man, lest thy ancestors be disgraced.

Mr. DIAL. I am not so very well versed in that scripture; but I am glad the Senator has called it to my attention.

Mr. President, the point I am complaining about in this judge's ruling, and one reason I brought it to the attention of the Senate is that if that goes unchallenged there is a judicial invitation to every employee in the United States, to every bank clerk, to every person who handles other people's money and goods, if he is not satisfied with the salary which he is receiving to take what he wants. It provides judicial immunity from punishment to anyone who does not think he gets enough and takes what belongs to another. That is the most bolshevistic doctrine I ever heard enunciated in my life, and I say that any man who entertains those sentiments is not worthy to sit upon any bench in any country.

Mr. President, in this particular case that boy did not steal $50, or $100, or some other amount that he may have needed to help support himself and his family (I believe it is claimed he had a family), but he embezzled $96,000 of that bank's money. Therefore this judge put a premium, as it were, upon the amount of his thievery. I am sorry for the boy. This judge was not trying to do so much good and show so much sympathy in his heart. If so, he would not have made the matter public, but would have closed the doors and talked the matter over with the boy and the directors of the bank. But he had to go up on the housetop and sound his own trumpet and try to play his spectacular antics, as he has heretofore been accustomed to do. He cared nothing about the name of the boy, just so he could be held up to the world as a great friend of the poor man, that tommyrot we have heard so much about. There would have been some excuse, perhaps, if that were true; but even that would not have justified what he said.

It is not with the court to say whether the compensation of any man is adequate. I venture to say, Mr. President, leaving out New England and the East, the North and the Middle West, not one-half of the clerks in the banks of the United States draw as much as $90 per month.

But I am not to be diverted from the main issue by getting into the question of a proper wage. This freak does not content himself with rendering his decision in the courthouse, but he hikes off on the highways, and goes off somewhere to speak to the American Legion, and undertakes to turn loose his venom, his misrepresentation, and his falsehood upon me, and I believe that he did it willfully, because the statements are founded on things he could easily have verified.

It is said, Mr. President, that he was applauded by the American Legion. I believe that is a vile slander upon the American Legion. I have no idea that any soldier who ever donned the uniform and fought for his country, or was ready to fight for his country, would applaud the sentiment of embezzlement. If they did, God pity them. In this time of unrest, when there is so much lawlessness going over the country, it behooves all good American citizens, and especially the men on the bench, to preach sound doctrine and honest principle.

Mr. President, I am about through. I have had this matter up with friends in the House. I do not know whether these charges are sufficient to impeach this man or not. But I am having them investigated thoroughly. I am going to call the attention of the Department of Justice to it, to see whether or not the highest law officials of this country would approve any such sentiment. If they go unrebuked, then there is an example set whereby the unwary, whereby the inexperienced, may commit theft and embezzlement, and whereby, as I said before, the very foundations of our society will be endangered.

I have already received a telegram from some crank trying to make a hero out of that boy. So all such doctrine should be blotted out at the earliest possible moment.

I say Judge Landis is incapacitated by training and by his sentiments. His statement shows he is unsound in principle. Perhaps I will introduce a bill in the Senate in a few days to make it illegal for a judge to receive any other salary than that he receives as a judge. If there is anything in this country we are proud of it is our judiciary, and I hope we will continue to hold it in the esteem to which it is entitled. We have always held it in high esteem, even during the troublous times of the Civil War and thereafter. No one ever criticized the United States Supreme Court. It is entitled to the respect and the confidence of everybody, and I feel that if we are going to have this kind of freak on the bench the sentiments of the people will soon change.

Mr. President, those are the reasons I had for bringing this matter to the attention of the Senate. We may not be directly interested, but all the people, all law-loving people, all people who favor order and favor justice, and all people who want to sow the seed of decency and of right in this country, are interested in the principle. We talk of trying to educate the foreigners and get them to become initiated into our habits and manners and thoughts, but we can not do that as long as anybody can point to such statements as those made by this judge and they are allowed to go unrebuked.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. GAY addressed the Senate. After having spoken for some time,

Mr. SMOOT. I beg the Senator's pardon.

Mr. HARRISON. I was merely asking the Senator from Louisiana whether or not any of the sugar that was produced in Louisiana is now in the hands of producers and what per cent is in the hands of the refiners, and I then inquired about Utah and the beet-sugar industry generally—whether it is now in the hands of producers or in the hands of refiners?

Mr. SMOOT. I will say to the Senator that I received a statement yesterday showing that the Utah-Idaho Sugar Co. has made—this year's run—2,300,000 bags of sugar, and out of the 2,300,000 bags they had sold 274,000 bags. So they had on hand all of the sugar produced by them, with the exception of 274,000 bags, which has been sold.

Mr. HARRISON. What percentage of the sugar produced in Utah is made by that concern?

Mr. SMOOT. The Utah-Idaho Sugar Co., of course, takes in a number of plants in Utah and in Idaho, one in Washington, one in Oregon, and one in Nevada, although I do not think the Nevada plant makes very much sugar. So it would only be a guess on my part to say what percentage of the production of the State of Utah they make; but I can state about what percentage of the sugar they produce in Idaho, Nevada, and Utah. I should say that they produce at least 57 or 58 per cent of the beet sugar manufactured in the States named.

Mr. HARRISON. That amount is produced by that company?

Mr. SMOOT. That is produced by that company.

Mr. HARRISON. Then, I imagine, they also buy from producers?

Mr. SMOOT. No; they do not buy from other producers; they do not buy any sugar at all.

Mr. HARRISON. Is that concern affiliated with the American Sugar Refining Co.?

Mr. SMOOT. It is not.

Mr. HARRISON. Is it an independent concern?

Mr. SMOOT. Years ago Mr. Havemeyer owned 51 per cent of the Utah Sugar Co. After the consolidation came about be-

tween the sugar companies of Idaho and the sugar companies of Utah, Mr. Havemeyer sold his interest in them to Mr. C. W. Nibley, and he, in turn, sold a portion of the stock to others, considerable of it going to beet growers.

Mr. HARRISON. The small producers have already disposed of their crops, have they not?

Mr. SMOOT. They have. The beet farmers had contracts with the Utah-Idaho Sugar Co. and other sugar companies, under which the companies paid them $12 a ton for every ton of beets which they grew; in fact, all the sugar companies, the Amalgamated, the Gunnison Valley, and the West Cache, had contracts with the farmers to pay a minimum price of $12 a ton for the beets. At $12 a ton for beets they can make sugar for $9.54 a hundred pounds—that is, the Utah-Idaho Co., and they make it cheaper than the smaller companies—and they are selling that sugar to-day, that cost the Utah-Idaho Co. $9.54 a hundred pounds, made from the beets for which they paid the farmer $12, for less than 7 cents net a pound. That is the condition of the sugar companies in Utah.

Mr. HARRISON. The farmers have already sold their beets?

Mr. SMOOT. They have sold all of their beets, and they received $12 a ton for them.

Mr. HARRISON. Yes. So that, as a matter of fact, the proposed tariff on sugar would not help the beet farmer in the West in connection with his last crop at all, would it?

Mr. SMOOT. No; but it will help the farmers because of other conditions which exist, for it must be borne in mind that because of the contracts which they made some of the sugar plants will fail. So it will help the farmers in the future if that situation can be obviated——

Mr. HARRISON. Yes; but it would not help the farmers at all who raised sugar beets last year?

Mr. SMOOT. No; not for this year's crop; because they have received their money for this year's crop.

Mr. HARRISON. And, of course, during the summer it is hoped to enact the other tariff bill, and when it shall have passed Congress it will repeal the pending measure, of course.

Mr. SMOOT. I will say to the Senator that contracts are generally made for the season with the farmers; those contracts ought to be signed at least by the 1st day of March, and, in fact, I think generally it is about the middle of February when the contracts are signed.

Mr. HARRISON. Does the Senator think that this legislation, putting a tariff on sugar, would affect the farmers in getting a better contract?

Mr. SMOOT. I have no doubt about it—that is, for the coming year.

Mr. HARRISON. I understand that the Senator means for the next year. They would assume, I imagine, that if this Congress put on this tariff on sugar at this time the incoming Congress would do likewise, and make as good a contract for them. Is that the idea?

Mr. SMOOT. I do not know that they would assume that it would be exactly the same, but I think they would assume that there is going to be an increase in the rate of duty on sugar.

Mr. McKELLAR. Mr. President, will the Senator yield? I desire to ask the Senator from Utah a question.

Mr. GAY. I yield to the Senator from Tennessee.

Mr. McKELLAR. I merely wanted to ask the Senator this question: The Senator says the farmers have already made their contracts. He says that they usually make them from the 15th of February to the 1st of March. Now, in view of the fact that it probably will be the 1st of March before this bill becomes a law, if it should become a law, will not the farmers already have made their contracts for another year?

Mr. SMOOT. I do not think they would make a contract based on the price of sugar to-day. I should advise every farmer in Utah not to do it.

Mr. McKELLAR. The Senator does not know whether they have done it or not, although this is the usual time?

Mr. SMOOT. I am quite sure they have not. In fact, if the farmers in Utah should ask me the question now whether or not they should make contracts on a 7-cent basis for sugar, I would tell them "no."

Mr. McKELLAR. I was thinking that if they had made their contracts by the 15th of February this year, the bill could not possibly help them for another year.

Mr. SMOOT. They have not made them, and I will say that they are not going to make them, either, based on the price of sugar to-day.

Mr. RANSDELL. Mr. President——

Mr. GAY. I yield to my colleague.

Mr. RANSDELL. The Senator from Louisiana has stated that he believes that the Louisiana producers of sugar have suffered perhaps worse than the producers of beet sugar.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. GAY. I yield.

Mr. SMOOT. The Senator from Idaho just asked me on what basis the contracts were made for beets.

I want to say to the Senator that the contracts for beets this year were on the basis of a minimum price of $12, and for every dollar that sugar advanced over $12 the farmer in my State was to get $1 more a ton for his beets. In other words, if sugar had remained at $20, then the farmer would have gotten $20 a ton for his beets. If it had fallen to $15, he would have gotten $15 for his beets; but the minimum price for the beets was to be $12 a ton.

Mr. RANSDELL. That was the result of a contract, was it not?

Mr. SMOOT. Yes. I stated what the contract really was.

Mr. RANSDELL. Of course, the contract for the crop to be made this year will naturally be based upon the expected price they are to get this year.

Mr. SMOOT. Certainly, if they make a contract; but, if I were a farmer, I would not make a contract for beets with sugar at 7 cents a pound.

Mr. RANSDELL. I think the Senator's advice to the farmers in that respect would be very good. May I ask this, because I did not get it quite clearly: The Senator stated that the farmers who produced beets had received from the refineries this good price of $12 a ton. I will ask the Senator if quite large quantities of beets are not produced by the beet-refining companies themselves, for their own refineries?

Mr. SMOOT. Not in our section of the country.

Mr. RANSDELL. Practically all of the beets are raised by independent farmers?

Mr. SMOOT. By independent farmers.

Mr. RANSDELL. I am glad to have that information.

Mr. SMOOT. Not only that; but most of the beets are raised by farmers that have not over 5 acres of land. The cultivation of beets requires the best land, irrigated land, and it requires very, very intensive cultivation, and that work is done generally by the farmer himself and his children, although there are some farmers that have 20 or 30 acres; and in that case they have to hire help.

Mr. RANSDELL. Then the farmers themselves have received a price which gave them a fair remuneration, possibly?

Mr. SMOOT. Oh, there is no doubt about it so far as the beet raiser is concerned.

Mr. RANSDELL. But the drop in sugar has hit the refineries very, very hard, I take it.

Mr. SMOOT. Why, if some of them pull through they will be very fortunate. I know one little sugar company in the northern part of my State that contracted for its entire output at 14 cents a pound to a wholesale concern on the Missouri River, at Omaha, Nebr. The wholesalers paid the company an advance of $500,000 on the output of that little factory. Those wholesalers gave the company the $500,000 rather than carry out the contract. They lost $500,000, and that is about the only little company we have in the State that is to-day in a fair condition.

Mr. RANSDELL. Will not the Senator tell us in a general way, please, who constitute the various refineries that handle this beet sugar? Are they not American citizens, and quite a large number of American citizens?

Mr. SMOOT. In our State, and in fact throughout the West, there is not a sugar factory in which the farmers themselves do not own stock and the stockholders are all Americans.

Mr. RANSDELL. I was trying to get that very point. Are not these refineries really owned by the farming classes of people to a very great extent?

Mr. SMOOT. Yes. Of course I will not say that they own a controlling interest, but I do know that there are thousands and thousands of stockholders in the Utah-Idaho Sugar Co., and I do know that a great many of those are farmers.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. GAY. I yield to the Senator from Tennessee.

Mr. McKELLAR. I just want to ask the Senator from Utah, on what basis is $12-a-ton sugar? About how much is that a pound? How is that figured per pound of refined sugar?

Mr. SMOOT. The Utah-Idaho Sugar Co. is the largest company in the intermountain States, with the exception of the Western Sugar Co., of Denver, Colo. That company makes sugar a little cheaper than the Utah-Idaho Co. does. Twelve dollars a ton for beets means that the Utah-Idaho Co. makes sugar at $9.54 a hundred.

Mr. McKELLAR. Nine and fifty-four one-hundredths cents per pound.

Mr. GAY resumed his speech. After having spoken for a few minutes,

Mr. McKELLAR. Mr. President, I feel that I owe the Senator from Louisiana an apology, because I want to ask a question of the Senator from Utah, with whom I have just had a colloquy. The senior Senator from Louisiana [Mr. RANSDELL] asked the Senator from Utah if the sugar companies in his part of the country were not controlled largely by farmers, and the Senator afterwards spoke of the Utah-Idaho Sugar Co. Now, let me ask the Senator if the majority of the stock of the Utah-Idaho Sugar Co. is not in the hands of what we commonly know as the Sugar Trust, the American Sugar Refining Co.?

Mr. SMOOT. The American Sugar Refining Co. does not own one dollar of the stock.

Mr. McKELLAR. Who controls it?

Mr. SMOOT. C. W. Nibley is the largest stockholder. I do not think he owns the controlling interest, but he purchased all the stock that was owned by Mr. Havemeyer when Mr. Havemeyer did own the controlling interest in the company, but in that purchase a great many people in Utah took a part of the stock. In fact, it was offered to anybody at the price Nibley paid for it, but I can not say how much of that stock was purchased by the different individuals and the farmers throughout the country.

Mr. McKELLAR. Does not the Senator understand that 51 per cent of the stock of the Utah-Idaho Co. is controlled by the Sugar Trust?

Mr. SMOOT. Why does the Senator ask me that question when I tell him that it is not true and that they do not own a dollar of it?

Mr. McKELLAR. The Sugar Trust does not own a dollar of it?

Mr. SMOOT. That is what I have said two or three times.

Mr. McKELLAR. Then I have been misinformed.

Mr. SMOOT. The Senator has been misinformed if anybody ever has made such a statement to him.

Mr. McKELLAR. Why did they dispose of it?

Mr. SMOOT. It was at a time when sugar was very low, and a change of administration occurred, and they thought, of course, that sugar was going down, and they decided to sell it; that is all.

Mr. McKELLAR. So now they have no interest in that company?

Mr. SMOOT. They have no interest in the company at all.

Mr. GAY. Mr. President, the bill now before the Senate is one designed to relieve the distress and deplorable condition existing throughout the agricultural sections of this country. It is hardly fair to call this measure a tariff measure. It should be entitled emergency legislation for the relief of those engaged in all agricultural pursuits. The consideration of this measure should be entirely nonpartisan and nonpolitical. I have been surprised that Senators should attempt to make political capital out of the measure designed to give relief to the farmers of this country whose distressing condition is directly due to the havoc wrought by the Great War, and to the fact that this country has not yet returned to a peace basis and normal condition.

We are still going through a part of the war period, and it is not the proper time to take up partisan measures such as the tariff, nor to consider the pending bill from the standpoint of whether you believe in protective principles of government or free trade.

During the war extraordinary powers were vested in commissions. Powers were delegated to individuals the like of which had never been known before in our history. Economic rules were set aside and the law of supply and demand was not considered. Our economic forces, the wealth as well as the manhood of our Nation, were mobilized for the great task which was before us, a task which was wonderfully performed in a remarkably short period of time—the preservation of our civilization.

The appeal that went forward from the Food Administration to all loyal Americans was to produce maximum crops. One of the most vital necessities in the way of food was to increase production of sugar. The supply for our own people was cut to a minimum amount, and patriotic Americans everywhere consumed just as little sugar as they possibly could, in order that it might be sent to our troops abroad and to our allies. The acreage in both cane and beet cultivation was greatly increased, and with the diminishing supply of labor it was remarkable that such crops as were produced could be harvested.

The price of sugar was fixed by the Food Administration at what was thought by Mr. Hoover and his associates to be a fair return, and yet at a price that would give the American people comparatively cheap sugar. It is a matter of record that during the war the price of sugar in the United States was lower than any other country in the world. This price in many instances worked hardship on the American producer, but there were and are no more patriotic class of people in America than the American farmer, and few if any complaints were raised against the rulings made by the Food Administration during the war period. The reaction that has come is but natural and is similar to that which has come after all periods of war.

Deflation is necessary, but to attempt to deflate war prices overnight threatens those in all lines of agricultural productions. It is impossible and unreasonable to expect prewar prices to come so shortly after a war of such magnitude, and this legislation is designed as a temporary relief, a fixed period of time being named in the bill of 10 months, to meet post-war conditions.

We have seen suggested in the press that should this emergency legislation fail the next Congress, which is to be called in extra session soon after the new administration comes into power, would quickly pass the Dingley bill, or the Payne-Aldrich schedule, to give the relief the farmers and producers of America so badly need due entirely to the economic conditions brought about by the war.

Any legislation attempted hurriedly is necessarily more or less imperfect, and some injustice, in all likelihood, will be done. But let not the representatives of the American people fail to perform the duty which they owe to that class which never have received from the hands of the American Congress the justice to which they are entitled.

Mr. President, I contend that the schedule of the Payne-Aldrich bill and the Dingley bill do not fit the present situation. These great tariff measures were enacted after careful deliberation and for the purpose of fitting conditions that existed at the time they were passed. Neither of these measures would be suitable now, and it is essential that speedy relief be given by a measure designed, as this one has been, to meet the existing emergency. The new Congress will, of course, frame a tariff bill. Already hearings are being held on the different schedules and the Committee on Ways and Means of the House will be in a position to frame a tariff that will meet post-war conditions just as were those tariffs in the past framed to meet the conditions of the times. But the farmers of this country, those who produce our food and great staple crops, can not wait until July, August, or even perhaps the fall of this year for the new legislation. It will be too late in many instances to give the relief sought. The doctor is needed now, and his services will not be required if the patient is allowed to linger.

I say, from first-hand information, regardless of the statements that have been made on the floor of the Senate, that the sugar producers of America need at once a duty on sugar to tide them over and through the most disastrous period in the history of American production.

The amendment which I introduced is intended to give that relief. It is intended to raise the present duty three times the amount of that specified in the Simmons-Underwood bill. It is limited to a period of 10 months. It has a provision whereby the American consumer is protected against paying an excessive price for his sugar. I know of no other measure before Congress which limits the operation of a tariff as does this one now under consideration. It provides—

That if the imposition of the duties herein shall have the effect of increasing the price in the ports of the United States of duty-paid 96° centrifugal sugar produced in and imported from Cuba beyond 8 cents per pound, or shall increase the price in the ports of the United States of similar sugars paying full duty beyond 8.76 cents per pound, or shall increase the price in the ports of the United States of sugars that have gone through a process of refining, or sugars fit for direct human consumption, beyond 10 cents per pound, then the emergency duty herein named shall be automatically decreased so as to prevent the prices of such sugars advancing beyond the respective prices herein named.

Mr. President, the price of sugar to-day in New York has been forced down by the refining interests of this country to a point where they know full well they will be deprived of American competition and which will wipe out entirely the producers of sugar in continental United States. They do not relish the idea that men can engage in a farming enterprise in this country and manufacture in a small way a table commodity, such as is the pure sugar produced in both the beet and cane sugar factories, which will come in competition, which they feel they are privileged by a great combination of capital to bring from foreign countries and run through their refining processes at enormous profits and serve to the American public. They are absolutely bold in their statements that they would like to see producers of sugar in the United States completely wiped off the map. And you gentlemen who are advocating a low duty on the greatest revenue-producing article which the United States Government has are playing into the hands of American refiners who produce nothing; who do not help the farmers in any way, but who simply buy their sugar from foreign countries, where it is produced at a low scale of wages, bring it to our seaboards, and pass it through their laundering machines.

What, Mr. President, was their position before they had the American product to compete with? They got anywhere from 3 to 5 cents a pound for refining in the United States. Why? Simply because there was no domestic sugar produced in the United States except a small quantity of plantation clarified sugar produced in Louisiana, and they had no competition.

We find at that time, in 1871, at the hearings of the Ways and Means Committee, having under consideration the revision of the tariff, these refiners through their representatives, insisting upon a tariff—a greater tariff—not only a tariff based upon the polariscopic test but also upon a color test, in order to prevent foreign refined sugar from coming in competition with their product. These very tariffs that were then being insisted upon by the refiners had the effect of stimulating the domestic industry at home. The Louisiana industry thrived, and the beet industry was planted in the West and began to grow. Direct consumption sugar was produced from the manufacture of sugar beets, was placed upon the market and sold in direct competition with the refiners' standard granulated sugar, and sold at a lower price.

What effect did this have upon the refined product? The price was reduced. Not that the raw sugar in the United States cost less money, but the refiners' margin, which, as before stated, was from 3 to 5 cents per pound, began to be reduced. A sugar refinery was established in New Orleans, State of Louisiana, and sold sugar in direct competition with the Louisiana plantation clarified sugars. This margin between raws and refined continued to be reduced by the refiner until at last we see it reach the low level in New Orleans of 60 cents per hundred pounds. In other words, the refiner would purchase raw sugar, refine it, and put the refined on the market at 60 cents a hundred. To-day he gets $2.25 per hundred pounds.

The effect of that reduction was to break down the competition of the direct consumption sugar in Louisiana. The man who produced yellow clarified sugar and sold it to the trade could better afford to put it into raw sugar and sell it for 60 cents less per hundred pounds than to put it in the direct consumption sugar.

So, in a few years there was scarcely any sugar produced in Louisiana other than raw sugar, and the refiners had the market. But the beet-sugar industry having been fostered and protected by tariff, increased about 1,400 per cent in 10 years, and it put its product upon the market and sold it, and it sold at about 20 cents per hundred pounds under the price of refined. The sugar refiners protested loud and lustily that beet sugar was inferior to cane, that it could not be used for a number of purposes for which cane sugar could be used. But the public at last learned the true cause of this great interest manifested in their behalf by the refiners to prevent them from buying this inferior sugar, and found that the sugar was just as sweet and pretty as cane refined sugar, and its use kept pace with the increased production. The producers pressed its sale upon the market at prices from 10 to 20 cents per hundred pounds less than the cane sugar was being sold for, and the result was the continued decrease in the price of cane refined sugar in order to meet the competition. This process continued until the American people got the cheapest sugar of almost any people upon the face of the earth.

Suppose wise statesmanship of America had not aided the beet industry? Suppose instead they had destroyed the industry in Louisiana, and the only source of supply had been the refiners? Do you believe that they would have reduced the cost of refining from $5 to 60 cents per hundred pounds, thereby reducing the price of sugar? Remove the tariff, or reduce it to the point of making it inadequate to protect the industry, and make this great American public solely dependent upon the American refiner for his supply of sugar, and in a short while he will find that he not only pays more for his sugar than before, but that his Government derives no revenue therefrom.

This is not only a question affecting the present but the future of this great industry in the United States and its ultimate success as one of the great agricultural products of the United States. If the industry continues to increase in the future as it has in the past, if the new methods of manufacture and increased production from a ton of beets continues for the next 25 years as it has for the past 20, it may be possible for the sugar produced in the United States to compete with the sugar of the world. If so, and we then produce not only sugar sufficient to furnish continental United States but other lands, necessarily there would be no tariff, or a tariff would be ineffective and the price would be absolutely controlled by the law of supply and demand. In other words, sugar in the United States would occupy the same position as does corn, wheat, and cotton.

With this magnificent prospect for the future of the sugar industry, how is it possible for any statesman to feel that it is his duty to support a measure that would cripple or destroy the industry? And please remember that if there had never been a tariff imposed on sugar there likely would never have been a beet factory erected in the United States. So, gentlemen, I hope you will take with a grain of salt the argument used by these refiners. It is to their interest to cripple or destroy the production of sugar in the United States, thereby destroying competition.

Mr. President, to illustrate, years ago each and every farmer raised a few hogs, killed them, cured the meat in his own smokehouse, and any surplus was carried to town, sold to the store, and distributed to the nonproducer. In those years every little farmer in the United States was a miniature packing house. The meat packers of the Nation, being alive to this competition, began to reduce the cost of packing; that is, the price between the hog standing and the hog slaughtered, packed, and ready for shipment. This reduction in the cost of packing continued until in 1895 and 1896, if my recollection is correct, dried salt shoulders were sold at about 4 cents wholesale, while the hog standing was worth from 2½ to 3¼ cents per pound. In other words, there was less than a dollar per hundred pounds difference between the hog standing and the hog packed—that is, dry salt shoulders; at that time hams and breakfast bacon were worth about 7 to 7½ cents per pound. The result was that the farmer found it cheaper to sell his hogs and buy back his requirement of meat than it was to take the risk of slaughtering his hogs and curing his own meat. This process went on until all the smokehouses of the Nation were closed, most of them destroyed, and each farmer sold his hogs and bought back his meat, and then it was that the differential between the hog standing and the hog packed began to increase. What is it to-day? Examine the quotations. I dare say the packers to-day are getting more for packing the hog than both he and the hog grower got in 1895 and 1896.

This fully illustrates the point. When the packer had competition, the cost of packing was reduced to the minimum, thereby reducing the price of the commodity. With competition destroyed, the cost of packing has increased and materially increased the cost of the product.

In 1871 refined sugar in the United States was sold to the consumer at the original cost of the raws plus about 5 cents per pound for refining. A wise Government stimulated the production of sugar in the United States, which was sold in direct competition with this refined article, and the cost of refining was reduced from 5 cents per pound to less than 1 cent per pound. At the same time the price of sugar was decreased, although a tariff was being maintained. In the 10 years prior to 1913 everything that went into human consumption increased in price from 10 to 60 per cent except sugar and raisins. Sugar decreased about 10 per cent and raisins, I think, about 15 per cent. This fact should be taken into consideration in determining the question of what would be a fair tariff to impose upon this commodity for the purpose of taking care of the domestic industry considered relatively with other farm products. I tell you, gentlemen, the domestic industry is worth saving.

The Louisiana sugar producer is primarily an agriculturist; his final product, sugar, measured by the greatest element of cost in its production is an agricultural product. More than 50 per cent of the cost is in the culture and bringing to maturity of the cane. It takes 12 months' preparation and culture to bring the raw material, cane, to the point of conversion into sugar. All the risks of drought, floods, insects, disease, labor shortage—in fact, all the risks that any agriculturist must take and can not provide against in advance—must be met by the Louisiana sugar producer. The Louisiana manufacturer, so called, of sugar is also the grower of cane, as shown by the following table:

Cane, 1913.	Per cent.
Factory grown	44.82
Purchased or grown by tenants	54.66
Ground on toll	.52
Total	100.00

Unlike the manufacturer who can from day to day reduce or entirely eliminate losses by ceasing to purchase raw product, or shut down his plant, or increase his profits from day to day by judicious purchases, always protected and guarded, able to change or adjust his plans in a single day, the Louisiana producer-manufacturer of cane and cane sugar must grind the cane as it comes, good or bad, and then must convert the field product, cane, into the finished product, sugar, without regard to loss or profit. In this he should be encouraged, by protecting him in some small degree against the competition of cheap foreign labor and low living conditions.

The Louisiana producer-manufacturer is entitled to the same degree of consideration as the maker of the machinery he used in his factory, the plows and implements, tractors, wagons, and railroad equipment used in factory and field, the clothing he wears; he should receive the same consideration at the hands

of his Government as any other American citizen engaged in legitimate productive enterprise. He asks for no more; he should not expect less.

It has been asked if other crops could not be raised on the rich soils of the Louisiana cane area. The answer is the question, Why discontinue growing a product needed in every home, a product that is an absolute necessity for the human and national welfare, a crop the production of which distributes 95 per cent of its income to labor, and other products, both natural and manufactured, in America—a product which needs to be doubled to supply the demands of America? For every acre now planted in cane in Louisiana just that much less competition is there with the producer of other American crops. Of the 52,298,000 bushels of rice grown in 1920 in America 24,640,000 bushels were produced in Louisiana. Rice could be grown on much of the cane land, but why increase the production and competition in rice when to-day the rice grower is producing at a loss? Why add to a cotton crop that right now it seems can only be saved from bankruptcy by reducing and not increasing the acreage—and so with other crops?

Sugar production should receive more encouragement in America than any other crop. Sugar production should be encouraged until America stood independent of every foreign land in its sugar supply.

Another reason why a change should not be made to other crops is that sugar growing and making is more highly developed and requires greater skill in its production than any other crop produced in America. The Louisiana sugar producer has devoted his life to the study of this specialty; in most instances his ancestors for several generations preceding have been sugar specialists. He knows no other crop. All his capital is invested in specially devised equipment for the planting and culture of sugar cane. Millions of dollars are represented in his sugar houses. All his lands are plotted, drained, and laid out for the production of sugar. A change to other crops would require a complete change, a casting aside—in fact, a virtual abandonment and sacrifice of practically all his property. Any man who will give consideration to the thought will abandon such a suggestion. The Louisiana sugar producer-manufacturer, or cane grower alone, is a specialist. He has done much for the world in developing the production of cane sugar. A major portion of the improved methods of cane and sugar production throughout the world had their origin in and were developed by Louisiana and the Louisiana sugar producer-manufacturer. Men trained in the Louisiana fields and her sugar school have gone to all cane-sugar sections of the world, to there live in the development of the industry as superintendents and managers and directors of sugar-experiment stations.

The reasonable price of sugar to the consumer is due to Louisiana development more than to any other one cause. Louisiana is ready to go forward to greater production, larger development, further advance in sugar production; but to do so she must have reasonable assurance of stability, and nothing can do more to accomplish this than a reasonable measure of tariff protection, such as she asks for and expects that the Congress of the United States in its wisdom will see fit to approve and fix.

Mr. President, I have read a portion of the statement which was presented to the Committee on Ways and Means of the House by representatives of the American Cane Growers' Association. I desire now to give the Senate the benefit of a statement made by Mr. Milling, who appeared before the Committee on Finance at the time that committee had under consideration the emergency tariff bill. I quote from the statement of Mr. Milling. In presenting the argument he stated that the question of an emergency tariff should be considered from three points of view:

"First, Are the market conditions of sugar such as to justify the imposition of the tariff? Second, Would the tariff be fair to the consuming public? Third, Would such tariff yield substantial revenues to the Nation? * * *"

To answer this question, that is, the question with regard to market conditions of sugar, and whether or not they justified the imposition of a tariff, Mr. Milling said:

"It will be necessary to take into consideration the market price of that commodity at the time of planting and cultivating the present crop, and the costs incurred in producing same. When the 1920 crop was planted, and during the whole time it was growing, all costs of production had reached the maximum, which was the highest, perhaps, known in the history of the United States. In order to successfully grow a sugar crop it is necessary that there be rapid and thorough cultivation, liberal application of fertilizers, and the purchase of all things necessary to promptly and efficiently operate a large plantation. Those costs in 1920 were three times their cost prior to the breaking out of the World War.

"For example, the cane producers of Louisiana paid $65 to $85 per ton for fertilizers, which prior to the war cost from $18 to $25. They paid $6.25 to $6.50 per bushel for cowpeas, which are used at the rate of 1½ bushels per acre in sowing one-third of the plantation, to be plowed under the following fall as a fertilizer. These peas prior to the war cost $1 to $2 per bushel. They paid for the necessary mules upon the plantation from $350 to $450 per mule, whereas prior to the war such mules cost from $150 to $225 each. They paid from double to treble the price for plows, gear, implements, and all kinds of wagons and machinery of every description. They paid a heavy increase in freight rates in transporting all of these commodities to the plantation.

"These costs being enormous, nothing short of a full crop and a price based upon production costs—in fact, a price of from 15 to 18 cents per pound—would have brought the sugar producers out without a loss. But instead of having a full crop they harvested hardly a half crop, and instead of the price being from 15 to 18 cents it is less than half that amount."

The price of every commodity, I will say, that is used by the producer of cane sugar in Louisiana is three or four times higher than before the war. Mr. Milling further stated:

"We have faced floods from the Mississippi River; early freezes; seen the crops of whole plantations destroyed by these disasters; but never in the history of the industry has it been in the condition that it is to-day."

Mr. President, I could go on at great length and cite the situation that exists in Louisiana, and, in fact, throughout the entire agricultural section of the United States. The conditions in Louisiana are on a par with the conditions in other sections, but I really believe that that section has been hit a little harder even than the wheat-growing portion of the country or the portions of the country where sugar beets are produced. They have had to contend with various kinds of misfortune; their crops have cost them more than ever before in the history of the country; and, furthermore, their crops were harvested and put upon the market at a time when there was absolutely no demand for sugar. I may add that the same condition prevails to-day.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. GAY. I yield to the Senator from Mississippi.

Mr. HARRISON. The sugar crop of Louisiana has already been harvested, has it not?

Mr. GAY. Yes.

Mr. HARRISON. Is it now in the hands of the producers or the refiners?

Mr. GAY. It is in the hands, very largely, of the producers.

Mr. HARRISON. What per cent is in the hands of the American Sugar Refining Co., if I get the name correctly?

Mr. GAY. I think there is a very small percentage in the hands of the American Sugar Refining Co., for the reason that the producers in Louisiana are now making a table sugar themselves that is suitable for direct consumption. They do not have to depend on the American Sugar Refining Co. as they had to depend on them in the past. Therefore a very small percentage of their product, I should say, is in the hands of the American Sugar Refining Co. I have not the figures here with regard to the exact amount.

Mr. HARRISON. But all the cane has been cut and the sugar has already been made in Louisiana?

Mr. GAY. Yes.

Mr. HARRISON. Is that true of the beet-sugar crop in Utah?

Mr. GAY. I must say that I am not prepared to answer exactly as to what the conditions are in Utah; the Senator from Utah probably can give that information better than I can. I will be glad if the Senator from Utah will give us his attention for a moment, as probably he can answer the question of the Senator from Mississippi.

[At this point Mr. GAY yielded further to Mr. HARRISON, and a colloquy ensued between Mr. HARRISON, Mr. SMOOT, and other Senators.]

Mr. RANSDELL. Mr. President, I shall now proceed with the question I was about to ask of my colleague. He stated, in substance, that the Louisiana sugar growers had lost very heavily. I will ask him if he will not elaborate that statement a little bit and show, if it be true, that not only was the crop of 1920 in Louisiana almost a failure, but the crops of 1919 and 1918 were also very, very poor crops, occasioned by climatic conditions and other things, and if they were not unremunerative crops in spite of the high price at which sugar sold a year ago?

Mr. GAY. I will say to the Senator, in reply, that I have before me here the figures in regard to the crops that were produced in the State of Louisiana for the past three years, and that 1919 was even more disastrous, so far as the amount of sugar that was produced was concerned, than last year; but last year, owing to the fact that the crop was produced at the

very peak of the price of labor and of everything that enters into the cost of production, and then put upon the market at a time when sugar was selling for almost one-third of what it had sold for after the war, from the standpoint of revenue it was the most disastrous year in the history of the business, and that now the great question that confronts the people down there engaged in this highly developed style of agriculture is where they will be able to get money to go on for another year.

Mr. McKELLAR. Mr. President——

Mr. RANSDELL. I hope the Senator will allow me to conclude this line of inquiry.

The PRESIDING OFFICER (Mr. WALSH of Montana in the chair). To whom does the Senator from Louisiana yield?

Mr. GAY. I yield to my colleague, and then I will yield to the Senator from Tennessee afterwards.

Mr. RANSDELL. I understand very clearly what the Senator says now. His statement shows that the crop of 1920 was a very, very disastrous one to the sugar grower of Louisiana. I will ask him if the crop of 1919 was not also a very unremunerative crop, although the prices for the finished product were high on account of the very small yield of that year, 1919?

Mr. GAY. I will answer that by saying that in some sections of Louisiana, throughout the sugar belt, there was a profit made on the 1919 crop, but that throughout most of that section there were losses. I have not the percentage, but in some sections they were favored with better weather conditions, and they made a fair return on their investment.

Mr. RANSDELL. How was it in 1918? Was not that an unremunerative crop also, in the main?

Mr. GAY. It was a better crop than the 1919 and 1920 crops.

Mr. RANSDELL. But the prices were not high?

Mr. GAY. Not high.

Mr. RANSDELL. So, then, to follow my question a little further, you have three unremunerative crops there—1918, 1919, and 1920—and the crop of 1920 was the most disastrous ever recorded in the history of the Louisiana sugar industry?

Mr. GAY. That is correct.

[At this point Mr. GAY yielded for a colloquy between Mr. McKELLAR and Mr. SMOOT.]

Mr. GAY. Mr. President, a representative of the beet-sugar industry, Mr. W. L. Petrikin, representing the Great Western Sugar Co., of Denver, Colo., in appearing before the Ways and Means Committee of the House of Representatives, made this statement:

"There is not any doubt, if the domestic industry was destroyed and they had it within their own hands"—

That is the subject I was discussing a few minutes ago, the question of the sugar refiners having control of the sugar industry, and the domestic sugar industry being wiped out—

"that sugar would cost the consumer more than it does at the present time. I do not think there is any doubt about that at all. I heard a question asked a while ago by one of the members of the committee that if the tariff were put on sugar would it increase the cost to the consumer. I think it would. I think it is also true that if there was no tariff, and there was no beet industry, you would still pay higher than when the increased tariff is put on."

I believe that statement to be absolutely correct.

I ask permission to insert several tables in connection with my remarks, particularly a table of the present tariffs on sugar in 14 different countries, showing the rates of tariff per pound in cents per pound.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

	Cents per pound.		Cents per pound.
Austria	2.39	Italy	2.00
Belgium	2.23	Japan	3.392
Canada	1.93	Netherlands	4.103
Czechoslovakia	2.276	Spain	5.25
Denmark	1.216	Sweden	1.216
France	6.128	United Kingdom	5.574
Germany	2.03		
Hungary	2.39	Average of the 14 countries	3.008

"Notwithstanding the enormous amount of revenue which our sugar imports have yielded the Government during the past 50 years, the retail price of sugar has been lower in the United States than in most other countries. In 1911 the retail price of sugar in 20 leading foreign countries, as per figures gathered by our State Department, ranged from 5 cents per pound in Great Britain to 14 cents in Italy, as compared with 5.915 cents in New York City, as shown by the United States Department of Labor. In but 5 of these 20 foreign countries was the retail price of sugar lower than it was in New York City.

"Even during the war, when the price of sugar rose to unprecedented heights, the price of that commodity in the United States was lower than in almost all of the other leading countries of the world. In 1918 Mr. H. C. Prinsen Geerligs, of Amsterdam, one of the leading sugar statisticians of Europe, published a statement showing the wholesale price of granulated sugar in March, 1918, in 12 of the leading European countries, as well as in the United States and Canada. The prices ranged from 5.71 cents per pound in Denmark to 19.7 cents in Italy. The average New York wholesale price at that time was 7.30 cents per pound, Copenhagen being the only other city listed in which sugar was cheaper than it was in New York."

Mr. GAY. The production of sugar cane for making sugar and sirup is by no means confined to the State of Louisiana. Louisiana does produce the major portion of the sugar from cane grown and produced in the United States, and whatever affects the cane grower and sugar producer in Louisiana is reflected in the other States producing sugar and sirup. The acreage in the several States growing sugar cane in 1920 was as follows: South Carolina, 8,200 acres; Georgia, 73,000 acres—let me say right here, Mr. President, that Georgia is one of the great cane-sirup producing States of the Union, and that that industry there is growing by leaps and bounds—Florida, 29,000 acres; Alabama, 72,600 acres; Mississippi, 33,100 acres; Louisiana, 299,100 acres; Texas, 15,400 acres; Arkansas, 3,100 acres; total, 533,500 acres.

Thus you will see that, of the cane planted in the United States for the production of sugar and sirup, Louisiana's acreage is only about 50 per cent of the total, and, being distributed, as it is, through eight of the Southern States, whatever affects one section will, of course, affect the whole.

While the above figures represent the actual acreage planted in 1920, and is a very material increase over that of 1919, which totaled for the eight States named 481,000 acres, yet it by no means represents the acreage suitable for the production of cane for sugar and molasses, nor does it represent the extent to which the industry could and would grow if given a reasonable protection. There is enough acreage in these eight States that could be brought under cane to relieve America of the necessity of importing the major portion of her sugar from foreign countries, and the need for this has been exemplified in a startling way during the year 1920, to say nothing of that period of the war when it looked as if America would have to go on short rations for sugar.

There was imported into the United States for the first 10 months of 1920, ending with the month of October, a total of 7,286,416,354 pounds of sugar; in the year 1919, 6,395,733,212 pounds, an excess in 1920 over 1919 of 890,683,142 pounds. In 1919 there was imported from the island of Cuba for the same 10-months period 6,086,395,865 pounds; in 1920, 5,429,750,203 pounds, showing a decrease in the importation from Cuba for the same 10-months period, 1919 and 1920, of 656,645,662 pounds. The total importation of sugar for the same 10-months period of 1919 was 6,395,733,212 pounds, and from Cuba 6,086,395,865 pounds, and from other countries 309,337,347 pounds; this for 1919 when prices were stable. In the 10 months, 1920, ending with October, the total import of sugar into the United States was 7,286,416,354 pounds, and from Cuba for the same period 5,429,750,203 pounds, giving a total from other countries of 1,856,666,151 pounds, or practically six times the volume of sugar brought from other countries in 1920 over that of the same period for 1919.

America has literally been flooded with high-priced sugars from countries not normally exporters to the United States. In many instances, undoubtedly, purchases of sugar have been made by foreign countries for speculation and dumped into the United States at the high price to which sugar was driven here by the manufacturers of nonessentials, profiteers, and speculators. This was possible because of the nominal tariff on sugar imported into the United States, even from full duty paying countries, and has resulted in all but ruining not only the producer of sugar on the American Continent but the Cuban sugar planter as well, Cuba being the normal source of supply for such sugars as it was necessary to import into the United States.

What is the condition to-day? The Louisiana producer finds himself confronted with this problem. He has grown and produced a crop of sugar at the highest price in the history of the industry. He has had to pay from two to three times the prewar price for mules and other farm animals, for fertilizer, for corn, for cowpeas, tools, and other implements manufactured from steel and iron. He has had to pay the greatly increased freight rates. He has had to pay war prices for his labor, the top of the market for all of the articles that go into the growing of sugar cane and the manufacture of that article into table-consumption sugar, higher freight upon the cane and upon the product derived therefrom. It would have required a price for him to come out whole or break even on the result of the past season of from 12 to 15 cents a pound for sugar, a price which did not seem unreasonable at the time that he planted his crop and cultivated it. What has been the result? Sugar has fallen in price so rapidly and there is so little demand for it that he finds himself to-day confronted by the greatest crisis

that has ever been known, and many are face to face with bankruptcy. We have asked for a tariff in this great emergency to permit the producer to remain in business, and at the same time establishing a price low enough to be entirely fair to the consuming public. This increased duty would put the farmer in a position whereby he could receive advances to go on with the new crop and would help to stabilize the industry.

I do not feel that the amendment offered by Senator SMOOT is sufficiently large to meet the present emergency, but I recognize, after having carefully canvassed the situation, that his amendment has more support in the Senate than the one which I have offered and which has been adopted by the committee. I have therefore decided not to press that amendment, and, believing that one-half of a loaf is better than no loaf at all, I have decided to support the Smoot amendment and sincerely hope it will be adopted by the Congress.

Mr. President, I do not regard the Smoot amendment as an emergency amendment, and I sincerely hope that when that amendment is agreed to it will become a permanent part of the tariff laws of the United States through the action of the next Congress.

Mr. GERRY. Mr. President, the so-called emergency tariff bill now before the Senate might well be entitled "An act to raise the high cost of living on the necessities of life."

Let us consider the commodities on which a tax is to be placed: Wheat, flour, corn, beans, peanuts, peanut oil, potatoes, onions, rice, lemons, oils, cattle, frozen beef, veal, mutton, lamb, pork, and meats of all kinds; sheep on the hoof and fresh mutton and lamb, sugar, butter, cheese, milk and cream, condensed milk, apples, cherries, tobacco, cotton, wool, and hides.

Even a casual reading of this list shows that everything that man must buy for food for himself and his family, if they are to sustain life, and everything that they must wear, including shoes, is to be taxed. The prices of the necessities of life are to be maintained at their present high level, or raised above it, while we all know that in recent months there has been a very large reduction in wages in all industries, particularly those of New England, and it seems to be the sentiment of all large business interests that even further reductions are to be made. This being the case, the only way that hardship and want can be alleviated is by lowering the cost of the necessities of life.

In view of the campaigns carried on by both parties, when seeking election, in favor of the reduction of the cost of living, it is appalling that a bill of this character should have been rushed through the House, without adequate consideration and upon one day's debate, and then an endeavor made to follow out a like policy in the Senate. If a bill such as this is to be passed, it is well that both Senators and the people should know what the results of this legislation will be and upon whom the burden which it imposes will rest.

Let us take up some of the items of the bill separately and follow out logically what the consequences will be if it becomes a law.

The reason for placing a duty of 40 cents per bushel on wheat is to increase the price of domestic wheat 40 cents per bushel. If it does increase the price of wheat to that extent, it means the consumer will have to pay $236,556,800 more. This figure is based on the average consumption of the United States for the last eight years, which is 591,392,000 bushels. In other words, the consumer will pay $53.82 for every $1 collected by the Government, assuming that we will import as much wheat with this duty on as we would with wheat on the free list—which is, of course, unbelievable. The probability is that instead of importing 10,988,000 bushels, which with the 40-cent tax would bring a revenue of $4,395,200, practically no wheat will be imported, and thus the consumer will be heavily taxed and the Government will receive very little revenue.

The tax that I have figured above will fall on the consumer is too low, for history shows that whenever a tax is placed upon a commodity, the different middlemen add additional amounts on each turnover, and these go into the cost paid by the consumer.

The duty of 40 cents per bushel is the added cost to the first purchaser of wheat. By the time it has taken the form of breakfast food, bread, and so forth, it is fair to assume that, with the manufacturer, wholesaler, and retailer each demanding that he make a profit on this $236,000,000 of additional capital necessitated by the duty, the ultimate consumer must pay at least $500,000,000 more than he would if the duty were not imposed.

The wheat statistics for the last eight years show that our total production averaged about 794,485,000 bushels; the total consumption averaged about 591,392,000 bushels. In striking contrast to our annual average import during that period of only 10,988,000 bushels is the fact that the total exports for the past eight years have averaged about 214,000,000 bushels. In other words, we are putting a duty on a commodity of which we have surplus and of which we are exporting hundreds of millions of bushels; a ridiculous proposition.

When we turn to flour we find that the maximum consumption of wheat for seeding and wheat in the form of flour was in 1915, and amounted to 789,250,384 bushels, and the minimum for the last 15 years—reached in 1916—was 457,605,109 bushels. In the imports of wheat and wheat in the form of flour the maximum was reached in the fiscal year 1918, and was 31,215,213 bushels; minimum in last eight years—fiscal year 1915—715,369 bushels; and the exports of domestic wheat and wheat in the form of flour, maximum, fiscal year of 1919, 287,401,579 bushels; and the minimum for the last eight years, reached during the fiscal year of 1918, 135,990,150 bushels.

Our exports, therefore, are tremendously in excess of our imports. The intent of the policy in this bill is to prevent the western farmer taking his losses. It will result in the burden being shifted onto all of our people. It will mean considering this item alone, as admitted by the Senator from North Dakota, in charge of the bill, that the people of Rhode Island will pay at least $1.60 more for a barrel of flour.

The proposed duty on corn is 15 cents per bushel. The average consumption in the United States is about 2,800,000,000 bushels; at 15 cents per bushel, the increased price to the first purchaser will be $420,000,000. By the time the corn reaches the ultimate consumer in the shape of meal, starch, sirup, oil, breakfast food, feed, and so forth, this $420,000,000 of additional capital will have earned enough to make the cost for the ultimate consumer increase to probably $750,000,000 a year. If we have the average importations of about 5,700,000 bushels, the Government will possibly collect $755,000. That is, in order to permit the Government to collect possibly $755,000 in revenue the consumer must pay $750,000,000, or $1 for every mill that goes into the Treasury.

Beans are taxed 2 cents per pound. There are no completed statistics of their production. Six States produced on an average for the last four years 13,910,000 bushels. It is probable that the entire country produces at least 25,000,000 bushels a year. The average consumption of the United States of beans purchased is about 26,325,000 bushels per year, and is growing rapidly, due to the canning of baked beans. Under this duty the increased cost to the first purchaser will be about 95 cents per bushel, or $25,000,000. This will be fully $50,000,000 by the time it reaches the ultimate consumer.

If the proposed duty of 25 cents per bushel on potatoes is placed upon the 370,000,000 bushels which is the average consumption of the tubers in the United States, it would amount to $92,500,000, which would be the increased cost to the first purchaser, and by the time that is passed on to the ultimate consumer it will probably total up to something like $150,000,000. The revenue collected at the customhouse can not amount to more than $550,000, because the average imports of potatoes amounting to 2,210,000 bushels will undoubtedly fall off if this tax carries out the theories of the proponents of the bill.

The average consumption of rice in the United States is about 1,000,000,000 pounds. The additional duty of 1 cent will increase the cost to the first purchaser about $10,000,000, and by the time the rice reaches the ultimate consumer this will amount to fully $15,000,000.

Rice is now being grown cheaper in this country than anywhere else in the world. There does not seem to be the slightest warrant even on the theory of protection to impose such a duty. In the Orient rice is planted in a seed bed like we plant cabbage seed, and each sprout is afterwards transplanted. It is harvested by cutting it in handsful, holding a handful of rice in one hand and cutting it with a knife in the other. It is separated from the straw by drawing it through a sort of wooden comb with teeth close enough together to detach the grain. It is winnowed by tossing it in the wind. All these operations are tedious and laborious and demand large numbers of laborers.

In our Texas plantations the rice is planted with a wheat drill in a specially prepared field, a level field with a double furrow around it, so that it will hold water while the rice is growing. After the rice is planted all the attention that is given it is to turn on the water. When ripe the water is drawn off, and it is harvested with a self-binder and thrashed by machinery, operations chiefly performed by machinery with very little labor and consequently at very small cost.

Despite the admission of coconut oil free, our mills increased the domestic production from 31,729,000 pounds in 1912 to 489,858,000 pounds in 1919, an increase of nearly 1,000 per cent in seven years, or from a value of about $2,500,000 in 1912 to a value of about $73,000,000 in 1919. A duty of 20 cents per gallon

on this product would only result in our importing enough copra, upon which there is no duty, even in this bill, to compensate for the oil prohibited. From the above statistics it is shown that the imported oil is losing the market in competition with domestic coconut oil. The same can be said of soya-bean oil.

From 75 per cent to 80 per cent of our total production of cottonseed oil, which averages about 1,460,000,000 pounds—over 75 per cent of the world's production—is used in making lard substitutes, 2 to 5 per cent for making oleomargarine, 8 to 11 per cent is exported, and the balance is used principally in soap making. Our imports are less than 1½ per cent of our production.

Coconut, soya-bean, and peanut oil are beginning to compete with cottonseed oil in the lard-substitute and oleomargarine industries. In 1912 these oils were not used to any appreciable extent in the lard-substitute industry, while in 1918 soya-bean oil furnished 4⅔ per cent, peanut oil 2⅓ per cent, and coconut oil 1.1 per cent of the total product consumed in this industry as against 83 per cent of cottonseed oil. In 1912 cottonseed oil furnished 91 per cent.

This does not mean that these oils are driving out cottonseed oil because all of them are a little more expensive than the latter, but that the demand is not met by cottonseed oil, so substitutes must be found.

The average consumption of coconut, soya-bean, and cottonseed oil is nearly 2,500,000,000 pounds. A duty of 20 cents per gallon, according to the theory of the other side, would cost something like $65,000,000 to the first purchaser. The cost to the ultimate consumer in the form of lard, butter substitutes, soap, and so forth, and also the resulting increase in the price of lard and butter, would amount to fully $150,000,000.

There is a tax of 30 per cent ad valorem on cattle and one of 2 cents per pound upon beef, veal, mutton, lamb, and pork. Statistics show that the consumption of these dressed meats was over 28,000,000,000 pounds for 1920. Assuming that it is something similar following the imposition of this tax of 2 cents per pound, it would cost the first purchaser $560,000,000 additional on account of the duty.

The necessary profit that will be charged on the $560,000,000 additional capital needed by the first purchaser will cost the final consumer probably as much as a billion dollars. Think of it! To impose an additional burden of a billion dollars on the already overburdened American people, and in such a way, on the essential commodities; the food that all must eat if they are to live and work. Everybody has been looking forward to a reduction of prices, and especially is this true in the great industrial centers. Now, when there is a chance of this happening, the people are to be deprived of this benefit, so that the western farmer may not suffer financially from natural causes. More than that, it is a question whether the packers will not gain most by this added duty and the producer receive little or no advantage. That such legislation could be considered seriously would be hard to believe if it were not now before the Senate.

The consumption of butter and substitutes in the United States is about 1,546,000,000 pounds, and of cheese about 367,000,000 pounds, a total consumption of about 1,913,000,000 pounds. That, at an increase of 5½ cents per pound on butter and substitutes and about 1 cent per pound on cheese, would mean an additional cost to the consumers of $88,707,000.

The imports for consumption will average less than 35,000,000 pounds. The proposed duty to be collected on this imported amount would be about $1,500,000. The increase in cost shown above is to the first purchaser; by the time the consumer is reached this will be fully $150,000,000.

Our consumption of condensed and evaporated milk is around 1,300,000,000 pounds. This, with a duty of 2 cents per pound, will amount to an additional cost of $26,000,000. This duty is not only imposed upon the milk itself, but upon the immediate container of the milk, tending still further to increase the additional cost. By the time the consumer is reached he would have to pay fully $50,000,000. Our imports of these preparations of milk are about 21,650,000 pounds, which would yield revenue at the proposed rate of $433,000 if the imports did not fall off.

In addition to the increased cost of the above dairy products it is proposed to increase the rates on fresh milk, cream, and sugar of milk.

One article covered by this item in the so-called emergency tariff bill has heretofore suffered from the shortsighted policy of the other side. During the decade 1870 to 1880 this country was the leading exporter of cheese in the world. In fact, our New York producers of cheese controlled the world's market. We exported about that time over 140,000,000 pounds of cheese a year, principally to the English market, which was and is the greatest cheese buyer in the world. In 1913 and 1914, fiscal years, we exported less than 5,000,000 pounds. That is, despite our enormously increased sources of production in the great Central West, and the fact that we are furnishing very large amounts of the concentrated animal foods for the dairying interests of Europe, we fell off over 96 per cent in our exports of this staple article of food. This is the reason for the situation. Directly after the Civil War a reciprocity agreement was entered into with Canada whereby we were given a market for our manufactured products in return for admitting Canada on special terms to our markets with her fish and certain agricultural products. Canada at that time was very different from what she is now. She had no great manufacturing industries. She produced hardly enough food for her own consumption. The fisheries and lumbering industries were her only big interests.

Her agriculture was crude. She did, however, raise a little barley, a little hay, a few potatoes and oats that she was compelled to send across the border to find a market. Her railroad facilities were wretched, she had no dairying industry, and all her trade was practically with and through the United States. Beginning about 1870, our farmer friends along the border began to complain that Canadian hay, potatoes, barley, and even firewood, etc., was interfering with their markets. The high-protection tariff men took up their cry, and eventually this little agreement with Canada was ended by the United States.

Ever since that day there has been retaliation between the two Governments. The Canadian Government, upon the loss of the special privileges in the United States markets, began to paternally change the industries of Canada, to encourage the manufacturers, to improve her modes of communication with Europe, especially England and France. She made a reciprocity treaty with France.

She developed the dairying industry. She subsidized steamship lines equipped with cold-storage facilities to carry her butter, cheese, etc., to England. She taught her farmers how to raise dairy cattle and to make cheese especially suited to the English market, and to grow barley, peas, and how to feed this stock instead of offering it for sale. The result was that she quickly took the market for cheese from the United States, as is shown in our export figures covering this period.

She has developed into an active, vigorous manufacturing people, in addition to opening immense tracts of wheatland hitherto deemed worthless. This is so in spite of the fact that great loss often occurs to her wheat growers, for an early frost or a late frost are both equally destructive to the crop of these far northern farmers.

Certain sections of the bill contain added imports on wool and woolen goods. Thus our citizens are to be taxed, and not only upon what they eat but also upon the clothing they are forced to buy. The manufacturer is not to profit, as these additional duties are placed on his raw material, and to meet this cost more is charged for the finished product.

The entire tax will necessarily fall on the ultimate consumer. How any Senator from New England can vote for a measure of this kind, imposing such tremendous burdens upon his constituents, is beyond my comprehension.

There is likewise a tax upon hides of cattle, raw or uncured, of 15 per cent ad valorem. This must necessarily go into the price of our leather goods, including the price of shoes. It seems an outrage to place a tax upon an article so absolutely essential, especially as everyone realizes that shoes have almost trebled in cost within a brief period and how great a hardship this has been to large families of moderate means.

The maximum production of cane sugar in continental United States was 828,800,000 pounds for the calendar year 1908. This production steadily decreased under the high protection afforded under the Payne-Aldrich tariff law until it reached only 325,147,000 pounds for the calendar year 1912. It gained over this amount in 1913 and 1914. In 1915 it fell to the lowest figure in over 25 years, 277,240,000 pounds. Since then, thanks to phenomenal prices, it reached 491,698,000 pounds in 1917 and 568,796,000 in 1918 for the 1919 market. These figures would seem clearly to indicate that cane-sugar growing in the continental United States is a dying industry.

The total production of sugar in the United States proper in 1918 was 2,090,696,000 pounds, and our imports from our island possessions were for the fiscal year of 1919, 2,129,831,000 pounds, nearly 60 per cent of which was from Hawaii. Our total imports for the fiscal year 1919, the year the 1918 crop was marketed, of foreign sugar was 5,625,061,000 pounds, while we exported 1,065,127,000 pounds. The world's production for the calendar year 1918 was 36,596,602,000 pounds, of which 26.9 per cent was beet sugar. As long as the beet industry was fed

by a bounty in Europe, more beet sugar was produced in the world than cane sugar. The percentage of beet sugar produced fell from 64.7 per cent in 1899 to 42.9 per cent in 1911, just before the war. Of course, Europe is now producing more necessary foods than sugar, so the percentage fell to 28.8 per cent in 1917 and 26.9 per cent in 1918.

The beet-sugar industry is an artificial industry. It can never thrive without help. It can hardly thrive with only protection. Generally, it requires a bounty. Beet sugar is a good sugar, but the best of it must sell at a little lower price than the competing cane sugar in the same market. Under the most favorable conditions it costs much more to grow a pound of beet sugar than it does to grow a pound of cane sugar in a cane-sugar region.

The total consumption of sugar in the United States in 1920 was over 10,000,000,000 pounds, a per capita consumption of over 90 pounds, which will increase with cheaper sugar.

For the fiscal year 1919 we imported 5,625,000,000 pounds of sugar and exported 1,065,000,000 pounds, a net of 4,560,000,000 pounds for home consumption. The domestic crop, including that of our island possessions, brought into continental United States, for the fiscal year 1918 was 4,220,000,000 pounds. This would indicate a domestic consumption of about 8,780,000,000 pounds.

The rate of duty proposed would be fully 3 cents additional on Cuban centrifugal sugar, of which our net imports were about 4,400,000,000 pounds, and 3¾ cents per pound on other foreign sugar, of which our net imports were about 160,000,000 pounds. The additional revenue to the Government would, therefore, be $137,000,000, while the additional cost would be something over 3 cents per pound to the first purchaser, or over $263,400,000.

To the ultimate consumer, in the form of confectionery, pastry, chewing gum, soft drinks, medicines, and table sugar, the added expense would probably be much over $500,000,000.

I desire to have printed with my remarks a table which shows the estimated total cost and the per capita charge to the consumers, according to the doctrine of the proponents of the bill, and the largest possible revenue that the Government can receive therefrom, on the assumption that there shall be no reduction in importations. Of course it is most unlikely that the amount of revenue indicated will materialize, as the plan of the bill is to prevent many of the commodities covered by the bill from coming into the United States.

Mr. President, I ask unanimous consent to insert in the RECORD as part of my remarks the table to which I have referred.

The PRESIDING OFFICER. There being no objection, it is so ordered.

The table referred to is as follows:

Article.	Annual cost to the ultimate consumer.	Annual revenue to the Government.	Per capita cost (per capita of consumers).
Fresh meats	$1,000,000,000	$2,000,000	$10.00
Wheat	500,000,000	4,000,000	5.00
Rice	15,000,000	2,000,000	.15
Corn	750,000,000	755,000	7.50
Potatoes	150,000,000	500,000	1.50
Beans	50,000,000	4,786,000	.50
Peanuts	50,000,000	1,500,000	.50
Peanut oil	15,000,000	5,725,000	----------
Cottonseed, coconut, and soya-bean oil	150,000,000	16,000,000	----------
Butter and cheese	150,000,000	1,500,000	1.50
Preserved milk	50,000,000	433,000	.50
Sugar	500,000,000	137,000,000	5.00
Total of above	3,380,000,000	276,199,000	[1] 31.65
Reduced to 10 months basis	2,817,000,000	230,166,000	25.38

[1] Food products only.

Mr. GERRY. From the above table it will be seen that the proposed duties on the few articles tabulated, to say nothing of the other items covered by this bill, such as cotton and certain manufactures thereof, wool and all manufactures, molasses and sirup, hides and skins, tobacco, apples and cherries, will cost the ultimate consumer for the 10 months of the proposed life of the bill at least $2,817,000,000, or $2,586,834,000 more than the revenue that can be derived by the Government from the said duties.

The per capita cost to the consumer for certain necessary food products that are found on the table of everyone, rich or poor, is shown to be $25.38 for the 10 months.

To impose this burden on our people, above all when so many are out of employment, so that the western farmer may not suffer a loss, seems to me an utterly defenseless use of the taxing power of our Government.

In addition to this tremendous burden that would be placed upon our citizens by the enactment of this bill into law, it is very probable that the various Governments will use retaliatory measures and our goods will not be received without the imposition of correspondingly heavy duties. This course of action has been already indicated by statements emanating from officials of Canada and Argentina. If it is adopted it will seriously interfere with our exports.

The State of Rhode Island paid no less than $13,513,000 in income taxes and $35,883,000 in corporation, war, and excess-profits taxes. These were freely paid for the benefit of the entire country. We are now asked to pay a tax in time of peace to help a comparatively few persons suffering a loss, and this they will not do without uttering a vigorous protest. There is no reason why the manufacturers in the cotton and woolen industries, the jewelry, the foundry, and machine-shop industries, the dyeing, finishing, and textile industries in my State, as well as the employees of those industries, who already have been hard hit, should be compelled to sustain the loss that should rightfully fall upon the farmers of the West. It seems outrageous that many wage earners who are already suffering and must suffer in the future as the result of unemployment should be asked to pay this enormous tax on the necessities of life as proposed in this bill.

Based upon the per capita consumption in the articles mentioned, I desire to submit a table showing the estimated cost to the people of Rhode Island:

Article.	Estimated cost to the people of Rhode Island.
Fresh meats	$6,500,000
Wheat	4,000,000
Rice	165,000
Corn	4,875,000
Potatoes	975,000
Beans	650,000
Peanuts	650,000
Butter and cheese	1,300,000
Preserved milk	650,000
Sugar	4,550,000
Total	24,315,000

That is, it would cost the people of my State $24,315,000 additional for 10 months for these few items of food. By the time the additional prices were paid for clothing and shoes these figures would be much increased, to say probably over $30,000,000 for the 10 months, or every man, woman, and child in my State would pay over $6 in the form of an indirect tax.

In conclusion, I wish to say that in my opinion this kind of legislation is entirely without precedent, is wholly unjustified, and a gross imposition upon the people of the United States, particularly those who reside in the manufacturing communities. No such burden will be placed upon the people if my vote can prevent it.

Mr. SHEPPARD obtained the floor.

Mr. McCUMBER. Mr. President——

Mr. SHEPPARD. I yield to the Senator from North Dakota.

Mr. McCUMBER. I want to ask the Senator from Rhode Island a question, so that I may clearly understand his attitude, and thereby better understand his argument.

If I understand the Senator correctly, his view is that there should be no tariff of any kind upon food products, because they are necessaries of life, and especially if that tariff would add to the cost of the articles consumed in food. Am I correct in that?

Mr. GERRY. The Senator is correct in that.

Mr. McCUMBER. Now, I want to ask the Senator another question. Does the Senator also take the position that there should be no tariff whatever upon the things that the producers of food must buy from his people which will add to the cost of the products which the consumer must use? In other words, is the Senator also in favor of free trade entirely upon the manufactured articles which his State produces?

Mr. GERRY. The attitude of the Senator from Rhode Island is this: He does not think that at this time an added tariff should be placed on the necessities of life, the food products necessary to sustain life, or that additional tariff duties should be placed on the manufactures as proposed in this bill or by amendments thereto.

Mr. McCUMBER. Mr. President, to put the matter in a concrete form, I raise wheat sometimes. The last four years I have not raised enough to pay the taxes on my land, but I am still hopeful. Now, I raise that food for the constituents of the Senator in Rhode Island. The things that I purchase from Rhode Island are just as necessary to me as that food is to the con-

stituents of the Senator. I have to wear shoes. I have to wear clothes. The law compels me to do it, even if the weather allowed a different mode; but I have to purchase those things. They are just as necessary for me as food is for the constituents of the Senator from Rhode Island. Now, if I am to sell in competition with the entire world, will the Senator from Rhode Island give me a good reason why I should be compelled, without any competition, to buy the products from his constituents' factories?

It is not a matter of clothing alone. Why, everything that makes a pillowcase, every fabric used in my home, comes from the looms of Rhode Island, and they all bear from 40 to 60 per cent protection. Now, is that exactly fair, as between the Senator and myself, or between the constituents of the Senator and my constituents?

Mr. GERRY. The Senator from North Dakota started in to ask a question that would necessitate a discussion of the entire policy as to whether or not the country should have any form of protection. The Senator from Rhode Island never has posed as a free trader. He believes in a tariff for revenue, but he also feels that the tariff that has been placed in this bill, in the first place, is not a scientific tariff. He does not believe that it will work out as the proponents of the bill believe. He thinks that it is unsound and unjustified, and that the purpose of it can be but one thing, and that is to raise the high cost of living.

The Senator's party were very solicitous to lower the high cost of living when they were engaged in the campaign. They were telling the people of the country what the result would be if they elected the Republican Party to power. Some years ago—in 1908, I think—they did the same thing when they were elected to power on a plea that they would revise the tariff. Of course, the country believed that they would revise the tariff downward; but, instead of revising the tariff downward, when they came into power they revised it upward, on the ground that they had not said how they would revise it. Now, we have history repeating itself. The Republican Party again come into power, one of the grounds being that they favored reducing the high cost of living, and the first thing it does is to jam a bill through the House, practically without consideration, with one day's debate, and then, when it comes over to the Senate, it is amended so that practically every necessity that the poor man must buy is to be taxed by an additional duty.

Mr. THOMAS. Mr. President——

Mr. McCUMBER. I am trying, of course, to get at a few fundamentals. I can go right to the Senator's own State and take some of the testimony that was given before the committee. The farmer gets up at 4 o'clock in the morning—I am speaking now of the Rhode Island farmer—and he milks his cows and he brings that milk to the market. That milk is taken to the large cities, and it is delivered by a laborer who receives from $185 to $200 per month. The farmer does not get $40 a month net for the milk that he takes to the city. Does the Senator see any injustice in so protecting that farmer that he will earn half as much or a quarter as much as the man who delivers his milk in Providence?

Mr. GERRY. The Senator from Rhode Island does not imagine, in the first place, that the dairy interest in Rhode Island will be very much affected by this bill, because the dairy interest in Rhode Island is such that it deals with local markets. Of course, that does not affect the theory, however, on which the tax in this bill was based. The theory was to raise the price of milk to the consumer.

Mr. McCUMBER. Certainly; so that the producer of milk, who has to pay a big price for everything that he purchases, shall be placed on somewhere near an equality with the person from whom he purchases.

Mr. GERRY. So that certain producers of milk shall be sustained. The Senator from Rhode Island does not think it is a wise policy to tax the consumer of this country on the necessities of life in order that one particular class may be benefited, and that is exactly what the tariff carried by this bill is intended to do. The manufacturer is taking his loss, but the farmer is not to take his, and at that I am not holding any brief for the manufacturer.

Mr. McCUMBER. I simply want to say, in conclusion, that I think the Senator has made a splendid argument for those people who want to purchase everything they consume as cheaply as possible, and on a free list, and want to sell us everything they produce at as high a price as possible, and on a protected list.

Mr. GERRY. The Senator from Rhode Island has not made such an argument.

Mr. McCUMBER. I know that the manufacturers in the Senator's State are all good protectionists.

Mr. THOMAS. Mr. President, I merely wish to interject into the discussion between the Senator from North Dakota and the Senator from Rhode Island the fact that when the present tariff law was before the Senate for debate the Senator from North Dakota characterized it as a free-trade bill.

Mr. WILLIAMS. Mr. President——

Mr. SHEPPARD. If the Senator from Mississippi wishes to ask a question, I yield to him.

Mr. WILLIAMS. Mr. President, take for granted that the Senator from North Dakota is right; take for granted that the manufacturer in Rhode Island is robbing the general American public and the American consumer under the present law, I would like to ask the Senator from Rhode Island how that could be remedied by enabling the farmer from Dakota to rob them in his turn?

Mr. GERRY. I will say to the Senator that of course two wrongs can not make a right.

Mr. WILLIAMS. Would it not be much simpler to remove a little of the special advantage which the manufacturers are receiving, if they are receiving it, by a repeal of unjust laws, rather than to increase the number of unjust laws so as to enable somebody else to get a special privilege?

Mr. GERRY. I think that is undoubtedly true.

Mr. SHEPPARD. Mr. President, it is not in the interest of agriculture alone that I give my support to the emergency tariff bill, but in the interest of the Nation as a whole as well.

Justice and wisdom alike require that the reaction from war conditions should fall as equally as possible on every portion of our economic structure.

The sacrifice of any branch of American industry may involve all others, and thus the country itself, in loss defying measure, in chaos which baffles restoration.

The farming element supplies almost one-half the buying power of the Union. Any situation that undermines the prosperity of this element endangers the welfare of every other. Add the fact that agriculture is essential to the existence of every other industry in that it provides the means of life itself, and some conception may be gained of the menace to the Nation embraced in any serious injury to agriculture.

In a recent review of economic conditions issued by the National City Bank of New York, one of the towering financial powers of the world, whose environment and interest are intensely commercial, appears the following summary of its estimate of farm conditions:

> If this table is compared with the table above it will be seen that there is ground for the farmer's complaint that the staple products as he sells them are back nearer to prewar prices than they are at retail, or than most of the goods he is obliged to buy. Foodstuffs at retail in December, according to the Bureau of Labor, were 70.5 per cent above 1914 prices. Clothing for which the farmer furnished the cotton and wool at little above prewar prices is 158 per cent above the prewar level, while furniture and furnishings are 205 per cent above that level. * * * The producers of the raw materials can not sell them at the prices they are receiving and buy the finished goods at the prices prevailing for them, and keep the latter industries employed.

Mr. President, this statement contains a warning which Congress can not afford to ignore. If the buying power of the farmer is so diminished that the other industries of the country can not be kept in operation, we are on the edge of calamity.

During the recent war a rapid rise occurred in the prices of all commodities, but there was like increase in the cost of producing them. The cessation of hostilities brought no immediate decline. In fact, the war level continued throughout 1919, throughout 1920, and as to many things, notably transportation, fuel, and labor, still obtains.

The farmer planted and gathered the harvests of 1920 at costs paralleling those of war times. Before he could reach the markets prices of farm products fell suddenly to a point below cost of production, in some instances below cost of gathering alone, entailing losses of the most sweeping and heartbreaking character.

Consider further that while the prices of articles as they leave the farm have suddenly dropped almost to the prewar point, some of them having gone below that point, the prices of these very articles as they reach the consumer, and of most of the articles the farmer must buy, are still from 70 to 250 per cent above the prewar point, and the unfairness of the situation will become more apparent.

The American farmer has already sustained a loss estimated by the Department of Agriculture at $5,000,000,000, a loss suffered within a period of 60 or 90 days. No other business in the world could have survived such a disaster.

Mr. President, legislation ought to have been enacted long ago to prevent so precipitate and so one-sided a decline. The situation should have been handled as the Democratic Party

handled a similar condition in connection with the War of 1812. The Democrats of that day foresaw that protective legislation would be necessary for such a period after the war as would permit all industries to reach a peace basis without sudden crashes and inordinate declines. So on July 1, 1812, the Democratic Party enacted a tariff law levying duties of 100 per cent in addition to all existing duties on imports, covering all manufactured and agricultural articles with but very few exceptions. It was provided in this law that it should continue as long as the war should last and a year afterward. The war ended early in 1815, and early in 1816, before a year had passed, these double duties were continued by another act until June 30, 1816. On April 27, 1816, a new tariff law was enacted, to become effective on June 30, 1816, with no limit as to duration, and imposing permanent duties ranging from 7½ per cent to 30 per cent ad valorem on practically all manufactured and agricultural products. This was the Madison tariff of 1816.

Legislation of similar purpose in connection with or subsequent to the recent war would have prevented the sensational and terrific crash in farm prices. The present emergency tariff bill is a belated effort to do what should have been done months ago, but will in some degree right the stupendous wrong which the neglect of Congress has brought to agriculture. Indeed, it is the only one of the various measures that have been offered in the farmers' interest which will bring some immediate relief. It imposes temporary duties, to continue for 10 months. It involves no question of permanent tariff policy whatever. It has the same general purpose as had the Democratic tariff legislation following the War of 1812—reconstruction and recovery with a minimum of dislocation, on a basis of fairness to all industry.

Amazing are the contradictions that have marked this debate. Senators tell us that duties on farm products are mere delusions, that in the nature of things they can not increase farm prices, and in the next breath denounce these very duties on the ground that they will impose higher living costs upon the consumer and will prevent reduction in the cost of living.

Senators condemn these duties, saying that they will raise the prices of farm products, and yet these same Senators less than two months ago denounced the Federal Reserve Board, saying that its orders had decreased these prices.

Mr. President, in the stress and struggle of the economic readjustment following the greatest of all wars, agriculture is the under dog. Those big mastiffs, manufacture and commerce, have taken agriculture by the throat and are strangling it with singular indifference to the fact that they are challenging their own destruction.

As for me, I have dedicated myself to the especial service of agriculture, with the conviction that in serving agriculture I serve this Nation in a truer sense than would be the case with any other division of American industry.

I know that the world—that the great big world—
From the peasant up to the king,
Has a different tale from the tale I tell
And a different song to sing.
But for me, and I care not a single fig
If they say I'm wrong or I'm right,
I shall always go in for the weaker dog,
For the under dog in the fight.

RECESS.

Mr. McCUMBER. I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 15, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 14, 1921.*

The House met at 11 o'clock a. m.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Infinite Father, by the light of the morning and the glory of the day Thou hast said unto us, I am with thee. Words are too poor for Thy praise. Give unto us the fearlessness of honesty, the patience of earnestness to dwell in the sanctuary of Thy love. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, February 12, and Sunday, February 13, were read and approved.

CONFERENCE REPORT, DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. DAVIS of Minnesota. Mr. Speaker, I desire to present a conference report on the bill H. R. 15130, the District of Columbia appropriation bill.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15130) making appropriations to provide for expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER. Ordered printed under the rule.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. It is clear there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Eagan	Kelly, Pa.	Rainey, Henry T.
Ashbrook	Eagle	Kennedy, Iowa	Rainey, John W.
Babka	Edmonds	Kennedy, R. I.	Randall, Calif.
Bacharach	Ellsworth	Kitchin	Ransley
Baer	Emerson	Kreider	Riordan
Bell	Ferris	Langley	Rowan
Bland, Mo.	Flood	Lehlbach	Rowe
Bowers	Focht	Lesher	Sanders, La.
Brinson	Gallagher	Lonergan	Sanford
Brooks, Pa.	Gallivan	McArthur	Scully
Browne	Gandy	McCulloch	Sears
Brumbaugh	Ganly	McGlennon	Small
Caldwell	Gard	McKenzie	Smith, N. Y.
Candler	Goldfogle	McKinley	Steele
Cantrill	Good	McLane	Stiness
Carew	Goodwin	Maher	Stoll
Casey	Goodykoontz	Mann, S. C.	Strong, Pa.
Chindblom	Graham, Pa.	Mason	Sullivan
Clark, Fla.	Green, Iowa	Mead	Taylor, Colo.
Classon	Griffin	Milligan	Taylor, Tenn.
Costello	Hamill	Moon	Thomas
Crowther	Harrison	Mooney	Tinkham
Cullen	Hill	Morin	Treadway
Currie, Mich.	Houghton	Mudd	Vare
Dale	Hulings	Nelson, Wis.	Ward
Davey	Hull, Iowa	Nolan	Watkins
Dempsey	Humphreys	O'Connell	Whaley
Dickinson, Mo.	Husted	O'Connor	Wheeler
Donovan	Hutchinson	Patterson	Wilson, Ill.
Dooling	Igoe	Pell	Wilson, Pa.
Doremus	Jacoway	Perlman	Wise
Doughton	James, Mich.	Phelan	Woodyard
Dunbar	Johnston, N. Y.	Rainey, Ala.	

The SPEAKER. Two hundred and seventy-three Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

IMPEACHMENT OF KENESAW M. LANDIS, DISTRICT JUDGE OF THE UNITED STATES, NORTHERN DISTRICT OF ILLINOIS.

Mr. WELTY. Mr. Speaker, I rise to a question of the highest privilege.

The SPEAKER. The gentleman from Ohio will state his question of privilege.

Mr. WELTY. Mr. Speaker, I impeach Kenesaw M. Landis as district judge of the United States for the northern district of Illinois, and in support of same I submit the following facts:

That the Supreme Court of the District of Columbia on the 16th day of May, 1919, entered judgment of $240,000 against the following for having violated an act of Congress of the United States of July 2, 1890, known as the Sherman Antitrust Act, to wit:

The National League of Professional Baseball Clubs, National Exhibition Co., the Brooklyn Ball Club, the Philadelphia National League Club, the Boston National League Baseball Co., Chicago National League Ball Club, St. Louis National Baseball Club, the Pittsburgh Athletic Co., the Cincinnati Baseball Club, the American League of Professional Baseball Clubs, American League Baseball Club of New York, the Boston American League Baseball Club, American Baseball Club of Philadelphia, the Washington American League Baseball Club, American League Baseball Club of Chicago, the St. Louis American League Baseball Co., the Detroit Baseball Co., the Cleveland Baseball Co., August Herrmann, Bancroft B. Johnson, and John K. Tener (hereinafter called defendants).

That the grand jury of Cook County, Ill., in the month of October, 1920, returned indictments against the following-named persons for conspiracy and obtaining money and goods by means of a confidence game in the matter of baseball games, to wit:

Edward V. Cicotte, Claude Williams, Joe Jackson, Fred McMullen, Arnold Gandil, George Weaver, Oscar Felsch, Charles Risberg, William Burns, Hal Chase, Joseph J. Sullivan, Rachel Brown, Abe Attel.

That all of said persons were baseball players except the last three named.

It is alleged, and common fame has made the facts known, that during the month of November, 1920, and while said cases were still pending, Kenesaw M. Landis, United States judge for the northern district of Illinois, entered into a contract with the defendants above named to act as an arbitrator in all matters of difference in organized baseball at a salary of $42,500 per annum.

That on the 3d day of March, 1905, Congress provided for an additional judge for the northern district of Illinois, and said Kenesaw M. Landis was on the 18th day of March, 1905, appointed a district judge, and still is one of the district judges of the United States, to wit, the northern district of Illinois, and was at the time he entered into said contract receiving a salary of $7,500 and expenses, payable monthly out of the Treasury of the United States.

That there are now pending in the northern district of Illinois in the court of Judge Kenesaw M. Landis over 3,700 criminal and civil cases.

In other words, the baseball clubs were found guilty by a jury in the Supreme Court of the District of Columbia and fined $240,000. In Cook County, Ill., 13 were indicted for gambling and throwing the game. While these cases were still pending the baseball associations approached Judge Landis with an offer of $50,000 per annum to act as chief arbiter in baseball matters.

After the baseball associations were found guilty under our laws of being a trust, and while the fine of $240,000 was still pending against them, they rushed into Judge Landis's court, and for an additional salary of $42,500 he became the chief arbiter of a trust which was declared illegal and at their request remained on the Federal bench.

This case is now pending in the Supreme Court of the United States. What will hinder each member of this court from accepting a like sum from these baseball associations? If Judge Landis can lawfully accept this additional fee, then every other Federal judge in the land can enter the employ of those who violate the laws of the land. The question for Congress to settle is, Can a Federal judge accept a subsidy to perform judicial duties?

Judge Landis has done a great deal of good, but if he wants to retain the confidence and respect as a judge, he must divorce himself from the flesh pots of illegal combinations.

I want to keep the baseball sport clean, so the people will continue to support it. But you can not maintain the sport when you permit the players to throw the game and the baseball magnate to throw our judiciary.

You dare not permit even illegal combinations to tamper with our judiciary by subsidizing them with an additional salary in order to give these combinations a bath so they will again gain the confidence of the public.

On March 3, 1917, the Sixth-fifth Congress passed an act which, in part, provides that:

> No Government official or employee shall receive any salary in connection with his services as such official or employee from any source other than the Government of the United States.

I, therefore, impeach said Kenesaw M. Landis for high crimes and misdemeanors and charge said Kenesaw M. Landis as follows:

First. For neglecting his official duties for another gainful occupation not connected therewith.

Second. For using his office as district judge of the United States to settle disputes which might come into his court as provided by the laws of the United States.

Third. For lobbying before the legislatures of the several States of the Union to procure the passage of State laws to prevent gambling in baseball, instead of discharging his duties as district judge of the United States.

Fourth. For accepting the position as chief arbiter of disputes in baseball associations at a salary of $42,500 per annum while attempting to discharge the duties as a district judge of the United States which tends to nullify the effect of the judgment of the Supreme Court of the District of Columbia and the baseball gambling indictments pending in the criminal courts of Cook County, Ill.

Fifth. For injuring the national sport of baseball by permitting the use of his office as district judge of the United States because the impression will prevail that gambling and other illegal acts in baseball will not be punished in the open forum as in other cases.

Wherefore said Kenesaw M. Landis was and is guilty of misbehavior as such judge and of high crimes and misdemeanors in office.

Mr. Speaker, I move that this charge be referred to the Committee on the Judiciary without debate for investigation and report, and on that I move the previous question.

The previous quesion was ordered.

The SPEAKER. The question is on referring the matter to the Committee on the Judiciary.

The question was taken, and the motion was agreed to.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of——

The SPEAKER. Will the gentleman withhold that motion for a moment? The gentleman from Minnesota.

IMPROVEMENT OF RED LAKE AND RED LAKE RIVER.

Mr. STEENERSON. Mr. Speaker, I call up from the Speaker's table the bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

> A bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. STEENERSON. Mr. Speaker, these amendments are all approved by the Secretary of the Interior and the Secretary of War. It is a House bill with Senate amendments, on the Speaker's table, and I move to agree to the Senate amendments. They are all satisfactory to the friends of the bill, and the Committee on Flood Control has this morning approved them and authorized a motion to agree to them.

Mr. WINGO. Do I understand the gentleman to say that the Senate amendments were drawn by the Interior Department?

Mr. STEENERSON. The Senate decided what they were willing to accept and sent it up there for them to perfect the draft.

Mr. WINGO. The Interior Department approves the amendments?

Mr. STEENERSON. They do.

Mr. WINGO. This is a drainage district for Minnesota?

Mr. STEENERSON. It is a drainage district and embraces a large territory, and the Indian reservation is only a part of it, but it is impracticable to carry out the project without affecting the Indians' lands that are within it.

Mr. WINGO. And the gentleman assures the House the Interior Department has approved these amendments?

Mr. STEENERSON. They certainly have; yes. The letter is here.

Mr. CAMPBELL of Kansas. Mr. Speaker, I hope the day is not far distant when Members of Congress will bring in conference reports and reports from committees and appeal to the House for their passage without having to say that they are approved by some bureau or commission of the Government. [Applause.]

Mr. STEENERSON. I will say to the gentleman that I think in this particular instance this is the proper thing.

Mr. SNYDER. I would like to ask the gentleman if this matter is approved by the Chippewa Council?

Mr. STEENERSON. I understand that all factions of the Indians have been before the Interior Department for the last two or three weeks, and that this is a compromise that is satisfactory not only to the Chippewa Council but to the others.

Mr. SNYDER. The gentleman knows, of course, that this matter has been fully investigated by the Committee on Indian Affairs on various occasions, but it has never come to the attention of the chairman of that committee that the Chippewa Council was favorable to this proposition, due to the fact that all Indian moneys are claimed to be owned by all the Chippewas.

Mr. STEENERSON. They are on record in favor of it.

Mr. SNYDER. I personally have no objection—none at all. I think this is proper legislation and that it ought to be passed, but I do not think this is just exactly the way it should be done.

Mr. WINGO. Will the gentleman yield?

Mr. STEENERSON. I yield to the gentleman from Arkansas.

Mr. WINGO. If the gentleman will permit me to suggest to him in connection with the hope expressed by the gentleman from Kansas [Mr. CAMPBELL], I hope we have not deteriorated to the point where a Member of this House can not get information upon which he can rely, from persons who know something about a subject, and not have to depend entirely upon political experts, who undertake to dictate to Members for the source of their information.

Mr. STEENERSON. I certainly appreciate the attitude of the gentleman; but I will say that this bill is also approved by the War Department, because of the navigation interests, and it is perfectly proper that the two departments, one concerned with Indian property and one concerned with navigation, should be consulted, and they have recommended these changes in the bill. They first approved it last June, when the committee of the House passed it, and since then they have studied it and they have reported additional amendments, and, as I say, they are satisfactory to all.

Mr. LINTHICUM. Mr. Speaker, in connection with what the gentleman from Kansas [Mr. CAMPBELL] said in reference to the department approving this matter, as I understand, it is very essential the department should approve it, because a part of this money comes out of the Indian fund that is under that particular department.

Mr. STEENERSON. Exactly.

Mr. CAMPBELL of Kansas. The question I raised is, Is Congress running the Indian affairs of this country or is it done by some bureau or bureau chief?

Mr. LINTHICUM. The idea I wish to impress is that a part of this money comes out of the Indian fund, which is under the jurisdiction of the Interior Department, and therefore they ought to have been consulted in reference to the matter.

Mr. CAMPBELL of Kansas. Why should they have been consulted about it? This is not their money.

Mr. LINTHICUM. Because they are guardians of the Indians' funds.

Mr. CAMPBELL of Kansas. We are guardians of the Indians' funds.

Mr. BLANTON. I want to say that the distinguished chairman of the Rules Committee does not seem to know, but almost every bill that is brought on the floor of this House is drawn by some department.

Mr. CAMPBELL of Kansas. I do know it, and that is what I am protesting against.

Mr. CARTER. Will the gentleman from Minnesota yield for a moment?

Mr. STEENERSON. I will.

Mr. CARTER. It has long been the custom to refer bills to the various departments in order that a report might be had from the bureau which will have jurisdiction of the administration of the measure in case it becomes a law. This does not necessarily mean that either committees or Congress must always trail the lead indicated by a bureau chief or department head. Now, let me say that there is a bill now pending on the calendar to reorganize the Indian Bureau, which we are trying to get before this House, and which was drawn by the Committee on Indian Affairs and not by any department or bureau of this Government. In fact, some parts of the bill, I understand, are opposed by both the Indian Bureau and Interior Department. If we can get favorable action from the Rules Committee, we expect to have that bill up before this Congress adjourns, and then Members of the House will have an opportunity to show the faith that is in them by being permitted on that occasion to pass upon the question as to who has the right to mold the policy of one bureau of this Government at least.

Mr. WINGO. Has the gentleman from Minnesota any information on this bill other than that which he has given us?

Mr. STEENERSON. Yes; a great deal. I have been studying this question for 10 years.

Mr. WINGO. Or these Senate amendments that we are talking about?

Mr. STEENERSON. Yes. I have discussed the Senate amendments with the Senators and members of the Senate committee.

Mr. WINGO. And he is willing to leave it to the House with the information that he has given to the House?

Mr. STEENERSON. No; if it is desired——

Mr. WINGO. I am satisfied; but some gentlemen have suspicions of the source of the information.

Mr. SNYDER. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. SNYDER. I would like to make this statement for the benefit of the House: That the gentleman before us now has on various occasions been before the Indian Affairs Committee on this particular question, and the hearings are full of statements that will show that he has made a careful study of the question.

Mr. RUBEY. Mr. Speaker, will the gentleman yield there for a moment?

Mr. STEENERSON. Yes; I yield to the gentleman from Missouri.

Mr. RUBEY. I want to say, for the benefit of my young friend from Kansas, who introduced bills prepared by departments, that we have pending before his committee a rule asking for the consideration by this House of an exceedingly important bill coming from the Committee on Agriculture, the packer bill, that no department had anything to do with. We would like to have him bring in a rule to pass it. [Applause.]

The SPEAKER. Without objection, the amendments are agreed to.

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15975, the naval appropriation bill, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15975, the naval appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Military stores, Marine Corps: Purchase and repair of military equipments, such as rifles, revolvers, cartridge boxes, bayonet scabbards, haversacks, blanket bags, canteens, rifle slings, swords, drums, trumpets, flags, waistbelts, waist plates, cartridge belts, spare parts for repairing rifles, machetes; tents, field cots, field ovens, and stoves for tents; instruments for bands; purchase of music and musical accessories, articles of field sports for enlisted men, signal equipment and stores; purchase and marking of prizes for excellence in gunnery and rifle practice; good-conduct badges; medals and buttons awarded to officers and enlisted men by the Government for conspicuous, gallant, and special service; incidental expenses of schools of application; equipment and maintenance of school, library, and amusement rooms and gymnasiums for enlisted men; rental and maintenance of target ranges, and entrance fees in competitions; procuring, preserving, and handling ammunition and other necessary military supplies; in all, $500,000.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. BRITTEN. Mr. Chairman, I desire merely to call to the attention of the House the precedent that has been established in the last couple of days in the consideration in the Committee of the Whole of the naval appropriation bill as reported by the Committee on Appropriations. I think it is a bad precedent, because in operating under the new rules of the House, we are legislating by subterfuge rather than by direct language. I do not think that that should be done, and I am satisfied that most of the Members of the House feel as I do about it.

Under the heading of "Bureau of Yards and Docks" the Committee on Appropriations provided in this bill about $2,000,000 worth of new improvements at the various stations and navy yards of the country; $2,000,000 worth of brand-new improvements, which improvements, under the rules of the House, should have come under the consideration of the Committee on Naval Affairs, just as new ships will, I hope, in the future.

On points of order made by me, the Chair ruled out of the bill new storage houses, new magazine buildings, new other buildings of various kinds intended for the various naval stations of the country. Thereupon the gentleman having charge of the bill for the Committee on Appropriations introduced an amendment, offered as a substitute for the paragraph, with the language "additional storage facilities"—in one instance $200,000. Well, the gentleman presenting the amendment knew, or, at least, he should have known—and I am satisfied he does know, and I have no quarrel with him about the matter; he is handling the bill as best he can—he knew that "additional storage facilities" meant the erection of new buildings in certain yards. I am satisfied that every Member who was then on the floor of the House knew positively that that word "additional" was merely a subterfuge; that the amounts—$200,000 in one instance and $900,000 in another instance—were for the purpose of erecting new buildings. But the Chair, of course, had to take the language of the amendment as it was offered on its face value. It read "additional storage facilities," and the amendment was held to be in order.

Now, if an amendment of that kind is held to be in order, I am wondering what will happen if the chairman of the subcommittee on appropriations having naval affairs in charge will present an amendment to his bill for additional naval facilities, $17,000,000 or $170,000,000, and undertake to construe that amendment to mean additional fighting facilities, additional destroyer leaders, additional submarines, additional gunboats, or additional battleships and battle cruisers that may be desired by the Navy General Board, the highest naval authority in this country, in order to round out the American Navy and make it a substantial fighting mass. Will it not be reasonable for the

gentleman having the bill in charge to say that the Navy is now, in effect—that it is a fighting mass, such as storage facilities and magazine facilities; and in order to make that fighting mass more efficient and to improve its generally intended efficiency on the high seas these additional facilities are necessary?

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. BLANTON. The gentleman is safe. Whenever they try to pay for the new building construction out of this appropriation the auditors would stop them. Was not the excuse given on the floor by the chairman for overruling the point of order made by the gentleman the ground of expediency in order to save the bill?

Mr. BRITTEN. Yes. I do not think the Comptroller of the Treasury Department will allow any of this money to be spent on any of these naval stations for new buildings if he knows they are new buildings. I am inclined to think that the Senate will change the language inserted in the bill by the House, and that the bill will come back here as originally intended, for new construction, just as it would if the gentleman should attempt to cover into this bill new construction for ships.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent to proceed for five minutes additional.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BRITTEN. Just as I believe the comptroller and the auditor will construe the legislation, if the gentleman amends his bill and provides for the additional fighting craft desired by the Naval General Board. What will become of legislation in the House if existing rules permit or even suggest practice of this kind? That is the matter I desired to bring to the attention of this House. I maintain that sooner or later, with the conditions under which we are now operating, the rules will have to be changed. They will only be changed by Members on the floor voicing publicly their desires in the premises. It has been suggested that I wasted time on Friday and Saturday in objections to this bill. Gentlemen, I am not opposed to the naval bill. I am not opposed to these various paragraphs or the desires of the Navy Department or the desires of the Navy itself. The Navy, of course, must be maintained. But I made my various points of order because I desired to bring to the attention of the House the unreasonableness of the rules, and that because of the rules we are now legislating by subterfuge rather than by definite language.

Mr. MADDEN. Will the gentleman yield to me for a question?

Mr. BRITTEN. Yes.

Mr. MADDEN. Does the gentleman know that the rule in respect to the consideration of legislation on appropriation bills has not been changed at all?

Mr. BRITTEN. I do know that the rules in respect to legislation and appropriations in the House have been seriously changed in the past year.

Mr. MADDEN. With reference to legislation on appropriation bills, or appropriation on legislative bills, the rules are exactly the same as they were 20 years ago.

Mr. BRITTEN. Oh, the gentleman is afraid that some of his power as one of the steering committee, or as a member of the appropriating committee, or as one of the House leaders, is going to be taken away from him if we revert to our old system, and he has to go back to his original Committee on the Post Office and Post Roads.

Mr. MADDEN. I will say to the gentleman this, that I do not care whether I am on any committee or not.

Mr. BRITTEN. The gentleman always says that.

Mr. MADDEN. I mean it. You can take me off from any committee of which I am a member at any time and I will not grumble about it. I will take care of myself.

Mr. BRITTEN. The gentleman is a valuable and powerful Member of this House, for whom I have the greatest admiration. He properly belongs on the steering committee and on the Appropriations Committee, where he is constantly performing good service.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Increase of the Navy, construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized, to be available until expended, $53,000,000.

Mr. MANN of Illinois. I move to strike out the last word. This item provides for $53,000,000 on account of hulls and outfits of vessels and machinery of vessels heretofore authorized, to be available until expended.

I wish the gentleman from Michigan might tell us what is contemplated under this item and the other items under increase of the Navy—just what is covered by them.

Mr. KELLEY of Michigan. Mr. Chairman——

Mr. BRITTEN. Mr. Chairman, on Saturday——

The CHAIRMAN. Does the gentleman from Illinois yield; and if so, to whom?

Mr. MANN of Illinois. I yield the floor.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. KELLEY of Michigan. I yield to the gentleman from Illinois.

Mr. BRITTEN. On Saturday a number of requests were made by gentlemen on both sides of the House for a little time in general debate when we reached the construction program. I wonder if the gentleman from Michigan has that in mind now?

Mr. KELLEY of Michigan. Mr. Chairman, as I stated to gentlemen when disarmament was being discussed on other items of the bill, that considerable liberality would be allowed when we reached this item of increase of the Navy. If an understanding as to time is desirable, of course, I shall be glad to make it, but with the statement that liberal opportunity for debate will be granted, perhaps that is all that will be necessary.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. MANN of Illinois. I do not know whether anyone desires to discuss the items to any extent, but I suggest that the three items for increase of the Navy, including the total increase, be all read, and be all subject to amendment, and that then, if there is any arrangement made for debate, it should include all of those items. They are all together.

Mr. KELLEY of Michigan. I think the suggestion is a good one. Mr. Chairman, I ask unanimous consent that the three items covering the increase in the Navy may be read.

Mr. MANN of Illinois. Including the total?

Mr. KELLEY of Michigan. Including the total, and that after that amendments be in order to any one of the items.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the items beginning in line 18, page 42, down to and including line 5, page 43, may be read and considered en bloc, and that amendments may be in order to any of the items. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read the items.

The Clerk read as follows:

Increase of the Navy, construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized, to be available until expended, $53,000,000.

Increase of the Navy, torpedo boats: On account of submarine torpedo boats heretofore authorized, to be available until expended, $4,000,000.

Increase of the Navy, armor and armament: Toward the armor and armament for vessels heretofore authorized, to be available until expended, $33,000,000.

Total increase of the Navy heretofore authorized, $90,000,000.

Mr. KELLEY of Michigan. Mr. Chairman, in answer to the inquiry put by the gentleman from Illinois as to what this $90,000,000 item is for, I will say that in 1916 a building program, involving, I think, 157 vessels, was authorized. During the war the work on the larger ships was not pushed forward, but on the smaller craft it was, so that the destroyers were, as I recall, all or nearly all finished, and the same was true of the submarines. No money is made available out of this item for any construction except what was authorized in the program of 1916 and except what is now actually under construction. It includes 10 battleships, 6 battle cruisers, 10 scout cruisers, 9 miscellaneous ships, such as 1 gunboat, 1 hospital ship, 1 ammunition ship, 1 repair ship, 2 destroyer tenders, 1 submarine tender, 1 aircraft tender, and 26 submarines, making a total of 51 vessels that are now under construction, and will be taken care of out of this appropriation of $90,000,000.

Mr. OLIVER. Will the gentleman yield?

Mr. KELLEY of Michigan. I yield to the gentleman from Alabama.

Mr. OLIVER. Would it not be well to put in a proviso limiting the expenditure of this money to the vessels that have already been contracted for?

Mr. KELLEY of Michigan. I have no objection to that.

Mr. OLIVER. Of course, in the absence of a provision of that kind the department could expend the money on vessels which have been heretofore authorized and for which no contracts have been let.

Mr. KELLEY of Michigan. The suggestion of the gentleman from Alabama meets with my entire approval and I think will meet with the approval of the House.

Mr. OLIVER. I will prepare an amendment to that effect.

Mr. KELLEY of Michigan. There are a few destroyers authorized under the 1916 program which have not yet been started, and it is not the purpose of the Navy Department to build any of them. We have a great many more destroyers than those provided for in the 1916 program. A large number were built out of a general fund put into the hands of the President.

Mr. OLIVER. I think we should have something to make effective the clear intention of the House.

Mr. KELLEY of Michigan. I would not object to a limitation providing that no part of the $90,000,000 shall be used for the construction of ships not already under construction. Every ship that is contracted for is under construction.

Mr. BLANTON. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BLANTON. Will the gentleman tell us how many keels for battleships and cruisers have been laid since the signing of the armistice?

Mr. KELLEY of Michigan. I can not tell exactly; but I think that all of the keels of the battle cruisers have been laid since the signing of the armistice.

Mr. BLANTON. How many?

Mr. KELLEY of Michigan. Six of them. During the war a great many lessons were learned relative to the value of different ships and relative to the construction of ships. Immediately following the war the Navy Department took up the question of the 1916 program to determine whether or not anything had happened which would make it inadvisable to construct any part of it along lines which had been prepared before the war. That was especially true as to the battle cruisers. They had a council of the leading officers of the Navy, including, as I recollect, members of the General Board—Admiral Sims, Admiral Wilson, Admiral Rodman—and other distinguished officers. Without going into the details as to changes agreed upon—and no one would expect me to do that—various important changes were made in the design of these battle cruisers as a result of the experience growing out of the war. Subject to these changes, it was the unanimous scientific opinion of the Navy that the battle cruisers should be constructed, and the work is now in progress.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KELLEY of Michigan. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KELLEY of Michigan. Other navies, notably that of Great Britain and Japan, have this type of ship. While, of course, there is always more or less dispute among professional men as to the value of different types, I think it is the unanimous opinion of the Navy that inasmuch as other navies have this type of ship that our Navy ought to have at least these six that are under construction. They are wonderful ships. Nothing like them in the way of tonnage, speed, or gun power has every been constructed. They are eight hundred and some odd feet in length; they carry twelve 16-inch guns, a remarkable gun power; and will have a speed of 33½ knots.

The ships are to be built under a cost-plus fixed commission contract, so that the actual cost will depend very largely on the manufacturing costs which will prevail in the coming months. It was estimated at first that they would cost about $30,000,000 each, but with the increased costs during the war, the estimates ran up as high as $40,000,000 each. But there seems to be a pretty unanimous opinion among business men that manufacturing costs are bound to slip back at least 20 per cent, and possibly much more. I am inclined to think it is perfectly safe to assume that the manufacturing costs will decline at least 20 per cent below what they were during the war, when these estimates were made, and in that event the cost of these ships will run about $30,000,000 each.

Mr. BARKLEY. Will the gentleman yield?

Mr. KELLEY of Michigan. Certainly.

Mr. BARKLEY. The gentleman stated that the ships were to be built on a cost-plus contract, with a definite commission. What does the gentleman mean by a definite commission?

Mr. KELLEY of Michigan. My recollection is that the contracts provide for the payment of a commission of $2,000,000 regardless of the cost of the ships.

Mr. BARKLEY. It is a fixed sum and not a fixed per cent.

Mr. KELLEY of Michigan. It is a fixed sum. The contractor gets $2,000,000 commission, which seems to be rather reasonable on a ship costing $30,000,000.

Mr. BARKLEY. Are any of these ships being constructed at Government navy yards?

Mr. KELLEY of Michigan. Yes; two of them are being constructed at the League Island Yard in Philadelphia.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BYRNES of South Carolina. The gentleman said the commission was $2,000,000. Admiral Taylor said that the *Massachusetts* was being constructed on a commission of $1,650,000.

Mr. KELLEY of Michigan. The battle cruisers are somewhat larger and more expensive than the battleships. I think I am correct in my statement of $2,000,000 commission.

Mr. BARKLEY. How is that arrived at? For instance, the contract for building a battleship would contemplate that the contractors were to furnish everything.

Mr. KELLEY of Michigan. The Government pays the contractor actual cost of manufacture plus a fixed lump-sum commission.

Mr. BARKLEY. Does that mean that the commission represents what the Government is to pay for the actual building of the ship? Does the Government furnish the material and the contractor get a certain sum for building in addition to his commission?

Mr. KELLEY of Michigan. All manufacturing costs are returned to the contractor plus his commission.

Mr. BARKLEY. Two million dollars?

Mr. KELLEY of Michigan. Yes.

Mr. BARKLEY. He furnishes all the labor and the dockage and everything?

Mr. KELLEY of Michigan. The contractor is reimbursed for all manufacturing costs.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. He gets the $2,000,000 for his expert supervision.

Mr. KELLEY of Michigan. He is reimbursed for his manufacturing costs and then is paid his profit of $2,000,000. That represents on a contract of $30,000,000 less than 7 per cent.

Mr. BARKLEY. He gets an additional allowance for wear and tear upon his machinery?

Mr. KELLEY of Michigan. Everything that he gets out of this contract over and above the return of his manufacturing costs is $2,000,000.

Mr. BARKLEY. So that the $2,000,000 is clear profit.

Mr. KELLEY of Michigan. Yes; profit which is not exorbitant if we consider the large amount involved in the contract.

Mr. EVANS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. EVANS of Nebraska. This is a fee or compensation for the use of his machinery?

Mr. KELLEY of Michigan. Well——

Mr. BRITTEN. Mr. Chairman, if the gentleman will permit, in order to clear up what has been suggested on the floor to the effect that the Navy Department buys the material to go into these ships, the contractor really buys the material, with the assistance of the Navy Department. Bids are taken for everything that enters into the construction of the ships. When those bids are approved by the department the contractor makes his purchase. The fixed fee profit, of course, cares for his overhead to a very large degree and cares for his investment in his plant to a large extent and for his natural fixed charges to a very large extent, and if money is saved in taking bids for anything that enters into the construction of the ship, of course, the Government pays that full amount, the fixed fee being established in advance of any work at all on the ships.

Mr. DOWELL. Mr. Chairman, will the gentleman yield for a question?

Mr. KELLEY of Michigan. Yes.

Mr. DOWELL. Assuming that disarmament may be brought about in the near future, and we all hope that it will be, is it not possible to postpone the building program and greatly reduce this appropriation at this time?

Mr. KELLEY of Michigan. In my judgment it will cost as much to discontinue this program as it would to finish it.

That is to say, when you enter upon the construction of ships costing $30,000,000 and make all of your contracts for material, with the work in progress, and some ships nearing completion, and then stop that work and cancel all your contracts and reimburse everybody entitled to reimbursement and pay a commission which the manufacturer would be entitled to by reason of having his contract canceled, it would necessitate an appropriation of as much money to settle up as it would to finish the program. In that event we would lose the $535,000,000 that we had put into these ships; we would lose all that we put into settling up the canceled contracts and in the end would have no

ships. Such a course would not commend itself to the good judgment of Congress or the country, I am sure.

Mr. DOWELL. Then, if disarmament comes within a short time, the gentleman's judgment is that it will be no more expensive to construct these ships now than it would be to stop the building program entirely, awaiting decision on that account.

Mr. KELLEY of Michigan. The gentleman can see at a glance that a mere suspension of the construction would be perfectly hopeless and impossible. That course would suspend the workman's hammer in the air. He would not know whether to strike or lay the hammer down. The manufacturer would not know what to do. The Navy Department would not know what to do. The damage and the expense would pile up every day under demoralizing uncertainty. Suppose we said, "We will wait for six months before we go on." These ships are 800 feet long. They are on expensive building ways, and you would have to settle the damage that you would do a great shipyard by keeping 800 feet of its ways idle for six months. Cancellation of this program would be bad, but suspension would be hopeless.

Mr. DOWELL. Then the gentleman's judgment is that it would be just as expensive to the Government to stop the work as to continue the work that is now under way?

Mr. KELLEY of Michigan. I think if we undertook to take off the ways these ships, stop all construction where it is today, we would have to appropriate as much for loss and damage as we would to finish the ships. That is my judgment. The machinery, of course, would be of no use for anything else. These battle cruisers have engines in them of 180,000 horsepower. So far as I know, nothing like them has ever been constructed in the world. Nobody would buy the engines. They are in various stages of manufacture. The material is being fabricated in many places by many subcontractors and the damage resulting from cancellation would be enormous.

Mr. MANN of Illinois. Surely the gentleman does not mean to say that where we provide an appropriation of $33,000,000 for armor and armament, and an appropriation of $53,000,000 for hulls and outfits of machinery, we would pay as much for armor which never was made——

Mr. BUTLER. But it is made.

Mr. MANN of Illinois. And machinery which never was constructed as we would if we were to take it and use it.

Mr. KELLEY of Michigan. The gentleman will understand that the construction of these engines is not going forward in one place. Material is being fabricated in many places.

Mr. MANN of Illinois. But if we stop the fabrication of it, the gentleman does not mean to say that we would pay as much to settle the damages, where the machinery is not fabricated, as we would if we had it and paid for it?

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KELLEY of Michigan. My impression is that if you stopped work on the ships and set out to get them off the ways——

Mr. MANN of Illinois. But that will have to be done anyway.

Mr. KELLEY of Michigan. No; it will not. When the ships are ready to launch they are slid off the ways and there is no damage, but the gentleman must recognize the tremendous difficulty of clearing the ways of a great steel ship where considerable work has been done upon it but which is not ready for launching. It would have to be torn down, and the cost would be enormous.

Mr. MANN of Illinois. While I do not recognize that it would be so great, I do recognize that material can easily pay for all cost of dismantling; and I would like——

Mr. KELLEY of Michigan. I would like to ask the gentleman this question: Suppose the Government had entered into a contract for a building here on Pennsylvania Avenue that was to cost $30,000,000, and that the building was half completed. Does not the gentleman think it would cost as much to take the unfinished building down and settle the canceled contract as it would cost to finish the building?

Mr. MANN of Illinois. Let me put the case this way: Suppose you contract to build a building that cost $30,000,000 and had excavated for it, and had done practically nothing else. Does the gentleman——

Mr. KELLEY of Michigan. That is not this case.

Mr. MANN of Illinois. That is the case of part of these battleships.

Mr. KELLEY of Michigan. No; the gentleman is wrong.

Mr. MANN of Illinois. Well there is not very much done.

Mr. KELLEY of Michigan. The gentleman is wrong.

Mr. MONDELL. Will the gentleman yield?

Mr. KELLEY of Michigan. Not until I make this statement as to just what has been done.

Mr. BRIGGS. Will the gentleman yield?

Mr. KELLEY of Michigan. In just a moment. These contracts have all been awarded for all these ships. Fabrication of material is going forward in many places. The engines are made, say, at Schenectady, put together there, but the material, the brass, the copper, the steel, and all that is fabricated elsewhere, and while it might show in the report that only a small percentage of construction had actually been completed in the yard where it was being put together, the fact is that the material is being fabricated and the work in progress far beyond what it will show in the yard where the ship is being assembled. Nobody can say exactly how much it would cost to settle up if construction were discontinued. I pursued the inquiry in reference to two of these ships that had advanced the least, and the testimony was that it would be somewhere in the neighborhood of $10,000,000 to suspend construction on the *Massachusetts*, which is the least advanced of any of them.

Mr. MONDELL. Will the gentleman yield.

Mr. KELLEY of Michigan. I do.

Mr. MONDELL. Is not this the situation? My understanding of it from some talk I have had with the gentleman from Michigan is that the subcommittee—and I assume the committee—after some inquiries with regard to the two battleships which have least progressed with regard to the program, came to the conclusion that neither the subcommittee nor the full committee would be justified in recommending a complete abandonment of any part of the program. They did not feel that was quite within their jurisdiction; that the question with them was how much shall we appropriate to carry forward the coming fiscal year the program under way; and what I had understood the committee to consider was what might be the least sum that in their opinion could be economically expended for these purposes, assuming that they had not jurisdiction and they were not of the opinion they were justified in recommending a complete abandonment, and the sums carried in the bill were simply based upon what the committee believed an economic and perhaps the lowest economic expenditure on the program as it stands.

Mr. KELLEY of Michigan. Well that is a good statement of the situation.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. BUTLER. What are the estimates?

Mr. KELLEY of Michigan. The estimates for the complete work——

Mr. BUTLER. So that the House will understand what the gentleman did.

Mr. KELLEY of Michigan (continuing). Leaves a balance, as I recollect, of $434,000,000, five hundred and thirty-odd million having already been expended. That $434,000,000, it is evident, can be reduced by whatever reduction can be effected in manufacturing cost. If we take off 20 per cent, or one-fifth, it will take off about $90,000,000, leaving about $360,000,000 to finish the program. The Navy Department asked $180,000,000 evidently on the theory we wanted to finish the program in two years; but the Committee on Appropriations did not see any special reason why it should be rushed, and so provided only $90,000,000.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

Mr. KELLEY of Michigan. Mr. Chairman, I thought possibly some agreement as to time to be taken on this building program could now be reached. However, if gentlemen prefer, we can run on in this way a while longer.

Mr. MADDEN. Mr. Chairman, in 1916 the naval program provided for about 157 ships, and the cost of the ships was expected to be something between $500,000,000 and $600,000,000 and they proceeded to carry out that program. It was somewhat delayed on account of the war, and on the second estimate the total expenditure required to carry this program under war costs would amount to about $900,000,000. Five hundred and thirty-four million dollars of it had already been expended. Some ships have been completed, some are on the ways. The percentage of completion is based on a study of the ship in the dock and not on the amount of work that is done in the factories, and while only 10 per cent may be said to be completed, because that is the situation in the docks, there may be 20 or 30 per cent of the ships completed of fabricated material which has not yet been put in place on the ship. Last year the Committee on Naval Affairs appropriated about $104,000,000 to carry out this program. This year the Committee

on Appropriations has recommended $90,000,000 to carry out the program, but the estimate is that the $90,000,000 of this year is equal to $110,000,000 of last year, and will produce as much work.

We believe that $75,000,000 next year will be equal to $90,000,000 this year, because of the lowering of prices. We believe the ships that are under way ought to be completed in fairly decent time, but we can not stop the program, because if we do, you will not only find yourself with a ship that can not be floated, and will take up all the space in the docks or in the yards, but you will also find yourselves in a position of being compelled to adjudicate the contracts for material that has been fabricated everywhere in the United States that is to go into these ships. I am willing to admit that if the $33,000,000 provided for in this bill for armor plate and $53,000,000 provided for hulls was an initial appropriation and no work had been done, that it would not cost anything to eliminate it. But with $534,000,000 already spent on ships that are going to cost $900,000,000, and contracts made and work being done everywhere in the United States on every ship, you can not eliminate these appropriations without paying the money for the work that has been done. You not only compel the Government to pay the money but you compel them to abandon their property and throw it into the scrap heap. That is what you would do with the ship that is 10 per cent complete. You can not take it apart and put it back in shape to use for some other purpose. It has got to be used for the purpose for which it was intended, and it is economical not only to expend the money rather than to discontinue the contract, from the mere standpoint of money itself, but it is also economy in the insurance which the completion of the ships gives to the security of the country.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. MOORE of Virginia. Can the gentleman tell us when the money already appropriated will be exhausted by the contracts already made?

Mr. MADDEN. I can not tell you; but at the end of the fiscal year the fair assumption is that this money that is to be appropriated will be needed to carry on the work for the next fiscal year.

Mr. MOORE of Virginia. That may be an inference, but it may not be justified by the facts.

Mr. MADDEN. I think the facts justify it.

Mr. KELLEY of Michigan. There will be a small balance at the end of this fiscal year.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. I maintain that the wisdom of the situation will be best served by carrying on the work, not by trying to complete it all to-day or to-morrow, but by carrying it on at such a rate of progress as will complete these ships within the next three years. And when we have them completed we will have a Navy that, as I understand the situation, will be equal to any navy in the world; whereas if we quit now, every ship that is on the ways will be put into the scrap heap after we have spent on them $500,000,000, I think, or a little more.

Mr. McKENZIE. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. McKENZIE. As I understand, there are about $450,000,000 and odd of an estimate remaining yet?

Mr. MADDEN. Under the increased war cost.

Mr. McKENZIE. Now, if $90,000,000 this year will take care of $110,000,0000 that was done last year and $75,000,000 next year will do the work——

Mr. MADDEN. It will reduce the $400,000,000 down to $300,000,000 before you get through.

Mr. McKENZIE. But are we so bound by contracts or arrangements that we have to spend the $450,000,000?

Mr. MADDEN. You are only bound by what it costs. You are bound by the contracts, but not to pay more than the actual cost. So that if the conditions of the time become such that the costs will be lower, the Treasury of the United States will profit by it.

Mr. McKENZIE. Then it is economy to postpone some of this work?

Mr. MADDEN. I do not agree with that, because if it postpones the work it will put some of the ships that are under way into the scrap heap, place them into a state of deterioration, and compel the Government to pay damages for the material already fabricated in various places throughout the United States and that is to go into these ships. And if the gentleman thinks the postponement of the activity under conditions which would compel the payment of as much for damages as it costs to complete the ships, then I do not understand his reasoning.

Mr. McKENZIE. I do not mean postponement in the way of not doing anything.

Mr. MADDEN. The gentleman means we are doing the right thing in this bill.

Mr. McKENZIE. Only such work as we can postpone.

Mr. MADDEN. That is what this committee is doing now. Instead of doing it all in one year, they are trying to conserve the Treasury and also conserve the ships that will act as the guard of the outer walls of the United States against any enemy in the world.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOWELL. Mr. Chairman, I desire to offer an amendment.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last word.

Eight years ago, when the gentleman from Michigan [Mr. KELLEY] and I came into this House together—and I am very glad to have had the honor to come into it with him—the annual appropriation for the Navy was $136,000,000. During the intervening time since then the greatest menace to the peace of the world has been destroyed. One of the excuses or reasons which has been habitually given by Great Britain for maintenance of her great navy has been the fear of Germany. Now, it is well recognized by everybody that Germany is wholly powerless, both on land and sea, so far as any danger to the peace of the world is concerned. By the expenditure of an amount of money estimated to be $348,000,000,000, which is more wealth than would be destroyed if an earthquake should swallow up the entire United States and Canada, and by the loss of more than 30,000,000 men either in war or by sickness and disease, and the loss of life among the civil population of the belligerents, that one menace to the peace of the world has been destroyed. Now, the only possible reason, therefore, that any of the allied nations have for this race in armaments which seems to be still in progress, is that they are afraid of one another. There is no longer any fear that Germany will menace the peace of Europe or of America. Therefore, neither England, Japan, nor the United States has any reason to continue the enormous expenditure of money for armaments on account of fear of Germany. Therefore, it seems to me logical that if we continue to engage in this race for enormous armaments we are doing it by implication against either Japan or England, because those are the only nations that have the slightest possibilities of engaging in war in the near future, and it follows also that the only possible reason for any expensive armament on the part of England would be that she is afraid of either Japan or the United States, and likewise the same reason would actuate Japan, that she is afraid of England or the United States.

Following the signing of the armistice, and following the announcement of our Navy Department that it proposed to continue this enormous expenditure for armament and increase of the Navy, and this enormous increase in the number of battleships and cruisers, a certain statesman of Japan announced that they also had enlarged their program, basing that increase upon our enlarged program; but it is a significant fact that, notwithstanding that announcement, not an additional dollar has been appropriated by the Japanese Government, as I am informed, for an enlarged program of new construction for the construction of battleships and cruisers.

Mr. BEGG. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. BEGG. Does not the gentleman know that just within the last 10 days the Japanese Congress—I will call it by that name—voted by more than 5 to 1 to do the very thing that the gentleman says they have not done?

Mr. BARKLEY. I understand that while that has been done in one of the branches of the Japanese legislative body, it has not become a law.

Mr. BEGG. No; it has not become law.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Certainly.

Mr. BUTLER. May I give the gentleman a little information that I have obtained officially?

Mr. BARKLEY. Yes; I shall be glad to have it.

Mr. BUTLER. The Japanese Government has appropriated officially for four battle cruisers and four battleships, and has voted authoritatively for four additional battle cruisers and four additional battleships.

Mr. BARKLEY. When has that been done?

Mr. BUTLER. In the last few weeks; 16 vessels in all. And England is now building three enormous battle cruisers—and we can not learn, although we have tried pretty hard to

learn, for what nation Great Britain is now building those three enormous battle cruisers.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. GREEN of Iowa. The gentleman from Kentucky was quite correct in his original statement. The appropriation made by Japan recently was for the purpose of carrying out her "8 by 8 program," as it is called, which was decided upon three years ago, and it was not for the purpose of further construction. England is not building a single big ship, and has not been building one for several years.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. BARKLEY. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BARKLEY. The statement of the gentleman from Iowa [Mr. GREEN] is in line with what I had in mind. I made the statement that the Japanese Government had not appropriated a single dollar for any enlarged naval program which in the immediate past has been provided for or authorized. The appropriations which have been made are to carry out the program that was inaugurated a few years ago. The fact is that Great Britain has positively scrapped all her battleships and cruisers of the predreadnaught type, if I am correctly informed, and three battleships of the type of the *Hood* which were in course of construction by Great Britain have been completely broken up, and the material has been scrapped for other purposes.

Not only that, but Great Britain has reduced her naval personnel since the armistice from 450,000 men to 105,000 men, which is 30,000 below our own personnel in the Navy. If the menace of German militarism, both on land and sea, has been destroyed, why is it not possible for the allied nations, who can only prepare for war against one another, to come to some agreement either to limit armament altogether or to have a naval holiday for four or five years?

Now, the gentleman from Michigan [Mr. KELLEY] a few days ago announced that the golden hour for the making of that compact on the part of the United States would have arrived when we shall have completed this 3-year program, which, I understood him to say, had been extended as to time from three years to five years, and that it would not be completed until the expiration of five years; and if the same thing is true of that program as has been true of other programs, by the end of five years most of that which was completed at the beginning of the program will have become obsolete and will have to be scrapped.

This appropriation bill carries practically $400,000,000. The Army appropriation bill, which we passed through the House last week, carried practically $340,000,000, making nearly $750,000,000 which we are appropriating for the Army and the Navy for next year, two years after the armistice was signed and hostilities ceased, which is more money than we appropriated for the entire expenses of our Government prior to the war with Germany, exclusive of the Post Office Department——

Mr. SABATH. Not including the fortification bill.

Mr. BARKLEY. Yes; and that does not include the fortification bill, which is to be brought in in a few days. Prior to the Spanish-American War we had an Army of 25,000 men, which was adequate for all our purposes. After we had acquired the Philippine Islands and assumed certain burdens in Cuba and Porto Rico and other islands of the sea we increased the size of our Army to 100,000 men, and 100,000 men constituted our Army from the time of the Spanish-American War until the war broke out in Europe in 1914, and we got into it in 1917.

That increase from 25,000, which was the size of our Army before the Spanish-American War, to 100,000, the size of our Army after the Spanish-American War, was an increase of 400 per cent. After the World War was ended and the armistice was signed we passed an Army reorganization bill, in which we provided for a maximum Army of 280,000 men, and the Secretary of War enlisted an Army of 230,000 men. We have ordered that to be reduced to 175,000 men.

I ask in all seriousness and in all earnestness, What reason is there for a larger standing Army in the United States now than in the interval between the Spanish-American War and the World War, when we had an Army of only 100,000 men? Where is there any domestic trouble that demands this large Army? Where is there any internal danger that requires 175,000 men in the Army of the United States? There are our island possessions, the Philippine Islands and Hawaii and Porto Rico and others, which are no more of a menace to us now than they were during the period from the Spanish-American War to the time of the World War, and yet we are spending each year now for the Army and Navy more money than it cost us to run the entire Government of the United States prior to the outbreak of the World War, exclusive of the Post Office Department, which has been, generally speaking, self-sustaining. During the last 10-year period the amount of money appropriated by Congress to pay for past wars and to prepare for future wars has been more than 70 per cent of the entire appropriations of the Federal Government, and that does not include the expenses which we incurred during the World War, which would run the proportion up to more than 90 per cent. That includes merely the normal increase and the normal expenditures for the Army and Navy and payment for past wars. If the size of the Army and Navy shall be doubled, trebled, or quadrupled after each war, how long can the people endure it?

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent for five minutes more. I do not often trespass upon the time of the House.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. McKENZIE. Will the gentleman from Kentucky yield?

Mr. BARKLEY. Yes.

Mr. McKENZIE. Mr. Chairman, I simply wish to state to the gentleman from Kentucky that there are some reasons why we need a larger force in our Regular Military Establishment now than we had at the time of the Spanish-American War. One reason is that we have the Aircraft Service, we have the Chemical Warfare Division, we have the tank unit, we have a number of other things that the Great War has demonstrated are necessary in a mlitary establishment, and therefore we are compelled to have a larger force.

Mr. BARKLEY. In reply to the gentleman from Illinois, I will suggest that nobody now looking out on the horizon of the world can see any indication that we are in any more danger of immediate attack than we were at any time between the Spanish-American War and the German war.

Mr. McKENZIE. I agree with the gentleman.

Mr. BARKLEY. So that basing it upon the proposition that we are in danger of attack, we do not need a larger Army now than we did from 1898 to 1914 or 1917.

Mr. FESS. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. FESS. The amount of expenditure is not quite measured by the size of the Army.

Mr. BARKLEY. I appreciate that it costs more to run an Army of a given size now than it did prior to the World War.

Mr. FESS. Our Army is now about three-fourths more in size and our Navy is not quite double, yet it costs about four times as much to run them.

Mr. BARKLEY. I appreciate that fact; but still that does not account for all the enormous increase in the expenditure that we are outlaying now for military purposes. We have already appropriated nearly $5,000,000,000 during the Congress that is now in session in spite of all efforts at economy.

Mr. BROOKS of Illinois. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. BROOKS of Illinois. Will the gentleman yield to allow me to offer an amendment in his time?

Mr. BARKLEY. If it will not be taken out of my time.

Mr. HICKS. The gentleman will lose the floor if he does that.

Mr. BROOKS of Illinois. Then I will offer the amendment later.

Mr. BARKLEY. Now, we have appropriated and are appropriating in this Congress about $5,000,000,000, and the announcement is made from official sources that the taxation of the people can not be relieved to any appreciable extent during the next four or five years; and so in the next Congress we are confronted with the task of not reducing taxation, because we can not reduce taxes as long as we spend four or five billion dollars each year. We can not reduce it. All we can do is to shift the burden from one shoulder to another in an effort to equalize that burden which is now being borne. But what I want, in the near future, is to be afforded the opportunity to vote for a reduction in taxation, and I appreciate the fact that it can only be done by a reduction in the expenses of our Government. It seems to me a ridiculous thing, in this age of Christian civilization, that any nation is required to spend more than 80 per cent of its revenues

raised by taxation either in paying for past wars or in preparing for future wars, and I hope that this disarmament program may be carried out.

I hope the incoming President will call a conference which will bring about an agreement and a result in which the Republican Party will have confidence, as it seems to have no confidence in agreements entered into by others. I care nothing about the politics of it. I would just as soon have this disarmament program come about under Republicans as under Democrats, and I hope that one of the first official acts of the incoming President will be to call the allied nations of the world together for a conference, and that out of that conference will come something that will make it possible to relieve the people from the enormous burden of taxation which they are now carrying; and I hope that in the immediate future there may be a material reduction of the expenses of government. I presume it will be impossible in this bill. I do not know that a specific reduction of this bill can be obtained. I do not claim it would be wise to stop the construction now under way on these battleships and cruisers, but I do hope that before we are called upon to pass another military bill or naval bill we will be able to reduce them more materially than we have those now under consideration. [Applause.]

Mr. BROOKS of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Illinois: Page 43, line 5, after the figures "$90,000,000" insert "*Provided*, That no part of this sum shall be expended until the President of the United States shall have invited the Governments of all nations to send accredited delegates to an international convention to be held in the United States to consider ways and means of bringing about joint disarmament."

Mr. KELLEY of Michigan. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN of Illinois. Mr. Chairman, I suggest that this is merely a limitation.

Mr. KELLEY of Michigan. No; it directs the President to do a particular thing.

Mr. MANN of Illinois. I do not so understand it.

Mr. KELLEY of Michigan. It directs the President to do so and so.

Mr. MANN of Illinois. No; the President has the authority to do the thing now. This does not direct him to do it.

Mr. KELLEY of Michigan. Yes; it does.

Mr. MANN of Illinois. The Chair has already ruled; but the amendment simply provides that no part of this appropriation shall be expended until the President does something which he is now authorized to do. It is a pure limitation on the appropriation. It does not direct the President to do it.

The CHAIRMAN. Does the gentleman from Illinois contend that the President has authority now to invite the Governments of all nations to send delegates to an international convention to be held in the United States with a view to bringing about general disarmament?

Mr. MANN of Illinois. I do not know whether he has the authority in that case or not; but that would not make any difference with the point of order.

Mr. CONNALLY. He has the authority under the law passed in 1916.

Mr. MADDEN. That was only current law.

Mr. BARKLEY. Does not the gentleman think that the constitutional authority that authorizes the President of the United States to make treaties, that authorizes him to deal with foreign nations, would authorize him to call such a conference without any other specific legislation?

Mr. MANN of Illinois. I am inclined to think that there is statutory authority forbidding the President to extend invitations without the authority of Congress, but Congress has the right on an appropriation bill to limit an appropriation—it may have in contemplation subsequent legislation which will authorize the President to call it. This does not confer on the President authority if he does not have that authority now. If the Chair thinks this amendment would confer authority on the President that he does not now have, that would be legislation.

The CHAIRMAN. Does the gentleman from Illinois contend that it is in order for Congress, by way of limitation on an appropriation, to prohibit the expenditure of a fund until some executive official shall have done something which Congress had not previously authorized him to do and which there is no specific authority of law for the executive official to do?

Mr. MANN of Illinois. Mr. Chairman, if the amendment purporting to be a limitation authorizes the Executive to do something which the Executive is not now authorized to do, that would be legislation, although in the form of a limitation; but to provide that no part of the money shall be expended unless the Executive does something he is not now authorized to do, if the amendment does not give the authority to the Executive, then it is a mere limitation. I do not think this amendment authorizes the President to do anything which he is not now authorized to do. I do not think under this amendment the President would be authorized by virtue of the amendment to call an international convention. If it authorized him to do that it would be legislation. I think the Chair will see the distinction between the limitation and between a proposition under the guise of a limitation granting authority to the Executive to do something which the Executive could not otherwise do.

The CHAIRMAN. The Chair sees the distinction between those propositions, but the Chair would like to ask the gentleman from Illinois if it is proper by way of limitation upon an appropriation to provide that no part of the appropriation shall be expended until an executive official does something which he has no right under the law to do?

Mr. MANN of Illinois. Certainly; I contend that it is in order unless the authority to do the thing is contained in the amendment. In many cases there have been rulings on the subject. Where an amendment was offered as a limitation and the Chair has construed the so-called limitation as a direction to an executive to do something, of course that is legislation. If that was the case here, it would be legislation and not a mere limitation.

Mr. MADDEN. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. MADDEN. If there is no law that authorizes the President to call an international convention, and this amendment does not give him any authority to do it, it is a limitation on the expenditure of the money. Would this amendment prevent the expenditure of the money in the face of those facts?

Mr. MANN of Illinois. It would act to prevent the expenditure of the money, no doubt about that, if it were agreed to, which I suppose it will not be.

Mr. MADDEN. Then it would be doing by indirection what you could not do by direction.

Mr. MANN of Illinois. Not at all; it is doing it directly. The expenditure of the money shall not be made until a certain thing happens. That might be authorized hereafter. It is a mere limitation unless it authorizes the President to do something which he is not now authorized to do.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. MOORE of Virginia. I find in a compilation of the Federal Statutes specific authority vested in the President with reference to this very matter. I will read a line or two from the statute. I do not know when it was enacted or in what connection, but it provides:

The President is authorized and requested to invite at an appropriate time, not later than the close of the war in Europe, all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament and submit their recommendations to their respective Governments for approval.

Mr. BUTLER. That is the Hensley amendment.

Mr. MOORE of Virginia. The war in Europe not having closed so far as we are concerned, that seems to be existing law and would empower the President to call a convention of this kind.

Mr. MANN of Illinois. That information should be addressed to the Chair.

The CHAIRMAN. The Chair has that statute before him.

Mr. BROOKS of Illinois. Two hundred thousand dollars was appropriated for the purpose and made available until the close of the war.

Mr. BUTLER. I do not think there was anything in it that limited that provision to the close of the war.

The CHAIRMAN. The Chair is ready to withdraw his previous ruling, and in view of the discussion upon this point of order and the statute that has been cited the Chair feels that the amendment in the form of a limitation which would withhold the expenditure of $90,000,000 for increase in the Navy until the President shall invite the nations to send accredited delegates to an international convention to be held in the United States to consider ways and means to bring about a general disarmament is in order.

In 1916, in an appropriation act, there was passed the provision to which the gentleman from Virginia [Mr. MOORE] has referred. The act approved August 29, 1916, gave the President authority to call such a conference not later than the close of the war, and this limitation does withhold the appro-

priation until the conference, which is already authorized, has been called. The Chair was not aware of the existence of that statute and sustained the point of order hastily, but the Chair feels that, although this is a limitation which is very close to a direction, still it is a limitation, that no part of the expenditure shall be made until something which is already authorized to be done is actually done.

Mr. MADDEN. Mr. Chairman, before the Chair decides, will the Chair hear me a moment?

The CHAIRMAN. Certainly.

Mr. MADDEN. While the law referred to in 1916 does provide that the President shall have the power to do a certain thing, within a given time, it does not authorize him to do it.

Mr. DOWELL. Oh, it certainly does, if he has the power.

Mr. MADDEN. He is not directed to do it. There is no provision that he shall do it, and there is no provision for the expense in connection with doing it.

Mr. BROOKS of Illinois. But $200,000 was appropriated in 1916 to cover the expenses.

Mr. WINGO. Mr. Chairman, may I make a suggestion there, that there is a question whether or not Congress has the power either to direct or authorize the President of the United States to call a diplomatic conference? And I sincerely trust that no utterance of the Chair or any statement on the floor would lead the public to believe that the incoming President would have to get the consent of Congress to call such a conference, or that Congress has to determine what kind of a conference he should call and what machinery he should set up to discharge his duty under the Constitution, so far as foreign affairs are concerned. I think the President of the United States can call a diplomatic conference under whatever name he desires to call it, as the head of our foreign affairs and our sole authorized representative under the Constitution in dealing with other nations.

The CHAIRMAN. The Chair thinks that the gentleman from Arkansas may have misunderstood him in referring to the act. It is not a directory statute, it is simply an authority, and the President was expected to do that.

Mr. WINGO. That is the point. I think we have the power to request it, and I think the present statute which we have on this question of inhibiting the President from selecting delegates is simply notice that the appropriating branch of the Government would not foot the bill. I think the President can appoint the delegates, but that is notice that we will not foot the bill.

Mr. KELLEY of Michigan. Mr. Chairman, I hope the Chair will read particularly the language to which the gentleman from Virginia [Mr. MOORE] calls attention, in connection with the amendment offered by the gentleman from Illinois [Mr. BROOKS]. There seems to be quite a disparity between what is said in the law and what is suggested by the gentleman from Illinois in his amendment.

The CHAIRMAN. The Chair has read the statute, and would be very glad if the gentleman from Michigan would point out any language contained in it which he believes is susceptible of any particular interpretation.

Mr. KELLEY of Michigan. Mr. Chairman, inasmuch as this is a matter of considerable general interest, I think we might as well vote upon it.

The CHAIRMAN. The Chair feels that this is a limitation upon a particular appropriation in this bill until the President shall have called a conference which he has been previously authorized and requested to call; but, as the Chair stated awhile ago, the language of the amendment seems to be fairly close to being directory. However, the Chair does not feel that it is a direction, but that it is a limitation on an appropriation, and overrules the point of order.

Mr. MADDEN. Mr. Chairman, I would like to be heard on the amendment.

The CHAIRMAN. The Chair will first recognize the gentleman from Illinois [Mr. BROOKS].

Mr. BROOKS of Illinois. Mr. Chairman, I want simply to make one statement in reference to this amendment. This resolution was introduced January 21 of last year. The Foreign Affairs Committee has reported it out favorably. The only thing it does now is to postpone the expenditure of this amount of money until the President of the United States shall call in conference accredited delegates of all the nations of the world to bring about ways and means of disarmament.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Illinois. Yes.

Mr. NEWTON of Minnesota. Has the gentleman any information or idea that the incoming President has no intention of calling any such conference?

Mr. BROOKS of Illinois. I do not know what the intention of the incoming President is.

Mr. NEWTON of Minnesota. Then if the gentleman does not know, is he not placing himself in a position here of trying to force upon the incoming President his own ideas of a foreign policy?

Mr. BROOKS of Illinois. Not at all.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Illinois. Yes.

Mr. WINGO. As I gather from the amendment, the gentleman does not intend to force any of his ideas upon the incoming President, but he has faith in the assertion of the incoming President that he is going to call such a conference, and he simply offers this to hold the appropriation in abeyance, to see whether the efforts of the incoming President shall fail—not whether he will refuse to do what he has said he is going to do. He will be my President, as he is to be the President of everyone else in these United States, and I think we ought to give full faith and credit to his utterances. I believe he is going to call the conference.

Mr. BARKLEY. And aside from all that, Congress has the right to express its views on this subject, inasmuch as we have to appropriate the money.

Mr. MADDEN. Mr. Chairman, I rise in opposition to the amendment. I believe the adoption of the amendment to the bill at this time will, in effect, destroy the progress already made and place the country in a state of doubt before the world in respect to what our policy is. The time has not yet come when America should declare a naval holiday, with all of the preparation for increase in naval facilities. I believe the adoption of such legislation as this would obligate the Government to an expenditure of more money within the next year by way of damages that the Government will be called upon to pay on contracts that will be abrogated or prevented from advancement than the amount of money provided in the bill. No matter what the policy of the Government may be in the future, we ought not to adopt it lightly by the mere insertion of an amendment of this kind in an appropriation bill. We should give consideration to the Government's obligations under its contracts. We should let the world understand that while we are willing to meet them in any conference for a cessation of naval increase, we are still bound under the program which we have already entered into and under the contracts that we have already made; that we are not willing to enter into any conference with anybody for a reduction of our naval facilities until our program is complete.

Mr. MACGREGOR. Will the gentleman yield?

Mr. MADDEN. I am for the completion of the program. Then after we have done that—cleaned up the obligations which the program involves—I would be perfectly willing to confer, but with a lot of unfinished ships that might be thrown into the wastebasket as a result of the conference it does not meet my approval, and I am opposed to the amendment, and I hope it will be voted down.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, I am heartily in favor of the amendment offered by the gentleman from Illinois [Mr. BROOKS]. We have been avowing for a long while that we are really in favor of disarmament. In the present condition of the world we have an excellent opportunity to demonstrate whether we are or whether we are not. As far as I am concerned, my position is that unless the other nations of the earth agree to limit armaments our national interests absolutely require that we continue to build a great Navy, a Navy sufficient to meet any possible enemy on the high seas. The amendment of the gentleman from Illinois does not limit the expenditure of this building appropriation, except to the extent that it provides that it shall not be expended until the President of the United States calls an international conference on disarmament. The moment the President issues the invitation to foreign nations to participate in such a conference the money becomes available for expenditure. It seems to me that those facts would be one of the most eloquent arguments to the other nations of the world. We will by this action say to them "We are willing to disarm if you are, and if you are not willing to disarm then we shall continue on our building program of 1916, and if you enter into competition with us in the building of a Navy we will pledge our resources to build one that will excel that of any nation in the world. If you are willing to disarm, if you mean what you say, if you are willing to devote some of your resources to the development of the industries of peace instead of preparing for war, this great Nation that has emerged from the greatest struggle that ever shook the foundations of the earth practically unimpaired, practically the only great Nation that can look into the future

and, shaking the tears of suffering from war from her eyes, know that her future is secure—if you will agree with us to disarm, we shall meet you half way, but unless you do we shall continue to build the greatest Navy that shall ride upon the seven seas."

Mr. FESS. Will the gentleman yield?

Mr. CONNALLY. I will yield to the gentleman from Ohio.

Mr. FESS. Does the gentleman think we would be in a better strategic position to secure disarmament by taking this action now rather than to go ahead with the program and let the conference be called afterwards——

Mr. CONNALLY. After when?

Mr. FESS. As soon as the President will be able to call it.

Mr. CONNALLY. He will be able to call it in 20 minutes after he makes up his mind.

Mr. FESS. I have great sympathy with what the gentleman is saying. I want him to understand that, but the question with me is whether, if our Navy is disarmed, we are in a better position to reach it by taking this step now than to go on?

Mr. CONNALLY. The gentleman misses my point. My point is that we shall let the President issue his proclamation, and after he has issued it the money then becomes available. Let the navy yards and agencies of the Navy Department go right on with the building program, and by that action itself say to the nations of the world that we are not going to stop building battleships until they do. That would be more persuasive than all polite pourparlers and diplomatic exchange of courtesies. I believe in making that known not only by words but by deeds; that if they want to compete with us and will not disarm, that we accept the gage of battle and will proceed to build the greatest navy the world has ever seen.

Mr. BARKLEY. If the gentleman will permit, as the fact is that this appropriation does not become available until July 1, the incoming President would be able to call a conference to meet without any suspension whatever?

Mr. CONNALLY. I agree, of course, I will say to the gentleman from Kentucky, this appropriation will not become available until the 1st of July, 1921. The incoming President will have from March until July to decide whether he desires to call this conference, and the moment he calls it the appropriation becomes available. It does not provide that no part of the sum shall be expended until the conference convenes, but that no part shall be available until the President issues the invitation.

Mr. LAZARO. Will the gentleman yield?

Mr. CONNALLY. I will.

Mr. LAZARO. I would like to ask the gentleman if that was not the point that appealed to Senator BORAH more than anything else——

Mr. CONNALLY. I am not able to answer the gentleman, because I have not read Senator BORAH's statement on the subject.

Mr. LAZARO. In his advocacy of suspension, his attention was called to the fact that if we took care of ourselves and completed our armament that then we would be not only in a position to suggest but to command disarmament, and he admitted that was the soundest argument advanced.

Mr. CONNALLY. I will say to the gentleman from Louisiana that I am sure it would appeal to Senator BORAH, because he is a very intelligent and able gentleman, and I hope it will be possible for Senator BORAH to appeal successfully to some of his colleagues across the aisle, or rather some of his political colleagues on the Republican side of the aisle.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENISON. Will the gentleman yield?

Mr. CONNALLY. I would be glad to yield to my old-time school——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CONNALLY. I yield to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. I want to say to the gentleman that I can conceive that some time after the 4th of March the world's condition might suddenly change so that war might be threatened; that the international situation might suddenly change so that it might be very unwise for the President to issue the proclamation, and if that condition should, unfortunately, arise, then this money could not be made available with which to go ahead with the work. What does the gentleman say to that?

Mr. CONNALLY. I will say to the gentleman that when the nations of the earth are about to engage in a war it would be the best possible time, it seems to me, to ask them to disarm. If the gentleman really wants to prevent war, I will say that the best time to disarm a bully is when he is about to do some damage. All of these years we have been praying for peace and disarmament, but we have definitely done nothing about it.

Mr. DENISON. But the gentleman does not really think if a great war was threatened it could be put aside by simply sending an invitation to disarm? I am sure the gentleman from Texas would not contend that a nation could properly prevent war, where war is threatened, by sending an invitation to the hostile nation asking it to consider a proposition of disarmament?

Mr. CONNALLY. I would ask the gentleman what great nation he has in mind now that is about to start a great world war between now and the 1st of July?

Mr. DENISON. I do not know that there is any great nation that will do that.

Mr. CONNALLY. That is the hypothesis the gentleman's question is based on.

Mr. DENISON. I am stating a proposition that might arise.

Mr. CONNALLY. That is a mere possibility.

Mr. DENISON. I do not know what the situation with Japan might be, but I do think there is great danger of hostilities arising between this country and Japan.

Mr. CONNALLY. I will say to the gentleman that in such an event this appropriation will be available the next moment. I can see no inconsistency in that action. When we invite the nations of the world to this conference we should let them know that we are inviting them to something more than a pink tea, more than a mere philosophical discussion of the beauties of peace. We should let them know when we invite them that while we want peace, and desire peace, and desire limitation of armaments, unless they are willing to join us in limiting armaments we are going to build a great navy, ample to protect our interests. And that is the only kind of argument that will appeal to some of the nations of the world. They are quite willing for us to disarm if we do not prevent them from arming. They are perfectly willing for us to take a naval holiday if at the same time they are permitted to go ahead and build a great fleet. I believe now is the time for the United States to embrace this opportunity, and let them know once and for all that if they want disarmament we will join with them, but, if not, they must compete with us in the building of the greatest navy that floats upon the sea.

Mr. KELLEY of Michigan. Mr. Chairman, I would like to agree upon the amount of time necessary to finish this. I ask unanimous consent that debate on this amendment be closed in an hour and thirty minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the pending paragraph close in 1 hour and 30 minutes.

Mr. AYRES. Mr. Chairman, reserving the right to object, I would like to ask if there is to be a division of the time?

Mr. KELLEY of Michigan. I had thought of leaving it to the Chair, but division of the time might be better.

Mr. AYRES. How is that?

Mr. KELLEY of Michigan. Unless the Chair has some preference, I would be perfectly willing to leave it to the Chair.

The CHAIRMAN. Is there objection?

Mr. CLARK of Missouri. Mr. Chairman, I ask that one-half of the time be controlled by the gentleman from Michigan [Mr. KELLEY] and the other half by the gentleman from Kansas [Mr. AYRES].

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time be controlled one-half by the gentleman from Michigan [Mr. KELLEY] and one-half by the gentleman from Kansas [Mr. AYRES].

Mr. SISSON. Mr. Chairman, I do not know that that would be making an equable division of the time, because this is a proposition where two respective sides ought to have an equal division of the time, those for and those against, rather than the two sides of the committee.

Mr. CLARK of Missouri. That is what I was trying to fix, Mr. Chairman.

The CHAIRMAN. Is there objection?

Mr. BLANTON. I object.

Mr. KELLEY of Michigan. The gentleman did not object to my request?

Mr. BLANTON. No.

The CHAIRMAN. Is there objection to fixing the time on this amendment? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. Mr. Chairman——

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. GREEN of Iowa. Mr. Chairman——

Mr. DOWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. DOWELL. The gentleman from Michigan [Mr. KELLEY] asks for the time on this amendment. Is that the understanding of the Chair?

The CHAIRMAN. The Chair stated the request to include the pending paragraph with amendments thereto.

Mr. BRITTEN. Oh, no, Mr. Chairman; that was not the request of the gentleman from Michigan. The request of the gentleman from Michigan [Mr. KELLEY], as I understood it, was that all debate on this amendment close in 1 hour and 30 minutes from now.

Mr. KELLEY of Michigan. That is correct, Mr. Chairman.

Mr. BRITTEN. The gentleman has said that I am correct.

The CHAIRMAN. Then, in view of the statement of the gentleman that made the request and the statement of the gentleman from Illinois, the Chair will state that the debate has been limited on the pending amendment. It does not include further amendments to the paragraph which have been read.

The gentleman from Iowa [Mr. GREEN] is recognized for five minutes.

Mr. KELLEY of Michigan rose.

Mr. GREEN of Iowa. I yield to the gentleman from Michigan.

Mr. KELLEY of Michigan. I ask unanimous consent that the hour and a half be controlled jointly by myself and by the gentleman from Kansas [Mr. AYRES].

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that one-half of the time be controlled by the gentleman from Kansas [Mr. AYRES] and one-half by himself. Is there objection?

Mr. BLANTON. I object.

Mr. GREEN of Iowa. Mr. Chairman, I am at a loss to understand how anyone who really favors international disarmament can be opposed to this amendment. I can well understand how some gentlemen who have no abiding faith that other nations will keep their agreements might be opposed to any plan for international disarmament. But this amendment simply asks that we extend an invitation to the other nations to join in a discussion or convention to consider such a program. It is absolutely the very least we can do to show that we are acting in good faith when we talk about disarmament. Can other nations be expected to believe that we are in good faith when we talk here about international disarmament when all that we do is to appropriate for the largest navy, the most powerful that will be upon the surface of the globe when it is completed? How can we expect them to have any faith in us if we have not at least faith enough in them to invite them to discuss this proposition?

Now, Mr. Chairman, as has been well said, the money that is to be expended by this appropriation will not be paid out until after the 1st of July. There is already money enough to carry on these operations beyond that date, leaving a small balance for some days thereafter.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield for a question to me?

Mr. GREEN of Iowa. Yes.

Mr. KELLEY of Michigan. In what position does the gentleman think it would put the President of the United States after he had called this conference to which the gentleman refers if he permitted the construction to go forward under this bill?

Mr. BUTLER. Yes; to cease building under those circumstances?

Mr. GREEN of Iowa. It would put him into a position of proposing to cease construction which he can not do now. That is where it would place him with the support of Congress, just exactly where he ought to be and where I think he would wish to be.

Mr. KELLEY of Michigan. What would be his answer to those who say, "Why go ahead with these ships"?

Mr. GREEN of Iowa. Such a treaty, when made, would be the law of the land and it would supersede this law.

Mr. KELLEY of Michigan. The gentleman is arguing that there would be no suspension?

Mr. GREEN of Iowa. No; I am not arguing anything of the kind. Gentlemen anticipate, of course, and I anticipate, of course, that this convention would last for some time. There would be no suspension unless an agreement was made.

Now, I can not yield further, even to my distinguished friend from Michigan. I want to comment upon some of the remarks which he made. The gentleman told you a few days ago that there would be some expense in stopping work on the *Massachusetts*, which is the least advanced of all these ships. What the gentleman meant was that work on it had progressed the least of all the battleships. Some of the battle cruisers and even some of the battleships are not much more advanced than 1 per cent of construction. I doubt whether they have in general made anything more than the mere plans. The keels have not been laid. I see no reason why we should stop these ships if the appropriations were reduced. Gentlemen say the expense that will result from stopping these plans will be greater than the expense we would incur if we proceeded with them. What profits have they provided for in these contracts that gentlemen think will cause so much damage if they are canceled? Gentlemen can not, of course, mean that. They talk as though contracts have been made in advance of the appropriations. Have they been? If they have, the officials of the department have exceeded their powers under the law and they have done something that they had no right to do. Here are these battle cruisers, upon which almost nothing has been done, less by far than was done on the three battleships of England corresponding with the *Hood* when England took them from the ways and scrapped them entirely, and nobody ever heard of any great loss resulting, beyond the loss of the material, when those vessels were scrapped. That was the situation with reference to this matter.

We might very well, as I think, have reduced this appropriation very much further. But I can not tell, and I doubt if any gentleman can tell, at just what point we must stop, except as provided by this amendment, which has been offered by the gentleman from Illinois [Mr. BROOKS] and which I think ought to be adopted. As it stands at present, we talk about disarmament, but when it comes to taking any action leading to disarmament we do nothing, and to reject this amendment is notice upon the other nations that we will refuse to do anything.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The gentleman from Pennsylvania [Mr. DEWALT] is recognized.

Mr. DEWALT. Mr. Chairman, I rise in opposition to this amendment, and will as briefly as possible state my reasons therefor. I believe the amendment to be unwise, because if it be a limitation upon the expenditure of this money, then the expenditure thereof is entirely dependent upon the action of the Executive. It remains with him to determine whether or not he will call this conference, and if he chooses not to call this conference, then the money is not to be expended.

That, in my judgment, is not the part of wisdom. Either this money should be appropriated and expended, or such portion thereof as may be necessary, or it should not be appropriated at all. But in no event should the appropriation be dependent on the Executive authority of the Government.

In the next place, if it be a direction to the President of the United States to call the conference, then clearly it is legislation and has no right in this bill. Therefore upon these two grounds, stated as succinctly as I can state them, without further argument I am against this amendment.

But, now, let us see further as to the wisdom of this appropriation. I was informed by the chairman of the Committee on Naval Affairs a few moments ago that in order to complete the program of 1916 there would be required an expenditure of over $340,000,000, and possibly reaching the sum of $360,000,000. When I first came to this House I heard of "little Navy men" and then again I heard of "big Navy men." What I would like to hear of now, and what I hope we all are, is patriotic Navy men. I believe implicitly that some one must take the lead in this idea of disarmament. I believe that America should be first; first not only in war, as some people have declared that it should be, but first in the movement for peace. [Applause.] This proposition of going toward the establishment either of a conference—or a disarmament conference, if you please—is a step in the right direction.

Mr. DOWELL. Mr. Chairman, will the gentleman yield for a question?

Mr. DEWALT. I will.

Mr. DOWELL. Does not the gentleman believe, if this amendment is adopted, that America will take the lead?

Mr. DEWALT. That, again, is problematical. I do not believe that the adoption of this amendment would affect the matter one way or the other. I do believe, however, that the objection I have made to it with regard to the resting of authority on that proposition entirely with the Executive by reason of the disposition of this sum of money is entirely sound, not only from the tactical standpoint but from the legal and legislative standpoint.

Mr. CARAWAY. Will the gentleman yield?

Mr. DEWALT. Certainly.

Mr. CARAWAY. If it will not affect the proposition one way or the other it can do not harm, can it?

Mr. DEWALT. It may do no harm, except that, in my judgment, it establishes a wrongful precedent, and wrong precedents always do harm.

Now, coming back again to what I was endeavoring to say, it has been estimated that this World War cost a total sum of $348,000,000,000, not alone in the expenditure of money but in the loss of productive power throughout the world. We know that it cost us $23,000,000,000. We know that it cost us 86,000 lives. We know that it cost us 250,000 wounded men; and it seems to me that the Congress of the United States, in tending toward peace, in tending toward that great precept that we learned at our mothers' knees, "Peace on earth, good will to men," should say that now is the time for America to declare that we will take the lead in this direction. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEWALT. I ask unanimous consent for five minutes more.

The CHAIRMAN. The Chair will state that the time has been fixed.

Mr. FISH. Mr. Chairman and gentlemen of the committee, I rise in favor of the amendment. The reduction of armament is the greatest issue not only in the United States of America but in the whole world. The people of this country and of the world desire peace and a reduction of armaments, and we have now an opportunity to vote in favor of calling a conference to consider the whole question of limiting armaments. I believe that I speak the viewpont of all those soldiers who went over on the other side when I say that the paramount issue is the reduction of the armaments of the world, both military and naval, and we can not take a better step in the right direction than by passing this amendment and putting the stamp of our approval on the proposition. This whole question is a practical one and not an academic one. If the President elect calls into conference the best minds of the world, the representatives of the great nations of the world, they can get together around a table and come to an agreement to reduce the armaments of the world. Consider for a minute the position in which we now are. Our Navy is two and one-half times that of Japan. Our proposed building program is two and a half times that of Japan; our Navy is slightly smaller than that of England; and at that conference England, owing us some $4,000,000,000, we can say to Great Britain, "We will disarm proportionately, and that proportion will be ton for ton and ship for ship and man for man with yours." We can pay off a part of that debt, if necessary, to make up for the existing differential, where England now has a few more ships than ours.

It can do not harm to pass this amendment and give the President elect the opportunity which this country wants, which the whole country wants, to bring about a conference on this question immediately. So far as the Military Establishment is concerned, it would be an equally easy matter to agree on a plan of limitation. The gentlemen on that side of the House talk about a League of Nations.

The people by a majority of 7,000,000 votes have decided against the League of Nations, against surrendering the sovereignty of this country to a supergovernment, but the people are unanimous on the question of disarmament. The people would vote unanimously for proportional reduction of the navies of the world. If I had my way and could write a league of nations, I would write it in one paragraph, and provide that no army in the world shall be more than 200,000 men with enlistment not less than two years, that there shall not be more than a certain amount of munitions of war produced by any country and none by private concerns, and that there shall be an impartial investigating commission to see that these limitations are enforced. The same plan could be agreed upon for the navies of the world. We can limit the navies; we can limit the size of the ships and the size of the guns.

Mr. BRITTEN. Will the gentleman yield?

Mr. GARRETT. Will the gentleman yield?

Mr. FISH. I have not the time.

The CHAIRMAN. The gentleman declines to yield.

Mr. FISH. We can bring about a large reduction of armaments, both of the naval and military establishments, quickly and without difficulty if the principal representatives of the great powers are simply asked to come here to the United States and consider the question, as they all have the same objective in view.

I hope the amendment will prevail. [Applause.]

Mr. BLANTON. Mr. Chairman, the business of manufacturing war munitions is not the only interest that prevents this Nation from making a start toward disarmament. If steel found its market only in a merchant marine, which means a constructive program, if it found its market only in the sale of steel rails for railroads, which means also a constructive peace-time program, the steel industry could not declare the big dividends that it annually returns to its stockholders. So it must continue to impose upon the country a war-time program of destructiveness. We found this exemplified in the Army bill and we are finding it exemplified in this Navy bill. Our good friends over on this side of the aisle as their only excuse for continuing this $900,000,000 naval program say that since the armistice six new keels have been laid for battle cruisers. I want to call attention to the fact that my good Republican friends across the aisle have been in power in this House since April 19, 1919, nearly two whole years. You have had a majority of 47 Members in this House for nearly two whole years. You came into power on April 19, 1919, with the promise and the pledge of giving the country a constructive program leading to disarmament, a peace-time program. There is no excuse for the fact that since April, 1919, six new keels have been laid. Why did you not do something during these two years to stop the laying of those keels? If you had done even that, this expenditure of $90,000,000 in this bill for new construction would not be necessary.

I want to say right now that if, as contended by distinguished members of this committee, we could have saved $20,000,000 by waiting from last year to this, and could save $15,000,000 by waiting from this year until next for construction, why could we not have saved that whole $35,000,000 by putting it off until next year? But it is your appropriation bills that you have brought in here during the last two years that have caused this big $900,000,000 naval program to continue.

The only chance on earth to stop it is to proceed along the line of this amendment. You have got to make a beginning at some time. I believe if our country would take the lead, if it had the courage to take the lead, and would begin the disarmament, as was said here on the floor the other day, the public sentiment of the peoples of the other nations of the world would compel other nations to follow our example. I believe we ought to take that stand. We ought to show the country that we are willing to disarm. I come from a country where men used to carry a .45 in their hip pocket all the time, but they do not do it now. They have learned better; they have learned that when they had the .45's they were sure to get into trouble sometime when they went out among their fellowmen. If you want to keep out of trouble, keep the arms off. We have got to come to disarmament some time, and I hope we will take the first step by adopting the amendment offered by the gentleman from Illinois [Mr. BROOKS].

Mr. HICKS. Mr. Chairman, when Gen. Bliss, the soldier, the statesman, and the scholar, appeared before our Naval Affairs Committee a week or so ago, in reference to the matter of reduction or curtailing of armaments, he made this significant statement: He said if this question was submitted to the peoples of the world under a free plebiscite there would be an overwhelming verdict in favor of the curtailment of armament. I believe Gen. Bliss was correct. I am in hearty sympathy with any movement which will look toward the reduction of the armed forces of the earth, and a lessening of the burden of taxation caused by preparation for war. I think there can be no question in the minds of civilization that the time has come when the world should make every effort to bring about some understanding among the nations on this vital subject. I welcome the dawn of that day when the disputes between nations may be settled by some other means rather than the arbitrament of arms, distant through that day may be. I believe America stands predominant to-day among the nations which should take the lead in this forward step of reduction of military forces. We are the greatest to-day in resources and in man power, and we occupy the position of being free from the jealousies of Old World feuds and disputes. Thus the nations would know that our lead was not for selfish purposes or actuated by sinister motives. We are in an enviable position, and I believe the time has come when we should make the effort, but I do not believe, Mr. Chairman, in tying the hands of the incoming President by inserting this provision in the naval bill. I am willing to trust Senator Harding. He is a man of vision. He is a man imbued with noble ideals. He has the highest conception of the obligations of humanity in its sweep onward to loftier planes. I believe his hands should be free to act when and where he sees fit to bring about this conference. I do not believe in attaching a world movement to an appropriation bill and making such a subject dependent upon Executive action in relation to a supply measure. For these reasons I am opposed to the amendment offered by the gentleman from Illinois. [Applause.]

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, it is a matter for congratulation to me and my party to see how tenaciously the Republican Party clings to legislative enactments of the Democratic Party. [Laughter.] This

building program, Democratic in origin, has become sacred—I take it, not so much for the real merits of the legislation as from the source from which it came.

But, honestly, if we do believe in a limitation of armament, I am curious to know what logic impels one to say that he wants a limitation of armament and yet vote to continue the building of battleships. If you are to have a limitation of armament as the result of international agreement and you have the battleships, the limitation will decree that you shall dispose of them, and your money is gone. You would be infinitely better off to suspend the building program until it is known definitely whether the world is going to agree with you about the limitation of armament.

But I know as well as I know that I stand here, that any man in this House who pretends to be doubtful of the result of an international agreement is either trying to deceive himself or to deceive other Members of the House, and possibly both. There is not a nation on this earth now that can afford to reject a plan for the limitation of armament. We all know that. There are but two or three countries on earth which are not bankrupt now. All the leading nations, nearly, are so heavily indebted to us that if we should demand the payment of the money we loaned them we could curtail their building program, and you know it. We know that England wants an agreement to limit armament; we know that Japan has said that she wants an agreement to limit armament. I know that if Japan is not honest about it she could be compelled to assent to it because of the peculiar situation of Japan. She is not in a position to withstand pressure from the other great nations on earth—being absolutely unable to feed her population she is bound to accept, and I think would be glad to accept the limitation of armament.

It looks to me like criminal folly—it is more than that, it is a crime—whenever there is an opportunity offered a nation to engage with other nations of the world in a conference with a view to limit armament, and thus lift from the backs of the taxpayers of the world some of the burdens under which they are staggering—it is a crime to reject any proposition that might lead to the limitation of armament, the reduction of preparation to murder.

My good friend from Pennsylvania, for whom I have great respect [Mr. DEWALT], said a moment ago that this amendment would do neither good nor harm. If he believes that he ought not to take up the time of the House in debating it. If it has no possibility either of good or evil no man ought to take up the time of the House to discuss it. My friend from Illinois, who fears that war may arise between the 4th of March and the 30th of June, and that this amendment might cripple the country in making preparation to wage this war, expressed but little confidence in the incoming administration. God bless you, everybody—no; I will take that back—but nearly everybody knows that through lack of thought on the part of the voters last November the Republican Party will come into absolute control of every branch of the Government on the 4th of March.

If this amendment hinders or delays this Government in getting ready for any emergency you have the President, and you will have the House here by such a big majority that you will have to count them every morning to see that you have not lost some of them, and God be praised if you lose all of them. [Laughter.] You have the Senate, and you can repeal this amendment if it is hindering, crippling, or delaying this country in getting ready to meet a great emergency. You have said that you want to have international disarmament. If you really mean it, why hesitate to vote for an amendment which simply says that until the President of these United States shall call an international conference no part of the appropriation shall be available for a continuation of the building program. That is all it says. He can call that conference on the 4th of March, and every dollar of this appropriation will be available immediately, although you can not expend it until the 1st of July, 1921. By voting for it we will not only say to the other nations of the earth, but to the incoming President of the United States, that we are in favor of international disarmament. You people denounce the outgoing President for wanting to absorb and assert all of the rights, both executive and legislative, and all we do by this amendment is to advise the incoming administration that the American Congress is in favor of international disarmament. That we believe right and justice can and should rule the world.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. DENISON. Mr. Chairman, I did not mean by the question I propounded to one of the gentlemen awhile ago that I thought a cause of war would arise before the 1st of July, for, of course, I do not, and I do not think the gentleman from Arkansas understood me to mean that.

Mr. CARAWAY. Then what did the gentleman mean, if he meant anything?

Mr. DENISON. I think I can explain it to the gentleman.

Mr. CARAWAY. It needs explanation.

Mr. DENISON. I said that I could conceive of the international situation becoming such before the 1st of July that it would not be prudent or wise for our President to call such a conference, and I think so now. Nearly all of the remarks that have been made upon this amendment have been on the ultimate question of the wisdom or desirability of disarmament. I think there is no great deal of difference of opinion among the Members of the House or among the statesmen of the world with respect to the desirability of disarmament. That is not the question that is involved in this amendment. A very different question is involved.

I think we all practically agree upon that question. I think the gentleman from Kentucky [Mr. BARKLEY] and the gentleman from Texas [Mr. CONNALLY] expressed the sentiment of nearly all of us, that we all want to see the time come soon when nations will stop expending their treasure for increasing armament. The question, however, that this amendment presents is whether or not, when we are making a naval appropriation which the Appropriations Committee has found to be necessary as a matter of economy and as a matter of prudence, the House shall attach to it a ridiculous limitation. I say, if we approve this amendment and impose this limitation upon the President of our country under present world conditions we will be making ourselves ridiculous. If we want to pass a resolution expressing the sentiment of the House of Representatives upon this subject of disarmament, if we want to put it even in the form of a suggestion or a request to our President that he call such an international conference, let us go about it in the regular way and pass such a resolution. In that form I would gladly vote for it. But let us not impose the necessity upon the President of doing so, regardless of his judgment as to the propriety or the manner that he should follow in calling such a conference. Let us go ahead now and complete the expenditures that are necessary in our naval program. If we should be so unwise as to pass this amendment and it should become a law, the world would know when the President called the conference that he was simply calling it as a matter of necessity and not because he was seriously in favor of such a proceeding.

Mr. TINCHER. But the world would not have any question in respect to the American Congress being seriously in favor of it. [Applause.]

Mr. DENISON. The gentleman from Kansas knows that the American Congress can let its views be known by a proper proceeding for that purpose rather than by a limitation on an appropriation bill.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes; certainly I yield to my friend from Texas.

Mr. CONNALLY. Does the gentleman mean to say that the President is not in sympathy with disarmament?

Mr. DENISON. I think he is in sympathy with it.

Mr. CONNALLY. Why does the gentleman say that the nations of the world would assume that he was calling it because he had to and did not mean it?

Mr. DENISON. Because by this action we will have clearly undertaken to make him do it. The matter of calling an international disarmament conference is a matter of foreign policy. I think the President ought to be left to his own discretion as to the time and manner of calling such a conference as well as the purposes for which it is called.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. OLIVER. Mr. Chairman, I feel that the membership of the House are perhaps not very familiar with hearings which the House Naval Committee have had on this question, and I can but feel, in the light of such hearings, that it would be improper to pass this amendment. The House committee has had extended hearings on this subject, and are informed through such hearings that practically the unanimous sentiment of our people favors an international conference looking to a limitation of armaments. The chairman of the House Naval Affairs Committee, whom every Member on both sides of the aisle respects, went to Ohio and interviewed the President elect in reference to this and other matters, and on his return announced to our committee, and to the press as well, that the President elect was in hearty sympathy with such public sentiment as disclosed by the committee's hearings, and further

stated that it was the intention of the President elect to call an international conference of this kind at an early date after March 4.

Mr. CARAWAY. If that is the view of the incoming President, he certainly would not object to finding Congress in hearty sympathy with him.

Mr. OLIVER. The answer to that is this, that it would be indeed a lack of faith shown by Congress as to the sincerity of the President if we should undertake now to say that we will make this appropriation dependent on the President elect keeping faith with his public announcement. I have confidence in the statement which the President made to the chairman of the Naval Affairs Committee, and which he has since made to the country through the press. Certainly it does not comport with propriety at this time for any Member of the House to question the sincerity of the President in that respect.

Mr. LAYTON. Of course, there is no man in the House who is going to do that; but I want to propound this query: Does the gentleman not think that some sort of expression from this great body that represents the entire American people would strengthen the hand of our President and give notice to the whole world that we believe in it? [Applause.]

Mr. OLIVER. The sentiment of the country is unquestionably in favor of an international conference. I think every Member of this Congress is in favor of such a conference. We have taken what I believe to be proper steps to ascertain such fact, and the chairman of the House Naval Committee interviewed the President elect in order to secure his views. Now, since he has been so frank as to announce his views, I wonder why this House feels called upon to seemingly compel him to do what he has announced are his purposes and desires. I think, from another viewpoint, you will recognize the impropriety of the amendment. You favor a limitation of armament, and yet you here in this amendment undertake to appropriate $90,000,000 to build a great Navy, yet hold up the expenditure of the sum only until a conference is called to consider the question of disarmament, and when such conference is called the $90,000,000 is immediately available.

Mr. BUTLER. And then go to building.

Mr. OLIVER. Yes; then at once resume building, if you please.

Mr. LAYTON. I think that is a defect in the resolution.

Mr. OLIVER. Certainly it is inconsistent in itself. If you are not in favor of appropriating $90,000,000 to continue the construction of a program ordered in 1916, have the courage to say so; but do not undertake, when the President has already announced his intention, to seek, if you please to pose as the lone friends of disarmament, and yet when the President calls the conference then make available at once the $90,000,000 to build up a Navy. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUTLER. Mr. Chairman, I do not believe any Member of this House can more earnestly hope for the adoption of a disarmament plan than I do. I have spent a quarter of a century helping to build up this great military force, and I want in my last days to see the safety period reached when at least a part of it can be taken down. With this longing desire within me, I would not embarrass the next President of the United States by trying to impose a condition upon him without even a consultation with him and surely not in advance of his inauguration. It has been said by my esteemed colleague from Alabama that I made the statement some time ago that a conference of the nations of the world would be called, the purpose of which would be to seek disarmament in part. No reasonable man living can expect total disarmament, and in my judgment it would be undesirable. Let us strive for those things attainable. The difficulty with this resolution, in my judgment, is well stated by the gentleman from Alabama. He and I usually see alike on subjects submitted to us for consideration; therefore he can have no objection to my indorsement of his statement. We provide by the proposed amendment for the suspension of construction before the conference is summoned and then immediately resume the construction when the summons is issued. Think of the spectacle presented here. Invite the nations to assemble for peaceful purposes and send with the invitation a notice that their representatives will find us engaged loading our guns when they arrive. In short, begin the loading after the peace conference is summoned. I can not vote for this bill with such an amendment added to it.

Let me say this now and here. I am not the keeper of the secret of any man. No man has commissioned me to speak for him, but notwithstanding this, I have the hope within me—indeed, it is not a hope, but a conviction—that before the next harvest time in Pennsylvania, or the next cotton picking in the South, this conference demanded by thinking civilization will be in session somewhere, the purpose of which, in part, will be to reduce and fix world armaments. Where is there a man who will not agree with me in the statement that of all things to be desired this is the most desirable? [Applause.] If the resolution of the gentleman from Illinois, which is now upon the calendar, should be brought up in this House, I am willing to vote for it, but I am not willing, as I said in advance, to say to the people of the world, "We will cease building while we are not talking, but immediately resume with the beginning of friendly conversation," and then hold up before their eyes $90,000,000 especially provided. That does not seem to me to be the right and sensible sort of thing to do. I do not know how they will ever——

Mr. UPSHAW rose.

Mr. BUTLER. The gentleman knows I desire to yield, but I can not. The only time that real opportunity for armament limitation has been given since Christ was upon the earth is about to appear because of our impoverished condition. We are too poor to make war and sustain armaments for that purpose alone. As long as men have both vanity and fattened pocketbooks they can afford to gratify the latter, but when they grow poor their vanity will at least be concealed. These great armaments that constantly threaten the peace of the world ought to be reduced to a size where they will furnish the needs of the State alone. We have learned, as the gentleman from Alabama has said, about their cost, and there can be no doubt that the people of the world demand that these should be reduced, and no monarch or ruler can stand against it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLIVER. Mr. Chairman, I ask unanimous consent that the gentleman be allowed five minutes and that it be not taken out of the hour and a half.

The CHAIRMAN. The Chair has recognized the gentleman from Mississippi [Mr. SISSON]. Will the gentleman from Mississippi yield for that purpose?

Mr. SISSON. I will yield if it does not come out of my time.

The CHAIRMAN. It will not be taken out of the gentleman's time. He will be recognized. The gentleman from Alabama asks unanimous consent that the gentleman from Pennsylvania may proceed for five additional minutes notwithstanding the previous order fixing debate and such time to be in addition to the time fixed in that order. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. BUTLER. Mr. Chairman, I very greatly appreciate this special privilege secured for me by my reliable friend. Perhaps in the first line you will permit me to say that one reason why the desire for peaceful solution is so strong within me grows out of the expressed religious views of my ancestors upon the settlement of differences by the application of force. I would live to see the time when the nations can find some other method by which they can settle their differences, and this because it is right. Another great war within the present generation and civilization will likely fall and nations never again respect their obligations. Men would no longer remain obedient, and every man would become a law unto himself.

I feel with great confidence that this will not be the only proposal the nations will be asked to consider, and therefore I have doubt whether this amendment, if adopted, would confine the President of the United States to one proposal alone in order to make these appropriations effective. I do believe, and, indeed, I feel that I know, that this will not be the only proposal that will be made, but that the nations will be asked to assemble for several purposes, and that this will be one of them. When the invitation shall be issued and the proposals contained and the place of meeting, I do not know, but the amendment provides that this assemblage shall be within the United States. Suppose the President of the United States should be unable to secure the meeting in the United States, what will be the effect of the amendment upon the appropriation? Do not let us take a step backward; do not let us look back. Never mind what was the thought of the people at the last election. There were various reasons that controlled and influenced them. This may have been one of them, but it has been in the minds of all men and all thinking people that the time to make a successful attempt is at hand, and we should never for one minute or one hour lessen our attempt or impose conditions which might endanger success.

Now, my friends, I recall when President Wilson telegraphed us from abroad that he wanted 10 battleships added to the annual naval bill. I doubted the wisdom of it, but he was President and he was striving for peace, and I would not dare in any way to jeopardize his success. So I sank my own views upon the necessity for the request and voted to give the Presi-

dent his own way. Are you willing to do as much here? Are you willing, as the gentleman from Alabama [Mr. OLIVER] has so well said, to force or tie his hand with an embarrassing condition? Do not do it, my friends. Let it be with the Executive the same as we did two years ago.

No; do not take the exclusive authority from the President. Let him have the undertaking his own way. Let him be responsible for the time and place of the convention and for the different subjects which the delegates will be called to discuss, but do not, my friends, I beg of you, tie a President's willing hands with this condition which is bound to be offensive to a nation willing to live in peace with its neighbors. I repeat, that I will cheerfully vote for the resolution of the gentleman from Illinois [Mr. BROOKS], reported by the Committee on Foreign Affairs, but am unwilling to vote for the amendment which he proposes here. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SISSON. Mr. Chairman and gentlemen, in my judgment you are not getting anywhere toward peace or disarmament by this sort of a resolution. You simply tie up this particular appropriation. I do not think it is even a mere speck on the sky.

Personally I believe in disarmament; personally I believe that war is the most savage thing that civilized men can engage in. I not only believe that, but I believe the most cruel thing that human beings can do is to go into the slaughtering business. I do not believe that war settles things right. It is usually not on the side of right, but on the side of might and, as Napoleon said, with the biggest guns and the most guns.

I do not believe you are going to bring about peace in the world until you take profit out of war making. As long as men can make great fortunes in the preparation for war there is going to be around the capitals of the world these men who endeavor to get up all sorts of schemes to justify appropriations for big war measures. They play one nation against another. They played us against Japan at one time until that played out, and then they played us against Germany. And so it goes on. Why? Because there are many millions of dollars of profit in war, and while I do not believe in many of David Starr Jordan's expressions about war, I believe that he told the truth when he said the way to stop war is to take the profit out of making war materials, out of the manufacture of steel plates, and out of the manufacture of guns and munitions. As long as these profits go to people and furnish millions of men with employment, just so long you are going to have desires for war or for preparations for war.

It has been said that there have been more millionaires created within the last few years, since this last war commenced, than were created during the entire time since the Civil War and up to the World War. Whether that is true or not I do not know; but I believe that this is a very puny way of endeavoring to get at it. In the first place, the President ought to veto such a bill as this. He ought to say, "I am not going to be limited in my judgment of international affairs; I am vested by the Constitution with the power of negotiating treaties, untrammeled either by the House or the Senate." In my judgment, we are trespassing upon all the prerogatives of the President. And I want to tell you that I am one of the few people who are afraid of trespassing upon the prerogatives of the Executive, not only that we may preserve the executive branch, but the legislative branch as well.

And I will say this of the present President of the United States and of the future President of the United States—I did not elect the latter or help to elect him—that they will endeavor to comply with the constitutional provision. When the President does that I do not want that constitutional prerogative of his interfered with in the least to begin to negotiate treaties in any manner in which he may see fit. If this was a resolution that got anywhere, I would not hesitate for one minute to vote for it, but if you put one limitation on one item in one appropriation bill for the purpose of affecting the President's prerogative, the chances are you will get the bill vetoed by the present President of the United States. Of course, I do not know that he will veto it, but the chances are that he will. Another chance will be that it will not go through the Senate. So you are not getting anywhere by putting it in the bill. Nor do I believe that this is the right way to get at it, and for that reason I shall vote against it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. Mr. Chairman and gentlemen of the committee, I hope and long for the time when the nations of the world can agree to some sort of a disarmament program. The substance of the amendment which has just been offered, and which is now under discussion, came up before the Committee on Foreign Affairs, of which I am a member; hearings were conducted thereon, and the resolution embodying those ideas of the gentleman from Illinois [Mr. BROOKS] was favorably reported out of that committee without a dissenting vote, as I recall it. But it is one thing to be in favor of a plan providing for a conference for a joint disarmament as a separate and distinct proposition, and it is another thing to have such a plan attached as a proviso or rider to an item in an appropriation act.

The bill under discussion here appropriates several millions of dollars going toward the completion of a naval program commenced in the year 1916. The question to me is: Are we for or against a gradual completion of the 1916 naval program? In my judgment we should complete that program until there is some plan or method devised whereby joint disarmament can be agreed upon by the nations.

We are asked by the amendment of the gentleman from Illinois [Mr. BROOKS] to insert a limitation providing that no part of this money shall be used until the President of the United States shall have called a conference of the nations, to be held in America, for the purpose of discussing disarmament. This limitation is an intimation that the President elect is not in sympathy with the disarmament program, that he does not intend to follow out the authorization that was conferred upon the President of the United States as far back as August, 1916. This is not the fact. On the other hand, the contrary is true.

The incoming administration is confronted with monumental problems. The President elect will need the support of all. He has shown every willingness to receive the ideas of every citizen regardless of party in an endeavor to solve both foreign and domestic questions. Disarmament is only one of several methods in an attempt to prevent war and to maintain peace. The incoming President has announced himself in favor of the principle of joint disarmament. I have confidence in his desire to call such a conference unless something now unforeseen would make it inadvisable and against our best interests to do so.

I am not willing to tie his hands. I am not willing to force him to adopt this plan regardless of future conditions at the penalty of being deprived of the $90,000,000 necessary to go ahead with our 1916 naval program.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Minnesota yields back two minutes. The gentleman from South Carolina [Mr. BYRNES] is recognized.

Mr. BYRNES of South Carolina. Mr. Chairman, I think it would be exceedingly unwise to adopt this amendment. Gentlemen have called attention to the fact that if, in pursuance of this amendment, the President should call a conference, immediately upon the conference assembling in the city of Washington we would then proceed with the construction of these ships. Now, the other side to the proposition is equally objectionable to me. If he does not call the conference, then we will need the ships, and under this amendment we will be unable to complete the construction of the ships authorized by this 1916 program.

Now, what would be the result if the President of the United States did not call this conference before July 1? Some shipyards in this country at this time are engaged almost exclusively in the construction of battleships authorized under this program. The suspension of this program even for a few weeks would cause claims for damages running up into millions of dollars before we got through against the Government of the United States.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Certainly.

Mr. PADGETT. Admiral Taylor, the Chief of the Bureau of Construction, was asked the question, "What would be the loss or damage if they held up two of the battleships that were least advanced?" And he said, "Not less than $10,000,000 each, and perhaps on the second one $11,000,000." That is $21,000,000 on 2 battleships alone, and this problem involves 10 battleships, 6 battle cruisers, 10 scout cruisers, and other vessels.

Mr. BYRNES of South Carolina. That is undoubtedly true. One gentleman stated a while ago he would not oppose an expression of opinion. This is not an expression of opinion. It is wielding a big stick over the head of the next President. He is told that he must do certain things or else the responsibility will be upon him of scrapping the Navy. I am not willing to have Congress adopt this attitude toward the President elect, and I am not willing to give him that authority, in case he does not call this conference, to scrap the Navy.

Another thing, the President elect has not stated, as I am informed, that he is opposed to entering the League of Nations on terms or reservations satisfactory to his party. This reso-

lution, if passed, would scrap the League of Nations so far as the President is concerned. It would demand that the President summon the nations of the earth to Washington in conference only on the subject of disarmament. I want to leave it to the President of the United States to decide, when he is inaugurated on March 4, whether he will advocate entering the League of Nations or endeavor to bring about a new association of nations for the accomplishment of the same purpose, the peace of the world. President Wilson has had the authority to invite the nations into a conference for disarmament and has not done so, because he provided for disarmament in the treaty of Versailles.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. I regret I can not yield.

I do not want to see the President usurp the powers of the legislative branch of our Government, and I do not want this legislative department of the Government to usurp the powers of the Executive, even before he is inaugurated in office.

Mr. CONNALLY. Is the gentleman aware of the fact that there is a law which prohibits the President calling an international conference unless it is first authorized by law?

Mr. BYRNES of South Carolina. I heard gentlemen argue that this was a limitation and did not authorize the President to call a conference, and they contended that he already had the necessary authority.

Mr. CONNALLY. He has authority to call this kind of a conference, or would have, if this were adopted; but there is a statute on the books prohibiting the President from calling any international conference except where it is specifically authorized, so that this is the only kind of a conference that he can call, and the gentleman is opposed to his calling it?

Mr. BYRNES of South Carolina. No. What I want to see the President of the United States do is to enter the League of Nations. It is the only proposition that has been made that makes a forward step toward the peaceable settlement of disputes between nations. This amendment would declare that the Congress is opposed to his entering the League of Nations and wants him to call a conference of the nations at Washington for the purpose of considering one question, which is only one of the many questions involved in the League of Nations. I want him to be free to advocate that this Nation enter the League of Nations, which is the only forward step that has been taken to bring about peace on earth. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. FESS. Mr. Chairman, waiving aside for the moment the wisdom of doing the thing that the proponent of the amendment has in mind, I think it would be very unfortunate to adopt the amendment under the circumstances. Whether it is a direction in language to the President or not, technically speaking, nobody can question but that in reality it is. The language is "until the President shall have invited the Governments of all nations to send delegates," and so forth. That is a direction. It may not be so technically, but it is so in reality. And, secondly, it is going to confuse the President, because this conference must be a conference to which an invitation is to be extended to all nations.

There is no qualification. It is not limited. It says all the nations of the earth, which means the assembling of all the nations in a convention, whether they have any ability in armament or not, whether they have even considered it or not in any conference. The language here is that no money can be used until the President has called in conference all the nations of the earth. Now, I do not think this Congress has any such idea in mind at all. It would certainly saddle upon the President an obligation that might defeat the very purpose we have in mind. And, gentlemen of the committee, it would certainly be an indiscreet thing, within two weeks of the time when the President elect is to assume the Executive authority of the Nation, for this Congress, in the dying days of its session, to write such a limitation of authority upon the President of the United States, and to say that we do not propose to expend any money for the completion of any program unless he does what we say he must do, without having ever consulted him about what his purpose is and what his idea of reaching disarmament may be.

Mr. SUMMERS of Washington. Will the gentleman yield.

Mr. FESS. I am sorry I can not. My time is too short. I can not imagine that this Congress, under these circumstances, only two weeks before its expiration, will write such a limitation upon the authority of the President.

Secondly, gentlemen of the committee, assuming that we all want the same result—I want to be counted in the group who want to see disarmament—but assuming that we are all agreed as to the end we want to reach here, this is assuming that we must take only one means, and that is to forbid the use of any money to finish this program until the President has acted. If we do that, then I ask the membership of this committee, What is our strategic position in the world to demand disarmament if we want to demand it?

The old Quaker said, "Keep your powder dry," and if we want to reach disarmament we had better keep the leverage now within our hands to command disarmament. The way to do that is not to say to the world, "We are waiting for you to say what you shall do, and then we will see what we will do." We propose still to regard human nature as human nature has been; and while human nature is as it now is, we propose still to be ready. Only five years ago, as my friend the gentleman from Texas [Mr. EAGLE] suggested a moment ago, we were all crying for preparedness and damning everybody because we had not prepared. Now, to-day, with the country as it is now, with the nations of the world as they now are, we are assuming again, just as we did five years ago, that human nature has changed and that, whatever happened in the past, we can now afford to go to sleep and live in a fool's paradise. If we are going to make a move to disarm, let us wait until the power that will take the authority two weeks from now is heard, and then this Congress can proceed to act in accordance. [Applause.]

The CHAIRMAN. The Chair thinks the committee is entitled to know that the time thus far has been consumed mostly by those opposed to the amendment and that a number of Members who have indicated their desire to speak upon the amendment have not informed the Chair upon which side of the question they intend to speak. There is only one gentleman on the list who has indicated to the Chair that he desires time to speak in favor of the amendment. That is the gentleman from Ohio [Mr. BEGG]. If he is present and desires recognition, the Chair will recognize him. If not, the Chair will recognize the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Chairman and gentlemen of the committee, in my view of the present world situation there never was and there never can be a better time to carry out the policy of disarmament than at the present moment. The people not only of our own Nation but of all the nations of the earth are now bending under tax burdens. To keep up the program of armament in the nations of the earth means additional tax burdens. Personally I want to see the day come when we can discontinue the building of these great armaments in our own country. But one trouble in the equation is this: That when you seek to cut down your Military Establishment, or when you seek to cut down the building of these armaments, you find springing up in various sections of the Nation all kinds of agitation, propaganda of every kind, that goes into the press of the Nation and seeks to control the public thought suggesting that some war is imminent. Selfish interests usually give birth to these publications. They do it for private gain. They are munition makers, gun manufacturers, steel interests, and explosive manufacturers.

As an illustration of the point I am making, there is now pending before this body one of the fundamental pieces of legislation that ought to be enacted into law for the purpose of protecting the live-stock interests of this country and the consuming public of this country—I refer to the packer bill. Yet propaganda has sprung up thick and fast over the heads of Members of this Congress in order to forestall and prevent the consideration of that important piece of legislation that is now on the calendar of the House. Among that propaganda is a letter recently addressed to Members of Congress by the Chamber of Commerce of the United State of America with its headquarters in the Mills Building in this city. They have communicated with the chambers of commerce all over this Nation, and you and I are getting telegrams from members of those chambers of commerce who know nothing about the attitude or the merits of this bill. Where does this letter from this Chamber of Commerce of the United States obtain its inspiration? I see the last name on the letterhead is Thomas E. Wilson, one of the five big packers of the Nation. He dominates this chamber of commerce, and I say this chamber of commerce is wiring other chambers of commerce, in order that you and I may have the kick back, in order that this important piece of legislation now pending here, that can be enacted into law in 24 hours, may have its consideration prevented, and in order to forestall this House in providing a parliamentary status that enables you and me to vote for this measure.

Who is Mr. Wilson? He is at the head of Institute of Meat Packers located in this city, spending its millions of money in literature and publications that go throughout the length and breadth of this Nation. Packer propoganda pure and simple. Those millions are extracted from the live-stock producers on the one hand and from the consuming public on the other hand.

It is for this reason and many others that I have joined in reporting out this legislation, and it is for this reason among other compelling ones that I am appealing to the responsible majority to give us a parliamentary status so that we may vote upon this bill. I have appealed in vain to the gentleman from Wyoming [Mr. MONDELL], the majority leader. His record is made. He will do nothing to help bring about packer legislation. I now appeal to the last source of power in this House, and that is the gentleman from Kansas [Mr. CAMPBELL], the chairman of the great Rules Committee, who comes from a great stock-raising State, with every member of his delegation committed to vote for this bill. I appeal to the gentleman to respond to the wishes of his constituency, the people of his State and the members of his delegation. Give us that rule, and I pledge the country that you will have legislation within 24 hours. The burden is on the gentleman from Kansas [Mr. CAMPBELL]. What will be his answer to his constituency and the country? [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MONDELL. Mr. Chairman, there is a right way and a wrong way to do things. Some of the most meritorious causes that the world has known have been lost by reason of the unwise action of the friends of those causes. No man on earth hopes more ardently than I do for the day when armaments may be limited—they will never be abolished—but they may and should be limited. I will go as far as any living man to aid in securing an agreement for limiting armaments.

More than that, I will follow any man in an effort to reduce our own appropriations so far as it is possible to reduce them with safety, even before we secure such an agreement. In a very few days we are to have a new administration, and the incoming Chief Magistrate has told us, both publicly and privately, that it is his will and purpose to do all that can properly be done to secure an agreement among the nations of the world not only for the reduction of military and naval establishments, but for the peaceful adjustment of all questions arising among nations.

We do not know just what it may seem wise to do in getting the nations of the world around a council table to consider not only this question, but other important questions as well. And if we hope and expect a wise decision and a settlement not only of this question but of other great questions, it is our duty to leave the new Chief Executive soon to take his seat free to advise and suggest such arrangements as in his good judgment will bring these things to pass. Should he hesitate, should he delay, the Congress will be in session and it can then, not in a moment without consideration in the way of a limitation on an appropriation bill, but by carefully considered legislation call upon the Chief Executive to invite the nations into council for this most excellent purpose.

Mr. LUCE. Will the gentleman yield?

Mr. MONDELL. If I have the time.

Mr. LUCE. Will the gentleman inform us whether it is his expectation that this House before it adjourns will have any other opportunity to express its views on this most important question?

Mr. MONDELL. I do not know as to that, but I will say to the gentleman that I do not think it highly important that this House pass on the matter, because the President has authority to do this very thing now. For reasons which he thinks wise, sufficient, and proper he has not called a conference for this particular purpose. He has the authority to do it. The new President is favorable to the reduction of armament. We believe that he will early in his administration take steps to bring the nations together for this and other useful and helpful purposes. If he does not, Congress will be in session and there will be enough time to act, after careful consideration and not hastily in an amendment on an appropriation bill.

Mr. MOORE of Virginia rose.

The CHAIRMAN. Is the gentleman in favor of the amendment?

Mr. MOORE of Virginia. I expect to favor it.

The CHAIRMAN. The Chair will recognize the gentleman from Virginia.

Mr. MOORE of Virginia. Mr. Chairman, although I expect to vote for the amendment, I am not particularly concerned about it. I do think, however, that the debate has shown pretty clearly that we are attempting to do something, when we undertake to pass this particular appropriation bill, that we might well refrain from trying to do now. Gentlemen have spoken of the embarrassment that may be occasioned by attaching this amendment to the pending bill. But there can be no embarrassment by postponing the consideration of the bill. I, for one, very much hope the rumor that the bill will not pass at this session may be verified. There is to be no expenditure until July 1, and action can be deliberately taken at the extra session. I shall vote against the passage of the bill because of my belief that it is being now prematurely considered. The gentleman from Wyoming [Mr. MONDELL] some time ago announced to the House and the country that it was his policy to "clear the deck" of all appropriation matters at this session. In my opinion he made a mistake. It seems to me he ought not to press for naval appropriations until the deck is otherwise cleared. In a very short time, as he reminds us, the President elect is to be inaugurated. I can not doubt that on the 4th of March the country will receive an announcement from the President elect which will serve in a way to clear the deck. It is inconceivable to me that there should not be such an announcement, not only with respect to disarmament but with respect to the independence of the Philippines, which I discussed a short time ago as bearing on the possibility of war, and with respect to a much more important matter, and that is the entrance into or the creation of an association of nations, which, after all, is the only method of accomplishing the purpose we all profess to have in view.

The question of world peace is the overwhelmingly important question. It is a question the President elect and Congress must deal with. If we are to save the world, including the United States, from being only free in a limited sense to carry on normal activities and more than half enslaved by fear of war and the burdens of war, the question of world peace is of infinitely more consequence than the question of tax revision or the tariff question or than any other question.

I would like to see Army and Navy appropriations delayed until we shall have from the statesman elected by an enormous vote of the American people such an announcement as will blaze the way for an earnest and successful effort to do something that will really afford a genuine promise of peace in the future and a guaranty against the threat and burdens of militarism. [Applause.]

It is idle to talk of a disarmament agreement as alone effective; it is idle to talk of an international court as the only thing desirable, although it is very desirable; it is idle to talk of solving the problem by gathering the nations together periodically in mere conference. The only expedient that is going to solve the problem——

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The Chair would state that the time for debate is fixed.

Mr. MANN of Illinois. Mr. Chairman, how much time remains?

The CHAIRMAN. Ten minutes.

Mr. MANN of Illinois. I desire only two minutes. Mr. Chairman, I very greatly regret that I can not vote for the pending amendment. This appropriation bill, or the appropriations in it, take effect and become available on July 1 next. At that time the new President will have been in office nearly four months. The pending amendment provides that no part of the sum for naval construction shall be available for expenditure until the President has called an international conference. If he acts according to what we believe he will do, he will call the international conference, if authorized, before the 1st of July; but, in any event, as soon as the conference is called the appropriation becomes available and it becomes the duty of the officials of the Government to go ahead with the expenditure of the money under the contracts now in force; and we would present a pretty spectacle to the world in holding up the appropriation until the conference is called, and then, when they come here, have them find that we were building a navy as fast as we could. I believe the Republican side of the House can afford to trust to the integrity of purpose of the President elect, and I appeal to the generosity of the Democratic side of the House to give the President the opportunity before the 1st of July to keep faith with the country. [Applause.]

Mr. KELLEY of Michigan. Mr. Chairman, the situation has been so well stated by a number of gentlemen and has been summed up so ably by the distinguished gentleman from Illinois [Mr. MANN] who has just taken his seat that I am satisfied that the committee is ready to take a vote, and I ask for a vote at this time.

Mr. UPSHAW. Mr. Chairman, will the gentleman yield for a friendly question?

Mr. KELLEY of Michigan. Yes.

Mr. UPSHAW. Many of us here who are passionately in favor of disarmament and who are almost afraid to vote against this amendment lest some would misunderstand our position,

and who are anxious not to trample upon any legislative amenities, and likewise anxious to assert our faith in the President elect of the United States, would like to see our way clear before we vote. Therefore will the gentleman from Michigan be kind enough to tell us whether we will have an opportunity between now and the end of the present Congress to declare how we feel on this question? We are anxious to stand by you, but we are more anxious to let the world know that we are in favor of disarmament.

Mr. KELLEY of Michigan. Mr. Chairman, of course I am speaking here to-day simply as the representative of the Committee on Appropriations. I know that my distinguished friend from Georgia understands that I have not the authority to say whether a resolution upon the general subject of disarmament could be considered in the House during the next two weeks or not. That, of course, is beyond any authority that I might have in the premises. I shall conclude the debate, however, by saying that disarmament, or at least a reduction of armament, is something that lies very close to the hearts of the people of this country and probably of the entire world. [Applause.] I do not believe that there ever will be disarmament, but there will be reduction of armament. When a convention is called for the purpose of reducing armament one of the stumbling blocks in the way of success may be the fact that some one great nation with a predominance of sea power may be loath to let go of such an advantage. In my judgment, speaking plainly, the question of reduction of armament will be settled largely by the attitude of Great Britain and the United States toward each other. There is no reason why Great Britain and America should not always be friends [applause], and they will be more likely to remain friends if they go down the lanes of the future together as equals on the sea. [Applause.]

In my opinion, whenever America and Great Britain agree to an equality on the sea the long hoped for day of reducing armaments will be at hand. The finishing of this program will advance the cause of disarmament by making the two great English-speaking peoples of the world equals on the sea. On the basis of equality an agreement for the reduction of armament should not be long delayed. Such a consummation would make the incoming administration the benefactor not only of America but of all mankind. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired.

Mr. BROOKS of Illinois. Mr. Chairman, I offer the following substitute for the amendment which I offered awhile ago.

The CHAIRMAN. The gentleman from Illinois offers an amendment in the nature of a substitute, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Illinois as a substitute for the pending amendment: "That the President be, and he is hereby, authorized and empowered, at his discretion, to invite the Governments of all nations to send accredited delegates to an international convention, to be held in the United States, to consider ways and means of bringing about joint disarmament."

Mr. MADDEN. Mr. Chairman, I make the point of order against the substitute.

The CHAIRMAN. The gentleman will state the point of order.

Mr. MADDEN. It is not a limitation and it is legislation on an appropriation bill.

Mr. KELLEY of Michigan. It directs the President to do something.

Mr. MADDEN. It directs the President to do something that is not provided for in the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 30, noes 124.

So the amendment was rejected.

Mr. DICKINSON of Iowa. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 42, line 21, after the word "expended," strike out "$53,000,000" and insert in lieu thereof "$33,000,000."

Page 43, line 3, after the word "expended," strike out "$33,000,000" and insert in lieu thereof "$13,000,000."

Mr. KELLEY of Michigan. Mr. Chairman, I ask for a vote.

Mr. FISH. Mr. Chairman, I would like to be heard on the amendment.

The CHAIRMAN. The gentleman from New York.

Mr. FISH. Mr. Chairman and gentlemen of the committee, I favored the last amendment because I truly believed that the stamp of approval of this House would have furthered the calling of a conference or convention of delegates of the world powers to consider ways and means to reduce armaments. I am opposed to the amendment just offered, because I believe that we should appropriate all the money required to complete our naval program, if it is $90,000,000 or $190,000,000, in order to uphold the hands of the President elect when he demands of these delegates that we shall have proportional disarmament. He can use that as a lever; he can use that as a pawn and say to the rest of the world, "The world is poor, very, very poor, and we are poor also, but we are richer than any nation in the world, and we are ready, if the rest of the world is going to arm, to have the biggest Navy, not simply a Navy equal to that of Great Britain, but the biggest Navy in the world and the biggest Army in the world—we are ready if we are forced to do so—to have universal military conscription in this country," as much as I am opposed to it. We should not reduce the amount provided in this bill, but if necessary increase it, so that the President at this conference can say, "Unless you agree to the demands of the American Nation we are ready to go ahead and have the biggest armament of you all." [Applause.]

Mr. MANN of Illinois. Mr. Chairman, I want to add to the gayety of nations. [Laughter.] Mr. Chairman, there has been what appears to me considerable bluffing going on recently in regard to the possibilities of a warship being destroyed by a bomb from an airplane. I notice that on one side it is claimed that an airplane fleet can absolutely destroy a navy, and the Navy responds with the statement that it is impossible to hit a battleship in motion with a bomb from an airplane. Now, the proof of the pudding is in the eating, and I want to see it tried.

Mr. BUTLER. So do I.

Mr. MANN of Illinois. I want the bluff to stop and the practice to commence. Will the Navy furnish the battleship? Oh, they say they will, but will they, and give the Army a chance to destroy it. [Applause.]

Mr. BUTLER. May I say to the gentleman that we have the assurance that one will be furnished?

Mr. MANN of Illinois. Oh, I have heard the bluff. I want to know whether they will do it, not to have a naval airplane try to hit it and miss it, but to put the Army on the qui vive. What a great test it will be with the Navy striving its best to see that the ship can not be hit and the Army striving its best to see if it can hit the ship. There is a battle worthy of your steel. I hope the bluff will stop and that we will use some of these old battleships to demonstrate the possibilities, because I believe, having always been an air man myself [laughter], that the day of the battleship is soon to pass, and that no navy or army can stand against a country which possesses the control of the air. [Applause.]

Mr. OLIVER. Will the gentleman yield?

Mr. MANN of Illinois. I do.

Mr. OLIVER. The gentleman has not correctly stated the position of the Navy.

Mr. MANN of Illinois. No; I have not stated the position of the Navy. I think they are bluffing.

Mr. OLIVER. The gentleman undertook to say that the Navy claims that no airship with a bomb could strike a battleship. No such claim has ever been made.

Mr. MANN of Illinois. They have made the claim in the newspapers, that is all I know of it, with authoritative statements coming from authorized officials in the Navy, and naval officers have told me personally the same thing, that bombs could not hit a moving battleship when fired from an airplane. I do not know whether they can or not.

Mr. FISH. Will the gentleman yield for a question?

Mr. MANN of Illinois. I am not one of those who would want to be on the battleship.

Mr. FISH. Will the gentleman yield for a question?

Mr. MANN of Illinois. Certainly.

Mr. FISH. Is it not a fact that during the war Ensign Richard Cutler got a bomb on a German submarine and put that submarine out of action before——

Mr. MANN of Illinois. I do not know whether it was or not. It might have been an accident, but what I want to know is whether they can do it as a matter of war and as a matter of planning, because they might accidently hit one of these battleships. Therefore I would like to see them use more than one of these old ships. They might hit the first one, but I would want to see whether they can hit the second one and thus use up some of these old, worthless ships that ought to be put to the bottom of the sea now. Let us not have bluffing, let us try it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRITTEN. Mr. Chairman, I desire to oppose the amendment. I do not think that there is the slightest question of a doubt about the desire of the peoples of the world for disarma-

ment, but I think there is considerable doubt about just how the disarmament scheme is to be made effective, and just who, if anyone, is to predominate in military affairs, either on the seas or the land after the disarmament commission has settled its work. My impression is that the people of America to-day are opposed to disarmament or to a naval holiday of any kind that will at any time to come put America in a second-class position on the high seas. I do not think the American people want that, irrespective of the high taxation in effect to-day.

Suppose the insidious propaganda that is now coming almost exclusively from London, via Paris, Tokyo, and other international centers, brings about or makes effective a naval holiday, what would the result be? It would mean, gentlemen, that for all time to come we would be a secondary power on the high seas—second to Great Britain.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BRITTEN. No. I know the gentleman's views, and I have only five minutes.

And for all time to come nothing could ever put us in a first-class position with England. And I for one am not ready to place the reliance of my country upon the British Navy and the British Government to the extent that we should sacrifice our future prospects of peace. One might just as well suggest that you can give up your life-insurance policy because you are in good health to-day, or cancel your fire-insurance policy because there has not been a fire in your neighborhood for 50 or 100 years. I do not think the American public, notwithstanding its desire for disarmament is in unison on the naval holiday scheme that will make us perpetually second to England.

Gentlemen on the floor of the House, before we got into the war, know that it was necessary for us to go to the British ambassador here in Washington in order to get a permit to ship this stand here, or anything else, to South America in an American bottom from New York, because of the coal-bunker system of the British all over the world. They controlled shipping, and no ship left the port of New York, or Philadelphia, or New Orleans, or San Francisco, unless it agreed to abide by the decision of the British Government that everything going into that ship must be viséd by the British ambassador here in Washington. You know that condition existed. They positively controlled our business all over the world, but they did it as a friendly power.

That condition would not have prevailed if we had had a Navy equal to England. And I for one am going to insist as long as I can, when the time for disarmament or a naval holiday occurs, that our Navy shall be as great as any other on earth. One might suggest that Great Britain is 3,000 miles away, and why not allow Great Britain, with its great merchant marine, to be the predominant power on the seas? My reply is, why not go further and let us be a third-class power? That Japan does not want anything in America, so let our Navy retrograde below that of Japan, and so along down the line until we reach the level of China, not to a second or third-class Navy, but to a fifth-class position?

Mr. Chairman, a few days ago the Senate Committee on Naval Affairs unanimously rejected a Senate resolution which would promote a cessation of shipbuilding activity during which time a naval "holiday" or naval disarmament might receive the serious attention of the world's great powers.

At the same time, London dispatches to American papers indicate that Sir Auckland Geddes, the British ambassador to America, is on his way to America with proposals for a conference of the nations with a view to partial disarmament in the near future.

The suggestion of a naval holiday has been so insistently put forth by Great Britain that it now bears all the ear-marks of official propaganda. This is easily understood. There is no human way for the British Navy to retain the supremacy of the sea without this naval holiday. It will insure to England permanent leadership of the seas.

Mr. Chairman, it has always been argued that England has been the bulwark of peace because of her power upon the seas. Now that England occupies a secondary financial condition in the world and we are the greatest Nation on earth, it is but natural that the supremacy of the seas should fall to us, and as our foreign policy has always been the opposite to England's in the matter of conquest of territory and colonial possessions, America's superiority on the seas would prove even a more substantial guarantee of a world peace than has heretofore prevailed. The repeated suggestion coming from England that a naval holiday ensue and that America and England forego for a period of years their shipbuilding construction plans is entirely one sided in the interest of England, because she has no battleship-construction program and has not laid down a first-class fighting ship keel for two years, has none in contemplation, and the suggestion of a naval holiday coming from her at this time is farcical rather than sincere.

It is this same naval holiday suggestion that was made by England to Germany prior to the World War and which Germany ridiculed and rejected because its sole intention was to sustain British sea power at the expense of any prospective rival.

Mr. Chairman, I thoroughly appreciate the necessity of economy in every governmental direction, but to hold up the 1916 naval construction program already 96 per cent contracted for and in part due us from European countries on loans made during the war, if England were to suggest to the American people that our greatest life insurance policy be canceled, it would come with as good grace as this one-sided naval holiday proposition.

Mr. Chairman, one might as well suggest to the country that because of the general demand for economy we allow our life insurance policies to lapse and fire insurance policies on our homes to be canceled and that we refrain from all other expenditures for the protection of our property. I do not think that the American people will receive kindly this lopsided, deceptive scheme which is proposed solely in the interest of England, and it is my intention to leave nothing undone, so far as I am personally concerned, in order to finish our authorized battleship program which will by January 1, 1924, give us a total tonnage of first-line fighting ships of 1,118,000 tons as against the British first-line fighting ships of 984,000 tons. With this in mind I introduced the following resolution in the House of Representatives on January 6:

Joint resolution confirming the action of past Congresses for the establishment of an American Navy capable of affording the greatest measure of protection to American commerce, American life, and American principles, and to maintain our national independence within our own control.

Whereas men prominent in official life of Great Britain and Japan, who apparently speak authoritatively, have been quoted in recent news dispatches as desirous of promoting an agreement or a treaty between those two countries and the United States Government whereby a so-called naval holiday shall prevail for a number of years, during which time there shall be a partial cessation in the warship building programs of the several aforesaid countries, in the interest of economy and international good will; and

Whereas there are now building under various stages of completion in the private and Government shipbuilding yards of the United States, by authority of Congress, 11 dreadnaughts, 6 battle cruisers, 10 scout cruisers, 11 miscellaneous ships, 45 destroyers, and 47 submarines, the final completion of which will make the American Navy second to none on earth; and

Whereas as 96 per cent of all tonnage authorized in present building program has been completed, or is under contract for completion, the permanent abatement of work on any of these big ships would result in wasteful salvage and costly settlements with hundreds of contractors and subcontractors, which would unquestionably prove extravagant, unwise, unbusinesslike, and certainly not economical; and

Whereas it is generally known that England has no naval building program nor is she building any first-line ships, so that any suggestions coming from London and Tokyo for a "naval holiday" are not primarily in the interest of economy and good will among nations, but solely in the interest of perpetuating British dominance on the high seas; and

Whereas the fact that Great Britain and Japan are bound by a secret offensive and defensive treaty which probably calls for the tremendous military expansion in aviation on the part of Great Britain, while Japan proceeds in the building of warships at a rate far in excess of anything heretofore undertaken by that country, the two naval activities combined with the navies of these two countries, making an almost invincible sea power: Therefore be it

Resolved, etc., That the United States is unwilling to commit its economic and political independence to the fetters of an international treaty materially limiting naval armaments, thereby involving its freedom of action in ways and for objects not at present discernible, and that all warship construction authorized to date, be completed in the shortest practicable time commensurate with the Nation's desire for economy and sound business practice in the private and Government shipbuilding yards.

Mr. Chairman, our Naval Intelligence has brought forth figures to show that we have 33 battleships and battle cruisers built and building while Great Britain has 35 of the same character. When we complete the program of 1916, authorized merely to give us a naval strength commensurate with our position in international affairs, we shall have an advantage of 8,638 tons per ship over the British. In main batteries we shall have 340 guns to 314 for them. Our guns will average 14½ inches in caliber as compared to 13⅝ inches for theirs. In a broadside we shall hurl 548,400 pounds, as against 452,000 pounds. In the secondary battery our guns will number 494 to Britain's 526; but ours have 5.4 inches caliber while theirs have 4.9 inches. We are to have 322 destroyers to 350 for Britain; but ours are to be superior in speed and more up to date. In submarines we are to be equal—150 apiece—and in this field American ingenuity is to throw the weight on our side.

Our ships being more modern, larger, of heavier armor and armament, with superior muzzle velocity, and assuming the personnel aboard to be equal, we would have a net fighting superiority of from 31 to 50 per cent.

These figures have been noted on the floor of the House of Parliament, and are most distressing to British statesmen and those who have taken great pride in British sea power of the past.

Mr. Chairman, it is being suggested that our naval personnel may be reduced from the present 143,000 to 100,000 for the next fiscal year, and this reduction might be even more disastrous to our aspirations on the high seas than a reduction in ships. After all, our greatest fighting machines are nothing more nor less than cold steel, and their value must depend on a highly efficient personnel, and not on a reserve force that might be hastily gathered from shops, offices, delivery wagons, and so forth. Without a highly trained personnel the figures I have quoted above concerning the relative strength of our Navy and the British Navy mean nothing. I do not see how our Navy, which is constantly expanding, can hope to get along successfully with less than the number of men authorized last year, and I believe that 143,000 is the minimum number that should be provided for during the coming fiscal year; and even this number will make it necessary to lay up in reserve more than one-half of our new destroyers and many other fighting craft of excellent character.

I hope to see the time when our entire Navy may employ extensive war maneuvers once a year, and this can only be accomplished by an adequate permanent and reserve personnel.

Mr. SISSON. Mr. Chairman, I want to very heartily indorse what the gentleman from Illinois [Mr. MANN] said about opportunity being given to the Air Service to make good the statement which they have so repeatedly made, not only before our committee but in the press, that an airship can successfully destroy and put out of business a battleship with one bomb. Now, if that is true, a battleship becomes virtually a useless implement of war, and yet it is by all odds the most expensive to build, most expensive in the use of raw material, and most expensive in the consumption of man power to manage. A bombing plane can be made for $30,000 to $40,000. A battleship or a battleship cruiser costs from thirty to forty or fifty millions of dollars. It requires over three years to construct one. As the gentleman from Illinois [Mr. MANN] suggests, if the Navy is absolutely certain as to their position; if the Secretary of the Navy is certain that his position that the most important factor in the Navy is the battleship, they certainly ought to be willing to take some of these ships which they are ready to scrap and give Gen. Mitchell and these aircraft people the opportunity to destroy them. And they say that they will demonstrate it to the satisfaction of Congress and to the satisfaction of the experts. They say, "If we can not do it we will then close the case and say no more about it."

Mr. ROSE. Is it possible to stage a battle like that in time of peace as it is likely to occur in time of war?

Mr. SISSON. They think so. I am like the gentleman from Illinois, in that I have so much confidence in it that I would like to see it tried. They said in answer to the question, "Is it extremely dangerous to get down close enough to a battleships to place a bomb where it can be effective?" "Yes; but a soldier who is not willing to take chances ought not be in the service."

Mr. BEE. I understood the gentleman from Illinois to say, if they dropped these bombs on a moving ship. Now, I am serious, like the gentleman from Pennsylvania, and I would like to know who is going to man that ship while they are practicing on it.

Mr. SISSON. I am willing for them to work that out themselves. As I understand, they do not propose to drop a bomb of sufficient destructive power to put the ship out of business. They take a dummy, and the dummy is exactly like and has exactly the same weight as the other shell. Therefore, they drop the dummy on the ship with the ship at full speed. And, by the way, they do not want to know the direction the ship is to take.

Mr. OLIVER. Why not demonstrate that cavalry is of no use and that infantry is of no use, by letting the airplanes attack them when they are unprotected by airplanes? The Navy claims its ships will be protected by airplanes.

Mr. SISSON. That is entirely a new question. On the contrary, we must defend our battleships, of course, with airships. That is absolutely true. But if it means that the nation that gets the supremacy of the air can then destroy the Navy, your Navy will be useless, and they will admit that, and the experts will admit it.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment.

Mr. MONDELL. Mr. Chairman, I have some sympathy with the amendment offered by the gentleman from Iowa [Mr. DICKINSON]. I wish it were possible to reduce this appropriation, or these appropriations, as he suggests, by $40,000,000, and still meet our contract obligations and keep the work on our fleet program going in an economic and economical manner. But I do not believe that would be possible. The gentlemen of the appropriating committee, and particularly of the subcommittee, will bear witness to the fact that I conferred earnestly with them, and went into some detail with them, as to the facts of the situation with regard to this program. I very much hoped the sum total for the building program might be $10,000,000 or $15,000,000 less than it is.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. MONDELL. I yield.

Mr. DOWELL. If disarmament is soon agreed upon, would it not be possible to withhold this $40,000,000 for the present, and yet not disturb the building program to any great extent?

Mr. MONDELL. Well, I think that if we get an agreement as to reduction of armament, it might be possible to slacken up a bit on construction; but I have some doubts about that. Starting in with the idea that it might be possible to eliminate some of the larger ships of our program, I have rather arrived at the conclusion expressed by the chairman of the subcommittee [Mr. KELLEY of Michigan], that it is somewhat doubtful whether that can be done; it is possible we have proceeded to the point where, reduction of armament or no reduction of armament, we can not wisely suspend operations on the program now under way. At any rate, I doubt if we can proceed in a reasonably businesslike way with the program for much less than the committee has provided.

But I do not want to make this suggestion, and, Mr. Chairman, I rose particularly to make this suggestion, that this is quite enough. If the committee has fallen into any error at all—and I do not want to say that they have—it has been in being quite liberal, and I hope the House will remember that when the bill comes back from another body, if the amount should be increased. Now, let me say to my friend from Virginia——

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask that I may have three minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. MONDELL. I can not agree with my friend from Virginia [Mr. MOORE] as to the wisdom and propriety of allowing some of the appropriation bills to fail. I think it is of the utmost importance that they should all pass. I received a telegram from the President elect this morning, expressing the hope that Congress would be able to dispose of its appropriation program.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. In a moment. Much would be lost if we did not pass them, and nothing would be gained.

Mr. BARKLEY. I was wondering if there was any more urgency now in the necessity of securing the passage of all the appropriations than there was two years ago, when a number of them failed?

Mr. MONDELL. There is, because we are now passing from one administration into another. I think all of the bills ought to have been passed then. But at that time we were in the midst of an administration. Then the estimates which had been submitted could be resubmitted. Now we are passing from one administration to another. The new administration would feel the necessity of preparing and submitting entirely new estimates, which it might take months to prepare.

This $90,000,000 is enough; it is quite sufficient, I am satisfied. I believe the chairman of the subcommittee and all the members of the subcommittee believe that it is enough to carry on as rapidly as we ought to carry on our building program; and while I hope that the amendment offered by the gentleman from Iowa will not prevail, because I think that would reduce the amount available improperly, I hope that we shall all be steadfast in not agreeing to a larger sum should it be increased when the bill shall have been returned from another body. [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has again expired. The gentleman from Tennessee [Mr. PADGETT] is recognized.

Mr. PADGETT. Mr. Chairman, the question of the sufficiency of the appropriation for the new construction depends upon the policy to be pursued. The $90,000,000 that is carried in the bill for new construction will slow down the construction for two years if it is continued at that rate, whereas if the amount is increased it would complete it in two years. The original idea

was that it would be completed by 1923. At the rate of $90,000,000 that is carried in the bill it will be continued until 1925. Contracts have been made for the delivery of materials, and the contractors have the right to expect the payment of the money according to the contracts, and it is very probable that the contractors will submit damages against the Government for the failure of the Government to meet its obligations according to contracts that were authorized under the former directions of the Congress.

Mr. VENABLE. Mr. Chairman and gentlemen, my study of the question as a member of the Committee on Naval Affairs, without going into the number of considerations that dictated it, prompts me to entertain the belief that the wise course is to proceed with the 1916 program of naval construction, and I am one of those who most heartily and earnestly desire a scrapping, if possible, of all the navies of the world and the establishment of an accord between the nations by which these tremendous burdens of armament can be lifted from the shoulders of the world. If the world is not going to adopt some rule by which the principles of right and justice can be substituted for force, then perforce the nations of the world must retain the instrumentalities and instruments of an arbitrament by force, and however much we may shrink, there is nothing for the United States to do, in my judgment, if that method is adhered to, but to have the best assortment of the instruments of force that it is possible to get.

I hope sincerely—I pray—that some method will be worked out by which this bankrupting policy of competitive armaments can be done away with. It is up to that side and that party to devise a method. We offered the country one which we thought was adequate. It was rejected. Whatever may be done in the future, I think as a matter of practical statecraft and business the wisest thing is to complete the 1916 program, even though we have a reasonable assurance that in the future some plan will be worked out to effect disarmament.

Now, I do not believe that the battleship is rendered obsolete by the inventions of aerial warfare. With every new invention in offensive warfare the argument comes that the old instrumentalities have been rendered obsolete. And yet uniformly in the past we found, and we still find, taking the history of the development of our defensive and offensive methods, that every time a new weapon of great power is found it renders obsolete the types of defensive weapons that we heretofore used, but we always find, too, that in these battles between offensive and defensive weapons the inventors engaged in devising new defensive methods always find a way to counter and check, and so we have a constant battle between the offensive and the defensive. Now, when the submarine torpedo was invented it was predicted that the battleship was obsolete and no longer useful. The submarine torpedo did work radical changes and it made radical changes necessary. It had to be met, and it was met in two ways—first, by inventing an offensive weapon to attack it and destroy it; and, in the second place, by improved defensive methods to lessen the damage in case the battleship was struck by a torpedo; in other words, a change in the design of battleships.

The same thing would doubtless follow from the invention of aerial fighting and bombing. We will have to devise offensive weapons suitable to attack the air forces of an enemy. No doubt also it is to work radical changes in the design of our battleships, just as the submarine torpedo did heretofore. But it does not follow at all that because the type of battleship is to be changed, because its structure is to be changed, it is going to do away completely with the battleship class and render it obsolete. Let us take up the argument that the battleship is rendered obsolete and push it to its conclusion.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. VENABLE. May I have five minutes additional?

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. VENABLE. Let us push that argument to its logical conclusion. Certainly, if the battleship is rendered obsolete by the aerial bomb, then other surface craft are also rendered obsolete for the same reason, and if we are going to do away with the battleship altogether, the logic is that we will have to do away with all other surface craft. The result is that you reduce fighting between nations simply to an air warfare. In the first place, no nation could permit this to stand, for the reason that air warfare never would be decisive. From the very nature of the thing the forces engaged must be of such a character and such size and the damage done so great and so serious as to be more or less decisive of the control of the surface of the sea. Otherwise nations might fight for a million years, simply building aircraft at home and sending them out to fight the air fleets of other nations, and when they were destroyed build new ones, and the thing could go on indefinitely. From the very nature of things the nations would eventually be driven to bringing such masses of men and metal together that the battle when it took place would be decisive one way or the other, if they were going to put an end to the war or to the campaign.

Now, I am fully persuaded that aerial warfare and the developments of aviation are to produce most radical changes in the type, structure, and design of our battleships and other surface craft——

Mr. LUCE. Will the gentleman yield?

Mr. VENABLE. I will yield in a moment. Let me complete this statement. That being true, these vessels being so costly, the wise thing to do is to be liberal in appropriations for experimentations with aerial warfare, so that at the earliest possible moment we will know the possibilities of it, and know the changes in design which it makes necessary, and what offensive weapons against it are demanded, so that we can conform the construction of our battleships and other surface craft design to meet the needs of this new type of warfare. Otherwise, while we are saving a few millions by a close-fisted policy in appropriations for aviation we are possibly throwing away hundreds of millions of dollars, because if we go on building ships without the necessary knowledge of what they will have to meet with reference to aerial warfare we will wake up some morning after investing hundreds of millions of dollars in battleships and find that they have been made second-class and second-line fighting ships because they have not been built to meet the requirements of the new methods of fighting. Now I yield to the gentleman from Massachusetts.

Mr. LUCE. In the very admirable and helpful statement of the gentleman he has reached just the point of difficulty in my own mind. Will he illuminate the question further by telling me what, if any, changes in the 1916 program have already been decided upon as a result of the situation that he has laid before us so lucidly?

Mr. VENABLE. I am frank to say to the gentleman that I have not. I have no information other than a general statement from Admiral Taylor, Chief of the Bureau of Construction and Repair, that they would endeavor to embody the lessons of the late war in the designs of these vessels.

Mr. LUCE. Is it possible to alter the plans of ships already under contract?

Mr. VENABLE. Oh, I think so. They can strengthen them in many ways—in the thickness of the armor, in the inclination of the vessels——

Mr. BUTLER. In the protective decks.

Mr. VENABLE. In the protective decks. There are a number of things in which those ships can be changed, up to the time, I suppose, that the structure is actually made. But, aside from that, I am of the opinion that we ought to go on with the 1916 program and with the contracts that have been let, even though the lessons to be learned from experimentations and experience in aerial fighting have not yet been digested, learned, or discovered. I think also that if we are to negotiate with other nations——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOODYKOONTZ. Mr. Chairman and gentlemen of the House, I seek this opportunity not to make a speech on the subject under consideration, but simply to offer one or two suggestions that have come to mind.

We have already passed the Army appropriation bill, carrying $415,000,000. This appropriation bill for the Navy carries $395,000,000. The total appropriations for these two departments, leaving out of view the very many millions that we appropriated in the deficiency bills, amount to $810,000,000. There are 48 States in the Union, and this means an appropriation of $17,000,000 for the Army and Navy for only one year applied to each State in the Union. This vast sum of $810,000,000 would build eight great paved public highways from the Atlantic to the Pacific Ocean. [Applause.] The question arises in my mind, when are we going to end this sort of business? Are we going to keep it up until we finally break down the American taxpayers and destroy them in their effort to earn a livelihood? It seems to me that the committee that has had these measures in charge ought in some way to have been able to bring in bills here carrying a less maximum than that carried by the two bills which have been put up to this House for passage.

As a protest, I am going to vote against the bill, not that I am opposed to a strong Navy, but for the reason that I believe we ought to call a halt and give the taxpayer time to get his breath. [Applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa [Mr. DOWELL].

The question being taken, the amendment was rejected.

Mr. OLIVER. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OLIVER: Page 43, line 5, after the figures "$90,000,000," insert: "*Provided*, That no part of this appropriation can be expended except on vessels now being constructed or heretofore contracted for."

Mr. KELLEY of Michigan. I have no objection to the amendment offered by the gentleman from Alabama.

Mr. HASTINGS. Mr. Chairman, I want to offer an amendment to the amendment. Strike out the words "or heretofore contracted for."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. HASTINGS to the amendment: Strike out the words "or heretofore contracted for."

Mr. HASTINGS. Let me ask a question of the gentleman from Alabama. I understood from this discussion earlier in the day that he was in favor of a limitation so that no money would be used except for vessels under actual construction—for instance, where the keel has been laid. I want to ask him or the chairman of the committee whether or not there are any vessels contracted for where the keel has not been laid and no work done upon them?

Mr. OLIVER. The bill of 1916 authorized the construction of 157 vessels. There are 6 submarines, 12 destroyers, and 1 transport for which no contract has been let. The purpose of the amendment is to provide that no money shall be expended on vessels heretofore authorized and not yet contracted for. The reason why I put in the words "now being constructed" was to cover the case of those being built in private yards as well as those being constructed in navy yards.

Mr. HASTINGS. All of those contracted for?

Mr. OLIVER. Yes. Millions of dollars have been expended thereon.

Mr. HASTINGS. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to withdraw his amendment. Is there objection?

Mr. LINTHICUM. Reserving the right to object, if construction work is begun on all of the vessels authorized, why did the gentleman insert the words "heretofore contracted for"?

Mr. OLIVER. There are some vessels where no contract has been let.

Mr. LINTHICUM. And they are under construction?

Mr. OLIVER. No; the gentleman did not catch my reply. There are some vessels not technically contracted for upon which contract work has been begun. There are about 12 vessels that have not been contracted for and this would prevent any money being expended on them, although they are authorized.

Mr. LINTHICUM. Mr. Chairman, I withdraw my objection.

The CHAIRMAN. The gentleman from Maryland withdraws his objection, and without objection the gentleman from Oklahoma withdraws his amendment.

There was no objection.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and that no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase or acquirement of any article or articles that, at the time of the proposed acquirement, can be manufactured or produced in each or any of the Government navy yards of the United States, when time and facilities permit, for a sum less than it can be purchased or acquired otherwise.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph down to and including the word "plant," line 22, on page 43.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. BLANTON moves to strike out the paragraph on page 43, beginning on line 10, down to and including the word "plant" on line 22.

Mr. BLANTON. Mr. Chairman, I know that the House is not going to strike this provision out, but I want to put the House on record in regard to it, because this paragraph absolutely prevents the Navy from requiring efficient A No. 1 first-class service from its employees.

There was such a clause put in the Army bill which likewise will prevent the Army or the War Department from requiring first-class, efficient, A No. 1 service of its employees. These employees do not want surveillance, they do not want some Government superintendent to check them up and see that they do the work properly. They want to do just as they please; they want to work when they want to work and they do not want us to say how they shall do the work, either this way or that way. They have demanded you shall put this clause in the bill, and some of my friends criticized me the other day because I tried to strike it out of the Army bill.

Whenever you try to stop somebody from doing something they are determined on doing they are going to criticize you, but that does not keep me from trying to stop it. There ought to be A No. 1 first-class efficiency in the Army employment and in the Navy employment. These employees do not want any card index. It is all right for them to have a card index over you, but they do not want you to have a card index over them. They seek to exert this power over every single man in this House and over every Senator at the other end of the Capitol. They criticize you when you do not do what they want you to do, and they will hound you to death if it is necessary to whip you into line. It is ridiculous the way we do. Your constituents laugh at you. Go to the business men of the country and ask them if they indorse you in exempting the employees of the Army and the Navy from surveillance, from proper efficiency regulations; ask the business men in your district if they indorse you for voting that way and they will laugh at you. You know that they do want efficiency regulations.

Now, why do we continue to vote this way? If, my good friends, you knew how good it was to feel independent and vote like you believe, to vote like you want to vote, if you knew what a great feeling of relief and consolation it is, you never would be satisfied with anything else. You want to try it once. Try how it feels to be independent with no strings tied to you; nobody standing over you with a whip telling you you have got to do so-and-so. They tried that on me when I first came here, but I have always voted the way I wanted to vote. I never got up and spoke one way and voted the other. Try it once and you will appreciate the feeling of voting as you really believe.

Mr. NOLAN. Mr. Chairman, I do not intend to take up the time of the House very long in opposing the amendment offered by the gentleman from Texas [Mr. BLANTON], but I rise simply to call attention to the fact that this is a matter that has been hashed over here annually for the past seven years. The gentleman seeks to strike out of the bill the so-called stop-watch paragraph. The House went on record the other day overwhelmingly in incorporating it in the Army appropriation bill, and I trust that the House will vote against the amendment just as unanimously as it expressed itself the other day.

Mr. TAGUE. Mr. Chairman, I move to strike out the last two words. I do not intend to take up the time of this House upon this amendment. The gentleman from Texas [Mr. BLANTON] has talked to-day in the same manner he talked the other day, when the Army appropriation bill was under discussion. I suggest to my good friend that before he offers any more amendments such as this, that he take an afternoon off and go down to the navy yard, get down among the common workmen of the yard, and see whether or not they are performing their duty. I think he wants to be fair, and I think that is a fair way for him to treat the men of the service, rather than to stand up here and criticize them.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. BLANTON. Mr. Franklin D. Roosevelt, Assistant Secretary of the Navy, testified before a committee that under such a regulation as this he had 65 per cent efficiency in those navy yards.

Mr. TAGUE. Oh, Mr. Franklin D. Roosevelt received his information secondhanded, just as the gentleman gets his, by sitting at a desk a long distance from the navy yard.

Mr. BARKLEY. And I do not understand that Mr. Roosevelt attributed that lack of efficiency to this particular law.

Mr. TAGUE. Not at all. There is an efficiency standard in the navy yards, and for the information of the gentleman let me say that every mechanic in the navy yards of the country has a standard set for him in the occupation in which he is employed. They must live up to the requirements of that standard as placed over them by the officers in authority. There

is no need of a stop watch over any man. A man who has to have a stop watch is not fit to work in any institution.

Mr. WINSLOW. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. WINSLOW. Is any workman who does his work up to that standard ever embarrassed by virtue of the presence of a stop watch?

Mr. TAGUE. The standard set by the stop watch, as attempted in the Watertown Arsenal, was such that very few of the workmen could live up to the standard, and the best mechanics in that institution were reduced in their rating and were discharged from employment. Later it developed that the men who were used to establish the standards were unable to keep up the pace themselves.

Mr. WINSLOW. Mr. Chairman, will the gentleman permit another question?

Mr. TAGUE. Certainly.

Mr. WINSLOW. Is not that the fault of the men who set the standard, rather than of the system of the stop watch?

Mr. TAGUE. It is always the men who set the standard, because they set a standard they can not live up to themselves. That is the reason the stop-watch system is not a success.

Mr. WINSLOW. For the purpose of illuminating this subject, I would ask the gentleman if he knows of any factories in his own State of Massachusetts which during the war could get help unless they ran under the piece and bonus system?

Mr. TAGUE. I do not know as to that. I have had very little to do with the employment of labor during the war. But I do know that on account of the shortage of labor that every employer of labor was looking for labor and offering almost any price if they would go into the factories and work.

Mr. WINSLOW. But you could get no labor by the day, and could get none unless you paid at a piece rate, with a bonus on top of that.

Mr. TAGUE. Mr. Chairman, I am opposed to placing in any department, on the head of honest workmen, any un-American, inhuman system that will interfere with any citizen earning an honest living. But that is not the thing I wanted to talk about.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TAGUE. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAGUE. I arose to call the attention of the Committee on Appropriations to something that I believe they should investigate at once. To-day in the great departments of the United States Government, in the navy yards, and in the arsenals there has been erected at great expense to the Government establishments for the manufacture of supplies—splendid industrial plants—which should be used by several departments, instead of one as is the practice at present. Let me illustrate briefly one or two. To-day in the Navy Department we use a great quantity of rope. The Shipping Board purchase and use rope in great quantities. The War Department, the Treasury Department, and the Department of Commerce, and other departments all purchase and use rope on Government ships. The Government has established in Boston a ropewalk for the manufacture of rope that is not in operation over one-half of the time.

To-day there is piled up in the storehouse millions of pounds of rope manufactured by the Navy Department, yet the War Department, the Shipping Board, and the other departments of the Government that have shops are buying rope in the open market, while the rope already manufactured at the expense of the Government is lying in the storehouse, rotting and deteriorating.

The same can be said of the chain shop at Boston. The chain shop was established at an expense of thousands of dollars of American people's money, and that shop is to-day practically idle, because the Navy Department can not use enough chains to keep the shops up to their capacity, while the departments that use chains are out in the open market buying chains at prices far in excess of the amount of money the Government can manufacture the chains for and give them a better chain than they can purchase in the open market. I believe we could save millions of dollars of the people's money if the Committee on Appropriations would investigate and see to it that where we have industrial departments such as I have mentioned that the Government shall use them up to their capacity.

I hope the Appropriations Committee will look into this matter, and I am sure it will be the means of assisting them in their endeavor to keep down the expenses of some of the departments. They will discover that there are a great many of just such manufacturing plants similar to the ones that I have mentioned where the money of the people is lying idle, when with a little coordination by the heads of the several departments they could be put into use and be the means of saving large amounts of money.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Texas.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 9, noes 61.

So the amendment was rejected.

Mr. KELLEY of Michigan. Mr. Chairman, I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The CHAIRMAN. If the committee will indulge the Chair for a moment, the Chair desires to state that on Saturday he made a ruling holding in order certain amendments providing for additional storage facilities and additional facilities. The Chair feels, upon further reflection, he erroneously held those amendments in order, and he believes that the ruling which he made should not be construed to overrule the precedents which had previously been set, and he regrets the decision has been made and feels it ought not to be held as a precedent overruling previous precedents.

Mr. McCLINTIC. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McCLINTIC. What effect does that have upon the points of order raised by gentlemen?

The CHAIRMAN. It has no effect upon points of order which have been already decided, but it was stated by the Chair simply for future reference.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15975, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. KELLEY of Michigan. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment; if not the Chair will put them in gross.

Mr. McCLINTIC. Mr. Speaker, I think we ought to have a separate vote upon the amendment offered by the gentleman from Illinois [Mr. BROOKS].

The SPEAKER. But that amendment was not adopted in the committee.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read the third time; was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BLANTON. Mr. Speaker, I move to recommit the bill.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BLANTON. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BLANTON moves to recommit the bill to the Appropriations subcommittee having it in charge with instructions to report the same back to the House forthwith with the following amendment, to wit: On page 43, strike out lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, down to and including the word "and," in line 22.

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that the motion to recommit is not in order, and ask the Speaker to examine the motion.

The SPEAKER. The Chair sustains the point of order.

Mr. BLANTON. Mr. Speaker, I have it in better form and offer it in better form.

The SPEAKER. The gentleman from Texas offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. BLANTON moves to recommit the bill to the Appropriations subcommittee having it in charge with instructions to report the same back to the House forthwith with the following amendment, to wit:

"On page 42, line 21, strike out '$53,000,000' and insert in lieu thereof '$3,000,000'; and in line 24 strike out '$4,000,000' and insert in lieu thereof '$1,000,000'; and on page 43, in line 3, strike out '$33,000,000' and insert in lieu thereof '$3,000,000'; and in line 5, strike out '$90,000,000' and insert in lieu thereof '$7,000,000.'"

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that the motion as offered is not in order, and I ask the Speaker to examine the motion.

The SPEAKER. The Chair supposes on the ground that it refers to a subcommittee?

Mr. MANN of Illinois. That is one of the grounds.

Mr. BLANTON. It should be the Appropriations Committee. It is to be referred to the committee having it in charge and, of course, it includes the Committee on Appropriations.

Mr. MANN of Illinois. Of course, if this is a parliamentary school the gentleman might get the motion in order after awhile.

Mr. BLANTON. If I talked with the gentleman from Illinois for three minutes I would have known better.

Mr. MANN of Illinois. It would not have taken that long.

Mr. BLANTON. Mr. Speaker, I ask that the subcommittee part be left out. It is to the committee having it in charge. This is a new rule.

The SPEAKER. To the Committee on Appropriations?

Mr. BLANTON. Yes; this simply changes the motion——

Mr. KELLEY of Michigan. Mr. Chairman, I move the previous question on the motion to recommit.

The previous question was ordered.

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. Has the original amendment offered by the gentleman been modified?

The SPEAKER. Yes.

Mr. BANKHEAD. I did not hear it reported or any request for its modification.

The SPEAKER. The gentleman had a right to request the modification, and the Chair thought it superfluous to take up the time of the House by having it reported. It was modified by making it the Committee on Appropriations. The question is on the motion to recommit as modified.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 3, noes 157.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Clearly there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 9, nays 282, answered "present" 1, not voting 136, as follows:

YEAS—9.

Blanton	Huddleston	Keller	Quin
Clark, Mo.	Jones, Tex.	Mansfield	Sherwood
Goodykoontz			

NAYS—282.

Ackerman	Davis, Tenn.	Hicks	Major
Almon	Denison	Hill	Mann, Ill.
Anderson	Dewalt	Hoch	Mapes
Andrews, Nebr.	Dickinson, Iowa	Hoey	Mays
Anthony	Dominick	Holland	Merritt
Aswell	Dowell	Hudspeth	Michener
Ayres	Drane	Humphreys	Minahan, N. J.
Bankhead	Drewry	Ireland	Monahan, Wis.
Barbour	Dunbar	Jacoway	Mondell
Barkley	Dunn	Jefferis	Montague
Bee	Dupré	Johnson, Miss.	Moore, Ohio
Begg	Eagan	Johnson, S. Dak.	Moore, Va.
Benham	Echols	Johnson, Wash.	Moores, Ind.
Benson	Elliott	Jones, Pa.	Mott
Black	Elston	Kearns	Murphy
Bland, Ind.	Esch	Kelley, Mich.	Neely
Bland, Va.	Evans, Mont.	Kettner	Nelson, Mo.
Boies	Evans, Nebr.	Kiess	Newton, Minn.
Bowers	Fairfield	King	Newton, Mo.
Bowling	Fess	Kinkaid	Nolan
Box	Fields	Kleczka	O'Connor
Brand	Fish	Kraus	Ogden
Briggs	Fisher	Lampert	Oldfield
Brinson	Flood	Langley	Oliver
Britten	Focht	Lanham	Olney
Brooks, Ill.	Foster	Lankford	Osborne
Buchanan	Freeman	Larsen	Overstreet
Burdick	French	Layton	Padgett
Burke	Fuller	Lazaro	Paige
Burroughs	Gallagher	Lea, Calif.	Park
Butler	Garrett	Lee, Ga.	Parker
Byrnes, S. C.	Glynn	Lehlbach	Parrish
Byrns, Tenn.	Good	Linthicum	Peters
Campbell, Kans.	Goodall	Little	Porter
Campbell, Pa.	Gould	Luce	Purnell
Carss	Graham, Ill.	Lufkin	Radcliffe
Carter	Green, Iowa	Luhring	Rainey, Ala.
Christopherson	Greene, Mass.	McAndrews	Rainey, Henry T.
Cleary	Greene, Vt.	McClintic	Raker
Coady	Griest	McCulloch	Ramsey
Cole	Hadley	McDuffie	Ramseyer
Collier	Hardy, Colo.	McFadden	Randall, Wis.
Connally	Hardy, Tex.	McKeown	Ransley
Cooper	Harreld	McKinley	Rayburn
Cramton	Hastings	McLane	Reavis
Crisp	Hawley	McLaughlin, Mich.	Reber
Crowther	Hayden	McLeod	Reed, N. Y.
Curry, Calif.	Hays	McPherson	Reed, W. Va.
Dallinger	Hernandez	MacGregor	Rhodes
Darrow	Hersey	Madden	Ricketts
Davis, Minn.	Hickey	Magee	Riddick
Robinson, N. C.	Smith, Ill.	Temple	Watkins
Robsion, Ky.	Smith, Mich.	Thompson	Weaver
Rodenberg	Smithwick	Tillman	Webster
Rogers	Snell	Tilson	Welling
Romjue	Snyder	Timberlake	Welty
Rose	Stedman	Tincher	White, Kans.
Rouse	Steele	Tinkham	White, Me.
Rubey	Steenerson	Towner	Williams
Sanders, Ind.	Stephens, Miss.	Upshaw	Wilson, Ill.
Sanders, N. Y.	Stephens, Ohio	Vaile	Wilson, La.
Schall	Stevenson	Venable	Wingo
Scott	Strong, Kans.	Vestal	Winslow
Shreve	Summers, Wash.	Vinson	Woods, Va.
Siegel	Sumners, Tex.	Voigt	Wright
Sinclair	Sweet	Volk	Yates
Sinnott	Swindall	Volstead	Young, N. Dak.
Sisson	Swope	Walsh	Young, Tex.
Slemp	Tague	Walters	Zihlman
Small	Taylor, Ark.	Ward	
Smith, Idaho	Taylor, Colo.	Wason	

ANSWERED "PRESENT"—1.

Knutson

NOT VOTING—136.

Andrews, Md.	Dyer	Johnson, Ky.	Pell
Ashbrook	Eagle	Johnston, N. Y.	Perlman
Babka	Edmonds	Juul	Phelan
Bacharach	Ellsworth	Kahn	Pou
Baer	Emerson	Kelly, Pa.	Rainey, John W.
Bell	Evans, Nev.	Kendall	Randall, Calif.
Bland, Mo.	Ferris	Kennedy, Iowa	Riordan
Brooks, Pa.	Fordney	Kennedy, R. I.	Rowan
Browne	Frear	Kincheloe	Rowe
Brumbaugh	Gallivan	Kitchin	Rucker
Caldwell	Gandy	Kreider	Sabath
Candler	Ganly	Lesher	Sanders, La.
Cannon	Gard	Lonergan	Sanford
Cantrill	Garner	Longworth	Scully
Caraway	Godwin, N. C.	McArthur	Sears
Carew	Goldfogle	McGlennon	Sells
Casey	Goodwin, Ark.	McKenzie	Sims
Chindblom	Graham, Pa.	McKinfry	Smith, N. Y.
Clark, Fla.	Griffin	McLaughlin, Nebr.	Steagall
Classon	Hamill	Maher	Stiness
Copley	Hamilton	Mann, S. C.	Stoll
Costello	Harrison	Martin	Strong, Pa.
Crago	Haugen	Mason	Sullivan
Cullen	Hersman	Mead	Taylor, Tenn.
Currie, Mich.	Houghton	Miller	Thomas
Dale	Howard	Milligan	Treadway
Davey	Hulings	Moon	Vare
Dempsey	Hull, Iowa	Mooney	Watson
Dent	Hull, Tenn.	Morin	Whaley
Dickinson, Mo.	Husted	Mudd	Wheeler
Donovan	Hutchinson	Nelson, Wis.	Wilson, Pa.
Dooling	Igoe	Nicholls	Wise
Doremus	James, Mich.	O'Connell	Wood, Ind.
Doughton	James, Va.	Patterson	Woodyard

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. KAHN with Mr. DENT.

Mr. MASON with Mr. KITCHIN.

Mr. CHINDBLOM with Mr. ASHBROOK.

Mr. HOUGHTON with Mr. MOON.

Mr. TREADWAY with Mr. CLARK of Florida.

Mr. WOODYARD with Mr. BRUMBAUGH.

Mr. FORDNEY with Mr. IGOE.

Mr. LEHLBACH with Mr. SIMS.

Mr. PATTERSON with Mr. EVANS of Nevada.

Mr. CRAGO with Mr. HARRISON.

Mr. HUTCHINSON with Mr. NICHOLLS.

Mr. WOOD of Indiana with Mr. GALLIVAN.

Mr. DYER with Mr. MCGLENNON.

Mr. WHEELER with Mr. RUCKER.

Mr. SELLS with Mr. GODWIN of North Carolina.

Mr. HULL of Iowa with Mr. GRIFFIN.

Mr. GRAHAM of Pennsylvania with Mr. KINCHELOE.

Mr. MUDD with Mr. STEAGALL.

Mr. LONGWORTH with Mr. GARNER.

Mr. FREAR with Mr. POU.

Mr. STINESS with Mr. WILSON of Pennsylvania.

Mr. DEMPSEY with Mr. CANTRILL.

Mr. ANDREWS of Maryland with Mr. HOWARD.

Mr. MORIN with Mr. THOMAS.

Mr. WATSON with Mr. JOHNSON of Kentucky.

Mr. PERLMAN with Mr. GOLDFOGLE.

Mr. BACHARACH with Mr. CULLEN.

Mr. ELLSWORTH with Mr. RIORDAN.

Mr. VARE with Mr. GANLY.

Mr. NELSON of Wisconsin with Mr. STOLL.

Mr. TAYLOR of Tennessee with Mr. CAREW.

Mr. BROOKS of Pennsylvania with Mr. DOUGHTON.

Mr. KENNEDY of Iowa with Mr. ROWAN.

Mr. STRONG of Pennsylvania, with Mr. GOODWIN of Arkansas.

Mr. HAMILTON with Mr. PHELAN.

Mr. ROWE with Mr. HAMILL.

Mr. JAMES of Michigan with Mr. SABATH.
Mr. MCLAUGHLIN of Nebraska with Mr. MAHER.
Mr. SANFORD with Mr. HERSMAN.
Mr. MERRITT with Mr. DICKINSON of Missouri.
Mr. EMERSON with Mr. MARTIN.
Mr. MCKENZIE with Mr. SEARS.
Mr. KENDALL with Mr. HULL of Tennessee.
Mr. COPLEY with Mr. JAMES of Virginia.
Mr. KREIDER with Mr. LESHER.
Mr. CLASSON with Mr. MCKINLEY.
Mr. CANNON with Mr. FERRIS.
Mr. KELLY of Pennsylvania with Mr. O'CONNELL.
Mr. KENNEDY of Rhode Island with Mr. MEAD.
Mr. HUSTED with Mr. GARD.
Mr. EDMONDS with Mr. CARAWAY.
Mr. BAER with Mr. SMITH of New York.
Mr. JUUL with Mr. RANDALL of California.
Mr. COSTELLO with Mr. SULLIVAN.
Mr. DALE with Mr. WHALEY.
Mr. BROWNE with Mr. WISE.
Mr. HULINGS with Mr. PELL.
Mr. CURRIE of Michigan with Mr. GANDY.
Mr. HAUGEN with Mr. JOHN W. RAINEY.

Mr. KNUTSON. Mr. Speaker, I voted "nay," but I find I am paired with the gentleman from Georgia, Mr. BELL, and therefore desire to answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. RUBEY. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from Missouri demands a division.

The House divided; and there were—ayes 208, noes 9.

So the bill was passed.

On motion of Mr. KELLEY of Michigan, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted—

To Mr. WOODYARD, for three days, on account of illness in his family.

To Mr. MILLER (at the request of Mr. HADLEY), on account of illness.

To Mr. WHALEY, on account of death in his family.

ADJOURNMENT.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 48 minutes p. m.) the House adjourned, in pursuance of the order previously made, until to-morrow, Tuesday, February 15, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

411. A letter from the Postmaster General, transmitting report in connection with a claim for loss through burglary of the post office at Lumberton, Miss.; to the Committee on Claims.

412. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of channel north of Shooters Island, between New York and New Jersey, with a view to removing the shoal west of Shooters Island to a depth of 16 feet; to the Committee on Rivers and Harbors.

413. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of San Diego Harbor, Calif., from the entrance to the National City line (H. Doc. No. 1000); to the Committee on Rivers and Harbors and ordered to be printed, with map.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SMITH of Illinois, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 16076) authorizing bestowal upon the unknown, unidentified British soldier buried in Westminster Abbey and the unknown, unidentified French soldier buried in the Arc de Triomphe of the congressional medal of honor, reported the same without amendment, accompanied by a report (No. 1322), which said bill and report were referred to the House Calendar.

Mr. PORTER, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 425) authorizing the appointment of an ambassador to China, reported the same without amendment, accompanied by a report (No. 1323), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HUMPHREYS, from the Committee on Flood Control, to which was referred the bill (H. R. 10211) to survey the Yazoo River, Miss., with a view to the control of its floods, reported the same without amendment, accompanied by a report (No. 1324), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ESCH: A bill (H. R. 16089) to amend section 1 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 27, 1916, and section 1 of the act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917; to the Committee on Flood Control.

By Mr. DALLINGER: A bill (H. R. 16090) permitting civilian employees of the War Department to purchase supplies from commissary stores of the Army; to the Committee on Military Affairs.

By Mr. RANDALL of Wisconsin: A bill (H. R. 16091) for the construction of a bridge across Rock River at or near Shirland Avenue, in the city of Beloit, Wis.; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACK: Joint resolution (H. J. Res. 470) directing the Railroad Labor Board to make further investigation of wages and salaries paid to railway employees under its decisions of July, 1920, and to make such changes and modifications in its said decisions of July, 1920, as it may determine are justified in the public interest and will at the same time award railway employees just and reasonable wages; to the Committee on Interstate and Foreign Commerce.

Also, joint resolution (H. J. Res. 471) directing the Interstate Commerce Commission to review its decision of July 29, 1920, granting certain increased rates to common carriers under section 15a of the interstate commerce act, and to make such reduction, if any, in such rates, fares, and charges as it may find to be just and reasonable; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of South Dakota: Resolution (H. Res. 684) authorizing the Committee on Military Affairs, upon the passage of H. Res. 680, to conduct an investigation concerning the activities of J. M. Hill and C. C. Lindsay in their relations to the War Department; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of Montana, favoring additional appropriations for Federal aid in road building; to the Committee on Roads.

Also, memorial of the Legislature of California, relative to the adjusted compensation bill (H. R. 14157); to the Committee on Ways and Means.

Also (by request), memorial of the Legislature of the State of North Dakota, asking Congress to declare the Red River of the North a nonnavigable stream; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the State of North Dakota, asking relief for entrymen on the Standing Rock Reservation; to the Committee on the Public Lands.

By Mr. BARBOUR: Memorial of the Legislature of the State of California, relative to the McFadden bill (H. R. 13201); to the Committee on Mines and Mining.

Also, memorial of the Legislature of the State of California, relative to the emergency tariff legislation (H. R. 15275); to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, relative to the adjusted compensation bill (H. R. 14157); to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, relative to the protection of the dairy industry; to the Committee on Ways and Means.

By Mr. FRENCH: Memorial of the Legislature of Idaho, requesting Congress to pass Senator McCUMBER's bill providing for monthly payment of pension to soldiers of the Civil War; to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GARRETT: A bill (H. R. 16092) for the relief of Lieut. Soloman J. Chapman, jr., Medical Corps, United States Naval Reserve Force, retired; to the Committee on Naval Affairs.

By Mr. HADLEY: A bill (H. R. 16093) granting a pension to Jessie A. White; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 16094) granting an increase of pension to Catharine Leonard; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 16095) granting a pension to Phebe Clark; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 16096) granting a pension to Edith Z. Pyles; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 16097) for the relief of the city of Boston; to the Committee on Claims.

By Mr. WHITE of Kansas: A bill (H. R. 16098) granting a pension to Christina Weaver; to the Committee on Pensions.

By Mr. YOUNG of North Dakota: A bill (H. R. 16099) to remove the charge of desertion against George W. Posey; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5755. By Mr. BABKA: Petition of T. W. Gould, of a committee representing the employees of the Steamboat-Inspection Service, Cleveland, Ohio, urging the passage of House bill 15746 and Senate bill 4839; to the Committee on the Merchant Marine and Fisheries.

5756. By Mr. BARBOUR: Petition of Associated Dairymen of California (Inc.) relative to the tariff on butter; to the Committee on Ways and Means.

5757. By Mr. CANNON: Petition of citizens of the county of Cumberland, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5758. By Mr. CLEARY: Petition of Laurence L. Cassidy and William E. Davgren and 2,000 citizens of New York, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5759. By Mr. DALE: Petition of certain citizens of Orleans County, Vt., protesting against the Smith-Towner bill; to the Committee on Education.

5760. By Mr. ECHOLS: Petition of citizens of Kanawha County, W. Va., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5761. By Mr. ESCH: Petition of the board of directors of the Milk Producers' Association, protesting against any tariff on lumber and building materials imported from Canada; to the Committee on Ways and Means.

5762. Also, petition of residents of Sauk County, Wis., favoring beer and light wines and protesting against the Sunday blue laws; to the Committee on the Judiciary.

5763. By Mr. EVANS of Montana: Petition of certain citizens of Park County, Mont., protesting against the increased duty on imported tobacco; to the Committee on Ways and Means.

5764. By Mr. FULLER: Petition of Rev. U. Vincent O'Brien, of Mendota, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5765. Also, petition of Chicago District Ice Association, protesting against the Federal live stock commission bill (S. 3944) and the Federal coal bill (S. 4828); to the Committee on Agriculture.

5766. Also, petition of the Rockford (Ill.) Osteopathic Society, suggesting various amendments to the Capper-Fess bill; to the Committee on Education.

5767. Also, petition of 144 citizens of Rockford, Ottawa, and La Salle, Ill., favoring an amendment to the Volstead Act permitting the manufacture of light wines and beer, and protesting against the McKellar Sunday bill; to the Committee on the Judiciary.

5768. Also, petition of L. P. Luby, of Rockford, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5769. By Mr. GALLIVAN: Resolution of American War Veterans' Association of the City of Boston and County of Suffolk Employees, Chris C. Mitchell, jr., president, Boston, Mass., favoring passage of the Langley bill (H. R. 15894) to establish hospitals for disabled war veterans; to the Committee on Appropriations.

5770. Also, petition of Universal Winding Co., Boston, Mass., favoring passage of the Nolan bill (H. R. 13681), which seeks to protect the inventors and manufacturers of the United States; to the Committee on Patents.

5771. By Mr. KEARNS: Petition of the University Women's Club of the Ohio State University, favoring an appropriation of $3,500,000 for Army education and vocational training; to the Committee on Appropriations.

5772. By Mr. KELLEY of Michigan: Petition of Michigan Potato Producers' Association, favoring an import duty on potatoes; to the Committee on Ways and Means.

5773. By Mr. LINTHICUM: Petition of the Engineers' Club and the Crown Cork & Seal Co., of Baltimore, Md., favoring the Nolan patent bill; to the Committee on Patents.

5774. Also, petition of Dr. Charles S. Woodruff, L. C. Steinacker, Miss Rose S. O'Donovan, E. E. Nagle, Miss Eleanor M. O'Donovan, Miss Ella H. Schoolfield, Mrs. Thomas A. Moran, Charles P. Mahaffey, Mrs. Allan Macsherry, Mrs. M. T. Rock, and August Yienger et al., all of Baltimore, Md., opposing Smith-Towner bill; to the Committee on Education.

5775. Also, petition of North Carolina Pine Box & Shook Manufacturers' Association, of Baltimore, Md., opposing Senate bills 3944 and 4828; to the Committee on Agriculture.

5776. By Mr. NEWTON of Missouri: Petition of 180 citizens of St. Louis, Mo., favoring the passage of the Smith-Towner bill; to the Committee on Education.

5777. Also, petition of 500 citizens of St. Louis, Mo., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5778. Also, petition of 122 citizens of St. Louis, Mo., protesting against the Fess-Capper physical education bill; to the Committee on Education.

5779. By Mr. RANDALL of Wisconsin: Petition of Women's Christian Temperance Union, of Waukesha, Wis., protesting against the action of the grand jury at Milwaukee, Wis., on December 11, 1920, in their decision against the Volstead Act and in favor of beer and wine; to the Committee on the Judiciary.

5780. By Mr. RIDDICK: Petition of citizens of Cascade County, Mont., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5781. Also, petition of farmers of Daniels County, Mont., asking for enactment of legislation providing Federal aid for farmers to enable them to plant crops in the spring of 1921; to the Committee on Agriculture.

5782. Also, petition of residents of Park County, Mont., protesting against the proposed tariff on wrapper tobacco; to the Committee on Ways and Means.

5783. Also, petition of the Women's Catholic League of Kalispell, Mont., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5784. By Mr. SINCLAIR: Petition of the North Dakota State Legislature, petitioning Congress for the enactment of legislation to declare the Red River of the North a nonnavigable stream; to the Committee on Interstate and Foreign Commerce.

5785. Also, petition of the Legislature of the State of North Dakota, memorializing Congress to take immediate action toward furnishing the means whereby the farmers of the drought-stricken regions may have Federal aid in the purchase of seed for the season of 1921; to the Committee on Agriculture.

5786. By Mr. TAGUE: Petition of Universal Winding Co., of Boston, Mass., on Nolan bill; to the Committee on Patents.

5787. Also, petition of Bay State Dredging & Contracting Co., of Boston, Mass., on House bill 13951; to the Committee on the Judiciary.

5788. Also, letter from Lamson & Hubbard Co., of Boston, Mass., relative to tariff on furs; to the Committee on Ways and Means.

5789. Also, petition of Daggett Chocolate Co., of Boston, Mass., on House bill 10311; to the Committee on Agriculture.

5790. By Mr. YOUNG of North Dakota: Petition of the Bottineau Post No. 42, American Legion, of Bottineau, N. Dak., and Walter J. Thome Post No. 45, of the American Legion, of Carson, N. Dak., favoring the enactment of legislation providing for increased hospital facilities for disabled veterans and for disability pay for National Army officers, etc.; to the Committee on Appropriations.

5791. By Mr. ZIHLMAN: Petition of the Engineers Club, of Baltimore, Md., urging the passage of the Nolan Patent Office bill; to the Committee on Patents.

SENATE.

TUESDAY, *February 15, 1921.*

(Legislative day of Monday, February 14, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

THE UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., February 15, 1921.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. CHARLES CURTIS, a Senator from the State of Kansas, to perform the duties of the Chair for the remainder of this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. CURTIS thereupon took the chair as Presiding Officer.

CALL OF THE ROLL.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	McCumber	Smith, S. C.
Ball	Gronna	McKellar	Smoot
Brandegee	Hale	McLean	Spencer
Calder	Harris	McNary	Stanley
Capper	Harrison	Moses	Sterling
Colt	Heflin	Nelson	Sutherland
Culberson	Henderson	New	Swanson
Curtis	Johnson, Calif.	Overman	Thomas
Dial	Jones, Wash.	Phipps	Townsend
Dillingham	Kellogg	Pittman	Trammell
Edge	Kendrick	Poindexter	Underwood
Elkins	Kenyon	Pomerene	Walsh, Mass.
Fernald	Keyes	Ransdell	Walsh, Mont.
Fletcher	King	Reed	Warren
Frelinghuysen	Knox	Sheppard	Williams
Gay	La Follette	Simmons	Willis
Gerry	Lenroot	Smith, Ariz.	Wolcott
Glass	Lodge	Smith, Ga.	

The PRESIDING OFFICER. Seventy-one Senators have responded. A quorum is present.

CREDENTIALS.

Mr. LODGE presented the credentials of WILLIAM P. DILLINGHAM, elected a Senator from the State of Vermont for the term of six years beginning on March 4, 1921, which were read and ordered to be filed, as follows:

STATE OF VERMONT.

This is to certify that on the 2d day of November, 1920, WILLIAM P. DILLINGHAM was duly elected by the people of the State of Vermont a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1921.

Witness his excellency our governor, James Hartness, and our seal hereto affixed at Montpelier this 10th day of February, in the year of our Lord 1921.

JAMES HARTNESS.

By the governor:
[SEAL.]

HARRY A. BLACK,
Secretary of State.

DEFICIENCIES IN POSTAL SERVICE, 1920 (S. DOC. NO. 393).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, transmitting two communications from the Postmaster General submitting deficiency estimates of appropriations in the total sum of $1,995,500 required by the Postal Service for the fiscal year 1920, which were referred to the Committee on Appropriations and ordered to be printed.

CLAIM OF THE PAWNEE TRIBE OF INDIANS OF OKLAHOMA (S. DOC. NO. 395.)

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation in the sum of $312,811.27, with interest thereon from September 3, 1920, at the rate of 5 per cent per annum, in full settlement of the claim of the Pawnee Tribe of Indians, of Oklahoma, etc., which was referred to the Committee on Appropriations and ordered to be printed.

STATIONERY FOR INTERIOR DEPARTMENT, 1920 (S. DOC. NO. 392).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation in the sum of $40,000 required for stationery, fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATE FOR DISTRICT GOVERNMENT (S. DOC. NO. 394).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Commissioners of the District of Columbia submitting a supplemental estimate of appropriation in the sum of $417,602 required by the government of the District of Columbia for the fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed a bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a joint resolution (H. J. Res. 472) making an appropriation to continue the valuation of the property of carriers, in which it requested the concurrence of the Senate.

The message further communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. THOMAS STAPLES MARTIN, late a Senator from the State of Virginia.

PETITIONS AND MEMORIALS.

Mr. LODGE presented resolutions of Michael S. Walsh Council of American Association for the Recognition of the Irish Republic, of Norwood; Michael Davitt Council of American Association for the Recognition of the Irish Republic, of Atlantic; and Michael Davitt Council of American Association for the Recognition of the Irish Republic, of Boston, all in the State of Massachusetts, protesting against the deportation of the lord mayor of Cork, Ireland, Donal J. Callaghan, which were referred to the Committee on Foreign Relations.

He also presented a resolution of St. James Parish, and sundry Catholic societies, of Taunton, Mass., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented memorials of the Ladies' Catholic Benevolent Association, of Dorchester, and sundry citizens of North Uxbridge, all in the State of Massachusetts, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of the City Council of Fitchburg, Mass., favoring legislation to reduce the retail price of coal and prevent unreasonable increases in the future, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented a resolution of the Rotary Club of Casper, Wyo., favoring united action by the United States and other Christian Governments to stop Turkish atrocities, which was referred to the Committee on Foreign Relations.

Mr. WALSH of Montana presented a joint resolution of the Legislature of Montana, which was ordered to lie on the table, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act entitled:

A joint resolution requesting the Senators and Representatives of the State of Montana in the Congress of the United States to lend their support to the passage of the bill now pending before Congress, known as the Chamberlain-McArthur bill, relating to the appropriation of additional sums of money for extending Federal aid in the construction of post roads and for other purposes; enacted by the seventeenth session of the Legislative Assembly of the State of Montana, and approved by Jos. M. Dixon, governor of said State, on the 8th day of February, 1921.

In testimony whereof, I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 9th day of February, A. D. 1921.

[SEAL.]

C. T. STEWART,
Secretary of State.
By CLIFFORD L. WALKER,
Deputy.

Senate joint resolution 4.
[Introduced by Siegfriedt.]

A joint resolution requesting the Senators and Representatives of the State of Montana in the Congress of the United States to lend their support to the passage of the bill now pending before Congress, known as the Chamberlain-McArthur bill, relating to the appropriation of additional sums of money for extending Federal aid in the construction of post roads and for other purposes.

Whereas there is now pending before the Congress of the United States certain bills for the appropriating of additional sums for Federal aid in the construction of post roads, and for other purposes, and which said bills are designated the Chamberlain-McArthur bill; and

Whereas the method of expending moneys of the United States for the construction of post roads in the United States and within the boundaries of the State of Montana, is upon a basis of equal amounts of money being expended by the Federal Government, together with the State and county, which method has resulted in burdening the several counties of the State of Montana to a greater extent than is deemed just and proportionate; and

Whereas the allotment of money made by the Federal Government under the existing laws for Federal aid in the construction of road projects within the State of Montana has not at the present time been used because and on account of the inability of the State of Montana and the several counties therein to raise by appropriation an amount sufficient to equal the requirements of the present existing Federal aid act; and

Whereas the Chamberlain-McArthur bill now before Congress will afford additional sums of money for the construction of highways within the State of Montana, as well as in the forest reserves, Indian reservations, and across the Government lands still unoccupied within the State of Montana; and

Whereas the provisions of the Chamberlain-McArthur bill will aid and assist the several counties of the State of Montana, and the State itself, in meeting the requirements of the Federal aid project for construction of roads and highways: Now, therefore, be it

Resolved by the Senate of the Seventeenth Legislative Assembly of the State of Montana (the House of Representatives concurring therein), That we do urge upon the honorable Senators and Representatives in the Congress of the United States from the State of Montana, that they use all honorable means for the passage of the Chamberlain-McArthur Act, to the end that the State of Montana may be aided and assisted in the construction of roads and highways in proportion to the amount of lands owned by the State with those owned by the Federal Government; and be it further

Resolved, That copies of this resolution be forwarded by the secretary of the State of Montana to each of the honorable Senators and Representatives in the Congress of the United States, and to the Senate and House of Representatives of the Congress of the United States.

NELSON STORY, Jr.,
President of the Senate.
PERCY F. DODDS,
Speaker of the House pro tempore.

Approved February 8, 1921.

JOS. M. DIXON, *Governor.*

Filed February 9, 1921, at 9.15 o'clock a. m.

C. T. STEWART, *Secretary of State.*

Mr. MYERS presented a memorial of sundry citizens of Park County, Mont., remonstrating against the enactment of legislation increasing the duty on wrapper tobacco, which was referred to the Committee on Finance.

Mr. WILLIS presented memorials of sundry citizens of Burkettsville; sundry citizens of Mercer County; St. Joseph Court, No. 433, Catholic Order of Foresters, of Columbus; Ladies' Auxiliary No. 168, of Knights of St. John, of Cincinnati; Catholic Community League, of Zanesville; executive committee of the Archdiocesan Union of the Holy Name Society, of Cincinnati; Conneaut Council, No. 267, Knights of Columbus, of Conneaut; St. George Commandery, No. 98, Knights of St. John, of Columbus; St. Augustine Branch, No. 49, the Catholic Knights of Ohio, of Cincinnati; and the Holy Cross Court, No. 1456, Catholic Order of Foresters, of Columbus; all in the State of Ohio, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. GRONNA, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 10311) to further amend section 8 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended by the act approved March 3, 1913, reported it with amendments.

Mr. DILLINGHAM, from the Committee on Immigration, to which was referred the bill (H. R. 14461) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, reported it with an amendment, and submitted a report (No. 789) thereon.

Mr. TRAMMELL, from the Committee on Claims, to which was referred the bill (S. 3129) for the relief of Louisa Frow, reported it with an amendment and submitted a report (No. 790) thereon.

He also, from the same committee, to which was referred the bill (S. 4637) for the relief of Griffith L. Johnson, reported it favorably without amendment and submitted a report (No. 791) thereon.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

A bill (S. 2838) for the relief of Philip S. Everest (Rept. No. 792);

A bill (H. R. 646) for the relief of Perry E. Borchers because of losses suffered, due to destruction of property and termination of contract for services because of smallpox, while in the employ of the Navy Department in Cuba (Rept. No. 793);

A bill (H. R. 1035) for the relief of the widow of Joseph C. Akin (Rept. No. 794);

A bill (H. R. 6414) for the relief of Herman W. Schallert (Rept. No. 795);

A bill (H. R. 8647) for the relief of the owners of the American schooner *William H. Sumner* (Rept. No. 796);

A bill (H. R. 9840) for the relief of Capt. E. V. Dickson (Rept. No. 797);

A bill (H. R. 10598) for the relief of the First National Bank of Sharon, Pa. (Rept. No. 798);

A bill (H. R. 11945) for the relief of W. C. Stewart (Rept. No. 799);

A bill (H. R. 12005) for the relief of Henry P. Corbin (Rept. No. 800); and

A joint resolution (H. J. Res. 215) authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel September 26, 1918, to receive pay and allowances that would have accrued to said officers (Rept. No. 801).

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the bill (S. 4894) to provide longevity pay for Reserve officers and National Guard officers serving under orders of the War Department, reported it favorably without amendment and submitted a report (No. 802) thereon.

STANDARD AMERICAN DREDGING CO.

Mr. McCUMBER introduced a bill (S. 5012) for the relief of the Standard American Dredging Co., which was read twice by its title and referred to the Committee on Claims.

RESTORATION OF ALIEN PROPERTY.

Mr. KING introduced a bill (S. 5013) to amend an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, which was read twice by its title.

Mr. KING. Mr. President, in supporting the proposition to return the alien property seized by the Alien Property Custodian I do not abate my faith in the League of Nations or abandon the view that the United States will sooner or later become a member of the league. It is, however, apparent that the Versailles treaty in its present form will not be ratified by the Senate. Whether ratified or not, I believe that the property belonging to German and Austrian nationals seized under the trading with the enemy act should be restored to those to whom it belongs.

The Versailles treaty imposed the obligation upon the German Government to compensate its nationals for the property which had been seized under the act of Congress. I believe that there was no intention when Congress passed the trading with the enemy act to deprive alien enemies of title to their property. It was not a confiscatory act. I believe it was the thought of Congress that the property should be held or sequestered until the termination of the war and that ultimately it would be returned to those from whom it had been taken.

The entire matter of disposing of the seized property rests with Congress. I am in favor of enacting an appropriate law under which transfer of the sequestered property may be effectuated.

It is clear that a commission possessing judicial powers must be created and authorized to pass upon the claims which would be filed for the return of the property now held by the Alien Property Custodian. Undoubtedly there would be such conflicting claims that the United States would be compelled for its own protection to dispose of claims before the return of the property to those who may be adjudged to be legally entitled thereto.

Our Government has always taken advanced ground with respect to private property seized during periods of war. In the treaty of 1782 between the United States and Great Britain it was declared that it was "unjust and impolitic that debts and engagements contracted and made by individuals having confidence in each other and in the respective Governments should ever be destroyed or impaired by national authority on account of national differences and discontent." Property of Tories had been confiscated by the Colonies, but the United States by treaty provided that the collection of debts by British subjects should meet with no lawful impediment, and a policy was announced that the private property of subjects of the belligerent nations should not be confiscated unless it was contraband of war. Alexander Hamilton defended this policy in arguments which excited the admiration of the publicists in his day, and they are still regarded as unanswerable.

In the treaty of 1785 between the United States and Prussia, drawn by Franklin and proposed by the American commissioners, John Adams, Franklin, and Jefferson, it was provided that in the event of war between the contracting parties the nationals of the belligerent nations engaged in certain occupations "shall be allowed to continue in their respective employments

and shall not be molested in their presence; nor shall their houses or goods be burned or otherwise destroyed nor their fields wasted by the armed forces of the enemy in whose power, by the events of war, they may happen to fall." This was a clear exemption from hostile molestation or seizure of the persons, occupations, houses, or goods of certain aliens residing in the belligerent nations. This provision of the treaty was continued in the treaty of 1828 between the United States and Prussia. Chief Justice Marshall, in the case of Brown *v.* United States (18 Cranch, 109), states that "there can be no reason for maintaining that the public faith is more entirely pledged for the security of the property intrusted in the territory of the Nation in time of peace if it be accompanied by its owner than if it be confided to the care of others."

It is true that international-law writers have declared that war gives the sovereign the right to take the persons and confiscate the property of the enemy wherever found. But this rigid rule has been mitigated and has never received the sanction of the American people. I recall that Mr. Justice Clifford of the Supreme Court of the United States, in a case decided in that court, stated:

> In former times the right to confiscate debts was admitted as an acknowledged doctrine of the law of nations, and in strictness it may still be said to exist, but it may well be considered as a naked and impolitic right condemned by the enlightened conscience and judgment of modern times.

Alexander Hamilton, in discussing the treaty between the United States and Great Britain, said:

> No powers of language at my command can express the abhorrence I feel at the idea of violating the property of individuals which, in an authorized intercourse in time of peace, has been confided to the faith of our Government and laws, on account of controversies between nation and nation. * * *

The Constitution of the United States declares that private property shall not be taken for public use without just compensation, and while it may be argued that this provision has no application to the property of aliens whose country is at war with the United States, nevertheless the spirit of this constitutional provision should be invoked to preserve such property from confiscation. In my opinion, the present rule of international law prohibits the confiscation of individual alien property found in belligerent nations at the outbreak of war, and it seems clear that the treaty between the United States and Prussia in spirit, if not in terms, protects the property of the nationals of each country in the event of war between those nations. The United States for many years has insisted upon exemption of all private property, not contraband of war, from hostile treatment. At The Hague conferences the American delegates were instructed to secure the adherence of the participants in the conferences to that principle and policy.

Mr. Choate, speaking for the United States at The Hague in June, 1907, urged the assembled nations to adopt this proposition:

> The private property of all citizens or subjects of the signatory powers, with the exception of contraband of war, shall be exempt from capture or seizure on the high sea by the armed vessels or by the military forces of any of the said signatory powers. But nothing herein contained shall extend exemption from seizure to vessels and their cargoes which may attempt to enter a port blockaded by the naval forces of any of the said powers.

The United States, for many years, has welcomed aliens to our shores and has invited peoples of other lands to make investments in our country. Billions of dollars of foreign capital has been invested in the United States. Railroads have been built, smelters erected, and factories and plants constructed, with capital supplied by persons who did not live under our flag, and were not citizens of our country. We welcomed German capital to America and it was employed in the development of our industries and contributed to our national prosperity. At the time of the outbreak of hostilities between the United States and Germany, there were hundreds of millions of dollars of German capital invested in the United States. Under the trading with the enemy act this property was seized. This property belongs to many thousands of people residing in Germany. Some of this property has been sold and the proceeds used for the purchase of Liberty bonds, but either the property or the proceeds derived from its sale, is in the hands of the Alien Property Custodian. It has not been confiscated or destroyed. It has been preserved during the war. We are now confronted with the question as to whether we shall retain the property or return it to its owners. It is stated by some that Americans have been wronged by Germany, that American ships have been sunk upon the high seas, and that Americans have lost their lives from wanton submarine attacks. All this is true, and Germany should be made to pay for these injuries and wrongs. But wrongs of the German Government do not in my opinion warrant the confiscation of the private property of German nationals. It would be "unjust and impolitic" and would contravene those higher conceptions of international morality and international duty which should obtain among nations in this enlightened age. The Government of the United States from the beginning has declared confiscation and sequestration to be impolitic and unwise and has sought to obtain the acceptance of that view by all civilized nations.

I have accordingly prepared a bill which will, if enacted into law, result in the return of the property held by the Alien Property Custodian to the owners of the same.

The bill is in the form of an amendment to the trading with the enemy act. This is done because its provisions are supplementary to and are related to certain sections of that act.

The bill sets up a commission with judicial powers to determine the rights of claimants to the property which was captured and seized by the Alien Property Custodian under the trading with the enemy act. The general structure and powers of the commission are based upon the precedent of the Spanish Claims Commission, which was created by Congress to adjudicate claims under the treaty of Paris, which concluded the war between the United States and Spain in 1898.

Sections 1 to 26, inclusive, prescribe the organization of the commission, its powers, and the procedure to be followed. The bill then provides for the return of property or the proceeds from the sale of property seized by the Alien Property Custodian to the several owners thereof, excepting property belonging to the Governments of Germany, Austria, and Hungary, or to the former Government of Austria-Hungary. Claims for the return of this property or of the proceeds of sales thereof are to be filed within one year after the organization of the commission, and claims not filed within such a time are to be barred.

In all cases the costs of administration and liquidation and other lawful expenses of the Alien Property Custodian are to be deducted or otherwise satisfied before property or proceeds are returned to the claimants. The payment ordered by the commission operates as a full acquittance and discharge of the Alien Property Custodian, the Treasurer of the United States, and the United States in respect to any claim for or interest in such property, proceeds, or money, or compensation for damage arising from the capture or administration of such property under the trading with the enemy act.

The commission is not to be appointed until after the declaration of peace between the United States and Germany, Austria, and Hungary, or the former Government of Austria-Hungary, and it is expected that the stipulations of peace will make ample arrangements for the payment of claims held by American citizens against the Governments of these countries for damages suffered both before and after the declaration of war by the United States.

I move that the bill be referred to the Committee on the Judiciary.

The motion was agreed to.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to appropriate $100,000 for emergency expenditures incident to the disposal of wind-thrown and intermingled or adjoining timber on the Olympic National Forest and for emergency measures necessary to protect from fire the timber on that forest, including the repair and construction of roads, fire lines, trails, telephone lines, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. TOWNSEND submitted an amendment providing that the river and harbor act approved March 2, 1919, be amended by eliminating the requirements of a deed to the United States of the docks extending from E to F and a strip 75 feet wide measured back from the face of such docks, etc., touching the matter of completing improvement of Alpena Harbor, intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

Mr. BORAH submitted an amendment authorizing the President to invite the Governments of Great Britain and Japan to send representatives to a conference with a view to entering into an understanding or agreement by which the naval building program of the Governments of the United States, Great Britain, and Japan shall be substantially reduced annually during the next five years, intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. MOSES submitted an amendment proposing to appropriate $79,758.89 for dry dock and accessories at the Norfolk (Va.) Navy Yard, etc., intended to be proposed by him to the

general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. KNOX submitted an amendment proposing to increase the appropriation for military post exchanges, etc., from $150,000 to $350,000, and providing that not less than $200,000 of said sum shall be spent for the employment of corps area and department supervisors of women's relations, hostesses at Army posts, and travel expenses of said personnel, intended to be proposed by him to the Army appropriation bill, which was referrred to the Committee on Military Affairs and ordered to be printed.

AMENDMENT TO EMERGENCY TARIFF BILL.

Mr. JOHNSON of California submitted the following amendment intended to be proposed by him to House bill 15275, the emergency tariff bill, which was ordered to lie on the table and be printed:

On page 6, after line 24, insert the following as a new paragraph:
"(29) Hops, 32 cents per pound; hop extract, $3.20 per pound; hop lupulin, $4.80 per pound; hop oil, $16 per fluid ounce."

FREIGHT RATES ON PERISHABLE PRODUCTS.

Mr. TRAMMELL submitted the following resolution (S. Res. 451), which was ordered to lie over under the rule:

Resolved, That the Interstate Commerce Committee of the Senate be, and it is hereby, requested to investigate the present high freight rates being charged on citrus fruits, vegetables, and other perishable farm products, with a view to bringing about early legislation that will result in a reduction of the existing freight rates on such perishable products.

HOUSE BILL REFERRED.

The bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, was read twice by its title and referred to the Committee on Naval Affairs.

COLORED TROOPS IN THE FRENCH ARMY (S. DOC. NO. 397).

Mr. LODGE. Mr. President, I desire to ask permission to have printed as a Senate document a report from the State Department which has been sent to the Committee on Foreign Relations relating to the colored troops in the French Army. I suggest that this be done merely as an act of comity and justice to a friendly nation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

DISTRICT COURT FOR ALASKA.

Mr. KELLOGG. I move that the House of Representatives be requested to return to the Senate the message of the Senate of February 9, 1921, announcing its disagreement to the amendments of the House to the bill (S. 4205) to amend section 4, chapter 1, of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes, and asking a conference with the House on the disagreeing votes of the two Houses thereon together with the bill and the amendment of the House thereto.

The motion was agreed to.

EMERGENCY TARIFF.

Mr. SMOOT. Mr. President, I ask for the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The PRESIDING OFFICER. The pending amendment will be stated.

The READING CLERK. The pending amendment is the amendment of the senior Senator from Utah [Mr. SMOOT] proposed as a substitute for the amendment reported by the Committee on Finance:

In lieu of the amendment proposed by the committee relating to sugar, sirups of cane juice, etc., embraced in lines 13, page 4, down to and including line 16, page 5, insert the following:
Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, seventy-one one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, twenty-six one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40°, 15 per cent ad valorem; testing above 40° and not above 56°, 2½ cents per gallon; testing above 56°, 4½ cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test. That the duties in this paragraph herein imposed are in addition to the rates of duty imposed on such sugar by existing laws, and shall in no manner affect or impair such existing laws.

Mr. THOMAS. Mr. President, just prior to the recess last evening the Senator from North Dakota [Mr. MCCUMBER] propounded one or two queries to the Senator from Rhode Island [Mr. GERRY] which go to the very heart of the subject under discussion. To my mind the queries are susceptible of perfectly clear and satisfactory reply, which will depend upon the point of view one takes of the taxing power of the Government.

The Senator from North Dakota is an unqualified advocate of the protective principle. He believes thoroughly in the doctrine of protection for protection's sake, and the questions which he propounded are, therefore, susceptible of but one answer from the protection standpoint. If it is the duty of the Government to tax everybody for the benefit of everbody else, and that is what protection for protection's sake means if it means anything, then the logic of the Senator from North Dakota is irresistible and the farmer should share in whatever plunder protection can secure.

No man can deny from his standpoint that if the Rhode Island manufacturer is to be protected from foreign competition the producer should be similarly protected. That is the only possible method of establishing any sort of equity in the application of the protective principle to the business and the industries of the country.

But to those who believe that protection should be an incident to the revenue-raising powers of the Government the answer must be an entirely different one, which, therefore, depends entirely upon the point of view.

The need of the Government for revenue early found expression in statutes levying duties upon imports, the purpose then being, ostensibly at least, to secure needed revenues for Government purposes. If, therefore, that be the basis for the exercise of the taxing power, then the laws should be limited to those commodities which, if brought into the country, would yield a public revenue. Upon that assumption the existing law, devoted as far as possible to the revenue theory, imposes duties upon manufactured products coming in competition with those of Rhode Island, not to protect the Rhode Island manufacturer but to obtain revenue for the Government. There is, of course, an incidental protection due to the imposition of the duty, but that is an unescapable consequence of levying it.

Hence, if it be true that the power of the Government to levy taxes rests upon its need for revenue, taking into consideration nothing else, then the query propounded by the Senator from North Dakota [Mr. MCCUMBER] must be answered in the negative. To my mind the distinction is perfectly apparent.

Before I resume my seat, Mr. President, I wish to refer briefly to the speech of the junior Senator from Texas [Mr. SHEPPARD] on yesterday, calling the attention of the Senate to the legislation of July 1, 1812, regarding the then existing tariff. He said:

Legislation ought to have been enacted long ago to prevent such precipitate and so one-sided a decline.

Having reference to the precipitate and one-sided decline in agricultural products. Of course, that assumes that the Congress has the power to legislate and by legislation to prevent the decline of prices. That is a fundamental defect in the argument. When prices are falling all the world over, when the debauch is followed by the reaction the Senator might as well try to legislate against the headache of "the morning after" as to legislate against the operation of natural economic laws. It is an assumption, Mr. President, and a false assumption, which, however, is made as well by the people of the United States, for the reason that we have educated them into the belief, nay, into the conviction, that whatever goes wrong with them is due to imperfect legislation or the absence of legislation, and may be rectified by a statute; in other words, the "be it enacted" of a legislative assembly is asserted to be the cure-all and the end-all in human effort and in human conditions.

The Senator from Texas refers to the act of July 1, 1812, as a precedent for the bill we are now considering. We are told that on that date—

the Democratic Party enacted a tariff law levying duties of 100 per cent in addition to all existing duties on imports, covering all manufactured and agricultural articles with but very few exceptions.

I do not think the Senator has read that statute very carefully or he would not have made that statement. In the first place, it was a war measure; it was not designed to interfere with prices or to bring relief to classes. We had previously declared war against Great Britain. At that time the ad valorem percentage of existing duty, if my recollection does not deceive me, was less than 10 per cent. The effect of that act was simply to increase the duties 100 per cent, which would make them still 20 per cent, or about one-half of the prevailing ad valorem percentages of the present Underwood tariff law. It was aimed at British trade. The condition of belligerency consequent upon our declaration that a state of war existed naturally and necessarily suggested such legislation as might cripple the enemy.

It was not designed to relieve any class or to control the prices of any commodity.

The Senator from Texas further says that this increase covered "all manufactured and agricultural articles with but very few exceptions." On the contrary, the act was by its very terms expressly limited to those articles upon which the existing duties were imposed. At that time we had not progressed so far as to assume that a prohibitive tax, a duty levied upon agricultural products, would aid the industry. That is a subsequent political development. The Senator, I think, will search the laws in force on July 1, 1812, in vain for the inclusion of any agricultural product. To cite that statute, therefore, a war measure, a revenue measure, a measure confined to the articles upon which duties were then imposed, as a precedent for the enactment of such extraordinary and remarkable legislation as embodied in this bill is to cite a precedent for which there is no justification. It is no precedent at all.

The Senator, however, goes on to say:

It was provided in this law that it should continue as long as the war should last, and a year afterwards.

That is true. The act was repealed on the 3d of March, 1815, and if the Senator can discover that its operation benefited a single farmer in the United States, then I will confess my error, and we should give it due consideration in our disposition of the pending measure.

The Senator from Texas having committed himself to the protection theory—and let me say to him that he can not favor protection for the farmer and deny protection to the manufacturer; he can not blow hot and cold upon this subject; the Senator from North Dakota is right; one must be either fish, flesh, or fowl upon this great economic problem; and the moment a Democratic Senator commits himself to the doctrine of protection for the benefit of the farmer he must not expect to restrict his apostasy to a single class or a single product. Sooner or later he must apply that principle all along the line or recant his abandonment of its opposite. The Senator says:

As for me, I have dedicated myself to the especial service of agriculture, with the conviction that in serving agriculture I serve this Nation in a truer sense than would be the case with any other division of American industry.

If he means that, he is no longer a Senator of the United States. The needs of the Nation, whatever they may be, however vast or insistent, are subordinated and must be subordinated by the Senator to the agricultural interest of the country, as he sees it. He is no longer even a Senator from the State of Texas; he can not represent all the varied interests and industries of the population of that State if he proposes here, as he says he does, to dedicate himself to one particular interest. Indeed, I think when a man makes such a declaration in this Chamber he ceases to be a Senator at all; he simply becomes a delegate, not a walking delegate but a rubber-stamp delegate, who proposes to place the seal of his approval upon those measures and a disapproval against those measures which a single interest informs him may be favorable or unfavorable to that interest. Mr. President, whenever a majority of the Members of this body so dedicate and declare themselves there will be no longer need for the continued existence of the Senate. It will then become a distinct and dangerous obstacle to the public welfare.

I try to represent the farmers of my State as best I can; I try also to represent the working elements of my State; I try to represent the business elements of my State, the productive elements, all the elements, all classes and conditions of our men and women, whatever they may be. If I properly understand my duties, they sent me here for that purpose, and although elected by a majority of the people I became by virtue of my election the spokesman for and the representative of both those who sent me here and those who thought that some one else was better fitted for the position.

The division of the people of the United States into classes, associations, and combinations for selfish purposes—and I use the term in no disrespectful sense—to secure benefits through legislation is absolutely inconsistent with that unity of purpose and of progress without which the people of the United States can not survive. It is a dissolving, disintegrating influence which has entered into the very heart and body of our people. It constitutes a most serious menace to the future of the Republic. When it finds expression in the highest legislative body in the world, as it did on yesterday afternoon, then, indeed, is it time to call a halt and reconsider fundamentals, economic, social, and political, and determine whether ours is a union in fact or a union merely in name.

Mr. President, before I take my seat I desire to introduce as a part of my remarks an article entitled "Argentina and our tariff." This article was published in the New York Times of Sunday before last, and is from the pen of W. W. Davies, correspondent of La Nacion, Buenos Aires. It gives a graphic account of the industrial conditions in Argentina, of the business which the United States has been transacting and is trying to develop with that great Republic, of the effect upon that business which the difference in exchange has created, and of the certain consequences which will follow once the emergency tariff bill becomes a law. It is not surprising to me, because if there is any sort of legislation which provokes reprisals it is extreme tariff legislation.

Argentina, Mr. President, has a foreign business mounting into the hundreds of millions of dollars. America secured the greater proportion of it during the war. It is reflected in our exports to that country, and our exports are reflected in the consequent prosperous business conditions which always follow the extension of foreign trade.

We are told here that Argentina, in the event of the enactment of this or similar legislation, must necessarily cease to do business with the United States, must necessarily find markets elsewhere, and must necessarily unite with other nations against which we propose to discriminate, and as a result our great expanding foreign trade with the first country of South America must first languish, then decay, and in all probability disappear.

If that were all, the result would be disastrous. When, however, we consider the resentments, the hatreds, the animosities, the arousal of all the worst elements of human nature against us at the very time that we are courting the friendship and seeking common association with the Republics of the Western Hemisphere, we can only wonder at the folly and credulity of human nature, that it will insist on the enactment of selfish commercial restrictive legislation at the expense of the commerce and the good will of foreign nations.

I ask that this article may be inserted in the RECORD.

The PRESIDING OFFICER (Mr. STERLING in the chair). Without objection, it will be so ordered.

The matter referred to is as follows:

ARGENTINA AND OUR TARIFF.

[By W. W. Davies, correspondent of La Nacion, Buenos Aires.]

There is no more interested spectator of the attempts to revise the American tariff in an upward direction than Argentina. Every move in the legislative program at Washington is being followed by this South American Republic with intense interest. In fact, it may be said that no legislation at Washington for years has been regarded as so vitally affecting Argentina's interests as this. The Argentinean regards the emergency tariff legislation as aiming a definite blow at Argentine exports to America. More than that, he realizes that if this measure be passed the blow will be delivered at such an unfavorable time that it will mean a serious setback to Argentina's external trade.

The reason for Argentina's attitude is so simple that a schoolboy could understand it. During the war this great South American Republic kept up a steady supply of exports to countries where they were badly needed. These exports exceeded Argentina's imports, with the result that even in the United States Argentine currency was quoted at a premium. Within the past six months, however, the North American market for the principal exports of Argentina has slumped so badly that it has not been profitable to continue these exports in large quantities. The market in such commodities as wool, hides, and skins has fallen to such an extent that Argentina's export of these goods to the United States has fallen to a minimum.

The inevitable result of this lessening of Argentine exports has been such a sharp variation in the balance of trade that Argentina's exchange has suffered badly. One of the results of this has been a very definite reaction against importations from the United States, largely for the reason that with an exchange so unfavorable to Argentina many of the merchants there were absolutely unable to accept goods when they arrived from the United States. As a consequence, tremendous quantities of exports from North America have been tied up at Buenos Aires, with the unavoidable result of business stagnation and many commercial failures.

This brings us again to the question of the United States tariff. The Argentine producer has been looking forward to the time when a revival in buying of such commodities as he exports would permit the resumption of Argentine exports, even if the bulk of these goods were sold at a narrow margin of profit. But the anticipated profit was so small that the projected tariff came as a deadly blow to his hopes. He realized that it would be difficult enough to recommence these exportations under any conditions, but with a higher tariff on goods produced by Argentina the obstacles and difficulties in the way of this trade would be multiplied a thousandfold. This is the position as we find it to-day.

There is in this situation serious food for thought for the American exporter. A tariff wall which at first sight appears to have spikes on only one side is likely on closer inspection to reveal them on both. Thus, while a higher tariff on such commodities as wool, hides, and skins would obviously have the effect of tending to shut out importations from a country like Argentina, it will just as inevitably prevent the development of exports from the United States to that country. One of the fundamental principles of foreign trade is that there should be established, as nearly as possible, a balance between exports to and imports from a given country. The Argentinean obviously depends upon the money he receives for his exports to pay for the importations of manufactured articles from the United States. If you cut off the source of his revenue he clearly can not spend that revenue. It can therefore be seen that any artificial legislative measure which would tend to prevent the free flow of goods from Argentina to the United States would, in the course of time, just as surely block the exports from this country to Argentina.

The main points in Argentina's attitude on this question may be summed up as follows:

1. Argentina depends for her prosperity upon a steady, uninterrupted flow of exports.

2. It has been the policy of the United States to encourage foreign trade with South American countries, of which Argentina is one of the most important.

3. The basic foundation of this trade is that, as nearly as possible, the exportations from the United States to Argentina should be equalized by the importations into the United States from that country.

4. The present period of stress, caused by the world-wide decline in prices due to what has been called the "buyers' strike," has made the question of the disposal of Argentina's produce a very difficult problem.

5. The solution of that problem appears to rest in the normalization of buying and the consequent demand in the United States for the produce of Argentine soil.

6. The Argentine producer felt that by bravely facing facts and agreeing to cut profits and, in some cases, accept losses, he could, within the next few months, help to bring about a restoration of trade which would reestablish his market abroad.

7. The projected emergency tariff raises a new and almost impassable barrier to the normal restoration of that trade.

8. The Argentinean has earnestly urged that this tariff should not be imposed, as it would mean a serious setback to the Argentine-American trade which the United States itself has been so assiduously cultivating.

9. It is pointed out that if such measures are enacted by the United States it will mean that the remarkable growth of trade between these two countries during the war will be practically lost.

10. There is much talk in Argentina of tariff reprisals by that country against the United States in the event of the new tariff becoming law.

11. Probably the strongest argument of all is that such a measure would operate directly against the interests of the United States by compelling Argentina eventually to transfer a great part of its trade from the United States to European competitors unhandicapped by tariff barriers.

The above brief outline shows the Argentine attitude at a glance. If any further proof were needed of how seriously the merchants of Argentina regarded this projected tariff legislation, it can be found in expressions of opinion from Buenos Aires. Advices from Argentina show that very strong resolutions have been passed urging that the United States should not proceed with this legislation.

It may be said that the present indications are that the emergency tariff legislation will not be passed. This may be so, but it does not affect the general attitude of Argentina on this question. An upward revision of the tariff in the early stages of the next session would be as unwelcome in Argentina as the passage of the present Fordney bill. And for the moment it appears that the chances of a higher tariff some time in the next session are strong. It is natural enough for the farmer, and others, to urge a higher tariff. It has been no secret that such an upward revision of duties has been associated, more or less, with the platform of the Republican Party. But the fact which should not be lost sight of is that the conditions at present are not normal. The old arguments which could be advanced in favor of a tariff, with some justification in normal times, are by no means so defensible at a time when foreign exchanges are abnormal. A tariff which might be imposed with safety in normal times would be crippling when directed against foreign countries handicapped by an adverse exchange. There was a very general hope that these unusual circumstances would be considered, and that there would at least be no tinkering with the tariff during the present year. It is still reasonable to assume that some of the best thought in the Republican Party, as well as among the Democrats, will realize the very compelling reasons for a postponement, if not an abandonment, of upward tariff revision.

The final point to be considered is what the effect would be on the future trend of Argentine commerce if the tariff were passed. We have heard repeated assurances that America wishes to hold her trade not only in Argentina but in all South America. If a higher tariff barrier is erected, will not the effect be to drive Argentine trade directly into the hands of European competitors, to the detriment of the United States? One of the problems of the future will be to utilize to advantage the merchant marine of America. The encouragement of foreign commerce is the logical way to find satisfactory work for these ships. By enacting a higher tariff the United States would indirectly, but none the less effectively, deal two blows at her own interests. She would curtail the avenues for the satisfactory employment of her merchant marine and at the same time play definitely into the hands of her European trade competitors.

Mr. SIMMONS. Mr. President, my understanding is that the matter now before the Senate is the amendment relating to sugar. Am I correct about that?

The PRESIDING OFFICER. The amendment of the Senator from Utah [Mr. SMOOT] relating to sugar.

Mr. SIMMONS. Mr. President, I do not intend to enter into any discussion with reference to the sugar amendment; but I do want to clarify to some extent some of the discussion which took place yesterday, which I think was based upon false premises and a misunderstanding of the facts upon which the argument and the conclusion in this matter must necessarily rest.

First, Mr. President, with reference to the effect of the two amendments that we have before us now—for we have two. We have, first, the committee amendment to the House bill, which proposes to raise the duty on Cuban centrifugal sugar 3 cents a pound. Then we have the amendment of the Senator from Utah [Mr. SMOOT] to the amendment of the committee, proposing to reduce the committee amendment rate from 3 cents a pound to 1 cent a pound. I am a bit puzzled to understand why the majority in this Chamber, if the amendment of the Senator from Utah reflects the sentiment of the majority, have changed about upon this question; why they have abandoned their proposal in the committee to add 3 cents a pound to the protection accorded sugar and are now ready to content themselves with only 1 cent additional.

In the first discussions of this bill the 3-cent increase was defended by the proponents of the committee amendment. It was defended and insisted upon by the Senators from Louisiana. After that amendment had been bombarded in the Senate, and it had been shown that if it was adopted sugar would cost the people of this country hereafter, as long as this proposed measure remained in force, about $300,000,000 a year more than it now costs them, we are suddenly advised that the Louisiana sugar producers and the Senators on the other side of this Chamber are ready to content themselves with increasing the price to the people of this essential of life $100,000,000 a year.

I refer to that simply for the purpose of showing how carelessly and recklessly the committee which framed this bill settled upon the rates it carries and the danger of legislating in this hasty and ill-considered way with respect to matters of vital importance to the people and the country.

The Senator from North Dakota [Mr. MCCUMBER], by manipulation of figures, asserted at the conclusion of his remarks on yesterday that by far the greater part of the money of the people will, under the amendment of the Senator from Utah, go into the Treasury. Such is not the case. On the contrary, about an equal amount will go, respectively, into the Treasury and into the pockets of the sugar producers in the United States and our insular possessions.

Sugar presents an illustration of a case where the price of a product imported into the country fixes the price of the domestic product. Now, it is true that the Government will get the amount of the additional duty collected on foreign sugar sold in this country, and that will go into the Treasury for the benefit of the people, but the additional amount that will be paid on the sugar produced in this country will be about equal to that paid on imported sugar, because we produce about half of what we consume, and that will go to the private beneficiaries of this legislation.

By virtue of the fact that the price of Cuban sugar regulates, controls, and determines the price of the domestic product, and that includes as well sugar produced in our insular possessions, if this amendment is agreed to the people will have to pay an additional 1 cent a pound on all the sugar consumed in this country.

I congratulate the people of this country that the Republican Party has had a change of heart, and, after discussion, has decided that it will exact of the people in the interest of the cane and beet sugar producers of this country only an additional $100,000,000 a year instead of an additional $300,000,000 per year as was its original purpose and intent. I feel that the people are entitled to congratulations upon this softening of the Republican hearts.

Mr. President, there is one other thing to which I wish to call attention. There has been some suggestion here that the price of sugar will not be materially enhanced in price as a result of this increased tax, and that the price will not allow a reasonable profit, if any, on its production under existing and prospective conditions.

Mr. President, I have here the retail and wholesale prices of sugar for a number of years past. I find that the wholesale price of raw centrifugal sugar in New York February 21 was about 5 cents a pound.

Mr. SMOOT. That is 96 per cent raw Cuban sugar.

Mr. SIMMONS. Yes; that is raw Cuban sugar, 5 cents a pound. I have also the retail price at the same time in New York, 8½ cents a pound. If the amendment had been adopted as reported by the committee, the wholesale price of raw sugar would have been raised from 5 to 8 cents a pound, and the retail price would have been raised from 8½ to 11½ cents a pound.

Mr. President, by reason of this softening of the heart of the beneficiaries and advocates of this legislation it is proposed to add only 1 cent a pound to the price of sugar. That is what it will do—just add 1 cent a pound to the present wholesale price of raw sugar, which is now 5 cents. That would make raw sugar a little over 6 cents a pound; but we will use round figures and call it 6 cents a pound. That will be, if this bill becomes law, the wholesale price of Cuban raw sugar in New York. Now, the differential between the wholesale price and the retail price in New York for 1918–19 was about 3½ cents a pound. Now add to the wholesale price of Cuban sugar 3½ cents a pound and you have a retail price of sugar of 9½ cents a pound.

Under the original amendment of the committee, when Cuban sugar reached 8 cents a pound this additional duty proposed was to be suspended. But that is not true of the amendment to the committee amendment proposed by the Senator from Utah. He does not provide for the suspension of this duty, however high the price of Cuban sugar may go.

I do not say that is a joker. I do not say that that is the change in the situation which has caused the Louisiana Senators so readily to acquiesce in the reduction of 66⅔ per cent in the protection that they had demanded and thought they were about to secure; but I do say that it is very significant; that if

it was thought necessary to impose a provision suspending the operation of these increased duties when Cuban sugar reached 8 cents a pound, under the original proposition, that provision should be eliminated in this substituted proposition. The Senator from Utah probably can explain that. It may have no special significance, but I have been mystified somewhat by it.

Mr. SMOOT. I do not think the Senator is mystified. I think he is——

Mr. SIMMONS. The Senator from Utah must allow me to say that I am mystified, because the Senator from Utah, more than almost anyone else I know, can now and then mystify us in the Senate. He may not be aware of that.

Mr. SMOOT. I will say to the Senator, then, that he tried to mystify all the other Senators when he allowed the same rate and the same wording to go in the Simmons-Underwood tariff bill. There has never been a proposition in Congress before that a rate of duty upon sugar should be limited when Cuban raw sugars reached a certain price.

Mr. SIMMONS. That is the reason why I wondered, after the Senator put it on in reference to one amendment, why he left it out with reference to the other amendment.

Mr. SMOOT. The amendment I offered is just simply word for word what the present law is, and follows the wording of the Simmons-Underwood tariff law.

Mr. SIMMONS. Why did the Senator not write the committee amendment in the same language?

Mr. SMOOT. I did not write the committee amendment.

Mr. SIMMONS. You voted for it in committee did you not?

Mr. SMOOT. But I did not vote for it, and the Senator knows it.

Mr. SIMMONS. I do not remember whether the Senator did or not. Of course, the Senator knows, and if he says he did not, I accept his statement.

Mr. SMOOT. The Senator knows it very well.

Mr. SIMMONS. I do since the Senator states it, because the Senator would not state anything that is not true.

Mr. SMOOT. Mr. President, there is no likelihood of 96 test Cuban raw sugar reaching 8 cents a pound.

Mr. SIMMONS. I do not think so myself, Mr. President.

Mr. SMOOT. Then why is the Senator mystified?

Mr. SIMMONS. Simply because this limitation was placed upon the price in the original amendment and omitted from the proposed substitute.

Mr. SMOOT. The Senator from Utah did not put it in the other amendment.

Mr. SIMMONS. I mean the committee, of which the Senator is an honored and a very powerful and influential member.

Mr. SMOOT. The Senator from North Carolina is also a powerful member of that committee, and I want to say to the Senator that he knows the conditions existing at the time those amendments were being put on the bill; the opponents of the bill were perfectly willing to put almost anything in the bill, not with the idea of its ever passing, but with the idea of making it so obnoxious that it could not pass, or that the people of the United States would not agree to it.

Mr. SIMMONS. The opponents of the bill, Mr. President, were willing to have the proponents frame it.

Mr. SMOOT. Perhaps I should not have said that, because that was a committee action, and perhaps should have been kept secret. But there is no need of trying to camouflage the situation, and that is exactly what is happening.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Ohio?

Mr. SIMMONS. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator from Utah has suggested a very interesting fact to me, namely, that the opponents of this bill were trying to load down the bill with certain amendments which would make it obnoxious. What were the amendments which were presented by the opponents of the bill?

Mr. SMOOT. Mr. President——

Mr. SIMMONS. Not one, I will say to the Senator. I beg the pardon of the Senator from Utah.

Mr. SMOOT. I have been on the Finance Committee a good many years, and I have never seen a situation like that presented by a certain Democratic Senator.

Mr. POMERENE. Has the Senator ever seen a bill like this?

Mr. SMOOT. This is substantially the shape in which that Senator made his proposition: "I do not know what the highest rate ever imposed upon hides in the history of the country is, but whatever that rate is, I move that it be put into this bill."

Mr. POMERENE. If the Senator will point out any item in this bill which was proposed by the opponents of the bill, I will vote against it.

Mr. SIMMONS. Mr. President, I can state to the Senator that all the amendments which were offered were supported by the proponents of the bill. This particular sugar amendment, I think, came from the Senator from Louisiana [Mr. RANSDELL], written in the behalf of his colleague, neither a member of the committee, but was by its proponents.

Now, let me proceed, Mr. President. I am glad to have the explanation of the Senator from Utah about that matter.

Mr. President, it is just as certain as that the day follows the night, there is no conjecture about it, no speculation, that if this amendment is adopted the price of Cuban sugar, duty paid at the ports of this country, will be raised to about 6 cents a pound.

Mr. SMOOT. No; the Senator is mistaken about that, because the price of Cuban raws to-day is not 5 cents a pound.

Mr. SIMMONS. It is a little more than 5 cents. That is what it sells for in New York, duty paid.

Mr. SMOOT. It is 4⅝ cents.

Mr. SIMMONS. I am talking in round figures, duty paid.

Mr. SMOOT. And the 1 cent added would make it 5⅝. Of course, if the Senator is talking in round figures——

Mr. SIMMONS. I have said that was the New York price.

Mr. SMOOT. But five-eighths of a cent upon 8,000,000,000 pounds of sugar is five-eighths of $80,000,000, and it runs into the millions very fast.

Mr. SIMMONS. If the Senator makes a point about that I will take the retail price in New York at that time, based upon the Cuban price plus the duty.

Mr. SMOOT. If the Senator says at that time, then I have not anything to say. The Senator was speaking of the price to-day.

Mr. SIMMONS. No; I said in February of this year.

Mr. SMOOT. I know the Senator did in the first instance, and he was right then; but in his last statement he said that the retail price of sugar, if this amendment were put on, would be a certain figure, and he based that upon the price of sugar on February 1.

Mr. SIMMONS. Mr. President, I based that upon the price of Cuban sugar laid down at the ports of the United States, with the duty paid on it. Everybody knows that Cuban sugar is going to sell for just as high as it can be sold for in this market after paying the duty, and there is not going to be any reduction in the price of Cuban sugar. The ordinary differential between the wholesale price of raw sugar and refined sugar, the kind the people buy and use, averaged 3½ cents a pound in 1919 and 1918; that is, the differential between the raw sugar and the refined sugar averaged 3½ cents per pound. Adding that to the 6 cents, which will be the price of Cuban sugar duty-paid at the ports, if this bill passes, we will have 9½ cents as the New York retail price for sugar. That means in all probability, taking the country at large, that the retail price of sugar will hereafter be something over 10 cents a pound.

Mr. President, I call the attention of Senators to this fact, and I ask them to fix these figures in their minds because, before the war, during the year 1913, the retail price of sugar in New York was 5½ cents a pound. In 1914 the retail price of sugar averaged 5.9 cents a pound. Now it is proposed by this bill to help lift the price of sugar hereafter to be paid by the people of this country about 4 cents a pound above the level of 1913–14.

But it is said that last year's crop of sugar was expensive to raise. That is granted. But, Mr. President, is there any reason to believe that hereafter the cost of raising sugar in this country, when the world adjustment of prices which is now going on with great rapidity has been completed, will remain high as compared with prewar prices? There is no power under the sun that can stay the fall in the prices of commodities and wages. Prices of labor will inevitably come down, and unless all signs shall fail, the price of labor in the making of the next crop of sugar in the United States will doubtless be somewhat higher than before the war, but not materially so.

[At this point Mr. SIMMONS yielded to Mr. WARREN for the consideration of a House joint resolution.]

Mr. SIMMONS. Mr. President, I have stated heretofore that during this month the retail price of granulated sugar in New York, based on the price of Cuban sugar, was 8½ cents a pound and that necessarily, if the amendment is adopted, that the effect would raise that price to 9½ cents a pound. I have stated that the retail price in New York in 1913 was an average of 5½ cents and in 1914 an average of 5.9 cents. Thus we see that the present retail price of sugar is about 3 cents per pound higher than it was during the last two prewar years, and if the amendment now offered is agreed to, it will be raised so as to be about 4 cents per pound higher than it was during those last two prewar years.

Many arguments have been made here based upon the present low price of products. We have been told that they have gone

down and down until they are selling for less than they did before the war when the cost of production was much less. Cotton is selling now for less than it did before the war. The average price of cotton in my country, taking all grades, at this time is, I think, not much more than 7½ cents a pound; I know it is not over 8. The prewar price of cotton was about 15 cents a pound. It is selling now for slightly more than half as much as it sold for before the war. Yet here is a product, sugar, that is selling for from 33⅓ to 40 per cent more than it did before the war, and still it is proposed by this bill to legislate it to a higher level by putting a tariff duty on it in addition to the existing duty.

Corn is a staple product of the farm. Corn sold during the war for more than twice what it is selling for now. It sold at from $10 to $11 a barrel last year, averaging at least $10 a barrel, and is selling now for about $3.50 a barrel, a little over one-third what it sold for last year and less than it sold for prior to the war. Yet here is a product, sugar, that is selling to-day in the markets of the country at a price of 33 to 40 per cent higher than the price at which it sold during the last two prewar years, and which it is proposed by legislation to artificially raise to a higher level.

There is no staple agricultural product in this country that has not fallen since the war more in proportion than sugar has fallen.

Mr. SMOOT. From 30 cents a pound to 8 cents a pound is a pretty good fall.

Mr. SIMMONS. I am now comparing prewar prices with the present prices. The point I am now discussing is that the two staple products that I mention, corn and cotton, the two greatest crops grown in the country, one the basis of our export trade, the other the largest single crop grown, have fallen below the prewar prices, probably from 20 to 30 per cent below prewar prices, and yet here is a product that is selling to-day in the markets of the country from 33 to 40 per cent above the prewar prices, and we are now asked by legislation to raise it still higher. Why is this? We are told it is because the cost of producing the crop of last year was so great—the crop was produced at a loss. This was the result of high prices for all the essentials that go into the planting, cultivation, and harvesting of the product.

Mr. President, I wish to ask the question: Are we invoking the doctrine of protection in this country to-day to make good past losses? Is that the proposition of the proponents of the measure, to make good past losses, to put a duty upon a product for the purpose of enabling those who produce it to recoup themselves for losses sustained? I have never so understood it. I have understood the purpose of these duties, from a Republican standpoint, to be in the future to enable the producer to compete with the products of other countries or to raise revenue, as the case may be. Now, if it is for the future—and that is the only logical, consistent ground upon which protective legislation can be advocated or defended even by protectionists—there is no mortal man, I do not care what his powers of logic and of analysis and of presentation may be, who can justify a tariff for the purpose of enabling those who produce a product to recoup losses that have already been sustained.

Let us look into the future of this product. I do not undertake to say that, at the high prices that prevailed last year, sugar could have been produced at 10 cents a pound, which will be the retail price if the duty goes on. I do not undertake to say that it could be done at these high labor and material prices, but I do undertake to say that with the readjustment of prices that is now going on, and which will inevitably reduce farm labor prices far below those that obtained in 1920, it could be done. Already in my country, I understand, farm labor has fallen from 50 to 75 per cent. It is tending toward prewar levels. It will not get there altogether. It ought not to get there. If we could get back to something like prewar level of labor and material costs, I take it that sugar could be raised and sold at a profit at a slight advance upon the prices which obtained before the war, and, as I have said, those prices were 5½ to 6 cents a pound. Those are the prewar retail prices. The price is now 8½ cents a pound, and at this price, with labor and materials properly readjusted, sugar may, it is believed, be profitably raised.

The world is in a desperate condition; the world is going to remain in a desperate condition for some time, and for that portion of our agriculturalists whose prices are fixed in the markets of the world and who can not be helped by a tariff at all the situation looks gloomy, but for the sugar industry I see no trouble. I see no reason and there is no reason and nobody can assign any good reason why sugar, with the present duty imposed on it, will be less than 8½ cents a pound or from 33 to 40 per cent higher than it was during the prewar period. If this proposed duty is imposed on it, it will be still higher.

Mr. President, I want the Treasury to have all the money that is necessary to run the Government, and I admit that sugar is a very great revenue producer. Each cent of duty which is imposed on sugar raises in the aggregate somewhere around forty or fifty million dollars of revenue, but in levying duties that are purely revenue duties we ought to consider the consumers of the product; we must consider how necessary it is to the people. Here is a product some of which every human being consumes, because it is essential to life. It can no more be dispensed with than clothing can be dispensed with; it can no more be dispensed with than houses can be dispensed with. It is a necessity of life.

I say, regardless of the ease of raising revenue by imposing tariff taxes on necessaries, we must consider the question of whether we shall not be unnecessarily and unjustly mulcting the people. We can not impose a revenue duty on an essential of life, however good a revenue producer it may be, to a point which would exact of the consumers of the article an undue proportion of the total revenues required to pay the expenses of the Government. I lay that down as a fundamental principle. Every interest in this country must contribute to the revenues of the Government and every interest ought to contribute in equal and just proportion to the Government expenses and to the bearing of the national burden. When we single out one article of common, universal, necessary consumption, and place upon it more than a fair proportion of that burden, we then discriminate against the consumers of that product in favor of the consumers of the other commodities which enter into the life, the being, the happiness and the comfort of the people of the United States.

During Mr. SIMMONS's speech,

RAILROAD VALUATION.

Mr. WARREN. With the permission of the Senator from North Carolina, I ask that the joint resolution received from the House of Representatives to-day may be laid before the Senate and referred to the Committee on Appropriations.

The joint resolution (H. J. Res. 472) making an appropriation to continue the valuation of the property of carriers was read twice by its title and referred to the Committee on Appropriations.

Mr. WARREN. Mr. President, I wish to say that the Committee on Appropriations has authorized me to report the joint resolution back from the committee favorably, and ask for its immediate passage.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, and it was read, as follows:

Resolved, etc., That there is appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved March 1, 1913, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and including not exceeding $20,000 for rent of buildings in the District of Columbia, $1,000,000, to be available during the fiscal year 1921: *Provided*, That this appropriation shall not be available for rent of buildings in the District of Columbia if suitable space is provided by the Public Buildings Commission.

Mr. KING. May I ask the Senator if, in the appropriation bill which was passed a day or two ago, provision was not made for the very item to which reference is made in this joint resolution?

Mr. WARREN. No. The amount the Senator refers to was for the fiscal year 1922, and this is a deficiency for 1921. This item itself is in the deficiency appropriation bill now before the committee, and if we pass this joint resolution we shall cut the item out of that bill, which has not yet been reported to the Senate.

Mr. KING. I would like to ask the Senator from Wyoming if in the appropriation bill passed a year ago ample provision was not made for this purpose for the fiscal year 1921?

Mr. WARREN. Mr. President, we thought so at the time, but when the transportation act, so called, was passed, we put some extra duties on the carriers; and not only that, but we required haste in this valuation. So they are entirely out of funds, and have not money enough to pay the wages of their employees the middle of this month, who are scattered through the country.

Mr. KING. Does the Senator believe that in view of the passage of the Esch-Cummins Act there is any utility in perpetuating the organization to value the railroads?

Mr. WARREN. I hope it may not be perpetuated any longer than the appropriations already made shall continue, with the exception of this million dollars. I have not been one of those who believed it was worth as much as many others have believed from the first. But having expended all the millions of dollars we have expended, this is to bring it up to date and to predicate the valuation upon which securities may be issued, and so on.

Mr. SIMMONS. Mr. President, I agreed to yield to the Senator from Wyoming, but not for a discussion—for the purpose of discussing some other measure. I do not wish to be taken off my feet right in the midst of a speech.

Mr. WARREN. I will say to the Senator that I thank him for his courtesy and except for the urgency which I stated I would not have asked it. Every employee on this work all over the country will have to be laid off unless the joint resolution is passed. I thought it might pass without discussion. I shall not discuss it any further.

Mr. KING. Just one word more and then I shall not discuss it further. I think we are throwing good money after bad and that it is a foolish and useless expenditure. I regret that we feel constrained to pass the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

After Mr. SIMMONS's speech,

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 391).

Mr. CURTIS submitted the conference report on the bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes, which was ordered to lie on the table and be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills and a joint resolution of the following titles:

On February 11, 1921:

S. 4891. An act to amend section 1 of an act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes."

On February 15, 1921:

S. 4515. An act to extend the time for the construction of a bridge across the navigable waters of the Newark Bay, in the State of New Jersey;

S. 4541. An act to extend the time for the construction of a bridge across the Susquehanna River at Harrisburg, Pa.;

S. 4587. An act granting the consent of Congress to the counties of Brooks and Lowndes, in the State of Georgia, to construct a bridge over the Withlacoochee River;

S. 4603. An act to revive and reenact the act entitled "An act to authorize the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, to construct a bridge over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakely Island, in Baldwin and Mobile Counties, Ala.," approved October 5, 1917;

S. 4737. An act authorizing the Prescott Bridge Co. to construct a bridge across Lake St. Croix at or near the city of Prescott, in the State of Wisconsin;

S. 4787. An act granting consent for the construction, maintenance, and operation of a bridge across the Delaware River from the city of Philadelphia, Pa., to the city of Camden, N. J.;

S. 4825. An act to extend the time for the construction of a bridge across the Columbia River, between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon;

S. 4886. An act to revive and reenact the act entitled "An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River, in the State of New York," approved March 13, 1914;

S. 4949. An act to authorize the building of a bridge across the Santee River in South Carolina;

S. 4950. An act to authorize the building of a bridge across the Peedee River in South Carolina;

S. 4951. An act to authorize the building of a bridge across the Wateree River in South Carolina; and

S. J. Res. 186. Joint resolution to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge across the North Branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa.

AMERICAN COTTON ABROAD (S. DOC. NO. 396).

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, ordered to be printed and referred to the Committee on Agriculture and Forestry:

To the Senate:

I transmit herewith a report by the Secretary of State, covering information received by the Department of State in response to the instructions sent by that department to consul officers of the Unied States in foreign countries where American cotton is consumed, in pursuance of the Senate resolution of May 4, 1920, "to ascertain, as near as possible, what quantity of American cotton will be needed during the present year by the countries in which they are located," and "to make suggestions as to the means by which markets for American cotton may be enlarged and extended."

Reports received from most of the officers so instructed have been heretofore transmitted, and under date of December 23, 1920, were laid before the Senate and ordered printed as Document No. 348. The remainder of the reports, which had not been received by the Secretary of State at that time, are now transmitted.

WOODROW WILSON.

THE WHITE HOUSE,
Washington, 15 February, 1921.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 472) making an appropriation to continue the valuation of the property of carriers, and it was thereupon signed by the Acting President pro tempore.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 14311) to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. CALDER. Mr. President, I have been in receipt of some correspondence during the past two days from men who are interested in the sugar-refining business in New York City relative to the organization of a sugar commission in Cuba. Such a commission, as I am informed, has been authorized by the Cuban Government, some of the members are to be Americans and the others citizens of Cuba. This commission, I am advised, are to control the Cuban crop of sugar soon to be harvested. I understand from the newspapers that there has been some correspondence between the Cuban Government and our own asking approval of the organization of this commission. I should like to ask the Senator from Utah [Mr. SMOOT] or any other Senator in the Chamber, if he can give us any information about the subject.

Mr. SMOOT. I will say to the Senator from New York that all I know about the commission to which he refers is what I have seen in the press reports, that such a commission was to be formed in order to finance the Cuban crop. From what the newspapers say the sugar producers in Cuba are in a rather critical condition, and can not finance the sugar crop without some assistance. I do not think our Government is going to appoint any commission at all to deal with the matter.

Mr. CALDER. I understand that.

Mr. SMOOT. I do not think our Government will agree that any commission shall be appointed to go to Cuba. All I can say to the Senator from New York is that I know nothing about the matter other than what I have seen in the newspapers.

Mr. CALDER. My information is that our Government has agreed to the appointment of this commission and that it shall have some control over the sugar crop, but under what terms I am not informed. I have asked the State Department for information on the subject and hope I may get it during the day; now while the subject is pending and before we vote finally

upon the question, I do not want and I do not think the Senate wants to pass upon this subject with the knowledge that a commission of the character indicated has been appointed and may in some way control the price of sugar to the American consumer.

Mr. SMOOT. The Senator from New York can hardly object to my amendment when it more than cuts the duty on sugar in two as compared with the duty imposed by the amendment which was reported by the committee in the bill. Nobody can object to my amendment, even if he desires free sugar.

Mr. CALDER. I am in sympathy with the Senator's amendment, but I am anxious to have the question of the appointment of this commission and its powers cleared up.

Mr. THOMAS. Mr. President, I am glad that the Senator from New York has brought the subject to the attention of the Senate and in that way to the attention of the public. It has been intimated to me that the combination to which he refers will very seriously impair the business of what are known as the independent cane-sugar refiners, because their ability to obtain the raw material for their refineries will be very largely circumscribed. I do not know whether that is so or not; but, generally speaking, such foreign combinations are more or less connected with or are apt to be connected with home combinations. I do not know that we can do anything; Cuba is an independent Government, and if that Government sees fit to control its sugar product, as Brazil controlled at one time its coffee product, the subject, while one of international concern, is perhaps beyond the legislative powers of the Congress. If the Senator has any documentary information bearing upon the subject I hope he will put it into the RECORD.

Mr. CALDER. Mr. President, I have a letter from a sugar refiner in New York, and he closes his letter with a statement which, I think, is perhaps the most important thing in it. Speaking of the organizaton of the sugar commission in Cuba, he says:

> Should this commission function it will undoubtedly cause a very marked increase in the cost of sugar to the consumers in the United States; and we bring the matter to your attention, as we think it is of great importance that some action should be taken to have the situation carefully investigated. You will recall that Cuba enjoys a preferential of 20 per cent in imports into the United States. Any further information we can give you we shall be glad to furnish and will do so cheerfully.

Mr. SMOOT. Who is the author of the letter?

Mr. CALDER. It is from the head of one of the most important sugar refining companies in the country.

Mr. WALSH of Montana. Mr. President, some days ago I invited the attention of the Senate to some figures set forth in a report made by the Tariff Commission upon wheat and flour, together with the conclusions of the commission in relation to the subject, from which I think it was indubitably established that there is no justification for a duty upon wheat in consequence of a difference in the rate of exchange between this country and Canada. Some other features of the questions before us were canvassed, but that particular feature was the subject of some controversy with the Senator from North Dakota [Mr. MCCUMBER], in charge of the bill, who challenged the table given in the report, namely, Table No. 5, saying that the comparisons were made between Winnipeg and Minneapolis instead of between Fort William or Port Arthur and Duluth or Minneapolis, or between Winnipeg and Chicago.

I was not able at that time to appreciate just the point that was urged in that behalf by the distinguished Senator, whose familiarity with that branch of the subject under discussion is profound. So I appealed to the Tariff Commission for some expression with reference to the matter, and have a letter from the chairman, which I shall read, as follows:

> The Tariff Commission has issued two reports upon the tariff problem in wheat and wheat flour. In the first report, "Agricultural Staples and the Tariff," the general character of the trade and competition in these products was set forth in considerable detail; in the second, "Wheat and Flour Trade," the more recent developments were briefly indicated. In both these reports Minneapolis cash prices of No. 1 northern were compared with Winnipeg quotations, which are for wheat in store at Fort William and Port Arthur on the lake front.

So, as a matter of fact, the comparison was made as between Fort William and Port Arthur prices and those at Minneapolis.

> It is believed that Minneapolis prices afford a much better comparison with the Winnipeg quotations than do those at Chicago, for the reasons noted below. It may be added that because of differences in the grading, Manitoba No. 1 northern is generally considered by millers to be worth several cents more per bushel than the like American grade.
>
> (1) Minneapolis is preeminently the cash and future market for American spring wheat, the class which constitutes nearly all of Canada's exports. It grinds far more spring wheat than does any other milling center. From July 15, 1918, to December 31, 1920, for instance, it received nearly eight times as much wheat of this class as did Chicago, which is primarily a market for winter wheat.

Receipts of spring wheat at Minneapolis and Chicago.

	Minneapolis.	Chicago.
	Carloads.	*Carloads.*
July 15, 1918, to June 30, 1919	70,719	12,560
July 1, 1919, to June 30, 1920	49,536	6,370
July 1, 1920, to Dec. 31, 1920	40,213	2,985

> (2) Freight rates from the Canadian West to Fort William and Port Arthur are more nearly comparable with the rates to Minneapolis than to American points farther east.

	Port Arthur and Fort William.	Duluth and Minneapolis.
Regina	32½	34
Edmonton	40½	44½
Calgary	40½	43
Saskatoon	38	40½

> (3) Transportation costs from Minneapolis to Liverpool—ordinarily the "ruling market"—are more comparable with those from Winnipeg. Ocean freights are approximately the same from Montreal and New York. Much Canadian wheat goes for export via New York, and approximately equal rates apply from Minneapolis and Fort William to New York.

Accordingly, Mr. President, it appears, as shown by Table No. 5, that the prices of the same grade of wheat in Winnipeg and in Minneapolis—the Winnipeg wheat being in the elevators at Fort William and Port Arthur, on Lake Superior—are, when the difference in the rate of exchange is taken into consideration, substantially the same; and, as it seems to me, it must be so, except in occasional and inconsequential cases. If this bill is passed, and Canadian wheat is forbidden entrance into this country, it will, of course, go to Liverpool; it will depress the price of wheat in Liverpool, and the Montana farmer gets for his wheat the Liverpool price less the cost of transportation to Liverpool. Accordingly, it is a matter of no consequence to him whether this duty is 30 cents a bushel or 40 cents a bushel or $1 a bushel; it profits him absolutely nothing.

Mr. President, this is not only my conclusion with respect to the matter but it is the view expressed clearly by the Tariff Commission in the report to which I have adverted. I read:

> Both Canadian and American wheat prices have in general reflected quotations in the world markets. But while Winnipeg prices of hard spring wheat were always on an export basis, Minneapolis prices were frequently above the export point. Moreover, Minneapolis prices were consistently higher, though the spread diminished after the reduction and subsequent removal of the duty on Canada's wheat. The differential in favor of Minneapolis was particularly large in years when the harvest of American hard spring wheats was short or of poor quality.

That is to say, when we have no wheat for export, and are consuming in this country our available supply, the local price will be higher than the export price.

> This price disparity is especially noteworthy in view of the fact that during 1906–1916 the Canadian wheat was worth several cents more per bushel because of differences in grading.
>
> When the higher price levels in Minneapolis are considered in connection with the equality in freight rates from producing sections in western Canada to Minneapolis, Fort William, Port Arthur, and Duluth, and with the further fact that the costs of transportation from Fort William or Port Arthur to Liverpool via Montreal are, if different at all, slightly lower than from comparable points south of the border, it is evident that the import duties have prevented the equalization of prices in American and Canadian markets through a flow of Canadian grain to the former. Thus, the import duties have been of especial benefit to the American grower in the years of shortage of hard wheat, when domestic prices rose above the export point. The domestic supply of hard spring wheats is grown chiefly in the Dakotas and Minnesota; of hard winter, in Kansas, Nebraska, and Oklahoma. These two classes—hard spring and hard winter—are directly competitive. To a lesser degree, also, they compete with soft wheats. In durum wheat, raised chiefly in the Dakotas and Montana, there is virtually no competition.

So, Mr. President, I conclude that there is absolutely no ground whatever for hoping that the price of wheat is going to be raised by one penny by reason of this duty to the farmer in my State. Disadvantages, however, will accrue to him and to all other growers of wheat by reason of this duty—a matter to which I now desire to allude.

Mr. POMERENE. Mr. President——

Mr. WALSH of Montana. I yield to the Senator from Ohio.

Mr. POMERENE. If it will not interrupt the Senator, I should like to quote a paragraph or two from a speech made by the distinguished Senator from Michigan [Mr. TOWNSEND] during the reciprocity debate.

Mr. WALSH of Montana. I shall be glad to have it.

Mr. POMERENE. The CONGRESSIONAL RECORD of June 27, 1911, volume 47, page 2552, contains the speech of the distinguished Senator from Michigan delivered during the time of the reciprocity debate; and, as bearing upon this subject of the prices of wheat, he said:

During the last 19 years wheat has fluctuated in price in Canada and in the United States. In 1890, 1891, 1897, 1899, 1902, 1903, 1904, 1905, 1906, 1907, and 1909 wheat was higher in the United States than it was in Winnipeg. In some of those years the difference was negligible. During the years 1892, 1893, 1894, 1895, 1896, 1900, 1901, and 1908 wheat was higher in Winnipeg than it was in Chicago. This shows that during 11 of the last 19 years wheat averaged higher in the United States than it did in Canada, and during 8 of those 19 years it averaged lower in the United States than in Canada. Now, if we apply the standard heretofore mentioned and say that the United States farmer would have lost on his wheat during the designated 11 years when wheat was higher in the United States than it was in Canada, if the United States tariff had been removed, shall we not be obliged to apply the same doctrine, per contra, and assert with equal certainty that he would have gained during the 8 years when wheat was higher in Canada than it was in the United States if the Canadian tariff had been removed?

If such would be the logical result of this theory, will it not be necessary to figure up and strike a balance by arithmetical calculation before we know whether the farmer would have been injured by free trade in wheat with Canada? What is true of wheat is even more marked in reference to other farm products. During practically all of the last 19 years corn, oats, milk, hogs and hog products, and sheep have been higher in Canada than in the United States, and every farm product has, during some of the last 19 years, been higher in Canada than it has been in the United States.

Mr. WALSH of Montana. Mr. President, so long as the Canadian farmer can get substantially the same price in Canada that he can get in the United States, he has no object whatever in transporting his wheat to the United States, except—a matter to which I now desire to refer—that frequently it is very much more convenient and much more economical for him to ship over American lines and through American ports to foreign ports than it is to ship over Canadian lines and through Canadian ports. Accordingly, it argues nothing whatever to establish that there have been large importations of wheat into this country from Canada. Prior to 1917, when the tariff on Canadian wheat was removed, and our reciprocal tariff went with it, wheat for export from Canada going through American ports and over American railroads was shipped in bond, and we could tell just exactly where it was going. Large quantities during that time were shipped in bond over American railroads and through American ports to foreign ports; but now it is not necessary to ship it in bond, and large quantities of wheat are coming into this country and going right through either in the form of wheat or in the form of flour for export to foreign ports. There is still some going in bond, because there are some advantages; the identity of the wheat is preserved, and other advantages accrue; but large quantities of the wheat that come to this country from Canada pass right on to foreign ports.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Montana yield to the Senator from Utah?

Mr. WALSH of Montana. I yield.

Mr. SMOOT. The Senator understands that the Canadian farmer to-day, in shipping his wheat to an American market, has an advantage in foreign exchange that he never has had before.

Mr. WALSH of Montana. Mr. President, I discussed the subject of exchange the other day. I showed that there was no advantage whatever, as suggested by the Senator, on account of the disparity in the rate of exchange. The prices are higher in Canada because the exchange is against that country. Reduced to American money, I showed that the prices are substantially identical.

Mr. President, what, then, will be the effect of excluding Canadian wheat from this country? We take away a large amount of traffic from American railroads. We take away a large amount of traffic from American ships that ply upon the Great Lakes. We take away from our mills and manufactories in this country a large amount of Canadian wheat that we could mill in this country. We deprive men who are engaged in work upon docks in our country and in the elevators in our country of employment that they otherwise would have in handling the wheat thus passing through.

In other words, we lose all of this transportation business. In addition to that loss, in addition to losing the opportunities for milling the wheat that now comes from Canada, there is lost a large amount of mill feed as by-product of the milling process that is utilized for fattening stock, thus increasing the cost to producers of live stock of preparing their product for the market. Furthermore, it is a well-known fact that this Canadian wheat, often of a higher grade, is mixed with the lower grades of wheat produced in this country, making a more desirable flour, and thus a better market for the lower grades of wheat produced in our country. This advantage is to be surrendered.

In short, I am confident that this duty upon wheat will not benefit the farmers of the West, and that it will result detrimentally not only to them but to the interests of our country as a whole.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WALSH of Montana. I yield.

Mr. THOMAS. I trust the Senator will not overlook the fact that it also affects our export trade to Canada.

Mr. WALSH of Montana. Undoubtedly. Of course, as I said, if the Canadians can not sell their wheat in this country they will ship it to Liverpool, and instead of taking American products in exchange for the wheat that they would otherwise sell in this country they will with the avails take English goods, and thus there is a loss not only to our manufacturers but to our workers who find employment in the factories of this country.

Mr. POMERENE. Mr. President, if the Senator will permit me to observe, already the members of the Canadian Parliament are threatening retaliatory measures if this bill becomes a law.

Mr. WALSH of Montana. Now, Mr. President, I want to pass for a few moments to a consideration of the subject of wool—to my mind perhaps the single meritorious provision in this bill, with the possible exception of that dealing with long-staple cotton.

The depressed condition of the wool industry in this country at the present time is succinctly but accurately stated in a report made by the Tariff Commission, from which I read as follows:

The range woolgrowers can not yet dispose of their wool.

This is issued under date of January 11. The wool clip for the past year would ordinarily be disposed of throughout our country by the 1st of August. Under date of January 11, it is said:

The range woolgrowers can not yet dispose of their wool. Their sheep values have diminished by 50 per cent, thus reducing their assets. They need further loans to carry them through the winter, but they are heavily in debt after the trying season just closed, and their assets are already pledged to the limit as security for their present debts. The drought of 1919, followed by a hard winter and a late, cold spring, caused high feed costs and other operating expenses. There were severe sheep losses during the winter, a light lamb crop and heavy lamb losses during the spring. The wool clip was rather light and very little was sold—virtually none north of central Arizona. Expectations of high prices for the lamb crop were not realized in part, at least, because of heavy and unexpected imports of frozen lamb and mutton from Australasia and South America. The severity of the blow resulting from failure to get money for the wool shorn, which is normally counted on to pay expenses of the previous winter and spring, was increased by the shrinkage in the money receipts expected from the sale of lambs. The sheepmen have generally been unable to liquidate old indebtedness for newer loans placed after their wool money failed, because the receipts from lamb sales have gone largely to pay operating expenses up to December 1. In many cases the western banks can not safely make further loans, but without purchase of feed many of the sheepmen can not hope to bring their flocks through the winter even if the season be exceedingly mild. The result of this condition is likely to be serious and far-reaching.

Mr. President, this does not overstate the case. It has been frequently referred to heretofore, and I shall not take the time of the Senate in further elaborating upon it. It is about as bad as can be imagined.

But, Mr. President, if the facts thus outlined were the only considerations they would not, in my judgment, merit any special legislation by Congress. In the main they relate to the ordinary exigencies of the business. In the main the recital makes mention only of the usual risks that any man who goes into business must take, as any man who goes into other lines of business of a productive nature must take. But, Mr. President, the depressed condition at the present time arises not alone from these natural conditions to which reference is made, but in no small measure by reason of the action of the Government itself; and to that extent, at least, and because of that condition, it is a proper matter, as it seems to me, for governmental interposition.

During the war the Government, with a prudence and foresight that were altogether commendable, gathered in wool from all over the world. Wherever they could buy they bought, and brought it here so that our soldiers on the battle field and in the camps might be provided with blankets and with adequate clothing. When the armistice came it was found that the Government had on hand 600,000,000 pounds of wool, which it has disposed of from time to time to dealers and manufacturers, until the accumulation has been disposed of down to something below 60,000,000 pounds, a very large portion of that still being in the hands of dealers and manufacturers throughout the country; and it is because of this great accumulation, in large part, that the present price of wool is away below the actual cost of production.

Not only that, Mr. President, but in order to take care of the woolgrowers of Australasia, who were unable to get their product to the usual markets by reason of the shipping conditions, the Government of Great Britain took over for two years the entire wool clip of that region, which it has been disposing of from time to time, the glut in the market being intensified from that source.

So I believe, Mr. President, that a case is made out on behalf of the woolgrowers of the country for governmental aid. I should have been glad, if this item were segregated from the other items of the bill, to go as far even as the imposition of an embargo for a limited period upon importations of wool into this country until the market conditions for which the Government itself is in a large measure responsible were restored to what has been expressed as normalcy.

But, Mr. President, those in charge of the legislation in Congress saw fit to tie up the provision for the relief of the wool industry with other provisions so forbidding in their nature that I am unable to give my support to this bill.

Reference was made a few days ago to the amendment offered to the bill imposing a duty upon frozen meat.

I read:

Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per cent ad valorem.

Mr. President, it must be recognized that those who immediately benefit by that provision, whatever may be the ultimate result, are those who put meats upon the domestic market. We have been advised that the annual consumption of meats of this class in this country mounts up to an aggregate of 25,000,000,000 pounds, and we were told only a few weeks ago, in the discussion of what is known as the "packers'" bill, that the packers control and put upon the market 75 per cent of all the meat consumed in the United States. The result is, Mr. President, that whatever benefit accrues to anyone by reason of this provision accrues first—to the extent of 75 per cent thereof—to the packers and other producers of dressed meats that go upon the market.

It is easy to compute, Mr. President, that if the price should increase 2 cents a pound on 25,000,000,000 pounds it would mean an increase in the bill of the consumers of meat in this country of $500,000,000, 75 per cent of which, or over $300,000,000, goes into the coffers of the packers of this country. Of course, the price of meat may not be increased, but the purpose of the enactment of this tariff is to increase the price of meat.

Mr. President, we were told in the same debate, in connection with the packers' bill, that the growers of live stock do not get prices for what they produce in accordance with the prices paid to the packers for the product they put upon the market. In that connection it was conceded that the purpose of that bill was to insure better prices to the producers of live stock, and it was urged, and an appeal was made to representatives particularly from the New England States and the other manufacturing States of the East to oppose the measure, it being advanced that if, indeed, the price should be increased to the producers of live stock it would mean an increase in prices to the consumers of meat in the industrial centers.

But the Senator from Massachusetts [Mr. WALSH] disclosed, by elaborate tables prepared by the Bureau of Markets of the Department of Agriculture, that such a conclusion does not follow at all, and that the prices exacted of the consumer bear no relation whatever to the prices the packers pay to the producers of live stock.

Mr. President, if the price of meat to the consumer will not go up when the price is higher to the producer of live stock, the price of live stock will not go up when a higher price is paid for dressed meat to those who put it upon the market.

Mr. President, here is the proposition which confronts us: We are offering a subsidy to the meat packers of this country of something like $300,000,000, in the hope that they will divide with the growers of live stock in this country. For myself, considering the history of the packing business, I am unwilling to indulge any hope of that character.

Now let us proceed to the subject of sugar. The bill provides for a duty of 1 cent a pound upon sugar, and an additional amount for each degree, under the polariscope test, over and above 75 degrees, a thing a little difficult to understand, but, as I understand it, it figures out practically 2 cents a pound, taking into consideration the differential in favor of Cuban sugar under the treaty with that country. In other words, Mr. President, it is proposed to put a tariff upon sugar which will increase the price of that staple article, as it is hoped, to the extent of 2 cents a pound.

Mr. RANSDELL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Louisiana?

Mr. WALSH of Montana. I yield.

Mr. RANSDELL. I am sure the Senator does not want to state the matter incorrectly. The amendment offered by the Senator from Utah [Mr. SMOOT], which my colleague [Mr. GAY] stated yesterday he was willing to accept, would add 1 cent to the present duty. The present effective duty on Cuban sugar is 1 cent, and the amendment offered by the Senator from Utah would add 1 additional cent, so that it would be, in addition to the present duty, 1 cent, and not 2 cents.

Mr. WALSH of Montana. I can not agree with the Senator.

Mr. RANSDELL. I will ask the Senator from Utah if I have not stated his amendment correctly?

Mr. SMOOT. That is absolutely correct; there is not any question about it.

Mr. WALSH of Montana. I do not care to enter into a discussion of the amendment. I refer to section 2, which provides that—

The rates of duty imposed by section 1 (except under paragraphs 17, 19, and 20) in the case of articles on which a rate of duty is imposed by existing law, shall be in lieu of such rate of duty during the 10 months' period referred to in section 1.

Section 20 is not excepted in that. I am talking about the amendment proposed by the Senator from Utah, because I assume that is the one which is to be adopted. If the amendment reported by the committee is to be adopted, the amount would have to be increased.

Mr. SMOOT. I assure the Senator that the amendment offered by me increases the rate of duty on sugar 1 cent a pound, and that is all.

Mr. WALSH of Montana. The amendment proposed by the Senator from Utah reads as follows:

Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, seventy-one one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, twenty-six one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40°, 15 per cent ad valorem; testing above 40° and not above 56°, 2½ cents per gallon; testing above 56°, 4½ cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test. That the duties in this paragraph herein imposed are in addition to the rates of duty imposed on such sugar by existing laws, and shall in no manner affect or impair such existing laws.

Mr. President, let me proceed. I say it is 2 cents a pound. If I am wrong about it, and anyone can demonstrate that I am wrong, it is a very easy thing to reduce the amount in proportion. I am going to proceed upon that basis.

I have before me the last Statistical Abstract, Mr. President, from which it appears that the consumption of sugar in this country amounts to something over 82 pounds per person per annum. That, of course, includes sugar used in the preparation of foods as well as sugar that is used upon the table.

An increase of 2 cents per pound in the price of that sugar means an additional burden upon every man, woman, and child in the United States of $1.60 a year, and with 105,000,000 people in this country it is easy to compute that it means a burden upon the people of this country of something over $160,000,000, the share that is imposed upon the people of my State, with a population of something less than 600,000, exceeding three-quarters of a million dollars. I am unwilling to vote that tax upon the people of my State.

The Senator from Texas [Mr. SHEPPARD], who made a very eloquent address immediately before the recess last evening, understands that this act is for the benefit of agriculture and for the benefit of agriculturists alone, but everyone will appreciate that, as in the case of frozen beef and other fresh meat, the immediate benefit of the duty on sugar does not go to the farmers. It goes to the manufacturers of sugar, who may or may not divide what they get with the growers of sugar cane and sugar beets, and we complacently trust in them to make the division.

Some question was raised last night as to who these people are who own the sugar factories around the country. We were advised by the Senator from Utah [Mr. SMOOT] that the American Sugar Refining Co., the Sugar Trust, does not own a controlling interest in the Utah-Idaho Sugar Co.

Mr. THOMAS. Mr. President——

Mr. WALSH of Montana. I yield to the Senator from Colorado.

Mr. THOMAS. I think while that is true it is due to the investigation, followed by the suit of the United States that dissolved the Sugar Trust, and the American Co.'s disposition of its beet-sugar stock was made in consequence of that investigation and the pendency of that suit.

Mr. WALSH of Montana. I do know that in the hearings before the lobby investigating committee, of which the Senator from North Carolina [Mr. OVERMAN] and myself were members—I see him in the Chamber now—it was disclosed and undisputed that the American Sugar Refining Co. owned 51 per cent of the stock of that company and that the remainder was owned by the aggregation known as the Mormon Church. However, that was held simply in trust for the members of that church, so it might very properly be said that 49 per cent was

owned by the people of Utah and the neighboring States. The fact is, as it was also disclosed, that the American Sugar Refining Co. practically owns all of the Western Sugar Co., which controls most of the factories in the State of Colorado, and controls and owns the Billings sugar factory that owns and operates the great sugar factory in my own State.

Mr. SMOOT. I wish to say to the Senator that there are over 2,000 stockholders in the Utah-Idaho Sugar Co.

Mr. WALSH of Montana. They have acquired their stock since 1913. I have the testimony here before me.

Mr. SMOOT. The Senator will find that, no matter who testified, I have stated the fact. I wish to say that it is not true that the Sugar Trust owns any such interest in the Utah-Idaho Sugar Co.

Mr. WALSH of Montana. Anyone can verify the assertion made by referring to volumes 1 and 2 of the Senate hearings before the subcommittee of the Committee on the Judiciary investigating the maintenance of a lobby to influence legislation. At that time it was disclosed that the most active lobby in the country was the sugar lobby.

Mr. SMOOT. All I wish to do is to have the record correct. Last evening I said the Sugar Trust did own a controlling interest in the Utah-Idaho Co. years ago, but they do not now own any stock whatever in it; and when they owned the control there were, I think, between 1,000 and 2,000 stockholders owning the 49 per cent, and not one aggregation known as the Mormon Church.

Mr. WALSH of Montana. But this is all beside the subject.

Mr. SMOOT. Yes; it is.

Mr. WALSH of Montana. It is rather an unimportant matter. The point I am trying to make is that whatever benefit ensues to anyone by the duty being considered does not accrue, directly at least, to the growers of sugar beets or the growers of sugar cane. It goes immediately to the refiners and other manufacturers of sugar, and if they give any portion of their added profits to the growers of beets or the growers of sugar cane, they will exhibit a generosity that is not characteristic, though we trust them implicitly to make such a distribution. We have no reason to trust them. We have no reason to expect that they will divide what they get with the growers of sugar beets particularly. I speak about that branch of the subject because I am not particularly familiar with the operations so far as sugar cane is concerned.

As in the case of meats, the price of beets to the farmer does not go up with the price of sugar or go down with the price of sugar, neither does it go up when we put a tariff on or come down when we take a tariff off. Other considerations fix the price of sugar beets to the farmer. I have before me a table prepared by the Bureau of Crop Estimates for the purpose of showing just exactly what effect the tariff of 1913 had upon the price that was paid to farmers for sugar beets. We took the tariff off sugar at that time except to the extent of 1 cent a pound, and the farmers got no less for their sugar beets. I read:

Average prices paid producers of sugar beets in Montana and United States, 1910 to 1920. Source, Bureau of Crop Estimates.

	Price per ton.
1910:	
Montana	$5.00
United States	5.05
1911:	
Montana	5.97
United States	5.50
1912:	
Montana	6.44
United States	5.82
1913:	
Montana	5.89
United States	5.69

We reduced the tariff that year; but watch the year 1914:

	Price per ton.
1914:	
Montana	$5.95
United States	5.45

The factory paid more for beets in Montana when the tariff was taken off than they did while the tariff was on:

	Price per ton.
1915:	
Montana	$5.97
United States	5.67
1916:	
Montana	6.45
United States	6.12
1917:	
Montana	7.54
United States	7.37
1918:	
Montana	10.00
United States	10.00
1919:	
Montana	10.95
United States	11.74
1920:	
Montana	12.00
United States	11.63

So it will be observed that the price of sugar beets goes up with the price of commodities in the country generally and goes down, apparently, with the price of commodities in the country generally, without any reference to whether there is a tariff on sugar or not.

So I am not going to fool myself into the belief that if we vote $160,000,000 into the pockets of the American Sugar Refining Co. and other manufacturers of sugar in this country the growers of sugar beets are going to get any kind of relief from the distressed condition in which they find themselves at this time.

I have invited attention to some features of the bill which bear heavily upon the consumer and which, in my judgment, are essentially vicious. I wish now to speak of one or two that, to use language that would pass out in our country, however unparliamentary it may be, are pure "bunk." I refer particularly to the provision imposing a duty of 15 cents a bushel on corn, the third item of the bill:

Corn or maize, 15 cents a bushel of 56 pounds.

Referring to the Statistical Abstract, I learn that in the year 1919 we produced in this country 5,502,665,000 bushels of corn; that we exported of that 23,018,822 bushels; that we retained for domestic consumption 2,475,646,178 bushels; and that the net imports to this country were 3,346,463 bushels. In other words, in 1919, of corn we exported seven times the amount that we imported and we produced seventy times the amount that we imported. I wish some expert in finance would explain to me how, under those circumstances, the imposition of 15 cents a bushel on corn, or $15 a bushel on corn, would advantage the growers of corn by a single cent.

Mr. HARRISON. Mr. President, it may be that it was placed there as a revenue producer. I notice from the figures that it is expected to get $2,000 per annum from that source.

Mr. WALSH of Montana. I can not bring myself to vote for a subsidy of $300,000,000 to the Meat Trust in the vain hope that it will divide on an equitable basis or on any basis with the producers of live stock. I am unwilling to burden the householder of the country with an added sugar bill of $160,000,000, one million of which would be contributed by the people of my State, in the infantile belief that the Sugar Trust and other refiners and manufacturers will turn it, or any substantial part of it, over to the farmers who produce cane or sugar beets.

These are not the only infamies in this measure, but they sufficiently characterize it. They not only characterize it, but they illustrate the natural tendency of every tariff bill framed on the protective principle to become a bundle of infamies. The frozen meat amendment appears here on the insistence of a member of the committee coming from a section of the country in which the leading industry is the production of live stock and whose support it was deemed wise to secure. The sugar amendment assures at least two Democratic votes for the bill. Peanuts and cottonseed oil are offered as a bait to southern Senators traditionally opposed to legislation of this character. Corn finds a place in the list of commodities protected by this emergency measure.

What is the emergency that should impel Congress to come to the aid of the corn belt and from what country is it essential to exclude importations of corn? Let us have some exposition of the necessity of how the price of corn can be raised by an import duty, otherwise we are forced to the conclusion that this item was incorporated to give Members from the corn country an opportunity to fool their constituents into the belief that they too profit by this bill which so generously "Scatters plenty over a smiling land."

A tariff bill almost inevitably becomes a vicious log-rolling affair, the supporters of the meritorious features, if it has any, being obliged to submit to the inclusion of numberless items that are utterly indefensible. It acts as a magnet to draw to the Capital the predatory and those in whom cupidity is a distinguishing trait. They deceive by their plausibility and get consideration by the votes they command. They eagerly attach themselves to the political party which commits itself to a policy that affords them an opportunity to plunder the public, and are numbered among its most generous contributors. They give up without compelling resort to the methods known to overzealous or conscienceless campaign managers for "frying the fat" out of the general run of those immediately interested in protective duties. The whole system is corrupting and has exercised a debasing influence on American political life. I am unwilling to countenance it by my vote in favor of this measure, even though it promises some relief to the wool industry in which my State leads, and which is beset with untoward conditions, for which the Government is itself in no small measure responsible, that are discouraging in the extreme and that may

mean bankruptcy and ruin for not a few engaged in the business. The Government owes them the highest consideration, but I am unwilling to accept it for them upon condition that subsidies mounting up to hundreds of millions be voted to interests entitled to no special consideration.

Mr. SMOOT. Mr. President, the Senator from Montana still insists that the amendment which I have offered as a substitute for the committee amendment imposes an additional duty of 2 cents a pound on sugar. I do not know who told the Senator that, but I wish to state to the Senator that it is a mistake, for the amendment does not do any such thing.

Mr. WALSH of Montana. Will the Senator from Utah pardon an interruption?

Mr. SMOOT. Yes.

Mr. WALSH of Montana. The Senator from Montana had the assistance of the advice and counsel of the junior Senator from Louisiana [Mr. GAY], who figured it out for him.

Mr. SMOOT. Does the junior Senator from Louisiana say that my amendment adds to the present tariff a duty of 2 cents a pound on sugar?

Mr. WALSH of Montana. I asked the junior Senator from Louisiana to figure out what the duty would be under the amendment of the Senator from Utah, and he figured it out as being 2 cents a pound.

Mr. RANSDELL. The junior Senator from Louisiana meant 2 cents in the aggregate, not 2 cents in addition.

Mr. GAY. If the Senator from Utah will yield to me, I desire to say that his amendment figured out 1 cent more than the present rate of duty.

Mr. SMOOT. But that is not what the Senator from Montana said. The Senator from Montana said it was 2 cents more, and I told him that it figured out 1 cent more than the present rate of duty.

Mr. GAY. The total duty, with the addition of the duty imposed by the amendment of the Senator from Utah, would amount to 2 cents.

Mr. SMOOT. That is true, but my amendment adds only 1 cent. I will say to the Senator from Montana that I can figure it out in a minute if he desires to know what my amendment does. The amendment provides that for every degree above 75 degrees there shall be an additional duty of twenty-six one-thousandths of a cent per pound. It begins with 71 cents at 75 degrees. There are 21 degrees above 75 to make it 96 per cent, the percentage of raw Cuban sugar, and twenty-six one-thousandths of a cent on that makes 54.6 cents, and the 71 cents for the 75 degrees makes $1.25⅝; and the differential on Cuban sugar is 20 per cent, making 1 cent a pound duty on sugar.

Mr. WALSH of Montana. Let me ask the Senator if the difference between him and me is not merely the difference between $80,000,000 and $160,000,000?

Mr. SMOOT. Yes; if the law were in operation for a full year and 8,000,000,000 pounds of sugar were consumed, the difference would be the difference between $80,000,000 and $160,000,000. That is exactly what it would be.

The Senator from Montana also said that the beet grower will get no advantage whatever from the duty; that it will not go to him; that the price of beets is not based upon the price of sugar. I do not know what is the custom in Montana, but I know what it is in Utah; and I know that the minimum price for beets during the last year was $12 a ton. I further know that the contract provides that for every dollar of increase in the price of sugar beyond a price of 12 cents per pound the farmer shall get $1 a ton more for his beets. That is the contract in the State of Utah, and in all of the places where the Utah-Idaho Sugar Co. operates the same contract provision is made. If sugar had remained at 20 cents a pound, the beet farmers in Utah would have received $20 a ton for their beets. The beet-sugar factories were compelled to pay $12 a ton to the farmer, though it cost, with $12 beets, $0.54 a hundred to make the sugar, while the factories are selling the sugar to-day for $7 a hundred, or 7 cents a pound.

Mr. WALSH of Montana. The figures which I gave showed that the factories also paid $12 a ton for sugar beets in Montana.

Mr. SMOOT. And there was not any change in the duty upon beets.

Mr. WALSH of Montana. That price was regarded as being so unremunerative by the farmers that the sugar-beet factories last year were able to obtain only one-fourth of their beet capacity.

Mr. SMOOT. At $12 a ton?

Mr. WALSH of Montana. At $12 a ton.

Mr. SMOOT. Then the situation in Montana is very different from what it is in other States where the beet-sugar industry exists. The Utah and Idaho sugar factories produced last year more bags of sugar than they ever produced in all their existence. They produced, as I stated on yesterday, 2,300,000 bags of sugar.

It seems to me, Mr. President, it is a far-fetched proposition to stand here and talk about the price of beets advancing during the time of war. Everything advanced. The duty had nothing whatever to do with the price for beets or any other article. It was a question of what the manufacturer would sell for. All countries in the world paid unheard-of prices for everything. It was not any law which was passed by Congress which produced that effect; it was the existing conditions.

The Senator from Montana refers to the Meat Trust being benefited, and they only because of the duty upon frozen meats. Does not the Senator know that from Australia there have been millions of pounds of frozen mutton carcasses imported and constantly coming into this country? Does he not know that every cold-storage plant in the United States is filled with those carcasses and not owned by the packers, but held to sell against the sheepman, who is compelled to go into the same market to sell his mutton?

Mr. WALSH of Montana. If the proposed tariff shall raise the price of meats, every man who has that stock which has been brought here from Australia and elsewhere will profit by it, will he not?

Mr. SMOOT. Yes; but the tariff will stop any more coming in here by the millions of pounds, at least, or if it comes in it will have to pay 2 cents a pound duty.

Mr. WALSH of Montana. The Senator from Utah must not get into a dispute with me. Of course, we all expect it will raise the price 2 cents. My argument was that that would not go to the farmers of the country, but to the meat dealers.

Mr. SMOOT. If on frozen beef coming into this country from Australia we impose a duty of 2 cents a pound if it is brought in here, the increased price will go to the farmer, because the price of American mutton would be advanced that much.

Mr. HARRISON. Mr. President, may I ask the Senator what per cent of fresh meats in this country are controlled by the five big packers?

Mr. SMOOT. I heard the Senator from Montana say 75 per cent.

Mr. HARRISON. Does the Senator from Utah take issue with him on that statement?

Mr. SMOOT. Yes; I take the report——

Mr. HARRISON. How much does the Senator say the percentage is?

Mr. SMOOT. Some say they control a little over half of it and some say a little less than half.

Mr. HARRISON. What does the Federal Trade Commission say, may I ask the Senator?

Mr. SMOOT. I forget the exact percentage which they fix.

Mr. HARRISON. They say 73 per cent, do they not?

Mr. SMOOT. In some cases; in the case of beef, but not in the case of mutton.

Mr. HARRISON. Of fresh and frozen meats they control 73 per cent.

Mr. SMOOT. That is what the Senator says.

Mr. HARRISON. That is what the Federal Trade Commission says.

Mr. SMOOT. Yes.

Mr. President, the Senator from Montana has undertaken to make a great deal out of the fact that in years past there was a duty on sugar beets. A low rate of duty was put on sugar beets, but that was before there was any sugar-beet industry developed in this country.

Mr. WALSH of Montana. Mr. President, the Senator misunderstood me. I did not speak about any duty on sugar beets.

Mr. SMOOT. What did the Senator have reference to, then?

Mr. WALSH of Montana. If the Senator had followed me, he would have understood the reference. I was speaking about taking off the duty on sugar and stated that the price of beets did not fall when the duty was taken off of sugar, and I asserted that it would not rise when the duty is put on.

Mr. SMOOT. The Senator may have said "beet sugar," but I understood his reference to be to sugar beets. However that may be, Mr. President, so far as the duty on sugar is concerned, wherever the farmer is paid on the basis of the price of sugar the duty upon sugar will change the price he receives for beets, and he will get the increased price; there is no doubt about that. That seems to be the policy that is adopted now nearly everywhere except in Montana, and I do not know why it is not adopted there, although, of course, they may have a reason for pursuing a different course.

The amendment which I have offered simply provides, as I have said, 1 cent a pound additional duty on sugar. That is not going to take care of the losses which the sugar manufacturers

have got to meet this year; everybody recognizes that fact; and if we are going to develop the sugar industry of this country, or even if we aim to help that industry retain its present status, those engaged in the production of sugar can not go on losing money, as they will lose money this year, I will say to the Senator. When the time comes that Cuba can drive out the sugar industry in this country so that it is left entirely in the hands of the refiners in the United States, God have mercy upon the American people.

Senators talk about the proposed duty costing the American people $80,000,000. I ask them to go back to the years before the war and find out what advantages the American people received when beet sugar first came upon the market, and ascertain the effect the beet sugar had upon the price at which Cuban sugar was selling at that time. I can go back to the year 1911 and show that the sugar refiners of the East, handling nothing but Cuban sugar, made enough out of the American people to pay many times over the $80,000,000 which the Senator complains will be imposed upon the American people if my amendment is adopted; but just as soon as the first beet sugar came upon the market the price began to fall. If this industry is not worth saving to the American people, and we do not want to raise any revenue by a duty on sugar, the best thing to do is to strangle the industry at once; wipe it out, and depend upon foreign countries for the sugar supply. I do not believe the American people want that done.

The Senator from North Carolina [Mr. SIMMONS], and also the Senator from Montana [Mr. WALSH], say that it will cost the American people $80,000,000. Every single dollar that is raised from the importation of sugar into the United States would have to be raised from some other source if sugar were placed on the free list. The expenses of the Government can be met only through taxation, and no taxes of any kind are imposed on goods, particularly those which we are compelled to import into this country, that the people do not pay. If you do not raise a part of the necessary revenue from sugar, you have got to raise it from some other source. It is all very well to talk about free sugar saving to the American people $160,000,000, but it will not save it. Whatever is collected goes into the Treasury of the United States. Sugar must be imported; the people demand it; and if it were free, and there were nothing going into the Treasury of the United States, it would have to be raised from some other source; and from whatever source it might be raised, I say to the Senator now, it would have to be paid by the consumer in the end.

I do not think it is necessary to say anything more about this amendment. My amendment provides for a greatly reduced rate on sugar from that which was reported by the committee; and last evening I explained it, and told the Senate why it was proposed. There is no necessity of repeating it.

Mr. HARRISON. Mr. President, I had hoped that the Senator from Utah would answer some of the arguments of the distinguished Senator from Montana [Mr. WALSH]. The Senator from Montana, in a very able and clear speech, although his section might be said to be interested, told the Senate why he could not support this bill and lay this enormous tax upon the backs of the American people, the consumers of the land. He told how much they would have to pay on fresh and frozen meats, on cattle and live stock, on sugar, on wheat, and the various other things. I had hoped that the distinguished Senator from Utah, who has occupied very little of the time that has been consumed in the discussion of this bill, would give some reasons for this outrageous action of his party in this matter.

Mr. SMOOT. Mr. President, I will say to the Senator that I have not taken very much time on account of the filibuster that has been going on.

Mr. HARRISON. The filibuster that has been going on?

Mr. SMOOT. I want to say to the Senator that if I had answered in detail it would have taken quite a while; but the Senator will remember that the Senator from Montana said that there was 25,000,000,000 pounds of frozen beef consumed in the United States, and that 2 cents a pound upon that meant $500,000,000, and that it was going to cost the people of the United States that much. Then, on the other hand, he immediately said that if this duty of 2 cents a pound was put on, the raiser of the meat would never get a cent of it. Now, it can not be true both ways.

Mr. HARRISON. Why, the Senator from Montana showed that this tariff on fresh and frozen meats would benefit the five great packers that the Senator from Utah recently defended in part, at least, upon the floor of the Senate when legislation affecting them was attempted to be passed in this body. The Senator from Montana said that the five big packers controlled about 75 per cent of the fresh and frozen meats in this country, and the Senator from Utah took issue with him; and yet the Senator knows that the Federal Trade Commission in its report, after a full investigation, said that they controlled 73 or 83 per cent of the fresh and frozen meats.

Mr. SMOOT. Yes; and the Senator from Utah took an hour and a half the other day in the Senate to show that some of the other reports that were made by the Federal Trade Commission were absolutely wrong.

Mr. HARRISON. Oh, yes.

Mr. SMOOT. And I say to the Senator now that the reports of the Federal Trade Commission can not be relied upon.

Mr. HARRISON. Yes; the Senator from Mississippi knows the opposition of the Senator from Utah to the Federal Trade Commission.

Mr. SMOOT. Of course, if the Senator from Mississippi has been designated to occupy the balance of the day, I do not care about interrupting him now.

Mr. HARRISON. I am delighted to have the Senator interrupt me. Perhaps we can get some information about this proposition, and some reasons why certain taxes are placed upon certain articles here.

Here is what the report of the Federal Trade Commission says about frozen beef. It says that the five big packers have 62,535,507 pounds, and that 95 per cent of all the fresh and frozen beef in the United States is controlled by the five big packers. I shall not take up the time of the Senate to read further from that report.

The Senator says there is a filibuster. There is no filibuster here. We want a vote on this bill. We want to see how many Senators on the other side of the Chamber are willing to tax the American people and increase the cost of living after their promise, only three months ago, that they were going to reduce the high cost of living.

Mr. SMOOT. It has been reduced.

Mr. HARRISON. Yes; it has been reduced. I want to read from this book that the Senator has seen, with the pictures of two very distinguished persons upon the outside—the Republican Campaign Textbook for 1920.

Mr. SMOOT. For the tenth time.

Mr. HARRISON. No; this is the first time. The Senator sees, even in his dreams, the campaign pamphlet that was distributed through the country in the recent campaign, when in large letters they said: "Why 25-cent sugar?"

Mr. SMOOT. It is 8 cents to-day.

Mr. HARRISON. "Why 25-cent sugar?" and how you were going to reduce it. That is the pamphlet that the Senator from Utah has in mind—the pamphlet that he called for from the Republican national campaign headquarters and said, "Give me a reprint; give me more of these; let us show to the people that we are going to reduce the price of sugar to the consumers of the country," and now you propose to increase it.

Mr. SMOOT. It is 8 cents a pound to-day.

Mr. HARRISON. Yes. The Senator did not like the way that the Sugar Equalization Board functioned during the war, and yet they held sugar down to the consumers of the country and saw that the Army got a sufficient amount of it, and they turned into the Treasury thirty-odd millions of dollars, and as soon as they were forced to relinquish control the price began to soar.

Mr. SMOOT. The Senator is mistaken when he says that the Senator from Utah objected to the Sugar Equalization Board.

Mr. HARRISON. Oh, the Senator has criticized it; and when the McNary bill was up for discussion the Senator from Utah spoke against it time after time, and finally we had to compromise on an amendment that the Senator proposed in order to get it through.

Mr. SMOOT. And the Senator from Utah was following out exactly the recommendations made by that board, and Mr. Zabriskie's own statement, as the Senator knows, was exactly in accord with the position the Senator from Utah took.

Mr. HARRISON. Yes; and they were wrong all the way through.

Mr. SMOOT. Oh, certainly. If anybody does not agree with the Senator from Mississippi, he is wrong.

Mr. HARRISON. The Senator knew that sugar was continuing to go higher all the time, and that unless we extended by law the life of the Sugar Equalization Board and allowed them to handle the proposition it would go still higher.

Mr. SMOOT. The Senator from Mississippi was just criticizing the Senator from Utah for criticizing, as he thought, the Sugar Equalizing Board. Then when I call his attention to the truth of the situation he turns around and criticizes the same board.

Mr. HARRISON. Why, the Senator knows that there was a division in the Sugar Equalization Board touching that matter.

Mr. SMOOT. One man.

Mr. HARRISON. Dr. Taussig took one position about it.

Mr. SMOOT. That is all.

Mr. HARRISON. The President of the United States took a position with him, and the Senate Committee on Agriculture and Forestry took a position with him, and afterwards the Congress of the United States took his position on the proposition and extended the life of the Sugar Equalization Board.

Mr. SMOOT. The Senator knows that the President of the United States was not a member of the Sugar Equalization Board.

Mr. HARRISON. Why, of course, he was not, but he made his recommendation.

Mr. SMOOT. The Senator knows that the Committee on Agriculture and Forestry had nothing to do with the equalization board; the Senator knows that Congress had nothing to do with it, but that every member of that board except Dr. Taussig was in favor of the position taken by Mr. Zabriskie, and I took the very position that they did.

Mr. HARRISON. It was an incorrect position.

Mr. SMOOT. So the Senator says.

Mr. HARRISON. And the Congress afterwards said it was an incorrect position; the Senate Committee on Agriculture and Forestry said it was; the Attorney General said it was; the President of the United States said it was; and the facts that have arisen since then have demonstrated that the Senator was wrong in his position——

Mr. SMOOT. No.

Mr. HARRISON. Because as soon as the Sugar Equalization Board ceased to function sugar went up, and then the Senator's party got out their pamphlet and said, "Why 25-cent sugar?" and now that it is going down they want to increase the price again.

Mr. SMOOT. Mr. President, the Sugar Equalization Board wanted to purchase the Cuban crop of sugar.

Mr. HARRISON. Why, of course, they did.

Mr. SMOOT. And the President of the United States would not allow them to do it.

Mr. HARRISON. Yes.

Mr. SMOOT. And if they had purchased the Cuban crop of sugar, as the board wanted to do, with the exception of Dr. Taussig—the only member of it who took that position—the price of sugar in this country never would have soared to 25 cents, the matter to which the Senator has referred.

Mr. HARRISON. Why, the Senator knows that the reason why the President did not favor purchasing the Cuban crop of sugar at that time was because the life of the act was to expire at a certain time, and he asked that Congress extend the act so that the Sugar Equalization Board could continue and not die with the act as it was written; and the Congress afterwards extended the act, as the Senator knows. Some of us wanted it extended for a year, but we had to compromise on about six months, I think.

Mr. SMOOT. Why, Mr. President, at the time that they asked for an extension, after the President had refused to buy the sugar or allow the Sugar Equalization Board to buy it or contract for it, that board had months and months of life ahead of it.

Mr. HARRISON. How many months of life ahead of it?

Mr. SMOOT. I think it was eight months, as I remember.

Mr. HARRISON. It was a very short time.

Mr. SMOOT. No; it was not a short time. It was plenty of time to buy all the Cuban crop of sugar, and there was plenty of time to distribute that sugar, too. There is not any doubt about that; but that was an afterthought, after they had known that there was a mistake made that cost the American people hundreds and hundreds and hundreds of millions of dollars.

Mr. HARRISON. I am glad to hear the Senator's position. I am glad to hear him try to excuse himself.

This campaign textbook, as the Senator from Utah and other Senators on the other side expressed themselves in the campaign, says much about a revision of taxes and a reduction of the high cost of living. I want to read just a few passages, so that the RECORD will show just how the Senator and his party are carrying out their promises to the American people.

I notice that on page 330 of this remarkable document, under "Tax revision," it says:

> Plan and fashion as we will, the country is in for a prolonged period of heavy taxation.

That is one truth they told.

> Facing this prospect, every effort should be made to use those particular taxes which will do least harm to the economic and social life of the Nation and at the same time realize the largest measure of justice as to incidence and distribution. Such policies are certain to contribute to the corrective forces making for a reduction of living costs.

So says this remarkable document.

Now, the Senator from Utah, in his explanation a few moments ago, said that if we did not put this tax on sugar we would have to raise the money in some other way. Doubtless that is true; we will have to raise it in some other way; but there is a difference between the views of the Senator from Utah and some of us on this side of the aisle, perhaps not all of us, certainly a difference between the Senator's party and our party, as to the means to be employed to raise these taxes. He would levy this tax, whether it is $80,000,000 or $160,000,000—and that is the difference that was debated for some time between the Senator from Montana and the Senator from Utah—but, to take the Senator's figures of $80,000,000, he would raise that amount by taxing the people of this country, rich and poor alike, who need sugar to eat. It is necessary for them to have it for their very existence.

We would not put a heavy tax upon the poor people of the country, who must have sugar in order to live, but would put it, if need be, upon the wealthy of the land or upon those who are more able to bear the burden of taxation.

I go further in this remarkable document and read more of this good stuff, if it could have been believed, in the matter of reduction of the high cost of living:

> The influence of rising prices upon such accumulations has been to reduce their economic effectiveness by 50 per cent since 1914. In other words, the savings' bank depositor, the beneficiary of insurance policies, the possessor of building and loan association credits, the owner of securities and investments has had taken from him in the past five years in substance one-half of that which he had put aside and supposed himself to possess. To the extent that the dollar may hereafter regain its purchasing power of five years ago, he will recover the loss as to that part of his savings of which he is still the possessor. In so far as it will have been expended in the interim, the injury is irreparable.
>
> This is not a wholesome exhibit. Working and middle-class savings represent denial and sacrifice to secure provision against sickness, accident, and old age, and to assure protection, after the death of the breadwinner, to dependent wife and children. That a large part of what has been earned, often painfully over many years and put aside at great cost in spirit of thrift, foresight, and family devotion, should at the moment when needed be found to have been cut in half, is a cruel miscarriage of economic justice. As one man wrote in answer to our questionnaire, a man who had retired on the savings of 40 years of toil, "The fruit of 20 years of hard work has been wiped out."
>
> Salaries: Little need be said as to the plight of salaried classes, consequent upon the increased cost of living; the fact is one of widespread and intimate experience.

Oh, yes; you were going to help him out; you were going to reduce it. You say:

> Even under the relatively favorable conditions that have prevailed in the past five years, the wage earner has been compelled to fight to maintain his foothold, as to a standard of life, in the quicksand of rising living costs.

Yet on your first opportunity after writing that into your campaign textbook you want to press down upon these wage earners higher prices for everything they need.

I go further. You have a big chapter here on the high cost of living, which reads:

> To the plain citizen of the United States the term "high cost of living" has a clear and definite meaning. It sums up the hardship and suffering that the American people have borne during the past five years, because of the great rise in the prices of the goods and of the services upon which their income is ordinarily spent. Had wages and incomes increased in like proportion at equal pace and for the same cause as general prices, there would have been no relative increase in living costs.

Then we find in big black letters, on page 153 of this remarkable document, larger type than the other part of the book:

> The high cost of living.

And under that among other things, you condemn the Democratic administration for what it did, and you say:

> There is no short way out, and we decline to deceive the people with vain promises or quack remedies.

Let me read it again. I am afraid the Senator from Utah did not hear it.

> There is no short way out, and we decline to deceive the people with vain promises or quack remedies.

You promised them to reduce the high cost of living, and you said you would not give them any quack remedy, and yet you offer the greatest quack remedy here in the form of this emergency tariff bill that was ever introduced into the American Congress.

Let me go further. Under "Taxation" you have in big black letters:

> The burden of taxation imposed upon the American people is staggering—

Says the Republican campaign textbook. Then in the platform, on the subject of the high cost of living, your party said:

The prime cause of the "high cost of living" has been first and foremost a 50 per cent depreciation in the purchasing power of the dollar—

And so forth.

Further, on the question of the high cost of living, we find this:

Much of the injury wrought is irreparable. There is no short way out, and we decline to deceive the people with vain promises or quack remedies.

The Senator from Utah knows this is a quack proposition. His conscience is stricken already even on the sugar item. He saw that the original proposition that was incorporated in the bill and reported out of the Finance Committee was such a great burden on the consuming masses, his conscience was so stricken over that action, that he is trying to set his party right in that one item. But he knows that there are other provisions in this bill more infamous than that, more iniquitous than that, which will carry a hardship to the American people even greater than the sugar proposition, which in its original form would have probably meant a burden of $300,000,000 on the American people.

As suggested by the Senator from Arizona [Mr. SMITH], if it is not a quack remedy, how about the duty on corn? You know you are trying to deceive the people on corn. Everyone knows there is not as much corn coming into this country as is raised in one county in the State of Illinois. There is only $2,000 a year estimated as the return in revenue on corn coming in. Yet, though you told the people three months ago in that remarkable document in your platform and in large letters that you "decline to deceive the people with vain promises or quack remedies," on the very first opportunity you give them this quack proposition on corn alone.

I read from a speech of a very distinguished Republican, the man who carried to victory the Republican standard in November. In his speech of acceptance he said certain things, and among them these:

I believe that the tax burdens imposed for the war emergency must be revised to the needs of peace and in the interest of equity in distribution of the burden.

Are you proposing to do that in this bill? Is there any equity in the distribution of the burden, as was suggested by the standard bearer of the Republican Party?

Then, as to the high cost of living, the President elect said:

One can not speak of industry and commerce and the transportation on which they are dependent without an earnest thought of the abnormal cost of living and the problems in its wake. It is easy to inveigh, but that avails nothing.

Then, in reading the great speech in the Chicago convention of the temporary chairman of that convention, the leader of the Republican Party in this body, Senator LODGE, I notice he talked about the high cost of living and suggested certain remedies. Among other things Senator LODGE in this keynote speech at the Republican convention said something that is most interesting:

The rise of prices, the high cost of living which reach daily into every home, is the most pressing as it is the most difficult and most essential problem which confronts us.

He was the spokesman of the Republican Party in your convention, saying that the most important question that was pressing itself upon Congress was the high cost of living. He goes further. He wanted to suggest a remedy in this speech, and he said:

The most potent remedy of all against advances in the high cost of living, however, lies in production, which can not be reached directly by statutes. If production begins to fail and fall off, the cost of everything will be advanced by the simple force of scarcity which inevitably drives prices upward. The most essential remedy for high costs is to keep up and increase production and particularly should every effort be made to advance the productivity of the farms.

Those were words of wisdom that were falling then. He said further:

Just how much the Government can do in this direction is uncertain, but it can aid and support, and if anything can be done it must not be omitted or overlooked.

Do you believe that Senator LODGE, as the spokesman of the Republican Party in that convention, would have had the audacity to suggest that this soon after the election, should they be successful, they would introduce and report favorably from the Finance Committee such a bill as this, imposing a heavy tax upon sugar, and bread, and butter, and milk, and fresh beef, and wool, and all the various things which are enumerated in this bill? The Senator knows they would not have gotten started at the post if he had made any suggestion like that; but all through this remarkable document just the opposite was suggested. You were inveighing against the high cost of living, you were blaming the party in power for it, although you did not tell the American people that for two years you had controlled the Senate, as well as the House, and that all legislation was under the control of your party. There was but a small percentage of the American people in that campaign who ever thought that the Democratic Party was not still in control of the House and the Senate. But you inveighed against the party then in power for the high cost of living. You were going to reduce it. The spokesman at the convention said so. Your candidate for President said so, and all through this document passages in big black letters gave that impression to the people.

Senator LODGE said further in this remarkable speech:

I have touched upon this matter of prices and the high cost of living because it is altogether the most important domestic question now before the country and one to which the Republican Party should address itself without delay in every direction where help is possible.

Are you doing it? Senators, you are pursuing just the opposite course. You are trying to add to the burden instead of removing the burden from the consuming masses.

If the Senator from Utah, whose conscience has been so stricken that he has reduced the tax that his party would place upon the people of some $300,000,000 on sugar alone and which his party in this Chamber recommended should be passed, has been moved to reduce it from 2 cents and a fraction down to 1 cent additional tax per pound, why does he not reduce some of the other outrageous proposals in the bill? If he thought a 2-cent increase on sugar was too much, why does he not think that an increase of 30 cents a pound on wool in some instances is too much? What reasoning did the Senator follow, if he believed 2 cents on sugar is too much and if his conscience would not permit him to vote for a bill carrying that and prompted him to reduce it to 1 cent, that he does not try to reduce the tax on wool, which is proposed, of 30 cents a pound increase in some instances and on some kinds far more than that?

Mr. SMOOT. Why does not the Senator ask the Senator from Montana [Mr. WALSH] that question?

Mr. HARRISON. No; the Senator from Montana is on the minority side on this question. The Senator from Utah has great influence in this body, has commanding influence; his word is almost law in this body, certainly in the Finance Committee of the Senate, so I know of no man here to whom the question should be more properly directed than the Senator from Utah. I ask again the Senator from Utah, although he tells me to ask the Senator from Montana.

Mr. SMOOT. I wish to say to the Senator that there is quite a difference, and I could give an explanation of it, but I do not desire to interrupt the wonderful speech being made by the Senator from Mississippi.

Mr. HARRISON. I am glad to have the Senator interrupt me.

Mr. SMOOT. However, really, I thank him for his complimentary remarks, which I do not deserve.

Mr. HARRISON. Yes; the Senator does deserve them. If the Senator's conscience hurt him with reference to the sugar item, let us see about some others, and why it is that his conscience is so seared against them. On wheat, the Senator's conscience will stand for an increase from nothing, in most instances, to 40 cents a bushel, and yet he says that his conscience would not stand for the outrageous proposal of the Senate Finance Committee with reference to sugar, and so he is going to reduce that item. I asked him the same question as to corn. That is raised from 3 cents, the rate under the Underwood bill, to 15 cents a bushel in the pending bill; on beans the rate is increased from nothing to $1.20 a bushel; on peanuts, from three-eighths of a cent to 3 cents a pound; on potatoes, from nothing to 25 cents a bushel; on fresh and frozen beef, veal, mutton, lamb, and pork, from nothing to 2 cents a pound. Why not reduce that last item to 1 cent, as the Senator's conscience moves him to do in the sugar proposition?

On wool the rate is raised from 3 to 15 and 30 cents a pound, and on scoured wool to 45 cents a pound. Does not the Senator think that is pretty high? How does the Senator explain that his conscience would not permit him to stand for the recommendation of the Finance Committee with reference to sugar, that would increase the present rate to 2 cents a pound, and at the same time his conscience will permit him to stand an increase of 45 cents on scoured wool?

Butter is increased from 2½ cents to 8 cents a pound, an increase of practically 6 cents a pound. Cheese has been increased. Of course, the old rate was an ad valorem rate, but that has been increased to 5 cents a pound. Milk the Senator proposes to increase 2 cents a gallon and cream 5 cents a gallon. Thus I could go on down the list and mention hides and various other things. I do not understand the force of the Senator's reasoning when he says that his conscience will not stand for the high rate on sugar proposed by the Finance Committee, which is about 2 cents a pound, but will stand for all the other

infamous, indefensible, inexcusable, and iniquitous propositions that are carried in the bill.

Mr. SMITH of Arizona. If the Senator will permit me, I should like to ask how the cost of living is to be reduced by a 30 per cent ad valorem duty on the importation of cattle into New Mexico, for instance? The 30 per cent which I understand is provided for in the bill, it will be seen, would mean an increase on every steer that was to be killed. The effect it would have, if it was done as an emergency measure, would be to raise the price of local live stock and to prevent the importation of any other. We are still met by the argument that the cost of living is being increased by both processes.

Mr. HARRISON. That is true, but the bill has for its purpose, as some one has said, the increasing of the burden to the American people. I think it is very correctly characterized. In a very short while we shall have an opportunity to vote upon the proposition.

There have been a number of amendments offered to the bill. I was just scanning through some offered by Senators on this side and some by Senators on the other side of the aisle. I notice that the Senator from Washington [Mr. JONES] desires a 20 per cent increase over the present rates on canned salmon. He does not propose that merely the farmers be taken care of. He wants to get the fishermen taken care of also by putting a tariff on canned salmon. Anything that the American people must eat, anything that they need in order to live, it is proposed to increase in cost to them. Then he mentions herrings and finally gets down to cherries and apples. The same Senator from Washington saw that the Senate Finance Committee had omitted eggs and poultry from the proposition. I do not know why they were omitted. They included about everything else that the people need—frozen beef, milk, butter, cheese, sugar, wheat, flour, and all those things. But the Senator from Washington saw that they had omitted eggs, and so he said, "Let us put a tax of 12 cents a dozen on eggs." Why, Mr. President, eggs for weeks and weeks have cost over $1 a dozen. I do not know what they are costing now. Whatever they are, it takes a millionaire to buy them, but they have been away up in price all the time. I notice that before the Ways and Means Committee some one has proposed a tax on eggs in order to try to protect the hens of the United States against the hens of China and Japan. Here we shall have an opportunity to vote on the amendment offered by the Senator from Washington.

If the policy of the Republican side of the Chamber is to be carried out, we will have the amendment incorporated in the bill to put a tax of 12 cents a dozen on eggs. On frozen eggs the Senator wants a tax of 20 cents a dozen and on dressed poultry a tax of 15 cents a pound. How is the Senator from Utah going to get out of that proposition? That is no more infamous than the other provisions carried in the so-called emergency tariff bill.

I notice another amendment offered by the Senator from New Hampshire [Mr. MOSES]. He is not satisfied with the treatment of his people in this proposition, and so he says that needles for knitting or sewing machines shall be taxed $1 a thousand and 25 per cent ad valorem; latch needles—I do not know what those are—$1.15 per thousand and 35 per cent ad valorem. Even the poor old woman who has to buy sugar and flour, and milk and butter, and some clothing, wool or cotton, it does not make any difference which, must pay a tax on all those things, and now the Senator from New Hampshire wants us to place a tax on the needles that she buys.

The Senator from Massachusetts [Mr. LODGE], the leader on the Republican side of the Senate, is not satisfied with the bill, and so there must be something included to get him to support it. It is a regular logrolling venture, as was suggested by the Senator from Montana [Mr. WALSH]. We need these votes to pass it, and so we will bargain with you, we will give you a sugar tariff in order to get your vote, we will give you a tariff on your live stock and your frozen meats, but you have to vote with us to put through the bill. If you have some cherries or apples we will give you a tax on them, but you have to stand with us on the final passage of the bill.

Then they come down to us in the South, and they say, "Here is where we catch some of the Senators from the South," Senators who have always inveighed against a protective tariff, who have abused the Republican Party since their entrance into the political arena for the high-protection principle for which the Republican Party stands. So when they get down South they say, "They raise a lot of cotton in the South and we will put a tariff on that." I doubt not that this scheme originated in the fertile brain of the Senator from Utah, because he is adroit, he is smart, he is able, and he knows the tactics to employ to put through the Senate a bill that has as much infamy as is contained in the pages of this bill.

Mr. SMOOT. Mr. President, I can not stand for all this flattery and these complimentary statements, because they are not true, they are not correct. I desire to say to the Senator from Mississippi that the first motion that was made in the Finance Committee was made by the Senator from Utah, and that motion was that we report the bill just as it came from the House and that we oppose all amendments in the committee and on the floor of the Senate. So the laudations which the Senator from Mississippi is heaping upon the Senator from Utah are not justified.

Mr. THOMAS. Mr. President, as a member of the committee I can testify to the accuracy of the Senator's statement.

Mr. McKELLAR. I think it needs some limitations and some reservations, because I am quite sure the Senator from Utah has very vigorously espoused the cause of the sugar tax, and that is an amendment.

Mr. THOMAS. It is an amendment to an amendment.

Mr. McKELLAR. It is an amendment to an amendment; but I say there are reservations to be made to that statement. The Senator from Utah has espoused just as vigorously as almost anyone else the tax on sugar. It is not quite as large as the tax placed in the bill by the committee over his protest, as I understand, but, nevertheless, it is an amendment of the bill as passed by the House. The bill as passed by the House contained no tax on sugar.

Mr. SMOOT. I wish to say to the Senator that after the amendments were agreed to and after it became clear that we were going to change it, of course I knew that it would have to go back to the House, because it changes the position of the House entirely. Then it became a question for me to use my own judgment, and that is what I did.

Mr. McKELLAR. I said there should be some reservations.

Mr. SMOOT. I really did not know what the Senator had in mind when he made that statement. I am glad to hear him state what he had in mind.

Mr. HARRISON. That bears out exactly what I had in mind. I said the Senator was able, that he was adroit, that he knows how to put legislation through the Senate. He would never have shown his fine Italian hand in the Senate on this proposition. He knew the best way to secure a tariff on wool, with this joker in the bill, was to pass it in the exact form in which it came from the House, though he would not have been the one on that committee to have suggested the tax on sugar, the tax on frozen beef that protects the five big packers of the country who control 80 per cent of the frozen and fresh beef in the country. No; but there are other members on the committee and the Senator dominates some of them. You can not blame them. A Senator who occupies a position on the great Appropriations Committee and on the Finance Committee wields an influence here that is exalted, that is powerful. So there might have been a member of that committee seeking favor with the Senator from Utah who allowed himself to be seduced, so to speak, when the amendment was offered. The Senator may have said, "Well, I will vote for it; there are enough votes to pass it, anyway"; and the amendment was reported out.

The logrolling process continues, and when the measure comes upon the floor of the Senate here an appeal is made to the live-stock men, and so there is a tax placed on cattle and other live stock and on frozen meats. An appeal is made to the Senators from Louisiana, and so we have a duty on sugar. Then an appeal is made to some Senators who come from Democratic States, Senators who, as I have said, have always heretofore inveighed against the Republican doctrine of protection and said that it robbed the many in order to benefit the few, and those Senators change front because they think they can go back to their people and hand them this "gold brick" in the shape of a duty on cotton.

So when I was so fulsome in my laudation and praise of the Senator from Utah, when I said that he, perhaps, conceived the idea of putting a tax on cotton in order to have some of the southern Senators fall into line, I was paying him a very just tribute. The thing at which I am surprised is that the Senator's party has not heretofore attempted to put a tariff on cotton in order to try to hoodwink the cotton farmers of the South. I do not think he would have obtained the vote of any Senator over on this side by that policy, though it is the old policy which has often been pursued.

That is the policy that is pursued, if I recall correctly, by a she bear who with her young is being pursued. She will drop one cub in order to divert the attention of her pursuers. Some of us on this side who come from cotton-growing sections, however, are not going to be diverted by having thrown at us a tariff on cotton. We are going to pursue this iniquitous bill to

the end, and we are going to crush it if we can get any support on the other side.

Mr. SMOOT. I have to smile at the earnestness of the Senator from Mississippi.

Mr. HARRISON. I am very earnest.

Mr. SMOOT. I desire to say, however, that the House of Representatives put the 7 cents a pound duty on cotton. It seems to me that the Senator from Mississippi ought to ask the two Democratic Senators from Arizona why they desire the 7 cents a pound on cotton which was imposed by the House and which was in this bill as it came from that body increased to 30 cents a pound. That would be the proper source to go to in order to trace the iniquity at least of one of the proposed amendments to the bill.

Mr. HARRISON. I know that the Senators from Arizona, so far as this bill is concerned, have had no influence in putting on an amendment. The influence must come from the Senator from Utah or from some one who is in this conspiracy with him. The Senator from Utah says the provision relating to cotton was initiated in the other House. However, the influence of the Senator from Utah does not stop on this side of the Capitol. A Senator who serves as a conferee upon the great appropriation and revenue bills, who is the leader in his State and in the Nation of what is called a great political party, has some influence on the other side of the Capitol.

Now, I want to go further with some of the amendments, for I have been diverted. I see that the leader on the other side of the aisle offered an amendment to the bill, and here is his amendment. That amendment has got to be accepted, perhaps, or he has got to be satisfied in some way in order to get his vote for the bill, because I can not for the life of me understand how the Senators from New Hampshire, or the Senators from Vermont, or the Senators from New York, or the Senators from Massachusetts, or from Rhode Island, or from Connecticut, or from Pennsylvania, or from any States in that section of the country can afford to vote for a bill which will bring reprisals and retaliation on us by other nations in their dealings with us; that will embarrass and handicap us in our whole foreign trade; that will restrict the great manufacturers of the East who have found markets abroad from selling their products there. I can not understand how those Senators—and I include in that list the Senator from Michigan [Mr. TOWNSEND], who represents the great industrial city of Detroit and other industrial cities such as Grand Rapids, Lansing, and Jackson, where men have been thrown out of employment because the automobile industry is going a little slowly at this time; where bread lines, if the newspapers quote the situation correctly, have been formed; where men are walking the streets by the thousands waiting to be taken back into the factories of that State—I can not understand how a Senator from the State of Michigan can vote for this bill that will lay the heavy hand of taxation on all the necessaries which those men need in order to live.

I should very much dislike to have the task on my hands of explaining my vote for this bill to the people who reside in the great industrial centers of Pennsylvania, New York, and throughout the East, including Massachusetts, from which comes the leader of the Republican Party in this Chamber.

However, the Senator from Massachusetts [Mr. LODGE], the leader of the Republicans of the Senate, offered this amendment:

Upon hides—

I notice the Senator from Utah has gone from the Chamber, and I am sorry—

Upon hides of the kind provided for in paragraph 26, when advanced in any manner or by any process of manufacture, and manufactures of which hides or any kind provided for in paragraph 26 are a component material, the rate of duty imposed shall be 10 per cent ad valorem.

The Senator from Massachusetts knows that when a high tariff is placed upon the raw material there must be placed a compensatory duty upon the finished product. So he is trying to have incorporated in this bill a provision in consequence of which he may say to the manufacturers of his State "I helped you, too"; but he will also have to answer to the consumers there for his action; he will have to answer to the wage earners, the bread liners, and tell them why he sought to impose a heavy tax on the necessaries of life, and at the same time wanted to impose a heavier tax on the clothes which they must wear. The object of the Senator from Massachusetts is not to stop at the breakfast table, but to lay an additional burden on the clothes which men must wear. So he offers an amendment proposing an outrageous tax of 10 per cent ad valorem on down the line on the manufactures of hides and skins; in other words, a suit of clothes worn by the average man will necessarily be greatly enhanced in price. I do not know how much it will figure out because when you put the duty on noils and tops and scoured wool, up and down the line, pyramiding it, so to speak, the poor devil who has to work for a small wage can not afford to buy a suit of clothes.

We have waited patiently for months and for years for the price of clothing to drop; some of us have been forced to wear our old clothes in the hope that the time would come when a reduction in the price of clothing would be advertised and enable us to buy new clothes; but at the first ray of hope, when prices are just beginning to decline a little, we find that the party in control, notwithstanding the promises they made three months ago to the American people to reduce the cost of living, to reduce the prices of the necessaries of life, now offer them a stone by increasing the cost of living and the burdens that they must bear.

Let us see what other amendments are offered to this bill.

The Senator from Washington [Mr. JONES] has offered another amendment proposing a duty on lime. His amendment is as follows:

LIMESTONE AND LIME PRODUCTS.

Lime in cooperage, 50 cents per hundred pounds, gross weight; lime in bulk, 30 cents per hundred pounds; hydrated lime, 40 cents per hundred pounds, gross weight; limestone, broken or crushed, in bulk, 15 cents per hundred pounds; ground limestone, in bags, 7½ cents per hundred pounds; ground limestone, in bulk, 5 cents per hundred pounds.

He not only wants to take care of the farmers and the cherry raisers of his State, and the fishermen who catch salmon and herring——

Mr. KING. And suckers.

Mr. HARRISON. And suckers, as suggested by the Senator from Utah, but he wants to put a duty on lime and limestone. So I find another Republican Senator is not satisfied with this bill, and in order to get his vote I imagine those seeking the passage of this bill will have to allow some amendment offered by him to go in the bill.

The distinguished Senator from Missouri [Mr. SPENCER] has offered an amendment to the bill. He wants to take something back to certain people in his State; he wants to say that he, too, has influence in this body. Do you know what he proposes? He proposes a duty of 2 cents a pound on sunflower seed. [Laughter.] It is easy to get him right; all you have to do, I will say to the Senator from North Dakota, in this instance is to adopt his amendment to put a tax on sunflower seed and sunflower oil, for he wants that protected also. Give him the duty on the sunflower seed, anyhow, if you can not give him the duty on oil.

Mr. McCUMBER. Mr. President, I am sorry if we have left out anything that the Senator from Mississippi wanted.

Mr. HARRISON. No; I did not offer the amendment, I will say to the Senator from North Dakota. I am against it. I am against the whole nefarious scheme. But a Senator on the other side of the aisle, the Senator from Missouri, evidently is not satisfied with the bill and wants to add a tax on sunflower seed.

There are some other amendments here. Some Democrats have offered some. I will not speak of those. I want to compliment and congratulate one Senator on the other side who has offered an amendment, and I am for his amendment. I am going to vote with him for it. I refer to the senior Senator from Idaho [Mr. BORAH]. He offers an amendment to strike out of this bill the tax that you propose to levy on "milk, preserved or condensed, or sterilized by heating or other processes," and so forth. And this is the only amendment offered by a Senator on the other side of the aisle that does not tend to increase the cost of living.

The idea! The idea of levying this increased tax on those who need milk! You want to starve even the little babies of the country that must necessarily have milk. It is bad enough, Senators, to increase the cost of clothing, whether it is cotton or wool; it is bad enough to increase the price of shoes, as you will do in this bill; it is bad enough to increase the price of sugar to the 105,000,000 people in America; it is bad enough to increase the price of flour, if the contention of the Senator from North Dakota be correct; but when you put a tax on milk that the little children of this country must have it is going quite too far. So I am with the Senator from Idaho in striking from this bill this infamous provision that would prevent the babies of this country from getting milk, if it is adopted.

Here is a pretty sensible amendment from your viewpoint. There is wisdom in this proposition. There is good horse sense in it. This is an amendment that is offered by the Senator from New Hampshire [Mr. MOSES], in which he says:

Strike out all of the bill after line 4 on page 1 and insert the following.

In other words, he would strike out the provisions of this bill, and, so far as those provisions are concerned, he would substitute the tax as levied in the Payne-Aldrich tariff bill. Now, that is the last bill prior to the present law that received real consideration by Congress. That bill was debated in the House for months. It was considered in the Committee on Ways and Means for months. It came here, and the Finance Committee of the Senate considered it for months. Then the Senate, after discussion for weeks and months, passed it. Of course, it was iniquitous; it was indefensible; it carried your party to defeat; and yet it was not one-third as outrageous, as indefensible, as inexcusable as the bill now being discussed in this body.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. HARRISON. Yes; I yield.

Mr. MOSES. If the Senator will permit me, I will interrupt him only long enough to thank him for this 33⅓ per cent compliment which he pays me.

Mr. HARRISON. It is due to the Senator. Of course, we think the provisions of the Underwood-Simmons tariff law are correct, just, fair, and wise. We think it is the best tariff law that was ever written upon the statute books. We did it because the American people commanded us to do it. We promised them something, and we gave them that which we promised.

Mr. MOSES. Oh, no, Mr. President.

Mr. HARRISON. I am glad the Senator differs with me.

Mr. MOSES. The people cried for bread, and the Democratic Congress gave them a stone.

Mr. HARRISON. We promised them something; we were commissioned to give them that, and we did, in the form of the Underwood-Simmons tariff law. But, while I commend the Senator from New Hampshire for offering the Payne-Aldrich law as a substitute for the provisions of this bill, because it was, as I say, considered at length, deliberated upon for days, and based upon some knowledge, the American people condemned it, President Taft condemned it, and in the election, when the verdict was left to the people as to whether or not they should approve it, they disapproved it, and we gave them that which they were promised. So if you really want to do something on the other side of the aisle that is bad, but not to such a degree as you propose to do by the emergency tariff bill, you should vote for the amendment that is offered by the Senator from New Hampshire [Mr. MOSES].

I think the Senator from Utah [Mr. SMOOT] was one of the Senators who had more to do with writing the Payne-Aldrich tariff law, perhaps, than anyone else. He defended it upon the floor of the Senate. Other Senators over there who are still in the Senate condemned it. I think I can almost hear ringing out now the eloquence of the distinguished Senator from Iowa, Mr. Dolliver, inveighing against Schedule K, pointing out the dangers that lurked within it and the infamy of it. The same position was taken by the other Senator from Iowa [Mr. CUMMINS], the Senator from Wisconsin [Mr. LA FOLLETTE], and other Senators on the other side of the aisle. But, over their protest, the Senator from Utah and the late Senator from Rhode Island, Mr. Aldrich, with those who thought as they did, passed the bill, and then the voice of the people rang out and condemned it; and yet, with all that condemnation, still remembered by the American people, you propose in this bill to make the rate on wool higher than was ever thought of being incorporated in the Payne-Aldrich tariff law!

There are other amendments that are proposed. I come now to the amendment of the Senator from Utah [Mr. SMOOT] on sugar. The leader on the other side is not satisfied with your bill. You have got to do something to get him in line. I have suggested, while the Senator was absent from the Chamber, some of the amendments suggested by the Senator from Massachusetts [Mr. LODGE], but here is one:

In paragraph 18, page 4, line 5, after the words "per pound," insert the following:

Provided, That skirted wools as imported in 1800 and prior thereto are hereby exempted.

Now, may I ask the Senator from Utah whether he is in favor of that amendment?

Mr. SMOOT. I think the amendment will be modified before it is offered.

Mr. HARRISON. Modified in what respect?

Mr. SMOOT. I do not want to speak for the Senator from Massachusetts. I really do not know.

Mr. HARRISON. I am just wondering if that amendment meets the Senator's approval.

Mr. SMOOT. No; and after a full explanation of it I do not think the changes necessary will be opposed by the Senator from Massachusetts.

Mr. HARRISON. What is the object of that amendment, may I ask? I attacked this provision some days ago—some weeks ago, in fact—and there has been no explanation made of the provision on wool in this emergency tariff bill, and I am wondering why that amendment should be adopted. I have my ideas about it, and I am going to give them to the Senate presently; but I am wondering now why the Senator approves of that amendment.

Mr. SMOOT. I have just told the Senator that I did not approve of it in the shape that it appears there.

Mr. HARRISON. Does the idea as expressed there meet the approval of the Senator?

Mr. SMOOT. No; not in the shape that it is at present, because with the idea expressed there I am not in favor of the amendment.

Mr. HARRISON. I am in favor of it. The Senator will not give me an explanation. I am going to tell him why I am in favor of it. I think somebody has put a joker in the wool provision in this bill.

Mr. SMOOT. There is no joker.

Mr. HARRISON. The Senator says there is no joker. Let us see. Wool to-day in the Underwood bill is free. In the Payne-Aldrich law I believe the duty was 12 cents on unwashed, washed, and scoured wool, and so forth. Now—

Wool commonly known as clothing wool, including hair of the camel, angora goat, and alpaca, but not such wools as are commonly known as carpet wools: Unwashed, 15 cents per pound—

Higher than ever proposed before. Now, if the Senator disputes that statement, if he can recall where it was ever proposed before to put so high a tariff on unwashed wool——

Mr. SMOOT. No; the Senator has not denied that——

Mr. HARRISON. I know he has not.

Mr. SMOOT. But I want to say to the Senator that this is a temporary measure, and it is not going into permanent law; and I said to the Senator the other day when this question was up that I would not vote for a duty of 15 cents a pound on wool in a regular tariff measure.

This, however, is a temporary measure, as the Senator knows; and the Senator also knows that over half of the woolgrowers of this country now are absolutely ruined. I do not know whether you can save the other half or not; and if you destroy the industry here, it is gone for 25 years.

As I said to the Senator the other day, if this bill becomes a law it will be too late to save half of them, but it will perhaps help, or we thought it would help temporarily, the other half. The Senator from Montana told the Senator from Mississippi just a little while ago what a horrible condition they were in, and I say that the Senator from Mississippi knows that they are in that condition, too. I do not think he denies it.

Mr. HARRISON. Why, of course I know it. I sympathize with them very, very much. They are in the same condition that the cotton farmers of my section are in.

Mr. SMOOT. No; they are in quite a different condition.

Mr. HARRISON. I do not think they could be in any worse condition. I know there is a bad condition there.

Mr. SMOOT. Yes; they can be in a worse condition, and I want to tell the Senator why. The cotton planter of the South at least will have his land when he is through with this year.

Mr. HARRISON. I do not know whether he will or not.

Mr. SMOOT. It will not be destroyed.

Mr. HARRISON. A lot of it is being sold right now at trustees' sale.

Mr. SMOOT. In any event, it goes to somebody else to raise cotton, and that can not be done with the sheepman. If his sheep are sold, they go to the slaughterhouse, and it will take another quarter of a century to get the business started again in this country.

That is why I said what I did to the Senator the other day, that in an ordinary tariff measure, enacted for the purpose of covering a number of years and providing a permanent tariff rate, I would not vote for those duties.

Mr. HARRISON. I am glad the Senator would not. But if you ever get this rate established by the passage of this legislation, and you start to write your new tariff bill, which will be in the course of a couple of months—they are writing it now in the House—does the Senator think he can make the woolgrowers out in Utah, or anywhere else, believe that within less than two or three months you must reduce a tariff, which, in your best judgment, was proper three months before that? If you ever get this rate in this bill, you will never be able to reduce it in any permanent legislation that is passed by the incoming Congress.

Mr. SMOOT. The Senator is mistaken about that.

Mr. HARRISON. That is my opinion.

Mr. SMOOT. I am not denying that, but I say the Senator is mistaken. The wool people expected this bill to be passed

long before now, and it ought to have been, to have really brought the full measure of assistance they required, and even then, as I have said, it would not have done it. But it ought to have been done. I will say to the Senator now that the next tariff bill will not carry these rates.

Mr. HARRISON. How much does the Senator think the next tariff bill ought to carry?

Mr. SMOOT. I am not going to undertake to say what the House will do.

Mr. HARRISON. I am asking the Senator what he is in favor of.

Mr. SMOOT. That will all depend upon the circumstances at that time.

Mr. HARRISON. So that if the conditions are the same three months from now, when that bill gets here, as they are now, the Senator might be in favor of reducing it 1 cent a pound?

Mr. SMOOT. I am not saying what I would be in favor of doing. When the time comes I will decide that.

Mr. KING. Mr. President, I do not think the position of the Democratic Party with respect to the tariff is that protection shall be accorded to the manufacturer and denied to the producer of raw materials. If you impose a tariff upon the products of wool—that is, the woolen manufactures—and can derive a revenue from wool itself, there ought to be a tariff laid upon wool. I believe that a reasonable tariff upon wool would be a fair and a legitimate exercise of the taxing power of the Government and would yield considerable revenue. The greatest tariff bill that was ever written—unless it was the one that my friend, the Senator from Alabama [Mr. UNDERWOOD] wrote—was the Walker tariff bill, and the basis of that bill was that in laying duties there should be no discrimination against section or against class or against products, raw or manufactured. A proper application of that fundamental democratic principle is that in the imposition of a tariff you shall not accord all of the benefits to the manufactured product and deny them to the raw material.

Mr. HARRISON. The Senator's statement is right in line with the argument against passing a piecemeal measure like this, that the whole tariff question should be considered as a whole, and not as to certain classes or as to certain sections, as the case might be.

What we were discussing was a defense of the high rate imposed on wool at this time, higher than ever before, and the Senator from Utah [Mr. SMOOT] admits that it is higher than he has ever heard proposed on wool before—15 cents a pound on unwashed wool, 30 cents a pound on washed wool, and 45 cents a pound on scoured wool.

The Senator excuses that by saying that this is a temporary measure. The Senator knows, as a practical proposition, that when you get a rate established that is defended upon the theory of protection, it is hard to reduce that rate, and I make the prophecy now that whatever rate is established in this emergency tariff bill there will come from every section of this country, from those people who are interested in the various items you propose to protect, a protest against reducing the tariff you propose to place in this bill. You will have to meet the same proposition then, whether it is two months from now, three months from now, or six months from now, in answering your constituents, that you must meet now.

It is said there is a demand for this legislation, that it is needed. No one ever heard of any demand by any organization for an emergency tariff bill, as proposed here, until some one in public life, either in the House or in the Senate, began to agitate in order to hoodwink the farmers and deceive them with this kind of legislation.

Of course, if the leaders of public thought in this country try to make their constituents believe that you are helping them by this, and they have confidence in you, they will say, "Take it, take it," especially those constituencies which have been fooled in the past in every campaign by politicians going to them and saying to them that a tariff on wheat would help the price of wheat, notwithstanding there is a surplus sold in the markets of the world, as well as those politicians who have gone among the corn producers and said, "We are going to get you a tariff on corn, and it will help the price of corn in this country and benefit you."

Of course, they would say "Yes; I will take it," when you knew at that time that there was not as much corn coming to this country, as I stated before, as is raised in one county in some of the States of the Union, and you are proposing a tax on corn which it is estimated will bring in only $2,000. So, when you practice deception on him, of course he is going to be in favor of the proposition.

But there was no sentiment in this country among the farmers or in any other class for this legislation until the politicians held it out to them as a promise of some good. When the time comes to write the tariff on these propositions in your coming extra session of Congress, I want to see some of the letters those of you who now vote for these provisions will write back to your constituents, saying, "Oh, the conditions have changed. Circumstances are not now the same as they were then, and I have to vote to reduce the tariff I voted for in the emergency tariff bill."

You will make your constituent just as mad then as you would make him now if you played on the level with him and put the cards on the table and told him you had been hoodwinking him in the past, and said, "I am not going to do it any more." If you go to him and say, "It is not my duty as a Senator or a Representative to vote special favors for any class, any section, or any number of people at the expense of the many, but I am to look at the proposition in a broad way, and I can not afford to go back on the promises I so solemnly made to the American people in October, 1920, that the cost of living would be reduced; I refuse to break a pledge I made to the American people, and I can not vote for this iniquitous measure, which will place heavy burdens on the great consuming masses," then you would not have to make explanations in the extra session of Congress; but you will writhe and you will tremble and you will be frightened to death—political death at least—during the extra session when you have to explain why you are in favor then of reducing the tariff you now propose and have put into this bill.

So I predict that you will not do it. I predict that there is not enough courage upon the part of men who are going to vote on the proposition three months from now, when a permanent tariff bill is before us, to reduce the rates from those you are going to vote for now.

So I am just assuming—and the assumption is practical in its common sense—that whatever rate is written in this bill and passed as an emergency measure will be carried over into the extra session of Congress and it will be an incubus you will fasten on the American people. I am not willing to do it.

Now let me get back to wool. I was in hopes that the Senator from Utah would explain that proposition, but he has not. I will tell you why I think the leader on the Republican side offered this amendment to this bill. He saw the injustice in the provision on wool. Whether it was deliberately put in there or whether it got in there inadvertently I do not know, but the Senator from Massachusetts discerned it, and so he wants to take care of the situation. He knows that if you report such a provision as this out of the Finance Committee and pass it it would mean disaster to the Republican Party. So he says, "Let us place in the wool schedule, where these high and unreasonable and exorbitant rates on wool are written, a proviso which shall read:

Provided, That skirted wools as imported in 1890 and prior thereto are hereby exempted.

The Senator from Utah says that while he may not favor this exact language, the idea carried in it meets his approval. It is because he has been convinced since this bill was reported out of the committee, where it received about two minutes' consideration of the Senators present, that it is so crudely drawn that it needs to be smoothed out in a lot of places.

Here is the joker. Here is what I want explained by the Senator from Utah——

Mr. SMOOT. The Senator will have to excuse me for a moment. I have been called from the Chamber.

Mr. HARRISON. All right; I will excuse the Senator.

The latter part of this provision on wool says:

On wool and hair provided for in this paragraph which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound.

So that means that on all wool which is imported from New Zealand and Australia the price shall be 45 cents a pound. In the Underwood-Simmons law it was carried free, so that it is raised 45 cents a pound. In the beginning of the discussion of the tariff they said that as to unwashed wool the rate should be 15 cents a pound, and on washed 30 cents a pound. So they put this little joker in, saying that on wool which is assorted or increased in value by the rejection of any part of the original fleece the duty should be the duty to which it would otherwise be subject.

Now, it is in the manner of shearing the sheep of New Zealand and Australia and it is the way we import the wool that governs the duty of 45 cents a pound. They shear them differently in New Zealand and Australia from the way they are sheared in the United States. They are skirted there, so to

speak; that is, they cut off all the wool on the body, and then they cut the wool from the legs and the wool from the necks of the sheep, so that the wool of the body is brought in. They call that method skirting. Under that provision in the bill, as reported by the committee, it is provided that on wool—

which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound.

So they increase in value the Australian and New Zealand wool by rejecting that part which comes from the neck and the leg, by the skirting process. But this provision would have slipped through if we had not called their attention to it, and the rate would be 45 cents a pound on wool that might come from Australia and New Zealand. I do not believe there is any danger of any coming in.

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. WOLCOTT. The Senator said that the provision would have slipped in if we had not called attention to it. Do I understand from that that there has been accepted an amendment to that language?

Mr. HARRISON. The leader of the Republican Party in this Chamber saw the workings of the provision, and offered an amendment on which we will vote, which says:

Provided, That skirted wools as imported in 1890 and prior thereto are hereby exempted.

So those wools will be exempted from this double-taxation feature; in other words, the Senator from Massachusetts is trying to take care of the joker that was placed in the bill.

Mr. WOLCOTT. When that exemption is made, what is there left on which the original provision operates?

Mr. HARRISON. Then it will operate by the tax on wools being 15 cents a pound on unwashed, 30 cents a pound on washed, and 45 cents a pound on scoured wool. I had offered an amendment to strike out that part of the bill which provides that on wool—

which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound.

Mr. WOLCOTT. The leader on the other side of the Chamber has offered an amendment exempting from the operations of the double-duty provision certain wools that were skirted under the practice of 1890 and prior thereto?

Mr. HARRISON. Yes.

Mr. WOLCOTT. What I desire to know is what kind of wool will be left for the double-duty provision to apply to after we have made that exemption?

Mr. HARRISON. My idea about that would be that it would apply to the wools that are prepared according to the methods of New Zealand and Australia the same as to any wools coming from any other country.

Mr. WOLCOTT. Not subject to the double duty?

Mr. HARRISON. No; they would not be subject to the double duty, but would be subject to the same duty as is imposed here of 15 cents a pound on unwashed wool, 30 cents a pound on washed wool, and so on.

Mr. WOLCOTT. I understand that, but the Senator has not got my point yet. The double-duty provision, if the bill passes with the amendment suggested by the leader on the other side, will still be in the bill. Certain wools, however, are exempted from that double-duty provision. Are there other wools from any other source which will, if they come in, still be liable to the double duty?

Mr. HARRISON. My information is that the only countries where the wools are skirted and prepared in that way, that would be affected by the provision which it is proposed to cure, are New Zealand and Australia. I am not advised whether we get very much wool from any other country or not, and I do not know just how they prepare those wools, but I do know that New Zealand and Australia, from which our greatest supply of wool, as I understand it, is imported to this country, prepare their wool by that method, so that they would be compelled to pay 45 cents per pound duty.

Mr. WOLCOTT. Does not the Senator think, if the provision in the first instance was a joker, that those who are interested in the joker feature of it are not likely to give up all their purposes, but will give up only to the extent that their purposes are exposed, and may there not be something else lurking in the bill that we, who are not experts on the wool question, have failed to discover?

Mr. HARRISON. I think there are many things that ought to be discovered, and I hope will be discovered, before the bill is passed. If we had allowed them to have their way, if they could have received their two-thirds vote as they tried to do, if they had been permitted to place a strangle hold through the cloture rule on the Senate and had passed the bill as they tried to do, with all these jokers in it and all these iniquities in it, it would have meant greatly increased costs to the American consumer. Yes; I should not be surprised if there are many other jokers in it, and many things that ought to be discovered in addition to those we have uncovered, even though they have said we were filibustering. There has never been any filibuster; there has merely been an honest effort made to have those who are sponsors for the measure explain its features, which they refuse to do. There has only been one Senator on the Republican side who attempted to defend any of the features of the bill, and that was the Senator from North Dakota [Mr. MCCUMBER] on the one proposition of wheat.

I do not know whether the Senator from Delaware was in the Chamber a moment ago when I pleaded with the Senator from Utah [Mr. SMOOT] to explain the purposes of the amendment offered by the Senator from Massachusetts [Mr. LODGE] and to explain the wool schedule. I have waited until this moment and I have not yet received any explanation. I do not know whether they will ever explain it or not. But certainly Senators on the other side of the aisle, who have always stood for protection, and honestly so, ought to compel those Senators who are in charge of the bill to defend its provisions and explain them before the vote is taken. I sincerely hope that the distinguished Senator from Utah [Mr. SMOOT], who is reputed to know more about the wool schedule than anyone else—and I believe he does know more about it than almost anyone else—will explain the provisions and explain why the Senator from Massachusetts saw fit to offer the amendment making an exception in the wool schedule.

Mr. WOLCOTT. I should like to ask the Senator from Mississippi, if he was not particularly concerned, except for political reasons, why anything should be explained, would not he put it through if he had the votes behind him?

Mr. HARRISON. Those are the tactics under which the Republican side of the Chamber is now operating. They are going to put the clamps on us and put the bill through, it seems, without explanation. But the American people want the explanation. They know that this is an unprecedented measure and that this is absolutely contrary to the promises the Republican Party made to the people in last October.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. SMOOT. The pending amendment is the sugar amendment. We have explained that. Will not the Senator let us vote on that, and then when the wool amendment comes up those who are interested in it no doubt will explain it?

Mr. HARRISON. Yes; we are going to vote on the sugar schedule presently.

Mr. SMOOT. That is the pending question. It seems to me the question of the wool schedule ought to come up when we have that amendment before us.

Mr. HARRISON. It will be brought up again when we reach that amendment.

Mr. SMOOT. I am perfectly aware of the program.

Mr. HARRISON. The Senator from Massachusetts [Mr. LODGE] has offered some other amendments also. He has offered several in fact. He does not like the wool provision reported by the Senate Finance Committee, so he offered amendment No. 19, which provides:

In paragraph 18, page 3, line 16, strike out the words "wool, commonly known as clothing wool" and in place insert the words "all wools."

Then he follows with amendment No. 20 that places a compensatory duty on everything that is made out of wool, and so forth. In other words, the Senator from Massachusetts is taking the position, and other Senators on the other side of the aisle are taking the position, that if we are going to place an unreasonable tariff on raw wool, we ought to place an unreasonable tariff, I take it, on the finished product and on various things that are made out of raw wool. In other words, they want some protection for the interests of New England and their respective constituencies, the same as those who are sponsoring the measure want protection for some of their constituents. So there is a fight, and I say to Senators from New England, where bread lines are being formed, where wages are being cut, where the cost of living is not being reduced proportionately with the reduction in wages, that they will have to answer to those men, they will have to answer to the people of their States why they propose to place this greater burden on the necessaries of life.

There are other amendments, but I am not going to delay the Senate longer in a discussion of the provision on sugar. If those who promised the people to reduce the cost of living are going to go back on that promise with reference to sugar, and place upon them this burden of $160,000,000 or $80,000,000 or what-

ever it may be, they can then vote for the adoption of the amendment. I shall vote against it.

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). The question is on the amendment offered by the senior Senator from Utah [Mr. SMOOT] proposed as a substitute for the committee amendment.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ball	Gooding	Lodge	Smith, Md.
Borah	Gronna	McCumber	Smith, S. C.
Brandegee	Hale	McKellar	Smoot
Calder	Harris	McLean	Stanley
Capper	Harrison	McNary	Sterling
Colt	Heflin	Moses	Sutherland
Culberson	Johnson, Calif.	Nelson	Swanson
Curtis	Jones, N. Mex.	New	Thomas
Dial	Jones, Wash.	Overman	Townsend
Dillingham	Kellogg	Phelan	Trammell
Edge	Kendrick	Phipps	Underwood
Elkins	Kenyon	Poindexter	Walsh, Mass.
Fall	Keyes	Pomerene	Walsh, Mont.
Fernald	King	Ransdell	Warren
Frelinghuysen	Kirby	Sheppard	Willis
Gay	Knox	Simmons	Wolcott
Glass	Lenroot	Smith, Ariz.	

Mr. FERNALD. I wish to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] and the senior Senator from Missouri [Mr. REED] are absent from the Senate attending to the business of the Senate.

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. There is a quorum present.

Mr. SIMMONS. Mr. President, I wish to know if we may not now have a vote on the amendment of the Senator from Utah [Mr. SMOOT] to the amendment of the committee on the sugar item?

Mr. POMERENE. Mr. President, before the sugar amendment comes to a vote, I desire to say merely a word. I wish to direct the attention of the Senate very briefly to the effect that this proposed legislation, in so far as the sugar schedule is concerned, will have upon the consumer. I recognize that it is a waste of time to speak on the subject. There are over 105,000,000 consumers, but what boots that fact when some one wants a tariff for some particular locality?

In the year 1920 there was consumed in this country sugar to the amount of 9,067,971,840 pounds, a per capita average of 86.56 pounds. According to the census of 1920, there were 105,683,108 people in continental United States. Figuring the per capita consumption of sugar at 86 pounds, the total consumption aggregates 9,088,747,288 pounds.

I am not going to weary the Senate by indulging in quotations of fractional parts of a cent. It is conceded that the present law adds 1 cent per pound and more to the price of sugar. Under the amendment proposed by the Senator from Utah [Mr. SMOOT] that expense will be doubled to the consumer; in other words, it doubles the tariff duty. The Senate committee amendment would add 3 cents a pound to the price of the sugar, but assuming for the sake of argument that the amendment offered by the Senator from Utah is adopted, the total consumption cost will be $181,774,944.76.

Now, let us see for a moment what that means to the people in my own State of Ohio. The last census gave to the State of Ohio a population of 5,759,368. The average consumption of sugar being figured at 86 pounds per capita, makes the total consumption for the State of Ohio annually 495,305,648 pounds. Again assuming that the amendment proposed by the Senator from Utah is adopted, it adds to the cost to the consumer over and above what the cost would be, assuming that the cost is increased by the amount of the tariff, 2 cents a pound.

Mr. SMOOT. If the Senator will pardon me——

Mr. POMERENE. I understand what the Senator from Utah has in mind, and I am going to make that clear.

Mr. SMOOT. Very well.

Mr. POMERENE. I mean when I make that statement that the present duty on sugar is over a cent a pound and that the Senator's amendment doubles that. No doubt that was what the Senator from Utah rose to interrupt me to state.

Mr. SMOOT. That is, my amendment doubles the present rate.

Mr. POMERENE. That means that the present tariff plus the increase proposed by the Senator from Utah would add to the cost of sugar to the consumers in the State of Ohio alone $9,906,112.96.

Now I want to make some comparisons between the cost to the State of Ohio and the sugar industry of the State of Louisiana, in order that we may understand what this legislation means; I call the attention of the Senate to the House hearings on this schedule on January 18, 1921.

In a statement which was submitted to the Ways and Means Committee, beginning on page 1154, submitted by the American Cane Growers of the United States, we find, on page 1156, that the yearly average of cane-sugar production in Louisiana for the period 1909 to 1918 is 542,893,000 pounds. On page 1157 we find that the total value of the entire investment of the sugar interests of Louisiana prior to the war aggregated $154,171,000.

The total annual outlay, according to this same report, for material and for labor aggregated $25,475,000 in the State of Louisiana. Assuming that the Smoot amendment is adopted, let us inquire as to its effect.

Multiplying the average annual production of 542,893,000 pounds by the tariff of 2 cents per pound it makes the total increase of income to the Louisiana producers $10,857,860. In other words, to get this increase of revenue for Louisiana of $10,857,860 Ohio consumers must have the cost of their sugar increased $9,906,112.96.

In 1920 the census gave to Louisiana 1,797,798 men, women, and children. The consumption for Louisiana, again computing it at 86 pounds per capita, amounted to 154,610,628 pounds, and the 2-cent increase would make the increased cost to the people of Louisiana $3,092,212. In other words, Louisiana consumers are taxed $3,092,212 in order to get for their producers an increased revenue of $10,857,860.

Mr. RANSDELL. Twice as much as to the people of the Senator's own State.

Mr. POMERENE. No; it would not be twice as much. It would be about one-third as much. Now, in the United States the total cost by reason of adding the 2 cents a pound will be $181,000,000. The total valuation of the sugar plants—that includes real estate, manufacturing plants, and equipment of every kind—in Louisiana is $154,171,000. So it follows that by this tariff tax the consumers of the United States must pay $26,829,000 more than the value of the entire sugar property before the war.

It is significant that in this same report to which I refer, though the Senators from Louisiana have said that they have been in dire distress during the last several years—and I am not doubting that statement—they estimate the value of their plants at the present time at something like $250,000,000. In other words, it is interesting to observe that while the value of this property before the war was only $154,171,000, and they have been distressed as they are according to the report which the cane producers themselves submit, the value of their property has increased nearly $100,000,000.

Mr. President, I do not care to go into the details of this matter further; but I felt that it was simply just to the consumers that a few of these figures and comparisons should be submitted.

Mr. RANSDELL. Mr. President, I should like to ask the Senator why it is that he confines his whole argument to the State of Louisiana?

I hold in my hand a report from Willett & Gray, the greatest sugar authorities in the United States. It shows that for the year 1919—I take that year because we do not know exactly what was consumed from our various sources last year—the total consumption of sugar produced from cane in continental United States was 154,034 tons; of sugar made from beets, 872,253 tons; of Hawaiian cane—and Hawaii is a part of the United States to all intents and purposes; we do not impose any duty on the sugar that comes from Hawaii—it was 514,824 tons; of sugar from the Virgin Islands—which also belong to the United States, and the sugar from those islands does not pay any duty—the consumption was 8,286 tons; of sugar from Porto Rico—which is also a part of the United States, and the sugar from there does not pay any duty—the consumption was 286,880 tons; of sugar from the Philippine Islands—which also belong to the United States, and the sugar from these islands does not pay any duty—the consumption was 72,511 tons; and of the various sugars made from foreign molasses and United States maple the consumption was 34,094 tons; making a total, Mr. President and Senators, of United States sugar consumed during the year 1919 that does not pay one cent of duty of 1,942,882 tons. And yet the Senator from Ohio stands here and argues and argues, and other Senators have argued, about the Louisiana crop, although the Louisiana crop was only 154,000 tons out of a total made in the continental United States and our insular possessions, as I show here, of 1,942,882 tons.

Why try to make an argument such as that? Why try to convince the American people that the Louisiana Senators are attempting to hold up the people of this Nation to protect their little "worthless industry," as the Senator would have you believe?

Senators, there was sugar consumed in this country in 1919 amounting to 1,942,000 tons that was just as domestic as the cane sugar of Louisiana. I say to you, sirs, that the beet-sugar industry is a growing industry. It is not an infant industry any longer. It has been aided somewhat for some time, and it is assuming real proportions. Mr. President, there are 273,000,000 acres of land in the United States adapted to beet culture; and if you should plant beets on 4,000,000 acres out of that 273,000,000 and cultivate them with one-half the intelligence that the German people displayed in cultivating beets in their country prior to the recent war, we would make all the sugar we need right here in continental United States; and, in my judgment, sirs, that is an end very much to be desired.

If that were true, and we were making in continental United States all the sugar we needed, sugar would be cheap, just as wheat is cheap, as corn is cheap, as meat is cheap, as cotton is cheap—just as all the products of the farm are cheap when we produce all we need at home and have some to ship abroad.

Senators, before voting on this question, I wish you to remember that all the arguments made here to-day have been on the basis of a 2-cent addition to the duty. It has been explained by the Senator from Utah time and again, my colleague [Mr. GAY] has explained it, and I have explained it, that the amendment we are about to vote on is a 1-cent addition.

Yet all these arguments are based on a 2-cent tariff. Why not be fair? If the case is so bad as these Senators would make it, it looks to me as if half of a bad thing would be also bad. But they must debate it, in spite of the fact that we try to explain it, and they will not accept our statements when it is explained.

Mr. WALSH of Montana. Let us be fair, and accept the Senator's statement. The fact is that there is a tariff of 2 cents.

Mr. RANSDELL. No, Senator; there is a tariff of 1 cent now, and we propose to add 1.

Mr. WALSH of Montana. That makes 2.

Mr. RANSDELL. It is not added yet. It would be 2 if the Senate accepted the amendment offered by the Senator from Utah.

Mr. WALSH of Montana. Exactly. That is to say, the people of the country are taxed to the extent of 2 cents a pound.

Mr. RANSDELL. They would be; they are already taxed to the extent of 1 cent.

Mr. WALSH of Montana. If this bill should become a law.

Mr. RANSDELL. That is right.

Mr. WALSH of Montana. They would then pay 2 cents a pound.

Mr. RANSDELL. They would pay a tax of 2 cents, and a great proportion of that, as I will show the Senator later, would go into the Treasury of the United States. It would not go anywhere else than into the Treasury. I again read from Willett & Gray's report. It says that last year there was imported into the United States a total of 2,133,000 tons of sugar from Cuba, and of foreign sugar, on which a full duty was paid, a total of 554,019 tons, which makes a total of 2,687,000 tons.

I have computed a duty of 1 cent on that total importation last year, the greatest we ever had in one year. A duty of 1 cent on that would bring in $60,204,883. It has already come in and we can not get any further duty now, but assuming that in the next year we have as much as last year, then on the basis of a cent added, it would be twice 60, or $120,000,000, which would go into the Treasury of the United States.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Colorado?

Mr. RANSDELL. I yield to the Senator.

Mr. THOMAS. The Senator says a part of this duty goes into the Treasury of the United States. Will the Senator tell us where the rest of it goes?

Mr. RANSDELL. The part that goes into the Treasury is the duty that is paid on that which is imported from Cuba and other countries. The remaining duty of 1 cent or 2 cents, as the case may be, is added to the price of the sugar in the hands of the man who holds it. In the case of Louisiana, I will say to the Senator from Colorado, the man who holds it is the man who produced it, at least to a very great extent. I do not know who holds the beet sugar, but I infer, from what the distinguished Senator from Utah has said, that it is largely in the hands of the refiners. He has told us that the men who raised the beets have sold them to the refiners, and he also stated that a great many of the farmers of his State were owners in those refineries. So I assume that a great deal of this 2 cents addition would go into the hands of those who produced the sugar.

Mr. THOMAS rose.

Mr. RANSDELL. Just a moment; I want to add a little more. I do not know the exact situation in Porto Rico or in Hawaii. No one has been speaking about those two countries. They produce an immense amount of sugar, and sugar growing is a big industry to both of them. They are a part of the United States. It is just as much our duty to look after them as it is to look after any other part of the country, and I see no reason, from all the evidence here, why the men who produce sugar in Hawaii, in Porto Rico, in the Philippines, and in the Virgin Islands should not get the benefit of this increase of two cents. I now yield to the Senator from Colorado.

Mr. THOMAS. Then it is a fact, is it not, that the remainder of the duty, the part of it which does not go into the Treasury, goes either to the producer or to the refiner?

Mr. RANSDELL. I assume that of that part which does not go into the Treasury; yes. We import more than one-half of what we consume, and collect a duty on that, which goes straight into the Treasury. On the other hand, the increased price would go either to the producer or to the refiner; but I have always had an idea that the refiner was a citizen of the United States.

Mr. THOMAS. Oh, yes; so is the consumer.

Mr. GAY. Let me add, if my colleague will yield——

Mr. RANSDELL. I yield the floor.

Mr. GAY. The consumer paid more for his sugar before the domestic industry was formed, and if we should follow out the wishes and desires of the Senator from Colorado and wipe out entirely a great American domestic industry, the sugar-producing industry in the United States, I venture the assertion that he or some of his descendants would pay a great deal more for sugar than they are paying now.

Mr. THOMAS. Oh, yes, Mr. President; this industry is going to be wiped out again. It has been on the threshold of ruin every time a large duty has been demanded by those interested in its production. The ruin of American industries is the basis of all of the legislation which robs the consumer for that particular industry.

I do not care to prolong this discussion; I am ready to vote. But I want to say, as I have already said, that it has cost the people of the United States, since the beginning of the sugar industry in Louisiana, many times more than the value of the entire product. We have been protecting it for nearly a century, and when we have not protected it we have paid it a bounty, and still it is about to be ruined; and it will always be in that condition so long as it is possible to secure from the Government of the United States the levy of duties upon the consumer to keep it alive. To my mind it would be better to-day if the United States Government should pay to the people of Louisiana interested in the sugar business the value of their land and their crops, plus 10 per cent, and abandon the business, than to continue this constant exaction on the consumers of millions upon millions of dollars from their pockets to the end that it may continue.

Mr. RANSDELL. The Senator from Colorado is a great student. I want to ask him what he thinks of the wisdom or unwisdom of the policy of the German Empire in encouraging the production of beet sugar to such a vast extent that beet sugar was made in very large quantities in that Empire, and was exported in very large amounts, so much so that it was one of the most productive, successful agricultural enterprises of the German Empire? Was that an unwise or a wise agricultural policy?

Mr. THOMAS. Does the Senator want me to answer that question?

Mr. RANSDELL. I do want the Senator to answer it.

Mr. THOMAS. In some respects it was wise, but for us it was very unwise, because the cultivation of the beet in Germany, and its protection by the German Government, has been the fruitful source in years past of the demand here for a similar protection, indeed, a greater one, lest German sugar would wipe Louisiana sugar from the face of the earth. So far as the Germans are concerned, I can see some advantages in it. So far as the United States is concerned, it was a calamity. There is going to be plenty of sugar in the world, protection or no protection, ample for all the sons and daughters of men, after this generation and the theory of its protective duty shall be laid away in the musty archives and cenotaphs of the past.

Mr. RANSDELL. I am glad the Senator admits it was at least beneficial to Germany. All students of the subject know that it was wonderfully beneficial to that country.

Mr. THOMAS. I might add, Mr. President, that there the protection given to the industry by the Government seems to have been successful. I believe that the beet-sugar industry in Germany would have been successful anyhow. The difficulty here is, however, that no matter what we do, we can not maintain the sugar industry in the State of Louisiana, except as a hothouse product. It is bound to disappear sooner or later, because of the continued competitive invasion of other forms of production. The time is not far distant when the beet-sugar

industry, to which the Senator has alluded, will become so great and so expansive that even with the tariff, unless a discriminatory tariff is placed upon Louisiana sugar, it will disappear.

The Senator a day or two ago called attention to the fact that the crop of his State was a failure this year. I think it was a failure the year before. The trouble is that it is a failure in almost as many years as it is a success, not because it is not properly cultivated, but because the climatic and soil conditions are such as to produce that inevitable result, and it can not be compensated for successfully by taxing the people of the United States to maintain it.

Mr. RANSDELL. I again want to ask the Senator why he confines himself to the Louisiana situation, when the beet-sugar production of this country, his own State being one of the largest beet-sugar producing States, is more than three times as large as the Louisiana production of cane sugar, and when Hawaii, the Philippines, Porto Rico, and the Virgin Islands all raise a great deal of sugar. Why confine his argument to the Louisiana situation?

Mr. THOMAS. Mr. President, I will answer that question by asking another. Did the Senator ever know me to advocate a duty on beet sugar?

Mr. RANSDELL. I do not know that I have.

Mr. THOMAS. No; I do not think the Senator ever did, and the Senator never will.

Mr. RANSDELL. That is not an answer to my question, I submit.

Mr. THOMAS. I think it is, because the question involved a charge that while I was ready to place a duty upon sugar for beet sugar's sake I was not ready to extend it to Louisiana sugar.

Mr. RANSDELL. I respectfully deny that I intended any such charge as that. Anyone who knows the Senator from Colorado, and has watched him as I have here, and who admires him as much as I admire him, certainly would never charge him with wanting to put a duty on anything. His record is entirely clear in that regard, and I am delighted to make amend, if my remarks were susceptible of that construction. But I do find it so strange, Mr. President and Senators, that the sugar crop of Louisiana is 152,000 tons as compared with 1,940,000 from continental United States and her island possessions, and yet all the attack is made on Louisiana. I do not object to it. My shoulders are broad, I will say to the Senator, and I am willing to stand up here and fight, even if it be for a small industry, and my colleague is willing also. But I submit that it is unfair to make all this fight against us, to hold us responsible for the whole sugar legislation.

Mr. THOMAS. Mr. President, I am very sorry that I misconstrued the question of my distinguished friend, the Senator from Louisiana, for whom I have the highest respect and for whom I entertain the warmest friendship, and I certainly am not intentionally reflecting upon the courage of his convictions, certainly not upon his attitude or record on the tariff upon sugar nor upon the position of his distinguished colleague. Both gentlemen are consistent. There is no change of front upon their part.

The Senators from Louisiana, ever since I have known anything about the history of the country, have advocated, and from their standpoint very properly and conscientiously advocated, the imposition of a duty upon sugar, and I have no doubt that if I were a Member of the Senate from the State of Louisiana I would occupy the same position. It is expected of them by their constituents. I am not reflecting upon them, I trust; not intentionally so.

But to my mind the difference between Louisiana and the other sugar-producing sections of the United States is the reason why it is singled out generally when a discussion of the subject of tariff upon sugar arises. I do not believe that there is any part of the United States producing sugar, cane or beet, but that can produce it profitably without any tariff at all. They have the advantage over Louisiana of climatic conditions, of soil, of atmosphere. The surroundings and environment are all propitious to the industry, and some of those elements Louisiana does not possess. If Louisiana, which, if I remember correctly, is responsible for the introduction of this amendment to this bill——

Mr. RANSDELL. That is correct.

Mr. THOMAS. That being the case, Mr. President, we must assume that the desire for this legislation at this time proceeds from Louisiana. As a consequence, the focus is frequently directed upon the industry in that State. I sympathize with those who have lost money in the effort to produce sugar in the State of Louisiana. I sympathize with everyone who has lost money in this recent slump. I would do anything in my power to help them. But I am unable to perceive that any assistance can come from a bill of this kind, and when I say that, I believe that nothing except long continued and increasing duties will keep the industry of Louisiana alive. I think I am stating what the history of that industry up to this time shows.

Mr. GAY. Mr. President, on the pending question I call for the yeas and nays.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Utah [Mr. SMOOT] to the committee amendment providing for a tariff on sugar. The yeas and nays are demanded.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. EDGE (when his name was called). I have a general pair with the junior Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the senior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. KNOX (when his name was called). In the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN], with whom I have a pair, I withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. SMITH]. I understand that if present he would vote as I intend to vote. I vote "yea."

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. McKELLAR (when Mr. SHIELDS's name was called). The senior Senator from Tennessee [Mr. SHIELDS] is confined to his room by illness, and for that reason is not present.

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. He is absent, and I therefore withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. McKELLAR (after having voted in the affirmative). I wish to inquire if the junior Senator from Ohio [Mr. WILLIS] has voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. McKELLAR. I have a pair with the junior Senator from Ohio [Mr. WILLIS]. I transfer my pair to the junior Senator from Rhode Island [Mr. GERRY] and allow my vote to stand.

Mr. DILLINGHAM (after having voted in the affirmative). I observe that the Senator from Maryland [Mr. SMITH], with whom I have a general pair, has not voted. I am informed that he would vote as I have voted, and therefore I am at liberty to vote. So I allow my vote to stand.

Mr. CURTIS. I desire to announce that the junior Senator from Illinois [Mr. MCCORMICK] is paired with the junior Senator from Nevada [Mr. HENDERSON].

Mr. HARRISON. I wish to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Rhode Island [Mr. GERRY], the Senator from California [Mr. PHELAN], and the Senator from Nevada [Mr. PITTMAN] are necessarily absent on official business.

The result was announced—yeas 67, nays 1, not voting 28, as follows:

YEAS—67.

Ball	Glass	Lenroot	Smith, Ariz.
Beckham	Gooding	Lodge	Smith, S. C.
Borah	Gronna	McCumber	Smoot
Brandegee	Hale	McKellar	Spencer
Calder	Harris	McLean	Stanley
Capper	Harrison	McNary	Sterling
Colt	Heflin	Moses	Sutherland
Culberson	Johnson, Calif.	Nelson	Swanson
Curtis	Jones, N. Mex.	New	Trammell
Dial	Jones, Wash.	Overman	Underwood
Dillingham	Kellogg	Phipps	Wadsworth
Edge	Kendrick	Poindexter	Walsh, Mass.
Elkins	Kenyon	Pomerene	Walsh, Mont.
Fletcher	Keyes	Ransdell	Warren
France	King	Reed	Williams
Frelinghuysen	Kirby	Sheppard	Wolcott
Gay	La Follette	Simmons	

NAYS—1.

Thomas

NOT VOTING—28.

Ashurst	Henderson	Norris	Sherman
Chamberlain	Hitchcock	Owen	Shields
Cummins	Johnson, S. Dak.	Page	Smith, Ga.
Fall	Knox	Penrose	Smith, Md.
Fernald	McCormick	Phelan	Townsend
Gerry	Myers	Pittman	Watson
Gore	Newberry	Robinson	Willis

So Mr. SMOOT's amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on the committee amendment as amended.

Mr. SIMMONS. On that question I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. GLASS (when his name was called). I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. McKELLAR (when his name was called). I have a pair with the junior Senator from Ohio [Mr. WILLIS], which I transfer to the junior Senator from Rhode Island [Mr. GERRY], and vote "nay."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON], for which I can not arrange a transfer and therefore must withhold my vote. If permitted to vote, I should vote "yea."

Mr. WILLIAMS (when his name was called). Repeating the announcement which I made upon the last vote with regard to my pair and its transfer, I vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. FERNALD. I transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. SMOOT. I desire to announce that the junior Senator from Ohio [Mr. WILLIS] is unavoidably detained from the Senate. He is paired with the Senator from Tennessee [Mr. McKELLAR].

I also wish to announce that the junior Senator from Illinois [Mr. McCORMICK] is paired with the junior Senator from Nevada [Mr. HENDERSON].

Mr. HARRISON. I have been requested to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Rhode Island [Mr. GERRY], the Senator from California [Mr. PHELAN], and the Senator from Nevada [Mr. PITTMAN] are necessarily absent on official business.

Mr. KNOX. I transfer my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the senior Senator from Kansas [Mr. CURTIS] and vote "yea."

Mr. EDGE. I have a general pair with the junior Senator from Oklahoma [Mr. OWEN]. In his absence I refrain from voting.

Mr. TOWNSEND. I find that I can transfer my pair with the senior Senator from Arkansas [Mr. ROBINSON] to the junior Senator from Maryland [Mr. FRANCE]. I make that transfer and vote "yea."

The result was announced—yeas 41, nays 29, as follows:

YEAS—41.

Ball	Gay	La Follette	Sheppard
Borah	Gooding	Lenroot	Smoot
Brandegee	Gronna	Lodge	Spencer
Calder	Hale	McCumber	Sterling
Capper	Johnson, Calif.	McLean	Sutherland
Colt	Jones, N. Mex.	McNary	Townsend
Dillingham	Jones, Wash.	Nelson	Wadsworth
Elkins	Kellogg	New	Warren
Fall	Kendrick	Phipps	
Fernald	Kenyon	Poindexter	
Frelinghuysen	Knox	Ransdell	

NAYS—29.

Beckham	Heflin	Reed	Underwood
Culberson	Keyes	Simmons	Walsh, Mass.
Dial	King	Smith, Ariz.	Walsh, Mont.
Fletcher	Kirby	Smith, S. C.	Williams
Glass	McKellar	Stanley	Wolcott
Gore	Moses	Swanson	
Harris	Overman	Thomas	
Harrison	Pomerene	Trammell	

NOT VOTING—26.

Ashurst	Henderson	Owen	Shields
Chamberlain	Hitchcock	Page	Smith, Ga.
Cummins	Johnson, S. Dak.	Penrose	Smith, Md.
Curtis	McCormick	Phelan	Watson
Edge	Myers	Pittman	Willis
France	Newberry	Robinson	
Gerry	Norris	Sherman	

So the amendment of the committee as amended was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Committee on Finance will be stated.

The ASSISTANT SECRETARY. The next amendment is on page 5, line 17, where the Committee on Finance proposes to insert:

20. Butter and substitutes therefor, 8 cents per pound.

Mr. HARRISON. Mr. President, I merely desire to say a few words in reference to this amendment. Under the Underwood-Simmons tariff law the tax on butter is 2½ cents a pound, while under the Payne-Aldrich law it was 6 cents a pound. This amendment places the tax 2 cents higher than ever was carried in any Republican tariff measure. For the year ending June 30, 1920, the imports of butter into this country amounted to 20,770,759 pounds, of the value of $10,916,770. The exports during the same period were 27,155,834 pounds, of the value of $15,491,682. In other words, in value our exports exceeded our imports by practically $5,000,000.

Mr. CALDER. Can the Senator from Mississippi inform me from what countries the butter was imported?

Mr. HARRISON. I can not inform the Senator, but I think quite a large supply came from Canada, though it may be that some came from Denmark. I am not advised about that. Perhaps the Senator from North Carolina can inform us.

Mr. UNDERWOOD. I will say to the Senator from North Dakota that most of the butter which is imported into this country comes from Denmark.

Mr. HARRISON. Some of it also comes from Canada, I imagine.

Mr. SIMMONS. Mr. President, I think a very remarkable showing is presented by the statistics relative to the next three items in the bill—butter, cheese, and condensed milk. I have been looking up the statistics in reference to those articles; I am not going to discuss them, but I wish simply to read them to the Senate.

Of butter and butter substitutes in 1920 the imports were 30,000,000 pounds, the exports were 27,000,000 pounds; of cheese and substitutes in 1920 the imports were 12,000,000 pounds, while the exports were 19,000,000 pounds; of condensed milk the imports were 19,000,000 pounds, while the exports were 710,000,000 pounds.

So we have of these three items for the year 1920 imports to the extent of 61,000,000 pounds, while the exports amounted to 756,000,000 pounds, the exports being more than ten times the amount of the imports.

In dollars, Mr. President, the difference is still more striking. In dollars the imports of butter and substitutes amounted to $10,000,000, while the exports were $9,000,000; of cheese and cheese substitutes the imports were $4,000,000, while the exports were $6,000,000; of condensed milk the imports were $3,000,000, while the exports were $104,000,000, or, taking the three products, there were $17,000,000 of imports and $119,000,000 of exports.

The production of butter and substitutes in the United States amounts to 2,000,000,000 pounds; the production of cheese and cheese substitutes amounts to 400,000,000 pounds; the production of condensed cream or milk amounts to 8,000,000,000 pounds, making a total production in the United States of these products of 10,400,000,000 pounds as against 61,000,000 pounds of imports. If there is any case where there is no occasion for the increase of duty it is this case. With a production of 10,000,000,000 pounds it seems to me that 61,000,000 pounds can not materially affect the price of the American product.

I do not wish to discuss the matter further, but I think these figures illustrate how recklessly we are raising rates in this bill.

Mr. McCUMBER. Mr. President, may I ask the Senator for what year these figures as to exports and imports were collected?

Mr. SIMMONS. For the fiscal year 1920.

Mr. McCUMBER. A large amount of those exports went to supply those who were starving in Europe, did they not?

Mr. SIMMONS. I presume, so far as condensed milk is concerned, that a considerable portion was exported on that account, but our yearly exportations of condensed milk are enormous.

Mr. McCUMBER. Mr. President, I wish to read a very short paragraph from the testimony given by Mr. Fitch:

In the New York market alone in the year 1920 there were imported 28,000,000 pounds of foreign butter—

That is, in New York City alone—

with the result that the price, instead of advancing from July up until the end of the year, declined from 55.44 to 54.75. Taking the same months as previously quoted, the decline was from 56.67 to 54.75.

Of course, under ordinary conditions such products as eggs, for instance, will be the cheapest in the months of April, May, and June, and then the price will go higher as the fall and winter approach, and it will become extremely high during the

cold months. While the cattle are grazing, of course, we expect to have butter and milk and cream products very much cheaper, and we expect them naturally to go up during the period of scarcity. In this instance the rule has worked exactly the other way, and instead of going up they have been steadily going down, until, as it appears from the evidence, the prices are below the cost of production. The witness further says:

Now, if the producers of butter in this country are to continue in business they must be protected. The menace of this foreign butter coming over every month is getting to be a serious matter to the producers. On January 7, just this month, there was started from Copenhagen one ship which will bring in the largest cargo of Danish butter ever imported into the United States—approximately 20,000 casks, or over 2,200,000 pounds. On the arrival of that butter we have every reason to believe that the price of domestic butter will decline. A single instance of that kind would not be alarming, but every week or 10 days another ship comes over, and while, perhaps, the ships from other ports may not carry as great a quantity as the direct ship from Copenhagen, nevertheless they add very largely to the supply of butter now being held in the country and now being produced. Ordinarily the farmers would receive perhaps 20 to 25 per cent higher prices for their winter butter than for their summer butter, but this year it has been tending in the opposite direction, and every indication points to a still further decline in price unless the farmers have the protection that they require.

Again, he says:

The highest market in 1920 was in April, when the average price for the month was 71.35 cents, and the average price for December was 54.75, a decline of about 17 cents. Up until about April there was but very little Danish butter received.

* * * * * * *

All these staples are governed by the law of supply and demand. Had it not been for this importation of 33,000,000 pounds of butter into the United States, the price of butter would have advanced materially on account of the very short production in this country.

And my colleague [Mr. GRONNA] just informs me that in a single storage plant, I think in New York, there is now stored over 5,000,000 pounds of this Danish butter. It is coming into this country in immense quantities. There is a close relation between declining prices at a period when the prices should go up and the importations that have been going on.

Mr. HARRISON. Mr. President, may I ask the Senator before he takes his seat whether those are wholesale prices that he has been quoting on butter?

Mr. McCUMBER. Wholesale prices.

Mr. HARRISON. What is the wholesale price of butter at the present time? Did I understand the Senator to say that it is 54.75 cents?

Mr. McCUMBER. I think when this witness was testifying it was about that figure. It is much less than that now.

Mr. HARRISON. May I ask the Senator, if he knows, how much of the butter that is now stored in the United States is controlled by the five big packers?

Mr. McCUMBER. I do not know; no great quantity. The butter that is coming in now is not purchased by the packers in any way whatever.

Mr. HARRISON. It comes in competition with that that is held by the five big packers.

Mr. McCUMBER. That is true also, according to the testimony, of the meats that have been coming in. I have not discussed that situation, but the testimony shows that all of these carcasses that are coming in of sheep and lambs and beef from New Zealand and Australia are not in the hands of the packers at all, but they are in private hands in the city of New York and other seaport towns; that they were really brought over here and sold under the direction of the British Government, which I think had in some way contracted for them, and that Government is unloading the entire surplus on the United States. Now, Senators must not confuse the great reduction in the wholesale price of meats with no reduction but an actual increase in the retail price of these commodities.

Mr. WILLIAMS. Mr. President, before the Senator from North Dakota takes his seat I want to ask him a couple of questions.

Is this Danish butter as good as our butter?

Mr. McCUMBER. I know of no reason why it should not be as good. I suppose they have good blooded stock in Denmark. They care for them, undoubtedly, just as carefully as we do. The dairy cattle which they raise there are regarded as the finest dairy cattle in the world; so I know of no reason to assume that the butter from the milk of those cows is not equal to that produced here.

Mr. WILLIAMS. I understand the Senator to respond that the Danish butter is as good as our butter. Now, I want to ask him one more question. Is it as cheap as our butter, or cheaper, to the consumer?

Mr. McCUMBER. Mr. President, I suppose the Senator and I will agree that if we increase the supply it will reduce the price; but if the Senator asks me whether or not it is cheaper to the consumer, I can not say, for this reason: I know that the wholesale price is very much cheaper; and if the retail merchant will gauge his price according to the wholesale price, it must necessarily be very much cheaper to the consumer.

Mr. WILLIAMS. Then I understand the response of the Senator to be that when the Danish butter comes into the seaports of the United States it is cheaper than the butter that meets it in competition there, and that after that the cost of distribution to the ultimate consumer settles whether or not it will be cheaper to him. That is about right; is it not?

Mr. McCUMBER. That is right. It brings the price of our butter down to the price of the Danish butter.

Mr. WILLIAMS. Now, if it be true that the Danish butter is as good as ours, or better—and the Senator seems to incline to the idea that it is better on account of their superior dairy skillfulness——

Mr. McCUMBER. No; I have not said that.

Mr. WILLIAMS. And if it be also true that it goes to the consumer at the point where the consumer meets the foreign product at a cheaper price, then I should like to know why the American consumer—the workingman in the factory in New York and in Boston and in Baltimore and in Philadelphia and in Charleston and in Galveston and in New Orleans—should be charged a higher price for an equal quality sold at a lower price.

Mr. GRONNA. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS. Yes.

Mr. GRONNA. I am somewhat surprised that my good friend from Mississippi will raise this question, when, as a matter of fact, every year we appropriate large sums of money to promote the dairy industry in the tick-free areas of the South. Now, if it is good business to have all our butter imported just because we can furnish our people with cheap butter, why are we expending all this money in the South to encourage that industry?

Mr. WILLIAMS. Mr. President, the extirpation of disease is one thing, and the maintenance of an unfair competition is another thing; and, as far as I can see, they have nothing to do with one another. If there has been money appropriated for the purpose of extirpating the tick disease—which, by the way, is not confined to the South, as the Senator would have us imagine—it is for the purpose of the extirpation of a disease amongst cattle. That has nothing in the world to do—nothing, absolutely nothing—with the question of giving a producer of butter in the State of North Dakota or the State of South Dakota an advantage over a Danish man who produces a butter of equal quality at a lower price.

Mr. GRONNA. The Senator is correct in stating that there are two questions involved. We first appropriate a large sum of money, and no one has been more willing to appropriate it than I since I have been a Member of this body; but, after we have eradicated the tick, then we encourage the industry of dairying. The Senator knows that that is true.

Mr. WILLIAMS. Oh, no, Mr. President; I do not know that the object of that appropriation was to encourage the industry of dairying. The object of that appropriation was to extirpate disease, just as the object of an appropriation to meet typhus fever or yellow fever or the bubonic plague at New York or at San Francisco is to extirpate disease. That is not the object of the appropriation at all, and if that had been the object I never would have voted for it. I never have voted for, and I never shall vote for, any appropriation the object of which is to encourage a domestic industry of some sort at the expense of the general purchasing public.

Mr. McCUMBER. Mr. President, the Senator has asked me a very simple question which I think can be answered very easily. He asked me, if we could get just as cheap butter and just as good butter from Denmark, why we should not allow the consumers in this country to purchase that cheaper butter. I answer most candidly, for the same reason that we do not allow those same people in New York to import from Great Britain free of duty the clothes that they wear, because Great Britain can make those clothes very much cheaper than we can; for the same reason that we do not allow them to import free of duty things that might come in from China and from Japan that could be manufactured there very much cheaper than we can manufacture them. We are attempting to get some compensation for the greater prices which we pay and for the protection we afford these laborers who are working in the mills of the East and whose products we must purchase. It is a simple question, I think.

Mr. WILLIAMS. Mr. President, the Senator from North Dakota recurs to the only kernel of truth in his argument—the only kernel of justifiable argumentation, rather; it is not quite truth. He says that the farmer ought to get even with the manufacturer. I rather agree with that, but we rather disagree about how he should get even. I think he had better get

even by repealing the laws that enable the manufacturer to rob the American public. He seems to think he had better get even by enabling the farmer to have another law for additional robbery of the American public.

I do not quite catch the Senator's argument about clothing. "My withers are unwrung." I do not believe you ought to put a tariff tax upon clothing that makes it unduly expensive to the American public in competition with foreign clothing of equal quality at a cheaper price. The Senator does not seem to be capable of understanding quite what I mean. I mean that there is no right anywhere, at any time, upon any commodity, to make the general public pay a higher price in order to compensate for an inferior quality of goods or for a superior price in the home market. I am old-fashioned enough to believe that the principle of the division of labor is the grandest principle ever announced to the industrial world, and that the principle of the division of labor is not confined to one country, but spreads all over the world, and that wherever any man anywhere can by his labor produce a thing of superior quality at a less price than another man in some other part of the world can produce it, the man who can produce it of superior quality at a less price ought to have the market.

I deny that there is any justification for robbing the American public upon Dakota wheat or upon Mississippi long staple cotton, owing to the fact that somebody in New York has robbed the American public on clothes, or on silk, or on manufactured cotton goods, or on anything else that the Senator can conjure up. The Senator's whole argument proceeds upon the idea that God divided this world into a lot of tribal relations, and that each tribe, carrying on its tribal relations, has to fight the balance of the world, industrially and otherwise. That is not true. That is neither the doctrine of God nor the doctrine of philosophy. Men were created by the Almighty and live now for the purpose of keeping in amity with one another, and not for the purpose of keeping in animosity to one another. Industrial hostility is just one measure short of naval and military hostility. You will never have peace in the world until you cease both forms of warfare. You might just as well have a tribal god, as the Germans had, and talk about "unser Gott," our God, as if God were peculiar to the German people, as to talk about deflecting the eternal laws of supply and demand to suit the tribal relation, to suit the so-called national interest.

There is but one excuse, Mr. President, for a purely protective policy, independently of the question of revenue raised by taxation, and that is the principle that John C. Calhoun laid down long ago—and I am willing to go to that limit—that it is justified whenever it is necessary to produce a given article in order to maintain national military defense; and in Calhoun's day that amounted to hemp and cordage and ships. In my day it amounts to chemical dyes and a few other things that are mostly allied to explosives useful in warfare. As to them it is justifiable upon the ground that the tribe or the nation, in its broader sense, may be compelled at some time to defend itself from foreign military attacks, and it must have the means wherewith to defend itself.

There is no other excuse for pure protectionism—and, mark you, I do not call it "protection"; it is protectionism. That is its proper name, its right name.

Moreover, Mr. President, no man standing on his two feet anywhere in the world, whether he is speaking as an individual or a Representative or a Senator or a member of an executive administration or a Cabinet officer, has any right to demand in the shape of law any special privilege of any description. All he has a right to demand is that he shall be allowed a fair opportunity, an equal opportunity, fair play for himself as a man, whether speaking individually in his own country or whether speaking as a citizen of his country as against other countries, and he has no other right in the world.

I absolutely eschew the idea that any man has the right to return robbery with robbery, with the hope of making an equal benefit.

Mr. McLEAN. Mr. President, it cost us $30,000,000,000 to win the war against Germany in direct expense.

Mr. WILLIAMS. It cost us more than that.

Mr. McLEAN. Then we must add to that the interest on the funded and floating debt, which will amount to probably twenty billion more. We must add to that the indirect cost which the American people must suffer during the reconstruction period. That will amount to probably as much more. So we can estimate the cost of the war at between seventy and ninety billion dollars. It cost us that to save our political life.

Mr. WILLIAMS. Our political life?

Mr. McLEAN. Yes; our political independence.

Mr. WILLIAMS. You mean our national life?

Mr. McLEAN. Yes. Does not the Senator think it is worth while now to preserve the domestic life of the Nation, the industrial life of the Nation?

Mr. WILLIAMS. Mr. President, I would be a mere idiot if I answered that question in the negative. Of course, it is always worth while to save the national life of a people. It is always worth while to save the industrial life of a people, because upon that depends the national life. But the Senator is playing upon an ambiguous middle, to express myself in the phraseology of the old logicians. The Senator wants to tax the American people a sufficient amount of money to recompense the same American people for what they have lost in the war. Is that what he is up to?

Mr. McLEAN. No.

Mr. WILLIAMS. Then what is it?

Mr. McLEAN. I want to tax the American people whatever may be necessary to preserve the industrial prosperity of the Nation, and I want to say to the Senator that it will be worth all that it costs. Honor and liberty and independence are essential; they are nice to have; but they do not pay grocery bills, they do not buy raiment or shelter, and if it is necessary to tax the American people in order to preserve profitable employment for the American people, I think the sum well expended.

Mr. WILLIAMS. Mr. President, I understand the Senator now to plant himself upon the idea that the advocacy of this bill is for the purpose of maintaining the liberty and independence—and what else was it of the American people?

Mr. McLEAN. That it cost us something like $80,000,000,000 to preserve our political life and independence; and that now it is worth while, possibly, to spend a few million dollars to preserve the industrial life of the Nation.

Mr. WILLIAMS. I see. Now, Mr. President, as I understand the Senator, this bill is to preserve our liberty and our independence and our industrial life.

Mr. McLEAN. No; the Senator does not understand me. We have saved our political independence. Now the question comes as to what is going to happen to our industrial life, and I have suggested to the Senator that it might be worth while to save that.

Mr. WILLIAMS. I think so, too. Mr. President, if I were not confident that the American people were intelligent enough and already free enough to save their industrial life, I would sympathize very freely with the Senator from Connecticut, and I would, furthermore, go a step further, and I would try to elect a Czar or somebody who could take care of the American people. As I understand it now, the object of this bill is to save our liberty and our industrial independence. Our territorial independence is now out of the question, as I understand, by the Senator's admission. So we are now going to save our liberty.

Mr. President, was there ever uttered, in an august body, a sentence quite equal to a sentence in advocacy of an emergency tariff bill that sounded in terms of saving our independence and our industrial life?

Mr. President, what is the industrial life of the American people? Is it a thing to be secured by legislation?

Mr. McLEAN. It is profitable employment.

Mr. WILLIAMS. Is it a thing that is created by legislation? Is it a thing to be perpetuated by legislation?

Is it a thing for politicians to play with on the floor of the House of Representatives or the Senate? What is the industrial life of the Nation? It is the industry of the Nation; it is the savings of the Nation; it is the high moral purpose of the Nation and of all the people, men and women, coming together, who form the Nation. And is all this dependent upon an emergency tariff bill? Does the Senator mean to tell me that the American people, with their wonderful industry, their still more wonderful intelligence, and still more wonderful, if possible, skill, in their various pursuits, can not create and perpetuate an industrial life for themselves independent of the legislation of the ambassadors of the States gathered together in the Senate of the United States?

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Connecticut?

Mr. WILLIAMS. I yield.

Mr. McLEAN. The Senator is absolutely correct in his theory of a revenue tariff. There is no question about that. Free trade, or a revenue tariff, is the golden rule of trade, just as the injunction that we should love our neighbors as we love ourselves is the golden rule in the very highest conception of moral philosophy. But the Senator knows we can not have a literal application of either rule. When Germany smote us on the right cheek with her submarine torpedo we did not turn

the left. We could not do it, because we all know that when the right ceases to resist the assaults of evil, the right itself ceases to exist.

We have spent billions and billions of dollars to defend our honor, our independence, our national integrity. Now what have we to face? I confess no man knows, but we must protect our industries against ruinous competition.

Mr. WILLIAMS. I will tell the Senator what we have to face.

Mr. McLEAN. Wait just one minute. If the Senator will permit me to conclude my thought I will conclude my reply very shortly. The Senator belongs to the Cobden school; his notions are British notions about this matter.

Mr. WILLIAMS. My notions British notions? Bless your dear heart, my ancestors fought the British before yours came here.

Mr. McLEAN. On the question of free trade. Sir Robert Horne, who is president of the British Board of Trade, delivered an address the other day in which he said that if Great Britain purchased of Germany anything other than the raw materials which they did not provide at home it meant disaster to British industry.

Mr. WILLIAMS. Mr. President, that reminds me of the Sunday school boy who was asked where Pharaoh's daughter found Moses, and when he said he did not know, his Sunday school teacher told him that she found him in the bullrushes down along the Nile, and he said, "That's what she said." That may be what that Britisher told you, but that is not true, and it never was true since the world began.

Mr. President, the Senator tells me that the golden rule and free trade and a tariff for revenue are all right in theory, but that they are all wrong in practice. I would like to tell the Senator something which perhaps he will take the trouble to write down and memorize later on, and if he does he will be a very much superior representative as an ambassador of a sovereign State in this august body. It is that there never was a practicable and a working practice without a sound theory, and there never was a sound theory whose following out did not result in a practical working basis. Anything else than that is absolutely unscientific, is absolutely unstatesmanlike.

When I go back to fundamental principles, as I love to go, and when Senators tell me that it is theory, then I ask them to expose the fallacy of the theory. But when they admit that the theory is all right, then they must admit that the practical outflowing and sequentia of the theory must be all right also. God has made but one law for the world, moral or industrial. It is all founded upon a great general principle, a theory, if you please. Call those who believe in it theorists, if you would, but there is no working out of any sort of governing machine except from a sound and true theory. So whenever anybody admits the theory, he admits all the sequela. So the Senator has admitted the theory, and that ends it as far as this goes.

Now, to come back to the details of the bill, how is a man from Dakota ever going to get even with a man from North Carolina or Massachusetts by coupling one robbery with another? When a man gets up here, as the Senator from North Dakota says he does, for the purpose of equalizing a robbery, then he should equalize the robbery by repealing the former robbery. If you are honest, that is what you will do; I mean honest intellectually; I do not mean honest personally. Men are frequently honest personally who profess the most divergent views. I have a good wife, for example, who believes one is saved by faith alone in the Presbyterian Church, but still she insists that I shall have good works every day in the world.

There is a lot of logic about this thing, understand, but leaving that question out, how can a man be intellectually and logically honest when he publicly confeses that all he wants to do is to counteract one robbery by another? Why not do away with the first robbery?

Now, it is eternally and fundamentally true that no class of men have a right to prostitute the legislation of a country in order to put money into their pocketbooks, to prostitute the taxing power of the country in order to make private profit. There is no getting around that. We have gradually approached the point where protection must fall because we have gotten to a point where agriculture is fighting the manufactures. Whenever agriculture succeeds in putting a supertax upon foodstuffs and textile products to supply the bellies and the backs of mankind, then the balance of the world will rise up in their strength, as they did in Great Britain against the corn laws, and will not only destroy the emergency tax bill, if it is ever put through, but will destroy the whole protective system, as it ought to do.

Mr. President, the Government possesses certain rights over the individual. This Government, of which I am a citizen, possesses certain rights over me. It has the right to everything I am. It can order me, by draft, into action and have me shot, and it has a right to do it. It has the right not only to all I am, but it has the right as to all I have. If it is necessary for the protection of national independence or the national integrity or the national honor to take all that I own, the Government has the right to it. But the Government has not a right to one copper penny in my pocket for any other purpose in the world except for a governmental purpose. Except for national defense, whether of liberty or of independence or moral welfare, it has no right to that penny. Whenever the Government asks of me that penny for any other purpose than that, the Government becomes a tyrant and a robber. When the Government asks of me that penny in order that some one engaged in a private enterprise of some sort may continue in business or make his business more highly profitable than now, the Government is a highway robber, a thief, a tyrant. It is nothing less, for that penny belongs to me.

All I am and all I have belongs to the Government for governmental purposes, but nothing that I have belongs to the Government for any other purpose.

People raising long staple cotton come to me now, telling me that they and I can make a lot of money out of putting a tariff on Egyptian cotton. Why of course we can. There is no doubt about that. If we put a high enough tariff on it I will make from $5 to $10 or $20 a bale, and pocket the proceeds. If we put a high enough tariff on bananas I can raise them in New Jersey at a dollar a banana, and raise them under glass, and some infernal fool will come along after a while and point to me and say, "This is a highly profitable industry, owing to protection. Here are several capitalists with several million dollars and here are twenty-odd thousand laborers employed at $6 a day, created by protection." Profitable enterprise? Yes; profitable to the capital and to the labor perhaps engaged in it, but very unprofitable to the people who want to buy bananas. Bananas at that rate will cost about $1.10 apiece, if the duty is $1.

This all comes back to the moral question, after we are through with it. Are you willing to rob? Are you willing to prostitute the law for the benefit of your own pocketbook? If you are a gentleman, you are not willing to do it; if you are not a gentleman, you are. That is all there is to it. There is no other way out of it. I do not want a dollar that the American Government can give me by law in raising long staple cotton. When I said I did not want it, perhaps I was too strong in expression. Of course, I would like to have it, but I mean I am not willing to take it that way. That is not all. I am unwilling for my industry and for my children's industry and my grandchildren's industry to rest upon the problematical profits of an industry that is subject to the whims and caprices and fancies of a lot of politicians in the two Houses at Washington. If I knew that I could make $10 a bale on every bale of cotton that I raised, and if I were immoral enough to be willing to take it in that way by the prostitution of the public law, I would, as a man looking to the welfare of my children, still be unwilling to take it in that way, because I would be unwilling to have them engaged in an industry whose prosperity depended upon legislation at Washington.

Mr. SIMMONS. I should have said in the statement which I made a few moments ago, giving some statistics with reference to butter, cheese, and condensed milk, that the figures were for the fiscal year 1920, which ended on the 30th day of June last. Up to that time, according to the figures which I gave, the excess of importations for that fiscal year of butter were just 3,000,000 pounds, so that during the fiscal year 1920 there were added by importations to the stock of butter in this country exactly 3,000,000 pounds, according to the official statistics.

Mr. THOMAS. That would not last the city of New York more than a day.

Mr. SIMMONS. As the Senator from Colorado [Mr. THOMAS] suggests, that would not last the city of New York for more than a day.

I have not the figures as to the production of butter for the year 1920, but I have the figures as to the production of butter for the year 1910—10 years ago. I assume it is very much more now than it then was. The production of butter in this country in 1910 was 1,619,000,000 pounds. Assuming that our production of butter last year was only that amount, there was added to that stock of butter, by reason of the importations of butter in 1920, 3,000,000 pounds in excess of the exports.

The Senator from North Dakota says that since the 1st of July of this year there have been enormous importations of butter from Denmark and that those importations have been so great as to endanger the butter industry in this country to the extent that it is now necessary for us to increase the present

duty on butter 300 per cent. Mr. President, there was some investigation before the Finance Committee of the Senate with reference to the alleged influx of Danish butter. Some gentlemen came to us, as is usual when a little more butter or a little more of any other product is coming into the country than normally, with a great scare story—"The importations of butter pouring into this country from Denmark are so great that it is likely to reduce the price of the 1,600,000,000 pounds of butter which we produce in this country," to the detriment and ruin of the domestic producers.

I was present when those witnesses were testifying and I took occasion to ask them some questions. My impression from what I heard was that probably there had been enough butter imported from Denmark to last the city of New York about 30 days—for not exceeding 30 days, crediting their whole story—and that it would not, if their story was true, add to the surplus stock in this country exceeding twenty-five or thirty million pounds. What are 30,000,000 pounds of butter brought in from abroad compared with an annual production of 2,000,000,000 pounds? Is that any reason for this great increase in the duty on butter? Does any Senator of ordinary intelligence in this body believe if 30,000,000 or even 50,000,000 pounds of butter are added from abroad to our stock of practically 2,000,000,000 pounds that it will affect the market price of butter and make it necessary for us in the interest of the home product practically to exclude all further importation?

The truth is about this: These industries are constantly on the lookout for importations, and where importations a little out of the ordinary take place they rush, when the Republican Party is in power, to Congress and ask for additional duties in order to exclude the product from this country. If it be necessary to protect this country from the importations from abroad, then I shall not quarrel with the Senators on the other side of the Chamber if they increase the duty, because I know that is in accordance with their theory of protection and what the American producer is entitled to; but I insist that when an insignficant amount of a product compared with its production here is coming into this country, although it may be increased in some one year a little above normal, that does not constitute a reason for coming to Congress and asking for a duty that will operate as practically an embargo.

This proposed duty of 8 cents a pound would be prohibitive. Nobody contends that Danish butter can be sold in this market in competition with American butter after paying 8 cents a pound duty. I inquired of one of the witnesses who came before our committee if the Danish butter was sold any cheaper than American butter could be sold. He said, "Yes; it sold in New York somewhat cheaper than American butter." I asked him, "Why? Was it because labor is cheaper in Denmark?" He said, "Yes, in part; and labor was cheaper in Denmark than in the United States." I asked him how about cost of feed products for the milk cattle, comparing the Denmark cost. The answer was that he did not know exactly the difference in the cost of feed products, but he said that Denmark purchased a large part of these feedstuffs from the United States.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Kentucky?

Mr. SIMMONS. I yield.

Mr. STANLEY. At the time feed products were being derived from the distillation of spirits the great bulk of that dried feed, dried slops, was shipped from this country to Denmark to feed Danish dairy cows, as well as enormous quantities of ship stuff, bran, and other mill products.

Mr. SIMMONS. Then the proposition is that we can not compete in milk and butter products with a foreign country that has to come to our very doors to get feed for their cattle that produce the milk. The contention, Mr. President, is preposterous. I do not wish to elaborate my argument; I do not wish to discuss this question because I am anxious that we may vote upon the amendments or upon as many of them as possible this afternoon. I desire to state to the Senate that we have entered into an agreement—a gentleman's agreement, I suppose it would be called—with the Senators on the other side that we are to have a vote on this measure to-morrow; but if we take up too much time in the discussion of the amendments we will not have opportunity to discuss the main provisions of the bill.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. I will yield in a moment.

So far we have been dealing only with amendments. After we get through with the amendments there will necessarily be some general discussion as to the items in the House bill that are not covered by the amendments. I hope we may proceed and be able to vote upon most of the amendments this afternoon.

Mr. GRONNA. May I ask the Senator a question now?

Mr. SIMMONS. Yes.

Mr. GRONNA. Has the Senator in mind the exportation of butter from various countries? I do not mean for a late period of years, but say, from 1910.

Mr. SIMMONS. Does the Senator mean our exportations?

Mr. GRONNA. No; I mean the exportation of butter from various foreign butter-producing countries. I have a document here which I think is germane to the Senator's statement.

Mr. SIMMONS. No; I will state to the Senator I do not know how much butter the various butter-producing countries export to the world at large, but I do know how much they export to the United States, or how much they exported to the United States during the fiscal year 1920. I have given those statistics taken from Government reports.

Mr. GRONNA. Will the Senator permit me to insert a brief statement taken from the "Summary of Tariff Information, 1920"?

Mr. SIMMONS. Yes; I wish to say to the Senator, however, that so far as butter is concerned, we have never been a large importer of butter.

Mr. GRONNA. No.

Mr. SIMMONS. I think a little more has come in during the present fiscal year than is normal.

Mr. GRONNA. But just to show what a tremendous factor a little country like Denmark is, and other countries, I want to be permitted to read just a few lines from this report.

Mr. SIMMONS. I do not think, if the Senator will pardon me, that we have been heretofore getting much butter from Denmark. My impression from what I have heard is that probably Great Britain controls a large part of the output of the Danish butter industry, and that the importations into the United States really come through Great Britain. Great Britain is doing that because she is pressed to get means with which to pay for the things which she is buying from us, and wherever she can get something that she can send over here and sell to us to help pay for the enormous quantity of goods that she is buying from us in excess of what she sells us, she does it, of course.

Mr. GRONNA. I find on page 314 of the Summary of Tariff Information for 1920 the following:

> From 1909 to 1913 this country ranked twelfth among exporting countries. Denmark averaged 195,530,000 pounds; Russia, 150,294,000 pounds——

Mr. SIMMONS. The Senator does not mean to say that those countries have been heretofore exporting to this country any large amount of butter, does he?

Mr. GRONNA. I could give the Senator the amount which has been imported into this country, but I am trying to show the possibility of other nations supplying this country with butter at lower prices, perhaps, than those for which the dairymen of this country can produce it.

Mr. SIMMONS. That possibility has existed for the last 10 or 20 years, but it has been a mere possibility during all those years. That possibility can always exist as to almost any commodity that is produced in large quantities in any other country.

Mr. GRONNA. I should like to be permitted to finish this short paragraph. I stopped with Russia, I believe—

> Australia, 77,859,000 pounds; the Netherlands, 75,133,000 pounds; and the United States, 4,125,000 pounds.

The figures represent the average per year of the various countries named for the four years indicated.

Mr. SIMMONS. Most of the butter produced by Denmark has heretofore been exported to Great Britain. I do not think we have heretofore been buying any considerable quantity of butter from Denmark. We are buying more than usual from Denmark at the present time.

Mr. McCUMBER. Mr. President, the Senator just made a suggestion about trying to get through with the amendments to-day.

Mr. SIMMONS. Yes.

Mr. McCUMBER. I know that there will be considerable discussion of the amendments which will be offered to-morrow, and I wish to avoid holding a night session to-morrow night, because of the difficulty of keeping a quorum.

Mr. SIMMONS. I am in hearty sympathy with the Senator as to that.

Mr. McCUMBER. I think if we continue until 7 o'clock this evening that we can then be sure to get through some time to-morrow afternoon without holding a night session to-morrow.

Mr. SIMMONS. I had understood that it was the purpose of the Senator to hold the Senate together until 7 o'clock to-night.

Mr. McCUMBER. Yes. I think that will be agreeable to both sides.

Mr. SIMMONS. Yes.

Mr. McKELLAR. Mr. President, the State from which I come, Tennessee, is the largest dairying State in what is known as the South; of course, exclusive of Texas. Dairying is a great industry in our State. Its growth in the last few years under the present tariff law has been remarkable. It is a growth of which we are very proud. I do not see how we could have increased our dairying interest any faster than we have under the present law.

I have here some statistics that I should like to give to the Senate as to the increase in the dairying interest in Tennessee under the present law, without any additional tariff tax:

TENNESSEE LED AS DAIRY STATE—6,028,000 POUNDS OF BUTTER MADE IN 1920, GAIN OF 58 PER CENT.

Tennessee leads all southern States in dairy industry, according to C. A. Hutton, dairy specialist of the division of extension, University of Tennessee.

During the year 1920, 8 new creameries began operation in Tennessee, making a total of 26 in operation. Approximately 6,028,000 pounds of butter was made in the State during the year as compared with 3,882,634 pounds in 1919, or an increase for 1920 over 1919 of 58 per cent. The 9 cooperative creameries made approximately 2,328,000 pounds of butter during the year, or 38 per cent of the total made in the entire State. Creamery patrons received in round numbers $2,893,000 for butter fat for the 1920 output. Seven of the cooperative creameries handled 1,747 tons of feed for their patrons at a saving of $10,552.

Eight cooperative cheese factories are now in operation and 75,000 pounds of cheese were manufactured during 1920. These factories are laying the foundation for a new industry in the South.

Over 8,000 head of Jersey cattle were exported from the State during the year for breeding and dairy purposes. The number of dairy cows in Tennessee has increased from 397,104 in 1910 to 415,129 in 1920. A total of 250 cows from 50 Jersey herds are on the register-of-merit test. Tennessee leads all southern States in number of cows on test, as well as being the greatest dairy State in the South.

I desire to read the following article from the Nashville Banner:

TENNESSEE CREAMERIES.

In another column on this page is printed a table showing the amount of creamery butter that was manufactured during the past four years by the creameries of Tennessee. The figures show a very gratifying growth in the creamery industry. The total production in 1917 was 1,666,713 pounds. In 1920 it was 6,223,725 pounds. In other words, the production multiplied nearly fourfold in four years.

Yet the dairy industry in the State is only in the beginning of its development, and what is now being done is only a suggestion of its possibilities.

The present State dairy commissioner, Mr. W. T. Magruder, jr., who has furnished the statistics here referred to, has been earnest and assiduous in his attention, not to the strict duties of his office alone, but in promoting an interest in dairy production. He has in this respect brought an intelligent enthusiasm to the administration of his office that has been profitable in creating a widespread interest in the industry.

Tennessee creameries will bear much more multiplication still, both in numbers and product. There will be always an ample market for all they may produce. The State, especially the central basin of Middle Tennessee, is admirably adapted to dairy production. Nashville has four creameries that the table published to-day shows are growing and increasing their product. One of them has recently greatly increased its facilities, and possibly the others will do likewise.

More creameries will require more dairy cattle, and Tennessee has for some years had a reputation for its Jersey herds.

The dairy industry furnishes a means by which the agricultural growth of the State can be greatly enhanced. Anything that will help the agricultural growth will add to the genuine prosperity, and the creamery industry should, therefore, be greatly encouraged. Its growth promises much for the State's progress.

Mr. President, if such a condition is true of all the States, if the butter interests and the dairying interests are increasing at the rate of 58 per cent all over the country—I have not the figures from other States; perhaps some are much larger, perhaps some are smaller—it does not seem to me that there is an emergency in the butter business and the dairying business. Why increase this tariff over 300 per cent on butter, with the dairying interest in the condition that is shown by this report from the State of Tennessee? I think an industry that is flourishing in the way that this industry is flourishing might well be content not to raise the price of butter to the American people.

Mr. McCUMBER. Mr. President, there is one feature of this matter of importations which Senators do not seem to take into consideration at all.

Let us assume that for all of the years prior to this great war there was no serious competition from Denmark; and during the war, of course, there could be no competition from anywhere. During this war we did not need protection against importations at all for anything that I can now recall, because it was so unsafe for any merchandise to come to this country that that of itself was a great protection; but this is the situation now, and I want Senators to look at it in that light:

On account, we will say, of the vast inflation of money in the United States, the doubling of the cost of labor in every productive field, the cost of production in the United States of a pound of butter is, say, twice what it was before 1914. The prices, therefore, have to be twice as much as they were prior to 1914, in order to enable our people to make a living. Now, if the other countries of the world had found that their cost of production had increased to the extent of the increase in the cost of production in the United States, then the same condition would apply everywhere, and we would have no greater danger of excessive importations than we had prior to the war. As a matter of fact, however, while our cost of production has doubled and trebled, in many instances, the cost of production in Denmark and in those other countries is practically the same or very nearly the same now as it was prior to the war. The result is that our higher price opens up an enormous and valuable field for importations that did not exist prior to 1914. Therefore, in order to protect our industries, the products of which cost us twice as much as they did 5 or 8 or 10 years ago, we must necessarily have a greater protection if we are going to protect them at all. That is the reason why we are asking, as an emergency matter, a higher tariff than we had prior to this war.

Mr. McKELLAR. Mr. President, may I ask the Senator a question?

Mr. McCUMBER. Certainly.

Mr. McKELLAR. I have not the figures for the country at large as to increases or decreases in the dairying industry. Is the industry in the Senator's part of the country, in the Senator's State and in adjoining States, in a bad way, or is it like it is in my State, growing and improving and prosperous? What is its condition in North Dakota, for instance?

Mr. McCUMBER. It is not prosperous to-day. It is not prosperous anywhere to-day. Of course, we do not expect anything to be particularly prosperous just at present, with this peculiar condition.

Mr. McKELLAR. What are the figures? Has there been an increase or a decrease in the dairying interest in the Northwest for 1920?

Mr. McCUMBER. I think they have kept up very nearly to a normal condition; but just at the last of the year, since July, these vast importations have been coming in. The makers of butter all over the world have found our prices so much higher than their home prices that they now can come in and sell at a profit and still undersell the American producer. That is the situation in a nutshell, and now we are beginning to feel it. Now the importations are coming in, not 100 per cent greater, but several hunderd per cent greater, than they have ever been before.

Mr. McKELLAR. Mr. President, I have had only one request for an increase in the tariff from my State, which, as I say, is a great dairying State; and therefore I take it from these figures which I have produced, and which have been sent to me, that the dairying interest in my State is certainly in a prosperous condition.

Mr. CALDER. Mr. President, out of order I ask unanimous consent to submit a Senate resolution inquiring of the State Department concerning the rumors in the newspapers of the organization of a commission to control the Cuban sugar crop. I ask unanimous consent for its present consideration.

Mr. JONES of Washington. I shall have to ask that the resolution go over.

Mr. CALDER. Then I will withdraw it.

The PRESIDING OFFICER (Mr. KING in the chair). Objection is made. The question is on the amendment of the committee, which will be stated by the Secretary.

The READING CLERK. On page 5, after line 16, it is proposed to insert:

21. Butter, and substitutes therefor, 8 cents per pound.

Mr. HARRISON. The yeas and nays have been ordered on that amendment, have they not?

The PRESIDING OFFICER. The Chair is advised that they have not been ordered.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I transfer my general pair with the senior Senator from Maryland [Mr. SMITH] to my colleague [Mr. PAGE] and will vote. I vote "yea."

Mr. EDGE (when his name was called). Having a general pair with the Senator from Oklahoma [Mr. OWEN], I withhold my vote.

Mr. KNOX (when his name was called). I transfer my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the senior Senator from Idaho [Mr. BORAH] and will vote. I vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr.

CUMMINS], I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and will vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my general pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Nevada [Mr. PITTMAN] and will vote. I vote "nay."

Mr. FERNALD. I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. On this question I understand that he would vote as I shall vote. I therefore feel at liberty to vote. I vote "yea."

Mr. LODGE. I have a general pair with the senior Senator from Georgia [Mr. SMITH]. I think he has not voted.

The PRESIDING OFFICER. The Chair is advised that that Senator has not voted.

Mr. LODGE. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE], and will vote. I vote "yea."

Mr. HARRISON. I desire to announce that the senior Senator from Alabama [Mr. UNDERWOOD] is unavoidably absent. He is paired with the junior Senator from California [Mr. JOHNSON]. If the senior Senator from Alabama were present he would vote "nay."

I also desire to announce that the senior Senator from Nevada [Mr. PITTMAN] and the senior Senator from Oklahoma [Mr. GORE] are absent on official business.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from South Dakota [Mr. JOHNSON], and will vote. I vote "yea."

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the junior Senator from Iowa [Mr. KENYON], and will allow my vote to stand.

Mr. SMITH of South Carolina (after having voted in the negative). I understand from the calling of the roll that the senior Senator from South Dakota [Mr. STERLING] has not voted. I have a general pair with that Senator, which I transfer to the senior Senator from Arizona [Mr. ASHURST], and will allow my vote to stand.

The result was announced—yeas 39, nays 20, as follows:

YEAS—39.

Ball	Frelinghuysen	Knox	Poindexter
Brandegee	Gay	La Follette	Ransdell
Calder	Gooding	Lenroot	Sheppard
Capper	Gronna	Lodge	Smoot
Colt	Hale	McCumber	Spencer
Curtis	Jones, N. Mex.	McLean	Sutherland
Dillingham	Jones, Wash.	McNary	Wadsworth
Elkins	Kellogg	Moses	Warren
Fall	Kendrick	New	Willis
Fernald	Keyes	Phipps	

NAYS—20.

Dial	Heflin	Reed	Thomas
Fletcher	King	Simmons	Trammell
Gerry	Kirby	Smith, S. C.	Walsh, Mass.
Harris	McKellar	Stanley	Williams
Harrison	Pomerene	Swanson	Wolcott

NOT VOTING—37.

Ashurst	Henderson	Overman	Smith, Ga.
Beckham	Hitchcock	Owen	Smith, Md.
Borah	Johnson, Calif.	Page	Sterling
Chamberlain	Johnson, S. Dak.	Penrose	Townsend
Culberson	Kenyon	Phelan	Underwood
Cummins	McCormick	Pittman	Walsh, Mont.
Edge	Myers	Robinson	Watson
France	Nelson	Sherman	
Glass	Newberry	Shields	
Gore	Norris	Smith, Ariz.	

So the amendment of the committee was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. The next amendment of the committee will be found on page 5, line 18. The figure "22" should be "21," and the amendment reads:

21. Cheese, and substitutes therefor, 8 cents per pound.

Mr. SIMMONS. I ask for the yeas and nays.

Mr. McLEAN. I move to amend the rate on cheese to an ad valorem equivalent of the specific duty, which will make it 23 per cent ad valorem, instead of 8 cents per pound.

The PRESIDING OFFICER. The Senator from Connecticut moves to amend the committee amendment by striking out, on page 5, line 18, "8 cents per pound" and inserting in lieu thereof "23 per cent ad valorem."

Mr. HARRISON. May I ask the Senator if he has figured out whether the 23 per cent ad valorem would be less than 8 cents per pound?

Mr. McLEAN. The exact equivalent would be 23.2 per cent.

Mr. HARRISON. What is the object of the amendment, then, if there is no difference in the rate?

Mr. McLEAN. There are so many varieties of cheese that it was deemed wiser on the part of parties interested in this schedule to specify an ad valorem rate, as it is in the existing tariff law. I think it is 20 per cent ad valorem in the existing law.

Mr. HARRISON. Will this help the producer or the consumer, may I ask the Senator from Connecticut?

Mr. McLEAN. Both.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is upon agreeing to the committee amendment as amended, and upon that the Senator from North Carolina has demanded the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). I transfer my general pair with the junior Senator from Oklahoma [Mr. OWEN] to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. GLASS (when his name was called). Making the same announcement that I made on the last vote, I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. KNOX (when his name was called). Repeating the statement I made on the last vote as to my pair and its transfer, I vote "yea."

Mr. LODGE (when his name was called). Making the same transfer that I made before, I vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. SUTHERLAND (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "yea."

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. SMITH of South Carolina (after having voted in the negative). I failed to announce that my pair, the senior Senator from South Dakota [Mr. STERLING] is absent, and, making the same transfer that I made before, I allow my vote to stand.

Mr. WILLIAMS. I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], which I transfer to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON], which I transfer to the senior Senator from Minnesota [Mr. NELSON], and vote "yea."

Mr. WARREN. Has the junior Senator from North Carolina [Mr. OVERMAN] voted?

The PRESIDING OFFICER. He has not.

Mr. WARREN. I withhold my vote, as I have a general pair with that Senator.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Michigan [Mr. TOWNSEND]. He has a general pair with the senior Senator from Arkansas [Mr. ROBINSON].

Mr. HARRISON. I desire to announce that the Senator from California [Mr. JOHNSON] is paired with the Senator from Alabama [Mr. UNDERWOOD].

The result was announced—yeas 36, nays 20, as follows:

YEAS—36.

Ball	Gooding	La Follette	Phipps
Brandegee	Gronna	Lenroot	Poindexter
Capper	Hale	Lodge	Ransdell
Colt	Jones, N. Mex.	McCumber	Sheppard
Curtis	Jones, Wash.	McLean	Smoot
Edge	Kellogg	McNary	Spencer
Elkins	Kendrick	Moses	Sutherland
Fernald	Keyes	New	Wadsworth
Gay	Knox	Phelan	Willis

NAYS—20.

Dial	Harrison	Pomerene	Thomas
Fletcher	Heflin	Reed	Trammell
Gerry	King	Simmons	Walsh, Mass.
Glass	Kirby	Smith, S. C.	Williams
Harris	McKellar	Stanley	Wolcott

NOT VOTING—40.

Ashurst	Culberson	Frelinghuysen	Johnson, S. Dak.
Beckham	Cummins	Gore	Kenyon
Borah	Dillingham	Henderson	McCormick
Calder	Fall	Hitchcock	Myers
Chamberlain	France	Johnson, Calif.	Nelson

Newberry	Penrose	Smith, Ariz.	Townsend
Norris	Pittman	Smith, Ga.	Underwood
Overman	Robinson	Smith, Md.	Walsh, Mont.
Owen	Sherman	Sterling	Warren
Page	Shields	Swanson	Watson

So the amendment of the committee as amended was agreed to.

Mr. JONES of Washington. Mr. President, I desire to state on the last vote I voted, but I understand that the senior Senator from Virginia [Mr. SWANSON], with whom I am paired, did not vote. He voted on the previous roll call and I supposed he was still here. I deemed it proper that I should make this statement.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. The next amendment of the committee is on page 5, line 19, the numerals "23" should be "22," and the amendment proposes to insert the following:

22. Milk, fresh, 2 cents per gallon; cream, 5 cents per gallon.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment 23.

Mr. HARRISON. Mr. President, the Senator from Idaho [Mr. BORAH] had an amendment to this subdivision to strike it out. He is not here. On agreeing to the committee amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BRANDEGEE. What is the pending question?

The PRESIDING OFFICER. The Chair is advised that we are about to vote on adopting the committee amendment numbered 23, which is now numbered 22.

Mr. POINDEXTER. Something was said by the Senator from Mississippi about a motion to strike it out. Is the vote to be taken upon a motion to strike it out or upon the committee amendment?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "yea."

Mr. GLASS (when his name was called). Making the same announcement as upon the previous vote, I vote "nay."

Mr. LODGE (when his name was called). Making the same announcement of my pair and its transfer as before, I vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], and the transfer of that pair to the senior Senator from Tennessee [Mr. SHIELDS], I vote "nay."

Mr. SMITH of South Carolina (when his name was called). Making the same announcement as before, I vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. KNOX. I again announce my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. Being unable to obtain a transfer, I withhold my vote.

Mr. JONES of Washington (after having voted in the affirmative). I have agreed to take care of the Senator from Virginia [Mr. SWANSON] with a pair for the day. Being unable to obtain a transfer of that pair, in his absence I withdraw my vote.

Mr. WARREN. I am paired with the Senator from North Carolina [Mr. OVERMAN]. In his absence, I withhold my vote.

Mr. SUTHERLAND. Making the same announcement that I did before with reference to my pair, I transfer my pair to the Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. TOWNSEND. I have a pair with the senior Senator from Arkansas [Mr. ROBINSON]. In his absence, I withhold my vote.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from California [Mr. JOHNSON] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

The result was announced—yeas 34, nays 21, as follows:

YEAS—34.

Ball	Curtis	Gronna	Kenyon
Brandegee	Elkins	Hale	Keyes
Calder	Fernald	Jones, N. Mex.	La Follette
Capper	Gay	Kellogg	Lenroot
Colt	Gooding	Kendrick	Lodge
McCumber	New	Sheppard	Wadsworth
McLean	Phipps	Smoot	Willis
McNary	Poindexter	Spencer	
Moses	Ransdell	Sutherland	

NAYS—21.

Borah	Harrison	Pomerene	Walsh, Mass.
Dial	Heflin	Reed	Williams
Fletcher	King	Simmons	Wolcott
Gerry	Kirby	Smith, S. C.	
Glass	McKellar	Thomas	
Harris	Phelan	Trammell	

NOT VOTING—41.

Ashurst	Henderson	Overman	Stanley
Beckham	Hitchcock	Owen	Sterling
Chamberlain	Johnson, Calif.	Page	Swanson
Culberson	Johnson, S. Dak.	Penrose	Townsend
Cummins	Jones, Wash.	Pittman	Underwood
Dillingham	Knox	Robinson	Walsh, Mont.
Edge	McCormick	Sherman	Warren
Fall	Myers	Shields	Watson
France	Nelson	Smith, Ariz.	
Frelinghuysen	Newberry	Smith, Ga.	
Gore	Norris	Smith, Md.	

So the committee amendment was agreed to.

Mr. MCCUMBER. Mr. President, I think we want to get through with the committee amendments this afternoon. Our quorum seems to be rather diminishing. Therefore I move at this time that when the Senate takes a recess to-day it shall be to meet at 11 o'clock to-morrow morning.

The motion was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The ASSISTANT SECRETARY. The next amendment of the committee is No. 24, inserting lines 21, 22, and 23, on page 5, which should be numbered 23, as follows:

23. Milk, preserved or condensed, or sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; sugar of milk, 5 cents per pound.

Mr. SIMMONS. On this question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. REED. Mr. President, I wish to inquire how long it is intended to keep the Senate in session?

Mr. MCCUMBER. I think we can get through with the committee amendments in a few minutes.

Mr. REED. How many more of them are there?

Mr. MCCUMBER. I expect then to ask for a recess. I think we can get through certainly before 7 o'clock.

Mr. REED. I have some remarks that I want to submit on the bill, and I think they will be very much shorter to-morrow morning than if they are made to-night. I have been at work in the Senate and in committee since early this morning, and I think it is high time for an adjournment or a recess.

Mr. SIMMONS. I will state to the Senator that I think there are only four or five more committee amendments. I do not imagine that it will take very long to dispose of them. Then there are a great many amendments offered upon the floor which will have to be taken up.

Mr. RANSDELL. I was just going to ask the Senator from North Dakota, in charge of the bill, if we would not have a chance to offer amendments that were not reported by the committee?

Mr. MCCUMBER. As soon as we get through with the committee amendments, my expectation then was to give all day to-morrow to take up the other amendments and to finish the bill. I hope the Senator will allow us to get through with the committee amendments to-day. I will say frankly that the reason why I am desirous is because I think we all want to get through with the bill to-morrow, and I wish to get through with it without asking for a night session. We have all been working rather late.

Mr. REED. We might as well have a night session as to run until 7 o'clock. That is to all intents and purposes a night session. I am perfectly serious about the proposition. I want to make a few remarks on this buccaneering expedition before it is landed in port. I want to discuss the question before these amendments are disposed of. I think I can do it in a much shorter time to-morrow morning than I can now when I am very tired.

Mr. THOMAS. May I suggest to the Senator from North Dakota that we might take a recess until to-morrow morning at 10 o'clock?

Mr. MCCUMBER. No; it would be impossible, as the Senator knows, to get a quorum here at that hour. I ask the Senator from Missouri if he can not go on this afternoon and discuss the amendments? I am exceedingly anxious to get through with the bill. I will say to the Senator if he does not want to continue his remarks longer than until 7 o'clock, I will move a recess at that time.

Mr. REED. I am not in such a hurry to pass the bill as is the Senator in charge of it. I see no occasion for keeping the Senate in session until supper time has passed. I think we ought to take an adjournment or a recess now. Some of us have work to do in committees to-morrow morning that is of great importance. I should like to have a reasonable amount of time to take up matters that have to be considered to-morrow in a committee of which I happen to be a member. I have tried to be in the Senate, but for three weeks have been kept constantly in attendance upon an investigation of importance before the Committee on Manufactures.

Before the bill comes to a final vote I want to have something to say upon it. I do not want ever to interfere with the Senator in charge of the bill. I think it wholly unkind, I will not say unwarranted, to try to hold the Senate here until 7 o'clock. The chickens of North Dakota will not suffer very greatly from competition with the pauper chickens abroad between now and to-morrow morning. There will be no great amount of consternation in the barnyards of North Dakota because some hen has cackled over in Europe or some rooster has crowed in Canada. It is suggested to me by the Senator from Colorado [Mr. THOMAS] that possibly there is fear that some of the milk we have been discussing this afternoon may sour between now and to-morrow morning. It must be remembered that if we do not get this tariff applied, possibly some of the calves of Europe may be deprived of their usual evening stipend by virtue of the fact that the milk is shipped over here for some American baby to drink. I do not think we will lose any great amount of time by allowing the bill to lie over until to-morrow morning.

I move that the Senate do now adjourn.

RECESS.

Mr. McCUMBER. Mr. President, will the Senator from Missouri withhold his motion for a moment?

Mr. REED. Yes.

Mr. McCUMBER. The Senate has just agreed to a motion that when the Senate takes a recess it shall be to meet at 11 o'clock to-morrow morning. As the Senator says he is not prepared and does not wish to go on in view of the lateness of the hour, will it be satisfactory to the Senator, then, that we recess now until to-morrow at 11 o'clock?

Mr. REED. Very well.

Mr. McCUMBER. Then I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, February 16, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 15, 1921.*

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Our Father which art in heaven, be our Father on earth, for it is so hard for us to be always wise. Breathe Thy benediction upon us, bear with our infirmities, and qualify us for excellency of service; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONTESTED ELECTION CASE, FARR AGAINST M'LANE.

Mr. DALLINGER. Mr. Speaker, I am instructed by the Committee on Elections No. 1 to submit the unanimous report of that committee in the contested election case of John R. Farr against Patrick McLane, tenth congressional district of the State of Pennsylvania.

Mr. McCLINTIC. Is this a unanimous report?

Mr. DALLINGER. Unanimous.

Mr. MANN of Illinois. Let us dispose of it.

Mr. DALLINGER. The gentleman from Pennsylvania [Mr. McLANE] desires to be present when it is acted on.

NO QUORUM.

Mr. McCLINTIC. I make the point of no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of no quorum present. It is clear that there is no quorum present.

Mr. MONDELL. I move a call of the House.

The motion was agreed to.

The SPEAKER. A call of the House is ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Andrews, Md.	Edmonds	Kennedy, Iowa	Rainey, Ala.
Andrews, Nebr.	Ellsworth	Kennedy, R. I.	Rainey, Henry T.
Ashbrook	Emerson	Kincheloe	Rainey, John W.
Bacharach	Evans, Nev.	Kitchin	Randall, Calif.
Baer	Ferris	Kleczka	Riddick
Bell	Frear	Kreider	Riordan
Bland, Mo.	Gallagher	Langley	Robinson, N. C.
Brinson	Gallivan	Lea, Calif.	Rowan
Britten	Gandy	Lesher	Sanders, La.
Brooks, Pa.	Ganly	Lonergan	Sanford
Brumbaugh	Gard	McArthur	Scully
Burroughs	Godwin, N. C.	McDuffie	Sears
Campbell, Pa.	Goldfogle	McGlennon	Sells
Candler	Goodwin, Ark.	McKiniry	Small
Carew	Graham, Pa.	McLane	Smith, N. Y.
Clark, Fla.	Hamill	Maher	Snyder
Clark, Mo.	Harrison	Mann, S. C.	Stoll
Classon	Hayden	Mason	Strong, Pa.
Copley	Hays	Mead	Sullivan
Costello	Holland	Merritt	Thomas
Cullen	Houghton	Moon	Vare
Currie, Mich.	Hudspeth	Mooney	Venable
Dale	Hull, Iowa	Moore, Va.	Vestal
Davey	Hull, Tenn.	Morin	Watkins
Dempsey	Humphreys	Mudd	Whaley
Dickinson, Mo.	Husted	Nelson, Wis.	Wheeler
Donovan	James, Mich.	O'Connell	White, Me.
Dooling	Johnston, N. Y.	Patterson	Winslow
Doremus	Kahn	Pell	Wise
Doughton	Kelly, Pa.	Perlman	Woods, Va.
Eagle	Kendall	Phelan	Woodyard

The SPEAKER. On this call 304 Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The motion was agreed to.

HEALTH OF MEMBERS.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to proceed for one minute with reference to the health of the Members of the House.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, I want to bring a matter to your attention which I think will be of interest to every man in this House. It is a lamentable fact that during this Congress we have had 14 deaths. To-day a small group of Congressmen have made arrangements with Walter Camp to speak at 7.30 to-night in the caucus room and give his famous lecture "The Daily Dozen." It is not necessary for me to enlarge upon the great work that he has done for the young manhood of this country, and the splendid work that he has recently done for the benefit of the boys in the Army. The men who called this meeting are Messrs. TILSON, TREADWAY, LONGWORTH, NEWTON, and BRITTEN. You and the members of your family are invited to attend the meeting. The fact that Mr. Camp will point out to you how you may keep physically fit ought to appeal to those of you who are interested in maintaining your health, mental vigor, and general efficiency.

Mr. YATES. Does this invitation include the ladies?

Mr. REED of New York. Yes; and the members of the family.

Mr. MAPES. At what time?

Mr. REED of New York. At 7.30 p. m.

VALUATION OF THE PROPERTY OF CARRIERS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 472, making an appropriation to continue the valuation of the property of carriers.

Mr. BLANTON. Reserving the right to object, I understand from the chairman of the Appropriations Committee that if this resolution is passed this same item of a million dollars which now appears in the deficiency bill will be taken out of that bill in conference.

Mr. GOOD. That is correct. The deficiency bill which the House adopted carries an item of $1,000,000 for this purpose, but the deficiency bill can not pass within the next few days, and Chairman Clark, of the Interstate Commerce Commission, advised the committee on yesterday that within 48 hours all of the funds available for the purpose will be exhausted, and if this additional fund is not appropriated they will be compelled to call in their men, and that will entail a considerable expenditure. If this joint resolution is passed, the Senate will unquestionably pass it to-day, and then the $1,000,000 in the deficiency bill will be dropped out.

Mr. WINGO. I do not recollect whether the gentleman from Iowa, in private conversation or when the deficiency bill was up, stated that the valuation is made in such a way that it will be easy to ascertain both the replacement value and to figure the difference between the inflated prices and what they would be under more normal conditions.

Mr. GOOD. That is correct.

Mr. WINGO. It has been made in such a way that it will enable that to be done?

Mr. GOOD. Yes.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there is appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved March 1, 1913, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and including not exceeding $20,000 for rent of buildings in the District of Columbia, $1,000,000, to be available during the fiscal year 1921: *Provided*, That this appropriation shall not be available for rent of buildings in the District of Columbia if suitable space is provided by the Public Buildings Commission.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, announced that the Senate had passed without amendment bills of the following titles:

H. R. 12157. An act to amend act of Congress approved June 30, 1913;

H. R. 13606. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River;

H. R. 15131. An act to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York;

H. R. 15271. An act granting consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River, at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.;

H. R. 15750. An act to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county;

H. J. Res. 472. Joint resolution making an appropriation to continue the valuation of the property of carriers; and

H. R. 15011. An act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma.

The message also announced that the Senate had passed with amendment the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes, had requested a conference with the House of Representatives on the amendment of the Senate, and had appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4582. An act to declare Bayou Cocodrie nonnavigable from its source to its junction with Bayou Chicot.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following joint resolution:

H. J. Res. 472. Joint resolution making an appropriation to continue the valuation of the property of carriers.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing were received from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on February 9, 1921, approved and signed bills of the following titles:

H. R. 3522. An act for the relief of Lemuel Stokes;

H. R. 6301. An act for the relief of Nathan Manzer; and

H. R. 12441. An act for the relief of the Duluth, Winnipeg & Pacific Railroad.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 472. Joint resolution making an appropriation to continue the valuation of the property of carriers.

DISTRICT OF COLUMBIA APPROPRIATION BILL—CONFERENCE REPORT.

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the bill (H. R. 15130) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 10, 12, 13, 14. 15, 16, 17, 26, 27, 28, 31, 34, 63, 65, 73, 75, 76, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 123, 124, 125, 126, 130, 143, 144, 145, 146, 147, 152, 153, 157, 163, 166, 172, 178, 179, 180, 181, 187, 192, 196, 197, 199, 207, 217, 222, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, and 256.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 8, 9, 18, 19, 24, 25, 29, 30, 36, 38, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 52, 53, 54, 56, 57, 58, 59, 60, 62, 68, 69, 71, 74, 77, 84, 129, 131, 133, 134, 135, 136, 137, 138, 141, 142, 155, 156, 158, 161, 164, 167, 170, 171, 174, 175, 176, 177, 182, 183, 184, 185, 186, 188, 190, 191, 200, 201, 202, 203, 204, 208, 209, 210, 211, 212, 213, 214, 215, 216, 218, 219, 220, and 221; and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "clerk $1,200"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$31,400"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$13,200"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$1,400"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32,240"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"For incidental and all other general necessary expenses authorized by law, including the employment of expert services where necessary, $7,500."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$39,740"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Restore the number stricken out by the Senate and, on page 13 of the bill, in line 26, strike out "$8,400" and insert in lieu thereof

"$5,000," and, on page 14 of the bill, in line 1, strike out "$38,400" and insert in lieu thereof "$35,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Northwest: For grading Thirteenth Street, Buchanan Street to Shepherd Street, $14,155."

And the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Northwest: For paving Allison Street, Fifteenth Street to Sixteenth Street, 30 feet wide, $7,125."

And the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Northwest: For paving Taylor Street, east of Fourteenth Street, 30 feet wide, $7,885."

And the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Northwest: For paving the roadway of New Hampshire Avenue between Upshur Street and Grant Circle, 50 feet wide with 10-foot center parking, and the roadway around Grant Circle, 40 feet wide, with standard asphalt pavement, including resetting existing curb where required, $35,910."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$144,840"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$35,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$72,220"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For wiring and improving the Johnson School Building, $2,500."

And the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000"; and the Senate agree to the same.

Amendment numbered 150: That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$20,320"; and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$3,000"; and the Senate agree to the same.

Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,000"; and the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$31,089"; and the Senate agree to the same.

Amendment numbered 173: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$198,353"; and the Senate agree to the same.

Amendment numbered 189: That the House recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000"; and the Senate agree to the same.

Amendment numbered 194: That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment as follows: In lieu of the number proposed insert "five"; and the Senate agree to the same.

Amendment numbered 195: That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$21,800"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 32, 37, 39, 66, 70, 72, 91 to 122, inclusive, 127, 132, 140, 148, 149, 151, 154, 162, 168, 169, 193, 198, 205, 206, and 223.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.
CHARLES CURTIS,
LAWRENCE C. PHIPPS,
JOHN WALTER SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1: Provides that appropriations for the District of Columbia for the fiscal year 1922 shall be paid 60 per cent out of the revenues of the District and 40 per cent out of the Treasury, in the manner proposed by the House, and restores the House provision for increased taxes to provide revenue to meet the appropriations on the 60–40 basis. Strikes out all of the matter relating to District taxation and finances inserted by the Senate.

On Nos. 2 and 3, relating to the care of the District Building: Provides for two assistant engineers at $1,200 each as proposed by the Senate instead of four at that rate as proposed by the House.

On Nos. 4 and 5: Strikes out, as proposed by the Senate, a clerk at $1,200 in the assessor's office.

On Nos. 6 and 7: Provides for a clerk at $1,200 in the personal tax board instead of two at that rate as proposed by the House.

On Nos. 8 to 11, inclusive, relating to the license bureau: Strikes out a clerk at $1,400 as proposed by the Senate and restores an assistant inspector of licenses at $1,000.

On Nos. 12 to 15, inclusive, relating to the collector's office: Provides for two assistant cashiers at $1,500 each instead of one as proposed by the Senate.

On Nos. 16 and 17: Restores a clerk at $1,400 in the auditor's office, stricken out by the Senate.

On Nos. 18 and 19: Restores an assistant inspector at $1,500 in the engineer commissioner's office, stricken out by the Senate.

On Nos. 20 to 23, inclusive, relating to the Public Utilities Commission: Provides for a statistical clerk at $1,400, instead of $1,500, as proposed by the Senate; appropriates $7,500 for incidental expenses of the commisson, instead of $12,500, as proposed by the House.

On Nos. 24 and 25, relating to the surveyor's office: Reduces the appropriation for services of temporary draftsmen, etc., from $8,000 to $4,000, as proposed by the Senate.

On Nos. 26 to 28, inclusive, relating to the minimum wage board: Appropriates $5,000, as proposed by the House, instead of $4,700, as proposed by the Senate.

On Nos. 29 to 31, inclusive, relating to the Public Library: Strikes out an attendant at $900, as proposed by the Senate; and appropriates $3,000, as proposed by the House, instead of $4,000, as proposed by the Senate, for extra services on Sundays and holidays.

On Nos. 33 and 34: Appropriates $5,000 for the purchase of six automobiles, as proposed by the Senate, instead of $8,400, as proposed by the House, and strikes out the paragraph, inserted by the Senate, relative to the purchase of automobiles from the War Department.

On No. 35: Authorizes the expenditure of $8,000, instead of $7,500, as proposed by the House, and $8,500, as proposed by the Senate, for the purchase of street car fares.

On No. 36: Strikes out, as proposed by the Senate, the appropriation of $22,000 for improvements in the Court of Appeals Building.

On No. 38: Increases the appropriation for the purchase of identification tags for vehicles from $15,000 to $17,000 as proposed by the Senate.

On Nos. 40 to 64, inclusive, relating to street improvements: Strikes out, as proposed by the Senate, the following items contained in the bill as passed by the House:

Ingraham Street, east of Fourteenth Street, $8,500.

Upshur Street, New Hampshire Avenue to Fourth Street, $10,300.

Yuma Street, Thirty-eighth to Thirty-ninth Streets, $10,800.

Varnum Street, Second Street to Rock Creek Church Road, $6,800.

Third Street, Taylor Street to Upshur Street, $6,800.

Arkansas Avenue, Emerson Street to Farragut Street, $10,400.

Shepherd Street, west of Fourteenth Street, $5,300.

Eckington Terrace, Prospect Street to T Street, $8,100.

Reduces, as proposed by the Senate, the appropriations for the following items contained in the bill as passed by the House:

Eleventh Street, D Street to Maryland Avenue, from $10,800 to $10,260.

Sixteenth Street, G Street to Kentucky Avenue, from $9,900 to $9,405.

Kentucky Avenue, Fifteenth to Sixteenth Streets, from $14,400 to $13,680.

Thirteenth Street, Buchanan Street to Shepherd Street, $14,900 to $14,155.

Webster Street, Sixteenth to Seventeenth Streets, from $10,800 to $10,260.

Upshur Street, Rock Creek Church Road to Second Street, from $3,600 to $3,420.

Allison Street, Fifteenth to Sixteenth Streets, from $7,500 to $7,125.

Seventh Street, Webster Street to Allison Street, from $6,800 to $6,460.

Bryant Street, east of North Capitol Street, from $6,300 to $5,985.

Evarts Street, east of North Capitol Street, from $5,000 to $4,750.

C Street, Thirteen and one-half to Fourteenth Streets, from $5,000 to $4,750.

New Hampshire Avenue and Grant Circle from $37,800 to $35,910.

Strikes out the appropriation of $11,200 for paving Twenty-eighth Street south of Cathedral Avenue. Inserts the appropriation of $10,795 proposed by the Senate for grading Second Street, Eastern Avenue, Whittier Street, First Street, and Van Buren Street, and strikes out the appropriation of $31,195, proposed by the Senate, for repaving Georgia Avenue from Florida Avenue to Barry Place. The total for street improvements carried by the bill is $144,840 instead of $219,300 as proposed by the House and $110,960 as proposed by the Senate.

On No. 65: Strikes out the paragraph, proposed by the Senate, canceling the assessments for the paving of Howard Road.

On No. 67: Appropriates $35,000, instead of $30,000 as proposed by the House and $40,000 as proposed by the Senate, for grading streets, alleys, and roads.

On No. 68: Makes an indefinite appropriation for opening, extending, or widening streets, as proposed by the Senate, instead of $50,000 as proposed by the House.

On No. 69: Appropriates $27,500, as proposed by the Senate, instead of $25,000, as proposed by the House, for the construction and repair of bridges.

On No. 71: Strikes out, as proposed by the Senate, the appropriation for continuing the construction of the upper Potomac interceptor sewer.

On No. 73: Strikes out the increase of $10,000, proposed by the Senate, in the appropriation for the parking commission.

On No. 74: Provides for three playground swimming pools, as proposed by the Senate, instead of five, as proposed by the House.

On Nos. 75 to 78, inclusive, relating to public-school officers: Strikes out the additional assistant superintendent of schools proposed by the Senate. Provides for four clerks at $1,000 each instead of three at 1,000 each and one at $900.

On Nos 79 to 90, inclusive, relating to school-teachers: Strikes out the change in designation, proposed by the Senate, in the assistant director of primary instruction, assistant directors of music, drawing, physical culture, domestic science, domestic art, kindergartens, and penmanship, and the assistant supervisor of manual training. Strikes out, as proposed by the Senate, the paragraph relating to the longevity allowance of teachers promoted in classes 1 to 5.

On Nos. 123 to 126, inclusive, relating to janitors in graded school buildings: Strikes out the increases proposed by the Senate in the pay of 75 janitors.

On No. 128: Appropriates $2,500, as proposed by the Senate, for improvements to the Johnson School Building.

On No. 129: Provides, as proposed by the Senate, that the appropriation for equipment in certain school buildings shall be immediately available.

On No. 130: Strikes out the increase of $300 proposed by the Senate in the appropriation for the purchase of flags.

On No. 131: Appropriates $2,400 for the preparation of six additional school yards for play purposes.

On No. 133: Increases by $500, as proposed by the Senate, the appropriation for the transportation of tubercular children.

On Nos. 134 to 139, inclusive, relating to school buildings and grounds: Reduces, as proposed by the Senate, the appropriations for school buildings, as follows: Eastern High School, from $500,000 to $240,000; Burrville School, from $128,000 to $120,000; J. R. West School, from $100,000 to $90,000; Takoma School, from $100,000 to $80,000. Appropriates $35,000 for the purchase of land adjoining the Dunbar High School, instead of $45,000, as proposed by the Senate.

On No. 141: Increases, as proposed by the Senate, from $3,000 to $4,000 the appropriation for the maintenance and tuition of colored deaf-mutes.

On No. 142: Increases from $8,500 to $10,000, as proposed by the Senate, the appropriation for the instruction of blind children.

On Nos. 143 to 146, inclusive, relating to the police department: Strikes out the increases proposed by the Senate in the appropriations for fuel, repair and improvements to police stations, and reconstruction of cells.

On Nos. 147 and 150, relating to the house of detention: Strikes out the increase proposed by the Senate in the pay of two drivers, and appropriates $20,320, as proposed by the Senate instead of $16,320 as proposed by the House, for maintenance.

On Nos. 152 and 153, relating to the policemen and firemen's relief fund: Strikes out the appropriation of $68,410.87 proposed by the Senate to pay certain back pensions.

On Nos. 155 and 156, relating to the fire department: Reduces, as proposed by the Senate, from $18,000 to $15,000 the appropriation for forage.

On Nos. 157 to 161, inclusive, relating to the health department: Restores the limitation of $25,000, stricken out by the Senate, on the amount to be expended for personal services from the contagious-diseases fund; increases from $100 to $200, as proposed by the Senate, the appropriation for special services in connection with the adulteration of drugs and foods; appropriates $3,000 instead of $5,000, as proposed by the Senate, for repairs to the contagious-disease ward of Garfield Hospital and $2,000 instead of $3,000, as proposed by the Senate, for repairs to the contagious-disease ward in Providence Hospital; and increases from $15,000 to $18,000, as proposed by the Senate, the appropriation for care of children by the Child Welfare Society.

On Nos. 163 to 165, inclusive, relating to the juvenile court: Strikes out the two additional probation officers at $1,200 each, proposed by the Senate, and provides for an investigation officer at $1,400.

On No. 166: Provides, as proposed by the Senate, for improvements to the Police Court Building.

On No. 167: Reduces from $160,000 to $125,000, as proposed by the Senate, the appropriation for support of convicts.

On Nos. 170 to 173, inclusive, relating to the Washington Asylum and Jail: Provides for a clerk, who shall be a stenographer, at $1,000 instead of a clerk at $900, as proposed by the Senate, and strikes out the increase proposed in the appropriation for repairs to buildings.

On Nos. 174 to 177, inclusive, relating to the Home for the Aged and Infirm: Provides for a nurse at $600 and appropriates $2,500 for repairs to the heating plant, as proposed by the Senate.

On No. 178: Strikes out the increase of $2,500, proposed by the Senate, in the appropriation for the National Training School for Boys.

On Nos. 179 to 181, inclusive, relating to the National Training School for Girls: Strikes out the provision for a clerk at $1,000, proposed by the Senate.

On Nos. 182 to 189, inclusive, relating to the care and treatment of indigent patients at hospitals: Reduces as proposed by the Senate the amounts for hospitals as follows: Freedmen's Hospital, from $45,000 to $40,000; Columbia Hospital, from $18,000 to $17,000; Children's Hospital, from $15,000 to $13,000; Providence Hospital, from $15,000 to $13,000; Garfield Hospital, from $15,000 to $13,000; Eastern Dispensary, from $15,000 to $5,000. Strikes out the increase of $2,000 proposed by the Senate for the Emergency Hospital and appropriates $6,000, instead of $5,000 as proposed by the House and $7,500 as proposed by the Senate, for George Washington University Hospital.

On Nos. 190, 191, and 192, relating to the Tubercular Hospital: Increases, as proposed by the Senate, the appropriation for repairs and improvements from $2,000 to $2,500. Strikes out the paragraph, inserted by the Senate, for the admission of pay patients.

On Nos. 194 to 197, inclusive, relating to the board of children's guardians: Provides for five investigating officers $1,200 each, instead of three as proposed by the House and eight as proposed by the Senate. Strikes out the increases proposed by the Senate in the appropriations for the maintenance and care of children.

On No. 199: Strikes out the language, proposed by the Senate, making permanent law the paragraph relating to the disposition of moneys received from the sale of products, etc., at the Industrial Home School for Colored Children.

On Nos. 200, 201, and 202: Reduces, as proposed by the Senate, the appropriations for the care and maintenance of children at the following institutions: National Association for the Relief of Destitute Colored Women and Children, from $3,000 to $2,500; Washington Home for Foundlings, from $3,000 to $1,500; St. Ann's Infant Asylum, from $3,000 to $1,000.

On Nos. 203 and 204: Increases, as proposed by the Senate, from $4,000 to $5,000 the item for maintenance of the Temporary Home for Soldiers and Sailors.

On No. 207: Strikes out the increase of $60,000, proposed by the Senate, in the appropriation for the care of the insane.

On No. 208: Increases from $4,000 to $5,000, as proposed by the Senate, the appropriation for the deportation of nonresident insane.

On Nos. 209 to 213, inclusive, relating to the workhouse: Provides, as proposed by the Senate, for a superintendent at $1,200 in lieu of a superintendent at $1,200 and three superintendents at $1,000 each, as proposed by the House, and reduces the appropriation for maintenance from $95,000 to $85,000, as proposed by the Senate.

On Nos. 214, 215, and 216, relating to the reformatory: Strikes out, as proposed by the Senate, authority to pay for "superintendence" from the maintenance fund and reduces the appropriation for maintenance from $55,000 to $50,000, as proposed by the Senate.

On No. 217: Strikes out the paragraph proposed by the Senate relative to the issuance of permits for the carrying of firearms.

On No. 218, relating to the Anacostia River and Flats: Reduces the appropriation from $200,000 to $175,000 and provides that that sum shall be expended below Benning Bridge, as proposed by the Senate.

On Nos. 219 and 220, relating to the Washington Aqueduct: Increases the appropriation for operation from $150,000 to $170,000, and inserts the paragraph proposed by the Senate reappropriating the sum of $90,000 for additional pumping facilities.

On Nos. 221 and 222, relating to the water department: Increases the appropriation for maintenance of the distribution system from $400,000 to $420,000, as proposed by the Senate; and strikes out the appropriation of $160,000, inserted by the Senate, for a 20-inch water main between Chevy Chase Circle, Georgia Avenue, and Elder Street.

On Nos. 224 to 256, inclusive: Strikes out section 9 of the bill, inserted by the Senate, appropriating $2,187,500 for various District purposes, to be paid one-half from the surplus revenues of the District of Columbia and one-half from the Treasury of the United States.

The managers on the part of the House, pursuant to the inhibition contained in clause 2 of Rule XX, have not agreed to the following amendments of the Senate which might be deemed to be in violation of the provisions of clause 2 of Rule XXI if such amendments had originated in the House, and therefore report such amendments to the House for further action, namely:

On No. 32: Reducing from $10,000 to $5,000 the appropriation for printing annual reports of the District government and granting authority to the commissioners to discontinue the printing of such reports as may be necessary to keep within the proposed sum of $5,000.

On No. 37: Appropriating $6,000 for rent of offices for the recorder of deeds.

On No. 39: Appropriating $7,500 for expenses of maintaining a public employment service for the District of Columbia.

On No. 66: Granting authority to close that portion of Rock Creek Ford Road between Broad Branch Road and Rittenhouse Street.

On No. 70: Transferring the jurisdiction and control of the Highway Bridge from the Chief of Engineers, United States Army, to the Commissioners of the District.

On No. 72: Giving the commissioners the legal remedies necessary to collect the tax of one-half cent per passenger for each person carried over the Highway Bridge by any street railway company.

On Nos. 91 to 122, inclusive, and 127: Increasing from $600 to $720 each, the pay of 94 laborers in the various school buildings of the District, making an aggregate increase of $11,280.

On No. 132: Appropriating $15,000 for expenses of conducting community forums and civic centers in public-school buildings.

On No. 140: Authorizing the sale of the old Mott School Building and grounds.

On Nos. 148, 149, and 151, relating to the House of Detention: Increasing the pay of the cook from $500 to $600 and the pay of the janitor from $600 to $720.

On No. 154: Giving credit to officers and employees of the fire and police departments for time served in the military and naval forces in the World War.

On No. 162: Appropriating $3,000 to aid persons of moderate means who are suffering from tuberculosis.

On Nos. 168 and 169: Increasing from $480 to $600 each the pay of three laborers in the Court of Appeals Building.

On Nos. 193 and 198: Increasing from $4,000 to $5,000 the appropriation for administrative expenses of the board of children's guardians and inserting legislation relative to the visiting of wards of the board placed outside the District of Columbia and the States of Virginia and Maryland.

On No. 205: Appropriating $5,000 to aid the National Library for the Blind.

On No. 206: Appropriating $1,500 to aid the Columbia Polytechnic Institute.

On No. 223: Authorizing the commissioners to grant leave of absence, not exceeding 15 days each fiscal year, with pay, to such of the per diem employees of the District as are regularly employed.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN,
Managers on the part of the House.

The SPEAKER. Inasmuch as a point of order was made the other day the Chair thinks that he ought to suggest that now is the time to make any points of order.

Mr. BLANTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Under clause 5, Rule XX, has not a Member a right to make a point of order at any time?

The SPEAKER. Under that rule, but the Chair was referring to general points of order.

Mr. MANN of Illinois. That rule does not apply to bills reported from the Committee on Appropriations at all. That rule only applies to appropriations reported from a committee having only legislative authority.

Mr. BLANTON. Incidentally it would apply just as well to legislation placed upon an appropriation bill in conference.

Mr. MANN of Illinois. No; the gentleman is mistaken.

Mr. BLANTON. Under the general rules of the House which have been in existence for years, I understand that it does.

Mr. MANN of Illinois. Yes; but a point of order there has to be made in apt time and could not be made at any time.

Mr. BLANTON. I have no point of order to make to this bill since the gentleman has been able to override the Senate about the 60-40 proposition.

Mr. MAPES. Mr. Speaker, the House conferees have brought back in their report a disagreement on certain pieces of legislation which the Senate put in. Under Rule XXI what is the procedure in disposing of these disagreements—the same as disagreements in other conference reports heretofore?

The SPEAKER. The Chair thinks so. Of course, there is that clause in the rule which says there must be a separate vote.

Mr. MAPES. So the procedure would be to accept the conference report and then to move to agree or disagree to each amendment?

The SPEAKER. The Chair thinks so.

Mr. DAVIS of Minnesota. Mr. Speaker, I believe before I get through the gentleman from Michigan will come to this conclusion, that in regard to any matters we have brought back to the House there will be an opportunity to make any point of order on, if he so desires.

Mr. MAPES. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. MAPES. My question was not propounded because of any desire to make a point of order, but simply to have the question of procedure determined.

Mr. DAVIS of Minnesota. Mr. Speaker, I desire within the hour which I think is mine to a certain extent that the Speaker shall designate when I talk for 25 minutes, if I talk that long, because I desire to yield some time to the gentleman from Texas [Mr. BUCHANAN] and the gentleman from Michigan [Mr. CRAMTON]. I want briefly to summarize this bill. The amount of the bill as passed by the Senate, leaving out $45,860 included in amendments not agreed upon, to which I shall refer afterwards, is $21,792,942.99. The Senate has receded from $2,445,393, so the amount of the bill as it stands now before the House carries $19,347,522.99, while the bill as it passed the House carried $19,807,012. In other words, the House has receded and agreed to net reductions of the Senate, and the difference between the House bill as we passed it and as it lies before the House now amounts to $459,460, so the amount of the bill now stands $19,347,552.99. The bill exceeds the 1921 law by $974,448.12. The estimates this year were $25,039,044.99, so the bill now before the House is less than the estimates by $5,691,492. I will say, Mr. Speaker, that we did not reduce it where it is now wholly in consequence of economy, but that was a large element, but we have reduced this bill even since we passed it in the House; in consequence, I am free to say, that the Senate conferees, after a great deal of study along certain lines, agreed voluntarily to reduce their own bill. So that, in my judgment, now this bill comes nearer carrying the consensus of opinion of both the House and the Senate than any bill presented to this House, and the District of Columbia, I believe, is amply taken care of in all ways. Two hundred and fifty-six amendments were placed upon this bill by the Senate. They receded from 90 of the 256 amendments placed thereon by it. The House receded from 87 amendments. The House receded and agreed with amendments to the number of 26, and we have returned to this House 53 amendments which are not acted upon at all. Why? Because of the new rule. We had this bill carefully analyzed by the best parliamentarians we could find, and wherever we found an item placed thereon that was subject to a point of order under the new rule we have brought it back to the House for determination. They will be read each one separately, and you will have an opportunity to vote on each one of these amendments. They are all included in the report, and I shall soon make a motion to agree to the report that will include those 53 items. But that does not necessarily mean that you have agreed to those 53 items, but simply adopt the report that we have brought back to you for your action. That is what it will be.

Mr. TOWNER. Will the gentleman yield for a question?

Mr. DAVIS of Minnesota. Certainly.

Mr. TOWNER. If it is not outside of the gentleman's purpose I would like to have the gentleman explain in regard to reductions which were made in the schoolhouse buildings program in the city.

Mr. DAVIS of Minnesota. Very pleased, sir, to answer that question. I will say right here that the original estimates of the commissioners which were brought before our committee as to schoolhouses, improvement of schoolhouses, grounds, and so forth, our original bill granted every one at the estimate submitted by the commissioners. Now, sir, only a month or so has intervened, as the gentleman knows. The same commissioners went before the Senate subcommittee and stated that owing to the decrease in the cost of material, and so forth, they wanted them to reduce from the House bill 10 per cent, and accordingly it was done, and we have consented to it, so that the Senate reduced them at the suggestion and at the request of the Commissioners of the District of Columbia.

Mr. TOWNER. But the House approved an appropriation for the Eastern High School of $500,000 and that has been reduced to $240,000——

Mr. DAVIS of Minnesota. For the same reason——

Mr. TOWNER. Very much more than a 10 per cent reduction.

Mr. DAVIS of Minnesota. I know, I omitted to say, for the same reason. The commissioners asked for $500,000 and we granted it freely and voluntarily. We were for the schools and we are yet. They went before the Senate subcommittee and told them that $240,000 was all they could use this year and the Senate cut it to $240,000, and I may say to the gentleman we reluctantly accepted it.

Mr. TOWNER. I think the gentleman's explanation is entirely satisfactory, and I am very glad indeed and commend the committee for standing for better conditions of school facilities in this city. It is certainly a disgrace to the Congress of the United States that they allow the schools in the city of Washington to remain in the condition in which they are in. [Applause.] The superintendent told me a short time ago that there was not any schools now but which would have to be closed a part of the time. We have not the accommodation so that they can keep in the schoolhouses the children of the city and furnish decent and adequate education. Such is the model which the Congress of the United States has set for the whole Nation.

Mr. NEWTON of Minnesota. Will the gentleman yield for just a short question in reference to the schools? I noticed something in the papers that the Senate is going to provide for the use of some money that has accumulated in the Treasury for the purpose of new buildings. Did they make that provision?

Mr. DAVIS of Minnesota. I will say to the gentleman that the first amendment of any great importance was the fifty-fifty or the sixty-forty. The Senate receded from the fifty-fifty and we got the sixty-forty. The last was section 9 of the bill, which provided for a lot of new sites and locations for buildings away in the future and providing for a lot of parks, a million and a half dollars for those, that was to come out of the so-called surplus in the Treasury. The Senate receded graciously from the whole thing.

Mr. NEWTON of Minnesota. There is nothing in the bill that has come from the Senate that makes any provision for new schools?

Mr. DAVIS of Minnesota. They did not ask for them, even in that section 9. We have given them all the new schools and additions to schools that they asked for in the original bill.

Mr. NEWTON of Minnesota. All that they asked for?

Mr. DAVIS of Minnesota. Every one. All that were asked for by the commissioners.

Mr. NEWTON of Minnesota. Can the gentleman say what has been the position of the commissioners in their dealings with the committee in reference to this deplorable situation here, where children in the grade schools, thousands and thousands of them, attend school only part time?

Mr. DAVIS of Minnesota. Well, I do not care to go into a discussion about that, because if I did I might put something into the RECORD that would change the gentleman's mind a little on either the statements he has been reading in the papers or what people have said.

Mr. NEWTON of Minnesota. The gentleman could not change my mind about the children going half time, because I know of that in my own neighborhood and in my own family.

Mr. DAVIS of Minnesota. I can state to the gentleman the reason why, but it is not for lack of seating capacity.

Mr. NEWTON of Minnesota. I would like to know the reason why.

Mr. SMITH of Idaho. Mr. Speaker, I would like to ask why the gentleman is reluctant to tell the House about it, when the children are attending school half time.

Mr. DAVIS of Minnesota. I do not care to enter into a discussion of it.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks.

Mr. SMITH of Idaho. It is rather remarkable that the gentleman will not give us the information.

Mr. McCLINTIC. Mr. Speaker, I object.

Mr. BLANTON. The gentleman's request was that he revise his remarks.

Mr. DAVIS of Minnesota. That is all.

Mr. WALSH. Mr. Speaker, reserving the right to object, I do not understand why Members get up and occupy the time of the House by asking to revise their remarks, where, under the rules and the ordinary every-day acceptation of the word "revise," they have the privilege of doing it. It does not add anything by getting the consent of the House.

Mr. McCLINTIC. Mr. Speaker, I object to any extension of remarks, for the reason that I want to be able to read the RECORD. I believe the practice of extending is wrong, and I believe that it is inconsistent.

Mr. DAVIS of Minnesota. Mr. Speaker, I reserve the balance of my time. Does the gentleman from Texas [Mr. BUCHANAN] wish to proceed?

Mr. BUCHANAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUCHANAN. The amendments of the Senate that do not involve new legislation that we agree to are before the House for adoption. The amendments of the Senate that did involve new legislation, and that we thought advisable to report back to the House for action are also in that conference report. The inquiry is, At what period during the proceedings are we to consider the amendments that involve new legislation, which we report back to the House. Is it after the adoption of the conference report?

The SPEAKER. The Chair thinks the first vote would be on agreeing to the conference report, and that after that the amendments reported back would come up.

Mr. BUCHANAN. Then I do not want any time until after that.

Mr. McCLINTIC. Mr. Speaker, are these amendments which relate to new subjects subject to a point of order?

The SPEAKER. No. They are before the House regularly.

Mr. SISSON. Mr. Speaker, a further parliamentary inquiry. After we shall have agreed on the conference report, where the conferees have agreed, and I understand they have agreed on all the items except those of involved legislation——

Mr. DAVIS of Minnesota. Absolutely.

Mr. SISSON. Then after that agreement has been made and these items of new legislation are taken up, will there be opportunity to debate those new items?

Mr. DAVIS of Minnesota. I think there will, under the five-minute rule.

The SPEAKER. Unless the gentleman from Minnesota moves the previous question.

Mr. MANN of Illinois. On each amendment as it comes up the gentleman from Minnesota [Mr. DAVIS] is entitled to the floor and entitled to hold the floor for one hour, or yield that time, or move the previous question.

Mr. SISSON. On each of these amendments?

Mr. MANN of Illinois. On each of these amendments.

Mr. SISSON. That is the parliamentary inquiry I wanted to make, as to the status of these new amendments. And I presume, of course, that the gentleman will move the previous question.

Mr. DAVIS of Minnesota. I do not think there will be any doubt about that.

Mr. LONGWORTH. Mr. Speaker, would it be in order, in the case of these amendments which would have been subject to a point of order in the House, to move that they be voted on en bloc?

The SPEAKER. The Chair will not cross that stream until we get to it.

Mr. RAMSEYER. Did I understand the gentleman a few moments ago to state that the conferees have agreed to all of the Senate amendments that are in violation of section 2, Rule XX?

Mr. DAVIS of Minnesota. We have not agreed to any of them, but we are going to ask you in a few minutes whether you want to agree to them or not. I do not mean the gentleman personally; I mean the entire House.

Mr. RAMSEYER. I was going to suggest that the conferees could not agree to the Senate amendments until they were instructed to do so by the House. It is apparent now the gentleman understands the rule.

Mr. DAVIS of Minnesota. I am aware of that. We submit them to the House. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 32: Page 15, line 20, strike out "$10,000" and insert in lieu thereof "$5,000," and add: "*Provided*, That authority is hereby given the Commissioners of the District of Columbia to discontinue the printing of any annual or special reports of the government of the District of Columbia in order to keep the expenditures within this appropriation. In all cases where the printing of said reports is discontinued, the original copy thereof shall be kept on file in the offices of the Commissioners of the District of Columbia for public inspection."

Mr. DAVIS of Minnesota. Mr. Speaker, the item as passed by the House appropriated $10,000 for this purpose of printing the annual reports of the District. The Senate reduced it to $5,000, with new legislation, which is subject to a point of order, to the effect that they should discontinue the printing of the annual report to a certain extent.

Now, Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 32, and agree to the same.

The SPEAKER. The gentleman from Minnesota moves that the House recede and agree to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 37: Page 20, line 16, insert: "For rent of offices of the recorder of deeds, including services of cleaners as necessary, not to exceed 30 cents per hour, to be expended under the direction of the Commissioners of the District of Columbia, $6,000."

Mr. McCLINTIC. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCLINTIC. Is this item subject to a point of order?

The SPEAKER. It would be too late now, if it were. The gentleman has debated it.

Mr. McCLINTIC. No, Mr. Speaker; it has just been read.

The SPEAKER. The Chair was mistaken. The Chair does not know what point of order the gentleman desires to make, but the gentleman can submit his point of order.

Mr. MANN of Illinois. Mr. Speaker, we might as well settle the question now as at any other time. No Senate amendment is subject to a point of order in the House.

The SPEAKER. The Chair does not know what point of order was in the gentleman's mind.

Mr. MANN of Illinois. I have never heard of a point of order that would lie against a Senate amendment.

Mr. McCLINTIC. It provides an appropriation for the rental of an additional building. I think we already have a sufficient number of buildings in the District of Columbia to take care of the necessary arms of the Government. I just wanted to ask the gentleman if he had any information on the subject.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. As I understand it—and I am not taking issue with the Chair—the rule is that when the conferees bring back a report for the consideration of the House, and it contains such an amendment as this, for instance, then it is not subject to a point of order?

The SPEAKER. The Chair thinks the House is in some confusion as to the new rule. The Chair thinks the new rule does not apply now. The new rule simply applies to the managers and their action in conference. What we are now considering is not to instruct the managers. There is nothing that the managers have to do. The new rule has no application here. We are considering these amendments one after another.

Mr. WINGO. Has the gentleman from Minnesota moved to concur?

Mr. DAVIS of Minnesota. I have not.

Mr. WINGO. It may be for the sake of argument, which, I take it, is true, that this amendment, if it had been offered on the floor during the consideration of the bill in the first instance in the House, would have gone out on a point of order, but it is not now subject to a point of order, inasmuch as the Senate has put it on, and Rule XX only goes to the point of restricting the conferees so that they can not agree to a matter that was out of order until the House has had a chance to vote specifically in each case whether it wants to agree or wants to reject or instructs the conferees in regard to it.

The SPEAKER. Yes, the House could, if it saw fit to do so, authorize the conferees to go back into conference on this amendment and then agree.

Mr. WINGO. There are three possible motions—one to concur, another to insist on disagreement, and another would be to instruct them to agree with an amendment. That might be three possible courses.

Mr. GARNER. Mr. Speaker, I would like to make an inquiry, if I may, with reference to this new rule.

The SPEAKER. The Chair will hear the gentleman.

Mr. GARNER. As I understand the Speaker, the new rule applies only to conferees on the part of the House when they go into conference?

The SPEAKER. It applies so that the House might now authorize the conferees to go back into conference and agree to this amendment.

Mr. GARNER. You can only illustrate a rule, as I see it, by carrying it into effect. Suppose this conference report con-

tained matter that would not have been in order under the rules of the House when originally considered in the House. Would it be now subject to a point of order?

The SPEAKER. The Chair is inclined to say at first blush that it would be.

Mr. MANN of Illinois. No, Mr. Speaker. No point of order lies against a Senate amendment. The only change under the rule in reference to Senate amendments is that managers on the part of the House can not agree in conference to Senate amendments which would have been subject to points of order in the House, unless authorized to agree by the House.

The SPEAKER. The Chair thinks the gentleman from Illinois did not catch the point of the question of the gentleman from Texas. The gentleman from Texas asked, if the conferees agreed to an amendment which is in violation of the rule, if then the conference report would have been subject to a point of order.

Mr. GARNER. That was the query.

Mr. MANN of Illinois. Then I did misunderstand it.

Mr. GARNER. I ask that question because if the House is going to be able to protect itself against legislation on appropriation bills in the form of Senate amendments, the House must be able to reach those amendments at some stage, and I have merely made the inquiry so that we might know when that could be done.

Mr. ROGERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS. It occurs to me that it would materially expedite business in the House if it were practicable to report all these Senate amendments at the outset and have them voted on en bloc, provided no Member asked for a separate vote on a given amendment. Here are 40 or 50 amendments presented which are in disagreement, and the House is obliged to pass upon them before the conferees can agree. I am advised that most of these amendments are somewhat trivial in character. To take them up one by one will take a great deal of time. It would seem to me that the situation is analogous to that which occurs when the Committee of the Whole rises and an appropriation bill or any other bill is reported to the House, and that the same practice ought to apply here. In that case any Member can demand a separate vote on any amendment adopted in committee if he cares to do so; but if the request is not made, the House votes on all the amendments en gross. In the present instance I am advised that most of the amendments are exceedingly unimportant in character. If at the outset of the discussion all of them are reported at once, then any Member's rights are fully protected, because he can as a matter of right demand a separate vote on any amendment in which he is interested and which he thinks ought to be dealt with specifically by the House.

Mr. MONDELL. Mr. Speaker, I think it is highly important that in the consideration of the first conference report which comes to us under the new rule we shall proceed in a manner strictly in conformity with the rules, and in such a way as thoroughly to protect the legislative committees and to give the House full, complete, and thorough information with regard to the matters at issue. Now as a practical proposition my understanding is that the first five or six amendments which will be presented, which are repugnant to the rule, are amendments with regard to which there may be some differences of opinion. It is true these amendments are not of great national importance, but they are all matters with regard to which Members may differ in their opinion. I think it would be very unwise for anyone to ask at the outset that those amendments be taken en bloc or en gross. I think they ought to be taken up one by one and disposed of by the House, even though it takes some little time to do it. Later in the consideration of the report there are quite a number of items which, while they are separate amendments, relate to practically the same question, that is the question of a slight increase in the pay of certain janitors and caretakers of buildings. It seems to me when we reach those amendments, some 20 or 30 of them, perhaps it would be entirely proper to suggest or to ask unanimous consent to vote upon them en bloc; but so long as we have before us items with regard to which there is quite certain to be some little difference of opinion, unimportant though they may be, I think they should be considered separately.

Mr. ROGERS. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman from Massachusetts.

Mr. ROGERS. This is not a question of the desirability or undesirability of a particular course with relation to this bill. It is a question of what the procedure of the House shall be in the case of 14 or 15 appropriation bills that are to come along in the next two weeks and as to which such expedition as is possible certainly ought to be had at this stage of the session. Now, assume that we could adopt the practice under the ruling of the Chair of having all Senate amendments of this character first reported to the House at one time, and assume that we should as of right permit any Member to ask for a separate vote upon particular amendments. That would mean that any Member would have the right to ask for a separate vote on each and every amendment if he so desired.

Mr. MONDELL. The Members have that right under the rule.

Mr. ROGERS. They have that right, and it can not be taken away from them under the rule.

Mr. MONDELL. And it should not be.

Mr. ROGERS. That being the fact, how is any Member prejudiced by having the presumption at the outset that all amendments shall be considered en gross provided no request is made for a separate vote in the case of a given amendment?

Mr. MONDELL. I doubt if the plan the gentleman suggests is in harmony with the rule. At any rate, I doubt if it would be wise to adopt it now. If the gentleman will allow me, in the case of the conference report before us, the first amendments that will be presented, while relatively unimportant, do involve questions with regard to which there may be differences of opinion with regard to each and every one of them. We have time enough to examine them, and the request for a vote en bloc, in my opinion, should not come until or unless the committee shall reach certain amendments with regard to which there can be very little difference of opinion. The gentleman refers to the bills that are to come later. Let us cross all those bridges when we reach them. We will be better prepared to cross them if we proceed now in the consideration of this bill in a way that will assure everyone in the House that an abundant opportunity is to be given to express an opinion upon and to vote separately on each item effected by the new rule and relative to which there may be a real difference of opinion.

Mr. HICKS. Will the gentleman yield?

Mr. CHINDBLOM. Will the gentleman yield?

Mr. MONDELL. I am not in control of the floor unless the gentleman from Minnesota has the floor. This is all by unanimous consent.

Mr. DAVIS of Minnesota. I should like to know who has the floor.

The SPEAKER. The gentleman from Minnesota [Mr. DAVIS] has the floor.

Mr. CHINDBLOM. Will the gentleman from Minnesota yield?

Mr. DAVIS of Minnesota. I want to make a further explanation to the gentleman from Massachusetts. Two or three amendments further down is the item for 94 laborers, and the amendments run from numbers 91 to 122. When we reach that point I was going to make just the suggestion which the gentleman from Wyoming has made, that those amendments be voted on en bloc. But I do believe that in the first few items there may be a little dispute.

Mr. ROGERS. I was simply concerned as to the general question of procedure. I expect that if we adopt the rule suggested by the gentleman from Wyoming that we are constantly going to be confronted with the amount of time that it involves.

Mr. DAVIS of Minnesota. And that question will be settled in 5 or 10 minutes from now on another amendment.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. DAVIS of Minnesota. I want to make a motion first. Mr. Speaker, I move that the House recede from amendment 37 and agree to the same.

Mr. CHINDBLOM. Now, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. CHINDBLOM. I want to ask the gentleman whether in the conference report there is anything which advises the House of the opinion of the committee with reference to amendment 37. In other words, these are amendments which have been thrown into the House because they violate Rule XXI, but do the conferees on the part of the House give the House any information as to what their opinion is?

Mr. DAVIS of Minnesota. We have made no special recommendation, but the hearings in both the Senate and the House are filled with them.

Mr. LONGWORTH. The motion which the gentleman makes gives the committee some idea of what the managers want to do.

Mr. CHINDBLOM. This report with reference to the items which are thrown in here has no recommendation at all.

Mr. DAVIS of Minnesota. I understand it is not the privilege or the province of the committee to come before the House with a written statement recommending anything. I take the responsibility on myself to move to recede and concur in this amendment.

Mr. CHINDBLOM. As I understand the rule it prohibits the committee from agreeing to the amendments but does not pro-

hibit the committee from considering and reporting their advice to the House.

Mr. DAVIS of Minnesota. I am trying to advise the House now.

Mr. CRAMTON. Mr. Speaker, in further answer to the gentleman's question, the rule forbids the conferees from agreeing, and by inference it might make it at least a questionable practice for us to recommend to the House. A legislative amendment of the Senate that is entirely unsatisfactory to the House conferees may be disagreed to by the House conferees, and such has been the case in a number of instances in this bill, and such an amendment does not come to the House. So it is a fair inference that the conferees do not entirely disapprove of the amendments brought back.

Mr. CHINDBLOM. Does not the gentleman think the committee ought to put something in the report in the way of a recommendation?

Mr. CRAMTON. In these days it is desirable for the conferees to observe quite strictly Rule XX, section 2.

Mr. LINTHICUM. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. LINTHICUM. I have not heard anything about the merits of this amendment 37.

Mr. DAVIS of Minnesota. Because you have not given me time.

Mr. LINTHICUM. You come in here with a provision for paying $6,000 a year rent, and I would like to hear something about the merits.

Mr. DAVIS of Minnesota. But I have not had the time.

Mr. LINTHICUM. I have not prevented the gentleman from having the time.

Mr. DAVIS of Minnesota. All right. Under the law to-day all expenses are to be paid out of the receipts of this court. I believe now they have $27,000 of last year's surplus. It has been the custom all the time to make an appropriation of $6,000, and then they return the $27,000, or whatever it is, back into the Treasury. That is one reason why we put in the original bill $22,000 for fixing up quarters for the register of deeds in the Court of Appeals Building. That went out on a point of order. The Senate considered it and it came back and said you have not any place for the recorder of deeds; buy the old building, for $70,000, that the recorder is now occupying. We objected to that, and as a compromise we decided to leave the $6,000, which I admit is a large rent, rather than to have a lot of trouble, and let them turn the $27,000 into the Treasury. I am not justifying this, but I shall vote for the motion to recede and concur.

Mr. SISSON. Will the gentleman yield me five minutes?

Mr. DAVIS of Minnesota. Yes.

Mr. SISSON. Mr. Speaker, I want the House to understand that when we remodeled the old courthouse it was then provided that there should be a space in the old court for the recorder of deeds. During the remodeling of the courthouse they had to move across the street to get room during the time they were remodeling the courthouse. There is one floor of the courthouse practically not used for anything, but it has not been quite completed. Your subcommittee believed and put an item in the bill of $22,000 to complete the courthouse and fit up the offices for the recorder of deeds. We accordingly put that item in the bill. The Senate struck that out and went back to the old renting proposition, with the suggestion that we buy the old building for $70,000 for the recorder of deeds. I did not think it was necessary, but I want the House to understand that when they vote for the Senate amendment they are voting to continue the rent of this building at a rental of $5,000 a year and $1,000 for something else.

Mr. STRONG of Kansas. How many rooms does the recorder of deeds occupy?

Mr. SISSON. I do not know how many he occupies in the rented building, but they occupy practically one floor of the courthouse, and that space is now unused because it has not been completed. It needs partition walls in it. We investigated the matter and found that $22,000 would put the courthouse in shape for all time.

Mr. STRONG of Kansas. It seems that $6,000 for recorder of deeds is rather large.

Mr. SISSON. Yes; but they have a great many volumes of books, going back to the beginning of the District of Columbia.

Mr. LINTHICUM. Will the gentleman yield 3 minutes to me?

Mr. DAVIS of Minnesota. Yes.

Mr. LINTHICUM. Mr. Speaker, it is not this particular $6,000 rental item to which I shall address myself, and about which I have been talking, but to the system which has prevailed for so many years of paying these large rents. I think it is about time Congress quit this office-rental business. As I understand, some 25,000 employees are being dismissed or will be dismissed, thereby affording considerable additional room. As I pass through some of the public buildings of this city I am sad hearted with the tomb-like sounds which accompany me as I view the number of offices vacant on every side. The appropriations for employees has been largely cut down, and yet to-day, under a resolution with reference to railroad valuation, we have voted the sum of $20,000 for office rentals. Under this item we propose to vote $6,000 for office rental. We are voting thousands upon thousands of dollars for rental of offices in Washington while the Government has an abundance of offices vacant and unused. I raise particular objection to this and to its further practice. I do not know the merits of this particular item. I do know $6,000 is a very large rental. I do not know whether they can do any better in this specific instance, but it is certainly bad business to pay $6,000 rental when by the expenditure of $22,000 it can be saved by providing permanent space. I raise a cry against this rental business for Government offices when we have the greatest abundance of vacant Government offices in the city of Washington. I shall endeavor to oppose every such appropriation. I hope the Committee on Appropriations will look to this matter in the future and avoid such wasteful expenditures.

Mr. DAVIS of Minnesota. Mr. Chairman, I yield three minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, this matter of rentals for the recorder of deeds is a question on which I feel very much the same as the gentleman from Maryland [Mr. LINTHICUM], and I advocated when the bill was in the House a provision for fitting up the Court of Appeals Building. Since that time I have been there and inspected personally the Court of Appeals Building, and I am frank to say I doubt whether it would be possible to get a conference agreement between the House and Senate in favor of using the space in that building for that purpose. I am frank to say it is very difficult for one who comes in contact with the court of appeals in their work to look in an entirely unprejudiced way upon any matter that affects them. This great building has been given them, and there is a lot of vacant space in it, even though each member of the court has swelled out like an old hen with 18 chickens and taken as much space as he can. There is space on the main floor and the entire third story. They are the most effective lobbyists in Washington, and they hold up any proposition that might add anything to their work. They only work eight months in the year and two or three hours a day. They have been able in this session up to this moment to defeat the municipal court bill that will give relief to litigants in this District. That illustrates their power as lobbyists. Although I lay myself open to the charge of being influenced perhaps by them, I have been obliged to modify my views in reference to this item. There is some question as to whether that building could properly take care of the register of deeds; and in conference, inasmuch as it was very apparent that to insist upon the remodeling of that building would perhaps result in a disagreement between the two Houses—because I think the other body would insist strenuously upon their position—so, in the interest of getting the bill through, it seemed best to continue the present system for one more year. But I may say to the House it was the exact understanding among the gentlemen interested in this matter that the lease should only be made for one year, leaving the question open for further investigation and possible action after another year.

The SPEAKER. The time of the gentleman has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is, Will the House recede and agree to the Senate amendment?

The question was taken, and the Speaker announced that the ayes seemed to have it.

On a division (demanded by Mr. LINTHICUM) there were ayes 60, noes 15.

Mr. LINTHICUM. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 233, nays 65, answered "present" 1, not voting 129, as follows:

YEAS—233.

Ackerman	Bland, Ind.	Burke	Christopherson
Almon	Boies	Burroughs	Cleary
Anderson	Bowers	Butler	Cole
Andrews, Nebr.	Bowling	Byrnes, S. C.	Connally
Ayres	Box	Caldwell	Cooper
Barbour	Britten	Campbell, Kans.	Crago
Bee	Brooks, Ill.	Campbell, Pa.	Cramton
Begg	Browne	Cannon	Crowther
Benham	Buchanan	Carss	Curry, Calif.
Black	Burdick	Chindblom	Dallinger

Darrow	Houghton	Martin	Sinclair
Davis, Minn.	Hulings	Mays	Sinnott
Dickinson, Iowa	Hutchinson	Merritt	Slemp
Dowell	Igoe	Michener	Small
Dunbar	Ireland	Miller	Smith, Idaho
Dunn	Jefferis	Minahan, N. J.	Smith, Mich.
Dupré	Johnson, S. Dak.	Monahan, Wis.	Snell
Eagan	Johnson, Wash.	Mondell	Snyder
Echols	Jones, Pa.	Moore, Ohio	Steagall
Elliott	Jones, Tex.	Mott	Stedman
Elston	Juul	Murphy	Steenerson
Esch	Kahn	Nelson, Mo.	Stephens, Ohio
Evans, Nebr.	Kearns	Newton, Minn.	Strong, Kans.
Fairfield	Keller	Newton, Mo.	Sumners, Tex.
Fess	Kelley, Mich.	Nolan	Sweet
Focht	Kettner	O'Connor	Swindall
Fordney	Kiess	Ogden	Swope
Foster	Kinkaid	Olney	Temple
Freeman	Knutson	Osborne	Thompson
French	Kraus	Padgett	Tilson
Fuller	Kreider	Paige	Timberlake
Garner	Lampert	Parker	Tincher
Garrett	Langley	Patterson	Tinkham
Glynn	Lanham	Peters	Towner
Godwin, N. C.	Layton	Phelan	Treadway
Goodall	Lazaro	Porter	Vaile
Goodykoontz	Lea, Calif.	Purnell	Vinson
Gould	Lee, Ga.	Radcliffe	Voigt
Graham, Ill.	Lehlbach	Ramsey	Volk
Green, Iowa	Longworth	Ramseyer	Volstead
Greene, Mass.	Luce	Randall, Wis.	Walsh
Greene, Vt.	Lufkin	Ransley	Walters
Griest	Luhring	Reber	Ward
Griffin	McAndrews	Reed, N. Y.	Wason
Hamilton	McCulloch	Reed, W. Va.	Watson
Hardy, Colo.	McDuffie	Rhodes	Weaver
Harreld	McFadden	Ricketts	Webster
Hastings	McKenzie	Riddick	Welty
Haugen	McKinley	Robinson, N. C.	White, Kans.
Hayden	McLaughlin, Mich.	Robsion, Ky.	White, Me.
Hays	McLaughlin, Nebr.	Rogers	Wilson, Ill.
Hernandez	McLeod	Rose	Winslow
Hersey	McPherson	Rowe	Wood, Ind.
Hersman	MacGregor	Sanders, Ind.	Yates
Hickey	Madden	Sanders, N. Y.	Young, N. Dak.
Hicks	Magee	Schall	Young, Tex.
Hoch	Mann, Ill.	Scott	
Hoey	Mansfield	Shreve	
Holland	Mapes	Siegel	

NAYS—65.

Aswell	Fields	McLane	Sisson
Babka	Fisher	Major	Smithwick
Barkley	Flood	Milligan	Stephens, Miss.
Bland, Va.	Hardy, Tex.	Montague	Stevenson
Blanton	Howard	Neely	Summers, Wash.
Brand	Huddleston	Oliver	Taylor, Ark.
Briggs	Hudspeth	Overstreet	Taylor, Colo.
Cantrill	Hull, Tenn.	Parrish	Tillman
Caraway	Jacoway	Quin	Upshaw
Coady	James, Va.	Rainey, Ala.	Venable
Collier	Johnson, Miss.	Rainey, Henry T.	Welling
Crisp	Kincheloe	Raker	Wilson, La.
Davis, Tenn.	Lankford	Romjue	Wingo
Dewalt	Larsen	Rouse	Wright
Dominick	Lesher	Rucker	
Drewry	Linthicum	Sabath	
Evans, Mont.	McClintic	Sherwood	

ANSWERED "PRESENT"—1.

Kleczka

NOT VOTING—129.

Andrews, Md.	Doughton	Kennedy, Iowa	Rodenberg
Anthony	Drane	Kennedy, R. I.	Rowan
Ashbrook	Dyer	King	Rubey
Bacharach	Eagle	Kitchin	Sanders, La.
Baer	Edmonds	Little	Sanford
Bankhead	Ellsworth	Lonergan	Scully
Bell	Emerson	McArthur	Sears
Benson	Evans, Nev.	McGlennon	Sells
Bland, Mo.	Ferris	McKeown	Sims
Brinson	Fish	McKinley	Smith, Ill.
Brooks, Pa.	Frear	Maher	Smith, N. Y.
Brumbaugh	Gallagher	Mann, S. C.	Steele
Byrns, Tenn.	Gallivan	Mason	Stiness
Candler	Gandy	Mead	Stoll
Carew	Ganly	Moon	Strong, Pa.
Carter	Gard	Mooney	Sullivan
Casey	Goldfogle	Moore, Va.	Tague
Clark, Fla.	Good	Moores, Ind.	Taylor, Tenn.
Clark, Mo.	Goodwin, Ark.	Morin	Thomas
Classon	Graham, Pa.	Mudd	Vare
Copley	Hadley	Nelson, Wis.	Vestal
Costello	Hamill	Nicholls	Watkins
Cullen	Harrison	O'Connell	Whaley
Currie, Mich.	Hawley	Oldfield	Wheeler
Dale	Hill	Park	Williams
Davey	Hull, Iowa	Pell	Wilson, Pa.
Dempsey	Humphreys	Perlman	Wise
Denison	Husted	Pou	Woods, Va.
Dent	James, Mich.	Rainey, John W.	Woodyard
Dickinson, Mo.	Johnson, Ky.	Randall, Calif.	Zihlman
Donovan	Johnston, N. Y.	Rayburn	
Dooling	Kelly, Pa.	Reavis	
Doremus	Kendall	Riordan	

So the motion to recede and concur was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. MASON with Mr. KITCHIN.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. WHEELER with Mr. GOODWIN of Arkansas.

Mr. DALE with Mr. RIORDAN.

Mr. FREAR with Mr. ASHBROOK.

Mr. WILLIAMS with Mr. HARRISON.

Mr. DYER with Mr. O'CONNELL.

Mr. HULL of Iowa with Mr. HUMPHREYS.

Mr. FISH with Mr. JOHNSTON of New York.

Mr. SMITH of Illinois with Mr. MCKEOWN.

Mr. KNUTSON with Mr. BELL.

Mr. ANTHONY with Mr. CLARK of Missouri.

Mr. DENISON with Mr. MEAD.

Mr. TAYLOR of Tennessee with Mr. BYRNS of Tennessee.

Mr. ANDREWS of Maryland with Mr. BANKHEAD.

Mr. JAMES of Michigan with Mr. GANLY.

Mr. KENNEDY of Iowa with Mr. NICHOLLS.

Mr. ZIHLMAN with Mr. GARD.

Mr. GOOD with Mr. MOORE of Virginia.

Mr. VESTAL with Mr. THOMAS.

Mr. MUDD with Mr. RAYBURN.

Mr. REAVIS with Mr. POU.

Mr. CLASSON with Mr. SIMS.

Mr. WOODYARD with Mr. BENSON.

Mr. COSTELLO with Mr. JOHN W. RAINEY.

Mr. ELLSWORTH with Mr. BRINSON.

Mr. STINESS with Mr. RANDALL of California.

Mr. HILL with Mr. CULLEN.

Mr. MOORES of Indiana with Mr. OLDFIELD.

Mr. VARE with Mr. GALLIVAN.

Mr. BACHARACH with Mr. DRANE.

Mr. KELLY of Pennsylvania with Mr. CARTER.

Mr. BAER with Mr. TAGUE.

Mr. KENDALL with Mr. WOODS of Virginia.

Mr. RODENBERG with Mr. MCKINLEY.

Mr. HAWLEY with Mr. CAREW.

Mr. BROOKS of Pennsylvania with Mr. STOLL.

Mr. KENNEDY of Rhode Island with Mr. MOON.

Mr. STRONG of Pennsylvania with Mr. WATKINS.

Mr. LUHRING with Mr. SEARS.

Mr. SANFORD with Mr. WISE.

Mr. KING with Mr. CANDLER.

Mr. COPLEY with Mr. DENT.

Mr. EDMONDS with Mr. CLARK of Florida.

Mr. NELSON of Wisconsin with Mr. PARK.

Mr. PERLMAN with Mr. DAVEY.

Mr. DEMPSEY with Mr. SMITH of New York.

Mr. MORIN with Mr. WHALEY.

Mr. EMERSON with Mr. SULLIVAN.

Mr. SELLS with Mr. MCGLENNON.

Mr. MCARTHUR with Mr. JOHNSON of Kentucky.

Mr. HADLEY with Mr. GANDY.

Mr. HUSTED with Mr. GALLAGHER.

Mr. CURRIE of Michigan with Mr. DOUGHTON.

Mr. LITTLE with Mr. FERRIS.

Mr. KNUTSON. Mr. Speaker, I am paired with the gentleman from Georgia, Mr. BELL, and therefore withdraw my vote of "yea" and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will open the doors.

FORTIFICATION APPROPRIATIONS.

Mr. SLEMP, from the Committee on Appropriations, reported the bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1922, and for other purposes, which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. EAGAN. Mr. Speaker, I reserve all points of order on the bill.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. DAVIS of Minnesota. Mr. Speaker, the next amendment is No. 39.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment No. 39: Page 23 of the printed bill, at the top of the page, insert: "Employment Service: For personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, $7,500."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 39 and agree to the same.

I wish to make a brief statement about it. Heretofore I have not very favorably considered a matter of this kind, but knowledge has come to me recently showing the enormous amount of work that is done by this service, and therefore I am convinced

that this ought to be law and this appropriation ought to be made. For instance, during the last year this little association, which finds employment for laborers, male and female, housemaids, and so forth, had 32,965 registrations for help wanted alone, and they actually filled places for 17,094 of those people. It does seem to me, with the little expense involved, they ought to be given this $7,500.

Mr. WALSH. Will the gentleman yield?

Mr. DAVIS of Minnesota. I will.

Mr. WALSH. How many of these places called for employment in the governmental departments?

Mr. DAVIS of Minnesota. I do not think any of them did.

Mr. WALSH. They were all in private employment?

Mr. DAVIS of Minnesota. I think that is true.

Mr. WALSH. Why should the Government of the United States be expending money to assist people in finding work in private employment?

Mr. DAVIS of Minnesota. I do not know, and I can not tell you, except we are doing things of this kind and of similar nature all the time, that the Government really has nothing to do with. But we are supplying the wants of the District of Columbia.

Mr. WALSH. The Government has this to do with it: They have to furnish the money.

Mr. DAVIS of Minnesota. I know it; and they have to take care of the poor people that do not get any jobs otherwise.

Mr. BEGG. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. BEGG. Does not the gentleman believe that the more of this kind of legislation we pass the more we will have to pass?

Mr. DAVIS of Minnesota. I can not say. We are gradually drifting, perhaps, into socialism, or something of that kind.

Mr. BEGG. It is national paternalism, is it not?

Mr. DAVIS of Minnesota. It is.

Mr. GREENE of Vermont. How long can we be paternalistic and build up a society that will be self-supporting?

Mr. DAVIS of Minnesota. I agree with the gentleman absolutely; but this is one of the smallest items contained in the bill.

Mr. GREENE of Vermont. The gentleman remembers that the Scriptures say something about the little foxes that spoil the vines?

Mr. DAVIS of Minnesota. I am glad the gentleman has read the Scriptures. I agree with him.

Mr. BLANTON. Will the gentleman yield to me three minutes?

Mr. DAVIS of Minnesota. I will.

Mr. BLANTON. The House knows my views on this amendment, that I am against all such wasteful paternalism, but I want to take this opportunity to commend this committee for its action in demonstrating the efficacy of the new rule. This rule gives the House, after all, a chance to vote on every new piece of legislation that the Senate puts on an appropriation bill. And the Senate placed 256 amendments on this House bill. If the committee had not returned every single one of these legislative items to the House to give us a separate vote on them, this whole report would have been subject to a point of order under the rule, and any Member could have made it, but this committee has hewn to the line and has brought back to the House every single amendment that contained legislation. I want to commend the committee for it, because by their action they give the House a chance to speak on every single piece of legislation that the Senate put in the bill. Heretofore, up to the time that this rule went into effect, the House has not had that opportunity, although I am in favor of the suggestion made by the gentleman from Massachusetts [Mr. ROGERS], that unless a separate vote is demanded on any particular amendment, we ought to vote on the balance of them en bloc, and save time. I think the suggestion was a good one. I think if hereafter the House would adopt the practice that when a Member wanted a separate vote on an amendment he could call for it, and all the balance could be adopted en bloc, it would save much time of the House.

But I say that as long as the committees, the appropriation subcommittees, follow the practice that has been pursued by this subcommittee, I do not think there will be any cause for complaint by any Member with respect to the new rule, because, after all, it gives every single Member of this House an opportunity to be heard and call for a separate vote on each new proposition, and that is as much as any Member should expect. It gives us a chance to be heard on it; it gives us a chance to speak, and it gives us a chance to vote our sentiments; and when that is done, every Member ought to be contented and satisfied.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield two minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, I think the House should keep in mind, in connection with this amendment, the fact that this is a day of unemployment, not only in this country but all throughout the world, and Governments may well consider measures to place men in employment and reduce unemployment. The Government does not have to be paternal in order to lend its assistance to its citizens to secure employment. Every one of our States has similar legislation and maintains an employment bureau under a State department. In the District of Columbia we legislate for the District, and it seems only proper to have here the same sort of agency that every one of our States conducts for itself. The item carries a very moderate sum for that important work for the year to come.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Minnesota [Mr. DAVIS], that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 66, page 26 of the Senate bill: After line 10 insert: "Rock Creek Ford Road: The Commissioners of the District of Columbia are hereby authorized to close that portion of Rock Creek Ford Road lying between Broad Branch Road and Rittenhouse Street, upon the application in writing of the owner or owners of all of the property abutting on said road between the limits named, and upon the closing of said road the land embraced therein shall revert to the owners of the abutting property."

Mr. DAVIS of Minnesota. Mr. Speaker, I move to recede and concur in that amendment.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. In just a moment I will.

Now, Mr. Speaker, this in a way is somewhat novel. I had heretofore thought that in little matters of this kind the District Commissioners had the authority under the law to do it—to close up a little street or a little highway or a little road. But your committee was so strict in following this rule that we thought we would not take any chances on it, but would bring it back to this House.

And now I am going to show what it is. There is a little piece of road out here in Chevy Chase perhaps 100 yards long or a little more. It is not used to amount to anything. It is a little, rough, ungraded, unmacadamized road about 25 feet wide, and the commissioners want to discontinue it—to take it away from the public. There is not any public use of it. It does not go any place. Furthermore, I will say this: We investigated this thoroughly, and we find that when that road was laid out the District of Columbia or the Government of the United States paid nothing for the land whatever.

Mr. CALDWELL. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. CALDWELL. Who owns the property on each side of it?

Mr. DAVIS of Minnesota. Mrs. Gen. Corbin owns it on one side and another party owns the land on the other side.

Mr. CALDWELL. As soon as we abandon it it becomes their property?

Mr. DAVIS of Minnesota. Yes. The owner on each side will get it.

Mr. CALDWELL. Each one gets half the street?

Mr. DAVIS of Minnesota. Yes; each one gets half the street.

Mr. WINGO. As I understand this is the area to be closed—this blue area on this map?

Mr. DAVIS of Minnesota. Yes; and this is Rittenhouse Street and this is Grant Street. [Indicating.] This saves no distance whatever, so to speak.

Mr. WINGO. Are there any houses here?

Mr. DAVIS of Minnesota. No. There are some up here and some up there [indicating], but this is useless. It is not traveled.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman yield?

Mr DAVIS of Minnesota. Yes.

Mr. SMITH of Idaho. Is the title to the Rock Creek Ford Road now in the Government or in the District of Columbia?

Mr. DAVIS of Minnesota. This is over in Chevy Chase. It is in the District of Columbia, but it is in Chevy Chase. It is not a part of Rock Creek Park.

Mr. SMITH of Idaho. Is the title of that road in the District Government?

Mr. DAVIS of Minnesota. It was ceded, as I recall, by the owners of the property on either side, without compensation.

Mr. CALDWELL. Was the fee ceded?

Mr. DAVIS of Minnesota. I can not say. I think it was an easement.

Mr. CALDWELL. If it is an easement, it would go back to the parties on either side; but if it were otherwise——

Mr. DAVIS of Minnesota. The title, I believe, is in the United States. If we keep it, we will have to improve it, to no purpose, because it is absolutely useless and worthless.

Mr. McCLINTIC. Has any money been used to pave it?

Mr. DAVIS of Minnesota. None whatever.

Mr. SMITH of Idaho. If the title is held by the Government, it goes back to the owners?

Mr. DAVIS of Minnesota. Yes; without further action at all.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. MANN of Illinois. Rittenhouse Street is now open, is it not?

Mr. DAVIS of Minnesota. Yes, it is; and it is in good condition.

Mr. MANN of Illinois. How much land is there in this Rock Creek Ford Road that would have to go back to the owners by this provision?

Mr. DAVIS of Minnesota. That is a little over 100 yards in length; it is between 100 and 150 yards in length. I do not think it is 200 yards in length, and the road proper is not to exceed 20 feet in width.

Mr. MANN of Illinois. I should say from the map here that it is about a thousand feet in length, or more, instead of 100 yards. What the width is, I do not know—whether it is 60 feet or not. It now belongs to the Government for a street, and you donate a strip of land a thousand feet long and 60 feet wide to somebody. Of course, it is a pure gift. It ought to be worth something, some recompense in some way.

Mr. DAVIS of Minnesota. It was a gift. I would not advocate this if the Government had ever paid anything for it. It was a gift, and we now give it back.

Mr. MANN of Illinois. I expect it is an old road. The land can not be used without a road. This is not farm property. It is residential property, and it is worth nothing without roads. I know that a short time ago the Committee on the District of Columbia reported for the vacation of another street running into Sixteenth Street, which would have been a very fine thing for the owner of the property, but would have been a bad thing for the District of Columbia and those who use the road, and especially bad for some people in that locality. I do not know whether it is going to be the policy whenever anyone wants a road vacated in the District of Columbia to vacate it and give it to the owners of the property there or not.

Mr. DAVIS of Minnesota. I do not think it is going to be the policy unless the road is absolutely worthless.

Mr. MANN of Illinois. Oh, this road is not worthless. It was a convenient road. It is now closed up. It was a convenient road until it was closed up.

The SPEAKER. The question is on the motion of the gentleman from Minnesota that the House recede and concur.

The question being taken, the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment numbered 70: Page 29, after line 22, insert: "Hereafter the jurisdiction and control of the Highway Bridge across the Potomac River, including appropriations and employees, shall be under the Commissioners of the District of Columbia."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to amendment No. 70 and agree to the same.

Mr. McCLINTIC. Will the gentleman yield for a question.

Mr. DAVIS of Minnesota. I will.

Mr. McCLINTIC. I understand the War Department now has jurisdiction of this bridge.

Mr. DAVIS of Minnesota. Col. Ridley, Chief Engineer of the War Department, has it under his control, and I will say that I am informed that Col. Ridley wants very much to get rid of it and turn it over to the Commissioners of the District of Columbia, under whose jurisdiction it belongs. We put this in the bill the last time, and it went out on a point of order.

Mr. McCLINTIC. The gentleman is aware of the fact that the District Commissioners are always anxious to get appropriations, and to employ as much help as possible.

Mr. DAVIS of Minnesota. We pay for this now. We pay this expense, and furnish the help.

Mr. McCLINTIC. This is just one of the results of turning this over to the Commissioners of the District of Columbia.

Mr. DAVIS of Minnesota. Oh, I think it will be an economy. As a matter of fact we pay all the expenses now, and furnish the police protection, watchmen, and everything else; and this is the only bridge in the District of Columbia over which the commissioners have not jurisdiction. This one is an exception, and Col. Ridley has it and he wants to get rid of it.

The SPEAKER. The question is on the motion of the gentleman from Minnesota to recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 72: Page 32, after line 15, insert "section 12 of the act entitled 'An act to provide for eliminating certain grade crossings in the line of the Baltimore & Potomac Railroad Co. in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein and for other purposes,' approved February 12, 1901, is amended by adding thereto the following:

"And such tax shall be a lien, until paid, upon all the property of such street railway company and may be enforced in the name of the District of Columbia by a bill in equity brought by the Commissioners of said District in the Supreme Court of said District against such street railway company; and in addition thereto the District of Columbia shall have all common-law remedies for the collection of such tax and shall be entitled to those provided in paragraph 12, section 6, of the act entitled 'An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes,' approved July 1, 1902."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to amendment No. 72 and agree to the same.

This is a rather long amendment, the reading of which is perhaps necessary for the edification of the House, if Members desire to look up all this legislation. The references are all there. But the substance of it is simply this: Under the provisions of the laws whose titles have been read there is a provision that the railway company must pay for crossing this highway bridge the sum of one-half cent for each passenger. They paid that amount for a great many years without complaint or grumbling. About two years ago they were apparently advised that they could resist the payment because the law was not sufficiently strong to warrant it; so for the past two years they have not paid, and they now owe the Government and the District of Columbia $60,000. The commissioners have started a suit about this, and I think it has been thrown out because the law was not sufficient. We are trying to perfect it now and to give the commissioners the authority to collect this tax and make it a lien. I had it in the bill heretofore, but accidentally it went out on a point of order, and now it is in here under this new rule, and we hope that the House will agree to this amendment.

Mr. PADGETT. Will the gentleman yield for a question?

Mr. DAVIS of Minnesota. Yes.

Mr. PADGETT. Is not this procedure a good illustration of the fact that legislation is being taken away from the committees that have legislative authority, and is being concentrated and vested in the Appropriations Committee by the indirect route of the House denying itself the opportunity of legislating in the first instance, and the Senate putting on legislative amendments on all the appropriation bills, which then go to the Appropriations Committee, thus centering all legislation in the Appropriations Committee?

Mr. DAVIS of Minnesota. My friend from Tennessee has broached a larger subject than I want to go into at this particular hour of the day. We have a lot of these amendments which we wish to dispose of. I will say that the gentleman has beautifully and forcibly and in a learned manner set forth his ideas on the subject, and I am not going to say whether I agree with all of them or not.

Mr. BEE. But the gentleman will not say that he disagrees.

Mr. PADGETT. The statement is correct though, is it not?

Mr. DAVIS of Minnesota. I will say that no matter whether the Committee on Appropriations approves or disapproves of that rule, it is trying to follow it to the limit; and I will say further that the present District Committee is a very good committee, but if it had to take up all the little odds and ends of legislation which are necessary in order to carry on the government of the city of Washington we would not have them attended to for some time to come.

Mr. PADGETT. Is not the effect of it that by Senate amendments all legislation, under the House rules, is centered in the Appropriations Committee and denied to the committees in the House that have legislative authority and legislative jurisdiction?

Mr. CRAMTON. Will the gentleman yield?

Mr. DAVIS of Minnesota. I yield to the gentleman.

Mr. CRAMTON. I would like to call the attention of the gentleman from Tennessee to the fact that there is no more legislation in this District bill than in the District bills we have had for the last 10 years. The difference is this—and it will exist as to every other appropriation bill—that before this the Senate could legislate upon appropriation bills with any extraneous legislation they wanted to put on—the Ball bill put

on the Agricultural appropriation bill, for instance—and the House could not get action upon them.

Mr. PADGETT. Any Member could demand a separate vote.

Mr. CRAMTON. They could not demand a separate vote on any one amendment in a conference report. At the present time we give the House a chance to vote on these different matters of legislation which it did not have before.

Mr. PADGETT. The difference is that under the old rule they could demand a separate vote on any Senate amendment.

Mr. CRAMTON. Yes; they could demand it, but they could not get it.

Mr. PADGETT. Under the old rule, when the Senate put on legislative matters it went to the committee of conference that had jurisdiction of legislative matters. Now the Senate puts on a legislative provision which belongs to a different committee of the House——

Mr. CRAMTON. How did the Committee on Agriculture have jurisdiction of rentals in the District of Columbia? The Ball rent bill was put on the Agricultural appropriation bill and it was not possible to get separate consideration in the House. That is only one illustration.

Mr. PADGETT. There are two rules of the House which would give it. First, on the demand of one single Member the bill had to go to the Committee of the Whole House on the state of the Union and there be considered in the Committee of the Whole. Another remedy was that any Member of the House could demand a separate vote before the bill was sent to conference.

Mr. CRAMTON. But they could not always get it.

Mr. PADGETT. He could always get it by demanding a separate vote before the bill went to conference.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. JOHNSON of Mississippi. I want to ask about amendment 72.

Mr. DAVIS of Minnesota. We have already agreed to that.

Mr. SISSON. Will the gentleman from Minnesota yield?

Mr. DAVIS of Minnesota. How much time?

Mr. SISSON. Five minutes.

Mr. DAVIS of Minnesota. I will yield to the gentleman five minutes.

Mr. SISSON. In reply to the gentleman from Tennessee I want to say that I happened to be a member of the committee that made up the naval affairs bill. I do not know of a bill that has been before the House in which there has been as much legislation on an appropriation bill as there was on that naval bill, and put on during the time the gentleman from Tennessee presided over that committee as its chairman. Not only that, but it comes with poor grace for the gentleman to make criticism of this committee now when we are making every effort to comply with the rules of this House.

Not only that, and I state without any fear of successful contradiction, that there has been less legislation upon these appropriation bills at this session of Congress than at any time during my term in Congress.

Mr. PADGETT. I want to say that I did not intend to make any criticism of the committee; I am criticizing the system, the effect of which is to deprive the House legislative committees of all consideration of legislation through the indirect method of the Senate putting on legislative amendments and then their going to the Committee on Appropriations. I want to say another thing——

Mr. SISSON. I do not yield any further; I do not want all my time taken up.

Mr. PADGETT. The gentleman can get additional time. The gentleman stated that the Naval Committee reported legislation on the naval bill. That committee then had jurisdiction both of legislation and appropriations, so that it was both an appropriation and a legislative committee.

Mr. SISSON. Well, I decline to yield further. The gentleman has just this minute pleaded guilty to a violation of the rule on the specious plea that when he reported the appropriation bill it was also from a committee that had legislative jurisdiction. That was just as much a violation of the rules of the House as it would be if we put legislation on an appropriation bill now. The fact is if the legislative committee will get busy, if the gentleman's committee will get busy, they will have all they can do. On the contrary, Mr. Speaker and gentlemen of the House, the little items of legislation that may find their way into appropriation bills are matters where the legislative committees would never report a special bill, and it does not lie in the mouth of these gentlemen to criticize this system. On the contrary, you had better wait until you see the final results. I want to say that up until just after the Civil War this House never dreamed of having any but the Ways and Means Committee to make appropriations; the Ways and Means Committee and the Appropriations Committee were the same thing. Then they segregated them and put the items of appropriation all in one committee. It was a miserable lot of political skullduggery that caused that to be done. I referred to that on the floor the other day and gave the history of it. When men put jealousy of their own power above the good of the country, then the people had better look well to this body. It is not a matter to me of what committee has jurisdiction of a certain matter, but what will result to the best interests of this country and the best interests of economical appropriation.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. SISSON. Yes.

Mr. MANN of Illinois. The gentleman referred to the time when the committee of the House that raised the money was also the appropriating committee.

Does not the gentleman believe that with the budget system one committee of the House should have the jurisdiction of the revenue measures to bring in the money, and also or appropriation bills to pay out the money, so that there would be a correlation between what comes in and what goes out? Why not have the Ways and Means Committee also make the appropriations as well as raise the money?

Mr. SISSON. Mr. Speaker, I believe that was the ideal system. The same committee that receives the budget from the executive should determine the amount of money they are willing to spend. It should be the revenue-raising committee; call it the budget committee or what you please.

Mr. MANN of Illinois. Why should we not go back to that system?

Mr. SISSON. I do not object to that at all. There are no terrors for me in having one committee do the business, if you thereby can fix the responsibility for all appropriations.

The SPEAKER. The question is on the motion of the gentleman from Minnesota, that the House recede from its disagreement to the Senate amendment and agree to the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

Mr. DAVIS of Minnesota. Mr. Speaker, before the Clerk reports the amendment, I wish to make a suggestion. The next items are amendments 91 to 122, inclusive, 32 amendments altogether, and they are all of a similar nature. They raised the salaries of 94 laborers in the school buildings from $600 to $720 a year. I ask unanimous consent that all of these amendments, from 91 to 122, inclusive, be voted on en bloc.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that amendments 91 to 122, inclusive, be voted on en bloc. Is there objection?

Mr. MANN of Illinois. Mr. Speaker, reserving the right to object, is it the intention of the gentleman to move to recede and concur in the Senate amendments?

Mr. DAVIS of Minnesota. Yes.

Mr. McCLINTIC. Mr. Speaker, there are some amendments further over that extend certain liberties to the District Commissioners relative to granting leave, and I think we ought not to vote upon them all at one time.

Mr. MANN of Illinois. That would not be affected by this.

Mr. BEE. This includes only amendments 91 to 122.

Mr. McCLINTIC. I have no objection; I did not so understand.

Mr. WALSH. Mr. Speaker, reserving the right to object, that is the same sort of motion that the gentleman is going to make in respect to all of these amendments, is it not?

Mr. DAVIS of Minnesota. No. These, however, are amendments of the same character.

Mr. WALSH. The gentleman is going to move to recede and concur in all of the Senate amendments, is he not?

Mr. DAVIS of Minnesota. All except one or two.

Mr. WALSH. I was wondering why he could not pick out all of those as to which he was going to make that motion and let us put them through and then take up the two or three where he is not going to make the motion. Why just pick out these 32 at one time?

Mr. DAVIS of Minnesota. These happen to be all in respect to laborers in the schools, and they are all of the same amount and of the same character.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Page 45, line 4, amendment No. 91, strike out "$600" and insert "$720."
92. Strike out "$25,300" and insert "$27,100."
93. Line 9, strike out "$600" and insert "$720."
94. Line 10, strike out "$13,820" and insert "$14,000."
95. Line 12, strike out "$600" and insert "$720."
96. Line 13, strike out "$4,120" and insert "$4,600."
97. Line 16, strike out "$600" and insert "$720."
98. Line 16, strike out "$5,020" and insert "$5,500."
99. Line 19, strike out "$600" and insert "$720."
100. Line 20, strike out "$5,640" and insert "$6,120."
101. Line 22, strike out "$600" and insert "$720."
102. Line 23, strike out "$2,920" and insert "$3,160."
103. Page 46, line 2, strike out "$600" and insert "$720."
104. Line 3, strike out "$3,620" and insert "$3,980."
105. Line 5, strike out "$600" and insert "$720."
106. Strike out "$2,920" and insert "$3,160."
107. Line 9, strike out "$600" and insert "$720."
108. Strike out "$4,300" and insert "$4,540."
109. Line 12, strike out "$600" and insert "$720."
110. Strike out "$2,320" and insert "$2,440."
111. Line 14, strike out "$600" and insert "$720."
112. Strike out "$2,320" and insert "$2,440."
113. Line 19, strike out "$600" and insert "$720."
114. Strike out "$8,780" and insert "$9,260."
115. Line 23, strike out "$600" and insert "720."
116. Line 24, strike out "$7,060" and insert "$7,420."
117. Page 47, line 1, strike out "$600" and insert "$720."
118. Line 2, strike out "$4,420" and insert "$4,780."
119. Line 6, strike out "$600" and insert "$720."
120. Line 7, strike out "$20,800" and insert "$22,360."
121. Line 13, strike out "$600" and insert "$720."
122. Line 14, strike out "$34,560" and insert "$37,440."

Mr. DAVIS of Minnesota. Mr. Speaker, I move to recede from the disagreement to the Senate amendments 91 to 122, inclusive, and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 127: Page 48, line 23, strike out "$224,090" and insert "$239,870."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to Senate bill No. 127, and concur in the same with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. DAVIS of Minnesota moves to recede and concur in the Senate amendment with an amendment as follows: In lieu of the sum proposed in said amendment insert "$235,370."

Mr. DAVIS of Minnesota. Mr. Speaker, this is simply a question of the totals in consequence of the provisions of the amendments adding a greater amount of money because we have increased the salary of these laborers in the schools.

The SPEAKER. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

For payment of necessary expenses in conducting community forums and civic centers in school buildings, including equipment, fixtures and supplies for lighting and equipping the buildings, paying for the cost of light and heat, payment of janitor services and employees, to aid in the work of said forums and centers, $15,000: *Provided*, That the work of said forums and centers shall be of an entirely educational character and such as shall be prescribed by the Board of Education: *And provided further*, That not more than 50 per cent of this appropriation shall be expended for payment of teachers and employees.

Mr. MANN of Illinois. Mr. Speaker, I desire to offer a motion in connection with the matter.

Mr. DAVIS of Minnesota. I will yield for that purpose.

Mr. MANN of Illinois. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 132 and agree to the same with an amendment: Strike out the Senate amendment and insert in lieu thereof the language which I send to the Clerk's desk.

The SPEAKER pro tempore (Mr. WALSH). The gentleman from Illinois offers a motion, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MANN of Illinois: Strike out Senate amendment No. 132 and insert in lieu thereof the following, to wit:
"Community Center Department: For salaries of directors, supervisors, teachers, clerks, and other employees for civic, educational, recreational, and social activities under the direction of the board of education; for payment of janitor service; for equipment and supplies; for lighting fixtures; for maintenance of automobile (employees of the day schools may also be employees of the Community Center Department); in all, $35,000, to be paid only out of the revenues of the District of Columbia: *Provided*, That not more than 60 per cent of this sum shall be expended for salaries of directors, supervisors, teachers, and clerks."

Mr. CRAMTON. Mr. Speaker, I would like to make a preferential motion. I move, if I am recognized for that purpose——

The SPEAKER pro tempore. The gentleman from Michigan.

Mr. CRAMTON. To recede and concur in the Senate amendment.

The SPEAKER pro tempore. The gentleman from Michigan offers a preferential motion to recede and concur in the Senate amendment.

Mr. MANN of Illinois. Mr. Speaker, I ask for a division of the question.

The SPEAKER pro tempore. The gentleman from Illinois asks for a division of the question

Mr. MANN of Illinois. Will the gentleman from Minnesota yield?

Mr. DAVIS of Minnesota. I will yield; how much time does the gentleman desire?

Mr. MANN of Illinois. Oh, five minutes probably. I just want to state the situation to the House. We have an appropriation in existing law for these community centers, I believe, of $35,000. That item, or whatever it was in the bill as reported to the House, went out on a point of order. The Senate has restored the item to the extent of $15,000. That would be payable 60 per cent out of the revenues of the District of Columbia and 40 per cent out of the Federal Treasury.

The amendment which I have offered—in slightly different language but in language which more nearly meets the situation than the existing language—proposes to raise the amount from $15,000 to $35,000, the amount now carried in the law, I believe, and have that payable wholly out of the revenues of the District of Columbia, placing it upon the same basis as playgrounds are treated. There is a long contest here in the House in reference to adopting playgrounds for the children in the District of Columbia. Many members of the House believed that it was not quite the right thing for the Congress to appropriate money out of the Federal Treasury for the establishment of playgrounds in the District of Columbia, and every year there was opposition to the appropriation for that purpose until finally the committee and the Congress provided that the playgrounds appropriation should be payable only out of the revenues of the District of Columbia, on the basis that it was a local matter concerning the people here not ordinarily necessarily incident to the conduct of the District government; and if the people here wanted it they should pay for it out of the revenues raised from their own property. Now, my amendment accepts that situation and proposes to do the same thing in reference to the community center. Now, a word as to the parliamentary status, and that is principally the reason I took the floor at this time. At this stage of the proceedings a motion to recede from our disagreement and agree to the Senate amendment takes preference over the motion to recede and concur with an amendment, but a motion to recede and concur, which has been made by the gentleman from Michigan, is subject to a division. I have asked for a division. We both want to recede. If the House votes to recede from the disagreement, then my motion to amend takes preference over the gentleman's motion to concur, while his motion to recede and concur takes preference over my motion to recede and concur with an amendment. Still, as we both want to recede and as the House wants to recede, as soon as we recede, then my motion to amend is in order before his motion to concur. So I ask, as we both desire it, that we recede from our disagreement and give the House an opportunity to express its opinion on the subject of the amendment which I have offered.

The SPEAKER pro tempore. The gentleman from Illinois asks for a division of the question on the motion of the gentleman from Michigan to recede and concur. The question comes upon the motion to recede.

The question was taken, and the motion to recede was agreed to.

Mr. DAVIS of Minnesota. I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN of Illinois. I take it now the question before the House is the motion which I have offered to amend; and if that question is not now before the House, I move to amend by striking out all of the Senate amendment and inserting in lieu thereof the language which is at the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out all of the Senate amendment No. 132 and insert in lieu thereof the following:
"Community center department: For salaries of directors, supervisors, teachers, clerks, and other employees for civic, educational, recreational, and social activities, under the direction of the board of education; for payment of janitor service, for equipment and supplies, for lighting fixtures, for maintenance of automobiles. Employees in the day schools may also be employees of the community center department. In all, $35,000, to be paid wholly out of the revenues of the

District of Columbia: *Provided*, That not more than 60 per cent of this sum shall be expended for salaries of directors, supervisors, teachers, and clerks."

The SPEAKER pro tempore. The gentleman from Michigan [Mr. CRAMTON] is recognized for five minutes.

Mr. CRAMTON. Mr. Speaker, I hope that the motion of the gentleman from Illinois to amend will not prevail. My objection to the enlargement of this appropriation as is proposed by that amendment is based upon three grounds: First, that the change in the appropriation making it payable entirely out of the funds of the District of Columbia rather than 60 per cent of it, as is practically all the balance of the bill, is very likely to lead to difficulty in securing an agreement upon the bill with the Senate, and in the limited amount of time remaining it seems to me that the aim of the House constantly should be to get to agreement on these bills and not to allow small matters, relatively, to stand in the way of a final agreement.

Next, the work is conducted in an extravagant way. I do not mean that it is wasteful extravagance, if it be desired to have the Government pay for the activities that are being carried on. The management is in the hands of enthusiastic people, who very naturally want to expand just as greatly as possible. We talk about paternalism. The question is whether the Government should pay for the private amusement of individual citizens. This is quite a new matter, the use of the public-school buildings by private individuals for their own amusement and recreation.

In 1918 they were given $5,000, a very modest sum, and came back for a deficit of $10,000, twice the amount of the original appropriation. In 1919 they got $15,000, equal to that which they used that current year, but came back for a deficiency of $6,000. Next year they were given $25,000, and last year $35,000. And it appeared to me as I looked over the record and saw the various activities that we have gone about far enough. I might explain that the different school buildings throughout the District are opened up for public use for private amusement and recreation and to some limited extent to provide education. For instance, at the Wilson Normal, the regular activities there in the Wilson Normal Community Center are domestic arts, athletics, stenography, journalism, French, violin, English literature, Lonesome Club, Little Friends' Club, arithmetic, dancing, and nine different State societies.

I do not know that it is fair for the District to pay all of the expense, when every State society and every clerk in a department here that still votes and pays taxes in the States uses these buildings to the extent they do. But never mind that. We have only begun. The gentleman's amendment is now for $35,000, but I prophesy that they will come back next year and want $50,000 or $100,000, because there is no end to it.

I am not opposed to the use of these school buildings by the communities, but put the expense within proper limits. I am not opposed to having a capable central force that would direct those activities. I am not opposed, even, to the payment of janitors and fuel and lighting necessitated by their use in the evening; but what I do object to is the idea that in each of these community centers you must build up the highest-salaried personnel. I submit when any group of people in a community succeed in having a building worth several hundred thousand dollars opened up for their use, and the Government pays the heating and lighting and janitor service and electricians, and everything else, and are given a central bureau with which they can cooperate, then the individuals in the community center should be willing to pay the salary of their own secretary, and not have a lot of them drawing $1,500 or $2,000 apiece.

Mr. LAYTON. Will the gentleman yield for a question?

Mr. CRAMTON. Yes.

Mr. LAYTON. If I understand it correctly the amendment of the gentleman from Illinois would compel the taxpayers of the city of Washington to foot the whole bill?

Mr. CRAMTON. To pay the whole bill.

Mr. LAYTON. Do you think it would be a fair American proposition for Congress to do that without representation?

Mr. CRAMTON. I do not want to be diverted into much discussion of that. I am not sure of its fairness, and I am very dubious about the propriety of trying it in a final conference report on an appropriation bill.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield to the gentleman five minutes additional time.

Mr. CRAMTON. I say we have only begun. Sometime you have got to put a check on this expenditure, unless you are willing to turn the Treasury over to these enthusiastic people.

I have here a statement from the municipal architect of the District of Columbia, under date of April 18, in which he is returning the report he has recently had occasion to pass upon from the general secretary of the community centers, "concerning the very general improvement or enlargement of certain school buildings designated for use as community centers." The gentleman's amendment provides only for payment of the salaries of the teachers and the local secretaries and expenses to the tune of $35,000.

But if you keep on establishing these community centers and providing a paid personnel in each center it is only a little time before they are going to insist on the enlargement of our school buildings and their improvement in order to make them fit for community centers to meet in them. For instance,

"The Minor School building is included in the list." It is stated here—

> I recently visited the building with Miss Norton, who wished to be informed as to the practicability of transforming the roof into a roof garden, and desired estimates on other improvements.

The gentleman from Illinois [Mr. MANN] has said something about the playgrounds, and has put them on a par with the community centers. I put the need of playgrounds for the children of the city far above the use of these buildings for adults, because playgrounds around a school building are an absolute necessity. There ought not to be a school building in the District without a good playground. But let us see. The people who are enthusiastic about the community centers do not feel exactly that way. They feel that the community centers are the more important. The municipal architect further says:

> The program as suggested by Miss Norton for improvements in the school buildings and additions thereto, for gymnasiums, game rooms, bowling alleys, billiard rooms, and kitchens, which will require an appropriation of about $300,000 for the buildings now mentioned, with others yet to be considered.

Please note this:

> As these additions to these buildings for the use of the community centers will require about one-half of the playgrounds, which are now not as extensive as they should be, I would recommend that it be suggested to the board of education that where it is proposed to construct additions for the purposes above mentioned they should consider the purchase of additional ground for the enlargement of the playgrounds.

Gentlemen of the House, it is not a question whether you will deny the community centers the use of buildings in which to meet, whether they will be heated and lighted and made convenient for their use, but whether you are going to pay a lot of secretaries to induce people to come in and use those facilities. That is all there is in dispute between the gentleman from Illinois and myself.

I hope that the amendment will be disagreed to, and that we can then agree to the Senate amendment which makes possible the use of the buildings and makes possible a central organization, but does not make possible a lot of local community secretaries whose business it is to induce people to come in and use the public buildings.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for five minutes.

Mr. SISSON. Mr. Speaker, I am very heartily in favor of the amendment offered by the gentleman from Illinois [Mr. MANN]. I do not know of a city now in the United States of the size of Washington that does not contribute more money for this purpose than is carried in this bill.

The gentleman from Michigan [Mr. CRAMTON] refers to the rapid increase in this appropriation. As a matter of fact, it was a new departure, not only in Washington a few years ago, but throughout the United States.

Now, as to whether or not this legislation is desired by the people of the District of Columbia, it is only necessary to note that the board of trade and the chamber of commerce both indorse the work heartily. The chamber of commerce and board of trade represents the business interests of the city of Washington.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. SISSON. Yes.

Mr. CRAMTON. But their interest has never been sufficient to emulate the city of Flint, Mich., where the business men contribute themselves $60,000 a year for this work, while the business interests here contribute nothing.

Mr. SISSON. That may be true, but that only illustrates the importance of this work and how much his own people think of it and how much out of line with his own people he is. Now, during the war there was a vast amount of this work done, taking care of the young ladies and young men who came here to do war work.

Mr. JOHNSON of Mississippi. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Mississippi makes the point of order that there is no quorum present.

Mr. JOHNSON of Mississippi. I withdraw that. The gentleman took me off my feet a little while ago. I withdraw the point.

The SPEAKER pro tempore. It is too late to withdraw it.

Mr. SISSON. I expect if it is ascertained that there is no quorum you can not withdraw it.

Mr. DAVIS of Minnesota. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. The Chair will state that there is no quorum present.

Mr. DAVIS of Minnesota. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Eagle	Lonergan	Sanders, La.
Ashbrook	Edmonds	Luce	Sanford
Aswell	Ellsworth	McArthur	Scully
Ayres	Emerson	McCulloch	Sears
Bacharach	Evans, Nev.	McGlennon	Sells
Baer	Ferris	McKeown	Sherwood
Bell	Fish	McKinley	Small
Benham	Frear	McLane	Smith, Ill.
Benson	Gallagher	Maher	Smith, Mich.
Bland, Mo.	Gallivan	Major	Smith, N. Y.
Britten	Ganly	Mann, S. C.	Steele
Brooks, Pa.	Gard	Mason	Steenerson
Brumbaugh	Godwin, N. C.	Mead	Stevenson
Burke	Goldfogle	Miller	Stiness
Butler	Good	Montague	Stoll
Byrns, Tenn.	Goodwin, Ark.	Moon	Strong, Pa.
Candler	Goodykoontz	Mooney	Sullivan
Cantrill	Graham, Pa.	Morin	Sweet
Carew	Hamill	Mudd	Tague
Casey	Hamilton	Nelson, Wis.	Taylor, Tenn.
Clark, Fla.	Harreld	Newton, Minn.	Thomas
Clark, Mo.	Harrison	Nicholls	Treadway
Classon	Hays	O'Connell	Vare
Copley	Hoey	Overstreet	Venable
Costello	Humphreys	Parker	Vestal
Cullen	Husted	Pell	Voigt
Currie, Mich.	James, Mich.	Perlman	Watkins
Dale	Johnson, S. Dak.	Pou	Whaley
Davey	Johnston, N. Y.	Rainey, John W.	Wheeler
Dempsey	Kelly, Pa.	Ramsey	Wilson, Ill.
Denison	Kendall	Randall, Calif.	Wilson, Pa.
Dent	Kennedy, Iowa	Riordan	Wise
Donovan	Kennedy, R. I.	Robinson, N. C.	Woods, Va.
Dooling	King	Romjue	Woodyard
Doughton	Kitchin	Rowan	Wright
Drane	Kleczka	Rubey	

The SPEAKER. Two hundred and eighty-five Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. DAVIS of Minnesota. I yield three minutes further to the gentleman from Mississippi [Mr. SISSON]

Mr. SISSON. Mr. Speaker, the amendment offered by the gentleman from Illinois [Mr. MANN] restores the amount of money now carried in this item in the current law. You will recall that it went out on a point of order. The force now employed in the District of Columbia absorbs this amount of money. As I stated before, in addition to the board of trade and the chamber of commerce indorsing this work, I started to state that citizens' associations all over the District have had meetings, and they have indorsed the work. The Senate amendment provides that 40 per cent shall be paid out of the Treasury of the United States and 60 per cent out of the revenues of the District of Columbia. This amendment of the gentleman from Illinois [Mr. MANN] puts it where it ought to be, just as the item for playgrounds is now placed, entirely upon the District of Columbia. You will recall that the item for playgrounds was a bone of contention in the House for a number of years, because people representing various districts in the House did not think the playgrounds, which are used almost exclusively by the children of the District of Columbia, should be paid for out of the Federal Treasury. Since the item has been paid for out of the revenues of the District of Columbia there has been no trouble whatever about the playground appropriation, and I think the amendment of the gentleman from Illinois [Mr. MANN] will absolutely solve this question.

Now, as to the amount of money that will be expended for this purpose, Congress will always have control of that, and it is less in amount in proportion to the population than is expended in cities that impose this tax upon themselves. Not only that, but the idea that now prevails throughout the educational world is that the school building is a bad investment if it is used only for school children. It is the common meeting place of the people, and the list of activities read by the gentleman a moment ago shows that in addition to the work done by the schools there is a great supplemental education not only of the children themselves but of the grown-up people.

Now, the citizens' associations have their own organization, and not only in the city of Washington but in all modern cities there are movements to permit the use of the schoolrooms for purposes that will be useful to the people in general. I do not believe that any Member of Congress can have any sort of objection to this item, because the people of the District of Columbia desire it. The amendment of the gentleman from Illinois [Mr. MANN] provides that the money shall be paid wholly out of the revenues of the District of Columbia, and the amount stated in the amendment of the gentleman from Illinois [Mr. MANN] is just the amount necessary to care for the present activities.

Now, the work done by the community-center organizations during the war was a great burden upon the District, and its funds were supplemented by contributions from well-meaning people and augmented by funds that had been gotten up for the purpose of entertaining and caring for the soldiers from the camps. It has done a great amount of good.

And there is another thing that all the communities are endeavoring to do, and that is to have a place where the girls and boys can go and have their amusements properly supervised. It is better, as Commissioner Gardiner said, to have these entertainments under the control of some one who will see that decency is observed, rather than to have the young people patronizing dance halls and other unsupervised places of amusement. Whether men indorse this whole affair in toto or not—because one community may favor one sort of community-center organization and another another—the communities themselves determine what they want, and the question is submitted to the board of education, and all of these activities are under the direction of the board of education. In view of the fact, however, that the $35,000 is the amount now carried in the current law and that it will care for the activities already in existence, I feel that this House ought to vote for the amendment of the gentleman from Illinois [Mr. MANN].

Mr. DAVIS of Minnesota. I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, it should be understood thoroughly that the committee reported an appropriation of $35,000 for this purpose. The Senate amendment reduced it from $35,000 to $15,000. The amendment offered by the gentleman from Illinois [Mr. MANN] is to restore the amount as originally reported by the committee to $35,000, but it provides in addition that the entire amount shall be paid out of the revenues of the District of Columbia.

I am surprised that there is any objection to this proposition. It seems to me that gentlemen can not afford to oppose this community-center activitiy in the District of Columbia. It has accomplished so much of good here that it has the approval of almost every organization in Washington, as it has the approval of almost every other city in the United States. It would be a serious impediment to a great movement that is going on all over the United States, in every city, if the Congress of the United States should put their disapproval upon this movement and reduce the appropriation from $35,000 to $15,000.

The gentleman from Michigan [Mr. CRAMTON] argues that this reduction ought to be made because, he says, there is danger that this will run into enormous expenditures. Yet the gentleman as a member of the committee reported out the same amount that this amendment carries at this time, and the amount originally carried in the bill was exactly the same amount that was appropriated a year ago. So there is no proposed extension of this work. The gentleman from Michigan [Mr. CRAMTON] gives a most striking indorsement of this movement. He says that the people of the town of Flint, Mich., voluntarily have appropriated or raised for this purpose in one year $60,000. The town of Flint, Mich., has a population, I am told, of somewhat less than 100,000 people. Yet they have expended $60,000 themselves in this movement. But the gentleman from Michigan [Mr. CRAMTON] is in favor of the city of Washington, with 450,000 inhabitants, reducing their appropriation from $35,000 down to $15,000. I would rather take the judgment of the exceptionally intelligent people of Flint, Mich., upon this proposition than of my friend [Mr. CRAMTON] when he argues against this proposition.

Mr. YATES. Will the gentleman yield?

Mr. TOWNER. I will be glad to.

Mr. YATES. Flint, Mich., is the home of my daughter, and I know that the gentleman's statement is correct.

Mr. TOWNER. That, of course, accounts for the exceptionally intelligent action of the people of Flint, Mich.

Mr. YATES. Thank you.

Mr. TOWNER. Seriously, it would be not only a mistake with regard to the city of Washington and its people, but it would have a deleterious influence all over the United States of America. It is in this community work that the poor people and the rich people of the city are being brought together as never before. In this community work the parents accompany their children to these entertainments and lectures and concerts. It is in this community work that there has been built up more sentiment and solidarity of interest of the people than in any other work of this kind in this country. It has made for itself a place in the affections and in the love of the people of this country such as no service of this kind has ever done before. It is educational work of the first class, and the people of Washington want this work continued. They are willing to bear all the expense of it. There is no question about the benefits of this work, and for that reason it seems to me that it is our duty to adopt the amendment offered by the gentleman from Illinois. I sincerely hope the House will do so.

Mr. BUCHANAN. Mr. Speaker and gentlemen of the House, the gentleman from Michigan and myself are both on the District Committee and heard all the testimony governing the conduct of the community centers in Washington. I unhesitatingly state that in my opinion when a Member of this House states a proposition he should be fair and frank with the Members of this House. The gentleman is my personal friend, I value his friendship, and there is nothing personal in my remarks. Let us see what he stated to this House a while ago. He said that if we adopt the amendment offered by the gentleman from Illinois [Mr. MANN] that it would be difficult to get an agreement with the Senate conferees by reason of the whole amount being paid out of the District funds, when the gentleman heard and I heard one of the Senate conferees state that it would be easier to put it through the Senate paid wholly by the District than it would if it was paid 40 per cent by the United States and 60 per cent by the District.

Secondly, he said that these community centers were conducted extravagantly with high-paid salaries. Let us see what the salaries are. He heard the testimony and it is recorded in the hearings.

Mr. CRAMTON. Will the gentleman yield for a question?

Mr. BUCHANAN. I yield.

Mr. CRAMTON. As to the question of the difficulty of getting the amendment through the Senate on this proposition, the gentleman will recall that the Senate committee reported this matter at $25,000 and the Senate cut it down to $15,000. Does that reassure the gentleman as to the ease with which it could be put through the Senate at $35,000?

Mr. BUCHANAN. The gentleman heard what the Senate conferees stated.

Mr. CRAMTON. That is something new to me; I did not hear it.

Mr. BUCHANAN. Now, the gentleman from Michigan [Mr. CRAMTON] said that the community centers were conducted extravagantly, that they were building up a corps of high-paid employees. Let us see what these salaries are: Only two out of the whole bunch are paid over $1,200 a year, and that without the bonus. The superintendent gets $2,500; the next highest one is between $1,400 and $1,500. Eighteen get less than $500, eight get $1,200, six get $400, seven get $200, all based, however, upon $1,200 a year. Yet, in the Capital of the Nation the gentleman from Michigan would have us set the measly and foolish example of cutting the appropriation from $35,000 to $15,000. I do not live in Washington. My family is not in Washington. I have no interest in Washington, but I have an interest in my country, and I want to tell you that if you had more community centers, more schoolhouses where the high and the low, the rich and the poor might meet and mingle together and get instruction in patriotism and Americanism you would have less bolshevism, less socialism, and less anarchy in this country. [Applause.] Therefore I sincerely hope you will adopt the amendment offered by the gentleman from Illinois [Mr. MANN.]

Remember, when we vote on this amendment we are voting as the aldermen of the city of Washington. You say they shall not have it; they can not have it. They have no council or local self-government to vote upon it themselves, and will you by your votes deprive them of that service and educational influence that is enjoyed in every other city of any size in the country? [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Speaker, I admire the enthusiasm of the gentleman from Texas [Mr. BUCHANAN], but I regret that it is so misdirected. The gentleman from West Virginia [Mr. GOODYKOONTZ] asked him if they were employing this money for the purpose of hiring dancing masters. If that were the least baneful effect, I might be in favor of it. The ideal may be good, but the practice abominable, and that is the trouble in this matter. If you want to get up some propaganda that is paternalistic in influence in this Government, the place to start it is in one of these community centers. If there be some one who has socialistic ideas, anarchistic ideas, who is steeped in I. W. W.ism, he can always find an audience and he can always find support in some community center. To my mind every dollar that is expended in this appropriation or in the encouragement of this thing is so much poison scattered throughout this country. The most damnable outrage that was committed in the last presidential campaign was hatched in a community center in an effort not only to blacken the character of a man but to destroy the possibility of party success at the polls. Of all the damnable, mean, contemptible things that were said in that campaign the worst and the meanest of them came from one of these community centers. [Applause.] That is a sample of what they are spending this money for, and it is pretty near time that we get away from this maudlin sentimentalism in this country and came to a realization of the purposes to which our good offices are being subjected. There is nothing that is quite so mean and bad in its influence being exerted all over this country as that which is coming from these community centers. It is gnawing at the very vitals of this Government of ours, and it is pretty nearly time that we awakened to the fact, and instead of appropriating $15,000 the whole amount should be stricken out, and we will quit making such appropriations when the American people and their representatives here are awakened to the manner in which the money is being expended, namely, for poison with which to kill the Republic. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I am absolutely amazed that any man representing any group of people in this country could come before this House and charge that the people living in a school district, assembling in their own school, under their own flag, would be guilty of carrying out a line of propaganda such as he suggests.

Mr. WOOD of Indiana. The difficulty is that they did it.

Mr. REED of New York. It is a reflection upon the intelligence of the American people who support the public-school system. Who pays for the public schools? The people themselves. Who has the right to use those schools? The people themselves. Here in the District of Columbia the Congress of the United States tell the people whether or not they can use the school buildings for community activities. All through this land the people are using their schoolhouses for lectures, entertainment, and to carry culture and refinement to those who are not so fortunately situated as others. I know a city where the laboring men asked that they might have a community center—not for themselves, but for the foreign element. I have seen that place at work, and I want to say to you that it has done more for the foreign people of that community than anything else. They are taught Americanization, they are taught the principles and ideals of our Government. In that same community, a small community, they raised over $20,000,000 in 17 months for the prosecution of the war. Those men have raised thousands and thousands of dollars for worthy community movements. In my own city of Dunkirk, N. Y., the school buildings are thrown open, night after night, and the boys, girls, and adults who otherwise might be thrown under improper influences are there under the leadership of the best citizens of the town, hearing fine lectures, studying various subjects in which they are interested, meeting socially under proper conditions and surroundings. I say to you that the proposition that the people can not use their own school buildings is not in keeping with the times in which we live. It is on this general feature—the use of the school building by the people of the community—that I am supporting this amendment.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Mr. Speaker, I think we are confusing two facts in our discussion of this proposition. There is nobody living, I take it, who wishes to deny to the people living in a community the right to use their own buildings for any purpose they see fit, but this proposition is an entirely different one, as I see it. It is legislating money out of the treasury of a community for the purpose of operating that institution known as a community center. It may be news to you, although it may not, but there is an organization called the Community Center, Incorporated, created for financial gain, which started this piece

of propaganda in this city, and they are working in other cities in the United States. True, they have pulled out of here, but they have left the idea, and now they are coming and asking to have that work carried on by a substantial appropriation by the Congress of the United States.

I want to say a word to you regarding the development of Americanism and patriotism by attending these community centers. I direct your attention to the fact that you can bring a man from Europe, any country in the world, and send him to school, teach him the American language, you can open up the schoolhouses and pay for it out of the Public Treasury and make community centers to entertain him, and he will live here for 50 years and not know a single fundamental of what it is that makes a real American citizen.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. BEGG. Not now. He will have no conception of what it means to join his fellow man in the community and help carry his share of the community problems socially. If there is a danger in this country now, to my mind it is the fact that we are trying to teach everybody to look to the Government to do things for them. That man is not a patriot, he is not a true American, who wants only to do for his country and his fellow man that which he is required to do by law, in paying his taxes. Now, gentlemen, that does not make an American citizen. They make you pay taxes in other countries, five, ten times higher than we pay here, but they have no conception of the ideals of an American. What makes a real American citizen is the man or the woman who is willing to carry his or her share of the burdens of the community and do for themselves some of these things they are eternally asking us to do for them in Congress. [Applause.] If I could I would strike out every single dollar from this appropriation for a community center.

I would open every schoolhouse in this city for the use of the citizens if they wanted it, and if it is not worth paying for by those who attend I say to you there will be no good redound to those in attendance. No man ever received anything of value in this country that he did not give some effort or some money, and yet we simply, with no evidence, walk in here and appropriate vast sums of money to carry on the affairs of people that should be carried on by themselves, and then in the next breath the very class of people for whom you are doing the most of this are crying the loudest because they have to pay a few dollars in taxes, and I suspect if it were possible to find out they are the ones who are shirking the burdens and making dishonest tax returns. I want to stand now and forever here and always oppose and I want the country to know that I am opposed eternally to passing laws to appropriate money to teach the boys and girls in these community centers those things they ought to have the ambition to do for themselves, and they would do it if we let them alone and not be too anxious to carry their burdens and their load. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, the question now pending before the House is the amendment which I offered to appropriate $35,000 for the community centers to be paid wholly out of the revenues of the District of Columbia. These community centers are now in existence. What do they consist of? The people in a community organize a club and are given permission under proper supervision for their club to meet in a schoolhouse. Why, when I was a boy and was raised in the country the schoolhouse was where we all met for recreational purposes and for exhibition purposes, but you gentleman from country districts can not fully appreciate the need of community centers in the cities now composed of people living mainly in small houses or small flats and apartments, where there is no opportunity for people to gather socially as they gather in your homes in your district. Here the only place the people can go to meet was to the saloon, which is abolished, the dance hall, which may still exist; the church, which does great good, but which is practically not open most of the time; or to the community centers. Would you prefer the boys and girls and older people shall go where they can meet with their neighbors under proper environment, with proper supervision, in a clean room, in an educational center, or be driven out to seek a place where they may meet under indecent circumstances? I believe it is wiser, for the better interest of the people, for better citizenship, for better Americanism to let these school buildings be used in a way that does not damage them, under proper supervision, where the community may gather together, become better acquainted, and whatever is their influence it will be bettered by their meeting under such conditions. [Applause.]

Mr. DAVIS of Minnesota. Mr. Chairman, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Illinois to concur with the amendment.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. CRAMTON) there were—ayes 83, noes 39.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

The Commissioners of the District of Columbia are authorized and empowered to sell to the highest bidder at public auction the following-named property belonging to the said District of Columbia, in the District of Columbia: Lots 821 and 822 in square 3064, together with all improvements thereon: *Provided*, That if, in the opinion of the said commissioners, the highest bid made at said sale for any or all of said lots and improvements thereon is not a full and fair price for the same, the said commissioners shall have the right to reject such bid or bids and shall have the right to sell said property, after due advertisement, to the highest bidder under competitive proposals for the purchase of said property; and that the proceeds of the sale of said lots and improvements thereon shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in equal parts.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 140 and agree to the same.

Mr. DALLINGER. Mr. Speaker, I would like to ask the gentleman where this is located.

Mr. DAVIS of Minnesota. I was about to tell the gentleman. Mr. Speaker, this property is located on Sixth Street NW., just above Trumbull Street, being just west of Freedmen's Hospital. The property is designated lots 821 and 822 in square 3064.

The property is 120 by 151.25 feet. It contains 18,150 square feet. The improvements consisted of a frame structure built in 1871 and a brick addition built in 1882. The frame structure has been torn down because it was in unsafe condition. The building was abandoned for school purposes in 1909. The old brick structure still standing has been determined by the building authorities to be in such condition as not to warrant the expenditure which would be necessary to make it usable for school purposes. In this connection I wish to say that this bill carries an appropriation of $30,000 for the location of a new school building in the vicinity of this old Mott School.

Mr. MADDEN. Will the gentleman yield?

Mr. DAVIS of Minnesota. I will.

Mr. MADDEN. I notice this legislation provides first that the money shall be turned into the Treasury to the credit, half for the United States and half for the District of Columbia, whereas the law in the bill provides in other respects that the Government shall pay 40 per cent and the District of Columbia 60 per cent. Why is that?

Mr. DAVIS of Minnesota. When the building was built it was built upon the fifty-fifty plan. That is the only reason I can give why it is in that shape.

Mr. MADDEN. Does the gentleman think the District ought to sell its property?

Mr. DAVIS of Minnesota. I think it ought to be sold, because it is absolutely useless and certainly beyond repair.

Mr. MADDEN. I do not think the Government ought to sell any of its property in the District. They ought to keep it and use it for other purposes.

Mr. DAVIS of Minnesota. This is absolutely a useless piece of property, so I am informed, and believe.

The SPEAKER. The question is on the motion of the gentleman from Minnesota that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read the next amendment, as follows:

Amendment No. 148: Page 62, strike out "$500," in line 3, and insert "$600."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 148, and concur in the same. It is simply raising the salary of a cook in the house of detention from $500 to $600 a year.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Minnesota.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read the next amendment, as follows:

Amendment No. 149: Strike out, on page 62, line 4, "$600" and insert in lieu thereof "$720."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 149 and agree to the same. I will say that this simply raises the salary of a janitor from $600 to $720, the same as the salaries of other janitors throughout the District.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Minnesota [Mr. DAVIS].

The motion was agreed to.

The Clerk read the next amendment, as follows:

Amendment No. 151: Page 62, line 9, strike out "$27,000" and insert in lieu thereof "$31,340."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 151, and agree to the same with an amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. DAVIS of Minnesota moves to recede, and concur in amendment No. 151, with an amendment as follows: In lieu of the sum proposed in said amendment, insert "$31,220."

Mr. DAVIS of Minnesota. That is simply, I will say, to correct the total of these two last amendments.

The SPEAKER. The question is on the motion of the gentleman from Minnesota.

The motion was agreed to.

The Clerk read the next amendment, as follows:

Amendment No. 154: Page 63, at the top of the page, insert a new paragraph, as follows:

POLICEMEN AND FIREMEN.

Officers and members of the fire and police departments of the District of Columbia who were granted leave of absence to serve in the military and naval forces of the United States during the World War and who were honorably discharged and returned to their employment in said departments shall be entitled to credit for classification and pay purposes as though such services had been rendered in said departments.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to this amendment and agree to the same. I will simply say that the reading of the text of the amendment is a sufficient explanation of it. These boys left the service with the understanding that when they came back they could be reinstated, and this complies with their understanding. They have been retained as firemen and policemen, and they want the same classification as before.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Minnesota.

The motion was agreed to.

The Clerk read the next amendment, as follows:

Amendment No. 162: On page 70, after line 16, insert: "To aid persons of moderate means who are suffering from tuberculosis to obtain adequate sanitarium and hospital care, $3,000."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to this amendment and agree to the same. The text of the amendment indicates what it is for—to aid those who are not capable of aiding themselves and still are not absolutely indigent and dependent. It is only $3,000—a small sum.

Mr. WALSH. Will the gentleman yield?

Mr. DAVIS of Minnesota. I certainly will.

Mr. WALSH. In what way is this aid to be given? I see it is a very small sum. How is this money to be expended? It says "To aid persons of moderate means." Is it to pay for their care at a sanitarium?

Mr. DAVIS of Minnesota. No, sir; it is not. Sanitariums are for indigent people and people of that kind, that are absolutely or partly gone with tuberculosis. There are quite a number, and you will find them quite frequently, that are afflicted with tuberculosis but are still struggling along and have not sufficient means to hire a doctor and cure themselves. There are a few people here in Washington that have to do with this, and they think with a little money we could save ultimately not only entire families but a large expense.

Mr. WALSH. I suppose that the small amount of the appropriation is predicated upon the small number of people of moderate means in the District of Columbia?

Mr. DAVIS of Minnesota. I guess that is right.

Mr. WALSH. The rest of them are either well-to-do or indigent?

Mr. DAVIS of Minnesota. We give them sanitary treatment on the outside.

Mr. MANN of Illinois. Is this for the purpose of anything else than employing somebody to give information? Is there any statement made as to what this is for?

Mr. DAVIS of Minnesota. The Senate hearings go into that extensively.

Mr. MANN of Illinois. I think we are entitled to know, if the gentleman moves to concur, what this is for, because, of course, everybody recognizes that $3,000 is but the beginning of help to people of moderate means.

Mr. DAVIS of Minnesota. On page 446 of the hearings there is a statement concerning this, and if the gentleman wants me to read it——

Mr. MANN of Illinois. I do not want the gentleman to read anything. I want him to state what can be done.

Mr. DAVIS of Minnesota. The situation would be this: I will quote from the hearing:

Miss BOARDMAN. May I give you a case——

Mr. MANN of Illinois. What I want to know is what they are going to do with the $3,000? Do you mean to pay their board at the sanitarium and pay their railway fare to a sanitarium?

Mr. DAVIS of Minnesota. Pay for their sanitarium treatment, but outside of the sanitarium. They give them sanitarium treatment because they want to continue their work and struggle, and they are going to assist them by medicine and things of that kind.

Mr. MANN of Illinois. Do they propose, out of this, to pay the sanitarium for their care?

Mr. DAVIS of Minnesota. They do not put them into a sanitarium.

Mr. MANN of Illinois. What does "sanitarium and hospital care" mean?

Mr. DAVIS of Minnesota. They simply take care of them in their own families.

Mr. MANN of Illinois. That is not sanitarium care.

Mr. DAVIS of Minnesota. Call it "medical treatment," then.

Mr. MANN of Illinois. We provide otherwise for medical treatment. The gentleman is being fooled by somebody. Nobody who got up this item for sanitarium and hospital care for people intended that this money should be expended to take care of people at home. That is not what it is for. If the gentleman believes that, he is in error. I suppose it may be profitably used by hiring some clerk or clerks to let people who have tuberculosis appear before them and obtain information as to where they can go and pay their expenses. But I do not know. It certainly would not go very far toward paying the expenses of all the people who have tuberculosis who would like to be sent to sanitariums and hospitals.

Mr. WALSH. It is but the entrance of the tent by the camel's nose.

Mr. DAVIS of Minnesota. Dr. Fowler says there are only a few cases of this kind.

Mr. MANN of Illinois. Dr. Fowler knows and everybody here knows that there is a large number of people who have incipient tuberculosis, many of whom have it in bad shape, who are not able to go away and who are not poor enough to go into an indigent hospital.

Mr. DAVIS of Minnesota. I asked this question of Dr. Fowler:

Do you think there are many of these cases?

Dr. Fowler answered:

I do not think we have a great many of them. Tuberculosis has decreased 50 per cent in the District since so much attention was paid to it.

Mr. MANN of Illinois. I have made a special study of tuberculosis for many years. You can not fool me with that.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. BLANTON. The gentleman from Illinois was asking whether there was any evidence in support of this Senate amendment. The Senate saw fit to place only 256 amendments on this bill; that is all. I wanted to ask the chairman if we can usually expect a statement as to the basis for all these 256 amendments?

Mr. DAVIS of Minnesota. I can do it, but it will take a long time.

Mr. MANN of Illinois. I am sure the gentleman from Minnesota will yield long enough for me to say that it is the duty of the conferees to know something about the amendments which they agree to. It is not the duty of the conferees to know about the amendments to which they agree, but they ought not to agree to an amendment or recommend that the House agree to it unless they know about it.

Mr. BLANTON. I was agreeing with the gentleman from Illinois as usual.

Mr. MANN of Illinois. Well, I am glad to have your support.

The SPEAKER. The gentleman from Minnesota moves to recede and concur. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MADDEN. A division, Mr. Speaker.

The SPEAKER. A division is demanded.
The House divided; and there were—ayes 40, noes 5.
So the motion was agreed to.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment No. 168: Page 76, line 5, strike out "$480" and insert in lieu thereof "$600."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede and agree to this amendment. It is simply to increase the pay of three laborers in the Court of Appeals Building from $480 to $600 each.
The SPEAKER. The question is on agreeing to the motion.
The motion was agreed to.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment No. 169: Page 76, line 10, strike out "$4,800" and insert in lieu thereof "$5,160."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede and agree to this amendment. It is simply correcting a total.
The SPEAKER. The question is on agreeing to the motion.
The motion was agreed to.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment No. 193: Page 84, line 5, after the word "expenses," strike out "$4,000" and insert "$5,000," and add the following: "and no part of the moneys herein appropriated shall be used for the purpose of visiting any ward of the Board of Children's Guardians placed outside the District of Columbia and the States of Virginia and Maryland, and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said board and said board shall have power upon proper showing, in its discretion, to discharge from guardianship any child committed to its care."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to this amendment and agree to the same with an amendment, which I send to the Clerk's desk.
The SPEAKER. The gentleman from Minnesota moves to concur with an amendment, which the Clerk will report.
The Clerk read as follows:

Mr. DAVIS of Minnesota moves that the House recede from its disagreement to amendment 193 and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$4,000."

The SPEAKER. The question is on agreeing to the motion of the gentleman from Minnesota.
The motion was agreed to.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment No. 198: Page 85, line 5, strike out "$218,410" and insert "$249,900."

Mr. DAVIS of Minnesota. I move that the House recede from its disagreement to this amendment and agree to the same with an amendment which I send to the Clerk's desk.
The SPEAKER. The Clerk will report the motion of the gentleman from Minnesota.
The Clerk read as follows:

Mr. DAVIS of Minnesota moves that the House recede from its disagreement to Senate amendment No. 198 and concur in the same with an amendment as follows:
"In lieu of the sum proposed in said amendment insert '$220,800.'"

The SPEAKER. The question is on agreeing to the motion.
Mr. SISSON. Will the gentleman from Minnesota yield for a question?
Mr. DAVIS of Minnesota. Certainly.
Mr. SISSON. Why did the Senate give to the Board of Children's Guardians virtually $25,000 or $26,000 more than the House did?
Mr. DAVIS of Minnesota. The Senate receded on that.
The SPEAKER. The question is on the motion to recede and concur with an amendment.
The motion was agreed to.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment No. 205: Page 88, after line 7, insert "National Library for the Blind: For aid and support of the National Library for the Blind, located at 1729 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $5,000."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to this amendment and agree to the same.
This is simply an appropriation of $5,000 for the National Library for the Blind.
Mr. SISSON. Mr. Speaker, will the gentleman yield for a question?
Mr. DAVIS of Minnesota. I yield to the gentleman from Mississippi.
Mr. SISSON. This, of course, is a donation to that institution. I have no objection to this item if this is the end of it. Does it mean that this $5,000 will be the total amount requested for this purpose?
Mr. DAVIS of Minnesota. It is the end of it until the next year, and the gentleman will be here then, and he can object to it if he does not want the item to go into the bill next year.
Mr. SISSON. I want to know what we are committing ourselves to, as this is a private institution.
Mr. DAVIS of Minnesota. We need not give this next year unless we want to. We need not give it now unless we want to.
Mr. CANNON. What is the necessity for it?
Mr. DAVIS of Minnesota. I really can not tell you, only they need it for the blind.
Mr. CANNON. It is several thousand dollars.
Mr. DAVIS of Minnesota. It is $5,000 for the library for the blind.
Mr. CANNON. Is that more than we have given before?
Mr. DAVIS of Minnesota. It is the same amount we gave last year.
Mr. CANNON. A continuing amount?
Mr. DAVIS of Minnesota. Yes. We have always given $5,000 to this library for the blind—nothing more and nothing less.
Mr. CANNON. This is not new?
Mr. DAVIS of Minnesota. Oh, no.
Mr. CHINDBLOM. Will the gentleman yield?
Mr. DAVIS of Minnesota. I yield to the gentleman from Illinois.
Mr. CHINDBLOM. Is this National Library for the Blind a charitable institution?
Mr. DAVIS of Minnesota. It is.
Mr. CHINDBLOM. Or is it run for profit?
Mr. DAVIS of Minnesota. It is not run for profit. It is a purely charitable institution.
Mr. MANN of Illinois. They send out books from this library to aid the blind?
Mr. DAVIS of Minnesota. I believe they do.
Mr. MANN of Illinois. They send them, I believe, without expense to the people to whom they send them?
Mr. DAVIS of Minnesota. Without expense.
The SPEAKER. The question is on the motion of the gentleman from Minnesota that the House recede and concur.
The motion was agreed to.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment numbered 206: After the preceding amendment insert: "Columbia Polytechnic Institute: To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $1,500."

Mr. DAVIS of Minnesota. I move that the House recede from its disagreement to amendment 206 and agree to the same. That is simply something that we have been doing for a great many years, giving $1,500 to this Polytechnic Institute to assist in the education of the blind.
Mr. MADDEN. Did the House make this appropriation this year?
Mr. DAVIS of Minnesota. No; they did not. They did last year.
Mr. MADDEN. Did the House Appropriations Committee consider it unnecessary to carry these two items?
Mr. DAVIS of Minnesota. We tried to carry them and several more.
Mr. MADDEN. If we have been carrying these items for several years, why did we not do it this year?
Mr. DAVIS of Minnesota. It was stricken out in the House either on a point of order or on a motion. It was stricken out, anyway.
The SPEAKER. The question is on agreeing to the motion of the gentleman from Minnesota.
The motion was agreed to.
The SPEAKER. The Clerk will report the next amendment.
The Clerk read as follows:

Amendment numbered 223: Page 104, after line 5, insert:
"SEC. 8. That the Commissioners of the District of Columbia are authorized, in their discretion, and under such regulations as they may prescribe, to grant to such of the per diem employees as are regularly employed, leave of absence with pay for not exceeding 15 days each fiscal year."

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House recede from its disagreement to this amendment and agree to the same with an amendment which I send to the Clerk's desk.
The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. DAVIS of Minnesota moves that the House recede from its disagreement to amendment No. 223 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 8. That the commissioners are authorized in their discretion, and under such regulations as they may prescribe, to grant not exceeding 15 days' leave of absence with pay each year to per diem employees of the District of Columbia who have been employed for 10 consecutive months or more."

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. I certainly will.

Mr. BLANTON. This takes care of one set of Government employees who do not get any vacation, but there is one other set of Government employees in the District of Columbia who are as yet without this vacation. Why is it that the gentleman does not give them the benefit of it?

Mr. DAVIS of Minnesota. We can not do it on this amendment; we can not give it to them in that way.

Mr. BLANTON. The gentleman has made several motions to concur in the Senate amendment, with certain amendments.

Mr. DAVIS of Minnesota. This last amendment is a limitation. The Senate amendment would cost $130,000, while this amendment that I have put in would adjust it so that it would cost less than $50,000.

Mr. BLANTON. The gentleman knows what I am referring to, the policemen and firemen, a class of Government employees that get no vacation.

Mr. DAVIS of Minnesota. We have no jurisdiction over that; that comes under the legislative bill.

Mr. BLANTON. But you have legislation in this bill.

Mr. DAVIS of Minnesota. Yes.

Mr. BLANTON. And the Senate has put legislative matters in this bill.

Mr. DAVIS of Minnesota. Yes.

Mr. BLANTON. And still, both Houses violating the rule, putting legislative matters into the bill, they studiously avoid putting in any legislation that would give the policemen and the firemen the same sort of a vacation that you are seeking to give this other class here, and every other class of Government employees. I think we ought to be just as fair, and just as kind, and just as considerate to the policemen and the firemen of the District of Columbia as we are to all the others.

Mr. DAVIS of Minnesota. Are they day laborers?

Mr. BLANTON. The gentleman is getting off the subject. I am talking about the big subject of discrimination against one class of Government employees.

Mr. DAVIS of Minnesota. Is the gentleman talking about the $240 bonus?

Mr. BLANTON. No; I am not; I am talking about the vacation that these policemen and firemen should have but do not get. Every other Government employee gets a vacation and the policemen and firemen do not get any at all.

Mr. MADDEN. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. MADDEN. I noticed that in the gentleman's amendment he says that the Commissioners of the District of Columbia are authorized, in their discretion and under such regulations as they may prescribe, to grant a per diem to employees regularly employed up to not exceeding 15 days in any one fiscal year. What does the gentleman mean by regularly employed?

Mr. DAVIS of Minnesota. I have offered a substitute. The substitute says where they have been continuously employed for 10 months or more. The Senate amendment, which the gentleman has read, would cost the Government $130,000 and my amendment will cost less than $50,000.

The SPEAKER. The question is on the motion of the gentleman from Minnesota to recede and concur with the amendment.

The motion was agreed to.

PRESIDENTIAL DISCRETIONARY WAR FUND.

Mr. GOOD. Mr. Speaker, by direction of the Committee on Appropriations, I present a privileged report, House resolution 627.

The Clerk read the resolution, as follows:

House resolution 627.

Resolved, That the President of the United States be, and he is hereby, requested, if not incompatible with the public interests, to furnish the House of Representatives with an itemized statement showing disbursements and allocation of all sums allotted by him to the various departmental branches of the Government, to any special commission or committee, or to any individual, from the $100,000,000 appropriation authorized in the deficiency appropriation act approved April 17, 1917, and from the appropriation of $50,000,000 authorized in the sundry civil act approved July 1, 1918, which were to be expended at his discretion for the national security and defense.

Mr. GOOD. Mr. Speaker, the President has heretofore made a partial report showing the allotment made out of both of the appropriations. The appropriation for $100,000,000, as shown by the report, has been partly explained by the President. He has shown allotments aggregating about $73,700,000, leaving unallotted and unaccounted for of the appropriation $26,798,569.93.

Of the $50,000,000 appropriation, the statement shows that a part of it was allotted and returned and then reallotted. The total allotment of expenditures under the $50,000,000 appropriation was $57,977,812.76, of which there was reimbursed under the allotment $10,807,242.05. If we subtract this amount from the total allotment it leaves an allotment of $47,100,570.71, which if subtracted from the total of the appropriation of $50,000,000 leaves unaccounted for $2,899,429.29.

When this matter was referred to the committee a copy of the resolution was sent to Mr. Tumulty. We have withheld making a report on it in the hope that there might be some report forthcoming. No report has yet been made, and it seems to me that in the interest of everyone, as well as of the President himself, there ought to be a full and complete report made.

Mr. CONNALLY. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. CONNALLY. Do the records of the Treasury show that all of these sums have in fact been expended?

Mr. GOOD. The committee have not investigated that, and they can not say.

Mr. CONNALLY. The committee does not know whether a part of the funds remain in the Treasury?

Mr. GOOD. They do not, and it is barely possible that this $2,899,000 of the $50,000,000 was never expended and is in the Treasury, but if so, that will be shown by a full report.

Mr. BANKHEAD. How long since the resolution was referred to the Committee on Appropriations?

Mr. GOOD. In December.

Mr. BANKHEAD. How long is it since the matter was communicated to Mr. Tumulty, the President's private secretary?

Mr. GOOD. About a month ago, I should say. My recollection is that it was on the 21st of January, to be accurate.

I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I shall vote for this resolution, although I am frank to say that I do not approve the methods which are being followed to secure the information desired. I have no objection to the adoption of any resolution which calls on a public official, high or low, for a statement as to the expenditure of public moneys placed in his hands. On the contrary, I believe that such an accounting should always be required. What I am going to say therefore by way of criticism of this resolution is not directed to the expressed desire set forth in the resolution for information as to the expenditure made from the funds which were placed in the hands of the President during the war, to be expended in the prosecution of and for the winning of the war, but rather to the methods which are being followed in the effort to secure that information. Frankly, I can not but believe that if the gentleman from New York [Mr. GOULD] who introduced the resolution, and who has persistently pressed for its consideration, and the Republican majority of the committee which reported the resolution, had not been to some extent, at least, influenced by a desire to put a slight upon the President of the United States in the closing days of his administration and to humiliate him, if possible, by endeavoring to make the people believe he was unwilling to account for funds which had been placed in his hands, an entirely different course would have been pursued, one in accordance with past precedents of Congress. A resolution might easily have been introduced calling upon the Secretary of the Treasury to indicate just what allotments have been made in the expenditures of moneys drawn out of the Treasury from those two funds. A resolution might easily have been directed to the various departments and other activities of the Government, asking them to submit to Congress a full, itemized detail of every dollar which was expended, and I submit that they could more readily and easily and accurately give that information to Congress than the President can possibly do, because we all know that the President had absolutely nothing to do with the actual expenditure of the money, and that he simply allotted it to the departments for use in the prosecution of the war.

I believe that policy would have been followed if it had not been for that bitter, unreasonable, unjust, and violent personal prejudice and antagonism to the President which we have seen exhibited on the floor of this House on many occasions heretofore.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. GOOD. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. BYRNS of Tennessee. And that bitter prejudice reached its peak in vituperation, I may say, in the campaign of last fall.

I have said this resolution is unusual and unprecedented, and I want to say that I am fortified in my statement as to the real purpose of this particular form of resolution by the publication which was made in a morning newspaper in this city, because in some mysterious way information was given to the press upon yesterday that the President was to be called upon for this information in advance of the formal notification to the Members of the House. In the statement published in the morning newspaper an untruthful and an unjust contrast is made between President McKinley, of lamented memory, and what he did with reference to the $50,000,000 placed in his hands during the Spanish-American War for the same purpose, and the action of President Wilson in regard to the funds placed in his hands. It was stated in the paper that Mr. McKinley had promptly reported to Congress immediately upon the conclusion of the war an itemized statement as to the manner in which those funds had been expended. If the records had been investigated that statement would not have been made. The records fail to show that he ever made any report as to the expenditure of the $50,000,000 which was placed in his hands. He made no report, nor was any ever asked of him by Congress.

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. DEWALT. The gentleman has spoken of precedents in the matter. Will he please inform the House what those precedents are?

Mr. BYRNS of Tennessee. I was about to give them. The records show that nearly two years after the fund of $50,000,000 was placed in the hands of President McKinley for the prosecution of the Spanish-American War, resolutions were introduced and adopted calling, not on the President but on the various departments to whom allotments had been made, for an itemized statement of the expenditures made, and for the benefit of the House I want to tell you just where you can find the reports made under those resolutions. You will find one of them in Senate Document No. 110, Fifty-sixth Congress, first session; you will find another in Senate Document No. 145, Fifty-sixth Congress, first session; the amount expended up until January 20, 1900, leaving $2,444,062.78 to meet uncompleted contracts. You will find another report from another department in Senate Document No. 96, Fifty-sixth Congress, first session, and still another report from another department in Document No. 97, Fifty-sixth Congress, first session. That was the policy pursued by Congress at that time in order to elicit this information, and if this Congress were pursuing the same policy of calling upon the departments which made the expenditures to submit itemized statements, certainly no one could offer the slightest criticism. The President will have to do what Congress ought to do in this instance. The President will have to call upon these departments and activities to submit to him an itemized statement of these expenditures in order to comply with this resolution.

So, I repeat, under all of the circumstances and under the precedents adopted by Congress many years ago with respect to a fund just like this, I can not but believe that this unusual method has been chosen for the purpose of putting a slight upon the President of the United States in the closing days of his administration in an attempt to make the people believe he is unwilling to account for these funds. He has already accounted voluntarily, as the chairman of the Appropriations Committee has told you, without any obligation or requirement of law, for more than four-fifths of this fund. Everyone knows that the President is entirely willing to account for the remaining portion of the fund. This resolution is unnecessary and would not be pressed were it not for a spirit of petty spite which, unfortunately, many on the majority side have shown against the President.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. JOHNSON of Washington. Has the gentleman a substitute for the resolution about to be considered?

Mr. BYRNS of Tennessee. I have not. I will say to the gentleman that the Republican majority of the Committee on Appropriations reported this resolution over opposition, and I am satisfied it would be futile for me to offer a resolution as a substitute, because the chairman of the Committee on Appropriations has stated it is his purpose and the purpose of the majority in the House to put this resolution through. And I am not opposing——

The SPEAKER. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. May I have five minutes?

Mr. GOOD. I will yield the gentleman five additional minutes.

Mr. BYRNS of Tennessee. I am not opposing a report. I am going to vote for the resolution because, as I stated at the outset, I believe all public money should be accounted for and the Congress should require an accounting, and the opportunity is not given me to vote for a resolution which would secure the facts but from a different source. It is the method which is being followed that I am undertaking to criticize in this way, because it is contrary to all precedents.

Mr. BEGG. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. I will yield.

Mr. BEGG. Is there any precedent for rendering a partial report rather than a full report?

Mr. BYRNS of Tennessee. Oh, yes; I have just read to the gentleman a report of expenditures of a part of the Spanish-American War fund, where it is stated that of this fund of $50,000,000, or rather a certain portion allotted to one department, there was a partial report made and something like two and a half millions unaccounted for, because, as stated, it was to meet uncompleted contracts. As a matter of fact, if the gentleman will examine the reports to which I have referred, he will find that there never was any account or reference made to something like a half million dollars of the $50,000,000 fund.

Mr. BEGG. Will the gentleman yield for a further question?

Mr. BYRNS of Tennessee. Yes.

Mr. BEGG. By the gentleman's own statement it shows the partial report stated where the balance was and why it was not accounted for.

Mr. BYRNS of Tennessee. They said it was to meet uncompleted contracts, and I have found no supplemental report of the amounts withheld and unreported.

Mr. BEGG. And this report shows nothing at all.

Mr. BYRNS of Tennessee. This report shows the allotment of something over four-fifths, as I remember, of the entire fund appropriated.

Mr. BEGG. Does it show any reason why there was not a report of the balance and that a report would follow showing——

Mr. BYRNS of Tennessee. There is no reason on earth why Congress should not demand a report of the entire amount, an itemized statement of the entire amount, and there is no reason on earth why Congress can not get it. The only point I am making is that this resolution should be directed to those departments which can give them in itemized detail rather than to the President, when we all know the President has absolutely nothing to do with the money. This resolution, I contend, is prompted by petty spite against the President rather than the desire to secure a detailed report of the expenditures.

Mr. BEGG. Will the gentleman yield for a further statement?

Mr. BYRNS of Tennessee. I will yield.

Mr. BEGG. Did not the President by rendering his partial report tacitly suggest to the Congress that they could get the rest of the report from the same source?

Mr. BYRNS of Tennessee. Oh, no. So far as I know he has no objection to this resolution.

Mr. BEGG. I do not see anything——

Mr. BYRNS of Tennessee. The President by voluntarily making the report to which the gentleman alludes shows his entire willingness to make a report to Congress as to the money placed in his hands. This resolution calls for an itemized detail not only of the $26,000,000, to which the gentleman from Iowa [Mr. GOOD] referred, but of the other money which has all been allotted to these various departments, and the point I am making is that if the sole purpose which moves this resolution was to get an itemized statement in detail of the expenditure this resolution would be directed to those departments which actually made the expenditures and not to the President of the United States.

Mr. DEWALT. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. DEWALT. Has the gentleman a copy of the resolution which was directed in the McKinley case?

Mr. BYRNS of Tennessee. No; I have not, I am sorry to say to the gentleman, but the report was submitted in response to four different Senate resolutions and was directed to the four different departments which made reports set forth in the documents to which I have referred. I do not know, gentlemen, that there is anything further I desire to say upon the subject, but may I say just this: That regardless of criticisms which may be offered here or elsewhere, the American people have not forgotten and they never will forget the great achievements of Woodrow Wilson. [Applause on the Democratic side.] They

will never forget that he was the leader who led the Nation to victory in the greatest war of the ages. The gratitude and the admiration of the American people for Woodrow Wilson, you can rest assured, will grow as the years roll by, and the people are not going to approve of this evident attempt to insult or humiliate him in the closing days of his administration.

Mr. FESS. Will the gentleman yield?

Mr. BYRNS of Tennessee. In just a minute. I have not always agreed with him——

The SPEAKER. The time of the gentleman has again expired.

Mr. BYRNS of Tennessee. One more minute.

Mr. GOOD. I yield the gentleman an additional minute.

Mr. BYRNS of Tennessee. I may not have agreed with him in all the things that he has done, but I will never cease to give credit to him as a great American, one of the greatest this generation or any preceding generation has ever produced, or to give him the full mead of praise for his splendid achievements, both in time of peace and in war. And let me say to those who criticize and decry him here and elsewhere that his name and his fame will adorn the brightest pages of history after they and all of his detractors have passed away and been long forgotten. [Applause.]

Mr. FESS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will yield if I have the time.

The SPEAKER. The gentleman's time has again expired.

Mr. GOOD. I yield five minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, in this connection I desire to refer to Senate Document 330 of the present Congress, entitled "Expenditures of the American commission to negotiate peace." This document contains a message of the President of the United States, dated December 8, 1920, and addressed to the Senate and House of Representatives. The President's message is very brief. I will read only the final sentence of it:

> It now gives me pleasure to lay before the Congress, for its information, a statement of all of the expenditures of the American commission to negotiate peace for the entire period of its existence from December 1, 1918, to December 31, 1919.

You will notice that the message specifically states and promises that the accompanying report carries a statement of all of the expenditures of the American commission to negotiate peace for the entire period of its existence. In a sense, and as far as total tabulations are concerned, I dare say that statement may be true, or, at all events, I have no evidence to show that it is not true. But in so far as this document purports to advise the Congress of the details it ought to know about the expenditures of that commission, it is utterly and, in my judgment, deliberately inadequate.

Running through the many pages setting forth the vouchers for expenditures, you will find an item of 90 cents here, an item of $1.11 there, going, in the most circumstantial way, into the expenditures of that commission during the few months when it was in Paris. But when you get to the things you really want to know about, glittering generalities, gentlemen, are the rule and not the exception.

I will refer, for example, to some of the items on page 44. Here is one of them:

> Damages and loss of property at Hotel de Crillon, $125,870.82.

Damages to the Hotel de Crillon, which we occupied in Paris for a few months as one of the headquarters of the American commission, $125,000. I have looked, item by item, through the prior 43 pages of this booklet, to see if there was any itemization of that particular sum, and there is none whatever. We do not know how many chandeliers were smashed; under what circumstances they were smashed; at what hour in the morning they were smashed, by the gentlemen who were in Paris representing the United States.

And, Members of the House, I think that that is the character of information that is material in this connection. I believe it is the information that ought to be disclosed in response to the resolution which is now before the House.

Mr. DEWALT. Will the gentleman yield?

Mr. ROGERS. I will.

Mr. DEWALT. Has the gentleman gone to the pains of inquiring at any one of the departments as to the expenditure of this $125,000?

Mr. ROGERS. The Acting Secretary of State was before the Committee on Appropriations, or, rather, before the subcommittee of the Committee on Appropriations, of which I am the chairman, and I sought to interrogate him upon these very items. The Acting Secretary of State told us that he was unable to furnish the details. He did not know whether they could be obtained in the State Department at all.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. DEWALT. Will the gentleman yield further?

Mr. ROGERS. If the gentleman will pardon me, I want to put this in the RECORD, and then I shall be glad to yield. Here is an item of:

> Wages to employees at Hotel de Crillon, $131,507.

Elsewhere in the report that amount is broken up into month-by-month disbursements, but in no other way. We do not know under what circumstances an agreement was reached by which we had to pay, in addition to the rent of the Hotel de Crillon, the wages of the servants of the Hotel de Crillon. It is not usual when you and I go to a hotel and take a room, or, if we are members of a party, we take a group of rooms, to pay the wages of the servants that are attending to us during our stay. And, in addition to that, we paid for the food that those servants consumed during the period we were at the Hotel de Crillon.

Mr. RAYBURN. Will the gentleman yield?

Mr. ROGERS. Not now.

In addition to that, we paid the water rates, the insurance, the cost of kitchen supplies, and the laundry. All of those items are grouped together here, and I wish I had time to read the figures. They show the amount that we paid for those six months or so during which we occupied the Hotel de Crillon.

Members of the House, we paid enough money to buy that hotel over and over again during the few months we were there. Those of you who have been at that hotel will recall that it is not a very elaborate or very expensive structure.

One of the items in this tabulation is "Purchase of automobiles, $14,000." As the testimony of the committee on expenditures discloses, France was filled with United States automobiles that were left as a result of the sudden cessation of the war.

Another item is "Confidential expenses, presidential party." I have looked carefully through the earlier pages of this report. I find here and there that, on the voucher of Dr. Cary T. Grayson, $1,000 or $500 was turned over to Dr. Grayson every few days on behalf of the President. The explanation is simply to the effect that it was "For the confidential expenses of the President." That total is $17,534.16. There is no explanation whatever of the disposition of the funds. We all know the President has a liberal salary, we all know he has a liberal allowance for travel, and yet, apparently, out of this fund were being paid the actual traveling expenses of the President while he was going to and from France on two different occasions.

I am going to ask the Members why the expenses of the President during that year should be deemed "confidential expenses"? Why are they confidential? The President was going forth as the representative of the American people and to negotiate on behalf of the American people a treaty of peace. Is there any reason, Members of the House, why we shall not know what went to make up that $17,000?

I personally am very glad that this resolution is before the House, because I hope that from it will come information that will enable us to answer these questions. Why should a single item of $125,000 be deemed sufficient to explain all the expenditures which resulted from the breakage of property at a single building in Paris? Is there any reason for that? Is there any sense in it? Is there any sound bookkeeping method in it? And that is the character of information that, I hope, is going to result from the passage of this resolution. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Speaker, I may not use five minutes. I simply want to call the attention of the House to the fact referred to by the gentleman from Tennessee [Mr. BYRNS], that at the conclusion of the Spanish-American War the President of the United States did not submit to the Congress an itemized statement of the expenditures of the $50,000,000 placed at his disposal, and as late as January 8, 1900, the Senate of the United States adopted a resolution calling not upon the President of the United States, but calling upon the various departments of the Government to render an itemized statement of the expenditures made out of the fund of $50,000,000. I have here the document showing the response of President McKinley. It reads as follows:

> *To the Senate:* In response to the resolution of the Senate of January 8, 1900, asking for information as to what portion of the $50,000,000 appropriated by Congress under the act approved March 9, 1898, was expended by and under the direction of the Department of State, I transmit herewith a detailed statement from the Secretary of State.

So that two years after the act of March 9, 1898, appropriating this money, the Senate passed a resolution merely calling upon the various departments of the Government, the depart-

ments that actually spent the money, to submit a statement as to the expenditures. Instead of pursuing that policy, we are now asked to pass this resolution, knowing well, as we do, that it is impossible for the President to submit an itemized statement of the expenditures made by the various departments. The letter of President McKinley, to which I have referred, transmitted the report of the Secretary of State, and in that report I notice one item that I want to call to the attention of the gentleman from Massachusetts [Mr. ROGERS], who has just addressed this House. It reads as follows:

Paris Peace Commission, $155,102.12.

There was no itemized statement of chandeliers broken. There was no itemized statement of food consumed.

Mr. ROGERS. This cost sixteen times as much, this last junket.

Mr. UPSHAW. And they stayed a great deal longer.

Mr. BYRNES of South Carolina. But no man in the Senate or in the House rose to question the President of the United States, Mr. McKinley, or to charge that that commission went on a junket. No man was small enough to rise and play peanut politics, to ask how much money was spent for the food consumed by the commissioners on the part of the United States of America. [Applause on the Democratic side.]

I submit that it is beneath any man who assumes to represent the people of the United States to question the honesty of the President of the United States. [Applause on the Democratic side.] And the people of America will never forgive it. [Applause on the Democratic side.] One hundred and fifty-five thousand one hundred and two dollars and twelve cents, the total expense, was submitted in a lump sum, and in all of America there was not a man who was small enough to question the expenditure by President McKinley. There was not a Democrat who did it, thank God. [Applause on the Democratic side.] And in this day it is remarkable that a Member of Congress should say he wants the President to account for how many chandeliers were broken, how much food was consumed, how much was paid for servants, and how much the laundry bill was.

Mr. KNUTSON. And champagne.

Mr. BYRNES of South Carolina. Yes; the gentleman says "and champagne." But there is no justification for the charge that any member of the commission appointed by the President of the United States of America was using public funds to buy champagne. [Applause on the Democratic side.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. DEWALT].

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes.

Mr. DEWALT. Mr. Speaker, I hold no brief for the President of the United States, nor would I in any measure attempt to defeat a resolution having for its purpose an inquiry as to the expenditure of money and the ascertainment of how that money was expended. But there are two ways of doing things which may possibly be equally right, so far as the legal standpoint is concerned, but one of which may be more expedient than the other and more certain in its results. In examining this resolution we find that the President of the United States is requested, if not incompatible with the public interests, to furnish the House of Representatives with a detailed statement. There is left, if you please, the option in the hands of the President to determine as to whether or not it is compatible with the public interests. If this resolution were directed to the different departments, then there could be no question about the matter, and they must furnish the information if they have it.

And I now ask the gentleman who has charge of the resolution, the chairman of the Committee on Appropriations [Mr. GOOD]—I do not know whether he is now present or not—I ask the gentleman, the chairman of the Committee on Appropriations, who has charge of this resolution, whether he would be willing to accept a substitute for this resolution, calling upon the different departments to give itemized statements of the expenditure of this money?

Mr. GOOD. This matter was presented to the Committee on Appropriations and reported out without, as I recall, any suggestion of that kind. This is the first suggestion I have had from any source as to that method.

Mr. DEWALT. That may be so. But I repeat my question, and there should be a categorical answer thereto.

Mr. GOOD. I would say that personally I would not be willing to vote for that kind of an amendment.

Mr. DEWALT. It would attain the same end, gentlemen of the House, and it would be more certain in its results; and when we have an affirmative answer on the part of the chairman of the Committee on Appropriations that he will not consent to it, then I have a fair inference to draw that the purpose of this resolution is to condemn and malign the President of the United States. [Applause on the Democratic side.] If there are two methods of obtaining the same result and one of those methods is seemly and proper and the other method is unseemly and apparently dictated by motives that are not seemly, then I call upon the Republican side of the House to reinforce the argument I present, and ask for the submission of a substitute resolution calling upon the heads of these departments for information. I know it will not be done. The chairman of the Committee on Appropriations having charge of the resolution says he will not do it, and I suppose the rest will follow in his lead.

I have a high regard for the memory of President McKinley. [Applause.] I was one of his ardent admirers throughout his entire course. His sainted memory lives in the history of this country, and his example should be followed by all those who come after him. But there is to-day living a martyr, a man who has been ill for over a year, and now in these very last moments of his incumbency of his office we are presented with a picayune resolution which has for its purpose, as stated by the chairman of the subcommittee, the examination of his laundry bill in Paris [applause]; as to whether or not certain servants were paid at the Hotel de Crillon. Does the gentleman know as a fact that the whole hotel was turned over? Does he know as a fact that these people in the hotel were obliged to go out of business? Does he know as a fact that all of the establishment was taken over by the President of the United States under the authority given him by the powers that be? The gentleman has not mentioned that fact, and yet it is a fact.

Mr. SIMS. A case of suppressio veri.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield five minutes to the gentleman from Texas [Mr. RAYBURN]. [Applause.]

Mr. RAYBURN. Mr. Speaker, the second time I ever voted in my life I was running for office, for a legislative office. I was elected, and I have been elected to a legislative office each succeeding two years since that time. In those 14 years in this body and in another legislative body I have seen some pretty small men and some pretty small performances; but never in those 14 years have I seen as small a performance as that enacted just a few moments ago by the gentleman from Massachusetts [Mr. ROGERS]. [Applause.] Last fall in the campaign in the States to which I went I was surprised and shocked to find that the President's personal life and character were dragged through the mire of slander and that the heart in his emaciated frame was wrung by those awful slanders that were whispered about. I wondered then where they originated. I wonder now if they originated in Massachusetts.

Mr. CARAWAY. No better place!

Mr. RAYBURN. A man in a great legislative body, supposed to be a man here for a great purpose, asks somebody to account for the expense of a laundry bill or a waiter at a table, and then he asks as to the damage to this hotel, what time of the night was it done, when that hotel was occupied by the man holding the highest office in the gift of any people in the world by the vote of the free men and women of the United States of America, and accompanied by those who went there with him to represent this great country. In God's name, when will small men cease this campaign of slander and abuse upon the retiring Chief Executive of this country! [Applause.] The big men of the Republican Party have seldom engaged in this kind of business. [Applause.] They have differed with him upon great policies, but they have not allowed those differences to make them hate the man or stoop to defame his character. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield five minutes to the gentleman from Nebraska [Mr. ANDREWS].

Mr. ANDREWS of Nebraska. Mr. Speaker, the terms of this resolution call upon the President for an itemized statement of the sums named herein, aggregating $150,000,000. In response to some of the comments which have been made, let me say that no subordinate in any department, not even a Cabinet minister, would venture to answer this resolution without the direction of the President, whoever he might be. That is departmental policy. That is the regular method of procedure. A call upon the President under the method of accounting for public funds could expect him to give the allotments that he made to the various departments, so many millions to the War Department, so many millions to the Navy Department, and so on, with the various departments and independent boards and commissions, including the Creel Commission. At that point it becomes the duty of the head of that department or that independent board or commission to direct the preparation of an itemized statement. If it should be the head of the War De-

partment, he would call upon the Auditor for the War Department to furnish a record of the settled accounts for the disbursement of that money. If it should be the head of the Navy Department, he would direct the Auditor for the Navy Department to prepare that itemized statement from the records of the vouchers on file in that office. If it were the Creel Commission or any other independent board or commission, the Auditor for the State and Other Departments would be required to furnish that information.

Now, without entering into a comment or criticism on one side or the other, is it not the proper thing, my friends, to call for a showing of the disbursements of this money and let the records in the files of the auditing offices of the Government answer that question? That is the best defense that the men on the other side of the House can give to the President of the United States. Why, then, should they have any objection to answering this resolution on that ground? I am sure that nobody on this side of the House could ask or will ask for anything more. But on that basis we have a right to know and the country has a right to know how this money was expended. [Applause.]

Mr. GOOD. I have been rather surprised at the attacks that have been made on this resolution. Now, what is the situation? The gentleman from New York [Mr. GOULD] introduced a resolution back in May, 1919, calling upon the President to show the expenditures, not allotments, but expenditures, out of the $150,000,000 that had been appropriated to the President for the national security and defense. The President alone had authority to expend that appropriation. We have printed in full in our report the reports made by the President to date, and all of them. That resolution was not called up because the Secretary to the President offered to furnish the information. But the information furnished is as to allotments and not as to expenditures at all. And so when the gentleman from New York [Mr. GOULD] discovered the outrage that had been perpetrated upon him, and introduced a further resolution last December it was referred to the Committee on Appropriations. Again the matter was sent to the White House, and to this very day, not two years after the appropriation was made, as in the days of McKinley, but almost four years after we appropriated $100,000,000, and almost three and one-half years after we appropriated $50,000,000 more, we find that there is not a report anywhere of the expenditures made by the President.

Mr. FESS. Will the gentleman yield?

Mr. GOOD. In just a minute. I assume that the President is able to make a report, and my Democratic friends, it seems to me that you do him an injustice by the assaults which you have made; because to my mind you have created the impression that there is something crooked about the matter. Why all this noise on the Democratic side of the House, when not a charge has been made on the Republican side of the House that the expenditures have not been regular. The gentleman from Pennsylvania [Mr. DEWALT] says, "Call upon the departments for allotments."

Why, the gentleman must know that according to the last report of the President there is almost $30,000,000 that was never allotted at all, and much of the allotment was made to individuals and not to departments. It seems to me that the Committee on Appropriations, after looking at the matter, as we were compelled to look at it, took the proper course. Where would it leave the situation if we failed to report at all? Here was the resolution simply calling on the President to report what he did with the money. The appropriation was for the President to disburse for the national security and defense, and the President alone was responsible for the correct expenditure of those appropriations. In reporting this resolution I tried to report it the best I could, in as few words as I could, giving the exact facts, and so that no inference of misapplication could be drawn, and when gentlemen on that side of the House, one after another, rise to denounce the fact that some one, a taxpayer of America, a Member of the House, wants to know the details of those expenditures, that fact is regarded as criticism of the President. Oh, my friends, you do not add to the luster of the President by any such performance as you are making by your criticism.

Mr. FESS. Will the gentleman yield?

Mr. GOOD. I will.

Mr. FESS. Was not the appropriation originally made on the condition that an accounting was to be made of the expenditure?

Mr. GOOD. If the gentleman has looked that up; I have not.

Mr. FESS. It was discussed in the House.

Mr. GOOD. Whether the appropriation was made upon that hypothesis or not, the gentleman will, I am sure, agree that when we appropriate large sums of this kind to be expended at the will of some person, even for national security and defense, the people of America want to know, and have a just right to know, for what purpose the money was actually expended, and that is all this resolution does.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. In reply to the gentleman, I think if he will look up the matter he will find that there was nothing in the appropriation requiring a report. But what I want to know is, has this $30,000,000 been expended, and not accounted for? Does the gentleman know whether it was ever drawn from the Treasury?

Mr. GOOD. No; I know nothing about it. That is one of the purposes of the resolution.

Mr. BYRNS of Tennessee. Would not a resolution directed to the Secretary of the Treasury bring the information?

Mr. GOOD. When has it come to the point that this House and this Congress can not call upon its Chief Executive to make an accounting for expenditure by him of an appropriation? [Applause on the Republican side.] You were not so careful about charges against the President of the United States when Theodore Roosevelt and Mr. Taft and William McKinley were Presidents.

Mr. BYRNES of South Carolina. Did anybody ever criticize McKinley?

Mr. GOOD. Oh, yes; I could put pages in the RECORD of denunciation of him by your side of the House.

Mr. BYRNES of South Carolina. In regard to the appropriation of $50,000,000?

Mr. GOOD. No; but at other times when your side denounced McKinley. I have not looked up the RECORD in regard to the report made when McKinley was President, but I say when you raise the question—and I thank God it was not the Republican side of the House that raised it—but the Democratic side of the House that raised the question of propriety of asking the President of the United States a simple question: "Mr. President, you have had appropriated, out of the Treasury of the United States, $150,000,000 for national security and defense. Please report to the American people—the taxpayers who supplied the money—what you did with it." Is there anything wrong about that? That is all this resolution is. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the resolution.

Mr. GOOD. And upon that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 211, nays 79, answered "present" 2, not voting 136, as follows:

YEAS—211.

Ackerman	Elliott	Juul	Nicholls
Almon	Elston	Kearns	Nolan
Anderson	Esch	Keller	Ogden
Andrews, Nebr.	Evans, Mont.	Kelley, Mich.	Olney
Anthony	Evans, Nebr.	Kiess	Osborne
Bankhead	Fairfield	Kinkaid	Overstreet
Bee	Fess	Kleczka	Padgett
Begg	Fish	Kraus	Paige
Benham	Focht	Kreider	Parker
Black	Fordney	Lampert	Parrish
Bland, Ind.	Foster	Lankford	Patterson
Blanton	Freeman	Larsen	Peters
Boies	French	Layton	Purnell
Bowers	Fuller	Lea, Calif.	Quin
Bowling	Glynn	Lehlbach	Radcliffe
Brand	Good	Little	Ramsey
Briggs	Goodall	Longworth	Ramseyer
Brinson	Goodykoontz	Luce	Randall, Wis.
Brooks, Ill.	Graham, Ill.	Lufkin	Ransley
Browne	Green, Iowa	Luhring	Reber
Buchanan	Greene, Mass.	McClintic	Reed, N. Y.
Burdick	Greene, Vt.	McCulloch	Reed, W. Va.
Burke	Griest	McKenzie	Rhodes
Burroughs	Hadley	McKeown	Ricketts
Byrns, Tenn.	Hardy, Colo.	McLaughlin, Mich.	Robsion, Ky.
Campbell, Kans.	Hastings	McLaughlin, Nebr.	Rodenberg
Cannon	Haugen	McLeod	Rogers
Chindblom	Hays	McPherson	Rose
Christopherson	Hernandez	MacGregor	Rowe
Cole	Hersey	Madden	Rucker
Connally	Hickey	Magee	Sanders, Ind.
Cooper	Hicks	Mann, Ill.	Sanders, La.
Crago	Hill	Mapes	Sanders, N. Y.
Cramton	Hoch	Mays	Schall
Crisp	Houghton	Merritt	Scott
Crowther	Howard	Michener	Shreve
Dallinger	Huddleston	Miller	Siegel
Darrow	Hudspeth	Monahan, Wis.	Sinclair
Davis, Minn.	Hulings	Mondell	Sinnott
Denison	Hutchinson	Moore, Ohio	Smith, Idaho
Dickinson, Iowa	Ireland	Moores, Ind.	Smith, Mich.
Dominick	Jefferis	Mott	Snell
Dowell	Johnson, Wash.	Murphy	Snyder
Dunbar	Jones, Pa.	Newton, Minn.	Steenerson
Echols	Jones, Tex.	Newton, Mo.	Stephens, Ohio

Strong, Kans.	Tincher	Walsh	Williams
Summers, Wash.	Tinkham	Walters	Wilson, Ill.
Sumners, Tex.	Towner	Ward	Winslow
Swindall	Vaile	Wason	Wood, Ind.
Temple	Vinson	Watson	Yates
Thompson	Voigt	Webster	Young, N. Dak.
Tilson	Volk	White, Kans.	Zihlman
Timberlake	Volstead	White, Me.	

NAYS—79.

Aswell	Drewry	Lesher	Rubey
Babka	Dupré	Linthicum	Sims
Barbour	Eagan	McDuffie	Sisson
Barkley	Fields	Major	Smithwick
Bland, Va.	Fisher	Martin	Stedman
Box	Flood	Milligan	Stephens, Miss.
Byrnes, S. C.	Garrett	Minahan, N. J.	Stevenson
Caldwell	Godwin, N. C.	Montague	Tague
Campbell, Pa.	Griffin	Nelson, Mo.	Taylor, Colo.
Cantrill	Hardy, Tex.	O'Connell	Tillman
Caraway	Hoey	O'Connor	Upshaw
Carss	Hull, Tenn.	Oldfield	Venable
Carter	Humphreys	Oliver	Watkins
Cleary	Igoe	Park	Weaver
Coady	Jacoway	Phelan	Welling
Collier	James, Va.	Rainey, Henry T.	Wilson, La.
Curry, Calif.	Johnson, Miss.	Raker	Wingo
Davis, Tenn.	Lanham	Rayburn	Wright
Dewalt	Lazaro	Romjue	Young, Tex.
Drane	Lee, Ga.	Rouse	

ANSWERED "PRESENT"—2.

Butler Knutson

NOT VOTING—136.

Andrews, Md.	Ellsworth	Kettner	Riordan
Ashbrook	Emerson	Kincheloe	Robinson, N. C.
Ayres	Evans, Nev.	King	Rowan
Bacharach	Ferris	Kitchin	Sabath
Baer	Frear	Langley	Sanford
Bell	Gallagher	Lonergan	Scully
Benson	Gallivan	McAndrews	Sears
Bland, Mo.	Gandy	McArthur	Sells
Britten	Ganly	McFadden	Sherwood
Brooks, Pa.	Gard	McGlennon	Slemp
Brumbaugh	Garner	McKinley	Small
Candler	Goldfogle	McKinley	Smith, Ill.
Carew	Goodwin, Ark.	McLane	Smith, N. Y.
Casey	Gould	Maher	Steagall
Clark, Fla.	Graham, Pa.	Mann, S. C.	Steele
Clark, Mo.	Hamill	Mansfield	Stiness
Classon	Hamilton	Mason	Stoll
Copley	Harreld	Mead	Strong, Pa.
Costello	Harrison	Moon	Sullivan
Cullen	Hawley	Mooney	Sweet
Currie, Mich.	Hayden	Moore, Va.	Swope
Dale	Hersman	Morin	Taylor, Ark.
Davey	Holland	Mudd	Taylor, Tenn.
Dempsey	Hull, Iowa	Neely	Thomas
Dent	Husted	Nelson, Wis.	Treadway
Dickinson, Mo.	James, Mich.	Pell	Vare
Donovan	Johnson, Ky.	Perlman	Vestal
Dooling	Johnson, S. Dak.	Porter	Welty
Doremus	Johnston, N.Y.	Pou	Whaley
Doughton	Kahn	Rainey, Ala.	Wheeler
Dunn	Kelly, Pa.	Rainey, John W.	Wilson, Pa.
Dyer	Kendall	Randall, Calif.	Wise
Eagle	Kennedy, Iowa	Reavis	Woods, Va.
Edmonds	Kennedy, R. I.	Riddick	Woodyard

So the resolution was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BUTLER with Mr. STEELE.

Mr. HARRELD with Mr. FERRIS.

Mr. TREADWAY with Mr. CLARK of Missouri.

Mr. FREAR with Mr. SHERWOOD.

Mr. GOULD with Mr. HAYDEN.

Mr. KAHN with Mr. DICKINSON of Missouri.

Mr. ANDREWS of Maryland with Mr. NEELY.

Mr. SWEET with Mr. MOORE of Virginia.

Mr. NELSON of Wisconsin with Mr. EAGLE.

Mr. KENNEDY of Iowa with Mr. WELTY.

Mr. STRONG of Pennsylvania with Mr. MCLANE.

Mr. TAYLOR of Tennessee with Mr. TAYLOR of Arkansas.

Mr. MCFADDEN with Mr. DONOVAN.

Mr. GRAHAM of Pennsylvania with Mr. HARRISON.

Mr. SWOPE with Mr. MEAD.

Mr. SMITH of Illinois with Mr. MCANDREWS.

Mr. PORTER with Mr. GARNER.

Mr. MUDD with Mr. HOLLAND.

Mr. DUNN with Mr. MAHER.

Mr. ELLSWORTH with Mr. SABATH.

Mr. LANGLEY with Mr. CULLEN.

Mr. DYER with Mr. KINCHELOE.

Mr. RIDDICK with Mr. DOOLING.

Mr. KELLY of Pennsylvania with Mr. STEAGALL.

Mr. HULL of Iowa with Mr. ROWAN.

Mr. BACHARACH with Mr. CASEY.

Mr. CLASSON with Mr. ROBINSON of North Carolina.

Mr. MCKINLEY with Mr. AYRES.

Mr. BAER with Mr. GOLDFOGLE.

Mr. JOHNSON of South Dakota with Mr. SEARS.

Mr. SLEMP with Mr. WILSON of Pennsylvania.

Mr. HAMILTON with Mr. SMALL.

Mr. BRITTEN with Mr. MANSFIELD.

Mr. NEELY. Mr. Speaker, I was not present, but I desire to say that if I had been, I would have voted "nay."

Mr. KING. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman present, listening, when his name was called?

Mr. KING. I was in the gallery with some constituents.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. BUTLER. Mr. Speaker, I have a general pair with the gentleman from Pennsylvania, Mr. STEELE. This seems to be a party question. I desire to withdraw my vote of "yea" and answer "present."

The name of Mr. BUTLER was called, and he answered "Present."

Mr. KNUTSON. Mr. Speaker, I am paired with the gentleman from Georgia, Mr. BELL. I withdraw my vote of "yea" and desire to be recorded "present."

The name of Mr. KNUTSON was called, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. GOOD, a motion to reconsider the vote by which the resolution was passed was laid on the table.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that House resolution 14, which is a similar resolution, reported to the House on September 2 last, do lie on the table.

The SPEAKER. The gentleman from Iowa asks unanimous consent that House resolution 14 lie on the table. Is there objection?

Mr. GARRETT. Mr. Speaker, reserving the right to object, may I ask the gentleman from Iowa if this is a similar resolution?

Mr. GOOD. It is a similar resolution in many respects, not quite so much in detail as the resolution which has just been adopted.

Mr. GARRETT. Are we to understand from the gentleman's request that this resolution lie on the table, that the performance through which we have just gone is the last official insult that a mad majority intends to offer to the President of the United States, or are there other shocks in store for us?

Mr. GOOD. Mr. Speaker, the request that this resolution lie on the table is the ordinary, parliamentary procedure. It is not offered as an insult nor was the resolution just passed by the House offered as an insult to the President of the United States.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

FIVE CIVILIZED TRIBES.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return without my signature H. R. 517, entitled "An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914," because it seems to me to reduce the number of safeguards thrown around the property of our Indians, when there is no apparent necessity for doing so.

WOODROW WILSON.

THE WHITE HOUSE,
15 February, 1921.

Mr. SNYDER. Mr. Speaker, I move that the veto message, with accompanying papers, be referred to the Committee on Indian Affairs.

The motion was agreed to.

FIRST NATIONAL BANK OF NEW CARLISLE, IND.

The SPEAKER also laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I am returning herewith, without my signature, H. R. 8881, An Act for the relief of the First National Bank of New Carlisle, Indiana. This measure, if it became law, would appropriate out of the Public Treasury the sum of $923.25 to pay the First National Bank of New Carlisle for war savings stamps and thrift stamps stolen from the bank. It would transfer to the United States the risk of loss on unregistered stamps for which the bank was responsible and which it held in its own custody at its own risk. It would involve the use of public funds to relieve a private banking institution of the consequences of its own misfortune. The stamps in question were unregistered and could not be identified, so that in any event

the provision of the bill for a bond of indemnity to secure the United States would presumably be futile. I am convinced that there is no equity in the bank's claim against the United States, that the appropriation contemplated is not justified by any public purpose, and that a bad precedent would be established if the measure became a law.

WOODROW WILSON.

THE WHITE HOUSE,
15 February, 1921.

Mr. MONDELL. Mr. Speaker, I move the reference of the President's message and accompanying papers to the Committee on Claims.

The motion was agreed to.

MRS. WILLIAM B. RYAN.

The SPEAKER also laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith, without my approval, H. R. 13600, an act authorizing the Secretary of the Treasury "to pay, out of any moneys in the Treasury not otherwise appropriated, to Mrs. William B. Ryan, the sum of $50.00, the amount lost by her by the theft of same from registered mails sent to her son, Private William E. Ryan, Battery D, 16th Field Artillery."

This measure would afford to a particular individual relief which has not been extended to others having similar claims, the number of which is quite large. It is not claimed that the loss was occasioned through any fault or negligence of the postal authorities.

In view of the foregoing it is not believed that the approval of the act under consideration would serve the best interest of the public, especially as such approval would establish a precedent that would doubtless result in the presentation of many similar claims equally meritorious.

WOODROW WILSON.

THE WHITE HOUSE,
18 February, 1921.

Mr. MONDELL. Mr. Speaker, I move a reference of the message and accompanying papers to the Committee of Claims.

The motion was agreed to.

FIRST STATE BANK OF KERRVILLE, TEX.

The SPEAKER also laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I am returning herewith, without my signature, H. R. 7050, An act for the relief of the First State Bank of Kerrville, Kerr County, State of Texas. This measure, if it became law, would appropriate out of the Public Treasury the sum of $494.91 to pay the First State Bank of Kerrville for war savings stamps or certificates lost in transit from the bank to the Federal reserve bank of Dallas, Texas. It would transfer to the United States the risk of loss on unregistered securities for which the Kerrville bank was responsible and which it shipped at its own risk by unregistered mail without insurance. It would involve the use of public funds to relieve a private banking institution of the consequences of its own oversight or negligence. The securities in question were unregistered and could not be identified, so that in any event the provision of the bill for a bond of indemnity to secure the United States would presumably be futile. I am convinced that there is no equity in the bank's claim against the United States, that the appropriation contemplated is not justified by any public purpose, and that a bad precedent would be established if the measure became law.

WOODROW WILSON.

THE WHITE HOUSE,
15 February, 1921.

Mr. MONDELL. Mr. Speaker, I move a reference of the message and accompanying papers to the Committee on Claims.

The motion was agreed to.

CALENDAR WEDNESDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with business in order on Calendar Wednesday, to-morrow.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to dispense with business in order on Calendar Wednesday, to-morrow. Is there objection?

Mr. BARKLEY. Mr. Speaker, reserving the right to object, what does the gentleman purpose to bring up to-morrow?

Mr. MONDELL. The fortification appropriation bill.

Mr. YOUNG of Texas. Mr. Speaker, further reserving the right to object, is it the intention of the gentleman to try to force that measure through so that we can then take up the packers' bill?

Mr. MONDELL. We hope to pass the fortification appropriation bill promptly.

Mr. YOUNG of Texas. And does the gentleman then expect to take up the packers' bill?

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

INCREASE OF FORCE AND SALARIES IN THE PATENT OFFICE—CONFERENCE REPORT.

Mr. NOLAN. Mr. Speaker, I call up the conference report upon the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, and ask that the conference report be read.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 50, and 52.

That the House recede from its disagreement to the amendment of the Senate numbered 51 and to the title of the bill, and agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"SEC. 7. That section 4921 of the Revised Statutes be, and the same is hereby, amended to read as follows:

"'SEC. 4921. The several courts vested with jurisdiction of cases arising under the patent laws shall have power to grant injunctions according to the course and principles of courts of equity, to prevent the violation of any right secured by patent, on such terms as the court may deem reasonable; and upon a decree being rendered in any such case for an infringement the complainant shall be entitled to recover, in addition to the profits to be accounted for by the defendant, the damages the complainant has sustained thereby, and the court shall assess the same or cause the same to be assessed under its direction. If on the proofs it shall appear that the complainant has suffered damage from the infringement or that the defendant has realized profits therefrom to which the complainant is justly entitled, but that such damages or profits are not susceptible of calculation and determination with reasonable certainty, the court may, on evidence tending to establish the same, in its discretion, receive opinion or expert testimony, which is hereby declared to be competent and admissible, subject to the general rules of evidence applicable to this character of testimony; and upon such evidence and all other evidence in the record the court may adjudge and decree the payment by the defendant to the complainant of a reasonable sum as profits or general damages for the infringement: *Provided*, That this provision shall not affect pending litigation. And the court shall have the same power to increase such damages, in its discretion, as is given to increase the damages found by verdicts in actions in the nature of actions of trespass upon the case; but in any suit or action brought for the infringement of any patent there shall be no recovery of profits or damages for any infringement committed more than six years before the filing of the bill of complaint or the issuing of the writ in such suit or action, and this provision shall apply to existing causes of action. And it shall be the duty of the clerks of such courts within one month after the filing of any action, suit, or proceeding arising under the patent laws to give notice thereof in writing to the Commissioner of Patents, setting forth in order so far as known the names and addresses of the litigants, names of the inventors, and the designating number or numbers of the patent or patents upon which the action, suit, or proceeding has been brought, and it shall be the duty of the Commissioner of Patents on receipt of such notice forthwith to indorse the same upon the file wrapper of the said patent or patents and to incorporate the same as a part of the contents of said file or file wrapper; and for each notice required to be furnished to the Commissioner of Patents in compliance herewith a fee of 50 cents shall be taxed by the clerk as costs of suit.'"

And the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53,

and agree to the same with an amendment as follows: In lieu of the matter proposed to be striken out by the Senate amendment insert the following:

"SEC. 10. That the provisions of section 4934 as herein amended shall take effect July 1, 1921, with reference to the fee for issuing an original patent, and shall apply only to patents issued on applications filed after that date. The fees for issuing original patents on all other applications shall be as now provided by law."

And the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 11. That the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment of, on behalf of the United States, under such regulations and in such manner as the President shall prescribe, inventions, patents, and patent rights which said commission deems it to the advantage of the public to be so accepted, as these may from time to time be tendered it by employees of the various departments or other establishments of the Government except employees of the Patent Office, and to cooperate, as necessity may arise, with scientific or other agencies of the Government in the discharge of the duties herein set out, and the Federal Trade Commission is hereby authorized and empowered to license and collect fees and royalties for licensing said inventions, patents, and patent rights in such amounts and in such manner as the President shall direct, and shall deposit the same with the Treasurer of the United States; and of the total amount of such fees and royalties so deposited a certain per cent, to be determined by the President, shall be reserved, set aside, and appropriated as a special fund to be disbursed as directed by the President to remunerate inventors for such of their inventions, patents, and patent rights contemplated by this section as may prove meritorious and of public benefit: *Provided*, That nothing herein shall be construed to give to said commission or any other governmental agency any authority to engage in the manufacture of any such invention or patented article.

"The Commissioner of Patents is hereby directed to grant all patents and record all assignments and licenses contemplated by this section without the payment of any fee."

And the Senate agree to the same.

JOHN I. NOLAN,
FLORIAN LAMPERT,
EWIN L. DAVIS,
Managers on the part of the House.
G. W. NORRIS,
W. F. KIRBY,
Managers on the part of the Senate.

STATEMENT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 50, and 52.

That the House recede from its disagreement to amendment No. 49, and agree to the same with the amendments as follows:

Page 8, line 19, strike out the word "exact" where it appears.

Line 20, after the finish of the word "determination," which appears on line 19, insert the following: "with reasonable certainty."

Page 9, line 2, strike out the word "royalty" and insert the word "profits."

Page 9, line 3, after the period following the word "infringement," insert the following:

"*Provided*, That this provision shall not affect pending litigation."

That the House recede from its disagreement to the amendment of the Senate No. 51, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate No. 53 with an amendment as follows:

Page 11, line 25, strike out "1920" and insert "1921."

That the House recede from its disagreement to the amendment of the Senate No. 54, and agree to the same with an amendment as follows:

Page 12, line 12, after the word "Government," insert the following: "except employees of the Patent Office."

JOHN I. NOLAN,
FLORIAN LAMPERT,
EWIN L. DAVIS,
Managers on the part of the House.

Mr. NOLAN. Mr. Speaker, this is the bill, with Senate amendments thereto, which was passed by the House early in the present Congress. The Senate recedes from its amendments Nos. 1 to 48, inclusive, on the salary and personnel section of the bill, which leaves the bill in exactly the condition, so far as salaries and the number of employees in the Patent Office are concerned, as it was when it passed the House.

Amendment No. 49 relates to section 7, the damage section of the bill, as it passed the House. The Senate has receded from its amendment, with certain amendments, the nature of which will be explained to the House by the gentleman from Tennessee [Mr. DAVIS]. Senate amendment No. 50 is a numbering amendment, and Senate amendment No. 51, which the House conferees agreed to, provides by statute for the increase in the price of copies, which legislation was carried in an appropriation bill some time ago, and it provides further that the Commissioner of Patents may supply public libraries with such copies as are published for $50 per annum, and further provides that the Commissioner of Patents may exchange copies of United States patents for those of foreign countries.

Senate amendment No. 52 is a renumbering amendment, and Senate amendment No. 53 provides for the time of the taking effect of provisions of the act in regard to the increase in fees.

Senate amendment 54, the so-called Federal Trade Commission section, was put on in the Senate, but is somewhat similar to a House bill considered by the Committee on Patents of the House and reported out and which is now on the calendar. The original Senate bill was also considered by the Committee on Patents and reported out. Five conferees have agreed upon this amendment. I would like to say, Mr. Speaker and Members of the House, that this section vests authority in the Federal Trade Commission to accept assignment of patents made by Government employees except employees of the Patent Office. The present law prohibits any employee of the Patent Office from taking out any patent or having any interest in any patent whatsoever conceived or originated or devised during his term of service with the Government of the United States, and we put in a proviso to the Senate amendment that preserves the statute as it is written at the present time. Now, the situation is this: There has been a good deal of opposition to this particular section. Some very influential gentlemen appeared before the conferees fearful of the consequences of it. The conferees figured, however, that the Government of the United States and the people of the United States are entitled to some consideration as far as patents that we are responsible for are concerned. In other words, I take as an illustration: Down in the Department of Agriculture the Bureau of Chemistry is continually engaged in scientific research, with great benefit to the agricultural interests of the country. Under the present law when one of the scientists down there who might make a great discovery takes out a patent the Government of the United States has got certain rights in relation to the patent as far as it applies to Government work, but as far as commercial rights are concerned the individual is the sole arbiter of those rights. If some gentleman down there should discover some way of extracting nitrate different from what we have at the present time, it might be of great benefit to the agricultural interests of the country, but the Government could only use them as far as its experimental work was concerned on its experimental stations and farms.

The particular individual under the present law would be permitted to take all of the commercial rights, and there would be absolutely no control over the price of the discovery, but we feel that, taking that as an illustration and applying that to all patents conceived and made with Government money in Government laboratories and in Government time, the Government of the United States ought to create some sort of an agency to administer and to license them and to get some royalty from it and be in a position to reward inventors in the Government service for their work in addition to their regular salary. Now, take an illustration to see how this thing will work out. During the war the Alien Property Custodian took over a great many enemy patents and processes. I have one particularly in mind. The illustration was given to the conferees by a gentleman connected with the Federal Trade Commission who had charge of licenses with reference to the drug salvarsan. Up to the time the Federal Trade Commission took

hold of that the Government was unable to get supplies at any sort of a reasonable price, but after they took hold of it through the licensing system they regulated the price of that drug that was so necessary to the Army during the war and so necessary to the medical profession, so that everybody realized a fair profit, and yet the price was within the reach of everybody. Now, this section vests in the Federal Trade Commission the right to administer Government patents and the right to say who shall have the use of those patents as far as commercial activities are concerned, where the inventor surrenders the patent to the Government and all of his rights thereto.

Mr. Speaker, I yield 15 minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. McCLINTIC. Mr. Speaker, I think we ought to have a quorum here. This is a very important matter.

The SPEAKER. It is quite clear that there is no quorum present.

ADJOURNMENT.

Mr. NOLAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 16, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV,

414. A letter from the Governor of the Federal Reserve Board, transmitting seventh annual report of the Federal Reserve Board covering operations for the year 1920, was taken from the Speaker's table and referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DALLINGER, from the Committee on Elections No. 1, submitted a report (No. 1325) on the contested election case of John R. Farr *v.* Patrick McLane, which report was referred to the House Calendar.

Mr. SLEMP, from the Committee on Appropriations, to which was referred the bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes, reported the same without amendment, accompanied by a report (No. 1326), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14850) to declare Bayou Cocodrie nonnavigable from its source to its junction with Bayou Chicot, reported the same without amendment, accompanied by a report (No. 1327), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15965) to extend the time for the construction of a bridge across Pearl River, between Pearl River County, Miss., and Washington Parish, La., reported the same without amendment, accompanied by a report (No. 1328), which said bill and report were referred to the House Calendar.

Mr. MERRITT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4897) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended, reported the same with an amendment, accompanied by a report (No. 1329), which said bill and report were referred to the House Calendar.

Mr. WILSON of Louisiana, from the Committee on Flood Control, to which was referred the bill (H. R. 16064) directing the Mississippi River Commission to make an examination and survey of the Atchafalaya, Red, and Black Rivers, and to report plan for protection of their basins from flood waters of the Mississippi River, reported the same without amendment, accompanied by a report (No. 1331), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 15755) granting a pension to Dorothy H. Volk, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SLEMP: A bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. RHODES: A bill (H. R. 16101) fixing a duty on crude barytes ore, barium sulphate, barium chemicals, and barium compounds; to the Committee on Ways and Means.

Also, a bill (H. R. 16102) to provide a tariff and to obtain revenue in connection with cobalt, oxide of, and repealing existing laws fixing the rate of duty on such commodity; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: A bill (H. R. 16103) authorizing the Secretary of War to donate to the village of Olivet, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DENT: Resolution (H. Res. 685) to pay Gertrude I. Jemison, clerk to the late Hon. Fred L. Blackmon, one month's salary; to the Committee on Accounts.

By Mr. WINSLOW: Resolution (H. Res. 686) providing for the appointment of Thomas F. Farrell as a special messenger; to the Commmittee on Accounts.

By Mr. BARBOUR: Memorial of the Legislature of the State of California relative to the tariff on citrus fruits; to the Committee on Ways and Means.

By Mr. RAKER: Memorial of the Legislature of the State of California relative to imposing temporary duties upon certain agricultural products to meet present emergencies; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California relative to the protection of the dairy industry; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California relative to the protection of citrus fruits and their by-products; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California relative to the passage of the World War adjusted compensation act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California relative to the indorsement of the McFadden gold excise bill and to conserve the gold resources of the United States; to the Committee on Ways and Means.

By Mr. RAMSEYER: Memorial from the Legislature of the State of Iowa calling upon Congress to so amend the transportation act that the authority of the States over intrastate traffic in their respective territories will be maintained without an opportunity for misinterpretation; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 16104) granting a pension to Loretta J. Rhoads; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5792. By Mr. BABKA: Petition of the City Council of Cleveland, Ohio, protesting against the passage of the immigration bill (H. R. 14461); to the Committee on Immigration and Naturalization.

5793. By Mr. CLASSON: Petition of citizens of De Pere, Wis., protesting against the Smith-Towner educational bill; to the Committee on Education.

5794. By Mr. COSTELLO: Petition of citizens of the northeastern section of Philadelphia, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5795. By Mr. CURRY of California: Petition of Miss Florence J. Callahan, secretary Grace Institute, Sacramento, Calif., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5796. By Mr. DARROW: Petition of the City Council of Philadelphia, Pa., requesting the selection of Independence Square, Philadelphia, for the burial of one of America's unknown dead who made the supreme sacrifice during the World War; to the Committee on Military Affairs.

5797. By Mr. EMERSON: Petition of Local Union, No. 73, of the National Federation of Federal Employees relative to the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

5798. By Mr. ESCH: Petition of the Tri-State Development Congress, at a meeting held at St. Paul, Minn., relative to flood protection, navigation, and water power; to the Committee on Rivers and Harbors.

5799. Also, petition of the City Council of Philadelphia, Pa., asking that the city of Philadelphia be selected as a place of burial for one of America's unknown dead; to the Committee on Military Affairs.

5800. By the SPEAKER (by request): Petition of Local Union, No. 73, of the National Federation of Federal Employees, Cleveland, Ohio, favoring the passage of House bill 15746 and Senate bill 4839; to the Committee on the Merchant Marine and Fisheries.

5801. By Mr. LAMPERT: Petition from citizens of St. Nazianz, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5802. Also, resolution from the St. Joseph Benevolent Society, Fond du Lac, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5803. Also, resolution from Catholic Order of Foresters, of Two Rivers, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5804. By Mr. MICHENER: Petition of the New Michigan Loan and Building Association, of Jackson, Mich., referring to amendments to the income tax; also petition of the Michigan Potato Producers' Association, in reference to the tariff on potatoes; to the Committee on Ways and Means.

5805. By Mr. MOONEY: Petition of the Chamber of Commerce of Columbus, Ohio, protesting against any reduction in appropriation asked by the Bureau of Foreign and Domestic Commerce as approved in House bill 15543; to the Committee on Appropriations.

5806. Also, petition of Local Union, No. 73, of the National Federation of Federal Employees, Cleveland, Ohio, favoring House bill 15746 and Senate bill 4839; to the Committee on the Merchant Marine and Fisheries.

5807. By Mr. O'CONNELL: Petition of members of the parish of the Holy Child Jesus, of Richmond Hill, N. Y., protesting against the Smith-Towner bill; to the Committee on Education.

5808. Also, petition of City County of Philadelphia, Pa., requesting that one of America's unknown dead may be buried in Independence Square, Philadelphia; to the Committee on Military Affairs.

5809. Also, petition of the Viking Ship & Marine Works, of Brooklyn, N. Y., asking that the inland waterways be improved; to the Committee on Rivers and Harbors.

5810. By Mr. OLNEY: Memorial of Quincy Council, Knights of Columbus, Quincy, Mass., in opposition to Smith-Towner bill; to the Committee on Education.

5811. By Mr. OSBORNE: Memorial of Mrs. Julia H. Schedin, 1038, Canal Avenue, Wilmington, Calif., and 47 other citizens of Wilmington, Calif., in opposition to the passage of bill (H. R. 12652) to provide for the promotion of physical education in the United States through cooperation with the States in the preparation and payment of supervisors and teachers of physical education, including medical examiners and school nurses, to appropriate money and regulate its expenditure, and for other purposes; to the Committee on Education.

5812. By Mr. SINCLAIR: Petition of Minot (N. Dak.) Council of the Knights of Columbus, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5813. By Mr. SINNOTT: Petition of Central Labor Council of Klamath Falls, Oreg., to remove restrictions in trade with soviet Russia; to the Committee on Foreign Affairs.

5814. By Mr. SNELL: Petition of sundry citizens of Edwards, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5815. Also, petition of Plattsburg Council, No. 255, Knights of Columbus, of Plattsburg, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5816. Also, petition of sundry citizens of Lyon Mountain, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5817. By Mr. TAGUE: Petition of Massachusetts State Federation of Women's Clubs, Boston, Mass., indorsing House bill 15228; to the Committee on Reform in the Civil Service.

5818. Also, petition of Rev. Joseph J. Smith, of Boston, Mass., opposing Smith-Towner bill; also, from Frederick N. Barbour, on same subject; to the Committee on Education.

5819. Also, petition of President George S. Mumford, Commonwealth Trust Co., of Boston, Mass., favoring passage of the Nolan bill (H. R. 15662); to the Committee on Patents.

5820. Also, letter from department of conservation, Commonwealth of Massachusetts, on gypsy-moth suppression; to the Committee on Appropriations.

5821. By Mr. TEMPLE: Petition of Lawrence County Sheep and Wool Growers' Association, New Castle, Pa., opposing any change in the standard time and supporting the "truth in fabrics" bill; to the Committee on Interstate and Foreign Commerce.

5822. Also, petition of the Beaver County Federation of Catholic Societies; Ladies' Catholic Benevolent Association, Branch No. 782, of Charleroi; and Rev. H. Geibel, of Donora, Pa., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5823. Also, petition of the Retail Lumber Dealers' Association of Pennsylvania, Pittsburgh, Pa., opposing a duty on lumber imported from Canada; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *February 16, 1921.*

(Legislative day of Monday, February 14, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

GREAT FALLS WATER-POWER PROJECT (S. DOC. NO. 403).

The PRESIDING OFFICER (Mr. CURTIS) laid before the Senate a report of the chairman of the Federal Power Commission, submitting, pursuant to law, plans and estimates of cost necessary to secure an increased and adequate water supply for the District of Columbia, which, with the accompanying papers and plans, was referred to the Committee on Commerce, and it was ordered to be printed.

SUPPLEMENTAL ESTIMATE, BUREAU OF EFFICIENCY (S. DOC. NO. 399).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Chief of the Bureau of Efficiency submitting a supplemental estimate of appropriation in the sum of $20,000 required by the Bureau of Efficiency for salaries and expenses for the fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

OLYMPIC NATIONAL FOREST, WASH. (S. DOC. NO. 402).

The PRESIDING OFFICER laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of Agriculture, submitting a supplemental estimate of appropriation in the sum of $100,000 required by the Department of Agriculture for disposal and protection from fire of the timber on Olympic National Forest, Wash., fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

ACCOUNTS OF TREASURER OF UNITED STATES (S. DOC. NO. 400).

The PRESIDING OFFICER laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting an estimate of appropriation in the sum of $15,956 required by the Treasury Department to enable the proper accounting officers of the Treasury to credit said sum in the accounts of the Treasurer of the United States, that amount being now carried in the accounts of the office of the Assistant Treasurer of the United States at Boston, Mass., which was referred to the Committee on Appropriations and ordered to be printed.

JUDGMENTS BY COURT OF CLAIMS (S. DOC. NO. 398).

The PRESIDING OFFICER laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims amounting to $65,698.94, which was referred to the Committee on Appropriations and ordered to be printed.

CLAIM DUE THE AMERICAN EXPRESS CO. (S. DOC. NO. 401).

The PRESIDING OFFICER laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting an estimate of appropriation in the sum of $470.80 due the American Express Co. for transportation of currency, which was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. HALE presented a joint resolution of the Legislature of Maine, which was referred to the Committee on Public Lands, as follows:

STATE OF MAINE, 1921.

Joint resolution by the Senate and House of Representatives of the Eightieth Legislature of the State of Maine, favoring the establishment and maintenance by the United States Government of a forest experiment station on the White Mountain National Forest in the State of New Hampshire.

Whereas the problem of conservative management of forests and forest lands and the reforestation of the waste lands of this State and other New England States is of great importance to the people of New England; and

Whereas there is now pending before Congress a bill entitled "A bill for the establishment and maintenance of a forest experiment station on the White Mountain National Forest in the State of New Hampshire," having for its purpose the establishment by the United States Government of such an experiment station for the purpose of conducting the experiments and investigations pertaining to forestry in the New England States: Therefore

Resolved, First, that it is the earnest wish of the Legislature of the State of Maine that the pending bill hereinbefore mentioned be enacted, and our Senators and Representatives in Congress are requested to use all reasonable efforts to obtain its enactment.

Second, that the secretary of state be requested to forward an attested copy of these resolutions to both the Senate and House of Representatives of the Congress now in session and to our Senators and Representatives therein.

In senate chamber January 27, 1921, read and passed; sent down for concurrence.

L. ERNEST THORNTON, *Secretary*.

House of representatives, February 1, 1921, read and adopted in concurrence.

CLYDE R. CHAPMAN, *Clerk*.

UNITED STATES OF AMERICA,
STATE OF MAINE, OFFICE OF SECRETARY OF STATE.

I, Frank W. Ball, secretary of state of the State of Maine, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of joint resolution of the Senate and House of Representatives of the State of Maine in legislature assembled, with the original thereof, and that it is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have caused the seal of the State to be hereunto affixed. Given under my hand at Augusta, this 14th day of February, in the year of our Lord 1921 and in the one hundred and forty-fifth year of the Independence of the United States of America.

[SEAL.] FRANK W. BALL,
Secretary of State.

Mr. THOMAS. I desire to present a telegram from the Denver Civic and Commercial Association which embodies a resolution protesting against the establishment of further administrative bureaus or commissions. I regard it as one of the most sensible and conservative resolutions that have been passed in recent times by any commercial organization. I ask that the telegram may be printed in the RECORD.

There being no objection, the telegram was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

DENVER, COLO., *February 12, 1921.*

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

The board of directors of the Denver Civic and Commercial Association, at their regular meeting on Thursday, February 10, adopted the following resolution:

"*Resolved*, That we oppose the establishment of further administrative bureaus or commissions, National, State, or local, and urge that new legislation shall control by fixed rule of law applying alike to all and enforceable in the ordinary courts of justice."

DENVER CIVIC AND COMMERCIAL ASSOCIATION,
By ARTHUR J. DODGE, *Business Manager.*

Mr. PHIPPS presented a telegram in the nature of a memorial from the Denver Civic and Commercial Association, of Denver, Colo., opposing the establishment of further administrative bureaus or commissions, National, State, or local, which was referred to the Committee on Appropriations.

Mr. MYERS presented a memorial of sundry citizens of Gallatin County, Mont., remonstrating against the enactment of legislation increasing the duty on wrapper tobacco, which was referred to the Committee on Finance.

Mr. TOWNSEND presented a resolution of the Polar Bear Post, Veterans of Foreign Wars, No. 436, of Detroit, Mich., favoring legislation restricting the immigration of aliens, which was ordered to lie on the table.

He also presented memorials of the Home Culture Club, of Jackson; sundry citizens of Sandstone; the Women's Literary Club, of Pontiac, all in the State of Michigan, remonstrating against the enactment of legislation commercializing national parks, which were referred to the Committee on Commerce.

He also presented memorials of sundry citizens of Charlevoix; Newberry Study Club, of Newberry; Grand Traverse Council, No. 1213, Knights of Columbus, of Traverse City; Richard Council of Knights of Columbus, of Lansing, all in the State of Michigan, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a petition of the Civic and Commercial Association of Sault Ste. Marie, Mich., favoring an amendment to the seaman's act relative to traffic on the Great Lakes, which was referred to the Committee on Commerce.

He also presented a resolution of the Kiwanis Club, of Kalamazoo, Mich., favoring legislation providing for consolidation of the Bureau of War Risk Insurance, the Rehabilitation Section of the Public Health Service, and the Federal Board for Vocational Education; providing adequate appropriations for the bureau charged with caring for disabled ex-service men; and appropriations to build necessary hospitals, which was referred to the Committee on Finance.

He also presented a resolution of the New Michigan Building & Loan Association, of Jackson, Mich., favoring legislation exempting the earnings of members of cooperative building and loan associations from income tax up to an amount of $500 per year, which was referred to the Committee on Finance.

He also presented a resolution of the Michigan Potato Producers' Association, of East Lansing, Mich., favoring legislation placing a protective tariff on potatoes imported into the United States, which was referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a resolution of the Women's Literary Club, of Pontiac, Mich., protesting against commercializing the national parks, which was referred to the Committee on Commerce.

He also (for Mr. NEWBERRY) presented a resolution of the New Michigan Building & Loan Association, of Jackson, Mich., favoring legislation exempting the earnings of members of cooperative building and loan associations from income tax up to an amount of $500 per year, which was referred to the Committee on Finance.

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He also (for Mr. NEWBERRY) presented a resolution of the Michigan Potato Producers' Association, of East Lansing, Mich., favoring legislation placing a protective tariff on potatoes imported into the United States, which was referred to the Commitee on Finance.

He also (for Mr. NEWBERRY) presented memorials of Midland Council, No. 2141, Knights of Columbus, of Midland; St. Francis Branch of the Holy Name Society, of Grand Rapids; Marquette Council, No. 689, Knights of Columbus, of Marquette; Newberry Study Club, Newberry; Alpena Council, Knights of Columbus, of Alpena; Catholic Study Club, of Detroit; officers and sundry members of St. Anthony Court, No. 700, Catholic Order of Foresters, of Calumet; and St. Joseph's Branch, No. 413, Ladies' Catholic Benevolent Association, of Port Huron; all in the State of Michigan, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. KENDRICK presented a resolution of the Rotary Club of Casper, Wyo., favoring united action by the United States and other Christian Governments to stop Turkish atrocities, which was referred to the Committee on Foreign Relations.

Mr. WILLIS presented a petition of sundry citizens of Urbana, Ohio, praying for recognition of the independence of Ireland, which was referred to the Committee on Foreign Relations.

He also presented memorials of Dover Council No. 1973, Knights of Columbus, of Dover; Rev. W. C. Zierolf, of Sandusky; Rev. Nicholas Pfeil, St. Peter's Rectory, Cleveland; Greenville Council, No. 1796, Knights of Columbus, of Greenville; sundry citizens of North Bend Road, Cincinnati; Rev. John Gnal and church committee, of Greenville; Mrs. Robert J. Schock, president Notre Dame Alumnæ, of Hamilton; sundry citizens of Greenville; St. Henry Branch, No. 751, Catholic Knights of America, of St. Henry; sundry members of St. John's Catholic Club, of Cleveland; Catholic Ladies of Columbia, Branch No. 130; St. Anthony's Ladies Aid Society and Our Lady of Lourdes Church, of Marysville; Council No. 386, Knights of Columbus, of Toledo; Joseph A. Tettzlaff, president University of Dayton, of Dayton; and Thomas Meyer, president Board of Education School District No. 2, of Minster, all in the State of Ohio, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented memorials of Rev. Joseph W. Kondelka, grand chaplain, First Central Bohemian Union of America, of Cleveland; Knights of Columbus, of Zanesville; Fremont Council, Knights of Columbus, of Fremont; Rev. J. P. Downey, president of Dayton Priests' Meeting, of Dayton; sundry members of St. Johns Church, of Lima; Frank Toman, president, St. George's Society, of Cleveland; Vincent A. Benda, president, St. Procops Church choir, of Cleveland; Anton Nekl, president, Cadets of St. Stanilius, No. 277, of Cleveland; Ludvik Noroany, president, St. Joseph Court, Knights of Foresters, of Cleveland; Anton J. Voudra, president, Dramatic Society of St. Prokops Church, of Cleveland; Anna Prokop, president, St. Mary of Loudres, of Cleveland; Albert Hanket, president, St. Peter's Society, of Cleveland; V. F. Kozak, president, Svornost Katolicka No. 13, P. U. J., of Cleveland; Albert Krofta and Chas. A. Prosek, of Chapter No. 2636, A. I. U., of Cleveland;

Jos. Pojman, president, Knights St. Wenslaus Commandery No. 214, of Cleveland; Rev. Joseph W. Kondelka, chaplain, Third Regiment, Knights of St. John, and pastor St. Wenceslas Roman Catholic Church, of Cleveland; Cincinnati Catholic Women's Association, of Cincinnati; all in the State of Ohio, remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. SMITH of Maryland presented a memorial of St. John's Holy Name Society, of Baltimore, Md., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

AMENDMENT OF TRANSPORTATION ACT.

Mr. TOWNSEND, from the Committee on Interstate Commerce, to which was referred the bill (H. R. 15836) to amend the transportation act, 1920, reported it favorably without amendment.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment relative to reclassifying postmasters and employees of the Postal Service and readjusting their salaries and compensation on an equitable basis, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate $800,000, to be immediately available, to continue development of a submarine base at the naval station, Key West, Fla., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. BRANDEGEE submitted an amendment proposing to appropriate $60,000 toward the completion of a submarine base at New London, Conn., and $40,000 for the purchase of additional land, intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. SWANSON submitted an amendment proposing to appropriate $100,000,000 for the construction of rural post roads, of which $3,000,000 shall be for survey, construction, and maintenance of roads and trails within or only partly within the national forests, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

Mr. CALDER submitted an amendment proposing to pay $167,500 to the George Leary Construction Co. for bonus earned under contract No. 2258, and changes thereto, for completion of Dry Dock No. 4 in advance of the date fixed in the contract, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. SHEPPARD. Mr. President, in my judgment no more unfair and more inaccurate deliverance has been uttered on the floor of the Senate than was uttered yesterday by the Senator from Colorado [Mr. THOMAS] in reply to a statement of mine on the day before in connection with the pending emergency tariff bill. The Senator quoted my statement, as follows:

The Democratic Party enacted a tariff law levying duties of 100 per cent in addition to all existing duties on imports covering all manufactured and agricultural articles, with but very few exceptions.

That statement of mine was in reference to the Democratic tariff act of July 1, 1812. The Senator then proceeded:

I do not think the Senator has read that statute very carefully or he would not have made that statement.

I shall quote from the law itself in order that it may be seen whether my quotation was accurate. The opening paragraph of the tariff law of July 1, 1812, reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an additional duty of 100 per cent upon the permanent duties now imposed by law upon goods, wares, and merchandise imported into the United States shall be levied and collected upon all goods, wares, and merchandise which shall, from and after the passing of this act, be imported into the United States from any foreign port or place.

It will be observed that I followed the law literally when I quoted from it.

The Senator from Colorado continued:

In the first place, it was a war measure.

Certainly it was a war measure. So is the emergency tariff bill now under consideration.

The Senator from Colorado further said:

It was not designed to interfere with prices or bring relief to classes.

That is simply a statement of the conclusion of the Senator from Colorado. It did have a protective design, because it was enacted in response to a message from President Madison asking for protective legislation.

The Senator from Colorado then continued:

We had previously declared war against Great Britain.

That is one of the very few accurate statements in his entire address.

At that time—

He said—

the ad valorem percentage of existing duty, if my recollection does not deceive me, was less than 10 per cent. The effect of that act was simply to increase the duties 100 per cent, which would make them still 20 per cent, or about one-half of the prevailing ad valorem percentages of the present Underwood tariff law.

Be that as it may, the fact is that the duties imposed by this law in connection with war conditions amounted practically to a prohibitive tariff law during the entire course of the war. The effect of that law was to double the duties in existence prior to the date of the enactment of the law. These double duties in connection with the war conditions amounted, as I said, to a prohibitive tariff.

The Senator then continued:

It was aimed at British trade. The condition of belligerency consequent upon our declaration that a state of war existed naturally and necessarily suggested such legislation as might cripple the enemy.

Is it possible that an ad valorem tariff law of 20 per cent could have seriously crippled an enemy? Was the Underwood tariff law designed for the purpose of crippling an enemy? The Senator from Colorado said that the ad valorem duties of the act of 1812 were lower than those of the Underwood tariff law of 1913, and yet that they were destined to cripple the enemy. They did cripple the enemy seriously, because in connection with war conditions they amounted, as a rule, to prohibition.

But the Senator continued:

The Senator from Texas further says that this increase covered "all manufactured and agricultural articles with but very few exceptions."

The Senator from Colorado then said:

On the contrary, the act was by its very terms expressly limited to those articles upon which the existing duties were imposed.

That is true, but the articles on which existing duties were imposed composed practically the entire range of imported agricultural and manufactured articles. The only agricultural articles of any importance whatever on the free list before July 1, 1812, were wool and hides, and wool was transferred to the dutiable list by the Madison tariff of 1816.

The Senator then added:

The Senator, I think, will search the laws in force on July 1, 1812, in vain for the inclusion of any agricultural product.

I again allude to the fact that practically all agricultural articles that were imported at all were on the dutiable list prior to July 1, 1812, except wool and hides.

The Senator intimated that no consideration was paid during that period to agricultural products. I wish to read from Secretary Dallas's report, on which the permanent Democratic tariff of 1816 was based. This is what Mr. Dallas said, Mr. Dallas, the Secretary of the Treasury at that time, and one of the most notable Democrats, one of the most accomplished statesmen, of all time:

In framing the propositions which this report will submit to the consideration of Congress for the establishment of a general tariff, three great objects have been principally regarded: First, the object of raising, by duties on imports and tonnage, the proportion of public revenue which must be drawn from that source. Second, the object of conciliating the various national interests, which arise from the pursuits of agriculture, manufactures, trade, and navigation.

Let me repeat that great principle.

The object of conciliating the various national interests which arise from the pursuits of agriculture, manufactures, trade, and navigation; and, third, the object of rendering the collection of the duties convenient, equal, and certain.

Evidently agriculture was an object of equal consideration with manufacture, trade, and navigation.

The Senator from Colorado then said:

The Senator from Texas having committed himself to the protection theory.

Mr. President, I have claimed that the emergency tariff act involves no question of permanent tariff policy whatever, and on that principle I have mainly based my support of it. Committed myself to the protection theory? The Senator from Colorado voted for duties of 30 and 35 per cent ad valorem on ready-made clothing in the Underwood-Simmons tariff bill and a duty of 25 per cent ad valorem on towels, blankets, sheets, and pillowcases. Is a man a Democrat when he votes for a permanent duty, undoubtedly protective, on manufactured ne-

cessities, and an apostate when he favors a temporary duty on the products of the farm? I do not understand the Senator's definition of democracy.

The Senator added, further quoting from another paragraph of my speech, as follows:

As for me, I have dedicated myself to the especial service of agriculture, with the conviction that in serving agriculture I serve this Nation in a truer sense than would be the case with any other division of American industry.

The Senator then proceeded to make this entirely unwarranted comment upon that assertion:

If he means that, he is no longer a Senator of the United States. The needs of the Nation, whatever they may be, however vast or insistent, are subordinated and must be subordinated by the Senator to the agricultural interest of the country, as he sees it. He is no longer even a Senator from the State of Texas; he can not represent all the varied interests and industries of the population of that State if he proposes here, as he says he does, to dedicate himself to one particular interest. Indeed, I think when a man makes such a declaration in this Chamber he ceases to be a Senator at all; he simply becomes a delegate, not a walking delegate but a rubber-stamp delegate, who proposes to place the seal of his approval upon those measures and a disapproval against those measures which a single interest informs him may be favorable or unfavorable to that interest.

Mr. President, the intimation contained in those remarks is an unspeakable slander. My statement is not justly subject to any construction of that kind. Has it come to pass that a man can not announce his desire to be of especial service to agriculture without being denounced as incapable of rendering proper devotion to all other elements of the country and without being proclaimed an apostate and a traitor? If I had said that I had dedicated myself to the exclusive service of agriculture, there might have been some justification for what the Senator said.

I shall tell the Senate why agriculture is in need of especial attention at this time. It has been especially neglected. The economic balance has been seriously disturbed, and unless special regard is had in the Senate and in the Congress to the needs of agriculture the Republic is doomed.

Mr. ASHURST. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Texas yield to the Senator from Arizona?

Mr. SHEPPARD. Certainly.

Mr. ASHURST. The Legislature of Arizona has adopted a resolution urging that the farmers and ranchers be no longer discriminated against. If it will not interrupt the Senator, will he permit me to read the memorial at this time?

Mr. SHEPPARD. Certainly; I am glad to have it.

Mr. ASHURST. In the present Legislature of Arizona the senate is Republican and the house is Democratic, but both the senate and house are profoundly penetrated with the idea that the agricultural interests of our country must no longer be discriminated against.

The legislature of my State is also penetrated with the idea that it is a glaring injustice to put the products of the farm and the ranch upon the free list, and the products of the factory on the dutiable list.

I thank the Senator for this opportunity to read the memorial. It is as follows:

FIFTH LEGISLATURE,
STATE OF ARIZONA.

Senate joint memorial 2.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Fifth Legislature of the State of Arizona, respectfully represent:

Whereas there is now pending before the Congress of the United States of America certain proposed emergency legislation for the relief of those engaged in the farming industry in the United States; and

Whereas the enacting into law of this proposed legislation will greatly facilitate industry and assist to insure the success and prosperity of our people; and

Whereas unless such legislation as proposed is enacted the farming and allied industries will suffer material loss by reason of unsettled conditions and will be forced to compete with the cost of production in foreign countries; and

Whereas the farming industry, particularly the production of cotton, wool, beef, and lamb, will be among the greatest sufferers unless the proposed legislation is enacted; and

Whereas the State of Arizona depends largely for its general success and prosperity upon the development and continuance of the production of cotton, wool, beef, and lamb in this State; and

Whereas 80 per cent of the total area of the State of Arizona is now devoted to the live-stock industry, and a major portion of the arable lands is devoted to the growing of cotton: Therefore be it

Resolved by the Senate of the Fifth Legislature of the State of Arizona (the House of Representatives concurring therein), That the Congress of the United States of America be, and is hereby, memorialized to enact such pending emergency legislation for the relief of the farming industry: Be it further

Resolved, That the Senators and Representatives in the Congress of the United States of America are hereby requested to use their best efforts toward the enactment of the necessary emergency legislation for the relief of the farming industry.

Resolved further. That the secretary of state is hereby instructed to forward certified copies of this memorial to each of the Arizona delegation in Congress.

Passed the senate February 2, 1921, by the following vote: Fifteen ayes, 4 nays.

H. B. WILKINSON,
President of Senate.
ROY N. DAVIDSON,
Secretary of Senate.

Adopted by the house February 7, 1921, by unanimous vote.

P. C. KEEFE,
Speaker of the House.
OSCAR ZAPF,
Chief Clerk of the House.

Approved February 8, 1921.

THOMAS E. CAMPBELL,
Governor of Arizona.

Filed in the office of the secretary of state of Arizona this 8th day of February, A. D. 1921, at 4.15 p. m.

ERNEST R. HALL,
Secretary of State.
By JOHN MCK. REDMOND,
Assistant Secretary.

I ask unanimous consent to include the whole memorial in the RECORD at this particular juncture, though not to interfere with or to break up the sequence speech of the Senator from Texas.

The PRESIDING OFFICER. The Senator from Arizona does not need to request unanimous consent for that purpose, as the rules of the Senate provide for the printing in the RECORD of memorials from State legislatures.

Mr. ASHURST. Will the Senator from Texas pardon a further observation?

Mr. SHEPPARD. Certainly.

Mr. ASHURST. The Senator from Texas need have no perturbation, and I think he will bear with becoming fortitude the charge that he is here to serve agriculture. If the Senator should admit or confess that he was here to serve agriculture alone, he would be taking a premier and pioneer step in constructive statesmanship. If the multitudes of cities are to be subsisted, it will be because the farmer only will subsist them. If the idle rich, the joy rider, the scholar, and those who never till the soil are to subsist further, agriculture must no longer be discriminated against in this country. The time has come when the parting of the ways is at hand. If you wish the people to continue to be fed, do not crush those who are feeding the people. The wise prophet of old said, "Thou shalt not muzzle the ox when he treadeth out the corn."

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Missouri?

Mr. SHEPPARD. Yes; I yield.

Mr. SPENCER. I ask permission to submit a report from the Committee on Claims.

Mr. FLETCHER. Mr. President, there will be no objection to the adoption of the report of the Committee on Claims which the Senator from Missouri proposes to make, and I ask unanimous consent to have it now considered.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent for the present consideration of the resolution reported by the Senator from Missouri, which the Secretary will read.

Mr. KENYON. Mr. President——

Mr. FLETCHER. The resolution merely proposes to refer the matter in question to the Committee on Claims.

Mr. MOSES. A parliamentary inquiry. Is the Senator from Texas [Mr. SHEPPARD] occupying the floor?

The PRESIDING OFFICER. The Senator from Texas is occupying the floor.

Mr. SHEPPARD. I shall conclude in a very few moments, if Senators will permit me.

The PRESIDING OFFICER. The Chair will have to enforce the rule. Matters which Senators are seeking to present can not properly be presented to interrupt the Senator from Texas.

Mr. FLETCHER. The Senator from Texas yielded for the purpose, and there is no objection to the report which the Senator from Missouri desires to present.

Mr. SHEPPARD. I like to be courteous——

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. The Senator from Texas will proceed.

Mr. SHEPPARD. I like to be courteous to every Senator, and so I have yielded whenever requested to yield. What is it the Senator from Florida desires?

The PRESIDING OFFICER. The Chair will enforce the rule. The duty is really imposed upon the Chair to do so. The Senator from Texas may not yield for the purpose indicated.

Mr. SHEPPARD. I can not yield for the purpose of the passage of the resolution which the Senator from Florida [Mr. FLETCHER] refers.

Mr. FLETCHER. Then I ask the Senator from Missouri to withdraw the report.

The PRESIDING OFFICER. Does the Senator from Missouri desire to withdraw the report which he presented a moment ago?

Mr. SPENCER. I withdraw the report.

Mr. SHEPPARD. Mr. President, I have a personal affection as well as an admiration for the Senator from Colorado [Mr. THOMAS], and that is why I have felt a peculiar resentment toward the attitude taken by him in his speech of yesterday.

The Senator from Colorado has the audacity to question my Democracy and to denounce me as an apostate. While I was canvassing in Colorado last October in behalf of the man who had been nominated by the Democratic Party as the successor of the Senator from Colorado, the Senator from Colorado was running against that candidate, having accepted an independent nomination, and in that way was doing what he could, exercising his great powers, to bring about the defeat of the Democracy and the success of the Republican Party and the high protectionism which he so bitterly denounces.

That is all I have to say.

Mr. THOMAS. Mr. President, a word as to the speech of the Senator from Texas. But for his concluding sentence I should not refer to it. The Senator takes me to task for questioning his Democracy, but his complaints are largely misdirected. My criticism was not so much against his Democracy as against his attitude as a Senator, and would have been and is as pertinent to any Senator, whatever his politics, as to the Senator from Texas who has announced his purpose as a Senator to hereafter dedicate himself to a specific interest.

The Senator accuses me of misdirection, to say the least of it, as regards the old tariff law which was in force in 1812. If I am mistaken in regard to its subject matter, then, of course, the issue can be easily disposed of by the text of the statute itself. I stated, and I repeat, that the tariff laws of the early nineteenth century period were based upon the theory of revenue, and did not presume to include agricultural products or raw material. Of course, exceptions to that theory may be found in our statutes, exceptions which, on account of local interests, always intrude themselves into our revenue laws; but the Senator will not pretend that any legislation of that period is at all comparable to the pending emergency tariff bill; nor was it prohibitive in its character. That it embraced a few subjects of agricultural concern is perhaps true, but to use that sort of legislation in justification of the support of a bill like this is to outdo the devil in quoting Scripture; it can not be done.

The Senator protests that he is still wedded to the Democratic convictions regarding tariff for revenue, and avoids his dilemma by denying that this is a tariff bill. Perhaps it is not. Macaulay once said that monopoly would, if necessary, deny the operation of the law of gravity. I think a Democratic Senator who supports this bill and who supports it upon the theory that it is not a tariff bill might with equal justice attempt to deny the operation of natural laws. If it is not a tariff bill, what is it? It imposes duties, does it not?

Mr. SHEPPARD. It is an emergency tariff bill.

Mr. THOMAS. I will come to that in a moment.

Mr. SHEPPARD. I have not said it was not a tariff bill.

Mr. THOMAS. It imposes duties upon a long list of commodities, duties which are virtually prohibitory in their character upon nearly every foodstuff that man requires for his existence. It penalizes the poor man's table—breakfast, dinner, and supper. The only thing thus far that has escaped the provisions of this bill is water, and I have no doubt that some enthusiastic Democratic supporter of it will suggest an amendment protecting ice from the handicap which the long Canadian winters impose upon the American producer.

But the Senator says this is an emergency bill and therefore it is not a tariff bill.

Mr. SHEPPARD. Not at all, Mr. President.

Mr. THOMAS. Then I misunderstood the Senator.

Mr. SHEPPARD. I say it is an emergency tariff bill.

Mr. THOMAS. Then if it is an emergency tariff bill and the duties are prohibitory in their character, the Senator is reduced to the necessity of defending his support of it upon the ground that it is an emergency bill and an emergency bill only, and because it is an emergency bill he takes occasion in his support to dedicate himself to the interests of agriculture henceforth and forever.

I am not questioning the Senator's right. I am not questioning his purpose. What I am questioning is the pretense of attempting to square it with the old-fashioned notions of the Democratic Party upon this mighty subject; and I assert that if this bill is good for an emergency and justifies Democratic support because it is an emergency bill, then it is equally good for permanent legislation.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kentucky?

Mr. THOMAS. I yield.

Mr. STANLEY. This bill is either a revenue bill or it is not, as the Senator from Texas has said. If it is passed for the purpose of procuring revenue and does procure revenue, then it can not materially affect the price of agricultural products, because they will come in from abroad just as they did before; and if it is passed not for the purpose of procuring revenue but for the purpose of laying an embargo, it is contrary to every tenet of Democracy.

Mr. THOMAS. Oh, yes; the Senator from Kentucky is absolutely right. But another argument to support those who on this side of the Chamber advocate the bill is that agriculture has been a neglected interest; that it has been discriminated against; and that agriculture will no longer submit to this discrimination, but demands equal opportunities, and at least equal rates of duty upon its products, so—as the Senator from Mississippi [Mr. WILLIAMS] said yesterday—that it may equalize one system of legal spoliation by another.

Mr. President, I shall doubtless involve myself in some controversy when I deny that agriculture has been discriminated against, and particularly in national legislation. The farmer has always been considered and always will be considered, so long as he is politically potential, by the Congress of the United States. Indeed, the Senator rebukes me for not knowing that he was protected more than a century ago. I think those who contend to the contrary must content themselves by the mere assertion that he has been discriminated against. Of course, if by "discrimination" is meant that duties have not heretofore been placed upon all agricultural products approximately equal to duties placed upon manufactured products, then I concede the aptness of the definition.

Mr. ASHURST. Mr. President, will the Senator yield at that point?

Mr. THOMAS. Yes; I yield.

Mr. ASHURST. The Senator will admit that that has been the general policy of the Government, has it not, to lay duties on manufactured products, but not on the products of the farm and the field and the ranch?

Mr. THOMAS. It has until comparatively recently.

Mr. ASHURST. Especially since 1913.

Mr. THOMAS. Yes; and before then. It ought to be the policy; and those to-day who are contending for these duties on the pretense of aiding the farmer are injuring the farmer beyond reparation.

Mr. STANLEY. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. STANLEY. Has the basic difference that existed between the Democratic Party and the Republican Party for the last 100 years been a difference of principle, or a matter of disaffection or contest between them as to which should share most bountifully in the plunder?

Mr. THOMAS. It has been until recently a matter of principle. It has now become a scramble for plunder, and inasmuch as the farmer is demanding his share in his organized capacity, he has inspired much enthusiastic advocacy of his cause on both sides of this Chamber.

Mr. STANLEY. Will the Senator kindly yield again?

Mr. THOMAS. I yield; yes.

Mr. STANLEY. The admission that the farmer has been discriminated against, in that he has not received his share of the usufruct of protectionism, is in its last analysis an admission that the policy of protectionism is a beneficent thing, and that the only fault Democracy now finds with it is the methods of distribution of the plunder and the usufruct.

Mr. THOMAS. Oh, no; it is only beneficent as an emergency. It is like good whisky; it is needed for a crying emergency. We have departed from the old theory of a tariff for revenue and free raw materials, and consciously or unconsciously accepting the Republican theory of protection for protection's sake, protection of everything, protection upon everything.

Now, if it is good, if it is beneficial, if it is desirable, if it is constitutional, let us say so; but let us not seek shelter behind the pretense that the former has been discriminated against in a general scheme of public robbery, for that is what it is.

A good many years ago the Agricultural Department of the Government was established for the benefit of the farmer. Its usefulness has expanded. Bureaus under the jurisdiction of that department have multiplied until it has become very largely a paternalistic institution. The Grange was organized in 1874, and both parties made haste to get under the granger tent, not only in Washington but in all the States of the Union. I can remember when it was fashionable for candidates in my country to wear overalls and old straw hats, to speak ungrammatically, and in other respects to indicate by imitation their loyalty to the cause of the noble granger.

Mr. WILLIAMS. And their contempt of the farmer.

Mr. THOMAS. In a way, yes. Since then we have had organization upon organization, and they never have knocked at the doors of Congress in vain. The more strongly they organize the more vigorously they contend that they have been discriminated against. That is true of organized labor. Anyone who cares to read the proceedings of an organized labor convention will discover the remarkable fact that organized labor has been bitterly discriminated against in the Congress of the United States, and they do not propose to stand it any longer. The same is true of other combinations; when popular sentiment is favorable we hear the charge of discrimination from them. They say now that they have been grievously discriminated against in the levy of our war taxes, and it is true. Some of you gentlemen during the discussion of our revenue laws contended that we were imposing the burden of war taxes upon organized wealth. Nominally we did so, the idea being to favor these classes now said to have been discriminated against; yet every student of the subject knows that these huge taxes which are imposed upon the industries of the country are transferred to the ultimate consumer and borne by the farmer, by the laborer, and by other classes of our population. Let me say to you, Senators, that one of the prime causes of the depression in agricultural products to-day is the enormous tax burden of the Government, levied primarily upon excess profits and income, but ultimately upon the productive energies of the Nation; and we are responsible for it.

Mr. ASHURST. Mr. President, will the Senator yield to me at that point?

Mr. THOMAS. Yes.

Mr. ASHURST. Twenty-three thousand millionaires were made by the war. I wish the Senator would give me the name of a farmer who made a million dollars during the war.

Mr. THOMAS. I do not think I can give the name of a farmer who made a million dollars during the war.

Mr. ASHURST. And I do not think anybody else can.

Mr. THOMAS. But will the Senator base his vote upon a vastly important legislative measure upon the fact that the war made 23,000 millionaires, and not a farmer can be found among them? I can not think he will.

Mr. ASHURST. No; Mr. President, if the Senator will yield to me. I only insist that when 23,000 men in other walks of life disregard the law of God and man and steal the State and the Nation blind, it ill becomes the Senate and the House to discriminate against a class that showed itself to be honest.

Mr. THOMAS. Mr. President, this statement assumes that we made these millionaires by legislation. Pretty nearly every man in the United States—there are some exceptions—who had the opportunity to profiteer during the war or before the war or since the armistice did so, and I do not care whether he was a farmer or not. I know that the farmers were clamoring for the very highest prices they could get. They had a right to do so. I have heard the complaint made on this floor that if the Government had not interfered to fix the price of wheat it would have gone to $5, and that the farmer should have had it. Would that have been profiteering or not? During the war no opportunity was missed to secure increased wages by the organized labor of the country. Was that profiteering? The average middle class prospered hugely during the war. Some of them became millionaires. Is that profiteering?

Mr. President, the difficulty is that we are prone, like the Senator from Arizona, to single out a few of the conspicuous instances of profiteering, and then draw deductions which assume that they are the only ones who profiteered or made any money during the war. There were fortunes made during the war unlawfully and illegally. Such conduct is infamous, and I will go as far toward denouncing it and seeking to correct it as the Senator from Arizona will. I do not propose, however, to accept a new doctrine based upon the proposition that some men have profiteered unduly during the war, and that none of them belong to a certain class.

Mr. WALSH of Montana. Mr. President, I should like to ask the Senator if he ever knew a farmer who made a million dollars in time of peace?

Mr. THOMAS. Yes; I have known a few—a very few. I think, however, it is the glory of the agricultural industry that its followers belong to the middle class, and are not conspicuous in being overburdened with wealth. The institutions of this country rest upon its great middle class.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. THOMAS. I yield.

Mr. ASHURST. I agree that they are the middle class. They are between the upper and the nether millstones. They are right in the middle.

Mr. THOMAS. Yes; that seems to be true just now.

Mr. REED. Mr. President——

Mr. THOMAS. They have anarchists and reformers and God knows what upon one side, and upon the other organizations which are competing for public favors and for privileges from the Congress of the United States, and getting them, and getting them very largely, too, by Democratic votes.

I yield to the Senator from Missouri.

Mr. REED. This middle class must eat, and I was about to ask if this bill to increase the price of all they eat would be a very great aid to them in getting what they want to eat.

Mr. THOMAS. Yes; they eat, but if I properly understand the drift of the remarks of the Senator from Arizona, he proposes now to enable the farmers to profiteer and make millions themselves by levying toll upon this middle class which eats. He abhors the idea of profiteering to the extent of millions, unless opportunity be given to the farmer by law to indulge in that unholy pursuit.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kentucky?

Mr. THOMAS. I yield.

Mr. STANLEY. Does not the Senator believe that if it is true that many millionaires have been made in other businesses, dishonestly made, by the unfair aid of the Government in using the taxing power for the personal aggrandizement of men in industrial life, that now the Government is under a moral obligation to continue the thievery by extending the benefit to those who have not gotten in on any previous steal?

Mr. THOMAS. Mr. President, there is no such thing as a moral obligation in public life that I can perceive, and let me say to the Senator from Arizona before he leaves the Chamber——

Mr. ASHURST. I am merely going to the rear of the Chamber. I will not leave while the Senator is speaking.

Mr. THOMAS. While it may be true, and probably is, that a great many men were made millionaires during the war, they form a very small proportion of the millionaires and multimillionaires who derived their profits from the operation of these very tariff bounties which the Senator proposes to extend to all men that everyone can enjoy them, and the only comfort I get out of the situation is, that after everybody is protected, and everybody has his hand in the pocket of everybody else, and everybody can get rich under the law by plundering everybody else, the privilege will cease to be of value to anyone. The Government may go to the devil in the meantime, but that is an outside consideration.

Mr. WILLIAMS. May I ask the Senator, would it not be a good deal like Tittlebat Titmouse's statement when he was elected to Parliament, he would give everybody everything without costing anybody anything?

Mr. THOMAS. I quoted Tittlebat Titmouse a day or two ago. So far as the Senator from Texas is concerned, I reciprocate his kindly feelings, and I regret that what I said caused him any pain. But I have said nothing to take back. The Senator has retaliated by calling attention to the fact that I was an independent candidate for the Senate against the regular Democratic nominee. That is true. I was tendered a nomination on the primary ticket by my own party, and I declined it. I did so because I was unable to accept the new Democratic doctrine regarding the Nation's foreign relations. I do not know whether I would have been nominated or not had I accepted, and I do not care; but I have not yet reached the point, Mr. President, where I will accept even a Democratic nomination for the high position of Senator of the United States if it involves a sacrifice of principle and of my convictions of duty as I am given to see it. I did afterwards become an independent candidate—not much of a one; I did not get many votes—and I do not care who knows my reason. Under the operation of the primary laws of the State of Colorado the Nonpartisan League of North Dakota captured the organization of the party to which I belong. It nominated the principal candidates. The Democratic nominee for the United States Senate was either silent about or gave his adhesion to the Nonpartisan League. That was not very satisfactory to a great many Democrats, men who had

theretofore acted and operated with the Democratic Party. To induce those men to come to the polls and aid in defeating the Nonpartisan League ticket, masquerading in the name of Democracy, I became an independent candidate, and I have no apologies to make for it. I would do it again to-morrow under the same conditions. I shall continue, as long as I am able, physically and mentally, to take an active part in politics, to do what I can to shield my party from such controlling influences. It should never become the asylum of such undemocratic organizations as the Nonpartisan League.

If that puts me outside the Democratic Party, well and good; I will accept the verdict. If the party is to be controlled by such influences it is not fit to live, and no longer has excuse for offering itself for the favorable consideration of the public. No party can live upon traditions. If it attempts to do so, it first stagnates, and then dies. I see very little hope for its future when I look around and see Democrats not only voting for but actively supporting a measure like this, which is the absolute negation of the fundamental principles of their party. It is class legislation; it is discriminatory legislation; it is deceptive legislation; it is hypocritical legislation; it is legislation in the interest of the classes as against the masses; it is a deliberate prostitution of the taxing power of the Government. You propose to exercise it for the purpose of taking money out of my pocket and putting it in the pocket of my neighbor.

Mr. WILLIAMS. And for the purchase of votes.

Mr. THOMAS. And for the purchase of votes. It is the political power in the organizations behind this bill which is forcing Senators upon both sides of this Chamber to get behind it, with apparent enthusiasm at least. It will pass; yes. It is political expedience; so also is the $100,000,000 appropriation for good roads to be placed on the Post Office bill by amendment. It will pass; yes. Mr. President, what are we here for except to carry out schemes of political legislation designed either to rob the consuming public or the Treasury of the United States? I do not know which is worse. We agreed to an amendment to a bill the other day appropriating twelve or fifteen million dollars for the building of hospitals for disabled soldiers. Before that left the Chamber it became redolent with the aroma of the pork barrel, different localities eagerly competing for the expenditure of that money for hospitals throughout the country, with little regard for anything beyond the local advantage thus attained.

Mr. President, I shall not protest this legislation again. In the face of organized local demand, protest, however much demanded, is hopeless. Ephraim will join his idols. The Republican revenue doctrine becomes supremely effective, and the good work of class legislation goes merrily on.

Mr. GRONNA. Mr. President, I shall take only a few moments of the time of the Senate. I do not wish to delay the passage of this bill, and I do not wish to prevent the Senate having an opportunity to vote not only on this bill but on other important measures which are now pending before Congress. I am studiously avoiding taking any time to discuss this measure. I have contented myself by asking a few questions only.

Mr. President, there is legislation pending before this body and the House which is of great importance to the American people; and I want to mention one measure to which the two great parties are committed, and that is the cold storage bill. The conference report upon that bill is now upon the table, and it ought to be disposed of. In his opening speech at the Chicago convention, the distinguished Senator from Massachusetts [Mr. LODGE], the leader on this side of the Chamber, said he favored such legislation. The leader of the Democratic Party, the distinguished gentleman from Ohio, Gov. Cox, said in his speeches that he favored such legislation.

Mr. President, briefly, what is the history of the cold-storage legislation which is now pending before this body? Nearly two years ago bills were being considered in the Senate and in the House. For 10 months the two bills have been in conference. They have been considered, and all sides and phases of the question have been discussed. But, Mr. President, I find that there is an effort now to defeat that legislation, and I am going to talk very plainly this morning and tell the Senate and the country who is responsible for strangling the legislation.

Mr. KENYON. Mr. President, will the Senator explain just where that proposed legislation is? Is it in the form of a conference report on the bill?

Mr. GRONNA. Yes, Mr. President; nearly two years ago bills were introduced in the Senate and in the House providing for cold-storage legislation. Hearings were held upon the House and the Senate bills. Men interested in this question, the so-called cold-storage men, appeared before the committees, and the cold-storage men approved the Senate bill and the cold-storage men approve this conference report which is now pending before the Senate, with perhaps only one or two exceptions. But in the face of that I charge that the attorneys for the packers are here now trying to defeat this legislation because we have seen fit to include such articles of food as cured meats.

Mr. KENYON. Mr. President, I would like to ask the Senator, if the packers are here trying to defeat this legislation, what is the use of wasting any time in trying to pass it? They seem to be more powerful than the American Congress.

Mr. GRONNA. I agree with the Senator. I talked with one of the attorneys this morning about this. I am one of those who are willing to see the representatives of any organization, of any civic or any business organization—and I shall not give his name—but I asked him this question: "Are you opposing the conference report on the cold storage bill?" He would not give a straight answer, but he said he was not opposing the bill as it passed the Senate. I told him that was not the question before the Senate; that he knows, as every man knows, that we either must vote this conference report up or vote it down.

I am making no threats, but I serve notice now that unless the conference report on the cold storage bill is taken up, so that we may have an opportunity to vote on it, it will not be the only measure that will fail to pass at this session of Congress. We have considered the measure for months and for years, and now, because the attorneys for the packers come here and say that we must take out cured meats, that we must extend the period for precooling from 10 to 20 days, the measure shall fail.

Mr. KENYON. May I ask the Senator this question? I am flooded with telegrams about the matter this morning and I expect other Senators are. Has the Senator any suspicion that the packers may have instigated the sending of the telegrams?

Mr. GRONNA. There is no doubt about it. I will say to the Senator frankly that the butter people were here and they were dissatisfied, but I think we have convinced the butter people that the bill is not going to hurt them.

The American people are entitled to two things: They are entitled to food at reasonable prices, and they are entitled to have food which is wholesome, and this bill will give those two things, because the bill, if enacted into law, will outlaw the food that has been in cold storage for more than 12 months, and that simply means that all articles of food as enumerated in the bill must be upon the markets inside of 12 months, which prevents hoarding and which protects the people from exorbitant prices.

Mr. SMOOT. Mr. President, the only protest I have received on the cold-storage bill came from a party writing me a letter, which I handed to the Senator yesterday, with reference to frozen eggs. I have received no telegram, and I have received no other letter. Not a single person has called upon me in opposition to the conference report, and I have not understood that there is any opposition to it. I have never heard that view expressed in the Senate Chamber, and I thought the Senator was simply waiting until the pending bill is out of the way, when the conference report may be called up.

Mr. GRONNA. I shall do that; and I am simply giving notice now. I had a talk this morning with this attorney to whom I have referred, and I observed that he was quite determined that if the term "article of food" is not changed there is going to be trouble. I wish to read to the Senate the terms of food as agreed upon by the conferees, to show that we are not trying to favor the farmer:

Section 2, subsection (d). The term "article of food" means meat, meat products, including all edible portions of food animals, poultry and game, whether drawn or undrawn, fish, shellfish, oysters, and clams; if fresh, cooked, prepared, cured, or frozen;

2. Eggs or portions thereof if in shell, dried, or frozen;

3. Butter, oleomargarine, lard, lard substitutes, butter and butter substitutes, and cheese;

4. Oils for food purposes; and

5. Milk, evaporated or powdered.

I desire to say that, so far as the farmers of the country are concerned—and I believe I have a right to speak for them—we do not want to dispose of farm products that are not edible articles of food and wholesome. We are as anxious as anyone can be to get goods to the consumer in a fresh condition. We do not propose to let the middleman have the opportunity to say that it is the fault of the farmer. The farmer is not complaining because his products are included, and we have included all the products of the farm in the bill.

Mr. SMOOT. Mr. President, if I were the Senator, at the first opportunity, when the pending bill is out of the way, I would call up the conference report. It is a privileged question, and I do not think he is going to find any opposition to it. In fact, really, I do not know of anyone opposed to it. I have not heard any Senator speak about it.

Mr. GRONNA. I am very glad to have the assurance of the Senator from Utah.

Mr. SMOOT. I will assure the Senator from North Dakota that so far as the Senator from Utah is concerned, he will help him get the conference report up and help him pass it.

Mr. GRONNA. I appreciate that. I am simply taking this thing by the forelock because, as the saying is, a stitch in time saves nine, and I do not want these people who have been so successful in obstructing other legislation which this body has passed to have the same opportunity to strangle this bill, not only because the committee has for two years been at work upon it, but because the people of the United States are entitled to wholesome food at reasonable prices, and the bill will help to do those two things. So I give notice now that just as soon as the pending bill has been disposed of I shall move to take up the conference report.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, on which the yeas and nays have been ordered.

Mr. JONES of New Mexico. Mr. President, I should like to have the question stated.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The ASSISTANT SECRETARY. On page 5, beginning in line 21, it is proposed to insert:

23. Milk, preserved or condensed, or sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; sugar of milk, 5 cents per pound.

The PRESIDING OFFICER. The roll will be called on agreeing to the amendment of the committee.

The reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. I transfer my pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. WILLIAMS (when his name was called). Transferring my general pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Arizona [Mr. SMITH], I vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the Senator from California [Mr. PHELAN] and vote "nay."

Mr. KENDRICK (after having voted in the affirmative). I wish to state that I have a general pair with the Senator from New Mexico [Mr. FALL], but I understand that he would vote as I have voted. Therefore I feel free to vote and allow my vote to stand.

Mr. LODGE (after having voted in the affirmative). I have a general pair with the Senator from Georgia [Mr. SMITH], who I think has not voted. I transfer my pair to the Senator from New Mexico [Mr. FALL] and allow my vote to stand.

The result was announced—yeas 46, nays 29, as follows:

YEAS—46.

Ball	Gronna	Lenroot	Ransdell
Brandegee	Hale	Lodge	Sheppard
Calder	Henderson	McCormick	Smoot
Capper	Johnson, Calif.	McCumber	Spencer
Colt	Jones, N. Mex.	McLean	Sterling
Curtis	Jones, Wash.	McNary	Sutherland
Dillingham	Kellogg	Moses	Townsend
Elkins	Kendrick	Myers	Wadsworth
Fernald	Kenyon	Nelson	Warren
Frelinghuysen	Keyes	New	Willis
Gay	Knox	Phipps	
Gooding	La Follette	Poindexter	

NAYS—29.

Beckham	Harrison	Reed	Underwood
Borah	Heflin	Simmons	Walsh, Mass.
Culberson	Hitchcock	Smith, Md.	Walsh, Mont.
Dial	Kirby	Smith, S. C.	Williams
Fletcher	McKellar	Stanley	Wolcott
Gerry	Overman	Swanson	
Glass	Pittman	Thomas	
Harris	Pomerene	Trammell	

NOT VOTING—21.

Ashurst	Gore	Page	Smith, Ariz.
Chamberlain	Johnson, S. Dak.	Penrose	Smith, Ga.
Cummins	King	Phelan	Watson
Edge	Newberry	Robinson	
Fall	Norris	Sherman	
France	Owen	Shields	

So the amendment of the committee was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. H. Overhue, its assistant enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; agreed to the conference requested by the Senate; and had appointed Mr. WOOD of Indiana, Mr. WASON, and Mr. SISSON managers of the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 32, 37, 39, 66, 70, 72, 91 to 122, inclusive, 140, 148, 149, 154, 162, 168, 169, 205, and 206, and had agreed to the same; and it had receded from its disagreement to the amendments of the Senate numbered 127, 132, 151, 193, 198, and 223, and had agreed to the same, each with an amendment.

ENROLLED BILLS.

The message also announced that the Speaker of the House had signed the following enrolled bills:

H. R. 12157. An act to amend an act of Congress approved June 30, 1913;

H. R. 13606. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River;

H. R. 14311. An act to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes;

H. R. 15011. An act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma;

H. R. 15131. An act to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York;

H. R. 15271. An act granting the consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River, at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.; and

H. R. 15750. An act to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county.

REFUND OF INCOME TAXES.

Mr. SMOOT. Mr. President, on January 18, 1921, the Senate passed a resolution, which had been introduced by myself, calling upon the Secretary of the Treasury for certain information. It is now nearly 30 days since that resolution passed and yet no response whatever has been made to it. The resolution calls for the following information:

The number of claims for refund, abatement, or credit against assessments of income (including surtax), excess-profits, and war-profits taxes for the years 1917, 1918, and 1919, now filed in the Treasury Department or any division thereof; the aggregate amount of such claims and an estimated proportion of said aggregate attributable to, first, erroneous assessment; second, stock dividends; third, obsolescence of war property; and, fourth, obsolescence of property of those whose business was terminated by prohibition legislation; the policy and basis, together with methods of computation for allowances as to good will; and as to whether a proper allowance for the claims so filed was made in the financial reports of the Treasury Department.

Mr. President, if I am correctly informed by men who are employed in the Treasury Department, there is on foot at the present time a plan to return to the liquor interests of the United States $1,000,000,000 from the Treasury of the United States under the rulings of the Treasury Department. If that is so, I think we ought to have a report upon the matter just as quickly as possible. Therefore, I wish to give notice now that if there is not a report made upon the resolution within a very few days I shall ask the chairman of the Committee on Finance to call a meeting of that committee, and I shall then ask the committee to call before it the officials who have the subject in hand. We shall then learn, perhaps, what is the true condition.

Mr. FRELINGHUYSEN. Mr. President, I simply wish to say in regard to the statements which have been made by the Sen-

ator from Utah that $1,000,000,000 of exemptions under the ruling of the Treasury Department is a moderate estimate. I am informed that the exemptions which will be granted, and which the Treasury will eventually be called upon to pay, amount to between two billion and four billion dollars. That is the information that comes to me under a ruling which has been made by the Internal-Revenue Section of the Treasury Department.

That ruling is as follows:

Under section 214 (a) 8 of the act, "a reasonable allowance for obsolescence."

In this case reference is made to the first paragraph of A. R. M. 34, Bulletin 10–20, as follows:

"The committee has considered the question of providing some practical formula for determining value as of March 1, 1913, or of any other date, which might be considered as applying to intangible assets, but finds itself unable to lay down any specific rule of guidance for determining the value of intangibles which would be applicable in all cases and under all circumstances. Where there is no established market to serve as a guide the question of value, even of tangible assets, is one largely of judgment and opinion, and the same thing is even more true of intangible assets, such as good will, trade-marks, trade brands, etc. However, there are several methods of reaching a conclusion as to the value of intangibles which the committee suggests may be utilized broadly in passing upon questions of valuation, not to be regarded as controlling, however, if better evidence is presented in any specific case."

and to T. B. R. 44 (shown in carbon copy of the original, in the files, in that part where basis for policy for allowance as to good will is stated):

"A departure from which (the time rule of valuation) should be allowed only when the deduction provided thereunder does not meet the statutory requirement of reasonableness * * * and, therefore, when the ordinary rule does not produce a reasonable result, the statute requires that another and a reasonable method be adopted in a particular case or class of cases."

As I understand, exemptions of taxes are being granted by the Internal Revenue Bureau to brewers, to distillers, and to liquor dealers which in some cases amount to five times the sum allowed to other corporations and individuals for good will; in other words, Congress will have to face an appropriation for exemptions amounting to $2,000,000,000 to be returned to distillers, liquor dealers, and saloon keepers of the country.

I think it the duty of the Finance Committee to call the Chief of the Internal Revenue Bureau before it and to ascertain whether, under the ruling of that bureau, the Treasury is going to return these amounts to the liquor dealers and distillers of the country, and the reason which they give for such action.

In most instances the property owner, the taxpayer, is compelled to sue for a return, but in this case, through a simple ruling, the Treasury is going to be looted to the extent at least of $2,000,000,000. I think it is time Congress should ascertain further facts in regard to the matter and stop this costly practice.

DEPARTMENT OF EDUCATION—MEMORIAL.

Mr. REED obtained the floor.

Mr. GRONNA. Will the Senator yield to me for a moment?

Mr. REED. I yield.

Mr. GRONNA. Out of order, I present a memorial from the Knights of Columbus of Minot, N. Dak., and I ask that it may be noted in the RECORD and properly referred.

The PRESIDING OFFICER. The Chair will call the attention of Senators to the following rule of the Senate:

It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator.

Mr. GRONNA. I thought the Senator from Missouri was just getting ready to proceed.

The PRESIDING OFFICER. The Senator from Missouri has been recognized.

Mr. REED. I will yield the floor, and obtain it afterwards.

The PRESIDING OFFICER. The Senator from Missouri now yields the floor, and the Senator from North Dakota may present his memorial.

Mr. GRONNA. I present a memorial from the Knights of Columbus, of Minot, N. Dak., protesting against the enactment of the so-called Smith-Towner educational bill, and ask that it be referred to the Committee on Education and Labor. I thank the Senator from Missouri.

The PRESIDING OFFICER. The memorial will be referred to the Committee on Education and Labor.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had to-day approved and signed the bill (S. 578) providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof.

EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

The PRESIDING OFFICER. The next amendment will be stated.

The READING CLERK. The pending amendment of the committee is, on page 5, after line 23, to insert the paragraph now numbered 24, as follows:

24. Wrapper tobacco, and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, $2.85 per pound; if stemmed, $3.50 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

The term wrapper tobacco as used in this section means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term filler tobacco means all other leaf tobacco.

Mr. SIMMONS. Mr. President, I realize that there is an understanding, which this side of the Chamber earnestly desires to carry out, that there shall be a vote upon the bill some time during the calendar day. For that reason, while I feel it necessary to place in the RECORD certain data and to discuss two or three of the items that are of especial interest to my constituents, I shall try to do so with as little elaboration of argument as is possible.

Mr. President, the argument has been repeatedly made in the discussion that not only the tariff laws of the past but that the existing laws upon that subject discriminate against agriculture and in the interest of manufactures, and that, as a result, most of the things the farmers make is upon the free list, while most of the things they have to buy is upon the dutiable list. That is the basis of many of the arguments made by those Senators on this side of the Chamber who propose to vote for this iniquitous and undemocratic piece of legislation. They have discussed the bill upon the theory that there are no duties upon the products which the farmer produces, while there are exorbitantly high or prohibitive duties upon the products he buys. This contention as respects the present tariff law is not sustained by the facts. I do not mean to say that the present tariff carries protective or primarily protective duties either for agricultural or for manufactured products, but I do mean to say that the present law carries tariff duties upon agricultural products, where a duty can be of any benefit whatsoever in producing revenue or in affording incidental protection, just to the same degree and extent as it carries duties upon manufactured articles where those duties will produce revenue and, at the same time, will afford that incidental protection which results from the imposition of tariff taxes whether imposed for protection or for revenue.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). In the absence of objection, permission to do so will be granted.

[The table referred to will be found at the conclusion of the remarks of Mr. SIMMONS.]

Mr. SIMMONS. Mr. President, there are about 75 agricultural items included in this table upon which there is a duty in the present law. It is true that upon some of our staple products of agriculture there is no duty in the present law, but as to those particular products, certainly as to most of them, the production and exportations of them are of such character that duties upon importations would raise no revenue and could not have any appreciable effect upon the price of the American product. Notable among those products is corn, although corn is included in this bill and a duty is imposed on it of 15 cents a bushel—I do not think there is a Senator in this Chamber, I do not think there is a Member of the House of Representatives, who believes that a duty upon corn can or will affect, one way or another, the price of corn which is produced in this country or that it will raise any appreciable amount of revenue.

As has been said in the debates here, all the corn imported into this country during the years when importations have been highest would not equal the amount of corn annually produced in two counties in the great corn-growing State of Illinois. From a knowledge of the facts relative to the imports and from a knowledge of the amount of corn produced in certain counties in my State, I confidently state that our average annual importations of corn would not equal the quantity of corn grown in three counties in my State, and my State is not counted as one of the chief corn-growing States. There is in the present law no duty upon corn, but the farmer can not complain that he is discriminated against on that account, because a duty upon it, even though he were asking for protection and wanted protection, and he is not, would do him no good.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Kentucky?

Mr. SIMMONS. I yield.

Mr. STANLEY. The pending bill in the tobacco schedule provides for a duty upon wrapper tobacco——

Mr. SIMMONS. If the Senator will pardon me, I do not wish to discuss tobacco just now. I would rather he would wait; I will come to that later.

Mr. STANLEY. I beg the Senator's pardon; I thought he was discussing the tobacco schedule, and I wished to ask the Senator a question in regard to it.

Mr. SIMMONS. No; I was speaking of corn.

Mr. STANLEY. Very well, I will wait.

Mr. SIMMONS. However, Mr. President, I will come to the question of tobacco right now. There are certain tobaccos raised in this country of a special grade and quality——

Mr. STANLEY. If the Senator is going to discuss the tobacco provision now, in the incipiency of his remarks, if he will permit an interruption, I should like to ask him a question, for I know how thoroughly versed he is as to every detail of the measure. The bill provides a duty upon wrapper tobacco, and further provides a duty on all leaf tobacco "the product of two or more countries or dependencies, when packed together," and on filler tobacco at 35 cents a pound if unstemmed and 50 cents a pound if stemmed. Is not that applicable only to cigar tobacco? Is there any other tobacco that is covered by this schedule except cigar tobacco?

Mr. SIMMONS. I will say, if the Senator will pardon me, that the duty carried in the bill upon filler tobacco is the same as that carried in the present law; that is, 35 cents a pound on the unstemmed and 50 cents a pound on stemmed tobacco. The only change from existing law in connection with this schedule is with reference to wrapper tobacco, the duty on which is raised from $1.85, as provided in the present law, to $2.85, I think, in the pending bill.

Mr. STANLEY. But under the pending bill the duty applies to cigar tobacco. Is there a duty upon any other kind of tobacco coming into this country?

Mr. SIMMONS. In the present law?

Mr. STANLEY. Yes.

Mr. SIMMONS. Yes; there is.

Mr. STANLEY. I do not think there is any in this bill, if the Senator will pardon me.

Mr. SIMMONS. Yes; there is a duty upon certain tobaccos coming into this country that are not for wrappers.

Mr. THOMAS. Not in this bill.

Mr. SIMMONS. In this bill?

Mr. STANLEY. That is what I mean. What I want to get at is this: The bill provides an increased duty only for cigar tobaccos.

Mr. SIMMONS. Yes.

Mr. STANLEY. As I understand, the peculiar type of tobacco which is provided for in this bill is only raised to any extent in one small section of one small State.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Connecticut?

Mr. SIMMONS. It is not raised exclusively in that State, but it is the purpose——

Mr. STANLEY. There is some filler tobacco raised in Pennsylvania, I understand, and also in Wisconsin.

Mr. SIMMONS. Mr. President, the great bulk of the tobacco raised in this country is of a grade which is not raised anywhere else in the world. The kind of tobacco which we grow in North Carolina, South Carolina, Virginia, and I think Kentucky is not imported into this country at all, while large quantities of it are exported. There are no importations but large exportations, and, therefore, a duty upon importations would be of no value to that class of tobacco farmers; but there are some tobaccos grown in this country that are competitive.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Kentucky?

Mr. SIMMONS. I yield.

Mr. STANLEY. If the Senator will allow me to interrupt him further, I am not in favor of a duty upon any kind of tobacco, at any time, anywhere, although more than one-third of all the tobacco produced in the United States is grown in Kentucky.

I wish to say, however, that the Senator is more generous than he claims to be. The cigarette tobacco, the light tobaccos that are grown in the Senator's State, tobacco grown in my State, and the lighter leaf tobacco, comes into active competition with the cigarette tobaccos imported from South America and from Turkey. They are used interchangeably. A duty upon such tobaccos, upon cigarette tobaccos, and the lighter pipe tobaccos would in a way, possibly, give the appearance of a benefit to the farmer who is producing them; but it would not be of any real benefit, on account of the enormous quantity exported. What I am driving at is that the argument that the Connecticut tobacco should have increased protection on account of competition with Cuban tobacco is equally applicable to five times the amount of tobacco that was ever grown in Connecticut in any one year, for which we are not asking one cent protection.

Mr. SIMMONS. Mr. President, I think the whole tobacco situation may be stated in this way: Wherever there is any tobacco of a kind and character that comes into direct competition with the kind of tobacco that is produced in this country, under the present law there is a duty upon that tobacco; but the great bulk of the tobacco that we produce in this country is not of a character that is produced elsewhere, and the duty upon it is of no benefit to the farmers who raise that character of tobacco. Some types of tobacco, besides the Connecticut wrappers, which are grown in this country, come in competition with foreign types of similar character, and the duties of the present law applies to them, but they constitute a small part of our annual production.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield further to the Senator from Kentucky?

Mr. SIMMONS. I do.

Mr. STANLEY. The point to which I am calling the Senator's attention is the absolute unfairness of this measure, and I am as strongly against it as the Senator is in that it does not even pretend to be just in this tobacco schedule. It puts an increased duty upon cigar tobaccos alone, and I find no place in it where there is any such increased duty upon the lighter tobaccos that are imported in thousands of pounds. For instance, we are importing about 3,000,000 pounds of tobacco from Greece, Turkey, Mexico, and other countries, a great deal of which is not cigar tobacco at all, and is not covered in this bill, as I understand.

Mr. SIMMONS. The Senator is in the main correct, but I think he has the matter slightly confused. The provision in the present bill increasing the duties on wrapper tobacco is one that was presented by the Senator from Connecticut, and it was intended to increase the existing duty upon a certain kind of wrapper tobacco which is grown almost exclusively but not altogether in the State of Connecticut, and grown there under cover. Under the present law that tobacco is dutiable at $1.85 unstemmed and $2.50 stemmed, and that is raised in this amendment to $2.85 and $3.50, respectively.

Mr. STANLEY. I understand.

Mr. SIMMONS. If stemmed, it is raised to $3.50; unstemmed to $2.85; so that the increase is $1 a pound.

Mr. McLEAN. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Connecticut?

Mr. SIMMONS. I do.

Mr. McLEAN. I think the Senator from Kentucky has not read this bill.

Mr. STANLEY. Yes; I have read this bill. I find nothing in this bill touching any kind of tobacco except the cigar tobaccos, and that is the information I was asking for.

Mr. McLEAN. It is the view that is now expressed by the Senator from Kentucky that leads me to believe that he has not read the bill. If he has, I do not think he understands it, because the old duty is retained——

Mr. SIMMONS. That is what I stated in the beginning.

Mr. McLEAN. The old duty is retained on all other kinds of tobacco which comes in as filler tobacco. The definition of the word "filler," as the Senator will read, is that it means all other leaf tobacco; so that there is a duty on everything that is not used for wrappers.

Mr. STANLEY. Does not the Senator from Connecticut know that the term "filler tobacco" is a technical term, and applies to tobaccos that make the central part of a cigar, and does not apply to a leaf tobacco that could be used for smoking or cigarette purposes?

Mr. McLEAN. I should think so if the law itself did not state that the term "filler tobacco" means all other leaf tobacco.

Mr. STANLEY. That is, other leaf tobacco for cigar purposes, as I understand; in any event there is no increased duty upon leaf tobacco.

Mr. McLEAN. Oh, no; not at all. Anything that comes in as a filler pays a duty of 35 cents, and it applies to all other kinds of tobacco.

Mr. SMITH of Georgia. Whether it fills a cigarette or a cigar.

Mr. McLEAN. Why, certainly.

Mr. SIMMONS. Mr. President, I do not think there can be any doubt about that. There is in the present law a duty that is applicable to all kinds of tobacco, but the point I am making is that only a very small proportion of the tobacco that is raised in this country is of a kind that is imported into this country, and therefore the duty on tobacco under the present law is of no benefit, was not expected to be of any benefit, and can not be of any benefit to any tobacco grower, except the grower of certain specific grades that are raised chiefly in Connecticut and Florida. This amendment is introduced not for the purpose of changing the present law with reference to the duty on tobacco ordinarily and generally grown here, and of which there are practically no importations, or with reference to certain special types grown to limited extent in several States and which comes in competition with foreign-grown tobacco, but for the purpose of raising the duty upon a particular kind of wrapper tobacco grown chiefly in Connecticut, and grown there, as I stated a while ago, altogether under cover. It is a very high grade of wrapper tobacco. It has always carried under every tariff bill a high rate of duty. Under the Republican tariff and under the Democratic tariff this tobacco has borne a high duty.

Mr. McLEAN. Yes.

Mr. SIMMONS. But that duty—and that is the point I wish to make—is, in the nature of things, applicable only to a very insignificant quantity of the tobacco grown in this country, because we do not import tobacco except of certain grades not grown in this country to any considerable extent.

Mr. McLEAN. Mr. President, if the Senator will pardon me, I assume that the rate of $1.85 per pound was retained in the Underwood bill, which was supported by the Senator from North Carolina, because of the fact that tobacco is a luxury as well as a necessity, and that the duty in part is defensible as a revenue duty.

Mr. SIMMONS. Oh, undoubtedly tobacco is a luxury, and a duty upon tobacco is a revenue duty, and the duties imposed upon tobacco in the first instance were revenue duties, because we do import quite a lot of a character of tobacco not produced to any considerable extent in this country. Of the tobacco similar to that which is grown principally in the State of Connecticut there were imports last year to the extent of $10,000,000, I believe. We do not raise enough to supply the demand for that character of tobacco. It can not be grown except under cover, as I understand, in the latitude of Connecticut. It may be grown to some extent down in Florida—I do not know—and there may be some in Pennsylvania.

Mr. BRANDEGEE. Mr. President, if the Senator will permit me to interrupt here, it is grown also to a very considerable extent, I am informed, in the State of Georgia—of an excellent quality, too.

Mr. McLEAN. And in Florida.

Mr. SIMMONS. Yes. I am not complaining about the duty on wrapper tobacco of the kind that is imported into this country, although I can see no justification for the increase asked for by the Senator from Connecticut, because it is a revenue duty; but what I am attempting to show here now is that it is impossible to help the ordinary tobacco farmer in this country by the imposition of a duty upon imports, because there are no imports into this country of the kind of tobacco that is generally grown.

Mr. SMITH of Georgia. We really export it.

Mr. SIMMONS. We export it in large quantities. Not one pound of the tobacco that is grown in my State—and it is one of the greatest tobacco-growing States of the Union—could be helped or benefited by an embargo duty upon tobacco, because not one pound of that kind of tobacco is imported or will be imported into this country; and the same thing is true of the tobacco that is grown in South Carolina and in Virginia, and I think it is also very largely true of the kind of tobacco that is grown in Kentucky.

Mr. President, we have discussed wheat. The Senator from North Dakota [Mr. McCUMBER] thinks that a high duty upon wheat will be beneficial in the present condition. I do not agree with the Senator. I do not agree that, even taking the relatively abnormal importations of wheat at this time, enough wheat is coming into this country to affect the price of the domestic product. We produced about 790,000,000 bushels of wheat during the last calendar year. We exported of that 206,500,000 bushels of wheat to January 1 of this year, while the total imports from Canada during the past calendar year did not exceed 38,000,000 bushels of wheat. Under these circumstances these Canadian imports were not competitive. They were merely supplementary. Every bushel of it, or its equivalent of American wheat, and five times as many more bushels were exported. You can not raise the price of the domestic product—and this bill is confessedly and avowedly intended for the purpose of raising the prices of domestic products—by shutting out the relatively small amount of wheat coming from Canada—relatively small when compared either with our production or exports. You can not benefit the farmer by that process unless the importations coming into the country are in sufficient volume to affect the price of the domestic product and raise it up to the price level of the foreign product plus the duty that you impose upon it.

In the case of sugar, where we produce one half as much as we consume and buy the other half from abroad, if you put a duty upon the half that we import the effect of that is to raise the half that is produced in this country up to the price of the foreign product plus the duty imposed upon it.

But in the case of wheat, where we import a negligible quantity compared with our production and the exportations, it can not be true that the exclusion of these relatively small importations could have the effect of appreciably enhancing the price of the American product.

As I said on another occasion in this discussion, if the 28,000,000 bushels of wheat that came in from Canada during the last year have depressed the price of wheat in this country, then it would follow that if 28,000,000 more bushels of wheat had been raised in North Dakota last year than were raised in North Dakota and the entire crop of the United States had been in that year increased by 28,000,000 bushels, that fact would have depressed the price of wheat in this country. In 1919 we raised in this country over 200,000,000 bushels of wheat more than we raised in 1920, but the price was higher in 1919 than it was in 1920. This shows that a mere increase in the amount of wheat, whether that increase comes from importations from abroad or from a larger crop, does not affect the price in this country, because we have found a ready export market for every bushel of wheat we raise in excess of our needs for domestic consumption.

Mr. President, under these circumstances it looks like a vain thing to impose a duty upon wheat, especially as that duty will be aimed chiefly at our neighbor just across the border—Canada—and probably will result in retaliation on the part of Canada not only as to wheat exported from this country into that country, but other articles exported from this country into that country.

It is very well known that we export to Canada very much more than we import from Canada, and in a war of retaliation between this country and our neighbor we will inevitably get the worst of it, and we are inviting it when we impose a prohibitive duty upon wheat.

It is for these reasons, Mr. President, that the existing law does not place any duty except a conditional duty upon wheat, not for the purpose of discriminating against the farmer, not with a view of not giving him the same treatment in the disposition of tariff bounties that is given the manufacturer—certainly that was not the idea of the makers of the present tariff law—but because it was thought that under the circumstances reciprocal arrangements with importing countries would be both in the interest of the growers of wheat and the country.

Mr. President, I assert that if we eliminate certain of the great staple crops which we produce in this country far in excess of the domestic demand, and with reference to which we are on an exporting basis, and the price of which is controlled and established in the markets of the world and in no way affected by importations, should there be any, practically all our remaining agricultural products of which there are importations in such quantities as to affect the domestic price or afford revenue if taxed are on the dutiable list in the present law. Of the 75 articles contained in the list I have presented here showing the duties imposed upon agricultural products, I think 12 of them are included in the present bill. The difference is that the present bill proposes to make these duties practically prohibitive and to place an embargo upon the further importation into this country of the products involved.

Mr. President, I want also to put in the RECORD a statement as to the extent to which the duties imposed in this bill increase, not the duties contained in the present law but the duties imposed in the Payne-Aldrich law. Senators have been reminded frequently in these discussions that at the time of the consideration of the Payne-Aldrich law the duties proposed in that bill were so exorbitantly high that there was a revolt in this Chamber against the committee which brought in that bill, and that revolt precipitated probably one of the most sensational and in many respects one of the greatest debates that has ever taken place in this Chamber, certainly during my 20 years' membership. In that memorable discussion that great Republican orator from Iowa, Senator Dolliver, led the assault and marshaled against that Republican enactment all the puissant powers of his analytical mind and unsurpassed eloquence. He

did not succeed, but he aroused the public mind and heart to the inequities and the discriminations, the outrageous iniquities, the shocking wrongs of the duties proposed in that bill, and his overwhelming indictment and denunciation took lodgment in the conscience and minds of the people of the country, irrespective of party affiliations, irrespective of party sympathies, irrespective of prior views with regard to tariff principles, and largely out of the seed thus sown grew the fruitage of the great victory that overwhelmed the Republican Party in 1912 and placed the Democratic Party in control of the affairs of the Government, with a mandate so urgent that it at once proceeded to remedy those wrongs by reducing those outrageously high tariff taxes imposed by that law upon the people of this country. And, Mr. President, that party, expelled from power in this country in 1912 because, and almost solely because, of the revolt in the Republican Party and the country against the iniquitously high rates of the Aldrich bill, now forgetful of the past, upon its advent to power seizes the first opportune moment to come forward with a proposal to lay upon the backs of the people burdens compared with which those of the Payne-Aldrich bill would seem light.

Mr. President, having said this much about the Payne-Aldrich law I want to call the attention of the Senate to the extent to which this bill proposes to increase the Payne-Aldrich rate of duties—not the duties of the existing law, but the Payne-Aldrich duties—on the commodities embraced in its provisions.

They say these increases are to meet an emergency. Senators, be not deceived. It means more than that. It is a forecast of the character of the general revision we may expect at the extra session. There will be no question hereafter, as in 1909, about whether the rates are raised or lowered, whether the revision is one upward or one downward. This bill can not fail to indicate to the country that the rates of taxation to be imposed upon the people in the forthcoming general revision of the tariff are to run on parallel lines with those in this bill, and while they may not dare to make them quite so high their objective will be prohibition rather than readjustment of duties in the interest of the American producer of competitive commodities.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. I yield.

Mr. McCUMBER. Can the Senator tell me how it was, with such a pure and good law as the Simmons-Underwood tariff law, which was then in existence, and which was taking care so well of the public interest, that we had such an overwhelming change, and the people put in a high tariff Republican majority at the election in November? Even as good as it was, it seems to have failed to satisfy the American public.

Mr. SIMMONS. Mr. President, the Senator knows, every man of ordinary intelligence in this country knows, that the tariff was not the issue in the last campaign; it was not discussed except occasionally; it was not thought of by the people when they were making up their minds as to how they should vote. It had no influence at all upon the result of the recent election. If the campaign had been on the tariff and domestic questions, as in 1912, there would have been, I confidently believe, a different result.

But let me read those rates. On wheat, the first item in the bill, the duty proposed is 60 per cent increase over the Payne-Aldrich rate. On beans the duty proposed is 167 per cent increase over the Payne-Aldrich rate. On shelled peanuts the duty is 200 per cent increase over the Payne-Aldrich rate and on unshelled peanuts 500 per cent increase; on cottonseed and soya-bean oil, an increase from free to 20 per cent ad valorem; on lambs, an increase of 33 per cent over the Payne-Aldrich rate; on sheep, 33 per cent increase; on fresh meat, 33 per cent increase; on wool, first class, unwashed, 36 per cent; washed, 36 per cent; scoured, 36 per cent; second class, unwashed 25 per cent; washed, 150 per cent; scoured, 25 per cent. On sugar—and I am now speaking of the original committee amendment—there was proposed an increase of 199 per cent for sugar of 75° test, and for each additional degree there is an increase until upon the refined sugar it amounts to 189 per cent over the Payne-Aldrich rate.

Mr. HARRISON. I did not catch the figure which the Senator gave with reference to washed wool. What is the increase on washed wool over the Payne-Aldrich rate?

Mr. SIMMONS. On unwashed wool, second class, it is 25 per cent, and on washed wool it is 150 per cent.

Mr. HARRISON. One hundred and fifty per cent increase over the Payne-Aldrich rate?

Mr. SIMMONS. Yes. On all grades of molasses there is an increase of 200 per cent over the Payne-Aldrich bill; on butter and butter substitutes, cheese and cheese substitutes, an increase of 33⅓ per cent; and an increase in the case of tobacco wrappers, stemmed, 40 per cent, and unstemmed, 54 per cent. Then there is an increase of 860 per cent on raw cherries.

We have heard a great deal lately about the necessity for passing hurriedly a new tariff bill because the enormous increase of importations, as it is charged, is threatening domestic industries. The Senator from Connecticut [Mr. McLEAN] a few days since intimated that the industrial life of the country was menaced by these, as he alleges, excessive importations, and if we are to preserve our industries' life as we have preserved our liberties against the assaults of Germany and the Central Powers, it is necessary that we should at once put up the bars and arrest these inundations of foreign products that are undermining and destroying the prosperity and menacing our industrial independence, and even existence. There is not the slightest foundation in the facts of the situation for these gloomy assumptions and forebodings of the Senator. Let us consider the facts with reference to importation into this country of foreign commodities.

We always have to consider importations in the light of exportations. I make the broad statement now, and I shall attempt to establish its verity by the citation of official statistics showing that comparing 1914, the last full year before the war, with 1920 there has been a relative decrease in importations, as compared with exportations, of at least three to one.

It was unfortunately true that for a long stretch of years this country pursued a policy of industrial isolation. Our country developed and grew, but it developed and grew slowly. It was not until after the Spanish-American War that the United States found itself and awakened to a realization of the fact that it was not only a great world military power but that there was before it a future in the industrial world which, if properly taken advantage of, would rapidly advance it to the front ranks of the great industrial nations of the earth. Who first saw that? The man upon whose mind first dawned that magnificent vision of the future potentialities of American trade and industry was the author of the McKinley law, who was at that time the greatest exponent and champion of the protective system in the world. To-day his name, more than that of any other man in our history, is linked with the idea of a protective tariff. He was the first man who saw it clearly and in the fullness of its potentialities.

Blaine had a glimpse of it when, while Secretary of State, he proposed certain reciprocity arrangements in the tariff measure then in the making. He saw the handicap of industrial isolation, and he proposed, supposedly against the views of his chief, President Harrison, a reciprocity arrangement in the tariff law of 1890. It was said, as a part of the history of that episode, that he appeared before the Finance Committee and urged that certain reciprocity provisions be put in the tariff bill that that committee had under consideration in order that the bars that had been put up against foreign trade might be let down in particular instances in the interest of our foreign trade. It is said that when unsuccessful in his appeals to that committee, with that energy that characterized him, he violently beat upon the desk, knocking in his hat which lay there, making the vehement declaration that there was not one line or syllable in the bill that would open to the American producers the markets of the world for the sale of an additional bushel of wheat or pound of meat. This episode did not, as reported in the press, take place in the committee, but in an unofficial conference upon the subject. Blaine, I say, had only a glimpse—visualized the possibilities—but McKinley recognized, when the Spanish-American War was won, that at last the day and hour had come for America to cast off the fetters of provincialism and go forward to her rightful position of industrial supremacy. That was the inspiration of that great address delivered by him at Buffalo just before his assassination.

Mr. President, we have gone forward. We have gone forward in world trade until to-day our exports exceed our imports over $3,000,000,000. Every year there comes into America to stay here, to further enrich its 105,000,000 people, $3,000,000,000 of foreign money in excess of what we send away to buy foreign products. In this condition of things the Republican Party now says: "Let us cut down imports; let us put the knife deep into the very roots and foundation of this vast export traffic; let us erect a barrier that will effectively check these imports, that will act in some cases as a check and in some as an embargo; let us keep them out altogether in some cases and in others reduce them to a minimum." If that policy is to prevail what will become of our vast surplus products of wheat, cotton, tobacco, and so forth, which we export and which makes their production here on a large scale profitable and possible?

I say to you, my fellow Senators, that our importations, which are primarily the basis of our exports, are now at the point

where they are not sufficient to sustain our present great export trade. Uuless they are increased, our export trade, already checked, is going to suffer further and disastrous diminution. We can not maintain it otherwise, especially in the present condition of the world. How can we do it? How can any country in the world, in the present condition, continue to buy from us billions of dollars more than we buy from them, and live, not to say prosper?

The whole world is heavily indebted to us, especially our chief customers. We have drained them of their gold; their credit is shaken; and now it is proposed to cut off their only remaining means of paying us for the goods we wish to sell them, and which we must continue to sell them if we are to prosper and grow as we should. Will not such a policy throw away the greatest opportunity ever vouchsafed to a Nation?

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Oklahoma?

Mr. SIMMONS. Certainly.

Mr. OWEN. I desire to call the Senator's attention to the fact that with approximately $20,000,000,000 due to the people of the United States, including our Government, there is an invisible interest charge of at least 5 per cent on that amount, which will make $1,000,000,000 in addition to the $3,000,000,000 to which the Senator has referred.

Mr. SIMMONS. Undoubtedly. The import situation can not be undermined without at the same time undermining the export situation. Our imports can not be reduced below the present level without reducing our exports in larger proportion. Always, Mr. President, the prosperity of this country has got to rest, as it rests to-day, as it has rested during the last decade, the greatest era of its progress—always, I say, in the future as in the period of our great world progress, our prosperity rests and depends upon the volume of our exports. Undermine our export trade, deliberately adopt a policy that inevitably leads to their ruinous curtailment, and we will have idle fields, smokeless factories, and industrial retrocession and contraction will take the place of progress and expansion.

It is said if imports be reduced the farmer here and there, the man engaged in this industry and that industry here or there will be enabled to make a little more money, charge and get a little higher price for his product because he will have no foreign competition. I say that if we pursue a policy that will drastically and inevitably reduce our exports we will put an end for the time being to industrial expansion; and God knows we do not want to see that. We rather, I think, want to see industries, whether field, mine, or factory, multiply and grow and expand. They are not grown; they have not yet reached the full measure and stature of development. We want to see them continue to grow. But if we adopt the policy of restriction contained in this bill and proclaimed by the party in power, as surely as the night follows the day we will not only stop further expansion of our manufacturing and agricultural activities but we will restrict present activities and operations along all lines of endeavor.

Mr. President, I have said—and these remarks are preliminary to the figures which I propose to submit to this body—that I propose to present official figures showing that there had been no such increase in imports as that asserted in support of the suggestion that we must at once put up the barriers to the further introduction of foreign products.

First, Mr. President, I wish to present to the Senate a statement of facts as to the imports and exports from Europe during the fiscal year 1920 as compared with the fiscal year 1914. I have selected the year 1914 because that was the last full year before the war, and I have selected the year 1920 because that is the first full year during which tariffs could begin to have their full effect since the war.

Our importations from Europe in 1920 were $1,179,000,000, in round numbers. The importations from Europe to this country in 1914 were $895,000,000. Subtracting the imports from Europe of 1914 from the imports of 1920, we have an increase of imports during those six years of only $284,000,000. That is an increase of only a little over $45,000,000 a year.

Our exports to Europe in 1920 were $4,864,000,000, while our exports to Europe in 1914 were $1,486,000,000. Subtracting the one from the other, it shows that during those six years our exports to Europe increased $3,378,000,000; in other words, put in percentages, the increase in the imports from Europe to this country from 1914 to 1920 were 31 per cent, and the increase in exports from this country during that period was 227 per cent; a 31 per cent increase in imports against a 227 per cent increase in exports. Does that call for a further reduction of imports from Europe? Does that suggest a studied policy to reduce imports from those countries? Does it not rather suggest that if some means are not devised by which Europe may buy more largely from us than she bought in 1920 we may in the near future, with absolute certainty, expect a disastrous slump in our sales to Europe? It will be inevitable.

We have heard much in these discussions about South America as a dangerous competitor. We have been reminded of the alleged cheapness of South American labor and its more favorable soil and climatic conditions and the like advantages over us, and we have been assured that her products are pouring into this country in ruinous volume, threatening, unless we restrict or exclude them, to undermine agricultural interests in this country.

Mr. President, I wish to present to the Senate some figures making the same comparison for the same two years, with reference to our import and export trade with South America, as I have given with reference to Europe. I will not read the figures in full. The result, however, generally, is this: That from 1914 to 1920 our imports from South America increased at the rate of 280 per cent and our exports to South America increased at the rate of 294 per cent. There is nothing wrong with that from an economic standpoint. If there is any portion of the world that probably could compete more successfully with us than any other, it is possibly South America.

In North America, including Canada, by reason of conditions which it is not necessary for me to stop now to analyze, the increase has been a little against us. During the period named the increase in imports from North America, which includes Cuba as well as Canada, has been 247 per cent in imports as against 209 per cent in exports, although our exports increased over $48,000,000 more than did our imports.

Everybody knows that the chief increase in imports from North America has been due to the enormous increase in this country in the consumption of sugar and the products of sugar during that period of the great increase in our importations of sugar from Cuba, a considerable part of which was refined here and reexported. Eliminating these sugar imports, our exports to North America have increased much more rapidly than our imports.

Mr. SMITH of Georgia. Do those imports include the sugar we imported, refined, and reexported?

Mr. SIMMONS. Yes; they do. It is difficult to eliminate that.

Mr. SMITH of Georgia. Then, if it is not eliminated, finally our exports exceeded our imports, possibly.

Mr. SIMMONS. Yes; as it is our exports for 1920 exceeded our imports from North America by about $150,000,000.

Mr. President, the Republican Party and those Democrats who desire increases in duties upon agricultural products have in the hearings and discussions on this bill rung the changes in condemnation of the alleged dangerous increase in importations into this country from Asia. I have heard more of it in my State, probably, than the average Senator has heard in his, because we raise some peanuts in my State, and some peanuts come here from Japan and from China, and my people have begun to think that they are being driven out of business by the cheap peanuts and peanut oils of Asia.

It may be that labor in Asia is comparatively cheap, a fraction of what it is here; but these products—peanuts and peanut oil—have been so in demand in the markets of the world that the prices at which they have been selling in the countries to which they were exported bear no relation to the cost of production if that is as cheap as is claimed. The peanuts that have been exported from Asia, however cheaply they may have been produced, have commanded in recent years a relatively high price in this market and in the markets of the world. I will discuss this subject somewhat in detail later.

Let me give now the figures with reference to our trade with Asia. The table I present shows that the increase of imports as compared with exports—comparing 1920 with 1914—was as follows: Increase of imports, 363 per cent, while increase of exports was 403 per cent, showing that our exports increased more rapidly than our imports.

In conclusion I want to give the relative imports and exports from this country in 1914 and 1920, not to and from any particular country or group of countries, but to and from the whole world.

In 1920 our imports from the outside world amounted to $5,238,000,000. In 1914 our imports from the outside world amounted to $1,893,000,000, the gain of 1920 over 1914 being $3,344,000,000.

During 1920 our exports to the outside world amounted to $8,111,000,000, and in 1914 to $2,364,000,000; the gain of 1920 over 1914 being $5,746,000,000.

Those amounts reduced to percentages show that our imports for 1920 compared with those of 1914 from the outside world increased 176 per cent, while our exports for the same period

of time, making the same comparison, increased 243 per cent. That is, the balance of trade in our favor in 1914 was $470,000,000, while in 1920 it was $2,872,000,000, an increase in our favor of over $2,400,000,000. This demonstrates what I stated in the beginning—that a comparison of our total imports and exports in 1914 and in 1920 shows that the relative increase of the imports to this country has been very much less than the increase in the case of the exports from this country.

Mr. President, I dislike very much to detain the Senate so long; but it is absolutely necessary that I shall devote a short time, before I conclude my remarks, to the discussion of some commodities contained in this bill that are produced very largely in my State and section of the country, and with respect to which the farmers of my State, as in these other Southern States, have, I fear, been somewhat misled by the false and unfounded statements and fallacious arguments that have been made with respect to the effect of foreign importations upon the market price of their products, and with respect to the effect that these proposed tariff rates upon these products will have upon domestic prices.

The one issue involved in this legislation is, Will these duties by checking or stopping importations raise the price of the agricultural products sought to be protected? If they will not have that effect, then the groundwork and the foundation of this bill are gone, because its advocates base their support of it purely upon the ground that the farmer is in distress, and that these duties will restrict, if not cut off, these foreign importations, and that that will enhance the price of the domestic products—that is, they base their support of this measure upon the ground that the low prices of agricultural products at this time is due to increased and excessive importations. Now, if these low prices are not due to importations, these duties, though they curtail or stop importation, will not have the effect of raising the price of farm products, and unless they will enhance these prices the reason for the duties and for the legislation must disappear.

The people of my State raise peanuts. The growing of peanuts is a very important industry in this country. It is quite an important industry in a part of my State. The production of peanuts here, as in the world, is confined to small areas. They are not a crop of general production. They are a crop that is confined, by reason of soil and climatic requirements and adaptation, to relatively limited portions of the countries of production.

The farmers of my State have been led to believe that there are coming into this country at this time, and have been coming for some time, especially during the past six or eight months, enormous quantities of peanuts from Japan and China. They have been told that these peanuts are raised by labor paid 6 or 8 cents a day, and that they are sold at give-away prices. As I said a while ago, some peanuts have come in from these countries; but, as a matter of fact, whatever may be the labor costs in China or in Japan or in British India—for some come from British India—when they get to the ports of this country, by reason of the fact that there is an active demand, coupled with a shortage of peanuts in the world, they command a price very nearly equal to the price of the American product.

There has been an immense amount of downright falsifying of facts in connection with the propaganda in behalf of this legislation. By reason of literature sent out among the farmers of my State they have gotten the idea that during the last crop year, 1919–20, there were imported into this country 25,000,000 bushels of peanuts, whereas in that year there were only about 35,000,000 bushels grown in this country.

Upon an examination of the statistics upon which these figures are based, I find that they have confused peanuts as a distinct article of commerce with the peanut oil which is imported, and that this confusion results from the statisticians in their calculations converting the peanut oils imported into their equivalent of peanuts.

Mr. SMITH of Georgia. Does the Senator mean the amount of oil similar to peanut oil, made from some other commodity, imported into this country?

Mr. SIMMONS. No; I mean in the statistics the peanut oil is converted into its equivalent of unshelled peanuts, and that amount is included in the statement of the amount of peanuts imported into this country.

Mr. SMITH of Georgia. The oil itself was imported?

Mr. SIMMONS. The oil itself was imported into this country. They converted the oil into its equivalent of peanuts, and added the actual peanut importation to these peanuts required in the production of the oil imported and reached an aggregate of 25,000,000 bushels. The amount of peanuts imported was about 5,000,000 bushels, and the peanuts required in the production of the peanut oil imported amounted to about 20,000,000 bushels, and by converting the oil into terms of bushels of peanuts required to produce that quantity of oil and adding that to the unshelled peanuts arrived at the misleading statement of the annual importation of peanuts. The Tariff Commission's reports show this to have been the method of calculation. I attach table in commission's report.

Peanuts—Summary table.

[Imports include shelled peanuts and peanut oil, as well as unshelled peanuts. The first two have been converted to the equivalent of unshelled peanuts.]

Year.	Domestic production (calendar year).	Imports for consumption (year beginning July 1).	Domestic exports (year beginning July 1).	Ratio to production.	
				Imports.	Exports.
	Bushels.	*Bushels.*	*Bushels.*	*Per cent.*	*Per cent.*
1909	19,415,816	5,000,000	203,846	.....	.....
1910	.....	2,000,000	247,509	.....	.....
1911	.....	2,000,000	269,123	.....	.....
1912	.....	2,000,000	331,881	.....	.....
1913	.....	3,000,000	366,128	.....	.....
1914	.....	2,000,000	267,049	.....	.....
1915	.....	3,000,000	394,065	.....	.....
1916	34,433,500	5,000,000	1,018,786	14.98	2.96
1917	52,505,000	13,000,000	567,646	24.81	1.08
1918	46,010,000	12,000,000	618,039	27.13	1.34
1919	33,925,000	25,000,000	642,634	74.42	1.89
1920	35,960,000	.....	.....	.....	.....

Mr. SMITH of Georgia. They estimated in peanuts themselves the quantity of oil brought in?

Mr. SIMMONS. Certainly; that is it.

Mr. President, the actual imports of peanuts into this country during the crop year of 1919 were, according to the report of the Tariff Commission, something less than 5,000,000 bushels; but the crop of 1919 was 13,000,000 bushels short of the crop of 1918, so that the importations of peanuts did not equal the shortage in the crop.

What happened by reason of this shortage and these relatively small importations? The peanut supply of this country was inadequate to supply the demand; and it could not be increased by further importations, because, on account of world shortage, they were not to be had elsewhere. Six million bushels of peanuts is one-half of China's and Japan's exportable peanut production. There is no country in Europe that commercially produces peanuts, so far as I know, and yet Europe's demand for peanuts is enormous.

Great Britain and Germany imported last year fifteen times as many peanuts as we imported. France generally takes all the peanuts grown in British India and in the peanut regions of Africa. Generally Europe has taken practically all the exportable peanuts grown in China and in Japan, and in practically every country except this. China, where peanuts are a staple article of diet, generally imports many more peanuts than it exports. Last year we bought all we could. We had an extraordinary shortage here. Our crop was 13,000,000 bushels short, as I said, of the previous year. Because of this shortage and the great demand the crop of last year, together with the importations, was barely sufficient to supply the demand for confections, peanut butter, and so forth. This demand was so great and prices so high in the fiscal year 1919–20 that the peanut-oil manufacturers in this country, finding that they could not afford to convert peanuts into oil because of the high prices demanded in the confections trade and in the peanut-butter trade, and finding that they could not get the necessary peanuts at sufficiently low prices from anywhere in the world to crush for oil, closed their mills. Practically all of them closed down and many installed machinery for hulling and grading peanuts and went into the business of selling the nut instead of crushing it for oil.

Mr. President, if I can lay my hands upon the report of the Tariff Commission, I need only to read from that to corroborate my statement. I have found it. That report says:

> The confection demand, the short crop, and the light imports of the preceding year caused prices to remain so high during 1919–20 that one large class of consumers—the oil millers—was put out of business.

Again, the Tariff Commission report says:

> The high prices prevailing for the 1919 crop made prohibitive the crushing of peanuts for oil. Most of the large mills put in shelling and grading machinery and sold their peanuts to the manufacturers of candy, peanut butter, and salted peanuts. * * * Only the broken, shriveled, and damaged nuts, which were not salable for any other purpose, went into the oil presses. Small mills which had no shelling and grading machinery generally had to abandon the peanut industry.

They had to abandon it, Mr. President, because of the short crop here, and because they could not find these nuts elsewhere to make up that shortage. Even had there been a full crop in that year, there would not have been enough to more than adequately supply the demand for those purposes.

It is said we import quite an amount of peanut oil which comes in competition with our cottonseed oil. Agreed; but what was the cause of those importations? About 20,000,000 gallons of that oil, as I now remember it, came in during the crop year 1919-20, chiefly from Japan and China, but it did not more than supply our demand, because we made but little peanut oil in this country that year for the reasons I have given, and which the Tariff Commission gives in the report from which I read.

Peanut oil has come to be extensively used here in the manufacture of oleomargarine, sardine packing, medicinal emulsions, and so forth. It has largely taken the place here and in Europe of other oils in the making of oleomargarine. They formerly used cottonseed oil, not only here but in Europe, to a certain extent for that purpose, but peanut oil is supposed to be so far superior to cottonseed oil for that purpose that Europe has practically abandoned the use of cottonseed oil for making oleomargarine and uses peanut oil, although peanut oil generally sells for 5 cents a pound more than cottonseed oil. Likewise in recent years we have used peanut oil extensively in making oleomargarine. Indeed, we have almost stopped using cottonseed oil for that purpose.

The Tariff Commission report states that in 1918 or 1919, the last statistics I have seen, only from 2 to 5 per cent of the oil used in the making of oleomargarine was cottonseed oil. Other oils are used, chiefly peanut and cocoanut oil, because they are deemed better adapted for such purpose. If the cottonseed-oil industry has suffered by reason of this change, it is a case of where a more acceptable article, one which appeals more to the people, has been discovered for the making of this substitute for butter. Upon this subject the Tariff Commission says since only from 2 to 5 per cent of the domestic production of cottonseed oil has been going into oleomargarine the substitution of other oils, if complete, would not be serious to the cottonseed-oil interests.

Mr. President, during the calendar year 1920 there were, as I said before, imported into this country about 5,000,000 bushels of peanuts. I want to call attention to the significant fact that though much the larger part, indeed more than eight-tenths, of the importation of these peanuts into this country came in during the first six months of that calendar year prices were maintained. During the first six months of 1920 over 4,000,000 bushels of peanuts came into this country, and during those six months there was practically no decline in the price of peanuts. During the last six months, including December, our imports of this commodity were less than a half million bushels, but notwithstanding that fact there was a gradual decline in the prices, beginning contemporaneously with the decline in imports, until the price of peanuts went down to about 8 cents a pound in December. There can be no stronger proof than these facts furnish that the decline in peanuts now complained of and sought to be remedied by excluding imports was not brought about and is not in any way attributable to importations.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Georgia?

Mr. SIMMONS. Let me make this point clear. Mr. President, it is contended that the drop in the price of peanuts is the result of importations of foreign peanuts, and yet the statistical tables to which I have referred—which are official, and which I shall put in the RECORD as an appendix to my remarks—show that during the six months when we imported 4,000,000 bushels of peanuts the price was maintained, and it was only in August, the beginning of the last five months, in which we imported only a small amount of peanuts, that the decline began and continued until the last day of the year. I believe, at the risk of tiring the Senate, I will read those figures, because they are so illuminating and so completely answer the contention that the decline in prices of this commodity is due to excessive importations.

Mr. SMITH of Georgia. It was just on that subject I wanted to call the Senator's attention to a fact. It has been claimed that there have been soy beans brought from Japan and China——

Mr. SIMMONS. Soy beans?

Mr. SMITH of Georgia. Manufactured into this oil, which bean has exactly the same effect as the peanut itself in destroying our peanut market. I wanted to hear from the Senator on that.

Mr. SIMMONS. The Senator can trust me to take care of that when I reach it later.

Mr. President, I have a table of the imports of peanuts, by months, for the last six months of 1919 and 1920. The figures are striking and significant in connection with the statement that is being circulated in my State, and which has been made in the hearing and discussions of this subject, that peanuts have for months been coming in in unheard-of volumes from across the water, and that in the last six months there has been a perfect influx of these importations, and that these excessive and abnormal importations have beat down the price of peanuts until they are hardly worth carrying to market. I read from the table. I am only going to call the numbers in millions and thousands:

In July, 1919, there were imported 5,330,000 pounds; in July, 1920, there were imported 2,657,000 pounds—just about one-half as much during July, 1920, as during July, 1919.

In August, 1919, there were imported 6,269,000 pounds; in August, 1920, there were imported 5,085,000 pounds—1,200,000 pounds less in August last year than in August, 1919.

In September, 1919, there were imported 4,634,000 pounds; in September, 1920, which is the time when the enormous falling off in peanuts commenced, there were imported only 296,000 pounds.

Imports were about fifteen times as great in September, 1919, as they were for the corresponding month in 1920.

In October, 1919, the importations were 3,214,000 pounds; in October, 1920, there were imported only 685,000 pounds, or six times more in October, 1919, than in the corresponding month in 1920.

But November is the significant month. The nearer we get to the end of the calendar year 1920 the worse it gets for those who claim that excessive imports in the fall and winter of 1920 are responsible for the decline in the price of peanuts to a point below the cost of production. In November, 1919, the imports were 1,465,000 pounds; in November, 1920, imports only 48,000 pounds. Think of that! Imports only about one-thirtieth as great in November, 1920, as in November, 1919, and yet it is claimed imports in November, 1920, reduced to a minimum the high prices of November, 1919. I have a table that gives the figures for December, showing that the importations in December, 1920, were only 80,500 pounds, but I have misplaced it.

These official statistics show the absurdity of the argument in favor of a duty upon peanuts upon the ground that importations from abroad are increasing and becoming more and more menacing every hour, and that in order to protect the peanut grower against not only the present importations but the great menace of future and larger importations these prohibitive duties on imports should be levied. These imports are not increasing, as is claimed, but they are declining, and why? Because of the slacking of the demand for these nuts in this country. There is the same slacking in demand for this commodity as for nearly every other commodity and for the same reasons. The present crop in the United States is sufficient to supply the greatly diminished domestic demands, and there is no occasion for more peanuts to be brought here. They would not have been brought here in the quantities they were last year or the year before but for the fact that there was a domestic shortage, a shortage concurrently with an abnormal demand, a demand which could only be met and relieved by bringing peanuts from somewhere else.

Mr. GLASS. Mr. President——

Mr. SIMMONS. I yield to the Senator from Virginia.

Mr. GLASS. I desire to suggest that it is rather based upon the ground that it is expected to get the votes of the Senator from North Carolina and the Senator from Virginia in support of the bill.

Mr. SIMMONS. I am not dealing with the pretense of the situation. The Senator has correctly stated that. I am dealing with the facts and the arguments put forth in support of the proposed legislation. Of course, I know, like the Senator knows, that this is all camouflage. I know, as he knows, that this is an attempt to deceive the farmer as to the effect of a tariff upon his products, in the hope of winning him over to the theory of protection and the Republican Party by throwing him this sop to minimize opposition and make easy the way for pyramiding protection for the benefit of the favored industries on many of the things they produce and sell to him. I know that, and I know more than that. I know that many Senators who will vote for this bill would not vote for it if they thought it would become the law. If Senators will pardon me, I will illustrate with a story told on former Senator Zeb Vance, of my State.

Senator Vance, who was the most popular man of his time with the masses of my State, addressed a great concourse of his admiring constituents upon a question in which they were all in sympathy with him. After he had finished his masterful speech the assembled thousands of his delighted audience pressed around him insistent upon shaking his hand and congratulating him. For hours he was kept busy handshaking and receiving

compliments. When it was all over one of his friends said to him, "Senator, I know it almost killed you to have to stand there for hours shaking hands when you were already worn out from your long speech." "Yes," the Senator replied, "it almost killed me, but if they had not come it would have plumb killed me."

If this bill does not pass the Congress, it will almost kill the Republican politicians; but if it does pass, and is approved by the President, it will plumb kill them. They are mightily in favor of this bill provided it is vetoed. It is no secret, and everybody knows that if it were thought that the bill could possibly pass the White House it could not command a majority of the votes of the Senate. Could there be any better evidence than this that it is a pure pretense, a camouflage, a discreditable fraud?

A more illogical, irrational and indefensible bill never crossed the threshold of the Senate, and that it is indefensible is conclusively shown by the fact that during all of the discussion, when it has been unmercifully bombarded from this side of the Chamber, when its iniquities have been pointed out time and again and established by incontrovertible argument and facts, but two men on the Republican side of the Chamber have risen in its defense, and they have confined their defense almost solely to wheat and sugar. Is it conceivable, if the bill were thought to be defensible, the great debaters on the other side of the Chamber—experts, many of them, of the tariff and the effects of tariff legislation—would have remained silent and offered no defense against these fierce assaults? Is it not a remarkable thing that a bill of this kind should come here, carrying about 20 distinct propositions, and no voice be raised by those who propose it except two, and theirs only as to two items in the bill, one speaking in behalf of wheat and the other of sugar? The truth is Senators on the other side have too much intellectual integrity, too much respect for their reputations at home and in the country, they are too honest with their consciences to stand on the floor of the Senate and defend such a monstrosity as this. That is the only reasonable explanation of their persistent silence.

On this side of the Chamber, where some Senators are going to vote for it, they have confined their arguments to the contention that the farmers have been discriminated against in tariff legislation and that in his present desperate plight the restriction or prohibition of importations of commodities he produces might tend to enhance the domestic price, which they claim is now below cost of production. One of these Democratic advocates of the bill finished his fervid defense of the farmers' claims and right to a legislative increase in prices with the declaration, "If anybody can outdemagogue that, let him go to it."

Let me get back to the peanut proposition. It is claimed that not only the peanut but the cottonseed-oil industry, which is an important industry in the South, is suffering from the competition of cheap oils of Asia, including not only peanut oil but soya-bean oils, and so forth. The oil crushers of the South have been led to believe that these oils coming from abroad, peanut oil and soya-bean oil, are actively competing with their oils and depressing the price. There is no foundation for that. I have already discussed the effect of peanut oil on this industry. I wish now to consider in this connection soya-bean oil. There are considerable importations from Asia of soya-bean oil—I say considerable; there is about the same amount of importations of soya-bean oil, I believe, as there is of the peanut oil; possibly less.

Mr. SMITH of Georgia. Do they import the soya bean itself?

Mr. SIMMONS. No; I think not; only the oil. The soya-bean oil enters to a slight extent into the production of lard substitutes, which is the chief use of cottonseed oil, but only to a slight extent. As a matter of fact, soya-bean oil is used chiefly in the manufacture of paints and varnishes and linoleum. It is also used to a considerable extent in the manufacture of soaps. As I said, a very limited quantity of it is used in connection with the production of lard substitutes. About 3 per cent of it is used in connection with the production of oleomargarine. As I said, cottonseed oil can no longer be considered as a factor in the manufacture of oleomargarine. That has been practically given over here, as it has been altogether in other large oleomargarine-using countries, to peanut oil, coconut oil, and soya-bean oil. From 83 to 92 per cent of the cottonseed oil that is produced in this country is used in the manufacture of lard substitutes, and only about 1½ per cent of soya-bean oil and only about 2 to 3 per cent of peanut oil is used in that way.

So that the field of the two products is entirely different. A small part of soya bean oil is used in the manufacture of oleomargarine, a little of it is used in cooking oil, but the great bulk of it is used in the manufacture of paints, varnishes, and soaps. It is a cheaper oil than the other, and ordinarily it is better suited to these other purposes and less suited to the manufacture of lard substitutes.

Mr. President, we produce in this country annually a billion pounds of lard substitutes, and we consume practically every pound that we produce. The effect of that is to release the lard made out of animal fats for exportation, and they are exported and constitute practically our entire lard exportations. The taste of Europe it seems runs to lards made from animal fats and it pays fancy prices for it. They do not like lard substitutes and lard compounds such as we make in this country. Our people seem to prefer the oil-produced substitutes and scientists say that lard substitutes made from cottonseed and other oils are healthier as well as equally if not more palatable than lard made from animal fats. Europe prefers the genuine lards and we prefer the substitutes, so we send our lards there and keep the substitutes for home consumption. It is a very good trade. There is a demand for all the cottonseed oil that we manufacture in this country for use in the manufacture of lard substitutes for the American people. In that field it has no competition; in that field, the field to which it has always been chiefly confined, the field in which 90 per cent of the product is utilized, it is without competition. It only has potential competition with these other oils in the manufacture of oleomargarine, and, possibly, in the manufacture of soaps; but very little cottonseed oil, as I have said, goes either into the manufacture of oleomargarine or into soaps.

As I have stated, from 83 to 92 per cent goes into the production of lard substitutes, practically every pound of which is consumed in this country; only from 2 to 3 per cent goes into the manufacture of oleomargarine; 8 per cent is exported. The remainder is used in connection with the manufacture of table oils, and so forth. So, Mr. President, there is no ground for apprehension on that score.

I showed awhile ago the fallacy of the contention that peanuts had been forced down by reason of the importations by quoting figures which indicated that while the importations were heavy, the domestic price was maintained, and when the importations began to decline the domestic price began to fall. Now, I propose to show that the same thing is true with reference to cottonseed oil, soya-bean, and coconut oils—the latter two claimed to be competitive with cottonseed oil.

Let me read the importations in 1919 as compared with those for 1920. They effectually answer the contention of proponents of the pending bill that the importations have enormously increased and brought about the fall in prices.

For July, 1919, the imports of cottonseed oil were 241,000 gallons, in round numbers; for July, 1920, they were only 58,000 gallons—about one-fourth.

For August, 1919, the imports of cottonseed oil were 232,000 gallons; whereas for August, 1920, when this great inundation is said to have been going on, the importations into this country were only 22 gallons.

In September, 1919, there were imported 602,000 gallons of cottonseed oil; in September, 1920, only 6,000 gallons.

In October, 1919, there were imported 289,000 gallons of cottonseed oil; in October, 1920, only 12,000 gallons.

In November, 1919, there were imported 312,000 gallons of cottonseed oil; in November, 1920, there were imported only 4,000 gallons, in round numbers.

Have the importations been increasing? No; importations are disappearing, and contemporaneously prices going down. In the face of these facts, what becomes of the argument that the fall in prices is the result of the increase in importations? But that contention is the very foundation of the pending bill.

How is it with the soya bean oil? This is so important that I am going to read the figures as to this oil.

In July, 1919, the imports of soya bean oil were 2,941,000 gallons; in July, 1920, the importations were 1,419,000 gallons—just about one-half in July, 1920, as in July, 1919.

In August, 1919, the importations were 3,531,000 gallons; in August, 1920, the importations were only 1,182,000 gallons—less than one-half.

For September, 1919, the importations of soya bean oil were 2,640,000 gallons; September, 1920, the importations were 959,000 gallons—just about one-third as much as in the same month of the previous year.

I will now ask Senators to listen to the figures for October. We are getting down toward the end of the year when it was said the flood of importations was greatest and most threatening. In October, 1919, there were imported 2,628,000 gallons of soya bean oil; in October, 1920, 30,000 gallons—just about one twenty-seventh, or, in other words, twenty-seven times more were imported in the month of October, 1919, than in the month of October, 1920.

Now, I come to the figures for November. In November, 1919, the importations of soya bean oil were 1,604,000 gallons; in November, 1920, the importations were only 268,000 gallons. As I have said, I have omitted from this table the December figures which I have in some way misplaced.

I come now to cocoanut oil.

Mr. STANLEY. Has the Senator the prices at hand?

Mr. SIMMONS. No; I have not the prices, but I have something along that line. Of cocoanut oil, in July, 1919, the importations were 5,506,000 gallons; in July, 1920, they were 3,339,000 gallons, or just about three-fifths; in August, 1919, the importations of coconut oil were 1,868,000 gallons, while in August, 1920, they were 1,205,000 gallons, or approximately 500,000 gallons less. In September, 1919, the importations of cocoanut oil were 1,509,000 gallons, while in September, 1920, they were 1,540,000 gallons, the imports and the exports being about the same. In October, 1919, we imported 3,897,000 gallons of cocoanut oil; in October, 1920, 2,239,000 gallons, or just about two-thirds. In November, 1919, we imported of cocoanut oil 2,004,000 gallons, and in November, 1920, only 980,000 gallons. So it appears, just as in the other cases, that importations are vanishing and not increasing. If they are not increasing, then the reason for an emergency tariff or any kind of a tariff to protect cottonseed oil against foreign peanut oil, soya-bean oil, cocoanut oil, and all the other oils disappears.

Mr. President, I have spoken too long. I have just two other tables which I had desired to discuss, but I am going to stop here, and I will take the liberty of adding these tables to my speech as an appendix, with the consent of the Senate. These tables (Appendixes E and F) show that when imports of peanuts and cottonseed oils were heavy the prices of these commodities were steady and high, and that when imports fell off prices broke and fell to low levels, indicating that the price slump was due to something other than foreign competition.

APPENDIX A.

Table comparing the proposed rates of duty with those of the present law and the Payne-Aldrich law upon specified articles.

Article.	Increase in proposed rates of duty as compared with—	
	Present law.	Payne-Aldrich Act.
Wheat	From free to 40 cents per bushel, or from 10 cents to 40 cents per bushel (300 per cent increase).	60 per cent increase.
Wheat flour	From free to 20 per cent, or from 45 cents per barrel to 20 per cent (345 per cent increase).	20 per cent increase.
Corn	From free to 15 cents per bushel.	No increase.
Beans	300 per cent increase	167 per cent increase.
Peanuts:		
Shelled	300 per cent increase	200 per cent increase.
Unshelled	700 per cent increase	500 per cent increase.
Lemons	150 per cent increase	16 per cent decrease.
Oils:		
Peanut	333 per cent increase	Free to 26 cents per gallon.
Cottonseed	Free to 20 cents per gallon	Free to 20 cents per gallon.
Soya-bean	....do	Do.
Cattle	Free to 30 per cent ad valorem.	About 9 per cent decrease.
Lambs	Free to $1 each	33⅓ per cent increase.
Sheep	Free to $2 each	Do.
Fresh meat	Free to 2 cents per pound	Do.
Cotton (long staple)	Free to 7 cents per pound	Free to 7 cents per pound.
Wool:		
Class I—		
Unwashed	Free to 15 cents per pound	36 per cent increase.
Washed	Free to 30 cents per pound	Do.
Scoured	Free to 45 cents per pound	Do.
Class II—		
Unwashed	Free to 15 cents per pound	25 per cent increase.
Washed	Free to 30 cents per pound	150 per cent increase.
Scoured	Free to 45 cents per pound	25 per cent increase.
Class III	No increase	Decrease.
Sugar:		
75°	300 per cent increase	199 per cent increase.
Each additional degree.	....do	197 per cent increase.
Refined	735 per cent increase	189 per cent increase.
Molasses:		
Not above 40°	300 per cent increase	200 per cent increase.
40° to 56°	....do	Do.
Above 56°	....do	Do.
Butter and substitutes	220 per cent increase	33⅓ per cent increase.
Cheese and substitutes	20 per cent to 8 cents per pound.	Do.
Milk:		
Fresh	Free to 2 cents per gallon	No increase.
Cream	Free to 5 cents per gallon	Do.
Preserved	Free to 2 cents per pound	Do.
Sugar of	Free to 5 cents per pound	Do.
Hides, cattle	Free to 15 per cent	Free to 15 per cent.

Table comparing the proposed rates of duty with those of the present law and the Payne-Aldrich law upon specified articles—Continued.

Article.	Increase in proposed rates of duty as compared with—	
	Present law.	Payne-Aldrich Act.
Tobacco, wrapper:		
Stemmed	40 per cent increase	40 per cent increase.
Unstemmed	54 per cent increase	54 per cent increase.
Apples	100 per cent increase (if bushel box).	20 per cent decrease (if bushel box), with retaliatory proviso.
Cherries:		
Raw	2,300 per cent increase	800 per cent increase.
In brine	Free to 4 cents per pound	Free to 4 cents per pound.

APPENDIX B.

Table showing agricultural products upon which a duty is imposed under existing law.

[Abbreviation: n. s. p. f., not specially provided for.]

Article.	Rate of duty.
Horses and mules	10 per cent.
Live animals, n. s. p. f.	Do.
Barley	15 cents per bushel.
Barley, pearled or patent	1 cent per pound.
Macaroni and vermicelli	Do.
Oats	6 cents per bushel.
Oatmeal, etc	30 cents per 100 pounds.
Rice	¼ cent to 1 cent per pound.
Butter and butter substitutes	2½ cents per pound.
Cheese and substitutes	20 per cent.
Beans and lentils	25 cents per bushel.
Beets, all kinds	5 per cent.
Beans and peas, prepared or preserved	1 cent per pound.
Vegetables, prepared, n. s. p. f.	25 per cent.
Pickles and sauces	Do.
Eggs:	
Frozen or preserved	2 cents per pound.
Dried	10 cents per pound.
Hay	$2 per ton.
Honey	10 cents per gallon.
Hops	15 cents per pound.
Peas:	
Green or dried	10 cents per bushel.
Split	20 cents per bushel.
Flowers, cut	Various rates.
Plants, etc	Do.
Nursery stock	Do.
Seeds: Garden, vegetable, etc	Do.
Straw	50 cents per ton.
Onions	20 cents per bushel.
Vegetables, native state, n. s. p. f.	15 per cent.
Apples, peaches, quinces, cherries, plums, pears.	10 cents per bushel.
Berries, edible	½ cent per quart.
Grapes	25 cents cubic foot of package.
Cranberries	10 per cent.
Fruit, dried, etc., n. s. p. f.	1 cent per pound.
Plums and prunes	Do.
Figs	2 cents per pound.
Raisins	Do.
Dates	1 cent per pound.
Currants	1½ cents per pound.
Olives	15 cents per gallon.
Lemons, Oranges, Limes, Grapefruit	18 cents to 70 cents per package, or ½ cent per pound in bulk.
Pineapples	In bulk $5 per M.
Almonds	3 cents per pound.
Peach kernels	Do.
Filberts	2 cents per pound.
Walnuts	Do.
Peanuts	⅜ cent to ¾ cent per pound.
Nuts, n. s. p. f.	1 cent per pound.
Venison and game	1½ cents per pound, or 30 per cent.
Poultry:	
Live	1 cent per pound.
Dead or prepared	2 cents per pound.
Dandelion root and acorns	Do.
Starch, potatoes	1 cent per pound.
Spices of all kinds	Various rates.
Vinegar	4 cents per proof gallon.
Oils:	
Castor	12 cents per gallon.
Linseed	10 cents per gallon.
Olive, n. s. p. f.	20 cents per gallon.
In bottles, etc	30 cents per gallon.
Not specially provided for	15 per cent.
Peanut	6 cents per gallon.
Wheat (reciprocity)	10 cents per bushel.
Wheat flour (reciprocity)	45 cents per barrel.
Sugar	71/100 cent per pound for 75° sugar plus 26/1000 cent for each additional degree.
Molasses	15 per cent to 4½ cents per gallon.
Sugar, maple	3 cents per pound.
Maple sirup	Do.
Sugar cane	15 per cent.
Tobacco:	
Leaf	35 cents per pound.
Wrapper	$1.85 to $2.50 per pound.
Potatoes, from a country taxing our potatoes.	10 per cent.

APPENDIX C.

United States foreign trade in certain articles, monthly, July to November, 1919 and 1920, inclusive.

Articles.	Imports.	
	1919	1920
Peanuts:	*Pounds.*	*Pounds.*
July	5,330,993	2,657,018
August	6,269,862	5,085,824
September	4,634,057	296,319
October	3,214,166	685,465
November	1,465,677	48,337
Peanut oil:	*Gallons.*	*Gallons.*
July	4,225,188	493,263
August	3,294,318	695,116
September	1,479,945	863,640
October	1,390,083	54,013
November	1,009,202	100,993
Cottonseed oil:		
July	241,876	58,483
August	232,423	22
September	602,074	6,452
October	289,833	12,236
November	312,159	4,706
Soya-bean oil:		
July	2,941,563	1,419,538
August	3,531,032	1,182,137
September	2,640,056	957,975
October	2,628,484	39,180
November	1,601,227	238,146
Coconut oil:		
July	5,503,390	3,339,959
August	1,858,167	1,235,204
September	1,509,630	1,549,579
October	3,897,472	2,231,655
November	2,094,813	989,510

APPENDIX D.

Table showing the United States trade with specified grand divisions and the world during the fiscal years ended June 30, 1913, 1914, 1915, 1919, and 1920, and the gain in trade during the fiscal year 1920 over that of the fiscal year 1914.

Grand division.	United States.		Percentage of total.		Gain in trade over that of fiscal year 1914.	
	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.
Europe:						
1913	$892,866,384	$1,479,074,761	37.7	62.3	.....	.....
1914	895,602,868	1,486,498,729	37.6	62.4	.....	.....
1915	614,354,645	1,971,434,687	23.8	76.2	[1] 31.4	32.6
1919	372,951,315	4,644,937,841	7.4	92.6	[1] 58.4	212.5
1920	1,179,460,699	4,864,155,166	19.5	80.5	31.7	227.2
Gain 1920 over 1914	283,857,831	3,377,656,437	[1] 18.1	18.1	31.7	227.2
North America:						
1913	361,943,659	617,413,013	36.9	63.1	.....	.....
1914	427,399,354	528,644,962	44.7	55.3	.....	.....
1915	473,079,796	477,075,727	49.8	50.2	10.7	[1] 10.8
1919	[2] 1,052,567,498	1,288,157,869	44.9	55.1	146.2	143.7
1920	[2] 1,486,459,842	1,635,813,316	47.6	52.4	247.7	209.4
Gain 1920 over 1914	959,060,488	1,107,168,354	2.9	[1] 2.9	247.7	209.4
South America:						
1913	217,734,629	146,147,993	59.9	40.1	.....	.....
1914	222,677,075	124,529,909	64.1	35.9	.....	.....
1915	261,489,563	99,323,957	72.4	27.6	17.4	[1] 20.2
1919	568,374,904	400,646,300	58.6	41.4	155.2	229.8
1920	860,944,300	490,944,179	63.6	36.4	282.1	294.2
Gain 1920 over 1914	638,167,225	376,414,270	[1] .5	.5	282.1	294.2
Africa:						
1913	26,425,344	29,088,917	47.6	52.4	.....	.....
1914	19,149,476	27,901,515	40.7	59.3	.....	.....
1915	24,953,081	28,519,751	46.6	53.4	30.3	21.8
1919	81,065,759	85,157,432	48.8	51.2	323.3	205.2
1920	185,195,939	128,755,575	59.0	41.0	867.1	361.5
Gain, 1920 over 1914	166,046,463	100,854,060	18.3	[1] 18.3	867.1	361.5
Asia and Oceania:						
1913	314,038,218	194,159,465	61.7	38.3	.....	.....
1914	329,096,884	196,994,033	60.7	39.3	.....	.....
1915	300,292,655	192,235,218	61.0	39.0	[1] 8.7	[1] 2.4
1919	1,020,760,592	813,383,244	55.7	44.3	210.1	312.9
1920	1,526,560,888	991,371,497	60.6	39.4	363.8	403.2
Gain, 1920 over 1914	1,197,464,004	794,377,464	[1] 0.1	0.1	363.8	403.2

[1] Loss.

[2] The cause of the great increase in our imports was the increase in price of Cuban sugar, much of which was again exported.

Table showing the United States trade with specified grand divisions and the world during the fiscal years ended June 30, 1913, 1914, 1915, 1919, and 1920, etc.—Continued.

Grand division.	United States.		Percentage of total.		Gain in trade over that of fiscal year 1914.	
	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.
The world:						
1913	$1,813,008,234	$2,465,884,149	42.3	57.7	.....	.....
1914	1,893,925,657	2,364,579,148	44.4	55.6	.....	.....
1915	1,674,169,740	2,768,589,340	37.7	62.3	[1] 11.9	17.1
1919	3,095,720,068	7,232,282,686	29.9	70.1	63.4	205.8
1920	5,238,621,668	8,111,039,733	39.2	60.8	176.6	243.1
Gain, 1920 over 1914	3,344,496,011	5,746,460,585	[1] 5.2	5.2	176.6	243.1

[1] Loss.

APPENDIX E.

Table showing the United States export prices of peanuts by months for the calendar year 1920.

Month.	Export price per—	
	Pound.	Bushel.
1920.	*Cents.*	
January	14.7	$3.23
February	13.7	3.01
March	13.6	2.92
April	13.5	2.79
May	13.4	2.95
June	12.5	2.75
July	12.8	2.82
August	12	2.64
September	11.2	2.46
October	11.7	2.57
November	8.3	1.83
December	8	1.76

APPENDIX F.

Table showing the imports and average prices of specified oils during the fiscal years 1918 and 1920.

Oil.	Imports.		Average price.	
	1918	1920	1918	1920
	Pounds.	*Pounds.*	*Cents.*	*Cents.*
Cottonseed	18,372,867	9,425,511	17.50	13.26
Coconut	356,088,738	203,321,412	18.10	14.44
Peanut	68,466,450	94,914,997	18.00	15.75
Soya bean	335,984,148	110,100,576	16.25	12.07

The average price of crude cottonseed oil per pound in the prewar years was as follows:

1913	$0.0587
1914	.0572
1915	.0567
1916	.0934
1917	.1403

During these years our imports of vegetable oils were unimportant, which shows that the importation of oriental oils has not affected the price of domestic cottonseed oil.

The price quotations on cottonseed oil on February 11, 1921, were as follows:

Prime summer yellow.	Cents.
Spot	7.25
March	7.80
May	8.38
July	8.65

Mr. MYERS. Mr. President, unless it may yet be burdened by unreasonable and unjust individual amendments, I shall vote for the passage of the pending bill. I shall do so as a matter of emergency relief for a grave emergency situation. Upon principle I do not believe in a protective tariff nor a prohibitive tariff, and I never have. Neither do I believe in giving medicine to a well person. However, when a person is sick I believe in giving appropriate medicine in suitable doses, in order to bring about recovery. The country is sick. Especially are the farmers and live-stock growers of the country sick, and they are sick without fault of theirs. Something should be done for them. It is to the interest of all that something be done for them.

I am not in accord with the principle of a protective tariff, but conditions change and a public representative who does not recognize changed conditions and seek to adjust legislation accordingly is not in touch with the times nor with changing

needs. What the country needs at one time it does not need at another time. What is good for it at one time is not at another. Different conditions require different treatments. If a man were bitten by a rattlesnake, I would advise giving him large doses of whisky, but when he might have recovered from the effects of the rattlesnake's bite I would not advise him to take habitually and all of the time large doses of whisky nor any whisky.

For four years last past the farmers of my State have endured unprecedented hardships. For four seasons now the crops in the greater part of the State have been total or partial failures. During the last preceding four seasons crops in the greater portion of the State either totally failed or very nearly so. Prior to this winter the last two winters were winters of terrible and almost unprecedented severity and great length, and live-stock herds were terribly decimated, and in many instances were totally or nearly wiped out of existence. The destruction was terrific. Losses by death were heavy. Feed was very high in price and very scarce, and often impossible to obtain. Many herds had to be sacrificed by being thrown on the market in an unfit condition and at an inopportune time.

As a consequence of all of this havoc great hardship resulted and there has been and is much destitution, suffering, want. Fearful losses have been sustained. Thousands of homesteaders and other farmers have been compelled to leave the State, permanently or temporarily. Many who remain are in desperate straits. Many thousands are unable to pay their taxes. The Montana Legislature, now in session, has enacted an emergency act extending the time from November 1, 1920, to April 1, 1921, in which taxes may be paid without becoming delinquent and incurring a penalty. This action was taken to save many thousands from losing their farms and homes by sale for unpaid taxes. Theories are all right and often beautiful, but when one's people are suffering great distress theories should not be allowed to prevent lawful and legitimate relief; neither should politics.

Some of the farmers of Montana have on hand a little wheat grown last year, which they are struggling to keep for better prices. At present they can not get enough for it to pay the cost of production. If sold at present prices, they would not get back what it cost them to produce the wheat. This is radically wrong. It is unjust, inequitable, harrowing. It should not be so. Wheat is the principal agricultural product of Montana, and I believe those farmers who are fortunate enough to have on hand a little wheat should be enabled to obtain for it a little more than cost of production. If not, it is shocking and cruelly unjust. If Congress can remedy this deplorable injustice, it should do so. The object of all government should be to administer justice, and this applies to the legislative branch of government no less than the judicial and the executive. A government which does not have justice for its object is not a good government, and it can not expect its subjects to be satisfied.

The farmers of this country were intensely loyal and patriotic during our Great War with Germany and her allies. No class of our people did more for the winning of that war and the consequent saving of the civilization of the world than did our farmers. They toiled, planted, and cultivated. In response to the appeals of our President they increased vastly the acreage of food crops, and did it at great cost of toil and money. They paid enormous prices for farm labor. They toiled early and late. They responded nobly, loyally, to every appeal. They never faltered. Those in the Northwest are now in distress and are calling for recognition. Shall we heed their cry of distress or not?

There is no class of people more loyal and patriotic than the farmers of the United States. They are the mainstay of this Government. Upon their prosperity depends the prosperity and welfare of all. Upon justice to them depends, in large measure, our social fabric. They are the basis of all prosperity, all social welfare, happiness, contentment. We should do all that may be legitimate and within our power to make farmers contented and prosperous and to prevent them from becoming dissatisfied and from smarting under a stinging sense of wrong and turning for a remedy to the Nonpartisan League and other socialistic and dangerous movements. There has been a strong tendency among the farmers of the Northwest toward such movements, and I have promised and pledged myself to do all that may be within my power and legitimate to check it by endeavoring to procure justice for our farmers and give them everything reasonable and legitimate to make them contented, and I deem it my duty so to do. If the majority of our farmers should ever become impregnated with rank socialism, as has been the case in some parts of the Northwest, our form of Government would be doomed. The time to prevent it is by dealing out justice and giving a fair deal in advance.

There are now many thousands of homesteaders and farmers in North Dakota, Montana, and other portions of the Northwest who are destitute and have no means with which to procure seed wheat for sowing for this year's crop and who can not borrow the money with which to do so. If not furnished seed wheat their lands will lie idle this year. The emergency is so great that a bill to appropriate to their use for such purposes $5,000,000 has been introduced in the House of Representatives of this Congress, and the Senator from North Dakota [Mr. GRONNA], the able chairman of the Senate Committee on Agriculture, has offered and had adopted by that committee, as an amendment to the annual Agricultural appropriation bill, heretofore reported to the Senate, a provision to so appropriate such sum of money. I am heartily in favor of it. I shall support it, and I hope it may be enacted.

There are some of the farmers of the Northwest, a little bit more fortunate but still in great distress, who have on hand a little wheat. If they could sell all but enough for seeding at a little more than cost, they could then finance themselves and they would have enough wheat for seeding and a little money with which to procure feed for their teams and to obtain the necessities of life for their families until another crop could be planted, cultivated, raised, and harvested, and thus they could put in and raise something of a crop this year. If we enable them to do so, we will thereby ease very much the suffering and distress among the farmers and make conditions considerably better. Is it our duty to do so or is it not? I contend it is. Of course, some say the enactment of the pending measure would not increase any the price of American wheat. In that event it would neither help nor hurt anybody. I say, let us try it. It is worth trying. Others say the price of wheat should not be enhanced any because it would cost the consumer a little more for bread. Such people must have but little regard for equity. I say, no American producer of any legitimate and useful product, of any necessity of life, should be compelled or expected to sell his product to the consumer at less than cost of production. It is radically wrong and grossly unjust when he must do so, and the American farmer can not now sell his wheat on hand for a sum equal to the cost of production. It is an unjust state of affairs and should be remedied. If to do so is undemocratic, then the fault is with democracy and not with the remedy.

Montana's live-stock growers and woolgrowers, too, are in a bad condition. Unless they may obtain some relief, the flocks and herds of the State will further decrease, and they are now below normal and wholesome numbers. The live-stock men of the Northwest have been steady losers for quite a while and they need relief. The farmers and live-stock growers of the West did not reap the enormous profits that came to some others during the continuance of the great World War, although they did their share to win the war. They are caught in a hard pinch by the aftermath, and I believe them now entitled to some consideration.

If we should take unusual action, conditions are unusual. I have been ready and willing all of this session to vote for an embargo on importations of wheat, live stock, and dressed meats for a very limited time—not more than one year—as a temporary remedy for an acute and most distressing emergency condition. Distressing conditions require drastic action. However, an embargo was not deemed by the majority the proper remedy and there was no chance for it.

I shall now vote for the pending tariff measure as a means of temporary relief for temporary distress of the most acute character. An emergency confronts us, and it requires emergency legislation for relief. This measure, if enacted, is to be for only six or eight months. It is intended to be in force only so long. After the lapse of that time conditions may and should be different. It should not cost nearly so much to produce wheat this year as it did last year. Undoubtedly labor and material will be cheaper. The cost of raising live stock should not be nearly so great hereafter as it has been for the last few years.

I vote for this measure only as a purely emergency and temporary matter; as emergency relief for a few months only. I do not say what I shall do when it may come to the enactment of a regular tariff bill. I have no promises to make. That time will take care of itself, so far as I am concerned. When that time may come conditions may be normal, or much more nearly so. If they should be entirely normal, I shall favor no extraordinary legislation. Further than that I do not forecast. Times and conditions now are decidedly unusual, and, in my opinion, they call for extraordinary action if justice is to be done to a very large class of useful and patriotic citizens and if gross injustice is to be avoided for the time being. This is not a political matter. There should be no politics in it. A dire emergency should know no politics, whether it be an emergency

of war or other danger or distress. I am glad to say that, generally speaking, there was no politics in Congress during the late World War, and, in my opinion, there should be none in the work of rehabilitation and reconstruction—clearing away the aftermath and bringing conditions back to a normal basis.

Mr. SHEPPARD. Mr. President, at Los Angeles, Calif., in September last, Gov. James M. Cox, Democratic nominee for President, had the following to say on the tariff question. I quote from the account of his address in the Los Angeles Times of Tuesday, September 21, 1920:

Certain newspapers have said to you, "Cox is probably right on the League of Nations, but he stands for a tariff that will put the lemon growers out of business."

I made a speech in Congress in 1909 in which I took the position that a tariff schedule should be sufficient to meet the difference in cost—that means the difference between the labor cost in Italy and the labor cost in California, the difference between the freight cost from Italy to New York and the freight cost from California to New York, and taking into account such other elements as the Federal Tariff Commission may find enter into competitive conditions. I believe in safeguarding American labor and capital in industries already established which, with the resumption of international trade after the war, are not able to meet competition.

I commend this statement of the Democratic leader to the attention of those Senators who have so learnedly discussed the Democratic position on the tariff.

Mr. THOMAS. Mr. President, may I say a word? I merely wish to ask the Senator whether Gov. Cox got the vote of the lemon growers of California?

Mr. SHEPPARD. I am giving his position on the tariff question—the position of the Democratic leader.

Mr. SMITH of Georgia. Mr. President, most of our great agricultural crops are produced in excess of home consumption. It is essential that they shall, to a considerable extent, be exported. They need the foreign markets to obtain a fair and continuing price. I can not vote for this bill, because I believe the bulk of our agricultural products will not be helped by it, but will be injured by it. We can not hope to sell to foreign markets without buying from them. I agree with the view so ably presented by the Senator from North Carolina. He has demonstrated that we can not preserve our foreign markets if we tax foreign products out of our markets, and he has spoken with a clearness and force rarely equaled. I do not think a Senator should vote against an amendment to the bill which puts a tax on a product of his State simply because he is against the entire measure.

I see no inconsistency in voting to make the bill as equitable as possible and to apply it as equally as possible to the various sections. I shall vote for this amendment, and I wish to call attention to the fact that the State of Connecticut and the tobacco growers of Connecticut are not alone responsible for it. The tobacco growers of my own State are interested. I hold in my hand a letter from a Georgian, which I read:

The tobacco growers of this section and of Connecticut have recently sent committees to Washington to appear before the Finance Committee to recommend tariff legislation on cigar leaf tobacco. I earnestly ask that you use your influence in getting this tariff.

They are recommending a tariff on cigar leaf tobacco imported from foreign markets.

I merely wish to say that, as a whole, I believe the agricultural interests will not be helped by this bill. I do not believe that the general welfare of the country will be promoted; but as it may be passed, I shall vote to put into it those commodities produced in my own State which would be favorably affected.

I recognize the fact that where a commodity produced in this country does not equal the demand in the country, but foreign products must come in also to supply the demand, a tariff on the import of the foreign commodity almost certainly increases the price received by the domestic producer of the commodity. I shall vote to put into the tariff bill those commodities produced in my State which I think would be beneficially affected, although I am not in favor of the bill as a whole and shall vote against it.

Mr. DIAL. Mr. President, I had intended to take up a little of the time of the Senate in talking about how to help the people of our section by amending the cotton-futures act; but it is growing late and I shall not detain the Senate now. I merely desire to state that I am glad to see the Senate so anxious to help the producing people of this country, and while we are trying to protect them from without we can do great good in amending the law and protecting them from within.

To my mind, the present future contract law is the greatest injustice to the farmer which could be imagined, especially to the farmers of the South. It provides for the sellers to have 10 options and for the purchaser to have none. I have an amendment pending now, and early in the next session I hope to get it enacted into law; and if so, we will have a just and honest law between the purchaser and the seller which, to my mind, will relieve the distress, in a great measure, which prevails in the South.

I know Senators want to vote now, and I will not take up the time of the Senate in going into that in detail, but I expect to press it at the next session, and I hope to get the undivided support of Senators at that time.

The PRESIDING OFFICER. The question is on the committee amendment.

Mr. MYERS. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MYERS. Then I want it known that I vote against this amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The ASSISTANT SECRETARY. The next amendment of the committee begins on page 6, in line 10, and should be numbered 25. It reads:

25. Hides of cattle, raw or uncured, whether dry, salted, or pickled, 15 per cent ad valorem: *Provided*, That upon all leather exported made from imported hides there shall be allowed a drawback equal to the amount of duty paid on such hides, to be paid under such regulations as the Secretary of the Treasury may prescribe.

Mr. McCUMBER. The Senator from Massachusetts [Mr. LODGE] has offered an amendment to this proposition, and I have just sent for him. I ask that the amendment may be passed over temporarily, and the next one taken up, until he returns to the Chamber.

The PRESIDING OFFICER. If there is no objection, that course will be pursued. The Secretary will read the next amendment.

The ASSISTANT SECRETARY. The next item begins on line 16, page 6, and should be numbered 26. It reads:

26. Apples, 20 cents a box: *Provided*, That, if at any time the tariff on apples imported into Canada from the United States shall be greater than 30 cents a box, then the tariff on apples imported into this country shall be increased so as to make the tariff on apples imported into the United States the same as the tariff on apples imported into Canada from the United States.

Mr. McCUMBER. Mr. President, I offer an amendment to the amendment. In line 16, I move to strike out "20" and insert in lieu thereof "30"; and wherever it occurs to strike out the word "box," and insert in lieu thereof the word "bushel." I will say in explanation, very briefly, that it is the equivalent of the same tariff, but Canada imposes a tariff against American apples of 30 cents a bushel, and this will make a like tariff on imported apples; they will equal each other.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. On page 6, line 6, strike out "20" before the word "cents" and insert "30"; in the same line strike out the word "box," and insert in lieu thereof the word "bushel"; and in line 18, strike out the word "box" and insert in lieu thereof the word "bushel," so as to read:

Apples, 30 cents a bushel: *Provided*, That if at any time the tariff on apples imported into Canada from the United States shall be greater than 30 cents a bushel,"

And so forth.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WALSH of Montana. Mr. President, I have been engaged in some committee work, and was told by a messenger that the Senate was considering the tobacco amendment. If that is the case I should like to submit a communication relating to the tobacco amendment.

The PRESIDING OFFICER. Does the Senator desire to have the communication read?

Mr. WALSH of Montana. I do.

The PRESIDING OFFICER. The Secretary will read as requested.

The matter referred to was read, as follows:

BOZEMAN WHOLESALE GROCERY CO.,
WHOLESALE GROCERS,
Bozeman, Mont., February 12, 1921.

Hon. T. J. WALSH,
Washington, D. C.

MY DEAR SIR: Inclosed find a petition of protest against the increase of duty on wrapper tobacco which is proposed in the bill now before Congress.

I notice the proposition is to increase the tariff from $1.85 to $2.85 per pound and to increase the levy on cigars from $9 to $10.50 per thousand.

I am taking this matter up because of the fact that we handle cigars and that there is a factory in Livingston manufacturing a very good grade of cigars that would be vitally affected by the passage of this bill. The cigars are now selling at a price that an increase of this kind would mean a two-for-a-quarter seller would have to go to 15 cents, and it would virtually queer the business in our locality.

While I appreciate the fact that the disposition is to make tobacco carry a heavy percentage of the expense of Government, I think it poor policy to impose revenue schedules that will ruin business.

The inclosed petition has been circulated among the business men and farmers of Bozeman and Gallatin County, the matter being explained fully to them and they are in hearty sympathy with the petition of protest.

I trust you will use your efforts to prevent the passage of this schedule.

Assuring you of my kind personal regards, I am,

Very sincerely, yours,

J. A. LOVELACE.

Hon. T. J. WALSH,
United States Senate, Washington, D. C.

—

DEAR SIR: We, the undersigned, residents and electors of ——— County, Mont., do hereby respectfully protest against the proposed increase in the duty on wrapper tobacco from $1.85 per pound to $2.85 per pound, and against any increase in such duty and against any additional taxation upon such tobacco, whether in the form of duties or internal revenue, and we do respectfully represent that in our opinion the present duty on such tobacco of $1.85 per pound is more than the tobacco trade can bear, and that any increase, either in the form of duty or internal revenue, will be highly prejudicial to the cigar industry in the State of Montana and, in general, in the United States, and will practically force the manufacturers of cigars to close their shops and quit the business; that in the State of Montana, particularly, the manufacturers of cigars have a young and growing industry, and have, through heroic efforts on their part during the past seven or eight years, succeeded in keeping their heads above water, and that any discrimination against them at this time in the form of additional duties or internal revenue would be ruinous to their business, and would throw out of employment a great many employees now engaged in this industry in this State and elsewhere.

We further represent that, in our opinion, the present duty of $1.85 a pound is more than sufficient to protect American-grown wrappers, and that at this particular time and under the conditions existing in this State and Nation, the consumer is expecting and demanding a decrease in the price of manufactured articles, including cigars, instead of an increase, and that the only alternative left for the cigar manufacturer in the event of any increase either of duties or internal revenue is to shut down his factory. If the present retail price of cigars is increased to compensate the manufacturer for the additional duty or revenue, it will be impossible to sell the article. In any event, the result will be the forcing out of business of the manufacturer of the better grades of cigars.

Respectfully submitted.

F. L. THOMAS,
Agent Chicago, Milwaukee & St. Paul Railway.
(And 135 others.)

The PRESIDING OFFICER. The Senator from Massachusetts has offered an amendment to the amendment relating to hides, which the Secretary will read.

The ASSISTANT SECRETARY. Insert the following after line 15, page 6, at the end of the committee amendment:

Upon hides of the kind provided for in paragraph 25, when advanced in any manner or by any process of manufacture, and manufactures of which hides of any kind provided for in paragraph 25 are a component material, the rate of duty imposed shall be 10 per cent ad valorem.

Mr. LODGE. Mr. President, boots and shoes and manufactures of leather are on the free list. It is now proposed by this bill to put a duty on the raw material. As a protectionist, I think any industry or any production is entitled to reasonable protection if we are going to have a protective policy. One of the great vices of all our tariffs, especially tariff for revenue only, is that we have given protection to one man and free trade to another. The proposition here is to put a duty on the raw material of the great leather industries and leave the manufactured product on the free list. It is utterly impossible, to my mind, to maintain such a system as that.

There is not an industry in the world that can stand having its raw material protected by a duty, and put on the free list itself the most highly finished product. The amendment which I offer is simply to place a very moderate compensatory tariff on the manufactures of leathers which are now on the free list.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The READING CLERK. On page 6, the committee proposes to insert the paragraph which should be numbered 27, as follows:

27. Cherries in a raw state, preserved in brine or otherwise, 4 cents per pound.

Mr. EDGE. Mr. President, the statement just made by the Senator from Massachusetts [Mr. LODGE] in pressing the amendment which the Senate has just agreed to furnishes an illustration that I am going to discuss very briefly as one reason why I can not vote for the pending measure.

I do not think it is necessary to reiterate my conviction as to the necessity for a protective tariff policy. I believe in it thoroughly, and I shall welcome an opportunity to vote for a measure that in my judgment protects American industry, American labor, and encourages American production; but I am convinced we will not secure the result expected from this type of emergency legislation. Generally speaking, I do not approve of hastily prepared emergency legislation anyhow, and especially when it is designed to cover a subject so important and which reaches out in so many directions as necessarily does a tariff measure.

As brought out by the Senator from Massachusetts, we are providing under the bill principally a duty on raw materials, but have not followed along when the use of that raw material in manufactured products is considered, and therefore there is no duty provided on the product when completed. We must agree that such legislation is most unscientific and indefensible.

I thoroughly recognize the necessity for a higher tariff on some of the commodities that are included in the bill, particularly those that were included when the bill was originally sent over from the House—wheat, meats, wool, and perhaps some others—but as the days have gone by one additional commodity after another has been patched up and attached to the bill, usually covering raw material, and no attempt has been made—it would have been impossible to have made the attempt, though I am criticizing no one, because we simply have not the time nor the information—but no real attempt has been made to follow that along and meet the situation when the raw material is used in the finished product. Many of the food products added are those mainly produced in our own country, where the percentage of importations is very small, and the result must in such cases be higher cost of living without compensatory returns.

A protective tariff measure, in my judgment, to really meet the situation that the advocates of protection have always fought for must contemplate all commodities, and at the same time that we provide a duty on raw material we must provide a tariff on the finished product or, of course, the formula is absolutely incomplete and we have a hit-and-miss measure which we can not defend.

I sincerely hope and expect that the Congress which we understand is soon to be convened in extraordinary session, with time before us to consider the measure, will prepare a scientific tariff bill designed to meet present-day conditions, not to meet an emergency here and there which undoubtedly exists. I do not question that in the least, but which in my judgment will not be met even if the bill should become a law, and from all the information we obtain that will probably be very difficult to secure anyhow. Congress should adhere to the principle of protection, as I have iterated and reiterated, but we can not to-day, with billions of dollars owing us from abroad, expect to do business with the world and use our merchant marine unless we have reciprocal trade arrangements with the world.

It is absolutely impossible to have the cake and the penny, both. I do not believe it is necessary at all to do away with the protective system; far from it; but to write a carefully prepared, a carefully studied tariff measure, representing the difference in the cost of production here and abroad, with full protection; encouraging imports along certain uncompetitive lines, and, finally, producing a measure which we can advocate because it is scientific and based on facts and conditions. It is perfectly ridiculous for us to talk about increasing exports, selling our surplus products abroad with the exchange to-day from 25 to 900 per cent against American purchases. Everyone knows perfectly well that we can not rectify the condition of exchange except by balancing trade between nations. We can not balance trade between nations unless we get something from the other fellow, be it goods or money, and they have not very much money. That does not in any way dissipate the principle of protection. We simply face a condition with America a creditor Nation as compared to America six, seven, or eight years ago when the trade balances between countries were quite different. So we protectionists must, in my judgment, adhering to protection, protecting American labor, protecting American infant industries or industries that have gotten away from infancy so far as that is concerned, if competition from abroad threatens them, but scientifically preparing the bill with conditions known and studied.

I have given the bill as much study as the little time the many responsibilities would permit. I thoroughly appreciate the problem of the farmer in the West and the sheep grower, but I do not feel that the bill will actually give them the relief that I know it is honestly and sincerely designed to give. I prefer to give our time to a study of a complete arrangement of tariff conditions in order that we can deal with the world and in order that the world can deal with us; that we can protect our manufacturers and our American labor and sell our surplus products abroad, and, what is most important, be paid for them.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The READING CLERK. On page 7, in line 2, the committee propose to strike out "15 and 17" and insert in lieu thereof "17, 19, and 20." It should now read "paragraphs 16, 18, and 19."

The amendment was agreed to.

Mr. MOSES. Mr. President, I offer the amendment which I send to the desk and which I ask to have read. The committee amendments are disposed of, I understand.

The PRESIDING OFFICER. They have been disposed of. The amendment proposed by the Senator from New Hampshire will be read.

The ASSISTANT SECRETARY. Strike out all of the bill after line 4, on page 1, and insert:

And paid upon articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila) the rates of duty prescribed by the act of Congress, approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes."

Mr. MOSES. Mr. President, this bill having been described to meet an emergency, the emergency is presented to the Senate in a most one-sided manner. I insist, as an all-around protectionist along the lines stated by the Senator from New Jersey [Mr. EDGE], that if an emergency exists with reference to American industry and trade, it exists in all branches as well as in the few which have been singled out for special favor, and that we, as national legislators, should consider all of them. The proposal which I make in the amendment now pending is to apply, during the 10 months in which the pending bill purposes to operate, all of the duties contained in the last Republican tariff measure which was adopted, a tariff which was amply protective for every industry which it touched, a tariff which was proclaimed to the country as the best tariff measure ever drawn, a tariff measure which was framed, in part at least, and voted for and upheld by 14 Senators still remaining on this side of the aisle, who can not have forgotten the panegyrics with which they covered that measure, and to whom I now appeal to give us, in the 10 months through which the pending bill purposes to operate, a complete wall of tariff protection for all industries, behind which the Congress may proceed leisurely and scientifically to draw a tariff bill fitted to all emergencies and which may be permanent law during many years to come.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from North Carolina?

Mr. MOSES. Certainly.

Mr. SIMMONS. I did not catch the Senator's amendment quite fully as it was read. Will the effect of the amendment be to suspend existing tariff law for 10 months, the period of the life of the pending bill, or will it only suspend the existing law for the 10 months as applied to the items in the bill?

Mr. MOSES. The purpose of my amendment would be to apply in full the Payne-Aldrich law for the 10 months during which the pending bill purposes to operate.

Mr. SIMMONS. The Senator substitutes the Payne-Aldrich law for the pending measure upon all articles?

Mr. MOSES. For the pending measure during the 10 months I purpose to substitute the Payne-Aldrich law.

Mr. SIMMONS. In other words, suspend the present law for 10 months and substitute the Payne-Aldrich tariff law during that time?

Mr. MOSES. Oh, yes; and I am trying to make an appeal to my protectionist brethren on this side of the aisle to support it, because it can not be that the measure now before us in the form in which it now stands, and to which I can never give my vote, can be adequately defended by anybody. It is regarded very generally as a measure which is indefensible. Private conversation among Senators shows that to be the fact. It has been admitted almost in terms by Senators who have spoken in its favor upon the floor. It is a bill that grows out of an unwise yielding to pressure which was applied at the other end of the Capitol. It is the offspring of a union between the cotton field, the sugar-cane brake, the rice paddy of one section of the country, and the sheep run, the cattle range, and the wheat field of another section. It is a misshapen brat at best. It is lopsided, it is blind, it is deaf, it is bandy-legged, and it suffers from congenital economic rickets. It is misconceived, hagborn, and, to complete the characterization, ditch delivered. Republican Senators can not go to the country upon such a proposition.

It is sure to be rebuffed at the other end of the Capitol, and the President, who was so strikingly rebuked by the voters of the country on election day, will now have his chance in dealing with this bill to excoriate the Republican Party because of this misshapen thing which they propose to send to him, and rightly so, because the bill does not represent the traditional Republican position upon the tariff.

The bill is a thing which no one can defend. The proposition which I offer gives every all-around protectionist a chance to vote consistently, affords adequate protection to every industry in which an emergency exists, and will give us time in the 10 months of its life to draft a tariff bill which will meet every condition that exists.

Mr. WALSH of Montana. Mr. President, before the vote is taken on the amendment offered by the Senator from New Hampshire, I desire to say a few words with relation to the historical precedents which the Senator from Texas [Mr. SHEPPARD] discovered as a justification for his attitude in regard to the pending bill. He advised us that during the administration of James Madison, in the year 1812, when the second war with Great Britain was imminent, duties in the nature of protection duties were imposed. I do not understand it in that way, and neither do the historians understand the tariff measure to which the Senator has referred in that way.

The fact about the matter is that that was a pure revenue measure; protection was not needed. As a matter of fact, of course, we had a tariff, which was adopted, so far as it had protective features, in accordance with the recommendations of Alexander Hamilton's report on manufactures. Inasmuch as nearly all of our manufactured importations came from Great Britain, it was entirely unnecessary to impose a wall of protective duties, because, as a matter of fact, no importations could come from Great Britain during the period of the war.

The fact about the matter is that Congress at its first session enacted a law imposing a duty upon imports, practically all of which duties were revenue in character. They included no agricultural products, unless we except tea, which was not produced in this country at all, cheese which was really not a competitive article, and sugar on which a duty of a cent a pound was imposed for the purposes of revenues and possibly for the purpose of stimulating the production of that commodity in the territory which became Louisiana and adjacent States. There was, however, a basket provision to the effect that all other commodities imported into this country should bear a tariff of 5 per cent, which of course was a tariff for the purpose of raising revenue. That would include all agricultural commodities as well as manufactured articles; but as there were practically no importations of agricultural products, it had no very specific application to those commodities.

That was the way the law stood with only minor changes of no particular importance until we were confronted with the War of 1812. Revenue from import duties would necessarily fall off because most of the revenue which had been obtained from those came from duties on imports from Great Britain, which would upon the declaration of war cease. The Government was therefore faced with the necessity of devising some means of increasing its revenue, and Congress provided that the existing duties should be increased by 100 per cent, not for the purpose of giving protection at all, but for the purpose of providing revenue with which to carry on the war.

Then it was provided that those rates should continue for a year after the war ceased, not for the purpose of giving protection during the reconstruction period at all, but it was recognized that many of the obligations of the Government would be carried over for a year later and thus they were to be discharged.

So I think the statute, considered in connection with the circumstances under which it was enacted, affords no justification whatever for the belief that it was in the nature of a protective tariff measure. In fact, Mr. President, according to Prof. Taussig, lately the chairman of our Tariff Commission, it had no protective aspect about it at all; and although the protective movement had some force in this country from the year 1789, it really had no special recognition in the legislation of the country until the tariff act of 1816 was passed. The act of 1812, referred to by the Senator from Texas, was distinctly a revenue measure and not a protective measure as told by McMaster in his History of the Times. A brief paragraph from that work, which is interesting in this connection, I should like now to read. That writer says:

The ordinary expenses for 1812 would, the report stated—

That is, the report of the Committee on Ways and Means—

be something over nine millions, could be paid out of the receipts and the surplus, and leave a trifle in the Treasury. The extraordinary expenses would be eleven millions, and should be met by a loan. The public-debt account would need nearly six millions, which the commissioners of the sinking fund should borrow. In 1813 there would be a deficit of something over six and in 1814 of something over seven millions, and these must be made good by taxation. The new taxes—the war taxes as they came to be called—were to be of three great classes—duties of import and tonnage, internal duties, and a direct tax of three millions. The first class should comprise an additional

duty of 100 per cent on imported goods, wares, and merchandise, a new tonnage duty, an increase of 25 per cent in drawbacks on exported goods, and a duty on salt. The internal duties should be laid on licenses to distill liquors from foreign materials, on licenses to retail wines, spirits, and foreign goods, on sales at auction of foreign goods, on sugars refined, on pleasure carriages, and a stamp tax fashioned on the hated stamp tax of John Adams.

So the Committee on Ways and Means reported that for the purpose of raising revenue existing duties should be increased by 100 per cent. Accordingly the act to which the Senator from Texas has referred was passed.

Mr. McCUMBER obtained the floor.

Mr. SHEPPARD. Mr. President, will the Senator from North Dakota yield to me for a moment?

Mr. McCUMBER. I yield.

Mr. SHEPPARD. My contention has been and is that these double duties, together with war conditions, amounted practically to a prohibitive tariff on imports during the War of 1812, that the continuance of these duties for a year and a half after the war and until the enactment of the tariff of 1816 helped to stabilize after-the-war conditions, that if legislation with similar purpose had been enacted in this country succeeding the World War we would have had reconstruction with no such sudden disturbances to agricultural prices as occurred last fall. That is my contention. In a number of industries we had conditions equivalent to an embargo or a prohibitive tariff during the course of the World War, but we neglected to continue such conditions, or to modify them gradually, so that sudden dislocations and precipitous declines might be avoided.

Mr. McCUMBER. Mr. President, I desire to occupy the time of the Senate for just a few moments, and I hope that I may have the attention of the Senator from New Hampshire [Mr. MOSES]. In 1865, at the close of the great Civil War, our population was about two-thirds rural and one-third urban. Naturally the two-thirds of the population who were food producers raised a great deal more than the one-third living in the cities could consume. Consequently during those years our markets would not be affected by anything but the general world demand for our products. Protection could give us no direct benefit. In 1865 the manufacturers of the East began asking the farmers of the West, and other producers of food products, for such protection as would enable the infant industries of New Hampshire and Connecticut and other States to get upon their feet and develop, so as to be able to supply the farmers with the commodities which they needed. We did that, Mr. President, and we did it upon this ground: We said, "We will aid you because we believe that you will increase the number of consumers, and that the time will come when production and consumption of agricultural products in the United States will about balance each other." That time has now come; the rural population is now but one-third of the urban population; the time has arrived when those who produce things to eat in the United States can get some benefit from protection.

After staying by you for 60 years, they feel that they are now entitled to fair consideration at your hands; but in the first year when, under special conditions, we can get an adequate protection, full protection by a tariff, we find the Senator from the manufacturing State of New Hampshire speaking of this measure as an abortion, as an ill-begotten creature, as an offense to the great manufacturing section of the country.

I wish to tell the Senator most earnestly that we are good protectionists throughout my State, but, by heaven, we insist on some of the benefits of this policy. If the Senator thinks that he can have adequate protection upon the products manufactured in the mills of New Hampshire, but that we shall not have any protection for the commodities which we produce, I want to assure him that the American people will not stand for it.

Mr. UNDERWOOD and Mr. MOSES addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield; and if so, to whom?

Mr. McCUMBER. I yield to the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, I merely wish to make a suggestion. The discussion of the Senator is very interesting; but the clock admonishes us that it is now half past 5. I understood from the Senator that he wanted a vote on this bill this evening, and I think most of the Senators on this side were prepared to let him have a vote. We have no objection, of course, to continuing the debate on this interesting question, but I was going to suggest if there is to be further debate that we let the bill run over until to-morrow.

Mr. McCUMBER. Mr. President, I think three or four hours of the time of the Senate have been consumed by a discussion of peanuts, peanut oil, and so forth. I hope that the Senator will consider the nature of the attack which has just been made upon those who believe that they are subserving the interests of the farming section and allow a few words in reply—not a prolonged debate.

Mr. UNDERWOOD. I am perfectly willing to have the debate go on to-morrow if the Senator desires to pursue that course; I merely wish to know, so that this side may be informed how long the debate will run.

Mr. McCUMBER. We have been kept for a long time waiting for the Senator's side to get through.

Mr. UNDERWOOD. I did not wish to interrupt the Senator; I only desired to find out, if I could, how long the debate would run.

SEVERAL SENATORS. Vote!

Mr. McCUMBER. Mr. President, the question is on the amendment of the Senator from New Hampshire?

The PRESIDING OFFICER. The question before the Senate is the amendment of the Senator from New Hampshire [Mr. MOSES], upon which the yeas and nays have been ordered.

Mr. LODGE. Mr. President, I have not spoken in this debate at all until I offered a little amendment a few moments ago, so that I think I can not be accused of having consumed time unduly; but I am one of the survivors of those who voted for the Payne-Aldrich bill and to whom the Senator from New Hampshire alluded, and I want to say just one or two words as to why I shall vote against substituting it now.

Since that bill was passed another tariff bill has been put in its place, known generally by the name of the distinguished leader of the Democratic Party in this body. I have great respect for him, but I do not like his tariff very much. It must be remembered, however, that in the Payne-Aldrich bill there was a provision in regard to a maximum and a minimum duty. The maximum was supposed to be the normal duty, as I recall, or rather the minimum, and it involved making arrangements with many other countries; and to get rid of the maximum we had to make arrangements with a number of other countries to be placed under the favored-nation clause. If we should substitute the Payne-Aldrich bill now as a temporary measure for this emergency tariff bill, it would involve immediate negotiations under the maximum and minimum provisions with all the nations of the earth, because the Payne-Aldrich law has been repealed. I mention that merely to show its impracticability at this time.

I am a protectionist, and have done all I could in behalf of protection, and I agree entirely with the proposition of the Senator from New Hampshire; and as I tried to state briefly before, if we have protection it must be protection for everybody who produces and desires protection, or who manufactures and desires protection. We can not give protection to what comes out of a mill and refuse it to what goes into it.

This is an emergency measure. As the Senator from New Jersey said, there is no doubt of the emergency. There is no doubt of the suffering which the operation of economic forces produces by the sudden reduction of prices of the great staples—not merely food products, but cotton and others of the chief products of the country—and this is an attempt to meet it beween this time and the time when we hope to enact a better adjusted bill. Those who represent the great agricultural and cotton-growing regions of the country have an absolute right, in my opinion as a protectionist, to have a suitable protection to their products; but when that is given as it is given in this emergency bill, of course it makes a one-sided measure. We are all conscious of that, but I can not as a protectionist refuse duties to all American producers, whether industrial or agricultural.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Pennsylvania?

Mr. LODGE. I yield to the Senator.

Mr. KNOX. I merely want to ask the Senator if he would mind being corrected upon one statement that he made?

Mr. LODGE. I hope the Senator will correct me. I was speaking from memory.

Mr. KNOX. The Senator correctly stated the matter at first and then corrected himself and made a mistake.

Mr. LODGE. I shall be very glad to get rid of it.

Mr. KNOX. Under the Payne-Aldrich bill the normal tariff was the maximum tariff.

Mr. LODGE. That is what I thought.

Mr. KNOX. That is what the Senator said first; and in order to get the benefit of the minimum tariff it was necessary to make engagements with the other countries so that this country got the benefit of their lowest tariff.

Mr. LODGE. The Senator, I know, agrees with me as to the fact that if we substitute the Payne-Aldrich bill we will have to make those arrangements with other countries. There is no doubt about that.

Mr. President, I merely desired to explain why, as one of those who voted for the Payne-Aldrich bill, I can not vote to put it upon the country now as an emergency measure. It is impracticable to do it under the provisions of that bill. I wish also to say that I hope we shall get a proper substitute for this emergency bill later; and, as a protectionist, I am an all-around protectionist.

Mr. SMOOT. Mr. President, what the Senator from Massachusetts has so well said I fully agree with; but, so that we may know just what part of the Payne-Aldrich bill the Senator refers to and just what it says, I want to read that part of the bill.

Mr. PENROSE. Put it in the RECORD without reading.

Mr. SMOOT. I will say to the Senator from Pennsylvania that the maximum rate is the 25 per cent rate above the rates named in Schedule 1, and therefore the minimum rate is the schedule rate that is provided for in the Senator's amendment.

Section 2 of the act reads:

That from and after the 31st day of March, 1910, except as otherwise specially provided for in this section, there shall be levied, collected, and paid on all articles when imported from any foreign country into the United States, or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), the rates of duty prescribed by the schedules and paragraphs of the dutiable list of section 1 of this act, and in addition thereto 25 per cent ad valorem; which rates shall constitute the maximum tariff of the United States: *Provided*, That whenever, after the 31st day of March, 1910, and so long thereafter as the President shall be satisfied, in view of the character of the concessions granted by the minimum tariff of the United States, that the government of any foreign country imposes no terms or restrictions, either in the way of tariff rates or provisions, trade or other regulations, charges, exactions, or in any other manner, directly or indirectly, upon the importation into or the sale in such foreign country of any agricultural, manufactured, or other product of the United States, which unduly discriminate against the United States or the products thereof, and that such foreign country pays no export bounty or imposes no export duty or prohibition upon the exportation of any article to the United States which unduly discriminates against the United States or the products thereof, and that such foreign country accords to the agricultural, manufactured, or other products of the United States treatment which is reciprocal and equivalent, thereupon and thereafter, upon proclamation to this effect by the President of the United States, all articles when imported into the United States, or any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), from such foreign country shall, except as otherwise herein provided, be admitted under the terms of the minimum tariff of the United States as prescribed by section 1 of this act. The proclamation issued by the President under the authority hereby conferred and the application of the minimum tariff thereupon may, in accordance with the facts as found by the President, extend to the whole of any foreign country, or may be confined to or exclude from its effect any dependency, colony, or other political subdivision having authority to adopt and enforce tariff legislation, or to impose restrictions or regulations, or to grant concessions upon the exportation or importation of articles which are, or may be, imported into the United States. Whenever the President shall be satisfied that the conditions which led to the issuance of the proclamation hereinbefore authorized no longer exist, he shall issue a proclamation to this effect, and 90 days thereafter the provisions of the maximum tariff shall be applied to the importation of articles from such country. Whenever the provisions of the maximum tariff of the United States shall be applicable to articles imported from any foreign country they shall be applicable to the products of such country, whether imported directly from the country of production or otherwise. To secure information to assist the President in the discharge of the duties imposed upon him by this section, and the officers of the Government in the administration of the customs laws, the President is hereby authorized to employ such persons as may be required.

Mr. LODGE. Whether I was right or wrong in what my memory told me, there is no doubt, I think, about the correctness of my statement of the impracticability of this measure at this time.

Mr. SMOOT. There is no question about it, Mr. President; and before ever it could go into operation there would have to be arrangements made with every country in the world, just the same as were made at the time the Payne-Aldrich bill became a law. Therefore, as an emergency bill, it could do us no good.

Mr. UNDERWOOD. Mr. President, I do not like to interrupt the Senator; but, in order that this may be historically accurate, I wish to say that the Payne-Aldrich bill went into force before the negotiations were made, of course, because they were made under that bill.

Mr. MOSES. Mr. President, I think I can still further reassure the Senator from Massachusetts and the Senator from Utah, because at the time the Payne-Aldrich bill went into effect, and this provision was in it, I was taking orders from the distinguished junior Senator from Pennsylvania [Mr. KNOX], who instructed me to secure from the two Governments to which I was then accredited their agreement under this bill. It took me just the length of time that I could go from the legation to the foreign office and get back and send a cablegram to do it; and I imagine that the diplomats of to-day can be quite as expeditious.

The PRESIDING OFFICER. The question is on the amendment, in the nature of a substitute, of the Senator from New Hampshire [Mr. MOSES].

Mr. HARRISON. I call for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have already been ordered upon the amendment. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. KNOX (when his named was called). In the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN], with whom I am paired, I withhold my vote.

Mr. POMERENE (when his name was called). Again announcing my pair with the senator Senator from Iowa [Mr. CUMMINS], I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and will vote. I vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON]. I transfer that pair to the senior Senator from Minnesota [Mr. NELSON] and will vote. I vote "nay."

The roll call was concluded.

Mr. NEW. I desire to announce the absence of my colleague [Mr. WATSON] on account of illness. If he were present, he would vote "nay."

Mr. GLASS. I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "nay."

Mr. WOLCOTT. I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Arizona [Mr. SMITH] and will vote. I vote "nay."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and will vote. I vote "nay."

Mr. REED. I have a pair with the Senator from Vermont [Mr. PAGE]. I transfer that pair to the Senator from California [Mr. PHELAN] and will vote. I vote "nay."

The result was announced—yeas 2, nays 77, as follows:

YEAS—2.

Keyes		Moses	

NAYS—77.

Ashurst	Gooding	McCormick	Smoot
Ball	Gore	McCumber	Spencer
Beckham	Gronna	McKellar	Stanley
Borah	Hale	McLean	Sterling
Brandegee	Harris	McNary	Sutherland
Calder	Harrison	Myers	Swanson
Capper	Heflin	New	Thomas
Colt	Henderson	Overman	Townsend
Curtis	Hitchcock	Penrose	Trammell
Dial	Johnson, Calif.	Phipps	Underwood
Dillingham	Jones, N. Mex.	Pittman	Wadsworth
Edge	Jones, Wash.	Poindexter	Walsh, Mass.
Elkins	Kellogg	Pomerene	Walsh, Mont.
Fall	Kendrick	Ransdell	Warren
Fernald	Kenyon	Reed	Williams
Fletcher	King	Sheppard	Willis
Frelinghuysen	Kirby	Simmons	Wolcott
Gay	La Follette	Smith, Ga.	
Gerry	Lenroot	Smith, Md.	
Glass	Lodge	Smith, S. C.	

NOT VOTING—17.

Chamberlain	Knox	Page	Smith, Ariz.
Culberson	Nelson	Phelan	Watson
Cummins	Newberry	Robinson	
France	Norris	Sherman	
Johnson, S. Dak.	Owen	Shields	

So Mr. MOSES's amendment, in the nature of a substitute, was rejected.

Mr. JOHNSON of California. Mr. President, I move, on page 2, line 21, to change the duty on lemons from 1½ cents a pound to 2 cents a pound.

I have several amendments which I wish to offer relating to lemons and olives. I realize the lateness of the hour and the impossibility of impressing the facts as perhaps they ought to be impressed. I have before me the relative cost as to labor, transportation, and the like, demonstrating conclusively that the tariff rates fixed upon lemons and olives and olive oil are the very minimum under which these great industries of the West can subsist. It is not a profit-making tariff we ask; we ask merely that we may live; that the rates fixed may be those that will enable us simply to live.

Mr. PENROSE. Mr. President, I desire to say, before the amendments are read, that I have carefully examined them, as have the other members of the committee, and I feel justified, and authorized on behalf of the committee, in accepting the amendments of the Senator from California.

Mr. ASHURST. Mr. President, following the expression of our great leader in the recent campaign, who urged a tariff on lemons that would equalize the difference between the cost of production at home and abroad, I shall take pleasure in voting for that Democratic doctrine and vote "aye" on this.

The PRESIDING OFFICER. The Secretary will state the first amendment of the Senator from California [Mr. JOHNSON].

The ASSISTANT SECRETARY. Page 2, line 21, reads:

Lemons, 1¼ cents per pound.

It is proposed to strike out "1¼" and insert in lieu thereof "2."

Mr. THOMAS. Mr. President, I wish to record my objection to this amendment, notwithstanding it is acceptable to the Finance Committee and my distinguished friend from the lemon-growing State of Arizona.

The only competition in the United States between the Pacific slope lemon grower and the Italian importation is on the Atlantic seaboard. This industry has the rest of the country as a monopoly. It sells its products to the people of my State at a price very largely in advance of the price at which they are offered on the Atlantic seaboard, although my State is less than a thousand miles from the place of production and the Atlantic seaboard is 3,000 miles away.

The purpose of this bill is to give the lemon growers of the Pacific coast an absolute monopoly of the lemon business in the United States. It is a monopoly without competition everywhere west of Pittsburgh. I therefore wish to record my protest against the imposition of any duty at all.

Mr. POMERENE. Mr. President, I remember, some six or seven years ago, when this question was before the Senate, the then distinguished Senator from New York, Mr. Elihu Root, made a speech protesting against any increase of the tariff on lemons. I do not think that anyone can deny his standing as a protectionist and a Republican.

There is another feature of this question to which I wish to call attention. After the ratification of the treaty between the United States and Spain a question arose as to whether the Isle of Pines belonged to Cuba or the United States. Many people in the United States, and particularly in the State of Ohio, invested in large plantations, or ranches, in the Isle of Pines, believing that it was American soil. They have planted and maintained large orange and lemon groves and are producers of other citrous fruits. Their sole market is the United States. They can and do produce and send their citrous fruits into the United States under present conditions, but if a tariff is provided, as is contained in the pending amendment, they will not have a market. But I do not know why I should discuss this question, because that does not make any difference to these Ohio people, so long as some one else gets the benefit of it. However, I thought I might call it to the attention of the Senate.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment offered by the Senator from California.

The ASSISTANT SECRETARY. On page 2, line 23, after the words "20 cents per gallon," insert a semicolon and the words "olive, 60 cents per gallon in bulk, 70 cents per gallon in containers of less than 5 gallons."

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment offered by the Senator from California.

The ASSISTANT SECRETARY. On page 6, after line 24, insert a new paragraph, to be paragraph 28, to read as follows:

28. Olives in solution, 25 cents per gallon; olives not in solution, 5 cents per pound.

The amendment was agreed to.

Mr. McCUMBER. Mr. President, I offer the following amendment. On page 2, after line 5, I move to insert the following:

Flaxseed, 30 cents per bushel of 56 pounds.

I merely desire to say that the State of North Dakota raises about one-third of all the flax raised in the United States. The entire amount raised in the United States is about 11,000,000 bushels. The amount imported last year was 24,300,000 bushels, or a little over twice the amount we raised in the United States. On September 2, 1920, the price was $3.26 a bushel. On January 28, 1921, it had dropped to $1.83 a bushel.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 2, after line 5, insert:

Flaxseed, 30 cents per bushel of 56 pounds.

The amendment was agreed to.

Mr. SPENCER. Mr. President, I offer an amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. Add a separate paragraph on page 6, at the foot of the page, to be numbered 29, and to read:

29. Sunflower seed, 2 cents per pound; sunflower oil, 20 cents per gallon.

Mr. SPENCER. Mr. President, I want the attention of the Senate for a moment to the subject of sunflower seed. I am largely moved to comment on this by the delightful satire of the eloquent junior Senator from Mississippi [Mr. HARRISON]. A few weeks ago I felt very much about sunflower seed as he did. I knew nothing about it, except that it was a great stalk, which, unlike the State—Kansas—which it represents, becomes less attractive the closer you get to it. Yet, as a matter of fact, it does mean a great deal to my State. There were more than 3,000,000 pounds of sunflower seed imported from South America last year. The result has been that the industry in Missouri—we might call it an infant industry in agriculture, for such it is—is seriously threatened. Missouri raises more sunflower seed than any other State, though Montana, Utah, Arizona, Wyoming, and New Mexico also raise a great deal of sunflower seed. It is good for the field; it is good for stock; chickens and hogs and mules eat it; and, strange as it may seem, in Russia they eat sunflower seed as we eat peanuts, and perhaps the atrocities of the protective tariff, as it appears to some of my colleagues from Southern States, may be somewhat mitigated in the case of sunflower seed because of this similarity of sunflower seed to peanuts as a food. It is an industry which is threatened, particularly at this time, by South America.

Sunflower seed can be brought from Argentina to New York for 35.7 cents a hundred pounds. It costs 95.4 cents per 100 pounds to bring it from southeast Missouri to New York, and the necessity of the tariff on what I like to call this infant industry in agriculture is manifest.

Mr. THOMAS. Mr. President, your State [Mr. CURTIS in the chair] is known as the "Sunflower" State. I do not believe that Kansas has yet asked for a duty upon sunflowers. I have traveled over that magnificent State many times during many years, and at certain seasons of the year the sunflower is the conspicuous feature of the landscape. I am satisfied that without protection nature will give us more sunflowers and more sunflower seed, and do so not only upon a larger scale but in a more propitious soil, than would be the result in dear old Missouri if we tried to build up the industry there.

What the Senator from Missouri needs is protection against Kansas, not against South America, not against Russia, where they eat sunflower seed in place of peanuts, and seem to enjoy them. He needs protection against the great State of Kansas, and I wish there were some way in which we could benefit that industry by excluding the Kansas product from Missouri territory.

This may be an infant industry, but castor oil is an industry for infants, and it seems to me that if we are going to protect all the oil in the country and all the oil seeds in the country something should be said for castor oil.

Senators will remember that castor oil was necessary not only for infants but for the infant industry, aviation, in the war. As a consequence we established the cultivation of the castor oil plant as a war industry, and in Arizona, as the Senator suggests. So, of course, he will agree with me that it ought to have a prohibitive rate of protection.

Mr. President, what would become of the country if we got into another war without castor oil? How could we lubricate our air machines to meet the foe? We must not overlook this great and useful product, absolutely essential in war times, when this emergency is before us and when there is the prospect of trouble elsewhere without castor oil in the country.

I move to amend, therefore, so as to include castor beans and castor oil at the same rate of duty.

Mr. REED. Mr. President, I never thought the time would come when I would advocate a tariff for purely protective reasons. But the amendment offered by my colleague [Mr. SPENCER] is of such an appealing nature and the emergency is so great that I feel we ought to agree to his amendment.

The Republican Party swept the State of Missouri by an enormous vote. They did so partially by promising the people the great benefits they were about to confer upon the State. I have waited long and patiently to learn in what respect they intended to confer those benefits. I am now convinced that the cat is out of the bag and that we now know in what way the Republican Party is going to benefit Missouri. So the great Senator from that State brings forward as the first fruits of Republican victory and reform this proposition to protect the infant sunflower industry of Missouri. Mr. President, I intend to vote with my colleague. I think it is the only thing his party has proposed that has any sense in it and the only thing that will bring any results.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The question is on the amendment offered by the Senator from Colorado to the amendment of the Senator from Missouri.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment offered by the Senator from Missouri.

Mr. HARRISON. On that question I demand the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I transfer my pair with the Senator from South Dakota [Mr. JOHNSON] to the Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. GLASS (when his name was called). Making the same announcement with reference to my pair and transfer as on the previous vote, I vote "nay."

Mr. KNOX (when his name was called). Repeating the announcement made on the last vote, I withhold my vote.

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. REED (when his name was called). Very much to my regret, I find I am paired on this vote. I do not know how the Senator from Vermont [Mr. PAGE], with whom I am paired, would vote, and I am therefore compelled to withhold my vote.

Mr. TOWNSEND (when his name was called). I transfer my pair with the Senator from Arkansas [Mr. ROBINSON] to the Senator from Minnesota [Mr. NELSON] and vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. FERNALD (after having voted in the affirmative). The Senator from Maryland [Mr. FRANCE], to whom I transferred my pair, has just entered the Chamber. So I am compelled to withdraw my vote.

The result was announced—yeas 15, nays 62, as follows:

YEAS—15.

Capper	Johnson, Calif.	McLean	Spencer
Frelinghuysen	Jones, N. Mex.	McNary	Sutherland
Gooding	Lodge	Myers	Willis
Hale	McCumber	Penrose	

NAYS—62.

Ashurst	Gerry	La Follette	Smoot
Ball	Glass	Lenroot	Stanley
Beckham	Gore	McKellar	Sterling
Borah	Gronna	Moses	Swanson
Brandegee	Harris	New	Thomas
Calder	Harrison	Overman	Townsend
Colt	Heflin	Phipps	Trammell
Curtis	Henderson	Pittman	Underwood
Dial	Hitchcock	Poindexter	Wadsworth
Dillingham	Jones, Wash.	Pomerene	Walsh, Mass.
Edge	Kellogg	Ransdell	Walsh, Mont.
Elkins	Kendrick	Sheppard	Warren
Fall	Kenyon	Simmons	Williams
Fletcher	Keyes	Smith, Ga.	Wolcott
France	King	Smith, Md.	
Gay	Kirby	Smith, S. C.	

NOT VOTING—19.

Chamberlain	Knox	Owen	Sherman
Culberson	McCormick	Page	Shields
Cummins	Nelson	Phelan	Smith, Ariz.
Fernald	Newberry	Reed	Watson
Johnson, S. Dak.	Norris	Robinson	

So Mr. SPENCER'S amendment was rejected.

Mr. THOMAS. Mr. President, I send an amendment to the desk which I ask to have reported.

The PRESIDING OFFICER. The amendment will be read.

The ASSISTANT SECRETARY. Insert as a new section at the end of the bill the following:

SEC. —. The revenues derived from the duties herein provided shall constitute a fund and the same is hereby appropriated for the relief of employees who through no fault of their own have become idle because of the emergency which this act is designed to overcome. The moneys here appropriated shall be distributed by the Commissioner of Internal Revenue under such rules and regulations as he, with the approval of the Secretary of the Treasury, shall provide.

The relief herein provided for shall not be extended to any person after his or her reemployment, whether by former employer or in other vocations.

Mr. THOMAS. On agreeing to the amendment I demand the yeas and nays.

The yeas and nays were not ordered.

The amendment was rejected.

Mr. LODGE. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. In paragraph 17, on page 3, line 20, after the words "per pound," insert the following proviso:

Provided, That skirted wools, as imported in 1890 and prior thereto, shall not pay a duty in excess of 15 cents a pound.

Mr. BORAH. Mr. President, I should like to know what the amendment means.

Mr. LODGE. I will explain it to Senators with great pleasure. The language of the paragraph is so loosely drawn that we thought it might do what was not intended, place a heavy duty on washed and scoured wool, or skirted wool, which would be a very serious thing indeed for all the wool industry. I have talked with representatives of the woolgrowers on the subject, and they are entirely satisfied with the provision; in fact, they suggested it.

Mr. WALSH of Montana. Mr. President, I have endeavored to comprehend the significance of the amendment, as the wool industry is one of very great importance to my State, but even after the explanation made by the Senator from Massachusetts [Mr. LODGE], brief and cursory, I have no idea what the amendment means. I can not even apply it. Is the amendment the one printed in the collection of amendments, page 19, reading as follows:

Provided, That skirted wools, as imported in 1890 and prior thereto, are hereby exempted.

Mr. LODGE. That is not the form in which I have presented it.

Mr. WALSH of Montana. I was at a loss to understand what was the exemption.

Mr. LODGE. I modified the amendment as printed, as I had a right to do. I have modified it so as to make it provide that the duty on skirted wool shall not be more than 15 cents a pound. I have submitted the amendment to the representatives of the woolgrowers, and they have stated that was a suitable provision. The provision of the bill is so loosely drawn that one can not tell whether skirted wool comes in under any duty or not.

Mr. UNDERWOOD. I am not sure that I can throw light on the subject, but it seemed for an instant as though light were dawning on the other side of the Chamber, and I should like to reflect it if I can.

As I understand, skirted wool is that part of the fleece of the sheep which is left after cutting off the short wool. It is the long wool; in ordinary tariff bills skirted wool pays a higher duty than does ordinary wool. However, the Senator from Massachusetts, out of the generosity of his heart, in order to help the American people secure cheaper clothing, desires in this instance to reduce the import price of skirted wools. It seems to me, if that is the case—and that is as I understand it—that we ought to welcome the opportunity that comes to us.

Mr. WALSH of Montana. Mr. President, I think the Senator from Alabama has correctly interpreted the consequence of the proposed amendment. Skirted wool is prepared by clipping from the fleece the inferior part of the fleece which comes from the leg, neck, and the head, so that the skirted fleece is a kind of wool of a higher character than the unskirted fleece. Accordingly, it usually carries a higher duty than does the fleece in its ordinary form. The lower grades of wool would ordinarily carry lower rates of duty. The amendment is intended to take away from the growers of wool the regular rate of duty as prescribed in the measure; in other words, it lowers to that extent the duty on wool.

Mr. UNDERWOOD. And, of course, is an assault on the American farmer.

Mr. WALSH of Montana. The amendment is obviously offered in the interest of the manufacturers of wool against the purpose of the bill which is intended to protect the producer.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Mexico?

Mr. LODGE. I yield.

Mr. JONES of New Mexico. I merely wish to observe that what the Senator from Montana and the Senator from Alabama have said is true; but the amendment will also operate to discriminate in another way. The unskirted portions of the fleece are usually the heavier parts, containing the larger percentage of grease and dirt. I, therefore, do not believe that the amendment should carry; certainly not if it is designed to give the woolen industry the protection which that industry thinks it ought to receive at this time.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts.

The amendment was rejected.

Mr. LODGE. I have one other amendment which I desire to offer.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The ASSISTANT SECRETARY. On page 4 it is proposed to strike out all after the words "scoured condition," in line 8, and to insert the following:

and put through any or all of those processes of manufacture necessary to the production of tops and not through any subsequent processes, 50 cents per pound; advanced through any or all of those processes necessary for the production of yarns but not through any subsequent processes, 52½ cents per pound; advanced beyond yarns through any or all of the processes necessary for the production of cloth, woven fabrics, or knitted fabrics, 60 cents per pound.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Massachusetts.

Mr. LODGE. Mr. President, I desire to say that the proposed amendment simply provides for increasing the compensatory duty which is provided by the bill as reported by the committee. The woolen mills of the country are the purchasers of the wool crop, and if they are to be hampered and broken down, the growers of wool will lose their market. If we are to have duties on wool in the different conditions described in the bill, it is only right to give a compensatory duty to the manufacturer.

Mr. WALSH of Montana. Mr. President, I think not only that this amendment should not be adopted, but upon the theory upon which the bill is presented here, paragraph 19, as it is numbered in the print before me, should not be adopted at all. It should be made no more liberal certainly. The justification for giving wool a place in this emergency tariff bill rests upon what I stated the other day to be a very stable foundation. There is a good reason for according special consideration to wool at this time in any kind of a relief measure. I shall not repeat what I said the other day. The argument is—and it is a just one—that the market is now glutted with wool in consequence of the accumulations made during the war. We have been told upon the floor as a justification for this proposed legislation—although the statement as I showed is not accurate—that there is an accumulation of wool in this country adequate for two years, or, if not for two years at least for a year, and that wool is now in the hands of the manufacturers and the dealers to whom the manufacturers go for it. It is the purpose to stimulate production as much as possible and to stimulate the use of wool in this country, as well as in other countries, in order that this great accumulation of the world's supply may be used up. The purpose of this amendment is to put a heavy duty upon importations of woolen manufactures and thus increase the price of the domestic product to purchasers in this country, thereby reducing the consumption of goods of woolen manufacture.

If the premise is correct and there is now in the hands of the manufacturers and dealers in wool in this country a supply adequate to meet all their wants for the period of a whole year, why should they get any compensatory duty upon the products which they put upon the market from those accumulated supplies?

In this connection, I want to advert to a discussion that was had with relation to that matter. The report made by the tariff commission recited the wool surplus, as it was designated, now in the world. It runs into an enormous figure, something in the neighborhood of a billion dollars worth. It was a question as to whether that meant that there is upon the world market that amount of wool over the amount that would ordinarily be carried over from year to year, or whether it meant that that was the amount which was carried over. The fact about the matter is that it does not represent either one or the other. We have no means of knowing how much wool there is carried over from the past season, for the reason that no statistics concerning that matter are available at all, as we are advised by the Tariff Commission. The British Board of Trade is in possessoin of figures disclosing what wool is in hand in the countries of Europe, but they decline to make those figures public, and we have no other source of information with respect to it; we are unadvised whether they are carrying over large supplies or whether they have none whatever. If they have no supplies, or practically no supplies in their warehouses, then the probabilities are that we are carrying over no more or not much more than ordinarily, and the problem is to get an opportunity to use up that surplus supply so that it shall not depress the wool market for the future.

But to get back to the pending amendment, we are putting the duty on upon the theory that the manufacturers of the country, who have bought up the 600,000,000 pounds of wool which the Government has placed upon the market during the past two years, are in a situation where the domestic market is so depressed that the price of wool has fallen to one-half the cost of production. Under those circumstances, I can not see why a compensatory duty should be awarded to the manufacturers of woolen goods in this country.

Mr. LODGE. Mr. President, admitting that there is a large supply of wool on hand—and the figures seem to differ—it is in the storehouses and has not been purchased by the manufacturers. If it had been purchased by the manufacturers, the price of it would have gone into the pockets of the wool growers. The object is to encourage the consumption of the surplus of wool now on hand. The only people who will use it will be the domestic manufacturers; otherwise every pound of it would have been exported before now.

We expect the domestic manufacturers to use this surplus of wool that is here. By raising the duties on all wool to a high point, and not giving a proper compensatory duty, we are making every arrangement to allow the manufactured product to come in cheap, and then the domestic manufacturers will not buy the accumulated wool. The amendment will not affect the duties placed on wool; it will simply enable the domestic manufacturers to buy the wool. If they are prevented by competition in manufactured woolens from buying that wool, the woolgrowers will be just as badly off as they are now. We have raised the duties on the various stages of wool to equal the duties of the Payne-Aldrich bill, but have kept down the rates on woolen manufactures. The result, of course, will be the destruction practically of the market in which the growers must sell their wool.

Mr. JONES of New Mexico. Mr. President, it seems to me that paragraph 19 in the bill gives a proper compensatory duty to meet the duty on raw wool. Paragraph 19 specifically provides where the wool has been advanced in any way by any process of manufacture beyond the scoured condition that there shall be an additional duty of 45 cents a pound levied. Forty-five cents a pound is the maximum duty on raw wool in its scoured state. There is a compensatory duty exactly equal to the duty which is placed upon the raw product, and it applies in addition to any duty existing at the present time upon the manufactured products of wool. This provision in the bill is designed to take care of the duty which the bill levies upon raw wool, and I submit that it furnishes a sufficient compensatory duty upon the manufactured product. We have a tariff now upon the manufactured product; this increases that tariff to the extent of 45 cents per pound, which is the maximum of any duty upon scoured wool; and to increase that duty further would be simply giving a bounty or a subsidy to the manufacturer in addition to that which he enjoys at the present time.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The question is on the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE and Mr. MOSES called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. GLASS (when his name was called). Repeating the announcement made on the last roll call, I vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN], who is absent, and therefore withhold my vote. If the Senator from Wyoming were present he would vote "yea," and I would vote "nay."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and will vote. I vote "nay."

Mr. UNDERWOOD (when Mr. REED's name was called). The senior Senator from Missouri [Mr. REED] has been called from the Chamber. He asked me to announce that he is paired with the junior Senator from Vermont [Mr. PAGE] and, if present, would vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], and in his absence withhold my vote.

Mr. WOLCOTT (when his name was called). I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Arizona [Mr. SMITH] and will vote. I vote "nay."

Mr. KNOX. I inquire if the senior Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The PRESIDING OFFICER. He has not.

Mr. KNOX. In his absence I withhold my vote, as I am paired with him.

Mr. CURTIS. I have been requested to announce that the Senator from Maine [Mr. FERNALD] is paired with the Senator from South Dakota [Mr. JOHNSON].

The result was announced—yeas 31, nays 44, as follows:

YEAS—31.

Ball	Elkins	Keyes	Phipps
Brandegee	France	Lodge	Poindexter
Calder	Frelinghuysen	McCumber	Smoot
Capper	Gooding	McLean	Spencer
Colt	Hale	McNary	Sutherland
Curtis	Johnson, Calif.	Moses	Wadsworth
Dillingham	Jones, Wash.	New	Willis
Edge	Kellogg	Penrose	

NAYS—44.

Ashurst	Fall	Glass	Harrison
Beckham	Fletcher	Gore	Heflin
Borah	Gay	Gronna	Henderson
Dial	Gerry	Harris	Hitchcock

Jones, N. Mex.	McCormick	Sheppard	Thomas
Kendrick	McKellar	Simmons	Trammell
Kenyon	Myers	Smith, Md.	Underwood
King	Owen	Smith, S. C.	Walsh, Mass.
Kirby	Pittman	Stanley	Walsh, Mont.
La Follette	Pomerene	Sterling	Williams
Lenroot	Ransdell	Swanson	Wolcott

NOT VOTING—21.

Chamberlain	Nelson	Reed	Townsend
Culberson	Newberry	Robinson	Warren
Cummins	Norris	Sherman	Watson
Fernald	Overman	Shields	
Johnson, S. Dak.	Page	Smith, Ariz.	
Knox	Phelan	Smith, Ga.	

So Mr. LODGE's amendment was rejected.

Mr. JONES of Washington. Mr. President, I have presented three amendments which have been printed. They affect industries in my State. I am not going to offer them to this bill, however, for two or three reasons.

One reason is that I recognize that this is an emergency measure, and facts have not been submitted to me that show that a necessity exists for these duties as an emergency measure, although I am satisfied that these interests require protection. I feel satisfied that they will be taken care of in the general revision bill, so I am not going to risk an adverse vote in the Senate upon them now; and furthermore, as I say, I am not myself in possession of facts that show them to be emergent.

Furthermore, Mr. President, I have been satisfied from the beginning, so far as I am concerned, that this measure never will become a law. The President will veto it. We can not pass it over his veto. That is a very good reason to me for refraining from proposing any further amendments to the bill.

Mr. THOMAS. Mr. President, I offer an amendment, which, on the 5th day of January, I presented to the Senate. This amendment consists of the House immigration bill.

Mr. ASHURST. As it passed the House?

Mr. THOMAS. As it passed the House; and, among other things, it suspends for a considerable period of time further immigration to the United States.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Colorado.

Mr. LODGE. Mr. President, I do not know whether the Senator desires to have the entire immigration bill read or not. I think it is only fair to say——

Mr. THOMAS. I do not insist upon it.

The PRESIDING OFFICER. Without objection, then, the reading will be dispensed with.

Mr. LODGE. It is not germane to this bill.

Mr. THOMAS's amendment was, on page 7, after section 4, to insert the following:

SEC. 5. The term "United States" means the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone and the Philippine Islands; but if any alien, or any alien seaman, leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens, or to all alien seamen, respectively;

The term "immigration act" means the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States"; and the term "immigration laws" includes such act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens; and

The word "alien" includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

SEC. 6. Except as otherwise provided in this act, from 60 days after the passage of this act and until the expiration of 14 months next after its passage, the immigration of aliens to the United States is prohibited, and during such time it shall not be lawful for any alien to enter the United States from any foreign port or place, or, having so entered, to remain within the United States.

SEC. 7. (a) Section 2 shall not apply to otherwise admissible aliens lawfully resident in the United States nor to otherwise admissible aliens of the following status or occupations when complying with the requirements of this section and with all other provisions of the immigration laws:

(1) Government officials, their families, attendants, servants, and employees;

(2) Travelers or temporary sojourners for pleasure or business who may enter the United States during the time of suspension of immigration for a period not exceeding six months each, which period may be extended in individual cases by the Secretary of State;

(3) Bona fide students who may enter the United States solely for the purpose of study at educational institutions particularly designated by them; and upon graduation, completion, or discontinuance of studies they shall not be entitled to remain in the United States;

(4) Ministers of any religious denomination.

(b) An alien belonging to one of the classes or persons enumerated in subdivision (a) shall be permitted to enter the United States only upon presentation of a valid passport or other official document in the nature of a passport (hereinafter referred to as a passport) satisfactorily establishing his identity, nationality, and to which of the classes so enumerated he belongs, together with a signed and certified photograph of the bearer attached. A wife, or a female child under 21 years of age or a male child under 16 years of age, may be included in the passport of a husband or parent, but a photograph of each must be attached to the passport. Each male child 16 years of age or over must carry a separate passport.

(c) Each such passport must be viséed by an American consulate, or a diplomatic mission if specially authorized, in the country from which the holder starts on his trip to the United States, and if such country is not the country to which he owes allegiance the passport must also be viséed by a diplomatic or consular officer therein of his own country. In all cases the passport must also be viséed by an American consulate, or the diplomatic mission if specially authorized, in the country from which the alien embarks for the United States, or if he comes by land, the country by which he enters the United States.

(d) Each alien coming within the provisions of this section, except a duly accredited Government official, must furnish to the American diplomatic or consular officer who visés the passport in the foreign country from which he starts on his trip to the United States, and to the American authorities at the port of entry or elsewhere in the United States, a written declaration setting forth: (1) The date and place of the bearer's birth; (2) the nationality and race of his father and mother; (3) the place of the bearer's last foreign residence and the other places, if any, where he has resided within the past five years, and what has been his occupation during that period; (4) if he has ever been in this country, the dates and objects of his visits and the places and addresses where he resided or sojourned; (5) the date set for his departure for the United States, the port of embarkation, and the name of the ship on which he is to sail, if he goes by water; (6) names and addresses of persons acquainted with the applicant in the country from which he starts and in the United States, if any; (7) the expected duration and object of his proposed visit to this country, the documentary or other proofs of such objects submitted, and the place or places in the United States where he expects to sojourn or reside; (8) that the bearer knows and understands the provisions of the immigration laws excluding certain classes of aliens from the United States and is certain that he does not fall within any of such classes; (9) that the bearer understands that if, on arrival at a port of the United States he is found to be a member of a class excluded by the immigration laws, he will be deported, if practicable, or, if for any reason deportation should be found to be impracticable, will be held in detention in an immigration station or other place of confinement, and that he is, with full understanding thereof, assuming all risks involved in a possible return trip in consequence of being rejected under such law.

(e) A wife or minor child who does not expect to reside with the husband or father in the United States must carry a separate declaration.

(f) Each declaration must be affirmed or sworn to before a consular officer, or a diplomatic officer of the United States if specially authorized, and signed in triplicate, and a photograph of the declarant must be attacheed to each copy, with an impression of the official seal. The declaration must be made at least two weeks before the date of intended departure, except in cases of extraordinary emergency. One copy of the declaration must be filed in the embassy, legation, or consulate by which the passport is first viséed, one copy forwarded immediately to the Commissioner of Immigration or inspector in charge at the port of entry by which the declarant expects to enter the United States, and one copy fastened to the passport of the declarant in such a way that it may be removed upon his departure from the United States. The copy last mentioned must be presented with the passport to the official at the port of entry into this country who examines passports, and to the immigration official who inspects the holder, and to such other officials in the United States as may be authorized to inspect such documents.

SEC. 8. (a) A citizen of the United States who is 21 years of age or over, who is a resident of the United States, may, under regulations prescribed by the Secretary of Labor, apply to him for permission to bring into the United States or send for an otherwise admissible wife, parent, grandparent, unmarried son or brother under 21 years of age, unmarried or widowed daughter, or sister, grandson under 16 years of age whose father is dead, or unmarried or widowed granddaughter whose father is dead; and any alien who has declared, in the manner provided by law, his intention to become a citizen of the United States, and who is a resident of the United States, may make like application in reference to an otherwise admissible husband or wife, unmarried son under 21 years of age, or unmarried or widowed daughter; but no application may be made under this paragraph in the case of any relative by adoption.

(b) If the Secretary of Labor is satisfied with the entry into the United States of such relative would not be in violation of the immigration laws, and that such relative is likely to prove a desirable resident of the United States, he may issue a permit to the applicant, under such regulations as he may prescribe, which shall authorize the immigration officers at the port of entry to examine such relative upon arrival at such port. Thereafter the right of such relative to admission shall be as provided by the immigration laws, except that it shall not be subject to the act entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety, approved May 22, 1918," or to the provisions of any proclamation, order, rule, or regulation made thereunder, and except that the literacy test may, in the discretion of the Secretary of Labor, be waived in the case of such relative.

SEC. 9. Nothing in section 2 shall be held to prevent the importation of skilled labor under the conditions prescribed in the fourth proviso to section 3 of the immigration act, nor to the importation of persons employed as domestic servants.

SEC. 10. The joint resolution approved October 19, 1918, entitled "Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or who have volunteered for service with the military forces of the United States or cobelligerent forces" is hereby amended by adding thereto a proviso reading as follows: "*Provided*, That if any such alien shall on arrival at a port of the United States be found to be afflicted with a loathsome or contagious disease, such alien shall not be readmitted until he shall have been treated in hospital and the disease reduced to a noncontagious stage."

SEC. 11. During the period of suspension provided for in section 2 otherwise admissible aliens who have resided continuously in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico for at least one year may be temporarily admitted, for a period not exceeding six months, from such countries, under such rules governing entry, inspection, temporary stay, and departure as may be prescribed by the Commissioner General of Immigration, with the approval of the Secretary of Labor.

SEC. 12. Any alien who at any time after entering the United States is found to have been at the time of entry not entitled under this act to enter the United States, or to have remained therein for a longer time

than permitted under section 3 or section 7, shall be taken into custody and deported in the manner provided for in sections 19 and 20 of the immigration act.

SEC. 13. The provisions of sections 18 and 20 of the immigration act, assessing a penalty for failure or refusal to accept, to detain, or guard safely, to return, and to transport to foreign destination aliens excluded or expelled from the United States, or to pay maintenance and deportation expenses of aliens, or for making any charge for the return of excluded or expelled aliens, or for taking any security for the payment of such charge, or for taking any consideration from aliens to be returned in case of landing, or for bringing to the United States any deported aliens within a year from date of deportation without the consent of the Secretary of Labor, shall apply to and be enforced in connection with the provisions of this act relating to the exclusion or expulsion of aliens.

SEC. 14. Willfully to give false evidence or swear to any false statement in connection with the enforcement of this act shall constitute prejury as such offense is defined in section 16 of the immigration act; and the provisions of sections 16 and 17 of the immigration act, prescribing methods of procuring evidence concerning aliens, and defining offenses and prescribing punishments therefor, shall apply to and be enforced in connection with the provisions of this act.

SEC. 15. Any person who substitutes any name for the name written in any document herein required, or any photograph for the photograph attached to any such document, or forges or in any manner alters any such document, or falsely personates any person named in any such document, or issues or utters any forged or fraudulent document, or presents to an immigrant inspector or other Government official any forged or fraudulent document, and any person other than the one to whom there has been duly issued any document prescribed by this act who presents to an immigrant inspector or other Government official any such document, shall be guilty of a felony and upon conviction thereof shall in cases where no other penalty is required by law be fined in a sum not exceeding $1,000 or be imprisoned for a term of not more than five years, or both.

SEC. 16. The Commissioner General of Immigration shall, with the approval of the Secretary of Labor, issue such regulations, not inconsistent with law, as may be deemed necessary and appropriate to place this act in full force and operation (except that regulations for the viséing of passports under section 3 shall be made by the Secretary of State). Such regulations shall include special rules for the application of this act to the cases of aliens coming to the United States from or through contiguous foreign territory, and to the cases of aliens entering across the land boundaries for temporary stay or at frequent intervals; also special rules to insure that the provisions of this act, of the immigration act, or of any law, convention, or treaty relating to immigration shall not be violated by aliens arriving at ports of the United States employed on vessels as seamen, and that, at the same time, the enforcement of such laws shall not interfere with the operation of the act approved March 4, 1915, entitled "An act to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea."

SEC. 17. The provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

The PRESIDING OFFICER. The question is upon agreeing to the amendment offered by the Senator from Colorado.

Mr. LODGE. Mr. President, a bill has already been reported as a substitute by our own Committee on Immigration. This is a large and important subject. I am heartily in favor of legislation on the subject; but when a Senate committee has acted upon it I do not think to put the House bill through without giving it any consideration and without the amendment being read is the proper way to deal with it.

Mr. THOMAS. Of course, it will not be adopted; I know that; but if we want to relieve this emergency one way to relieve it is to suspend immigration.

Mr. HARRISON. Mr. President, may I ask the Senator from Massachusetts whether it is the policy of the other side of the Chamber to make the immigration bill that has been reported from the Immigration Committee the unfinished business immediately after this bill is voted upon?

Mr. LODGE. I am extremely anxious to get the immigration bill passed.

Mr. HARRISON. And there will be a request made to make it the unfinished business?

Mr. LODGE. I can not say whether it will be made the unfinished business or not. There are other very important measures. One is the compensation bill for the railroads; it ought to go through; and the immigration bill is one of the very most important. I have not taken it up with any of my colleagues here, but I hope we shall be able to pass the immigration bill in some form. However, to pass a bill like that now, when the Senate committee has reported it in a different form, seems to me unwise.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Colorado [Mr. THOMAS].

The amendment was rejected.

Mr. TRAMMELL. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 21, after the word "lemons," it is proposed to insert the following:

Limes, oranges, grapefruit, and shaddocks.

Mr. TRAMMELL. Mr. President, I have a few words to say in regard to this amendment.

By this measure we seek to tax the bread and meat of the table; we seek to tax the clothing and the shoes that we wear; and in my State, as in a great many others, by virtue of this bill—if it accomplishes what it is intended and hoped that it will accomplish—my people are going to have to pay a greatly increased price as a result of the burden you are imposing upon them by a high protective tariff upon their articles of food and the clothing that they wear.

I am against the idea of a high protective tariff, and I do not believe there is any justification for this measure at the present time, and particularly many of its provisions; but if we are going to have to purchase what we purchase in a protected market, as far as the people of my State are concerned, then I think their industries are entitled to the same consideration at the hands of Congress.

You have increased the rate of duty upon lemons. Heretofore lemons, limes, grapefruit, and oranges have been included in the same classification under all tariff bills, as far as I have been able to review them in the past. If there is any justification for the increase upon lemons, then there is a justification for an increase of tariff certainly upon limes, which are sold more or less for a purpose similar to that for which lemons are used.

I believe the amendment is certainly far more meritorious than many that have been attached to this bill. Therefore, I hope the amendment will be adopted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Florida [Mr. TRAMMELL].

The amendment was rejected.

SEVERAL SENATORS. Vote!

Mr. ASHURST. Mr. President, I shall satisfy the demands of my friends who are clamoring for a vote by promising to be brief.

Some days ago I proposed an amendment which will be found on page 6 of the list of printed amendments, which is as follows:

On page 3, line 11, strike out the numeral "7" and insert "30," so that if the amendment were adopted section 16 would read as follows:

Cotton having a staple of 1⅛ inches or more in length, 30 cents per pound.

The hour is late and the temper of the Senate is such that it would not hearken even to an eminent Senator if he spoke at length to-night, but I shall briefly give the reasons for my amendment.

The only places where Egyptian cotton is grown are, of course, Egypt, Arizona, and California.

That illustrious statesman, who is recognized as the pride of his party, the senior Senator from North Carolina [Mr. SIMMONS], in an able speech the other day said that the market for Egyptian cotton was now glutted, and that that circumstance is what brought the price down, and that learned statesman went on to say that England takes nearly all the cotton grown in Egypt; whereupon that other distinguished statesman, the Senator from North Dakota [Mr. MCCUMBER], immediately pointed out that in 1920, the year just closed, Egypt exported to the United States over 400,000 bales of Egyptian cotton, and I know that every Senator who indulges in the luxury of thinking, as we all frequently do, is irresistibly driven to the conclusion that when Arizona and California together produce only about 150,000 bales, the importation of nearly four times that amount, or over 400,000 bales, will drive down the price of home cotton.

The statue of Memnon, in Egypt, by some peculiar physical law or attribute, sings when the morning sun strikes it. That colossal statue was erected four or five thousand years ago. When the morning sun strikes the statue of Memnon and it begins its song the Egyptian laborer begins his song, and so long as the sun shines he works and sings; and I repeat what I said the other day, that of all the sons of men who have walked the earth, none excel in physical endurance the swart Egyptian, who sings and works 12 long hours beneath a blazing sun. He produces this Egyptian cotton. Before the Great War he received 35 and 40 cents a day. During the war he received 50 cents a day. He is now receiving about 45 cents a day.

Data as to this product has been difficult to obtain. It has been difficult for the Bureau of Markets to acquire reliable data. But the most reliable data obtainable show that in Egypt a pound of Egyptian long-staple cotton may be produced for about 30 cents. It costs the American producer about 70 cents per pound to produce it.

Last year Egypt dumped into this country over 400,000 bales of that cotton, produced by these fellaheen of Egypt, and we are asked to go into competition with that marvelous machine of physical efficiency. I have asked that the duty be made 30 cents a pound, because that is as near the cost per pound to produce Egyptian cotton as I am able to reach, and unless some

attempt is made to equalize the difference in the cost of cotton over and above the figure I have selected our producers will be driven out of business.

Of course, the duty would be operative but for 10 months, during which time the present glutting of the market would be somewhat absorbed and normal conditions restored.

The amendment was rejected.

Mr. ASHURST. Mr. President, I have another amendment. I move to strike out, on the same line, the numeral "7" and to insert in lieu thereof the numeral "15."

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 3, line 11, strike out "7," before the word "cents," and insert in lieu thereof "15."

The amendment was rejected.

The PRESIDING OFFICER. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole, with the exception of one reserved by the Senator from Idaho [Mr. BORAH].

The amendments were concurred in.

The PRESIDING OFFICER. The Secretary will state the amendment reserved for action in the Senate by the Senator from Idaho.

The ASSISTANT SECRETARY. The Senator from Idaho [Mr. BORAH] reserved for a separate vote the amendment on page 3, line 4, which reads as follows:

13. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per cent ad valorem.

The PRESIDING OFFICER. The question is on concurring in the amendment.

The amendment was concurred in.

Mr. SPENCER. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. Insert a new paragraph, as follows:

29. Sunflower seed, 2 cents per pound; sunflower oil, 20 cents a gallon.

Mr. SPENCER. Mr. President, of course I am not going to take the time of the Senate at this hour. I do not expect to accomplish a particle of change in the judgment of the Senate, but I want to say to Senators that I do not propose that this matter shall be regarded as a joke in the minds of many Senators, as I now know it is.

I want to say with all frankness that seven years ago the Russian Government imported into the United States 1,930,000 pounds of sunflower seed. From that moment sunflower seed began to be cultivated in the United States, and with regard to stock and soil and silage, it is a coming industry in the United States. There are farmers here who ought to know about it far better than I, who never lived on a farm in my life. Sunflower is the only crop which, when it follows corn, will kill the corn-root rot and make the soil ready for wheat.

Yet there are many Senators who are voting upon this question without any regard to its future. Even my own distinguished colleague ridiculed the product of the southeastern portion of his own State. There is merit in the position I take in regard to sunflower seed. Without any hope to change the judgment of the Senate, I ask for a vote.

The amendment was rejected.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. SIMMONS. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I transfer my pair with the senior Senator from Illinois [Mr. SHERMAN] to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. GERRY (when Mr. GORE's name was called). The senior Senator from Oklahoma [Mr. GORE] is paired with the junior Senator from New York [Mr. CALDER]. If present, the senior Senator from Oklahoma would vote "nay."

Mr. KNOX (when his name was called). In the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN], with whom I am paired, I am compelled to withhold my vote. Were I permitted to vote, I would vote "yea."

Mr. OVERMAN (when his name was called). In the absence of the Senator from Wyoming [Mr. WARREN], with whom I have a general pair, I am bound to withhold my vote. If the Senator from Wyoming were present, he would vote "yea" and I would vote "nay."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I transfer that pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

I am authorized to announce that if the senior Senator from Tennessee were present he would vote "nay."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. Therefore I refrain from voting. If he were present, he would vote "yea" and I would vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], which I transfer to the senior Senator from Minnesota [Mr. NELSON] and vote "yea."

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. UNDERWOOD. I wish to announce that the senior Senator from Missouri [Mr. REED] is absent and is paired with the junior Senator from Vermont [Mr. PAGE]. I am authorized to state that if the senior Senator from Missouri were present, he would vote "nay."

Mr. OVERMAN. I transfer my pair with the Senator from Wyoming [Mr. WARREN] to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. CURTIS. I wish to announce that the Senator from New York [Mr. CALDER] is paired with the Senator from Oklahoma [Mr. GORE].

The result was announced—yeas 43, nays 30, as follows:

YEAS—43.

Ashurst	Gooding	Lenroot	Poindexter
Ball	Gronna	Lodge	Ransdell
Borah	Hale	McCormick	Sheppard
Brandegee	Henderson	McCumber	Smoot
Capper	Johnson, Calif.	McLean	Spencer
Curtis	Jones, N. Mex.	McNary	Sterling
Elkins	Jones, Wash.	Myers	Sutherland
Fall	Kellogg	New	Townsend
France	Kendrick	Penrose	Wadsworth
Frelinghuysen	Kenyon	Phipps	Willis
Gay	La Follette	Pittman	

NAYS—30.

Beckham	Harrison	Overman	Trammell
Colt	Heflin	Pomerene	Underwood
Dial	Hitchcock	Simmons	Walsh, Mass.
Edge	Keyes	Smith, Ga.	Walsh, Mont.
Fletcher	King	Smith, S. C.	Williams
Gerry	Kirby	Stanley	Wolcott
Glass	McKellar	Swanson	
Harris	Moses	Thomas	

NOT VOTING—23.

Calder	Gore	Owen	Shields
Chamberlain	Johnson, S. Dak.	Page	Smith, Ariz.
Culberson	Knox	Phelan	Smith, Md.
Cummins	Nelson	Reed	Warren
Dillingham	Newberry	Robinson	Watson
Fernald	Norris	Sherman	

So the bill was passed.

Mr. PENROSE. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint five conferees on the part of the Senate to confer with the proper number of conferees on the part of the House.

The motion was agreed to; and the Presiding Officer appointed Mr. PENROSE, Mr. MCCUMBER, Mr. SMOOT, Mr. SIMMONS, and Mr. WILLIAMS conferees on the part of the Senate.

POST OFFICE APPROPRIATIONS.

Mr. TOWNSEND. Mr. President, I move that the Senate proceed to the consideration of H. R. 15441, the Post Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads with amendments.

RECESS.

Mr. TOWNSEND. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 7 o'clock p. m.) the Senate took a recess until to-morrow, Thursday, February 17, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 16, 1921.*

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Heavenly Father, we pause. Let everyone feel that he is remembered. We thank Thee for earthly labor. May we do it diligently, faithfully, and successfully. And linger with us like a friend, loath to leave. And we will evermore praise Thee. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. NOLAN. Mr. Speaker, I yield 15 minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. WOOD of Indiana. If the gentleman will yield, I would like, Mr. Speaker, to ask unanimous consent to take from the Speaker's table the bill H. R. 15543, disagree to the Senate amendments, and comply with the request for the conference, and ask for the appointment of conferees.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table, disagree to all the Senate amendments, and agree to the conference asked by the Senate, a bill which the Clerk will report.

The Clerk proceeded to report the bill.

Mr. McCLINTIC. Mr. Speaker, I think we ought to have a quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point that there is no quorum present. It is clear no quorum is present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The roll was called, and the following Members failed to answer to their names:

Ashbrook	Evans, Nebr.	McFadden	Scully
Ayres	Ferris	McGlennon	Sears
Bacharach	Focht	McKiniry	Sells
Baer	Frear	McKinley	Small
Bankhead	Gallagher	McLane	Smith, Idaho
Bell	Gallivan	Maher	Smith, Ill.
Bland, Mo.	Gandy	Mann, S. C.	Smithwick
Brooks, Ill.	Ganly	Mansfield	Snell
Caldwell	Goodall	Mason	Steele
Candler	Goodwin, Ark.	Mead	Stoll
Cantrill	Graham, Pa.	Milligan	Strong, Pa.
Carew	Hamill	Moon	Sullivan
Casey	Harreld	Mooney	Thomas
Clark, Fla.	Harrison	Morin	Tinkham
Clark, Mo.	Haugen	Mudd	Vare
Classon	Howard	Nelson, Wis.	Vestal
Copley	Hudspeth	O'Connell	Vinson
Costello	Humphreys	Park	Ward
Crowther	Husted	Parker	Watkins
Currie, Mich.	Igoe	Rainey, Ala.	Weaver
Dallinger	Jacoway	Rainey, John W.	Whaley
Davey	James, Mich.	Randall, Calif.	Wheeler
Dempsey	Johnston, N. Y.	Reavis	Wilson, Ill.
Denison	Kennedy, Iowa	Reed, N. Y.	Wilson, Pa.
Dent	Kennedy, R. I.	Reed, W. Va.	Wise
Dewalt	Kiess	Riddick	Woods, Va.
Donovan	Kitchin	Riordan	Woodyard
Dooling	Kleczka	Robinson, N. C.	Yates
Doughton	Kreider	Rodenberg	Young, Tex.
Eagle	Langley	Rowan	Zihlman
Edmonds	Lonergan	Rubey	
Ellsworth	McArthur	Rucker	
Emerson	McCulloch	Sanders, La.	

The SPEAKER. On this vote 299 Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. POU. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from North Carolina will state it.

Mr. POU. This is the report of an interview published in the Philadelphia Ledger of Wednesday, February 16, by the gentleman from California [Mr. KAHN]. I see him in his seat, so I think I can without impropriety proceed. In commenting upon the supposed action of the Committee on Rules in refusing to report favorably or to present to the House a resolution of investigation known as the Bergdoll investigation resolution, the gentleman from California used these words:

> And now Mr. CAMPBELL has told me that the Rules Committee met this morning and had decided that the resolution was not to be brought up at this time and that there is little likelihood of action being taken at this session.

Now, what I am going to read is the basis of the few remarks I would like to make:

> I was thunderstruck; I am sorely disappointed. It has come to me that the Democrats on the Rules Committee blocked action; that they are against an inquiry into the Bergdoll scandal.

Now, Mr. Speaker, if that is not the basis for a question of personal privilege, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House for five minutes. Is there objection?

Mr. KAHN. Reserving the right to object, I may want five minutes.

Mr. POU. I shall not object.

The SPEAKER. The Chair hears no objection.

Mr. POU. Now, Mr. Speaker, I am going to say I will not believe our genial colleague from California [Mr. KAHN] wishes to do the Democratic members of the Committee on Rules an injustice, but his statement is absolutely incorrect. I might as well say frankly what the attitude of the minority was. We said to the majority that "The responsibility is on you to bring up this matter. If you want to bring it up, we shall not throw any obstacle in the way; but we think it is a bad precedent to set."

That may not have been said in so many words, but the statement represents the position we took. Bergdoll was accused of a crime, and we thought it would be a dangerous precedent for the House to investigate through a committee a crime which ought to be the subject of investigation by the Department of Justice. If the House is going to set in motion an investigation every time some Government official is charged with crime, we will have little time to attend to the business which is properly our own. I think it is a bad precedent to set. It is the business of the governmental authorities to go into this matter, and if anybody has been guilty of a crime prosecute him and convict him and put him in stripes if necessary.

Mr. JOHNSON of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. POU. I yield.

Mr. JOHNSON of South Dakota. Is it not true that there was absolutely no disagreement on that committee between the Republicans and Democrats as to the action that ought to be taken?

Mr. POU. Yes; I think that is true. I think we came to the conclusion unanimously that a mistake had been made in taking favorable action on the resolution some months ago. But to say that the Democratic members blocked action is both incorrect and absurd. I do not believe there is a single Republican on the Committee on Rules who indorses that statement.

With this explanation, Mr. Speaker, I have no more to say. I reserve the remainder of my time.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from California asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. KAHN. Mr. Speaker, I would be the last man who would want to charge the Democratic members of the Committee on Rules with having blocked any resolution. The interview in the Public Ledger of Philadelphia is probably what I said. But I was told that that condition occurred in yesterday's meeting of the committee. Of course, in having personally read the testimony that was given before the Inspector General of the Army, I felt satisfied that that resolution for an investigation by a special congressional committee ought to pass, and ought to pass immediately.

Mr. POU. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. KAHN. Yes.

Mr. POU. Will the gentleman please explain to the House how it would be possible for the Democratic members of the Committee on Rules to block favorable action upon that resolution when there is a 2 to 1 Republican majority on that committee?

Mr. KAHN. I do not know.

Mr. POU. There is about 2 to 1 majority against us. How could four members block it when there are eight members on one side and four on the other?

Mr. KAHN. Sometimes there is just a bare majority of the committee present at a meeting of the committee; the fact is that the resolution was blocked, and the gentleman from California was told that the blocking was done by the Democratic members.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARRETT. The resolution was reported out at the last session of Congress.

Mr. KAHN. True.

Mr. GARRETT. There has not from that hour until now been a time when the chairman could not have called that resolution up if he desired to do so. [Applause on the Democratic side.] And no action has been taken by the committee as a whole or by the individual members of the committee which interfered.

Mr. KAHN. I regret exceedingly that any action was taken by the committee to prevent a thorough investigation of the Bergdoll matter, because, while the investigation made by the Inspector General of the Army shows on its face that certain things were done that were exceedingly irregular, nevertheless the real facts, in my opinion, have never been brought out in any trial or in any proceeding. I believe the facts ought to be brought out. I only wish that we had an opportunity to vote upon the rule, because I think it would pass practically without opposition on this floor. The real facts ought to be brought out so that the country might know whether a rich millionaire slacker can get away when some poor devil who also was a slacker is held "in durance vile" for a good number of years. [Applause on the Republican side.]

Mr. BEE. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from California yield to the gentleman from Texas?

Mr. KAHN. Yes; I yield.

Mr. BEE. In view of the statement made by the gentleman from California and the statement made by the gentleman from Tennessee [Mr. GARRETT], does the gentleman from California still contend that the Democratic members of the committee blocked this proceeding?

Mr. KAHN. It is evident that they did not, and I am glad to say so.

Mr. BLANTON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Mr. Speaker, the Times-Herald, printed in Dallas, Tex., issue of Sunday, February 6, 1921, contains the following under headlines of "Probe of escape of Bergdoll, noted and wealthy draft evader, promised." Under a Washington headline of February 5 it is stated as follows:

"Because a principle striking at the vitals of democratic government is involved," said Representative KAHN, of California, to the Public Ledger-Times-Herald correspondent Friday, "I am going to the rock bottom of the Bergdoll business." The chairman of the House Committee on Military Affairs, shaking his domelike head in a characteristic gesture and clenching his fist to make it more emphatic, was describing how, this afternoon, he took the first steps to translate his intentions into deeds.

Mr. MONDELL. Mr. Speaker, the gentleman is not presenting a question of personal privilege.

Mr. BLANTON. The reporter asked the following question:

"Will your inquiry end up like most congressional inquiries do—in thin air?" The Member from the Golden Gate rose up——

Mr. MONDELL. Mr. Speaker, the gentleman is not presenting a matter of personal privilege.

Mr. BLANTON. I wanted to show a foundation to make a question of personal privilege. When I get through, the gentleman from Wyoming will not contend that I am not presenting a question of personal privilege. As to the question whether or not it would end in thin air—

"Not if I can help it, and I think I can," was his forceful rejoinder. "Long before Bergdoll turned up safe and sound among his German kinsmen and friends, I introduced a resolution calling for a select committee to pry into the case. That was on May 25, 1920."

The SPEAKER. Does the gentleman, when he says that, mean himself, or the gentleman from California [Mr. KAHN]?

Mr. BLANTON. Mr. KAHN.

The SPEAKER. The gentleman is out of order.

Mr. BLANTON. I will get down to it.

Mr. KING. Mr. Speaker, I submit a point of order.

Mr. BLANTON. I will submit the matter to the Chair, if the Chair would prefer.

The SPEAKER. The Chair would prefer that the gentleman would state his point of order.

Mr. KING. Mr. Speaker, I rise to a point of order.

Mr. BLANTON. He says:

I called it up on June 5, and there was a highly significant discussion on the floor of the House over it, but the Chicago convention was assembling, and——

The SPEAKER. The gentleman is not stating a question of personal privilege.

Mr. BLANTON. Mr. Speaker, he charges me with blocking this resolution and inferentially with being in collusion with this dirty millionaire slacker in preventing this resolution from passing, which is infamously untrue. [Applause.] If that does not constitute a question of personal privilege, I would like to know what does.

The SPEAKER. The gentleman should recite that.

Mr. BLANTON. I want to give enough of this article to show what I was driving at. Here is what he cites. He says:

For reasons best known to himself—

Speaking of the gentleman from Texas—

for reasons best known to himself, his constituents in the seventeenth Texas district, I hear, were much interested in them during his recent campaign for reelection. Representative BLANTON blocked the passage of that resolution. So exactly eight months to the day have been lost that might have been employed in running the real felon or felons in the Bergdoll mystery to earth.

I want to submit this document to the Speaker. All through it he intimates that I was protecting this dirty, infamous millionaire slacker. [Laughter.]

The SPEAKER. The only statement the Chair finds is that Representative BLANTON blocked the passage of that resolution. Is that a fact?

Mr. BLANTON. It is not a fact.

Mr. MONDELL. Mr. Speaker, the gentleman did object to a request for unanimous consent.

Mr. BLANTON. I can say that I did object to unanimous consent, but it was not a fact that I blocked its passage under the rule. No man can block anything in the House of Representatives when there are 270 Members here. There were 270 Members on the floor at the time the gentleman alleged that I blocked it.

The SPEAKER. The Chair at first blush does not think——

Mr. BLANTON. The Chair has not read the part where he attempts to connect me with it directly.

Mr. WINGO. Will the Chair indulge me a moment?

The SPEAKER. The Chair will hear the gentleman.

Mr. WINGO. The Chair has read, and the gentleman from Texas has already read, the charge that he blocked the resolution. Now, I think with the facts known, and a charge of blocking an investigation, from the gentleman's viewpoint would involve moral turpitude, and it is a question whether or not the gentleman did block it. The Chair must take judicial notice of the fact that the proceedings revolve around a special rule that the gentleman from Kansas [Mr. CAMPBELL] had in his pocket. One man can not block a special rule in this House; and any charge that he did it in this instance involves moral turpitude and furnishes the gentleman with a question of personal privilege. The Chair knows I am the last man under the sun to give the gentleman any leeway in a discussion of personal privilege in this House; but I think the gentleman is certainly entitled to be heard on the charge.

Mr. MONDELL. The gentleman from Arkansas does not accurately state the case. He says the question revolves around a special rule. The matter that is referred to in this newspaper article is the objection made by the gentleman from Texas [Mr. BLANTON] some time ago to the consideration of the Bergdoll resolution when a request was made for its consideration by unanimous consent.

Mr. WINGO. I gather from the statement made by the gentleman from Tennessee [Mr. GARRETT] that it is a fact that the gentleman from Kansas [Mr. CAMPBELL], chairman of the Committee on Rules, has a rule reported by that committee.

Mr. MONDELL. Mr. Speaker, that is not the matter before the House.

Mr. WINGO. The gentleman from Texas could not prevent the consideration of that.

Mr. BLANTON. At the time he charges I blocked the consideration of this matter the gentleman from Kansas [Mr. CAMPBELL], chairman of the Rules Committee, had already presented a rule to this House and asked consideration of it, making in order as special privileged business of this House resolution 574, introduced by Mr. KAHN, and I want to cite the Chair to the record on it. I have it right here to show that Mr. CAMPBELL of Kansas himself——

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that the matter does not present a question of personal privilege.

Mr. BLANTON. Will the gentleman from Illinois be fair enough to let me present this matter?

Mr. MANN of Illinois. I should like to make this statement——

Mr. WINGO. That is what the gentleman is discussing.

Mr. MANN of Illinois. I suppose during my membership in the House I have been accused more than a thousand times of blocking legislation, and in many cases it was true. [Laughter.] But does that give me the right, every time somebody makes that charge in a newspaper, to rise to a question of personal privilege and obtain the floor for an hour? It would lead to

the grossest abuse and waste of the time of the House. It is no crime for a man to block legislation.

Mr. WINGO. Will the gentleman yield for a question?

Mr. MANN of Illinois. There is no moral turpitude involved in blocking legislation. There is much legislation which I shall block as far as I can, as long as I am a Member of the House, and a Member has the right to object to the consideration of a resolution on a request for unanimous consent. It involves no moral turpitude, and does not give rise to a question of personal privilege.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. BLANTON. Suppose there should be a proper resolution here before the House to really investigate, in a bona fide, genuine way, facts showing where a dirty, infamous millionaire slacker got away from officers by spending money lavishly, $100,000 at a whack, and he goes over to Germany and adds insult after insult to this country, and a Member of Congress should block such a proper resolution before the House, if he could do it; is not that a question that involves some moral turpitude?

Mr. MANN of Illinois. Why, certainly not. Mr. Speaker, a majority of the House frequently blocks legislation by refusing to vote for it. Does that give to every Member of the House the right to rise to a question of personal privilege if some newspaper charges that a majority have blocked legislation? It is the question of privilege that I am discussing. It does not present a question of personal privilege for a newspaper to say that some Member of the House, or a majority of the House, or the House itself has blocked legislation. That is not a question of personal privilege.

Mr. BLANTON. Mr. Speaker, I would like to have the Speaker hear me one minute to read the RECORD. Here it is, on page 9195 of the permanent RECORD for June 4, 1920:

> The SPEAKER. Two hundred and seventy Members have answered to their names. A quorum is present.
>
> Mr. CAMPBELL of Kansas. Mr. Speaker, just before the recess I submitted a resolution to investigate the escape from a military prison of one Bergdoll. The circumstances surrounding the escape point to a very nasty scandal.
>
> Mr. BLANTON. Mr. Speaker, I demand the regular order.
>
> Mr. CAMPBELL of Kansas. There being objection, Mr. Speaker, to the consideration of the resolution, I withdraw the resolution.

He withdrew the special rule that made this resolution in order as privileged business in this House when there were 270 Members present, and I merely asked for the regular order. Under these circumstances the gentleman from California puts in a paper of my State the statement that I blocked it, when it is not true.

The way that it came up before was that they asked unanimous consent in the dying hours of Congress. I objected, because there was only a handful of men here on the floor to consider the resolution, and there were things in it that smelled to heaven, not connected with it, but politics, dirty politics, and that was what I was objecting to—to save the people's money.

Mr. MONDELL. Mr. Speaker, I claim the gentleman has not presented a question of personal privilege.

The SPEAKER. The Chair has read the article and the Chair finds nothing in it except the one statement that Representative BLANTON blocked the passage of that resolution. The Chair thinks that the argument made by the gentleman from Illinois [Mr. MANN] is convincing and in accordance with other precedents which have been cited to the Chair. The Chair thinks that the statement that the gentleman blocked legislation does not raise a question of personal privilege.

Mr. BLANTON. Mr. Speaker, I have a resolution right now, No. 603, I introduced December 7, 1920, that is pending before the Rules Committee, directing this Military Affairs Committee to investigate the Bergdoll matter.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 15271. An act granting the consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River, at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.;

H. R. 15750. An act to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county;

H. R. 13606. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River;

H. R. 15011. An act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma;

H. R. 15131. An act to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York;

H. R. 12157. An act to amend act of Congress approved June 30, 1913; and

H. R. 14311. An act to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 15543, the legislative, executive, and judicial appropriation bill, disagree to the Senate amendments, and agree to the conference asked for.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the bill H. R. 15543, disagree to the Senate amendments, and agree to the conference asked for. Is there objection?

Mr. TINCHER. Reserving the right to object, I want to ask the chairman if this request is granted will he come back to the House with Senate amendment 65, raising the amount of $7,100,000 for enforcement of the Volstead law to $7,500,000?

Mr. WOOD of Indiana. I have no objection.

Mr. TINCHER. That is a Senate amendment, and I know the attitude of the gentleman himself on that question. If the chairman will state that he will bring that matter on the floor of the House for a vote on this amendment, I shall not object.

Mr. WOOD of Indiana. I have stated that it will be brought onto the floor, as far as I am concerned. I expect all of those questions will be brought onto the floor and the House will have an opportunity to vote upon them.

Mr. TINCHER. I want a more definite statement than that.

Mr. WOOD of Indiana. I will state that so far as I am concerned the House may have a separate vote on that amendment.

Mr. TINCHER. This is an amendment that some of us want to vote on. We want to recede and accept the Senate amendment.

Mr. WOOD of Indiana. I have stated that as far as I am concerned the gentleman may have the opportunity.

Mr. BLANTON. Reserving the right to object, I want to ask the chairman whether or not he will return to the House all matters of legislation, in the way that was done on the District bill?

Mr. WOOD of Indiana. I will try to conform exactly with the new rule. I am not going to take any position that will deprive the House of its rights under that rule.

Mr. SISSON. Reserving the right to object, there is one item that goes in this bill in the Senate making provision for the Federal Farm Loan Board to function. That amendment being put on in the Senate——

Mr. WOOD of Indiana. That will have to come back.

Mr. SISSON. Unless the Senate conferees should yield. Now, I would like to have an opportunity to have the House vote on that amendment, because I believe it is the only opportunity that we will have to get the farm loan law to function again.

Mr. WOOD of Indiana. I will state that the gentleman from Mississippi will be one of the conferees, and with his ability and zeal he can probably bring it back here.

Mr. SISSON. I hope so, and I hope the gentleman will help me. With that understanding I have no objection.

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry. Is it now in order to move that the House agree to the Senate amendment on page 65 with reference to the amount appropriated for the enforcement of the prohibitory law?

The SPEAKER. It would not; this is simply asking unanimous consent to send it to conference.

Mr. BARKLEY. Would it be in order to move to instruct the House conferees to agree to the amendment on that subject?

The SPEAKER. The Chair thinks the practice is not to instruct the conferees on the first conference, but the Chair does not see why it would not be in order.

Mr. BARKLEY. If we are to have the matter brought back, I see no reason why we could not vote on it now. I desire to take advantage of any parliamentary opportunity I may have to make a motion either that the House agree to the amendment or that the conferees be instructed to agree to it.

Mr. NOLAN. Mr. Speaker, the Committee on Patents has the right of way, and this is all by unanimous consent. If we can not close this up in a short time I am going to ask for the regular order.

Mr. BANKHEAD. I think we ought to have the regular order.

Mr. BLANTON. A point of order, Mr. Speaker; the gentleman from California [Mr. NOLAN] having yielded to the gentleman from Indiana to make a unanimous-consent request, and he having called up the bill, is not that the regular order and the inquiry or motion made by the gentleman from Kentucky?

Mr. NOLAN. I do not like to object, but unless this is terminated immediately I am going to object.

The SPEAKER. Is there objection?

Mr. BARKLEY. When a bill is called up and unanimous consent is asked to send the bill to conference and appoint the conferees, Members certainly have the right to have the matter presented to the House, and if it is in order, reserving my right to object to move that the House instruct the conferees, I want to do so.

The SPEAKER. It would not be in order now until the House has sent it to conference and the conferees are appointed.

Mr. BARKLEY. This is a preferential matter, the agreement of the House to a Senate amendment, which tends to get the two Houses together earlier.

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. NOLAN. Mr. Speaker, I yield 15 minutes to the gentleman from Connecticut [Mr. MERRITT].

PATENT OFFICE.

Mr. MERRITT. Mr. Speaker, when the House adjourned yesterday afternoon the chairman of the Committee on Patents [Mr. NOLAN] was presenting a conference report on the Nolan bill (H. R. 11984). So far as the Nolan bill proper is concerned, which passed this House, it is an admirable bill in every respect, and the chairman, the gentleman from California, and all his committee are entitled to a great deal of credit for having reported and passed that bill through the House. Unfortunately when the bill reached the Senate there was tacked onto that bill an entirely separate and unrelated bill. It was a bill which had already been passed in the Senate in a separate form. It had to do with a new bureau or new power which is to be conferred on the Federal Trade Commission to enable them to accept assignment of patents on inventions made by United States employees outside of the Patent Office. Now, let us see what the condition is at present. At the present time any employees of the Government outside of the Patent Office can apply for a patent in his own name, and when he gets it, aside from certain departmental regulations to which I shall refer, he has the same right and ownership in the patent which any other citizen of the United States has, and I think you will agree with me that, except for certain limitations, that is what he ought to have. I do not think that when a man goes into the Government employ he should assign all his rights in an invention which is the production of his brain and his work any more than a man who goes into the Government employ and who writes a book should assign the copyright of that book to the United States. I think it is to the advantage of the service and of the country that inventions should be encouraged both in the Government service and outside it. I think you will all agree that the patent system of the United States has been one of the most beneficent systems in the world. It has produced good not principally to the inventors, but to all the citizens of the United States. As a matter of fact, without the inventions which have been made in this country and abroad civilization and society as at present constituted could not be conducted. Take, for example, the great inventions in electricity in the last 25 or 30 years. Instances will readily occur to you where, without those inventions, many of the modern processes could not go on, and when you consider the great inventions in agricultural machinery you know that the people of this country and the world could not be fed without those inventions, and therefore I think that any interference with the present patent system in this country ought to be made with great caution.

Mr. GARD. Will the gentleman permit an inquiry?

Mr. MERRITT. I will.

Mr. GARD. Section 11 applies to all employees of the Federal Government except employees of the Patent Office, does it not?

Mr. MERRITT. Yes.

Mr. GARD. That virtually puts the matter of the acceptance of assignments of patents for inventions and of patent rights in the hands of this Federal Trade Commission under regulations to be prescribed by the President outside of any law which we make, does it not?

Mr. MERRITT. It does.

Mr. GARD. Does the gentleman think that is wise?

Mr. MERRITT. I do not; no. In response to the question of the gentleman from Ohio, which I am glad he asked, I will point out that the chairman [Mr. NOLAN], the gentleman from California, yesterday spoke of the interest which the people of this country should have in inventions made by its own employees, but you will note that under this legislation nobody has to assign his patents to the Federal Trade Commission any more than he has to do so now. That means, I think, when this legislation is once enacted it must be, if it is to be made effective, followed by legislation for compulsory assignment. It will be found, also, that when the Federal Trade Commission begins to deal with patents it will be obliged to form a new bureau, because the matter of patents is a highly technical question. It is not every clerk in every department who can intelligently handle patents and licenses thereunder. It happens already that in certain departments where they desire to get information about patents they simply go to the Patent Office and overload the already overloaded force of the Patent Office by asking them to make searches and to give opinions——

Mr. MADDEN. Will the gentleman yield?

Mr. MERRITT. I will.

Mr. MADDEN. Under the provisions of this bill if it becomes a law, would it be within the power of the Federal Trade Commission to require any person dealing in a commodity made under a patent assigned to it to take out a license in order to conduct business?

Mr. MERRITT. It would.

Mr. MADDEN. Then I think it ought not to pass. We ought not to go into a system of licenses that gives that power.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. MERRITT. I will.

Mr. CHINDBLOM. As a matter of fact, is there any reason why this special privilege to assign patents to the Federal Trade Commission should be confined to employees of the Federal Government and not given to the other citizens of the United States?

Mr. MERRITT. I think not, logically.

Mr. CHINDBLOM. Not logically. As a matter of fact, the gentleman from California yesterday argued that the Government might and should have an opportunity to avail itself of patents which might be used for national security and defense. Would not that apply with greater force to people outside the Federal employ than to those in the Federal employ, inasmuch as the great bulk of the inventions of this country come from people outside of that employ?

Mr. MERRITT. I do not want to take time to argue that question too much, but I will answer the particular question. The argument of the gentleman from California was based on the fact that those men got their information from the fact of their governmental employment; their time is paid for by the Government; and, therefore, as is the case in many manufacturing concerns, any invention made in the Government's time and Government's money should belong to the Government. That is the idea.

Mr. CHINDBLOM. A practical question: I am very much in sympathy with the first portion of this bill, which increases the salaries and personnel of the Patent Office, but I am not in favor of this Federal Trade Commission provision with reference to assignment of patents. If we defeat this bill, is there hope of its coming back during this session so that it may be available and effective?

Mr. MERRITT. I can not answer that question.

Mr. CHINDBLOM. That is what I wanted to know.

Mr. MERRITT. My belief is, in any event, whatever the answer to the gentleman's question may be, that we can not afford to set up in the Federal Trade Commission a patent bureau. Everybody knows the tendency of the Federal Trade Commission has been uniformly to extend its jurisdiction, to add to its functions, just as every Government commission always does.

Mr. NOLAN. Will the gentleman yield?

Mr. MERRITT. I will.

Mr. NOLAN. The gentleman must know, if he has followed the hearings on this measure, that the Federal Trade Commission has had nothing whatever to do with the drafting of this bill.

Mr. MERRITT. I do know that.

Mr. NOLAN. And has had nothing to do with asking for any further power.

Mr. MERRITT. I will admit that. What the gentleman from California says is true, but what I say is, if this bill is passed it will put those powers in the hands of the Federal Trade Commission, and inevitably, when they get those powers, like every other commission, they will want to exercise them, and they will think they know more about how things should be done than any manufacturer or inventor. They will go after increased powers; they will get to the point to which the gentleman from Illinois referred. In the original Senate bill they were allow-1

to take assignments from outside inventors, and they will then offer inducements to them to turn their inventions over to the Government, and the first thing you know there will be a tremendous manufacturing bureau and patenting bureau in the Government, competing with private manufacturers.

Now, then, everybody knows that when you grant a license under a patent, especially when the thing is a new device, you have got to grant an exclusive license or else the manufacturer will not take it at all, because he can not afford to spend his money unless, when he gets through, he has the exclusive right to his invention. For instance, take the turbine engine, which represents a tremendous increase in power and economy in coal, the company which first produced it spent $3,000,000 in experimentation before they produced a practical turbine. We have had demonstrated in this House that the production of helium gas in a commercial way has not been solved. That will involve great expense.

There exists to-day in some of the departments little patent bureaus of their own; in the Navy, for instance. This bureau advises and assists employees as to their inventions and gets patents for them, with the proviso that when a man in the Navy invents something that is of advantage to the service the United States has a right to use the invention without charge. It needs no creation of another commission or bureau in the Federal Trade Commission.

Now, if you pass this bill, see where it will lead you. The gentleman spoke yesterday of some chemical invention in regard to the production of nitrate, which should be assigned to this Federal Trade Commission. How are they going to grant licenses? If they are going to grant exclusive licenses, will they not be at once accused, justly or unjustly, of playing favorites and politics?

It was testified in these hearings that any legislation of this sort would be sure to produce allegations of favoritism and scandals, which would, to say the least, be unpleasant. I believe if these men in the Government service make inventions, subject to what is called a shopright for the Government to use them without pay, they ought to have whatever benefit comes to them, because it is a general law in patents that no man can possibly gain any advantages from patent rights where the public will not gain a hundredfold. Adverting again to the harvesting patents, of course manufacturers under those patents made fortunes. Take the Bessemer process, whose inventor made a fortune, but where would the world have been without these inventions? Where the owners of those patents made thousands the public and the world made millions.

Gentlemen, I shall not take your time to go into more detail. I think you get the drift of my argument, which is this, that the United States patent system, the rights under the United States patents, are well understood, and they have been beneficent, they have been the foundation of successful manufacturing in this country, and we should not under a report from any conference committee add onto the excellent bill which has been produced by the gentleman from California [Mr. NOLAN] an entirely new and unrelated piece of legislation, which, in my judgment, will do more to injure and revolutionize the patent system of this country than anything else could do.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. MERRITT. Yes.

Mr. SMITH of Michigan. About how frequently do the Government employees take out patents? The gentleman spoke of the Bessemer steel patent. Was that patented by a Government employee?

Mr. MERRITT. Oh, no.

Mr. SMITH of Michigan. Is it a matter of frequent occurrence?

Mr. MERRITT. It is a matter of frequent occurrence. The Navy Department has a patent system, under which they encourage all employees of the Navy and of the navy yards to bring to this committee inventions, and then they advise them whether they are patentable, and, if they think so, take out patents in their behalf subject to shopright by the Government. When they are through, the individual has the same right as any other citizen and gets the benefit of his own invention, as he should do. Under this system, if it was assigned to the Federal Trade Commission, the licenses would be put into a pool and the license fees distributed to Tom, Dick, and Harry, who perhaps had made no meritorious invention at all.

Mr. FESS. Will the gentleman yield?

Mr. MERRITT. I will.

Mr. FESS. Possibly the gentleman can throw some light upon a recent discovery. I have not been able to understand what law the gentleman was working under out at the Bureau of Mines who made the discovery by which a greater production of gasoline could be made out of crude oil. I refer to Dr. Rittman. He got no benefit whatever from his discovery, did he? Does not that all revert to the Government?

Mr. MERRITT. I do not know what happened in that particular case. Under the law he could gain——

The SPEAKER. The time of the gentleman from Connecticut has expired.

Mr. WINSLOW. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut may go on.

The SPEAKER. The gentleman from California [Mr. NOLAN] has control of the time.

Mr. NOLAN. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Speaker, there are 1,948 employees provided for in this bill in the Patent Office. That is quite a substantial increase in the number of employees in that bureau. The bill as it passed the House seeks to pay to the Commissioner of Patents $6,000; to the first assistant, $5,500; to another assistant, $4,500; to 5 examiners, $5,000 each; to 6 examiners, $4,000 each; to 3 examiners, $3,900 each; to 47 more examiners, $3,900 each; to 40 assistant examiners, $3,300 each; to 30 more assistant examiners, $3,100 each; to 30 more assistant examiners, $2,900 each; to 40 more assistant examiners, $2,700 each. And so on down the line for the 1,048 proposed employees in this Patent Office.

When this bill first came up the following colloquy occurred between the chairman and myself in answer to my inquiry:

Mr. NOLAN. The Assistant Commissioner of Patents at the present time receives $3,500. By the adoption of the amendment his salary is now increased $1,500 a year. The five examiners in chief receive $3,500, and the increase for them in this bill makes an increase of $1,500 a year.

Mr. BLANTON. Then beginning with the chief clerk under the next section on down the raises have been relatively how much?

Mr. NOLAN. The chief clerk at the present time gets $3,000 and he is raised $1,000 to $4,000. The law examiners get $2,700 and they are raised to $4,000 each, or $1,250. The classification examiner receives at the present time $3,600 and he is raised to $4,200. The examiners in chief, $3,500, and are raised to $5,000. Those are the five examiners in chief provided in section 1.

Mr. BLANTON. So they approximate from $1,000 to $1,500 raise?

Mr. NOLAN. Yes. In some cases $600.

Mr. Speaker, we know that usually it is the Senate at the other end of the Capitol that puts raises in bills, and puts increased appropriations in our bills that we sent over there. It is usually the House of Representatives, which comes directly from the people every two years, that has to constitute itself a brake on the Senate in regard to increased appropriations.

But these increases in this House bill so shocked even the Senate at the other end of the Capitol that they saw fit for the first time almost in the history of legislation since I have been here to reduce the House appropriations.

This is how the Senate reduced the raises of from $600 to $1,500 granted by the House: They reduced the Commissioner of Patents from $6,000 to $5,000. They reduced the first assistant commissioner from $5,500 to $4,500; the second assistant from $5,000 to $4,000; the 5 examiners from $5,000 to $4,000 each; and the 36 messengers from $1,080 to $840, each drawing the $240 bonus additional. And so down the line, for the first 48 Senate amendments constituted a reduction in every one of them. And yet after the Senate reduced these amounts it still left a raise in salary of approximately about $500 a year in each one of them. Yet our distinguished chairman in charge of this bill has so faithfully worked for its interests that he has made the Senate recede from every one of these 48 amendments that is put on the bill, and has put back every salary into the bill just as he had it written, ranging in increase from $600 to $1,500 to each salary.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BLANTON. Inasmuch as I was complimenting the gentleman's committee, and I seem to be the only one opposing the bill, can not the distinguished gentleman give me some more time?

Mr. NOLAN. I am tied up with time now. I yield five minutes to the gentleman from Louisiana [Mr. O'CONNOR].

The SPEAKER. The gentleman from Louisiana is recognized for five minutes.

Mr. O'CONNOR. Mr. Speaker, I regret very much that the distinguished gentleman from Texas [Mr. BLANTON] is not granted an opportunity to show that through the efforts of the gentleman from California [Mr. NOLAN] justice has finally triumphed, and that injustice has been defeated. I wish to thank the gentleman from California for the courtesy shown me for this opportunity to correct what would be apparently an error in my legislative career.

When this bill was returned by the Senate with certain amendments the gentleman from Texas [Mr. BLACK] moved to adopt the Senate amendments. Under a misapprehension I voted for the motion, the purpose of which was to reduce the wage schedule. That, gentlemen, would be totally at variance with the song that I have sung all my life. Whether I be or have been right or wrong in my attitude toward human existence, I do not desire at this time in my career to strike a false note. Always, from my cradle to this time—and I hope I will continue that attitude until I go to my last account—I have held that it should be the policy of this country to give to the wage earner that wage which would enable him to rear his boy and his girl as an American boy and an American girl and fit them for the discharge of the highest duties that could be assigned to them by this Republic. I do not believe that you can have a decent upstanding American citizenship with poverty and all of its depressing effects, making for ignorance and illiteracy, hovering over the childhood days of millions of American children. I believe that it is necessary in order to attain the splendid destiny of this country that boys and girls should be reared in an environment that will make for decency, that will make for an educated, enlightened, and cultured working class, a laboring class that can honestly and sincerely praise and bless their native land for its blessings, and who will be ornaments to the country. I have always felt that the wage earner should be given that share of the wealth produced in his generation that will bring about the fulfillment of the purpose that I have briefly outlined.

I am glad to make that statement in connection with that vote, wherein I misapprehended the parliamentary situation. I have a high regard for the judgment and wisdom of my distinguished friend from Texas [Mr. BLACK] upon a great many matters that are presently to come before this House, as well as upon questions which have been disposed of. I esteem him as a profound student of a great many of the governmental necessities that require, press for, demand solution. Personally I regard him from an extremely friendly and affectionate standpoint. True, indeed, is it that no man possesses the infallible touchstone of truth. Men equally sincere and honest will come to opposite conclusions from a given state of facts, and upon public questions and policy. I concede to him and all others that differ from and with me what I wish granted unto myself—a sincerity of purpose and desire to promote the general welfare and achieve the common good. I regret that upon this wage schedule the viewpoint of Mr. BLACK is not mine. I like him, but can not agree with him on a matter that I deem of concern to wage earners throughout the land, for an injury to one is the concern of all. [Applause.]

Mr. NOLAN. I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker and gentlemen of the House, I am particularly pleased with the increase of salaries carried in this bill. I also compliment the committee for the increase of fees which more than provides for the salary addition. I realize that a very large proportion of the wealth of this country is obtained from patents and copyrights. We must encourage men to invent things, to produce new systems, new processes, and new matters in order to have progress and prosperity in the land. The salaries in the Patent Office have always been too low. They have only been increased 10 per cent since 1848. It requires technical men for those positions, men highly qualified to carry out the duties of their offices, and I think it is entirely satisfactory to the country that we should provide these additional payments to the men in the employ of the Patent Office. It is, however, section 9, on page 12, formerly section 11, to which I particularly address myself. It provides one of the best things for the employees of the Government that has been provided in any legislation we have passed in recent years, and justly so.

It is a well-known fact that a man who procures a patent usually loses its beneficial results because he has not the money to carry it into operation, because he has not the funds by which he can produce the goods and put them on the market. Under this provision the Federal Trade Commission of the Government is authorized to take over from Government employees, upon terms to be prescribed by the President, patents which they obtained from the Patent Office, and then to license the manufacture in various sections of the country, the proceeds from those licenses to be distributed among the inventors according to their rights. That enables any employee of the Government who otherwise probably would not have the money to put the patent on the market, to have it manufactured by licensed people. It gives that employee some protection and gives him a part of the revenue produced from his invention.

I feel that by this method we can also procure things more cheaply. We know that many articles which have been patented cost far in excess of what they ought to cost, and that the public are paying millions upon millions of dollars in large profits to people who have procured patents, because the Government has no way to control the prices charged. Under this system, however, when a patent is procured by a Government employee and he turns it over to the Government upon a satisfactory agreement, the Government in licensing out that patent would have the right to say to the manufacturer, "You shall have a certain profit, say for instance 25 or 30 or 50 per cent, but you shall not obtain this license for the manufacture of this article if you propose to charge 100 per cent profit or more." So not only will the Government employee be protected in his rights, not only will he obtain remuneration for his invention, but the public likewise will receive great benefit by having these articles manufactured and sold at a fair and reasonable profit. I think it is a splendid bill, because it provides adequate compensation to Government employees in the Patent Office. It is a splendid bill, because it provides the means by which any Government employee may put a patent upon the market and receive some remuneration therefor. I sincerely hope the amendments will be concurred in and the bill will be passed by the House. [Applause.]

Mr. NOLAN. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen, this legislation has already been fully considered, not only in committee but in the House. Beginning in July, 1919, the House Committee on Patents held extensive hearings and have had hearings since that time upon the matters involved in this bill; there are several hundred pages of printed hearings upon the questions involved. After these hearings the House committee unanimously reported the original House bill, and then in order to get speedy action on it a hearing was held before the Rules Committee in which parties from all over the country who were interested in the bill appeared and presented their views, and after that hearing the Rules Committee unanimously reported out a rule for its immediate consideration. It came up in the House on March 5, 1920, and was passed by a practically unanimous vote. At that time the gentleman from Texas [Mr. BLANTON] offered a motion to recommit, with instructions to reduce certain salaries carried in the House bill, and that motion to recommit was defeated by a vote of 272 to 6.

Mr. BLANTON. Will the gentleman yield?

Mr. DAVIS of Tennessee. I have not the time.

Mr. BLANTON. Just for a question?

Mr. DAVIS of Tennessee. No; I have not the time.

Mr. BLANTON. The gentleman has mentioned the gentleman from Texas.

Mr. DAVIS of Tennessee. I know, and I speak from the RECORD. There are too many features of this bill about which I wish to speak. Then the bill went to the Senate and passed there with certain amendments. After the conferees were appointed, they did something which I understand is very unusual. They again opened up the matter and held hearings for four days, permitting those who desired to advocate or oppose the bill, or any feature of it, to appear and be heard. After that the conferees agreed upon and made this conference report to which all the House conferees agreed and which they signed, and the Senate conferees with one exception agreed to and signed the conference report. The Senate conferee who did not sign the report agreed to all the provisions of the bill as now reported except section 9, which was a Senate amendment. Now, as it comes back to us under this conference report, it carries the original House bill practically in its entirety and without any material amendment except with the addition of section 9, which is designated as secton 11 in the conference report, and which deals with the translation into use of patents developed in Government laboratories.

Just for a moment on the question of salaries. The Patent Office occupies a very peculiar position. It is perhaps the only department of the Government which is run at a profit instead of a loss. The receipts of the Patent Office have always amounted to more than the expenses of that department. During the entire period of its existence there has been an accumulation of over $8,000,000 in receipts over expenditures. That is on paper, of course, because the receipts of the office were covered into the Public Treasury. The employees of the Patent Office have had their salaries increased only once since 1848, and that was to the extent of 10 per cent. In other words, during a period of 72 years there has been an increase of only 10 per cent in the salaries of the employees of the Patent Office. The result is that they are paid less, as I could show by com-

parison if I had the time, than that of the average Government employee. Take the clerical employees of certain classes which can be compared, and the average pay of all the employees of this character under existing law is $1,304.70. The average amount of similar employees in the Patent Office is only $1,091.02. Even if this bill is passed, they will still not receive the average pay of other employees of the same class, because they will receive only $1,277.14, a considerable amount less than the average.

Mr. McDUFFIE. May I suggest that the Patent Office has lost a great many employees on account of the low salaries paid in that office?

Mr. DAVIS of Tennessee. That is absolutely true. From May 1, 1919, to October 1, 1920, 17 months, there were 122 resignations of these patent examiners. They resigned, as far as we are able to learn, to accept employment at higher salaries in private life. We have letters from 70 out of the 122 in which they say that that is true, and that the salaries that they are now receiving are a considerable advance over the pay they were receiving in the Patent Office.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. ANDREWS of Nebraska. Does this bill provide for increased fees?

Mr. DAVIS of Tennessee. Yes.

Mr. ANDREWS of Nebraska. How far will the increased fees go toward paying the increased salaries?

Mr. DAVIS of Tennessee. It is estimated by the Patent Office that the increased fees will more than overcome the increased personnel and salaries carried in this bill. If this bill had become a law at the time it originally passed the House, the applications received since that time would have brought in enough additional fees to have overbalanced the increase in salaries during that period of time.

Mr. ANDREWS of Nebraska. It seems to me that that is a very important point in favor of the bill.

Mr. DAVIS of Tennessee. During 1920 there was a 36 per cent increase in the business of this office over that of the previous year. There was a 24 per cent increase in receipts even under the existing schedule of fees. It would have been larger than that but for the fact that there is quite an accumulation of undisposed of business because they have not the requisite force to dispatch the business.

This bill only provides for an increase of 48 employees, and we think the increases in personnel and salaries are very moderate and that it will not make possible a proper, efficient functioning of the Patent Office, but that it is also a matter of economy for the Government, because the Patent Office is more than self-sustaining, and the more business they do the more receipts are collected. [Applause.]

Mr. NOLAN. Mr. Speaker, I yield two minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, I certainly would not oppose the increase in salaries, and I have no objection to the increase of force in the Patent Office if they need it. I am willing to trust the committee that says they do need it. But I have had called to my attention the last part of section 11, which is a Senate amendment, which I am afraid is injurious, and I hope the House will look at it very carefully before it is finally enacted. The language is this:

> and the Federal Trade Commission is hereby authorized and empowered to license and collect fees and royalties for licensing said inventions, patents, and patent rights in such amounts and in such manner as the President shall direct, and shall deposit the same with the Treasurer of the United States; and of the total amount of such fees and royalties so deposited a certain per cent, to be determined by the President, shall be reserved, set aside, and appropriated as a special fund to be disbursed as directed by the President to remunerate inventors for such of their inventions, patents, and patent rights contemplated by this section as may prove meritorious and of public benefit.

That provision is without doubt wrong for two distinct reasons: First, it puts the Government employees in the position of working for their own interests instead of working for the interests of the General Government. Second, it creates a fund to which the employees of the Government are looking forward to participate in, and they are apt to neglect their own work. It is wrong in principle, wrong in policy, and wrong in fact. There is a further objection to it because it might enable the employees of the Government to strip the inventor or the scientist of that to which he is justly entitled. He should have at all times a nonprejudiced clerk to pass on his rights. If they are expecting to profit from some general fund, they would not have it.

Section 11 ought not to be a part of the salary bill, and I do not think it ought to be enacted at all. It is unfortunate that such a provision should have crept in. It ought to be sent back to conference and stricken out. Then the salary bill could pass on its own merits. This practice of seeking to hang onto some popular bill a scheme of this sort is all wrong. It should not be tolerated by the House.

Mr. NOLAN. Mr. Speaker, I stated yesterday that the salary and personnel section of the bill—in fact, the entire bill, with the exception of section 11, is practically the same language in which it passed the House. The Senate conferees gave way practically on all their amendments, with the exception of section 9 of the Senate bill. They absolutely refused to sign the conference report unless they could protect themselves to the extent of saving that section.

Now, there might be something in the fears raised by the gentleman from Connecticut [Mr. MERRITT] and the gentleman from Oklahoma [Mr. FERRIS] regarding section 9, but if you will look it over you will find that it is a permissive statute and permits the employees who discover processes or conceive inventions to have same patented. They have the right under this bill to go to the Federal Trade Commission and have their invention patented and participate in the benefits of it, instead of letting it go as now and the Government exercising the right of using the invention for Government use alone, which means in the majority of cases that the invention goes on the shelf and the inventor and the public receive no benefit at all, because no business man will spend money to develop these inventions unless guaranteed protection from piracy, and under the present lax system there is no opportunity or agency to give this protection.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. CRAMTON. The language just cited by the gentleman from Oklahoma [Mr. FERRIS], as the gentleman from California is aware, provides that the amount of these fees shall be fixed by the President, that the percentage that is to be used as rewards shall be fixed by the President, and the appropriation as reward shall be made by the President. The fund may reach many millions of dollars. Does not the gentleman think it is highly undesirable that a fund of that kind should be placed in the exclusive power of the Executive—in other words, that Congress should abdicate its appropriating power and give it to the Executive?

Mr. NOLAN. I would say to the gentleman that the original bill carried a provision which vested that power in the Federal Trade Commission. There was objection to that, and we felt that there was one power in this country, the Chief Executive, that we could trust, and we vested that power in the President of the United States. That is the reason that language is there.

Mr. CRAMTON. But never before have we seen fit to give untold millions to his exclusive control.

Mr. NOLAN. Mr. Speaker, it may be true that this section ought to be considered as a separate bill, but we were not the sole judges of that. The House committee reported it as a separate bill, but if you want the Patent Office to remain an efficient institution and to function properly and give the service that the framers of the Constitution deemed should be given to inventors in this country you must pass the salary and personnel sections of the bill. The Senate conferees absolutely refused to recede on this particular section, and I can not for the life of me see the danger in it that some of these gentlemen claim they see.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. FESS. The gentleman knows that I supported this bill when it was before the House and also in the Rules Committee. I am very much in favor of the bill as it originally passed the House. Will the parliamentary situation allow us in any way to vote against this particular section without jeopardizing the whole bill?

Mr. NOLAN. I think the bill would absolutely die. We would have no legislation whatever for the relief of the Patent Office if this is sent back to conference.

Mr. FESS. I very much regret that.

Mr. NOLAN. I do myself; but that is the situation.

Mr. CRAMTON. The gentleman, of course, is aware that if the conference report should be defeated to-day the Senate will understand why; and the Senate should have enough interest in the salary provisions in the bill to yield on a matter that is so highly objectionable to the House.

Mr. NOLAN. We have but few legislative days left. The gentleman knows the situation in the House and he knows the situation in the Senate. I have waited since a week ago last Friday to allow the legislative program of the House to take

its course to bring this bill in, and I got the measure up last night only because I absolutely insisted on no further delay. There is absolutely no chance of getting relief for the Patent Office unless we dispose of this conference report favorably today. I can not assure this House and I can not assure myself that the Senate will pass it, but we at least can do our part toward curing the situation in the Patent Office.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. GREENE of Vermont. Is it not the practice of many years in conference reports that the House which puts on an amendment, finding that the amendment is objected to by the other chamber, is expected to withdraw the amendment for the purpose of coming to an agreement in conference?

Mr. NOLAN. I agree with the gentleman that that is the practice, but all I can do is to recite our experience in conference. We could not get a conference report at all unless we inserted this amendment. The Senate gave way on every other amendment.

Mr. GREENE of Vermont. That does not alter the fact that the House has fundamental views about the matter.

Mr. NOLAN. That is true.

Mr. GREENE of Vermont. And it does not alter the fact that we are asked to swallow a lot of paternalistic poison.

Mr. NOLAN. I do not agree with the gentleman that it is paternalistic poison. I would call the attention of the House to the fact that the Patent Office began to function in 1840. It was created in 1837. The applications in 1840 amounted to 765, and they have reached the enormous total for the calendar year of 1920 of 86,815. With the increase in fees provided for in this bill, on the basis of the business that we did in the calendar year 1920 that alone, raising the final fee from $35 to $40, would bring into the Treasury $409,255. The increase in the price of copies of patents from 5 cents to 10 cents would bring in a very large sum, more than offsetting any increase in compensation, also as far as the increase in the personnel of the office is concerned. With two or three exceptions, in all of the years that the Patent Office has been in existence it has always produced a surplus. The surplus for the calendar year just passed was $107,850.75 under the old fee system and with the present personnel.

Mr. Speaker, I move the previous question on the conference report.

Mr. MERRITT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MERRITT. As I have intimated, I am in favor of the Nolan bill proper, but I am opposed to section 9 of the Senate bill, which is section 11 in the conference report. At the proper time I should like to move to disagree to the conference report and recommit it to the conferees with instructions that they do not concur in section 11. Can I do that at this stage of the bill?

The SPEAKER. A motion to recommit a conference report is a new motion, but it has been allowed. Of course, the gentleman would obtain his object if the conference report were voted down.

Mr. MERRITT. If the conference report were voted down, I can move to recommit?

The SPEAKER. If the conference report is voted down, the gentleman would accomplish the same object. Then the amendment which the gentleman speaks of would come before the House for disposal, and it could be disagreed to. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. MADDEN) there were—ayes 41, noes 29.

So the previous question was ordered.

Mr. NOLAN. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MADDEN. Mr. Speaker, I suggest the absence of a quorum—no; I will wait until the vote.

Mr. MERRITT. Mr. Speaker, did I understand the Speaker to rule that I can not now move to recommit?

The SPEAKER. No; the Chair thinks the gentleman has a right now to move to recommit.

Mr. BLANTON. Mr. Speaker, I make the point of order that after the adoption of the previous question it is too late to move to recommit.

The SPEAKER. That is the very time to move to recommit.

Mr. BLANTON. Oh, yes.

Mr. MERRITT. Mr. Speaker, I move to recommit the report to the conferees with instructions not to agree to section 9 of the Senate bill, which is section 11 of the conference report.

The SPEAKER. The gentleman from Connecticut makes the motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. MERRITT moves to recommit the conference report to the conferees with instructions not to agree to section 9 of the Senate bill, which is section 11 of the conference report.

The SPEAKER. The question is on the motion.

Mr. BLANTON. Mr. Speaker, I make the point of order that after the conference managers have brought in a conference report that it is not proper to recommit the bill to them, but it should go to the committee.

The SPEAKER. The Chair overrules the point of order. The conferees have control of the bill now.

Mr. BLANTON. I thought when they presented the conference report——

The SPEAKER. But they are not discharged until the conference report is agreed to, or something else happens; the conferees still have control of the bill. The question is on the motion of the gentleman from Connecticut to recommit the bill with instruction to disagree to section 9.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. NOLAN) there were—ayes 48, noes 34.

Mr. NOLAN. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 142, nays 174, answered "present" 2, not voting 110, as follows:

YEAS—142.

Ackerman	Fuller	McClintic	Sanders, Ind.
Andrews, Md.	Glynn	McFadden	Sanders, N. Y.
Aswell	Goodykoontz	McKenzie	Sanford
Barkley	Gould	McKeown	Scott
Begg	Graham, Ill.	McLaughlin, Mich.	Sherwood
Black	Greene, Mass.	McPherson	Shreve
Bland, Ind.	Greene, Vt.	Madden	Sisson
Blanton	Griffin	Magee	Snell
Box	Hardy, Colo.	Mansfield	Snyder
Brooks, Ill.	Hastings	Mapes	Steagall
Buchanan	Haugen	Mays	Stedman
Burdick	Hernandez	Merritt	Steenerson
Burroughs	Hickey	Michener	Stiness
Butler	Hicks	Milligan	Strong, Kans.
Campbell, Kans.	Hill	Moores, Ind.	Summers, Wash.
Caraway	Hoch	Nelson, Mo.	Sweet
Chindblom	Holland	Nicholls	Swindall
Connally	Houghton	Oliver	Taylor, Ark.
Cramton	Hudspeth	Olney	Thompson
Dale	Hutchinson	Paige	Tilson
Darrow	Jaeoway	Parker	Tincher
Davis, Minn.	Jefferis	Parrish	Tinkham
Dewalt	Johnson, Ky.	Patterson	Treadway
Dickinson, Iowa	Jones, Pa.	Phelan	Vaile
Drewry	Jones, Tex.	Pou	Venable
Echols	Juul	Quin	Volstead
Esch	Kendall	Radcliffe	Wason
Evans, Nebr.	Kincheloe	Ransley	White, Kans.
Fairfield	Kraus	Ricketts	White, Me.
Ferris	Kreider	Robinson, N. C.	Wilson, La.
Fess	Lanham	Rogers	Winslow
Fields	Larsen	Romjue	Wood, Ind.
Fish	Layton	Rouse	Wright
Focht	Luce	Rowe	Young, Tex.
Freeman	Lufkin	Rubey	
French	Luhring	Rucker	

NAYS—174.

Almon	Crowther	Hersman	Martin
Anderson	Cullen	Howard	Miller
Andrews, Nebr.	Curry, Calif.	Huddleston	Minahan, N. J.
Anthony	Davis, Tenn.	Hull, Iowa	Monahan, Wis.
Ayres	Denison	Hull, Tenn.	Mondell
Babka	Dominick	Igoe	Montague
Bankhead	Dowell	Ireland	Moore, Ohio
Barbour	Drane	James, Va.	Moore, Va.
Bee	Dunbar	Johnson, Miss.	Mott
Benham	Dunn	Johnson, S. Dak.	Murphy
Benson	Dupré	Johnson, Wash.	Neely
Bland, Va.	Dyer	Keller	Newton, Minn.
Boies	Eagan	Kelley, Mich.	Newton, Mo.
Bowers	Elliott	Kelly, Pa.	Nolan
Bowling	Elston	Kettner	O'Connell
Brand	Evans, Mont.	King	O'Connor
Briggs	Evans, Nev.	Kinkaid	Ogden
Brinson	Fisher	Kleczka	Oldfield
Britten	Flood	Lampert	Osborne
Brooks, Pa.	Gallagher	Lankford	Overstreet
Browne	Gard	Lazaro	Padgett
Burke	Garner	Lea, Calif.	Pell
Caldwell	Garrett	Lee, Ga.	Perlman
Cannon	Godwin, N. C.	Leibach	Porter
Carss	Goldfogle	Linthicum	Purnell
Christopherson	Goodall	Little	Rainey, Ala.
Cleary	Green, Iowa	Longworth	Raker
Coady	Hadley	McDuffie	Ramsey
Cole	Hardy, Tex.	McLaughlin, Nebr.	Ramseyer
Collier	Hawley	McLeod	Randall, Wis.
Cooper	Hayden	MacGregor	Rayburn
Crago	Hays	Major	Reber
Crisp	Hersey	Mann, Ill.	Reed, N. Y.

Reed, W. Va.	Sims	Tague	Ward
Rhodes	Sinclair	Taylor, Tenn.	Watkins
Riddick	Sinnott	Temple	Watson
Robsion, Ky.	Slemp	Tillman	Weaver
Rodenberg	Small	Timberlake	Webster
Rose	Smith, Idaho	Towner	Welling
Sabath	Smith, Mich.	Upshaw	Williams
Sanders, La.	Smithwick	Volgt	Wingo
Schall	Stephens, Ohio	Volk	Young, N. Dak.
Sells	Sumners, Tex.	Walsh	
Siegel	Swope	Walters	

ANSWERED "PRESENT"—2.

Carter	Knutson

NOT VOTING—110.

Ashbrook	Eagle	Kiess	Rowan
Bacharach	Edmonds	Kitchin	Scully
Baer	Ellsworth	Langley	Sears
Bell	Emerson	Lesher	Smith, Ill.
Bland, Mo.	Fordney	Lonergan	Smith, N. Y.
Brumbaugh	Foster	McAndrews	Steele
Byrnes, S. C.	Frear	McArthur	Stephens, Miss.
Bryns, Tenn.	Gallivan	McCulloch	Stevenson
Campbell, Pa.	Gandy	McGlennon	Stoll
Candler	Ganly	McKiniry	Strong, Pa.
Cantrill	Good	McKinley	Sullivan
Carew	Goodwin, Ark.	McLane	Taylor, Colo.
Casey	Graham, Pa.	Maher	Thomas
Clark, Fla.	Griest	Mann, S. C.	Vare
Clark, Mo.	Hamill	Mason	Vestal
Classon	Hamilton	Mead	Vinson
Copley	Harreld	Moon	Welty
Costello	Harrison	Mooney	Whaley
Currie, Mich.	Hoey	Morin	Wheeler
Dallinger	Hulings	Mudd	Wilson, Ill.
Davey	Humphreys	Nelson, Wis.	Wilson, Pa.
Dempsey	Husted	Park	Wise
Dent	James, Mich.	Peters	Woods, Va.
Dickinson, Mo.	Johnston, N. Y.	Rainey, Henry T.	Woodyard
Donovan	Kahn	Rainey, John W.	Yates
Dooling	Kearns	Randall, Calif.	Zihlman
Doremus	Kennedy, Iowa	Reavis	
Doughton	Kennedy, R. I.	Riordan	

So the motion was not agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. DALLINGER with Mr. CARTER.

Mr. MASON with Mr. KITCHIN.

Mr. KAHN with Mr. DENT.

Mr. GRAHAM of Pennsylvania with Mr. WILSON of Pennsylvania.

Mr. HAMILTON with Mr. GOODWIN of Arkansas.

Mr. VARE with Mr. MOON.

Mr. FREAR with Mr. ASHBROOK.

Mr. FOSTER with Mr. JOHN W. RAINEY.

Mr. GOOD with Mr. GALLIVAN.

Mr. FORDNEY with Mr. CLARK of Missouri.

Mr. HUSTED with Mr. DOREMUS.

Mr. ZIHLMAN with Mr. WOODS of Virginia.

Mr. BACHARACH with Mr. TAYLOR of Colorado.

Mr. MUDD with Mr. CANTRILL.

Mr. HARRELD with Mr. BYRNS of Tennessee.

Mr. BAER with Mr. STEVENSON.

Mr. REAVIS with Mr. CLARK of Florida.

Mr. CLASSEN with Mr. SULLIVAN.

Mr. NELSON of Wisconsin with Mr. BYRNES of South Carolina.

Mr. KENNEDY of Iowa with Mr. WELTY.

Mr. MCCULLOCH with Mr. HUMPHREYS.

Mr. MORIN with Mr. WHALEY.

Mr. KEARNS with Mr. CAREW.

Mr. VESTAL with Mr. STOLL.

Mr. MCARTHUR with Mr. VINSON.

Mr. LANGLEY with Mr. MCANDREWS.

Mr. KIESS with Mr. HENRY T. RAINEY.

Mr. WHEELER with Mr. CAMPBELL of Pennsylvania.

Mr. COSTELLO with Mr. PARK.

Mr. JAMES of Michigan with Mr. WISE.

Mr. STRONG of Pennsylvania with Mr. STEPHENS of Mississippi.

Mr. WILSON of Illinois with Mr. DOUGHTON.

Mr. YATES with Mr. THOMAS.

Mr. WOODYARD with Mr. RIORDAN.

Mr. KENNEDY of Rhode Island with Mr. HARRISON.

Mr. PETERS with Mr. DICKINSON of Missouri.

Mr. EDMONDS with Mr. MAHER.

Mr. SMITH of Illinois with Mr. DAVEY.

Mr. GRIEST with Mr. MCGLENNON.

Mr. MCKINLEY with Mr. SEARS.

Mr. HULINGS with Mr. SMITH of New York.

Mr. ELLSWORTH with Mr. RANDALL of California.

Mr. CURRIE of Michigan with Mr. GANLY.

Mr. DEMPSEY with Mr. MEAD.

Mr. EMERSON with Mr. ROWAN.

Mr. COPLEY with Mr. MOON.

Mr. KNUTSON. Mr. Speaker, I am paired with the gentleman from Georgia, Mr. BELL, and I answered "present." Had I not been so paired, I would have voted "nay."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The question is on agreeing to the conference report.

The conference report was agreed to.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent that the bill H. R. 15543 be taken from the Speaker's table, the Senate amendments disagreed to, and that the conference asked for be granted, and conferees appointed on behalf of the House.

The SPEAKER. The gentleman asks unanimous consent to disagree to the Senate amendments and asks for a conference on the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. BARKLEY. Reserving the right to object, do I understand that the agreement had with the gentleman from Kansas [Mr. TINCHER] earlier in the day, that the amendment on page 65 be not eliminated or the House be given an opportunity to vote on it, is carried in this request also?

Mr. WOOD of Indiana. Yes.

Mr. BARKLEY. I have no objection.

The SPEAKER. The Chair hears no objection.

The following conferees were appointed: Mr. WOOD of Indiana, Mr. WASON, and Mr. SISSON.

FORTIFICATIONS.

Mr. SLEMP. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16100, and, pending that motion, I ask unanimous consent that the general debate be limited. I will say to the gentleman from New Jersey that I have had requests on this side for three hours.

Mr. EAGAN. I have requests on this side for three and one-half hours.

Mr. SLEMP. I think we ought to have the debate limited to six hours. Will the gentleman from New Jersey agree to six hours?

Mr. EAGAN. How about six hours and a half? That will take care of all of the requests.

Mr. SLEMP. We have cut down the requests on this side.

Mr. BLANTON. This is the last appropriation bill.

Mr. SLEMP. But this will run us over into to-morrow. Will the gentleman be satisfied with six hours and a half, three hours and a quarter on a side?

Mr. EAGAN. That will be perfectly satisfactory.

Mr. SLEMP. Mr. Speaker, I ask unanimous consent that the general debate be limited to six hours and a half, one-half to be controlled by the gentleman from New Jersey and one-half by myself.

Mr. MILLER. Reserving the right to object, I would like to ask the chairman if he can give me 10 minutes?

Mr. SLEMP. I will.

Mr. MILLER. Could the gentleman from New Jersey give me 10 minutes, making it 20 in all?

Mr. EAGAN. I will do that.

Mr. GARRETT. May I ask the gentleman if it is his purpose to conclude general debate to-day?

Mr. SLEMP. I do not know, but I rather suppose not.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, leaves of absence were granted as follows:

To Mr. CLARK of Missouri, for yesterday and to-day, on account of illness.

To Mr. VESTAL (at the request of Mr. PURNELL), indefinitely, on account of sickness in his family.

To Mr. HARRELD, for one week, on account of important business.

FORTIFICATIONS.

Mr. SLEMP. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the fortifications appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16100, with Mr. DOWELL in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes.

Mr. SLEMP. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. SLEMP. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, the fortifications bill now presented to the House is the last of the regular annual appropriation bills and in its presentation and its passage the House has and will establish a record for the prompt passage of appropriation bills.

The earliest date in 20 years of the passage of the last appropriation bill by the House was February 20. In the last 15 years we have not succeeded in getting the last of the appropriation bills through the House earlier than February 23, and from that to March 2.

This record of promptness and efficiency has not been made at the sacrifice of careful consideration of the appropriation bills; as a matter of fact they have never been more closely scrutinized, and when we take into consideration the fact that we have been operating for the first time under a new rule, consolidating the appropriations in one committee, with the resultant thorough investigation and close scrutiny of the bills, Members of the House may well take pride in the record that has been made—a record creditable to both sides of the Chamber.

SAVINGS BELOW THE ESTIMATES AND BELOW THE APPROPRIATIONS FOR THE CURRENT YEAR.

The total sum carried in the regular annual appropriation bills as they passed the House is $2,154,075,831.29, as compared with a total of $2,254,544,592.78 as these bills became a law in 1921.

In the passage of these appropriation bills the House has effected a reduction below the estimates of $1,210,420,798.50, and a reduction below the appropriations for the current fiscal year, not taking into account the Post Office bill, of $168,748,882.69. If from these reductions we take the amount of the increase in the Post Office bill, due to the increased business and salaries in that department, we have a total net decrease below current appropriations of $100,468,861.69. These stupendous reductions below the estimates, and very considerable reductions below the bills for the current year, were not made hastily, nor carelessly, nor are they of a character which will hamper the public service. They have been made with due consideration of the needs of the public service and make proper provision for it.

The largest decreases have been made in the Military and Naval Establishments. They are as follows: Military, $63,707,242; naval, $37,278,324.77; fortifications, $10,775,425. This amounts to a total decrease of $111,760,991.77.

While this is a very considerable decrease to be made in one year in the cost of our defense establishments, it is certainly not too much. In the case of the Navy we might, without impairing the real effective strength of our establishment, still further materially reduce the appropriation. The Navy is costing too much, even from the standpoint of the necessary upkeep and maintenance of the establishment we have, and the proper prosecution of the building program which has been entered upon.

I congratulate the Congress on the record thus far made. It is our duty to bend every energy and exert every effort toward the completion of the appropriations program this session. It would be a calamity if this were not done. Important as other matters are, or may be considered, there are few, if any, of the legislation questions before the Congress, the settlement of which at this session is as essential as the enactment of the appropriations program. After to-day but 13 full legislative days remain in this Congress. It will require most earnest, constant, and continuous effort on the part of the two Houses of Congress to pass all of our appropriation bills before the close of the Congress. It is vital we do it. I have every confidence we will. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Wyoming yields back three minutes.

Mr. SLEMP. Mr. Chairman, the committee having charge of the fortifications bill have striven to present to Congress a real peace program. The appropriations recommended in the bill are small as appropriations go, but are considered by the committee to be ample for the purposes mentioned in the bill.

The estimate submitted to the committee aggregated $35,516,533.66. This was divided by the department into A, B, and C items; the A items being considered as the most important, the B items such as were useful but not of the most importance now, and the C items being such as could be postponed to a later date.

The A items amounted to $25,242,756.66.

The B items totaled a little more than seven and a half millions.

The C items totaled nearly three millions.

The appropriations recommended in the bill total $8,058,017, a reduction of approximately $17,000,000 over the A items. The amount carried in the bill compares favorably with the appropriations for this service in the fiscal year 1916, when $6,060,262.90 was appropriated.

The reductions subdivide themselves as follows in the ordnance items: A reduction of $9,509,980; engineering items, a reduction of $2,295,029; aviation, a reduction of $4,047,425; items under the Chief of Coast Artillery, $831,401; and barracks and quarters, $930,779.

The reduction in the ordnance estimates applies about equally to mobile or Field Artillery and arms and Seacoast Artillery and arms, the respective amounts being—

For Field Artillery and items pertaining thereto, a reduction of $4,928,770.

For Seacoast Artillery and items pertaining thereto, $4,281,210.

Proving grounds, $300,000.

The committee gave much consideration to our situation as to both Field Artillery and material and Seacoast Artillery and material.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Illinois?

Mr. SLEMP. Yes.

Mr. McKENZIE. I would like to inquire of the gentleman from Virginia whether there was any special pressure brought on the committee to junk all of our 12-inch guns at this time, or as speedily as possible, and replace them with 16-inch guns?

Mr. SLEMP. No, sir. There was no proposition, I will say to the gentleman from Illinois, involving that idea.

Mr. McKENZIE. They are still satisfied with the 12-inch gun?

Mr. SLEMP. They are keeping the 12-inch guns for certain secondary purposes in our seacoast defense.

Mr. McKENZIE. Was there any contention on the part of the officers that the 12-inch gun is now obsolete?

Mr. SLEMP. There was an intimation that beyond certain ranges the 12-inch gun would be obsolete. That is to say, it would not have a range corresponding to the largest guns on the best-equipped vessel. But beyond that the committee did not get any further information.

Mr. DEWALT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Pennsylvania?

Mr. SLEMP. Yes.

Mr. DEWALT. How do the present appropriations as outlined by this bill compare with those of the bill of the last fiscal year?

Mr. SLEMP. The last year's appropriation was eighteen million and some odd thousand dollars. This year's bill is eight million and some odd thousand dollars.

We have on hand both guns and ammunition, as a result of our war expenditures, sufficient to equip an army of at least a million men and keep them in the field for from six to nine months with ample reserve in all regards. Both the guns and ammunition are of the latest types used in battle, of the newest make, and should be sufficient for any immediate need. There is no request from the War Department for the production of any more of these guns or ammunition. The bill therefore carries no appropriation for such items.

The War Department did make estimates for Field Artillery items under the Artillery items which, as I have said, amounts to $25,242,756.66, the amount for these Field Artillery items being $6,877,770, which the committee reduced to $1,949,000. The basis of these estimates was the desire to continue the experimental and development work of the War Department on types and designs of guns, tractors, carriages, and ammunition. On this work a great deal of money has been expended during the past two years. Soon after the armistice the Secretary of War appointed a board of officers known as the Westervelt Board,

composed of men who had seen service on the western front, to make a study of the gun tractor and ammunition matériel of the various combatant nations, with a view to determining the best type of this matériel as developed by actual service in the field. The board made a report known as the Westervelt Board report. It is quite voluminous and full of technical information. It makes recommendation of various degrees of refinements on almost every kind of Artillery matériel from the 37-millimeter gun and ammunition to the 14-inch gun and howitzers corresponding. The theory has been to make what is called pilot mounts, with different types of trails and on different mounts, both tractor type and caterpillar type, and during the past two years a considerable sum of money has been expended on this work, mostly from war funds retained by the War Department. No conclusions have yet been reached, though many types are approaching completion. It was thought wise by the committee to curtail this expenditure largely, take stock of what we had done, study the types produced, and in general continue the work along lines of expenditures on appropriations specifically made by Congress for the type desired to be studied or produced. Having this in view, the committee reduced the estimates but yet left available about $2,000,000 for this work. This work, I may say, is regarded of much importance by the War Department, as it is the only method by which we can perpetuate the knowledge of types gained by our experiences in the World War and is one of the important elements of national preparedness.

Our situation in regard to seacoast artillery and ammunition is somewhat different. The amount estimated for was $8,058,210. The bill carries $3,777,000, or a reduction of over $4,000,000. The large element of this reduction was in the powder items, of which we have an enormous amount of serviceable supply on hand—about 300,000,000 pounds—and in the reduced rate at which the present manufacturing program will be continued. The bill carries appropriations for the large guns on which construction has been going on since 1918, but for no new guns. It does carry provision for ammunition for types in which there is a deficit. It is felt by the committee that our coast defenses are in excellent condition, the 12-inch gun program having been practically completed in all its details and a reasonable provision made for the installation of other types approved and urged by the War Department. The estimate for aviation the committee thought well not to authorize. The amount in continental United States was for the purchase of new aviation sites, often at very high figures, and involving an expenditure of several million dollars ultimately on new stations, while both the Army and the Navy are engaged under other appropriations in similar undertakings. It was thought best to await some further combination of efforts before establishing new stations purely for coast defense.

The unexpended balance in Hawaii it is sought to make available for next year, and it is believed that this balance will be sufficient for the requirements of the aviation force now.

The situation in general in Panama and the Philippine Islands is similar to that in the United States, and no appropriation is carried therefor.

The reductions in the Coast Artillery and barracks and quarters items do not in any way affect the service.

It may be said that the maintenance and upkeep items are mainly as requested by the department, and are considered reasonable in every regard.

The committee, through the splendid work of Gen. Lord, Chief of Finance, has inserted in the bill a provision preventing the expenditure of $233,555,760. Some of this would have lapsed on June 30 and some of it would have been subject to expenditure after that date. The return of this money to the Treasury has the approval also of the Claims Board, there being retained money sufficient in the Treasury to satisfy claims against the Government. With the return of this money to the Treasury we begin to see the end of war expenditures and war appropriations and the visualization of peace, certainly so far as appropriations for war expenditures and claims arising thereunder is concerned. [Applause.]

Mr. TILSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Connecticut?

Mr. SLEMP. Yes.

Mr. TILSON. Has anything been done, or is anything in contemplation to be done, toward the elevation of certain seacoast guns of the medium calibers, like the 12-inch guns, to make them fire at a higher angle of fire, so as to get a longer distance?

Mr. SLEMP. There are no items carried in the bill for any changes in any of the carriages or any of the mounts of the 12-inch guns.

Mr. TILSON. It is considered practicable, is it not, to raise the elevation somewhat, in order to get a longer range?

Mr. SLEMP. There are two ways to secure a longer range; one by a change of ammunition, and another by a change of the carriage. If you change the ammunition you would get a better range by 2,000 yards.

Mr. TILSON. Has anything been done toward saving the special tools which have been provided at such great expense during the war in case we should hereafter need additional guns or ammunition?

Mr. SLEMP. In response to that, I suppose the gentleman's question involves the jigs and fixtures?

Mr. TILSON. Yes; all those things that must be used in quantity production.

Mr. SLEMP. We expended over $100,000 in assembling the jigs and fixtures. They are going along, card-indexing them and putting them in little boxes. That work went on last year, and it is assumed that the $90,000 expended next year will do all that will be necessary in the listing and filing of all the jigs and fixtures. The work of getting together the designs from the various manufacturing organizations of the country has been slower; that is to say, communication has to be had with every manufacturer of Army material. Substantial progress has been reported on that, but that work is not completed by any means.

Mr. TILSON. Does the bill carry an appropriation for putting into production hereafter some of the new arms or ammunition brought out in the last stages of the war?

Mr. SLEMP. I would say to the gentleman that those new types are the ones that have been referred to here as having been inaugurated by following out the recommendation of the Westervelt Board report. The year before the present year a lot of money was spent on that.

I have tried to figure it out, but could not; I have tried to get the information, but failed. I think that perhaps $40,000,000 was expended on these new types as a whole last year out of the war funds; they have again this year expended several million dollars on those types and various types of the 75-millimeter guns, new types of howitzers, and new 240-millimeter guns and so on and various kinds of trails and various types of tractors, up to the self-propelled caterpillar type. We have not a single one of those delivered for investigation or test. Some of them are on the way to the Aberdeen Proving Ground and others will get there presumably by the 1st of July, and the test of those will be made next year.

Now, then, the theory of the War Department is that after these tests are made—those are what are called pilot mounts—if the tests are satisfactory, then Congress will be asked for the production of more of those types for service in the field, and then, if that is satisfactory, they will ask for appropriations for jigs and fixtures.

Mr. TILSON. The 240-millimeter did not reach the same advanced stage of production as the 75-millimeter and the 155-millimeter?

Mr. SLEMP. No. The difficulties in regard to it are not settled. They do not know whether they are attributable to the ammunition or to the gun. If the gentleman will pardon me, I will say that we are a long way from getting to the point of having these new jigs and fixtures put away in the boxes, and so on, so that if we were in war in six or eight months or nine months we could go to the boxes and take the jigs out and equip a new plant. We are far from that.

Mr. TILSON. The gentleman does not know, then, whether the 240-millimeter gun is going on to completion and is being made ready for production?

Mr. SLEMP. I have just said that the department has not solved the difficulties in regard to the 240-millimeter gun. Until that is done nothing can be done.

Mr. TILSON. Do not some officers recommend going up to the 155-millimeter, and then skipping some of the intermediate calibers—not go on with the 240-millimeter at all?

Mr. SLEMP. I would say that the proper conclusion about that is this, that there is some confusion about the interchanging types. That is to say, they are trying to get the 75-millimeter gun fitted with ammunition to have the same range with the 155-millimeter gun, and the 155-millimeter gun with this new ammunition would be placed in the class of the gun just preceding. That has not been done.

Mr. GOODYKOONTZ. The gentleman mentioned the fact that we had something over 200,000,000 pounds of powder on hand. I am wondering whether or not this powder is likely to deteriorate, and whether or not it would be advisable to dispose of some of that powder for use in blasting stumps on farms and in constructing highways.

Mr. SLEMP. I will say to the gentleman that the War Department report 287,000,000 pounds of powder on hand, and

about 30,000,000 pounds of pyro-cotton, which is powder in a 50 per cent state of completion, and that the life of that powder is supposed to be 15 years. Therefore it has anywhere from 11 to 13 years to run. The War Department did propose that they begin reworking that powder, and in the estimates for this bill asked for several million dollars for reworking powder; but that would involve reworking powder that has 11 to 13 years still to run, and it was thought perhaps best not to do that. Then the committee asked as to whether they could sell the powder or not, and the department replied that there was not much demand for it.

Mr. BRIGGS. Why do they want to rework the powder if it keeps in good condition for 15 years?

Mr. SLEMP. Upon this theory, that at the end of the 15 years the powder would all be defective, and then we would have no powder at all, and that therefore it was well to rework this powder, one-fifteenth part of it each year. The committee thought they could postpone the inauguration of that work to some later date.

Mr. OSBORNE. Mr. Chairman, will the gentleman yield?

Mr. SLEMP. I yield to the gentleman from California.

Mr. OSBORNE. Is there any provision in the bill for a more ample defense of the Pacific coast, the end of the Panama Canal, and the islands of the Pacific?

Mr. SLEMP. I will say to the gentleman that consideration was given to the Panama Canal situation, and the committee received a confidential letter from the Secretary of War which, of course, is available to the gentleman, and we are in a position to increase the armament at Panama still further, but that is dependent upon acquiring property, the right to acquire which is denied by individuals down there, and that is where any new armament will have to be placed. The matter is in the hands of the State Department for negotiation, to work it out, and this bill carries an item to pay for the land if we get it.

Mr. HICKS. Will the gentleman yield there?

Mr. SLEMP. Certainly.

Mr. HICKS. In that connection, I want to ask my friend if in considering the strength of these coast defenses the element of Army and Navy aviation is taken into consideration? For instance, at Panama the Navy has an aviation station at Coco Solo and the Army has a very large aviation station, and is contemplating building another. These are very important in the defense of that canal, and I am wondering how close the relation is between the aviation force of the Navy and the fortifications.

Mr. SLEMP. There is no relationship, apparently, between the Navy aviation forces and the Army aviation forces on the Panama Canal; that is to say, we have barracks, quarters, and provisions for one squadron of aviators on our island, and they ask for a little more than this committee voted. Over on the other side of the body of water the Navy seem to be getting along entirely independent of what has already taken place on the other side.

Mr. HICKS. There is no very close coordination?

Mr. SLEMP. I should say not.

Mr. OSBORNE. In continuation of my inquiry, does the bill make provision for a further defense of the rather weak situation on the continental Pacific coast of the United States?

Mr. SLEMP. I will say to the gentleman that the department is building some very large guns—forty-two 14-inch guns—that we have mobile artillery on railway mounts, and so forth, to the number of nearly 300 guns, some of which are to be sent to the Pacific coast, and that recent investigation has been made at Puget Sound, for example, to ascertain its availability for the establishment of mines. It had been stated previously that Puget Sound could not be mined, but the report now is that that Sound can be mined and made absolutely impregnable to any vessels coming up. Now, we took up with the department the question of the islands outside of San Francisco and Los Angeles, and the department reported that there was no movement to increase the fortifications there, and they did not think there was any necessity for it. The present existing plans on that coast have been largely completed, and in addition, of the two seacoast aviation stations in the United States one is at Staten Island and the other at San Francisco, where we have spent in the last year a little over $1,000,000. That will be largely completed at the end of this fiscal year, and it is thought that that will add sufficiently to the defenses of the Pacific coast.

Mr. DEWALT. Will the gentleman yield?

Mr. SLEMP. Certainly.

Mr. DEWALT. Am I correct in understanding the gentleman to say that the bill now pending cuts out all appropriations for aviation service in the fortifications?

Mr. SLEMP. The sum of $688,000 is carried over from last year's appropriation for continental United States. We asked the governmental authorities at Hawaii to report on the $1,300,000 that was set aside for them last year. They report that only about $14,000 of that money had been expended up to the 1st of January. The committee asked the department to wire there for reports up to date, and day before yesterday no answer had been received. They were slow in doing that work, because the department contended that there were very few contractors out there, and that if time were given they could do the work themselves at a saving to the Government of about 25 per cent. So the committee carried over the something over $1,000,000 for the completion of that work and did not give any additional money, thinking it to be unwise to do so.

In regard to aviation in the United States for seacoast defense, they asked for five new aviation stations. They said they were for the purpose of fire control. This bill and previous bills have carried a lot of money for fire control. The estimates run up to $5,000 an acre, and it was not thought necessary for the immediate future, inasmuch as some of the batteries are not completed, to go to that expense for fire-control purposes now.

Mr. DEWALT. Will the gentleman yield?

Mr. SLEMP. Yes.

Mr. DEWALT. I assume that the committee also took into consideration the amount appropriated in the Army bill and the Navy bill.

Mr. SLEMP. Yes. I thank the gentleman for reminding me of that. The Army bill carried $19,200,000 for aviation, and that was in addition to the pay of the officers and men, which amounted to about $19,000,000 more. So that the Army will spend about $37,000,000 for aviation. On a similar basis the Navy will spend $23,000,000, and we will spend nearly $2,000,000 additional.

Mr. DEWALT. And have the unexpended balance?

Mr. SLEMP. No; including the unexpended balance.

Mr. DEWALT. And so the committee thought it wise not to make any further appropriation?

Mr. SLEMP. Not without some coordination in the relationship between the Army and the Navy and the seacoast defense in the matter of aviation.

Mr. DEWALT. Are any steps being taken in that direction?

Mr. SLEMP. That matter is being investigated by the War Department.

Mr. BRIGGS. Will the gentleman yield?

Mr. SLEMP. I will.

Mr. BRIGGS. Who has charge now of the seacoast defenses?

Mr. SLEMP. The Chief of the Coast Artillery, and they have a General Board composed of the Army and the Navy.

Mr. BRIGGS. And they cooperate with the Chief of the Coast Artillery?

Mr. SLEMP. Yes.

Mr. BRIGGS. What disposition is to be made of the new guns for the Coast Artillery? Where are they to be located? Have any plans been made for placing them?

Mr. SLEMP. The 16-inch gun program is set out in a letter from the Secretary of War indicating the place where the guns will be placed. That is available to the gentleman, but it is not public. The 14-inch gun proposition varies somewhat, but some railway carriages are being built for them.

Mr. RAMSEYER. Will the gentleman yield?

Mr. SLEMP. I will yield to the gentleman.

Mr. RAMSEYER. Speaking of appropriations for aviation, is the money carried in this bill for aviation expended under the direction of the War Department or the Navy Department?

Mr. SLEMP. Under the War Department.

Mr. RAMSEYER. Why have separate appropriations for aviation in this bill and also for the War Department and the Navy Department?

Mr. SLEMP. We had on this subcommittee a member of the naval committee, the gentleman from Idaho [Mr. FRENCH]; and as between the Army and the Navy I do not know that I can answer the gentleman.

Mr. RAMSEYER. Is not all the money appropriated in this bill to be expended under the War Department?

Mr. SLEMP. Yes.

Mr. RAMSEYER. Upon what theory is the appropriation for the fortification bill made separate from the Army bill?

Mr. SLEMP. I do not know the history of the fortification bill. It is for purposes midway between the Army and the Navy, but, as was just suggested to me, it is rather an academic question, and the Army and the Navy Departments alone can figure it out.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. SLEMP. Certainly.

Mr. MANN of Illinois. Is it not very likely that if the appropriation authority remains in the Committee on Appropriations

the fortification appropriation bill and the Army appropriation bill will be consolidated?

Mr. SLEMP. I should say by all means that ought to be done.

Mr. MANN of Illinois. The gentleman knows why. When the authority to appropriate for the Army was taken away from the Committee on Appropriations, giving it to the Military Affairs Committee, it was held by the House that they did not take away the authority to appropriate for fortifications, because that was not an appropriation for the Army, and that led to the fortification bill.

Mr. RAMSEYER. The expenditure of the money in the fortification bill is under the War Department.

Mr. MANN of Illinois. Certainly.

Mr. SLEMP. The chairman of the Appropriations Committee in making subcommittee assignments this year took from the Army the gentleman from Kansas [Mr. ANTHONY] and the gentleman from Alabama [Mr. DENT] and placed them on a subcommittee and added to it the gentleman from Idaho [Mr. FRENCH], a member of the Naval Committee. They worked the fortification bill out in the best possible relations with the Army and Navy. I will say that I thoroughly approve of the plan of having both appropriations in one bill. [Applause.]

Mr. EAGAN. Mr. Chairman, I yield three minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Chairman, I asked for three minutes to keep the record straight as we go along. The gentleman from Wyoming made a statement with reference to appropriations, and inasmuch as he and I do not figure exactly alike, I wish to put in the RECORD a statement of the appropriations to date as I figure them.

The total appropriations for the current year carried in the regular supply bills amount to $2,254,544,502.78. The total appropriations carried in exactly the same bills for the next fiscal year as they have been reported to the House amount to $2,156,626,221.79. Taking these figures, it makes a net reduction of $97,918,370.99 in the bills as they pass the House. But bills as they pass the House do not always become law.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. MONDELL. The gentleman has figured $97,000,000 as against my $100,000,000. I trust the gentleman will carefully examine his figures before he puts them in the RECORD, as I shall mine, because I believe my figures are accurate, and I do not quite understand how there could be a difference of $2,000,000, although that is not a very large sum when compared with the billions involved.

Mr. BYRNES of South Carolina. The explanation of the difference between us is that the figures I have given represent the total of the bills as reported to the House. As they passed the House the total was $2,153,702,961.79, making the net reduction as they passed the House $100,841,630.99. But here is what I want to call to the gentleman's attention—that these bills have gone to the Senate, and it is much more informing to the Congress and to the country to state that the bills that have been reported to the Senate and those that have passed the Senate show an increase of $239,902,000 over the amount they carried when they passed the House, and the ones I have figured on do not include either the Army or the Navy appropriation bills, which have not yet been reported to the Senate.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. EAGAN. Mr. Chairman, I yield the gentleman one additional minute.

Mr. BYRNES of South Carolina. When you deduct the net reduction as they passed the House from the increase in the Senate it shows that to-day there is an increase in the regular supply bills for the next fiscal year of $139,060,369.01 over those of the current year, and it is up to this Congress between now and March 4 to take stock, and instead of boasting about a reduction of appropriations as they passed the House or a reduction of estimates, we should bring about a substantial reduction of appropriations in the law finally enacted for the next fiscal year. Unless the gentleman's party does that, it will be condemned by the American people for some years to come.

Mr. MONDELL. Will the gentleman from South Carolina assist us in keeping down these appropriation bills as they come from the Senate?

Mr. BYRNES of South Carolina. The gentleman from South Carolina has been doing his best to do that, and wants to know whether the gentleman from Wyoming will help this side of the House in keeping them down?

Mr. MONDELL. Yes.

Mr. BYRNES of South Carolina. There is some hope, then, but you have $140,000,000 to work on already.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. EAGAN. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. SLEMP. Mr. Chairman, I yield the gentleman from Texas five minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 25 minutes.

Mr. BLANTON. Mr. Chairman, one of the most disgraceful, outrageous, and inexcusable scandals that has ever been connected with our War Department or with our Government is to be found in the escape of what is now internationally denominated the millionaire slacker, Grover Cleveland Bergdoll. The facts connected with that escape and the present condition of that case smell to heaven. Here is a man who evaded the draft, who ridiculed his country and his flag, a man who ridiculed the men who were fighting for the principles of the institutions of his country, and who, after being apprehended and convicted and sentenced to five years in the penitentiary, made to the War Department a little, measly excuse for getting out, saying that he had a treasure buried somewhere, and that he wanted to go and dig it up. The War Department upon such a flimsy excuse permitted him to go, and I understand that it was at the instance—and it is not denied—of one Gen. Ansell, who much of his life has been in the pay of this Government, a man who was educated at the Government's expense in one of its institutions, and who has been on the pay roll as an Army officer most of his life since he has been out of school. It was at his instance, I say, that this man Bergdoll was permitted to go and dig up this alleged treasure, and it is stated in the press to the American people that this man Ansell has been paid $100,000, or that contracts have been made with Bergdoll's relatives to pay his firm that sum—to evade the law, to override the law, if you please. Under such circumstances what do we find? The Military Committee, which is composed of distinguished Members of this House, ever since the 1st of last July has had a clerk drawing a salary of $2,740—he is paid $2,500 and he receives the bonus of $240—it has had an assistant clerk drawing $2,220, which with the bonus makes $2,460, and it has had three other assistant clerks drawing with the bonus $1,740 each, and from July 1 until December 6, 1920, they did not have a thing on God's earth to do. The Military Affairs Committee is composed of such capable men on the majority side as JULIUS KAHN; JOHN C. MCKENZIE; FRANK L. GREENE, of Vermont; JOHN M. MORIN, of Pennsylvania; THOMAS S. CRAGO, of Pennsylvania; HARRY E. HULL, of Iowa; ROLLIN B. SANFORD, of New York; W. FRANK JAMES, of Michigan; CHARLES C. KEARNS, of Ohio; JOHN F. MILLER, of Washington; and others eminently qualified to conduct an investigation. Since the new rule has been adopted which takes the appropriating power away from that committee the committee has had practically little to do. During the month of December, after this Congress met, the committee had only four meetings, and I get the figures from the clerk of the committee. Why could not that committee have investigated the Bergdoll case in December? What has kept them from doing it? This was a military scandal; it was something that occurred in the Army. Why did not the distinguished gentleman from California [Mr. KAHN] shake those gory locks and say, "Come together men, we are going to find out who is responsible for this dirty, infamous, millionaire slacker getting away from the Army." He has done nothing, absolutely nothing, except to make excuses.

When the soldier boys of this country who risked their lives in France, who brought back from France a world victory, called on the Military Affairs Committee to see what were the facts connected with this escape, not only to apprehend the slacker but the others connected with him, and bring them back here and put them in the penitentiary where they belong, the only excuse which the gentleman from California [Mr. KAHN] offers has been that the gentleman from Texas [Mr. BLANTON] stands in their way, and he blocks them every time they want to do anything. My God, has the gentleman from Texas such power as that? Is he able to block the great Congress from doing its duty? That excuse is ridiculous to the people of this country.

Mr. DEWALT. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I regret I can not yield just now. I shall later. Do you know what really happened in the last session of the Congress? In the closing hours of the session, when 164 Members had already left Washington and gone to their homes, when over 100 more had their transportation in their pockets waiting for the Congress to adjourn in order that they might get to the hustings and begin their political campaigns—in the

dying hours of that session the gentleman from Kansas [Mr. CAMPBELL] asked unanimous consent for the consideration of resolution 574, introduced by the gentleman from California [Mr. KAHN]. What was the resolution? Was it a proper resolution that this committee should investigate the Bergdoll matter? No.

If it had been I never would have objected. I blocked only what I considered the politics in it. Right here I want to say I have been trying my dead level best ever since this Congress met, on December 6, 1920, to get Mr. KAHN to have his Committee on Military Affairs to make an investigation and have been trying to get the gentleman from Kansas [Mr. CAMPBELL] to vote out my resolution No. 603 directing this committee to make this investigation, and I have failed.

Mr. DEWALT. Will the gentleman now yield?

Mr. BLANTON. I wish the gentleman would not interfere——

Mr. DEWALT. Not with the idea of interference, but simply for information.

Mr. BLANTON. This is an important matter.

Mr. DEWALT. The information desired is very important also. Will the gentleman yield?

Mr. BLANTON. I will yield.

Mr. DEWALT. I have here what purports to be an article published in a publication called the Echo, which is signed "THOMAS L. BLANTON"——

Mr. BLANTON. Well, I do not yield for that extraneous matter. [Laughter.] The gentleman misled me. I thought he was going to——

Mr. DEWALT. Not with the idea of misleading, but simply for the information of this House.

Mr. BLANTON. I do not yield for that.

Mr. DEWALT. Will the gentleman yield hereafter?

Mr. BLANTON. Mr. Chairman, do not take this out of my time; I refuse to yield.

Mr. DEWALT. Will the gentleman yield hereafter?

Mr. BLANTON. Mr. Chairman, will the Chair please note that I do not yield, and I ask that he not take this out of my time. What was there in the gentleman from California's [Mr. KAHN] resolution 574? Was it a bona fide resolution? Was it a resolution to get all the facts? Let us see about it. It provides that there should be a select committee of five appointed to investigate Bergdoll; that they should be permitted to sit during the vacation of Congress; that any one of them could sit as a subcommittee anywhere in the United States; that they should have the power to summon witnesses from one side of the United States to the other at Government expense; that they should have the power and authority, any one of these subcommitteemen, to employ all the lawyers they wanted, to employ all the clerks they wanted, to employ all the stenographers they wanted, to have all the printing done at Government expense that they wanted, and that was to be done during a vacation of Congress, during July, August, September, October preceding the election. I knew that the resolution was full of politics and might waste thousands of dollars. I know it was not designed to get the facts. I knew that the Committee on Military Affairs with all these idle employees could just as well have performed that labor, and with little expense. They had access to all these records. They could summon the witnesses if they ask us to authorize them. They already had access to reporters of Congress to report their proceedings, paid for by the year at $6,000 a year. Why could not the able, distinguished Committee on Military Affairs have investigated, and when they asked to carry on that political matter here in recess of Congress at the people's expense, I objected and blocked it because I wanted to offer a substitute when it came up in a proper way. I knew it was otherwise going through under unanimous consent without giving us a chance, as they would have moved the previous question, and I wanted some assurance that I could offer a proper substitute to have the Committee on Military Affairs do the work as it could do at a nominal cost. Then the gentleman from Kansas rose and said, "I present a privileged rule from the Committee on Rules," and that made in order this resolution, and I said, "We will get a quorum, we have not got a quorum," and I made the point of no quorum after the recess.

Mr. CAMPBELL of Kansas. May I ask the gentleman from Texas if that is not the usual course a man adopts when he is conducting a filibuster against a bill or resolution?

Mr. BLANTON. I am going to get to the gentleman directly, with his locks combed down like Bobby Burns.

Mr. CAMPBELL of Kansas. Well, I have the gentleman now.

Mr. BLANTON. I have got you now; I have got your number, and you know it. [Laughter.] I have had your number a long time. What did the gentleman ask? Yes; with the special rule to present, I made him get a quorum, only when he sought to force the House by the following rule:

The Clerk read as follows:

"Mr. CAMPBELL of Kansas, from the Committee on Rules, submits the following report:

"The Committee on Rules, to which was referred House resolution 574, submits a privileged report on said resolution, with the recommendation that it be adopted.

And I stopped it by making a point of no quorum, and then after a recess, when we obtained a quorum, the following occurred:

The SPEAKER. Two hundred and seventy Members have answered to their names, a quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, just before the recess I submitted a resolution to investigate the escape of a military prisoner, one Bergdoll. The circumstances surrounding the escape point to a very nasty scandal.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

Mr. CAMPBELL of Kansas. There being objection, Mr. Speaker, to the consideration of the resolution, I withdraw the resolution.

There he had a special rule in his pocket, had offered it making the Kahn resolution No. 574 a special order, the special privileged business of this House, and because one little insignificant Member from Texas gets up and asks for the regular order it scared him to death, and the chairman of the Rules Committee said, "Mr. Speaker, objection being made, I withdraw the resolution." [Laughter.] That rule made the Kahn resolution the privileged business of this House. Why did not the gentleman put it to a vote? He knew what I was going to do; he knew it was full of politics; he knew he was prepared to use it during recess——

Mr. MONDELL. Will the gentleman yield?

Mr. BLANTON. I am glad I have gotten the gentleman from Wyoming in here. I will have the whole steering committee in here in a minute. [Laughter on the Democratic side.]

Mr. MONDELL. Will the gentleman yield?

Mr. BLANTON. Mr. Chairman, the gentleman from Wyoming knows he can get all the time he wants, and I do not want him to use my time.

Do you know what happened? My good friend from South Dakota came in here and admitted that as the chairman of an investigating committee he had employed this Gen. Ansell at the rate of $20,000 a year for legal advice for their committee. And it was admitted on the floor here on February 10, as you will see if you get the RECORD, that the last special committee of this kind that we appointed has spent over $201,000 of the people's money, and the distinguished gentleman from Illinois, the chairman of the Committee on Accounts—God bless him; he is one dependable man at least that we have on this other side of the House—got up and intimated, "You can not pull the wool over my eyes." When his colleague [Mr. FREAR] said there had not been paid to a certain attorney $3,000, Mr. IRELAND called him down and said, "Yes; we have. Here is the voucher for it." The gentleman [Mr. IRELAND] then said, "I have gotten tired of saving the people's money at the spigot and having my colleagues over here kick it out at the bunghole." And he said, further, that not a single thing had ever come out of these investigations worth while; that it was a waste of the people's money.

And my good friend from South Dakota [Mr. JOHNSON]—and I admire him and think as much of him as any man in the House—said he was sorry he had kept Gen. Ansell from not making $50,000 more. Now, I want to tell you the worst of it. Just the other day, as the distinguished gentleman from California [Mr. KAHN], the chairman of the Committee on Military Affairs, knows, there appeared since this Congress has met, not long ago, before the Military Affairs Committee and testified this Gen. Ansell, and he spent a good while in testifying. Not a question was asked him about the escape of Grover Cleveland Bergdoll or his $100,000 fee from the Bergdolls. The gentleman from California was so uninterested in finding out the facts that he let that man Ansell come here and testify before his committee, and never asked him about his connection with Grover Cleveland Bergdoll or the $100,000 fee paid him. Does he want to apprehend him? That does not look like it. During this whole session of Congress, since we met early last December, Mr. KAHN'S committee has had only one meeting on the Bergdoll matter, only one—one hearing and one executive meeting—and that is all. And I want the American Legion men to know this, all this camouflage about what he is going to do about Bergdoll that has been put in the newspapers does not mean anything. You owe it to the country, Mr. KAHN; you owe it to the country, my dear friend from Kansas, the chairman of the Rules Committee—and I do think lots of him [laughter]—you owe it to the country to see that Grover Cleveland Bergdoll is brought back here from Germany. If you took the proper proceeding, you could get the State Department to get Germany to turn him back to us. You have not taken the

proper step for it. If you will give me authority to act for you, I believe I can persuade Germany that they have got no right as a military nation to hold a dirty military slacker in their midst.

Mr. JOHNSON of South Dakota. Will the gentleman yield for one question?

Mr. BLANTON. I will, because the American Legion men—and the gentleman is one of them—have a right to be heard on this question.

Mr. JOHNSON of South Dakota. I only wanted to ask the gentleman if the power to make this request of Germany is not now vested in the present Secretary of State?

Mr. BLANTON. We Democrats are getting out of the Secretary of State's office right now and the gentleman's party is coming in. I want that to be the first act the State Department does when you are in, to get that slacker back here and put him in the penitentiary, and put every one in the penitentiary with him who had anything to do with his escape.

Mr. VENABLE. Will the gentleman yield?

Mr. BLANTON. I am sorry I can not. Did you know that on the 6th day of December, 1920, when this Congress met, Mr. KAHN had authority then and Mr. CAMPBELL had authority then to call up this Kahn resolution under that special rule that was granted in June? That special rule never has been abrogated by the Rules Committee.

Mr. CAMPBELL told me yesterday that he had it in his pocket; that he had not called it up, because he did not have time; but told me he had it in his pocket. And if that is not so, I will yield to him now to deny it. He had it in his pocket. Why have you not called it up? Why, the distinguished gentleman from California [Mr. KAHN] said he had not had time. On the 9th day of December—I think it was the 9th—just a few days after Congress met last December, he [Mr. KAHN] used an hour and 15 minutes by special order—an hour was granted by special order and 15 minutes additional was allowed—and his general subject was Japan, but his inside subject was military preparedness, and with his inside subject he got in one or two little sentences about universal military training, to take the boys out of homes in peace times and send them to camp, although he spent most of his time on Japan. He could have called his Bergdoll resolution up on the 6th, 7th, 8th, 9th, or 10th of December, or on any other day that Congress met. It was privileged under said rule. If the gentleman from Kansas [Mr. CAMPBELL] wanted to do it, he had the right to call it up. That rule has not been abrogated. Why have you not called it up, PHIL.? Why have you not called it up? I yield for answer. Why do you not call it up now? If you call it up now I will yield the floor to you for that purpose. We want to vote on that question.

Now, let me show you what I have here. On December 7, 1920, the second day that this House met—I waited the first day, thinking that they might call it up themselves—on the 7th day of December I introduced this resolution:

No. 603.

IN THE HOUSE OF REPRESENTATIVES,
December 7, 1920.

Mr. BLANTON submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed.

House resolution 603.

Whereas in May, 1920, one Grover Cleveland Bergdoll, theretofore convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., escaped from confinement, and has never been apprehended, and is still a fugitive from justice; and

Whereas the Committee on Military Affairs, composed of 13 Republicans and 8 Democrats, could investigate all facts connected with the above case with very little expense to the Government, as none of the members of said committee draw any extra pay as committeemen, such committee already having a secretary and clerk paid for annually by the Government, and such committee having access to the service of committee stenographers paid for annually by the Government; and

Whereas said Committee on Military Affairs has made no investigation whatever of the disgraceful escape of this contemptible draft deserter: Therefore be it

Resolved, That the said Committee on Military Affairs of the House of Representatives be, and it is hereby, directed to investigate and procure all facts relevant to fixing responsibility for said escape and for the failure to recapture the said traitor and deserter.

That said committee shall report its findings to the House at the earliest date possible, with its recommendations.

Mr. TINCHER. Will the gentleman yield?

Mr. BLANTON. I regret I can not do so. I seem to have gotten the whole State of Kansas stirred up. I will yield to the chairman of the Rules Committee, though. Why should not this resolution of mine be passed? I want to ask the gentleman from Kansas [Mr. CAMPBELL]——

Mr. CAMPBELL of Kansas. Does the gentleman from Texas want me to answer?

Mr. BLANTON. Oh, yes; if he can; not to me, but to the country. [Laughter.]

Mr. CAMPBELL of Kansas. All right; to the country. The reason the Committee on Rules—and I assume the rest of the members of the committee took the same position I did—did not act on the gentleman's resolution was because we did not want to help the gentleman from Texas out of the hole into which he had placed himself.

Mr. BLANTON. Oh, that is camouflage; that is pure camouflage, and the gentleman knows it. He could call this Bergdoll resolution up any day he wanted to. Is the "gentleman from Texas" [Mr. BLANTON] more important to you than this big subject? [Laughter.] That is a pusillanimous kind of an answer. [Laughter.]

Now, let me show you. Every time that the gentleman from California [Mr. KAHN] has appeared upon this floor I have prodded him with the question, "When are you going to begin to investigate Bergdoll?" Let me show you some of these proddings, one from the RECORD of January 28, 1921, on page 2157:

The SPEAKER. The gentleman from California asks unanimous consent to print in the RECORD the response of the Secretary of War to the resolution adopted yesterday. Is there objection?

Mr. BLANTON. Reserving the right to object, I want to ask the distinguished gentleman from California what has become of the privileged resolution reported by the Committee on Rules last June making in order as special business of this House his resolution No. 574, to investigate the escape of Grover Cleveland Bergdoll, a millionaire slacker? That resolution has been in the pigeonhole for six months.

Mr. KAHN. Mr. Speaker, on the last day of the last session the gentleman from California tried to call up that resolution and the gentleman from Texas [Mr. BLANTON] objected. [Applause.]

Mr. BLANTON. That was because of the politics in it. I objected to the politics in it.

Mr. KAHN. There was no politics in it.

Mr. BLANTON. But the gentleman has had all this session to call it up.

Mr. KAHN. I decline to yield, Mr. Speaker.

And every time he jumped up I called attention to the fact that Mr. CAMPBELL of Kansas had in his pocket a rule that would authorize the bringing up of this matter, and he has not yet brought it up.

On February 8, 1921, on page 2799, I read:

COMMITTEE ON MILITARY AFFAIRS.

Mr. KAHN. Mr. Speaker, by direction of the Committee on Military Affairs, I ask unanimous consent for leave to that committee to sit during the sessions of the House for the remainder of this session.

The SPEAKER. The gentleman from California, by direction of the Committee on Military Affairs, asks unanimous consent that that committee may sit during the sessions of the House for the remainder of the session. Is there objection?

Mr. BLANTON. Reserving the right to object, and I shall not object, because I am glad that the Committee on Military Affairs has at last agreed to investigate Bergdoll, which it can do with nominal expense.

So I have done it every day, almost, trying to get action on this Bergdoll matter, and nothing has been done. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. EAGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. DEWALT].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. SLEMP. And I yield the gentleman five additional minutes.

The CHAIRMAN. And for five additional minutes, yielded by the gentleman from Virginia.

Mr. DEWALT. Mr. Chairman and gentlemen of the committee, the discourse that we have just heard, the tirade that has just been uttered, reminds me somewhat of an old Quaker in our country who was very much disgruntled with all things that happened. Approaching his wife one day, he said to her, "Ann, I believe that all the world is queer except thee and me," and then, pausing a moment, he said, "and even thou art a bit queer." [Laughter.]

It seems to me that my distinguished friend from Texas [Mr. BLANTON], by this remarkable exhibition here—and I call it remarkable, because the like of it I have not heretofore seen in the House of Representatives during my experience of six years—proceeds upon the theory that the fate of the Nation depends upon his individual efforts; that regardless of the ability of the great Committee on Military Affairs, the personnel of which I have the pleasure of knowing very intimately—I need not refer to them by name—that regardless of their patriotic sentiments and their desire to do their full duty, it devolves upon the great shoulders of this great man from Texas to save the Nation by investigating as to whether Mr. Bergdoll is an infamous slacker millionaire. [Laughter.]

Then, too, it strikes me that this great Committee on Rules, which has as its head the intimate friend of my fellow Member of Congress, this gentleman from Texas, this intimate friend that he calls upon the floor of the House "PHIL" [laughter], that even with all of his ability and with the ability of my friend FINIS GARRETT, whose ability is unquestioned and recognized by all; that even with the distinguished service of these

men upon this great committee, which controls the action of the House, it remains for my friend from Texas to take this great burden upon his shoulders and free the Nation from this infamy. God give strength to his arm! [Laughter.]

I fear very much that my distinguished friend has underestimated his ability. When he started out in this remarkable proceeding he said:

How is it possible that I, an insignificant Member from Texas, could block legislation? Am I greater than the Congress?

Ah, well might I ask—

Upon what meat doth this our Caesar feed,
That he is grown so great?

[Laughter.]

Again I say he has underestimated his abilities in this direction, because I have in my hand here an article from the Hopkins County paper in Texas called The Hopkins County Echo. May the echo thereof never depart from the ears of the distinguished gentleman from Texas. [Laughter.] It is signed "THOMAS L. BLANTON, the Congressman of the seventeenth district," and in that, in spite of his claim for modesty now presented, he proclaims to the admiring world in Texas, and not only the admiring world there, but the plaudits of all the Nation:

Here am I, and what do I say? For three years I have been forced to remain on the floor of the House constantly to prevent this proposal from being attached as a rider upon appropriation bills. By making timely points of order I have kept it off appropriation bills, and I have kept it from coming up as a separate legislative proposition solely by threats that I would force a record vote. The fear of going upon the record has thus far held the matter in abeyance.

[Laughter.]

And yet he disclaims the ability to block legislation. [Laughter.] All of the automobiles that have ever been built, all of the powerful steam engines that ever were constructed, can be blocked by the mere word of mouth from the gentleman from Texas as he proclaims it in the Hopkins County Echo. [Laughter.]

Now, what does this amount to, my friends? Let us for a moment be a bit serious if we can. This is a direct attack presented to-day upon two of the greatest committees in the House, the Rules Committee and the Military Affairs Committee. It may be amusing—it certainly is not instructive—for the membership of this House to sit here and listen to a tirade of that kind. If these men were not honorable men, if they were not patriotic men, if they did not belong to both of these great parties, then perhaps there might be some partisan feeling in it; but when we know their patriotism, when we recognize their ability, and when we know that this complaint is made by one who avows in a public paper that he is determined to block legislation and has the ability to do it, then I say it is an affront to the dignity of the whole House and the membership thereof. [Applause.]

I do not rise to defend the membership of the Military Committee or the membership of the Rules Committee. They are well able, amply able, to take care of themselves far better than I could present any defense for them. I do not defend them, because they need no defense. [Applause.] I started out in my life with the proposition, and have tried to observe it, that every man is honest until he is proved dishonest, and with that proposition I believe that every member of the Military Committee, whether he be Republican or Democrat, is trying to do the best that in him lies for the benefit of our Nation. [Applause.] I believe every member of the Rules Committee, whether he sits on that side of the aisle or on this, is doing as he best knows how for the public weal and welfare, and I resent as a Democrat, and more than that I resent as a public man in Congress, these attacks upon the personnel of these committees and mentioning them by name. [Applause.]

I do not agree with the gentlemen on that side of the aisle in regard to matters of policy. I have been free, and I always will be free to express my honest convictions upon any public question, but as long as I have my reason I will never resort to what I call public abuse and malignity and personal prejudice in the argument of any question. [Applause.] So now I say to my distinguished friend from Texas [Mr. BLANTON], whilst I do not agree with him in this proposition, whilst I do not agree with him in the course that he has pursued in reference to this matter, whilst I believe that the record produced by the gentleman from California [Mr. KAHN] makes the gentleman from Texas a particeps criminis, if there was any neglect, because he objected when the investigation might have been had, notwithstanding that, what I have said is said more in the spirit of kindness rather than criticism or reproof. I know that perhaps my distinguished friend from Texas will differ with me in my last expression, but it is sincere. I have been with you gentlemen for six years. I think I can say, at least I hope I can say with sincerity, that I have made many friends and no enemies. [Applause.]

I yield back the remainder of my time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SNYDER having taken the chair as Speaker pro tempore, a message from the Senate by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the message of the Senate of February 9, 1921, announcing its disagreement to the amendments of the House of Representatives to the bill (S. 4205) to amend section 4, chapter 1, of Title I of an act entitled "An act making further provision for a civil government for Alaska and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes, and asking a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, together with the said bill and the amendment of the House of Representatives thereto.

FORTIFICATION APPROPRIATION BILL.

The committee resumed its session.

Mr. EAGAN. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. CARSS]. [Applause.]

Mr. CARSS. Mr. Chairman and gentlemen of the committee, I wish to take exception to a statement that appears on page 2876 of the RECORD of Wednesday, February 9. This statement was made by the gentleman from Texas [Mr. BLANTON]. I will read an excerpt from this statement:

It reminds me of a statement I heard not long ago which came directly from an engineer, to show how the people have to pay for these regulatory matters and for certain rules that both the railroads and the employees have for the operation of trains, from which the country suffers daily. The engineer stopped at a little station and found out that there was a bolt loose and lost, that had been lost out of some part of the engine. He had such a bolt in his engine cab box that cost about 8 cents that he could have put in there in three minutes and put it in good, and his engine would have been in first-class shape; but under the rules of his organization he could not touch the bolt, and he could not touch the engine. He had to stop that engine and that train full of passengers at that little station, and wire in to the next division, some thirty-odd miles, and have them send an engine and a caboose with two mechanics in it, out there for a little 8-cent bolt to put into the engine. The train was delayed four hours and a half, and that one little bolt cost the railroad company an immense amount of money, which the people have to pay in the increased tariffs.

And so on ad nauseam. Now, gentlemen, as one Member of this House who ran a locomotive and who has been a member of both the railroad organizations to which enginemen belong, I resent such an attack upon these men. I want to say that the men who run the locomotives of this country are a class of men second to none in the community. [Applause.] They have in their care the lives of millions of our citizens. They have in their care goods worth literally billions of dollars every year. They have been true to the trust imposed upon them. And I want to say there is not now and never has been at any time any rule, either of the brotherhoods or of the railroad companies, which would prevent that engineer from putting that bolt in his engine. As anybody who knows anything about railroading is aware, before a man who is a fireman can be promoted to the position of engineer he must pass a rigid and thorough examination, especially on what are called breakdowns on the road. He must answer five or six hundred questions in some cases, as to what he would do if a certain thing broke down on his engine. I want to say that the enginemen of this country pride themselves on their ability to repair their engines while on the road, and it is considered a disgrace for an engineer to have to give up his train or to be towed into the terminal. I have known men to work for hours and hours and bring an engine in on one side, and sometimes on what they call one wheel, sooner than to have to give up their train.

Now, I can readily see that if something had broken on the engine which rendered it dangerous to proceed, the engineer would properly have taken the sidetrack; but in a case of this kind, where the gentleman from Texas says the engineer had a little 8-cent bolt in his box—of course I can not imagine what sensible man would provide himself with that bolt if he was not permitted to use it—he would certainly have used it to make the necessary repairs of his engine.

Mr. QUIN. I did not hear the first part of the gentleman's speech. Who was it that made the statement?

Mr. CARSS. The gentleman from Texas [Mr. BLANTON] makes the statement that he got this story from an engineer. I do not know whether it is another ghost story like the one he told recently about the Mooney case or not.

Mr. BLANTON. Will the gentleman yield?

Mr. CARSS. The gentleman is not very generous about yielding, I notice, so I decline to yield to him, as I have only five minutes.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CARSS. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. Reserving the right to object, I wish to say that I have objected to the others. I want to be consistent.

Mr. SNELL. Regular order, Mr. Chairman.

Mr. BLACK. How much time does the gentleman from Minnesota want?

Mr. McCLINTIC. I will yield to the gentleman from Minnesota three minutes out of my time.

The CHAIRMAN. The gentleman from Oklahoma has not the time to yield.

Mr. EAGAN. Mr. Chairman, I yield three additional minutes to the gentleman from Minnesota.

Mr. CARSS. Mr. Chairman, I want to refute the statement that has gone abroad in the CONGRESSIONAL RECORD, which is a reflection on these men. I realize, as we all do, that no one in the House takes the gentleman from Texas very seriously, but for fear the impression might go abroad that such a rule prevails in any railroad organization I want to correct the statement now, and I challenge the gentleman from Texas to produce proof that there is or ever was any such rule. Mr. Chairman, I yield back the balance of my time. [Applause.]

Mr. EAGAN. Mr. Chairman, I yield one minute to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I could not get time to answer the gentleman from Pennsylvania [Mr. DEWALT], but I want to say that my letter he referred to from the Hopkins County paper was my fight against the proposed salary advance for both Congressmen and Senators to $12,000. The only difference between me and the gentleman from Pennsylvania [Mr. DEWALT] is that in the fights I have made on the floor for retrenchment I have the people of the United States with me and he has a few Congressmen with him who are still wanting to take the money out of the people's Treasury. I have got the people of Pennsylvania with me, I have got the people of Minnesota with me, I have got the people of Kansas with me, in the fights that I am trying to make here to save the people's money and keep it from being wasted. These little attacks do not hurt me; I am used to them. Every man who has ever fought for the people has been so attacked, and I do not care. I know where the people are.

Mr. SLEMP. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER. Mr. Chairman and gentlemen of the committee, I am pleased that my good friend from Minnesota [Mr. CARSS] has called attention to a statement made by the gentleman from Texas [Mr. BLANTON] which was placed in the RECORD a few days ago. At the time the gentleman from Texas made that statement he was opposing an appropriation in the deficiency bill for safety-appliance inspection of the railroads of our country.

Now, I am sure that if the gentleman from Texas had taken the trouble to look at the report filed by the chief inspector of the bureau of locomotive inspection to the Interstate Commerce Commission he would not have opposed that appropriation. I find that in 1920 there were 66 railroad employees killed and 916 injured by reason of defective equipment. In order to reenforce his opposition to that item which was carried in the appropriation bill he referred at that time to the engineer whom the gentleman from Minnesota has just spoken about.

For a great many years it was my privilege to sit in a locomotive cab. I, for one Member of this House, can not sit still and let this statement of the gentleman from Texas go by unchallenged.

When he made the statement that the organization—and he meant by organization either the Brotherhood of Locomotive Engineers or the Brotherhood of Firemen and Engineers—that the rules of the organization would not permit the engineer to put in that little 8-cent bolt and take the train to its destination, but that he, the engineer, telegraphed to the next terminal point, 30 miles away, and called for an engine and full crew to carry two mechanics to put in the 8-cent bolt, which delayed the train four and a half hours, I am not so sure he was stating a fact.

Gentlemen, does that sound reasonable to you? I know that if there is one thing above all others that a locomotive engineer takes pride in, it is in getting his train over the road on time and bringing it into the terminal. I do not believe there has been any such rule established in any of the railroad brotherhood organizations or by any railroad company. [Applause.]

Mr. SLEMP. Mr. Chairman, I yield one hour to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent that I may have leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I object.

Mr. GRAHAM of Illinois. Mr. Chairman, from time to time during the present Congress various members of the select committee on expenditures in the War Department have called the attention of the House to what we considered to be matters worthy of the attention of the House and the country. That these statements thus made, together with the reports accompanying them, have had a very considerable and widespread influence upon the thought of the country I believe no one doubts. In continuance of what I believe to be the plain duty of this committee I am now again calling attention to certain conditions following the World War which are not generally understood and which call for early remedial legislation.

The particular matter I refer to is the disposition being made of materials purchased by the War Department during the war and now found to be surplus. Some of the sales of this material have been heretofore referred to on the floor by members of the committee. I now desire to call the attention of the House to further instances of such sales.

All sales of surplus have been made pursuant to the authority of a part of the military appropriations act for the fiscal year ending June, 1919, and which act authorizes the President—

> * * * through the head of any executive department, to sell, upon such terms as the head of such department shall deem expedient, to any person, partnership, association, corporation, or any other department of the Government, or to any foreign State or Government, engaged in war against any Government with which the United States is at war, any war supplies, material, and equipment, and any by-products thereof, and any building, plant or factory, acquired since April 6, 1917, including the lands upon which the plant or factory may be situated, for the production of such war supplies, materials, and equipment which, during the present emergency, may have or may hereafter be purchased, acquired or manufactured by the United States.

Claiming to proceed by authority of this act, the Director of Sales, E. C. Morse, issued on November 15, 1919, Order No. 72, which order provided, in brief, that advertisement should be made in all cases of the proposed sale, and that there should be competitive bids on the article proposed to be sold. Prior to this order the department had been operating under many other orders, issued from time to time, presumably being made by the Director of Sales on the authority of the Secretary of War. So far as the committee has been able to ascertain, the President has not, by express written order, deputized to the Secretary of War his powers given him by the act of July 9, 1918, above referred to.

After the signing of the armistice, and at various times since, much material has been declared surplus. From time to time some of it has been sold at public auction, but the greater part has been sold by negotiated sales. In these sales there has been much injustice. In many instances no attention has been paid to the rules providing for advertising and competitive bids, and often there has been no competition at all, and favored bidders have been selected at the will of the Director of Sales. However, a citation of specific instances will give the House more information than general observations.

OLIVE-DRAB DUCK.

A large amount of 72-inch surplus olive-drab duck was on hand at the end of the war, due to purchases far in advance of any reasonable needs of the Government. On January 12, 1920, the surplus property division sold 229,104 yards of this material at 65¼ cents to one H. Miller, of 59 White Street, New York City. This duck cost $1.938 per yard and was in its original bales. It had been selling theretofore by the Government at $1.25 per yard. After the sale was made it was represented that when the bales were opened the material was found to be waterproof, and Col. L. M. Purcell, head of the surplus property division, at once reduced the price to 47½ cents per yard, and deducted from the purchase price $42,440.96. Miller thereupon offered and sold this material to the public for $1.41 per yard. This duck could have been sold readily for $1.13 per yard, because exactly the same material was shortly thereafter sold to the Chatham Cotton Co. for that price, the purchase being 276,900 yards.

Miller is connected with both the Chatham Cotton Co. and another company called the Delphi Mills. This last company bought 278,000 yards of the same material a little while later for .9086 cents per yard. Miller's purchases have been many. Among other things he bought a considerable amount of brown

denim—the Government did not have it to deliver—he then presented a bill for $69,312.27 damages. To settle this the Government let him have duck of a market value of $483,761.30 for a price of $233,754.84, or a loss of $250,006.46. All of this was done by simple negotiation without any competition or advertising for bids.

MOSQUITO BARS.

An immense number of mosquito bars, made for use on cots, were on hand when the war ended. On advertisement of a million of these in February, 1920, the Berkshire Trading Co., of New York, bid from $0.6716 to $0.6811. Thereafter the Chief of the Surplus Property Division had all bids rejected and a fixed price of $1 per bar made. A man by the name of Benjamin S. Falter, former chief of the C. & E. and textile sections of the Surplus Property Division, had formed the Berkshire Trading Co. above mentioned and was president of it. He had resigned from the War Department a little before this. After this fixed price was made, Falter was awarded 1,000,000 mosquito bars at the price above stated, and they were shipped to him, payment to be made in 90 days, without any bond or cash deposit, except $9,539. Thereafter the Surplus Property Division awarded 813,943 additional mosquito bars to this company at the same price. These bars cost $4.65 each and their replacement value at that time was $5.257.

FROZEN BEEF.

An immense amount of material was retained by the War Department and not declared surplus. This has been called attention to heretofore on repeated occasions by this committee. This was for the purpose, manifestly, of keeping this material from competing with other manufactured materials coming from manufacturing interests over the country.

On June 15, 1920, there was found to be a very large quantity of frozen beef, purchased from the packers of the country, on hand and some of which had been declared surplus. This meat had been purchased from the packers at approximately 30 cents per pound.

During the year 1919 much of it was sold, from time to time, to the packers at 10½ cents per pound, after the attention of Col. A. W. Yates, Chief of the Surplus Property Division, was called to the fact that Congress had seemingly expressed its desire that goods should be sold direct to the consuming public. However, Col. Yates proceeded to sell 25,000,000 pounds of this surplus frozen beef, 15,000,000 pounds being sold to the packers at 10½ cents per pound, less 1½ per cent, and the balance being sold to the public at from 13 cents to 15 cents per pound. To illustrate the value of the meat, on March 15, 1920, 15,000,000 pounds were sold to Belgium for export at 15 cents per pound. Again, on June 10, 1920, 3,000,000 pounds were declared surplus. One-half was sold to the public for 13 cents per pound and the rest to the packers at 10½ cents per pound, less 1½ per cent. Every officer examined about this stated that it could have been sold readily to the public at from 13 cents to 15 cents per pound, and although officers were protesting against selling it to the packers, this was, nevertheless, done.

SHIRTING FLANNEL.

On July 8, 1920, there was found to be 2,383,445 yards of 54-inch to 56-inch shirting flannel on hand. Some had been sold theretofore to the public at from $1.25 to $1.50 per yard. It could hardly be purchased at any price in the stores. Without bids, immediately thereafter Col. Yates and the director of sales sold the entire amount to Sigmund Eisner, of Redbank, N. J., at $1.10 per yard, with a discount of 10 per cent, which brought the cost price of the flannel down to 99 cents per yard. Eisner's discount alone was $213,000. Nobody else ever had a chance to buy this material, so far as anybody knows. It could have been sold readily to the public for a much higher price.

GAUZE.

An immense amount of Army gauze was advertised to be sold July 19, 1920. Before the date for the receipt of bids W. B. Miller, chief of the textile branch of the Surplus Property Division, sold 250,000 yards of this to the same H. Miller mentioned in the olive-drab duck transaction at private sale, and H. Miller, before the sale, was offering to sell this material to the ones who were proposing to bid thereon. When this was called to the attention of the Chief of the Surplus Property Division by an officer, he reprimanded him and told him that the division could not afford to have these things known outside.

UNDERWEAR.

Two men by the names of Vanstrom and Skinner were on the board whose duty it was to award bids for surplus goods. Vanstrom was instrumental in selling 7,000,000 suits of underwear, amounting to more than $3,000,000, by negotiated bid, without advertising and without competition, at from 40 cents to 43 cents a garment to John F. Hickey, of Philadelphia. Vanstrom resigned from the Government service on June 30, 1920, and was thereupon employed by Hickey. After this purchase the buyer put in a claim that the material was stained and that he ought to be given the garments for 23½ cents apiece. This claim was allowed and no investigation was permitted as to the true condition of the articles until after the claim was allowed and paid.

LUMBER.

An immense amount of hard-pine, hemlock, spruce, and fir lumber was on hand at the end of the war, estimated at about 188,000,000 feet. The Director of Sales, on February 25, 1919, sold all surplus lumber to J. L. Phillips and John Stephens, of Jacksonville, Fla., duly authorized representatives of the National Bureau of Wholesale Lumber Distributors, the National Retail Lumber Dealers' Association, the West Coast Lumber Association, the Central Pennsylvania Lumber Co., the Southern Pine Association, the Georgia-Florida Sawmill Association, and the North Carolina Pine Association. All costs of handling, loading, and so forth, were to be paid by the United States. The base prices were to be fixed from time to time by a representative of the Government and a representative of the purchaser, and when this base price was fixed the purchasers were to have 12 per cent off the base prices.

As soon as the armistice was signed they fixed the base prices on No. 2 hard pine at from $9 to $25 per thousand feet; spruce, $23 to $30; hemlock, $9 to $25; and fir from $9 to $25 per thousand feet. The same lumber on the New York market at that time was worth—

Hard pine	$35.50	to	$37.50
Spruce	41.00	to	58.00
Hemlock	37.50	to	39.50
Fir	49.50	to	51.50

Absolutely no reason appears anywhere why this sale, when the country was suffering for lumber, was made at such remarkable figures.

One hundred and twenty-four million feet approximately of this lumber was withdrawn from the sale by the construction division and has all been used by them except about 3,000,000 feet. In other words, since the armistice the construction division of the Army has used approximately 121,000,000 feet of lumber.

The buildings at Camp Benning, Ga., it appears, have been almost completely constructed out of this lumber.

SUGAR.

Under the Federal fuel administration act a subordinate body was constituted, called the Sugar Equalization Board. Under an agreement in October, 1918, between the Cuban sugar producers and the Sugar Equalization Board of the United States an agreement was made in writing by which the Cuban crop for that year, about 4,000,000 long tons, was purchased by the United States.

Thereafter, by international agreement the United States Sugar Equalization Board caused about one-third of this sugar to be sent to the nations associated with us in the war, leaving us approximately 2,555,000 long tons. This was principally delivered in March, April, and May, 1919.

On or about the 31st day of December, 1919, the Sugar Equalization Board ceased to function as such.

On July 31, 1919, Mr. E. C. Morse, Director of Sales, addressed a letter to Mr. Crowell, First Assistant Secretary of War, in which he represented that the reserve supply of sugar for the Army—a supply for 300,000 men for six months—ought to be cut to a three months' supply, and the balance turned over to the Sugar Equalization Board for distribution. Maj. Gen. Rogers, of the Quartermaster Corps, strongly protested and insisted that there was no surplus sugar in the War Department. However, Mr. Crowell made the order for the transfer.

The War Department had paid 8.79 cents per pound for its sugar. From August to October, 1919, the War Department turned over 46,000,000 pounds of refined sugar to the Sugar Equalization Board at 8.79 cents per pound. This board at once distributed it through the country, the great bulk of it going to candy makers, sirup makers, canners, and wholesale grocers, who took it at 8.79 cents per pound.

You remember the sugar rationing in the fall and winter of 1919. Thousands of families for weeks at the time were unable to get sugar at all, and there was practically no family fruit canning. Sugar prices rose to the sky, together with candy, sirup, and preserved goods. Many of those who were purchasing sugar from the War Department at 8.79 cents per pound were charging vastly increased prices because of their claim that sugar had gone up.

During this same fiscal year, and to supply the needs of the Army, Gen. Rogers was forced to go upon the market and buy 14,275,800 pounds of refined sugar, for which there was paid

an average price per pound of 15.08 cents, and 22,333,699 pounds of raw sugar, which cost 14.4 cents per pound. By this one transaction there was taken from the purse of the public the sum of $2,162,929, which was deliberately given to the candy makers, canners, and wholesale grocers of the country by the Sugar Equalization Board and Mr. E. C. Morse, Director of Sales.

TOBACCO.

On the signing of the armistice there was a vast quantity of all kinds of tobacco in the hands of the War Department. During the war the War Department took over almost the entire production of tobacco from the manufacturers.

Among other tobaccos declared surplus were 220,530,000 Camel cigarettes. These were made by and purchased from the J. Reynolds Tobacco Co., of Winston-Salem, N. C. Of these, 180,000,000 were sold back to the maker at the price said to be paid by the Government for them, in the fall of 1919, at prices ranging from $0.0576 to $0.065 per package, in bond. The internal-revenue tax on these packages was at those times 6 cents per package of 20, thus bringing the average price of these cigarettes, stamped, to 12 cents a 20 package.

After making this sale, beginning early in 1920, the Quartermaster Department began to purchase Camel cigarettes from the Reynolds Co., and in all bought 2,515,350 packages, or $346,088.29 worth, for which they paid an average of about $0.14278 a 20-package. For such of these as were sent across the seas to our soldiers we paid a tribute to the Reynolds Co. from our Treasury of approximately 2¼ cents a package; for such as were kept in this country and sold to the soldiers each soldier, when he bought a package, paid 2¼ cents to the Reynolds Co., which the Government could have saved him, but which went to swell the profits of the Reynolds Co. Aside from this, the 20-package of Camel cigarettes were then being sold to retailers at 16 cents each.

There were also large quantities of smoking tobacco, among others Velvet tobacco, made by Liggett & Myer Tobacco Co., of St. Louis, of which there was a declared surplus of 7,818,913 tins, almost all of the 2-ounce size. These cost the Government in bond $0.0865 per tin.

The officers called swore this tobacco would deteriorate and was "off" when examined by them. From February 5, 1920, until January 19, 1921, none of this tobacco, which was said to be deteriorating, is shown to have been sold. As a matter of fact, in March, 1920, all this tobacco was sold to B. F. Falter, for the Berkshire Trading Co., of New York, for 9 cents a tin. In the fall the Surplus Property Division permitted this man Falter to cancel his purchase and then, January 19, 1921, sold 6,180,987 2-ounce tins of it to some speculators in New York for $0.0275 a tin. This same tobacco retails at 15 cents a package and its wholesale price is 13½ cents. No doubt this same tobacco is now being consumed by the American public at 15 cents a package.

LEATHER.

On account of widespread complaints, an extensive investigation of leather purchases during the war and sales after the war was undertaken by the select committee. In no other part of the postwar practices of the War Department that I have had brought to my attention was there such an apparent abuse of power and evasion of existing law as in the purchase and sale of our leather supplies.

I have heretofore called the attention of the House to the excessive purchases of leather goods during the war in an address I delivered here on June 1, 1920. In that address I called attention to the fact that we had purchased and received among other things 500,326 double sets of harness, 110,828 single sets of harness, 945,000 saddles, 2,850,853 halters, and 585,615 saddlebags.

It was testified by the officers in charge of the buying end of the leather business in the War Department that purchases were so excessive as to be beyond reason, and that if all the leather and leather goods were purchased that were authorized in 1918 all the hides of the country for that year would have been taken and 300,000 more. As it was, the civilian population went on 30 per cent of the country's production for that year.

I have no hesitancy in charging, expressly and explicitly now, that the whole leather situation during the war and up to the present time has been in the control of the whole or a part of the leather makers, tanners, and harness makers of the United States. Mr. Julius Rosenwald, of Sears, Roebuck & Co., was put in charge of raw material by the Advisory Commission of the Council of National Defense, and early in the war called in the leather men and made committees of them under him. Among these various committeemen one, Maj. Joseph C. Byron, an extensive tanner from Williamsport, Pa., was made chairman of the cooperative committee on leather equipment. Afterwards, when these committees were changed to committees under the War Industries Board, Maj. Byron was still continued.

The prices of the various manufactured articles made of leather during the war were fixed by agents of the Council of National Defense and the War Industries Board, and Maj. J. C. Byron was the agent of the War Department in fixing these prices throughout the entire war. At about the same time Maj. Byron came into the service a man by the name of George B. Goetz, of A. D. Goetz & Co., Ranson, W. Va., harness makers, came into the War Department, was made a captain, and was placed in charge of purchasing leather goods. From that time until the end of the war Capt.—afterwards made colonel—Goetz made all the contracts for the purchase of leather goods of all kinds, except on one occasion when he was temporarily absent, and in which instance Capt. Azel F. Cochran took his place and did the purchasing until his return.

Goetz was vice president of the A. D. Goetz & Co., harness makers, during all the time of his service in the Army and drew a salary of $100 a month from his company throughout the entire period, at the same time drawing his salary as an officer in the United States Army. Goetz called Henry W. Benke, another harness manufacturer, into the War Department and had a captain's commission issued to him. During the war he—Benke—was promoted to a majority, worked under Col. Goetz, and was in charge of the inspection of leather purchased for the use of the Army. Cochran bought for the Ordnance Department until this was consolidated with the Quartermaster's Department, when he assisted Col. Goetz in the purchases. It will thus be seen that the control of the price fixing, purchase, and inspection of all leather goods was under the direct control of Byron, Goetz, Benke, and Cochran during the war. They bought everything to excess. Requisitions were issued for harness in unbelievable quantities and much of this material ordered was never used. For example, take the harness called the "H. T. G." harness. On February 21, 1918, a cablegram was sent from the American Expeditionary Forces asking that the British artillery harness be copied, as it was better adapted for our use. Thereupon large orders were placed for this kind of harness. It was a breast-collar harness. I have a set of it in the lobby which the Members may examine if desired. There were, approximately, 80,000 single sets of this harness made; for each set of lead harness the Government paid $30.08 and $39.52 for wheel harness. So far as I know there was never a set of it used. None of it was sent to the American Expeditionary Forces and, since the armistice was signed, it was abandoned and declared surplus.

I understand this type of harness is now used by the British armies for almost all purposes, and no reason has been given as to why it is not adaptable for American purposes except that somebody, who has the decision of the matter, does not like it. Within the last few days 62,000 double sets of this harness have been sold to the company at a minimum price of $5.21 and $4.59 a double set.

Eight or ten different types of harness were purchased during the war by these gentlemen; everything from heavy artillery to surrey harness, to haul the officers' carriages. Orders were placed wherever the particular purchasing officer desired, without competition, without bids, and without advertising.

Among other people from whom Col. Goetz purchased, he placed orders with his own house for approximately half a million dollars' worth of harness and leather goods. The correspondence shows he was transacting much of this business himself. In some cases he inspected the goods; in most cases the orders were signed by some one under his control, but in one instance which the committee found he signed the order himself to his own house.

There has been called to my attention, and very properly so, by the gentleman from Illinois [Mr. McKENZIE] that there were requisitions made from time to time by the department of requirements on the purchasing officers for the purchase of harness and that the requisitioning of this was done by another department. The purchasing was done by Col. Goetz, as I have already detailed. I have noted that in one instance the committee found an order signed by Col. Goetz, in his own name as an officer of the War Department, for his own firm. This transaction of business by any officer in the War Department with his own firm has been a stench throughout all this war, and it is in plain violation of the law of the land. The law is plain. It is as follows:

SEC. 41. No officer or agent of any corporation, joint-stock company, or association, and no member or agent of any firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint-stock company, association, or firm, shall be employed or shall act as an officer or agent of the United States for the trans-

action of business with such corporation, joint-stock company, association, or firm. Whoever shall violate the provision of this section shall be fined not more than $2,000 and imprisoned not more than two years. (Sec. 41, Criminal Code, 35 Stat. L., Military Laws of the United States, p. 461.)

I state now without reservation and without fear of successful contradiction that Col. George B. Goetz violated this law on dozens of occasions, and that, in my judgment, prosecution can be successfully maintained against him under this statute. His superior officers knew this; the Secretary of War must have known it, yet no one gave it the slightest attention, nor have they done so up to this time, although the Secretary of War has full knowledge of the situation.

During the war the leather trade—that is, the manufacturers and the tanners—were represented by a few individuals, and their functions were consolidated so that the Government dealt with just a few men, who represented the Tanners' Council and various cooperative committees of the leather manufacturers.

Immediately upon the signing of the armistice Maj. Byron was made chairman of the War Claims Board, dealing with the settlement of the leather contracts. Col. Goetz was made a member of this board, as well as Capt. Benke. Capt. Cochran retired from the service some time in the early part of 1919.

From that time forward practically all settlements made with the leather manufacturers were made by Byron, Goetz, and Benke. These men called four meetings of the leather manufacturers and tanners between the time of the signing of the armistice and the final consummation of the sale of this surplus leather goods. The first meeting was at the office of Maj. Byron, in the War Department, on Monday, December 23, 1918. In 1919 another meeting was held at Chicago; another in Atlantic City in the latter part of July, 1920; and finally another meeting on September 14, 1920, at the Auditorium Hotel, Chicago. Goetz, Byron, and Benke were present at all of these meetings, and at all of them the question of the disposition to be made of the surplus leather goods was discussed. It will be remembered that during this time these three men were members of the claims board and had nothing to do with the sale of the leather goods, this being ordinarily done by the Surplus Property Division, an entirely distinct division. However, they attended these meetings and had charge of them. At these meetings discussions were had and plans proposed as to what should be done with this harness, so that it might not come into the market in competition with the product of the manufacturers. Various plans were proposed at these meetings—first, to ship it to foreign countries and sell it there, and as a result of this the War Department instructed all our military attachés at various places to try to sell the harness in foreign countries for what they could get for it. However, it was found it could not be sold any place. Then these men, meeting in convention, concluded that the leather goods ought to be put away and kept until the next war.

At all of these meetings Goetz and Byron indicated that they did not desire to have the stuff come onto the market in competition with the product of the manufacturers. To illustrate this, at the Chicago meeting in September, 1920, Maj. Byron said:

> I have been very much disturbed for the past year and a half in Washington that some speculator should get hold of this material, the way they have of other materials, and go and dump it in some one man's territory, maybe ruin his business for five years, so that what we are aiming to do is to pass this back to the consumer, as far as possible, through the trade, having in view the expense of marketing and the return to the Government, and having in view also as little injury as possible to the manufacturer who is in this line; and, another thing, to spread it thin over the country; not dump it all in one man's territory. * * * The object, I think, is to spread it thin.

Very little of the harness was sold. Mr. E. C. Morse was then Director of Sales. There is no doubt in my mind but that Mr. Morse was acting in conjunction with Byron and Goetz in these matters. Such sales as were permitted were in odd lots, so that no one cared to bid. No real effort was made to sell any of this material until the spring of 1920, when five sales campaigns were conducted and where hundreds of bids were taken for small amounts of the goods in question, many higher than the amounts finally received, and which were rejected. No real effort to sell was made during this time. As a matter of fact, Mr. E. C. Morse was evidently leading up to the final sale of this property to Goetz and Byron, because on March 12, 1920, in a memorandum to the Assistant Secretary of War he said this:

> 8. The problems facing the sales department in connection with harness are—
>
> First, to dispose of, approximately, 175,000 sets of breast-collar harness, with component parts representing in the neighborhood of 70,000 more sets; and, second, the disposal of 75,000 McClellan saddles.
>
> I did not expect that we would be able to move this material by any regular method of sale, but I did think it advisable to try this method to build up our case (p. 4891).

Maj. Watts and Capt. Bosson, officers in charge of the Surplus Property Division, who were authorized to sell this property, whenever they tried to sell anything found constant opposition from Col. Goetz and Maj. Byron, who were on the Claims Board. These two worthies secured a muddy set of the artillery harness in question, brought it to Washington, and exhibited it to prospective bidders as a sample of the harness, and circulated reports in every possible way that the harness was of no value.

In the spring of 1920 Col. Goetz and Capt. Benke went to Rock Island, Ill., where there was the largest and best harness shop in the world in the Government arsenal, for the purpose of taking some of the machinery out of the arsenal to convert it for use in vocational training. Who sent them, members of the Claims Board, on this mission, no one knows. In the spring of 1920 the Secretary of War issued an order to dismantle the leather shop in the Rock Island Arsenal and remove it at once. One hundred and six carloads were taken out of this arsenal and not more than 10 per cent of it has ever been set up at Jeffersonville, Ind., where it was supposed to be taken. To-day there is not a leather working arsenal in the United States where this harness, or any other harness in any considerable amount, can be changed. The Secretary of War was so fearful that some congressional action might stop it that an immense force of men was put on at the Rock Island Arsenal, who worked day and night to get this done in order to avoid any congressional restriction.

After all this was done Goetz, Byron, and Benke made their final preparations for the contract they ultimately obtained. As early as May, 1920, they were talking with Mr. Morse about buying all the surplus leather goods. The harness manufacturers and tanners of the country thought that this material would not come onto the market. Lulled to security by what Byron and Goetz had told them, matters drifted along until September 3, 1920, when, without advertising and without bids, the Director of Sales, Morse, gave Goetz, Byron, Benke, and Cochran an option on all surplus leather goods of the Government. Before that time Mr. Morse had issued an order, in the name of the Secretary of War, that no option could be given, and yet in this instance he himself gave a written option. The next day, September 4, after the option was signed Col. Goetz retired from the Army, and later, in the fall, Benke also retired. A corporation was at once formed, known as the United States Harness Co., the details of which had been tentatively arranged before securing this option. The four officers of this corporation, which has a capital stock of $300,000, are Goetz, Byron, Benke, and Cochran, each of whom receive a salary of $25,000 a year. Seventeen harness firms in the United States each bought $10,000 worth of stock, Goetz, Byron, Benke, and Cochran taking the other $130,000.

The amount of surplus leather goods included in this contract ranges in estimate from $27,000,000 to $150,000,000. In February, 1919, Col. Goetz himself estimated this surplus leather goods at $150,000,000. How much of it there is no one knows.

The contract with the United States Harness Co. includes all surplus already declared and all future surplus. By this contract a minimum price is fixed on artillery harness, 1916 model, and H. T. G. harness, the minimum for artillery being $14.60 for a double set of wheel, and $12.80 for a double set of lead, K. C. grade. This harness cost the Government $226 a double set for wheel and $170 for lead. I have a set of it here which may be inspected. Each double set comprises 2 McClellan saddles, 1 saddle bag, 1 riding whip, 2 blankets, 2 halters, a rope lead, 2 bridle and 2 choke straps, 2 breast collars and neck straps, 4 cable traces, 2 turnbacks and hips, and four 22-inch hook and ring chains.

The company is to remake such of this harness as needs remaking and then sell it. The Government is to have 60 per cent of the gross receipts and the company 40 per cent. Wherever the 60 per cent falls below the minimum price the minimum price must be paid.

In explaining the large expense that the company would be put to to remake this harness Col. Goetz stated that the hames for the new harness would cost them $4.50 per pair. However, it afterwards developed that Mr. Morse, Director of Sales, had offered them 11,000 pairs of hames which the War Department had at 25 cents per pair, which were very promptly accepted.

There is no doubt in any reasonable man's mind but that the stockholders of the United States Harness Co. will make millions of dollars profits by the contract they have made. It is apparent to any unprejudiced person that there was a concerted plan from the beginning to so manipulate the surplus leather matters that finally these four men who knew more

about the harness and leather situation than anyone else in the Army might get the benefits when it was disposed of. They were the men who fixed the prices on it in the first place, who bought excessive quantities of it, and who had all the information there was about its quantity and quality.

The evidence indicated that, at Government expense, Goetz and Byron had traveled about the country while members of the Claims Board and with no real authority to do so, and thus had obtained an intimate and complete knowledge of the exact whereabouts, condition, and value of all the leather goods in the possession of the Government, leading the leather manufacturers and tanners of the country to believe that they intended to keep it off the market for two years at least. But little was done. Then suddenly they take over this material which they had dealt with as officers in the United States Army, greatly to the surprise and consternation of the remainder of the leather manufacturers and tanners of the country, and now are in entire control of the situation, with immense profits in sight.

I do not defend the attitude of the harness manufacturers and tanners of the country. Their only interest seems to have been to protect themselves from competition in the market and to keep the prices up. I have the most supreme contempt for that sort of a patriot. [Applause.]

I state now and charge publicly that in my opinion the acts of Goetz, Byron, Benke, and Cochran were not only a breach of faith with the Government, whose uniform they wore, but, in my judgment, constituted a criminal conspiracy to enrich themselves at the expense of the Government. It has been said that the contract with the United States Harness Co. presents the opportunity for the Government to obtain the largest possible return from its surplus leather goods. It may be that this is true, although personally I do not think so. In three months alone they made about $250,000 on this contract. Forty per cent of $27,000,000 is $10,800,000. The War Department for two years has apparently attempted to detract from the possibility of selling this material through the War Department. The Government has wrecked the only Government shop in the United States where the harness might have been converted. Immediately after the armistice this mass of harness, if known to be surplus, ought to have been sent to the working arsenals of the United States and there converted into something that was salable. But this was not done; instead the arsenal was wrecked. So I say it may be that if this contract is honestly executed the Government returns may be greater than any other present possible method. Irrespective of this, however, I desire to challenge the attention of the Members of this House to the fact that on grounds of public policy such contracts as this ought not to be executed. If it is possible for men in the employ of the United States, especially if they be officers in the Military Department, to have constantly before their eyes the possibilities of leaving the service and acquiring great gains from the purchases of materials with which they had had to deal, there is constantly before the eyes of every man in the public service the temptation to be dishonest to his employer, the people of the United States. It can not be too strongly condemned. It ought to be against the law. In my State it is against the statutory law for even a school-teacher to sell a box of chalk to his district, so careful have our people been about putting temptation before the eyes of the public officials.

I make the following observations as to remedies I would suggest to put an end to practices such as I have been detailing:

First. A law should be enacted making it illegal for any former officer, enlisted man, or employee of the Army, Navy, or Marine Corps to purchase any surplus material from the Government within two years from the time of his leaving the service, except such purchases as are made from retail stores and commissaries.

Second. The provisions of the military appropriations act for the fiscal year ending June 30, 1919, giving the President power to sell surplus property should be either repealed or so modified as to make proper provision providing for the prompt declaration of surplus and for advertising and public bidding on sales of such property.

I will say here that I have no doubt, nor have I seen anyone who has any doubt, that there is over a billion dollars' worth of surplus in the War Department that has not yet been declared. There is enough surplus goods in the War Department now to pay the soldiers' bonus that we have been talking about for some time, if it was properly administered as such.

In these later days much has been said about "water that has gone over the wheel." Such talk is folly. If a man rob another and spend the money, do you say "the water has gone over the wheel"? If a man kills another, shall we say "the man is dead, and therefore why talk about it now"? However, it will be remembered that these things I have been telling you are not "water over the wheel." The water is going over now. I have no hesitancy in saying that more out and out rascality has occurred in our Government since the war than ever occurred while it was on. I can overlook much that happened during the bustle and rush of war. We ought to overlook much, but I have no atom of sympathy for the thief or grafter who plies his trade when the war is over, nor have I any more sympathy in my heart for the public official who will permit him to do it without any attempt to stay his hand. [Applause.]

When the guns of a hostile fleet are reaching out their targets it is good strategy to throw overboard some smoke boxes and behind the smoke screen thus created flee to safety. Thus it has been lately. The carefully staged performance recently brought to our attention, where one high in the councils of this administration struts and swears, and swears and struts, and throws about the miserable grafter and incompetent official the sheltering mantle of the glorious deeds of our boys across the seas is to this end. The captious heckling from our Democratic brethren about the payment of certain bills is for the same purpose. I charge you, my colleagues, that behind this screen there are thieves and grafters going unwhipped of justice and pillaging the Public Treasury. [Applause.]

Mr. FESS. Mr. Chairman, will the gentleman yield there?

Mr. GRAHAM of Illinois. I yield to the gentleman from Ohio.

Mr. FESS. Do not the hearings disclose the fact that there was a protest on the part of some one in the War Department—I mean in the Army—against this leather contract sent directly to the Secretary of War, Mr. Baker?

Mr. GRAHAM of Illinois. I say to the gentleman from Ohio that two officers who protested were summarily dismissed from the service for making the protest about this contract. I do not have much use for some of those who are trying to break it, but I tell you that this contract and the principle in it is bad.

During the delivery of Mr. GRAHAM's remarks the following occurred:

Mr. KING. Mr. Chairman, I think there ought to be a quorum present to hear this, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] Eighty-two gentlemen are present, not a quorum.

Mr. SLEMP. Mr. Chairman, I move that the committee do now rise, and on that I demand tellers.

Tellers were ordered; and the Chair appointed Mr. SLEMP and Mr. MCCLINTIC to act as tellers.

The committee divided; and the tellers reported—ayes 1, noes 100.

So the committee refused to rise.

The CHAIRMAN. The count of the tellers discloses a quorum is present.

Mr. GRAHAM of Illinois then concluded his remarks.

Mr. EAGAN. Mr. Chairman, I yield 15 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, I rise to call the attention of the committee to a bill reported by the Committee on Interstate and Foreign Commerce with amendments, which I deem of great importance to the people of our country. I speak of no less a measure than the bill, commonly known as the maternity and infancy bill, recently passed by the Senate and now on the Unanimous Consent Calendar of the House.

It is a bill destined for the public protection of maternity and infancy, providing a method of cooperation between the Government of the United States and the several States. It appropriates $480,000, of which $10,000 shall be paid annually to each State in the manner provided. There is also an additional sum of $1,000,000 appropriated for the fiscal year ending June 30, 1922, and annually thereafter a sum not to exceed $1,480,000. The additional appropriation to be apportioned among the States in the proportion their population bears to the total population of the United States. No State shall be entitled to its allotment of the additional appropriation until it has appropriated an equal sum for the maintenance of the services and facilities provided under the bill. It establishes no new machinery for carrying on the work provided under the bill, but utilizes the Children's Bureau now established for work of a similar nature.

The bill stipulates that the Children's Bureau shall have charge of all matters concerning the administration of this act, and shall cooperate with the State agencies authorized to carry

out the provisions thereof. It shall likewise make or cause to be made investigations and reports to promote its efficient administration. The separate States are free to carry out their approved plans without interference from the Federal Board. The Federal Government does not act nor propose to embark on a medical or surgical campaign, but to stimulate, guide, and make accessible instructions and care to all mothers and infants.

The service is in no sense compulsory upon the mother, she being at liberty to avail herself of the opportunity or not as she deems proper. The State may or may not, as it thinks proper, avail itself of the opportunity afforded by this bill, but to secure the benefits of the appropriations it shall accept the provisions of the act and designate or authorize the creation of a State agency with which the Children's Bureau shall have all necessary power to cooperate in the administration of the same. Not more than 5 per cent of the appropriation shall be used any fiscal year by the Children's Bureau in administering this law, which shall be deducted from the appropriation before distribution.

Each State before it can avail itself of the benefits of the act shall by its agency submit to the Children's Bureau detailed plans for carrying out its terms, which shall include the provisions to be made by the State for the administration of the act, the provision for instruction in the hygiene of maternity and infancy through public-health nurses, consultation centers, and other suitable measures. The facilities provided by any State agency cooperating under this act shall be available for all the residents of the State.

You will note from the cursory remarks I have made upon the provisions of the bill that it in no wise provides for the embarkation of the National Government upon these matters in the various States, but provides for funds to be duplicated by the States, and leaves it to the States to carry out the work therein.

NEED OF SUCH LEGISLATION.

That there is a vast need for such legislation and for such an appropriation was clearly demonstrated by facts brought out during the war, which revealed that of the 15 so-called civilized countries, the United States ranked next to bottom in maternity and infancy care, Spain alone having a greater per cent of maternity mortality—a situation which is certainly not creditable to a nation of such vast resources and population, to one which has done so much for the entire world, and is looked to by all the countries for guidance and assistance. In the year 1918, 23,000 mothers died in the United States from childbirth and causes directly attributable to childbirth—a startling statement, but true. A more startling one, however, is that in the United States we lose more than 250,000 infants every year—a total in excess of three times the number of men killed and wounded in our participation of the World War.

When the draft for the World War was taken in the United States, facts revealed by the examinations at that time showed that one-half of the young men of the country were not physically fit for military service, and physicians have told us that out of this vast number of unfit men a very large percentage could have been sound, well, and capable of military service had there been proper care given at the time of their birth. It is a fact too well known to need repetition that a very large percentage of blindness in the United States could have been prevented by proper care at birth.

When we realize this state of affairs we can readily see that the time has certainly arrived when every facility should be afforded to assist the mothers and the babies of the land, and to give them a chance to live and be well during the coming years. This is not a mere dream, nor an untried proposition, nor is it new to those who have made a study of the subject. A similar plan is now in practical operation in England where they have cut their maternity and infancy mortality rate to less than half of that prevailing in the United States, and this despite the disadvantages of war conditions. Work of this nature is also in practice in Australia and New Zealand, which countries have been able to reduce mortality rating to the lowest in the world.

In New York City where surveys have been made it is shown that where prenatal and maternity care have been given through the Milk Station Association the mortality has been cut from 5 per cent of every 1,000 to 1.5 per cent out of every 1,000, nearly one-fourth of the original rate, and this by an association with limited means.

The great necessity for such provision can be well seen when we realize that the number of men studying medicine by virtue of the very high standard now required has greatly decreased in the last 10 years, and many sections of the country districts are practically without medical provision. Statistics gathered by the Children's Bureau show that in some rural sections 80 per cent of the mothers receive neither prenatal care nor advice or trained care during confinement. This problem is not peculiar to any section of our Nation, but is general. Federal action is urgently needed and this bill offers a method of practical cooperation between the Federal Government and the States, and while it carries an appropriation, though small, it is but a stimulant from the National Government, and leaves the entire work to the State agencies wholly under the control of the State Government.

SYSTEM NOT NEW.

The system is not new, as the method is already successfully operating in promoting agricultural work, vocational education, and the building of good roads, all of which have been highly agreeable to the people of the land and have accomplished a vast amount of beneficial work in their respective lines. When we realize that the amount of money expended upon the problems of women and children is almost nothing, we can readily believe it is about time we provide at least a system by which they can obtain relief, if they so desire. The percentage expended on the problems of women and children amounts to 5.5/1000 of 1 per cent. Think of that almost infinitesimal figure compared with other appropriations.

The operation, as I have said, is placed under the Children's Bureau, which has the confidence of the women throughout the United States, and under its administration the work will no doubt be handled as a department of primary importance and not as an additional health problem. Now is the accepted time for this bill to be incorporated into law. Some 40 State legislatures are now in session, or will soon be in session, and by the prompt passage of this bill the work will be promoted two years to what it otherwise would be, as many of the legislatures will not meet again for another two years, and the bill can not go into effect without State appropriations duplicating those of the National Government.

I sincerely hope that the membership of this House will scrutinize and study the terms of this bill, will seek information upon the status of maternity and infancy cases, and when you have made a study of this subject I feel assured there can be no objection to the passage of a measure which means so much to the women and babies of the country.

The gentleman from Mississippi [Mr. SISSON] informed us a few days ago that more than 80 per cent of our revenue went for war purposes.

We have appropriated more than $750,000,000 to the Army and Navy, and to-day are about to appropriate around $8,000,000 for fortifications. What is it all worth without man power back of it?

The chairman of the Appropriations Committee, Mr. GOOD, recently informed us that the United States national wealth is estimated at $240,000,000,000, and that its national debt represents 10 per cent of that wealth; that Great Britain had a national wealth of $69,000,000,000, with a national debt of 60 per cent thereof.

Can we not upon the face of these figures grant to the mothers and infants of the land at least the same resources and protection that Great Britain, with scarcely more than one-fourth of our national wealth, grants to her subjects?

We have appropriated for practically all the needs of the country, provided for a great Navy program and a sufficiently large Army. Vast appropriations have been made for agricultural purposes and numerous other matters. Is it not high time and should not this session of Congress grant quick action on this bill by its passage before the adjournment of the Sixty-sixth Congress? [Applause.]

Mr. EAGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, I picked up from my desk last night a bulletin which is issued each month by the National City Bank, of New York City, dealing with economic and business conditions, and I see in one of its columns a statement of the declines in commodity prices which have taken place as to certain commodities during 1920. Cotton has declined 62½ per cent; wool, scoured, 56.55 per cent; hides, 52½ per cent; wheat, 20 per cent; corn, 53 per cent; rice, 58 per cent; steers, 38 per cent; hogs, 33⅓ per cent; pork 38⅓ per cent; and lard, 47 per cent.

Most of these products which I have enumerated are products of the farm.

Studying this column of figures in the bulletin which I have before me still further, I see that steel billets have only declined 9⅛ per cent, that pig iron has only declined 8½ per cent, and that bituminous coal increased, in 1920, 60 per cent, although I understand there has been some small decline from this high figure since January 1, 1921. Now, in the debate on the general deficiency bill last week, I made some remarks in which I endeav-

ored to point out that freight and passenger rates must be revised downward. In those remarks I stated it was quite evident that before transportation cost could come down that the operating expenses of the railroads must be reduced, and that the three principal items of operating costs are wages, steel, and coal. Recently Judge Gary has come out in a statement in which he says that there will be no reduction in the price of steel, and in that statement, among other things, he has this to say:

It seems to me—

He continued—

that any manufacturer of steel who contemplates reducing steel prices below the basis fixed by the industrial board in 1919 must have in mind the intention of reducing wages correspondingly, thereby charging the difference to the working people. If so, the manufacturer is wrong and unfair, unless, of course, the present selling prices are higher than they ought to be, which would be unfair to the consumers, or wage rates are higher than they should be.

Now, gentlemen, I think that a study of the profit sheet of the United States Steel Corporation for 1920 and the years shortly preceding it will convince us that the price of steel to the consumer, to quote Judge Gary's words, "is higher than it ought to be" and can be reduced to the American people to a substantial extent without a reduction of wages. Now, let us see what such a statement shows, and I will quote the figures only in round numbers: In 1914 the United States Steel Corporation had net earnings of $71,000,000. In 1915, $130,000,000; in 1916, $333,000,000; in 1917, $295,0000,000; in 1918, $199,000,000; in 1919, $143,000,000; in 1920, judging by the statement of the three quarters which I have seen, will be $181,000,000, as against $71,000,000 in 1914; and yet Judge Gary, the chairman of the board of directors of the Steel Corporation, says that the American public need not expect any reduction in the price of steel unless the wages of employees are reduced. But whether that is true or not, the fact remains that there must be some reduction in steel to the American public. The trouble with some of these large industries is this: They are wanting to keep their scale of profits on the high, inflated basis of the war period, and unless they are willing to set their own houses in order and put their earnings at a more moderate rate it seems to me that Congress, as reluctant as we may be to go into the subject of regulation, will have to do something to relieve the situation. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. EAGAN. I yield two additional minutes to the gentleman.

Mr. BLACK. I contend that the attitude of some of the highly organized labor and some of the highly organized industries can not be maintained. I submit that we have no right to expect that the agricultural interests and the farming interests of the Nation shall bear all the burdens of readjustment. [Applause.] There may be interests that are perfectly willing that they shall do so, but, regardless of how willing some might be that it be done, the force of economic law would prevent such a program being carried out.

But it seems to me that it would be the better part of wisdom on the part of these highly organized industries and their employees to take into account the situation that does exist and bring their prices appreciably in conformity to the general prices of the country, rather than to let the iron law of necessity compel it. There may be some portions of organized capital and some of organized labor who will maintain a belligerent attitude and say they will take no reduction in dividends and no reduction in wages, but in due time economic law will get in its work and will compel them to be brought into comparable balance with the rest of the country. I do not want to see capital earn less than a fair and reasonable dividend, based on an honest valuation, nor do I want to see labor earn less than a living wage, but to say that does not mean that I approve the effort to maintain the present inequitable situation which exists as to some strongly intrenched industries. If capital and labor will both make the necessary concessions, a great deal of unemployment and hardship can be avoided and both parties will be rewarded by the exercise of such good wisdom.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EAGAN. I yield to the gentleman one minute more.

Mr. BLACK. It has been very well said: "We can not look for a restoration of full employment and prosperity until something like the old balance between agriculture and the other industries has been restored." When a pound of cotton and a bushel of wheat and a pound of pork and a pound of wool will buy measurably as much of goods in the stores as they would buy in 1919 and 1920, and will buy as much transportation as they bought then, the farmer will be able to resume his position in the trading circle; not before. And until the farmer can resume his position in the trading circle we will not have general prosperity and a full restoration of employment.

In conclusion let me stress that the lowering of railroad rates is of the utmost importance to the restoration of prosperity to the agricultural and live-stock interests in particular and the public in general. The cost of transportation is out of all proportion to the prices which the producer is receiving for his products, and I fear some perishable products, like fruit, melons, and vegetables, will not be able to move at all for long-distance hauls during the season of big supply and low prices. The condition should be apparent to everyone and calls for quick action. Operating expenses must be reduced and the reduction of rates to the public should quickly follow. Then traffic will again be able to move freely and much of the present plight of the railroads as well as other industries will be relieved.

Mr. EAGAN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. YOUNG]. [Applause.]

Mr. YOUNG of Texas. Mr. Chairman and gentlemen of the committee, I realize that this session is fast drawing to a close. I listened with a degree of interest to the majority leader of the House [Mr. MONDELL] to-day in his résumé of the rapidity with which this House has enacted legislation since the beginning of the session in the early part of December, but in that résumé given by the majority leader every single bill that he referred to that was passed by this Congress was an appropriation bill, disposing of tax money of the people of this Nation. Not one single piece of legislation has been brought on the floor of this House of a reconstructive nature. And if there ever was a period in the history of the Nation where the country demanded that there should be remedial legislation after the war, that period is here now.

The majority leader [Mr. MONDELL] boasts of the fact that we have passed appropriation bills laying a tax burden on the people of this Nation exceeding $2,000,000,000. Do the people get any consolation from that kind of legislation? Why is not the statesmanship of the majority leader broad enough to comprehend the conditions that confront this Nation of ours now? You have a chaotic condition in the business world; you have worse than a chaotic condition in the agricultural and stock-raising sections of our Nation. Legislation of a remedial character is absolutely essential at this time if order is to be brought out of this chaos.

I come from a great agricultural State, and my people do not know how to turn. They do not know what to do. They have been engaged in the great enterprise of growing food supplies and raw materials for their fellows. They grew last year at sacrifice prices in that wonderful State 4,000,000 and more bales of cotton to clothe the world, yet the cotton farmer is bankrupt. He can not sell his product. The channels of commerce have not been open to him since the war, and there has been nothing done on the floor of this House except to tax him, and no effort made to pass any legislation to relieve the present condition. And in that wonderful State, as well as in the West and Northwest States of this Nation, with the State of Texas a breeding ground for the cattle industry of the Nation, with more than 6,000,000 head of cattle, the stockman is bankrupt; he can not meet his banking obligations. His ranches are going without cattle. The feed pens of that and other States are no longer being used to fatten the herds. There is something wrong when an industry like that, that the people must have if the people live, is in that condition. There is something wrong. That wrong, I charge, can be traced to the organization of the packers of this Nation that constitute the only market and distributing agency that the live-stock producers have. And you have this situation:

The cattlemen are bankrupt; they can not continue in business because the market for their products will not pay the expenses of growing these herds, and in your congested centers people can not eat meat because the price is prohibitive. Where is the economic cause that brings about a condition like this in a great Nation with 105,000,000 people that must be fed? If there is an economic cause—and there is—that brings about this condition, statesmanship says that we should seek out that cause and apply the remedy. I charge the cause lies at the door of the five great packing organizations of this country that have grown independently rich. Only a few days since one of them declared a stock dividend of 1,233 per cent. And they have five of these organizations.

Your committees, duly appointed by this House, have given consideration to these packer bills for weeks and months, and we have accumulated multiplied thousands of pages of information. I am not speaking loosely. I am speaking as a member of the Committee on Agriculture, having heard the testimony from the witnesses that came here from every part of the Na-

tion, and having digested that testimony to the best of my ability, as did the committee. And we have tried to apply the remedy. The Senate committee have done the same thing. The bill was reported to the floor of the Senate, it was duly debated, and that bill, regulating the packers, passed by an overwhelming majority of that body. Your Committee on Agriculture, in the due discharge of its duty, had that bill and the House bill before us, and we did what committees seldom do—we considered that bill in open committee session. The public had access to every word that was uttered, every debate that was engaged in. I commend this kind of publicity to the steering committee. It is a helpful remedy for their present situation if they but apply it.

I would like to hear what they say behind closed doors in discussing this packer bill, which is now on the calendar and can be enacted into law. I charge them with blocking this legislation on the floor of this House—legislation seeking to meet the troubles that I have discussed. I have appealed in the days gone by to the majority leader [Mr. MONDELL]. I have appealed to the steering committee, with MADDEN, from Chicago, as its dominating head. I have appealed to the gentleman from Kansas [Mr. CAMPBELL], the chairman of the Committee on Rules, which has in its power to suspend all rules of the House and bring in a rule here so that we can have this bill before us and debate it and give a remedy to the stock producers of this Nation and the consumers of this Nation. Why do not you exercise statesmanship and give us that rule and do something constructive? [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. EAGAN. Mr. Chairman, I give the gentleman five additional minutes.

The CHAIRMAN. The gentleman is recognized for five additional minutes.

Mr. YOUNG of Texas. I place the responsibility where it belongs, because the Republican side of the House is in power. We have got the votes on this the Democratic side of the House to join with the votes that you have on that side of the House to enact this bill into law, and you can do it within 24 hours, too, and you would be doing the just thing when you do it. I have had no response from the majority leader [Mr. MONDELL]. When I queried him on yesterday and asked him if he would bring up the packer bill after we got through with the fortification bill he turned his back and ran and became both deaf and dumb. He made no answer. [Applause on the Democratic side.]

Neither has the gentleman from Kansas [Mr. CAMPBELL] made an answer. The great Committee on Rules was in session on yesterday. I hoped that on yesterday or to-day the glad tidings and the good news would come to this floor and to the country that the gentleman from Kansas, representing a great stock-producing State—and every witness from that State before our committee wanted this bill—would hear their call and their appeal. They brought out two rules, one some little local bill about Indians and another a little local bill about the Erie Canal. Statesmanship? It is a bluff; it is an effort to kill the time of this Congress so that the packer bill can not come up for consideration.

I appeal now, as I appealed to every power that I know how to appeal to in this House, to another power that I have not heretofore appealed to, and that is the power of the House itself. Oh, those were laborious days in the Committee on Agriculture when we were having hearings and drafting this bill. In that committee stood foursquare the gentleman from Kansas [Mr. TINCHER] and fought with me to enact this legislation.

Mr. CROWTHER. Mr. Chairman, I make the point of order that there is no quorum present. I think there should be more Members here to hear this talk.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count.

Mr. WINGO. Mr. Chairman, I hope the gentleman will withdraw that. The incoming President is insisting that the appropriation bills shall be got through. I want to help him. I hope the gentleman will not filibuster.

The CHAIRMAN (after counting). Sixty-seven Members are present—not a quorum.

Mr. SLEMP. Mr. Chairman, I move that the committee rise.

Mr. McCLINTIC. It comes too late.

The CHAIRMAN. The gentleman from Virginia moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. SLEMP. Tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Virginia asks for tellers.

Tellers were ordered, and the Chairman appointed Mr. SLEMP and Mr. EAGAN as tellers.

The CHAIRMAN. Those who favor and those who oppose the committee rising will pass through the tellers and be counted.

The committee divided; and there were—ayes 7, noes 78.

The CHAIRMAN. The committee refuses to rise. A quorum is not present. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Ellsworth	Kelley, Mich.	Ramsey
Ashbrook	Emerson	Kennedy, Iowa	Randall, Calif.
Ayres	Evans, Nev.	Kennedy, R. I.	Rayburn
Bacharach	Fairfield	Kincheloe	Rigrdan
Baer	Ferris	Kitchin	Rogers
Bankhead	Frear	Kleczka	Rowan
Bell	Freeman	Lee, Ga.	Rubey
Benson	Fuller	Lesher	Rucker
Bland, Ind.	Gallagher	Little	Sanders, La.
Bland, Mo.	Gallivan	Lonergan	Sanford
Britten	Gandy	Longworth	Scully
Browne	Ganly	McAndrews	Sears
Brumbaugh	Gard	McArthur	Sells
Butler	Godwin, N. C.	McCulloch	Sherwood
Candler	Goodall	McGlennon	Sims
Cantrill	Goodwin, Ark.	McKiniry	Small
Carew	Goodykoontz	McKinley	Smith, Ill.
Casey	Graham, Pa.	McLane	Stephens, Miss.
Clark, Fla.	Griest	Maher	Stiness
Clark, Mo.	Griffin	Mann, S. C.	Stoll
Classon	Hamill	Mansfield	Strong, Pa.
Coady	Hamilton	Martin	Sullivan
Copley	Harreld	Mason	Thomas
Costello	Harrison	Mead	Towner
Crisp	Haugen	Montague	Vare
Currie, Mich.	Hersman	Moon	Vestal
Curry, Calif.	Hoey	Mooney	Ward
Dallinger	Howard	Moore, Va.	Welling
Davey	Hulings	Morin	Whaley
Dempsey	Hull, Tenn.	Mudd	Wheeler
Denison	Humphreys	Nelson, Wis.	White, Me.
Dent	Husted	Newton, Minn.	Wilson, Ill.
Dickinson, Mo.	James, Mich.	Overstreet	Wilson, Pa.
Donovan	James, Va.	Padgett	Winslow
Dooling	Jefferis	Paige	Wise
Doremus	Johnson, Miss.	Pell	Wood, Ind.
Doughton	Johnson, Wash.	Pou	Woods, Va.
Drane	Johnston, N. Y.	Rainey, Henry T.	Woodyard
Eagle	Kahn	Rainey, John W.	

The committee rose; and the Speaker having resumed the chair, Mr. DOWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the fortifications appropriation bill, H. R. 16100, found itself without a quorum; whereupon he caused the roll to be called, when 273 Members, a quorum, answered to their names, and he handed in the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

The committee accordingly resumed its session with Mr. DOWELL in the chair.

The CHAIRMAN. The gentleman from Texas [Mr. YOUNG] has two minutes remaining.

Mr. YOUNG of Texas. May I have five minutes more?

Mr. EAGAN. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Texas is recognized for seven minutes.

Mr. YOUNG of Texas. As I was beginning to remark when interrupted by the roll call, on this packer legislation that is now on the calendar I have for days appealed to the sources of power in this House. I have had no response. I am now making an appeal to a greater power yet, and that is the House itself. Are you helpless to do business? Your majority leader [Mr. MONDELL] admits that there is a majority of this House who will vote to write this packer legislation into law. Having that majority, are you helpless to bring this relief to the producers and consumers of the Nation? I now make my final appeal to my colleagues who have stood with me on the Committee on Agriculture, my friend the gentleman from Kansas [Mr. TINCHER], my friend the gentleman from Nebraska [Mr. MCLAUGHLIN], my friend the gentleman from Wisconsin [Mr. VOIGT], and the chairman of the Committee on Agriculture [Mr. HAUGEN]. We just need one shoulder to shoulder push in order to have law, and on you gentlemen is the responsibility. One word from the eloquent gentleman from Kansas [Mr. TINCHER] on this floor, or from the gentleman from Nebraska, or from the gentleman from Wisconsin, or from the gentleman from Iowa, and we will put it over. Will you deliver that word? You have no hope after this session, because forsooth the dominating power on that side of the House, the steering committee, are holding back this legislation and the big interests of this Nation are being cared for. The gentleman from Chicago [Mr. MADDEN] only recently gave out a remarkable in-

terview stating that after the 4th of March the power will be lodged north of the Ohio and east of the Mississippi, and they are going to use it. Where is Nebraska coming in with her stock industry? Where is Kansas coming in with her stock industry? Where is Texas coming in with her stock industry? Where are Montana and Wyoming coming in? In fact, what hope is there for the live-stock producers in all of the States of this Nation? It is up to you. The responsibility is yours, not mine. After the 4th of March I shall be a private citizen, and I am speaking now probably the last word that I will ever be able to utter for this effective piece of legislation; but as a private citizen I know that legislation is needed and I am making this appeal for the people who need this law. Where is the power that is closing the mouths of these gentlemen who helped me and others to report out this bill? Where is that power? Oh, these big interests!

I want to say to these packer organizations that you better accept these regulations. You by your conduct in the tanning business are driving the tanners out of existence; you entering in the grocery business are driving the grocers out of existence; you in the cottonseed oil business are driving my people, that built up the enterprise, out of business. You have entered a thousand fields of endeavor not related to the packing business. You become a monopoly in whatever field you engage. The tremendous power of this organization is enormous. What are we, as the Congress, going to do about it? [Applause.]

I want to say that the power they have is a power that ought not to be vested in any small lot of men—five of them—the power of life and death over 105,000,000 American people, controlling the food supply of this Nation. They have grown rich and the country is becoming impoverished. Oh, gentlemen, I make this appeal, probably my last appeal to you on this side of the House, you men who come from the stock States, I know your hearts and I know your interests, and I want to say that this is the time for you men to rise up above party politics, for this is not a party measure, because distinguished Senators, one Republican, the other Democrat, are joint authors of this bill. It was passed by a Republican Senate, and I am appealing to you as American citizens, do not let the gentleman from Chicago, the home of the packers, have the power to close your mouths. What are you going to do?

It is no guesswork. It is funny that the gentleman from Minnesota [Mr. ANDERSON] was taken off the Committee on Agriculture and placed on the Committee on Appropriations just at the psychological moment. We needed his counsel and advice, as he had prepared the packer bill. We also needed his vote. We have 48 States in this Union, and the great agricultural sections are not represented on the Committee on Agriculture, the only committee that undertakes to legislate for the farmers. What is the personnel of this committee as now organized? Three gentlemen from Illinois, where the packers live and have their seat of power. Is that right? In the next Congress you will have the same thing; and mark my prediction, if packers can control the formation of the Committee on Agriculture next session, then there will be such committee personnel that you need not expect the committee to report a bill regulating the packers.

Now, there is the photograph; there are these three gentlemen from Illinois, all interested in defeating packer legislation. Look at the other States in this Nation, the agricultural and stock-raising States, that have no representative here on the Committee on Agriculture, and I make that appeal to you gentlemen on this side of the House, that now is the time we can and should have packer legislation. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. EAGAN. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. Box].

Mr. BOX. Mr. Chairman and gentlemen, if I can be as much at ease as I am when at home, I want to make a statement on a subject that does not usually divide us along partisan lines. I would like to speak sanely and temperately, because moderation usually characterizes truth and sound judgment, and because I would like to have you consider, at what you believe them to be worth, the things that I say on the subject of immigration. It is now known by all of us with reasonable certainty that the effort we made to enact legislation on that important subject will prove futile so far as this Congress is concerned. The number of people coming now from Europe under the bad conditions, to which I will refer briefly later, if I have time, is such that it does concern the American people and concerns you when you have time to give it thought.

My own appreciation of its importance is my apology for breaking in upon your deliberations to ask you to consider this subject again. I call your attention to the manner in which the tide of immigration, the number coming, has increased since the signing of the armistice. Beginning in November, 1918, more than two years ago, I give you the numbers in thousands, with the hundreds omitted:

November, 1918, 8,000; December, 10,000; January, 9,000; February, 10,000; March, 14,000; April, 16,000; May, 15,000; June, 17,000; July, 18,000; August, 20,000; September, 26,000; October, 32,000; November, 27,000; December, 37,000; January, 31,000; February, 30,000; March, 39,000; April, 48,000; May, 53,000; June, 62,000; July, 62,000; August, 67,000; September, 72,000; October, 74,000; November, 65,000; December, 1920, 68,000.

The Commissioner General of Immigration has just returned from an extensive visit to Europe and has made a report on the situation and prospects as to immigration. His first, I think, was in his statement before the Senate committee while it was considering the Johnson bill. I read to you a brief extract from his statement before that committee, page 585 of the Senate committee hearings:

> The rising tide bids fair to go by leaps and bounds unless checked so that the 1914 rate, which was one of the very highest, will from present indications be passed by the end of this fiscal year, June 30 next.

Farther down on same page:

> I hesitate to estimate what will be the rate when Germany, Austria, and the other States open up their supplies.
>
> * * * * * * *
>
> At the rate of increase for the past six months, if Germany and Austria open their gates through a declaration of peace, the 2,000,000 rate will be approximated and probably passed before January 1, 1922, provided that shipping facilities are available.

I read again from the statement of the Commissioner General to the Senate committee, pages 574 and 575 of the hearings, his statement of the activities in Europe tending to facilitate the coming to this country of immigrants.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. BOX. I do not want to be discourteous, but I will ask not to be interrupted at present. I read:

> At Southampton and other places visited, the activities of organizations and committees in connection with the movement of emigrants to America and other places were made apparent. In fact, there appeared to be as much publicity given and desired as to their labors as business enterprises manifest. They possess headquarters at Paris, Warsaw, Danzig, and many other cities of Europe. The organizations present a complete network, with thousands of aliens in their train, moving from place to place, apparently under their direction. They possess establishments at which these people are fed and lodged, and maintain offices for the transaction of the business involved in their work.

Reading now from page 575:

> Besides, work is carried on through delegates who come from America, representing particular communities there, bringing money for distribution, and return with individuals to whom money was sent to pay the cost of transportation.

Reports from numerous and widely scattered sources and of authentic nature, some of which have been presented to this House, many being of such character, of such authenticity, of such number and independence that there can be no doubt about their truth, show that such a number of people of the most unfortunate class—many of them dangerous, let us be frank to say—are striving to come, as to create the necessity for our giving attention to the movement and its consequences.

Mr. YATES. Mr. Chairman, can the gentleman state what that rate was in 1914?

Mr. BOX. It was one million two hundred thousand and some hundreds—1,218,480.

Mr. ROSE. Mr. Chairman, I merely wanted to ask if the gentleman would compare the immigration figures since the armistice with the prewar period. I am very much interested in his remarks.

Mr. BOX. The last six months covered by my figures show 411,901. These figures rise from small figures for preceding months. The number coming during the calendar year 1920 was more than three times as great as the number coming during the calendar year 1919, which began nearly two months after the armistice. That it will increase greatly and rapidly is almost certain.

I read briefly now from an article written by Mr. Kenneth L. Roberts in the Saturday Evening Post of February 12, 1921.

> I repeat that the desire throughout Europe to emigrate to America is so strong that the emigrant will practice any chicanery to break through the weak spots in an immigration law. Times have changed as regard emigration. Economic distress throughout Europe is so great, and will be so great for another decade, that America at its worst will have more attractions for the emigrant than his own country. Before the war for years the tide of emigration rose to its height in the spring and autumn and receded to its lowest level in the winter and summer. Now every ship that sails throughout the year is jammed. Before the war emigration rose and fell as America enjoyed prosperity or depression. Now, America under all conditions has equal attraction for the European. The people of America who are not bound by ties of blood to European countries are asking for new immigration laws.

That statement is met by those who want them to come with the further statement that the limitations upon shipping will necessarily restrict the number so that it will not be dangerous. The number is already dangerous. I call your attention to the additional fact that whenever profitable business is offered in increasing volume facilities are usually increased by people who are resourceful and active in the enlargement of their business. The steamship companies are active, rich, resourceful, and have the shipping of the world to draw from.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. BOX. Yes.

Mr. LAZARO. On account of the unlimited number that are permitted to come in and on account of our limited facilities for examining them in a medical way on the other side typhus fever has been imported here, and already several deaths have occurred from it in New York. Has the gentleman given that matter serious consideration?

Mr. BOX. I have, and I shall be glad to refer to it if I have the time a little later.

According to the testimony before the Senate Immigration Committee about 100 ships are now engaged in this traffic. According to the testimony of some witnesses they can not bring more than 800,000 or 1,000,000 per year, but the carriage of this traffic, like every other, expands with the demands of the business. I read from the statement of the Immigration Commission appointed in 1907, which devoted years of study to this subject and made a report along nonpartisan lines. Speaking of the increase of immigration after the War of 1812 and the increased shipping drawn into the traffic by the increase in profitable business:

> Upon the increased demand for transportation to the United States following the close of the second war with England many vessels which had originally been constructed solely for the purpose of transporting freight were hurriedly transposed into immigrant ships that they might enjoy some of the profits of the business that had become lucrative. This, with the fact that excessive overcrowding had been practiced on all vessels, rendered the condition of emigrants at sea almost unbearable. (Report Immigration Commission, vol. 2, p. 590.)

I have before me a statement of the Commissioner of Immigration at Ellis Island in answer to an inquiry made by me in which he says:

> I have been advised that there are a number of passenger-carrying vessels in course of construction, but have nothing very definite upon this point. Several lines are about to inaugurate new service, or have only recently done so; for instance, the Royal Mail Steamship Co. is to commence service between this port and Hamburg; the Baltic Steamship Co. only a few months ago started service between New York and Danzig. As yet it has only one vessel in operation, but I understand negotiations are under way for two or three more. The Baltic-American Line expects to take over the business and such vessels are available of the former Russian Volunteer Fleet and start business between this port and Danzig and Libau. The United States Mail Steamship Co. is at present operating the *Susquehanna* between New York and Danzig, and expects to have at least two more vessels in commission within the immediate future. The United American Line, which is represented to be the successor of the former Hamburg-American Line, has had the *Mount Clay* sail from New York for Hamburg, and has at least two other vessels which will be placed in commission within the next two months.

From all of the information which I have been able to gather, and I think most of my colleagues on the committee will agree with me as to this, this business is doing just exactly what other business does. As it grows it is provided with increased facilities, and if we make the mistake of imagining that this highly lucrative business will be permitted to go to waste by the astute business men who have control of the shipping of the earth, we will make as big a mistake as Germany made when she imagined that our ships would not take Americans to Europe because we did not have them when the movement started. I hope my fellow countrymen will not make the mistake of assuming that there is no danger here. The character of these people—and I speak of them with the kindliest of impulse—is such as to create the necessity of attention, to say the least of it. Men who are crowded into the extremities of human life by famine and other grim fortunes and fates like it are apt to become lawless and break away from the ties that ordinarily bind them. Crowding, poverty, want, and rags produce disease. It is now a fact that one ship came in recently bringing 16 cases of typhus on board from Italy. Another came bringing in 20 cases of typhus. Just how many will come if not prevented nobody knows, but I think it can be safely assumed, without our engaging in any extreme talk, that everyone will be brought whom the steamship companies can bring at a lucrative rate.

Mr. WILSON of Louisiana. Will the gentleman yield in reference to this matter of typhus?

Mr. BOX. I will.

Mr. WILSON of Louisiana. It is in reference to the ships coming in with typhus. The public press carried the statement the other day that on account of the fight made by Dr. Copeland in New York against admitting the immigrants infected with typhus that a cablegram had been sent to Europe to divert the ships to Boston, where there was no opposition.

Mr. BOX. I had not seen that item, but I know that the people of Boston are as wide-awake to protect themselves from a serious peril as anybody, and the steamship companies will find strong opposition there when, for the sake of profits, they propose to unload their disease-infected cargoes there.

Mr. LAZARO. Will my colleague yield?

Mr. BOX. I will.

Mr. LAZARO. Does not the gentleman believe that the only way in the world we can protect this country from typhus or any other epidemic disease from over there is to protect ourselves against those fellows over there before they start?

Mr. BOX. The gentleman asks a very pertinent and intelligent question, but he leads into a very difficult phase of the subject, because of the difficulty of regulating the matter on foreign soil. The House Committee on Immigration has recently held hearings on that particular matter, and I would like to go into it more fully, but my colleague will have to excuse me because of my lack of time. I call attention to the fact that many are coming here poverty stricken, as shown by the following figures covering arrivals during 10 days of December, 1920: Having no money, 2,693; having less than $5, 1,276; having less than $10, 1,530; having less than $20, 3,086; total at New York in 10 days, 8,537.

Can the gentleman from New Jersey spare me more time?

Mr. EAGAN. I can give the gentleman five additional minutes.

Mr. BOX. I would like 10 minutes.

Mr. SLEMP. Mr. Chairman, I move that the committee do now rise.

Mr. SUMNERS of Texas. Mr. Chairman, a point of order. I understood that my colleague has been yielded five minutes.

A MEMBER. The gentleman can finish to-morrow.

The CHAIRMAN. The gentleman from Texas [Mr. Box] has been yielded five minutes by the gentleman from New Jersey, and the gentleman will have five minutes——

Mr. BOX. In the morning?

The CHAIRMAN. In the morning.

The gentleman from Virginia [Mr. SLEMP] moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DOWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16100, the fortifications appropriation bill, and had come to no resolution thereon.

RETURN OF SENATE MESSAGE TO THE SENATE.

The SPEAKER laid before the House the following resolution of the Senate:

IN THE SENATE OF THE UNITED STATES,
February 15, 1921.

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the message of the Senate of February 9, 1921, announcing its disagreement to the amendments of the House of Representatives to the bill (S. 4205) to amend section 4, chapter 1, of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes, and asking a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, together with the said bill and the amendments of the House of Representatives thereto.

Attest:

GEORGE A. SANDERSON, *Secretary.*

The SPEAKER. Without objection, the request of the Senate will be complied with.

There was no objection.

LATE REPRESENTATIVE WALTER A. WATSON.

Mr. DREWRY. Mr. Speaker, I wish to offer a motion in reference to memorial exercises.

The SPEAKER. The gentleman from Virginia offers a motion, which the Clerk will report.

The Clerk read as follows:

On motion of Mr. DREWRY:

Ordered, That the order entered on January 17, 1921, setting apart February 20, 1921, for addresses on the life, character, and services of Hon. WALTER A. WATSON be vacated, in compliance with the wishes of his family, based upon request by Mr. WATSON.

Further ordered, That Members of the House be allowed to extend their remarks in the RECORD on the life, character, and services of Hon. WALTER A. WATSON.

The SPEAKER. The question is on agreeing to the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. SLEMP. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p. m.) the House, under its previous order, adjourned until Thursday, February 17, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV,

415. A letter from the chairman of the Federal Power Commission, transmitting report of the Federal Power Commission in connection with the proposed development of power from the Potomac River, was taken from the Speaker's table and referred to the Select Committee on Water Power.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RHODES: A bill (H. R. 16105) to provide a tariff and to obtain revenue in connection with the lead content of lead-bearing ores, lead, and lead products, and repealing existing laws fixing the rates of duty on such commodities; to the Committee on Ways and Means.

By Mr. SCOTT: A bill (H. R. 16106) regulating the manner in which contracts for construction or repair of ships shall be made by the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation; to the Committee on the Merchant Marine and Fisheries.

By Mr. MADDEN: A bill (H. R. 16107) to provide for statements of costs in connection with the printing of Government publications; to the Committee on Printing.

Also, a bill (H. R. 16108) to provide for reports in connection with the publications of various departments and independent establishments; to the Committee on Printing.

Also, a bill (H. R. 16109) providing for a detailed statement of costs from the Postmaster General of matter mailed under frank by each department and independent establishment of the Government; to the Committee on the Post Office and Post Roads.

By Mr. LANGLEY: A bill (H. R. 16110) to amend an act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines; to the Committee on Public Buildings and Grounds.

By Mr. SIEGEL: Joint resolution (H. J. Res. 473) authorizing the retirement as warrant officers of certain Army field clerks and field clerks, Quartermaster Corps; to the Committee on Military Affairs.

By Mr. McLEOD: Joint resolution (H. J. Res. 474) to enable the United States Public Health Service to renovate buildings for hospitals for disabled ex-service men; to the Committee on Public Buildings and Grounds.

By Mr. LEHLBACH: Resolution (H. Res. 687) authorizing the Committee on Reform in the Civil Service to employ technical and clerical assistance; to the Committee on Accounts.

By the SPEAKER (by request): Memorial of the Legislature of the State of Maine, favoring the passage of a bill for the establishment and maintenance of a forest experiment station on the White Mountain Forest, in the State of New Hampshire; to the Committee on Agriculture.

Also, memorial from the Legislature of the State of Arizona, protesting against the deportation of Lord Mayor O'Callaghan; to the Committee on Foreign Affairs.

Also, memorial from the Legislature of the State of Utah, urging a necessary and proper appropriation for the efficient support and maintenance of the division of irrigation investigations; to the Committee on Appropriations.

By Mr. EVANS of Montana: Memorial of the Legislature of the State of Montana, asking enactment of Senate bill 4529, for the erection and maintenance of a dam across the Yellowstone River, in Wyoming; to the Committee on Interstate and Foreign Commerce.

By Mr. HERSEY: Memorial from the Legislature of the State of Maine, favoring the establishment and maintenance by the United States Government of a forest experiment station on the White Mountains National Forest, of the State of New Hampshire; to the Committee on Agriculture.

By Mr. HAYDEN: Memorial from the Legislature of the State of Arizona, regarding the price of petroleum and its products used in the manufacture of gas and in the production of electric energy and for agricultural and other essential industrial purposes; to the Committee on the Public Lands.

By Mr. PETERS: Memorial from the Legislature of the State of Maine, favoring a forest experiment station on the White Mountain National Forest in New Hampshire; to the Committee on Agriculture.

By Mr. RIDDICK: Memorial from the Legislature of the State of Montana, favoring the passage of S. 4529, for the erection and maintenance of a dam across the Yellowstone River in the State of Wyoming; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DENISON: A bill (H. R. 16111) granting a pension to Sarah A. Heck; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 16112) for the relief of Bertram Gardner; to the Committee on Claims.

By Mr. NOLAN: A bill (H. R. 16113) authorizing the Rolph Navigation & Coal Co. to sue the United States to recover damages resulting from collisions; to the Committee on Claims.

By Mr. RICKETTS: A bill (H. R. 16114) granting a pension to Sarah M. Suthers; to the Committee on Invalid Pensions.

By Mr. RIDDICK: A bill (H. R. 16115) granting a pension to W. Orville Wood; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5824. By Mr. CULLEN: Petition of the New York Chapter of the Knights of Columbus, opposing the passage of the Smith-Towner bill; to the Committee on Education.

5825. Also, petition of the City Council of the City of Philadelphia, Pa., requesting the selection of Independence Square, Philadelphia, as a place of burial for one of our unknown dead soldiers of the late World War; to the Committee on Military Affairs.

5826. By Mr. CURRY of California: Petition of Harold Kiernan, J. R. Gaskill, jr., and A. E. Deleuil, committee of Sacramento Council, Knights of Columbus, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5827. By Mr. ESCH: Petition of the Vincennes Chamber of Commerce, of Vincennes, Ind., favoring legislation for ex-service men; to the Committee on Interstate and Foreign Commerce.

5828. Also, petition of the National Shoe Wholesalers' Association, New York City, favoring a 1-cent drop-letter rate in cities, towns, and rural routes; to the Committee on the Post Office and Post Roads.

5829. By Mr. GALLIVAN: Petition of the Gillette Safety Razor Co., Boston, Mass., Frank J. Fahey, vice president, urging the passage of the Nolan patent bill, H. R. 13681, during the present session of Congress; to the Committee on Patents.

5830. Also, petition of Local No. 16, Boston Bookbinders' Union, International Brotherhood of Bookbinders, signed by 21 residents of the twelfth Massachusetts Congressional district, urging a revision in the present tariff law regarding bookbinding to enable competition with foreign concerns; to the Committee on Ways and Means.

5831. By Mr. HICKEY: Petition of Henry G. Oliger and others, of the thirteenth congressional district of Indiana, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5832. By Mr. KELLEY of Michigan: Resolutions of the board of delegates of the Michigan State Farm Bureau, opposing imposition of tariff duties on Canadian lumber; to the Committee on Ways and Means.

5833. By Mr. KELLY of Pennsylvania: Petition of St. Joseph Casino, of Pittsburgh, Pa., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5834. Also, petition of the Retail Lumber Dealers' Association of Pennsylvania, protesting against a tariff on Canadian lumber; to the Committee on Ways and Means.

5835. By Mr. KING: Petitions of R. H. Jansen and 25 others, and of Rose Niehaus and 31 others, citizens of Quincy, Ill., opposing the Smith-Towner bill; to the Committee on Education.

5836. By Mr. MONAHAN of Wisconsin: Petition of the Badger Creamery Co., Mineral Point, Wis., protesting against the passage of H. R. 13503, which proposes to reduce the tax on colored oleomargarine; to the Committee on Agriculture.

5837. Also, petition of citizens of Monroe, Wis., protesting against the passage of the Smith-Towner bill, H. R. 7; to the Committee on Education.

5838. Also, petition of citizens of Monroe, Wis., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5839. By Mr. O'CONNELL: Petition of the National Shoe Wholesalers' Association, of Philadelphia, Pa., favoring 1-cent drop-letter postage rate; to the Committee on the Post Office and Post Roads.

5840. By Mr. RANDALL of Wisconsin: Petition of residents of Racine, Wis., requesting an amendment to the Volstead Act, permitting the manufacture and sale of beer and light wines; also protesting against the McKellar bill; to the Committee on the Judiciary.

5841. By Mr. RIDDICK: Petition of citizens of Gallatin, Mont., and Park County, Mont., protesting against an increased duty on wrapper tobacco; to the Committee on Ways and Means.

5842. By Mr. SNELL: Petition of sundry citizens of Glenfield, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5843. Also, petition of sundry citizens of Bangor, Franklin County, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5844. Also, petition of sundry citizens of Willsboro, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5845. Also, petition of sundry citizens of Clinton, Clinton County, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5846. By Mr. VAILE: Petition of the Altar Society of Denver (Colo.) Cathedral, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5847. By Mr. YOUNG of North Dakota: Petition of the Farm Bureau members of Grand Forks, N. Dak., protesting against proposal to place duty on lumber imported from Canada; to the Committee on Ways and Means.

5848. Also, petition of the Knights of Columbus of Minot, N. Dak., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

SENATE.

THURSDAY, *February 17, 1921.*

(Legislative day of Monday, February 14, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The VICE PRESIDENT resumed the chair.

COLD-STORAGE FOODS—CONFERENCE REPORT.

Mr. GRONNA. Mr. President, I wish to ask the Senator from Michigan [Mr. TOWNSEND] if he will not kindly consent to lay aside temporarily the unfinished business and let us dispose of the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes. I do not believe it will take very much time. I know of no opposition to it.

Mr. TOWNSEND. I have no objection to taking up several such matters which ought to pass and which have not been acted on up to date. I can not consent to anything that will lead to prolonged discussion. I desire to get the Post Office appropriation bill through just as rapidly as possible. I recognize the importance of the conference reports and that they have the right of way. Unless there is some objection, I shall ask that the unfinished business be temporarily laid aside for the consideration of the conference report referred to by the Senator from North Dakota.

Mr. GRONNA. I thank the Senator. I ask unanimous consent that the conference report on the so-called cold-storage bill be taken up for consideration.

There being no objection, the Senate proceeded to consider the report.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That this act may be cited as the 'United States cold storage act.'

"SEC. 2. Whenever used in this act—

"(a) The term 'person' includes an individual, partnership, corporation, or association;

"(b) The term 'commerce' means commerce among the several States or between any State, Territory, or the District of Columbia and any foreign nation, or between any Territory or the District of Columbia and any State, or between any Territory and any other, or between any Territory and the District of Columbia, or within any Territory or the District of Columbia, or between points in the same State, but through any other State or any Territory or the District of Columbia or any foreign nation;

"(c) The term 'cold storage' means the storage or keeping of any article of food at or below the temperature of 45 degrees above zero (Fahrenheit) in a cold-storage warehouse; but does not include the first 10 days of the time during which the article of food is so stored or kept;

"(d) The term 'article of food' means—

"(1) Meat, meat products (including all edible portions of food animals), poultry and game, whether drawn or undrawn, poultry products, game products, fish, fish products, shellfish, oysters, and clams—if fresh, cooked, prepared, cured, or frozen;

"(2) Eggs or portions thereof—if in shell, dried, or frozen.

"(3) Butter, oleomargarine, lard, lard substitutes, butter substitutes, and cheese;

"(4) Oils for food purposes; and

"(5) Milk, evaporated or powdered—

but does not include any such article not intended or designed for food purposes which is plainly and conspicuously marked in such manner as correctly to show the fact in accordance with such regulations as the Secretary of Agriculture shall prescribe;

"(e) The term 'cold-storage warehouse' means any place, including a car, vessel, or other vehicle, in which the temperature is artificially cooled to or artificially maintained at or below 45 degrees above zero (Fahrenheit); but does not include a place used exclusively for storage of any article of food for the sole use of the occupant, owner, or maintainer thereof (1) for consumption by himself or his family or guests, or (2) in his business of serving meals, or (3) in connection with his retail business only, except that such place shall, in respect to any article of food held therein for more than 30 days in connection with such retail business, be deemed a cold-storage warehouse for the whole of the period of storage therein of such article;

"(f) The term 'warehouseman' includes any person maintaining or operating a cold-storage warehouse; and any person who rents and controls a room or space therein; and

"(g) The term 'mark' includes stamp, brand, tag, and label, and the term 'marked' includes stamped, branded, tagged, and labeled.

"SEC. 3. (a) It shall be unlawful for any person to ship, deliver for shipment, sell, or offer for sale, in commerce, any article of food that is or has been in cold storage, or to hold in cold storage in commerce any article of food, or, having received in commerce, to sell or offer for sale in the original, unbroken package any article of food that is or has been in cold storage, unless such article of food is plainly and conspicuously marked, in accordance with this act and the regulations thereunder, in such manner as correctly to show (1) the words 'Cold storage,' except that these words may be removed immediately preceding a sale for consumption before the expiration of 30 days following the date when such article of food was first placed in cold storage, (2) all the dates when put in and when taken out of cold storage, except that if the Secretary of Agriculture finds it to be commercially impracticable to mark any article of food with the exact date, the day, but not the month or year, may be omitted, in which case the date when the article of food is placed in cold storage shall for the purposes of this act be deemed the first day of the month, and (3) the names and locations of all the cold-storage warehouses in which stored, or suitable distinguishing designations thereof approved by the Secretary of Agriculture for the purpose.

"(b) If any article of food which is required by subdivision (a) of this section to be marked is subdivided, or is in or is placed in a container, or is transferred to a different container, the person who is liable under this act for any failure to have such article of food marked shall mark the subdivision or the container thereof in the same manner as provided by subdivision (a).

"(c) If (1) an article of food that has not been held in cold storage is mixed or mingled with an article of food, whether or not of the same kind, that is or has been held in cold storage, or (2) the containers of such articles of food are mixed or mingled, or (3) an article of food that is or has been held in cold storage is mixed or mingled with an article of

food, whether or not of the same kind, that is or has been held in cold storage during a different period of time, or (4) the containers of such articles of food are mixed or mingled, then for the purposes of subdivisions (a) and (b) of this section and for the purposes of section 6 the dates required to be placed upon the article of food, if any, resulting from such mixing or mingling, or upon the containers so mixed or mingled, and from which the 12 months' period referred to in section 6 is to be computed, shall be those of that one of such articles of food which was first placed in cold storage, and the names and locations of cold-storage warehouses shall be those of all such warehouses in which each of such articles of food is or has been held in cold storage.

"SEC. 4. If the Secretary of Agriculture finds that the proper and customary manner of handling any article of food is such that it is commercially impracticable to mark the same or the container thereof in accordance with this act, the person otherwise required under this act to have the same so marked shall furnish or display, as the Secretary of Agriculture may require, to the receiver of such article of food a written statement, or an invoice or bill of lading or other shipping document, which shall describe such article of food, shall correctly state the facts otherwise required by this act to be marked, in the manner prescribed in the regulations under this act, and shall be preserved and be subject to examination by an officer, employee, or agent duly authorized under this act, for such reasonable length of time as the Secretary of Agriculture deems necessary for the purposes of this act; except that, in the case under this section, of a sale at retail to the consumer, the facts required by clauses (2) and (3) of subdivision (a) of section 3 may be omitted unless otherwise requested by such consumer.

"SEC. 5. Except as otherwise permitted by this act, it shall be unlawful for any person (a) to alter, mutilate, destroy, obscure, obliterate, or remove any mark required by this act to be placed on any article of food or the container thereof, while it is in commerce or, having been transported in commerce, remains unloaded, unsold, or in the original, unbroken package; or (b) to alter, mutilate, destroy, obscure, or obliterate any statement, invoice, or document or portion thereof required to be furnished or displayed during the time the same is required to be preserved under section 4.

"SEC. 6. It shall be unlawful for any person to ship, deliver for shipment, sell, or offer for sale in commerce, or to hold in cold storage in commerce, any article of food, or having received in commerce, to sell or offer for sale in the original, unbroken package any article of food after the expiration of 12 months following the date when such article of food was first placed in cold storage; except (1) that the Secretary of Agriculture may in such instances in respect to frozen eggs and portions thereof as he deems advisable extend such period of time to not more than 18 months following the date when such eggs or portions thereof were first placed in cold storage, and (2) that the above provisions of this section shall not apply to cheese held for the purpose of ripening and improving the quality thereof.

"SEC. 7. The provisions of sections 3, 4, 5, and 6 shall not apply to any article of food shipped or sold or delivered for shipment to any foreign country, if in respect to the requirements of such section the article of food complies with the specifications and directions of the purchaser or consignee in such foreign country and is not in contravention of the laws of such country; but if the article of food be not actually exported, this section shall not exempt such article of food from the operation of sections 3, 4, 5, and 6.

"SEC. 8. (a) No person shall receive in commerce any article of food for cold storage after the cold-storage warehouse in which it is to be stored is found by the Secretary of Agriculture, after due notice and hearing, to be insanitary or otherwise unfit for the storage of any such article of food. Such finding shall remain in force until the Secretary shall, after further hearing, determine that such condition has been remedied.

"(b) No person shall receive in commerce any article of food for cold storage in a cold-storage warehouse if such person has refused inspection, when requested under this act, of such warehouse; nor shall any person ship in commerce any article of food if he has refused inspection of such article of food when requested under this act.

"SEC. 9. In order to carry out the provisions of this act, the Secretary of Agriculture or any officer, employee, or agent specifically authorized by him in writing for the purpose may, on any business day during the usual hours of business, enter any cold-storage warehouse which receives, or from which is shipped or delivered, any article of food, in commerce, and may inspect such warehouse and the contents thereof, and any statements, books, papers, letters, or documents relating thereto,

"SEC. 10. (a) In order to carry out the provisions of this act and to provide information for the Congress, every warehouseman shall keep such records and accounts and make such reports, in such manner or form, verified under oath or otherwise, monthly and at such other times as the Secretary of Agriculture may require, as to the amounts, kinds, and ownership of any foodstuffs received, held, transported, or delivered by such warehouseman, loans made by such warehouseman upon the security of such foodstuffs, charges made by such warehouseman for storage and other services rendered by him, and the size or capacity of his warehouse. Any information obtained by the Secretary of Agriculture under this act shall be available for the use of either House of Congress, and the Secretary of Agriculture shall cause such information as may be of public interest to be published from time to time.

"(b) No person shall willfully (a) fail or refuse to make full and true entries or make any false entry in the accounts or records of his business required to be kept pursuant to this section, or (b) alter, mutilate, conceal, or destroy any such account or record, or (c) make any report required under this section which is false or fraudulent in any material particular, or (d) fail or refuse to make any report required under this section.

"SEC. 11. No person shall willfully hinder, obstruct, or resist the Secretary of Agriculture or any duly authorized officer, employee, or agent, in the performance of his duties under this act.

"SEC. 12. Any person who violates any provision of sections 3, 4, 5, 6, 8, 10, 11, or 16 shall upon conviction thereof be punished by a fine not exceeding $1,000 or imprisonment not more than one year, or both. After judgment of any court with respect to any violation of this act, the Secretary of Agriculture may give notice thereof by publication in such manner as he by regulation may prescribe. A person shall not be prosecuted for any violation of sections 3, 4, or 6, resulting from the act, omission, or failure of any other person not acting for or employed by him, prior to the time when the article of food involved came into his possession or control, if he shows that such violation was not knowingly committed by him and also (except in such cases as the Secretary of Agriculture deems necessary and advisable and shall by regulation prescribe), establishes a written guaranty signed by such other person who shall be a resident of the United States, from whom he obtained the possession or control of such article of food, to the effect that such article of food has not been in cold storage or that, if it has been in cold storage and is apparently marked or represented in accordance with subdivision (d) of section 2 or sections 3 or 4, the marks or representations are true. The guaranty shall contain the address of the person required to sign it and such person shall be amenable to the prosecution, fine, penalty, or imprisonment which would otherwise attach to the person to whom he delivered the possession or control of the article of food.

"SEC. 13. (a) When construing and enforcing the provisions of this act, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association, within the scope of his employment or office, shall in every case also be deemed the act, omission, or failure of such individual, partnership, corporation, or association as well as of such person.

"(b) If any person acting for or employed by any individual, partnership, corporation, or association negligently or willfully omits personally to perform any necessary act or properly to supervise or apportion duties among his subordinates, in the execution of the authority or functions vested in him, and by reason of such omission a violation of this act directly results, he shall be liable to all the penal and other provisions of this act with respect to such violation; but nothing in this subdivision shall be held to relieve the individual, partnership, corporation, or association from such provisions.

"(c) The provisions of this section shall be held to extend and not to limit the application of sections 37 or 332 of the act entitled 'An act to codify, revise, and amend the penal laws of the United States,' approved March 4, 1909, as amended.

"SEC. 14. (a) Whenever in the case of any article of food being offered for importation, the Secretary of Agriculture has reason to believe that any provision of this act is being violated with respect to such article of food, he shall give due notice and opportunity for hearing thereon to the owner or consignee and certify such fact to the Secretary of the Treasury, who shall thereupon (1) refuse admission and delivery to the consignee of such article of food, or (2) deliver such article of food to the consignee pending examination, hearing, and decision in the matter on the execution of a penal bond to the amount of the full invoice value of such article of food, together with the duty thereon, if any, and to the effect that on refusal to return such article of food for any cause to the Secretary of the Treasury

when demanded, for the purpose of excluding it from the country or for any other purpose, the consignee shall forfeit the full amount of the bond. (b) If, after proceeding in accordance with subdivision (a) of this section, the Secretary of Agriculture is satisfied that any provision of this act is being violated with respect to such article of food, he shall certify the fact to the Secretary of the Treasury, who shall thereupon notify the owner or consignee and cause the sale or other disposition of such article of food refused admission and delivery or entered under bond, unless it is exported by the owner or consignee within three months from the date of such notice, under such regulations as the Secretary of the Treasury may prescribe. All charges for storage, cartage, or labor on any such article of food which is refused admission or delivery or is entered upon bond shall be paid by the owner or consignee.

"SEC. 15. Whenever it appears that any article of food in cold storage in commerce is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, the Secretary of Agriculture may cause the immediate seizure of such article of food and thereupon shall at once cause notice of the facts to be given to the United States district attorney for the district in which the article of food is seized. Such district attorney shall proceed without delay against such article of food in any court of the United States in such district for confiscation by process of libel for condemnation. If in the opinion of the court the article of food is in such condition that it is likely immediately to become or is unsound, unwholesome, or unfit for food, it shall be immediately disposed of by destruction or sale as the court shall direct, but such disposition shall not be contrary to any law of the United States, or of the State, Territory, or District where such destruction or sale takes place. The proceeds of any sale under this section, less legal costs and charges, shall be paid to the person entitled thereto. The proceedings in such libel for condemnation shall conform as nearly as may be to proceedings in admiralty and shall be at the suit and in the name of the United States. For the purposes of this section the Secretary of Agriculture may cause investigations, inspections, analyses, and tests to be made and samples to be collected of any article of food in commerce. The Department of Agriculture shall pay to the person entitled, upon his request, the reasonable market value of any such samples.

"SEC. 16. The Secretary of Agriculture is authorized to designate in writing specifically officers, employees, and agents of the Department of Agriculture to administer oaths for the purpose of this act. All such officers, employees, and agents are authorized and empowered to administer to or take from any person an oath, affirmation, or affidavit for the purpose of this act, or for use in prosecutions or proceedings thereunder. Any such oath, affirmation, or affidavit, authenticated by the official seal of the Department of Agriculture, shall, when offered for use in any proceeding under this act or in any court of the United States, have like force and effect as if administered or taken by or before the clerk of such court, without further proof of the identity or authority of such officer, employee, or agent. No such officer, employee, or agent shall demand or accept any fee or compensation whatsoever for administering or taking any oath, affirmation, or affidavit under the authority conferred by this act.

"SEC. 17. For the enforcement of this act the sum of $200,000 is hereby appropriated, to be available until expended, out of any moneys in the Treasury not otherwise appropriated, and the Secretary of Agriculture (a) is authorized to prescribe and promulgate such regulations as may be necessary; (b) may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person; and (c) shall have the power to appoint, remove, and fix the compensation of such officers and employees, not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, telegrams, telephones, law books, books of reference, periodicals, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this act in the District of Columbia and elsewhere.

"SEC. 18. This act shall take effect and be in force from and after its passage; but no penalty, fine, forfeiture, or imprisonment shall be enforced for any violation occurring within 90 days after its passage.

"SEC. 19. No provision of this act shall be deemed to repeal or limit the operation of any provision of any other act of Congress, unless directly in conflict therewith.

"SEC. 20. If any provision of this act or the application of such provision to certain circumstances is held unconstitutional, the remainder of the act and the application of such provision to circumstances other than those as to which it is held unconstitutional shall not be affected thereby."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"An act to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods; to regulate shipments of cold-storage foods in interstate and foreign commerce; and for other purposes."

And the Senate agree to the same.

A. J. GRONNA,
E. D. SMITH,
Managers on the part of the Senate.

G. N. HAUGEN,
J. C. MCLAUGHLIN,
JAMES YOUNG,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the report.

The report was agreed to.

GREAT FALLS POWER DEVELOPMENT.

Mr. NORRIS. Mr. President, the other day I had referred to the Committee on Printing a resolution providing for the printing as a Senate document of the report of Maj. Tyler on the proposition of the development of power at Great Falls. Yesterday the Federal Water Power Commission sent a communication to the Senate which was referred to the Committee on Commerce, in which they approve the report of Maj. Tyler. This morning I desire to have referred to the Committee on Printing a resolution which I will ask the Secretary to read having in view the printing of the report of the Federal Water Power Commission in connection with the report of Maj. Tyler. I ask unanimous consent that that may be done.

The resolution (S. Res. 452) was read and referred to the Committee on Printing, as follows:

Resolved, That the report of the Federal Water Power Commission on the development of hydroelectric power on the Potomac River for the supply of electricity and water for governmental and other purposes in the District of Columbia be printed as a public document, in connection with the report of Maj. M. C. Tyler on the same subject.

RESTRICTION OF IMMIGRATION.

Mr. HARRIS. Mr. President, Congress convened on the first Monday in December. The first important measure——

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. What is the request of the Senator from Georgia?

Mr. HARRIS. I wanted to call the attention of the Senate to the fact that the first important measure passed by the House of Representatives was what is called the Johnson immigration bill. It was passed within a week after Congress convened by a vote of 295 to 41. Members of Congress were fresh from the campaign, fresh from the homes of the people, and knew what they wanted. The first important measure which went through was the Johnson immigration bill. It reached the Senate on December 13. It was sent to the Committee on Immigration, and instead of giving it immediate consideration the committee held hearings and only within the past few days has the bill been brought before the Senate.

Mr. TOWNSEND. What does the Senator desire?

Mr. HARRIS. What I want is an agreement to vote on the immigration bill, if I can get it. I have not taken up much time of the Senate, less than any other Member of the Senate, but here is a bill that is of the greatest importance to the country. There are thousands, yes, millions, of immigrants trying to get into this country, and they are bringing the dread disease typhus and other diseases.

The people of the country want the bill passed, and yet in the congestion of legislation there is danger of its being lost. I think the Senate, if necessary, ought to meet at 10 o'clock in the morning and stay in session until 10 o'clock at night to avoid this jam.

If there is going to be any blame for the failure of appropriation bills to pass, do not blame those of us who are interested in the immigration bill. We are just as much interested as anyone in getting the appropriation bills through Congress.

I was pleased to see that President-elect Harding urged the Congress to get the appropriation bills through. But here is the difference: The appropriation bills do not take effect until June 30, and we can, if necessary, let some of them go over until the special session, but the immigration bill, if it goes over, will be delayed 90 days at least, and we will have coming into this country tens of thousands more of these immigrants who

are undesirable. What I would like to get is unanimous consent for a vote on the immigration bill, if necessary by holding night sessions, not later than Saturday.

Mr. TOWNSEND. I shall have to object to the consideration of any other matter now while we have the Post Office appropriation bill before the Senate, although I am quite as much in favor of prompt action as is the Senator from Georgia. But the way to get prompt action is to proceed to the business before the Senate. These matters can not be disposed of, apparently, unless we waste a lot of time in talking about other matters which are not pertinent to the bill before the Senate.

Mr. HARRIS. The Senator knows that the Senator from Georgia has not in the past taken up the time of the Senate by making long speeches, and he does not propose to do so in future. I do not believe in long speeches. They do not change any votes. We have had speeches lasting for hours and delaying pressing business of the Senate, when the Senators making the speeches knew that not a vote would be changed. Every Member of the Senate knows how he will vote on the immigration bill. The people of the country wish the bill passed, and their wishes ought to be considered by the Senate of the United States. I am going to do everything in my power to get the bill through, and if any of the appropriation bills are defeated it will be because the Members of the Senate are not willing to let us consider this bill that is so important.

Mr. HARRISON. Mr. President, may I ask the Senator from Michigan, before he takes his seat, why we can not get a unanimous-consent agreement that we will vote on the immigration bill at a certain time, and thus we can dispose of it. It should be voted on, because if we do not vote on it at an early date it will not become a law. It is one of the bills that dies on the 4th of March, of course, although it has passed the House. We ought to vote on it. May I ask Senators on the other side of the aisle if they will not agree to a unanimous consent that at some day, three or four or five days from now, we may vote on the immigration bill and the amendments thereto?

Mr. CURTIS. I should like to suggest that as far as the immigration bill is concerned the request ought to be delayed until the Senator from Rhode Island [Mr. COLT], the chairman of the committee, or the Senator from Vermont [Mr. DILLINGHAM], who, I think, is on the subcommittee, is in the Senate. They will be here in a little while, and the matter can be taken up again at that time.

Mr. HARRIS. Mr. President, I wish to put the Senate on notice that if we do not get a vote on the immigration bill, there are some other bills that are going to be considered thoroughly in the Senate. We are passing appropriation bills here in a day that we ought to consider for weeks, and the hearings ought to be gone into by the Senate. I am willing to let those bills and others go through without proper consideration, but I do not believe in letting just as important bills be turned aside because there happens to be a few Senators who are opposed to them.

Mr. McCORMICK. Mr. President, since the Senator from Georgia is not only a Senator but a censor of the Senate, I venture to suggest that there are measures other than the one which interests him which other Senators would like to have considered. The Senator from California [Mr. JOHNSON], who is not on the floor at this time, doubtless would like to have unanimous consent for a vote upon the minimum wage bill immediately to precede or immediately to follow the vote upon the immigration bill.

Mr. HARRISON. Why does not the Senator from Illinois suggest that we agree on a day for voting on that measure?

Mr. McCORMICK. Certainly the Senator from Mississippi would not have me act in the absence of the Senator from California? If the Senator from California will prefer the request, I shall heartily second it.

I venture that it is not Senators on this side of the Chamber alone who have occupied the time of the Senate, either by the offer of amendments or by the discussion of bills. Let me add that the Senator from Georgia forgets that no less authority than the author of Congressional Government remarked that discussion in Congress was addressed not only to the Members of Congress but to the country.

Mr. HARRIS. Mr. President, I did not intend to start any partisan debate, but the Senator is unnecessarily sensitive. I did not say a word about Members on that side of the aisle. The chairman of the committee is on that side, and there are members of the committee on that side of the Chamber who are just as anxious to get the measure voted on as I am. The Senator from Illinois is going a little too far when he suggests that I am a censor of the Senate. I do not believe there is another Member of the Senate who believes anything of the kind. If I can do so, I am going to have a vote on the immigration bill. I believe the country is entitled to it and I think the Senate ought to legislate on that question.

Mr. President, there is already a large number of unemployed people in this country due to business depression which has followed the World War. The problems confronting this country in our economic reconstruction are so great and serious that it is inadvisable to permit further the wholesale immigration of aliens.

Mr. LODGE subsequently said: Mr. President, I was not present when the request was made in reference to a vote on the immigration bill, and I only desire to say that I think it is of the utmost importance that we should come to some agreement to vote upon that bill. I hope that the Senator from Vermont [Mr. DILLINGHAM], who is now here, and the other Senators who are on the Immigration Committee will take steps to bring about such an agreement as soon as possible.

NONMILITARY MATERIALS OF WAR DEPARTMENT (S. DOC. NO. 404).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a report, in response to Senate resolution 426, of January 21, 1921, as to quartermaster stores, property, and materials of nonmilitary character under the control of the War Department, etc., which was referred to the Committee on Military Affairs.

SUPPLEMENTAL ESTIMATE, POST OFFICE DEPARTMENT (S. DOC. NO. 405).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Postmaster General submitting a supplemental estimate of appropriation in the sum of $200,000, required by the Post Office Department for printing and binding for the fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

INTERIOR DEPARTMENT PRINTING AND BINDING, 1921 (S. DOC. NO. 406).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation in the sum of $76,000, required by the Interior Department for printing and binding for the fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

ACCOUNTS OF ARTHUR P. CARSON (S. DOC. NO. 407).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation in the sum of $514.26, to enable the proper accounting officers of the Treasury to credit that sum in the accounts of Arthur P. Carson, cashier of the insurance division of the Bureau of War Risk Insurance, etc., which was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. WALSH of Massachusetts presented a joint resolution of the Legislature of Massachusetts, which was referred to the Committee on Manufactures, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1921.

Ordered, That the General Court of Massachusetts is in favor of the creation or designation of some agency of the Federal Government with full power to ascertain facts and disseminate information and to regulate and control the production, sorting, grading, transportation, and distribution of coal to the several States to secure so far as possible a sufficient supply of coal of good quality at reasonable prices to the consumers in the several States; and be it further

Ordered, That copies of this order be sent by the secretary of the Commonwealth to the presiding officers of both Houses of Congress and to the Senators and Representatives in Congress from this Commonwealth.

In house of representatives, adopted February 2, 1921.
In the senate, adopted, in concurrence, February 4, 1921.
A true copy.
Attest:

F. W. COOK,
Secretary of the Commonwealth.

Mr. WILLIS presented memorials of sundry citizens of Miller City; sundry citizens of Millersburg; Anna Frint, president, Society Nanebevzete Bl. B. Marie, of Cleveland; Mrs. Mary Hessoun and Mrs. Bessie Esner, of Cleveland; Catholic Ladies' Club, of Cleveland; Society of Strose, of Cleveland; Society of St. Ludmil, of Cleveland; St. Procops Young Men's Club, of Cleveland; St. Joseph's Society, of Cleveland; Society of St. Barbara, of Cleveland; Society of St. Anna, of Cleveland; St. Catherine Society, of Cleveland; Josephine Reinick, president, Branch 408, L. C. B. A., of Fremont; Cincinnati Chapter, Knights of Columbus, of Cincinnati; Painesville Council, No. 947, Knights of Columbus, of Painesville; William J. Anthony, president, Owensville Society of Men, of Batavia; Holy Name Society of Painesville; the president and staff of St. Ignatius College, of Cleveland; Branch No. 750 of Catholic Knights of America, of Fort Recovery; Catholic Women's League, of Colum-

bus; and the presiding officers of the German-American Catholic District League, of Cleveland; all in the State of Ohio, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. JONES of Washington presented memorials of the National Council of Catholic Women of the National Catholic Welfare Council, of Seattle, Wash., and the faculty and students of Mount St. Michaels, of Hillyard, Wash., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. MYERS presented a memorial of the Legislature of Montana, which was referred to the Committee on Irrigation and Reclamation of Arid Lands, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act entitled "Senate joint memorial No. 1," enacted by the seventeenth session of the Legislative Assembly of the State of Montana, and approved by Joseph M. Dixon, governor of said State, on the 12th day of February, 1921.

In testimony whereof, I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 12th day of February, A. D. 1921.

[SEAL.]

C. T. STEWART,
Secretary of State.

Senate joint memorial 1.

To the honorable Senate and House of Representatives of the United States, in Congress assembled:

Whereas the Yellowstone River, which flows for about 460 miles through the State of Montana, drains Yellowstone Lake, in the Yellowstone National Park, in the State of Wyoming, and gets its main water supply therefrom; and

Whereas Yellowstone Lake is at altitude of 7,741 feet above sea level, and is a catchment basin for a drainage area of more than 1,600 square miles, which drainage area is subject to a heavy winter snowfall; and

Whereas in the spring and early summer months this deep covering of snow on the drainage area is rapidly melted by the warm winds and spring rains, and in a few days runs into the said lake, causing its level to be raised rapidly to 6 feet above the low-water mark; and

Whereas the rise in the level of the lake causes a heavy increase in the flowage of the Yellowstone River draining therefrom, such increase in flowage amounting to more than thirty times the low-water flowage of said river; and

Whereas this great increase in the volume of river flow constitutes a flood, which flood, on certain years does a property damage along the 460 miles of river in Montana, and which flood runs out each season prior to the time the water of the river can be used for irrigation purposes; and

Whereas an estimate of this property damage shows it to have been upward of a million dollars in a single season; and

Whereas there is now irrigated from the Yellowstone River, by canals taken therefrom, upward of 250,000 acres, inclusive of the area under the Huntley and Lower Yellowstone Federal reclamation projects; and

Whereas after the surplus waters have run out of the lake and gone to waste as a flood, the volume of flow in the river becomes so depleted that there occurs a period of water shortage, such period of water shortage in the season of 1919 having caused a crop loss of approximately $4,000,000 to the farmers along said valley, a part of which loss was suffered by the farmers under the said Federal reclamation projects; and

Whereas in addition to the lands already irrigated by canals from the Yellowstone River, there are vast areas of fertile but arid land that can still be reclaimed by canals taken from said river, provided a sufficient water supply to serve such canals can be furnished during the irrigation season; and

Whereas the construction of a small masonry dam across the Yellowstone River at or near its point of outlet from Lake Yellowstone, in the Yellowstone National Park, will serve the threefold purpose of—

First. Preventing a major portion of the damage due to floods that originate in this lake.

Second. Hold back and conserve in storage a sufficient volume of water to furnish an adequate supply to the canals already taking water from said river, including the Federal reclamation projects at Huntley and Lower Yellowstone.

Third. Furnish a sufficient additional supply of water to make possible the irrigation of at least 250,000 acres of the arid land not now under irrigation; and

Whereas the 250,000 or more acres of arid land that can be reclaimed, provided a supply of stored water is afforded, are almost entirely in the hands of settlers, which settlers are abandoning said lands, permitting them to revert to grazing lands with the loss of improvements already thereon because such settlers are unable to successfully farm said lands without a supply of irrigation water; and

Whereas a masonry dam sufficient to accomplish the purposes herein recited need be only high enough to maintain the level of Lake Yellowstone at its mean high-water mark, 6 feet above its mean low-water mark; and

Whereas such a dam can be so constructed as to serve as a bridge for foot and vehicular traffic, which bridge is badly needed to replace the present dilapidated pile structure known as the Fish Bridge; and

Whereas the construction of such a dam will in no wise injure or mar the scenic beauty or attractiveness of Yellowstone National Park but will be an added attraction therein, and will, in addition, so equalize and regulate the flow of the Yellowstone River that the beauty of the falls of the Yellowstone and Grand Canyon will be greatly enhanced; and

Whereas the construction of such a dam is not in the interest of any power development, nor is any structure other than the dam itself required in Yellowstone Park to accomplish the desired purpose; and

Whereas the State of Montana, or an association of irrigation districts organized or to be organized under the jurisdiction of the said State will construct and maintain such dam: Now, therefore, be it

Resolved by the Seventeenth Legislative Assembly of the State of Montana, That we do hereby petition and earnestly pray the honorable Congress of the United States for the passage of Senate bill 4529, being a bill for the erection and maintenance of a dam across the Yellowstone River, in the State of Wyoming; and be it further

Resolved, That copies of this memorial be forwarded by the secretary of state of the State of Montana to each Member of the honorable Congress of the United States in session assembled.

NELSON STORY, JR.,
President of the Senate.
PERCY F. DODDS,
Speaker of the House pro tem.

Approved February 12, 1921.

JOS. M. DIXON, *Governor.*

Filed February 12, 1921, at 4.30 o'clock p. m.

C. T. STEWART, *Secretary of State.*

Mr. POINDEXTER. I have a letter from the faculty and students of Mount St. Michaels, of Hillyard, Wash., in opposition to the Smith-Towner bill. I request that it be read to the Senate. It is very brief, and I ask unanimous consent that the Secretary may read it.

There being no objection, the letter was read and referred to the Committee on Education and Labor, as follows:

MOUNT ST. MICHAELS,
Hillyard, Wash., February 9, 1921.

The Hon. MILES POINDEXTER,
1750 N Street NW., Washington, D. C.

DEAR SIR: You are the accredited representative in the United States Senate of the voters of the State of Washington, and it is because we rely upon your absolute faithfulness to the trust confided to you that, as Americans, we appeal to you to serve the best interests of State and Nation by defeating the Smith-Towner educational bill, which we protest against as irrevocably opposed to the principles of American democracy.

Reasons for rejecting the bill are numerous. Chief among them is the fact that the proposed bill will tend to make the individual States more and more reliant upon the Federal Government and to destroy that nice balance of interests and powers which is the unique glory of our governmental system. Centralization of power is un-American, and as Americans we protest against it.

A second grave defect in the proposed bill is the fact that, even in its amended form, it leaves in the hands of a political appointee, secretary of education, the decision whether or not State school programs are meeting the requirements of the Federal board. On this decision depends the disbursement of the Federal millions, so that practically in one man will be vested the power of an educational czar. The man that holds the money strings is the man that wields the power.

For these and for numerous other reasons, honorable Senator, we expect your uncompromising opposition to this Smith-Towner bill in its present dangerous and un-American form. With interest shall we follow the progress of the bill in Senate and House, and with special interest and confidence look for your rejection of it.

Will you kindly have this protest read before the assembled Senators?

Sincerely, yours,

PAUL P. LAUER
(And many others).

Mr. ASHURST. I present a joint memorial unanimously adopted by both houses of the Legislature of the State of Arizona, and I ask that it may be read by the Secretary.

The Assistant Secretary read the memorial, which was referred to the Committee on Foreign Relations, as follows:

Senate joint memorial 3.

STATE OF ARIZONA,
FIFTH STATE LEGISLATURE.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Fifth Legislature of the State of Arizona, respectfully represent:

Whereas from the most remote period our country has been famed in every land and on the seven seas as the home of the free and the haven of the politically persecuted of the world; and

Whereas from Russia, Austria, and Japan; from the Occident and the Orient—Christian, Jew, and pagan, has sought asylum from oppression and reached a harbor of safety when once under our flag; and

Whereas aside from the merits or demerits of the greater question involved the Hon. Donal O'Callaghan, lord mayor of Cork, Ireland, is now within the confines of the United States, having embraced the only possible opportunity offering, to appear as a witness before the committee of one hundred now investigating affairs in Ireland; and

Whereas the Federal Government, through its accredited officials, propose to deport to Great Britain the said Donal O'Callaghan, lord mayor of Cork: Now, therefore, be it

Resolved, by the Fifth Legislature of the State of Arizona, That it is its sentiment that such deportation is contrary to the traditions of our country, and said legislature most earnestly hopes and desires that some solution may be found that will not require the said Donal O'Callaghan to leave the United States except on his own volition; that said legislature does not wish to be understood as protesting against the enforcement of law, but feels that some solution other than deportation can be found; that if the law technically demands deportation, Congress and the President should see that future laws do not require the deportation of such an one as the said Donal O'Callaghan.

Resolved, That a copy of this memorial and these resolutions be transmitted to the President of the United States; the President of the United States Senate; the Speaker of the House of Representatives; to Secretary W. B. Wilson, of the Department of Labor; to Secretary Bainbridge Colby, Secretary of State of the United States; to Hon. MARCUS A. SMITH and HENRY F. ASHURST, Senators from Arizona; and to Hon. CARL HAYDEN, Representative from Arizona.

Passed the senate February 2, 1921, by the following vote: Ayes 19, nays none, absent none, excused none.

H. B. WILKINSON,
President of the Senate.
ROY N. DAVIDSON,
Secretary of Senate.

Adopted by the house February 3, 1921, by unanimous vote.

P. C. KEEFE,
Speaker of the House.
OSCAR ZAPF,
Chief Clerk of the House.

Approved February 3, 1921.

THOMAS E. CAMPBELL,
Governor of Arizona.

Filed in the office of the secretary of state of Arizona this 5th day of February, A. D. 1921, at 9 a. m.

ERNEST R. HALL,
Secretary of State.
By JOHN McK. REDMOND,
Assistant Secretary.

Mr. ASHURST presented a memorial of the Legislature of Arizona, which was referred to the Committee on Manufactures, as follows:

FIFTH LEGISLATURE, REGULAR SESSION,
STATE OF ARIZONA.

Senate memorial 1, introduced by Senator MacMillin.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialist, the Senate of the Fifth Legislature of the State of Arizona, in regular session convened, respectfully represents:

That there are 10 cities and towns in the State of Arizona in which gas devoted to commercial, industrial, and domestic purposes is manufactured exclusively from petroleum or its products;

That to a considerable extent the electricity manufactured and sold in the State of Arizona is produced from apparatus using petroleum or petroleum products as fuel;

That the price of petroleum and its products necessary to the manufacture of gas and to the production of electricity over a period of many months has been subject to frequent increases, and there is reason to believe that further increases are contemplated;

That efforts have been made on a considerable scale by individuals to reclaim arid land by the employment of pumping equipment designed to use certain products of petroleum, the present price of which is in effect prohibitive and the supply inadequate and uncertain;

That artificial gas and electric energy for industrial, commercial, and domestic purposes are necessities;

That the prices charged by producers or distributors of artificial gas and electricity are subject to the control and jurisdiction of a State regulatory body and are maintained thereby at reasonable levels;

That the cost to such producers and distributors for fuel oil and its products is rapidly approaching a point at which gas rates will be prohibitive and gas service discontinued entirely, with resulting loss to investors in Arizona public utilities and with great inconvenience and distress to the people of Arizona;

That the price of petroleum and its products to producers and distributors of electric energy is reaching an amount where resulting electric rates are likely to be such as to seriously curtail commercial activities and the mining of gold and other metals in the State of Arizona and such reclamation of arid lands as depend upon electric power for operating pumps;

That the reclamation of arid lands is advantageous not only to the individual engaged in such reclamation but also, through increased farm products, to the Nation;

That the price which may be exacted for petroleum and its products used in the manufacture of gas and the production of electric energy is beyond the control of the individual States and the State of Arizona; and

That the necessities of the State of Arizona and of the other States similarly situated require that Congress take such action as may be necessary to regulate and maintain at reasonable and proper levels the price of petroleum and its products used in the manufacture of gas, in the production of electric energy, and for agricultural and other essential industrial purposes.

Wherefore your memorialist, the Senate of the Fifth Legislature of the State of Arizona, respectfully and urgently prays that such action be had by Congress as may be necessary to effect the proper, just, and expeditious relief to the people of Arizona and her sister States, that their development may not be retarded.

And your memorialist will ever pray.

And it is hereby ordered by the Senate of the Fifth Legislature of the State of Arizona that engrossed copies of this memorial be sent to the honorables the President of the Senate, the Speaker of the House, Secretary of the Interior, Federal Trade Commission, Senator-elect Ralph H. CAMERON, Senator ASHURST, Senator SMITH, and Representative HAYDEN.

Passed the senate January 31, 1921.

H. B. WILKINSON,
President of the Senate.

Attest:

ROY N. DAVIDSON,
Secretary of the Senate.

REPORTS OF COMMITTEES.

Mr. WARREN. I report back with amendments from the Committee on Appropriations the bill (H. R. 15962) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes, and I submit a report (No. 803) thereon. I shall endeavor to call up the bill either to-day or to-morrow.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes, reported it with an amendment and submitted a report (No. 805) thereon.

COAL INDUSTRY.

Mr. GAY presented his views, being a minority report to the report of the Committee on Reconstruction and Production with respect to its recommendations regarding the coal industry, which was ordered to be printed as part 2 of Report No. 666.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of California:

A bill (S. 5014) granting an increase of pension to Helen F. Lasher; and

A bill (S. 5015) granting an increase of pension to Sarah Elizabeth Holton; to the Committee on Pensions.

By Mr. GRONNA:

A bill (S. 5016) for the relief of Anna Volker; to the Committee on Claims.

RELIEF OF DISTRESS IN CHINA.

Mr. KENYON. Mr. President, there are some 40,000,000 people starving in China. The farmers of the country have donated a number of millions of bushels of corn and other material, the railroads have donated the transportation, the railroad men have offered their services free for the transportation of corn and other cereals, and the local and terminal elevators have agreed to assist. The China Relief Association and the Farm Federation of Bureaus are all working on the proposition. The foods can be gotten to the Pacific coast free, and the proposition is to get them from there on.

I desire to introduce a joint resolution and have it go to the Committee on Appropriations. I think possibly it can be made a matter of instruction to the Shipping Board to convey to China these food products.

By Mr. KENYON:

A joint resolution (S. J. Res. 260) appropriating $500,000 to convey cereals for the relief of China; to the Committee on Appropriations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KEYES submitted an amendment proposing to create a bureau of aeronautics in the Department of the Navy, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. JOHNSON of California submitted an amendment proposing to appropriate $25,000 for the establishment and maintenance of a forest experiment station in cooperation with the University of California, intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to appropriate $10,000 for the conduct of investigations in the development and standardization of methods of preservation of Pacific coast fishes, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had been heretofore signed by the Speaker of the House of Representatives:

H. R. 12157. An act to amend an act of Congress approved June 30, 1913;

H. R. 13606. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River;

H. R. 14311. An act to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes;

H. R. 15011. An act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, State of Oklahoma;

H. R. 15131. An act to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York;

H. R. 15271. An act granting the consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River, at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.; and

H. R. 15750. An act to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had passed the bill (S. 4582) to declare Bayou Cocodrie non-navigable from its source to its junction with Bayou Chicot.

The message also returned in compliance with the request of the Senate with the accompanying papers the bill (S. 4205) to amend section 4, chapter 1, of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes.

DISTRICT COURT FOR ALASKA.

Mr. KELLOGG. Mr. President, I desire to ask unanimous consent to reconsider the vote by which the Senate disagreed to the amendments of the House of Representatives to the bill (S. 4205) to amend section 4, chapter 1, of Title I of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as heretofore amended by section 2 of an act entitled "An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes," approved March 3, 1909, and for other purposes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. KELLOGG. I now move that the Senate concur in the amendments of the House.

Mr. SMOOT. Mr. President, I should like to know what are the amendments.

Mr. KELLOGG. I will state what the point is. The Senate, at the request of the Department of Justice, passed a bill changing the boundaries of two judicial districts in Alaska, taking the valley along the Kuskokwim River and putting it into the northern district. After the bill was passed in the Senate, the Attorney General, in consultation with the judges of Alaska, came to the conclusion that that should be changed, and the Judiciary Committee of the House, after hearing the matter, recommended the amendments which were adopted. The chairman of the Committee on the Judiciary of the Senate did not know the object of the amendments and simply asked that conferees be appointed. Conferees were appointed, and after considering it with the Attorney General and his two assistants and looking over the correspondence, it was concluded that the House amendments are correct. It is those amendments which we ask the Senate to accept.

The amendments of the House of Representatives were, on page 3, line 5, to strike out all after the word "point" down to and including "Territory" in line 18, and insert: "Midway between the Yukon River and the Kuskokwim River; thence southwesterly to the point of intersection of the sixty-first parallel of north latitude with the shore of Bering Sea; the said division to include all the islands lying north of the fifty-eighth parallel of north latitude and west of the one hundred and forty-eighth meridian of west longitude, excepting Nelson Island, all islands in Kuskokwim Bay, all islands in Bristol Bay, and all islands in the Gulf of Alaska north of the fifty-eighth parallel of north latitude."

On page 4, line 17, after "longitude" insert: "also Nelson Island and all islands in Kuskokwim Bay."

The VICE PRESIDENT. Without objection the amendments are agreed to, and the bill as amended is passed.

THE COTTON AND WHEAT SITUATION.

Mr. SMITH of South Carolina. Mr. President, I should like to have Senate resolution 443 disposed of. It was reported favorably from the Committee to Audit and Control the Contingent Expenses of the Senate. It authorizes the Committee on Agriculture and Forestry, during the Sixty-sixth Congress, to make an investigation to ascertain the amount and grades of cotton and wheat now held in this country.

May I ask the Senator in charge of the present unfinished business to let us dispose of the resolution? I do not think consideration of the resolution will take any time. It is a matter of vital importance to certain interests in the country.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. TOWNSEND. I have no objection if it can be voted on at once without debate.

Mr. CURTIS. Mr. President, I understood when the request for the consideration of the resolution was presented the other day the Senator from Washington [Mr. JONES] objected.

Mr. SMITH of South Carolina. He did, but I saw him afterwards, and he stated to me that while he is not in favor of the measure he will offer no objection to its consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, which was read as follows:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to make an investigation, to ascertain the amount and grades of cotton and wheat now held in this country, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection therewith, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. SMITH of South Carolina. I move to amend, on page 1, in line 3, by striking out the words "during the Sixty-sixth Congress." The reason why I move the amendment is because the time is very short before the end of the present Congress, and if the committee begins the investigation I should like to have it given time sufficient to complete the work, as it is of such great importance.

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. SMITH of South Carolina. Mr. President, I wish to state in connection with the resolution which has just been passed that the senior Senator from Louisiana [Mr. RANSDELL] has called my attention to the fact that in the speech which I made on presenting the resolution I said that I had been informed, or was under the impression, that Secretary Hester, of the New Orleans Cotton Exchange, was also in the employ of the Lancashire Mills, or was officially connected with them. The Senator from Louisiana now informs me that Secretary Hester says he has no connection with any European concern, or business of any kind, or cotton mill on either side of the Atlantic. I desire at this time to state that I accept the statement of the Senator from Louisiana as correct and desire that it may go into the RECORD.

Mr. RANSDELL. In this connection will the Senator from South Carolina also state that when he said he had information to that effect it was not positive information, but was an inference derived from some publication which he had seen?

Mr. SMITH of South Carolina. Yes, Mr. President; I had read that the reports of Secretary Hester as to cotton statistics were also published by the Lancashire and Manchester mill people. It may have been that that is where I got the impression that he also reported cotton statistics for them. It is a fact that the world does accept Mr. Hester's statements as being official, as he is looked upon as the statistician for the cotton interests of the world, in view of the fact that America produces probably 67 per cent of all the world's cotton.

Mr. RANSDELL. Let me say just one other word. Mr. Hester assures me that in all his career as a statistician, which embraces nearly half a century, he has never had any connection with the Lancashire mills, or business of any kind with any cotton mill or other concern, having devoted himself entirely to the New Orleans Cotton Exchange as its secretary and superintendent since 1871; that incidentally, many years ago, he acted as special expert for the Bureau of Internal Commerce of the Treasury Department; that in 1905 he assisted the Census Bureau, Department of Commerce and Labor, in preparing its first report on American cotton supply and distribution; that he does not yield even to Senator SMITH of South Carolina in his devotion to the cotton-producing interests of the South; and that his entire life has been spent in a constant effort to make the South its own authority on data of production and consumption of its cotton, that it may be represented in fairness and truth without prejudice and without fear or favor. I merely wish to add that these statements are entitled to absolute credence.

COOK-CUMMER STEAMSHIP CO.

Mr. SPENCER. From the Committee on Claims, to which was referred the bill (S. 564) to appropriate $95,000 for the relief of Henry W. Cook, Arthur G. Cummer, and Waldo E. Cummer, trading as Cook-Cummer Steamship Co., copartnership, for the loss of schooner barges *South West* and *North West*, I report a resolution (S. Res. 454) referring the case to the Court of Claims.

Mr. FLETCHER. Mr. President, the resolution just reported from the Committee on Claims by the Senator from Missouri [Mr. SPENCER], has reference to a bill which I introduced. The Committee on Claims, instead of reporting the bill, has reported a resolution referring the matter to the Court of Claims. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That the bill (S. 564) to appropriate $95,000 for the relief of Henry W. Cook, Arthur G. Cummer, and Waldo E. Cummer, trading as Cook-Cummer Steamship Co., copartnership, for the loss of schooner barges *South West* and *North West*, now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

CONTROL OF CUBAN SUGAR CROP.

Mr. CALDER. Mr. President, I submit a Senate resolution making inquiry of the State Department as to the recent organization of a commission in Cuba to control the Cuban sugar crop. I ask unanimous consent for the immediate consideration of the resolution. It simply asks the State Department for information as to whether or not such a commission has been formed to control the sugar crop and to furnish all information in regard to the organization of the commission.

There being no objection, the resolution (S. Res. 453) was considered and agreed to, as follows:

Resolved, That the Secretary of State is requested, if not incompatible with the public interest, to send to the Senate any information in the possession of the Department of State showing or tending to show that an agreement has been reached for pooling the 1921 Cuban sugar crop between (1) the Governments of the United States and Cuba, or any governmental agencies thereof, (2) the Government of Cuba and any person, partnership, corporation, or association, or (3) any individuals, partnerships, corporations, or associations.

TREATY WITH COLOMBIA.

Mr. KING. Mr. President, I should like to ask the chairman of the Committee on Foreign Relations if there is any chance of having an executive session for the purpose of considering the Colombian treaty? It seems to me that treaty ought to be disposed of before the present Congress shall finally adjourn.

Mr. LODGE. I quite agree that the treaty ought to be disposed of, but I think it is a question that will take considerable time before it can be disposed of, according to the information I have received. I may add that the treaty will not die with the end of the present Congress.

Mr. KING. I appreciate the fact that the treaty will not die, but it has been here for a long time.

Mr. LODGE. There is no desire, I will say to the Senator, to prevent the consideration of the treaty; I desire to have it acted upon; a majority of the committee have authorized the report of the treaty, but it has been in the charge of the Senator from New Mexico [Mr. FALL], who is not present at this moment. He has gone into the question very elaborately and has had charge of it in the committee. I repeat that I am afraid it will involve considerable discussion.

Mr. KING. I wish the Senator would ask for an executive session for the consideration of the treaty to ascertain if we can not dispose of it at the present session.

SALARIES IN PATENT OFFICE.

Mr. NORRIS. Mr. President, I ask unanimous consent that on next Monday at 4 o'clock the Senate shall vote on the conference report on the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes.

The bill was reported from the Committee on Patents; it has passed both Houses, and the conference report is now ready for action. I make the request, I will say to the Senate, because there are Senators——

Mr. HARRISON. Under the Senator's request there will have to be a call for a quorum.

Mr. NORRIS. No; there will not have to be a call for a quorum under the rule; the rule does not so specify in the case of such a request as I have made. I should like to have the report voted on to-day; but some Senators who are opposed to it are not present, and, of course, I do not want to have it taken up in their absence. I should like, however, to fix a time when the vote shall be taken, and I do not care whether it is the day I have suggested or any other day, provided the bill may be disposed of before the session expires. The bill has been pending for over a year; it has finally reached the last stage; and it either ought to be approved or not, because, as every Senator knows, unless acted on it will die with this session and all the work will have been done in vain.

Mr. MOSES. Mr. President, do I understand that the conference report to which the Senator refers is the one that was not signed by the Senator from Connecticut [Mr. BRANDEGEE]?

Mr. NORRIS. The conference report has not been signed by the Senator from Connecticut.

Mr. MOSES. I think that no action such as the Senator suggests should be taken in the absence of the Senator from Connecticut, and I hope he will withhold the request until that Senator is on the floor; otherwise I shall be compelled to object.

Mr. NORRIS. If the Senator feels that way, of course I withdraw my request. I will add that I made the request out of consideration for Senators who are not here and sought to fix the time several days in advance in order to give plenty of time.

Mr. LODGE. Mr. President, in reference to the Senator's suggestion that it would not be necessary to have a quorum of the Senate under his request for unanimous consent, I think the Senator is mistaken in his position, for, in my opinion, there is no doubt about the rule, which provides:

3. No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer—

What the Senator has asked for is a final vote.

Mr. NORRIS. It is not a final vote on the passage of a bill or joint resolution. However, in view of the statement of the Senator from New Hampshire [Mr. MOSES], I will withdraw my request.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

Mr. CURTIS. I ask unanimous consent that the unfinished business may be temporarily laid aside for the purpose of taking up the conference report on the District of Columbia appropriation bill.

The VICE PRESIDENT. There is no unfinished business before the Senate; it was displaced on motion of the Senator from North Dakota [Mr. GRONNA] to proceed to the consideration of the measure named by him.

Mr. TOWNSEND. I do not so understand, and I do not believe any other Senator on the floor understood the situation in that way. I asked that the unfinished business be laid aside for the consideration of the matter in charge of the Senator from North Dakota.

The VICE PRESIDENT. The Senator from North Dakota moved to take up the conference report; the Chair put the question, and the motion was carried. There will be no trouble about the Senator from Michigan getting up his bill in a few moments, but the Chair has stated the record as it is.

Mr. TOWNSEND. The Chair may not remember it, but I made the request I have indicated, and I did not understand that any motion had been made. I made a request for unanimous consent to lay the unfinished business aside for the consideration of the very matter which the Senator from North Dakota moved to take up.

Mr. CURTIS. I move that the Senate proceed to the consideration of the conference report on the District of Columbia appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Kansas.

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15130) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 10, 12, 13, 14, 15, 16, 17, 26, 27, 28, 31, 34, 63, 65, 73, 75, 76, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 123, 124, 125, 126, 130, 143, 144, 145, 146, 147, 152, 153, 157, 163, 166, 172, 178, 179, 180, 181, 187, 192, 196, 197, 199, 207, 217, 222, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, and 256.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 8, 9, 18, 19, 24, 25, 29, 30, 36, 38, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 52, 53, 54, 56, 57, 58, 59, 60, 62, 68, 69, 71, 74, 77, 84, 129, 131, 133, 134, 135, 136, 137, 138, 141, 142, 155, 156, 158, 161, 164, 167, 170, 171, 174, 175, 176, 177, 182, 183, 184, 185, 186, 188, 190, 191, 200, 201, 202, 203, 204, 208, 209, 210, 211, 212, 213, 214, 215, 216, 218, 219, 220, and 221; and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "clerk $1,200"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$31,400"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$13,200"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$1,400"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32,240"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"For incidental and all other general necessary expenses authorized by law, including the employment of expert services where necessary, $7,500."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$39,740"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Restore the number stricken out by the Senate and, on page 13 of the bill, in line 26, strike out "$8,400" and insert in lieu thereof "$5,000," and, on page 14 of the bill, in line 1, strike out "$38,400" and insert in lieu thereof "$35,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Northwest: For grading Thirteenth Street, Buchanan Street to Shepherd Street, $14,155."

And the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Northwest: For paving Allison Street, Fifteenth Street to Sixteenth Street, 30 feet wide, $7,125."

And the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Northwest: For paving Taylor Street, east of Fourteenth Street, 30 feet wide, $7,885."

And the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Northwest: For paving the roadway of New Hampshire Avenue between Upshur Street and Grant Circle, 50 feet wide with 10-foot center parking, and the roadway around Grant Circle, 40 feet wide, with standard asphalt pavement, including resetting existing curb where required, $35,910."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$144,840"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$35,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$72,220"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For wiring and improving the Johnson School Building, $2,500."

And the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000"; and the Senate agree to the same.

Amendment numbered 150: That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$20,320"; and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$3,000"; and the Senate agree to the same.

Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,000"; and the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$31,089"; and the Senate agree to the same.

Amendment numbered 173: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$198,355"; and the Senate agree to the same.

Amendment numbered 189: That the House recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000"; and the Senate agree to the same.

Amendment numbered 194: That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment as follows: In lieu of the number proposed insert "five"; and the Senate agree to the same.

Amendment numbered 195: That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$21,800"; and the Senate agree to the same.

The committee of conference have not agreed upon amendments of the Senate numbered 32, 37, 39, 66, 70, 72, 91 to 122, inclusive, 127, 132, 140, 148, 149, 151, 154, 162, 168, 169, 193, 198, 205, 206, and 223.

CHARLES CURTIS,
LAWRENCE C. PHIPPS,
JOHN WALTER SMITH,
Managers on the part of the Senate.

C. R. DAVIS,
LOUIS C. CRAMTON,
J. P. BUCHANAN.
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. KING. Mr. President, I should like to ask the Senator if in the conference the Senate retained anything, for it seems to me that they have conceded everything which the other House asked?

Mr. CURTIS. If the Senator will read the report he will find that the House receded in just about as many items as did the Senate.

The VICE PRESIDENT. The Chair lays before the Senate a message from the House of Representatives in connection with the conference report. The Secretary will read the message.

The reading clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
February 15, 1921.

Resolved, That the House recedes from its disagreement to the amendments of the Senate numbered 32, 37, 39, 66, 70, 72, 91 to 122, inclusive, 140, 148, 149, 154, 162, 168, 169, 205, and 206 to the bill (H. R. 15130) entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes," and agrees to the same.

That the House recedes from its disagreement to the amendment of the Senate numbered 127, and agrees to the same with an amendment as follows: In lieu of the sum proposed insert "$235,370."

That the House recedes from its disagreement to the amendment of the Senate numbered 132, and agrees to the same with an amendment as follows: In lieu of the matter proposed insert:

"Community center department: For salaries of directors, supervisors, teachers, clerks, and other employees for civic, educational, recreational, and social activities under the direction of the board of education; for payment of janitor service; for equipment and supplies; for lighting fixtures; for maintenance of automobile. Employees of the day schools may also be employees of the community center department; in all, $35,000, to be paid wholly out of the revenues of the District of Columbia: *Provided*, That not more than 60 per cent of this sum shall be expended for salaries of directors, supervisors, teachers, and clerks."

That the House recedes from its disagreement to the amendment of the Senate numbered 151, and agrees to the same with an amendment as follows: In lieu of the sum proposed insert "$31,220."

That the House recedes from its disagreement to the amendment of the Senate numbered 193, and agrees to the same with an amendment as follows: In lieu of the sum proposed insert "$4,000."

That the House recedes from its disagreement to the amendment of the Senate numbered 198, and agrees to the same with an amendment as follows: In lieu of the sum proposed insert "$220,800."

That the House recedes from its disagreement to the amendment of the Senate numbered 223, and agrees to the same with an amendment as follows: In lieu of the matter proposed insert:

"SEC. 8. That the commissioners are authorized, in their discretion and under such regulations as they may prescribe, to grant not exceeding 15 days' leave of absence with pay each year to per diem employees of the District of Columbia who have been employed for 10 consecutive months or more."

Mr. CURTIS. I move that the Senate agree to the House amendments to the Senate amendments numbered 127, 132, 151, 193, 198, and 223.

The VICE PRESIDENT. The question is on the motion of the Senator from Kansas.

Mr. UNDERWOOD. Mr. President, will the Senator from Kansas state briefly what the amendments are?

Mr. CURTIS. Four of the amendments are with reference to certain totals, which are reduced. One is a reduction of $4,550, another makes a reduction of $29,100, and another a reduction of $120. Another amendment is in relation to the community-center provision. The Senate provision was changed by a vote of the House, so that all of the money used for community centers shall be payable out of the funds of the District of Columbia, instead of 60 per cent out of the District funds and 40 per cent out of the United States Treasury. I will state that I would prefer to have the language of the Senate amendment, but the time is so short that I think we can afford to agree, in view of the fact that I have an assurance from those in charge that not a dollar of this appropriation will be used for any purpose except educational and athletic and that none will be used to provide for dances and other activities that were strongly condemned some days ago.

The last amendment is in regard to leave of absence, not to exceed 15 days, to per diem employees of the District, the Senate provision granting it to those who were regularly employed, and the House by a vote changed the words "regularly employed" to "10 months in a year." I think that amendment should be agreed to, because the commissioners advised your committee that they considered the words "regularly employed" to mean those who were employed 10 months in the year.

Mr. UNDERWOOD. If these amendments are agreed to, it passes the bill?

Mr. CURTIS. It passes the bill.

Mr. KING. I understand, then, that there will be nothing that will demand further consideration by the committee of conference?

Mr. CURTIS. Nothing at all.

Mr. KING. In view of that fact I shall not resist the motion of the Senator from Kansas, although I am very much displeased with the report. I think the Senate ought not to have receded from its position with respect to the community centers.

Mr. CURTIS. The Senate did not recede, but the matter was taken to the House, and the House has amended our amendment. The bill can go back into conference, if the Senator desires, on that one question alone; but in view of the promise of those in charge that they will not use the money for any purpose other that that contained in the Senate amendment I think the Senate would be justified in taking their word for it. Those in charge of the work would hardly violate their word, because they would know that if they did their appropriation would very likely be cut off the next year.

Mr. KING. To what extent will the board of education exercise a supervisory care over these expenditures?

Mr. CURTIS. It is all turned over to them. It must be done upon the recommendation of the board.

Mr. KING. I hope the board will appreciate the criticism which was delivered against the community centers by the distinguished Members of the House who denounced the activities of that organization and condemned much of its work in the past, and I think there is much basis for the criticism in which they indulged. I want to state to the Senator now that in the next appropriation bill, if there is any proof of the pernicious activities of this organization such as has been accumulated with respect to its past activities, I shall oppose the appropriation of a single dollar for community-center work.

Mr. CURTIS. I will join the Senator if the evidence shows that this money is used for any activities of the kind complained of.

Mr. HARRISON. Mr. President, may I ask the Senator a question? The sites that were provided for in the bill are stricken from the bill, are they?

Mr. CURTIS. They are stricken from the bill on the ground that they were not estimated for by the department; and the House conferees refused to agree to them, after considering them for nearly a day, because they had not been submitted to them by the department.

Mr. HARRISON. Then this conference report carries no new buildings, nor does it carry any of the sites that the Senate committee and the Senate provided?

Mr. CURTIS. It carries none that were in section 9. The House did agree to two or three amendments in regard to buildings and playgrounds put in by the Senate. I want to state to the Senator from Mississippi, because he has taken a deep interest in the matter, that the Senate committee gave to the District every dollar they asked for in their estimates that came to the Congress for school purposes, including the purchase of playgrounds, and those are all retained.

Mr. HARRISON. Now, I want to ask the Senator another question. A committee representing the board of education visited Cleveland, and perhaps some other cities, viewing the school buildings and investigating the cost of erection of school buildings in those cities. Have that committee made any report to the Senate Committee on the District of Columbia?

Mr. CURTIS. I am sorry to say they have not.

Mr. HARRISON. They have not communicated with the Senate and given the advice or the information that they gathered on that subject?

Mr. CURTIS. I am sorry to say that they have not; and I have been so busy with conference reports—as perhaps the Senator knows, I have been attending meetings every morning and afternoon on bills in conference and on appropriation bills. I have not had the time to call them up to get a report. I intend to request a report of them, because they have not made one; but I have not had time to do it.

Mr. HARRISON. It has come to me in some way, through some grapevine route or other, that the last bid on some buildings here was quite low—I think 20 cents a cubic foot.

Mr. CURTIS. I was advised over the telephone yesterday or the day before that on one of the buildings the bid was about 30 per cent lower than the amount estimated by the department and appropriated by Congress.

Mr. HARRISON. I simply desire to say that that committee representing the board of education, after making a tour—I do not know at whose expense; perhaps their individual expense—certainly ought to give to the committee in charge of this legislation the information that they gathered on the trip, so that the committee can frame some kind of legislation for the Congress to enact touching the school buildings here.

Mr. CURTIS. Mr. President, I will say to the Senator that, as chairman of the subcommittee until the end of this Congress, I shall ask that they make a report, and I shall also make an investigation with reference to the telephone communication which came to me in reference to the bid being 30 per cent less than the appropriation or the estimate.

Mr. HARRISON. Of course, it is impossible for anything to be done at this time. In view of the Senator's statement, this report ought to be adopted; but the extra session of Congress will come on, and no doubt there will be a deficiency bill in that Congress. That is the Senator's opinion, I should imagine?

Mr. CURTIS. I should think so; certainly.

Mr. HARRISON. And if the Committee on Appropriations of the Senate and, I take it, of the House, too, should gather sufficient information touching the erection of buildings, and that the price here has gone down sufficiently, they would make ample provision to erect some new school buildings?

Mr. CURTIS. I can not, of course, speak for other members of the committee; but I will state to the Senator so far as I am personally concerned that I think the District is greatly in need of new school buildings, and I shall use every effort I can to secure necessary legislation if the department will estimate for it; but, of course, the Senator knows it must be estimated for before the committee can do anything.

Mr. HARRISON. Yes. I have not had time to read the full report. Was the business manager that was provided for, the third assistant superintendent of schools, stricken out?

Mr. CURTIS. That was stricken out.

Mr. HARRISON. I hope next time it will be admitted; and was the increase for the janitors stricken out?

Mr. CURTIS. The increase, I think, for most of the janitors was stricken out.

Mr. HARRISON. So our efforts were unavailing?

Mr. CURTIS. Unavailing.

Mr. HARRISON. I am sorry.

Mr. CURTIS. I am sorry, too.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Kansas.

The motion was agreed to.

POST OFFICE APPROPRIATIONS.

Mr. TOWNSEND. I move that the Senate proceed to the consideration of H. R. 15441, the Post Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads with amendments.

Mr. TOWNSEND. I ask unanimous consent that the formal reading of the bill may be dispensed with, and that the bill may now be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there any objection?

Mr. KING. Just so we have a full reading of the bill before its final passage, I have no objection.

Mr. TOWNSEND. I have no objection to reading the whole bill now, if when we come to the committee amendments we can dispose of them. I want the formal reading dispensed with.

Mr. LODGE. The whole bill will be read for amendment, of course.

Mr. KING. I understand that.

Mr. TOWNSEND. The bill will be read, and I desire to have the committee amendments considered first.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will read the bill.

The reading clerk proceeded to read the bill.

The first amendment of the Committee on Post Offices and Post Roads was, on page 2, line 7, after the word "inspectors," to strike out "as authorized in the act approved June 5, 1920," so as to make the paragraph read:

For salaries of post-office inspectors: For salaries of 15 inspectors in charge of divisions, at $4,200 each; and 420 inspectors, $1,327,000; in all, $1,390,000.

The amendment was agreed to.

The next amendment was, on page 2, line 10, after the words "One hundred and fifteen," to strike out "as authorized in the act approved June 5, 1920," so as to read:

For compensation of clerks at division headquarters: One hundred and fifteen, $238,000.

The amendment was agreed to.

The next amendment was, on page 3, line 12, to insert the following proviso:

Provided, That hereafter, whenever the office of a postmaster becomes vacant through death, resignation, or removal, the Postmaster General shall designate some person to act as postmaster until a regular appointment can be made by the President in case the office is in the first, second, or third class, and by the Postmaster General when the office is in the fourth class; and the Postmaster General shall notify the Auditor for the Post Office Department of the change. The postmaster so appointed shall be responsible under his bond for the safekeeping of the public property pertaining to the post office and the performance of the duties of his office until a regular postmaster has been duly appointed and qualified and has taken possession of the office. Whenever a vacancy occurs from any cause the appointment of the regular postmaster shall be made without unnecessary delay.

The amendment was agreed to.

The next amendment was, on page 4, line 7, to insert the following proviso:

Provided, That hereafter in post offices where the receipts are $9,000,000 and less than $20,000,000 there shall be a superintendent of delivery at the same salary as provided for superintendents of mails in offices of this grade. An assistant superintendent of mails at the maximum salary provided for offices of this grade shall be assigned as assistant to the superintendent of delivery.

The amendment was agreed to.

The next amendment was, on page 4, line 24, before the word "auxiliary," to strike out "temporary and"; and on page 5, line 2, before the word "auxiliary," to strike out the words "temporary and," so as to read:

For auxiliary clerk hire and for substitute clerk hire for clerks and employees absent with pay at first and second class post offices and auxiliary clerk hire at summer and winter resort post offices, $12,000,000.

The amendment was agreed to.

The next amendment was, on page 5, line 15, to insert the following proviso:

Provided, That hereafter the marine letter carriers assigned to the Detroit River postal service shall be paid $300 per annum in excess of the highest grade for carriers in the City Delivery Service, and that those in the service on July 1, 1920, who have continued in the service be paid such salary from July 1, 1920.

The amendment was agreed to.

The next amendment was, on page 5, line 22, after the word "auxiliary," to strike out "and temporary," so as to read:

For pay of substitutes for letter carriers absent with pay, and of auxiliary letter carriers at offices where city delivery is already established, $10,500,000.

The amendment was agreed to.

The next amendment was, at the top of page 6, to insert:

For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $1,500,000.

The amendment was agreed to.

The next amendment was, on page 6, line 15, to increase the appropriation for street-car collection service from $4,100 to $7,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 19, to insert the following proviso:

Provided, That the Postmaster General may, under such rules and regulations as he shall prescribe, authorize the delivery of special-delivery matter without obtaining a receipt therefor: *Provided further*, That nothing herein contained shall be construed as excusing the delivery of special-delivery matter in the first instance.

Mr. LODGE. I wish to ask the Senator from Michigan why that authority was given to permit the delivery of special-delivery matter without obtaining a receipt therefor? It seems to me very important that a receipt should be given.

Mr. TOWNSEND. It has been found, through the workings of the present law, that it frequently happened that they could not get a special-delivery letter delivered; nobody would happen to be in the place of business, and the letter could not be left without the personal receipt of the party to whom the letter was directed. The department felt a year ago that the satisfaction of the public would be met by a change of the rule. We did change the rule a year ago. The House omitted it this year, and we put it back, with the additional provision that there must at least be an attempt to deliver the letter. A great many people felt that under the present ruling special-delivery letters were held until the regular mail delivery, and thus, instead of having an advantage, special-delivery letters were treated as regularly addressed mail.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. TOWNSEND. I yield.

Mr. McKELLAR. As the chairman of the committee knows, in the committee I raised the point that has been suggested by the Senator from Massachusetts. I thought it virtually did away with the necessity of making a special delivery of these letters, and I think the original provision that was offered was susceptible of that construction. As the chairman of the committee recalls, the second proviso is one I had put in for the purpose of trying to see to it that they made an attempt to deliver such mail. I think it will have that effect, at all events. But I am not so sure about the provision myself.

Mr. LODGE. The receipt is a great protection. It makes the special-delivery letter almost as safe as registered mail. It enables the tracing of letters. It seems to me it is very risky to abandon the requirement of a receipt. I do not think it is quite a satisfactory reply to say that in that case they do not

carry out the law and do not deliver, but send it by regular mail. That is bad administration, of course.

Mr. McKELLAR. The matter which brought it sharply to my attention was the fact that mail from Memphis gets into Washington ordinarily on the 12.30 midnight train. I found frequently that special-delivery letters came through the mail in the second mail, at 10.30 in the morning, whereas ordinary letters reached me in the early morning mail, at 8 o'clock, and it occurred to me that the post office was rather remiss in not delivering those letters earlier. I called those facts to the attention of the committee, but they thought that was a particular case and that it did not apply generally.

Mr. TOWNSEND. I want to say to the Senator from Massachusetts, further, that the department denies that it does not attempt to deliver a special-delivery letter as soon as it reaches the post office, and the case of the Senator from Tennessee is the only one of the kind I have learned about. I afterwards took occasion to check up, in reference to my mail, what the Senator from Tennessee said to me, and I found that there was an attempt made to deliver a letter, upon its receipt at the post office, by special delivery. But we put in the provision, at the suggestion of the Senator from Tennessee, in order that the Postmaster General might be instructed to deliver it, although I think it was his duty to do it without that instruction.

Mr. LODGE. Of course.

Mr. TOWNSEND. But consider the situation of an addressee who has an office. It frequently happens that no one can be found at his office or at his residence and, if the department is obliged to take his receipt, that letter is delayed; it is held up for another attempt. The department say and believe—and so do your committee—that there is no particular danger in allowing a letter to be delivered if there is a safe receptacle for it at the regular place of business or the residence of the addressee. That is the reason why we put it in.

Mr. LODGE. Of course, if they require a receipt of the person to whom the letter is addressed, I can see that that would cause delay. They could enlarge the number of persons or the methods of receipting, it seems to me. We pay the extra sum for special delivery in order to get the greater speed and also greater security. This, it seems to me, would do away with the security very largely. It would mean that no receipt need be given.

Mr. MOSES. Let me say to the Senator that the practice of enlarging the number of people who can give a receipt is already in vogue. Let me call the Senator's attention further to the fact that this is not a permanent provision. It is merely continuing for another year the experimentation that has been going on in the department of this method of delivering special-delivery letters to meet the situation to which the Senator from Michigan refers, where a large number of special-delivery letters going out on the first delivery may be left at an office.

Mr. LODGE. It caught my eye, and it seemed to me that it impaired the security which we hope to get by special-delivery letters.

Mr. NELSON. Mr. President, would it not be a satisfactory solution to say in case such a letter is delivered to any person a receipt should be taken from that person, even if it is not the addressee?

Mr. LODGE. Yes; that would cover it. This allows them to toss the letter in the box and takes away the element of security which a special-delivery letter ought to have.

Mr. NELSON. There ought to be a receipt from the person to whom it is delivered, whether it is the person to whom the letter is sent or not.

Mr. TOWNSEND. Mr. President, the reason, and the sole reason, why this experiment, which has been tried under the sanction of last year's appropriation bill, has been continued was that the committee thought it was best, after it had received the report from the Postmaster General that it had worked satisfactorily, that no complaints had been made, and that it expedited special-delivery mail.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 7, after line 17, to insert the following additional proviso:

Provided further, That the Postmaster General may contract with any individual, firm, or corporation for an airplane mail service between such points as he may deem advisable and designate, in case such service is furnished at an actual cost not greater than the cost of the same service by rail, and shall pay therefor out of the appropriation for inland transportation by railroad routes.

The amendment was agreed to.

Mr. HARRISON. Mr. President, the Senator from Vermont [Mr. DILLINGHAM] has a unanimous-consent agreement which he wishes to submit to the Senate.

RESTRICTION OF IMMIGRATION.

Mr. DILLINGHAM. Mr. President, I ask unanimous consent for the following agreement.

The VICE PRESIDENT. The Secretary will read the proposed agreement.

The ASSISTANT SECRETARY. The Senator from Vermont [Mr. DILLINGHAM] asks unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Wednesday, February 23, 1921, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill, House bill 14461, a bill to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, through the regular parliamentary stages to its final disposition, and that after the hour of 2 o'clock p. m., on said calendar day, no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 5 minutes upon any amendment offered thereto.

Mr. POMERENE. What is the day and the hour?

The VICE PRESIDENT. Wednesday, February 23.

Mr. HARRISON. I suggest the absence of a quorum.

The VICE PRESIDENT. Is there any objection among the Senators present to this agreement?

Mr. HITCHCOCK. I would like to know what date is fixed for a vote.

The VICE PRESIDENT. Next Wednesday.

Mr. CURTIS. At what hour?

The VICE PRESIDENT. At 4 o'clock. Is there any objection among Senators present? The Chair hears none. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harris	McCormick	Simmons
Ball	Harrison	McCumber	Smith, Ariz.
Beckham	Heflin	McKellar	Smith, S. C.
Calder	Henderson	McLean	Smoot
Chamberlain	Hitchcock	McNary	Spencer
Colt	Johnson, Calif.	Moses	Sterling
Culberson	Jones, N. Mex.	Nelson	Sutherland
Curtis	Jones, Wash.	New	Swanson
Dillingham	Kellogg	Norris	Thomas
Edge	Kendrick	Overman	Townsend
Fletcher	Kenyon	Phipps	Underwood
Frelinghuysen	Keyes	Pittman	Wadsworth
Gay	King	Poindexter	Walsh, Mass.
Gerry	Knox	Pomerene	Warren
Gooding	La Follette	Ransdell	Williams
Gronna	Lenroot	Reed	Willis
Hale	Lodge	Sheppard	Wolcott

Mr. GERRY. Mr. President, I have been requested to announce the necessary absence of the Senator from Virginia [Mr. GLASS], the Senator from California [Mr. PHELAN], and the Senator from Missouri [Mr. REED].

The VICE PRESIDENT. Sixty-eight Senators have answered to the roll call. There is a quorum present. The Secretary will again read the unanimous-consent agreement.

The ASSISTANT SECRETARY. The Senator from Vermont [Mr. DILLINGHAM] asks unanimous consent that at not later than 4 o'clock p. m., on the calendar day of Wednesday, February 23, 1921, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill, House bill 14461, a bill to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes, through the regular parliamentary stages to its final disposition, and that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill, or more than once or longer than 5 minutes upon any amendment offered thereto.

The VICE PRESIDENT. Is there any objection?

Mr. FRELINGHUYSEN. I should like to ask the Senator from Massachusetts whether some of us will have an opportunity during the debate on this bill under the unanimous-consent agreement to call up by unanimous consent some of the private bills—smaller bills—in which we are very much interested? There are a number of measures on the calendar that we are very anxious to get through before the end of the session, and I hope we can have some assurance that an opportunity will be given to consider those rather unimportant measures.

Mr. LODGE. I think there will be opportunity to take up bills on the calendar in the interval. If there is no objection, they can be taken up when the immigration bill is pending, but the important thing, to my mind, is to get through with the great bill on immigration, which I think the country demands and which ought to be passed.

The VICE PRESIDENT. Is there objection to the unanimous-consent request?

Mr. FRANCE. Mr. President, a parliamentary inquiry. What is the request, may I ask?

The VICE PRESIDENT. To vote upon House bill 14461, the immigration bill, on next Wednesday. Is there any objection?

Mr. FRANCE. I must object to that.

Mr. HARRISON. Mr. President, this side of the Chamber has tried to cooperate with the other side in the passage of the legislation referred to. It is urgent, it is necessary, and it is important. Next Wednesday is six days off, and that is ample time for any Senator to discuss the immigration measure. It will not interfere with the passage of general appropriation bills. We serve notice now that unless some unanimous-consent agreement can be entered into to get a vote on the immigration bill, other bills will be delayed more than they would be ordinarily. In the interest of expediting the general appropriation bills, the proposed unanimous-consent agreement should be made.

Mr. DILLINGHAM. May I say to the Senator from Maryland that this is purely an emergency measure. Its operation is covered in the period of a year. It is intended simply to give Congress time to take up the whole question of immigration deliberately and to devise additions to our present law that will result in a better selection and a better distribution of immigrants throughout the United States after the year 1921. The bill is simply to meet the present emergency. It is very important that we should pass it; and we are now so near the close of the session that unless we begin to do as we have done in this case, and set special times for votes on such important measures, it will be impossible to pass them.

Mr. FRANCE. I will say in reply to the Senator that my objection to taking up the bill at this time is based upon the theory that it will be impossible for us to give a fair consideration to the bill without jeopardizing the supply bills.

Mr. DILLINGHAM. I do not see how it will at all jeopardize the passage of the supply bills. It seems to me, in view of the notice which has been given us, that it will expedite the passage of those bills; and whatever debate is needed upon the immigration bill may be put in between now and next Wednesday at odd times when it can well be done.

Mr. FRANCE. Personally, of course, I feel that the fears that a great flood of immigration will take place from Europe to this country are entirely unfounded. I think there is nothing to substantiate the opinion that there will be a flood of immigration from Europe to this country. When we consider the rates of exchange and what a passage from Europe costs the average immigrant in European money, it seems to me absolutely impossible that there should be a great immigration from Europe.

However, as I said, my objection is based upon the theory that we would be unable to fairly discuss this most important measure in the few remaining days of the present session. I anticipate that very soon after the 4th of March there will be an extra session of Congress at which the matter could be very carefully considered, and a bill brought in which would be a more permanent solution of the problem.

Mr. SMITH of South Carolina. As I understand the matter after the explanation offered by the Senator from Vermont [Mr. DILLINGHAM], this is only a temporary measure to give us time to prepare permanent legislation.

Mr. DILLINGHAM. Purely that.

Mr. SMITH of South Carolina. The bill now under consideration applies for just one year?

Mr. DILLINGHAM. For one year. The bill as passed by the House prohibits immigration during that time, permitting certain relatives of people already here to come in. The bill proposed by the Senate committee is in the nature of a substitute for that measure, being based on a percentage plan which will undoubtedly decrease the immigration which has given us the problem that we now have to meet. That coming from eastern and southern Europe would be reduced from 735,000, as it was during the last two or three years before the war, to substantially 250,000. In other words, it would reduce that particular immigration to one-third of what it was prior to the war.

Mr. SMITH of South Carolina. The Senator from Maryland stated his objection to be that he would not have time to consider the bill. I wonder if he heard the explanation of the Senator from Vermont that this is only temporary legislation looking toward protecting the country against an influx of immigrants until such time as we can digest and prepare permanent legislation at the next session? Individually, I sincerely hope the Senator from Maryland will not interpose an objection, but that we may have this legislation, and then we can address ourselves at the next session of Congress to such legislation as is necessary for the purpose of covering the matter permanently.

Mr. COLT. Mr. President, may I interrupt the Senator from Maryland?

Mr. FRANCE. Certainly.

Mr. COLT. May I say to the Senator first that the House in the Johnson bill, by a very large majority—I might say almost unanimously—suspended immigration for the period of one year, the bill not going into effect for two months after its passage. The Senate bill limits immigration to a fixed number for a period of a year and three months from April 1. In the Johnson bill there was an exception admitting dependents. It was believed that under that exception very large numbers of the dependent class would be admitted, and that this provision in the Johnson bill might be open to great abuse. The effect of the Senate bill is merely to substitute for this exception in the Johnson bill a maximum number, a comparatively small number, amounting perhaps, as the committee estimates, to about one-third of the normal immigration for the period of four years prior to the war.

Mr. POMERENE. Mr. President, will the Senator yield for a question?

Mr. COLT. Certainly.

Mr. POMERENE. The Senator stated a moment ago the number of immigrants who had come in between July 1 and January 1. May I ask whether the hearings did not demonstrate that the number of immigrants who are coming in now is only limited by the shipping capacity?

Mr. COLT. I am not prepared to state that the number of immigrants coming in now is only limited by the shipping capacity. When we get to the question of shipping we reach a proposition which is disputed and upon which there are two sides.

I do know, however, that the number of immigrants coming in up to the 1st of January was 411,000, that they fell off somewhat in January, owing to our economic conditions here. The proposed bill, however, will quiet the apprehension of the American people as to an impending flood of immigration, because it positively fixes the maximum number for the next 15 months. Why should not we be reasonable as to this whole subject? Why should we not admit a reasonable number, a maximum number, during the next 15 months, and in the meantime give the committee time to frame constructive legislation along the lines of selection at the source and distribution? All we are doing is to take the Johnson bill, which provides for suspension and which would admit the dependents, and substitute for that dependent clause a comparatively small maximum number. Of those who will come in there will be a larger number of immigrants from northern and western Europe than from eastern and southern Europe. Of course, the apprehension arises from the fact that over 700,000 immigrants from southern Europe came in, on the average, for the years 1910 to 1914, and if there is any flood it is a flood from those quarters of Europe.

I should like to say to the Senator from Maryland that there is an opinion in the country, which it is very difficult to answer, that there is danger of a flood of immigration from Europe. I personally do not think these apprehensions are well founded. At the same time there is a great deal to support them.

Now, coming to the facts, we find that in the six months from the 1st of July to the 1st of January 411,000 immigrants landed. That is not equaling the prewar period, but it is approaching the prewar period. In view, however, of the conditions in Europe, in view of the fact that the existence of a flood is a disputed question, in view of the apprehension in the country as to this flood and the desire to guard against it, in view of the fact that those who are not convinced of the flood may be mistaken, and especially in view of the fundamental fact that the public opinion of the country demands that during the next year or more immigration should be regulated and controlled—I feel that the Senator ought to permit the bill to come to a vote.

Is it not reasonable, under the present circumstances, that we should pass a temporary measure which will admit a greater percentage of those from northern and western Europe and a less percentage of those from southern and eastern Europe, and at the same time a percentage based upon absolute equality? Is not that a fair measure to be adopted at the present time in substitution for the House bill and in meeting, I say, the settled convictions of the country that immigration, owing to war conditions abroad, should in some way be controlled during the next year?

Mr. OVERMAN. Mr. President, may I ask the Senator from Rhode Island a question?

Mr. COLT. Certainly.

Mr. OVERMAN. Does not the Senator have knowledge of the fact that the people of the country are of the opinion that we are threatened by a terrible plague by the coming in of these immigrants? I think I have seen in the newspapers that they are bringing in typhus fever and other terrible plagues.

Mr. COLT. That is a question that is in the hands of the Public Health Service and the President of the United States, and if the President believes the people are in danger of an epidemic, he may place an embargo upon all immigration; also the Public Health Service has the general power to safeguard the public health by the inspection and detention of all infected vessels. The question of typhus is a matter of public-health regulation and is not strictly a question of immigration, and the citing of cases of typhus on board ship only tends to prejudice the mind against the legitimate immigration problem.

Mr. OVERMAN. I wish to know whether the evidence developed with reference to that question does not justify Congress in taking some action at this time?

Mr. COLT. I will say to the Senator that there is a bill which has passed the House and which is now before the Senate for consideration which enforces very much more severe restrictions upon the departure from abroad of ships on which there is anything like an epidemic.

Mr. CALDER. Mr. President, may I interrupt the Senator from Rhode Island?

Mr. COLT. Certainly.

Mr. CALDER. I will say to the Senator from Rhode Island, replying to the statement of the Senator from North Carolina [Mr. OVERMAN], that to-day the Public Health Service of the United States intends to take over the quarantine service at New York, a great port of entry. For years the quarantine station at New York was under the control of the State of New York, although the Federal immigration authorities checked up the immigrants and observed them to determine from what diseases they might be suffering; but after to-day, I believe, the Federal Government itself will have complete control of the matter. Government officials informed me as late as yesterday that they are taking every precaution to check in every way possible the matter of typhus cases coming into the United States.

Mr. LODGE. Mr. President, I have no thought of arguing the merits of the bill as reported from the Senate committee or of the bill as it came from the other House. I am extremely anxious to have the appropriation bills passed as rapidly as possible and to get as many of them enacted into law as we can. This proposed unanimous-consent agreement is to fix a vote six days hence on the immigration bill. It will not prevent any Senator from discussing the bill in the interval if he so desires. On the contrary, it secures time for that purpose. If that is not done, the bill will surely be discussed to the great detriment of the passage of the appropriation bills. I do not think anything will be gained by forcing the bill over until the next Congress; I think there will be much more drastic legislation probably then than now; but, however that may be, it seems to me that our first duty is to get the appropriation bills through. I am certain that if we can not secure a unanimous-consent agreement to vote on the immigration bill, the appropriation bills will be greatly delayed and that some of them will be lost. For that reason I hope the Senator from Maryland will not make the objection.

Mr. FRANCE. Mr. President, I do not wish my objection to appear to be based on my opposition to the proposed legislation; I might not be opposed to it at all; but I fail to see how there will be any opportunity fairly to consider this most important measure if it is not to be made the unfinished business and if the great supply bills are to be passed between now and the closing days of the session. That is my feeling about the matter; that under the unanimous-consent agreement the immigration bill could not receive a fair consideration.

Mr. LODGE. I understand the purpose of the unanimous-consent agreement is to place the immigration bill in such a position that if any Senator desires to have it taken up and to discuss it he will have the right so to do.

Mr. FRANCE. It does not seem to me that a discussion of the immigration bill would necessarily prevent the passage of the big supply bills which must be passed.

Mr. LODGE. The passage of the immigration bill will do more to expedite the passage of the supply bills than will anything else.

Mr. FRANCE. It would seem to me that if all the supply bills are to be passed, there will be very little time for the discussion of the immigration bill.

Mr. LODGE. Mr. President, I think the discussion of the immigration bill will depend on the extent to which Senators desire to discuss it. If they desire to discuss it, they will get an opportunity to do so under the proposed unanimous-consent agreement. If they do not desire to discuss the bill, I am not going to urge them to do so.

Mr. FRANCE. I will say to the Senator from Massachusetts that I had not myself thought of discussing the bill at any length, but I should be very glad to hear a discussion of it, for I feel that the Senate is under a very grave misapprehension in reference to the matter. For example, many Senators believe that immigrants are coming here to the capacity of the shipping facilities, though when we consider that it costs an immigrant from Germany or Austria between six and seven thousand marks to buy his passage, a sum which, generally speaking, would compare with six or seven thousand dollars here—I do not mean to say that six or seven thousand marks are exactly equivalent to six or seven thousand dollars——

Mr. LODGE. No; the value of 7,000 marks, I think, is at present about $70.

Mr. FRANCE. It is about $70; $70 here would be about 7,000 marks there.

Mr. LODGE. Yes; I think so.

Mr. FRANCE. And the ordinary thrifty German or Austrian could almost live on the interest of twice that many marks.

Mr. LODGE. This is not the time for, and I have no desire to enter into, a discussion of the provisions of the immigration bill. I only know, as a matter of fact, whether they can afford it or not, that immigrants are coming here at the rate of 800,000 a year; and there is a great demand throughout the country for some limitation of that immigration. I think the immigration bill ought to pass. It is a temporary bill. There will be ample time for its discussion. Any Senator who chooses may speak upon it, if he desires to do so, upon a supply bill, as is frequently done. However, I am afraid, if we can not enter into the proposed unanimous-consent agreement, it will lead to the loss of several of the supply bills, and it is in their passage I am interested.

Mr. FRANCE. I will say that the demand for this proposed legislation on the part of the country is due to the fact that the people have not been informed upon the subject. Unfortunately we have a situation in this country which results in a very serious degree of misinformation on the part of the public in regard to public questions. The situation with reference to the press of the country is such that it is almost impossible for our citizens to receive full and accurate information upon public questions. I very greatly deplore that. However, it is true that from Washington, and from the floor of the Senate, the people can be informed as to the actual conditions if they will read the records of Congress.

The distinguished chairman of the Committee on Immigration, the Senator from Rhode Island [Mr. COLT], for whose learning I have the highest regard, has already stated that he does not share the apprehension which is so prevalent throughout the country that there will be a flood of immigration to our shores. That statement was made after the learned chairman of the committee had heard testimony from very many persons who have investigated the subject, and I consider that that opinion is of the very highest value. It is an opinion which should be carried to the country. I have not yet reached the point where I believe that the country should legislate directly; I share the views of the learned Senator, a learned constitutional lawyer, views which lead him and which lead me to believe that this body is charged with the responsibility of investigating these problems and with the duty of legislation. We can not, simply because there is a general feeling that there will be a flood of immigration from Europe to this country, pass a bill absolutely preventing immigration if our investigations prove that that feeling is not well founded.

Mr. LODGE. I do not propose to be drawn into a discussion of the bill at all, but if no immigrants are coming in, and could not come in, as the Senator from Maryland suggests, who will be hurt by the proposed limitation?

Mr. FRANCE. I must have very seriously misstated my position if I did say that no immigrants were coming into the country.

Mr. LODGE. No; the Senator said they could not come; that the cost of passage was too high.

Mr. FRANCE. I said I did not anticipate a flood of immigration from Europe because the exchange rates make the price of passage so high that only a very well-to-do Austrian or German can afford to buy his passage. The actual figures show that immigration now is less than in the years prior to the war, as I understand.

Mr. LODGE. Mr. President, if I may say a further word, I repeat I want to get the appropriation bills through. We are now having a discussion on the immigration bill and not on the question of unanimous consent, whether we will try to facilitate

business. We are discussing the merits of the bill, and it is perfectly obvious that, if the Senator from Maryland is going to object, the proposed unanimous-consent agreement can not be entered into, and we ought to go on with the appropriation bill we now have up and see what we can do.

Mr. COLT. Mr. President, if I may say just a word in reply to the Senator from Maryland, I wish to say that we heard testimony for about three weeks; so the opinion expressed by the committee represents what we regard as the opinion of the country. Without indulging in guesswork, it appears as a fact, as the Senator from Massachusetts [Mr. LODGE] has just stated, that 411,000 immigrants have landed on our shores during the last six months. At that rate there would be over 800,000 during the year, and, if immigration should increase, the figures might run up to a million. It appears, therefore, notwithstanding the observation of the Senator from Maryland, that many citizens of foreign countries are able to obtain and have obtained passage.

I am not going into the question of the checks and the cross currents of immigration, for that would lead to a discussion of the whole subject; but, while I was originally impressed with the idea that there was no flood of immigration, I found upon examination, and after hearing all the testimony, including the testimony of witnesses who have made a study of immigration for years, that there was a danger in the next year, and perhaps in the next six months, not of a flood, but of an increase that would perhaps be beyond the large averages of the years from 1910 to 1914. Therefore, the committee, after much deliberation, recommended this bill; and in view of the notice from the other side of the determination on the part of a number of Senators to bring the immigration bill to a vote, which, of course, will delay the supply bills, I hope in the interest of the supply bills, and especially in the interest of the general demand of the country for control of immigration for the next year, that the Senator from Maryland will withdraw his objection.

Mr. FRANCE. Mr. President, I wish to add but a word. I am not, as I have said, opposing proposed immigration legislation. So far from that, I have been rather inclined to the opinion that some restrictive legislation in addition to that which we already have may be necessary. That opinion has been formed very largely as a result of consulting those who represent American labor. I have learned in my experience in public life to regard very highly the opinions of those who represent American labor. I have been inclined to the view that some further restrictive legislation may be necessary; but I have not been persuaded as yet that it would be wise to take this measure up without making it the unfinished business under a unanimous-consent agreement, which would perhaps prevent any fair consideration of the measure. I will say, therefore, that I am compelled for the moment to object to the request for unanimous consent, but I shall be very glad to consider the matter and, if a request should be made later, it might be possible for me to withhold objection. For the moment, however, I feel that I must object.

Mr. LODGE. Mr. President, objection being made, let us have the regular order.

Mr. HARRISON. Mr. President, immediately after the consideration of the Post Office appropriation bill shall have been concluded, if I can get recognition from the Chair, I shall move to make the immigration bill the unfinished business, and, if I fail to get recognition from the Chair, and the chairman of the committee or the Senator from Vermont does not so request, I shall move to suspend the rules in order to put the immigration bill on the next appropriation bill as an amendment, so that we can get some action at this session.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 8, after line 3, to insert:

For the operation and maintenance of the aeroplane mail service between New York, N. Y., and San Francisco, Calif., via Chicago, Ill., and Omaha, Nebr., including necessary incidental expenses and employment of necessary personnel, $1,500,000.

The amendment was agreed to.

The next amendment was, on page 9, line 11, to increase the appropriation for travel allowances to railway postal clerks and substitute railway postal clerks from $3,000,000 to $3,089,931.

The amendment was agreed to.

The next amendment was, on page 10, line 21, to insert the following proviso:

Provided, That the Postmaster General is hereby directed to investigate and to report at the beginning of the first regular session of the Sixty-seventh Congress the probable cost to the Government for the establishment of a factory for the manufacture of stamped envelopes and his opinion regarding the desirability of so doing.

Mr. MOSES. Mr. President, this amendment is one which was inserted in the bill at my instance when it was before the committee, at a time when the committee lacked definite information about the subject which was under consideration. I have since learned that this same end may be attained without legislation, and I therefore ask that the amendment may be rejected.

Mr. TOWNSEND. I have no objection to that.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment was, on page 14, line 9, before the words "per day," to strike out "$4" and insert "$5," so as to make the paragraph read:

For rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices, including cost of power in rented buildings, and miscellaneous expenses of installation and operation of same, including salaries of five traveling mechanicians and for per diem allowance of traveling mechanicians while actually traveling on official business away from their homes and their official domiciles at a rate to be fixed by the Postmaster General, not to exceed $5 per day, $462,080.

The amendment was agreed to.

The next amendment was, on page 15, line 2, to insert the following additional proviso:

Provided further, That on and after July 1, 1921, the increased compensation provided in section 2 of the act approved July 1, 1918, making appropriations for the service of the Post Office Department for the fiscal year 1919, and for other purposes, and in House joint resolution of November 8, 1919, entitled "Joint resolution to provide for additional compensation for employees of the Postal Service and making appropriations therefor," shall be continued in so far as it affects the employees of the mail equipment shops, such increases to be made a part of their base pay.

The amendment was agreed to.

The next amendment was, on page 15, after line 19, to strike out:

For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $1,500,000.

The amendment was agreed to.

The next amendment was, at the top of page 16, to insert the following additional section:

SEC. 2. That the Secretary of War be, and he is hereby, authorized and empowered, at his discretion, and under such rules and regulations as he may prescribe, to loan to any State of the Union, when so requested by the highway department of the State, such tractors as are retained and not distributed under the act approved March 15, 1920, for use in highway construction by the highway department of such State: *Provided*, That all expenses for repairs and upkeep of tractors so loaned and the expenses of loading and freight shall be paid by the State, both in transfer to the State and the return to the Army.

The amendment was agreed to.

The next amendment was on page 16, after line 11, to insert the following additional section:

SEC. 3. That the joint commission authorized under section 6 of the act approved April 24, 1920, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes," is hereby continued until June 30, 1922, to complete the investigation and to prepare a detailed report containing a summary of its findings thereof, and such recommendations as to legislation as it may deem proper.

Mr. CALDER. Mr. President, I wish to inquire about the amendment just read. I understand that the last post-office bill carried a provision authorizing the appointment of this commission. I should like to inquire of the chairman of the committee, the Senator from Michigan, just what progress has been made by the commission in connection with this work? I refer to section 3, on page 16.

Mr. TOWNSEND. Mr. President, the commission has been at work since some time last summer under the operation of the law. We have employed some efficiency engineers, who are making a thorough survey. We are to commence hearings upon their report before the commission next Monday morning. I have asked for partial reports from time to time, and am satisfied that we are going to present to the Congress some reforms, some economies, which will mount away up into the millions of dollars. I think I am safe in saying that the efficiency of certain parts of the department is going to be materially increased. In fact, some of the things that we have disclosed have already been adopted by the department itself. A member of the department is also a member of the joint commission. He knows something of what is being done.

For instance, the separation of the parcels post from the regular mail, providing facilities for the parcel post, separating it

from the first-class mail, is going to be of immense advantage to the efficiency of the mail service, and I believe economically advantageous. We are going to be able to make great savings on the automobile service in the cities of New York and Chicago. We are going to be able to disclose some of the disadvantages of the present service and some of the waste that has been practiced. I do not say that it has been knowingly done by the department, but nevertheless it has been done. We are surveying the whole field, as the law permits us to do. We have taken up the city of New York and the city of Chicago. We are now working not only in those cities, but in Boston, Philadelphia, and Detroit; and while the field is large, I think every member of the commission is satisfied that we are accomplishing great good for the benefit of the Post Office Department.

Mr. CALDER. Does the Senator from Michigan expect the commission to report during the present calendar year?

Mr. TOWNSEND. We expect before this Congress adjourns to make a report to the Senate of what we have accomplished up to date.

Mr. CALDER. The Senator may recall that when the Post Office bill was under consideration by the Senator's committee last year, I appeared before the committee and urged the incorporation in the bill of a provision for the construction of a tunnel connecting the Pennsylvania Station with the Grand Central Station in New York. This, as the Senator from Michigan knows, is not a matter local to New York. It affects the through mail coming from the East to the West and South, and I am sure from his investigation, as far as he has gone, he knows of the traffic conditions in New York with automobiles and how congested it is, and how our whole Postal System in New York needs a careful going over and much improvement.

Mr. TOWNSEND. There is not any doubt at all about that, and we are doing that very thing now. We have investigated the tunnel proposition and other propositions dealing with the same matter, and we are going to report on that subject in detail, as the law requires us to do, before this Congress adjourns.

Mr. CALDER. May I ask the Senator from Michigan if his commission has taken under advisement the utilization of the old tubes in New York?

Mr. TOWNSEND. It has. We are going to make a report on that, too.

Mr. CALDER. I want to repeat what I said last year, that because of the great traffic in New York the handling of mail is much impeded, and it seems to me the automobile service in that city is not nearly as effective as some underground service. In the last calendar year nearly a thousand people were killed in the streets of New York through our heavy traffic, and the Post Office automobile service has contributed somewhat toward that because of the fast traveling of its machines; and, really, that service is not as efficient as it ought to be.

Mr. TOWNSEND. I am very certain the Senator from New York will be perfectly satisfied that the commission is not overlooking the very conditions to which he makes reference.

Mr. CALDER. I am exceedingly anxious that the commission shall report as early as possible, in order that conditions in that great city may be remedied at the earliest possible moment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 16, line 20, to change the number of the section from 2 to 4.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. SWANSON. Mr. President, I gave notice that I should offer an amendment to the bill which I desire to offer at the end of section 2. I wish to say that possibly that amendment may be subject to a point of order; but it is identical with a bill that passed the House of Representatives overwhelmingly, and I offer it now as an amendment to follow section 2 of the bill.

Mr. SWANSON's amendment was, at the end of section 2, to insert the following:

That for the purpose of carrying out the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplemental thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums:

The sum of $100,000,000 for the fiscal year ending June 30, 1922.

The aforesaid additional sum shall be expended in accordance with the provisions of such act: *Provided*, That the aforesaid additional sum, together with any sums apportioned to any State under the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts amendatory thereof and supplemental thereto and not heretofore withdrawn from the principal fund, as provided by section 6 of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919, shall be available for expenditure in that State for the purpose set forth in such acts until two years after the close of the respective fiscal years for which any such sums become available, and any amount so apportioned remaining unexpended at the end of the period during which it is available for expenditure under the terms of such acts shall be reapportioned in accordance with the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916: *Provided further*, That in each State in which the percentage of total land area to which the title of the United States is unqualified or exempt by act of Congress from taxation in said State exceeds 10 per cent of the total area of all lands in the State the Secretary of Agriculture may reduce the ratio of cooperation required, but not to below one-half that which the total of the patented, tax exempt, and national forest land bears to the total area of all lands in the State.

That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000,000 for the fiscal year ending June 30, 1922, for national forest roads and trails.

The said appropriations for national forest roads and trails to be available until expended by the Secretary of Agriculture for the survey, construction, and maintenance of roads or trails within, partly within, or contiguous to the national forests when such roads or trails are necessary for the use and development of the resources of the national forests or desirable for their proper administration, protection, and improvement or for the extension of important main highways.

That any person, firm, corporation, member of any highway commission, or employee thereof that makes any false statement or representation as to the character of material used or quality of work performed in the construction of any project approved by the Secretary of Agriculture under the provisions of said act, with the intent to defraud the United States, shall upon conviction be imprisoned not to exceed five years or pay a fine not to exceed $10,000, or be punished by both imprisonment and fine.

That the Secretary of Agriculture shall make annual report to Congress of the amounts expended hereunder.

Mr. TOWNSEND. Mr. President, I shall have to make the point of order against that measure; but first I should like to say something to the Senate, if I could only have the attention of the Senate. I dislike very much, however, to talk to a very few Senators here, and then have some others come in, and, under a prearranged canvass of the Senate, decide the matter, as I believe they will have to decide it, without information.

Mr. THOMAS. Mr. President, as I am very much interested in this proposed amendment, and feel it my duty to oppose it, I suggest the absence of a quorum, so that the Senators may be here to hear what the Senator from Michigan has to say about it.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gronna	Lodge	Smith, Ariz.
Beckham	Hale	McCormick	Smith, Md.
Borah	Harris	McKellar	Smith, S. C.
Brandegee	Harrison	McNary	Smoot
Calder	Heflin	Moses	Spencer
Chamberlain	Henderson	Myers	Sutherland
Colt	Hitchcock	Nelson	Swanson
Curtis	Jones, N. Mex.	New	Thomas
Dial	Jones, Wash.	Norris	Townsend
Dillingham	Kellogg	Overman	Trammell
Edge	Kendrick	Phipps	Underwood
Elkins	Kenyon	Pittman	Walsh, Mass.
Fernald	Keyes	Poindexter	Walsh, Mont.
France	King	Pomerene	Warren
Frelinghuysen	Kirby	Ransdell	Williams
Gay	Knox	Sheppard	Willis
Gerry	La Follette	Simmons	Wolcott

The VICE PRESIDENT. Sixty-eight Senators have answered to the roll call. There is a quorum present.

Mr. TOWNSEND and Mr. SWANSON addressed the Chair.

The VICE PRESIDENT. The Senator from Michigan. Does the Senator from Michigan yield to the Senator from Virginia?

Mr. TOWNSEND. I dislike to yield, because Senators are here now, and I would like to say a word or two to them while they are here.

Mr. SWANSON. I simply want to put my motion before the Senate to suspend the rules. I gave notice about a week ago that I should make such a motion. I want that motion to be brought before the Senate now, because I believe the amendment is subject to a point of order. Consequently I gave notice that I would move to suspend the rules and ask that the amendment be made in order. That is all I desire to do.

Mr. TOWNSEND. Mr. President, I am very anxious for the Senators to remain in their seats for just a few minutes, because I realize that there has been a very systematic canvass made in reference to the proposition which the Senator from Virginia [Mr. SWANSON] now offers to the Senate. I wish further to say that, if it is the sense of two-thirds of the Senate that this measure should be adopted at this session of Congress, I do not care to delay the action which they may finally take, and if I could know that in advance I would not

make the point of order. But I know of no way of determining that except by making it.

This is the proposition, Mr. President: The Roads Committee of the House reported the bill granting $100,000,000 appropriation to the States, to be distributed under existing law; that is, the States were to share in this appropriation according to population, area, and road mileage. The States were to put up an amount equal to that appropriated by the Federal Government.

This appropriation of $100,000,000 is for the year 1922, to continue the law already in existence. There has been much said to the Senate with reference to the necessity of this appropriation in order that road improvement may not stop—that the present State organizations may go on in the construction of roads—always on the theory that it is necessary in order to carry on road construction to have this appropriation.

The fact of the matter is, there has been appropriated since 1916 about $275,000,000.

Mr. McCORMICK. May I interrupt the Senator at that point?

Mr. TOWNSEND. I yield to the Senator.

Mr. McCORMICK. A part of that sum has been expended for roads which are in no way permanent, has it not—gravel roads?

Mr. TOWNSEND. Yes; I was going to get to that in just a moment. Of this $275,000,000 which has been appropriated since 1916, and made available, there still remains unexpended and unappropriated $117,000,000.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Minnesota?

Mr. TOWNSEND. I wish the Senator would allow me to make my statement, and then he can interrupt me.

Mr. KELLOGG. If the Senator objects, of course, I will not ask him a question; but if he does not object, I will.

Mr. TOWNSEND. I would like to have the Senators who are now present hear me for a little while, until I get through with my statement; but I do not object to the Senator asking me a question.

Mr. KELLOGG. Go ahead; I will not ask the Senator a question.

Mr. TOWNSEND. I recognize the fact that many highway commissioners of the States have complained, and now offer the argument that much of this money has been anticipated by future plans which have not yet been approved by the Federal Government. It is very important that we should understand what those future plans have been and are.

Some of the States of the Union have wisely expended Federal-aid money; that is, they have expended it on a system of roads, having the ultimate view of a general plan of roads, which means service to the public. Many of the States, and those which are now insisting upon this appropriation, have no system. This has come to be in many States a pork-barrel scheme, worse than the river-and-harbor scheme ever was, because the money has been expended where there evidently was the greatest political influence; it has been divided pro rata among the counties of States, and those counties in many cases have expended the money on little strips of road, beginning nowhere and ending nowhere. The result has been that much of the money has been wasted—worse than wasted.

Let it be understood, Mr. President, that I am in favor, strongly in favor, of Federal participation in road construction. I have felt, and still feel, that roads of interstate importance, which serve an interstate purpose, which purpose is growing in importance every year, and the future of which no man can now predict, should be constructed. But I have felt, and still feel, that this money should be expended on interstate roads, and that there should be provision made for maintenance after the roads have been constructed.

As the Senator from Illinois [Mr. McCORMICK] has suggested, much of the money in some of the States has been expended on very improper roads, roads that have been almost destroyed with the first storm, or with the first heavy truck that has passed over them.

I have felt, Mr. President, that there was money enough to last the States until next year in any proper scheme which they may develop or had developed. In the meanwhile I have wanted the Committee on Post Offices and Post Roads to have an opportunity to devise a plan, a scheme, a system, if you please, for the construction of roads which would conserve the money which the Federal Government has appropriated or is proposing to appropriate.

In the House there was recently introduced a bill known as the McArthur bill, which provided that this $100,000,000 appropriation should be expended only on roads of interstate importance. But there was substituted for that bill the Sells bill, which simply provides for an additional appropriation of $100,000,000, to be expended under the old or the present plan.

Mr. President, the Senator from Virginia [Mr. SWANSON] has made a motion to suspend the rules and make this House bill from the Committee on Post Offices and Post Roads proper as an amendment to this bill. It requires two-thirds of the Senate to suspend the rule. I am opposing it, because I do not know in advance whether two-thirds of the Senate wants this bill passed as it is or not. If I did know that in advance I would not interpose an objection for a moment, but would allow the Senate to have its way about it.

No man can go ahead of me or before me in his desire to have good roads in this country, and for the Federal Government to do its part. I have had a theory of my own, but I have not advanced it. I am not using it to block any legislation, but I have felt that there should be a national system of roads, a State system of roads, and a county system of roads. I have felt it would be economy to establish those.

The late Senator from Alabama, Mr. Bankhead, who introduced into the Senate the bill which is now the law, stated that while I, his colleague, was opposed to the system, that I felt that during the emergency when our boys were coming home from the war and we needed to offer employment to them, I should not oppose it, and he himself stated that he knew we should build a system of roads and that this should only be a temporary matter.

Now, the highway commissioners of the State say that they need the money in order that they can advance the present system which they have. All of the unexpended balance will be carried over after the end of the next fiscal year to be expended as the law permits now. I submit that it is my judgment, after looking into the matter very carefully, that nothing will be embarrassed. I know it is urged that there are some legislatures that will not be in session a year from now and that they can not make the necessary appropriations or provisions to match the Federal appropriations and that they ought to do that now.

I have been discouraged with some of those arguments because they have disclosed to me that many of the States are not appropriating a dollar except to meet the Federal aid. My State of Michigan and many other States have bonded themselves for millions of dollars, the State of Michigan for $50,000,000, to be expended on good roads. The little appropriation that comes from the Federal Government is but a bagatelle compared to the total amount. However, I repeat, there is disposition on the part of some of the States, and they are making the most noise about this now, to appropriate no money except to match the Federal aid. That was not the original idea. The original idea of making appropriations was to encourage road building in the country, to create a spirit of progress in reference to road construction, and it has done that in many cases; in some cases it has not. If I felt that the road construction policy of the country was to be interfered with or injured, I should even consent to this. I would prefer that it be $50,000,000 instead of $100,000,000. I can assure the Senate that it is a part of the program now that at the beginning of the next session the Committee on Post Offices and Post Roads, which will not have fiscal legislation in charge and will not be held in the Committee on Foreign Relations or Committee on Finance, will take up the problem and have hearings upon it and try to present a scientific system or scheme for Federal participation in road building throughout the country.

I have said this much because I felt that I should like to have Senators understand my viewpoint. If the motion of the Senator prevails to suspend the rules, it will be decided whether we want to put the House bill upon the pending appropriation bill, and if it is so decided it will receive no further opposition from me. I simply desired to present the case as I see it. I think no Member of the Senate understands it better than I do, because I have given very careful attention to it and think I understand what I am talking about.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. BECKHAM in the chair). Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. Certainly.

Mr. POMERENE. I remember distinctly that one of the questions in conference several years ago when the legislation was adopted was with reference to the character of roads and the character of service to which Federal aid should be applied. Does the Senator have in mind now what the character of these roadways is that can be improved by the Federal aid?

Mr. TOWNSEND. Any road can be improved by the Federal aid.

Mr. POMERENE. One of the contentions, and I know I was one of those who so contended at the time, was that the Federal aid should only go to permanent betterment and not to matters of repair or to improvement which might be simply temporary in character. What is the provision of the legislation now in that regard?

Mr. TOWNSEND. There is no provision as to that except that it is practically referred to as permanent, but it is a relative matter, a matter of definition which the director of good roads must decide in cooperation with the State authorities who present the projects for his approval. As I said, good roads is a relative term. For instance, what would be a permanent road or a good road in one community—in a rural community, for instance—would not last overnight in some other community. What they ought to do, what they ought to try to do at least, is to build roads suitable to the use to which they are to be put. As it is now, frequently a very expensive road a mile long is built in some State or some county without any terminal facilities connecting any other good road, at an expense far out of reason, when taking into consideration the use to which the road is to be put, and when considering what it ought to have cost if a continuous system of roads had been constructed.

Mr. SWANSON. If the Senator will permit me, I am sure he does not wish to leave a wrong impression from his statement. Under the law Federal aid can only go to permanent roads. Under the law the State authorities must agree to keep those roads in repair. Is not that true?

Mr. TOWNSEND. That is true.

Mr. SWANSON. In other words, they must agree to keep them in repair, to keep them in as good condition as the road which the money was appropriated to construct.

Mr. TOWNSEND. I answered the Senator from Ohio that that was a relative matter. The State of the Senator from Virginia follows that plan especially, and it is followed in other States of the country where they build their roads on a county system and the roads have not been maintained.

Mr. SWANSON. Let me call this to the Senator's attention, briefly, because I wish to speak later on the subject. The Senator would not advocate the building of a road costing $40,000 per mile if the people merely wanted the roads to go to their depots, to carry their produce there and ship it out to the country. The Senator would not advocate the Federal Government spending $40,000 a mile for a road where rural carriers on star routes operate, in order that the contractors might extend their business, because it is left to the State authorities under the law, which we fought here for nearly a month, to determine the character of the roads, but they must be permanent, and the State must agree to keep them in repair before the Federal Government will spend a cent on them. Is not that true?

Mr. TOWNSEND. Absolutely. That is the theory of the law.

Mr. POMERENE. Will the Senator yield, that I may ask the Senator from Virginia a question?

Mr. TOWNSEND. I yield for that purpose.

Mr. POMERENE. I am a little bit confused by what is meant by permanent roadway, and I should like some specific information on the subject. Assume for the sake of argument that there is a grading of a roadway, that it is crowned, and that there are the usual drainage gutters on either side. In the administration of the law would that be regarded as a permanent improvement?

Mr. SWANSON. If the Senator will permit, I should like to explain what I understand the law to be. I was a member of the committee which prepared the law and a member of the committee that finally agreed to it in conference. There are four or five different classes of permanent roads. What is called a sand-clay road has been criticized more than anything at all, although a great many of them have been constructed; but if the State authorities and the Federal authorities agree that a sand-clay road is what is needed in a particular community, and that the money ought to be expended for that character of road, then they agree on the sand-clay road. It only costs about two or three thousand dollars a mile. The Federal Government furnishes its half of the money.

The State authorities agree to keep that road in repair, which means that the State authorities will spend enough money to keep it at all times in that condition. Further, the law provides that if they do not do that, if any State is derelict in keeping that promise, they forfeit their share of the next appropriation for Federal aid. That is true, is it not?

Mr. TOWNSEND. Yes; for the next year.

Mr. McCORMICK. May I ask the Senator what will have become of the Federal moneys expended during the year preceding?

Mr. SWANSON. We lose them if they do not carry out their promise. If the road is built and the State authorities do not keep their promise and keep it in a condition of repair and make it permanent in that way, then the next year the State does not get any money from the Federal Government, because it has not fulfilled its obligation to the Federal Government. That is the penalty that is applied in a case of that kind.

Mr. POMERENE. Would it not be more accurate, under the state of facts which the Senator from Virginia has presented, to call that a permanent road, but not a permanent improvement?

Mr. SWANSON. Under the law we can not improve a road unless it is in such condition that it amounts absolutely to a reconstruction. The law has been misunderstood in that respect and to a great extent misrepresented. Under the law, as I understand it, we can not make an improvement on a road that is already constructed unless it amounts to a reconstruction.

Mr. POMERENE. Does the Senator construe the law as permitting a State, or, let us say, a county, to lay out a new roadway in a section where there has never been a roadway?

Mr. SWANSON. It could do that.

Mr. POMERENE. Then I think we ought to have some further limitation.

Mr. SWANSON. All right. Take some of the States out West, where new cities and new communities are being built up. Conditions in Ohio are different from those in Montana, for instance.

Mr. PITTMAN. Mr. President, the statement of the Senator from Virginia was slightly inaccurate. He said that a State could build the road anywhere it sees fit. Under the act a plan must be laid out by the State highway engineer, and before the Government becomes obligated at all it must be approved in every particular, including the plans, estimates, and all, by the Secretary of Agriculture.

Mr. SWANSON. I thought that the Senator asked whether the Secretary of Agriculture could build new roads or not. He has the power of approval. The project must initiate with the State. Instead of the initiation starting here and simply building great big roads for automobiles, we let each State consider its conditions and its needs, and we do not try to have a great centralized system.

The initiation starts with the States, and they furnish half of the money under the present system. When the States say, "We need certain kinds of road or a certain amount of road and we are willing to spend half the money to construct this kind of a road," then it comes here to the Federal Government for approval or disapproval.

Mr. POMERENE. I am perfectly clear in my own mind as to this fact, that it is the duty of the Congress of the United States to determine specifically the kind and character of road to which Federal aid shall be applied. If we are not going to do that, we are going to have this difficulty, that the so-called backward communities will do next to nothing to build their roads. I am willing to give Federal aid to the extent that it is going to encourage backward communities to build their roads, but I am not willing that the Federal Government shall bear this burden, and that is what it will ultimately mean.

Mr. SWANSON. I have a report here which shows what has been done under the appropriation of $275,000,000, showing that the so-called backward communities are paying their part and the States are doing the same, and that the Federal Government is benefiting as much as the State by the construction of roads used by the rural carriers and various other agencies of the Federal Government. I have before me the testimony of Mr. MacDonald. I just wish to show how the system is constructed and how wonderfully it works and what great progress and development it has made.

Mr. MacDonald said:

> We made an estimate, Mr. Chairman, at the beginning of construction last year that shows that the States, counties, and Federal Government together made available for last year's construction $633,000,000, of which the Federal aid appropriation available at that time was only about one-fourth, as I recall it.

In other words, these backward communities, these counties, these States raised four times what the Federal Government appropriated for the great road improvement work which is going on in the country. This matter has been misunderstood and misrepresented by people who wish to build $40,000-a-mile roads all through the country strictly and entirely for automobile traffic.

There is an estimate complete, clear, and specific. There have been $4 furnished in these backward communities, in the States and counties, for every dollar of Government money which has been provided. In other words, the States have provided for the star-route contractors, for the rural carriers, and for other agencies of the Federal Government which use

the improved roads twice as many miles of such highways as has the Federal Government which uses this road mileage.

Mr. McCORMICK. May I ask the Senator from Virginia a question?

Mr. SWANSON. Yes.

Mr. McCORMICK. Do I understand the Senator to say that the sum to which he refers was contributed only by the States which are not building permanent concrete or macadam roads?

Mr. SWANSON. If the Senator will permit me, I desire to say that some States are building permanent roads, while some are building sand and clay roads. In the case of roads around Richmond, around New York, around Chicago, or around Baltimore and Washington, where the traffic is heavy, the department passes on the kind of roads which are to be constructed and requires the building of concrete roads. Why? Because a macadam road or a dirt or clay and gravel road would not last a week under the heavy traffic which passes over the roads adjacent to the cities which I have enumerated. However, who is going to build a permanent road costing $40,000 a mile merely to go to a little depot when a sand and clay road or a macadam road is all that is needed?

Mr. McCORMICK. The Senator from Virginia, if I understood him rightly, described the States which have appropriated $4 for every dollar which has been appropriated by the Federal Government as backward communities. Did he mean to imply that those were the States which built sand and clay roads?

Mr. SWANSON. I did not say that so-called backward counties and States had contributed that amount of money, but I was referring to the aggregate contributed by all the States.

Mr. CURTIS. Mr. President, I wish to ask the Senator from Michigan a question with reference to the $117,000,000. My information is that last November there remained unexpended $117,000,000 for road improvement, and since that time there have been entered into contracts amounting to some forty or fifty million dollars for additional road work. I desire to ask the Senator if he has any information on that subject?

Mr. TOWNSEND. I do not have any report from the department on that subject. The latest report I have is for November 30 last. I have no doubt that some contracts have been made since then, which will, perhaps, be completed in two years. There is, however, a large amount of money—millions of dollars—that has neither been allotted nor contracts agreed upon for the construction of the roads. Two or three of the States, I think, have pretty well used up their allotments.

Mr. PHIPPS. Will the Senator from Michigan allow me to put in the figures in reference to this matter?

Mr. TOWNSEND. Yes.

Mr. PHIPPS. On that point I should like to call attention to the condition of the appropriations of Federal road money under the apportionments to the various States. I have in my hand the statement as of December 31, 1920, which shows that out of the original allotments available, amounting to $266,750,000, there were under construction at that date approved projects involving an expenditure of $149,690,630, leaving a balance available of $117,059,370. The statement gives the figures by States.

I have an additional statement which shows the amount that has actually been paid on account of construction of approved projects as of November 30, 1920, the latest date available. The total of that statement shows that out of the $266,750,000 available only $47,300,610 had actually been withdrawn from the Treasury of the United States and that there was on that date available for payment later by the Treasury of the United States $219,449,000.

Before asking that these statements be inserted in the RECORD, I desire to call the attention of the Senator from Virginia to the fact that out of the allotment for the State of Virginia of $5,451,730 that State had drawn down up to November 30 last, $750,757 on account of projects, leaving available to that State $4,700,972.

Mr. SWANSON. Will the Senator permit me before he leaves that matter——

Mr. PHIPPS. If I may be permitted, I desire to give the additional figures.

Mr. SWANSON. Do those figures pertain to Virginia?

Mr. PHIPPS. Yes, sir; these figures pertain to Virginia.

Mr. SWANSON. I will state what is the situation in Virginia. The amount apportioned to Virginia from the $275,000,000 is $5,451,730.28. On the 1st of January, of this amount there had been assigned to projects under construction and partly completed $2,676,337, the projects being nearly one-half completed.

Since January 1 there has been assigned to other projects $91,000, and by January 1, 1922, there will be assigned to still other projects at least $1,684,303.28. The three sums last mentioned will exhaust the amount of the allocations to Virginia, and the fiscal year will still have six months to run; in other words, Virginia is in the same situation as a great majority of the States; six months after the 1st of July the Federal road money for the entire country will be exhausted, and during the last six months of the fiscal year from the 1st of July, 1921, to the 1st of July, 1922, there will be no Federal aid money coming to Virginia.

In this connection, while we are discussing the figures, let me make this statement: I have made a synopsis here of the situation. Prior to January 1, 1921, there had been apportioned to the States $266,750,000, which was the total of $275,000,000 less the administrative charge of 3 per cent. There has been paid, or was due the States on account of completed work, $83,632,282.

Mr. TOWNSEND. I hope Senators will keep in mind that, according to the Senator's statement, from the beginning there has been $83,000,000 of the $256,000,000 paid.

Mr. SWANSON. That is right; but let me complete the statement. The report of Mr. MacDonald is that the States pay the necessary amounts for road construction far in advance, and after they have paid on the contracts they draw months and months afterwards on the Federal Government, thus acting generously to the Federal Government in that respect; and now, although the States have acted generously in that way, their action is made the subject of criticism.

Now, let me go further.

There has been pledged on uncompleted contracts $66,050,825, thus leaving a balance of $117,000,000 in round numbers. The estimated commitals for the rest of the fiscal year—this is what was testified to before the committee in the House—on account of projects approved and in process of execution will be not less than $50,000,000, and probably considerably more. That is for projects the contracts for which have been approved and the specifications made. Thus there will be unexpended and unpledged on the 1st of July next at the outside not more than $67,066,893.

Now, what does that mean?

Mr. TOWNSEND. Mr. President——

Mr. SWANSON. I will ask the Senator to wait a moment. Under present conditions $8,000,000 a month, or about $100,000,000 a year, is being expended, which means that at the end of six months, unless a further appropriation is made, this entire program will stop after the 1st of January, 1922, until the 1st of July, 1922.

Mr. PHIPPS. Mr. President, the figures which I have been quoting are official. I think they should go into the RECORD, and I shall make that request. Before doing so, however, I wish to state for the information of Senators that last year the Committee on Post Offices and Post Roads held extensive hearings on the subject of good roads covering a period of about three months. Many witnesses from various States in the Union appeared before the committee and gave most interesting testimony. That testimony is a matter of record and is available to Senators. I believe I am safe in saying that the consensus of opinion of those witnesses was that the present methods which we have been following are not economical, but, on the contrary, are wasteful; that they should be discontinued and that a different method should be inaugurated in connection with the building of roads so that eventually there may be established a national system of highways. The opinion was also expressed that our expenditures at the present time were too largely devoted to inferior second and third class roads on which money was being wasted by county commissioners and State officials in order to get the mileage promptly, instead of deciding upon comprehensive plans that would give us what we should have, namely, permanent roads to serve the communities in the different sections of the country in the manner in which they should be cared for.

Mr. POMERENE and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Michigan yield?

Mr. TOWNSEND. I yield first to the Senator from Tennessee.

Mr. McKELLAR. If the Senator will allow me, I should like to complete the figures which have been given. I have a letter from Mr. MacDonald, Director of Roads, dated February 17, in which he says:

> On December 21, 1920, $149,683,107 was either under actual construction or completed, leaving $117,066,893 on that date available for new contracts. During the calendar year 1920, $91,168,733 of Federal-aid funds were put under contract for construction by the States. The present calendar year is expected to be one of still greater activity in road construction, and at the end of the year the balance of the Federal-aid fund should be practically exhausted.

That is the latest report on the subject. I desire to have the letter incorporated in the RECORD at this point if the Senator from Michigan has no objection.

Mr. TOWNSEND. Very well; I have no objection.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PUBLIC ROADS,
Washington, D. C., February 17, 1921.

Hon. KENNETH MCKELLAR,
United States Senate.

DEAR SIR: Complying with your request by telephone for information regarding the status of Federal-aid road funds, it is stated:

Two appropriations have been made by Congress, one in 1916 for $75,000,000 and one in 1919 for $200,000,000; in all, $275,000,000. Three per cent was deducted for Federal supervision, and the balance, $266,750,000, was apportioned to States, as shown in the inclosed table.

On December 31, 1920, $149,683,107 was either under actual construction or completed, leaving $117,066,893 on that date available for new contracts. During the calendar year 1920, $91,168,733 of Federal-aid funds were put under contract for construction by the States. The present calendar year is expected to be one of still greater activity in road construction, and at the end of the year the balance of the Federal-aid fund should be practically exhausted. It is already practically exhausted in the States of Delaware, Florida, Georgia, Idaho, Illinois, Louisiana, Maryland, Rhode Island, Washington, and West Virginia. Tennessee, on December 31, 1920, had $2,520,506 of Federal aid available for new contracts, the balance of its apportionment being already under construction or completed. Reports from your State highway department show $476,366 put under contract since that date, $550,000 which will be put under contract by April 1, and the remainder by July 1, 1921. In at least 7 of the States other than those given above the balance of the Federal aid apportioned will be absorbed by the end of the present fiscal year; in at least 15 other States the balance will be absorbed by the end of the present calendar year. Of the remaining 15 States all, with the possible exception of 1, will probably have absorbed the balance of their apportionments by the end of 1922.

The total amount paid or due States on December 31 for work actually completed was $83,632,282. On this date there had actually been paid out of the United States Treasury $48,049,783, so there was due the States on that date on completed work $35,582,499. During the month of January, 1921, $8,870,958 was paid out of the Treasury for completed work. There is a lag between the expenditure of the fund and the actual disbursements from the Treasury due to the fact that many of the States have been carrying the cost of the projects which are under way until they are nearly or entirely completed.

In considering the question of further Federal aid, it should not be forgotten that the State legislatures are now in session, that very many of them will not meet again in regular session for two years, and that in many of the States the sessions are limited to 60 days, so that if Congress does not appropriate at this session the road building organization in many of the States will go out of business, and road building in those States suffer very seriously.

There is also inclosed for your information copy of a table prepared by this bureau, showing the value of the basic products of each State for 1919, the percentage that the total of these for each State is of the total for the whole United States, and the percentage each State receives of Federal aid. On a separate sheet is given the position of each State, as indicated by the value of its basic products, and in the adjoining column the order according to amount of Federal aid apportioned.

Very truly, yours,
THOS. H. MACDONALD,
Chief of Bureau.

Mr. POMERENE. Mr. President——

Mr. TOWNSEND. I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, I desire to ask a question of the Senator from Colorado, if the Senator from Michigan will permit.

Mr. TOWNSEND. Certainly.

Mr. POMERENE. The Senator from Colorado stated a moment ago that it was the consensus of opinion of the witnesses who appeared before the Post Offices and Post Roads Committee that there was no sufficient scheme or plan for general road building, and, in substance, that a large part of the money appropriated by the Federal Government was being wasted. May I ask the Senator who those witnesses were and what were their means of information which led them to the conclusion which the Senator has stated?

Mr. PHIPPS. The principal ones I had in mind were the highway commissioners from different States of the Union. We had, as I recall, one very competent witness in the person of the official who is in charge of road construction for the State of Pennsylvania, and we had another from the State of Ohio, I believe. Many representative men, at the head of various automobile organizations in the different States, also appeared before the committee, as well as two or three from the national association, and others from the grange.

Mr. SWANSON. If the Senator will permit me, I should like to ask him a question there. Did the highway commissioner from Pennsylvania complain of the waste in other States or in Pennsylvania?

Mr. PHIPPS. Mr. President, I should not like to answer that question offhand. His testimony is of record. I remember that he was a most competent and interesting witness.

Mr. TOWNSEND. The State of Pennsylvania have no reason to complain, for they are distributing their money and building their roads.

Mr. SWANSON. He has a right to veto any waste in his own State.

Mr. TOWNSEND. He has.

Mr. SWANSON. The highway commissioner of the State of Ohio has a right to veto any waste in his own State; but the highway commissioner might think $40,000 a mile ought to be spent for roads in the vicinity of some little western town to let the farmers bring their produce to the market. It is folly to advocate any scheme like that.

Mr. TOWNSEND. The Senator has repeatedly referred to that. I have never heard before of anybody advocating that notion. There is nobody complaining that you do not spend $40,000 a mile.

Mr. SWANSON. Take the case of a community where it is a question of carrying goods to small towns, where the Federal Government has its rural carriers and its star-route men traveling over the roads and is willing to contribute so that it can get the star routes served more cheaply and so that the rural carriers can cover more miles. Does the Senator think it would be wise to have roads of that kind constructed of concrete?

Mr. TOWNSEND. I do not; and I said that to begin with.

Mr. SWANSON. Now, the chief criticism that these commissioners make that I have read is that they do not build roads around small towns, and thus give them access to the market, like they do in the big towns, for truck service.

Mr. TOWNSEND. The Senator is entirely mistaken. That was not their criticism at all. Their criticism is that that money is expended in driblets, here and there, without any general system, when they ought to spend their money on main roads, constituting systems of roads, and allow the counties and their smaller divisions to build these lesser roads.

Mr. SWANSON. If the Senator will permit me, I can see how in large communities that have developed like Massachusetts, like Pennsylvania, or like others of the same kind, that is the only kind of road you need, because they build roads to the depots in the little towns; but take a new community, and what do they need there more than anything else? And this is what the debate and the fight was over at the inception of this legislation. The first roads that they need are to get to the markets to sell their farm produce. The next roads they need are to get access to the little towns. As soon as these are built in the various communities of the country, they will be connected with these large interstate roads; but to start at the beginning with great, big interstate roads for automobile service when they can not get the farm produce to market, when they can not get to town what they raise, is wrong, and that conflict started at the inception of this legislation. Now, after we pass this legislation, I believe in supplementing it at the proper time with the character of legislation advocated by the Senator from Michigan.

Mr. TOWNSEND. That is the statement that was made three years ago. The same thing was said then.

Mr. LODGE. Mr. President——

Mr. TOWNSEND. I yield to the Senator from Massachusetts.

Mr. LODGE. Mr. President, I only wanted to say that I have listened to the criticisms that have been quoted, where these experts in road building have made criticisms about automobile roads, which the Senator from Virginia has overthrown so successfully at least five times. I think where they make a mistake is that they do not understand or make any allowance for the primary purpose of these expenditures.

The primary purpose of these expenditures is not the building of roads. That is the secondary point. The primary thing is to get a certain amount of money from the Treasury of the United States and spend it among deserving persons. That is the real purpose, and I think that is overlooked too much.

Mr. TOWNSEND. I am fearful that that is too frequently the case.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from North Carolina?

Mr. TOWNSEND. I yield.

Mr. SIMMONS. If the Senator will permit me, I do not know about what is being done in other States with reference to the construction of roads with Federal assistance, but I do know something about what is being done in my State. The legislature of my State is now in session, and it is considering a bill to appropriate $50,000,000 for road construction, and it is my understanding that it is proposed to construct hard-surfaced roads. Indeed, the governor of the State has made it clear that that is the only kind of road construction he will approve. I presume this bill will pass. Now, I am advised—

I do not know what the facts are—that unless some additional appropriation is made by the Federal Government, the allotment which will come to North Carolina will be exhausted by the end of this fiscal year.

Mr. TOWNSEND. Mr. President, let me remind the Senator of this: If this $100,000,000 should be appropriated, North Carolina would get about $2,000,000 of it. The Senator's State is proposing to have a bond issue of $50,000,000.

Mr. SIMMONS. Yes.

Mr. TOWNSEND. Does the Senator anticipate that there will be anything in the way of his State proceeding with the expenditure of at least $48,000,000?

Mr. SIMMONS. No; but I do not understand that it is intended to be confined to road construction in North Carolina, built in cooperation with the Government. Many counties are also voting large sums for roads, and of course we could not expect the Government to match all these expenditures.

Mr. TOWNSEND. I am very glad of it.

Mr. SIMMONS. As I said, I do not understand that it is expected that the Government will match all of the money appropriated in North Carolina by the State and counties for road construction, but what I intended to make clear was that unless there was an additional Federal appropriation the funds allotted to North Carolina out of past appropriations would not be available for cooperative road construction after the end of the present fiscal year; that is to say, the amount allotted will be either expended or contracted for by that time.

Mr. TOWNSEND. On the 30th day of November the Senator's State had $4,981,000.

Mr. SIMMONS. Yes; but the most of that is contracted for. The work is going on now.

Mr. TOWNSEND. It will take a couple of years to get it.

Mr. SIMMONS. I do not know how long it will take to get it or finish the contracts that have been made or approved, but the point is this: We can make no more contracts after a certain time; unless the Federal Government provides an additional appropriation the scheme of cooperative construction will be interrupted and will have to be held in abeyance until the Government provides additional funds to match our contribution, and this would be unfortunate.

Mr. TOWNSEND. Why, yes; possibly that is true; but I do not think that applies——

Mr. SIMMONS. The Senator does not want the work stopped that is being carried on in North Carolina in cooperation with the United States. These contracts have to be made in advance. We are, as I understand, working on a State system in North Carolina. We are not working upon a county system. The counties are assisting, but it is a State system. In the first place, we propose to build a State highway extending the length of the State, which is 400 or 500 miles. Then it is probably proposed to build one or more cross-State highways. That is, in general terms, the scheme as I understand it; but we do not want to be in a position where, when we have spent the cooperative funds provided from past Federal appropriation, we can not, for lack of provision of additional Federal aid, make additional contracts looking to further cooperative construction, because you can not successfully prosecute a great scheme like this if the construction is intermittent. And unless the work is continuous it can not be either efficiently or economically carried on or completed in a reasonable time. Of course, that only applies to roads to be constructed with Government aid and to those constructed by the State and counties alone.

Mr. TOWNSEND. That will keep the Senator's State pretty busy.

Mr. SIMMONS. We are not only proposing to construct these main highways, but lateral roads contemporaneously with the construction of the main highways—that is what I understand the North Carolina road scheme to be—and we expect Government aid in constructing these main highways, in the construction of which the counties through which they pass as well as the State will probably contribute.

Mr. TOWNSEND. Does the State of North Carolina confine Federal aid to main highways, interstate roads?

Mr. SIMMONS. I do not know the provisions of the pending bill on that subject. I have not seen a copy of the bill. Of course, the counties are expected to build the purely local roads.

Mr. TOWNSEND. The Senator is in favor of that, is he?

Mr. SIMMONS. I should think that probably would be wise until the main highways are completed. They would be interstate. I am not able to state, as I said before, to the Senator exactly the terms of the proposed bill appropriating fifty million, to which I have referred. I can state, however, that the present scheme with reference to construction with Government aid is to build great highways through and across the State, with the idea of making them State roads, devoted to serving the people of the whole State, and not particular localities.

Mr. JONES of Washington. Mr. President, I should like to ask the chairman of the committee a question.

Mr. TOWNSEND. I yield to the Senator from Washington.

Mr. JONES of Washington. As I understand, the allotment of the State of Washington is something over $3,000,000—I think nearly $4,000,000. The amount of that that has been allotted or constructed, I think very largely spent, is over $3,000,000, there being on hand about $108,000. Now, if no additional appropriation is made or authorized, that means that State and National cooperation in the State of Washington will practically stop. Is that correct?

Mr. TOWNSEND. If that is true, as I have stated, what I want to do and what I think can be done without any difficulty is at the beginning of the next session for the Committee on Post Offices and Post Roads to take up this question and pass a bill on the subject before July 1. I think we can do it while the other big committees are working on the finance bill and the foreign relations bill.

Mr. JONES of Washington. We might be in this situation in our State: Our legislature is now in session. Of course, we are doing a great deal of State building of roads, county building, and so forth. I think there is probably hardly any State in the Union that is doing more toward good roads than our State, but unless some provision is made to indicate what the National Government is going to contribute, our State legislature would not be advised as to what action it should take in order to meet probable cooperation by the National Government. Our legislature will adjourn early in March. It meets only every two years, unless called in extra session, and that seems to me to indicate rather the importance of having something definite so far as the interests of our State are concerned.

Mr. TOWNSEND. I think there are several States—four or five, or maybe six, States—in the Union that are situated about as Washington is situated.

Mr. SWANSON. If the Senator will permit me——

Mr. TOWNSEND. Wait just a minute; please let me answer the Senator. I think possibly there are several States that are in that condition, but I am wondering how materially that is going to affect those States. In the case of the State of Washington, even under those conditions, it does not know positively now just how much money it is going to have from the Federal Government for next year when its money runs out; its plans are laid out now, practically. It has not let its contracts, but many of those highway commissioners have been very active to get just as many propositions submitted as possible for the purpose of forcing an appropriation now. I admire their zeal; it is all right, but some of their arguments are not good.

Now, you are going to get money from the Federal Government. I think that is the general disposition. The question is whether that money will be appropriated so that its expenditure will be confined to through propositions, as almost every thoughtful man thinks it ought to be, or whether we will continue to appropriate it under the present scheme, to be divided up as the States may suggest; for while it is true that the Director of Roads may have something to do about it he has practically nothing to do about it. He goes through the formality of approving certain projects that are submitted by the State authorities, and it is his business to see that those roads are maintained before they get another appropriation from the Federal Government; but let any man ride through this country over the roads that have been built by the States with Federal aid and are supposed to be maintained by the States, and see what condition they are in now. It is a shame.

What I am asking is that we let this matter go for a few weeks until we have had time to consider a real proposition; and that is the one matter of business that our committee has on hand now, the one thing that we propose to ask for at the very beginning of the next session of Congress.

Let us see if we can not devise a scheme for spending Federal money so as to get results for the people, and get the worth of our money, instead of expending it so wastefully, as much of it is being expended now. That is my plan; that is the proposition I wish to submit, and I think we ought not to put this on the bill.

Mr. HITCHCOCK. Mr. President, I listened very carefully to what the Senator had to say, and I listened with an open mind. I was at first impressed by his statement that there still remains something like $117,000,000 available to be expended. But that statement made by the Senator from Michigan does not accord with the report which I have here from the Director of Roads. He cites, in the first place, that there

are 11 States in the position of the State of Washington, referred to by the Senator from Washington, in which the appropriation has already been entirely exhausted. He refers to my own State, in which the appropriation will be exhausted this year, the work being nearly completed. Then, in addition to that, the Director of Roads says:

> In at least seven of the other States, other than those given above, the balance of the Federal aid apportioned will be absorbed by the end of the present fiscal year. In at least 15 other States the balance will be absorbed by the end of the present calendar year. Of the remaining 15 States, all, with the possible exception of one, will probably have absorbed the balance of their apportionment by the end of 1922.

It seems to me, in view of that fact, unless we want to have a lapse in this work and a lapse of the appropriation, now is the proper time for Congress to take some action to make the work continuous. I realize that it is probably true that in some States the money has not always been wisely expended; but there certainly can not be any improvement in the law, which requires a concurrence of the Federal judgment with the State judgment in making that expenditure.

Another thing which must be taken into account is that the good roads in one State may meet one requirement, and a specialist in Pennsylvania may look upon a road out in Nebraska as not good, according to the specifications of a road in Pennsylvania, but the difference in soil, the difference in use, may make that road in Nebraska perfectly good for the purpose intended.

Mr. TOWNSEND. And the law recognizes that.

Mr. HITCHCOCK. Therefore the testimony of the witness from Pennsylvania, referred to by the Senator from Colorado [Mr. PHIPPS], does not, in my opinion, have any weight. He does not criticize his own State. The representative from Ohio did not criticize his own State. He assumed to criticize some other States, of which he had really no knowledge, as to whether the specifications were adequate or not. It seems to me that this is an important work. It has been duly undertaken, and, according to the evidence of the director of the bureau, appropriations are exhausted in 11 States, and will be exhausted during this calendar year in many of the other States, and in the next fiscal year in all the other States.

Mr. TOWNSEND. Mr. President, when we speak about having exhausted an appropriation, we mean that very rapidly during the last few months there have been projects approved which take a large amount. That money can not be taken out of the Treasury, or used, until the roads are completed, which will be two or three years from now. Propositions have been approved requiring the expenditure of this money, but the money can not be expended or the roads completed for two or three years yet.

Mr. HITCHCOCK. That may be very true. I do not know about the requirement of two or three years to complete the roads, but it will be necessary, if other projects are to be undertaken, for the authorities in the various States to know whether they are to get the money, and if this is now defeated by the Senate they will not have that knowledge, and they can not go on with their preparations and the making of their plans and specifications. There is only one way to have this continuous, and that is for Congress to assure the States whether they can depend upon the money or not.

Mr. TOWNSEND. And the pressure will be made for all time to continue this work along that line, and contracts will be let extending into the future, and that notwithstanding the fact that these gentlemen know that when this bill was up for consideration three years ago it was considered temporary, as the Senator from Virginia now suggests, the question of some scheme for participation by the Federal Government in the building of roads which would mean good roads was then debated.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Delaware?

Mr. TOWNSEND. I yield.

Mr. WOLCOTT. I want to ask the Senator if he has any data disclosing how much the various States have appropriated for road-building purposes over and above what they have been required to appropriate in order to get the Federal allotment?

Mr. TOWNSEND. I do not happen to have it with me. I think I have that information, however.

Mr. WOLCOTT. Of course, this appropriation is supported by many—by all, I suppose, who do support it—on the technical theory that we can appropriate Federal funds to maintain post roads, but upon the real, material consideration that the Federal Government by participating will encourage road building in the States.

Can the Senator in a general way state from the figures which he says he has to what extent this program, since 1916, has induced the States to spend of their own funds, in addition to the encouraging of appropriations from the Congress, for road-building purposes?

Mr. TOWNSEND. I can not quite do that from memory.

Mr. WOLCOTT. Have they been tickled into any considerable activity by it?

Mr. TOWNSEND. Some of the highway commissioners have so testified.

Mr. SWANSON. Will the Senator permit me to answer the question?

Mr. TOWNSEND. I would like to answer the Senator, when I start in to answer him, if I may be permitted.

This is what I can say to the Senator, that some of the States make no appropriations, even to match the sum allowed by the Government; but they have arrangements made with the local community, the county, to put up the money to match the Federal-aid money. Many of them rely upon their automobile licenses to keep the roads in repair. Some of the States have no State system. Maryland has a primary system of good roads. She has a secondary system of good roads. She is now laying out a third system of good roads. They are building according to some system in that State. They are building permanent roads, according to the use to which they are to be submitted.

Mr. WOLCOTT. And they were doing that before ever being incited thereto by Federal aid.

Mr. TOWNSEND. They were. Now, I yield to the Senator from Virginia.

Mr. SWANSON. Mr. President, the Director of Roads, Mr. MacDonald, was asked that very question. The advocates of this system insisted that it would be a great stimulation to good-road development in this country, at a wonderful rate. Here is what he said about the construction of last year:

> We made an estimate, Mr. Chairman, at the beginning of construction last year, that shows that the States, counties, and Federal Government together made available for last year's construction $633,000,000, of which the Federal-aid appropriation available at that time was only one-fourth.

The figures showing that are given in a table somewhere.

Mr. WOLCOTT. May I be permitted by the Senator from Michigan to comment upon those figures by saying that they throw no light upon the situation at all, because many, many States, like the State of Maryland, to which the Senator from Michigan has referred, had their road-building program going and well under way, spending millions of dollars, without regard to any Federal aid, because there was no such Federal aid at that time. In my State they have been spending money, as they have in Pennsylvania. Yet you have in your lump sum all the expenditures made by these States, regardless of whether the Federal legislation incited them to it or not.

Mr. SWANSON. If the Senator will permit me, since this appropriation has been made, most roads have been constructed under the Federal-aid program. Before that, as the Senator well said, they did not spend a great deal of money. A great deal of the opposition to this bill comes from States which have previously spent money on road building.

Mr. WOLCOTT. Mr. President, the States that have really a genuine road spirit in them will build their roads out of their local funds, and will not ask the United States to finance their road building.

Mr. SWANSON. The figures I read referred to the construction of last year, not of years before, when the Federal Government put up its money and the States theirs.

Mr. TOWNSEND. Mr. President, I do not think there was very much incentive to the States through Federal aid, though I think there was some.

The automobile, which has come into almost general use, has been the greatest incentive to road building in the country. Automobile owners have been active; they have required good roads, and there has been an incentive to road building, which pleases me very greatly. I am glad that it exists, and I am not discouraging Federal participation in roads to serve a Federal purpose. What I am objecting to is the present wasteful, unscientific method of spending Government money, and I do not believe any harm can come from postponing this for a few weeks, until we could give it proper attention.

Mr. PHIPPS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Colorado?

Mr. TOWNSEND. I yield.

Mr. PHIPPS. Referring to the question raised by the Senator from Virginia, I received from Mr. MacDonald a statement showing by States the difference between the total estimated cost and the Federal aid allotted in project agreements up to December 31, 1920, which I propose to submit for the RECORD. The total, however, shows $194,873,519.59, as against $149,-

690,630 to be advanced by the Federal Government. I desire to have the three statements printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Table showing by States difference between total estimated cost and Federal aid allotted in project agreements executed up to and including December 31, 1920. Amounts set aside by or on behalf of States:

Alabama	$2,001,705.70
Arizona	2,805,217.06
Arkansas	4,813,389.11
California	3,619,626.47
Colorado	2,114,828.19
Connecticut	1,572,341.82
Delaware	1,644,829.43
Florida	1,802,405.33
Georgia	6,172,960.30
Idaho	2,640,656.82
Illinois	11,378,521.09
Indiana	2,673,119.40
Iowa	9,271,258.51
Kansas	12,785,452.10
Kentucky	2,144,622.09
Louisiana	2,891,927.23
Maine	1,829,761.48
Maryland	1,996,618.79
Massachusetts	2,199,274.63
Michigan	3,973,728.75
Minnesota	8,463,541.43
Mississippi	2,007,412.90
Missouri	5,316,579.24
Montana	2,894,270.53
Nebraska	4,003,006.18
Nevada	1,279,578.83
New Hampshire	1,004,774.66
New Jersey	2,402,628.20
New Mexico	1,659,427.05
New York	6,532,589.01
North Carolina	4,743,190.84
North Dakota	1,539,703.42
Ohio	11,032,354.02
Oklahoma	2,704,940.91
Oregon	3,346,724.92
Pennsylvania	15,885,066.91
Rhode Island	593,941.09
South Carolina	2,713,269.71
South Dakota	1,576,694.30
Tennessee	2,902,920.12
Texas	12,494,889.78
Utah	1,107,657.36
Vermont	551,008.99
Virginia	2,527,698.63
Washington	4,176,025.11
West Virginia	3,052,898.74
Wisconsin	5,438,773.53
Wyoming	2,589,708.28
Total	194,873,519.59

Status of Federal aid funds, Nov. 30, 1920.

State	Federal aid allotment.	Paid on agreements.	Amount of allotment unexpended.
Alabama	$5,776,552.58	$908,449.07	$4,868,103.51
Arizona	3,771,351.69	668,375.05	3,102,976.64
Arkansas	4,619,929.47	553,147.22	4,066,782.25
California	8,384,354.57	1,413,170.38	6,971,184.19
Colorado	4,780,064.14	985,440.08	3,794,624.06
Connecticut	1,689,324.70	168,645.71	1,520,677.99
Delaware	447,654.83	149,637.42	298,017.41
Florida	3,150,112.48	226,770.92	2,923,341.56
Georgia	7,407,578.62	1,945,496.75	5,462,081.87
Idaho	3,360,388.86	723,403.40	2,636,985.46
Illinois	12,024,266.97	5,588,816.65	6,435,450.32
Indiana	7,415,292.61	722,646.06	6,692,646.55
Iowa	7,939,343.14	704,199.58	7,235,143.56
Kansas	7,895,309.07	852,003.17	7,043,308.90
Kentucky	5,570,064.79	712,373.23	4,857,691.56
Louisiana	3,742,524.57	836,551.87	2,905,972.70
Maine	2,645,963.57	232,086.00	2,413,877.57
Maryland	2,390,749.07	876,595.57	1,514,153.50
Massachusetts	4,032,565.09	539,420.66	3,513,144.43
Michigan	7,961,295.55	1,224,216.84	6,737,078.71
Minnesota	7,815,383.02	2,932,803.90	4,882,579.12
Mississippi	4,951,542.29	528,765.73	4,422,776.56
Missouri	9,322,075.71	220,165.83	9,101,909.88
Montana	5,498,827.31	432,900.08	4,565,927.23
Nebraska	5,886,761.66	1,681,847.37	4,184,914.29
Nevada	3,527,276.18	615,595.58	2,911,680.60
New Hampshire	1,143,088.99	477,939.41	665,149.58
New Jersey	3,265,209.02	578,208.39	2,687,000.63
New Mexico	4,389,794.61	482,764.32	3,907,030.29
New York	13,688,801.67	167,544.60	13,521,257.07
North Carolina	6,270,690.68	1,289,682.65	4,981,008.03
North Dakota	4,222,487.70	417,952.82	3,804,534.88
Ohio	10,202,947.71	2,249,194.41	7,953,753.30
Oklahoma	6,338,245.60	60,098.75	6,278,146.85
Oregon	4,332,178.26	1,594,509.19	2,737,669.07
Pennsylvania	12,632,644.29	3,745,685.62	8,886,958.67
Rhode Island	641,166.13	208,841.71	432,324.42
South Carolina	3,946,617.50	566,149.15	3,380,468.35
South Dakota	4,452,883.04	279,176.94	4,173,706.10
Tennessee	6,228,137.98	284,710.12	5,943,427.86
Texas	16,100,404.77	1,467,914.08	14,632,490.69
Utah	3,117,205.38	281,452.33	2,835,754.05
Vermont	1,242,103.73	127,657.73	1,114,445.97
Virginia	$5,451,730.28	$750,757.75	$4,700,972.53
Washington	3,971,675.83	2,507,406.66	1,464,269.17
West Virginia	2,922,504.45	893,450.64	2,029,053.81
Wisconsin	7,004,280.67	872,876.38	6,131,404.29
Wyoming	3,378,558.17	1,053,024.23	2,325,533.94
Total	265,750,000.00	47,300,610.03	219,449,389.97

Status of Federal aid funds, Nov. 30, 1920—Continued.

Bureau of Public Roads, United States Department of Agriculture—Status Federal aid funds Dec. 31, 1920.

State.	Total allotment.	Total amount under construction and completed.	Per cent of contracts completed.	Funds available for new contracts.
Alabama	$5,776,552.58	$1,629,970.00	59	$4,146,582.58
Arizona	3,771,351.69	2,240,459.00	68	1,530,892.69
Arkansas	4,619,929.47	2,467,619.00	44	2,152,310.47
California	8,384,354.57	3,447,320.00	50	4,937,034.57
Colorado	4,780,064.14	1,814,174.00	58	2,965,890.14
Connecticut	1,689,324.70	824,423.00	27	864,901.70
Delaware	447,654.83	284,980.00	68	162,674.83
Florida	3,150,112.48	2,234,194.00	16	915,918.48
Georgia	7,407,578.62	5,876,291.00	51	1,531,287.62
Idaho	3,360,388.86	2,969,138.00	51	391,250.86
Illinois	12,024,266.97	10,887,938.00	55	1,136,328.97
Indiana	7,415,292.61	2,699,368.00	41	4,715,924.61
Iowa	7,939,343.14	5,799,334.00	35	2,140,009.14
Kansas	7,895,309.07	4,292,693.00	39	3,602,611.07
Kentucky	5,570,064.79	2,590,680.00	44	2,979,384.79
Louisiana	3,742,524.57	3,633,023.00	29	109,501.57
Maine	2,645,963.57	1,485,277.00	42	1,160,686.57
Maryland	2,390,749.07	1,869,386.00	64	521,363.07
Massachusetts	4,032,565.09	1,842,322.00	54	2,210,243.09
Michigan	7,961,295.55	4,309,638.00	49	3,651,657.55
Minnesota	7,815,383.02	6,752,180.00	58	1,063,203.02
Mississippi	4,951,542.29	1,811,730.00	31	3,139,812.29
Missouri	9,322,075.71	3,003,597.00	24	6,318,478.71
Montana	5,498,827.31	3,057,461.00	50	2,441,366.31
Nebraska	5,886,761.66	3,255,126.00	88	2,611,635.66
Nevada	3,527,276.18	1,225,469.00	59	2,301,807.18
New Hampshire	1,143,088.99	909,827.00	73	233,261.99
New Jersey	3,265,209.02	1,447,027.00	68	1,818,272.02
New Mexico	4,389,794.61	1,875,151.00	42	2,514,643.61
New York	13,688,801.67	887,186.00	18	12,801,615.67
North Carolina	6,270,690.68	4,846,795.00	33	1,423,894.68
North Dakota	4,222,487.70	1,634,932.00	49	2,587,555.70
Ohio	10,202,947.71	5,059,982.00	38	5,142,965.71
Oklahoma	6,338,245.60	2,382,781.00	28	3,955,464.60
Oregon	4,332,178.26	3,920,461.00	49	411,717.26
Pennsylvania	12,632,644.29	10,802,353.00	47	1,830,291.29
Rhode Island	641,166.13	450,081.00	39	191,085.13
South Carolina	3,946,617.50	1,672,697.00	41	2,273,920.50
South Dakota	4,452,883.04	2,271,154.00	46	2,181,729.04
Tennessee	6,228,137.98	3,707,632.00	14	2,520,505.98
Texas	16,100,404.77	8,201,815.00	33	7,798,589.77
Utah	3,117,205.38	1,992,345.00	25	1,124,851.38
Vermont	1,242,103.73	498,922.00	17	743,181.73
Virginia	5,451,730.28	2,676,337.00	49	2,775,393.28
Washington	3,971,675.83	3,863,418.00	86	108,257.83
West Virginia	2,922,504.45	2,905,935.00	44	16,569.45
Wisconsin	7,004,280.67	2,909,681.00	57	4,094,599.67
Wyoming	3,378,558.17	2,570,309.00	53	808,249.17
Total	265,750,000.00	149,690,630.00	45	117,059,370.00

Mr. PHIPPS. Referring to the question of the Senator from Ohio as to the witnesses who appeared before the Committee on Post Offices and Post Roads in the good-roads hearings, I will give a few of the names:

W. A. Alsdorf, secretary Ohio Good Roads Association.
Prof. T. C. Atkeson, representing National Grange.
C. M. Babcock, State highway commissioner, Minnesota.
Bennehan Cameron, president Bankhead National Highway Association.
J. D. Clarkson, general manager Jefferson Highway Association.
M. O. Eldridge, director road activities American Automobile Association.
L. A. Gillett, State highway commissioner of New Mexico.
Frederick Stuart Greene, State highway commissioner of New York.
A. M. Loomis, representing National Grange.
Judge J. M. Lowe, president National Old Trails Road Association.
John J. Malang, superintendent of highways, Missouri.
Lewis S. Sadler, State highway commissioner of Pennsylvania.
Henry G. Shirley, road engineer of Baltimore County, Md.
John L. Weaver, president National Association of Real Estate Boards.
F. R. White, chief engineer Iowa Highway Commission.
S. M. Williams, chairman Federal Highway Council, Washington, D. C.
Capt. P. St. J. Wilson, chief engineer Public Roads and Rural Engineering, Department of Agriculture.
Henry Wood, State highway commissioner, Oklahoma.
L. H. Wright, director State Highway Commission of Indiana.

Mr. President, as I have said, those hearings were most interesting and instructive, and I believe they gave to the committee very valuable information, which should be put to good use.

Unfortunately, the time passed on so that further hearings were not possible during the last session of Congress. Since the beginning of the present session the time of the chairman and other members of that committee has been fully occupied, so that it has been impossible to conduct further hearings. However, it is my hope that further hearings on this question may be had, and I believe that we should have them.

I believe that this matter of present appropriations could well go over until the expected extra session of Congress, and that the committee should be given an opportunity, together with the heads of the various Government departments, to agree upon some comprehensive plan which will give to this country the national road system which it should have.

Mr. KELLOGG. May I ask the Senator a question before he takes his seat?

Mr. PHIPPS. Certainly.

Mr. KELLOGG. Did not Mr. Babcock testify that the State of Minnesota had laid out a system of highways for interstate commerce, and that he thought it was economical and efficient?

Mr. PHIPPS. I believe Mr. Babcock, as I recall his testimony, was one of the very few who did state that they had interstate commerce in mind when laying out their principal routes; but I fear that the majority of them were thinking only of the territory within the limits of their own States.

Mr. TOWNSEND. May I make a suggestion? As I said at the beginning, if some arrangement could be made whereby we could have a direct vote on the question of adding the amendment to the bill and a two-thirds vote were secured for it, I should not make the point of order myself, but if it failed of a two-thirds vote I should then want some one who voted for that matter to move for a reconsideration, so that it could be subject to the point of order. What I am trying to get at is that if I were convinced that two-thirds of the Senate want to add the amendment to the bill, and can do it by a suspension of the rules, I should not interpose an objection, but if two-thirds are not for it I do not want it to be carried by any such method as I am suggesting.

Mr. SWANSON. If the rule is waived the amendment is then subject to amendment. It does not mean that this specific amendment is the only thing to be considered. It is in order, then, to amend the provision to any extent the Senate may see proper.

Mr. TOWNSEND. I realize that.

Mr. SWANSON. Mr. President, I am not going to detain the Senate very long to discuss the relative merits of the various programs for road improvement and road construction. The matter was debated here for nearly a month in the Senate when the bill was pending. The proposition which was passed by the House overwhelmingly was to continue for one year longer the present system by appropriating $100,000,000, which was the amount appropriated last year, and $3,000,000 for forest roads, which was the amount appropriated last year for that purpose, with an amendment extending the appropriation from one year to two years beyond the end of the fiscal year so that some States which have not yet been able to utilize their funds can have an additional year in which they may not forfeit the Federal appropriation. Those are mostly Western States.

Mr. PHIPPS. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Virginia yield to the Senator from Colorado?

Mr. SWANSON. I yield to the Senator.

Mr. PHIPPS. I should like to say for the information of the Senator from Virginia that the Committee on Post Offices and Post Roads reported out favorably Senate bill 4899 which carries the same feature referred to, the extension of time for an additional year.

Mr. SWANSON. Then the Senator will have no objection to this amendment?

Mr. PHIPPS. Not to that particular feature of the amendment, but as to the appropriation of $100,000,000 I certainly have objection.

Mr. SWANSON. Another feature of it is in connection with the Western States. A great many of the Western States have not been able to meet the Federal appropriation because they had so many forest lands, so many public lands, so many tax-exempt lands, that they have not been able to meet the fifty-fifty proposition.

Mr. PITTMAN and Mr. PHIPPS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield, and if so, to whom?

Mr. SWANSON. I will yield to the Senator from Nevada, who rose first.

Mr. PITTMAN. It is my purpose to offer an amendment to the amendment for which the Senator from Virginia is now attempting to obtain consideration, for the purpose of bringing about an adjustment in that particular matter. As the Senator has said, there are certain States in the West where the Federal Government owns as much as 86 per cent of the land of the State. For instance, in the State of Nevada that is the fact. Only 14 per cent of the land of that State is taxable. I have now an amendment prepared which I intend to offer to the pending bill, either as an amendment to the amendment or as a separate amendment, which will relieve that condition, and which will provide that in such case, instead of the Federal Government being limited to the appropriation of 50 per cent of the cost of building those roads, they will pay 86 per cent of the cost of building the roads.

Mr. PHIPPS. Mr. President——

Mr. SWANSON. I yield to the Senator from Colorado.

Mr. PHIPPS. I desire to say to the Senator from Nevada that Senate bill 4899, to which I referred a moment ago, contains a provision which covers the very point that he has raised, that is, giving credit to the public-land States for the area of unappropriated public lands within their borders, when the percentage of Federal aid which is to be advanced for good roads is figured out and taken into consideration. That bill I reported out for the committee, and I served notice that at the first available opportunity I should bring it up for consideration, and that I intend to do.

Mr. PITTMAN. There is a bill that has passed the House known as the Sells bill, which is now, I believe, pending in the Senate, which could be called up, if those who control the legislation in the Senate were willing to have it called up, and passed without any trouble. But does the Senator believe that those who control the legislation in this body intend at this session to permit consideration of any such legislation?

The Senator from Colorado is a member of the Committee on Post Offices and Post Roads. Has his bill been reported out?

Mr. PHIPPS. It has been reported out, and it is on the calendar.

Mr. PITTMAN. Why not have the House bill reported out, that has already passed one branch of Congress, instead of having a bill reported out to the Senate that possibly has no chance of ever being considered in the other body?

Mr. PHIPPS. My attention has not been called to any House bill that is comparable to the one I mentioned. The features of Senate bill 4899 are, first, the extension of time for an additional year, and, second, a change in the allotment to the public-land States of good roads funds. It carries no appropriation whatever.

Mr. SWANSON. Mr. President, I am satisfied that if the legislation does not pass and is not made a part of the pending appropriation bill, there will be no legislation at this session, and there will be none at the extra session in connection with road legislation. Senators may have sanguine views about what they will do when we meet here in April and what legislation will be passed before December, but this legislation must go through as a part of the pending appropriation bill or else there will be no legislation upon this subject, I am satisfied, until the regular session of Congress next December. I am satisfied, knowing the methods of legislating as I do, knowing the long time it will take for the tariff and other measures, and knowing that Senators will yield to the discussion of nothing else, that this legislation must go through as a part of the appropriation bill or else there will be no good roads legislation until the regular session of Congress next December.

What will be the result if there is no legislation? A great many of the States will forfeit what they now have unless their time is extended two years. States in the West will be compelled to put up 50 per cent or else suffer the forfeiture. Consequently we may as well face the issue, and it is useless to have hopes which will not be realized.

The legislation that we want with reference to good roads, in connection with the matter of Federal aid for good roads, must go through as a part of the pending appropriation bill or wait until the next regular session of Congress in December. Let us see what the proposition is. It is not the proposition that we have had heretofore to extend the proposition for five years. When the bill was enacted into law in 1916 we provided for a program of five years, extending to the 1st of July, 1921. The Senate committee has reached no conclusion. What is it that we undertake to provide? We say that we will continue the present law, with the modifications that I have indicated as applicable to the States where there are public lands, and extend the time two years before they shall forfeit on account of conditions that have previously existed. We say we will continue this for one year longer at $100,000,000 a year.

What is the platform of the parties on this? The chairman of the Committee on Post Offices and Post Roads assaulted this

system. I believe that party pledges are made to be carried out and not to be violated.

Mr. THOMAS (to Mr. SWANSON). Do not forget that. I am going to remind the Senator of it in a little while.

Mr. SWANSON. I believe that party pledges are made to be carried out. Of course, some Senators may ridicule that. Let us see what was in the platform of the Republican Party. I do not know what was in the platform of the Senator from Colorado, but here is what the two great parties said, in convention assembled, listening to what the people wanted, with full knowledge of how this system would work out, with full knowledge of what it had done in five years.

I do not believe the leaders of the two great parties would meet, one in Chicago and one in San Francisco, and make a sober declaration of party principles unless they had known it was wise, and especially when indorsing something that had already happened.

Here is what the party of the Senator from Colorado said:

We favor liberal appropriations in cooperation with the States for the construction of highways—

"In cooperation with the States," which is the present system. The amendment which I have offered proposes to do justice to States like Idaho, Colorado, Utah, California, and other Western States which have large areas of public lands which are free from taxation. As I thought at the time, it was a great hardship to require them to pay fifty-fifty, but it was impossible to get the matter adjusted in conference.

In determining the proportion of Federal aid for road construction among the States, the sums lost in taxation to the respective States by the setting apart of large portions of their area as forest reservations should be considered as a controlling factor.

That is included in the amendment. Here is what the Democratic plank says:

We favor a continuance of the present Federal-aid plan under existing Federal and State agencies—

That is the Democratic declaration—

amended so as to include, as one of the elements in determining the ratio in which the several States shall be entitled to share in the fund, the area of any public lands therein.

Those are the declarations of the two parties. We have said that we can not have any road legislation at this time of a far-reaching character. The only question is whether we shall continue the present legislation for one year, or let it stop and have a lapse of a year. That is the issue. There is no chance of getting any road legislation through at the special session, and there is no chance of getting any legislation enacted now except what shall be carried on the pending bill. We had just as well face the issue.

What will be the result if we do not place this proposed legislation on the pending bill? First, as for the Western States, many of them will forfeit what has been heretofore apportioned to them; those apportionments will lapse at the end of one year, and the amendment proposes to extend the time for two years; second, it will be necessary from now on to continue the program of fifty-fifty—although a large portion of the lands of many of the Western States are exempt from taxation—which is not just and proper and which both parties have recognized as being a discrimination against that section.

Now, let us see what else will happen. Senators talk about there being no necessity to appropriate money at this time. The most conservative estimates are to the effect that there will be only $67,000,000 left of this fund for all the States—the Western States and all—on the 1st of July next. A letter has been read here by the Senator from Nebraska in which the director of public roads says there will not be a cent left on the 1st of July, 1921, of the appropriation for Federal aid to roads; that it will all be exhausted by existing contracts; and the whole system will be stopped.

Senators talk about the State legislatures meeting. I believe that there is hardly a commissioner of roads in any State who has not come here and disclosed what will be the condition if some provision for road legislation is not made at the present session of Congress. Mr. Duncan Buie, of New Orleans, stated:

The immediate necessity of such action is due to the fact that 43 State legislatures—

Forty-three out of forty-eight—

will convene this fiscal year, and over 30 will not be in regular session again for two years. The majority of these legislatures adjourn by March 15. In enacting State road legislation they will have to know definitely what the Federal road program is to be, in order that they may be able intelligently to provide State funds to match the Federal funds. Funds so appropriated at this year's sessions which are to be raised by taxation will not actually accrue to the State treasuries in most instances until June, 1922, which coincides with the date on which the present Federal appropriations will lapse.

What does that mean? It means that the State organizations, that the State engineers, that this great movement for road improvement must stop marching and halt and mark time for one year. Senators can not shirk the issue; they may have sanguine hopes; they may try to present it otherwise and hope that we may have legislation at the special session, but everybody knows we shall not get it. The question is, Are we willing to stop for one year the great work of road improvement, on which last year $632,000,000 were expended? Are we willing that the splendid engineering organizations all over the country shall be disintegrated, and that 43 legislatures now in session and anxious to match the Federal road appropriation shall be left without any action on our part to guide them?

Mr. STERLING. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Virginia yield to the Senator from South Dakota?

Mr. SWANSON. I yield.

Mr. STERLING. The Senator from Virginia may have already stated it—if so, I was not present at the time—but I should like to know what amount is yet available for road work from appropriations which have already been made?

Mr. SWANSON. The amount which is available for new contracts out of the $275,000,000 appropriation is $117,000,000 as of the 20th of November last. The director of roads says, at the rate they are making contracts now and with the specifications for projects which have been approved and the specifications not yet made, after the 1st of July, 1921, there will not be any money available.

Here is the process by which the road work which is done by the Federal Government and the States is carried on. An engineer of the Agricultural Department in Washington, with the State officer of highways or the commissioner of roads, as the case may be, jointly decide on a general plan—the direction in which the road shall run and an estimate of its cost, and so forth. That plan is then sent here. If the road is deemed of sufficient importance on account of travel over it and other considerations to justify the expenditure of one-half by the Federal Government to match the half which is appropriated by the State, the Federal department approves the general scheme. Then reference is made to the specifications which have been filed for the road, the entire details are gone over, and must then be approved by the Federal department.

In the statistics which were submitted by the Senator from Colorado as to specifications for roads he showed that the general plans had been approved. The director says that on the 1st of July there will be no money available for road work, and, consequently, one year would elapse without there being any funds from the Federal Government to match State funds. He further states that 43 legislatures meet in January and adjourn by the 15th of March. They are all desirous of having road legislation before that date, in order that they may know what they may expect for the next year in the way of appropriations for road improvement. Roads can not be constructed on 30 days' notice; road construction requires engineers; it requires plans; it requires investigations; it requires State taxes to match the Federal expenditures. We all know we shall handicap the work if we put it off for one year.

I have offered my amendment to continue road construction and also to take care of the situation in the Western States. The appropriation of $100,000,000 would not be subject to the point of order, and no Senator would have a right to make it, as it is to carry out existing legislation. Any amendment proposing to carry out existing legislation is not subject to a point of order. I think the condition in the Western States is such that they should have this relief. The States where the changes are made should be given two years, and I have proposed to waive the rule in order to accord them that justice to which they are entitled.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Iowa?

Mr. KENYON. I do not want to ask a question in reference to the interest of the Senator from Virginia in the roads in the Western States, but I do wish to make another inquiry in view of what he has said as to the effect of suspending road work. I have been informed that the State of South Carolina in the last week or so has suspended its road work for some time. Is that correct?

Mr. SWANSON. The Senator will find here the States which have exhausted their apportionment of road money and suspended road work. The names of the States are given, and I can furnish the information to the Senator, if he will wait for a moment. I have here the names of the States that have already exhausted their funds and which will soon suspend work.

Mr. KENYON. The point I am trying to get at is this: My understanding is that the State of South Carolina has sus-

pended work because of the excessive burdens of taxation thereby imposed.

Mr. SWANSON. I do not know as to that.

Mr. KENYON. When the Senator from Virginia speaks of not being able to suspend road work, while we are all in favor of road construction, of course, the question arises whether, in view of the condition of the Federal Treasury, we ought not to follow along the same lines as the State of South Carolina is pursuing in protecting her own people from excessive taxation; whether or not we are not going to suspend the Federal Treasury if we continue these appropriations?

Mr. SWANSON. If the Senator will recall, this money will not be available, as stated by the road director, until the latter part of 1922. As I said a while ago, now is the time to construct roads, for the price of material is going down and there is an abundance of labor. The director recognizes that this is a good time to continue road construction, and not to discontinue it.

Mr. KENYON. Mr. President, without intending to dispute the last statement of the Senator from Virginia, I should like to ask the Senator if he has considered the question of the waste of the money appropriated by the Federal Government for road construction in various instances? I have before me an article from the Little Rock, Ark., Gazette of February 4, 1921, which is headed:

A million wasted in road building. Program planned to "serve selfish interests," charges the grand jury.
Taxes to be enormous.
"No apparent justification" for hog-thief highway, declares investigators' report.

Mr. SWANSON. Mr. President, if the Senator will permit me, I do not care to go into that. I know there is a road law in Arkansas under which the people are taxed at a very high rate.

Mr. KENYON. Is the Senator familiar enough with the situation to know whether the complaint in Arkansas grows out of the Federal appropriation?

Mr. SWANSON. I do not think it does. As I have said, they have in that State a law which taxes a farmer whose property abuts the road in such a manner as to make it very oppressive. It is something after the order of the schemes adopted in cities by which the property owners pay part or all for certain improvements. This course, I understand, has been pursued in that State, but the Federal law has nothing to do with that. All the Federal law does is to appropriate a given amount of money to the States for road building purposes, providing the States appropriate a like amount.

Mr. KENYON. They appear to have been overtaxed down there.

Mr. SWANSON. I do not know to what extent that is true.

Mr. KENYON. I know that the grand jury referred to in the article reported that the taxes on some of the farms have been increased almost equal to the value of the farms.

Mr. SWANSON. All I know is that there is not a State in the Union that does not desire Federal aid to continue the improvement of its roads, except the States which have already built their roads and have completed them, and which think perhaps that they are putting in a little more money than they get back. I know that is true, perhaps, as to some of the great centers of population.

Mr. KENYON. Probably that is true, but what is bothering me is this: What is the hurry? Why can we not take the road bill as it comes from the House, take time to consider it, and work out what is the best for all concerned? I am thinking a little about the poor old Treasury of the United States.

Mr. SWANSON. The amount that goes toward the improvement of roads is only 1.8 per cent of the Government's expenditures. The money proposed to be appropriated will not be available until the fiscal year 1922. The provision will simply continue for one year and is simply designed to prevent a lapse of one year during which road building shall be discontinued while we are discussing what system should be followed. Of course, if we desire to destroy the system, if we want it discontinued and are against it, we ought to stop it and serve notice on the States that they shall not continue to receive aid from the Federal Government for road improvements. If, however, we allow the appropriation to lapse for one year, it will bring about the disintegration of the engineering forces of the States and of the State highway departments.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from New Hampshire?

Mr. SWANSON. I yield.

Mr. MOSES. Of course, I can understand the interest which the Senator from Virginia has in the road expenditures which are to be made in 1922; but when he points out that the State legislatures are now in session but will adjourn by the 15th of March, I desire to suggest that there is nothing to prevent any of these legislatures from making their appropriations conditioned upon the future action of Congress, which may be taken deliberately between now and 1922, a year in which the Senator from Virginia will have great political interest, as we all understand.

Mr. SWANSON. The Senator need not run away now since he has made that statement.

Mr. MOSES. I am not going to run away.

Mr. SWANSON. If the Senator's suggestion were followed the appropriations would not be available at all, and the efforts of the State would be stopped until the Federal Government had acted. If the State action were conditioned as the Senator suggests, the State would not know what it could do until the Federal Government had acted through Congress in regular session.

Mr. MOSES. There is money enough now to carry on this work until 1922; there being, as I understand, a balance of $117,000,000 left from the appropriations already made by Congress.

Mr. SWANSON. The Director of Roads says that is not true; he says it will all be exhausted before the 1st of July, 1921. The Senator has made his statement; but the director says differently.

Mr. MOSES. I can only speak of the situation in my own State.

Mr. DIAL. Mr. President, in reference to the statement which was made awhile ago as to South Carolina suspending road construction, I desire to say that, so far as I know, that is a mistake. I have heard no intimation made to that effect, although the legislature is now in session. Furthermore, only a few days ago I received an application from the engineer of roads for more machinery. We have added to this bill a provision authorizing the War Department to turn over to the Agricultural Department considerable machinery, to be allotted to the different States to be used in the construction of roads. In view of that request for more machinery from the engineer of roads in South Carolina I think it is apparent that it is desired to continue road-improvement work.

Mr. PHIPPS. Mr. President——

Mr. SWANSON. I yield to the Senator.

Mr. PHIPPS. I should like to ask the Senator from Virginia a question. Has he any figures from the highway commission of his State showing the rate at which it expects to expend the Federal-aid money? For instance, the figures show that up to November 30, inclusive, Virginia had drawn down only $470,000 of her allotment. How rapidly does Virginia expect to expend the remainder of about $6,750,000?

Mr. SWANSON. I read to the Senator at the time he made his first remarks the figures furnished Mr. MOORE, a Member of Congress from Virginia, I suppose by the highway commissioner of Virginia. If he wants me to do so, I will repeat them to him; but I read them to him before.

Mr. PHIPPS. It is not necessary, then; I shall get it in the RECORD.

I want to say that I am quite pleased to find that the Senator from Virginia is in full accord with me in the views I have maintained and set forth in regard to credit to public-land States for the unappropriated public land within their borders, and also for the extension of time that should be allowed on the Federal-aid allotments; but my own guess is that the Senator will find it quite necessary to make a further extension of at least two or three years beyond the time he now contemplates if Virginia is to expend her full allotment without allowing it first to go back into the general pot and be reapportioned.

Mr. SWANSON. When the Legislature of Virginia meets it will authorize the furnishing of funds sufficient to meet the road situation. An amendment to the constitution to that effect will be voted on at the next general election.

Mr. PHIPPS. Now, may I say to the Senator, as regards my own State of Colorado, that it voted a bond issue of $5,000,000 predicated upon Federal aid for road buildings. There is no reason why other States should not follow that example. It can be done. It is not necessary for the legislatures of these various States to adjourn without taking action on their road-building programs because the Federal Government has not yet appropriated for the year 1923.

Mr SWANSON. Mr. President, I am unwilling, so far as I am concerned, for 43 State legislatures to adjourn on the 15th of March without knowing what the Federal Government is going to do in connection with road improvement. If you have a lapse of one year, it will disintegrate the system. Senators may talk all they please about Federal aid not having aided, but there has been the most rapid road improvement since this legislation

was passed that this country has ever had. Over four dollars has been spent by the States, counties, and local communities to one dollar furnished by the Federal Government. This amendment simply takes care of one year, pending the investigation of your committee as to any amendments that should be made. It does not change the law that the platforms of both parties indorse, the cooperative plan. It does not increase what was spent this year. It simply continues the work for one year, so that the roads shall not disintegrate, so that the engineers will know what they can count on in the way of Federal aid for one year longer. There is ample time given to see the situation as it is and then make any amendments to the law that may be necessary. If this is not done, it simply means a cessation for one year. It is useless to shirk it. It is useless to have these hopeful statements made about what will be done here in an extra session of Congress before the 1st of July.

Mr. MOSES. It means a cessation of what, may I ask the Senator—of all work on roads?

Mr. SWANSON. It means a cessation of Federal aid to roads for one year.

Mr. MOSES. Very well. Then let the States go on as they did before, and spend their own money, as my State did, as the State of Vermont did. Let them build their own roads with their own money, and not ask the Federal Government for money.

Mr. SWANSON. If the Senator favors that, I have made the proposition clear. If the Senator is opposed to Federal aid, if the Senator wants it to stop, if the Senator wants that interregnum to come, let him vote that way. I have made it plain. I have not tried to shirk the issue. Those who are opposed to it can vote against the rule, vote against the amendment, and let it stop. Those who favor it, those who believe in carrying out the declarations of the platforms of the two parties, who do not want an interregnum of one year, ought to vote to include it in this bill, because that is the only way you can get it.

Mr. PHIPPS. Mr. President, will the Senator yield?

Mr. SWANSON. I yield to the Senator.

Mr. PHIPPS. I merely desire to say, as a member of the Committee on Post Offices and Post Roads, that that committee conducted hearings on the good-roads question and gave consideration to the question as to the best methods that could be followed in the extension of Federal aid, and were unwilling to favor the further appropriation of any Federal funds until this question could be thrashed out at length and a proper understanding reached which would enable the Congress, in connection with the departments of the Government, to decide upon a comprehensive plan for permanent road building, which we are not getting to-day under the present method of Federal aid expenditures.

Mr. SWANSON. If the Senator will permit me, the very law itself says they must be permanent roads.

Mr. PHIPPS. That is true.

Mr. SWANSON. The Federal aid law, under which it is done, is a law for the permanent improvement of roads. The law itself says that these must be permanent roads. This construction can not be temporary construction under the very law you have to-day. The States must agree to keep the roads improved and in repair before the Federal Government will aid them.

Mr. PHIPPS. I believe those two points have been thoroughly discussed, so far as I am concerned.

Mr. SWANSON. It is in the law.

Mr. PHIPPS. There is no doubt that it is in the law, but it is a question of the practice.

Mr. KELLOGG. Mr. President, I desire just a few moments to give my views on this motion and my reasons for voting for it.

Two years ago the Congress deliberately adopted a plan to aid in the construction of roads, and made an appropriation covering two years, which expires on the 1st of July, 1921. Congress invited the States to appropriate an equal amount and to adopt and submit to the Federal Government for approval a plan of permanent improvement. This money can be expended only for the construction of roads under that plan. Whether it was right or wrong, we deliberately adopted it. I quite agree that men may differ as to whether the Federal Government ought to aid the States in building roads; but we inaugurated a program that will require several years to complete.

The chairman of the committee [Mr. TOWNSEND] and a member of the committee, the Senator from Colorado [Mr. PHIPPS], say that the committee is now inquiring into a plan for the construction of Federal roads. It is well known to the Senate that the chairman of the committee is in favor of an entirely different scheme. His idea is that the Federal Government should actually build and maintain roads through the States, known as interstate roads, taking them out from the jurisdiction and control of the States. I do not approve of that at all. I would rather the Federal Government would not appropriate any money whatever for the purpose. I do not think the roads in a State should be built by the Federal Government or controlled by the Federal Government. The State authorities know best where to locate roads and how they should be constructed.

There is nothing to be gained by this committee spending any more time, so far as I am personally concerned, in evolving an elaborate plan for Government construction of roads. I would not vote for it under any circumstances. Furthermore, why abandon a plan which has been deliberately adopted and substitute another plan. Will you now notify the States, after they have arranged to carry out plans for certain roads, that the Federal Government will not lend further aid, but that the Federal Government intends to build other roads? Such a proposition will certainly conflict with existing plans covering roads that have been already laid out and partially built.

This bill, of course, is simply an authorization for an appropriation for 1922; and I would agree with the chairman that it is not necessary to authorize additional sums at this session if it were not a fact that if the States are to go ahead with the plans they have already made they must have a reasonable time within which to carry them out, and many legislatures are now in session. Take my own State of Minnesota. The State of Minnesota adopted a complete program covering roads to be built with State money and Federal aid. It was necessary for the State to amend its constitution, and at the last election an amendment was adopted to authorize the levying of taxes and the appropriation of money for internal improvements, so that the State might contribute an amount equal to that which has been appropriated by the Federal Government. Not only has the State laid out a complete and scientific system of roads over the State, to be built by the State and the Federal Government jointly—that is, by the State with Federal aid—but those plans are in process of completion. Contracts have been let, and so far as Minnesota is concerned—and I find that it is true in many other States—the entire sum which Minnesota receives under the act of 1919 will be completely absorbed by contracts on May 15, 1921.

The legislature of my State is now in session. It will adjourn in April. If the State is to construct these roads which have been laid out and partially completed it must know whether the Federal Government is to continue its aid, and it ought to know it at once. I do not think it is possible for Congress to outline plans for State roads beyond what has already been done toward requiring the approval of the Federal authorities in the adoption of those plans.

I realize the state of the Treasury, and I am as anxious as anyone to avoid any unnecessary appropriation; but we realize the fact that roads must be built. We realize that they are the greatest aid to commerce and to business in the rural districts, and we have deliberately adopted a plan which it is now proposed to abandon and scrap, notifying the States to finish the roads if they can, although they have appropriated money and levied taxes with a view to carrying out existing plans and completing the system of roads which they have already adopted.

It seems to me, Mr. President, that under the circumstances Congress now ought to authorize this appropriation leaving it to future Congresses to make the appropriation when it is necessary.

After the Congress had adopted this plan and appropriated the money, the Republican Party in convention assembled indorsed the proposition by this provision in their platform:

> We favor liberal appropriations in connection with the States in the construction of highways.

It was the plan which had already been adopted by the Congress that the Republican national convention approved, and I believe a similar approval was had in the Democratic convention.

I realize that party platforms are often mere matters of expediency to get votes. But this proposition was voted by Congress deliberately, appropriations were made, improvements were started, and the program indorsed by both parties, and now it is urged that the Congress discard the whole scheme and say to the States, "Build your own roads." We should have done that two years ago, if it was to be done at all.

Mr. TOWNSEND. Mr. President, I do not care to go into much more extended discussion of this question, although the statement of the Senator from Minnesota is entirely misleading, and, of course, he begs the question in order to have a basis for some sort of an argument. There is no proposition before the Senate—I certainly am not proposing any—to abandon Federal participation in the construction of roads. I have a notion

that when Congress has determined that a policy is wasteful it ought to take steps to stop the waste, if that can be done.

The platform the Senator has read from was adopted in order to cover any possible emergency which might arise. It does not commit us to the Federal-aid plan at all. No inference to that effect can be drawn from it. It does commit us to the proposition of Federal participation, to the expenditure of Federal money in the construction of roads.

The statement the Senator makes in reference to the conditions in Minnesota is one that can be easily met. If the State of Minnesota is interested in good roads it will appropriate money for the construction of roads. The Federal-aid money, if it is offered to it, will be matched by a part of the money which the State itself appropriates. The idea that we are going to stop road building in this country, in the State of Minnesota or any other State, because the Federal Government does not contribute an infinitesimal part of what ought to be expended on those roads, is simply ridiculous to me.

The State of Colorado has already met that proposition. Other States know how to meet it. We have all the money that those States can expend now, at least until the 30th day of June, 1923. Of course, you can lay out additional systems, and the State can make the argument that it can not lay out a system of roads until it knows that the Federal Government is going to contribute a small part. But that argument does not weigh with me. I am not committed to a plan which would prevent Federal participation in the construction and maintenance of roads. I have felt that it was my duty to study this question, and notice was served when this bill was passed originally that it was only a temporary matter. The record so disclosed. All that the States had a right to prepare for was to meet what the Federal Government had appropriated.

I want to go further. I want to continue the appropriations of the Federal Government, but I want the plans laid out so that they mean good roads, because I contend the Federal Government has no right to appropriate any money except for a Federal purpose, one of which is interstate commerce, because that is growing more and more in importance. The truck is here to stay. It is going to be one of the means of transportation, I think in time equal to that of the railroad, certainly equal to that of water transportation, and we should lay out our system of roads with that idea in view. I simply want the Federal Government to expend its money on primary roads.

The Senator from Minnesota says we are going to scrap everything that has been done, roads that have been built. There is no such proposition at all. Even the bill which I introduced for a national system of roads took into account all the roads along the main line which have been constructed by the States, and the amount of money that had been expended properly by the States was to be paid to the States to be used in the construction of other roads in those States.

Mr. CHAMBERLAIN. May I interrupt the Senator just a moment?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Oregon?

Mr. TOWNSEND. I yield.

Mr. CHAMBERLAIN. Is it not true that under the present system of cooperation between the Federal Government and the States they have in view that very proposition of utilizing the moneys and constructing the roads so that they may be used for interstate commerce and traffic?

Mr. TOWNSEND. A few of the States have taken that view, I am glad to say.

Mr. CHAMBERLAIN. I will say to the Senator that in my State, for instance, we have built a road from Portland, Oreg., to the south boundary line of the State, and it is being extended from the south boundary line of the State to San Francisco, so that we have a hard-surface road practically continuous from Seattle to San Francisco which can be used, paralleling the railroad in some place.

Mr. TOWNSEND. If all the Federal money had been expended with the purpose in view, first, of establishing an interstate system, and then have the State connect with that for a State system, and the county system coordinating with the State system, there would not be so much conflict.

Mr. PITTMAN. I observe that in most of the Western States the practice is being pursued, at the present time at least, of first building the transstate road, connecting with interstate roads. In my State, for instance, there are three great transcontinental highways crossing it. It is those highways that are now being projected under this bill, and, of course, it was with the approval of the Secretary of Agriculture, because under this bill any plan which may be suggested, as I understand it, must meet with his approval, and it seems to me that that is the protection under the act.

Mr. EDGE. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from New Jersey?

Mr. TOWNSEND. I yield.

Mr. EDGE. The argument of the Senator from Minnesota, as I followed it, gave me the impression that his State road authorities would be embarrassed because of contracts they had made on the supposition that the Federal Government would continue appropriations. Does not the present system require, before a State shall make a contract for continued highways, that the Federal Department of Agriculture shall approve the same?

Mr. TOWNSEND. Absolutely.

Mr. EDGE. And be prepared before such approval with an appropriation?

Mr. TOWNSEND. There is no question about what the law is on that subject.

Mr. KELLOGG. It may approve the plans for the road.

Mr. TOWNSEND. They approve a road before any appropriation is made for the road. If it were not so, then the States could go on and lay out any kind of system and any amount of roads and say, "The Federal Government is bound to make the appropriation."

Mr. EDGE. Then, Mr. President, how could a State be embarrassed unless they had really gone beyond the intention of the Federal-aid legislation?

Mr. KELLOGG. If the Senator will permit me to answer the question, the plans for these roads have been submitted to and approved by the Federal Government, but the entire roads have not yet been contracted for. The plans have been laid out for certain roads running, say, the whole length of the State, connecting with interstate roads, connecting with Iowa on the south and North Dakota on the north. Those plans have been approved, and the roads have been contracted for.

Mr. TOWNSEND. Does the Senator mean to say that the Director of Roads would approve or have anything to do with a plan which would exceed the State appropriations or Federal aid?

Mr. KELLOGG. He would not approve an appropriation beyond that, of course, but he would approve a plan of which the appropriation was a part.

Mr. TOWNSEND. I do not think any such thing has ever been done.

Mr. KELLOGG. That would necessitate a separate plan for each part of the road that was built.

Mr. EDGE. Then is it not true that the only embarrassment to Minnesota, or any other State that has proceeded in that manner, would be, perhaps, on account of the delay, if they were waiting for Federal aid, or the opportunity to appropriate directly from their State, and, as the Senator from Michigan very positively stated, there was no intention at all on the part of the committee of which he is the head to in any way sidetrack Federal aid for roads, only to try to have it properly controlled, so that the money would be properly and wisely expended. There would be absolutely no embarrassment, though there might be some delay, if the States depended entirely on Federal aid. But the delay would be in the interest of real, proper construction, with the type of Federal supervision which would insure the proper type of highway.

Mr. BORAH. Mr. President, I am disposed to vote against the suspension of the rule in this matter. I shall be guided by what I conclude the chances are of having this road question before us later. As I understand the situation, this is not the last of this proposition, but there is a bill pending involving this matter, and investigation is proceeding with a view of determining what we shall do in regard to this very important subject, and also with a view to determining how much road we are building and how much money we are wasting. I have no figures, and therefore am not able to inform the Senate, but I have seen statements to the effect that we are wasting as much money as we are actually utilizing in the building of roads. I assume that is true, because it is characteristic of the Federal Government to do that. The money wasted on different matters during the last few years has run into the billions.

What I rose to say, Mr. President, is that whenever these matters which touch the internal development of the country come along there is always a very serious debate upon the question of economy, and where we are curtailing expenses we are curtailing expenses in matters which have to do with the internal improvement of the country, with the betterment of our industrial and agricultural conditions. We are practically un-

able to get any curtailment anywhere else. The people will have to make up their minds that they are not going to get any money for real internal development, or for taking care of those things which are so essential to industrial and agricultural conditions, until we do adopt a different program with reference to those things which are really taking the vast amount of the money which we here appropriate.

We had a bill before the Senate a few days ago which had to do with reducing the size of the Army. There was an effort to limit the size of the Army to 150,000 men. Had that been accomplished we could have saved $30,000,000 there. In my judgment, the size of the Army should be reduced to 100,000, and if we do so we will save the amount of money which we are here denying ourselves, and may deny ourselves later, for the purpose of improving the public roads of the country.

As I view it, if we are not to have an Army for other purposes than of domestic use, police purposes, and so forth, 100,000 men are just as available and just as efficient as 175,000 men. If we were building up an Army in anticipation of foreign trouble or difficulties with other nations, 175,000 would be no better than 150,000. We are carrying a much larger force than is necessary for police purposes or for domestic purposes, and a wholly insufficient force for anything else. We are paying out of the Public Treasury about $100,000,000 a year more than is necessary for that purpose.

Furthermore, I find from a letter which I have from the Secretary of War that with the 175,000 men, later probably reduced to 150,000 by the appropriation bill, we will have 13,662 commissioned officers to officer 150,000 men. Nearly 14,000 officers and only 175,000 or 150,000 men seems so utterly unnecessary and incongruous that I wonder it should be long tolerated.

Mr. LENROOT. There may be more than that. There is no restriction on the number of officers.

Mr. BORAH. But I was speaking of what we actually had on January 20, 1921. Contemplate seriously for a moment the fact that we have some 13,000 or 14,000 commissioned officers for an army of 150,000 or 175,000 men. This condition of affairs calls for rectification. We can not condone such matters and justify ourselves when the people ask us why we do not reduce their taxes.

Mr. McKELLAR. Mr. President——

Mr. BORAH. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator knows that so far as enlisted men are concerned his views and mine are not far apart, but when it comes to officers I do not agree with the Senator, for this reason: Of course, if we only had to have officers to command an army of 150,000 men, we would not need that many officers. Of course, if we were just going to use those 150,000 men, we would not need 13,000 officers. But the Senator must recall that it takes three or four years to train an officer and it takes just a few months to train a man, and we have to have more of the officers so that the Army can be easily enlarged when trouble comes. I differ with the Senator about the number of officers.

Mr. BORAH. Very well. I am sorry the Senator differs with me, but I still believe that the size of the official life of the Army is beyond the necessities of the Army and beyond anything the country demands. I happen to know that there are some men in the Army who are officers who think the same way. I do not know just how we could train or utilize to their good or the country's good 13,000 officers with only an Army of 175,000. I have undertaken to inform myself with regard to it and it is a mystery, the penetration of which I have not yet been able to achieve. The number of officers which we have seems to be conceded all around to be very large, and in a day or two I am going to take up the number of officers we have on the Rhine looking after our 14,000 or 15,000 men over there.

Mr. McKELLAR. We ought to bring them back. We have too many officers and men over there.

Mr. BORAH. Yes; we ought to. We ought to do a great many things which we are not doing.

The officers cost us $52,307,881 a year, so we have the Army alone eating up a vast amount of the appropriation. I trust sincerely that if the western men who are very much interested in roads should conclude to stand with our friends in studying carefully the question of expenditure upon the subject in which we are so deeply interested, that in a few days, when we get to the Army appropriation bill and the naval appropriation bill, they will manifest their deep sincerity in economy by doing the same thing with reference to those matters. There will be amendments offered with reference to which it will probably be necessary to suspend the rules of the Senate in order to get a vote. I hope at least that they will give us a vote upon some of the amendments which are coming along in a few days upon this question.

I wish to touch upon another matter, which I do not propose to go into at length to-day. The appropriation bill for the Navy coming over from the House carries $395,000,000. We are about to construct and are in the process of construction of some 16 capital ships, which cost about $40,000,000 apiece. I am advised that there are at least four or five of those boats which are less than 10 per cent and some of them less than 2 per cent upon their way toward construction. I am perfectly clear that we could suspend the building of at least six of these capital ships without detriment to the country and ultimately without weakening the Navy and thereby save $240,000,000. If we could cut a hundred million from the Army cost and two to three hundred million from naval cost, we would be cutting our expenses and making a saving which would mean something.

Mr. POMERENE. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. POMERENE. May I ask the Senator what portion of the $395,000,000 appropriation is for the construction of new work?

Mr. BORAH. Ninety million dollars, I believe.

Mr. POMERENE. And how much of it is for the completion of work now in process of construction?

Mr. BORAH. I can not give the Senator that figure. The new work is represented, as I am informed by the debates in the House, in the figure of $90,000,000, but it seals the proposition of an expenditure of $640,000,000. The contracts are made and if we go ahead with the appropriation for this year and ratify the program and appropriate $90,000,000 to carry it forward another year, manifestly it will be absolutely impossible to stop a year hence upon the construction of that program which we are just now beginning and which we ratify by appropriating $90,000,000 this year. Now is the time to act. If we go ahead this year the program will go to its conclusion.

So the bill as a matter of fact carries an obligation, which we must meet from year to year, for $640,000,000. That is only for one class of ships. Those two items are the only places where we can cut expenditure. The other cuts are mere negligible propositions. We can not economize anywhere except where great expenditures are made. If we refuse to economize there, it is as certain as night follows the day that we can not limit our expenditures at all.

Mr. McCUMBER. Mr. President——

Mr. BORAH. I yield.

Mr. McCUMBER. I wish to ask the Senator, if we have sufficient road funds to last until the end of the fiscal year 1923, why we can not economize now by saving this $100,000,000 and not appropriating it this year at a time when the Treasury is bound to be bankrupt, not only for this year, but for the next fiscal year, and at a time in which we shall have to issue bonds again in order to get enough money to run the Government? Why can not we save the $100,000,000 right now, and allow the States to go on with their work of building the roads that they have now in view? I have just been informed by the chairman of the committee that they have money enough there to last them for the two years.

Mr. BORAH. I am not sure but that the Senator is correct in his position, and have not taken a different position from that.

Mr. HITCHCOCK. Mr. President——

Mr. BORAH. I said when I rose that I thought I should vote against the suspension of the rules, but I coupled it with the proposition that I understand there is a bill pending in which the matter will come squarely before us after thorough investigation has been made as to what we should do.

Mr. McCUMBER. I simply desired to indicate to the Senator that we would also save $100,000,000 in this way.

Mr. BORAH. I do not wish to be understood, however, in voting against a suspension of the rules, as concluding myself in this session or the next session as to how we shall appropriate for public roads. We should not abandon road building. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. The Senator from North Dakota [Mr. McCUMBER] is mistaken in assuming that there is a balance sufficient to meet State road requirements until 1923. I have already read into the RECORD to-day, I think, perhaps when the Senator was not here, a letter from the Director of Public Road Service, which demonstrates that 11 States have already exhausted their appropriations; that 8 more States will exhaust them during the present calendar year, and that all of the appropriations will be exhausted during the next fiscal year.

Mr. McCUMBER. Fifteen minutes ago the chairman of the committee stated that there would be sufficient in the funds to last until the end of the fiscal year 1923.

Mr. HITCHCOCK. I think the chairman is mistaken.

Mr. McCUMBER. He stated that he had looked into it, so I assumed that he knew what the figures actually were.

Mr. HITCHCOCK. This letter from the Director of the United States Bureau of Public Roads is dated to-day, and I will read once more the language.

Mr. McCUMBER. Even if that were true, under the present state of the Treasury ought we not to eliminate those things that we can get along without?

Mr. HITCHCOCK. That is another question.

Mr. McCUMBER. At least until we could find the time in which the taxation will meet the appropriations.

Mr. HITCHCOCK. That is another question. If the Senator admits the facts stated in the letter, it means that the road program in most of the States of the United States will have to be suspended unless this appropriation is made at the present time. If the Senator admits the facts stated in the letter, I have not any further question to raise.

Mr. OVERMAN. As I understand it, this is not an appropriation but is an authorization.

Mr. SMOOT. No; the Senator is mistaken.

Mr. BORAH. There is only one thing on which I take issue with my friend from North Dakota, and that is the suspending of the appropriations until we shall be better able to take care of them. There is no indication that within his lifetime or mine that will be true at the rate at which we are at present traveling. We are appropriating this year fully as much if not more than we did last year. I am told by a member of the Committee on Appropriations that we are appropriating more. That verges on madness. It is a form of insanity—that kind of insanity which arises out of delusions, and one of the delusions is that next year we will do better.

Mr. LENROOT. We are appropriating a good deal more; but I think we are spending a good deal less, because there are large amounts available from appropriations running away beyond July 1.

Mr. BORAH. Let us hope that is true. As hope is all we will likely get out of it, let us indulge in that luxury to our full content.

Mr. SMOOT. I will say to the Senator that there is about $225,000,000 that was appropriated during the war time, and it was appropriated to remain available until it was expended. I will say that in the fortifications appropriation bill, if we can not do it anywhere else, I wish to get the amount of all that is unexpended in the way of balances, and I desire a provision put into that bill repealing those appropriations and allowing the amount to revert to the Treasury of the United States.

Mr. BORAH. Those are all evidences of good faith that very seldom bear fruit.

Mr. SMOOT. I think they will bear fruit unless I am overruled by the Senate.

Mr. BORAH. What I mean is that in the end we will keep mounting and climbing with our appropriations. That, to my mind, is a certainty.

Mr. President, perhaps it is impossible to estimate the world's debt.

According to the figures which I have seen, the indebtedness of the world at the time of the close of the war was something like $200,000,000,000 or $250,000,000,000. Some have placed it as high as $348,000,000,000. Our own indebtedness, our public debt, is about $24,000,000,000. We are appropriating about $4,000,000,000 or $4,500,000,000 for current expenses, and we are facing a deficit of some $2,000,000,000. The fever of spending which we contracted during the war is still raging. The joy riding in the Public Treasury is still our chief delight. This to me is a greater menace than any condition of affairs which we faced during the war. War has its menace and its threatening problems, but none more menacing than the shameless waste of public funds and the laying on of unnecessary burdens upon a people already bending under a fearful load. Do we here fully appreciate the situation, or must we confess our inability or unwillingness to deal with it?

Mr. President, this debt which now rests like a mortgage in process of everlasting foreclosure upon the brain and the energy of the human family really staggers computation, and in its demoralizing and deadening effect beggars description. We seek to estimate it in figures and speak to each other in terms of billions, but all this signifies but very little. It is when you undertake to measure this debt in foot-pounds of human toil that its magnitude becomes bewildering. The privation and the misery, the suffering and the sacrifice, the men and women bending in hopeless drudgery, the children starved in body and stunted in mind, the families discouraged and broken up, the pauperism, the crime, the suicide, which its everpressing weight and subtle tyranny imposes, place its size and its effect beyond our power to portray. The most exacting taskmaster in the world is the public debt. The most remorseless cruelty which a community as a whole can experience is this ceaseless, never-ending struggle to meet its obligations. If it has any advantages to bestow, it bestows them upon the few and well favored—those who are able to hold bonds and collect the interest. But it sits with the average citizen at his meals and accompanies him in his daily avocation to take from him all that he can be persuaded or driven to give and leaves him nothing in return. I have read of theorists who argue that public debts are really a benefit; that at least their evils are greatly exaggerated. I think the public debt a curse. It eats out the substance of the people, kills initiative, undermines and corrupts society, breeds discontent and disorder, and often destroys government itself. The immediate and most commanding task of all those who would see a composed world and prosperous and orderly communities and States is to devise ways and means to reduce it if possible, and in the name of humanity to see it goes no higher.

Sir, when the war ended, Germany was disabled; her army was reduced to a police force; her navy dismantled, broken up, sunk into the depths of the sea. Austria-Hungary was divided, parceled out, driven into bankruptcy and starvation. No nation, no power among the enemy anywhere was left to threaten or make afraid. The allied and associated powers were left masters of the world, dictators of the world's policies. They were the autocrats of statecraft. While they surveyed a world torn, tortured, and burdened, they nevertheless surveyed it without challenge. The most stupendous fact at the close of the war was the world debt. The most pressing and complex problem was how to stay its growth and, if possible, lessen its weight. But no move was made, nor has there been any move made in that direction in any of the allied or associated countries. The futile and absurd proposition that the cost of the war and the world's debt could be extracted from Germany was flouted before the people, while the expenditures for militarism and armaments were increased beyond anything ever before contemplated. With incontinent haste and reckless plunging we began to compete with each other in building for future wars. With our huge debt already upon us, with our current expenses greater than we dare lay taxes to cover, we surge ahead—plunge ahead toward universal bankruptcy. When are we going to lighten these burdens? How are we going to do it? Where is the program? Have we lost our cunning in everything in God's tortured world save that of appropriating public money? There must be a change of program some time, and in my judgment at no distant time.

The news dispatches advise us that before convening Parliament a few days since it was thought the part of safety to barricade, as it were, the streets and avenues leading to the House of Commons. Of course, it was immediately said that it was to guard against Sinn Feiners. But it now transpires that there was another factor in the situation, to wit, the discontented, hungry, unemployed workmen of England. In Japan the spirit of unrest and revolt is stirring everywhere among the masses as never before. In our own country business is worried and discouraged by crushing taxes, while 3,000,000 workmen are seeking employment. Taxes and appropriations, appropriations and taxes, will not cure such conditions. It is not a long step from the barricade around the legislative halls and unemployment to the point where popular power breaks in upon the rights of property and decrees are issued from the open forum. Unjust and oppressive taxation—this will destroy the morale of the most self-poised and patient people in the world and shake the foundation of the most noble and freest institution ever devised by sage or patriot. I ask again, and I ask in deep sincerity, if the suggestions and remedies I have proposed are inadequate, what is the program? What do we propose to do? To drift is a confession of sheer incompetency. The path of mere expediency is the path to disaster. If the program proposed is unavailing, then what is the program?

Mr. McCORMICK. Mr. President, there is no Member of the Senate who disagrees or who would venture to disagree with the Senator from Idaho [Mr. BORAH] as to the urgent need of securing if possible an agreement among the nations for the limitation and the reduction of armaments. There is none of us who does not know that the economic prostration and the misery of the human race in a great part of the world is due to the burden of taxation incident to the prosecution of the war and to the political and economic disorders which followed the war. There is a difference of opinion among us as to what steps should now be taken by the Government of the United States, and, more especially, by the Congress of the United States looking to negotiations not only for disarmament but for the liquidation of the differences which exist between the great powers.

The Senator from Idaho with characteristic ability argued that the fleet of the United States, including the ships now

building, was obsolete; he urged that the maintaining and building of a fleet at once so formidable and so obsolete would lead to war and to disaster! Therefore, if I understand him, the Senator seeks:

To have America pause in her labors for her own defense.

To substitute for tried and proved engines of war others of which the value is unknown and inestimable.

And to have the President invite the other naval powers to a conference on disarmament, after we have stopped arming, while Japan continues so to do, and while the British sea force is twice as powerful as the American. I can not agree with him. I can not agree that our shipwrights and gunsmiths should lay down their tools while Japan arms herself. I can not agree that the limitation of armament should be fixed on the basis of a British sea power more dominant than ever in modern history.

The Senator will not hold that he has any greater loathing for war than those of us who have beheld it with our own eyes, and who have looked upon the bloodied ground and the young bodies torn and still warm with the life just spent. He can not have any greater horror of the waste of war, of the ruin and hate which follow in its train, than we who have beheld and felt them. If his friends and admirers differ from the Senator from Idaho it is not because we do not share his purpose, but because unlike him we agree with the majority of the naval authorities; it is because unlike him we agree with the responsible naval experts as to the lessons which must be drawn from the Great War, and above all, because we believe—nay, we know—that if the Congress of the United States delay and hamper the present development of the Navy it will hamper and confuse the President elect in the discharge of the heaviest duty which he has to perform. If we pause now in the building of a Navy we shall compound the difficulties of the new President in securing a general limitation of armaments by sea and by land, in removing certain dangers to our security and no less certain obstacles to the renewal of our commerce abroad and to the restoration of our prosperity at home.

OPINIONS OF ADMIRALS WHO DID NOT FIGHT.

The Senator from Idaho, when he argued last Friday that the American Navy was obsolescent and that the American battle fleet was obsolete, adduced in support of his view the opinion of an American admiral, retired before the outbreak of the Great War, and of four British admirals, three of whom held no command at sea during the whole course of the conflict. These admirals may be able to destroy their critics in print, but they destroyed no enemies in battle. They are doubtless formidable in controversy, but we know nothing of their prowess in combat. It may ultimately be proved that they have rightly forecast the future evolution of aerial and submarine warfare, but they had little or no part in driving the enemy's shipping off the high seas, in making helpless his battle fleet, in destroying his few raiders who escaped the blockade, in mastering the submarines, or in safely transporting 2,000,000 troops across the Atlantic to the battle fields of France. These apostles of the new school of naval warfare would as eagerly put aside the traditions and lessons of the past, would as eagerly adopt the submarine and the airplane to the exclusion of the battleship, as those other evangels of the new day would have discarded the traditions of Washington and the doctrine of Monroe to adopt the covenant of the league and enter a union with Europe, in order to secure the independence and the peace of America.

The Senator from Idaho quotes Admiral Hall, of the British service, as saying that the war was won without capital ships. It is relevant to remark that Admiral Hall, as a submarine commander, appears to be biased in favor of the naval arm which won him distinction and promotion. We ourselves do not think or speak meanly of the Senate, however modest we may be about our own small merit. The Senator from Idaho tells us that Admiral Lord Fisher has written that the whole British Navy would better be scrapped and a new beginning made. He quotes to the same purpose Admiral Henderson, who by his own words confutes himself; for, if I rightly understand the Senator from Idaho, Admiral Henderson holds that the weaker fleet of capital ships will not come out against the superior fleet—a startling discovery by one of the admirals of the new day. I am no great seaman, although I can tell the difference between the hempen sheets of a four-master and the cotton sheets of a four-poster. But still I know that the smaller capital fleet of Von Scheer never successfully took the sea against the great fleet. It dared not; it could not.

THE GRAND BATTLE FLEET.

What are the indisputable facts regarding the service of the Grand Fleet, which during the World War rode at anchor or cruised off Scapa Flow? It contained the enemy fleet, held it blockaded, immobilized it, prevented it from taking the seas, and so rendered impossible any destruction of allied commerce by the German cruisers or destroyers. When the Germans, thus blockaded, builded submarines to work the destruction which their pent-up surface vessels had not been able to do, the Grand Battle Fleet, holding besieged in port the German Navy, kept the seas free and safe for the swift, small surface craft—the counter submarines—which convoyed the transports and the squadrons of merchantmen, which ceaselessly sought and sunk the submarines, until the German crews mutinied and refused to be condemned to a dark death under the waters at the hands of the enemy whom they could not even see to fight. I repeat the Grand Fleet made it possible for the light, swift surface ships freely to sail the seas and to destroy the submarine enemy.

ANGLO-JAPANESE NAVAL SUPERIORITY.

These are facts which may be disregarded by speculative admirals and literary seamen, but to which no specific answer has been made except that the British Admiralty is not now proceeding with the construction of capital ships. What, Mr. President, are the circumstances under which the Admiralty has curtailed or suspended naval construction? We must consider them no less than the imaginative and interesting speculations of naval inventors. There are to-day, according to Mr. Daniels' table, 26 British and 6 Japanese battleships of the first line, as against 16 American; there are 6 British and 4 Japanese battle cruisers of the first line, and under the American flag none; there are 44 light cruisers in the first line of the British Navy and 8 in the first line of the Japanese Navy, and none—none under the Stars and Stripes. Unaided by her Japanese ally, the British Empire so dominates the seas that, despite the judgment of the British Admiralty that battleships and battle cruisers are the very core of any navy, Britain can afford to pause in the construction of first-line ships until she can replenish her treasury; the more so as she knows that in America there is on foot an agitation to block the movement to build an equal American battle fleet before armaments are finally fixed and permanently limited by an agreement between the members of the Anglo-Japanese alliance and the United States.

It is not merely mistaken—it is sheer nonsense—to say that British naval policy is not profoundly influenced by trade depression, by unemployment, by the rate of exchange, by the indebtedness to America, and by the heavy drain upon the British exchequer. The British Government announced in the House of Commons on December 10 its plan for a reduction of expenditures, as follows:

1. Strict injunctions have been given to all the departments that any schemes of reform sanctioned by Parliament but not yet in operation are to remain in abeyance for the present. This will apply to certain important particulars of the education act of 1918.

2. Three departments are to be wound up before March 30, 1921: The ministry of munitions, the ministry of shipping, the ministry of food.

3. Military commitments are to be cut down as far as possible. Complete withdrawal from Persia by next spring.

Mr. BORAH. Mr. President, does the Senator expect that to happen?

Mr. McCORMICK. I know that the British Government has ordered the removal from Persia of all British women and children and has ordered the withdrawal of the British forces from northern Persia and northern Mesopotamia. I will not venture to conjecture as to what may be done abroad in the matter of disarmament. That is precisely the reason why I am opposed to disarmament by the United States until a conference of the powers can be had.

To continue with the schedule of retrenchment announced in the House of Commons—

Reduction of the troops in Palestine. Drastic reductions in Mesopotamia.

4. Utmost economy in air expenditure.

5. No naval program involving expenditure on capital ships to be undertaken until the Committee of Imperial Defense have inquired into and reported on the whole problem.

I say again that the necessity for economy and the present overwhelming preponderance of the British battle fleet join to determine British naval policy, however it may be influenced or suspended by the critics quoted by the Senator from Idaho.

Mr. POINDEXTER. Mr. President——

Mr. McCORMICK. I yield.

Mr. POINDEXTER. The Senator notices that the suspension of capital ships to which he has just referred includes battle cruisers as well as battleships. The chief controversy that has been referred to by the Senator from Idaho—in fact, practically the only controversy—is in regard to the usefulness of battleships. It does not include the battle cruisers. All of these critics are agreed that battle cruisers continue to be a most essential feature of their navies; so that it can not be through

any agreement or any conclusion that the ships have become obsolete that this program has been adopted.

Mr. McCORMICK. Mr. President, I am grateful to the Senator from Washington for his illuminating interruption. In that connection, let me interject that for the British Islands the problem of the submarine and the marine aircraft has an interest which it can not have for Japan or the United States. There are the ports of six powers bordering upon the North Sea and the British Channel from which aircraft or submarines may be sent out to prey upon British commerce or to endanger British cities.

BRITAIN, JAPAN, AND THE BATTLESHIP.

A study of the opinion of the British press will bear out my statement. Any inquiring traveler will learn as much. I do not say that in England, as here, intelligent experts are not studying and seeking to develop submarine and aerial engines of war, or that in England there has not grown up a school which is talking of the importance of small, swift craft. But I wish to remind those Senators who have not prejudged the case that it was Britain, long mistress of the seas, who invented first the dreadnaught and then the superdreadnaught, and finally the battle cruiser. The report of the Senate Committee on Naval Affairs which the Senator from Idaho attacks concurs in the view expressd by the world's two chief naval authorities, the British Admiralty and the General Board of the American Navy. I call to witness another authority—the only other existing authority—as to the soundness of our conclusion. There is one of the great powers which during the world conflict put forth so little effort against the enemy, expended so little of her treasure in the prosecution of the war, that she was able actually to reduce the sum of her national debt during that time—Japan. Dai Nippon, great Japan, imperial Japan, has not waited for the report of the British committee of imperial defense to decide upon types of naval armament. Japan, her national debt diminished during the course of the war, has not awaited the judgment of the civilian members of any council of defense, but has accepted the judgment of the naval experts of the British Admiralty, now challenged by the literary admirals and my friend the great Senator from Idaho. Accepting that judgment, Japan has doubled her naval expenditures and is proceeding with all haste to build capital ships not only in her own yards but in the shipyards of her ally, Britain. I have already submitted to the consideration of the Senator from Idaho the overwhelming vote by which the Japanese Diet refused to consider the proposal to curtail this Japanese naval program.

Mr. BORAH. The Senator doubtless noticed that the next morning the minister of the navy of Japan said that that vote must not be understood as indicating the policy of Japan with reference to this matter at all, which was published in the public press of this country. Now, as between the two, I do not know, but he also stated that the vote as it was cast was only indicative of the standing, as I might say, of the gentleman who made the proposal, a matter with which I can sympathize.

Mr. McCORMICK. Mr. President, whatever the public utterance of the minister of marine in Tokyo or the vote in the Diet may have been, there are on the ways in Japan one and in Britain three battle cruisers building for the Japanese Imperial Navy.

Doubtless the art of war at sea will be developed. The Committee on Naval Affairs, as the Senate very well knows, purposes not only to continue the construction of capital ships, but in view of the great number of submarines and destroyers constructed during the war and of those still building, its members have contemplated appropriating sums once intended for the building of vessels of that type to the construction of two swift airplane carriers. The program to which your committee adheres is unqualifiedly indorsed by Admiral Sims and Admiral Fiske, the ablest of the critics of the present naval administration, who hold that we should go forward in the construction of battleships and battle cruisers as planned until the day when experiment may have proven that we can build such powerful submarine and aerial craft as will permit or compel the abandonment of capital ships. In the light of our experience in the war, dare we put aside the judgment of the chief naval authorities of the world, based upon experience, in order to confide the national defense and to intrust the lives of our men to the unproven devices the wholesale adoption of which is advocated by a small minority of enthusiasts?

EXPERIMENTING WITH MEN'S LIVES.

Senators can not have forgotten the tragic blunders of the War Department experts who, sitting in their offices, thought to invent artillery and aircraft superior to those developed on the bloody fronts. There are crosses in France which stand as monuments not only to the heroism of those who fell but to the theories of those who thought they knew better how to make war than those who had made it.

If I have spoken first, and briefly, of the military judgment and declared policy of the responsible naval authorities in Britain, in Japan, and here at home, it is not because that judgment alone upholds the report of your Committee on Naval Affairs, or alone should influence the decision of the Congress and the policy of the United States. We are on the eve of important negotiations which in part result from the decision of the people of the United States not to abandon tradition or proven and cherished policies for diplomatic devices put forward by gentlemen whose study and experience of international affairs were as insufficient as their assurance was great. I do not doubt that the new American negotiators will be realists no less than idealists, or that they will have some appreciation of the present as they seek to build for the future.

America is even more powerful to-day than she was when the conference at Paris first met, but the American negotiators after the 4th of March will be confronted with the alternative of success or failure as certainly as were those who went to Paris. The outcome of the negotiations will be in their hands, if we uphold them. Much has changed since the Paris conference, but the most important fact in all international politics remains unchanged. Here in America, Mr. President, is the world's great reservoir of credit and fighting man power. At this time the fleet is the expression of that power. The full success of our future negotiation, the future prosperity of our people, their peace and security in the years to come, the limitation of armaments by sea sought by the Senator from Idaho—aye, and that limitation of armaments by land which is necessary to the economic restoration of Europe and its peace—all may turn upon the decision of Congress to go forward now toward the completion of an American Navy comparable in power and varied fighting strength with any other.

THE TRUTH ABOUT FOREIGN RELATIONS—EUROPE ARMED TO THE TEETH.

We are come to one of those pauses in the development of international relations when plain, friendly candor is necessary to an agreement of will and purpose between the peoples rather than a mere agreement of words. Candor alone can beget that confidence which is the basis of peace. It is unprofitable, it is dangerous, to conceal from ourselves the truth that the peoples of Europe to-day are moved by a nationalism more passionate and a rivalry more bitter than before the Great War. That rivalry has engendered between old allies acrid animosities which are almost comparable with the hatred which old enemies bear one another. Despite the disarmament of Germany, west of Russia there are now, over two years after the signing of the armistice, well-nigh as many troops under arms as there were before the outbreak of the conflict in 1914. These armies are maintained not only against some possibly imminent military danger, but as political factors to support diplomatic movements in the present unsettled condition of Europe. It is not difficult, therefore, to understand that one power may hold assembled under its standards legions of armed men to serve as a diplomatic counterpoise to the armada of another. This is one of the consequences of the settlement attempted at Paris. I say "attempted," because the settlement comprised in the treaties of Trianon, St. Germain, Sevres, and Versailles can not last without a radical readjustment. Frontiers thither and yonder have been laid down upon utterly conflicting principles, while still other frontiers have been laid down upon no principles whatever—geographic, ethnic, strategic, or economic. The unrest and the economic prostration of Europe are ascribable to the treaties of peace as well as to the waste of war. We can not read the cabled dispatches from Vienna without recognizing that the impossible situation of Austria threatens the tranquillity of all her neighboring States. The achievement of something like an equality of naval armaments by the United States and the British Empire will serve to restore the balance of power in the world, to reduce armies on the European Continent, and consequently to diminish deficits and rehabilitate credits, to mitigate rivalries, and to demobilize hates.

It is not too much to say that the carrying out of our naval program will stabilize international relations, and so make for a steady market abroad for our copper and our cotton, for the products of our factories and our farms. That program constitutes one of the principal elements of America's strength and authority to-day.

Since the question of naval armaments confronts the three naval powers, let us bear in mind that precisely between those powers there is a commercial and maritime rivalry, and that there exist real differences between them which we seek promptly and amicably to dissipate.

OUR DIFFERENCES WITH THE ANGLO-JAPANESE ALLIES.

We wish to maintain our reborn merchant fleet upon the high seas in friendly competition with the merchantmen of Japan and Britain; we wish to establish a differential in the tolls charged at Panama; we wish (like Australia and Canada) to assure the acceptance—the uncontroverted acceptance—of our immigration policy; we wish by a mutually advantageous understanding to assure for ourselves as for our competitors a constant and adequate oil supply; we purpose to establish by agreement if possible, and otherwise if necessary, direct cable communication with continental Asia and central Europe, now denied us by France and Japan. We share the common hope that armaments may be limited, and we may well wish to learn from Britain that if we join her in the limitation of naval armaments she will cease to build not only on her own account but on Japan's account as well. There is one more question of which I wish to speak. The Anglo-Japanese alliance was formed lest the peace of the Orient be disturbed by the policy of the Romanoffs or the Hohenzollerns. They reign no more. Neither Russia nor Germany can challenge the peace and security of Japan or Britain in the Far East. There remains only one great power which might be affected adversely by the renewal of the Anglo-Japanese treaty—the United States of America.

Manifestly, we have important interests to preserve, even while we seek the most cordial relations with all the peoples of the world. It is trite to say that ours is a pacific people, and that, indeed, Americans are given to a certain generous and almost quixotic habit of mind which sometimes makes them forgetful of their own permanent and essential interests. It is this habit of thought which has led some good Americans in a spirit of impulsive generosity to seek to associate our foreign policy with that of some other power, even at the expense of our national welfare. This was as true in the early days of the Republic as it has been during these later years. George Washington wrote:

> Men are very apt to run into extremes. Hatred to England may carry some into an excess of confidence in France, especially when motives of gratitude are thrown into the scale. Men of this description would be unwilling to suppose France capable of acting so ungenerous a part. I am heartily disposed to entertain the most favorable sentiments of our new ally and to cherish them in others to a reasonable degree. But it is a maxim, founded on the universal experience of mankind, that no nation is to be trusted further than it is bound by its own interest, and no prudent statesman or politician will venture to depart from it.

So he wrote when France was the ally and England the enemy of the United States.

DISARM AMERICA? ABANDON HER POSITION?

Mr. President, we were unready for the Great War. We were unready for peace. It will not be long before the public learns how furtive and futile, how ignorant and arrogant, was our diplomacy at Paris. By every token which we can read the American people have condemned the policy of our quondam spokesman. They have demanded that we be guided by the wisdom of experience, the clear lessons of history. They would enter no sham Utopia. They expect no miracles, but in these trying times they have a right to expect common sense and common prudence on the part of their servants. Let us recall the homely counsel of the patriot and statesman who bade us "Speak softly and carry a big stick." Among the belligerents America by force of circumstance has been able the most readily to purge herself of hate. She is the readiest and the most able to soften the hates of the others, to help the conqueror and to help the conquered, but she can do so only if her statesmen are realists no less than idealists, only if she retain her power. If we cripple our Navy, if we abandon to other powers the domination of the seas, we shall limit the markets for our produce; we shall narrow the seaways for our shipping; we shall restrict the beneficent influence of our credit; we shall disarm the next President of the United States; we shall abandon the position which America holds to-day.

Mr. BORAH. Mr. President, I do not desire to occupy the time of the Senate again to any length. I only think it necessary to say a word in order that my able friend from Illinois may not, in his future addresses, misunderstand my position. His argument is addressed to the fact that some one proposes disarmament regardless of whether the other nations disarm or not. I have not heard of that proposition being made. The only proposition which I know of, and with which I am humbly connected, is the proposition of bringing together the great naval powers to see if possibly an agreement could be arranged or entered into by which the naval armaments of the different naval powers could be reduced. I have not proposed that the United States should disarm of her own motion or alone. I think, perhaps, the Senator has that idea in mind. I hope he will not associate it with my efforts.

Secondly, I have not proposed to dismantle our Navy. I have not even ventured upon my own judgment to propose that we discontinue the building program. I have said that in my judgment we should suspend for a limited period to ascertain whether we were building a modern navy or not. The more I read upon the subject, the more I hear it discussed, the more I am convinced that we do not now know what we are doing with reference to the Navy. I shall urge, when the naval appropriation bill comes before the Senate, that we suspend this expensive program for a limited period until we can ascertain whether we are building the kind of a navy which the able Senator from Illinois has in mind.

Thirdly, he refers to a number of "literary admirals." It is altogether probable that literary admirals have as good conception of the matter as the members of the Naval Committee, and in saying that I do not speak disparagingly of the Naval Committee. These literary admirals, so called, have all seen service in one of the greatest navies in the world, and some of them are spoken of with profound admiration even by those who differ with them as to the future policy.

I call the Senator's attention to one whom I think he will not regard as a literary admiral. I read from the Chicago Tribune of February 13, 1921, from the words of Rear Admiral Bradley A. Fiske:

> The so-called capital ship has seen its best days. The naval supremacy a year or two henceforward will belong to that nation which possesses the most powerful fleet of aircraft.
>
> It seems to me the future Navy will be vastly different from the fleets of to-day. It will probably consist of large vessels without smokestacks or masts, or possibly with internal-combustion engines. Every one of those ships will carry as its major weapons three kinds of airplanes: First, aircraft for scouting duty, both over water and over enemy coasts; second, bombing planes for dropping explosives on ships and fortifications; third, torpedo planes carrying projectiles to be launched against the hulls of surface ships.

Speaking of Sir Percy Scott, one of the literary admirals of England, he said:

> Scott wants to lose no time from profiting from the lessons of the World War. He saw, as the whole world saw, that fleets of mighty armored ships could not get closer than 10 miles to enemy coasts. He knows that the gun range of a battleship is limited. He knows that in speed aircraft has heavy ships hopelessly outstripped. In radius of action there is no comparison between them.

Further on it is said:

> It is the torpedo plane, he is convinced, that is destined to spell the doom of the big, costly surface ship. It is not easily seen, said the admiral, how a battleship can protect itself from an attack of a torpedo plane. A torpedo plane may attack without being noted until it is too late. High up it is invincible and inaudible. It can descend so swiftly that it can not be hit even if seen. It can come within close range of the battleship, launch its torpedo, and swoop upward again so rapidly that it is practically safe. Even if it were not safe, what is one man, one inexpensive plane, against the loss of a giant ship?

When we get Admiral Sims's testimony, we will find, I believe, that, like Admiral Fiske, he believes that the capital ship has seen its day. I am perfectly willing to grant that neither one of those gentlemen have urged that we cease building capital ships, but they have both stated facts which ought to convince any legislator that it is a very serious matter indeed to expend $640,000,000 for ships which, those men declare in effect, in two years will be obsolete, if they are not now. That question, I submit to my learned friend, is the only question I have submitted by the second resolution.

The third proposition is entirely too long to answer this afternoon, but upon to-morrow or soon I shall recur to the proposition stated that the Navy is a great negotiator in diplomatic affairs. Germany and England tried that from 1900 to 1914, and I am going to develop at the first opportunity that I have how that negotiation came out.

Fourthly, the Senator says that the program which I have proposed will embarrass the incoming President. I have no doubt that I have as profound respect for the judgment of the incoming President as has the Senator from Illinois. I have no desire to embarrass the incoming President, but how the Congress of the United States, in expressing its opinion upon a vital matter which concerns the Congress alone, and that is the matter of appropriations, can embarrass the President of the United States I am unable to understand.

There is a mystery surrounding this embarrassment which I am wholly unable to penetrate. The only thing the resolution does is to express the view of Congress that a conference should be called, just the same as we did in 1916. If the President elect has a program which he submits to Congress, how can it possibly embarrass the President elect when we have simply recorded our views as to the program which should, in our judgment, be adopted? The President will be free to suggest a wiser and better program.

Another thing: We have heard a vast amount of criticism in the last eight years about waiting upon the nod from the White House. Congress has been accused in the last eight

years of abdicating not only its judgment but its functions. I have not participated in that so much as some, for no one can make Congress a cipher except Congress itself. But let me say, with the utmost respect for the President elect, and with the keenest desire to cooperate with him, that I shall not abdicate my judgment in matters which devolve upon me as a Senator during the next four years any more than I have during the last eight years. If the Congress of the United States sees fit to advertise to the world that upon this question which involves the future welfare of the human family, that it has no judgment, no opinion, no conscience, and no conviction until the President elect nods, the Congress may do so, but I shall not be a party to the program. The President elect has his duties to perform as an executive and he has declared with commendable clearness and courage he and not some one else will perform them. We have our duties to discharge and our obligations to meet, and it will be a pitiable spectacle if we loiter around like satellites of royalty until we are bid to act and to profess and pretend to think.

Mr. THOMAS obtained the floor.

Mr. PITTMAN. Will the Senator yield to me for a moment?

Mr. THOMAS. Certainly.

Mr. PITTMAN. I desire to give a written notice of a motion to suspend the rules to-morrow.

Mr. THOMAS. It may be read, so far as I am concerned, Mr. President.

The VICE PRESIDENT. The Chair has examined the rule and thinks there is no requirement that it shall be read.

Mr. PITTMAN. I ask that it may be printed in the RECORD.

The VICE PRESIDENT. It will be printed in the RECORD, and the Chair will rule that it has been read.

Mr. PITTMAN. Very well.

The notice referred to is as follows:

I give notice that under Rule XL I will, on February 18, 1921, move to suspend paragraph 3 of Rule XVI in order that I may propose and have considered the following amendment to H. R. 15441, Sixty-sixth Congress, third session, to wit:

At the end of the bill add another section to read as follows:

"SEC. —. That section 6 of an act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, approved July 11, 1916, as amended,' is hereby amended to read as follows:

"'SEC. 6. That any State desiring to avail itself of the benefits of this act shall, by its State highway department, submit to the Secretary of Agriculture project statements setting forth proposed construction of any rural post road or roads therein. If the Secretary of Agriculture approve a project, the State highway department shall furnish to him such surveys, plans, specifications, and estimates therefor as he may require: *Provided, however*, That the Secretary of Agriculture shall approve only such projects as may be substantial in character and the expenditure of funds hereby authorized shall be applied only to such improvements. Items included for engineering, inspection, and unforeseen contingencies shall not exceed 10 per cent of the total estimated cost of the work. If the Secretary of Agriculture approve the plans, specifications, and estimates, he shall notify the State highway department and immediately certify the fact to the Secretary of the Treasury. The Secretary of the Treasury shall thereupon set aside the share of the United States payable under this act on account of such project, which shall not exceed 50 per cent of the total estimated cost thereof, except that in any State in which the percentage of total land area to which the title of the United States is unqualified or exempt under the Constitution or laws of the United States from taxation by or under the authority of such State exceeds 10 per cent of the total area of the land in the State, the Secretary of Agriculture shall reduce the ratio of cooperation on the part of the State the percentage that the area of the said land to which the United States has unqualified title, together with the land area so exempt from taxation in the State, is to the total area of all lands in the State. No payment of any money apportioned under this act shall be made on any project until such statement of the project, and the plans, specifications, and estimates therefor, shall have been submitted to and approved by the Secretary of Agriculture.

"'When the Secretary of Agriculture shall find that any project so approved by him has been constructed in compliance with said plans and specifications he shall cause to be paid to the proper authority of said State the amount set aside for said project: *Provided*, That the Secretary of Agriculture may, in his discretion, from time to time, make payments on said construction as the same progresses, but these payments, including previous payments, if any, shall not be more than the United States' pro rata part of the value of the labor and materials which have been actually put into said construction in conformity to said plans and specifications; nor shall any such payment be in excess of $10,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span. The construction work and labor in each State shall be done in accordance with its laws, and under the direct supervision of the State highway department, subject to the inspection and approval of the Secretary of Agriculture and in accordance with the rules and regulations made pursuant to this act.

"'The Secretary of Agriculture and the State highway department of each State may jointly determine at what times, and in what amounts, payments, as work progresses, shall be made under this act. Such payments shall be made by the Secretary of the Treasury, on warrants drawn by the Secretary of Agriculture, to such official or officials, or depository, as may be designated by the State highway department and authorized under the laws of the State to receive public funds of the State or county.'"

KEY PITTMAN.

Mr. THOMAS. Mr. President, the discussion which has just ended is very interesting and very important. It is not very germane, however, to the subject which the Senate has under consideration, that being a motion to suspend the rule in order that the Senator from Virginia [Mr. SWANSON] may propose an amendment to the pending bill, and, if possible, secure an additional appropriation of $100,000,000 for road building. I have no disposition to postpone a vote upon the notice and the motion of the Senator from Virginia, but the views which I entertain regarding the wisdom of the appropriation justify me in outlining my objections to it, which I shall, if the motion is carried, present to the consideration of the Senate as well as I am able to do so.

I am as anxious to see the pending and other appropriation bills enacted before the expiration of the present session as is any other Member of the Senate, and I would not interpose the slightest objection to their speedy and successful consideration were it not for what seems to me to be the need of limiting the amounts in the appropriation bills somewhere within the range of the committee's consideration as they come from the committee to the Senate.

Mr. President, there has been considerable discussion since the amendment was offered by the Senator from Virginia, and it has been confined almost entirely to the need of the appropriation at the present time and to the consequence of its denial; in other words, the wisdom or practicability of the appropriation at this time seems to constitute the distinguishing feature in this body of the discussion as to whether or not the rule should be set aside. Not until the Senator from North Dakota, in questioning the Senator from Idaho, suggested the unwisdom of making the appropriation at this time because of the condition of the Treasury was the public interest concerning it mentioned at all. The interest of the Government of the United States in the appropriation, the effect of the appropriation upon the burden of the taxpayer, the condition of the Treasury—these things seem to be entirely subordinate to every other consideration when the enormous sum of $100,000,000 is involved.

Mr. President, I think that the suggestion of the Senator from North Dakota constitutes the crux of the whole situation; and the appropriation should be made or it should be defeated upon grounds which affect the country and upon the manner in which it may affect the public revenues. I am opposed to it, because I not only believe but I know—and so does every Senator upon the floor—that we can not afford at this time to make any appropriation which is not absolutely necessary to meet the obligations and expenses of the Government properly administered.

I do not want to speak too severely, but I think I am fully justified in saying that the making of appropriations such as are here contemplated is little short of a legislative crime at this time. The chairman of the committee is absolutely correct, if figures mean anything—and he is presumed to know as much about the situation as does any Member of this body—when he declares that the sum is not at present needed. The Senator from Massachusetts is also correct in declaring that its primary purpose is to secure appropriations to be expended in the various localities and districts of the United States; and I might add, Mr. President, and still be within bounds, for such political benefit as always follows in the train of local expenditures of public funds.

Mr. McKELLAR. Mr. President——

Mr. THOMAS. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator from Colorado has said that this appropriation will not be needed.

Mr. THOMAS. I said so, and I think that is right.

Mr. McKELLAR. The report of the chief of the bureau, Mr. MacDonald, is that the present appropriation will be substantially exhausted by the 1st of July next.

Mr. THOMAS. Oh, Mr. President, my colleague, the junior Senator from Colorado [Mr. PHIPPS], who is on the committee, has just put into the RECORD figures and statements, official in their character, from the department which, if true——

Mr. McKELLAR. The statement I have quoted is from the head of the bureau.

Mr. THOMAS. Which, if true—and I have no doubt of their truth—absolutely disposes of that statement. I copied some of the figures, and particularly those showing the state of the fund in Virginia, which has as its allotment under existing appropriations the sum of $5,451,730.28, of which there has been paid up to the 31st of December, 1920, $2,676,337, leaving unexpended for the State of Virginia out of existing appropriations $2,775,393.28, or more than half of the total appropriation which has been allotted to that State.

Mr. PHIPPS. Mr. President, will my colleague yield to me for a moment?

Mr. THOMAS. I yield to my colleague.

Mr. PHIPPS. The figures last stated by my colleague represent the amount allotted on approved projects; but the actual

amounts that have been withdrawn from the Treasury for payment on account of the allotments to the State of Virginia up to the 30th of November last, which was the last date available, total only $470,000, as I stated earlier in the day.

Mr. THOMAS. I thank my colleague for making the additional statement.

Mr. POMERENE. Mr. President——

Mr. THOMAS. I yield to the Senator from Ohio.

Mr. POMERENE. It may add somewhat to the discussion if I call the attention of the Senator from Colorado to a statement made by the same Mr. MacDonald in a letter to me, in which he says—I will only read two sentences——

Mr. THOMAS. Will not the Senator from Ohio give the date of the letter?

Mr. POMERENE. It is dated February 17, 1921. Mr. MacDonald says:

> On December 31, 1920, $149,683,107 was either under actual construction or completed, leaving $117,066,893 on that date available for new contracts.

Now, as applying to Ohio he says:

> Ohio on December 31, 1920, had $5,142,966 of Federal aid available for new contracts, the balance of its apportionment being already under construction or completed. Reports from your State highway department show that $1,000,000 will be put under contract by April 1, 1921, and the remainder by July 1, 1921.

Mr. THOMAS. That letter sustains the statement which the chairman of the committee made this morning. The sum of $117,000,000 is still available out of the previous appropriation.

Mr. POMERENE. That amount was available on December 31.

Mr. THOMAS. It was available on December 31.

In addition to that, we are deliberately asked by a very considerable number of Senators to make an appropriation at this time of another $100,000,000 for good road purposes, and we are told that that is in accordance with the program; also that in the event this appropriation fails it will very seriously interfere with, if not suspend—and in many cases will suspend—the program of public road building in the United States.

Mr. President, if that is true—and I can not believe it; I say that in all kindness toward those who make the argument—it is to my mind the most potent reason that has yet been given for defeating this appropriation, for if with $117,000,000 of unexpended money, plus the amounts which the States have furnished or must furnish as their proportion of expenditure under the bill, road building is to be interfered with or embarrassed or suspended unless it can secure this additional $100,000,000, then those who have charged that the road-building projects have become a part of the "pork-barrel" system of the United States are right. It is incredible and inconceivable to me that with an enormous unexpended balance, much of which, according to the official statement, is so largely available, our system of national and State road construction yet depends upon an appropriation of $100,000,000 from the Treasury.

In my State the allotment is $4,780,064.14; amount allotted, $985,440.08; still available, $3,971,184.19. I think I am perfectly safe in saying that we need no money in my State at the present time. My colleague and I have both been bombarded with telegrams and letters and requests to support this measure, and I have no doubt that the Senators from other States have received similar messages; but we are confident that at this time it is not wise or prudent or necessary to add to the burdens of the National Treasury by voting another appropriation.

The Senator from Virginia [Mr. SWANSON] warns us in the most solemn manner imaginable that if this measure is defeated the program of Federal aid will fail, because the next Congress will do nothing upon this subject before next winter. Mr. President, if that is the case, let it fail. I am almost tempted to say, if that is the condition of road building in the United States, it ought to fail. But I have heard the Senator from Virginia utter a great many sepulchral prophecies before when some of his appropriations were in danger; and I venture the assertion that the extra session will not be many days old before my distinguished friend the Senator from Virginia, in that blithe and persuasive way of his when appropriations are desired, much of which will redound to the benefit of his State, will be urging a renewal of the consideration of this appropriation, and if it is not provided for at the next special session of the Congress, it will not be the fault of the Senator from Virginia.

When the chairman of the committee assures the Senate that this subject is under its consideration, that the committee is giving its close and careful attention to it, and that it proposes after it has secured the needed information to prepare and present a bill on the subject, I am disposed to accept his statement. I have known the Senator for a good many years, and an abler or more useful Senator does not occupy a seat in this Chamber. When he gives that assurance, I know that the Senate can depend upon it; and when such a bill is evolved from that course of procedure—the only course which should be taken as the basis of so large an appropriation—I have but little doubt that the Senate, by a majority upon both sides of the Chamber, will be inclined to support the bill. But this is a measure that seems to have been rushed through the House by whip and spur, and then hurried over here in order that it may be attached to the general appropriation bill for post-office purposes, and during the closing hours of this session of Congress be enacted into law.

If this motion carries, I shall deem it my duty to oppose the proposed amendment upon its merits to the best of my ability. As I said before, I do not want to interfere with the course of legislation—and it is very important—which is upon our calendar; but I think it is worth while to take a little time, even as valuable as time is now, to defeat an added appropriation of $100,000,000 before we adjourn if it can be done, and I know of no better service that I can render than to aid in doing it if my aid becomes necessary.

I remember when the first bill appropriating $75,000,000 for road purposes was enacted. Some of us opposed it. The Senator from Utah then predicted that the $75,000,000 measure was the beginning of a series of appropriations, each perhaps greater than its predecessor, and resulting in financial legislation compared with which the experience of Congress in the rivers and harbors bill would be practically insignificant; and he is right.

The armistice had scarcely been announced before the Post Office bill was reported here with an amendment carrying $250,000,000 for good roads. That, we were told, would be the limit of Federal appropriations. We thought at the time that the Government's finances could not stand or ought not to be required to endure this added burden; but as usual, Mr. President, the supporters of the bill fell back upon the very effective but old, old refrain that "it was for the benefit of the soldiers," the boys who had borne the brunt of battle across the seas, who had stormed the German trenches upon Flanders fields, and who would soon return by the hundreds of thousands to be given employment through the operation of this system if backed by an appropriation of $250,000,000. It was during the consideration of that bill that the junior Senator from Utah [Mr. KING] asked the Senator having charge of the bill, Mr. Bankhead, where he supposed the money for the appropriation was coming from, to which the Senator answered that that was the business of the Finance Committee and not of the Committee on Post Offices and Post Roads; and this appropriation also will be the business of the Finance Committee if it becomes an appropriation, either at this time or at any other.

Some one has said that this is not an appropriation, but an authorization. Mr. President, I do not care what you call it, the purpose is to get $100,000,000 out of the Treasury of the United States. "A rose by any other name would smell as sweet"; and the securing of money out of the Treasury of the United States, by whatever name it may be called, will reduce the available amount of the public funds to the extent of the appropriation.

The Senator from Utah has called my attention to the amendment. It provides that, subject to the provisions of the Federal aid road act of July 11, 1916, as amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000,000 for the fiscal year ending June 30, 1922, for the construction of rural post roads, and for the said fiscal year the sum of $3,000,000, to be available until expended, for the survey, construction, and maintenance of roads or trails within or only partly within the national forests.

I think the States should be required very largely to build their own roads. There are some States, like that represented by my friend the Senator from Nevada, whose material resources will not permit of that burden, and there are others needing Federal appropriations; but, Mr. President, the assets of good roads are State assets much more than they are national ones. The great State of California began a system of road construction before Federal aid was granted, and, I think I am safe in saying, before it was applied for. That State is literally gridironed with the most magnificent system of highways in the world, practically all constructed at State expense. As a consequence, Mr. President, it is the great holiday ground, the great pleasure ground, the great attraction to all classes and conditions of men. The amount expended by the State is of the most inestimable value to it, and, on the other hand, it is of practically little value to the United States as a whole. My State has voted bonds, as my colleague has said, and we propose to do our share in the matter of road building, and are

doing it; but I warn the Senate that the more we carry out this custom—because it is becoming a custom—of voting huge annual appropriations from the National Treasury for road-building purposes, the more certainly will come the day when the States, following their usual course in such matters, will demand that the Federal Government bear the whole expense, and relieve them from this as they have asked to be relieved from other burdens naturally belonging to them.

Of course, there is a ground upon which the requirement of national aid can be justified, apart from that which I have already mentioned and cited the State of Nevada as an example. There is the right or the duty, perhaps, of establishing post roads for public purposes. There is the interstate-commerce feature of it, to which the chairman of the committee has referred; but, fundamentally, road building belongs to and is valuable almost entirely to the States in which the roads are located, and consequently the greater burden of their construction should be upon their shoulders.

Mr. President, the Senator from Idaho [Mr. BORAH] suggested that if we were to retrench at all in our public expenditures we would have to begin with the Army and the Navy. I hope there will be a beginning somewhere. I have expressed that hope so often, and that hope has been deferred so long, that it has rather had the effect of making my heart sick. It will not be in my time in public life that any evidences of economy will appear; but I think this is a good place to begin, as the Senator from North Dakota suggested. One hundred millions saved is perhaps as good as one hundred millions earned.

The other day I had occasion to refer to the fact that the legislative, executive, and judicial appropriation bill was increased before it left the Senate by the added sum of $268,000,000. The amount carried by this bill, as I remember, is in excess of $550,000,000. Of course, much of it will be returned, perhaps most of it, from the receipts of the post-office business and administration, but not this money, and I think it would be an excellent thing for the dominant party to determine, regarding appropriations in the future, that where unexpired and unexhausted appropriations exist, no further money shall be diverted in those directions as long as previous appropriations, or any part of them, are still available.

So, Mr. President, I believed that I owed it to the Senate to outline my position regarding this amendment before the vote was taken upon the motion to suspend the rules, so that after the rules are suspended, if that should be the result, Senators need not be surprised if I elaborate what I have stated at somewhat greater length than I have spoken heretofore.

Mr. HEFLIN. Before the Senator takes his seat, I would like to ask him a question. I gather from the remarks of the Senator, that if he had it in his power, he would stop this cooperative method of road building.

Mr. THOMAS. No; not entirely. I would limit it, however, to closer restrictions than now obtain.

Mr. HEFLIN. The Senator heard the statement of the Senator from Virginia [Mr. SWANSON]?

Mr. THOMAS. Yes.

Mr. HEFLIN. That the States and the Government had expended about $600,000,000, and that the Federal Government had contributed about one-fourth of the $600,000,000.

Mr. THOMAS. Yes; and he was giving the figures of the total expenditures for I do not know how many years before this system began, and that is not a fair statement. The figures should correspond to the dates of the Federal appropriations. California expended, for example, although I do not want to be extravagant, I think over a hundred million dollars upon roads before Federal aid was given at all.

Mr. HEFLIN. Mr. President, I will occupy the time of the Senate for only a moment or two, but I want to say at this time that the Federal Government, under the leadership of my predecessor, who has been properly called the father of the good roads system of the United States, has laid out a program of road building. That program has reached into every State in the Union. This cooperative work is being carried on and is now going on, and I have been astounded, as I sat here to-day, to hear Senators on that side seriously suggesting that this program should be abandoned.

This road construction aided by the Federal Government reaches into the communities of every section of the country. There is no other general program of public policy which benefits so many people as this road-building system that we seek to continue. These roads, which will lead from the farms up to the market places, to the railroad stations, carrying the produce of the farmers to the great railroad lines and then carried out to the consuming public in every section of the country are of vast benefit not only to the people in the community where the road is constructed but of benefit to the people of the whole country, and yet some Senators, in their efforts to economize, are now reaching out into the counties of the rural districts and they are ready to strike down this great road-building enterprise which benefits the people generally more than any other one thing, I dare say, that this Congress can or will do.

I suggest to Senators on the other side that they start somewhere else with their program of economy. It will be a difficult thing to keep from building battleships in abundance, and I want it understood that I am in favor of building all that are necessary. But those who furnish battleship material are going to make millions out of the building of battleships, and they are going to be heard by this and the other branch of Congress; they are going to exert their influence, through the newspapers and otherwise, to accomplish their purpose. But the men and women back at home in the States that we represent here, who are to be benefited by this great road-building system, thousands of whom are benefited already by what has been done, are not heard here except through us, and I regret to say that some Senators, after they remain here a while, seem to forget the people and interests back home. In the multitude of things that come up for consideration the propaganda that flits before their eyes in designing newspapers day after day seems to take hold of them, and the interests back home, with nobody here to carry on such a propaganda in their behalf, are almost entirely forgotten.

Mr. President, the allied countries owe us $10,000,000,000. I have not heard the Senator from Colorado say a word about collecting that money. If this great Government can smile and be silent on questions of economy while foreign nations owe it $10,000,000,000, it seems to me that the Nation that sent its sons across the sea to win the war, which could not have been won without them, is too big and generous to complain when only $100,000,000 is requested by the people here at home to build up the highways which reach from county to county where these boys live who won the war.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Colorado?

Mr. HEFLIN. I yield.

Mr. THOMAS. I merely wish to interrupt to say that when those loans were made, and ever since they have been made, I have contended—and if I were the son of a prophet I would prophesy—that none of the money involved in those loans will be repaid, and that ultimately, whether we make a gift or not, that money will be lost to the United States. In other words, the debtors of the United States, our recent allies, struggling under the enormous burden of taxation for meeting the interest upon their other debts—and they will never pay those—and their necessary expenses of administration, find themselves utterly unable to pay a cent. Hence I have said nothing about collecting those debts, because I know them to be uncollectible.

Mr. HEFLIN. Mr. President, when those boys went away many of them gave up lucrative positions, and somebody else at home took those positions, and some of those boys, when they returned, could not find employment. Some of them are being employed in this road work, and more of them can and will be so employed.

The Senator from Idaho [Mr. BORAH] complains that two or more millions of people are out of employment; and yet they are preparing to strike down a program of public road building which furnishes thousands of people with employment, and will furnish it to thousands more. I suggest to the Senator that this is a good way to give those people something to do, and at the same time build up the public highways of the country. This country owes it to the people who live in it to build public highways. We ought to have, and we will have in the near future, a great system of public roads reaching from one State to another, and throughout the States. I shall do all in my power toward the accomplishment of this great work. I want to say, before I sit down, that the House has already passed this bill and the Senate, if it does its duty, will pass it. It will be a mistake and a serious blunder to stop this legislation. It will be a distinct injustice to the people of the country out in the rural districts and elsewhere. If the other side of this Chamber takes the responsibility of defeating this bill they will hear from the people in the next election, and they will condemn, as they should, your failure to do justice by them.

Mr. MOSES. Then the Senator ought to welcome such action.

Mr. STERLING. Mr. President, just a word relative to this proposed amendment. As a member of the Committee on Post Offices and Post Roads, I have found myself in accord, for the

most part, with the chairman of the committee and other members of the committee as well. But in regard to this proposition, I do not feel that I can stand with the committee.

I think I have been of the same impression as the Senator from North Dakota was, according to his statement this afternoon, namely, that there was yet a vast fund from previous appropriations which could be devoted to good road work. I saw a statement the other day, which came from apparently an authoritative source, to the effect that the Federal contribution which could yet be made, together with the State appropriations which would be made to meet the Federal contribution, would amount to $450,000,000, more than could be spent within the next two years.

But, Mr. President, that is not according to the facts as disclosed here and as disclosed by the reports. The fact is that there is $117,000,000 of Federal money not yet used. But the fact also appears that all Federal appropriations will be exhausted by July 1 of the present year.

What will result? The legislatures of 43 States, meeting once every two years, are in session now. They will not meet again for two years, and the States are left not knowing what to do because of uncertainty as to Federal aid. They can not make appropriations, and the good road work will necessarily be stopped for at least one year because of the failure of this Congress to pass the necessary appropriations.

Mr. President, a word in regard to the merits of the proposition for Federal aid to good roads. I do not believe there is any undertaking in which the Government can engage which means more for the public welfare than an enterprise of this kind, and Federal participation in it. It means, Mr. President, greatly added commercial facilities for all the people of the country. Good roads are contributions to the national wealth.

I know the Senator from Michigan [Mr. TOWNSEND], the chairman of the committee, has in mind a bill he has introduced, a great and comprehensive scheme of interstate roads built for purposes of interstate commerce. But, Mr. President, consideration of that measure is impossible now, and I think the enactment of it, although it is interesting and in a way fascinating, because of the greatness and beneficence of the scheme, will be probably impossible at the extraordinary session of Congress.

Government aid here asked for will result in greatly added commercial facilities for all the people of the country. It will add to the national wealth and a consideration not to be forgotten is that it will give employment to thousands of men throughout the United States who otherwise would not have employment.

I think, on account of all these considerations, we should now adopt this amendment calling for an appropriation of $100,000,000. The Senator from Colorado [Mr. THOMAS] says that under the conditions we ought to save. If it were a mere matter of saving, I would agree with him, but it is more than that and different. The appropriation of $100,000,000 is an investment from which the Nation will get large returns, and we ought to look upon it in that light. I shall vote to suspend the rules in order that the Senate may vote on the amendment.

The VICE PRESIDENT. The pending question is the motion of the Senator from Virginia to suspend the rule.

Mr. TOWNSEND. I am informed by the Senator from Alabama [Mr. UNDERWOOD] and by others that there is a desire not to vote to-night on the motion to suspend the rule. I am very much disappointed, because it seems to me that we ought to finish the work in hand. However, I recognize that if we can not make progress it is not of any use whatever to proceed. I therefore ask unanimous consent that to-morrow, at not later than 12 o'clock meridian, we shall vote on the motion to suspend the rule.

Mr. UNDERWOOD. That takes into consideration that we will take a recess to-night until 11 o'clock to-morrow morning, so that there may be some opportunity for further debate?

Mr. TOWNSEND. Yes; it is with the understanding that we will recess until 11 o'clock to-morrow morning.

Mr. SWANSON. I have no objection to the agreement proposed. Some Senators left this evening with the idea that there would be no vote to-day upon the question.

Mr. TOWNSEND. I do not know why they should have entertained that thought, because it was thoroughly understood that we wanted to vote and get through. But it is a fact that the Senator has stated, and therefore I submit to the inevitable.

Mr. SWANSON. I have no objection to voting at 12 o'clock to-morrow.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and the order is entered to vote at 12 o'clock noon to-morrow on the motion to suspend the rule.

Mr. LODGE. Mr. President, as I understand, an agreement has been made to vote on the motion to suspend the rule covering the question of roads, I think it would perhaps serve the progress of the bill to dispose of one or two amendments now. I have an amendment to the pending bill, which I desire to offer.

The VICE PRESIDENT. The amendment will be read.

The READING CLERK. Insert in the bill, at the proper place, the following:

That that portion of the act reclassifying salaries of postmasters and postal employees, approved June 5, 1920, which provides "that hereafter substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of one year for each 306 days of 8 hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1" shall be amended by adding the following: *"Provided,* That clerks and carriers in the intermediate or automatic grades who were appointed to regular positions before June 5, 1920, and are receiving less than the maximum grade of salary shall receive credit for all time served as substitute on a basis of one year for each 306 days of 8 hours served as substitute and be promoted to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1: *Provided further,* That clerks in first and second class post offices and letter carriers in the City Delivery Service and substitute clerks and substitute carriers who served in the military or naval services during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military or naval services on the basis of one day's credit of 8 hours in the Postal Service for each day served in the military or naval service and be promoted to the grade to which such clerk or carrier or substitute clerk or substitute carrier would have progressed had his original appointment as substitute been to grade 1.

The provisions herein shall be effective as of date of passage of the original act of June 5, 1920.

Mr. LODGE. Mr. President, the amendment covers two very distinct points. The bill as it stands provides for crediting hereafter to substitute carriers such time of service as they have given while substitutes. The man who comes in to-day gets credit, assuming that to-day is the date of the passage of the bill. The man who went in yesterday does not get credit for his service as a substitute. I do not believe that is just. I think they ought both to get the credit.

The other point is one upon which I sincerely trust we may take action, and that is to credit those clerks, carriers, and substitutes who went into the war, the time which they spent in the service in the Army of the United States, placing it to their credit for their service in the post office. It was certainly generally understood that young men who went from the Government service into the Army should be allowed to count their military service in their post office or other governmental service record, and I think that privilege ought to be accorded to them. It has seemed to me a very great injustice to deny it to them.

Mr. POMERENE. Mr. President——

Mr. LODGE. I yield.

Mr. POMERENE. Do I understand——

Mr. TOWNSEND. Mr. President, I think the amendment is subject to a point of order, which I propose to make just as soon as I get the floor, and I shall then give my reasons for doing so.

The VICE PRESIDENT. Does the Senator from Michigan make the point of order?

Mr. TOWNSEND. I am going to make the point of order, and I shall state why I do so.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. LODGE. Mr. President, I still have the floor?

The VICE PRESIDENT. The Senator from Massachusetts has the floor.

Mr. LODGE. The Chair, in the midst of my observations, recognized the Senator from Michigan to make the point of order and sustained it, as he could not possibly do otherwise than sustain it, but, Mr. President, despite what the Chair has done, I desire to finish my remarks by expressing my regret that the chairman of the committee feels bound to make the point of order, particularly as it affects those men who I think ought to have the time that they served in the Army accredited to them. I think they are suffering from a very great injustice that ought to be remedied, and be remedied now. We delay all we do for the soldiers so long that they will all be old men before they will get any benefit.

Mr. POMERENE. Do I understand that the purpose of the amendment is to count the time so as to give these men the same benefit in promotion in the service that they would have had had they continued in the service?

Mr. LODGE. It is to give them the same benefit in the service, or if they were substitutes the same effect as substitutes, in the way of longevity pay that they would have received if they had stayed at home.

Mr. POMERENE. I agree with the Senator.

Mr. TOWNSEND. Mr. President, I am in very hearty sympathy with the object which the Senator from Massachusetts

and other Senators have in view. This, however, is a proposition which we have not considered, and which, I am informed by the department, would create some confusion unless it were properly worked out. I believe I introduced a resolution in the Senate at the beginning of the World War providing that the men who served in the Army should be recognized and promoted, and that they should take the place they would have taken had they remained at home.

There is another situation, however, which we should consider. The House Committee on Post Offices and Post Roads has had taken away from it all the power to report appropriations. It is insistent that it shall retain the right to report legislation. It is considering legislation, as is the Committee on Post Offices and Post Roads of the Senate, in regard to some of these very measures. Some of the rulings of the department, which we felt were entirely contrary to the intent of Congress in passing the postal reorganization bill, have been considered, others are being considered, including the ones that are embraced in the proposed amendment. I am just as confident as I am that I stand on this floor that if this provision shall be included in the bill the Committee on Post Offices and Post Roads in the House will object to it and will delay the consideration of the Post Office appropriation bill. I can assure the Senate that the Committee on Post Offices and Post Roads is going to consider the legislation embraced in the amendment. We are at work upon it now on a bill embodying general legislation to correct some of the irregularities in the postal reorganization bill.

It is for these reasons, Mr. President, that I made the point of order; because I recognize that the adoption of the amendment would simply delay matters now and would possibly complicate a condition which ought not to be complicated.

Mr. JONES of Washington. Mr. President, I understand that an agreement has been reached to vote at 12 o'clock to-morrow on the motion to suspend the rule. I simply wish to say a word or two as to my vote on that motion.

The State which I have the honor in part to represent is in the forefront in road improvement and development. We recognize the very great benefit that comes from good roads. I feel that the money of the Government can not be expended much more advantageously than in the construction of good roads, which will enable the products of the farm and the factory to get to market as cheaply as possible, but the situation that confronts us at this time is a very serious one from the financial standpoint, and I am going to vote against the motion to suspend the rule, and that notwithstanding the fact that the money allotted to my State under the appropriation has been largely contracted for and largely disbursed. I understand there are about $108,000 left.

Our legislature is in session. I am sure it will make provision for the prosecution of good road work by the State and will also anticipate any possible action by Congress now or in the future; so that, even though the legislature may not be in session, the State will be ready to join with the National Government when Congress provides the funds. That we shall provide the funds I have not any doubt. The chairman of the committee has assured us that early in the extra session this matter will be taken up. I am satisfied that if the constructive plan which the chairman of the committee has in mind is not enacted into legislation other provision will be made, so that the work of building good roads upon the part of the Government and the States will not stop.

Feeling this way, Mr. President, and appreciating, I think, pretty fully the situation that confronts the Treasury of the United States and the taxpayers of the country, I believe that the best and wisest thing for us to do at this time is not to suspend the rule and not to add to the pending bill the proposed hundred-million-dollar appropriation.

DETROIT RIVER BRIDGE.

Mr. CALDER. From the Committee on Commerce I report back favorably with amendments the bill (S. 4903) to authorize the construction and maintenance of a bridge across Detroit River within or near the city limits of Detroit, Mich., and I ask unanimous consent for the present consideration of the bill. The Senator from Michigan [Mr. TOWNSEND] is anxious to have the bill passed to-night.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. The first amendment of the Committee on Commerce was, on page 1, section 1, line 5, before the word "maintain," to strike out the word "own," so as to read:

That the consent of Congress is hereby granted to American Transit Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Detroit River at a point suitable to the interests of navigation, within or near the city limits of Detroit, Wayne County, Mich., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 3, before the word "years" where it first occurs, to strike out the word "two" and insert the word "three"; so as to make the section read:

SEC. 2. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within three years and completed within seven years from the date of approval hereof.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RECESS.

Mr. TOWNSEND. I move that the Senate now take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 18, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 17, 1921.*

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, life is sweet. It is very dear to us. Yet behind it is a solemn mystery. Help us, in our ignorance, to learn of its compass, its dignity, and its possible achievements through obedience to Thy holy will. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LOAN TO THE BROOKLYN RAPID TRANSIT CO.

Mr. VOLK. Mr. Speaker, I move to discharge the Committee on Ways and Means from further consideration of House resolution 671 and ask that the resolution be passed.

The SPEAKER. The gentleman from New York moves to discharge the Committee on Ways and Means from the further consideration of House resolution 671 and asks that it be passed. The Clerk will report it.

The Clerk read as follows:

House resolution 671.

Resolved, That the Secretary of the Treasury submit to the House of Representatives all papers, correspondence, records, minutes, and data pertaining to and relating to the loan by the War Finance Corporation to the Brooklyn Rapid Transit Co. of $16,566,900 during the year 1918, and all papers and correspondence bearing on the negotiations relative to said loan; also statement showing what part of said loan has been paid and amounts of interest paid and amounts of principal or interest due and owing to said War Finance Corporation on said loan.

Resolved further, That the said Secretary of the Treasury submit an itemized statement showing all expenses, including commissions, incidentals, fees, bonuses, and expenses of any nature, in connection with the negotiations and placing of said loan and to whom paid.

Mr. MANN of Illinois. Mr. Speaker, I reserve a point of order.

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. What is the date of the resolution?

The SPEAKER. A week ago; February 7.

Mr. MANN of Illinois. I reserved the point of order in the first place, and I would like to make this inquiry to dispose of the point of order. The resolution requires that the Secretary of the Treasury transmit original papers to the House. I wish to ask the gentleman whether that is what he intended, or whether what he wants is copies of the papers?

Mr. VOLK. What I am seeking, Mr. Speaker, is information regarding this loan.

Mr. MANN of Illinois. The question is a simple one. The resolution requires the transmission of the papers on file in the Treasury Department. That is not copies of papers. I do not know whether such a resolution is privileged. But what I wanted to ask the gentleman is whether that is what he designed to accomplish or whether he wanted the Treasury Department to transmit copies of the papers on file in the Treasury Department?

Mr. VOLK. Well, if I am correct in my interpretation I believe that all these papers are delivered to the Clerk of the

House. The law requires that a quarterly report be made, and I am asking for the information on this particular loan. These papers must be——

Mr. MANN of Illinois. The law does not require and does not permit, usually, the sending of original papers. Certainly that would not be in a report—the original papers on file in the Treasury Department. It would be a very dangerous thing to order files in the Treasury Department transmitted to Congress. They would very likely be lost.

Mr. GARRETT. Mr. Speaker, I would like to ask some gentleman from the Committee on Ways and Means whether this resolution has had any consideration by that committee?

Mr. LONGWORTH. I would say to the gentleman that it is the first I have heard of it.

Mr. TILSON. I have attended the meetings very regularly, and I have not heard of it.

Mr. GARRETT. Well, Mr. Speaker, in view of the situation, and particularly in view of the difficulty suggested by the gentleman from Illinois [Mr. MANN], does not the gentleman from New York think it would be wise to withdraw his resolution for the present and put it in form where it will not involve the difficulties suggested by the gentleman from Illinois?

Mr. VOLK. Mr. Speaker, as I understand it, the point raised is the possibility of loss of papers, if they transmit the original papers and the information. I do not require the original papers. Copies would do just as well for the purposes of the resolution.

Mr. GARRETT. But that is not what the resolution says. I make the point of order that inasmuch as it is the duty of the Secretary to retain the originals, the resolution calling for the original papers is not privileged.

The SPEAKER. The Chair will hear the gentleman from Tennessee on that point.

Mr. MONDELL. Mr. Speaker, if the gentleman will allow me, in view of the doubt that has been raised as to the advisability, at least, of calling for the original papers, I think the gentleman from New York is disposed to withdraw his resolution for the time being.

Mr. VOLK. I withdraw it, Mr. Speaker.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 13606. An act granting the consent of Congress to the city of St. Paul, Minn., to construct a bridge across the Mississippi River;

H. R. 15011. An act authorizing the Secretary of the Interior to offer for sale remainder of the coal and asphalt deposits in segregated mineral lands in the Choctaw and Chickasaw Nations, State of Oklahoma;

H. R. 15131. An act to authorize the construction of a bridge across the Hudson River between the city of Troy, in the county of Rensselaer, and the city of Cohoes, in the county of Albany, State of New York;

H. R. 15271. An act granting the consent of Congress to the Majestic Collieries Co. to construct a bridge across the Tug Fork of Big Sandy River at or near Cedar, in Mingo County, W. Va., to the Kentucky side, in Pike County, Ky.;

H. R. 15750. An act to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Burnham, in said county;

H. R. 12157. An act to amend act of Congress approved June 30, 1913; and

H. R. 14311. An act to authorize the improvement of Red Lake and Red Lake River, in the State of Minnesota, for navigation, drainage, and flood-control purposes.

BAYOU COCODRIE, LA.

The SPEAKER. The Chair lays before the House the following Senate bill, the House having reported a similar bill before it came over.

The Clerk read as follows:

A bill (S. 4582) to declare Bayou Cocodrie nonnavigable from its source to its junction with Bayou Chicot.

Be it enacted, etc., That Bayou Cocodrie, from its source to its junction with Bayou Chicot, in the State of Louisiana, is hereby declared to be not a navigable water of the United States within the meaning of the laws enacted by the Congress for the preservation and protection of such waters.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. LAZARO. Mr. Speaker, I move that the Senate bill be passed.

The SPEAKER. The question is on the third reading of the bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. LAZARO, a motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

Mr. LAZARO. Mr. Speaker, I move that the House bill of similar purport lie on the table.

The SPEAKER. Without objection, the similar House bill (H. R. 14850) will lie on the table.

There was no objection.

CALL OF THE HOUSE.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ashbrook	Ellsworth	Kennedy, Iowa	Rowan
Bacharach	Elston	Kennedy, R. I.	Rucker
Baer	Emerson	Kiess	Sanders, La.
Bee	Evans, Nev.	Kitchin	Sanford
Bell	Ferris	Kleczka	Scully
Bland, Mo.	Focht	Lonergan	Sears
Britten	Gallagher	McCulloch	Small
Brumbaugh	Gallivan	McGlennon	Smith, Ill.
Candler	Gandy	McKenzie	Stoll
Cantrill	Ganly	McKinley	Strong, Pa.
Caraway	Goodall	McLane	Sullivan
Carew	Goodwin, Ark.	Maher	Sumners, Tex.
Casey	Goodykoontz	Mann, S. C.	Thomas
Clark, Fla.	Gould	Mason	Tinkham
Clark, Mo.	Graham, Pa.	Mead	Vare
Classon	Green, Iowa	Milligan	Vestal
Copley	Griest	Montague	Vinson
Costello	Hamill	Moon	Ward
Crowther	Harreld	Mooney	Watkins
Currie, Mich.	Harrison	Mudd	Welling
Dallinger	Haugen	Rainey, John W.	Whaley
Darey	Hersman	Ramsey	Wheeler
Davis, Tenn.	Hull, Tenn.	Randall, Calif.	Wilson, Ill.
Donovan	Husted	Randall, Wis.	Wilson, Pa.
Dooling	Igoe	Reavis	Wise
Doremus	James, Mich.	Reber	Woodyard
Doughton	Johnston, N. Y.	Riddick	
Eagle	Juul	Riordan	

The SPEAKER. Three hundred and ten Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

FORTIFICATIONS.

On motion of Mr. SLEMP the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the fortifications appropriation bill, H. R. 16100, with Mr. DOWELL in the chair.

Mr. SLEMP. Mr. Chairman, may I ask how much time there is remaining on each side?

The CHAIRMAN. One hour and a half on each side.

Mr. EAGAN. My record shows that we have an hour and forty minutes remaining on this side.

The CHAIRMAN. The record at the desk shows that each side has 1 hour and 30 minutes. The gentleman from Texas [Mr. BOX] is recognized for five minutes.

Mr. SLEMP. I yield to the gentleman from Texas five minutes additional.

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. BOX. Mr. Chairman and gentlemen, when interrupted by the rising of the committee I had hurriedly suggested that the present immigration is dangerous in numbers and character, that the numbers and the danger are increasing, that the loudly proclaimed limitation upon shipping will not protect the country, and that the poverty-stricken and diseased condition of many of the immigrants calls for public attention.

In this connection history is again repeating itself. I read from volume 2, page 592, of the report of the Dillingham Immigration Commission, dealing with the situation which arose from the famine in Ireland in 1845 to 1850 and the great immigration resulting from it:

Famine-stricken Ireland was also fever ridden; * * * the disease was carried aboard ship, where in the overcrowded and poorly ventilated steerage quarters thousands died of ship fever and thousands more survived the voyage only to die after landing.

Thousands of Irish and other British emigrants died during the voyage to Canada, and at Grasse Island, near Quebec, where the Canadian quarantine station was located, as many as 7,000 emigrants perished from ship fever and cholera in 1847 alone.

Many parts of Europe are now famine stricken, and some are fever ridden. Some of this fever has already come over with

the immigrant ships. The extreme destitution which breeds disease is abundant in Europe and on these immigrant ships.

Mr. H. F. Hunter, general agent of the Chicago, Milwaukee & St. Paul Railway Co., before the Senate committee, in speaking of the immigrants now coming and why they congest in the cities, page 321 of the hearings, said:

In the first place, they don't have enough money. There is no one of them that has money enough to pay his railroad fare west. In the next place, they do not want to go on farms.

Mr. E. C. Leedy, general agricultural and development agent of the Great Northern Railway Co., said:

* * * I found that from 75 to 83 per cent of the people who are arriving have no money and have no desire to go to the farms. A great majority of them are going to the cities and are not the class of people that we can use in our Northwest States. (P. 327.)

The House committee has had evidence of the coming and too frequent admission of weak-minded persons and those infected with infectious and loathsome disease.

I now point you and the people who read what I say to some of the difficulties which oppose efforts to protect this country. First I give you the names of some of the interests which appeared before the Senate committee in opposition to this legislation, or in favor of proposals to have it so amended as to admit more: The Chicago Cigar Manufacturers' Association; the Italian Chamber of Commerce, New York; the Hebrew Sheltering and Immigrant Aid Society, of New York; Associated Dress Manufacturers, who represent 600 firms engaged in the manufacture of dresses, employing some 50,000 employees, and who frankly say they want to employ aliens and want them to come so that they can employ them (hearings, p. 96); American Jewish Committee; Holly Sugar Co.; Great Western Sugar Co.; Utah-Idaho Sugar Co.; American Beet Sugar Co.; Hebrew League of New York; Wholesale Sash and Door Association, of Chicago; National Association of Manufacturers, representing 6,000 manufacturers, whose representative denied that there is any immigration emergency (p. 274) and said, "We can not find a satisfactory supply of unskilled adult labor in the United States," at a time when millions of our own people, including thousands of men who recently fought to save the Nation, are out of work (p. 275 of Senate committee hearings); Frances Kellar, vice chairman of the Interracial Council, whose activities and financial backing I presented to the House recently; National Association of Merchant Tailors, of New York; Phelps Bros. & Co., owners of steamboat lines; Panama Pacific Railway Co., of New York; Trans-Atlantic Passenger Conference, of New York; Cunard Steamship Co. (Ltd.), of New York; Anchor-Donaldson Lines, New York. Let us keep in mind the fact that a great part of shipping engaged in this traffic is owned by Europeans. These are not all, but a representative part of the opponents of the measure before the Senate committee.

For the purpose of enabling you to contrast the interests represented in these hearings, I present the names of some whose names appeared in the Senate hearings as favoring the suspension of immigration: State Council of Independent Americans, of Pennsylvania; Washington Camp, Sons of America, Drexel Mills, Pa.; Spanish War Veterans of Tacoma, Wash.; Sons and Daughters of Liberty of Suffern, N. Y.; Civic Club of Sumner, Wash.; Allied Patriotic Societies of America; Sons and Daughters of Liberty, Morris Plains, N. J.; International Reform Bureau, Washington, D. C.; Western Forestry and Conservation Association, Portland, Oreg.; Ohio Council No. 9, Sons and Daughters of America; American Legion Post, Caspar, Wyo.; Women's Club of Pineville, Ky.; Sons of American Revolution, Washington, D. C.; Gen. Custer Camp, Sons of Veterans, Seattle, Wash.; New Jersey Society, Sons of the American Revolution; Women's Clubs of Kentucky; United Spanish War Veterans, Tacoma, Wash.; Buffalo City Federation of Women's Clubs; Washington Heights Chapter, Daughters of the American Revolution, of New York; Sons of the American Revolution, of Sioux Falls, S. Dak.; Daughters of the American Revolution, of Washington, D. C.; Women's Club of Fort Thomas, Ky.; Sons and Daughters of Liberty, Vienna, Ind.; United Spanish War Veterans, Seattle, Wash.; Pennsylvania Sons of America. These organizations of our own people, moved, not by greed but by motives of patriotism and service in their very names and character, show the character of the contest in striking colors. Neither of these lists is complete, but they are full enough to be of some value to the country in its effort to understand the situation. These names are taken from the record of the Senate hearings. Those appearing in the record of the hearings of the House committee and in the files of Members of Congress present much the same suggestion. On the one hand, are members and posts of the American Legion, Spanish War Veterans, farm bureaus, labor unions, patriotic societies, civic organizations, women's clubs, and individual citizens, whose concern is for the present and future of the Nation. On the other, are hyphenated racial groups, commercial and financial interests, whose purpose and paramount interests are evidenced by their activities and their statements.

In this connection I read from the statement of Mr. H. F. Hunter, appearing for the Chicago, Milwaukee & St. Paul Railroad Co., at page 323 of the Senate hearings:

The CHAIRMAN. But it is a large country. Supposing that the manufacturers of the Middle West and the New England States demanded foreign labor to run their mills, labor of a different class than what you are speaking of, labor from southern and eastern Europe. Would you limit immigration to the class of immigrants that you are speaking of from northern and western Europe?

Mr. HUNTER. Absolutely not.

I said yesterday evening that truth and sound judgment usually speak in tones of moderation, but it is also true that sometimes truth has to scream in order to be heard. I specially invite the attention of Members of this House to the hearings on this subject as conducted by the Senate committee. I sincerely hope that this important question will not be forgotten and lost in the scramble and the noise in and about Washington. [Applause.]

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. BOX. I will.

Mr. JOHNSON of Washington. Has the gentleman any information to the effect that the health authorities of the city of New York are now charging that the Federal Government in the present typhus outbreak is trying to unload the expense of the quarantine there on that city?

Mr. BOX. I have heard something to that effect.

Mr. JOHNSON of Washington. Of course, in theory the steamship companies are supposed to pay for the expense of quarantine, but I venture the assertion that Uncle Sam will pay a big part of it.

Mr. BOX. Oh, if America looks for protection to the steamship lines, many of which are owned by foreigners, whose only purpose is to get the American dollar, with board of directors sitting in Liverpool and Berlin, America will be disappointed. If we look to them for the protection of the sacred interests that the Sons and Daughters of the American Revolution and other country-loving people like them are trying to preserve, we will look in vain. [Applause.]

Mr. JOHNSON of Washington. In the early part of the gentleman's remarks he made some reference to the present typhus situation in New York and probably called attention to the charges made by the health authorities against the Federal authority. But has the gentleman stated anything to the effect that in class B immigrants examined by our United States health officers from July to December, 1920, at Ellis Island alone, and certified to the number of 10,002 as afflicted with disease or defect which would affect their ability to earn a living, 9,979 of them were admitted to the United States?

Mr. BOX. No; but I am willing to have that inserted.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to insert in the RECORD certain statistical matters and reports in regard to the efforts of the Federal authorities to quarantine against typhus.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to insert some statistical matters in reference to this matter in the RECORD. Is there objection?

Mr. McCLINTIC. As I understand, this is statistical matter only?

Mr. JOHNSON of Washington. Yes; largely matters to be copied from the recent hearings of the House Immigration Committee with regard to the quarantine situation.

Mr. McCLINTIC. I have no objection.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SLEMP. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. McLEOD].

Mr. McLEOD. Mr. Chairman, I speak at this time to answer the gentleman from Pennsylvania, who on February 10 accused me of misstating certain facts as absolutely false and untrue and denying statements which I made here on February 7. It appears in the RECORD of February 10, when the gentleman from Pennsylvania [Mr. KENDALL] quoted a part of my speech which reads as follows:

Nearly 100 veterans, about all of them tubercular and most of them gassed or wounded on the other side, were sent for treatment to a place at Markleton, Pa., situated in a low, marshy river bottom, with a lot of railroad tracks and cinder piles hard by. A great tuberculosis expert sent there to examine the place, after the boys finally protested, said that "they might as well have sent them to a coal mine for treatment." F. W. Galbraith, jr., national commander of the American Legion, after visiting the place, demanded that the men be removed. He said that their condition there was "unbelievable"; that men "were dying off like rats in a hole, with moldy clothing on their backs."

His remarks would seem to discredit the use I made of the quoted statements of F. W. Galbraith, the national commander

of the American Legion, as to his attitude and that of the Legion to the treatment of tuberculous patients who are ex-service men at Markleton, Pa.

I would like to say that the statement accredited to Mr. Galbraith was taken from the American Legion Weekly, the official organ of the national organization. Furthermore, I hold in my hand a copy of the Philadelphia Public Ledger of Sunday morning, November 21, 1920, in which the following statement made by Mr. Galbraith is quoted:

In a hospital at Markleton, Pa., I found service men with moldy clothing on their backs, dying of tuberculosis. They are eliminating tuberculosis there all right. Tubercular patients who live in mold won't last long. There never was a greater outrage in the history of the country than the manner in which the Government is neglecting to care for thousands of its disabled.

Mr. Chairman, I submit that this in substance vindicates my position with reference to Mr. Galbraith and his attitude toward Markleton. I tried to get in touch with Mr. Galbraith personally or by phone, but I was unable to reach him. I am informed by John Thomas Taylor, vice president of the national legislative committee of the American Legion, that he is handling the matters with reference to Markleton for the national organization by direct order of Mr. Galbraith. Mr. Taylor informs me that the position of the legion is that tuberculous ex-service men were not getting proper treatment at Markleton; that Markleton is not a proper place for a hospital for these men; and that it should be evacuated. This, Mr. Taylor informs me, is the position to-day of the national commander, Mr. Galbraith, and the legion as a national body.

I hold in my hand a petition to the United States Public Service Hospital, dated August 18, 1920, and which appeared in the Daily News Standard, Uniontown, Pa., Saturday evening, October 30, 1920.

The petition reads as follows:

UNITED STATES PUBLIC HEALTH SERVICE HOSPITAL NO. 47,
Markleton, Pa., August 18, 1920.

To whom it may concern:

We, the undersigned patients of this hospital, hereby ask you a favor, in God's name to try and give us a fair deal, we who gave all that we had for this country, and we firmly believe what our people of this country want us to have is a fair and square deal.

We are isolated in a valley 100 miles from civilization, where nobody can come to look to our interest, and we know if we were located near a large city, when people could see the condition that exists in this place it would be closed in 10 days or less.

We have had several boys—namely, MacLoughlin, Betak, Metzgar, and Montgomery—who have taken hemorrhages caused by the dampness and improper nourishment.

We get the very poorest grade of milk and eggs obtainable, and we do not wonder why this hospital is classed the cheapest hospital in regard to food.

The drinking water is very bad; also we don't have a change of pajamas for weeks at a time.

We have had several inspectors here, but some one has a more powerful political influence than we, and evidently the inspector was put wise.

We feel that it would have been better if we had sacrificed our lives on the other side than to have come back broken in health and get abused, because some one has enough pull to keep us in a place like this.

No doctor gives the boys a diet according to his physical condition, he having to eat what they give him or go hungry.

The fog from the river is terrible and not fit for a well person, let alone a boy who is suffering with tuberculosis.

We feel that it would be a big benefit for everyone's health and for the betterment of the public service to close this unfit place and find a dry and more healthful place for us, so that we may prolong our lives a little longer.

We have written Congressman KENDALL of this, the twenty-third district, to come to our assistance, but we could not get any reply from him; but he could come to the call of the owner of this place on a couple of hours' notice when we had an inspector on the place.

Thanking you in advance for any way you choose to help us, we remain,

Your comrades, who are broken in health,

John F. Wall, Willbert H. Hertzog, Frank O. Miller, Frank J. Livyich, Samuel Robinson, James E. Brien, Patrick J. Friel, Arthur J. McIntyre, Clarence J. Harman, Michael J. McGiven, John Pawlowski, William R. Berry, Hawly Koch, John Ross, Peter Seres, John Nisutski, George Lyons, C. T. de Hegh, William Leopold, Frank Y. Bale, jr., Newton Sondheim, Paul E. Mahon, Ben Haneck, Andrew Soltes, Thomas Murray, Lon Patterson, Lishi Nidwell, Anto Loranta, John Zamytis, John Kayser, Francis P. Stasen, Joseph J. McLaughlin, John C. Phillips, Harry L. Barton, Walter S. Weaver, Thomas Walter Long, A. H. Bowie, H. C. Wilcher, C. W. Cant, J. J. Buchannan, Arthur B. Scott, John J. Hagan, John William Flaherty, Lawrence M. Barrett, George Eckert, Albert Eckert, John W. Montgomery, Joseph D. Wood, E. W. Hykes, Joseph O'Brien, Adam Brown, Pasquale Giannore, John Hennessy, Adolph Saltman, Warsil Rayko, Jacob Brown, Alan J. Donlon, Fred J. Mark, Melvin H. Dinen, Frank V. Key, Pasquale Diribo, Harry H. Hickel, James J. O'Donnell, Jacob Nachman, Robert J. O'Connor, Vincent J. Wiercinski, William Ungerer, Frank G. Dowds, B. Cadiz, Joseph Rogles, ——— de Fabio, Guisseppe Zeoli, Thomas G. Holland, Paul Chuvarsky, Lawrence Ludorric, Trevor Curril, Barney Bijeski, Paul Menges, An. Phlepchuck, Charles Baulovich, E. J. WestBurg, Ralph Drapen, Morris Kaminsky, Willard T. Woods, H. M. Speraw, R. C. Myers, Leon Lustkeivicz, Frank M. Conrad, Frank W. Golas, George Baird, Patrick Henry, Antonio Sierziega.

Mr. BLANTON. Will the gentleman yield?

Mr. McLEOD. No; I have not the time, my time is too limited.

I here have a photostat copy of the investigation of Markleton Hospital, of Markleton, Pa., made at the request of the Treasury Department by the Public Health Service. It reads as follows:

The honorable SECRETARY OF THE TREASURY,
Washington, D. C.

SIR: Your committee composed of the undersigned were instructed by you to inspect the Public Health Service hospital for tuberculous patients at Markleton, Pa., and to report answers to the following questions:

1. In the circumstances, is the locality a suitable one for a hospital in which to treat tuberculous patients?

2. If it is, is the plant of such a character as to justify the Government in the expenditure of the funds necessary to put it in satisfactory condition?

The committee, accompanied by Capt. Charles H. Scott, to represent the Hon. S. A. Kendall, Member of Congress from the district in which Markleton is located, arrived at Markleton on February 5, at 3.22 p. m. and remained there until 4 p. m. the following day. During our stay we examined the hospital area and adjacent land, all of the buildings (with the exception of two small unoccupied bungalows), and the clinical charts and records of patients. We conferred with Maj. Williams, the medical officer in charge and members of his staff, and we interviewed privately each one of the 16 patients now at the hospital and the resident director of the Red Cross unit.

Then it goes on to state about the site. It says the hospital is situated in the small hamlet of Markleton, Somerset County, Pa., 56 miles northwest of Cumberland, 94 miles southeast of Pittsburgh, on the western side of a narrow valley inclosed by deep wooded hills and traversed from north to south by the Casselman River, near the western bank of which are the double tracks and sidings of the Baltimore & Ohio Railroad adjoining the hospital grounds, and on the opposite side of the river the Western Maryland Railroad.

The area occupied by the hospital buildings consists of a small level tract extending about 100 yards from the river, on which are the Red Cross Assembly Hall and two unfinished buildings designed for vocational training, and ascending from this level a moderately sloping piece of ground on which are the main buildings, 130 yards more or less from the railway tracks, which it faces, and the various other buildings. Immediately back of this gradually sloping ground rises abruptly the steep western hillside, almost abutting which are ward barracks of the familiar army "lean-to" type of wooden construction, the floors of which at the upper part are nearly level with the ground and considerably above it on the lower side, owing to the slope of the land.

As the part of the property now occupied by buildings is already crowded, any considerable extension for building purposes would have to be by acquiring the use of additional land to the north, where the relations to hillside and the railway would be similar.

South of the buildings there is a low lying ground in which are two separate areas containing standing water, affected, it is said, by the rise and fall of the river. (Here we were told mosquitoes breed and it is obvious that they might do so.) These areas could be drained or filled in.

There is little opportunity on the hospital grounds for exercise, recreation, or occupation for the patients, and at present the only available place for them to walk on level ground is by the side of the railroad tracks. The grades of the hills are too steep for such patients. Paths might be made on wooded land to the south.

Sunlight: It is obvious from the foregoing description of the site that there must be some diminution in the amount of direct sunlight reaching this narrow valley. On the sunny afternoon of February 6 we observed that at half past 3 the western wards were already in the shadow of the hill, and at 4 o'clock the sun was setting, as seen from the bottom of the valley.

Atmosphere and moisture: While we should not be justified in drawing conclusions regarding atmospheric conditions from a stay of only 24 hours, during which it was rainy, foggy, and cloudy until a few hours before our departure, nevertheless one would expect from the conformation of this shut-in river valley, bounded by well-watered steep hillsides, protected from winds, with impervious soil, and receiving at times much smoke from railway engines, that the local atmosphere, especially in cloudy weather and in the early mornings and evenings, would often be saturated with moisture, appearing as fog and mist. The testimony that this is the case from both patients and doctors was concordant. In fact, dampness was the most general complaint of the patients.

So far as we could learn, the only local meteorological observations—and, of course, only local observations are significant on this point—which have been made are the incomplete ones recorded since January 1 by Maj. Williams which accompany this report.

The grounds of the hospital area we found saturated with moisture and rivulets ran from the steep hillside beneath and between some of the buildings. Much of this could be prevented by a proper system of drainage.

The general impression of dampness which we received is, of course, not incompatible with the occurrence of bright, clear sunshine and pure air at other times, and even prevailing at some seasons of the year. We are, however, of the opinion that excessive moisture of the ground and of the atmosphere are present sufficiently often and to a sufficient extent to render this condition a weighty consideration in determining the suitability of this site for a hospital for tuberculous patients.

Noise from proximity to the railroad: We have already called attention to the proximity of the hospital grounds and buildings to the Baltimore & Ohio Railroad. We regard the smoke and noise from this source as a most serious drawback from the use of this site for a tuberculosis hospital.

We are informed from the statement kindly furnished the committee by the president of the Baltimore & Ohio Railroad that 18 to 26 freight trains and 16 passenger trains pass Markleton in both directions within 24 hours, and that he expects the traffic to grow heavier. The grade is such that heavy trains going east require two engines. The noise is not merely from whistling, which can be partly obviated, but is not likely to be wholly so, as there is a block tower at the station which may arrest a train which signals by whistling to call

in the rear brakeman, but is also from the exhaust from the engines on the upgrade and the rumbling of the heavy trains. We found this latter so marked as to interfere with conversation in a front room of the hospital with windows and door closed while a heavy train was passing. The noise is magnified by the narrowness of the valley and reverberating hills. The physical examination of patients is seriously interfered with by the noise from passing trains in the front rooms of the hospital.

Individuals react differently to such noises and many become accustomed to them and are not disturbed. There are, however, a sufficient number, especially of the more seriously ill who are awakened from sleep at night or are disturbed by the noise from trains to make this condition a very strong objection against the use of this site for a tuberculosis hospital.

Smoke from engines: We saw a great deal of smoke, some very dense and black, emitted from passing or standing engines of the two railroads. From conditions already described this is at times not quickly dissipated, and it may be mingled with the mist or fog. A number of the patients voluntarily called our attention to the blackish color of their sputum and nasal secretion. Soot collects noticeably on exposed window sills, furniture, and fabrics, as we were able to observe, and next to dampness, smoke was the most frequent complaint of the patients whom we questioned.

It is not to be inferred that the atmosphere of Markleton is continuously smoky. It is more often clear and pure, but one must regard the presence at times of a smoky atmosphere like that described as decidedly objectionable for a tuberculosis sanatorium.

Other conditions relating to location: Little requires to be said regarding other local conditions. No objections can be raised on the ground of range and variation of temperature, altitude, protection from winds, and general accessibility.

a. Water supply: We did not visit the sources of the water supply, but have every reason to believe these to be ample and pure. The presence of colon bacilli in water from the pipes and their significance require further investigation. At present the water is protected by chlorination. There are obvious sources of fecal contamination of the river water above the place, where the pipe supplying the hospital is laid in the bed of the river, in which it is exposed to damage from timber or other objects carried by the stream especially when in flood. We were shown pieces of water piping removed from the building blocked by some mineral incrustation or deposit.

The large dining room in the main building is dark, the windows on one side looking against a wall a few feet away.

The kitchen is small and we should expect difficulty in its operation with the hospital full to capacity.

The laundry occupies an auxiliary building back of the hotel, and is very crowded, poorly lighted, and badly ventilated.

The ice house and storage rooms in an adjacent building are delapidated and in no way satisfactory. An adjoining retaining wall was braced and fenced off on account of the danger of its falling. There is great difficulty from rats, so that barrels containing meat had to be surrounded by lye to prevent the rats gnawing through the barrels.

There are six Army "lean-to" ward barracks of temporary wooden construction without porches. They would require a good deal in the way of repair if put into use again, and are adapted only for ambulatory patients under present arrangements.

At the south end of the occupied property are the garage, poorly adapted for the purpose, and a power plant, on which we can not give a technical opinion, but it is worthy of note that there is not sufficient strength of electric current to operate properly the X-ray apparatus, which furnishes an important means of diagnosis of tuberculosis.

The heating is partly by steam from the power house and appears to be satisfactory where it is supplied, although with considerable wastage from the overhead pipes from out of doors, depriving places of their insulation covering, and partly for the main building by hot water from furnaces in an unfinished part of the basement and is very unsatisfactory.

In general, the plant is dilapidated and badly in need of repairs, renovation, and new construction.

Fire risk: This impresses us as serious for the main building, the interior construction of which is of wood, lath, and plaster, with only a central stairway and elevator. There is a dumb-waiter shaft from the first to the fourth story, with openings on each floor, and a ventilating shaft from the second to the fourth story. There are many electric wires, some of which are dead, some exposed on cleats, and some concealed. It is true that there is abundant water with high pressure, but a fire which had gained headway would be difficult to control. Patients confined to bed should not be quartered above the ground floor.

This report is somewhat lengthy and I shall refer only to one or two things in it and to the conclusions. In reference to isolation, they speak as follows:

c. Isolation: With so small a hospital so located there is a feeling expressed to us by several patients of isolation and loneliness, of remoteness from places of interest, and of lack of diversion. This may partly account for the fact that over half of the patients received since the opening of the hospital have left voluntarily or deserted.

* * *

The kitchen is small and we should expect difficulty in its operation with the hospital full to capacity.

Therefore the hospital has never been full to capacity. Coming now to the conclusions, I read further:

With the present facilities not more than 200 patients could be accommodated with efficiency.

We do not regard the site as a suitable one for a permanent hospital for tuberculous patients.

The principal disadvantages are:

a. Proximity to two railways, with the resulting noise and smoke;

b. Dampness under conditions described above; and

c. The limited extent of level ground. At present the patients can exercise only by walking along the railway. There is no opportunity for expansion without encountering the same disadvantages as those of the present site.

It is to be emphasized that these strictures apply to the immediate situation of the hospital and not to the general region or district.

2. Inasmuch as these disadvantages are not and could not be offset by the character and condition of the hospital plant, even if these were much more satisfactory than they are, we do not consider that the Government would be justified in the expenditure of funds requisite to put the plant in satisfactory shape.

There are certain considerations which bear on the subject of this report, although perhaps not strictly called for by the questions submitted to us.

The men who signed this report are William H. Welch, who is director School of Hygiene and Public Health, Johns Hopkins University; president Maryland State Board of Health; president National Association for the Study and Prevention of Tuberculosis (1910–11); president board of directors Rockefeller Institute for Medical Research; Gordon Wilson, professor of medicine, University of Maryland; and Thomas McCrae, M. D., professor of medicine, Jefferson Medical College, Philadelphia, Pa. The official weather report of the location shows that only three days were clear in the month of January.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SLEMP. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. LAZARO. Mr. Chairman, will the gentleman yield for a question right there?

Mr. McLEOD. Yes.

Mr. LAZARO. The other day when the Langley bill was up for consideration I took the position that inasfar as the appropriation was concerned, it was all right, but I thought the Congress was making a very serious mistake in locating the hospitals. I understand that the Senate has stricken out that provision and also has increased the appropriation. I have always taken the view that there is only one way to relieve the situation and give these boys the service to which they are entitled, and that is for us to appropriate the money and leave it to the Public Health Service to send these boys where they ought to be sent and give them the treatment they are entitled to. What is the gentleman's position on that?

Mr. McLEOD. The Public Health Service at the present time—that is, the Treasury Department—has at its disposal $43,000,000, which they can not use for renovating hospitals and they can not take over certain buildings which are accessible at the present time.

Mr. PELL. Why not?

Mr. McLEOD. I do not know why not.

Mr. LAZARO. And that is why the gentleman's resolution, spoken of in the morning paper, ought to be passed?

Mr. McLEOD. Yes.

Mr. LAZARO. In other words, the gentleman wants to get rid of this red tape and do something for the boys.

Mr. McLEOD. Absolutely.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. McLEOD. My time is very limited.

Mr. BLANTON. It could not be left to the Public Health Service, because for six months they have had a bunch of boys at Houston, Tex., dying of tuberculosis and will not move them.

Mr. McLEOD. Mr. Chairman, as everyone knows, the official representative of the ex-service man is the American Legion, and the official organ of that legion is the American Legion Weekly, the largest newspaper published in connection with the American Legion. Mr. J. W. Rixey Smith, possibly one of the best-qualified writers for this paper, after making an investigation of pretty nearly every hospital in this country, and also in Germany and France, makes this statement in respect to Markleton:

Another dark spot on the disabled ex-soldier's map is a place as black as a coal pile (which is about all it is), notwithstanding the fact that it was selected by the United States Public Health Service for treatment of 93 tubercular ex-service men.

Hardly a worse place than a coal mine itself could have been found for a hospital. Down in a valley a hundred miles from anywhere, with low, marshy land, river bottoms, huge coal and cinder piles, and railroad tracks surrounding it, there is little wonder that the ex-service men shipped to this town for treatment issued a public protest and appeal, demanding to be removed.

"We feel it would have been better," they said, "if we had sacrificed our lives on the other side rather than to have come back broken in health to be abused because some one has enough pull to keep us in a place like this."

The Public Health Service gave an order to evacuate the men. Then an amazing thing happened. Before a patient could be removed several Members of Congress, representing the Washington end of the "pull" to which the men referred in their protest, set about to prevent the evacuation. These Congressmen raised such a racket that the place was not evacuated. Instead, all of the tubercular ex-service men, with one or two exceptions, were sneaked away in batches of two and three in order not to offend the Congressmen.

That is about all I have to say in respect to the matter, except to read the following telegram, which I received on the 14th of February:

NEW YORK, *February 14, 1921.*

Hon. CLARENCE J. McLEOD, M. C.,
Washington, D. C.:

At request of Surg. Gen. Cumming tuberculosis sanatorium at Markleton, Pa., was inspected October 28 by myself and T. B. Kidner, institutional secretary of this association. Report, now in hands of Surgeon

General states, "After very careful consideration, your attending specialist and his colleague are strongly of the opinion that the use of this hospital should be discontinued at the earliest possible moment and beg respectfully to make recommendation to that effect."

H. A. PATTISON,
Supervisor Medical Service, National Tuberculosis Association.

Mr. LAZARO. Mr. Chairman, before the gentleman takes his seat, will he yield to another question

Mr. McLEOD. Certainly.

Mr. LAZARO. Does not the gentleman think that if the money were appropriated and left to the medical authorities that they could appoint a board of medical experts on tuberculosis who could make a rapid survey of the situation and make a report, so that these boys could be sent where they ought to be sent and treated at once?

Mr. McLEOD. All I can say is that in my estimation somebody ought to be able to eliminate some of the red tape, because it takes too much time before any relief can be obtained. [Applause.]

Mr. SLEMP. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. CRAGO].

Mr. CRAGO. Mr. Chairman, I do not wish to offer any criticism, at least of the intention of the gentleman who has just finished his discussion of the situation at Markleton. I know the intentions of the gentleman are the very best, and I know that he only voices the sentiment of every Member of this body when he urges us to do everything within our power to take proper care of and give proper treatment to every disabled man who saw service in the World War.

But there is a misapprehension going around, the result of propaganda originating in the Public Health Service regarding the institution of Markleton. Now, Markleton was used during the war by the Army as a place where they sent tubercular patients, and this place stands second in the record of recoveries of all the places used by the medical department of the Army. Markleton is one of the great sanitariums of the State of Pennsylvania, a private sanitarium, and has been run for years for the benefit of people who are able and willing to pay any price necessary to secure the best treatment, in the best climate, and the best location. It is located 1,400 feet above sea level in the Allegheny Mountains along the Casselman River, and looking at the place so beautifully located, one can not help but wish it were possible that he might spend a few weeks or a few months at this wonderful institution. Now, I am convinced from my investigation of this subject that certain officials of the Public Health Service did make up their minds they were going to make this sanitarium impossible, and these same men have run it in such a manner as to bring forth the very condemnation they desired.

Mr. McLEOD. Will the gentleman yield?

Mr. CRAGO. I have but a minute or so, but I will yield.

Mr. McLEOD. I would like to ask the gentleman if he is familiar with the weather report which took place——

Mr. CRAGO. I am not only familiar with that, but I am familiar with the climate, because I have spent practically all my life in this section of the State of Pennsylvania, and the Member of Congress [Mr. KENDALL] who so ably represents that district lives within a few miles of this place and has lived there practically all his life.

Mr. McLEOD. Then the gentleman knows that there were only three clear days in the month of January?

Mr. CRAGO. That might be true of any section of the country in the month of January in this climate. But the point I am making is this: The gentleman from the twenty-third Pennsylvania district [Mr. KENDALL], one of the most industrious and patriotically inclined men we have ever had to represent this district. and who has worked as hard as any man [applause] to get proper treatment and proper care for these disabled soldiers of his district and of his State, has asked, not that soldiers be sent there from other parts of the country but that our own boys be sent there, especially when they ask to be sent there. I think I know these boys well enough to know there is not any place that would always, at all seasons of the year, appeal to them as being ideal—it is characteristic, especially of men who are suffering with this disease, to believe that their surroundings are not exactly what they ought to be—and perhaps, owing to mismanagement, they are not as good as they should be at Markleton. But while we are short of beds for these men, and it is being said that some of them are walking the streets because of a lack of beds, what better can we do than to utilize this place which has been used for years by people willing to pay their own money to go there for treatment? Why is it not better to correct the management and utilize this place rather than turn these men away and say we have no place to keep them? Now, I know all about the situation at Markleton. I know what a beautiful spot it is and I know the propaganda which has been going around against it. It is not being put forth by Members really interested in the welfare of these men from any ulterior motive. I know the gentleman who preceded me has no motive other than the one I have; namely, to do the very best he can for these ex-service men who fought the battles of our country. But I did not want this false impression regarding the situation at Markleton to go unanswered because I know, and I know that an unprejudiced committee will say, that there are very few places in this country more suited, if properly run and properly managed, than Markleton for the treatment of these boys, but any place put in the hands of men who are determined to close it up would be assailed; and I think the main reason these officers of the Public Health Service do not want to stay there is because of the fact it is a quiet spot where they are not able to amuse themselves socially or bask in the bright lights of the city streets. They do not want a quiet spot, yet this is what they should have for the proper treatment of these men who offered all for their country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLEMP. I yield five minutes to the gentleman from Michigan [Mr. CRAMTON.]

Mr. CRAMTON. Mr. Chairman, it is self-evident that the continued efforts of my young colleague from Michigan [Mr. McLEOD] and the day-by-day attention he is giving to measures for the relief of those injured in the late war must meet with the gratitude of the men formerly in the service, but as a Member of the House I feel he is entitled also to the gratitude of Members of Congress for his efforts put forth in giving us correct information about conditions that surround the care of these men. We Members of Congress want to give these men the best care that can be given them, but we are handicapped all the time by the difficulty of getting correct information, and I hold that the gentleman from Michigan [Mr. McLEOD] is entitled to the thanks of the Congress for the constant efforts he is making to get the real facts before the Congress. Why, we, of course, are all human; we, all of us, are affected by local interests and local pride, and must be actuated somewhat by it, but God forbid that the care and aid of these soldiers should ever become the football of a pork-barrel policy in the Congress. [Applause.] I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back four minutes.

Mr. EAGAN. Mr. Chairman, I yield 30 minutes to the gentleman from Tennessee [Mr. GARRETT]. [Applause.]

Mr. GARRETT. Mr. Chairman, I desire briefly, and I shall have to be very brief, to comment upon the address made yesterday by the gentleman from Illinois [Mr. GRAHAM]. I shall not have time to follow in detail all the subjects covered in the address which have come under the observation of Subcommittee No. 5 of the Committee on the Investigation of Expenditures in the War Department. The gentleman from Illinois, in concluding his remarks, said:

> The carefully staged performance recently brought to our attention, where one high in the councils of this administration struts and swears, and swears and struts, and throws about the miserable grafter and incompetent official the sheltering mantle of the glorious deeds of our boys across seas is to this end. The captious heckling from our Democratic brethren about the payment of certain bills is for the same purpose. I charge you, my colleagues, that behind the screen there are thieves and grafters going unwhipped of justice and pillaging the Public Treasury.

And that received applause.

Mr. Chairman, I challenge the accuracy of that statement and demand proof. I hope I may say without offense, because no offense is intended, that I do not believe one in a responsible public place should make such a statement without having proof of the facts to sustain it. Such statements are calculated to create a spirit of unrest, to destroy the confidence of indiscriminating people in their country. This expenditures committee has worked for more than a year and a half. It has had the moneys of the Treasury of the United States at its disposal. It has employed whatever of experts it needed and whatever of legal counsel it desired. It has expended some $150,000 in investigating, and never yet has one of those subcommittees come before this House and pointed to a single individual and said, "Prosecute him." That general statement ought not to be made unless the record justifies it, and, in my opinion, the record does not justify it.

The gentleman said:

> In these latter days much has been said about water that has gone over the wheel.

That expression, as well as the expression about swearing and strutting, referred to Gen. Dawes. Now, my recollection

is that the exact expression of Gen. Dawes was "water that had gone over the dam"—at least, I know he used that last word in some connection during the time I was present. [Laughter.] The gentleman refers to him as one who stands high in this administration. That is news to me. I am not aware of the fact that he has any connection whatsoever with this administration. He was in the military service in France in a very responsible capacity. I did hear at one time that there was strong prospect of his standing very high in the next administration, but what the future holds, of course, I do not know.

Let me point out in this connection one of the extremely unfortunate results of these loose statements made from time to time on the floor of the House by members of the expenditures investigation committee reflecting upon the integrity of men, without having gone to the bottom of the question. Some of you may remember that back in December, 1919, there was some discussion in the House about the settlement of claims. In the course of that discussion the matter of a claim of the Standard Steel Car Co. arose for discussion. Subcommittee No. 5 had made some investigations concerning that at Chicago. I was not satisfied about that settlement. I stated upon the floor of the House that I would not discuss it, and I gave the reasons, because it had not been fully investigated, and, further, because the War Department was itself looking into it at that time. At a subsequent time—in June last—when my friend from Illinois [Mr. GRAHAM] made the speech which was so widely distributed over the country as a campaign document, he referred again to that Standard Steel Car claim, and he said:

> As has been said, this company contracted to build nine hundred and sixty-four 9.50-inch howitzer carriages. Although the Government prepared several contracts, they would never enter into one. Mr. GARRETT, Representative from Tennessee, states he will not enter into a discussion of this matter. I do not blame him. It is so permeated with fraud and corruption that I do not wonder that any defender of this administration would not care to discuss it.

That statement was made by the gentleman from Illinois last June. Now, what has developed from that statement?

Here is an assertion, published in one of the great newspapers of the United States this morning, and later on in the same newspaper article it is pointed out that the officers of this company are J. M. Hanson, president, Pittsburgh; R. L. Gordon, vice president, New York; P. H. Gillespie, treasurer, and William Bierman, secretary, Pittsburgh. Its directors are John M. Hanson, W. L. Mellon, R. B. Mellon, A. W. Mellon, and William Bierman, Pittsburgh. It seems to be impossible to find a man suggested by the next administration as Secretary of the Treasury who has not come under the criticism of the Committee on Investigation of Expenditures in the War Department. [Applause on the Democratic side.]

What I complain of, if I am permitted to complain, is the method with which these expenditures investigations have been conducted throughout. The gentleman from Illinois [Mr. GRAHAM] has my respect. He knows that. And in these latter days he is having my sympathy [laughter], because I know that the gentleman from Illinois was put there to do a particular thing. He was put there to create campaign material to detract the attention of the people of this country so far as possible from the glories which this Nation had won, and by creating suspicion in the public mind of the honesty of those who had been connected with civilian service during the war it would create distrust of the party which was in power while the war was being fought. The gentleman from Illinois [Mr. GRAHAM] succeeded in that effort to a very considerable extent. There is no doubt of that.

And now, after the election is over, after it has ended, after he has accomplished so well the purpose for which he was put there by the responsible leadership of this House, to find himself coming under the constant condemnation and being subjected to the constant kicks of such men as Dawes and of the Republican press all over this country, which was closed to us at the time, is a situation which causes me to sympathize with the gentleman from Illinois [Mr. GRAHAM]. [Applause on the Democratic side.]

The gentleman from Illinois referred to many subjects yesterday. I shall have to dismiss most of them with a very general statement. He referred to olive drab duck, to mosquito bars, to frozen beef, to shirting flannel, to gauze, to underwear, and to lumber, among other things. All the testimony there is before the committee concerning most of those subjects is the testimony of Maj. W. O. Watts, who was formerly connected with the department. I am not going to enter into any criticism of Maj. Watts. I have no desire to criticize him. But his testimony was taken, his charges were made, and the gentleman from Illinois rested content upon that. Why? Because he was not proceeding to this matter as an investigator; he was proceeding to this matter as an able prosecuting attorney, and he was satisfied when he thought he had made out his case. As a matter of fact, as appears from the record, there was a complete investigation of every one of those matters and those charges made by the Inspector General's department of the Army, a wholly independent department, not connected in any way with the Director of Sales Division. And this committee, investigating the greatest achievement of the Republic, did not even send for the report of the Inspector General, which it had taken two months to make—the investigation and report—and look to see what the Inspector General's department had found. The gentleman states that certain shirting—flannel—was sold to Mr. Sigmund Eisner, of New Jersey, without advertisement. Maj. Watts made that statement. He had previously made that statement in a newspaper article in the New York Globe. The attention of the New York Globe was called to it, and they investigated it, and corrected that statement months and months ago. And yet we find it reiterated here in a speech made from the floor of the House of Representatives by the gentleman from Illinois [Mr. GRAHAM].

The question which the gentleman discussed at greatest length was that of the leather contract, and I wish to talk about it for a few moments. The minority report made some days ago on this subject really contains substantially all that I have to say. When the armistice was signed the War Department found itself with a tremendous amount of surplus leather on hand. It is alleged that entirely too much leather was bought. It sometimes seems that way to me.

Of course, this all depends upon the point of view. One of the troubles with the majority members of this committee throughout has been that they seem to have proceeded upon the theory that those in responsible positions should not have looked any further ahead than on the date when the armistice was signed, although no one dreamed that the armistice was to come at the time that it did come. If you measure it by that, if persons are supposed to be supernatural and could know positively that the armistice would be signed on November 11, 1918, why, of course, there was too much stuff bought. That is true in every line. But I believe that it was the solemn duty of those charged with supplying the armies of the United States with those things, without which the armies would have been worse than useless, to anticipate every possible contingency and have on hand, ready to supply the armies and make them effective, all that might be required had the war continued as long as the military experts all over the world believed it was likely to continue. [Applause on the Democratic side.] But this surplus was left on hand, and the effort is made to create the impression that certain gentlemen have been guilty of a wrong to their Government, have been guilty of illegal action, because they finally formed a company and took over the surplus leather material.

These men were Maj. Joseph C. Byron, Col. George B. Goetz, Capt. Azel F. Cochran, and Capt. Henry W. Benke. They organized the United States Harness Co. They organized it for the purpose of entering into this contract, which they did enter into. They were at times during the war—practically all the time during the war—connected with different phases of the Government's leather activities.

Upon that basis and upon that alone you are asked to let suspicion petrify into conviction. The gentleman from Illinois seems to proceed upon the theory that it is not necessary to prove wrong; that all you have to do is to prove that there was an opportunity for wrong, and let wild imagination do the rest.

Byron was a graduate of West Point and served in the Army for many years. He retired in 1901 to enter private business as a tanner, and he did so with great success. When the war came on he was called here because of his great ability, and he went on one of the committees of the War Industries Board dealing with leather. Throughout the war he served in that capacity. It was his duty to survey the entire hide and leather output of the country and attempt to bring about that coordination which would insure the materials both for war and for industry. There has never been placed in the record, there has never been privately intimated, so far as I have ever heard, a single suggestion that in that responsible place Maj. Byron did not render to his country the very highest order of patriotic service, and in every instance protect the interests of the Government that he was serving.

Goetz was a member of a comparatively small harness manufacturing concern down in West Virginia. He came into the service at the request of somebody—I do not know who—be-

cause of his knowledge of the leather situation. By reason of his ability in this respect he became the head of the purchasing department after it was organized, and bought, or had bought under his direction, practically all of the leather goods after a certain period.

Capt. Benke was also a leather man who came into the service, and he was an inspector. Capt. Cochran for a time had something to do with the buying. There is not very much about Cochran in the record; there is nothing to his discredit.

Now, this thought you must get clearly in mind: The gentleman from Illinois on yesterday at three different places in his speech said of these men, in substance, "they bought to excess." In other words, there is not a citizen of this Republic who, reading that speech of the gentleman from Illinois made on yesterday, would not conclude that these men who subsequently obtained the material were responsible for the amount that was purchased, although the gentleman's colleague, the gentleman from Illinois [Mr. MCKENZIE], sought to have him state plainly the facts. As a matter of fact, not one of these men ever at any time in any way had the slightest discretion in determining the requirements that they had to order. They did, by the exercise of almost arbitrary power, modify and reduce orders which came to them from the Requirements Division, but never at any time did they increase an order, nor did they at any time have discretion in determining what should be ordered.

And that is an important fact to bear in mind in considering this contract, because remember this: They violated no statute law in entering into this contract; it is not claimed anywhere, so far as I know, that they violated any statute when they entered into this contract, or that they did not have a full right legally to exercise their rights as citizens and make it.

So the question therefore depends or is to be determined upon the matter of ethics, and that element as to their having to do with excessive purchases, of course, constitutes an important element when you consider it from the standpoint of ethics.

Mr. STEPHENS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. My time is very limited, but I never like to decline. I will yield.

Mr. STEPHENS of Ohio. I would like to ask the gentleman whether these officers were still in the service when they made this contract with the Government?

Mr. GARRETT. I think that Col. Goetz was. I think this contract was signed, as I remember it, on the 3d of September, and Col. Goetz resigned from the Army on the 4th of September. The others were not in the service. But that is immaterial, taken in connection with all the facts.

Let me tell you something about this: As soon as this contract was entered into and publicity given to the fact, the harness manufacturers all over the United States began at once to enter their protest. Failing in other courses, they turned their attention to this committee. They made their threats openly throughout this country that through this committee they would obtain action looking to the rescision of this contract, in order that that product should not be put upon the market in competition with them. They besieged Members of the Congress, who in turn besieged this committee. All of this attack upon this contract comes from that source. It is not based upon ethics. It is not based upon any belief on their part that this contract is unfair to the Government. It is based on the fact—which is human nature and perfectly natural on their part—that they desire to keep this material off the market. Fortunately, even the majority members of the committee balked at making a recommendation that would thus play into the hands of those interests who had profited from the Government while the war was on. [Applause.] And we have no recommendation here. The gentleman from Illinois [Mr. GRAHAM], speaking as an individual, believes the contract ought to be rescinded, although he criticizes the harness manufacturers themselves for their attitude. So far as I am concerned, I do not stand willing simply to slap the harness manufacturers on the wrist and then turn and advocate the doing of the very thing which they have persistently tried to have done in every department of the Government that they could reach.

There is no charge that Goetz, Benke, or Cochran ever at any time in their official capacity betrayed a single trust. But it is found by the committee that in one instance Goetz sent an order to his own firm, and he did. Let us see about that. Goetz, as the purchasing agent, bought probably $50,000,000 worth of leather and leather materials throughout the country.

After searching the records with a fine-tooth comb, the gentleman from Illinois [Mr. GRAHAM] discovered and put into our record the fact that at one time he sent an order to his own house down in West Virginia for $19.80 worth of saddletrees. [Laughter.] My, my! how the Republic did rock to its foundations when that order was given. [Laughter.] What was the situation confronting the country? There was probably $500,000 worth of stuff bought in all from this Goetz house out of the $50,000,000, but what was the situation? The Government of the United States was drawing upon every leather resource to be found anywhere in the country. Not only that, but it was creating new facilities as rapidly as it could. If, by reason of Goetz's connection with it, it had refused to use the facilities there, it would have been deprived of just that much of the resources of the country, and Goetz had no more to do with the fixing of the price which his company received than did the gentleman from Illinois [Mr. GRAHAM] or myself, because that was fixed by the price-fixing committee, of which he was not a member and with which he never had the slightest connection. That is the situation in regard to the contract.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. EAGAN. I yield to the gentleman 15 additional minutes.

Mr. GARRETT. Thank you.

Mr. DEWALT. Will the gentleman yield?

Mr. GARRETT. I yield to the gentleman from Pennsylvania.

Mr. DEWALT. I heard the remarks of the gentleman from Illinois [Mr. GRAHAM] yesterday, and he made the distinct charge that he was satisfied as a lawyer that from the proof Goetz could be convicted of high crimes. What is the gentleman's opinion in reference to that, and what proof has the gentleman from Illinois?

Mr. GARRETT. The gentleman from Illinois [Mr. GRAHAM] quoted a statute which provides that no officer or agent of any corporation, joint-stock company, or association shall be an employee of the Government to deal with his own firm, and upon that I presume he relied. So far as I am concerned, I think the rule de minimis non curat lex—that the law does not care for trifles—would apply to this discussion. He was guilty of no moral wrong. He violated no ethics. That is an old statute. Consider the conditions under which the country was struggling at that time, drawing upon every resource everywhere for almost everything. I do not think any court would entertain a prosecution. But is it not a remarkable fact that after working for a year and a half, after spending $150,000 with experts and lawyers and accountants, raking the department from end to end as with a fine-tooth comb in the effort to find something that would stain the country's honor, they come down finally to the point where the only recommendation they make as to the prosecution of a single individual is that of a man who, while buying $50,000,000 worth of stuff in the country, bought $19.80 worth from his own firm. [Laughter and applause.]

What about the contract itself and its fairness to the Government? You observe that the committee do not recommend that it be rescinded. Why? Because in their hearts they know that that contract presented the best solution of this problem that had been devised. These harness people throughout the country gave no aid to the Government in the effort to dispose of this surplus. They did not want it on the market. I am not criticizing them. That is human nature. The only suggestions that they have offered about its disposition were, first, that it be sold abroad, or, second, that it be greased and laid away for the next war. [Laughter.]

The first was impossible; the second was unreasonable and ridiculous. There was no help to be had from them. Five separate times list after list of this material was advertised in an effort to sell it at public bid. Never was there a time, except in very rare instances of a very few cheap articles, that there were sufficient bids to take up at the minimum price fixed anything approaching even the relatively small amounts that were then offered. Not only that, Morse, the director of sales, went to Mr. Rosenwald, of Sears, Roebuck & Co., and went to other concerns in an effort to obtain some sort of assistance in the matter of the disposition of this material. His testimony will be found, I think, at page 4883 of our record. He failed there. Here was a surplus amount, as the gentleman from Illinois [Mr. GRAHAM] said yesterday, of somewhere between $27,000,000 and $150,000,000. We do not know how much it was. What was to be done with it? They entered into this contract. Now, the gentleman from Illinois [Mr. GRAHAM] says that it might have been done at the Rock Island Arsenal by the Government itself. Of course in other reports the gen-

tleman from Illinois [Mr. GRAHAM] has been particularly vigorous in opposition to any sort of government interference with private industry. Whether the location of the Rock Island Arsenal has anything to do with the gentleman's views upon this subject, of course, I do not know. I am just reminded that—

'Tis sweet to hear the honest watchdog's bark
Bay deep-mouthed welcome as we draw near home.

[Applause and laughter.]

What is the situation? Let us discuss that. That is the only constructive suggestion which has been offered.

Criticism is never attended by the difficulties which mark construction.

It is easy to tear down. It is easy to hold one's self in a position that whatever is is wrong, without offering any intelligent or intelligible proposition to take its place.

But let us analyze that Rock Island for a moment. This harness has to be remade in order to be commercial. The testimony before the committee is that it will cost $8 to $11 a set to remake this artillery harness which you saw here yesterday. I mean that it will cost that for the new material to go into it. It has to be all torn to pieces in order to turn an artillery harness into a plow harness. Now, what would be the result? It would require for the purchase of material to remake that harness $2,000,000 to purchase the material alone. That would require a direct appropriation by Congress. They have no authority under the decision of the comptroller to take any of the funds derived from the sales and put it into material for remaking or repair of the harness. So it would require a direct appropriation. As a matter of fact, it would cost $30 a set to remake those harnesses, and that would require an appropriation of four or five million dollars. What do you suppose would have been the result if the War Department had sent in an estimate of $4,000,000 to remake these harnesses? I will tell you. The gentleman from Wyoming would have risen to show where the Republicans had saved the Government a tremendous expense by reducing the appropriations below estimates. [Laughter on the Democratic side.]

Now, this contract provides for a minimum price. The material must be taken by the United States Harness Co. at the minimum price within a fixed time, but whenever it is remade and resold by this company, no matter when, there is a return to the Government of 60 per cent of the price received, including the price for all the material which the company itself put in. Of course, we do not know what it will net. From the best estimate I can make the Government will probably receive a return from the artillery harness of something like 19 per cent on the original cost and upon the H. T. G. harness a considerably higher per cent. The contract is not unfair to the Government. There is no claim that it is not being honestly executed, not even an intimation of it. As a matter of fact, under the terms of the contract itself the Government has its representatives in the factories constantly, watching every move, and I understand from one of those responsible officers who has been there that there is absolutely no waste, or that the only waste that comes out of the material are a few shavings here and there out of the leather as they re-form it.

Dishonest? No, indeed. Oh, gentlemen, it has never been denied that in times of war under the stress and strain of great movements there is waste; that there was extravagance when you measure things by normal time and normal conditions. Waste? Extravagance? Why, certainly; they had too many Republicans down there to get away without a considerable amount of that. [Laughter.] But dishonest? No. Mistakes in business judgment? Yes; they have been made; certainly. Errors of judgment? Why, of course. But in all the history of wars in this country there has never been one which was so singularly free and clean of graft and fraud as the recent war. [Applause on the Democratic side.]

I do not blame Gen. Dawes. I can imagine the indignation he must have felt. He was criticized about cussing. Well, as a matter of fact, gentlemen, Gen. Dawes did not say anything except what the minority Members have been saying all the time, except that he added some language which the parliamentary situation did not enable us to use. [Laughter.] We were not able to get to the press about these matters, but it seems somehow or other he got there. It brings to my mind the old quotation:

For it comes to pass oft that a terrible oath, with a swaggering accent sharply twanged off, gives manhood more approbation than ever proof itself would have earned him.

[Laughter and applause.]

Let me say just this in general about the matter of sales and surplus. There has been sold to date—that is, up to the evening of February 11—$1,250,468,998.15 of material. That is what it cost the Government. That includes everything from needles to lands for camps. It includes material of every character and kind which the Government acquired during the war. I mean declared surplus, and the return upon this material, exclusive of the amount which has been turned over to the Government at cost, amounts to 57 per cent. [Applause on the Democratic side.]

Mr. Chairman, fortunately the literature of this war will not be confined to the reports or the committees investigating the War Department's expenditures. [Applause on the Democratic side.]

Time will unfold what plaited cunning hides.

Mr. SLEMP. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I have taken this additional time for the simple purpose of again calling your attention to the matters I referred to yesterday and in answer to the remarks made by my good friend from Tennessee [Mr. GARRETT].

I want you to observe as my first thought that in what the gentleman from Tennessee stated he did not deny any of the facts that were developed by me yesterday; that the statement I made as to the facts, borne out by the record, stands uncontradicted by the gentleman from Tennessee. If these facts are true I leave it to you as logical, reasonable men whether the deductions I drew yesterday are not properly deducible from such a state of facts.

He makes several statements which I want to refer to briefly. First, he states that in this investigation it seemed to be the theory of the gentlemen of the majority of the select committee investigating war expenditures that the war would end in November, 1918, and that we are going upon the theory that excessive purchases were made because we thought the war would end at that time. Whereas he asserts that the military experts of the country thought it would extend for years, and therefore excessive purchases were justifiable. He makes quite a point of that proposition. If that was the theory of the majority of this committee, I want to ask the gentleman from Tennessee [Mr. GARRETT] and I want to ask all of you gentlemen on the Democratic side, what has been the theory of your representatives on this committee since the initiation of this work? There were five of the best men from the Democratic side selected to serve on this committee, and I challenge you to name one example or one instance anywhere, where one of the five men has agreed to condemn anybody at any place along the line. We have brought in a report from one of our committees condemning the graft and thievery that went on in the camps and cantonments of the country, and you gentlemen have defended it on the floor of the House. We brought in a report here calling the attention of the country and your attention to the fact that the Army's foods were being kept off the market to protect the canners and the packers of those foods, and you gentlemen have defended it on the floor of this House. We have brought to your attention that thousands and thousands of automobiles were rotting in the camps of this country, and you gentlemen came on the floor of this House and defended it. We brought to your attention that settlements of war claims were being made unjustly by the War Department, and you gentlemen came on the floor of the House, and the eloquent gentleman from Tennessee [Mr. GARRETT] was among them, and defended the War Department. Do you know what has happened since this committee that I have been the chairman of has begun its investigations of war claims that we claim were fraudulent? Gen. Lord, Director of Finance of the Army, has had paid back from men who had already been paid on settlements of their claims over $24,000,000, which was paid wrongfully. [Applause on Republican side.]

I heard him swear to that before a subcommittee of the Committee on Appropriations the other day. This same man Byron, about whom I spoke to you yesterday, testified before our committee that its investigations had been of incalculable benefit to the country, because they had stopped practices that otherwise would have existed. What have you done to help us along; what has been your attitude; what has been the attitude of the brilliant gentleman from Tennessee [Mr. GARRETT], whose splendid mental attainments have won my admiration? From beginning to end, whenever we have pointed the finger of suspicion at anyone in this House he has defended him. The gentleman from Tennessee does not believe that it is good public policy to permit a contract like this contract with the United States Harness Co. to exist. He does not believe in that. He is too inherently honest, and he does not say on the floor that he believes in it. When I told you yes-

terday that such a contract was bad, he knew in his heart that what I was saying about the contract was true, and so did all of you.

Gentlemen, this has not been an easy job that this committee has had. We have had not only the undivided opposition of you gentlemen on the Democratic side, but every time we got close to anybody who was a constituent of somebody we had opposition on our own side. We have had our troubles, but we have done these things because we thought they were right, and we have presented these things to you because we have thought it was our duty to do so. I want to say to the country now and I want you gentlemen on the Democratic side to understand that in all of this you have occupied a position of unflinching opposition to everything we have done. It would have been much better from even a party standpoint for you to have helped in some of these things that needed correction.

Let me tell you about some of the things that the gentleman from Tennessee [Mr. GARRETT] referred to. He spoke about this man Goetz, and the gentleman from Pennsylvania [Mr. DEWALT], whom I think to be one of the best minds in this House, rose to a very pertinent question. He said that the gentleman from Illinois, meaning myself, had made a charge that this man Goetz had violated the law, and the gentleman from Pennsylvania asked the gentleman from Tennessee what he thought about it, and what did Mr. GARRETT say? Did he deny it? He said he thought perhaps the man could not be convicted because of the particular circumstances that arose in the war, and he speaks of an order of $19.80 worth of saddletrees. Mr. Chairman, if that were all, I may say to the gentleman from Pennsylvania [Mr. DEWALT] that perhaps it would be captious to raise the point, although it is a direct violation of the law; but that is not all. If you will take the hearings of this committee, you will find, on pages 4778 to 4783, a long list of letters and correspondence running between Col. Goetz and his own house about these orders that had been given to his house and about which he was corresponding with it.

It is true he signed only one of these orders that we can find, but he was in correspondence with his house right along about business that his own house was transacting. I believe I am correctly informed when I say that in the year 1918 the worthy colonel paid an income tax of $50,000 on his immense profits. When he went into the war he had a little one-horse harness establishment, and now it is a great big thriving institution, made so by war contracts that he helped accumulate while he was in his position here. I have no particular bone to pick with Col. Goetz. I have nothing more to say about him than I would say about anyone else in similar position. I understand he is a Republican, and that makes it all the worse from my standpoint.

The gentleman from Tennessee speaks about remaking this harness. He says that it must be remade at an expense of $8 to $11. Gentlemen, it does not have to be remade, and there is the joker. They can take it just as it is and pay the minimum price for it if they want to. Do you know what the Government is doing? To-day at Schenectady and at New Cumberland, Pa., this harness is stored. Government men are tearing it to pieces, putting the breechings in one box, the saddles in another box, the blankets in another box, the breast collars in another box, tearing it all apart at the expense of the Government, and then they are treating it with neat's-foot oil, reconditioning it, and they are boxing it and sending it wherever the United States Harness Co. tells them to send it, in the original boxes, to their customers, at Government expense, except the freight. All that the harness company has to do is to sell the harness in its original condition and collect their 40 per cent commission. Do you gentlemen think that is a proper contract? Do you think that is the right kind of a contract for the Government to make? As I said yesterday, I have no use at all for those who are trying to keep this harness off the market. I have never condoned their practices. I do not defend them now. But I do say that the practice which was indulged in by these Army officers in doing this thing is an outrage and ought not to be permitted.

The gentleman from Tennessee says these other things I have spoken of were developed by the testimony of Maj. Watts and that this matter had been investigated by the Inspector General down there at some time.

Mr. GARRETT was a member of our committee. When those statements were produced by Maj. Watts, if further evidence was desired, the gentleman from Tennessee had the right to have anyone called before the committee, and he would have been called at once upon his say so. The testimony in the record is to the effect as I have given it. There is no contradiction of the facts.

Now, I have not much more to say about this thing. I do want to say one thing, gentlemen of the committee, as I said yesterday. I am not going to confine my remarks about this sort of thing to the present administration. If something is not done, I am going to keep it up in the future [applause] until there is some justice in this thing. I have not a bit of political motive on earth at this time, and I want to tell you frankly that, so far as I am concerned, I never did have. You may not believe it; it may be a joke to some of you, but I have tried to do this thing as conscientiously as I could. We have tried to go into these investigations as thoroughly as we could, but it has been an immense job.

Mr. LINTHICUM rose.

Mr. GRAHAM of Illinois. Not now, Mr. LINTHICUM. It was an immense job to look into expenditures aggregating $18,000,000,000. We have done the best we could with a hard situation. I am simply calling attention to these facts in order to see if in the next Congress—there is no time for it now—if in the next Congress some of the remedial legislation asked for yesterday can not be enacted to stop these practices in the future. I think that is all I have to say about this. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. PENROSE, Mr. MCCUMBER, Mr. SMOOT, Mr. SIMMONS, and Mr. WILLIAMS as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bills of the following titles:

H. R. 9521. An act to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipment of cold-storage foods in interstate commerce, and for other purposes; and

H. R. 15130. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1922, and for other purposes, and had agreed to the amendments of the House to the amendments of the Senate numbered 127, 132, 151, 198, and 223.

FORTIFICATIONS.

The committee resumed its session.

Mr. EAGAN. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. LARSEN]. [Applause.]

Mr. LARSEN. Mr. Chairman, when the road bill was recently before the House only 20 minutes was allowed for discussion on each side of the question. Therefore I take advantage of this opportunity to register with the Congress some of my views regarding the construction of rural public highways. I have long had an abiding conviction regarding this important question, and as the years advance I become more convinced of the advisability and feasibility of Federal aid for such purpose. I believe it is one of the most important questions confronting the Congress during peace-time legislation. It is not a new question, but is one practically as old as the Government itself. Both Washington and Jefferson were advocates of Federal aid in the construction of public highways, and at the early period of 1806 the Government undertook a Federal-aid program. For some reason, I know not why, it was discontinued, but not to the entire satisfaction of the public. In a published statement announcing my candidacy for Congress, June, 1916, I advocated Federal aid for public highways. At that time there existed no Federal legislation for such purpose. At a later date during the same year such aid was granted by the Congress. The first appropriation made for the present Federal-aid program provided $75,000,000 for allocation among the several States and to be expended in a period of five years. This was a mere bagatelle considering the need for Federal aid in construction of our rural public highways. It was not until the appropriation of $200,000,000 February, 1919, that any substantial aid was provided. I became a Member of the Congress in 1917. At that time my own State, Georgia, received, in round numbers, $134,483 Federal aid for the construction of public highways. Under the provisions of February, 1919, however, this allowance was very substantially increased, and as a result for the fiscal year 1920-21 the State will receive

$2,697,140.96. Under the rules of distribution it is assumed that Georgia fares neither better nor worse than any other State. The present bill authorizes an appropriation of $100,000,000 for the fiscal year and Georgia will receive about $2,800,000.

Mr. ROSE. Will the gentleman yield a moment?

Mr. LARSEN. Yes.

Mr. ROSE. How much of that $2,800,000, or how much more than the allowance under the present bill, is paid by the State of Georgia? I had in mind the State of New York and the State of Pennsylvania, which pay anywhere from $15,000,000 to $20,000,000 and receive a very small proportion in comparison with a number of Southern and Western States.

Mr. LARSEN. I am informed that the expenditures by the State and counties for 1919 was $6,000,000. Our State and county convicts are worked upon such public roads, and this does not include hire of them. I regret that I can not give the figures in detail to the gentleman for 1920, but I can assure him of this fact: The appropriations made by the State of Georgia and the various counties for the improvement of its rural public highways is very liberal and compares favorably with that of other States, especially in the South. Considering its population and wealth, I believe it compares favorably with the remaining States of the Union.

Mr. ROSE. I would not have the gentleman under the impression that I do not favor Federal aid in road building, as I have always favored the construction of good roads throughout the country and have already voiced my approval of the Sells bill now on the calendar. I might say that I am not in full sympathy with the present method of distribution of the funds made available for aid to the several States.

Mr. LARSEN. I am in favor of the present bill not because it provides exactly what I desire but because I believe it substantially meets the present demands and is a long step toward the accomplishment of the desired purpose. My own idea is that in the interest of economy it would be better if the appropriation were for a period of from four to five years. I believe such period would be conducive to cheaper road construction, and I am of the opinion that all highway departments and those who are best informed as to rural highway construction entertain the same view. The present bill at least commits the incoming administration to a permanent road policy. The Democratic Party has already gone on record; through its splendid achievements we have had four years of Federal aid. Therefore I take it that by the present bill both parties will be thoroughly committed to the Federal-aid highway program. In this respect the bill will at least satisfy every legitimate demand of the people throughout the entire Nation.

We have had the present Federal-aid system for a little more than four years. If I may be permitted, I will attempt to give you some of its results. First, I will speak of bridges. On January 1, 1921, the plans approved for construction of bridges were 1,849. The estimated cost of these bridges was $21,882,555, and the proportion of the Federal aid allowed was $9,941,044. Thus it will be seen that the several States wherein bridges have been or are now being constructed have contributed more than 50 per cent of the cost and that the Federal Government is contributing less than 50 per cent. Federal aid is allowed in the construction of no bridge less than 20 feet in length or with a minimum capacity of less than 10 tons. Future constructions, I am told, will require a minimum capacity of 15 tons. A major portion of the bridges have been and are to be of reinforced concrete construction. Some of them are of steel, and in a few instances of lumber, but the major portion are of reinforced concrete. Therefore the bridge work, generally speaking, may be considered as permanent.

January 1 of this year 817 road projects had been completed. They included a total mileage of 4,312 miles. They were constructed at a cost of $63,956,932, of which amount there was contributed from Federal aid $28,317,237. There are 234 projects, with a total mileage of 17,218 miles, in course of construction, the estimated cost of which is $286,170,153. The Federal aid to be allotted for the construction of this mileage is $121,365,870. It is estimated that of the work under construction 45 per cent has been completed. Therefore the estimated aid of Federal expenditures for work completed and in course of construction is as follows:

Work completed	$28,317,237
Work in course of construction	55,315,045
Total	83,632,282

There has been completed under the Federal-aid system 12,000 miles of rural public highways. Of this, 4,000 miles are of macadam, brick, sheet asphalt, or other high-class materials; 8,000 miles are of low-grade materials. The total cost for Federal aid in roads and bridges completed and in course of construction is $149,683,107.

In addition to this under State highway supervision there has been constructed during the Federal-aid period, in round numbers, 80,000 miles of rural public highway. Of this, 8,975 miles have been of high-grade material, such as macadam, asphalt, brick, and so forth. There are estimated at this time 2,500,000 miles of rural public highways in the United States. Upon these roads 9,000,000 motor vehicles, 900,000 of which are motor trucks, are engaged in the transportation of this country. It is estimated that for the last year the annual tonnage over these rural public highways was 1,200,000,000 tons, and of this amount 350,000,000 tons were farm and vegetable products. It is estimated that 2,000,000 motor trucks and motor vehicles will be constructed during the present year. When we consider that motor transportation has increased in this country since the period of Federal aid 5,500,000 vehicles we will hardly consider that the estimation of truck and other motor vehicle construction is at all excessive. It is said that during the Federal-aid period motor transportation has increased upon the public highways in rural sections at least 500 per cent, and that in our large centers of population the increase is something like 1,000 per cent.

It is very evident that the water and rail transportation facilities in this country are not sufficient to meet its demands. It is highly necessary for the good of this country, for the protection of its people, both in the rural districts and in our larger cities, that these rural highways should be improved and maintained. As a matter of national defense they should not be overlooked. I believe we all agree that the freedom of France and Belgium from German rule to-day is largely due to their splendid highway systems at the beginning of the war. [Applause.] May we profit by the lesson.

The CHAIRMAN (Mr. CHINDBLOM). The time of the gentleman has expired.

Mr. LARSEN. May I have a minute more? I will ask the gentleman from Virginia [Mr. SLEMP] for the time.

Mr. SLEMP. I yield the time to the gentleman.

Mr. LARSEN. In conclusion, may I call attention to and voice my approval of a bill introduced by the gentleman from Nebraska [Mr. REAVIS]. It provides for the transfer from the War Department to the Department of Agriculture of one thousand 5-ton motor trucks and five hundred 10-ton motor trucks for allocation among the States, to be used in the construction of rural public highways under supervision of the State highway departments. This bill was passed by both branches of the Congress just before the close of the session last year, but failed to receive Executive approval, and still remains inoperative. Mr. REAVIS has again introduced the bill, and I trust Congress will pass it.

I have heard it suggested that the War Department purchased the motors under contract providing they should be used only for military purposes. If so, this may account for failure of Executive approval. Granting such to be the case, I do not believe such contract should have been made. If it were, I believe such provision contrary to public policy and, therefore, of no binding force or effect.

We have bought and paid for the property and the delivery has been made. It will probably soon be out of date and of little or no value for war purposes. If so, we should disregard any unauthorized stipulation in the contract of purchase which will prevent a use for the public good.

If the contract be of binding force and effect in the respect indicated, then proper authorization should be given by the Congress for cooperation by the War Department with the State highway departments and the allocation of trucks to be used in the construction of such roads for military purposes. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LARSEN. Mr. Chairman, may I have permission to revise and extend my remarks?

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to revise and extend his remarks.

Mr. McCLINTIC. Mr. Chairman, I object.

Mr. LARSEN. I thought the gentleman from Oklahoma had gone. [Laughter.] I wish to say to him that the matter to be inserted is statistical in character.

Mr. McCLINTIC. Mr. Chairman, I have no objection to that.

The CHAIRMAN. Objection is withdrawn, and unanimous consent is granted.

Mr. SLEMP. Mr. Chairman, I yield 20 minutes to the gentleman from Washington [Mr. MILLER].

Mr. EAGAN. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from New Jersey has 25 minutes remaining.

Mr. EAGAN. I thought it was 30 minutes. Will five minutes be sufficient for the gentleman from Washington?

Mr. MILLER. I would like to have the full amount promised, but as the gentleman is so kind, I will not object.

Mr. EAGAN. I yield five minutes additional to the gentleman from Washington [Mr. MILLER].

The CHAIRMAN. The gentleman from Washington is recognized for 25 minutes.

Mr. MILLER. Mr. Chairman and gentlemen of the committee, I am glad to have this opportunity of laying before the committee and the House some thoughts and suggestions regarding the defenses of our Pacific seaboard.

I know anything looking toward the strengthening of these defenses is of infinite interest to us. It is our earnest hope that the Congress will immediately make provision for us on the Pacific coast as you have already for the Atlantic, and on a somewhat similar plan.

I shall attempt to show you the situation from our point of view.

PACIFIC STATES AND CITIES COMPARED.

On the Pacific coast there are 3 States; on the Atlantic, 15; while the length of the coast line, exclusive of Alaska, is approximately as 5 is to 7. The Pacific States are States of great areas. The smallest of the three exceeds by 3,000 square miles the area of the entire six New England States, while the coast line of California alone if placed on the Atlantic would reach from Maine to the Carolinas. In area she is equal to 19 Massachusetts. Oregon is larger than New York and Pennsylvania combined. I make these comparisons simply to give you an idea of the geographical magnitude of these States. And we are not without population. California is now the eighth State in the list, Washington the thirtieth, and Oregon the thirty-fourth.

The cities there are many, and of great commercial and financial importance: Los Angeles the tenth, San Francisco the eleventh, Seattle the twentieth, Portland the twenty-fourth, Oakland the thirty-first, Tacoma with her 96,000 people, and San Diego with her 74,000. The banking capital of these, as well as the general wealth, far exceeds per inhabitant the cities of the Middle West and South. To illustrate: The banking capital of San Francisco far exceeds that of any city of its class throughout the country, while that of both Seattle and Portland each exceeds that of Indianapolis or Kansas City. That gives the importance of these cities from another angle. But it is the geographical location of them that is the individual feature of the Pacific coast. In making the sea from Seattle and Puget Sound ports a ship passes within 4 miles of British soil, while San Diego is 18 miles from the Mexican frontier. The distance to be covered in coordinating a defense of these three coast States alone exceeds that from off the coast of Maine to Georgia. If one of these cities lay 300 miles south of the British soil and the other an equal distance north of the Mexican line, we would not have the problem we have to-day. It is this extreme of distance on the Pacific coast that makes the coordination of military and naval forces so difficult.

THE ATLANTIC SITUATION.

On the Atlantic coast there are four major exposures, or more properly termed strategic areas. The others are secondary. The major areas are now well covered. The situation at each of these points is well in hand from the strategic and defensive angles. The existing fortifications in these areas would seem adequate to meet the test of attack, especially when strengthened by our modern mobile coast defense. The secondary points can readily be strengthened by this latter element, and thus the coast at all points be locked without the aid of other defensive elements. This would leave the Navy in practically a unit—one unit—to combine with the land defenses in the protection of the one superarea or free to operate at any other point on the coast which may be the objective of an enemy. This is evidently the general plan of defense.

It is easy to observe that the outstanding, dominating feature of this plan of coordinated defense is the one-unit idea of defensive naval operation. It is further a fact and of great strategic value that the superexposure is approximately the mileage center of the four major exposed areas. The value of this naval-unit plan of operation was never more emphasized than in the World War when Great Britain's grand fleet—her unit—occupying a highly strategic position off the coast of Scotland and later off the Orkneys held Germany's Navy behind the defenses of Kiel and Wilhelmshaven and thus kept open the oceans of the world.

History simply compounds this emphasis.

Let us now look at the Pacific.

THE PACIFIC SITUATION.

If there is a national menace to-day, it is the Pacific. If there is a national exposure to-day, it is the Pacific coast. There is no need of mincing words about it; there is no need of being timid. I know there are some who would speak of it only in whispers and then, too, in dark corners. This ill becomes real men and women of a great Nation, and no others are worth while. We might just as well meet the matter squarely in the face, as Americans always have and always will meet such situations. I shall attempt to do so.

There are four major exposures or areas on the Pacific coast. I shall give them in their order as they impress me. The Strait of Juan de Fuca and Puget Sound, San Francisco Bay, Los Angeles or San Pedro, and San Diego. The others are secondary and can be protected easily and quickly.

THE SAN DIEGO AREA.

Three of these areas are at present positive, fixed, and, I might say, dangerous exposures. The Strait of Juan de Fuca is by far the greatest, and San Diego by far the least. It might be said without doing great violence to the situation that San Diego is a secondary exposure. This is due to its geographical location, its surroundings, and its absence as a war-necessity producer. Then, again, the deep-sea channel there is so located as to give the maximum effect to her well-located and recently strengthened land batteries.

Point Loma, with its surroundings, is naturally a dominating defensive location.

It must be borne in mind that the purpose of all war is to inflict the maximum damage upon the enemy with the minimum loss or exposure. The waging of a campaign or any military operation, which, though it be successful, yields nothing substantial from the military viewpoint, is unthinkable in the intense and serious game of war. The energy as well as the hazard of an operation is never exercised or assumed except upon those objectives which yield advantages from the military viewpoint. San Diego is landlocked with its railroad and highways leading to the north out of commission. The topography of the terrain in that direction is such that the defensive positions are too many and too strong to be overcome. An enemy would find itself landlocked and bottled up. Out of our mobile coast artillery sufficient could be held in any emergency to strengthen the present defenses so as to make San Diego the safest city on the coast. The likelihood of it becoming an objective of an enemy approaching from the sea is small, very small, when compared with the other cities of the coast. The fact that it is the first Pacific port north of the Panama Canal would add little to its strategic value in the hands of an enemy.

No one in these days, except the German or those of the German school of military operation, destroy private property without there is present a military necessity requiring such destruction.

THE LOS ANGELES OR SAN PEDRO AREA, SANTA CATALINA ISLAND.

Nineteen miles west by south, broad off the coast of San Pedro Bay and San Pedro Hill, is Santa Catalina, so popular with the Pacific coast tourists. The intervening water is known as the San Pedro Channel. This islet, some 18 miles in length and some 7 in width, lying west-northwest and east-southeast, attains an extreme height of over 2,000 feet. As a landfall it can be seen upward of 50 miles at sea. It is admirably adapted to fortifications either fixed or mobile. Its use for this purpose in connection with the present defenses would easily and readily render San Pedro Bay impregnable, and thus Los Angeles, a highly strategic point, and the tenth city of the Union—of the Pittsburgh-Baltimore class—would be as safe from attack from the sea as the city of Omaha.

Los Angeles and its vicinity are producers of war necessities of many kinds, which, together with the local wealth, makes it a strategic point well worth an enemy operation.

Though there are many naval activities there, it is not a naval base, but the railheads as well as the many industrial plants add to its otherwise high military value. The back-land topography, unlike that of San Diego, holds a comparatively few highly defensive positions.

Santa Catalina in topography as well as in coast line is bold, rocky, and in places precipitous. Curious, opposite ocean coves, reaching in from the east and west, with a low-lying portage called "The Isthmus," divide the island into two areas of elevations. On that part south of "The Isthmus" and on its east side is the delightful resort known as Avalon Bay. Approximately one-eighth of the area of the island lies north-northwest of this "isthmus," where an extreme height is attained of over 1,700 feet. It would appear that this portion is more adapted to military uses, as it impresses one that greater range and more effective positions can be obtained here than elsewhere and at the same time permit of closer coordination with the present off-channel mainland batteries. It would also seem that from this position on the island an enemy fleet operating against San Pedro would be exposed to a simultaneous longitudinal and transverse fire. The advantageous location of battery positions on the island, however, is purely a matter of military engineering. The point I wish to emphasize is that this strategically located island is wonderfully adapted to military uses, strikingly so for heavy, long-range mobile guns. From elevated positions, either fixed or mobile, batteries arranged around the western-northern end would command a remarkably effective range of fire. The hydrography of the island shows the 20-fathom curve close inshore in places not to exceed one-fifth of a mile and in one or two within 50 yards.

This island, occupying this wonderful strategic position, has never been fortified nor has any movement ever been undertaken in that direction. At present it serves no other purpose than a place of entertainment for the idle and the curious.

Modern fortifications on this island so located as to coordinate with the present defenses on the mainland would eliminate the necessity of any substantial naval units at San Pedro and thus be a great factor in sustaining the one-unit naval idea in the Pacific waters.

SAN FRANCISCO AND OAKLAND AREAS, THE FARALLON ISLANDS.

Twenty-three miles almost due west off the Golden Gate is the southeast and principal one of six rocky islets known as the Farallones de los Frayles. The largest and southernmost of these is three-fourths of a mile long in its longest direction and three-fifths of a mile wide in its widest point, and attains a height of nearly 350 feet. The course of the group is a general west-northwest and east-southeast direction and extends for over 7 miles, and if we should include the menacing Noonday Rock and other bayonet rocks adjacent the distance would be 9½ miles. These are very dangerous waters. The nautical charts abound in warnings. The dangers of this group, together with the peculiar horseshoe-shaped banks off the Gate make the deep sea channel well defined to the very entrance of the Gate.

A solitary lighthouse on this southeast Farallon now stands as the only evidence of our national dominion over this idle sentinel of one of the Pacific coast's major strategic points.

Every ship, coastwise and overseas, passes within range of this rocky islet.

HELGOLAND AND KRONSTADT.

One naturally thinks of Helgoland, that once citadel of German strength. Likewise rocky, isolated, desolate, standing some 36 miles out in the North Sea, off the mouths of the Elbe and the Weser. Admittedly one of the blunders of British diplomacy was when in 1890 Great Britain ceded this dominant location to Germany in exchange for a worthless strip of land in Africa. Germany obtained it, fortified it, and during four long years of the greatest war amongst men it stood a complete barrier to the combined navies of the world, and the great cities of Hamburg up the Elbe and Bremen up the Weser were as safe from the sea as Berlin and Posen.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield there?

Mr. MILLER. Yes.

Mr. McKENZIE. I have always understood that the harbor of San Francisco was impregnable; that it was fortified in such a way that an enemy fleet could not injure the city of San Francisco. Now, the gentleman would have us believe that that is not true, and that we must fortify this island.

Mr. MILLER. This late Great War, I will say to the gentleman from Illinois, has taught not only this country but all others many lessons. Time was when it was thought that such fortifications as those constructed at Verdun and those on the frontier of Belgium were the most formidable types of defense in the world, and yet every one of them fell in six hours.

Again we are reminded of what Russia did in her useful times and before the coming of her evil days. I cite you to the little island of Kotlin in the east end of the Gulf of Finland. Likewise rocky, isolated, desolate. She erected there a veritable Gibraltar—her Kronstadt. In its day the strongest fortress of northern Europe and still sufficient in the World War to stand at bay the German Navy which at all times held the master hand in the Baltic, and Petrograd beyond it was safe.

And here stand the Farallones as if waiting to be of similar use to the great Republic of the West. The Farallones not fortified, did you say? Yes. Never have been and no move has ever been made in that direction. It would truly seem that nature not only constructed but has preserved this rocky islet with the hope that some day America would awaken and make of it the guardsman of that precious seven-eighths of a mile of water we call the Golden Gate.

San Francisco, the eleventh city of the Union, greater than Buffalo, and, like Los Angeles, in the Pittsburgh-Baltimore class, and Oakland, with her 216,000 people, lay broad upon the bay. Each of these cities have their great railheads, magazines, shipyards, dry docks, explosive works, and a thousand and one industries on or near the water's edge. These cities are producers of war necessities. The oil fields of the State feed into them, where adequate facilities exist for fueling vessels of every kind. Here, too, is a great navy yard at Mare Island, into which the Nation has poured its millions, and upon which a fleet operating to the south or to the middle north must base. A million people find their homes on the shores of San Francisco Bay.

It must be remembered that a naval force can not maneuver at will off the entrance to the Gate. The shoals, especially the 4-fathom bank—that crescent-shaped menace—defines the channel to and from the sea. But as it is now an enemy fleet could stand out at sea beyond this bank and take its time and pleasure in operating against the present defenses. The fortifications defending the Gate are of the solid, stationary, open-battery type, anchored to the soil. We may have to read again and possibly endure the fate which met the Belgians in the World War when they relied upon their stationary fortresses on the German frontier.

Verdun, lost to the French in 1870, was saved in the late Great War by dismantling her stationary defenses and adopting the shifting, semimobile plan. When this latter is impracticable, other and additional resources must be available. The topography of the terrain at this point is such that it would be difficult to strengthen the present defenses on short notice by the addition of mobile batteries. Here at the Farallones, as at Catalina, a hostile fleet in any operation would be exposed to a transverse fire.

To undertake the problem of rendering San Francisco Bay impregnable from the sea one finds the only solution in modern fortifications on the rocky heights of the Farallones. By this improvement San Francisco can be made eternally safe, and the naval units otherwise required would in emergency be released to form the one-unit fleet in the Pacific, as it is now in the Atlantic.

By this, or some similar plan, the Panama Canal would truly come into its own.

THE STRAIT OF JUAN DE FUCA AREA.

Here, to a layman's eye, is the superexposure on the Pacific seaboard.

North of Vancouver Island, which forms the northern bank of the strait, lies the great Alaskan Archipelago. For a distance of some hundreds of miles north and south and upward of a hundred miles east and west these islands, nearly 2,000 in number, stud the sea. Deep channels cross and criss-cross angle and zigzag amongst them. A similar forest of islands exists at no point on the Pacific coast between Cape Barrow and The Horn. Sheltered from the sea, hidden from the eyes of the world, a hostile fleet could hide amongst these islands until the opportune time to spring, and all the while be within 20 hours' striking distance of the Strait of Juan de Fuca, the entrance to Puget Sound. It could be located in these waters only through the Air Service and there is not now an aviation base in the entire Pacific Northwest. The sea here is open the year round notwithstanding this archipelago is over 1,000 miles north of the ice-bound port of Vladivostok on the opposite or Siberian coast. Unimak Pass, the North Pacific entrance to Bering Sea, closes in winter, as does Bering Sea, but everything to the east and southeast is open. There is no such thing in these waters as an ice-bound port. This surprisingly mild climate of southeastern Alaska and its included archipelago, is caused by the phenomenon of the ocean currents.

It would make us shudder to think of a similar archipelago on the Atlantic coast, comparatively uninhabited, without ade-

quate communication by cable or wireless, where a hostile fleet could hide and be within 20 hours' striking distance of one of the Atlantic's principal seaports.

And not a gun on the Strait of Juan de Fuca. There never was a gun there, and so far as I can ascertain no movement has ever been made to place one there.

There is such a thing as a navy hiding and then springing to its attack. Just the same as the sally or surprise attack by an army on the land. The element of surprise is present in each case. From the earliest times all down through the years this element of surprise has been as effective as it is to-day.

THE STRAIT.

The entrance to the Strait of Juan de Fuca is 12 miles wide. The land outrigger on the south, or American side, is Cape Flattery, and on the north, or British side, Cape Bonilla. From abreast these points there is a straightaway east for 45 miles with a uniform width of 11 miles. At this latter point there is a pinching to 8 miles for a distance of 5½ miles, maintaining the same eastern straightaway. At this latter point it changes its direction to northeast by east for a further distance of 32 miles. Within this latter distance it expands to 18 and 20 miles in width, including what is known as the Gulf of Georgia.

The strait is terminated on the east at Whidby Island, where it pinches into Admiralty Inlet, the entrance to Puget Sound. From the ocean to Whidby Island the midchannel distance is 83 miles. The depth of the water throughout the strait is remarkably great, no bottom being found with a 150-fathom line in its deepest parts, while the 10-fathom line runs close in shore—not a rock nor bar nor shoal.

One would search in vain on the nautical charts—certainly in American waters—for an equal to this inland sea where such freedom from hidden dangers exists and where there is a like freedom, of course, to the very shore. All away from the immensity of the sea.

There is not in all American water another such ideal naval battle ground. A fleet can form and reform, evolve and maneuver, attack, withdraw, or adopt any tactics known to naval warfare. The sea room is ample for any sized force however great. Railheads at many of the shore towns and cities are wide open over which landing parties can be shifted direct to the great cities of Puget Sound. And not a gun on this expanse of water!

Am I not speaking the truth, therefore, when I say this is the master exposure on the Pacific coast? There are no accommodating strategically located islands off the entrance of the Strait of Fuca. The chief defense, therefore, of these waters now, as always, and especially in time of war, must be a naval force. It is one of those places, and they are few, which, in case of emergency, would immediately call for the presence of a fleet. The batteries at Admiralty Inlet or elsewhere could at best but be supporting factors. A fleet operating against these latter would not be exposed to the fatal coincident longitudinal and transverse fire so dreaded by every man of the sea. The situation here is such that it can not be completely remedied and the location held secure by land batteries alone. In addition, an attacking fleet upon the present land batteries would have that inestimable advantage of a close offshore position with a shaded background of dense forests of standing timber. It was this latter element that wrought so against the British in the naval battle off the coast of Jutland.

ADMIRALTY INLET.

Admiralty Inlet extends from the eastern terminus of the strait in a general southeast by east direction for a distance of some 22 miles. The average breadth of the inlet is about 3½ miles. The channel, slightly curved, is deep and the current swift. There are no elbows in Admiralty Inlet as there are in the Dardanelles. Soundings of 100 fathoms are found in midchannel, while the 10-fathom line runs close inshore.

At this inlet are the only defenses which guard that still greater inland sea of Puget Sound.

I am not underestimating the value of these defenses but am questioning their effectiveness in the very nature of things when subjected to the awful test of modern war. They would make as gallant a defense as human brains, brawn, and courage are capable, but, however gallant may be the defense, finite men can not perform the impossible. Thermopylæ was a pass in the mountains; this is a pass in the sea. The history of the world is full of the tragedies of unequal contestants and here some day will be another.

SEATTLE, TACOMA, AND PUGET SOUND.

Puget Sound is an inland American sea of some thousand of miles and upward of coast line. It would strike one, if viewed from the sky, as a gigantic network of navigable channels and natural canals. Upon this body of water are the railheads of every transcontinental line either American or Canadian save two. Here are the Union Pacific, the Northern Pacific, the Chicago, Milwaukee & St. Paul, and the Great Northern. The Burlington and Canadian Pacific come in over leased lines or by operating arrangements, while the Grand Trunk Pacific is connected by steamship with Prince Rupert, its ocean terminii. The Southern Pacific and Santa Fe are the only absentees. Here is the naval base of the northern Pacific. The entire North Pacific Fleet, in case of emergency, would necessarily be based upon the Puget Sound Navy Yard. Not only when operating in the North Pacific, south of Cape Flattery, but any and all operations in the immense expanse of Alaskan waters covering 4,000 miles of coast line to the north and northwest.

ALASKAN WATERS.

In these Alaskan waters, lying open as the sky, are the greatest gold-producing mines in America, if not in the world, to-day. The great fishing industry is here. Canneries, salteries, oil, and nitrate plants, beside the enormous deposits of copper and coal now just coming under production. Here also is the Alaskan Government Railroad, upon which the Nation has spent so many millions, leading directly to the very source of supply of coal and copper. These are prime necessities in war, and their acquisition and subsequent production by an enemy would be a master stroke. These necessities, all lying wide open to the sea, and thus falling into the hands of an enemy without the firing of a shot, would from any point of view furnish a strong stimulus for the early occupation of these waters. This condition necessarily associates itself intimately with the wonderful strategic position of an enemy in its major plan of operation that I have elsewhere in this address attempted to point out. The double purpose is present with all of its inducement. The secondary results almost equal those that are essentially primary.

I have linked the Alaskan situation to that of Puget Sound, for, under any strategic or tactical plan of North Pacific defense, they would of necessity be a single area.

THE STORY OF THE CRIMEA.

It may be strange to some that this extreme northwest point of the Nation, the very finger tip, so to speak, should be the point of anxiety. But a nation is not bound together on the mileage basis. Far stranger facts than the future battle of the Strait of Fuca lie buried in the pages of history. It was no less strange a fact, indeed, that once upon a time when four great European nations became involved in war events and situations so twisted themselves that a little, obscure peninsula in the Black Sea became the theater of one of the world's great wars. England, France, Turkey, Sardinia, and Russia rushed hither and the Crimea first came before the world. There is no law governing such events. The field of strategy is world-wide. Napoleon's conquest of Egypt came to its tragic end by an event that took place in the little muddy Bay of Abukir. Who amongst us laymen would have thought that when our war cloud with Spain was lowered that the first gun would be fired in the far-off Philippines? Who would have anticipated that the strategy of the day would have brought the British and the French in collision at the little Bavarian town of Blenheim? On the contrary, it was inevitable that there should be an Antietam and a Gettysburg somewhere, and all hands pointed to the soil of Maryland. The strategy of the situation here defined the zone. Subsequent events fulfilled the prophecy, except that the one is 5 miles beyond the line. From the same basis I say that the battle of the Strait of Fuca is clearly within the world's future.

THE IMPORTANCE OF SEATTLE AND TACOMA.

Here on Puget Sound are great railroad and steamship terminals, the most extensive on the coast. Here are docks, grain elevators, and warehouses of unsurpassed excellence stocked with grain, all coordinated with the railheads. This is the heart of the lumber industry, not only of America but of the world. Here are smelters, shipyards, dry docks, and explosive works. Flouring and lumber mills abound, together with all the thousand and one other activities found in great commercial and industrial centers. A half million of people live on Puget Sound.

Seattle itself, chief city and port, now of the Kansas City-Minneapolis class, is truly from any angle the marvel of the

great Northwest and of the coast, and, broadly speaking, of all America. While I may be pardoned for the local pride I have in my own home town, I would be derelict in my duty as a Representative in this body did I not point out in the broadest way the dangers which may so easily be theirs. Dangers which would come not only to them but to others in similar position. I would not be fulfilling my duty did I not speak for them and likewise warn the Nation of their peril. It must not be forgotten that in 1918 the customs district of Puget Sound was second in importance only to that of New York.

THE COAL FIELDS.

Over and above all these, however, great as they are, there remains to an enemy the enormous prize of gaining access to the great coal fields of Puget Sound. Coal in all quantities is mined fairly at tidewater and finds its outflow through Seattle and Tacoma. Bear in mind, gentlemen, that here is the only present supply of American coal on the Pacific coast or in the Pacific States. This of itself is sufficient to make Puget Sound the chief objective by an enemy of any Pacific coast operation. It takes no strategist to appreciate the dominating importance of this factor in connection with a major naval operation. An enemy fleet operating off the Pacific coast would of necessity be far removed from its base, so that its only hope of a fuel supply would be access to acquired fields gained in the course of the operation.

From what I have said, is it not plain to the mind of an ordinary person untrained in naval strategy that the Strait of Juan de Fuca and Puget Sound are the supreme and master exposures of the Pacific seaboard?

All that I have said and every idea I have attempted to give bears directly upon the one point, that our Pacific coast defenses should be so planned and constructed with the dominant purpose in view of making it possible that in emergency the Pacific Fleet be kept practically in one unit. An enemy would certainly so come to assail us. Such, as I understand it, is the major plan for the Atlantic defense.

As I see it, every strategic point on the coast outside of the Strait of Fuca—the Alaskan exposure—could, at a comparatively small expense be made impregnable. It only awaits utilizing the natural situations and positions now existing, and these are principally found in fortifying the Santa Catalina and the southeast Farallones.

AIDS TO THE GOVERNMENT.

The people of Puget Sound are apprehensive, for they are sensitive of their exposure in case war should suddenly break upon the Pacific. We have not stood with folded hands and called for protection. We have undertaken at all times through our community spirit to assist the Government. Years ago, when there was not a man within 200 miles wearing the uniform, the public-spirited citizens of Seattle, by their personal contributions, purchased in the suburbs of that city the site for an Army post. The Government accepted it, and we now have a little band of soldiers at Fort Lawton. Before the Great War the citizens of Tacoma and Pierce County, Wash., by a general bond issue purchased a tract of some 80,000 acres of land, at an expense to themselves of $2,500,000, and presented it to the Government. I challenge all America to equal this act of self-sacrifice and patriotism. That tract is now known as Camp Lewis, one of the best, if not the best, located Army camp in the country. Recently Seattle and King County, at public expense, have purchased a large acreage at Sand Point for an aviation base and have tendered it to the Government. We hope it will be accepted. The joint congressional committee, which last fall visited the coast, has so recommended. Locally, we have done our part in good, rounded measure.

How much time have I remaining, Mr. Chairman?

The CHAIRMAN. Four minutes.

Mr. EAGAN. Will the gentleman yield?

Mr. MILLER. For a very short question.

Mr. EAGAN. Has the gentleman any suggestion to make as to the method of fortifying the Strait of Fuca and Puget Sound?

Mr. MILLER. I certainly have—first by the installation of fortifications at Flattery; and, second, by the installation of mobile defenses along the south bank of the strait; and, third, by strengthening the batteries at Admiralty Inlet. And by the way, I may say in passing that it is impossible to mine the channel of Admiralty Inlet. It never has been mined. It can not be mined to-day with any kind of a mine now known to military engineering. There must be some new character of mine developed before it can be mined.

Mr. TILSON. What is the reason for that—a strong current?

Mr. MILLER. A strong current, about 4½ miles an hour, and the channel is very deep.

Mr. SLEMP. Will the gentleman yield there?

Mr. MILLER. For a short question.

Mr. SLEMP. The department of seacoast artillery made an investigation during the last year and they thought they could mine that channel.

Mr. MILLER. They thought they could then, but they did not know, and they do not know now. A 100-fathom line will not touch the bottom in places in midchannel, and the 20-fathom line runs close inshore. With the combination of the excessive depth of the channel and the tremendous current there is no known mine now that will meet the situation. I hope sincerely this unfortunate combination may be overcome.

WHY THE PACIFIC COAST IS INTERESTED.

Now, you ask why we on the Pacific coast are deeply concerned? Why are we asking for the strengthening of the defenses along the shore of the Pacific? The answer is to be found in the events as they come to us day after day from across the waters. We are not frightened nor are we timid. We are just ordinary, practical, everyday Americans like you, prompted by the same motives, responding to the same influences, reading the same signs. Every day of the world we hear the rattle of the saber from across the Pacific. The rattle is louder on the coast than it is here, for we are 3,000 miles nearer the Empire of the Rising Sun. We read and we hear that there shall be no movement toward disarmament until Japan has completed her eight-battleship-eight-cruiser program. It should take no sage to interpret what this means. It means preparation for war unless the cool-headed statesmen and diplomats of Japan curb the demogogues, jingoes, and junkers that now appear to have the public eye and ear. There seems to be a national swagger over there. Only the other day our public press carried photographic reproductions of a scene in Japan, where students were publicly discussing the advisability of war with the United States. Curt answers and snubbish bearing toward Americans have already become popular in Japan. Not so, it is true, with the thinking and responsible people, but many a nation better poised than Japan has been led to war by the clamor and jazz of her thoughtless class. France was so led in 1870. There will be no war with Japan unless she makes it, but it might just as well be understood now better than at any time in the future that our Pacific Coast States will not and shall not become an "unredeemed Japan." Japan need have no fear of aggression from us. We are not colonizing her soil, but her subjects are undertaking to and are colonizing ours. We shall reserve unto ourselves at whatever cost the right to say who, when, where, and how the alien shall come to us and settle amongst us. This is the sovereign right of an independent nation, and America, at whatever cost, at whatever hazard, at whatever sacrifice, will continue to exercise this inherent right of sovereignty. [Applause.]

Mr. EAGAN. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. BEE. Mr. Chairman, I make the point that no quorum is present.

The CHAIRMAN. The gentleman from Texas makes the point that no quorum is present. The Chair will count. [After counting.] One hundred and nine Members present, a quorum.

Mr. SLEMP. Mr. Chairman, I yield five minutes additional to the gentleman from Texas.

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the committee, very recently my colleague, Mr. BLANTON of Texas, sent a communication to the press of Texas which, in my time, I desire to have the Clerk read.

The Clerk read as follows:

BLANTON APPEALS TO THE NEWSPAPERS—WANTS HELP TO KEEP DOWN CONGRESSIONAL SALARY RAISE APPROPRIATION.

Congressman BLANTON of Texas has directed the following "hurry-up" message to the newspapers of the country. The appeal is made in the form of a letter from Washington under February 7 date line, and the letter is directed to the editor of each newspaper personally:

"I need your prompt help to prevent a wrong proposed against the public. There is a determined effort now, both in the House and Senate, to pass before adjournment a measure to increase the salary of Congressmen and Senators at least to $10,000, and to $12,000 if possible. The influence greatest of all in controlling congressional action is public sentiment crystallized and quickened by the editor's page of our public press. Won't you help to prevent this wrong?

"For three years I have been forced to remain on the floor of the House constantly to prevent this proposal from being attached as a rider on appropriation bills. By making timely points of order, I have kept it off of appropriation bills, and I have kept it from coming up as a separate legislative proposition solely by threats that I would force a record vote. The fear of going upon record has thus far held the matter in abeyance. Both in the Sixty-fifth as well as the present Congress, the Members having in charge the matter have urged me either to absent myself at the proper time or else let the matter be decided without a record vote, and I have made enemies through my determined stand.

"Senator SHERMAN is insisting on an increase to $12,000 and has charge of the matter in the Senate, while Congressman CAMPBELL of Pennsylvania now has charge of it in the House. As an amendment, he recently tried to force it on the supply bill, but I had it stricken out on a point of order. As it must be passed by March 4 to be in effect next session, Members are becoming bold and will likely brave a record vote to pass it. It must be defeated.

"Congressman LANGLEY and his committee are also trying to pass a bill to spend millions furnishing each Senator and Congressman with a luxurious apartment to live in. Such proposal is outrageous. During this crucial period of reconstruction, when our Government is facing a deficit of $3,000,000,000, if Senators and Congressmen are not willing to make sacrifices and serve on their present salaries, they should resign and let others take their places. The expense of this appeal to the press is paid by myself.

"THOMAS L. BLANTON."

Gentlemen of the committee, this is to me not a very pleasant service but one I feel that somebody in this House ought to render. The picture which the gentleman from Texas, who sits in front of me, wants the people of Texas to have of this Congress and of my colleagues from his State is that we are four hundred and odd men too cowardly to face him, and that, if he had not been here night and day during the last three years, this gang of freebooters would have raided the Public Treasury. [Applause.] And that he is the only man here that has got the nerve to do it. Think of putting me and my colleagues from Texas—sturdy, strong men that they are—in a position, now when my State is not prospering, where we would be willing to make our people increase our salaries, and he knows that there is not a word of truth in it.

Mr. BLANTON. Will my colleague yield?

Mr. SUMNERS of Texas. No; I will not.

Mr. BLANTON. Mr. Chairman, I raise a question of personal privilege.

The CHAIRMAN. The gentleman can not raise that now.

Mr. SUMNERS of Texas. Mr. Chairman, do not take it out of my time; I will take care of myself. That is the picture which the gentleman from Texas wants the country to see. He is not mistaken about the effect of what he is saying. The picture which the gentleman from Texas wants the country to see is this body of men, sent here by the sovereign people of a great Nation, standing down here on Pennsylvania Avenue trying to get at the Public Treasury; and for three long years he has stood there and fought back the hungry bunch of hounds from the Treasury of the country.

I may be mistaken—the gentleman from Texas may be an exception—but I never have seen in my life, with the possible exception of the gentleman from Texas, a man with great integrity of purpose who did not want other people to believe in his fellow men. [Applause.] I never have seen, with the possible exception of the gentleman from Texas, a man in my life, who put other than a commercial value on his own reputation, who would attack the reputation of his fellow men without justification of facts.

No, I do not like to do this sort of thing, but I do not propose to stand in my place in the House and let any man say that about me to my constituents. [Applause.] I would suffer that right arm torn from its shoulder this day—and I believe it is true of the other brave men from my State—before we would undertake at this time to increase our salary, and, in my judgment, the gentleman from Texas does not know of a single man from Texas who would vote for it. Then why did he send it to Texas? Why appeal to the editors of the little country papers and the big papers of Texas carrying the imputation that he needs them to compel me to do my duty? If there was a real effort of that character here, why did he not send it to the press of the Nation? There could be but two motives on the part of the gentleman from Texas: One was to prevent a wrong and the other was, under the guise of the effort, to do himself a benefit.

Ah, gentlemen, if only myself and my colleagues were involved I might have bided my time and fought it out in my own State. You folks are laughing at what the gentleman from Texas is doing. I tell you that he is doing harm to public opinion in this country and the trust of this country in its Government. [Applause.]

I want to read you this. It is a little clipping from a paper from the district of my friend and colleague, Mr. RAYBURN. It says:

United States Congressmen and Senators are making a desperate effort—

Where is the effort and who is doing it?—

making a desperate effort to increase their respective salaries to $10,000 and $12,000. Representative BLANTON, of Texas, is making a fight against the raise, and says that the Members having the matter in charge have urged him to absent himself at the proper time so they could tack this salary grab onto the appropriation bill and get it through.

"Absent himself." We had a pretty good chance if we wanted to slip that over to get by with any sort of a bill when we passed the apportionment bill, and the gentleman from Texas was hitting it up to New York or somewhere else. [Laughter and applause.] He was not here. [Applause.]

Here is the trouble:

It is just such things as this that disgust the common people—

That is, the belief on the part of the country that you and myself in this crucial period of this country's history, when the great public is under the burden of taxation, that we are willing to take money out of the Public Treasury and increase our salaries. This paper says:

It is just such things as this that disgust the common people and cause them to lower their estimate of the Government—

That is the hurt. Oh, they say that all is fair in politics, and some people seem to believe it, but I want to tell you that no man on the face of this earth has a right to play politics to the hurt of his country. [Applause.]

cause them to lower their estimate of the Government under which they live, which means reduced patriotism. And when patriotism is sufficiently reduced it means bolshevism or some other form of anarchy.

That is the trouble. Here is a man standing in his place here, who has taken an oath with the people of my Nation to support and defend its institutions, who over his own signature sends a statement to Texas that is as false as hell. [Applause.]

Mr. BLANTON. Mr. Chairman, I deny that, and I rise to a question of privilege.

Mr. LONGWORTH. Mr. Chairman, the gentleman has his remedy, if he desires to have the words taken down, and that is the only remedy.

Mr. KNUTSON. Yes; and we will vote on them.

Mr. SUMNERS of Texas. Let us see what the record is in this case. The gentleman from Texas [Mr. BLANTON] makes a statement that he has been compelled to stay here three years and prevent by timely points of order this increase of salary from being put on different bills. That is the truth or it is not the truth. What does that mean? If it were necessary for him to stay here for three years to do that, then there was not another man in this whole House that he could have swapped time with for a little while. Is not that right? You can not get away from that proposition. If there was another man in this House who could have been trusted to stand on watch for a day or a year, then that statement is not the truth. [Applause.] He says that Mr. CAMPBELL of Pennsylvania has charge of this "desperate" movement. Mr. CAMPBELL has a right to offer a bill if he wants to; but every man in this House knows that that is merely one of the three or four thousand bills that are introduced here which go to sleep. Every man present to-day knows that if you could take a vote by the most secret ballot possible on such a proposition there would not be 75, there would not be 50 men in this whole House that to-day would vote to increase the salary to $10,000.

When this matter came up in the Congress before this, in the Sixty-fifth Congress, Mr. BLANTON wants the people to understand he was the man who kept it from becoming a law. If he does not want them to understand that, why did he make that statement? But it seems there was another man here who could be trusted for at least 15 minutes. [Laughter.] I refer to the distinguished gentleman from Tennessee [Mr. BYRNS]. In the Sixty-fifth Congress, the Congress before this, the matter went out, not on a "timely point of order" made by this one guardian of the Treasury, this keeper of the conscience of the Congress, but it went out on a point of order made by Mr. BYRNS of Tennessee. There have been but two Congresses in the last three years, the Sixty-fifth and the present one. The matter came up again on January 11, 1921, and whose point of order put it out then? The RECORD shows that the point was made by Mr. WOOD of Indiana, who had charge of the bill at the time, on which it was attempted to place this amendment, and he was the man whom the ordinary Member of the House, interested only in results and not in trying to advertise himself, would expect to make the point of order. Mr. WOOD made it the very minute that the amendment was offered. Ah, the gentleman from Texas, after Mr. WOOD had made the point of order, got up and made it also. And why? We used to have an old coon dog—and I mean no invidious comparison—who was no good to trail a coon and who was no good to fight a live one. When you shot a coon out of a tree and he was dead, and when every dog in the neighborhood knew he was dead, then this old coon dog of ours was the fightenest dog in the world. [Laughter and applause.]

Mr. Chairman, those are the only two times in so far as I can discover when the matter has ever been on the floor of this House. At one time it went out on a point of order made by Mr. BYRNS of Tennessee, and the other time it went out on a point of order made by Mr. WOOD of Indiana. So it seems—thank God for the recruits—that there are three men, two others besides the gentleman from Texas [Mr. BLANTON], who can be trusted for a little while to make the point of order, and it may not be necessary after all for the country papers in the State of Texas to come up at this session of Congress and strengthen and hold up the hands of this Moses or Aaron or whoever that fellow was who led his people out of the wilderness. [Laughter.]

Gentlemen, as I said a moment ago, in so far as myself and my delegation are concerned, the men who represent the great State of Texas, if merely the question of their own political considerations had been involved, might well have permitted this to go by, but a different question is presented when a Member of this Congress, over his own signature, puts into circulation such a statement as would justify an editor in saying:

> It is just such things as this that disgust the common people and cause them to lower their estimate of the Government under which they live, which means reduced patriotism, and when patriotism is sufficiently reduced it means bolshevism or some other form of anarchy.

A man from the Congress of the United States who will bring that sort of a charge without justification of fact against a great representative body of his Nation can do more hurt to his Nation than all the soap-box agitators who ever held forth on the street corners of the United States of America. And that in an hour like this—my God, my countrymen, think of it—in an hour like this, when the very foundations of governments and civilizations are breaking about us, and any man who can look into the future can see that the supreme test is yet to come to my country, and every man who knows the situation, knows that this hour these forces of disorganization are now moving in the world, that if we are to save the world from chaos this country must hold when the forces of disorganization that are now in movement strike the far-flung lines of our national strength. [Applause.]

Ah, they say all is fair in politics. My God, all fair in politics in an hour of the world's peril when my Nation stands upon the highest pinnacle ever reached by a nation in the world's history and holds in its hand the hope of the ages! The idea that a man who has been intrusted by the people with the right to come to the National Congress sends the word back to the people of my State that "If you, the country press, do not get busy and save the situation these men here are so lost to every sense of honor and responsibility and every sense of gratitude to a tax-burdened people that I am beating them back as best I can from the Treasury of the United States, but if I do not get help soon I am afraid they are so hungry they will face a roll call [laughter]; but up to this good hour they have been too cowardly to do it, and I, only I, am left." [Laughter.] Ah, but he put this in at the tail end of it, "I am paying for this." Ah, yes; getting more political advertisement in Texas for the cost—I do not know whether he even stamped the letters or not—getting more political advertisement in the State of Texas for just a few stamps than he could get for $5,000, and the country is paying for it, paying for it in the loss of the confidence of the people in the integrity of their Nation, and whenever the masses in this country cease to trust the men who represent them at the seat of the National Government then you have got nothing else to build around; you have got nothing else to hold to; and this man who is doing this, who is he? Is this being done by some anarchist? No. Is it being done by some irresponsible man standing on the street corners saying that the whole Congress of the United States, he himself excepted, is trying to get into the Treasury? No. Is it some irresponsible personage who holds no position of prestige who is saying, "for three years I have stood alone"? No. Who is doing it? It is a man who by the suffrage of the people of the United States sits in the highest legislative assembly in the world, and he says this thing about his own colleagues, men whose integrity he knows, and men whose courage he knows; with not even the excuse of a mistake, not even the excuse of misinformation, with not even the excuse of a lack of knowledge of the record, he makes the statement which he wants the country to understand represents the facts in the case. He is the man who is doing this.

Now, gentlemen, I am a peace-loving sort of a fellow. [Laughter.] I do not like to scrap.

Mr. RAYBURN. How about the Langley bill?

Mr. SUMNERS of Texas. I thank my colleague. I believe he [Mr. BLANTON] does not say so directly, but I gather the impression from the language that he thinks this is a matter that will last over until the next Congress. This Langley bill, a bill introduced by Mr. LANGLEY to appropriate a certain amount of money, I understand, to borrow a certain amount of money—I do not know much about it. I did not pay much attention to it because he did not seem to pay much attention to it. I never heard of anybody in favor of it, and I do not know anything about it. But, as I say, I do not imagine that is the thing that is so urgent. The great, big, vital, dangerous thing now is to beat back this bunch of cowardly, hungry hounds who are trying to get into Uncle Sam's smokehouse. [Laughter.] That is the big job now. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Mr. Chairman, I rise to a question of privilege.

SEVERAL MEMBERS. Regular order!

Mr. SLEMP. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi.

Mr. BLANTON. Mr. Chairman, I rise to a question of privilege. What does the Chair rule?

Mr. MADDEN. Mr. Chairman, I make the point of order that you can not rise to a question of order in the Committee of the Whole House on the state of the Union.

Mr. BLANTON. Mr. Chairman, in view of the speech of the gentleman from Texas——

SEVERAL MEMBERS. Regular order!

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

Mr. SNYDER and Mr. KNUTSON. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that he may be permitted to proceed for five minutes. Is there objection?

Mr. HICKS. Mr. Chairman, I make the point of order that the time has been allotted and is in control of the gentleman from Virginia and the gentleman from New Jersey.

Mr. BLANTON. Mr. Chairman, if the membership of the House want to keep me from giving the facts——

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The committee will be in order.

Mr. VENABLE. Mr. Chairman——

Mr. BLANTON. I am sure my colleagues do not want to——

Mr. VENABLE. Mr. Chairman——

Mr. BLANTON. I want to give you the facts, if you will let me do so.

Mr. VENABLE. Am I recognized, Mr. Chairman? I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The time has been fixed by the House, and the gentleman from New Jersey [Mr. EAGAN] and the gentleman from Virginia [Mr. SLEMP] control the time.

Mr. SLEMP. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Will the gentleman give me five minutes?

Mr. SLEMP. I have not the time to yield.

Mr. SISSON. Mr. Chairman, I have no objection to the gentleman from Texas proceeding now if I do not lose any of my own time.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] is recognized for three minutes.

Mr. BLANTON. Mr. Chairman, the gentleman from Pennsylvania [Mr. CAMPBELL] is present. He will bear me out in the fact that when he proposed this amendment to increase the salary to $10,000 I was the first man on my feet making a point of order against it. Mr. CAMPBELL of Pennsylvania is present, and he will bear me out that he importuned me personally to absent myself from the room when the vote on this matter should come up.

Mr. CAMPBELL of Pennsylvania. I never asked the gentleman seriously to absent himself. [Applause.]

Mr. BLANTON. Did you do it at all? Did you ever ask me to absent myself?

Mr. CAMPBELL of Pennsylvania. I never asked you to absent yourself from the House.

Mr. BLANTON. You did.

Mr. CAMPBELL of Pennsylvania. No, sir.

Mr. BLANTON. I say he did, and now he goes back on it. I say this, that the Senate has already placed upon the bill an amendment increasing the salary of the Vice President to $15,000 and the salary of the Speaker to $15,000. Senator SHERMAN's amendment is now pending to increase our salary to $12,000. The bill of the gentleman from Pennsylvania [Mr. CAMPBELL] is still pending to increase our salary to $10,000. And during the last session the distinguished gentleman from

Kansas [Mr. STRONG] asked me if I would not agree to let this matter come up and go by without a record vote, and I told him then I would not do it.

Mr. STRONG of Kansas. Mr. Chairman, that is absolutely untrue.

Mr. BLANTON. Mr. Speaker, I told him that I would force him to a record vote every time he brought it up in the House. And I have told every other Member that has brought this matter before the House that whenever this salary question was settled it was going to be on a record vote.

The present trouble is simply this: The newspapers of Texas are reporting that my colleague [Mr. SUMNERS] is to run for the United States Senate next year. [Loud applause, the Members rising.] And without any authority from me, the newspapers, unfortunately for me, it seems, have also said that I might be a candidate against him. [Laughter.] That is the secret of his attack upon me on the floor of the House. He is trying to get me out of the way as a possible candidate in the political field. [Laughter.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. That is the reason he makes the attack upon me, but if I should run against him, I will then meet him at Philippi.

Mr. SLEMP. Mr. Chairman, I yield one minute to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. I do not need a minute. I simply want to say that the statement attributed to me by the gentleman from Texas [Mr. BLANTON] is untrue. [Applause.]

Mr. SLEMP. Mr. Chairman, I yield one minute to the gentleman from New York [Mr. CALDWELL].

Mr. CALDWELL. Mr. Chairman, the last gentleman who spoke said he expected to meet his senatorial opponent on the battle field of Philippi. I understand that those words were once in the mouth of Brutus, who stabbed his friend, and I presume that the man who said it here will get the same kind of licking, if I understand the people in Texas, that Brutus got. [Laughter.]

Mr. BLANTON. The gentleman used to be from Texas, but, thank God, he is from New York now.

The CHAIRMAN. The gentleman from Mississippi [Mr. SISSON] is recognized.

Mr. SISSON. Mr. Chairman, since all the Texas differences have been settled I hope we will get back now to some business of the House. At the outset I want to say that the bill which has been reported to the House by the gentleman from Virginia [Mr. SLEMP] is a good bill, one that, in my judgment, the House can pass without amendment, if you expect to economize, for I believe they have cut it down to the last dollar. The gentleman from Virginia [Mr. SLEMP] is a splendid legislator and investigates carefully every item in the bill intrusted to him. If that bill now is subject to criticism at all, it is that it perhaps carries less than many people would believe it ought to carry. But, gentlemen of the committee, one thing is certain, that the fortifications, of all the war activities, can wait the longest.

I did not rise, however, for the purpose of discussing the items in this bill, but I want to call the committee's attention to a matter that I am very much interested in, and in which I know all the country is interested. Every small farmer in America is very deeply interested in this item, which is in the legislative, executive, and judicial appropriation bill, which is now in conference.

If the Republican majority in this House really desire to help the country, this is their opportunity. The United States Senate has done its duty. It is now up to the House, and when the legislative bill comes before this House, as it will in a few days, the House will go on record, and the country will then know where it stands.

I trust, because it is a nonpartisan question, that we may have a perfectly nonpartisan consideration of it. I introduced a bill some time ago to appropriate $100,000,000 out of the Treasury for the purpose of carrying the farm loans that might be executed by the Farm Loan Board. The Senate has seen fit and proper to put the provisions of that bill on the legislative, executive, and judicial appropriation bill in the form of an amendment. Now, the opportunity that this House has, irrespective of party, to enact some legislation that will be really beneficial to the country, is to pass that amendment to that bill. [Applause.] It will not, in my judgment, cost the country one penny. It is nothing more nor less than a loan to the distressed agricultural interests of the country.

And may I again appeal to my Republican colleagues, irrespective of whether you live in the city or live in the country—may I not appeal to you for your support of that legislation? Because you get that instantaneous relief from the distressed conditions in which we now find ourselves, because the moment that the agricultural communities are able to pay their land loans, that moment the smaller banks are able to pay their loans to the great centers.

But that is not the chief reason why you need it at this time. The moment you can relieve the distressed farmer of the loan which he now has and defer the payment for a number of years, instantly the bank is relieved, and you are able then to finance the farmer for the next year; and that is the thing that we most need; and if the Congress is looking for some opportunity to really benefit the country's condition, this amendment will do it. You Republicans are in the majority. Will you disappoint the country in this hour of need?

Mr. TILSON. Mr. Chairman, will my friend yield?

Mr. SISSON. I will.

Mr. TILSON. What I wish beyond most other things is that we may have plenty of food and cheaper food in this country. What will be the effect of this loan? Will it enable larger crops to be put in in the approaching crop year?

Mr. SISSON. Unquestionably.

Mr. TILSON. And that will tend to the greater production of food?

Mr. SISSON. Certainly. Take the great western country, for example. Go and consult with the people in Kansas, in Nebraska, in Texas, in Mississippi, and in the other agricultural regions of the country, and you will find they are distressed, and say that they will be compelled to reduce their acreage unless they can get this relief.

Now, I would not for one moment increase the appropriation unless I realized that you would get it back manyfold. I believe my colleagues on the committee and my colleagues on both sides of the aisle will tell you that I have been an economist in the expenditure of public funds, and I believe that every colleague of mine during this Republican Congress, in the various committees on which I have served, will tell you that I have cooperated most heartily with them in bringing out the best bills we possibly could and that I stood by them in their every effort for economy. I have not made it a partisan proposition, nor is this a partisan proposition.

I want to call your attention now to the fact that the conferees on the part of the House have agreed that this item shall come back to the House and that we shall have a vote on it on its merits in the House.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SISSON. I will.

Mr. MANN of Illinois. The gentleman is discussing a Senate amendment on the legislative bill?

Mr. SISSON. Yes.

Mr. MANN of Illinois. As I understand it, it provides that the Government shall buy for the next two years $100,000,000 of Federal farm-loan bonds?

Mr. SISSON. Yes.

Mr. MANN of Illinois. That is because the matter is now pending in the Supreme Court, I think?

Mr. SISSON. Yes.

Mr. MANN of Illinois. Is it not expected that that decision of the Supreme Court will be rendered before the 1st of July, and certainly before the end of two years?

Mr. SISSON. Well, we have been expecting, I will say to my friend from Illinois, that the opinion would be rendered for quite a number of months. They evidently reached a point where the court was divided, or for some reason or other ordered the case reargued. That has been done, and for several months we have been waiting on the decision of the court. It seems inexcusable in the court to so long delay their decision on the matter, which is of so much importance to the country.

Mr. MANN of Illinois. Of course, this provision would not be effective until after the 1st of July, I believe?

Mr. SISSON. I do not think it would be unless the item is made immediately available.

Mr. MANN of Illinois. That item provides for two fiscal years, and names the years.

Mr. SISSON. The gentleman is right about that. It names the two years.

Mr. MANN of Illinois. Now, if the Supreme Court holds the provision valid, there is no necessity for this, is there?

Mr. SISSON. In my judgment there is no necessity in that case.

Mr. MANN of Illinois. If the Supreme Court would hold that this provision of the law is invalid, would it then be necessary or desirable for the Government of the United States to furnish all the money for these loans?

Mr. SISSON. I do not believe that a contract, made prior to the time that the court should act, would be in any wise affected, because the contract between the parties would be binding.

Mr. MANN of Illinois. When we authorized the Government to buy the bonds before, that question was raised. That has already been done. I am sympathetic with the idea if it can be done.

Mr. SISSON. I will state to the gentleman from Illinois that I have made some investigation and talked to lawyers about it, and in my judgment if the loan is made by the Federal Government—that is, if the bonds are purchased by the Federal Government prior to the date that it is declared constitutional—that would be valid as between the parties.

Now, the very fact that this amendment passes would in my judgment instantly relieve the situation. The Federal Farm Loan Board, with which I have been in communication, favors the enactment of this measure; and, by the way, they prepared the amendment, or it was prepared in their office. I asked them to do that.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. SLEMP. Mr. Chairman, I will yield to the gentleman 10 minutes if the gentleman from New Jersey [Mr. EAGAN] will yield him 5.

Mr. EAGAN. Have I any time remaining, Mr. Chairman?

The CHAIRMAN. No time remains on the gentleman's side.

Mr. SLEMP. How many minutes have I remaining?

The CHAIRMAN. Four minutes and a half.

Mr. SLEMP. I yield to the gentleman two minutes.

Mr. SISSON. I thank the gentleman from Virginia.

The CHAIRMAN. The gentleman is recognized for two minutes.

Mr. SISSON. Now, gentlemen, in my judgment, this amendment ought to be adopted because this is an opportunity for the Congress to demonstrate its friendliness toward the suffering agriculture of the country. This farm-loan law was attacked once, and Congress appropriated $250,000,000 because the matter had just then commenced, and that money was not used because instantly the loan sharks withdrew the suit, and the bonds then were sold in the market.

Now, I am very much interested in this, and I do not believe that the Government of the United States will lose anything by the adoption of this legislation, because the overhead charge is now going on at the expense of the Government. I have introduced a bill that provides for this very legislation, but the Banking and Currency Committee has not acted upon my bill. But that will not be necessary if the House will adopt this amendment. This is the hour in which our farmers all over America have the right to expect Congress to act, and if this House was Democratic I could pledge the country that that amendment would have been the law long ago. Will this Republican House now fail them? If you do, can you expect the farmers to trust you with power again? Gentlemen can not fail to vote for this amendment on the ground of economy, for all the expenses of the office are going on now. Why? Because they must take care of the business that they now have on hand.

I want to present this to the committee to-day so that all the Members of the House may know that when the bill comes back there will be a vote upon that, and so that everybody may have notice of it and investigate the matter and determine how he will vote on a matter of that importance.

The CHAIRMAN (Mr. GREEN of Iowa). The time of the gentleman has expired.

Mr. SLEMP. I ask for the reading of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

FORTIFICATIONS AND OTHER WORKS OF DEFENSE.

ENGINEER DEPARTMENT.

For construction of gun and mortar batteries, $300,000, together with not to exceed $300,000 of the appropriation for this purpose for the fiscal year 1921.

Mr. HOLLAND. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman from Virginia what is the intention of the department with reference to the fortifications at the entrance of Chesapeake Bay?

Mr. SLEMP. The testimony before the committee was to the effect that they would begin some work on Fort Storey during the coming year, and that that is in accordance with the program worked out by the department.

The Clerk read as follows:

For protection, preservation, and repair of fortifications for which there may be no special appropriation available, and of structures for the submarine-mine defense of the United States and for maintaining channels for access to submarine-mine wharves, $300,000.

Mr. GARD. I move to strike out the last word, for the purpose of asking the chairman of the subcommittee a question regarding the bill. I notice that on page 4 of the report there is contained an item for coast artillery war instruction, maintenance, which is the third item, but which is not carried here. I was wondering whether that omission had been inadvertent, or whether the committee had desired to leave it out.

Mr. SLEMP. That item is for a little amount of matériel at the Coast Artillery camp at Fortress Monroe.

Mr. GARD. I was wondering why the item appeared on page 4 of the report and did not appear in the bill.

Mr. SLEMP. It appears in the bill at another place and not in the order in which it appears in the report. It appears on page 3 of the bill which we are considering, at the bottom of the page.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UNDER THE CHIEF OF COAST ARTILLERY.

For construction of fire-control stations and accessories, including purchase of lands and rights of way, purchase and installation of necessary lines and means of electrical communication, including telephones, dial and other telegraphs, wiring and all special instruments, apparatus, and materials, coast-signal apparatus, subaqueous sound and flash ranging apparatus, including their development, and salaries of electrical experts, engineers, and other necessary employees connected with the use of coast artillery; purchase, manufacture, and test of range finders and other instruments for fire control at the fortifications, and the machinery necessary for their manufacture at the arsenals, $175,000.

Mr. GARD. I move to strike out the last word. In reading the hearings on the bill and the consideration of last year's bill, I note that last year's bill carried a total of $770,000 for this item under the head of Chief of Coast Artillery, with a specified item, including purchase of lands and rights of way, of $48,755. I wish to inquire whether there is in contemplation at this time any additional purchase of lands or rights of way.

Mr. SLEMP. I will say to the gentleman that there is not. No estimate was submitted for that, and none is contained in the bill and none is appropriated for.

Mr. GARD. What is the necessity of retaining the language authorizing it?

Mr. SLEMP. In order that it may be used at some future time when it may be desired. It is simply for the purpose of retaining the phraseology of the bill.

Mr. GARD. But at this time there is no intention of using any of this sum for the purchase of land.

Mr. SLEMP. Absolutely none, and, as a matter of fact, the committee reduced the total for this entire paragraph to $175,000, and the department decreased the amount of its estimate. No money is appropriated for the purchase of land.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For alteration and maintenance of the mobile artillery, including the purchase and manufacture of machinery, tools, and materials necessary for the work and the expenses of the mechanics engaged thereon, $600,000: *Provided*, That the Secretary of War is authorized and directed to sell as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, 2,000 of the tractors owned by the War Department.

Mr. GARD. I reserve a point of order on the paragraph.

Mr. IRELAND. I reserve a point of order on the clause.

Mr. ANDERSON. I desire to offer an amendment.

Mr. GARD. I reserve a point of order against the proviso.

The CHAIRMAN. A point of order is reserved on the proviso.

Mr. GARD. I reserve a point of order on the proviso for the purpose of asking information of the chairman of the subcommittee regarding what is intended to be done, and that the Committee of the Whole may be more fully advised concerning the number of tractors which the War Department has, and how they are to be distributed. It would seem to me that in the matter of Government-owned automobiles and tractors, of which there are a great number undoubtedly since the war, there should be some definite plan of apportionment and some consideration by a duly authorized committee of the character

of matériel on hand, and that there should be some intelligent apportionment of it, rather than to say in one bill that two automobiles shall be given to one department and one to another department, and that 2,000 tractors shall be given to this, that, or the other. I do not desire to make the point of order for the purpose of embarrassing the operation of that which would be the best economy to the Government, but I am reserving the point of order so that the gentleman may advise me; and I trust that he will follow me in my desire that some permanent arrangement be made for the distribution of this surplus war matériel, if it be surplus now, in the hands of the War Department.

Mr. SLEMP. Mr. Chairman, I will say to the gentleman that none of the tractors now on hand by the War Department are in surplus; that there are now on hand in the War Department nearly 7,000 tractors; that of the 7,000 tractors about 1,000 are issued to troops and about 1,000 are used at various utilities at various posts of the Army, making a total of about 2,000. That leaves a balance of between 4,000 and 5,000 tractors.

This item was a difficult one to work out. The appropriation for the maintenance of Field Artillery prior to the war was $45,000 a year. In 1912 it was $45,000; in 1913, $45,000; in 1914, $45,000; in 1915, $45,000; and in 1916, $50,000. Last year for upkeep we gave $2,000,000, and one of the large items in the maintenance of Field Artillery is this tractor item. If full allowance is made for the repairs necessary to keep the various tractors running that are now used by the department, it will take almost $1,000,000, as they estimate that it will require $400 in repairs to keep one tractor going throughout a year, not taking into consideration the general depreciation of the tractor.

It was the desire of the committee to curtail the use of the tractors for the various utilities not absolutely needed in the Field Artillery service. We have a surplus of about 5,000. It was the testimony before the committee that these are a type of tractor that is going out of date; that in four or five years they will be superseded by a better class. These tractors are being held in reserve for an emergency. The War Department prefers to retain all the tractors as a part of their preparedness for future emergency. They claim that we would not have tractors on hand to meet an emergency if we get into another conflict. We do have on hand all that is needed for motorization. The committee thought it was safe in taking the 2,000 away and selling them. The motorization is now arranged for, and, as I say, in four or five years they will have no use for these, and they might be used in agriculture, and so we put this provision in in the interest of economy.

Mr. GARD. Are these tractors a type that would render them useful for agricultural pursuits?

Mr. SLEMP. We are informed that they are, that they will go over miry ground, and that they are well adapted to agriculture.

Mr. GARD. I understand it is the statement of the gentleman that if these 2,000 are taken there will still remain 5,000 on hand.

Mr. SLEMP. Nearly 5,000, after the motorization is taken care of.

Mr. GARD. But, concerning the distribution of these motors, there is no determined policy.

Mr. SLEMP. Not beyond the 1,000. A certain number of regiments of Field Artillery and Seacoast Artillery have been motorized, and that takes up the thousand.

Mr. GARD. That is under the control of the War Department—what I mean is that assuming this is surplus material, which is rather a violent presumption, because the War Department claims that they are not surplus——

Mr. SLEMP. The War Department's attitude is that they are a part of the war reserve and that they have not a sufficient number even now for a full war reserve requirement.

Mr. GARD. It would appear to me, in view of the War Department claiming that they are not sufficient, in view of the fact that the tractors may be used to advantage in other ways, that there should be a determination upon some permanent policy for the distribution of the tractors under the War Department, and if they are really surplus some additional policy of distribution should be made.

Mr. SLEMP. The War Department is not satisfied with these tractors that they have. What they desire is a 2½-ton tractor for the division, an 8-ton tractor for the corps, and a 15-ton tractor for the Army. That is what they are leading up to, and none of these tractors fit that policy.

Mr. GARD. I understand that the War Department is opposed at this time to the distribution of any tractors.

Mr. SLEMP. To be absolutely fair with the gentleman, I must say that this does not meet with the approval of the War Department.

Mr. GARD. Mr. Chairman, in the absence of any particular policy for the distribution of tractors, I think I will make the point of order.

Mr. ANTHONY. Will the gentleman yield?

Mr. GARD. I was going to make a point of order, but I will yield to the gentleman.

Mr. ANTHONY. The committee investigated these tractors, and 5,000 of them are stored in the storehouses that the Army will never use. This type of tractor is going out of date and will not be of any value in a few years. If sold now, they will bring a substantial sum to the United States Treasury, because they can be used on farms. They ought to be turned into money.

Mr. GARD. Why does not the committee go ahead?

Mr. ANTHONY. We are trying to do it here, but we run up against gentlemen of the House who make points of order.

Mr. GARD. I hope the gentleman does not insinuate that I made a foolish point of order. I do not desire to make a point of order and will not make it if the gentleman can convince me that this is an effort to dispose of surplus property unnecessary for the War Department.

Mr. ANTHONY. The War Department, for some reason or other, wants to keep these tractors, as well as much other property. They refuse to declare as surplus hundreds of millions of dollars' worth of property that they claim should be kept on hand for the purpose of military preparedness. We know that these tractors will be out of date in two years. We were told by the Ordnance Department officer that that was so, and it seems good business to get rid of them now.

Mr. GARD. Does the gentleman think from the investigation of the subcommittee on Military Affairs that these 2,000 tractors can be disposed of with advantage in this particular provision?

Mr. ANTHONY. We thought we would set the bill a rolling and provide that these 2,000 should be sold. The committee has no real knowledge what they will bring, but we know that they are of a type useful for agricultural purposes.

Mr. GARD. Has there been any investigation by the committee as to the probable revenue to be derived from the sale of the tractors, and how many will be sold?

Mr. ANTHONY. With 5,000 of them for which the committee could see no real use, we thought we would be safe in ordering 2,000 sold, and we also took into consideration the fact that there are bills pending in the House which provide for a distribution of some of them to the States and other bureaus of the Government for good-road work.

Mr. GARD. Does not the gentleman believe there should be a regularly considered bill showing what would be surplus, and then have them distributed in that way, rather than by piecemeal distribution?

Mr. ANTHONY. The department absolutely refuses to take any action whatever on this material, and we were afraid if we waited for affirmative action by Congress they would simply rust away in the storehouses.

Mr. GARD. There would be 5,000 of them, according to the gentleman's own statement, in that same condition.

Mr. ANTHONY. Yes.

Mr. GARD. Unless there is some definite policy of selling at least 5,000 are going to be rusted and not of any use.

Mr. ANTHONY. Oh, no; the Army is using 2,000. There are 7,000 altogether. That leaves 5,000 remaining, out of which we thought 2,000 might be sold, and we assume that if Congress wants to make other distribution of some of them it could safely go ahead and dispose of a thousand or two more.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. MANN of Illinois. Are these the character of tractor that can be used for road building and things of that sort?

Mr. ANTHONY. I think they can be used for all traction purposes in the matter of road building and farming.

Mr. MANN of Illinois. I had an inquiry from a road-building concern asking whether they could buy tractors—and I think they named the character of them—from the War Department for road-building purposes.

Mr. IRELAND. Mr. Chairman, will the gentleman yield?

Mr. GARD. I yield to the gentleman.

Mr. IRELAND. I want to ask the gentleman from Kansas [Mr. ANTHONY] if it is not true that the War Department is endeavoring at the present time to motorize all of their field

artillery and also to provide motors for the National Guard under the act of June 4, 1920, but that the allotment now in hand is insufficient to provide for both, even in peace time?

Mr. ANTHONY. It is undoubtedly the intention of some people in the department to motorize all of the artillery, but, in the opinion of the members of the Committee on Military Affairs who have studied it, that would be a very unwise thing to do.

Mr. IRELAND. Is it not also true that these machines in their present state are not applicable, without great repairs and replacements, for anything else than military work?

Mr. ANTHONY. Oh, no. We are informed that they are the regular types of tractor, mostly of the caterpillar type, made from a common design.

Mr. IRELAND. Yes; I know that; but my information is entirely to the contrary, and I am sure that the gentleman is misinformed on that point.

Mr. GARD. Mr. Chairman, I make the point of order to the proviso.

The CHAIRMAN. The point of order is sustained.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word. I desire to ask the gentleman from Virginia [Mr. SLEMP] a question. The tractor provision which has just gone out on a point of order was carried in the paragraph appropriating $600,000 for the alteration and maintenance of the mobile artillery, and so forth. Is the maintenance or alteration of these tractors paid out of this appropriation?

Mr. SLEMP. That is what I am informed.

Mr. MANN of Illinois. If we should dispose of these tractors, I take it that we might somewhat reduce the appropriation which covers the maintenance.

Mr. SLEMP. That is true.

Mr. MANN of Illinois. Mr. Chairman, I offer the following amendment, which I send to the desk.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 5, line 14, strike out "$600,000" and insert in lieu thereof "$590,000" and the following: "*Provided*, That the Secretary of War is authorized and directed to sell, as soon as possible after the approval of this act, upon such terms and under such conditions as he may deem most advantageous to the best interests of the Government, 2,000 of the tractors owned by the War Department."

Mr. GARD. Mr. Chairman, I make the point of order on the amendment.

Mr. MANN of Illinois. Mr. Chairman, paragraph 2 of Rule XXI provides:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendments thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

My amendment proposes to comply with that provision of the rule. It proposes to reduce the amount of money covered by the bill. It proposes to reduce the appropriation from $600,000 to $590,000, because that reduction can be made if we sell a part of these machines, which are now maintained at an expense to the Government. The amendment is certainly germane to a provision providing for their maintenance.

My amendment simply complies with the rule. It provides for reducing the amount carried by the bill and, as a corollary to that, provides for disposing of property which is to be maintained out of the appropriation carried in the bill.

Mr. GARD. Mr. Chairman, the rule which the gentleman has invoked in a very strained sense, and I say that with the utmost respect, is the application of the so-called Holman rule in respect to a reduction of expenditures. In so far as the reduction of the amount is concerned I concede that the rule is properly invoked, but there is a twofold purpose in the amendment. One purpose is to reduce the amount from $600,000 to $590,000, and that is a completed thing. Apart from that, there follows a proviso in the gentleman's amendment which is entirely separate and distinct from the first part of the amendment, just as much so as is the original proviso separate and distinct from the language contained in lines 11 to 14 on page 5 of the bill.

In other words, it is an effort on the part of the gentleman from Illinois to obtain action upon that which the Chair has previously ruled out of order by reason of its being legislation upon an appropriation bill and new legislation upon an appropriation bill, which has been held to be out of order times without number in the different rulings which have been invoked ever since these appropriation bills have been considered in the House. Therefore I call the attention of the mind of the chairman again to my own idea about it, namely, that there being two particular parts to this amendment proposed by the gentleman from Illinois, the one being good and the other with relation to a proviso, and the proviso being in no way connected with the first part, not being germane even to that which is contained in lines 11 and 14, for the purchase and manufacture of machinery, tools, and materials necessary for the work and the expenses of the mechanics engaged thereon—the language of the proviso is not that there shall be purchased, that there shall be alterations and maintenance, but that there should be sold as soon as possible by the Secretary of War 2,000 of these tractors upon such terms as he may deem advisable—so that to my mind it is not alone not germane to that which has gone before, but it is clearly unassociated with the application of the reduction of $10,000, which is, of course, offered for the purpose of evasion—and the reintroduction of the amendment can be for no other purpose—and to my mind the entire amendment is offered for the purpose of coming in an evasive way under the cloak of legislative parliamentary law and substitute that which the Chair a moment ago has ruled out.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GARD. I will.

Mr. GREEN of Iowa. Suppose in the gentleman's amendment after the word "*Provided*" he had inserted the following words, "That for the purpose of reducing the amount carried by this bill for the maintenance of mobile artillery the Secretary of War is directed to sell," and so forth. Would that change the views of the gentleman?

Mr. GARD. It would not change my views a particle. I do not think it would make the least bit of difference.

Mr. GREEN of Iowa. I do not think it would myself, but it simply shows just what the purpose, object, and effect the amendment offered by the gentleman from Illinois would have, namely, to reduce the expenditure in a specific way.

Mr. LONGWORTH. Does the Chair care to hear further argument in support of the position taken by the gentleman from Illinois, or is the Chair prepared to rule?

The CHAIRMAN. The Chair will hear the gentleman from Illinois [Mr. MANN] further.

Mr. MANN of Illinois. Mr. Chairman, the gentleman from Ohio [Mr. GARD] said this was an evasion of the rule. Why, this is a compliance with the rule. The gentleman invokes a technical rule of the House which prohibits legislation upon an appropriation bill. That rule was applicable to the provision which was brought into the House in the bill, but the very rule which the gentleman invokes provides that legislation shall be in order when accompanied by a reduction of the amount of money covered by the bill. That is an absolute compliance with the rule. The rule, of course, is technical. I have complied with the technical provisions of the rule and with the spirit of the rule. The gentleman from Virginia [Mr. SLEMP] stated that this provision of the bill carried an item of appropriation for the alteration and maintenance of those tractors, so that any provision relating to those tractors is germane to the provisions of the bill. Now, the amendment which I have offered proposes to reduce the amount of the bill, and thereby be able to dispose of some of the tractors. Of course, it is legislation, but it is legislation authorized by the language of the rule, and I think clearly authorized by the decisions. Shortly after this rule was adopted in the Democratic House 10 years ago on the Post Office appropriation bill I offered an amendment making a slight reduction in the amount in one item of the bill and providing that mail stations and post offices should not be opened on Sundays for the delivery of mail. A point of order was made. I read the rule. I had complied with the rule, and the two cases are identical and are on all fours. The point of order was overruled in that case, and it has been the law ever since, because it was enacted into law. Of course, offered without the provision made by the rule it would have been subject to a point of order; offered under the terms of the rule it was not subject to a point of order.

The CHAIRMAN. The Chair is ready to rule. Legislation to be in order under the Holman rule must be directly instrumental in a reduction of expenditures. This identical question was raised on an appropriation bill. On January 25 of this year, the gentleman from New York [Mr. HICKS] in the chair,

an amendment was offered and sustained making a reduction, as follows:

Amendment offered by Mr. ANDERSON to the original Anderson amendment: Strike out "$208,500" and insert "$150,000," and add the following: "*Provided*, That at any time during the fiscal year 1922 or thereafter, when the Secretary of Agriculture shall determine that the interests of the Government will be subserved thereby, he is hereby authorized to appraise the buildings, machinery, marine equipment, kelp harvesters, boats, leasehold or contract rights, and all other property of whatever nature or kind appertaining to the experimental kelp potash plant of the Department of Agriculture situated at Summerland, Calif., and to sell the same at public or private sale"—

And so forth.

It appears to the Chair that the amendment just read raises identically the same question involved in this amendment, and the Chair overrules the point of order.

Mr. ANDERSON. Mr. Chairman, I offer an amendment to follow the proviso just offered by the gentleman from Illinois.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. ANDERSON to the amendment offered by Mr. MANN of Illinois: At the end of the Mann amendment insert: "*Provided further*, That the Secretary of War is hereby authorized and directed to transfer and deliver to the Secretary of Agriculture for distribution among the highway departments of the several States for use on roads constructed in whole or in part by Federal aid 1,250 tractors owned by the War Department."

Mr. GOOD. Mr. Chairman, I make a point of order that that is not in order; that is legislation and does not come within the rule.

Mr. ANDERSON. Mr. Chairman, I thought the Chair had just held that the paragraph to which this is an amendment is legislation, but notwithstanding the fact it is legislation that it is in order on this bill.

Now, it certainly is in order to amend that provision by a germane amendment, and all that I am offering is a germane legislative amendment to a legislative provision.

The CHAIRMAN. This amendment, it occurs to the Chair, is clearly legislation. The amendment of the gentleman from Illinois [Mr. MANN] was an amendment which did in fact reduce the expenditures and came within the Holman rule. The Chair sustains the point of order.

Mr. GARD. Will the Chair hear me a moment on that, simply discussing the point of order, because if this is to be expending I am emphatically in favor of the proposition of the gentleman from Minnesota [Mr. ANDERSON]? The gentleman from Illinois said the reason his amendment was in order was because it reduced the expenses, because in selling this number of tractors the expense of maintenance was decreased thereby, giving the authority for a decrease of $10,000 in the appropriation for maintenance, and so forth. Now, this goes one step further and provides for the additional separation from the department of these tractors. On the theory of the gentleman from Illinois, it can decrease the expenditure, and therefore, under the same ruling, it would seem to me, would be in order.

Mr. ANDERSON. Mr. Chairman, I reoffer the amendment, and in addition I move to strike from the amendment "$590,000" and insert "$580,000," with the proviso to follow.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ANDERSON to the amendment offered by Mr. MANN of Illinois: Strike out "$590,000" in the Mann amendment and insert in lieu thereof "$580,000" and add the following: "*Provided further*, That the Secretary of War is hereby authorized and directed to transfer and deliver to the Secretary of Agriculture for distribution among the highway departments of the several States, for use on roads constructed in whole or in part by Federal aid, 1,250 tractors owned by the War Department."

Mr. GOOD. Mr. Chairman, I make the point of order that it is not germane.

Mr. ANDERSON. Mr. Chairman, I submit if it is a reduction of expenditures to dispose of 2,000 tractors, it is a greater reduction of expenditure to dispose of a greater number.

The CHAIRMAN. The point of order is overruled. The question is on the amendment offered by the gentleman from Minnesota [Mr. ANDERSON].

The amendment was agreed to.

The CHAIRMAN. The question now is on the amendment of the gentleman from Illinois [Mr. MANN] as amended by the gentleman from Minnesota [Mr. ANDERSON].

The amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for mountain, field, and siege artillery practice, including the machinery necessary for their manufacture, $145,000.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to proceed out of order for five minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed out of order for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Chairman, I ask the Clerk to read a telegram addressed to the Speaker of the House of Representatives.

The Clerk read as follows:

NEW YORK, N. Y., *February 14.*

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives,
Washington, D. C.:

Admission of vermin-infested persons to this port is disgraceful. One of two things must be done. Either an embargo must be placed upon immigration from infected ports or immediate facilities must be furnished to clean up the aliens before they are permitted to land. Immigration authorities should return to steamship companies any persons found infested with vermin. New York City Health Department can not and will not permit admission to this city of vermin carriers.

ROYAL S. COPELAND, M. D.,
Commissioner of Health.

Mr. JOHNSON of Washington. That telegram to the Speaker was referred to the House Committee on Immigration and a telegram was sent by the chairman of that committee to Commissioner of Health Copeland in New York asking for further information, which brought the following reply, which I will ask the Clerk to report.

The Clerk read as follows:

NEW YORK, N. Y., *February 17, 1921.*

ALBERT JOHNSON,
Chairman Committee on Immigration,
House of Representatives, Washington, D. C.:

This morning we stopped 125 vermin-infested persons who had been passed by port of Boston. Philadelphia port lacks equipment. Ten per cent of persons who are admitted to this port through Ellis Island are vermin covered. Federal quarantine at all eastern points is disgracefully ineffective.

ROYAL S. COPELAND, M. D.,
Commissioner.

Mr. JOHNSON of Washington. Mr. Chairman, I have asked permission to address the House to call attention to these two telegrams, and to say that I think it is unfair for the commissioner of health for New York City, or for the head of the Immigration Service at Ellis Island at this late day to undertake to "pass the buck" to the United States Public Health Service. As far back as the first week of this session of Congress, in December, typhus-afflicted persons were arriving in the United States. That was known to the authorities at Ellis Island and to the public health authorities, and on the floor of this House. December 13 last I called the attention of the Members of the House to the arrival of the steamship *Adriatic* with a case of typhus from Cherbourg. We were voting on the immigration suspension measure that day, and reports from our consular agents abroad were presented by your Committee on Immigration to show that we might soon expect just what is now happening.

Further, Mr. Chairman, the Public Health Service on January 19, this year, called the attention of the State Department to the necessity of taking advantage of the quarantine laws which have been in existence many years in an effort to stop the sending to the United States from certain ports in Europe of not only actually diseased but dangerously dirty and lice-infected immigrants. The State Department took notice of that complaint, which was dated January 19, and on February 1 issued orders to consular officers at certain ports forbidding the departure of ships without clean health manifests. That order, to prevent the coming of immigrants from diseased places in Italy, Poland, and elsewhere in central Europe, caused protests to come from New York. Business must not be interfered with. Immigration must not stop. To even check immigration is cruel, inhuman. Those were the cries. New York knew of the danger. The under employees at Ellis Island knew. The United States health officer at Ellis Island knew. He sent in protest after protest to the Surgeon General. Let us look at the list of arrival of disease-bringing ships for the past few months at the port of New York for the six months beginning August 1 last and for a few days in February:

Ships bringing one or more cases of typhus.

Date of arrival.	Name of vessel.	Sailed from.
Aug. 1	La Savoie	Havre.
Aug. 12	Niagara	Bordeaux.
Oct. 5	Noordorn	Rotterdam.
Nov. 14	New Rochelle	Havre.
Dec. 11	Adriatic	Cherbourg.
Feb. 1-3-9	Presidente Wilson	Trieste.
Feb. 10	San Giusto	Do.

Ships bringing one or more cases of smallpox.

Date of arrival.	Name of vessel.	Sailed from.
Sept. 28	Mobile	Liverpool.
Oct. 11	Roma	Lisbon.
Oct. 12	Nieue Amsterdam	Rotterdam.
Dec. 15	Ferdinand Palasciano	Naples.
Dec. 22	Duca d'Acosta	Do.
Jan. 5	Braga	Do.
Jan. 22	Patria	Do.
Feb. 9	Providence	Do.

You will note the *Presidente Wilson* is reported as attempting to dock on three different dates—February 1, 3, and 9. That is because she brought 19 typhus cases—4 in cabins and 15 in steerage. The four in the cabins were landed, as were 400 other cabin passengers. Then the cases were discovered in the city of New York, and New York City and State health officials began to get busy. They issued charges and complaints as if the United States Public Health Service was to blame. Not so, gentlemen. In my opinion, New York greed and the desire for the immigration traffic, which is a traffic for gain just as was the slave traffic in the early days of this Nation, is to blame primarily.

But, thoroughly alarmed, the New York authorities threatened to stop the immigrant ships from docking in their port. That threat was followed by the steamship people at once transferring their places of debarkation of many of their ships to Boston, Providence, New London, Philadelphia, and elsewhere, and that caused a protest in New York. That city seems to want the business, my friends; it wants the ships to come in and wants the immigrants; but when a disease happens they want to unload the whole thing on the United States and pass the buck and pass the expenses on to the United States, and complain in the newspapers that the United States is trying to make New York pay the bill. It is the old cry that we have heard for many years when the New York City officials complain that their hospitals have become filled with the insane, the demented, and the mentally weak; and they come to Congress and appeal to us and ask that we, speaking for the whole people, have the Treasury pay the bill.

You have that situation here.

We are paying New York $1,500,000 for their quarantine station at Hoffman Island. We ordered that a year ago. The Department of Justice is still wrestling with the title, but I presume the matter will be closed with a rush now. We will pay the million and a half. We will run the quarantine. The steamship companies are supposed to pay the bills, but who thinks they will? If I am not mistaken, each ship I have named is liable to a fine of $5,000, and probably more, for each additional case per ship. Let us try to collect some of it. [Applause.]

Mr. Chairman, I secured permission this morning to insert in the CONGRESSIONAL RECORD some statements taken in the hearings of the investigation committee. This medical situation was known long before it became public. I have a report from Dr. KERR, health officer at Ellis Island, which I will put in the RECORD. It is his report as a result of a trip to central Europe, from which he returned in January, where he made a survey of the health conditions and predicted what was bound to happen if the United States left its bars down. That report was offered to another committee in another branch and refused unless it could be condensed into a few paragraphs, which could not be done. I ask Members to read it.

Also, I call attention to the fact that in the six months ending December 31 at the Port of New York alone over 10,000 persons were certified by our health authorities as being physically diseased or disqualified from earning a living, and out of that number over 9,000 were admitted to the United States. Is it any wonder that these Public Health Service officials become tired and complain, and feel that their task is almost hopeless? [Applause.]

The statement of Dr. J. W. Kerr follows:

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, January 25, 1921.

The SURGEON GENERAL UNITED STATES PUBLIC HEALTH SERVICE,
Washington, D. C.

SIR: In accordance with your request, I have the honor to transmit herewith two advance copies of my report on the medical aspect of the immigration problem in Europe. On account of the haste in their preparation, they are subject to criticisms and additions.

On returning to New York the original copy of this report, together with a description of my itinerary while in Europe, will be submitted.

Respectfully,

J. W. KERR, *Surgeon.*

REPORT ON MEDICAL ASPECTS OF THE PRESENT IMMIGRATION SITUATION BASED ON EXPERIENCES AT ELLIS ISLAND, N. Y., AND OBSERVATIONS IN EUROPEAN COUNTRIES.

JANUARY 18, 1921.

In the absence of additional legislative restrictions, an increased immigration from European countries was to be expected following the war. By reason of the disturbed international relations from 1914 to 1918 there had been a damming back of the alien tide from all countries, which in 1914 had reached 1,218,480, to 110,618 in 1918.

The continuance of the passport control system and the lack of available ships operated further to keep down any considerable increase until 1920. Since then it has been so rapid as to attain in the last few months almost prewar figures. This is shown in the following table:

Number arrived in 1920.

January	25,000
February	20,000
March	30,000
April	40,000
May	45,000
June	45,000
July	55,000
August	55,000
September	70,000
October	70,000
November	60,000
December	70,000

VARIATIONS IN ORIGIN OF EUROPEAN IMMIGRATION.

On account of disturbed social and economic conditions throughout the world due to the war, a modification of the origin of immigration as compared with prewar years was also thought probable.

As shown by the reports of the Congressional Immigration Commission (Report of the Immigration Commission No. 4, 1910: S. Doc. —), a vast change had already occurred between 1882 and 1907. Whereas during the former year 86.9 per cent of the total immigration from Europe had come from the northern and western countries and only 13.1 per cent from the southern and eastern countries, in the latter year 19 per cent came from northern and western and 81 per cent from southern and eastern countries. (The northern and western countries comprise Belgium, Denmark, France (including Corsica), German Empire, Netherlands, Norway, Sweden, Switzerland, United Kingdom (England, Ireland, Scotland, and Wales), and United Kingdom not specified. The southern and eastern countries comprise Austria-Hungary, Bulgaria, Serbia, Montenegro, Greece, Italy (including Sicily and Sardinia), Poland, Portugal (including Cape Verde and Azores Islands), Rumania, Russian Empire (including Finland), Spain, and Turkey. In 1914 this proportion had further increased, about 15.3 per cent of the total immigration from Europe having come from the northern and western countries and about 84.7 per cent from the southern and eastern countries (including Turkey in Asia).

Since a definite resumption of immigration did not begin until the latter half of the fiscal year 1920, it would be preferable to take the total figures for the calendar year 1920 for comparison in order to show by races the present trend of immigration from Europe. However, the statistics from July 1 to December 31, 1920, are not available.

It became necessary, therefore, to take the statistics for the fiscal year 1920 for such comparison as is possible. From July 1, 1919, to June 30, 1920, the total number from the above-mentioned European countries was 246,295, or 34.7 per cent, from northern and western countries and 65.3 per cent from southern and eastern countries.

The following table presents, by races or peoples, this immigration from Europe during the fiscal year 1920, as compared with the fiscal year 1914:

Race or peoples.	Fiscal year 1914.		Fiscal year 1920.	
	Number.	Per cent.	Number.	Per cent.
Bohemian and Moravian (Czecho)	9,928	0.85	276	0.11
Bulgarian, Servian, Montenegrin	15,084	1.3	808	.32
Croatian and Slovenian	37,284	3.2	415	.16
Dalmatian, Bosnian, Herzegovinian	5,149	.44	60	.02
Dutch and Flemish	12,566	1.1	11,144	4.5
English	51,746	4.4	25,044	10.2
Finnish	12,805	1.2	744	.3
French	18,166	1.6	7,878	3.2
German	79,871	6.84	4,131	1.7
Greek	45,881	3.99	13,168	5.3
Hebrew	138,051	11.8	9,564	3.8
Irish	33,898	2.95	10,963	4.5
Italian	296,414	25.4	95,183	38.6
Lithuanian	21,584	1.9	53	021
Magyar	44,538	3.8	109	.044
Polish	122,657	10.5	1,151	.47
Portuguese	9,647	.8	14,558	5.9
Rumanian	24,070	2.1	594	.24
Russian	44,957	3.9	566	.23
Ruthenian	36,727	3.1	18	.007
Scandinavian	36,053	3.1	13,650	5.5
Scotch	18,997	1.6	9,094	3.6
Slovak	25,819	2.2	3,735	1.5
Spanish	11,064	.9	19,035	7.7
Syrian	9,023	.7	164	.06
Turkish	2,693	.23	76	.03
Welsh	2,693	.22	908	.39
Other peoples	2,558	.....	3,206	1.3
Total	1,167,230	.....	246,295	.....

As will be seen, there is a striking disproportion in the percentage of arrivals of certain peoples during the last fiscal year as compared with the fiscal year 1914, although the figures indicate that, on the whole, the percentage of immigration from northern and western countries has been somewhat larger during the past year than before the war. This is easily accounted for by the greater facility of persons from northern and western Europe to secure transportation.

During the six months ended December 31, 1920, there has been an undoubted greater increase in the number of immigrants coming from eastern and southern Europe, so great in fact that these aliens are believed to form the bulk of the steerage passengers on practically all ships arriving from European ports, except Scandinavian and Spanish.

Numerous factors are undoubtedly responsible for this exodus, including economical and social conditions in the countries of eastern and southern Europe from which immigrants come as well as the reestablishment of transportation facilities by land and sea between those countries and United States ports.

Furthermore, public health conditions were probably a factor. From the standpoint of the medical examination of immigrants at home ports, therefore, it is important to know the geographic distribution of endemic diseases as well as the occurrence of epidemics of the quarantinable diseases in foreign countries from which these aliens come.

It is also desirable to have knowledge of the potential emigration from these countries, as arrivals in large numbers are bound to have a bearing on the possibility of the introduction of quarantinable diseases as well as to exercise an important influence eventually on the sanitary habits and physical development of our people. At present one guess is as good as another as to prospective immigration, provided it is large enough. There is abundant evidence that great numbers desire to leave Europe, and as soon as conditions in Russia and countries to the south permit these numbers will be augmented many times. This has importance from the standpoints of sanitation and race development which it would be difficult to overemphasize.

PREVALENCE OF CERTIFIABLE DISABILITIES AMONG IMMIGRANTS AND THE PEOPLES FROM WHOM THEY COME.

To what extent the diseases coming within the meaning of the immigration law have been increased or extended in Europe in consequence of the war it would be difficult to estimate. The subject has been constantly borne in mind in connection with medical inspection of aliens at Ellis Island since the war. Opportunity has recently been had also to make personal inquiries in certain countries and ports abroad which were visited in company with the Commissioner General of Immigration between November 17, 1920, and January 5, 1921, the object being "to devise additional measures whereby the immigration laws and regulations may be given greater force and work less of a hardship on prospective emigrants."

Since the resumption of active immigration in March, 1920, special effort has been made to detect cases of malnutrition, war neuroses, tuberculosis, and venereal diseases, since these afflictions have been reported to have been unduly prevalent among either the military or the civil population of countries of war. The following table presents by months the total passengers arriving and the number of each class of disease mentioned:

Month.	Alien passengers.	Nervous and mental diseases.[1]	Dangerous contagious diseases.[2]	Tuberculosis.	Loathsome contagious diseases, including venereal.[3]
1920.					
January	25,057	18	3	2	9
February	22,118	11	8		8
March	29,098	14	11	9	25
April	40,135	5	9	2	13
May	47,750	4	8	3	23
June	49,786	10	13	4	43
July	56,105	13	28	6	61
August	57,874	9	32	5	52
September	70,052	14	27	5	69
October	74,665	22	29	1	84
November	62,451	10	23	4	37
December	67,310	34	49	3	45
Total	602,401	164	240	44	469

[1] The nervous and mental diseases comprised insanity, idiocy, imbecility, feeble-mindedness, epilepsy, constitutional psychopathic inferiority, and organic diseases of the central nervous system.

[2] The dangerous contagious diseases comprised trachoma.

[3] The loathsome contagious diseases comprised favus, leprosy, ringworm, yaws, and venereal diseases, including gonorrhea, chancroid, and syphilis.

NOTE.—In addition to the above, 10,002 persons were certified for disabilities affecting ability to earn a living.

While the numbers detected during the calendar year 1920 would not indicate any marked prevalence of these diseases abroad, it should be remembered that prospective passengers in Europe became aware of the provisions of the immigration law as relates to physical and mental disability, by reason of the medical examinations to which they are subjected at ports of embarkation. Furthermore, steamship companies are liable to penalties for bringing such cases, and therefore take active measures to exclude them, the bulk of all immigrants being subjected to repeated examinations by company physicians. Furthermore, arriving passengers have not until recently presented the appearance of belonging to the so-called refugee class. Many of them have been repatriated soldiers returning under the provision of the congressional resolution of 1918; others coming from Spain have been mostly males and represent practically a new immigration. It is the opinion of the medical examiners, nevertheless, that recently the physical type of aliens has not been up to the normal of prewar days. Many of them present evidence of the stresses to which they have been exposed by reason of the war and the hardships of prolonged travel.

In the case of children arriving in recent months it is the consensus of opinion that many of them are undernourished. While the ages as given on the manifests are practically unreliable, many of these children are undoubtedly undersized for their ages and present evidences of rickets and malnutrition, some of them markedly so.

In order to form an opinion of the influence of war on the health of populations special efforts were made to secure mortality statistics. Their accuracy, however, was vitiated by the prevailing conditions, and in the countries which undoubtedly suffered most these conditions operated practically to prevent the recording of any reliable records.

The following table furnished by the Commission for the Prevention of Tuberculosis in France (International Health Board) is highly significant. Acknowledgment is due and here made for these and other data received from this source.

General death rates in various European cities from 1906 to 1919.

[Rates per 1,000 population.]

Years.	London.[1]	Paris.[2]	Brussels.[3]	Vienna.[4]	Prague.[5]	Amsterdam.
1906		17.6				13.54
1907	[6]15.7	18.6				13.33
1908		17.7				13.33
1909		17.7				12.96
1910	13.7	16.8	13.6			11.93
1911	15.2	17.2	13.9	16.6		12.20
1912	13.8	16.5	13.5	15.8		11.00
1913	14.3	15.7	12.2	15.9	14.9	11.11
1914	14.6	15.8	14.9	16.4	14.3	11.29
1915	16.8	15.1	13.3	18.2	15.1	11.23
1916	14.7	15.2	14.7	18.5	15.2	11.88
1917	15.7	15.5	18.3	22.7	17.7	12.16
1918	19.2	17.5	21.0	25.4	18.6	15.55
1919	13.4	16.0	13.1	20.2		12.37

[1] From Registrar General of England and Wales (annual reports).

[2] From Annuaire Statistique de la Ville de Paris.

[3] Years 1910–1913 from Mortality Statistics, U. S. Census Bureau, years 1911, 1914, 1914–1919 from report of Dr. Rene Sand, "Industrial Medical Reconstruction in Belgium."

[4] From chart issued by central sanitary office, city of Vienna, February, 1920. Rates doubtless higher because Austrian population probably flocked to city.

[5] From a report of Prof. S. M. Gunn on Czechoslovakia.

[6] Average 1901–1910.

In all the cities mentioned there were increased death rates, especially during the last two years of the war. In all probability much of the increase in 1918 was due to the pandemic of influenza, but there is evidence that other factors were also present.

General death rates compiled from various sources by the abovementioned commission indicate an irregular increase in certain European countries, including Belgium, France, Holland, England and Wales, Prussia, and Italy from 1914 to 1918, inclusive, as compared with the previous two years. In 1919, the above records, available data from Belgium, Holland, and England and Wales indicate a marked downward trend. This will be referred to later.

TUBERCULOSIS.

Certain of the data relating to tuberculosis are especially significant. The following death rates for tuberculosis are abstracted from a table compiled from various sources by the Commission for the Prevention of Tuberculosis in France (International Health Board). Through lack of time and opportunity not all the sources cited by the commission have been consulted by me.

Tuberculosis death rates in European countries, 1910–1919 (incomplete).

[Rates per 100,000 population.]

Year.	France.	Belgium.	Holland.	England and Wales.	Prussia.
1910	215	97	155.8	143.4	151
1911	217	101	157.7	146.7	151
1912	211	93	154	137.2	145
1913	209		142	135.2	136.5
1914	271		139.9	136	138.7
1915	281		144	151.4	142
1916	269		167.2	152.9	156.4
1917	266		181.8	162.4	205.7
1918	278		202.5	169.4	240
1919			174.1		

Year.	Switzerland, all forms.	Alsace-Lorraine.	Bohemia.	Moravia.
1910	226	203	284	
1911	216	194	284	351
1912	202	180	286	349
1913	199	176	263	324
1914	193	174	262	319
1915	187	172	290	353
1916	188	176	322	378
1917	202	208	314	368
1918	196	234		410,191
1919				

During the occupation of Belgium no reliable statistics were available for that country as a whole. Dr. M. Velghe, president of the permanent committee of the International Office of Public Hygiene and the Director General of Public Health of Bulgium, reported to the permanent committee that the deaths from tuberculosis in 1918 in greater Brussels (an area for which statistics are available) increased 118 per cent over 1913. This great increase, which prevailed to a more or less degree in respect to other diseases, is attributed by him to reduced resistance of the organism on account of the hardships of war. In a subsequent report to the permanent committee he noted a marked decrease in 1919.

In England and Wales (annual report of the chief medical officer, 1919–20) the deaths from tuberculosis in 1919 also showed a remarkable decline over the previous year.

This latter report further states that "the rise in tuberculosis mortality between 1914 and 1918 was due to war conditions." The increase was greatest among females from 15 to 45 years, being associated with more extensive employment in industrial occupations under

conditions of an exceptional strain and often associated with unsatisfactory housing conditions.

As showing the falling death rates years before the war and the marked rise during the war in five countries of Europe, the following chart and table abstracted from data from the commission for the prevention of tuberculosis in France (International Health Board) are presented. By reason of their method of collection, statistics from France during the same period are said to be not comparable:

Crude death rates—Tuberculosis, all forms.

[Rates per 100,000 population.]

Years.	England and Wales.		Holland.		Prussia.		Spain.		Alsace-Lorraine.	
	Rate.	Per cent of 1913 rate.	Rate.	Per cent of 1913 rate.	Rate.	Per cent of 1913 rate.	Rate.	Per cent of 1913 rate.	Rate.	Per cent of 1913 rate.
1906	165.4	122	177.9	125	171	125	.....	.....	.....	.....
1907	161.7	119.5	172.7	121.5	170	125	.....	.....	.....	.....
1908	159.5	118	161.7	114	163	119	.....	.....	.....	.....
1909	153.7	113.5	161.3	113.5	155	114	.....	.....	.....	.....
1910	143.4	106	155.8	109	151	111	.....	.....	.....	.....
1911	146.7	108.5	157.7	111	151	111	157	103	.....	.....
1912	137.2	101.5	154	108	145	106	144	94	180	102.3
1913	135.2	100	142	100	136.5	100	153	100	176	100
1914	136	100	139.9	98.5	138.7	101.5	154	101	174	98.9
1915	151.4	112	144	101	142	104	159	104	172	97.7
1916	152.9	113	167.2	118	155.4	114.5	164	107	176	100
1917	162.4	120	181.8	128	205.7	150	171	112	208	118.2
1918	169.4	125	202.5	142.5	238.4	175	202	132	234	133

Compiled by T. J. Duffield, statistician, commission for prevention of tuberculosis in France:

For England and Wales, from the Report of Registrar General, year 1917, page 20, and advance copy of 1918 report.

For Holland, from "De toeneming der tuberculosesterfte," C. Dekka in "Tuberculose," September, 1919, page 130 (Dutch).

For Prussia, 1906–1912, from Report Registrar General of England and Wales, 1915, page 79, Report of Minister of Interior to President of Rhine Province, December 29, 1918, and Weekly Bulletin, chief surgeon's office, American Expeditionary Forces, No. 48, March 10, 1919.

For Spain, from "Annario Estadistico de Espana, 1918."

The figures below, taken from a table compiled by the Commission for the Prevention of Tuberculosis in France, are presented to show the influence of war on tuberculosis death rates in various European cities:

Tuberculosis death rates in various European cities, years 1912 to 1919.

[Rates per 100,000 population.]

Years.	London.[1]	Brussels.[2]	Vienna.[3]	Prague.[4]	Amsterdam.[5]
1912	171	.....	315	.....	157
1913	165	169	317	472	154
1914	177	177	306	557	180
1915	199	179	385	637	152
1916	189	223	475	682	189
1917	211	350	578	744	203
1918	214	359	568	733	231
1919	142	196	522	.....	195

[1] From registrar general of England and Wales (annual report).

[2] From report of Dr. René Sand, Industrial Medical Reconstruction in Belgium.

[3] Vienna rates compiled by T. J. Duffield, based on census and information from chart furnished by the central sanitary offices of the city of Vienna. "Rates are doubtlessly high, because population of Austria probably flocked to city."

[4] From report of Prof. S. M. Gunn (to commission), including so-called "nonresidents."

[5] Official.

The above mortality figures, although necessarily accepted with reservation, certainly imply a greatly increased morbidity as well. Furthermore, the unanimous opinions of physicians and sanitarians consulted was that tuberculosis had increased in all European countries affected by the war.

According to the director general of public health of Italy, tuberculosis mortality was much increased in that country during the war on account of the return of the prisoners of war and the poor food and excessive work of portions of the civil population.

In some countries, including Poland, Serbia, and Russia, which suffered the greatest hardships, the disease was believed to be highly prevalent. Any other conclusion seems unavoidable, since tuberculosis is almost invariably associated with underfeeding, overcrowding, and prolonged physical strain.

While the reports from Belgium and England and Wales for 1919 indicate that the disappearance of war conditions will quickly react favorably on tuberculosis death rates, personal observations in some of the countries most affected confirm the belief that such results can not soon be expected therein.

From a public-health standpoint war conditions in Europe have imposed on large populations a forced demonstration of the influence of underfeeding on the incidence of tuberculosis. Until food supplies become adequate, evidence will accumulate as to their value in the reduction of this disease.

DISEASES OF CHILDREN.

The hardships of war fell heaviest on children of invaded countries unless they have been previously removed. Whenever practicable, therefore, inquiries were made as to the morbidity and the mortality among this class of the population. Opinions were obtained from health officials, Red Cross workers, and others that in Poland and Austria child morbidity was greatly increased and hygienic conditions among the poor were in many areas deplorable. No reliable statistics were obtained in confirmation of these statements, but there is visible evidence there of destitution and unemployment.

As showing the effects of the war on the future of the race, the following is a free translation of a report by Dr. Velghe, president of the permanent committee of the International Office Public Hygiene and director general of public health of Belgium, from a communication of Dr. De Moor, professor of the University of Brussels, to the Academy of Medicine, based on observations by him in Belgium:

"During the years of the war (1914–1918) the growth of children was progressively retarded. The weight of children of all ages was diminished. And at the end of the four years (1914–1918) the defect was greater than the normal development of two-thirds of a year. The average height of children of all ages was reduced in quantity equal to the normal growth during a third of a year.

"The total loss of development among boys and girls from 1914 to 1918 for all ages between 7 and 14 years corresponded approximately to one year in weight and in height to one-half year among boys and one-seventh year among girls.

"These phenomena were particularly evident among both the male and female population of schools in the quarters of the poor. The resistance was greater among boys than girls.

"In the populous schools the losses were manifest in 1915 and 1916 and much more so in 1917 and 1918. In the communal schools, whose population suffered less, the lessened development was not manifest in reality until 1917, after which time it was very rapid, and by July, 1918, the difference between the two groups had practically disappeared.

"The war was thus responsible for a serious retardation of growth of children. Notwithstanding all the efforts made to maintain intact the health of the young (and the result obtained was very important), their growth has been progressively retarded; the children from 6 to 14 years were actually very inferior to what they should have been in view of their birth and the state of their development in 1914.

"What are the remote consequences of this situation? It is difficult to say positively at this time.

"Finally, without exaggerating the bearing of the conclusions deduced from this study, we are able to say:

"During the years of the war, slowly during the first two, much more rapidly during the last two, the development of children was retarded and modified. Our young generations are thus retarded by the action of a cause that was long operative on their organisms in process of evolution. In what measure this organic depression will disappear and the children be able to recover this time lost we are ignorant.

"What will be the future generations in view of the actual conditions of the children of to-day? We are unable to say."

As stated above, some children arriving at Ellis Island from war countries have shown evidence of undernourishment, but their condition on arrival as bearing on the situation abroad is of little purport because of the small numbers involved. Some children undernourished from one cause or another arrive in ordinary times; besides the immigrants arriving until recently have certainly not belonged to the classes in Europe lowest in the economic and hygienic scale. Some of those coming recently from devastated areas, however, have shown evidence of malnutrition, including rickets.

That in many places in middle and southern Europe there is an inadequate supply of proper food for children is certain. Furthermore, there is visible evidence of undernourishment of children in these localities, a statement affirmed by many. In traveling through devastated countries, as Poland, for instance, one is impressed with the practical absence of cows or other animals to supply milk and other nitrogenous food. The lack of food suitable to their years must react unfavorably on the health and development of children, as in many instances also does the lack of warm, comfortably ventilated homes. The cold and dampness of public buildings, trains, and dwellings are hourly impressed on the traveler or sojourner throughout continental Europe.

VENEREAL DISEASES.

The general opinion prevails that venereal diseases were greatly increased during and after the war. In the absence of notification of such diseases, it is impracticable to secure definite figures. Dr. M. Velghe, president of the permanent committee of the International Office of Public Hygiene, reporting to the permanent committee, stated that this increase in Belgium had reached "frightful proportions."

As acutely manifested, these diseases are not common among alien steerage passengers arriving at Ellis Island. It is the practice to examine many aliens undressed, and it is the general observation that such diseases, at least in the active stages, are not prominent among the steerage classes. This may be due to the restrictive provisions of the law, which are well known, and to medical examinations before embarkations, but the habits and the customs of the peasants (from whom steerage immigrants mostly come) must also be important factors.

Among sailors, on the other hand, venereal diseases are notoriously common, and certain foreign ports have established bad reputations as centers of infection for this class of the population. In such ports the organized work of philanthropic agencies, such as the Young Men's Christian Association, should tend to the prevention of these diseases among sailors. One such agency in Havre was found to be doing highly practical work to this end.

COMMUNICABLE DISEASES.

By reason of prolonged military operations, the forced migration of vast numbers of the civil population, and the adverse sanitary conditions to which they have been exposed, communicable diseases have increased. Even on arrival at Ellis Island scabies and other skin infections are now very common among immigrants, and cases of smallpox and typhus fever have from time to time reached the quarantine station at Staten Island. In some sections of middle and southern Europe typhoid and paratyphoid are said to be very prevalent, and typhus fever is widespread over an extensive area east of Germany, Switzerland, and Italy.

Cases of the latter disease were being reported throughout Poland and numerous places in Jugo-Slavia.

However, aside from emphasizing the undesirability of immigrants from localities so squalid and insanitary as to harbor typhus fever and its carriers, the louse, the disease has little practical bearing in relation to the immigration law.

Necessary measures against it are properly taken under the quarantine law. These measures are already well known to the bureau, which receives regularly from the Consular Service and offices of the United States Public Health Service abroad further reports of the progress of the disease.

As long as conditions remain unsettled in central and southern Europe typhus will continue to be a menace to western Europe, and

cholera may become so, but the likelihood of any extensive prevalence will depend on the economic and sanitary status of the people among whom the disease is introduced. Transportation companies should be prohibited from embarking lousy immigrants or at least landing them in the United States.

On the whole, it may be concluded that in consequence of the war many European countries have had their birth rate greatly reduced. Many lives have been sacrificed, the health of multitudes has been undermined temporarily at least, and enormous public debts have been incurred which future generations will be called upon to pay. It is the purpose of vast numbers by emigrating, if possible, to escape the effects of these conditions. The extent of the reduction of vitality and its effects on the future race can not be accurately estimated.

NERVOUS AFFECTIONS.

Opinions in respect to the occurrence of war neuroses among civil populations were varied. In some countries there was a decrease in the number of admissions to the insane institutions, and in certain instances the insane were evacuated and the institutions used for war purposes. In England a great increase of tuberculosis among this class is recorded for 1918.

The United States immigration law of February 5, 1917, by reason of its provisions to debar illiterates, has operated to reduce greatly the number of feeble-minded arriving at Ellis Island.

MEDICAL EXAMINATIONS AT PLACES OF ORIGIN.

Intending emigrants are required by transportation companies and in some countries by their Governments to be medically examined before leaving their respective localities. On the part of the steamship companies this is done in self-defense.

In Jugoslavia, for instance, the prospective passenger must have a medical certificate before applying to his Government for a passport. In addition the steamship companies employ local doctors to examine passengers prior to departing in order to avoid rejection and the expense of returning them. At Zagreb, Croatia, one company also houses its passengers in barracks until time to send them forward in groups to particular ships. In case of the rejection of an emigrant later on it is said the doctor who made the original examination and thus aided departure would have to pay the expenses of return. The activities of transportation companies are carried on in many countries under concessions granted them by the respective Governments, but the extent of surveillance for the protection of health appears to be limited. In Czechoslovakia it is the expressed policy to regulate emigration. Laws are in preparation, therefore, to regulate health during egress. In Jugoslavia, as stated above, medical examinations are already required. In Poland, on the other hand, passports are said to be freely granted to refugees to leave the country, and, so far as could be learned, without medical restrictions.

SURVEILLANCE OF HEALTH OF ALIENS EN ROUTE.

At most ports of embarkation, except Italian, Scandinavian, and Spanish, the bulk of the emigrants at present are not nationals of the countries in which those ports are located. These emigrants are, therefore, known as transmigrants, and the countries through which they pass have little interest in them except to get them out.

With the exceptions mentioned, the bulk of all emigrants at present, from whatever port, are originally from middle and southern Europe. They filter through the western countries over every line.

According to Passed Asst. Surg. J. H. Linsom, of the emigrants passing through Danzig about 90 per cent are Hebrews and the remaining 10 per cent Lithuanians, Czechslovakians, Ukranians, and Germans. While waiting for passage they live in "the Troyl," and emigration camp outside the town. Most of them, however, have previously come from Warsaw, where they lived for varying periods in the poorer quarter. In this quarter the overcrowding and poverty were evident.

Transmigrants en route through Holland must enter the country by way of Odenzaal on special trains and at special times, or by way of Rotterdam on vessels from Danzig. They are not medically inspected on entry, but under special surveillance. According to Consul General George E. Anderson, the total departures from Holland may be expected to be from 1,500 to 1,700 weekly, 90 per cent of whom will come from Poland.

Transmigrants through Belgium come over various railroads from the east, the bulk of them at present originating in Poland or other eastern countries. In case they come via Basel or Modane they may be deloused and their baggage fumigated, but there appears to be no official systematic medical inspection on the border. Transmigrants through Germany may not while en route leave the special train in which they travel.

A letter from the director of the Netherlands Emigration League (Dec. 9, 1920) states that transmigrants are inspected and disinfected at Odenzaal, presumably for typhus fever.

Transmigrants through France enter by sea at Marseille or by train over the eastern frontier. They come mostly from the Levant, Poland, and other central European countries and are taken by way of Paris to the seaports. Those entering Marseille are subject to inspection, bathing, and fumigation of their effects. This is also said to have been the practice at Basel and at Modane on the frontier. These precautions are, of course, to exclude the quarantine diseases.

Transmigrants through England, although not coming under the provisions of the emigration law of the Kingdom, are excludable by the ministry of health for public health reasons. Practically verminous persons are said to be forbidden entry and sent back by the port sanitary officer unless British subjects, in which case they are sent to a local hospital to be deloused. By a system of records of ingress and egress knowledge is had of any disabled emigrant who might be left in the country. Shipping companies are bonded by the Government for their removal; even so a few are said "to be left in the country to become a burden on the rates."

Passengers intending to embark at Liverpool are housed in company hotels. Those embarking at Southampton congregate at hotels in London and proceed by special train on the morning of sailing. In order to observe the character of these passengers and the method of handling, the trip from London to Southampton was made by me on their special train leaving London at 6 a. m. on the day of sailing. It was composed of the ordinary third-class compartment cars in use in England, which were clean. Immediately on arrival of the train on the dock the medical inspection was undertaken by the ship's surgeons.

According to information obtained from the ministry of health, considerable trouble has been experienced at London in quartering transmigrants in buildings which easily become insanitary. The establishing of company quarters was accordingly under consideration.

During actual travel over the Continent some emigrants traveling in parties are under special conduct by company representatives, and in case of serious illness they would be referred to municipal hospitals of the country of embarkation. But oversight of all travelers en route appears to be mainly for police rather than sanitary purposes. Some of the immigrant trains were not heated or lighted and were badly overcrowded. While this class of population appears inured to hardships, it is easy to see how their health might in some instances be affected by the method of travel and subsequent housing. Frequently persons were seen who had been days and weeks away from their starting places. They had been quartered in unheated barracks while awaiting embarkation.

PROVISIONS FOR HOUSING EMIGRANTS AWAITING DEPARTURE.

In some countries, as Poland and France, prospective emigrants, on arrival at or near the seaport, are cared for by the philanthropic organizations in special barracks pending sailing. One such place in Paris was visited. It was badly overcrowded and ill adapted to its use. One saving feature was its location in the heart of a great modern city, which in case of an outbreak of disease would have to assume active control of preventive measures.

In fact, most emigrants at present have to pass through the countries of western Europe, and oftentimes remain therein for days and weeks pending sailing, which is a measure of protection to America against the quarantinable diseases. In view of the insanitary conditions in which some of them live, however, there is the possibility that this advantage is more than offset. At the Tyrol emigration camp, at Danzig, for instance, according to Passed Asst. Surg. Linson, the buildings were previously used as a prison barracks. Because of insufficient coal and their faulty construction, these barracks are very cold at the present time (December 13). Men, women, and children are huddled together, sometimes as many as 160 in a single room. In some ports, including those of Belgium, Italy, and, as previously stated, England, waiting emigrants may stay in local hotels and go and come as ordinary residents. In those ports they are under the sanitary surveillance of the city, and in case of illness would be cared for in municipal hospitals.

In Belgium emigrants are under the emigration department. While in the country they so remain. During their stay in licensed hotels they are inspected three times weekly by a medical officer of the department, who also inspects the hotels and controls their sanitation. Five of these private hotels housing waiting emigrants were visited by me. With the exception of one, all were old private houses converted to their present use. The one exception was a large hotel (Amerika). All were capable of cleansing. The number of occupants allowed and the ventilation are controlled by the Belgium emigration department. The maximum official capacity of those visited were as follows, 63, 68, 83, 82, and 650. In most of them were small rooms which could be had by individuals and families on the payment of a small extra sum. On inspection, all of these buildings were very old and had been converted to their present use by enterprising proprietors. They were as clean as their construction would permit.

In the management of outbreaks of infectious diseases and the prevention of their introduction aboard ship the above method has certain advantages over housing in single large barracks. Aliens are practically segregated from each other in relatively small groups, and responsibility for the protection of their health is shared by the city health authorities.

In the German and Dutch ports the trans-Atlantic companies maintain well-equipped hotels wherein all steerage passengers may be housed.

In French ports waiting emigrants are variously housed. At Cherbourg a hotel to accommodate 1,000 has just been opened, and a modern hotel and bathing and fumigating compound are about to be built. This is intended to accommodate all passengers of the Cunard and International Mercantile Marine Cos. At Havre one company maintains two sets of barracks. One of these was inspected and the sanitation was found bad. Steps were under way, however, looking to enlargement and improvement. Other companies, especially the newer ones, were not so fortunate in having specially fitted-up quarters.

In Italian ports passengers on arrival are housed in hotels approved by the governmental authorities. Their stay is generally short, during which time they have the liberty of the city.

Practically all passengers from these ports are natives of Italy, because the Italian authorities have discouraged transmigrants from the countries farther east. There are, however, occasional parties, small in number.

MEDICAL EXAMINATIONS AT PORTS OF EMBARKATION.

The medical examinations of passengers by company physicians vary somewhat in different places. According to Dr. Linson, at Danzig, the examinations consist mainly in a more or less careful scrutiny for favus and trachoma. Evidence of other disease is apparently ignored, in most cases. The delousing of passengers there and examinations to detect quarantinable diseases are conducted under the direct supervision of Dr. Linson.

At Hamburg some transmigrants leave for embarkation at British ports. Arrangements were completed for their medical examination by a local physician before crossing the Channel. Only a few passengers have embarked from this port direct for America. In view of the expected larger emmigration from Hamburg, an officer of the Public Health Service has been detailed there to oversee delousing and inspections of passengers for quarantinable diseases. This physician reports that the facilities for the handling of large numbers of immigrants are excellent and that the medical inspections from an immigration standpoint will undoubtedly be taken up.

On arrival at Rotterdam all transmigrants are required by regulations of the city to be taken to a local disinfection plant, where they are freed as far as possible from vermin, and they are required to take a bath and have their baggage fumigated. Thereupon these passengers are taken to so-called "dirty barracks" of the Holland-American Line at Lachaven, where they are further freed of nits. The average stay at this barrack is 10 days, after which time they are removed to one of the hotels (barracks) adjoining the Holland-American docks, Gentiles being kept in one hotel and Hebrews in another.

Before departing from Lachaven passengers are inspected in the presence of a medical officer of the United States Public Health Service. On arrival at the clean barracks they are held pending embarkation, during which time they are medically examined.

The hotel for Gentiles accommodates approximately 850 people. It is well kept. The barracks in which the Jewish passengers are kept has a total capacity of about 1,100. Adjoining these barracks is a

small hospital. At Rotterdam medical examinations are conducted twice weekly in anticipation of the sailing of vessels. These inspections are made by two local physicians, specialists in their lines. In addition, the company employs a full-time physician on shore to take care of the sick persons and to vaccinate and delouse passengers. An examination of several hundred immigrants was observed. One specialist examines for favus of the scalp and nails and another for trachoma and other diseases of the eye. Perfectly patent cases of other diseases and disabilities, such as imbecility, exophthalomic goiter, and tuberculosis would be detained by them for subsequent examination. The examinations of the scalp were fairly adequate; some cases were passed, however, which at Ellis Island would have to be referred to the hospital for microscopic examination. The examination of eyes was carefully conducted, and it is understood a record is kept of suspicious cases who may be passed in order to see what becomes of them on arrival at Ellis Island. There is no examination for mental defects and practically no account is taken of physical disabilities affecting ability to earn a living, except as above stated. Finally, all passengers are inspected before they go aboard the vessel, at which time their inspection cards are stamped as to compliance as to vaccination requirements.

Aside from the examinations to which passengers may be subjected before they leave their places of origin, no medical inspection is made of them until they arrive at Antwerp. On arrival they are required to take a bath and have their baggage fumigated. This is done at the disinfecting plant of the Stuyvenberg Hospital, whose authorities issue a certificate to each passenger so treated. Passengers who present evidence of scabies are given a hot bath for 15 or 20 minutes. A solution of calcium sulphate is then applied and left on for another 20 minutes. This is followed by a soap and water bath. The high character of the hospital lends assurance. For the large amount of work to be performed at a port of the size of Antwerp, however, the facilities are inadequate.

In order to increase these facilities the Red Star Line intends to construct a fumigating plant and barracks at the dock.

After bathing and fumigation passengers are housed in private immigrant hospitals. A full-time medical officer is employed by the steamship company who is in charge of the medical examinations prior to embarkation. He examines regularly between sailings immigrants from the various hotels, having them come to rooms adjoining the dock set aside for the purpose.

The passengers are first vaccinated and inspected for vermin. Based on this officer's certification as to vaccination and the certificate of the medical authorities of the Stuyvenburg Hospital as to bathing and fumigation, the American consulate stamps the card which every immigrant is required by the United States quarantine regulations to present on arrival.

After vaccination the immigrants are examined medically from the standpoint of the United States immigration law. Through a local arrangement all cases of favus and trachoma are referred to local specialists. Diagnosis of the former disease is said to be controlled by microscopic examinations. Uncured cases are refused passage.

Judging by the methods followed, it is believed these inspections are adequate to prevent the embarkation of persons afflicted with quarantinable diseases, favus, and trachoma.

While the inspections include disease likely to affect ability to earn a living, this phase of the work is not as thorough; the detection of insanity and mental defects is not entered into to any extent.

At Southhampton passengers arrive just prior to embarkation and are examined by the ship surgeon in the presence of a medical representative of the British Immigration Service. The medical officer of the British board of trade is also present. The eyelids of each immigrant are everted. Some attention is paid to the detection of cases of favus, and plain cases of other diseases contemplated in the immigration law would be detained. Examinations for insanity and other mental defects can not be thorough with the methods followed. A medical officer of the American consulate examines all passengers for evidences of vaccination, vaccinating those who require it.

At Havre, passengers are taken to the dock on the day of sailing for a medical examination. An examination of several hundred passengers intending to proceed via Compagnie Transatlantic Generale was witnessed. The inspection is conducted in a large room on the second floor of the dock. The immigrants enter this room one by one. They are vaccinated, one attendant scarifies the arm, and another applies the vaccine. Other attendants examine each immigrant for evidences of venereal diseases, and still another for vermin.

One physician examines for trachoma and another for favus. This part of the examination is orderly and thorough. No special examination is made for mental defects and physical disabilities affecting ability to earn a living, although perfectly plain cases would be detained. During these inspections an officer of the United States Public Health Service witnesses the vaccinations and looks out for cases of quarantinable diseases. He is occasionally consulted regarding other diseases, but has no authority for the medical inspection of aliens.

In case of illness, immigrants are sent to the city hospital. From 1,000 to 1,500 immigrants are constantly in barracks awaiting sailing. They stay on an average of six days, and in case of illness would have the services of a full-time physician of the company.

During the month of November the Compagnie Transatlantic Generale embarked 3,745 third-class passengers from Havre and 1,658 second-class passengers. Seventy-one second-class and 313 third-class passengers were rejected. The large number of these rejections were on account of vermin and were temporary, although between 50 and 100 were on account of "maladies specials" (venereal diseases). At Cherbourg the inspection of groups of steerage passengers of two lines was witnessed. The vaccinations and inspections for vermin are observed by an officer of the United States Public Health Service.

The examinations for diseases coming under the immigration law are made by two physicians, one of whom is a representative of the French Immigration Service. They comprise a close scrutiny for favus and trachoma, and perfectly plain cases of physical or mental disability are excluded.

At Naples and other Italian ports medical examinations of departing aliens are conducted through a local immigration commission: (1) Inspector of emigration; (2) officer of office of captain of the port; (3) secretary of the captain of the port's office; (4) doctor of the port; (5) police officer. The ship's doctor and a representative of the company may also be present. The above commission inspects all parts of the ship just before the embarkation of passengers as to sanitary conditions, food, and other requirements outlined in the Italian immigration law. Under this law only the American consul may be present at these inspections. This operates to exclude officers of the United States Public Health Service.

The above-mentioned board examines all passengers with the object of excluding such cases (1) as may be harmful to the health of other people, (2) as may be liable to exclusion under the United States immigration law. This board also conducts disinfection of baggage, which, however, does not include personal baggage nor clothing worn by the alien. At this port aliens are not bathed before embarkation. A medical officer of the consulate is on board the vessel just prior to sailing to observe the passengers as they come on the gangplank.

The medical examinations as outlined above are believed to be representative of those conducted at practically all ports. It is necessary to add, however, that a number of new lines have been established since the war which have not the facilities for the examination and embarkation of passengers that are available to the old-line companies. In some places these new companies are experiencing great difficulties in securing facilities. On account of lack of experience, also, their examinations are not as effective as some of the older companies. Furthermore, some passengers rejected by other lines appear to resort to less particular lines.

On the whole, the examinations witnessed may be said to be generally thorough as relates to trachoma, and fairly so as relates to favus. This is undoubtedly due to the special care taken for years in respect to these diseases at United States and Canadian ports of arrival, and to the former rigid enforcement of the immigration law relating to deportations. In a few ports examinations for active manifestations of venereal diseases were carefully made. In a few ports more or less general attention was paid to diseases affecting ability to earn a living. At none of the ports were special tests made to detect mental defect. The degree of attention that may be expected to be paid in future will depend on the thorough enforcement of the immigration law at home ports.

There is special need, therefore, of standardizing and improving various aspects of the medical examinations as conducted abroad by steamship companies.

En route to and from Europe opportunity was taken to inspect thoroughly the steerage quarters aboard ship, as well as the hospital facilities and methods of preparation and serving food. The conditions were good; far better, in fact, than this class of passengers is accustomed to when traveling abroad.

The steerage accommodations aboard ships having large passenger lists are always limited. On this account and because of seasickness, from which many persons suffer, as well as other obstacles, it has always seemed to me inadvisable to advocate the inauguration of any official system of medical examinations aboard ships en route. The attempt to conduct such work under the conditions that would necessarily prevail would be demoralizing to the force on whom it devolved. Furthermore, it would result in dissipation of effort and would not relieve aliens from losses, financial and otherwise, in case of rejection at United States ports.

On arrival at New York all vessels carrying alien passengers or crews are subject to medical inspection under the immigration law, and any disabled aliens are cared for in the hospital at Ellis Island. For these purposes the United States Public Health Service maintains a medical staff of 42 full-time physicians and 9 consulting physicians.

The cabin passengers and crews are examined aboard ships, 13 medical officers being assigned to this duty. These examinations are undertaken immediately after vessels pass the quarantine inspection. The methods are varied, depending on facilities available and the origin and condition of passengers to be examined. These examinations can not be as thorough as would be the case were the persons to be examined removed to the examination rooms at Ellis Island. In view of the changed character of alien passengers traveling in the second class of many ships since the war, it would be desirable to remove this class, as well as the third class to Ellis Island for thorough examination.

On account of the congestion at the port of New York, however, the tendency has been to undertake the examination of steerage as well as other passengers aboard some ships. This tendency is to be deplored as examinations can never be as satisfactory aboard ship because of the lack of facilities and presence of other obstacles; and the fact that they are undertaken aboard encourages the physically and mentally disabled to travel in ships thus excepted in order to escape the detection of these disabilities.

In the case of crews it would be desirable to combine the medical inspections required under the quarantine and immigration laws and perform them while the vessels remain in the quarantine anchorage. The expected transfer of the quarantine station at New York from State to Federal control should render this practicable. Time would thereby be saved on the part of both medical and immigration inspectors, commerce would be facilitated, and the examinations would be more satisfactorily performed.

At present second-class passengers are inspected as the vessels proceed to their docks. Cases in which diagnoses of disabilities affecting ability to earn a living can be made immediately or certified to aboard. All other cases are referred to Ellis Island for secondary examination or observation in hospital as may be required.

It is the practice generally to remove third-class passengers to Ellis Island for examination. They are first subjected to a primary line inspection, each passenger being seen by two medical officers. The first officer looks specially for physical disability and mental defects. The second officer examines the eyes and looks out also for mental defects. About one out of six of all these passengers are detained for secondary examination. For this purpose they are taken into the medical examination rooms and partially disrobed.

The system has been developed as the result of many years' experience, and is similar to, though more thorough, than medical inspections generally at ports throughout the world. By reason of the large numbers of aliens arriving, the conditions aboard ship, and the magnitude of the immigration problem as affects the United States, increasing numbers should be subjected to secondary examinations. All steerage passengers should be freed of their baggage before inspection, and both steerage and second-class passengers should be brought to Ellis Island for medical examination.

In order to do so, however, the facilities must be increased, additional medical officers provided, and rearrangements as to space made whereby secondary examinations will be as rapid as primary inspections. These added facilities should include a small dispensary and laboratory in the medical division, a dark room for ophthalmologic work, and special appliances for examinations and measurements in large number.

Through Ellis Island our population receives accretions annually of about 1 per cent. Aside from questions of assimilation, these vast numbers give rise to problems affecting the public health which should be thoroughly considered. Routine examination should accordingly be supplemented by special methods which would throw light on growth, physique in relation to national defense, and physical types as affecting racial development.

It should be made a punishable offense for aliens to give false information as to age and condition of health. At present the ages of children, for instance, are oftentimes falsely stated on the manifests. This vitiates the vital statistics and not only nullifies accurate observations but encourages violations of laws regulating school attendance and child labor.

From every standpoint the people of the United States have a right to all necessary information relating to the physical and mental status of its prospective citizens, particularly when they are arriving in such vast numbers as to speedily influence the type of the future American.

Arriving immigrants, regarding whom a diagnosis can not be immediately concluded or who require medical care on account of illness, are referred to hospital. For this purpose the hospitals at Ellis Island are believed to be well adapted. They have a capacity of 650 beds and are well equipped. There is need, however, of a central kitchen and a nurses' home to lessen congestion. The staff includes about 18 medical officers, 9 consultants, 65 to 70 nurses, and necessary administrative assistants and attendants.

On account of the congestion at Ellis Island, and the growing practice of permitting treatment of the diseases excludable under the immigration law, the hospitals are filled to capacity. On January 18 there were 647 alien patients on hand. The prompt and thorough enforcement of the law with respect to deportation would relieve the hospitals of congestion both by removing the diseased aliens from hospitals and discouraging the embarkation abroad of persons suffering from excludable diseases.

In any event aliens of the unassimilable classes should not be permitted to remain permanently in the United States nor should other classes be permitted to come in greater numbers than will permit of their assimilation. Otherwise, the problems of the public health will be increased and diverse physical and mental types will be perpetuated. From these aspects there is urgent need of dealing vigorously with the immigration problem. While they may not be immediately the most important, if neglected they will react unfavorably on the future development of our country and people.

From medical and public health standpoints this need can be met by (1) increasingly thorough medical examinations at United States ports; (2) the prompt and thorough enforcement of the immigration law at United States ports as relates to physical and mental defects and disability; (3) the requirement that transportation companies shall refuse absolutely to embark persons excludable under law by reason of such defects; (4) the granting of authority to United States consulates to decline to visé passports or other permits to excludable aliens or to grant bills of health to vessels embarking passengers who have been denied the visé or similar permit.

Thorough medical examination at United States ports can not be dispensed with in any event. The question has arisen whether these inspections should not be supplemented by further examinations either aboard ships en route at ports of embarkation or places of origin of emigrants. In my opinion examinations aboard ship would be impracticable for the reasons previously stated.

Should the visé control system be continued and extended or a system of individual permits established, it would be highly desirable from the standpoint of all for specially qualified medical officers of the United States Public Health Service to be assigned to duty at selected consulates to cooperate with and advise consular and immigration officers in matters affecting the health and physical fitness of departing aliens. These officers would regularly inquire into the occurrence abroad of diseases excludable under the immigration law, study the movements of alien groups destined to America in relation to physical and mental fitness, cooperate with transportation companies in standardizing their medical inspection, and, as stated above, advise and cooperate with consular and immigration officers in the enforcement of all laws relating to the selection or rejection of immigrants for medical and public health reasons.

Independent of the practicability of extending official control methods abroad, no examinations should be undertaken by medical officers of the Government which would tend to absolve in the least the transportation companies or the emigrant personally from full responsibility as to physical and mental fitness before embarkation. In view of the reasonableness of the medical requirements, these parties should be able in practically every instance to determine in advance whether they will be able to conform to them.

The Commissioner General of Immigration, Mr. Caminetti, has also warned the country. He made a report recently, and his "feet were on the ground" when, on his return from Europe, he described conditions. He has been alive to the situation all along. He has protested against the admission of the diseased and the insane and the vicious, but his protests have not been heeded and his deportation rulings have been thrown into the wastebasket by those higher up, who now boldly mock our immigration laws, which if enforced might prevent some of our present troubles.

Mr. Chairman, the United States will do all that it can to stamp out typhus at once. The United States will not put the burden on any State; but, Mr. Chairman, I repeat statements made by me before that the bulk of the present immigration is undesirable. More than that, it is dangerous. It brings death and disease. It brings great financial burdens to our Government. It brings the wrong people to the wrong places, and they come in ever-increasing numbers, when there is neither work for them nor opportunity to succor and save them. Let the steamship companies continue to unload them at various places by diverting the routes of their vessels and the typhus louse will be spreading his deadly fever germs from New Orleans to Boston before many weeks, I am afraid; but if so, I do not propose to let the blame lie against the United States Health Service or this House of Representatives if I can prevent it.

Neither do I want to see the deficiency money that we will appropriate go as the million dollars for deportation of revolutionary aliens went.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Philippine Islands, $50,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. I would like to inquire of the chairman in charge of the bill whether the bill provides for any more money being expended on the fortifications of the Philippine Islands than is necessary to keep them up and maintain them?

Mr. SLEMP. No.

Mr. GREEN of Iowa. Approximately how much is being expended on the Philippine fortifications in this bill?

Mr. SLEMP. It is purely a maintenance proposition there.

Mr. GREEN of Iowa. Something between $50,000 and $150,000?

Mr. SLEMP. Yes.

Mr. GREEN of Iowa. It is not of importance; it is merely for maintenance?

Mr. SLEMP. That is right. My impression is that, taking all the armament together, we cut out over a million dollars altogether in the islands.

Mr. GREEN of Iowa. That is the question I wanted to propound.

I want to commend the committee heartily for so doing. In the first place, I think it is very doubtful, to say the least, whether any fortifications alone in the Philippine Islands can protect those islands in the absence of an army or a navy that is able to prevent the landing of a hostile force.

Mr. SLEMP. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SLEMP. For the information of the gentleman, I will say that the War Department during the past year has sent quite a lot of new mobile guns over there and quite a lot of ammunition, which will give such protection as the surplus supplies in the United States will warrant.

Mr. GREEN of Iowa. I am glad to hear the gentleman's statement. The gentleman is aware of the fact that there is a movement on foot to separate the Philippine Islands from this country.

I do not desire to discuss the question and, of course, it would not be in order to discuss that question; but if those islands are separated from this country, we ought not to spend money in the manner we have heretofore been spending money on the fortifications in the Philippine Islands. And I want to say at this time, going perhaps a little past the proper line of debate, that if the Philippine Islands are ever separated from this country, I trust it will not be done—and I believe it will not be done—without an understanding, and especially without any agreement, that we are not to protect the islands in their territorial integrity and independence. I have noticed and gentlemen have noticed a continuous propaganda kept up, as I have thought, in behalf of certain interests in favor of separating the islands from this country. Without determining that question, I wish that there was some way by which notice could be served on the inhabitants of the Philippine Islands of what I believe to be the unanimous sentiment, or almost the unanimous sentiment, of the American people that if the islands are ever separated from this country we will no longer be responsible for them. We could not properly do so if we wished, and I want to say, for my part, that we should not if we could.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GREENE of Vermont. Suppose we had come to an understanding that we will not be responsible for the safety of the Philippine people on their own account. What would the gentleman say to the proposition that we may have to retain an interest in the islands, even after they have been separated, on our own account?

Mr. GREEN of Iowa. I am aware that the gentleman may properly raise that question; but it seems to me that our interests in that quarter of the globe are now largely dependent on the fact that we are holding those islands.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask for half a minute more.

The CHAIRMAN. The gentleman from Iowa asks for half a minute additional. Is there objection?

There was no objection.

Mr. GREEN of Iowa. I will simply say in that half minute that I see the discussion is going outside the limits I intended, and I do not want to delay the passage of the bill. I withdraw my pro forma amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BARRACKS AND QUARTERS.

For continuing construction of the necessary accommodations for the Seacoast Artillery and for temporary cantonments for oversea garrisons in the Philippine Islands, $75,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. There are a number of items appearing in this bill for the expenditure of money in the Philippine Islands—one of $50,000, one of $65,000, and several $3,000 items, and then this large item which has just been read.

In view of the fact that the President of the United States has recommended our turning the Philippines back to their own people and that the Congress seems to be of that attitude, I want to ask the chairman of the committee what is the necessity for continuing this appropriation, which is for the fiscal year ending June 30, 1922?

Mr. SLEMP. We had estimates of considerably over $1,000,000—$1,118,000, or something like that.

Mr. BLANTON. If under the policy of the incoming administration the Philippines should be turned back, as they ought to be, all of this money would be unnecessary.

Mr. SLEMP. We felt that we had to maintain the existing structures that are there now, but the committee declined to authorize further expenditures, rather along the line suggested by the gentleman from Texas.

Mr. BLANTON. The gentleman has not understood that it was going to be the policy of the incoming administration to hold these islands?

Mr. SLEMP. We have no information on that subject, but we just declined to appropriate over $1,000,000 for the Philippine Islands that was asked for next year.

The CHAIRMAN. The pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

In the Hawaiian Islands, $2,500.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word. The other day in the general debate I understood the gentleman from Virginia [Mr. SLEMP] to say that we carried an item in this bill for the unexpended balance of $600,000 for the Air Service for the next fiscal year. Perhaps I misunderstood him, and perhaps I misunderstand the provision in the bill.

Mr. BLANTON. That is on page 6.

Mr. SLEMP. That is contained at the bottom of page 6.

Mr. MANN of Illinois. But I find that that language only provides that the amount there mentioned shall remain available until June 30, 1922, for the payment of obligations incurred under contracts executed prior to June 30, 1920. I want to ask whether that will take care reasonably well of the Air Service for the next year? They could not buy anything new at all unless it was covered by contracts already executed.

Mr. SLEMP. I will say to the gentleman from Illinois that the seacoast defense aviation is at the present time confined to a field on Staten Island, one at San Francisco, and a portion of the expense at Langley Field. This had its origin in a war appropriation of $8,000,000 for the establishment of eight stations. There was a considerable controversy last year over the question as to whether the eight stations would be continued or not, and the committee last year recommended that only three stations be retained for seacoast defense aviation, one at Staten Island, one at San Francisco, and to assist in defraying the expenses at Langley Field. Now there had been set aside out of other funds known as war funds about $3,000,000 in addition to the $8,000,000 referred to. It was out of those funds that contracts were made for airplane material. A portion of the $8,000,000 was returned to the Treasury. Over $3,000,000 will be returned by the 1st of July.

That does not furnish any material in completion of aviation, but just these seacoast stations. Out of the $3,000,000 war funds referred to, contracts were entered into for certain airplanes, and those airplanes were to be delivered by the 1st of July, but it was found that they will not be delivered by that date. The airplanes are nearly completed and will be completed some time during the next fiscal year, and to carry out contracts and obligations made in good faith and to provide for the delivery of these airplanes this appropriation mentioned in the bill was carried over.

Mr. MANN of Illinois. Who is at the head of the Air Service in the War Department?

Mr. SLEMP. Gen. Menoher.

Mr. MANN of Illinois. Is this under him?

Mr. SLEMP. He appeared before the committee and advocated it.

Mr. MANN of Illinois. I know; but this is in the fortifications bill. What I want to know is whether the appropriation for Air Service under the fortifications bill and under the Army bill are expended under the same supervision in the War Department?

Mr. SLEMP. That is my information.

Mr. MANN of Illinois. I wanted to know whether it was another—not duplication—quadruplication?

Mr. SLEMP. No.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The unobligated balance of the appropriation for the fiscal year 1921, for the establishment, construction, enlargement, or improvement of aviation stations for use in connection with the seacoast defenses of the Hawaiian Islands, including the acquisition of land or any interest in land by purchase, lease, condemnation, or otherwise, and the preparation necessary to make the same suitable for the purpose intended, is continued and made available for the same purposes until June 30, 1922.

Mr. GARD. Mr. Chairman, I move to strike out the last word. I am interested in these items for the Air Service as they appear here and as they appear on page 6. This particular item on page 9 is the unobligated balance of the appropriation for the fiscal year 1921 and is for the unobligated balance of appropriations of $1,300,000.

Mr. SLEMP. That is correct.

Mr. GARD. Can the gentleman inform the committee what is the balance remaining unexpended?

Mr. SLEMP. My information in that respect is that only a small amount of money had actually been expended as of the 1st of January, 1921, but that nearly all of it had been obligated. Now, the authorities in Hawaii contend that there are very few contractors over there, so that it is rather difficult to let the work by contract, and very expensive, and they felt that if they kept their own organization going, without being forced to let the work by contract, they could do the work for about 25 per cent less than it could be done otherwise, and that would be a saving to the Government of about $300,000, and under those circumstances they were not aggressively pushing the construction of that station there.

Mr. GARD. Does the gentleman know how much money is unobligated?

Mr. SLEMP. A very few thousand dollars unobligated.

Mr. GARD. The gentleman means not contracted for?

Mr. SLEMP. Only about $11,000 that has not been set aside.

Mr. GARD. So all the money except $11,000 is obligated by some contract?

Mr. SLEMP. It is allotted; it is very difficult to get the information about it. The information was not furnished to the committee. The committee asked for the information again during the sitting of the committee to get more complete information, but we did not get the information desired.

Mr. GARD. What was the additional information desired?

Mr. SLEMP. Practically the information which the gentleman asks for—exactly the amount of money that had been spent, the amount obligated, and exactly the amount that was allotted.

Mr. GARD. This bill provides for the expenditure of $688,277 in one item for aviation of seacoast defense, and something like $11,000 of this item for new enterprises. Does the gentleman think that those sums of money, which do not seem to be very large in the general expenses of aviation throughout the world, will be sufficient to protect our defenses?

Mr. SLEMP. I will say that in the continental United States the War Department only asked for money to purchase land on which to establish stations, but nothing for equipment. They say the purpose was to improve the fire control only. The War Department stated that all the money to be expended will be sufficient to take care of what they have there now. That will correspond to the number of troops they may have.

Mr. GARD. How much money was expended for land?

Mr. SLEMP. There was no money expended for land. It is a little field on an island owned by the Government. This is

the only place where we have the Army and the Navy aviation working together. The Army and the Navy are both in the same field.

Mr. HICKS. Mr. Chairman, I move to strike out the last two words for the purpose of asking the gentleman from Virginia a question. The gentleman refers to the air station. I suppose he refers to the one at Pearl Harbor, Fort Island, owned jointly by the Army and the Navy. How many stations are there in Hawaii?

Mr. SLEMP. That is the only one; there are some balloon stations.

Mr. HICKS. Of course, as the gentleman well knows, there is a great deal of discussion in regard to aviation for the Federal Government, and especially its cost. In the naval bill recently passed there was reported a grand total for aviation, including not only material but pay and subsistence and many other items not hereto so designated. In the Army bill there was so much for "aviation," which did not include pay and subsistence, and I presume the various items in this bill for aviation are separate and in addition to the amount appropriated by Mr. ANTHONY's committee.

Mr. SLEMP. The gentleman is correct; $19,200,000 carried in the Army bill, and we only carry a reappropriation.

Mr. HICKS. But you must add $20,000,000 to that if you want to compare it with the Navy, for this $20,000,000, approximately, represents pay, subsistence, and so forth.

Mr. SLEMP. I will say that that depends upon the number of enlisted men and officers assigned to the Air Service. I presume it will be about 8,000 men and 1,000 officers.

Mr. HICKS. That would bring the pay and subsistence up to $20,000,000?

Mr. ANTHONY. We never figure the pay and subsistence in the aviation. The Army bill carries $19,200,000 for the Air Service, and that is for purchasing new machines and the operation of the air activities, outside of the pay and subsistence of officers and men.

Mr. HICKS. The Appropriation Committee Navy subcommittee very properly insisted upon bringing forward the fact that $23,000,000 was appropriated this year, which included the pay and subsistence. Does not the gentleman, who is a member of the Committee on Appropriations, think that we should get both the Army and the Navy on the same footing, so far as expense is concerned?

Mr. ANTHONY. There is no question about the fact that money has been appropriated for aviation under three or four different bills and that the individual committees have had absolutely no knowledge of what the other committees have been doing in this respect.

Mr. MANN of Illinois. The gentleman means the same committee.

Mr. ANTHONY. One committee has had no knowledge of what the other was doing.

Mr. MANN of Illinois. But it is all the same committee—the Appropriation Committee.

Mr. ANTHONY. I am talking about last year.

Mr. HICKS. Is it not the proper thing for the Appropriation Committee as a whole to bring the two services together, so far the total expenditures are concerned? That is, the basis for estimates should be the same in both the Army and Navy.

Mr. ANTHONY. The gentleman is right. I want to point out that last year in the fortification bill there was $11,000,000 carried, of which I do not believe a single member of the Military Committee knew anything about. There was not a thing said by an officer of the Air Service or any suggestion that they were going to get a single dollar from any other source for aviation.

I was surprised and dumfounded when I sat in the hearings of this committee and found that they had received about $11,000,000 for aviation and had constructed several tremendous air posts in the country that I did not know were on the map, which cost $1,600,000 each.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ANTHONY. And we found that the aviation bureau had entered into contracts for the delivery of a large number of airplanes, mostly of the bombing type, for which the gentleman from Virginia [Mr. SLEMP] makes provision in this bill, in the extension of time within which the appropriation shall be available. To come down to the specific point upon which the gentleman from New York [Mr. HICKS] rose, namely, the question of air forces in Hawaii, the War Department this year asked for an appropriation of over a million dollars for building of barracks and quarters there, for the establishment of a squadron of air forces in addition to the squadron already in Hawaii. The committee felt that the squadron of Air Service now there, stationed at a post which was going to cost over a million dollars in construction, and with the station of the Naval Air Service immediately adjoining, which, I understand, has cost a large sum of money and for which the gentleman's committee is making provision, was enough air force for Hawaii, and we refused the $1,300,000 which was asked for for additional construction there.

Mr. HICKS. Mr. Chairman, I am very glad to get this information, because there is a very great deal of confusion in the minds of people as to how much aviation is costing the Government. Unless we can include the amounts provided under fortifications and under the Army, we will not know what aviation is costing the Government. Has the gentleman from Kansas any opinion to express in respect to what aviation in the Army, including the fortification appropriation and including all items which can be charged to aviation, is going to cost the Government this coming year?

Mr. ANTHONY. I would say that it is going to cost the Government about $40,000,000.

Mr. HICKS. Including pay and subsistence and everything that goes with aviation?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. Why include pay and subsistence as a part of the charge against an activity in the Military Establishment?

Mr. HICKS. I never included it myself when reporting from the Naval Committee. It was included by the gentleman from Michigan [Mr. KELLEY] the other day in his appropriation bill.

Mr. GREENE of Vermont. That same personnel might be shifted into various other activities. Nobody thinks of specializing on Field Artillery or anything of that kind. The overhead is constant throughout all of the activities of the military service.

Mr. HICKS. The gentleman from Michigan [Mr. KELLEY], when the naval bill was under consideration, figured up the total cost of aviation, and included the pay and subsistence, and there was an item also for medical treatment, if I recall, amounting to $169,000. That is, the grand total of the men in aviation was compared with all the men in the naval service and the proportion or ratio was figured in the cost of maintaining our medical office, and the part that aviation could be reasonably supposed to utilize of the whole amount was charged against the Aviation Service, which was a very unusual thing to do and unfair to aviation, for the same plan was not followed in figuring the cost of the other activities.

Mr. GREENE of Vermont. The overhead, pay and subsistence, is the only constant factor in the Army. The transfer of the personnel from one activity to another is fluctuating, and it may from time to time increase or decrease the personnel in any one activity.

Mr. HICKS. I agree with the gentleman, and if he will refer to the RECORD of a few days ago he will find that I rather criticized the gentleman from Michigan for having made those charges against aviation, including pay and subsistence and medical attendance.

The Clerk read as follows:

SEC. 6. That the Secretary of War is authorized to proceed with the installation of guns and howitzers in such order of priority as he may deem expedient, at places for which appropriations have been, or hereafter may be, made for emplacements for such guns and howitzers.

Mr. GARD. Mr. Chairman, I reserve the point of order on section 6 for the purpose of asking the gentleman in charge of the bill just what this particular section means, and whether or not it has the approval of the Secretary of War or is in fact inserted in the bill at his suggestion?

Mr. SLEMP. Mr. Chairman, it was put in the bill at the suggestion of the Secretary of War. He sent a communication to the committee indicating that it was desirable to change the location of the installation of certain guns.

Mr. GARD. Of course, it is new legislation.

Mr. SLEMP. It was strongly recommended by the War Department.

Mr. GARD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

SEC. 7. That so much of the fortification appropriation act approved July 5, 1884, as pertains to the appointment of a board for the purpose of testing rifled cannon is hereby rescinded.

Mr. GARD. Mr. Chairman, I reserve the point of order on section 7 likewise for the purpose of finding out just what this board for the purpose of testing rifled cannon is.

Mr. SLEMP. The War Department requested that this language be inserted, stating that there was an old board which was organized, I think, perhaps in 1884, but which has been defunct for a great many years. No action is taken by the War Department under it, and other officers and individuals are doing the work in the War Department that was formerly done by this board. This is just to clean it up and get rid of it.

Mr. GARD. Is there in fact no such board now? That is, the board has no personnel?

Mr. SLEMP. It has no personnel.

Mr. GARD. It is intended by this to nullify the act and get rid of the fiction of the board entirely?

Mr. SLEMP. The gentleman expresses it correctly.

Mr. GARD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. Without objection, the Clerk will correct the spelling of the word "more," in line 11, on page 12 of the bill.

There was no objection.

The Clerk read as follows:

Automatic rifles, 1919, $23,000,000.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last word. This and the succeeding paragraphs cover the return of unexpended balances of appropriations that were made mostly during the war for various items in the bill, by virtue of which the committee is turning back into the Treasury some $233,000,000 worth of appropriations which have not been expended and which were eligible to be expended, some of them up to June 30 next. Many of them ran indefinitely. I want to say at this point that the recovery of the $233,000,000 to the Treasury is largely due to the industry of the chairman of the subcommittee, the gentleman from Virginia [Mr. SLEMP] in investigating and making a report to the committee, in conjunction with officials of the War Department, and the committee feels under many obligations to the chairman of this subcommittee for doing this fine piece of work. [Applause.]

The Clerk read as follows:

Ordnance stores, ammunition, 1917 to 1919, $9,000,000.
Ordnance stores, ammunition, 1919 and 1920, $35,000,000.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of obtaining information from the chairman about these very large items in reference to ordnance stores and ammunition, 1917 to 1919, and the two following years, which aggregate the sum of $44,000,000. Do I understand the committee has made investigation and determined that there is no existing necessity for the continuation of these appropriations?

Mr. SLEMP. I will say the gentleman from Ohio expresses the situation correctly, and that the War Department officials came before the committee stating this could be done, and representatives of the Claims Board came also, and the Chief of Finance of the War Department made a recommendation and accompanied it with a statement that there are on hand sufficient moneys retained to settle all outstanding claims against the Government incurred in any obligations or arrangements entered into by the War Department in any respect whatever.

Mr. GARD. Do I understand the chiefs of the divisions of the War Department are in entire accord with the gentleman's committee in this action?

Mr. SLEMP. That states it correctly.

Mr. GARD. And upon their suggestion, and the investigation of the committee as well, that these very large sums of money which Congress voted for the Military Establishment for the defense of the country are happily no longer necessary and the money is to be returned?

Mr. SLEMP. Yes; and I thank the gentleman for the opportunity of saying that the War Department should be commended for its activity in this direction. There were quite large sums of this money that were available for expenditure and had been available for expenditure during the past two years, but they have not been expended by the War Department, and I feel especially the indebtedness of myself personally, and I think the committee does, to Gen. Lord's activity in this regard. He has been very energetic, active, and helpful.

Mr. GARD. In reference to the preceding paragraph under the title of arms, uniforms, equipment, and so forth, for the National Guard, does the gentleman think that can be safely done?

Mr. SLEMP. That can be safely done.

Mr. GARD. It is the policy of the War Department to increase the efficiency of the National Guard?

Mr. SLEMP. It is the policy to increase it, but they have plenty of supplies by which it can be done without incurring additional expense.

Mr. HICKS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I want to congratulate the gentleman from Virginia [Mr. SLEMP] on the very able way in which he has presented this bill to the committee and the way in which he has led it through the committee proceedings. In saving the amount of money which he evidently has done by covering back into the Treasury some $233,000,000, I venture the opinion that even the gentleman from Wyoming ought to be satisfied with this bill. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Inland and port storage and shipping facilities, 1918 and 1919, $4,000,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Virginia in regard to these port storage and shipping facilities. I understand that this item turns back a considerable sum that was originally appropriated for port storage and shipping facilities. What is being done now with the large amount of matériel that was manufactured in this country and that was brought back from France?

Mr. SLEMP. That has been sent to various places like——

Mr. TILSON. Rock Island Arsenal?

Mr. SLEMP. No; another one out there.

Mr. MACGREGOR. If the gentleman will permit me, I will state to the gentleman that if he refers to the hearings before the committee on investigation he will find a statement as to all places in the country in which these ordnance stores are placed.

Mr. TILSON. My question was leading up to a response that might give the assurance from the gentleman that this matériel was being brought together in certain places where it might be stored safely and at the same time as inexpensively as possible.

Mr. SLEMP. I think that is true, I will say to the gentleman. I would like to add also that the gentleman's inquiry is pertinent especially because the committee rather thought a lot more money could have been returned to the Treasury, inasmuch as there is an item of about $58,000,000 of Government money apparently still tied up in this storage business. But inasmuch as there are some outstanding claims, the nature of which are not fully determined, the financial department did not want to yield any more money than this $5,350,000, and stated that in his opinion many more millions would revert. I call attention also to the fact in the Army appropriation bill the estimate that was originally made called for $10,000,000, but that was stricken out, and inland and port storage for the coming year will be paid out of moneys on hand; that assumes about $9,000,000, and I should think next year at least, perhaps, $10,000,000 will be recovered additional from this item. But the committee did not have complete information on which to make any further return other than the $5,350,000.

Mr. TILSON. Just one more question——

Mr. MACGREGOR. Will the gentleman yield?

Mr. TILSON. One more question and then I will yield, and that is in regard to the port-storage plant which was started in South Brooklyn.

Mr. SLEMP. If the gentleman will excuse me, this bill carries no item in any way for storage matters. It relates only to the coast defense. We thought that having gotten into this cold-storage business we might get a little money to turn back into the Treasury and that is a very fruitful field of investigation further.

Mr. TILSON. We had a very great plant started there. To what point it had advanced I do not know.

Mr. SLEMP. I am sorry I can not inform the gentleman.

Mr. MACGREGOR and Mr. CHINDBLOM rose.

Mr. SLEMP. I yield first to the gentleman from New York [Mr. MACGREGOR].

Mr. MACGREGOR. I wondered whether your subcommittee had taken into consideration this proposition: The Ordnance Department has on hand stores amounting in cost value to $1,176,000,000, of which $50,000,000 is to be declared surplus. Now, it occurs to me, although we have not gone into the proposition carefully, that a great amount of this will be perfectly useless and it will be taking up storage and using personnel. Is there any program arranged to have a lot of this material scrapped and reduce the cost of storage and personnel?

Mr. SLEMP. I am sorry that I do not know of any special plan myself that is in operation in regard to that. Take, for example, the guns, and there are a lot of them. They are held

as our national reserve, on the theory of national preparedness. If we wanted to sell them, there are no buyers, and we are not trying to scrap them or make new ones, but we are trying to keep them in good condition as an element of national preparedness.

Mr. MACGREGOR. Under that program you would have a lot of material which would be kept for years on the possibility of war in the future.

Mr. SLEMP. I think the question of the maintenance of this material is a difficult one to solve, but expenditures in that regard ought to be less as the years go by.

Mr. CHINDBLOM. Did I understand the gentleman to say that some of these supplies were in the warehouses at Savanna, Ill.?

Mr. SLEMP. I have a statement in the RECORD, under the Army bill, that gives a notation of all of these. We did not go into the subject very much in this one. There are some at Rock Island; Savanna; San Antonio, Tex.; Erie, Pa.; and Boston.

Mr. CHINDBLOM. It has only relation to the money balances that are unexpended?

Mr. SLEMP. Certainly; not the material.

Mr. CHINDBLOM. It will not affect the material?

Mr. SLEMP. It provides an expenditure of money for other material and returns that to the Treasury.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Total appropriations to be covered into the Treasury, $233,555,760.

Mr. STEVENSON. Mr. Chairman, I move to strike out the last word. I desire to direct the attention of the committee to the fact that this action in covering back $233,000,000 into the Treasury is a very commendable one, and I desire to commend the gentleman from Virginia [Mr. SLEMP] and all the other gentlemen who had anything to do with it. But back of all that it ought to be written in the record that this is $233,555,760 that the War Department has had the opportunity to spend, some of it for two years, some three years, and some for one year, and has not spent it. We have gotten in the habit here of reaching the conclusion that anything that was appropriated for the War Department was very promptly spent, and usually wastefully spent. In the face of that habit which has grown up here, I want to emphasize now that this great covering into the Treasury has only been made possible because the War Department has declined to spend a quarter of a billion dollars which has been put at its service and which it has had the opportunity for some years to spend.

Mr. GREENE of Vermont. Mr. Chairman, I rise in opposition to the pro forma amendment.

I am very much interested in what the gentleman has said, and I approve of the prudence, thrift, and patriotism that has been displayed on the part of the committee in turning back certain sums of money into the Treasury; but I can not read into that act such a degree of credit for the War Department, that has had this money and has not spent it, as my good friend appears to discover. The fact is that the War Department had this money year after year, had not spent it, knew it had not spent it, and still came before the committee and made the same foundation estimates in its testimony and requests and asked for more.

Mr. CARTER. I would like to ask the gentleman if the committee did not still appropriate the money?

Mr. GREENE of Vermont. Because we did not know that this money was in reserve.

Mr. CARTER. The committee ought to have found it.

Mr. GREENE of Vermont. It ought to have found it; and if the people who asked for the money had told explicitly what they had at the time on hand, or responded to the questions that would have revealed the information, we would have found it; in other words, to use a parlance the gentleman from Oklahoma is not familiar with, if they had "laid their cards on the table"——

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. STEVENSON. The gentleman will admit that while they did not lay their cards on the table, they did not spend the money when they had it, and the Committee on Military Affairs did not have the acumen to find that out.

Mr. GREENE of Vermont. I think that is a rather poor commendation for one part of the outfit, to say that the fact that one set of people did not reveal their mischief is to their credit, while the fact that the other people did not find it out is due to their stupidity. [Laughter.]

Mr. SLEMP. I want to make this one observation, that last year there was returned to the Treasury $800,000,000. Now, in order to prevent any further expenditure by the War Department the committee required the department to submit estimates, and be bound by them subsequently, under which they proposed to spend money for another year. In some way we did not then get this $220,000,000, but the department, in a way, bound themselves to be limited to the amount stated before the committee, which then did not include this amount. This year we get this additional amount.

Now, Mr. Chairman, I move that the committee rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DOWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 16100) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1922, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SLEMP. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SLEMP, a motion to reconsider the last vote was laid on the table.

EMERGENCY TARIFF.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 15275, commonly known as the emergency tariff bill, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 15275, disagree to the Senate amendments, and agree to the conference asked for by the Senate. Is there objection?

Mr. TREADWAY. I object.

Mr. GREEN of Iowa. Will the gentleman withhold his objection for a moment?

Mr. TREADWAY. I will withhold it.

Mr. GREEN of Iowa. Does the gentleman wish to have the bill sent to the committee?

Mr. TREADWAY. I certainly do.

Mr. GREEN of Iowa. Can I not compromise with the gentleman? If I withdraw my request, will the gentleman withdraw his objection?

Mr. TREADWAY. If it still lies on the table, I will do that. If the bill is called up and unanimous consent is asked for a conference, I shall object. I think it should go to the committee. There have been no end of changes made in the bill, which the committee has the right to have considered by the committee.

Mr. GREEN of Iowa. I would like to discuss that with the gentleman.

Mr. Speaker, without objection, I will withdraw my request.

Mr. TREADWAY. As the matter stands, it is not up. If the gentleman desires to leave his request, I will leave my objection. They can stand together.

Mr. GREEN of Iowa. I will withdraw my request, Mr. Speaker.

Mr. TREADWAY. Very well. I will withdraw my objection.

RECORD ESTABLISHED IN PASSAGE OF APPROPRIATION BILLS.

Mr. MONDELL. Mr. Speaker, if I may be privileged to do so, I wish to announce that the House has this day established a record in the prompt and early passage of the appropriation bills. The last appropriation bill has passed the House at an earlier date than at any short session in the last 25 years. [Applause.]

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WOODYARD (at the request of Mr. ECHOLS) for three days, on account of illness in his family.

To Mr. CLARK of Missouri, for to-day, on account of sickness.
To Mr. RAINEY of Alabama, for 10 days, on account of important business.

POINT OF NO QUORUM.

Mr. WALSH. Mr. Speaker, I make the point of order that there is no quorum present.
The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.
The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Friday, February 18, 1921, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV,
416. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on survey of the lower Columbia and Willamette Rivers, below Portland, Oreg., with a view to securing a channel 35 feet deep (H. Doc. No. 1009), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed with maps.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,
Mr. GREENE of Massachusetts, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 3451) authorizing and directing the United States Shipping Board to adjust and pay the claims of the wooden-ship builders arising out of the prosecution of the war, and for other purposes, reported the same without amendment, accompanied by a report (No. 1334), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,
Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 2929) for the relief of Capt. Edward T. Hartmann, United States Army, and others, reported the same with amendment, accompanied by a report (No. 1333), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:
By Mr. DYER: A bill (H. R. 16116) authorizing the Secretary of the Treasury to sell the marine hospital site in the city of St. Louis, Mo.; to the Committee on Public Buildings and Grounds.
Also, a bill (H. R. 16117) for the relief of the Philippine Scouts officers; to the Committee on Military Affairs.
By Mr. HENRY T. RAINEY: A bill (H. R. 16118) to amend section 6 of an act approved January 17, 1914, entitled "An act to amend an act entitled 'An act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909"; to the Committee on Ways and Means.
By Mr. LANGLEY: A bill (H. R. 16119) authorizing the Secretary of the Treasury to sell the marine hospital reservations and improvements thereon at New Orleans, La.; Memphis, Tenn.; St. Louis, Mo.; and Cleveland, Ohio, and to acquire suitable sites and erect thereon modern hospitals in the same localities for the treatment of beneficiaries of the United States Public Health Service; to the Committee on Public Buildings and Grounds.
By Mr. GREENE of Massachusetts: A bill (H. R. 16120) to provide and adjust penalties for violation of various navigation laws, and for other purposes; to the Committee on the Merchant Marine and Fisheries.
By Mr. LEHLBACH: Resolution (H. Res. 688) authorizing the Committee on Reform in the Civil Service to employ technical and clerical assistance; to the Committee on Accounts.
By the SPEAKER (by request): Memorial from the Legislature of the State of Minnesota, relative to the duty on lumber imported from Canada; to the Committee on Ways and Means.
By Mr. EVANS of Montana: Memorial from the Legislature of the State of Montana, relative to an appropriation to give Federal aid to the States in road construction; to the Committee on Appropriations.
By Mr. RIDDICK: Memorial from the Legislature of the State of Montana, requesting that Congress pass S. 4529, a bill for the erection and maintenance of a dam across the Yellowstone River in the State of Wyoming; to the Committee on Rivers and Harbors.
By Mr. PETERS: Memorial from the Legislature of the State of Maine, favoring a forest experiment station on the White Forest National Forest in New Hampshire; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:
By Mr. HERNANDEZ: A bill (H. R. 16121) granting a pension to Gabriela Montoya de Perea; to the Committee on Pensions.
By Mr. LANGLEY: A bill (H. R. 16122) granting a pension to John H. Stewart; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:
5849. By Mr. BABKA: Petition of the Cleveland Grays, indorsing the Rogers bill and the Capper bill; to the Committee on Interstate and Foreign Commerce.
5850. By Mr. CANNON: Petition of certain citizens of Kankakee County, Ill., praying for the immediate recognition by the Government of the United States of the Republic of Ireland; to the Committee on Foreign Affairs.
5851. By Mr. CAREW: Petition of the city council of the city of Philadelphia, Pa., requesting that Independence Square in the city of Philadelphia be selected as a burial place for one of our unknown dead who made the supreme sacrifice during the late World War; to the Committee on Military Affairs.
5852. By Mr. DARROW: Petition of the Philadelphia Board of Trade, opposing H. R. 14461, providing for temporary suspension of immigration and favoring the enactment of immigration bill, H. R. 14186; to the Committee on Immigration and Naturalization.
5853. By Mr. HICKEY: Petition of Rev. Joseph Bolka and others of Michigan City, Ind., protesting against the passage of the Smith-Towner bill; to the Committee on Education.
5854. By Mr. RAKER: Petition of State Normal School, San Diego, Calif., urging the passage of the Fess bill (H. R. 12078); to the Committee on Education.
5855. Also, petition of the county agent of Placer County (Calif.) Department of Agriculture, urging that the original appropriation of $250,000 asked for the distribution of stallions suitable for the siring of Army remounts be allowed and not cut down; to the Committee on Appropriations.
5856. Also, petition of Kullman, Salz & Co., of San Francisco, Calif., urging that the original appropriation of $250,000 asked for the distribution of stallions suitable for the siring of Army remounts be allowed and not cut down to $100,000; to the Committee on Appropriations.
5857. Also petition of the Merchants' Exchange of Oakland, Calif., urging that the appropriation originally asked for by the Bureau of Foreign and Domestic Commerce be allowed and not cut down; to the Committee on Appropriations.
5858. Also, petition of the Foreign Commerce Association of the Pacific Coast, of San Francisco, Calif., protesting against any reduction in the appropriation for the Bureau of Foreign and Domestic Commerce; to the Committee on Appropriations.
5859. Also, petition of W. H. La Boyteaux, of 49 Wall Street, New York, N. Y., protesting against the passage of Senate bill 3944, known as the Federal live stock bill, and Senate bill 4828, known as the Federal coal bill; to the Committee on Agriculture.
5860. Also, petition of California Cattleman's Association, urging the passage of the Gronna bill in its original form; to the Committee on Agriculture.
5861. Also petition of Northern California Milk Producers' Association, of Sacramento, Calif., urging that a tariff be placed on all foreign butter imported into this country; to the Committee on Ways and Means.
5862. Also, petition of Woman's Club of Hollywood, Hollywood, Calif., indorsing the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

5863. Also, petition of G. T. Bliss, vice president and general manager of the Lake Tahoe Railway & Transportation Co., of San Francisco, Calif., urging the passage of House bill 15836, a bill to amend the transportation act; to the Committee on Interstate and Foreign Commerce.

5864. Also, petition of the National Forest Fire Prevention Committee, Boston, Mass., urging support of the item of $1,000,000 in the Agricultural appropriation bill to be used in forest-fire prevention; to the Committee on Appropriations.

5865. Also, petition of Frank B. Peterson Co., of San Francisco, Calif., urging the passage of House bill 15746, a bill to increase the salaries of the employees of the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

5866. By Mr. SNELL: Petition of sundry citizens of Newton Falls, N. Y., protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

5867. By Mr. STINESS: Petition of Holy Name Society, Holy Name Church, and St. Michael's Catholic Church, of Providence, R. I., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5868. By Mr. THOMPSON: Petition of the Bryan Council, No. 1915, Knights of Columbus, Bryan, Ohio, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5869. Also, petition of certain citizens of Van Wert County, Ohio, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5870. Also, petition of the Williams County (Ohio) Farm Bureau, favoring the passage of the truth in fabric bill; to the Committee on Interstate and Foreign Commerce.

5871. By Mr. WATSON: Petition of Wrightstown Monthly Meeting of Friends, of Wrightstown, Pa., in favor of curtailing the Army and Navy program and the inauguration of the five-years' vacation plan; to the Committee on Appropriations.